

CONSTITUTION OF KENYA REVIEW COMMISSION

(CKRC)

VERBATIM REPORT OF

**CONSTITUENCY PUBLIC HEARINGS, ISIOLO NORTH CONSTITUENCY,
HELD AT ISIOLO TOWN**

ON

21ST May 2002

**CONSTITUENCY PUBLIC HEARINGS, ISIOLO CONSTITUENCY, HELD AT ISIOLO BOY'S SCHOOL ON
MAY 28TH, 2002**

Present

Com. Ibrahim Lethome - Chairman

Secretariat staff in Attendance

Solomon Mukenion - Programme Officer
Vincent Wataku - Assistant Programme officer
Grace Gitu - Verbatim Recorder

Com. Lethome: Tutaanza kwa maombi. Namuona hapa Kadhi wa Isiolo yuko hapa. Kwa hivyo ninamuomba Kadhi kabla hatujaanza lolote aweze kutufungulia kwa maombi halafu tuweze kuendelea. Bwana Kadhi tafadhali.

Prayers: (*Arabic*). Tunajiweka mikononi mwako, tunataka baraka zako, tunataka heri zako utusaidie kila jambo ambalo leo Tume lijia hapa. Utuongoze akili zetu, ututunze fikira zetu, utuonyeshe mwangazi ili nchi yetu iwe na usalama na amani ya kudumu. (*Arabic*) Yarabi tupe salama. Mikono Tume inua Mola wetu watujua. Stakabadhi yetu jua utupe lililo lema (*Arabic*).

Com. Lethome: Tunakushukuru Bwana Kadhi. Kawaida yetu sisi huwa hatungoji hadi ukumbi ukajaa watu ndio tukaanza, huanza moja kwa moja. Kwa hivyo bila kupoteza wakati, tutaanza kikao chetu lakini kama mnavyojua kila jambo linalofanyea kuna masharti yake. Hata mpira unapochezwa uwanjani kuna sheria za mpira uwanjani. Kuna red card hutolewa, kuna yellow card hutolewa, ma-penalty hupigwa na kwa hivyo na sisi pia hapa tunayo masharti yetu na sheria zetu. Kwanza ningependa kuwajulisha hiki kikao cha leo sio kikao chetu kama Commissioners kuzungumza, ni kikao cha wananchi wa Isiolo kuweza kuzungumza. Ningependa tu kuwajulisha wale nilio nao hapa na wale ninaotarajia watakuja kujiunga na mimi. Nitaanza kule mwisho. Yule aliyepale mwisho ni Abdilahi Jilo Madima ambaye ni District Coordinator wetu wa Isiolo District. Ni mwakilishi wa Commission katika district ya Isiolo, yule pale. Aliye karibu naye upende wake wa kulia ni msaidizi wake Mohammed, yeye ni msaidizi wake. Kwa hivyo, hata badala ya sisi kuondoka ikiwa una jambo lolote linalohusiana na Tume ya marekebisho ya

Katiba, wao ndio utakaowaona kwa ofisi yao hapa hapa Isiolo. Baada ya Abdilahi kuna Solomon Mukinion, huyu ni Programme Officer wetu ndiye msImamizi wa idara katika shughuli hizi tunazofanya hapa. Kisha tunaye Vincent. Kazi yake ni ku-record kila jambo linalozungumzwa hapa, anarecord kwa maandishi. Kisha tuna Grace, yeye ni kunasa sauti au mazungumzo yoyote kwa kutumia ala au machine, tape. Kwa sababu imetulazimisha kunasa kila jambo au kila maoni ambayo yatatolewa hapa lazima tuyanase. Mimi ni Com. Ibrahim Lethome na ninamtarajia Co. Dr. Githu Muigai atajiunga na mimi baadaye kuweza kujiunga na shughuli hii. Kawaida huwa tunaanza asubuhi mpaka saa kumi na mbili jioni. Unaweza kutoa maoni yako kisha ukakaa kuwasikiza wengine au ute maoni yako kisha uondoke uende zako, una uhuru. Kisha kuna namna mbili ya kutoa maoni. Namna ya kwanza ni kutoa maoni kwa maandishi, memorandum. Ukiwa na maandishi, basi tutakualika hapa mbele uje utoe zile zinaitwa highlights, zile nukta muhimu muhimu utaeleza kwa ufupi kisha utatukabidhi itakuwa ni mali yetu, utaweka sahihi katika daftari yetu pale kisha unaondoka au utakaa chini kusikiza wengine. Ikiwa huna maandishi, utakuja pale na kusema jina lako na utaeleza maoni yako na tutayachukua na pengine utaona tutakuuliza baadhi ya maswali. Huenda tukakuuliza maswali. Maswali yenyewe sio kupima yale maoni yako mbali ni kutaka ufafanuzi. Huenda ukatoa maoni fulani na ikawa sio wazi kwetu sisi kwa hivyo itabidi tukuulize utoe ufafanuzi zaidi. Kwa hivyo usishangae ukiona nakusImamisha na kukuuliza swali au mawili. Kuhusu masharti yetu; hapa tuliokaa kila mtu ana maoni yake tofauti na mwingine. Kila mmoja ana maoni yake. Sasa mtu akija hapa atoe maoni ambayo yatakuudi wewe ama hayakufurahisha ama hukuyaunga mkoni, tafadhali tunakuomba meza nyongo, yaani fanya subira. Hayo ni maoni yake, usimsomee, muache atoe maoni yake akimaliza, wewe utapata nafasi utoe maoni yako. Maana yake ni tuheshimu maoni ya wengine. Nafikiri hilo Tume kubaliana. Hiyo ndiyo ground rule ya kwanza. Tuheshimu maoni ya wengine. Hata mtu akija atoe maoni ya aina gani yanakuudhi vipi, hold your gun, hold your peace. Vumilia amalize ni maoni tu anatoa na ana uhuru, sheria imempa uhuru wa kutoa maoni anavyotaka. Ya pili nitakupa dakika tano kuzungumza. Hizo dakika tano ukianza kutuletea story nyingi, sijui ardhi ya Waborana ilichukuliwa ikafanya hivi, hapo hutakuwa umetusaidia na wala hujajisaidia. Tunataka upendekeze. Matatizo yapo na ndio maana serikali ikapitisha sheira ya kuwaruhusu wananchi watoe maoni yao kwa sababu Tume tambua kuwa kuna matatizo. Hapa Tume kuja kutaka maoni ya kusuluhisha. Kwa hivyo nitakwambi pendekeza. Kila mara nitakuwa nakutolea yellow card nakwambia pendekeza, pendekeza. Usianze hadithi nyingi. Kisha, ya tatu, ninajua katika vikao kama hivi watu wakati mwingine husawishika na kuingilia mambo ya kisiasa. Inakuwa ni political platform ya kuja kuzungumzia mambo ya siasa hapa. Kama chama chako cha kisiasa, maoni yako ya kisiasa, hapa sio mahali pake. Kwa hivyo hapa hatutaki kusikia mambo ya utetezi wa chama chochote, kiwe ni chama tawala ama chochote. TutakusImamisha ukianza kuingilia politics. Pia, hatutaji majina ya watu wala watuji kutukana watu hapa. Kwa hivyo ukianza tu kutukana fulani, sijui fulani na ikiwa unataka kuzungumzia juu ya cheo ama mtu anayesImamia cheo fulani, taja kile cheo wala usimtaje jina. Hatukuja hapa kukashifu watu, tunatoa mapendekezo kuhusu sheria mpya ya nchi hii ya Kenya. Kisha ikiwa kuna mtu ambaye anataka tu kutoa memorandum na hataki kuzungumza, una uhuru wa kuja kutoa memorandum yako kisha uondoke na baada ya wewe kuzungumza, kuna daftari nyeusi pale. Hiyo daftari ni muhimu sana. That is a historical record for this country. Tunataka hata baada ya miaka mia moja mingine, wale watakaokuja wataweza kuona ni akina nani walioshiriki katika kuunda Katiba mpya. Kwa hivyo, ukimaliza utakwenda pale, utaulizwa baadhi ya maswali, utajaza pale na utaweka sahihi yako. Kama huwezi kuandika, utatumia kidole chako kuonyesha kuwa wewe ndiwe uliyezungumza. Halafu pia ningependa kuwajulisha watu leo si ndio siku ya mwisho ya kutoa maoni. Ikiwa

hukupata nafasi leo, kuna nafasi ya kuweza kuwasilisha maoni yetu katika ofisi yetu kupitia katika ofisi ya district coordinator. Kwa hivyo, leo sio mwisho, ukienda ukumbuke mengine utuletee. Kisha, la mwisho kabisa mimi ninajua tabia ya Wakenya. Nafikiri ni kwa sababu ya historia yetu. Jambo lolote linalohusiana na serikali au mambo ya sheria, ukimwambia mtu toa maoni yako, anaanza kuogopa kuwa pengine hapa kuna Special Branch, kuna CID hapa, pengine nitatoa maoni yangu kuhusu ofisio fulani ya mkuu fulani halafu nikitoka hapa nishikwe. Hiyo ni historia ambayo tuko nayo. Hata mimi niliokuwa na yhuo uoga nilipoanza lakini uoga umekwisha. Sababu, sheria iliyobuni Tume hii imesema wananchi wote wa Kenya wana uhuru kutoa maoni yao bila kupingwa na mtu yeyote na bila kuogopa. Yeyote atakayemchukulia mwananchi yeyote hatua kwa sababu ya kutoa maoni yake kwa uhuru basi amevunja sheria hiyo. Kwa hivyo nakuhakikishia bora tu usivunje sheria wala usianze kuwatukana watu lakini nakuhakikishia usalama wako, toa maoni yako bila kuogopa. Mimi najua akina mama wa Kiborana huogopa kutoa maoni mbele ya wazee wao. Ikiwa unaogopa kabisa kutoa maoni fulani unaona wazee wa Kiborana watakasirika, twambie, tutakuwekea kikao chako kando na tutakusikiza. Unasikia mama? La muhimu hapa ninakwambia utoe maoni yako bila kuogopa. Tunajua katika vikao vyetu pengine kuna wafanyi kazi wa serikali wanakuja kufanya kazi zao. Special Branch, waachwe wafanye kazi yao na sisi tufanye kazi yetu. Ikiwa utafuatwa kwa sababu ya kutoa maoni yako, haraka tujulishe na tutachukua hatua inayofaa. Bora tu usivunje sheria. Bila kupteza wakati nafikiri tutaanza moja kwa moja na mtu wa kwanza atakaye tufungulia kikao chetu cha leo ni Sheikh Abdusaid Mohammed Kadhi wa Isiolo, tafadhali.

Sheikh Abdusaid Mohammed: I will start with the preamble. The Constitution, Commissioner sir,

Com. Lethome: Sheikh tafadhali anza na jina lako. Tunataka jina lako ulitamke lisajiriwe pale.

Mr. Sheikh: Abdusaid Mohammed Twaliban. Commissioner Sir, the Constitution is supposed to be people's Constitution. Accordingly, the very first statement of our new Constitution should be we the people of the Republic of Kenya. The Constitution also should be in simple language to be comprehensible to all citizens not only the Court experts. It has to consider and promote our religious faith, customs and culture. We should not rely on English common law or any other aligning culture and then term ours a retagant one. It has also to consider our national unity in diversity by having Constitutional provision of diversity of equality. This is to allow real freedom of choice instead of restricting all people to a certain state of law.

My second point is on application of Islamic law. The Constitution should make provision for Muslims to have application of Muslim law since it's part of the Muslim worship. Further, for Muslim we have principles of justice, equity and good conscious are to be applied. That inspiration must be from principles of Islamic law and not the common law and the like.

Third point, (inaudible) Muslim concertative Council must be established in our Constitution consisting on Muslim's conduct. It should be headed by a

(inaudible). The

(inaudible) is to be consulted and approve any matter and/or any law for Muslims before being enforced by our government or

enacted by our Parliament.

The fourth point, our country's laws of marriage and divorce. Presently, our country laws of marriage and divorce have no respect at all to the sanctity of our Muslim and customary marriages and the body's regulations. The present legislation on marriage and divorce permits the Muslim and customary marriage be converted into statutory ones without necessarily of getting a divorce. While on the other hand, the legislation that those others the compassion of the statutory marriage into either Muslim or customary one. This implies that the statutory marriage and divorce is superior to our religious and customary marriage and divorce. This is utmost unfortunate and absurd. I propose that the statutory marriage should not be given privilege over our Muslim and customary marriages. Each community must have marriage and divorce certificates instead of using affidavits as evidence of proof of the marriage and divorce. Further, each community's marriage and divorce laws must be respected in our Constitution. As for Muslims, our Marriage and Divorce Legislation Act, Marriage, divorce and Succession Act must be Reviewed to be consistent with the Muslim law. Also the term Mohameda should not be used for Muslims.

Fifth point on Kadhi's Court. It is the feeling of Muslims in general that Kadhi's Court should have apary jurisdiction and must administer Islami law provision only and not the common law. Both it is procedural and substentive application. Accordingly, there be Kadhi's Court rule committee headed by the Chief Kadhi to make rules and procedure of Kadhi's Court of all levels in accordance to Muslim law. Further, the common law Courts should not have jurisdiction over Kadhi's Court matters. In addition, Kadhi's Court must be fact-finding Court.

(inaudible) of unnecessary technicalities as directed by Muslim law. Therefore, the Kadhi's Court be with the following labels:

- Kadhi's Court first instance be established in every district of our country
- Kadhi's high Court be in every province and be presided over by Kadhi judge
- Kadhi's Court of Appeal to be the highest Court in record in line of Kadhi's Court to be presided over by the Chief Kadhi or deputy Chief Kadhi as Kadhi judges of Kadhi's Court of Appeal.

Then come to Kadhi's Court Jurisdiction. The Kadhi's Court jurisdiction should not only cover marriage, divorce and succession but any question of Muslim law in a matrimonial matter regarding a marriage concluded according to that law and any question incidental thereto, any simple matter or a question pertaining to Muslim law or any matter pertaining to Muslim Institution and/or any matter in Muslim pastral law.

Com. Lethome: Kadhi you have about 2 minutes to wide up please.

Mr. Sheikh: Any question of Muslim law regarding work, endowment, wasia which is will, succession,

(inaudible) Muslim, issuance of probate, administration and letters of grant for an incident of a deceased Muslim. The issue of Kadhi's qualification. Kadhi's do not require common law qualification since they

are supposed to administer Islamic law. Therefore, the common law qualification is not needed. Accordingly, a person to be qualified to hold the office of Kadhi must have the following qualifications:

- Must be a male Muslim adult of sound mind
- Be not less than 30 years
- Should hold a degree or a diploma or a certificate in Islamic law and not common law
- Must be fluent in Koranic recitations and Arabic language
- Must be fluent in English and Kiswahili languages
- Must be married and a person of high integrity

Further, there should be tenure of office for Kadhi's and Kadhi judges. Thank you Commissioner.

Com. Lethome: Thank you Kadhi. Can I have the second person; Council of Imams. There is no name here for the person who is going to read the memorandum but you know yourselves. Council of Imams. Can I have the other list if there is any because I want to start mixing the women also?

Interjciton: Inaudible

Mr. Shurie Barre: My names are Shurie Barre. On behalf of the Imams, our proposals are as follows:

- The first one we have said that our Constitution should consider seriously our religious customs culture and values. You should also consider the variety that exists in our country. Therefore, each community should be accorded their own cultural identity according to their religious tradition and customary values.
- There should be provision for the Muslims to apply their laws since they have been given that divine law, so, the Constitution should give them a provision to utilize that law.
- On education the Muslim students should be taught IRE by a Muslim teacher who understands the content of the religion. At the same time, the Muslim student should be allowed, specifically the girls to dress according to the instructions from their religion.
- On Fridays, the Muslim students should be given enough time to attend the Friday prayers since it's a very important day for the Muslims as pertains to their faith. Therefore, at least they should be released by 11.45 p.m. latest.
- On (inaudible) the Muslim consecutive assembly at least should be established and all matters pertaining to Muslims must be directly to them before any other person. Since they are the people who may be understand the religion and who can may be accept something that will not have a problem in future to the Muslims.
- As pertaining to the Kadhi's Court, at least the Kadhi should be given a provision to apply the Islamic law in totally not some parts of it and by doing that the Muslims will be comfortable with their religion or

(inaudible). At the same time, the Kadhis should not be subordinate as compared to their counter parts in the

customary law. Therefore, they should be given at least a scheme of work and tenure of office.

- Issue on (inaudible). At least the new Constitution should establish a (inaudible) which us the Muslim endowment and they too have Muslim public trustee should establish at least a Commission which will look into all matters, all institutions, property, estates and anything that concerns with the Muslim. This at the same time should not be only one province. At the moment may be only in Coast, it should be national wide issue.
- An issue concerning to Muslim who appeal an advocate. We propose that there should be re-introduction of wakils who used to represent the Muslim in the Kadhi's Court and we don't require ordinary advocates who only know may be the common law who appear in the Kadhi's Court representing the people. Therefore, we propose that it should be re-introduced.
- Another point, the Act of Parliament which refers to the Muslims as Mohamedans should be deleted or removed and the right word placed and the motion should be (inaudible) Muslims.
- On immorality, our new Constitution should discard all immoral acts and immoral obligations to produce citizens who are of high integrity. Things like prostitution, drug addiction must be thought of seriously.
- Places where there are many Muslims living or may be are situated, things like bars, discos and other things should be allowed to work.
- The making of the Constitution be done by the people who should have power to change, make amendments to any section of the Constitution through referendum.
- The last point concerning our country currency should not have the President portraided. Instead, it should have our country's beautiful scenarios inscripted on it. Since we are a multiparty state and there is likelihood of change of Presidents now and then, it will be expensive and burden (inaudible) and to such a poor country, we need to utilize our resources properly. Thank you.

Com. Lethome: Thank you very much Shurie. Can I have Sheikh Ali Ahmed Bakortar? As I promised you my colleagu has arrived. This is com. Dr. Githu Muigai who has just arrived.

Sheikh Ali Ahmed Bakortar: Salaam Aleykum wananchi. My name is Ali Ahmed. (*Bismillah Rahmani Rahim Alhamdhulillah Wasalati musilam ballal (inaudible)*). I am a Muslim and I would be very comfortable if I am governed by a Muslim Constitution or sheria. Second point, the whole of the Northern region had been isolated deliberately by colonialists in the past and the present Constitution has not served us fairly in this regions. For example, there isn't even 1km of tarmack in the whole region. Two, not a single factory. Three, we have neither college of technology nor higher learning.

Com. Lethome: Sheikh, kindly please recommend. Those are the existing problems. I would like you now to recommend what you would like to see in the new Constitution to take care of those problems.

Mr. Ali Ahmed: Right. I was coming to that one. In the new Constitution, I would like it to address all these shortcomings plus the poverty prevailing and the insecurity prevailing. The other point is on education. This region again is a region that has been deliberately been left behind. In the past and the present Constitution has not addressed those problems. For example, Kakuna High School was started in 1900 as a secondary school and sixty years later this region started secondary education. Therefore, when you give us equal opportunities for higher learning the Constitution

(inaudible). We would like therefore a deliberate move to be made to address that shortcoming. It would not be fair again to be taken at par with other parts of the country because of the population this area is sparsely populated. We have about 1-5 people per sq km and therefore areas that are densely populated take advantage when we come to opportunities. The turbulence history of this province again puts us at a disadvantage. Therefore, there must be a positive action deliberately to bring up this region at par with the other parts. My view also is that all elected people be the Local Authority, the Parliament, be given two terms. Not only the President, even the MPs. They should be given only two terms in office. After that they give way to others to try their chance. The other point is that the death penalty should not be abolished. It should be there. If somebody has killed by brother and there is clear proof that he did (inaudible) I would be happy if he is also killed. The final say, natural resources should be at the grass root level and the grass root level is not an individual but the community in that area. The other point is the developing world should not be allowed to impose ideas acceptable to them on us. For example, they have and it is acceptable to them man-man, woman-woman marriage. If our Parliament is going to be allowed by a vote of majority to allow this kind of insanity it is very odd. It is acceptable for them to have old age homes. So us we don't want old age homes. Identification of friends and foes. They should not impose also those ideas on us. We should not bow down to such pressures from the developed world. Thank you very much.

Com. Lethome: Thank you Sheikh. Now can I have Ekai Loktari Peter? A presentation from the youth.

Ekai Loktari Peter: Thank you very much, I'm Ekai Peter. I stand in front of you here to make a presentation for the youth. I come from an organization known as (inaudible) programme. Actually, this being our first time Kenya Constitution has given us the time to air our views actually we would like to participate as a social manner, as a social way than a political one. Infact what we had, what we kindly request you as Commissioners, we would like you to put into consideration on issue, actually support implementation of national youth policy on the pride tied strategy areas.

Employment and under employment: Approximately 5,000 graduates from various culture regions enter the job market annually. However, due to low economic growth and demand for experience by potential employers, majority of the youth remain unemployed. The youth have been neglected casual labourers and are prone to exploitation by employers.

Com. Lethome: Peter, I can see you have a memorandum which you will hand over to us. So, kindly give us the high lights of

that memorandum. The recommendations you have there, please.

Mr. Ekai: Okay the recommendations I have on the above we would like this team to Review the existing youth programmes by identifying their areas and level of operation. Establishing youth resource centers for information, recreation and training activities. Initiate programmes that encourage youth initiative in credit management and involvement in the co-operative movement. Reviewing employment policy to make it compulsory for companies to establish intership programmes to enable you to gain experience. Encouraging companies to offer more temporary employment opportunities to the youth to enhance their experiences. Private sector, CS boss should encourage and promote initiatives from youth groups by providing them with necessary skills to build their capacities, technical and financial assistance e.g. international labour organization youth for African initiative. Government CSO's and private sector should support income generating activities by providing youth friendly micro finance credit facilities. Allocating specific funds for youth entrepreneurs through financial institutions. Creating awareness on labour loss and workers strive through civic education and campaigns organized by youth organizations. Prosecuting employers who exploit and underpay youth and empowering the youth to have a voice against all social forms of injustice and discrimination. On the issue of health, we give the following points:

- Incorporate youth representatives from youth based organizations
- Experience on HIV/Aids to ensure the youth dimensions to HIV/Aids is clearly captured and addressed.
- Promote community based programmes to carry out peer group education on HIV/Aids amongst the youth
- (Inaudible) youth organizations to carry out advocacy and awareness campaigns geared towards providing adequate information on HIV/Aids through peer counseling in aspects such as abstinence, use of condoms and STI Promote and support specific youth campaigns programmes to enhance behavioural change for the youth to make responsible decisions about sexual behaviour and peer influence.
- Establish youth (inaudible) health care clinics to motivate the youth to open up on matters concerning STDs and HIV/Aids.
- Promote and establish home based and community based welfare programmes to address the needs of youth orphaned by HIV/Aids.
- Provide research information on HIV/Aids to promote Aids education amongst the youth
- Youth organizations need support from Government, CSO and private sector should set a leading role in advocating for the protection of the youth against behavioural thus put them at risk of getting HIV/Aids.
- Establish guidance and counseling units managed by youth with expert support in all schools and institutions
- Establishment of drug dependancy reduction centers to rehabilitate young drug addicts
- Encourage educational awareness programmes on drugs and substance abuse in and outside school environment
- Promote counseling programmes on health related issues especially peer and peer counseling.
- Institute and implement changes, measures against drug abusers
- Encourage parents to take a leading role in teaching and counseling on teenage pregnancies
- Promote programmes on personal hygiene and physical fitness and mental health

On education and training we propose the following:

- Affordable basic and secondary education at least if possible free education system in pastoral communities since most of us are poor and we cannot be considered like somebody living in Rift Valley or (inaudible)
- Improvement of training facilities for the youth
- Higher education, university and college should be made accessible and affordable
- Promotional skills
- Development of the youth
- Group occasional training
- Life scheme and so on
- Encouraging re-admission of girls who dropped out of school due to pregnancy
- Inclusion of patriotism in school curriculum to promote youth patriotism
- Establishment of small training institutions such as village youth for techniques to absorb school drop outs and high school dropouts with interest and (inaudible)
- Upgrading and equipping existing youth for techniques and training institutions with modern facilities and technologies
- Ensure strong linkages between the informal jua kali sector and formal training institutions by ensuring that they offer skill in demand re-training youth already in the informal sector to ensure that they are imparted with appropriate skills and not (inaudible). Once you had had innovations should be given pattern to pattern to protect them from exploitation and providing youth in the informal sector with macro finance facilities that are responsive to their needs.

On sports and recreation we propose the following:

- Establish recreation and sporting facilities in schools
- Communities should provide them with trained personnel to assist in identifying and developing young people
- Use sporting activities as a channel of advocacy and campaign for behavioural change in areas such as HIV/Aids and drug abuse amongst the youth
- The ministry responsible for sports activities should liaise with the youth organizations to ensure that sports men and women are protected from exploitation by clubs and sports agencies.
- Improve the remuneration given to sports persons who represent the nation in various tasks.
- Streamline the national youth development programmes by creating at community level funds and solicit for support from private sector development partners and other stake holders to make it more effective.
- Promotion of traditional games such as wrestling as a way of recreation and culture preservation.

On environment we only proposed two points. That is:

- Promotion of environmental clubs for the youth and involvement of the youth in environmental conservation and programme activities.

Art and culture we also proposed the following points:

- Youth groups to be in the forefront in creating awareness against harmful and retrogressive cultural practices.
- Sencoring the media to avoid the display of young men and women in an almost nude state and ban phonographic magazines and films.
- Youth groups to be supported to publish mazazines that promote behavioural change and counseling to the youth and by the youth.
- Establishing more cultural centers like Bomas of Kenya to promote material and immaterial aspect of our culture that is progressive by (inaudible) to enhance development and attract tourism.
- Encourage young people to appreciate rural life as a way of getting opportunities to enhance cultural orientation.
- Establishing community resouce centers managed by youth organizations to provide information on the culture and general knowledge and (inaudible) organizations in liaising with many houses to develop magazines to propagate positive out look of youth and their activities.

Com. Lethome: Peter wind up now

Mr. Ekai: In our proposal we give the following as the priorities target groups:

- Youths with disabilities
- (inaudible) children
- Young people living with HIV/Aids even youth
- Girl child and unemployed youth
- Out of school youth.

In conclusion, we concluded that the youth can no longer be termed as leaders of tomorrow.....

Those who are in difficult circumstances. The youth have a right to participate in issues that affect their lives. Have a right to explore their potential. They all have responsibilities that must not be neglected by the older generations. Consequently, the national youth policy (inaudible) group should set to provide opportunities for improving the quality of life of Kenyan youth to cater for all categories of youth vulnerable and those living in difficult circumstances. The policies set to promote youth participation in democratic processes as well as in community and civic affairs. It should also advocate procreation of supporting social, cultural, economical and political environment that will empower the youth to be partners in development. Thank you very much.

Com. Lethome: Thank you Peter. Hand over the memorandum please. Hussein Bilike. Na una uhuru wa kuzungumza na lugha unayotaka. Ukitaka kuzungumza Kiborana, Kisomali, Kimeru we will have people to translate.

Mr. Bilike: Mimi yangu ni machache na nitaongea Kiswahili. Nitaongea kuhusu matatizo ambayo yako katika nchi hii yetu.

Interjection: Inaudible

Mr. Bilike: Matatizo ambayo yako katika nchi hii yetu haswa upande huu wa sisi Waborana wa Somali sio round yote ya Kenya. Hiyo ni kama nini? Tangu Kenya ijipatie uhuru mimi kwa maoni yangu naona kama hospitali hazijatufikia. Hilo ni tatizo moja ambalo upande huu wetu tuko nalo. Pendekezo langu la pili ni kuhusu maji. Utawala wa Kenya kutokea leo kurudi nyuma tangu tujipatie uhuru, maji hayajatufikia. Hilo ni neno langu la pili. La tatu, barabara pia ni hivyo, hazijatufikia. Kwa hivyo mapendekezo yangu ningetaka vile Wanakenya wote wanaendelea kufaidika sisi pia tuwekwe kwa hicho kikundi. Hospitali itulipie, barabara itulipie, maji itulipie. Waalimu ambao wanaweza kuelimisha watoto hawafiki kwetu na wale wanasukumwa pande hii ni kama mimi ambaye sijui kuandika jina langu. Watoto wetu hawafikii mahali watoto wengine wanafikia. Upande wa barabara pia ni hivyo. Kwa hivyo utawala wa Kenya kwa vile

(inaudible) ambao sote ni Waafrika, barabara ya lami haitufikii hata ya kurushwa na grade. Matatizo yetu ni makubwa katika Kenya tuko na ugomvi na wengine. Kwa hivyo tungetaka tusaidiwe kabisa hiiKatiba mpya inaandikwa iweze kutuunganisha na Wanakenya wengine kwa sababu Tume wekwa chini sana kwa mda mrefu.

Com. Lethome: Endelea endelea

Mr. Bilike: Bado utawala ambao uko hapa Kenya haujafikiria upande huu wetu. Ukosefu wa kila kitu. Tukiangalia katika jamhuri ya Kenya ukitembea sehemu zingine, kati ya nyumba na choo imefikia lami. Sisi bado hatujafikiwa na nchi yetu ni jangwa, Tume tengwa kabisa. Sijui ni sura imetutenga ama ni dini. Mimi sijui ni nini imetufanya tutengwe hivyo. AmaKatiba wakati ilikuwa ime-coloniziwa na wakoloni haijafikia labda pande yetu hakufikiriwa. Tuseme ya

(inaudible) twiga na swara na hata leo katika usalama wa nchi kama mtu wetu anauwawa hapa na Samburu basi tunaambiwa tuwapatie ng'ombe. Yule mtu amekufa halipishwi. Hata swara na twoga zinahudumiwa kuliko sisi.

Com. Lethome: Uingependa serikali ifanye nini mtu akuwawa kwa mfano?

Mr. Bilike: Ningependa ichukuliwe hatua kali ili aliyuwa apatwe kwa sababu hakuna mahali anaenda. Kwa hivyo mtu akiuwawa wanaambiwa warudishe ng'ombe, Samburu warudishe ng'ombe, Waborana warudishe ng'ombe. Lakini yule mtu ameuwawa vijana wako na wangu hawarudishiwi tena. Hiyo ni swara na twiga wako na huduma muhimu katika upande huu wtu kuliko binadamu.

Com. Lethome: Hiyo imefahamika. Inginge?

Mr. Bilike: Kwa hivyo barabara, maji hiyo ni huduma ya kwanza. Walimu wale wanasukumwa upande huu kusomesha watoto wasukume wale wako na fahamu. Mimi nikiambiwa nifundishe secondary school Isiolo hakuna kitu nitafundisha. Kwa hivyo watoto wetu wako chini kabisa na kwa hivyo Katiba itulingalishe na jamuhuri ingine ya Kenya. Asante sana.

Com. Lethome: Asante sana. Nenda ukajindishe pale. Tumpate sasa Adan Halake.

Mr. Halake: Asante sana Commissioner. Mimi naitwa Adan Halake Bilo kutoka Isiolo west (inaudible). Nitaongea kwa Kiswahili. Kwanza kabisa ningependa Katiba ambayo tunataka kuunda iwe ni Katiba ambayo inasimamia masilahi ya kila mwananchi bila kujali taraji, maskini, mwanamke, mzee, vijana na mlemavu au (inaudible). Katiba ilinde mlemavu na kuwashughulikia kulingana na hali yao ya matatizo. Walemavu wapewe nafasi katika Katiba. Katiba iwape nafasi katika sector yoyote ya uma, utawala, siasa, elimu, sayansi, utabibu na hata katika siasa. Ningetaka walemavu wateuliwe kama wabunge maalum na pia wateuliwe kama madiwani katika mabaraza yoyote nchini. Pili, walemavu wawe na hakika ya kuwakulishwa katika siasa.

Utawala. Pia katika utawala walemavu wateuliwe kama ma-chief, sub-chief, DO, DC na hapa PC na hata zaidi. Hili liwe katika Katiba ili mlemavu awe na hakika Katiba imemshirikisha katika utawala wa nchi.

Elimu: Walemavu ni binadamu kama binadamu wengine lakini wamepuuzwa katika jamii. Wengi hawana elimu yoyote na ni mafukara. Kwa sababu hata wao ni binadamu hata wao wamezaa na wana watoto. Kuelimisha watoto wao hawawezi. Kwa hivyo, Katiba itoe nafasi kwa lazima kwa mtoto ambaye mzazi wake ni mlemavu aelimishwe na serikali. Bidhaa za bure

(inaudible) yaani serikali isimamie elimu ya

mtoto yule mzazi wake ni mlemavu.

Kazi: Mlemavu atengewe kazi na Katiba katika sector yoyote ya uma kazi kama secretary, telephone operator,

(inaudible) na hata madaktari, nurses, cleaners, kazi yoyote kwa sababu mlemavu

ni kama binadamu wengine na anaweza fanya kazi yoyote ambayo atapewa bora awe na elimu ya kutosha inayolingana na hiyo kazi. Walemavu wa (inaudible) masomo ama kazi yoyote. Wapewe nafasi ya kupata mshahara kutoka kwa serikali na iwe lazima katika Katiba ili walemavu walindwe na Katiba sababu siku hizi hata baba au ndugu hakuna anayemjali mlemavu. Kwa hivyo Katiba imjali na imlinda.

Biashara: Walemavu walio na ujuzi ama biashara ndogo ndogo iwe ni lazima katika Katiba wasaidiwe na serikali iliyoko ili waendele mbele kwa kupewa mikopo isiyokuwa na interest ama dhamana, wapewe vifaa vya kazi, kujengewa majimba ya biashara na mengine.

Ufundi: Walemavu ni lazima wawe na nafasi ya kupewa ujuzi wa ufundi na Katiba katika vyuo vyote vya rehabilitation bure kama zamani ili kuondoa umaskini na kulinda pia walemavu kama binadamu.

NGO: NGO ambazo ziko katika nchiKatiba iwalazimisha kuangalia walemavu hasa maskini kuwashughulikia kwa kuwasaidia kuwaelimisha ili watu wawe na uwezo na kuweza kujitegemea. Ama sivyo sioni NGO ambazo zimejaa Kenya zinafanya kazi gani ikiwa walemavu wanatembea barabarani wakiomba na hakuna mtu wa kuwasaidia iwe ni serikali ama ni mashirika ambayo yanakuja kutoa msaada. Msaada utolewe kwa maskini na mlemavu ikiwa ni maskini. Lazima mashirika ambayo yamekuja kusaidia watu yaangalie walemavu ili waweze kujitegemea naKatiba ihakikishe kwamba walemavu wamelindwa kwa kila hali. Asante.

Com. Lethome: Asante sana Bwana Aden. Sasa tumpate huyu Bwana Reuben Oyani, Isiolo Welfare Group for the Disabled. Reuben Oyani.

Mr. Oyani: Asante sana Commissioner

Com. Lethome: Taja jina lako tafadhali

Mr. Oyani: Jina langu ni Reuben Oyani, mwalimu na ni chairman wa Isiolo Welfare Group for the Disabled. I am reading in prayer, I have written in prayer so may be after naweza kuandika kwa

(inaudible). The Isiolo Welfare Group of the Disabled have the following recommendations:

- The disability allowance for the disabled. The disabled or people with disabilities have been known and proved to encounter difficulties in their traveling and communitation at times have had to hire people to assist them either in reading or guidance or pushing their armchair and also interpreting the sign language and the other handicapped severes which might have already been explored by other forms.
- Accessibility to buildings. Telephone equipments, infrastructure to suit all the types of disabilities.
- Parents of the disabled children to be relieved from the burden of school fees and health care. This will encourage them positively to curb the problem of the neglect of the disabled children.
- We recommend against discrimination in employment. Every disabled should be considered on his or her qualifications regardless of their disabilities e.g. somebody missed employment due to blindness. A clinical officer also lost the chance because of that.
- As much as we have already voted we also want to be vote for because we vote for other people. So, we also ought to be voted for.
- Though there are so many people disabled people educated and qualified for administrative jobs, none of them seems to appear in any of this. We therefore recommend job opportunities in those fields to be available for the disabled people.
- We recommend theCommissioners that the Constitution of Kenya, the disabled people of Kenya be given a disabled electoral constituency where they can elect their representatives to represent them like in any other country like in our neighbouring countries, they have people representing them. But we in Kenya are not represented at all. Sometimes people talk on our behalf. We want the voice of the disabled to be heard, to be doing things for themselves also if they

are given opportunities they can do. Asante

Com. Lethome: Thank you Mr. Reuben. I don't know whether to ask you for the memorandum or not because.....do you have facilities of decoding Braille into what we can use?

Interjection: Inaudible

Com. Lethome: So Mr. Reuben hand over the memorandum to us. We have facilities of decoding that information because that is very important for us. Thank you Reuben, thank you very much. Musa Anis, ni wewe? Hebu mteremshieni hiyo mic.

Musa Anis: Thank you (*Assalamu Waaleykum Warahmatullah Wabarakat*)

Com. Lethome: Sema jina lako Musa.

Mr. Musa: My name is Musa Anis from Alfalah children's home Children's Home
representing the children's agend to the Constitutional reform Commission. Children have these three issues. The recently published children's bill could be a major stride towards notifying the position of children in society by offering them more recognition in the legal statue of Kenya. Although the objective of the deal was to promote the well-being of the child and to implement the United Nation convention on the right of a child 1989, still there are some issues we as children feel that the Constitution refom committee should consider in the process of improving the welfare of the children of today. Some of the issues are:

- There should be free education from pre-primary to secondary level; form 4
- Children should be accessed to good and free medical services
- Free special learning facilities for the disabled children and all other children with special needs
- Free recreational and cultural activities and facilities should be put in place in consideration to the children in especially difficult circumstances, the refugee child, the girl child and the disabled as well.
- The Government should enforce tax penalty for people who abuse and exploit the children in terms of child labour, drug abuse, early forced marriages, cultural violence like genital mutilation, sexual abuse etc.
- The Government should set aside funds to rehabilitate street children, their parents and guardians in order to stop more children flocking to the street. Thank you.

Com. Lethome: Thank you very much. Makofi kwa huyo kijana. Njoo Musa, go and present you document there and sign or register. Thank you very much. Sasa kidogo tufanye affirmative action tupate huyu mama anaitwa Hana Bonaya. Ngoja ngoja, majina yanemichanganya kidogo hapa. Unajua natafuta majina ya akina mama hapa siyaoni. Hakuna? Basi ngoja. Kina mama mliohapa kwani hamjajiandikisha? Have you registered your name madam? What's your name?

Interjection: Inaudible

Com. Lethome: Have you registered? Had you registered as you entered? Okay just come over. Give your views please.

Betty Carol: My name is Carol Betty. My views are: I, being born in Isiolo and grown up here I feel that we people who live in Isiolo and may be we are not the Borans and the Somalis, may be the Kikuyus and the Merus and other tribes living in Isiolo should be given a right to land ownership and without any condition because we were born here, we know no other home, so we should be given a right to land ownership. Another thing that concerns that, I feel that Isiolo should be made a more centralized place. There is no need for us, some of us like people from Marsi, Garbatula to go all the way to Nairobi or to Embu in order to be registered may be to get their land or something like title deeds. It should be done here. So, when it comes to that I feel Isiolo should be something of a municipality or even a province, that matter. Another thing is like offices should be decentralized, like we should have bigger offices here in Isiolo such as the offices that give us passports to go out. We should not be going all the way to Nairobi to get passports. We should be issued with passports here. sometimes it's so inconvenient when you go all the way to Nairobi and an old woman or man goes to Nairobi and she is told to go for her mother's ID card. When she goes all the way back to Marsi or Garbatula or here in Isiolo, when she goes back she is told to go back for the grand mother's ID or something like that. So we should have such offices here which can help us. Concerning the County Council of Isiolo, people who are in those offices should be educated may be upto form 4 level or something like that so that when you go there, the tribes in there should be mixed up. We should not have only one tribe in that office. We should have so many tribes in that office which the people who are going to present or the people living in this place. Another thing as concerns women in the offices in our country. The number of women should be added. Right now we have may be around 9. We should have around half half of the women and men who are ruling us or in the big offices. Another thing is children should be given rights to take responsibilities as in inheritance. Even girl children should be given a right to inherit because, I am a Christian and according to Ephesians 1:11 in the Bible, we all have a right to inheritance even girl children. A father should give inheritance to all the boys and girls born in that family. Concerns to civic rights, death penalty should be abolished. Instead life imprisonment should be there instead of death penalty. Bibilically, there is no one who has a right to take somebody's life. So if you feel that person is that punishable, you should imprison him or her for life and with a punishment. Another thing is, I feel may be in Kenya we should have something like a Prime Minister so that the President will not have all the powers may be to even dissolve the Parliament as he wishes or even to do everything or to have all the powers. We should have someone close to him like a Prime Minister who will be able to help him step by step and to give other views. We should understand he is a human being like us and sometimes he need to be guided to make every decision. All the nation people or all the citizens should be represented even in the decision making of the President. Another thing, the Election Day is supposed to be made known to all the citizens early or even the Constitution early enough. I think that's it. Thank you.

Com. Lethome: Betty just a question please, some elaboration. You said that you would like to see that half the Members of

Parliament being women, is it through special seats or may be through some special election? How would you like to see those may be 50% women in Parliament?

Betty Carol: Maybe I feel in every election may be in ascertain place, there should be two candidates; a woman and a man and let the people decide.

Com. Lethome: Suppose the men win most of the seats what will happen?

Betty Carol: The woman who will be close to that man should be the assistant to that man.

Com. Lethome: An Assistant MP?

Betty Carol: Yah

Com. Lethome: Okay, thank you. Just a minute. Umekuja umechelewa wewe, tuna masharti hapa. Masharti ni kuwa mtu akitoa maoni hapa nyinyi mkiwa huko mnanyamaza. Nafasi yako ikija hayo maoni yako utatoa hapa. Sawa ndugu yangu? Unajua niko na yellow cards and red cards hapa mfukoni, nitazitoa saa hizi. Mama huyu mwingine aliyekuja, sasa mimi ajabu naona sura za akina mama na sioni majina yao. Kwa hivyo nitawalazimisha kuja. Huyu mama aliyekuja kwanza kabisa, sio wewe? Kuna mwingine alikuja mwanzo, njoo. Njoo hapa. I can see their faces but I can't see their names here. I don't know what's happening. Whoever is manning that registration desk? Sema jina lako mama.

Mama Asha Bonaya: Asha Bonaya.

Com. Lethome: Karibia, karibia Asha Bonaya.

Mama Asha: *Haye afanuum boranatin jeed*

Translator: Jina lake ni Asha Bonaya.

Com. Lethome: Asha unajua huzungumzii huyo? Unatuzungumzia sisi na kuna machine inarecord sauti yako. Toa sauti kabisa watu wasikie mama Asha yuko hapa.

Mama Asha: *Annin Waanum, woonum jidhu teenafi aarm gaadh duufe*

Translator: Anasema ame.

Com. Lethome: Just a minute. Can that thing be unhooked from there? Unhook it. Sasa wewe mshikie mama ndio umuone akizungumza halafu unajiletea kwako unazungumza.

Mama Asha: *Ann aamm woom worr uffii hindhaandheene kaanaf aarm gaadh duuf*

Translator: She is saying she came for disabilities issue

Mama Asha: *Woorri uffii indhaandheen kuun aakh maale shidda qaabb aarmma*

Translator: Anasema watu disabled wako na shida nyingi

Mama Asha: *Adho illmaan qaamna, dhuubb illmaan kale waan ittin qaarqaarr inqaamnu*

Translator: Anasema wako na watoto na hawana namna ya kulea

Mama Asha: *Tanaaf aammataana, matiba teen taan kee dhuubbaccu gaadh duumnee*

Translator: Anasema amekuja kupresent hiyo shida

Com. Lethome: Angependa serikali ifanye nini katika sheria hii mpya angependa kitu gani kuhusu hawa walemavu?

Mama Asha: *Sheria mbiyya kaan keess siirkal kaa nuu qaarqqar feena, ferenjin kaara dhaandha cuufanuyyu, nuu woorr uffindhandheen kaayyu qaarqqars aarggan feet*

Translator: Asema asaidiwe katika

Com. Lethome: Kuna problem na translation Lucy? Is there a problem with the translation?

Lucy: Yah, I want another person.

Com. Lethome: Yes, I can see there is a problem with the translation. Sasa mama sema vile unataka kusema.

Mama Asha: *Kaara ammatan matiba kaanatin nuu qaarqqaraan feena taanaf gaadh duumne yeedhin.*

Translator: Anasema kwamba alikuja kwa ajili ya kusema matatizo yake kwa hii Katiba mpya aweze kutatua matatizo yake

Mama Asha: *Wooni miingin injirtu jeedin.*

Translator: Hakuna mengine mengi ambayo angetaka kusema.

Com. Lethome: Sasa tungependa atwambie ni matatizo aina gani na angependa tufanye nini?

Mama Asha: Matatizo ni ya aina nyingi. Kuna watoto na pengine hakuna kitu.

Com. Lethome: Watoto wanasoma?

Mama Asha: Mwingine hayuko shuleni, anakaa nyumbani.

Com. Lethome: Sasa ungetaka serikali ifanye nini?

Mama Asha: Serikali inisaidie

Com. Lethome: Ikupatie masomo ya bure?

Mama Asha: Inipatie masomo ya bure

Com. Lethome: Kuhusu kazi, una kazi?

Mama Asha: Sina kazi. Sasa mimi ni kiwete kama napata kitu ya kujisaidia nayo najisaidia tu.

Com. Lethome: Na ukienda mahali kutafuta kazi unakatazwa kazi kwa sababu wewe ni kiwete?

Mama Asha: Hakuna kazi, watapatia hao wengine tu na kusema hakuna kazi ya kunipatia

Com. Lethome: Unabaguliwa kwa sababu ni kiwete.

Mama Asha: Sababu ya kuwa kiwete wanasema sina nguvu. Wenye wana uwezo wanapatiwa lakini sisi hatupatiwi na tuna watoto huko nyumbani na kila ofisi naingia hakuna mtu anasikiza maneno yangu. Wale wengine walio na nguvu ndio wanapata.

Com. Lethome: Kwa hivyo ungependa watu wote waangaliwe sawa.

Mama Asha: Ndio, wajue hata sisi tuko pamoja na afadhali watu angalie kwa sababu hata tunaweza kuzaa.

Com. Lethome: Na ile jamaa yenu ya watu ambao ni ya watu walemavu inawasaidia vipi?

Mama Asha: Eh?

Com. Lethome: Kuna chama yenu, mko kwa chama?

Mama Asha: Niko kwa chama

Com. Lethome: Chama kinawaidia vipi?

Mama Asha: Kwa chama hakuna kitu tulipata mbeleni. Tunaunda chama na kuendelea tu.

Com. Lethome: Sasa ungependa serikali isaidie chama pia?

Mama Asha: Si ndio. Chama chetu kikisaidiwa na serikali hata sisi wenyewe binafsi tutaweza kujisaidia.

Com. Lethome: Haya, asante. Nenda ukajiandikishe pale or Solomon you can go to her please. Just go to her. Mama mwingine. Sema jina lako. Sorry I am being biased because of obvious reasons. Peana jina mama.

Asha Abdul: Kwa jina naitwa Asha

Com. Lethome: Karibia, karibia mama

Asha Abdul: Niko na memorandum ya Isiolo Women Forum to the Constitution Review Commission at Isiolo North Constituency subject hearing on 21st May 2002. Chairperson, on behalf of Isiolo Women Forum I wish to present our views to the CRCK public hearing for the Isiolo North Constituency.

Agenda: Bill of rights

- Guarantee women rights under the bill of rights
- Recognize the diversion that constitute Kenya in all aspects of life
- Guarantee security and equal protection by the law to both men and women
- (Inaudible) for access of resources and (inaudible) the law to men and women, boys and girls without discrimination on the basis of gender, place, religion, way of life etc.

- Divide (inaudible) values upheld by women and men of Kenya in (inaudible) introductory chapters of the Constitution.

Womens participation in the negetic and local authorities gender our issues.

- Ensure accesses to resource to persons with disabilities, women, youth and pastralist among others.
- Entrench the principle of affirmative actions in the Constitution. Affirmative action (inaudible) representation gender balance in the leadership.

Satisfactory governance

- The Constitution should provide for proportional strategies to have at least 1/3 of the total number being women in the proposition of all Constitutions, offices, organizations and structures.
- Women should compromise a third of the total composition in the following organs of governance and discussion making: Cabinet, the Judiciary, The Civil Servants, The disciplinary.
- The principle of gender balance should be (inaudible) in the proposition of all offices and governance structures and should be liberalized and made mandatory.
- The gender Commission should be established as a Constitution office
- The international Commission that Kenya is able to (inaudible) and has rectified such as united nation formation of (inaudible) of disctrimination against women ECDD, CECAW should be discommunicated without further delay.

The Executive and state issues

- Eliminate all forms of discrimination on the gender or the basis to gender in rectrutment, appointment, training in the discipline forces and all other institutions of the governance bearing in mind the difference use of men and women.
- Ensure at least one third representation of women in all Government organs. There should preserve rate of powers in the various organs of state so that each is antonomous.
- Deplotion of powers in all Government structures to allow antonomous Local Authority and participation of local communities women we have easy to access to leadership positions if this happens.
- The entrenchment of satisfactory democracy to give a chance to both men and women to participate freely and fairly in decision making and debating on national issues
- Equal participation of women and men will ensure that women experience knowledge and perspectives are instilled.

Property and land rights issues

- Instilize land Commission in the Constitution that has 50-50 representation of women and men and are mandatory one membership of (inaudible)
- Every Kenya both men and women to have equal access to land and other resources. Recognize and protect

inheritance sides of women, widows, widowers, girls with disabilities and orphans.

- The Constitution should clearly provide for the protection of static forest and all antural resources.

Succession

- Every President should have a running mate VP who is opposite gender
- The office of the VP should be given more powers as the VP has very little especially in cases where there are no districts to run
- A clear process of handling over power must be entrenched in the Constitution to avoid anxiety, speculation and misuse of power by the (inaudible).

Citizenship issues

- Women and men should have equal rights to contest to citizenship to their spouse or children
- The International Commission of the elimination of all sorts of discrimination against women CEDAW should be demonstrated and implemented
- National laws, customary laws and other legal implements should be reviewed continuously to ensure are not discriminated against the (inaudible) Act should be passed.

Public finances

- Equal distribution of public funds for both men and women must be ensured
- Provide gender (inaudible) data for resource allocation, use and terms all times
- Cetralize tax system in different regions so as to increase business by local communities
- Enshrine the principles of affirmative action for allocation of resources for women and other marginalized groups in the Constitution. Thank you.

Com. Lethome: Just a question. You are recommending that there should be established a gender Commission. What will it deal with? What will that gender Commission deal with? You are looking at Lucy? Has she got anything to do with that memorandum? Itakuwa kazi yake ni nini ya hiyo Commission? Itashughulikia watu gani?

Asha: Nitaita Lucy anisaidie kwa sababu tuliandika na yeye.

Com. Lethome: Wewe sema tu. Lucy, time yake itakuja. Hii gender Commission itashughulikia akina nani?

Asha: Itashughulikia akina mama na wasichana

Com. Lethome: Sasa kwa nini imeitwa gender Commission? Kwa nini msiite women Commission kwa sababu gender ni

wanaume na wanawake sivyo?

Asha: Ndio. Iwe na balance kwa kila namna isiwe pande moja peke yake, wanaume wanapatiwa vyeo vingi na sisi tunabakishwa.

Com. Muigai: Niko na swali. Mama, we have heard in many other places we have been some very strong views on female circumcision. What are your recommendations on that issue?

Asha: I am against that.

Com. Muigai: You are against female circumcision.

Asha: Mmh.

Com. Lethome: Thank you. Hand over the memorandum. Mohammed Abdulkadir

Mohammed Abdulkadir: My name is Mohammed Abdulkadir on behalf of the Muslim community; Isiolo district and I will present the Muslim agenda for the Constitution. Preamble one, we propose that our Constitution should have preamble along the line set as below:

We the people of the Republic of Kenya guided by our past Constitution and experience immediately after abduction of the independence, Constitution and subsequent amendments made thereafter and whereas we are desirous to live in unity and harmony as one and in visible and distillable sovereignty and accord within our cultural and religious diversity and whereas we are dedicated to the promotion of culture, inter-ethnic, tribal and religious culture and

(inaudible) would peace, regional, continental and international corporation and understanding and by ensuring the promotion of basic needs for all kenyans through establishment of an equitable frame work for economic growth and equality access to the national resources and whereas we are desirous to promulgate and provide for Constitution for the purpose of propoting the good Government and welfare of all persons in our country on the principle of freedom, equality, tribes, justice and for the consolidating of our people and recognition of the belief in the one supreme God just uncivilized humanity and the unity of Kenya and democracy which is guided by the inner wisdom in the anamity arising out of the liberalition among representatives manwhile creating a condition of social justice for the whole of the people of Kenya.

Personal law: We propose that the next Constitution be an equivable in its protection of personal law as it's laid to the specific categories of the people of Kenya. We propose the expanded Kadhi's court with original and apparent jurisdiction headed by the chief Kadhi with Kadhi at each district of the republic. We propose that a Kadhi be a Muslim with a degree in law or diploma and appropriate qualification in Islami Sharia. We propose that the chief Kadhi be appointed from amongst the Kadhis

by the Judicial Service Commission on the recommendation of the legitimate Islamic institution.

Citizenship: We propose as follows: The system of Kenya may hold multiple citizenship. A citizen shall be a child in Kenya or a child born of Kenyan parents, a person married to a Kenyan, a person who is native born Kenyan, a person who has applied for and fulfilled the conditions to nationalization eligible for identity and upon attaining the age of 18, eligible for passport upon application, eligible for birth certificate if born in Kenya.

Interest free finance and dividend: We propose that legalization of interest free loan, free banking, reform on general rules on taxes and charities, recognition of the card and (inaudible) by Muslim are tax deductible,

(inaudible) endowment. We also know that there are other non-profitable manner which workers property have been managed and workers Commission. We propose that workers Commission with national jurisdiction with majority of members being respected Muslim leaders. No other law may have the powers to relocate the property in the charge of the workers Commission. (Inaudible) for prudence, management and acquisition of workers property be outlined by the Constitution.

Foreign policy and international relation: We propose that the Parliament of Kenya be involved directly in all decisions regarding relations between Kenya and foreign countries where such relationships have direct impact on the life of the people of Kenya. This should include (inaudible) and convention.

Education: we propose that free and compulsory university education at pre-primary and secondary levels. Religious education and instructions in the school be provided only by persons professing the same religion and the description of the instructions. No students should be forced should be forced in school uniform that undermines the religious or cultural identity and obligation.

Land and natural resources: We propose that imposition of settings on the maximum acreage of land and individuals to be owned. Land without title must not be occupied by the communities being registered under the common title. Land must not be held for speculation purpose. Land must be held in trust for the community by the Local Authority. Government to repossess grabbed land through the compulsory Land Acquisition Act in the patriot offence, national or public interest.

Group rights: We propose that the Constitution should recognize and uphold the rights of the communities or organize themselves and mobilize around their common valuea. Community structures be recognized in the determination of factors appertaining to the communities to ensure communities (inaudible) held in the communities and groups standing to suffer or benefit from the direct contituencial Commission or an omission be involved in voting for or against the matter. Whereas communities have unique experiences and desires must be unique to them and where the grabbing of such matters to such a community will not constitute an adverse effect on other communitis or first groups, such matters should be issued as a matter of principle be granted to such communities interiors of the matter.

Minority: We propose that the minority be fitted the same as the community and groups. Matters affecting the minority which requires decision by both should be left to such minority alone.

Children: We propose that children born in Kenya be recognized as citizens. All children born outside Kenya and whereas either of the parents is Kenyan be recognized as Kenyan citizens. All Kenyan children be protected from any physical, psychological, environmental and emotional harm and protection. Programmes geared towards the development of all the potential of the child be outlined in the Constitution and develop them in various subsequent laws and policies.

Equity and economic resources: We propose that those known to be poor and living below the poverty line be given the first priorities in the employment of public social amenities. In the distribution of the public resources such as land priorities be given to those who have nothing followed by those who have least before the consideration of any other group. The Constitution should recognize the rights of all the poor and the deprived to division of Government for their welfare. The Constitution should articulate and outline for the distribution of the public resources and wealth for the uplifting of the poor. The Constitution should take the basic for the legalization of all the livelihood through which community and individual earn their daily bread provided as such livelihood are not repugnant to the public morality and product.

Infrastructure: We propose that all developed programmes be based on the needs and not on political and must be authorized and monitored by Parliament. The principle of affirmative action be applied for areas still lagging behind in the development. Development programmes reflect the livelihood of the people of the area to be developed.

Discrimination and non-discrimination: We propose that the Constitution declares Kenya as ecumenical state which is to say that the Government and authority (inaudible) in the public service shall not religious, mono politic action on their service or discriminate during the provision of service against any Kenyan on the basis of consideration other than merit.

Electoral system: We propose that where the winner fakes his or transfers the votes the Presidential Government whether/where or the President and the vice President are elected directly by the people. The Presidential candidate and his party must publish priority list before elections. Minister and their assistant ministers be proposed by the President from any person for that time not being Members of the Parliament or any other representative body of the people. The list of the subject to the Parliament approved.

Target election: President election once every six years. Parliament election once every four years. Civic election once every three years. Duration for all to be 2 terms only.

Community rights: We propose that only the elected community ought to choose whether a matter affecting only them be

retained or removed.

Leadership: We propose that at all levels be it a firing or leadership position be tested on academic qualifications, integrity, moral uprightness and psychological suitability.

Gender: We propose that the Constitution must seek to define the rights of the women as members of the distinct group that gives them social identity. For example, the right of the Muslim women in Kenya guaranteed by the Constitution must not be in conflict with what the Muslim women must do or be to retain her identity as a Muslim. The Constitution must guarantee those rights guaranteed her by the Islam. The Constitution then must busy itself with bundles of rights owing to the different women of Kenya from their diverse and perhaps original identity. The Constitution must not seek to create a (inaudible) for the women of Kenya by granting blanket rights that remain in a manner of speaking a dripped of the woman social being an environment.

People participation: We propose that the decision on all matters seeking to outter the structure or system of the republic be decided directly by the people through referendum and the system. Amendment to the Constitution currently 65% of the members of Parliament may vote to amend and change any sections of the Constitution. Some of the amendments made over the years were made to benefit individuals or small groups of individuals. Some amendments were made to deprive some citizens of their rights. We propose that no amendments be made to the Constitution that alter in negative sense or reduce the stock of the enjoyment by the system or group of people (inaudible) the fundamental rights granted by the Constitution. No amendments be effected if all the voting 65% member in the house belong to just one party.

General: In this summary we have omitted the general matters of the Bill of Rights; human rights, people's rights and the different generation of the rights, as we believe this will be argued for by everybody. Thank you.

Com. Lethome: Thank you very indeed. Please present your memorandum there. Rashid Ahmed. Ametoka. Mohamed Isadim.

Mohammed Isadim: (*Assalamu alleykum Waramatulah Wabarakatu*) Pengine mimi proposals zangu zitakuwa ni chache sana. (Inshaalah), I'll just go straight to the proposals ambazo ningependa ku-present. Proposal ya kwanza ni juu ya Presidential power. Kwa hakika katika Katiba ya sasa kuna uwezo mwingi sana ambao raisi amepewa na Katiba. Ningependa huo uwezo upunguzwe na uwezo urudi katikaMimi ni Mohamed Sheikh Isadin kwa jina. Urudi kwa bunge and uchaguzi wa raisi uwe unaambatana wanachaguliwa pamoja na makamu wa raisi directly kutoka kwa wananchi; ofisi ya raisi na makamu wa raisi na duration iwe ni 2 terms. Kama itakuwa ni Prime Minister pia iwe

(inaudible) Prime Minister na-propose iwe ni mtu ambaye ametoka katika community ya WaIslam kwa

sababu wanaconstitute 30% ya nchi. Pia napendekeza system ya serikali iwe kwa majimbo. Kwa hakika mbeleni ilikuwako, tulikuwa tunahudumiwa na majimbo, hata saa hizi tukiangalia sehemu ambazo watu wanaishi na vile watu wanaishi katika mikoa, bado watu wanaishi kulingana na vile wanafanana na kitu ambacho kilikuwako hata hapo mbeleni. Kwa hivyo mimi ningependelea system ya federalism iwe inatumika katika serikali. Pia kama haitakuwa hiyo, kwa vile sisi Tumetengwa katika provinces ambazo zamani tulikuwa ndani basi tuwe na mkoa ambao utatuunganisha na watu ambao hawajapita mbele yetu kimaendeleo kwa sababu ya unyanyasaji wa zamani wa serikali. Tuwe tunaunganishwa tukiwa Isiolo, Marsabit, Moyale na pengine Samburu iwe katika province moja, tuwe tunaunda katika province moja ambayo Constitution ikifanya Constitution itakubali ya kwamba kwa hakika zamani ilikuwa ni close district sehemu hizi ni sehemu ambazo zilipata matatizo mengi sana wakati Kenya ingine ilikuwa na maendeleo. Kwa hivyo ili iweze, naifanyiwe affirmative action katika sehemu hizi. Inginge ni minority rights: Kwa hakika wale watu ambao ni wachache sana wana matatizo mengi sana katika nchi sheria ama Katiba haijaangalia haki ya minority, haki ya watu wachache. Ukiangalia katika National Assembly, hawawakilishwi. Ikiwa kuna nomination ya member of Parliament, pengine yule ana-nominatiwa ni katika community ambayo wana wajumbe ishirini ama thelathini katika bunge. Vivyo hivyo katika Local Authority. Mahali popote ama kila wilaya ama kila sehemu ambayo kuna nominations, proposal yangu ni nominations ziwe za minority rights, for minorities ambao hawataweza kujirepresent kwa kura wawe wanapata haki ya kuwa nominated ili wapate sehemu katika serikali. Pia, ingine ni juu ya ardhi. Ardhi pia hii Trust Act kwa hakika sisi watu wa Pastralist haifai. Yale tungeuliza pengine sisi ni tupewe communal land rights, tuwe tuna-own land yetu kama community ama communally na tujihudumie na kila mtu ahudumie ardhiyake kulingana na communities walioko sehemu hizo. Pia, Local Authority, kwa hakika uwezo wa Local Authority ni mdogo sana katika Constitution hii. Ya kwamba Local Authority inakuwa governed by Central Government ingawa kuna Council sehemu zile ambazo locality bado say kubwa ama uwezo mkubwa unatoka katika Central Government. Na-propose ya kwamba Local Authority na Central Government ziwe integrated. Local Authority ijisimamie yenyewe. Chairman, ikiwa ni County Council, chairman awe mwenye kuchaguliwa kwa wilaya nzima na kama ni Urban Council ama ni nini, Mayor awe anachaguliwa directly by the public. Kile kingine ambachi kimekuwa na tatizo pia katika Local Authority ni elimu. Kwa hakika, shida nyingi ama corruption nyingi ama matatizo mengie ambayo leo chief officers wa council wanazitumia ni kwa sababu ya kutokuwa na elimu madiwani ambao tunao. Kwa hivyo na-propose level of education iwe ni form 4 mtu kuwa councilor, kuanzia form 4 na kuenda mbele. Langu la mwisho na-propose pia sisi kama WaIslam tuwe tunajihukumu na Islamic sheria. Kwa hayo machache, asanteni sana.

Com. Lethome: Asante sana na hivi sasa tungependa kuesajulisha kuwa atuna furaha kwa mbunge wa sehemu hii Mheshimiwa Charafanu Guyo Moku yuko na sisi, karibu sana. Baadaye kidogo wakati yeye mwenyewe atajisikia yuko tayari tutampa nafasi na yeye aweze kutoa maoni yake kama mwanachi na kiongozi. Karibu mheshimiwa. Rashid Harun. Na ninawakumbusha tena wakati tafadhalini. Mtu atoe mapendekezo yake kwa sababu najua baadaye tutakuwa na watu wengi sana tayari mnaona ukumbi umejaa watu. Kwa hivyo mtu atumie dakika zake tano kwa njia itakayofaidi yeye na sisi.

Rashid: Mimi naitwa Rashid Harun nawakilisha Isiolo Muslim Consultative Council juu ya sheria mpya ambayo inaundwa. Jambo la kwanza, mimi kama MwIslam nitakuwa na furaha, nitakuwa na uzuri kabisa na nitakuwa very confident nikiwa

nitakuwa nikihukumiwa na sheria yangu ya Kiislmanu ambayo ni kitabu cha Mwenyezi Mungu ambacho kinaita Quran. Nitakuwa na furaha ikiwa hiyo sheria itaweza kudumishwa Katiba yetu mpya na iwe ni sheria ambayo itakuwa inatumika katika Kenya nzima kwa WaIslam wote ambao wanaishi katika nchi hii, watakuwa na raha na watakuwa na haki kweli ikiwa haki itaweza kudumishwa. Chini ya kicho kitabu ama kitabu cha Quran na sheria itakayokuwa ikitumika kuna yafuatayo pia ambayo serikali itaweza kuangalia. Hasa Idd mbili ambazo ni Idd-UI-Fitr and Idd-(iaudible) iwe WaIslam waweke katika public holiday iwe ni moja kati ya vitu ambavyo vitaweza kujulikana wa kwamba WaIslam pia wako na sherehe zao. Vile vile kuna ma-Kadhi. Chief Kadhi awe na deputy chief Kadhi wake na vile vile maKadhi wote katika nchi ya Kenya wawe na assistants wao. Point ya tatu is the council prolamus to be instituted. Council prolamus ambayo itakuwa inasimamia mambo ya KiIslam, sheria za KiIslam, mambo yote ya KiIslam wawe ndio wanapitisha na kuyaangalia matatizo ya WaIslam. Province ambayo ni ya Easter, sisi watu wa Isiolo, sisi watu wa Marsabit, sisi watu a Moyale, tunaona kwamba Embu iko mbali na sisi. Haidumu sisi vile ambavyo tunataka na tunaona ya kwamba services zetu zinakuwa ni mbali, watu wakitaka msaada wanaenda mpaka Embu na inakuwa ni shida. Kwa hivyo, Tumeonelea kwamba iwe province yetu iwe ni Isiolo ama Moyale ama Marbsabit moja katika hizo na headquarter yake iwe ni Isiolo. Nomination of MPs and councilors to be scrapped completely. It is a waste of taxpayers money. Hizo zote ziweze kutupiliwa mbali na vile vile ma-MPs na ma-councillors to be given only two terms in five years. President or vice President one of them to be a Muslim. Kama President ni Mkristo, vice President awe ni Mwisalmu. Mode of dress in schools, colleges and working place lazima iwe ni Islamic. Kwa sababu utakuta akina mama wanalalamika, WaIslam akina mama wanalalamika sana wakati ambapo wanaajiriwa. Hawataweza kupata kazi kwa sababu ya kwamba hawavai mavazi ambayo sio ambayo inaridhisha wao. Kwa hivyo, WaIslam hasa akina mama wapatiwe uhuru wa kuweza kuvaa mavazi yao vile ambavyo sheria inawaruhusu. Katika mashule, IRE subjects na Arabic must be taught in our learning institutions. Zote mpaka university iwe inajulikana kwamba kuna lugha ya Kiarabu na vile vile Islamic subject inatumika katika kila shule. Lazima WaIslam wawe wanafunzwa Kiarabu mahali popote ambapo wako na vile vile pia wasiokuwa WaIslam pia wakihitaji wafunzwe mafunzo ya KiIslam na Kiarabu. The Muslim marriage and divorce registration be under chief Kadhi and Kadhi's offices and not Attorney General's office and the Chief Kadhi be registrar general of Muslim marriages and divorce certificates. Kadhi's be registrars of Muslim marriages and divorce certificates. There be assistant Kadhi, assistant registrars appointed by the chief Kadhi in the interiors and divisions. Chief Kadhi be appointed by Judicial Service Commission on recommendation by Magenishushura.

Com. Lethome: Sijui kama una recommendation ya hiyo jina. Itaitwa aje hiyo province?

Mohammed Isadin: Nilikuwa napenda ya kwamba kwa mfano Isiolo, Moyale and Marsabit, moja katika hizi town tatu hasa Isiolo iwe ni province ambayo itakuwa inajulikana Eastern Province.

Com. Lethome: Na ile province itakayobaki, Na ile province itakayobaki, Embu,Ukambani huko na Meru?

Mohammed Isadin: Huko wao ndio watachagua lakini sisi tunataka Eastern Province.

Com. Lethome: Asante. Maoni yake hayo, asante sana. Tunaanza ile banancing ambayo tunakubaliana tangu mwanzo tutafanya kwa sababu ya akina mama. Namwita huyu mama ambaye anaitwa Mary Koiya, yuko? Karibu mama.

Mary Koiya : Bwana asifiwe. Asante sana kwa wakati huu nimasimama mbele yenu. Mimi ni mshiriki wa kanisa wa Anglican.

Com. Lethome: Anza kwa jina mama.

Mary Koiya : Jina langu ni Mary Koiya. Mimi ni mzaliwa wa hapa Isiolo na saa hii niko kanisa ya Anglican kuhubiri maneno ya dini na maneno ya groups za akina mama na ninaona maajabu hapa Isiolo hata kama nimezaliwa huku. Wakati wa zamani nilikuwa naona maneno mazuri sana katika isiolo kwa maana niliona moja ni kula pesa kama hii. Ilikuwa ndururu kama hii ya kuchukulia chakula na sasa siku hizi nimeona maajabu ya siku hizi wacha ya mbeleni. Ya Siku hizi tunalia kwa ajili ya akina mama ambao wamelia sana kwa maana wameona mengi kwa kuzunguka hapa Isiolo, kutembea hapa Kabarshen naona watu wanakufa. Mama mmoja anayenililisha sana wakati wa

(inaudible) anaenda pande ya Kipsigis akauliwa huko. Nilienda nikaona mama amechukuliwa nguo halafu matiti yake inatolewa pamoja na maziwa. Hiyo inalilisha sana. Naenda kufunika hao ambao wametolewa nguo na kuachwa uchi. Ie siku nitasikia nashtuka sana na kusema ni kwa nini inafanyika hivyo. Kila siku watu wana-rapiwa, watoto wadogo, kila siku akina mama wananyang'anywa makaa, kila siku akina mama wanapigwa na kutolewa kwa nyumba na kila kitu hata suruali ya ndani zinatolewa.

Com. Lethome: Sasa mama fanya hivi, pendekeza. Hayo ni matatizo ambayo tuko nayo. Tunataka kuchukua maoni yako ndio hayo mambo sasa ibadilike yawe mazuri. Unapendekeza nini kwanza kuhusu akina mama, unataka nini?

Mary Koiya : Sisi akina mama tupate faida ya kusimama imara hata hawa.

Com. Lethome: Wasimame katika kiti cha uongozi

Mary Koiya: Kiti ya uongozi

Com. Lethome: Hiyo ni moja. Na wale watu wana-rape akina mama wachukuliwe hatua gani?

Mary Koiya: Watu wa kusimamisha hayo maneno watoke Isiolo kabisa.

Com. Lethome: Wale wana-rape?

Mary Koiya: Eeh

Com. Lethome: Na mtu akishikwa ame-rape mwanamke afanyiwe nini? Kwa mfano Tumeshika huyu mtu ndiye ame-rape huyu mama, sheria imfanye nini?

Mary Koiya: Mimi sijui huko kwa serikali lakini sisi tunasema achinjwe.

Com. Lethome: Achinjwe?

Mary Koiya: Ndio, hata yeye apate uchungu vile akina mama wanapata.

Com. Lethome: Haya. Na wale wananyang'anya makaa ya akina mama?

Mary Koiya: Wale wananyang'anya akina mama makaa wawekwe pamoja na wakerebishwe

Com. Lethome: Anakaribishwa?

Mary Koiya: Kerebishwa hayo maneno yote.

Com. Lethome: Irekebishwe

Mary Koiya: Irekebishwe, unajua Kiswahili, eeh hayo yote.

Com. Lethome: Hiyo makaa ni biashara ya akina mama, si ndio?

Mary Koiya: Ni biashara ya akina mama. Unajua wengine hawana ng'ombe, ng'ombe zao zishaenda na hawana shamba na hakuna chochote wanafanya ni maskini tupu. Hawana kitu wote kwa jumla. Hayo tu ndio tunasema mbele yenu akina mama wapatiwe kiti yao.

Com. Lethome: Ya council

Mary Koiya: Ya council, ya mjumbe, kila kiti yoyote akina mama wapatiwe kwa maana tunalia sana

Com. Lethome: Na masomo ya wasichana

Mary Koiya: Masomo ya wasichana, hata mimi juzi msichana wangu nilikosa karo. Ile pesa natapa kwa huyo msichana nilienda kwa Samburu kuwalilia halafu wakanipatia pesa ya kurudisha huyo msichana wangu shule.

Com. Lethome: Sasa unataka sheria iseme nini kuhusu elimu ya watoto?

Mary Koiya: Nataka elimu ya watoto, kama sisi akina mama tunakosa kitu au sisi akina mama tufikirie kile kitatusimamia mbele. Tuweke akiba kidogo. Kama mama mmoja nalia anachukulia hiyo pesa na kulipiwa.

Com. Lethome: Zamani masomo ilikuwa inalipwa ama ilikuwa bure?

Mary Koiya: Masomo kwa wakati wangu, mkoloni hakuwa anataka tushike kalamu. Mimi ni mtoto aliyetoka kwa upande wa ukoloni na sasa walifunga mlango. Yule mtoto wangu sasa ndiye anataka kusoma zaidi. Masomo zaidi.

Com. Lethome: Ungependa elimu ya bure? Masomo yakuwe bure yote?

Mary Koiya: Hapana ya bure. Hakuna kitu cha bure. Sasa kalamu utapata wapi bure? Karatasi ya kuandikia utapata wapi bure? Tuweke katikati pande ingine wazazi watafute tu kitu kidogo na pia shule itafute kitu kidogo. Tuwekane nguvu pamoja.

Com. Lethome: Mnasaidiana

Mary Koiya: Tusaidiane pande zote. Hiyo tu ndio sisi tunataka, hakuna mengine tunataka. Nataka nyinyi yule anayeongoza muweke nguvu hilo kwa maana tunalia. Akina mama wanalia na hayo yote hakuna ile tunaweza endeleza. Ni hayo tu.

Com. Lethome: Asante. Kuja mama, andikisha jina lako hapo hivyo. Asante mama kwa maoni yako. Tumpate mama mwingine sasa ambaye anaitwa Rukia Jetani. Rukia, mama Rukia. Yuko mama Rukia? Kama hayuko tuna mama mwingine Lela Kinyaga kutoka kwa Lefarua Group. Ala akina mama wako wapi ama watakuja baaadaye. Haya tunaendelea, Hussein Jirma.

Hussein Jirma: Ninaitwa Hussein Jirma. Maoni yangu ni machache. Ningependa kuguza kuhusu livestock marketing, terminal battle, access to foreign market of livestock. The second thing is that the state has to give allowances to over 18 of unemployed youth by providing them 2,000 shillings monthly because they belong to this state, they are youth and one you have an Identity Card, you belong to this state and the state has to take care of you ie. States like Korea

Com. Lethome: Tafadhalini tukaeni kimya, we are recording everything. Sasa, Ngoja kidogo Jirma, we don't want to go with

a record of Isiolo ambayo haisikiki vizuri kelele. We are taping everything. Kwa hivyo punguzeni kelele tusiende na record mbaya ya Isiolo.

Hussein Jirma: States like Korea and Holland take care of their youth. Solution to this problem; economically Kenya may be has problems but still there is a solution to that. The solution is we have undertaken oil exploitation in Isiolo district already in Rapian and I think that one can even undertake the set of over 18's, the state to take care economically. That's a solution to that. The second thing is that the state must take care of shelters of its citizens. The third is security personnels must be given high salaries, better salaries to tune of 30,000 shillings to avoid corruption. Council chairmen or municipalities be elected by the public and their allowances to go upto a hundered thousand. That' my nini. MPs to have only two sessions as not per this moment onwards but even previous ones. The other thing is about Ewasonyiro. Ewasonyiro River flows upstream Aberdares Mountain to Lorain Swamp. Policies must be produced in water vanity and equitability distribution to all communities and districts. That's all.

Com. Lethome: Thanks very much. Hand over Hussein. Mohammed Habi

Mohammed Happy: Kwa jina mimi naitwa Mohamed Happy Abkula na nataka kutoa maoni yangu kidogo kwa sheria. Nataka county council chairman a-electiwe na wananchi sio councllors. Tunataka hiyo iingie kwa sheria. Ya pili, kwa vile hii ardhi yetu ni Trust Land na inasimamiwa na councilors, tunataka hii ardhi yetu isimamiwe na wazee na locals kutoka kila division wasimamie tujue na councilor akuwe chini ya wazee sio juu ya wazee. Tafadhali weka kwa sheria. Three, primary education in Kenya lazima iwe free of charge, bila kulipa hata dululu. Hata vitabu serikali inunue, wanatuchosha kununua. Ya nne, all district heads must be local. Kama hapa Isiolo tuseme sisi ni Jaluo OCDP ni Kalenjin hajui mambo local ya hapa. Tunataka district heads wote wakuwe local. Kama ni Metu wakuwe Wameru, kama ni Kikuyu wakuwe wa huko, everywhere in Kenyan districts. Tunataka hiyo iwe kwa sheria tafadhali. Hii ni maoni yetu na wazee.

Com. Lethome: Tafadhalini tulisikizana tangu mwanzo mtu akitoa maoni yake hapa tuheshimu maoni yake. Utapata nafasi yako utoe maoni. So, hiyo grumbling huko hatutaki tafadhali. Nitatoa red card saa hizi hapa.

Mohammed Happy: Haya, ya tano tunataka ofisi ya County Council or Local Authority ipewe mamlaka kamili katika district sio ofisi ya DC. Tafadhali ofisi ya county council or Local Authority ipewe madaraka kubwa ya kusimamia pesa ya serikali yote na all district heads wawe chini ya county council ili hata sisi watu wa Northern Kenya tuonje resource zetu. Kama pesa zinasimama na District Water Engineer ambaye ni mtu wa kutoka Kakamega na hata hajafika Marpi or anywhere, na anatembea hapa tu town, tafadhali tunataka sheria ibadilishe pesa za serikali kutoka treasur isikuje wa chief, ikuje kwa county council. Sisi wazee tunajua we are also involved tujue vile tutafanya. Okay. Ya saba, tunataka councilors ambao wamefika form four wachaguliwe. Hata mimi sijafika form four na ukichaguliwa councilor lazima ufike form four sio councilor wa standard 7 or 6. Tunataka sasa form four-councilor achaguliwe. Kwa hivyo tafadhali, ya nane na ya mwisho pesa ya county council,

revenue yetu, collection iwekwe kwa sheria, councilors asimamie wazee wa kila division. Ajue council inaokota nini kwa kila mchanga, anaokota nini kwa game reserves, tujue wazee kama ni bursary tukae pamoja kila division mzee mmoja anatoka, tunakaa pamoja na councilors wetu ndio hiyo resource yetu tusimamie kwa njia nzuri ambayo tunasomesha watoto wetu, tunasaidia mama maskini kama yule aliongea hapa. Council inaweza saidia, tunasaidia mama maskini kama yule aliongea hapa. Hii council inaweza saidia. Kwa hivyo, pesa ya council ikiokotwa, resource yetu sisi wazee tujue. Sio councilors peke yao wajue. Ni hayo tu.

Com. Lethome: Asante sana Bwana Mohammed Habi. Hebu tumpate sasa Deko Wario. Ngoja ngoja ndugu yangu utanisamehe. Nilikuwa nikifikiri ni jina la mama hilo, pole. I am trying to look for ladies, pole utanisamehe. Francis K. Rubucha, SDA church, karibu.

Francis Rubucha: Asante. Kwa jina ni Francis Rubucha pastor wa SDA Church Isiolo. Problems that Seventh Day Adventist experience in this country. Number one;

Com. Lethome: Karibia mic tafadhali Francis

Francis Rubucha: Religious number one religious persecution: Adventists students in schools, colleges and institutions of higher learning are denied permission to worship on Saturday and are forced to do the following. Note that I am using the word forces.

- Attend classes on Sabbath, that is Saturday, sit for exams, participate in games, participate in work programmes on Saturday mornings, also attend other functions like graduations, prize giving days, parent days etc.

Number two; the denial of minority rights in the name of democracy. For example, our church has lost it's case through the court of law to prevent a bi-election from being held on Sabbath or on Saturday as you saw in papers and television just because does not forbid elections being held on Sabbath or being held on Saturday. Kile ambacho nasema hapa ni kwamba kwa mfano kuna bi-election ambayo ilifanyika kule Coast kule ambapo kulikuwa huyu mshimiwa Bashir Kriticos na kanisa ikaomba kwamba uchaguzi usifanyike siku ya Sabatu ama siku ya Jumamosi lakini kwa sababu hiyo haiko katika Constitution, kanisa iliweza kupoteza. Kwa hivyo kile ambacho tunaomba ni kwamba kama ni uchaguzi usifanyike siku yoyote ambayo ni ya kanisa. Kama ni Friday waIslam wapate nafasi yao. Kama ni Saturday wale ambao wanaenda Saturday wapate nafasi yao, wale ambao wanaenda Sunday pia wapate nafasi yao. Kwa hivyo kama ni hizo siku tatu ambazo watu wanaenda kanisani hapa Kenya, zisiwe ni siku za uchaguzi kama vile ambavyo ilivyo kula America. Hiyo ni proposal moja. Number three, denial of job opportunities both in public and private sector to Seventh Day Adventist members. Unaweza kuona mtu amepewa kazi lakini kwa sababu hatakuja siku ya Jumamosi basi anaambiwa hakuna kazi. Hiyo tunataka pia iwe katika Katiba mpya kwamba mtu ana uhuru kama ni mwanafunzi ako na uhuru, kama umekwenda darasani kutoka Monday mpaka Friday, ikifika basi kama ni Sabatu yule anaanchwa. Naona wengine wanaweka tuition, wanaweka mambo mengine siku nyingine hata nikienda kanisani

jumamosi asubuhi nakutana na mtoto anaenda kanisani. Kwa nini iwe hivyo? Kwa hivyo tunataka kama ni shule isifanyike siku ya kanisa. Hiyo iingine katika Katiba kwamba hakuna kazi, hakuna kanisa, hakuna mambo yoyote ambayo yanaweza kuzuilia mtu ambaye anaenda kanisani siku ya Jumamosi aende shuleni ama mambo mengine kama yale. Hiyo ni moja ambayo imetusumbua sana na tunataka iwe katika Katiba mpya. What the law should guarantee, our recommendation. It should guarantee right to religiously party which is a right to (inaudible) that is a unique right as it provides for our relationship with our God and our relationship with our people. The freedom of worship is a God given right. God created us to make our own free choices, guarantee to make a day of worship of ones choice and not be compelled to do any work on that day. Hiyo ndio ile nimesema. Sabbath of servants iwe provided in the Constitution because freedom of worship is a God given right. Hakuna mtu anastahili kuingilia pale. Another thing is that ranger's liberty. We define ranges liberty as a human right to have or adopt the religion of ones choice to change religious belief according to conscious, to manifest one's religion individually or in community with fellow believers in worship of servants, practice, witness, teaching, subject respect of equivalent right of others. Kwa hivyo rangers ikipata uhuru wa dini, uhuru wa kuabudu tunachukulia kwamba mtu anaweza kuwa na dini yoyote anayotaka, anaweza kubadilisha anaweza kufanya imani kulingana na vile anavyo anaamini kutunza ile siku ama kufanya yote ambayo imani yake inamuuliza afanye lakini pamoja na pale, akiheshimu haki za wale watu wengine. Let me touch a bit on disability. Issue touching on disabilities, recommendations:

- Sign language to be incorporated in the curriculum of teachers, training colleges, police training colleges and administrative police training.
- Textural designers to consider disabled people when designing buildings. Kama pengine wanajenga, wajue kwamba kuna watu walemavu wale ambao kama ni stairs ama nini wanajenga wakiwa wanaconsider the disabled people
- Special education teachers to be placed in their respective school of specialization
- A need for university of deaf students in the country
- A need to receive a representation in the National Assembly of the disabled. This should also apply to Local Authority.

Kwamba wale ambao walemavu waweze kuwa na representation katika National Assembly tena katika Local Authority.

- In every district, there is need for institutions catering for disabled. Unaweza enda wilaya zingine kama hapa Isiolo upate pengine hatuna chuo ambacho kina-deal na mahitaji ya diasabled. Kwa hivyo katika kila district tuwe na vyuo, tuwe na institutions ambazo zina-cater for the needs of the students. A bright student or a bright child who is disabled and comes from a poor family should receive free education. Kama kuna mtoto ambaye ni mwerevu na ametoka kwa familia maskini ambayo haijiwezi ama familia ambayo ni disabled, basi aweze kupatiwa free education maana ndio hata tunalilia kwamba kuweze kuwa na elimu ya bure hata ingawa mwingine hapa amesema Kenya hakuna kitu cha bure huwezi kupata kitu cha bure. Inspectors qualified in areas of church discipline should do inspection of special schools for example hearing impaired and partially impaired. Waweze kusikizwa kuwe inspectors ambao watakuja kukagua na kusikiza pengine wale ambao wako na shida ya kusikia ama shida ya kuona. Teachers should need assesment centers with a degree in special education. Lastly, need to set a special fund for special education. Conclusion: the Government and Parliament should put laws specifically for Adventists. I have seen in other countries of the world kwa

mfano kama Polland, Italy, Colombia, Hungary, Spain and Peru. Wakati wananchi walipofika wakati pengine wa kutengeneza Katiba, walitoa maoni. Kanisa ilikuwa haijatangulika na serikali lakini iliweza kutambulika na tena wakaweza kupewa haki ya kuabudu jumamosi na ikalindwa na sheria. Zaidi kwa mfano kama Polland, Italy na Corumbia wakapitisha law specifically for Adventists. Kwa hivyo tungependa haki ya kuabudu ya kama ni wanafunzi hawalazimishwi kuenda shule siku ya jumamosi.

Com. Lethome: Pastor unarudia, unarudia sasa Pastor.

Francis Rubucha: Kwa hivyo ndio nimesema hayo yote yaweze kuwa katika Katiba mpya. Asante

Com. Lethome: Okay asante pastor, hand over you memorandum. Can I have Joannina Twamai kutoka Tumaini Women Group.

Joannina: Yangu Mungu alinipatia sauti kushinda hii.

Com. Lethome: Anza kwa jina mama.

Joanina Twamai: Jina ni Joanina Twamai. Ninatoka kwa kikundi cha Tumaini Women Group. Pendekezo langu ninaona wamama tunalaliwa sana na hawajali kuona kama ni watu. la kwanza unaona mama akiwa ameolewa na Bwanake anafanya kazi kama ya askari na Bwana afe, vile mama anateseka badala ya apatiwe ile pesa ya Bwanake, watoto wake wanateseka na kufukuzwa shule sababu hawezi kukimbisha ile pesa ya Bwanake. Mpaka inakaa anaambiwa atoe hongo na mama hana hongo ya kutoa, yule anataka kumpeleka anataka ampleke. Pendekezo langu ni kama Bwana anakufa yule mama apatiwe haki ya Bwanake apate kufundisha watoto wake na kuwaelimisha.

Ya pili, wamama wamelaliwa sana. Mama anaweza kuwa ameolewa na wakati aliolewa walikuwa wanafanya kazi na Bwanake na wakapata mali na hakuna mwingine alikuwa katikati yao; ni mama na Bwanake. Mama akafa na wakaki amekufa ndugu za Bwana ya yule Bwana wanaridhi na kunyang'anya yule mama mali yake yote. Sababu hiyo ni mama na ndugu wa Bwana wakachukua ile mali. Mama akateseka na watoto wake wanateseka na hataki kupeleka ile kesi kwa koti kwa sababu hatasikika kwa sababu wale ndugu wa Bwana watachukua pesa wahonge judge na mambo yote mama apotelee mbali na watoto wake. Ombi langu ni huyo mama na watoto wake waangaliwe sana.

La tatu, mama anaweza kuolewa na Bwana na apate watoto wa kike. Kama Waafrika hawaoni mtoto msichana kama ni mtu. Yule mama wakatafuta mali na Bwana na wakatajirika sana na mama Mungu akambariki na watoto wa kike peke yake. mwanaume akaangalia akasema huyu mama hafai kwa sababu hii mali ni nani atakayeridhi na sina kijana? Mwanaume akaondoka na kutupa yule mama na akaoa bibi mwingine ili azae mtoto mwanaume aridhi huo ufalme wa yule mzee. Yule mama

akateseka na watoto wake mpaka akadhoofika, akakosa msaada, akaenda town akashikwa na ukimwi. Wale watoto wakaenda town wakashikwa na ukimwi. Pendekezo langu; sheria na Katiba ione mtoto ni mtoto aridhi ule ufalme, mali ya Bwanake sababu ni baba yake na mama walitafuta. Hilo pendekezo langu naona wamama hawaoni kama ni kitu.

Lingine, kama hapa town wamama wanafanya kazi ya biashara na mahali kama soko ama marikiti ni mahali wananyeshewa na ile mali na bali mama anakaa. Pendekezo langu la council ni ifanye kama nchi zingine ili ijengwe na iwe na nyumba ili mama akiweka mali yake anaifungia na anaenda atakuta mali yake ikiwa safe. Lingine, kama hapa Isiolo, area yetu ya Isiolo hakuna mahali gari inaweza pitia. Mama hata akiwa mzito akipelekwa hospitali, anakufia njiani, mtoto anatokea njiani sababu hakuna njia ya kuenda kuchukua yule mama kumpeleka hospitali. Hiyo ni shida tunayo katika Isiolo. Lingine, waangaliwe kama ni kitu.

Kama kuna uchaguzi wakati MP anachaguliwe baada ya MP ama DC pamoja nayule MP anachaguliwa wachukue mwanaume, atafute mwanaume awe coucillor achukue mama aangalie wamama wale wengine sababu aonekana hata yeye ni kutu cha maana. Hapa Isiolo tunadharauliwa sana sisi wamama. Hatuonekani kama ni kitu. Hata ukisimama wanauliza atasema nini? Ana kipawa cha kusema? Kama anaendesha gari ana kipawa anaendesha hata gari. Hapo tuangaliwe sana.

Lingine, hospitali ya Isiolo, mbeleni nilikuwa naona wakati hospitali ilifunguliwa ilikuwa na stima kwa barabara na ilikuw ana kengele kwa maternity. Mama wakati wake ukifikia anafinya nurse anajua mama yuko tayari labour ward anakuja haraka. Saa hii hakuna. Hata stima hakuna. Mama akienda labour ward anaambiwa hakuna vyombo. Anataka upasuliwaji, anakimbizwa Meru na anakufia njiani kwa sababu hapa hauna vyombo. Vilienda wapi kama tuna serikali, hivyo viti vilienda wapi na zilikuwako na serikali ilikuwako? Hiyo Katiba ibadilishwe ichunge mali ya serikali ili wamama waonekane.

Lingine mama akishatafuta mali yake na Bwanake, mimi kama tulipenda na Bwana nikiwa msichana naye kijana tukaona, tukazaa watoto watanoau kumi hata ukituona kanisana wala msikitini ni upendo ulitukamba tukashikanishwa. Wakati Bwana anataka kunitenga na mali nikienda hata kwa wazee hata kwa Kadhi au kotini, ninaambiwa jitambulishwe uonekane uliolewa na huyo Bwana ama mlifunga ndoa. Nikasema hakuna. Bwana akasema mimi sio bibi yake ni malaya tu nilichukua, ni rafiki. Yule mama anahaingaika na watoto wake. Katiba iangalie iseme kama tulipendana tukazaa, mtoto wa ndoa ni mtoto na wa mapenzi ni mtoto. Wote waangaliwe sawa na mama aangaliwe sawa sababu hata kahaba anaweza zaa DC mzima au President. Kahaba anaweza zaa, Mungu ni wa njia nyingi. Mama aangaliwe akiwa mama. Mapendekezo yangu ni hayo. Ikiwa sheria itaangalia mama, na akiangaliwa vile inawezekana na nitafurahia, mapenzi yangu yatafurahia hiyo Katiba.

Com. Lethome: Maliza sasa mama, asante, asante mama kwa maoni yako. Sheikh Abdi Nasir kutoka Jamia Mosque.

Sheikh Abdi Nasir: Vernacular

Translator: Basi Sheikh baada ya salamu anasema mapendekezo yake yatakuwa tano au sita kwa ufupi. Atapendekeza juu ya Katiba.

Abdi Nasir: Vernacular

Translator: Nawashukuru sana, Sheikh anasema, hawa Commissioner ambao wamekuja hapa leo ili kutuuliza sisi tutoe maoni

yetu juu ya Katiba. Tunawashukuru sana, anasema.

Abdi Nasir: Vernacular

Translator: Basi sisi wale tunaishi Kenya nzima iwe Wakristo ana WaIslam tunataka waishi kwa amani bila matatizo yoyote, bila kuzozana yoyote.

Abdi Nasir: Vernacular

Translator: La pili anasema ya kwamba sisi kama WaIslam serikali ya Kenya haututambui sana ama haituchukulii maanani vile inavyochukulia maanani wenzetu Wakristo. Tungependa serikali itie maanani juu ya UIslam pia ichukulie umuhimu ya kuwa UIslam ni watu muhimu pia.

Abdi Nasir: Vernacular

Translator: Lingine anasema basi kama raisi anachaguliwa na atakuwa Mkristo, basi Prime Minister wake awe ni MwaIslam.

Abdi Nasir: Vernacular

Translator: Pia Chief Kadhi apewe uwezo kamili wa kuweza kuhukumu katika kitabu cha KiIslam kitiabu cha Mwenyezi Mungu awe na uwezo wa kuweza kutekeleza kila kitu kulingana na UIslam.

Abdi Nasir: Vernacular

Translator: Pia tupate Kadhi ambao watakaa katika province

Abdi Nasir: Vernacular

Translator: Katika hii wilaya ya Isiolo majority ya watu ni WaIslam

Abdi Nasir: Vernacular

Translator: Sisi yale yametutaliza katika wilaya ni kwamba pombe za haramu zinauzwa mpaka nyumbani mahali ambapo WaIslam wako kwa majority, mahali ambapo watoto wa WaIslam wanaishi. Tungependa Katiba ilinde mahali ambapo community fulani wako majority na pombe za haramu na video ambazo zinatatiza watoto wanavuta bangi na wanafanya maovu ili iweze kupotea iharamishwe hizo zote.

Abdi Nasir: Vernacular

Translator: Pia anasema watoto wa shule wawe wavulana wawe wasichana wawe wanavaa mavazi ya KiIslam katika shule zote.

Abdi Nasir: Vernacular

Translator: pia, watoto wa KiIslam wapewe ruhusa siku ya Ijumaa. Ikifika saa tano wawe wanauwezo, wapewe ruhusa ya kuenda kufanya maombi msikitini.

Abdi Nasir: Vernacular

Translator: Pia tungependa katika wilaya Kadhi ambaye yuko katika wilaya apewe uwezo wa kuweza kutekeleza yale matatizo ya KiIslam kikamilifu. Sasa uwezo ule Kadhi anao ni mdogo sana na serikali haiwezi kuongeza uwezo kamili kupata Kadhi ambaye ataweza kutekeleza hizo tatizo.

Abdi Nasir: Vernacular

Translator: Pia tungeomba katika kila sheria ziwekwe kila division katika wilaya iwe na persons registrar ambao jambo muhimu mtu angesafiri kutoka vijiji kuja mpaka wilaya, iwe katika vijijini pia.

Abdi Nasir: Vernacular

Translator: Pia katika shule, kila shule iwe na mwalimu wa dini ambaye atakuwa kufundisha wanafunzi juu ya dini.

Abdi Nasir: Yangu ni machache hayo Vernacular

Com. Lethome: Asante sana Mzee Kitu moja umesema ya WaIslam pombe haramu izuiliwe. Na ile halali? Unajua ukisema pombe haramu unakusudia chang'aa, busaa zile ambazo zinapikiwahuko. Kulingana na tafsiri ya Sheikh, ningependa utoe ufafanuzi unajua record inaenda Nairobi. Umesema ile pombe haramu tu.

Abdi Nasir: Vernacular. Vile Quran inasema sampuli zote ikiwa chang'aa, ikiwa ile ina pesa nyingi zote ni haramu.

Com. Lethome: Asante mzee. Tumpate sasa huyu mama Sophia Salim.

Sophia Salim: Asalaam Aleikum? Jina langu naitwa Sophia Salim na yangu si mengi wala si marefu mbali nitachangia tu mahali pale ambapo pameshatajwa na wenzangu. Hasa nitataja juu ya haki za wanawake wa KiIslam. Katika mahali ambapo Tumesikia kuna upungufu ni kuhusu public appointments. Tumeona katika uchaguzi wa kazi muhimu huwa sisi wanawake wa KiIslam hatupewi fursa sawa na wanawake wengine wanapochaguliwa tuseme kamaPM, Electoral Commission. Tunaona kama upande wa wanawake WaIslam tunanyimwa mafasi hiyo. Pia katika mahali kwingi tu, hata ukiangalia wale waliokuja ukiangalia katika mwanamke MwIslam hakuwakilishwa. Kwa hivyo nimeona wanawake wa KiIslam Tumetengwa sijui kwa nini na tunaomba pia tufikiwe. Kuhusu upande wa Kadhi, katika ofisi ya Kadhi tunataka Kadhi achaguliwe kulingana na misingi ya kisheria ya UIslam na kwa ofisi yake wanafanya kazi huko, ionekana kweli ni ofisi ya Kadhi, Kadhi MwIslam sio unakuta Kadhi tu peke yake ndiye pale tu MwIslam na unakuta secretary wake ni watu wengine, unakuta secretary amevaa mavazi ya mini au amevaa mavazi mengine ya kiajabu ajabu ambayo hayambatani na UIslam. Kwa hivyo unapofika katika ile ofisi ya

Kadhi, unajina kuho katika mazingara mengine ambayo hata haikuhusu, haikai kama ofisi ya Kadhi. Kuhusu upande wa prisons, pia magereza hayakutilia maanani wafungwa wa Kiislamu. Nguo zile wanapewa ni nguo ambazo haziambatani na Uislamu kabisa. Unakuta wanaume wanapewa nguo fupi, suruali na shati ni kama yuko nusu uchi. Hawezi kufanya ibada zake hata akiwa magerezani. Mahali pale wanapelekwa ni najisi mahali ambapo Mwislamu hafai hata kukaa chini lakini utaambiwa ukae hapo hapo kwa vile wewe ni mfungwa. Kwa hivyo upande wa magereza pia iangalie haki za Uislamu katika sehemu hiyo. Kuhusu uhuru wa kuabudu ningeomba pia serikali iangalie juu ya street preaching. Kuna mahali kwingine inatajikana hao watu wakitarget mahali waumini wao ambao wako kwa wingi. Saa zingine tunakerwa sana, saa zingine mahali ambapo sisi ni Waislamu watupu unakuta mtaa wetu hakuna hata muumini wa dini zingine wamekuja na speakers zao, labda ni watu wanne tu, anaanza kuongea na mdomo lakini analeta speaker ili tu iwe ni mkero. Ukisema unaabiwa ni uhuru wa kuabudu. Kwa hivyo ningeomba sana mahuburi yale ambayo yanahuburiwa barabarani na sokoni na kila mahali, watu wengine tuiko na shida nyingi tuko na maneno ya kufikiria lakini uhuru ya kufikiria mambo yako maanake unakerwa maanake ni fujo tu. Kelele kila mahali ukienda sokoni, ukienda wapi, manyumbani pia ni kelele hatulali usiku kwa maombi ya aina hii. Kuhusu haki za wanawake kwa ujumla tunaona pia land and property rights, wanawake wawe pia na uwezo wa kumiliki mashamba wawe na mali pia. Pia, kuwe na elimination of violence against women. Wale watu ambao wanachukua nafasi ya kuwanyanyasa wanawake matendo kama hayo ya kupigwa nyumbani au na dhuluma za aina zozote kuhusu wanawake tunaomba serikali iangalie na iweke katika sheria watu waweze kuchuliwa hatua kali wale watu ambao wananyanyasa wanawake. There should be provision of adequate security for both women in public and private (inaudible). Kuwe na uwezekano yaani kuwe na ulinzi katika wanawake ambapo ikiwa hadharani au mahali popote pale. Kama vile wanawake ambao wanataka kufanya tuseme mikutano yao au wa campaign kwa sababu ya kura au nini, wapewe ulinzi in private and in public places. Consulting of family before their children for defence duty once agreed upon such families should be compensated. Yaani wawe watu wakiulizwa family ambazo watoto wao wanafanya kazi za kijeshi kama mtu anataka kutumwa ng'amo iwe katika sheria ya Kenya, yule mtu ambaye anaweza kutoa mtoto wake atoke aende ng'ambo iwe mzazi pia amekubali na bibi amekubali na family imekubali kwa jumla sio kuuza watu au kuchukua mtu mara moja anapelekwa ng'ambo bila watu kujua. Kuwe na (inaudible) control of resources.

Citizenship, kuhusu uraia. Dual citizenship for ladies who marry foreigners and for their spouses. Kuwe na uraia wa kisawa kuhusu wanawake wale ambao wanaolewa na wanaume wa nchi zingine na pia wanaume wa nchi zingine wapewe haki kama hizo hizo wakioa wanawake wa nchi hii.

Com. Lethome: Sophia malizia sasa

Sophia Salim: Exemption of women from education levies and registration fees paid by candidates. Saa zingine unaweza kupata wanawake hawana uwezo sana wa kuweza kugaramia masomo yao. Kwa hivyo tunaomba yaani pesa zile ambazo zinahitajika kwa kujiandikisha mtu afanye mtihani, kwa upande wa wanawake wapewe hiyo fursa bure. Na nikimalizia, mambo

nilikuwa nayo mengi lakini wakati hauruhusu, ningependa kusema juu ya umiliki wa natural resources. Kwa maoni yangu naona ikiwa natural resources zitapatikana katika tuseme ni plot yako au ni nyumba yako, hiyo iwe ni haki yako sio eti serikali iweze kuja kukuhamisha ulipwe nahali pa kuhamia halafu ichukuliwe. Hiyo mimi naona ni wizi ndani ya wizi mtu aweze kumiliki kile chochote kimetokana na ardhi yake.

Com. Lethome: Haya, asante Sophia, asante sana. Nafikiri sasa nitampa nafasi hii mheshimiwa mbunge wa eneo hili Mheshimiwa Charafano Mokku, karibu.

Mheshimiwa Charafano Mokku: Asante sana Commissioner Ibrahim, nachukua nafasi hii kukukaribisha wewe na team yako katika wilaya hii. Ningependa kuomba msahama kwanza sijaweza kuwa na nyinyi jana or juzi wakati mlikuwa Marsabit hata ingawa hivyo bado tuko katika Isiolo North nachukua nafasi hii kusema karibu tena.

Com. Lethome: Asante

Mheshimiwa Charafano: Mabibi na maBwana nafikiri wananchi wa wilaya hii hasa mahali tupo, kwanza ni furaha kwa sababu nafikiri ni mara ya kwanza, pengine wazee wa miaka ya juu zaidi lakini wale pengine chini ya miaka hamsini hafikiri ni nafasi ya kuanza tupate kusikizwa Naomi yetu juu ya Katiba. Kwa hivyo, naomba tuweke maanani zaidi hoja ambazo tunatoa leo. Wakati unatoa maoni utoe maoni mkifiria ya kwamba kama ni mambo juu ya dini pengine juu watu wa SDA walikuwa wakitoa maoni, hayo maoni hata kama yametolewa na pastor wa hapa itasaidia pastor akiwa hata Kisumu. Kwa hivyo ukitoa maoni usione ya kwamba maoni yako yanaguzi mtu fulani hapa. Yale tunaongea hapa ingawa tuko Isiolo North leo ni Katiba ambayo kama itapita, kama itapitishwa itahusu Kenya nzima. Kwa hivyo pengine ukitaka kusema mjumbe asirudi zaidi ya mara mbili, usiogope kama pengine umenitaja, apana. Hiyo unatoa Katiba ambayo itahusisha Kenya nzima. Ukisema raisi asirudi zaidi ya mara mbili ama term mbili usione kama pengine ukisema hivyo utashikwa na polisi hapa kwa sababu umetaja jina ya raisi, hapana. Ni Katiba ambayo tutaangalia siku zijazo na hujatukana mtu yeyote kwa hivyo mkitoa maoni hapa muwe

(inaudible) maoni ambayo yamepanuka. Sio tuangalie hapa kama kijiji kimoja ama wilaya moja. Katiba ambayo kama ni MwIslamku nikiisikia Sheikh Imam akisema pengine WaIslamku kwa mambo ya dini hawapatiwi nafasi na Wakristo, pengine akisema hivyo hajasema MwIslamku aseme peke yake; anatoa maoni kama pengine hata wale WaIslamku wako Mombasa. Kwa hivyo ningependa tutoe maoni haya tukiangalia hii Katiba ambayo intuguzi nchi nzima. Bwana Commissioner sasa nikirudi kwa maoni yangu, kwanza nashukuru vile umepatia kila mmoja nafasi hata kama mtu angetaka kutoa maonib yoyote ni vizuri tumsikize because ile ni maoni ayke. Amefikiria, amepenga tangu jana vile atatoka nyumbani kwake. Tumsikize ili kama haina point itatupwa katika National Referendum, kama itakuwa na point ya kufua dafu itakuwa ikipita. Kwa hivyo ningependa usione umetoka ukoo gani, umetoka kijiji gani, let's go above that. Bwana Commissioner, mimi kwanza najiunga na watu wangu ambao wameongea hapa. Nafikiri katika kila sector kama ni watu wa dini wametoa memorandum zao, kama ni pengine NGO, councils wametoa memorandum zao, kama ni wafugaji nafikiri umesikiza kutoka sehemu zote wametoa maoni yao, mimi najiunga nao. Pengine nikiongeza kwa yale wamesema, Bwana Commissioner

ningependa kusema ya kwamba sitapanda mlima ambao Katiba imeangalia. Iweke maanani ni juu ya ardhi. Sheria inasema hii ardhi kwa act fulani kwa jina ya Commissioner fulani, kuna sehemu ya nchi hii ambayo inatendekana katika Trust Land inaangaliwa na council. Mimi maoni yangu, hata mimi hapa mahali nipo ninafollow sehemu inasema Trust Land. Ningependa hiyo act ibadilishwe. Badala isemekane Trust Land iwe katika account number. Watu kumi tu na pengine kumi na tano kati ya wajamii wakifanya uamuzi juu ya ardi yetu yote. Ningependa hii clause ibadilishwe iwe community land. Ardhi ya wananchi badala ardhi iwe in Trust kwa mikono ya count council. Ikiwa hivyo maskini mwananchi atachunga hiyo ardhi kama anachunga ng'ombe zake. Sasa leo pengine tukiachia ardhi mikono ya madiwani wetu kumi na watano au kumi na sita na pengine uamuzi wafanye vile wanataka, kuna shida juu ya ardhi. Kwa hivyo ni maoni yangu hii mambo ya Trust Land itolewe. Mtu wa kushikilia in trust, iwe mikono ya wenyewe na ninafiriki watachunga zaidi. Mambo ya watu kuru (inaudible) juu ya shamba, juu ya malisho, juu ya ardhi, juu ya ploti, itaenda chini. Hiyo ndio proposal yangu katika kikao chetu siku ya leo.

Bwana Commissioner, proposal yangu ya pili, ukiangalia nchi yetu leo hii, mtu anakaa Nairobi anagawanya resource, development projects, funds katika nchi hii. Pengine kama bahati mbaya katika hii ofisi inaangalia nchi nzima kugawanya resource or natural cake. Kijana au msichana kutoka sehemu ingine hajawakilishwa katika ofisi hiyo kwa mfano treasury katika wizara fulani. Kama pengine hakuna kijana yeyote kutoka wilaya ya siasa pengine, hakuna huko, pengine yule anaangalia hiyo resource anaweza pendelea sehemu anapotoka or sehemu ambapo kuna rafiki yake katika ofisi hiyo. Mimi na-propose ya kwamba badala ya kusema hivyo, hasa katika huu mkoa mahali tupo, Eastern Province kutoka Mtito Andei mpaka Moyale wilaya zaidi ya kumi na tatu na ingesemekana nafasi tatu zikipeanwa za Director zitoke Nairobi, zigawanywe kutoka Mtito Andei mpaka Moyale. Nafikiri mbele ya kufika hapa junction hii, hiyo nafasi imezama. Kwa hivyo wale wanakaa mbali kuanzia Isiolo, Moyale, Marsabit, nafikiri hawasikii hata harufu waje kupata nafasi. Mimi na-propose, tuwe na majimbo, tuwe na federal system ambayo katika hiyo federal maslahi ya kila mtu yatasikizwa. Pengine kulikuwa na kitu hata LEGICO zamani at provincial and at regional level, iende chini zaidi iwe katika district level ili, maoni, mahitaji ya kila mmoja atakuwa anaishi mbali na Nairobi anaangaliwa katika hiyo federal state. Mimi na-propose tufikirie juu ya majimbo. Kama sivyo, kati ya kabila arubaini na mbili wanaoishi nchi hii wengine watakosekana. Kuna wengine watapotea kimaendeleo na wengine watapotea kiuchumi. Nafikiri tukifikiria hivyo ile resource ambayo inatoka headquarter inagawanywa vizuri, sawa hatika hayo majimbo. Hiyo ndio proposal yangu ya pili. Chini ya hiyo proposal Bwana Commissioner, ningependa kufikiria ya kwamba hii region yote, kwa sasa tuko katika province nane ambazo ni kama pengine watu hawana common interests. Kwa mfano, Eastern Province kuna sehemu ambayo inakuza majani chai, kahawa na ng'ombe wa maziwa. Kuna sehemu watu wanategemea mifugo, unalisha ngamia zako, ng'ombe zako na kadhalika hasa province hii. Kwa hivyo kama pengine itaangaliwa tuseme ni kitu gani nzuri kwa province hii, mahitaji ya central tuseme hapa Meru, Sourth Meru, North, Nyambene mahitaji yao ni tofauti sana na watu wa Isiolo, Moyale Marsabit. Kule Southern Eastern, Ukambani ni tofauti na pengine hata kuliko Meru. Mimi na-propose iwe same kutoka wilaya ya Isiolo, Marsabit. Hata tujiunge na Samburu kwa sababu tuna common features, common interests ili tuweke province separate kutoka Eastern Province. Hii zamani ilitwa Eastern Province mpaka Moyale. Jina ibadilishwe na ianze kuitwa Eastern iwe South Eastern ile ya zamani. Hiyo ndio proposal yangu.

Juu ya elimu; Bwana Commissioner nafikiri leo katika nchi hii elimu na matibabu ndio imekuwa na garama kubwa zaidi. Kuna wakati unafika mtoto asiyetoka kwa jamii tajiri hatapata elimu. Policy itengenezwe ili elimu kutoka darasa la kwanza hadi kidato cha nne iwe ya bure ili mtoto apate basic education. Ukiangalia leo pengine katika nchi hii kuna watoto wamepita kwa marks za juu lakini wazazi hawawezi kulipa karo, wengi wako katika labi. Pengine ukisikia leo kuna hali ya kutokuwa na usalama katika nchi hii, mtoto ameenda shule, hapati kazi, hana mahali pa kurundi atarudi kwa kazi ya ukora. Na-propose elimu iwe kutoka darasa la kwanza hadi kidato cha nne serikali iangalie policy mtoto apate ya bure ili akitoka huko awe ni mtu anaweza kujisimamia. Mr. Chairman, Mr. Commissioner, hasa sehemu hii kuna wakati katika historia 1965-1966 wananchi wa sehemu walisanywa na serikali. Walisanywa pamoja na mifugo yao, 1965,1966,1967 mpaka 1968. Wakati walitolewa kwa hiyo boma 1968, watu waliachwa bila hata nguo, yaani hawakuwa na mali yoyote. Unajua uchumi hutoka kule juu uende grass uteremke chini uende square one huko kufufuka na kurudi mahali hapo wakati sehemu zingine za Kenya zimeenda kilomita mia moja, ndio sababu kuna umaskini katika sehemu hii ambayo ukiangalia na sehemu zingine itatuchukua miaka mia moja kufikia sehemu zile zingine. Serikali haifikiri. Nafikiri wakati huu ni kuwa policy ni mbaya. Imelele watu kuwekwa pamoja wakatiwa wakawa maskini. Serikali i-compensate watu wa sehemu hii ili hawa pia wafikie sehemu zingine za jamuhuri hii. Hata ingawa pengine haitakuwa in terms of cash pengine mtu apatiwe shillingi elfu tano au kumi, hata kama ni elimu.

Juu ya matibabu or afya: Bwana Commissioner nafikiri ukiangalia Kenya waleo, Kenyans wanakufa na ugonjwa ndogo ndogo kwa sababu ya kutopata matibabu ambayo wanastahili. Mr. Commissioner, matibabu leo ni kama elimu. Mtu akiwa na uwezo anapata matibabu na wengi wanakufa kwa sababu ya malaria kwa sababu hataweza kupata hata dawa ya maralia, typhoid ambayo siku hizi nafikiri ina bei kali sana na zingineko. Ningefikiria serikali ione namna ya hospitali ya serikali ya

(inaudible). Iwe na madawa watu wakuwe na afya nzuri kwa sababu mtu akitegemea ile nyumba ya kuuza dawa ya bei, chemist or mahali zingine clinic nafikiri ni wachache wanaweza ku-afford. Mapato ya mtu ya miezi mbili ni dawa siku moja kuenda kule chemist. Serikali ione policy watu wake wamepata matibabu sawa ili iwe nchi yenye afya ya watu.

Juu ya dini: WaIslam wametoa maoni yao hapa na Wakristo wametoa maoni. Mimi ningependa kusema hivi, Katiba iangalie dini zingiangaliwa haki zao. Kwa mfano, kama mtu ni MwIslam ile sharti MwIslam dini hadithi inakubali ni apatiwe haki zake.

Kama ni Mkristo apate haki zake. Nafikiri Imam aliyekuwa hapa ameguzia juu ya National Days. Kuna siku ya WaIslam National Day katika nchi hii na pia Christmas Day ambayo Wakristo wanaamini. Lakini kwa ufupi ningependa kusema Katiba ipeane ruhusa mtu aabudu dini yake kulingana na vile yeye anaamini na vile vitabu vyake vinasema iwe. Lakini, ningependa pia kuweka caution hapa kidogo. Kuna dini zingine siku hizi hazina jina. Kuna ile inaitwa 'Mungiki'. Mtu anatoa nguo anavaa ngozi na anaimba usiku wote. Dini kama hiyo serikali ipige marufuku. Nafikiri itaharibu dunia hii kama tutaruhusu mtu aende akatengeneze jina lake la dini. Dini ambayo inajulikana katika ulimwengu mzima ni Wakristo na WaIslam. Lakini kuna under jina ya Kristo kuna yale madhehebu Anglican, Methodist, SDA na kadhalika lakini hizi za siku hizi za biashara ambazo zinafanya mambo kinyume na sura yote ya dini zipigwe marufuku ili watu wasipotoshwe wa wasisumbuliwe vichwa na vitu havina maana.

Ya mwisho Bwana Commissioner. Nilikuwa nimesema juu ya national cake ambayo itasaidia kila mmoja ikigawanywa vizuri

hasa sehemu imebaki ni elimu wakati wa ukoloni na wakati huu. Bwana Commissioner ni vizuri Katiba iangalie kwa mahini. Katika kila sehemu kuna products zake. Kwa mfano hapa mahali tupo, watu wakiambiwa leteni mimea yenu wataleta ng'ombe, mbuzi, ngamia na kadhalika. Lakini ukiangalia leo katika nchi hii yetu, hiyo mimea haina soko. Utakuta sehemu inakuza kahawa kuna Coffee Board. Inakuwa marketed mpaka Brazil. Utaona sehemu inakuza majani chai Kenya Tea Development Authority inaangalia market yake mpaka Britain. Hapa kulikuwa na KMC moja ambayo ilikuwa inaangalia wafugaji wote nchini. Factory ya pekee moja na hiyo zaidi ya miaka kumi na tano au miaka ishirini sasa hiyo sehemu pia imefungwa. Kama binadamu watategemea mimea yake na hawa watu mimea yao ni hiyo mifugo na hayana soko, watu wataendelea kuwa maskini, wengine wataendelea kuwa na mali. Nafikiri mtu maskini atakuwa na shida nyingi. Mimi ningefikiria serikali iweke kama policy kila product kutoka sehemu fulani zote iwe na marketing system ambayo mtu anajua atauza ng'ombe zake ishirini anajua mahali pa kuenda kuuza. Sio uweke ng'ombe juu ya lorry uende nayo Dagoretti or Nairobi unaambiwa ukae wiki moja na kadhalika. Hiyo nafikiri iwe policy na kama siyoy hii nchi tutakaa kama nchi tofauti kiuchumi na kuna watu watabaki nyuma na kuna watasonga mbali na hiyo. Pengine watu waliguzia juu ya terms ngapi, rais wa nchi na saa hii ni kukaa. Wakati huu tuko Katiba ya Kenya inasema raisi anakaa terms mbili. Kama ulikuwa umesema leo asubuhi Katiba raisi akae term moja au terms mbili kitambo ongezea. Pengine kama uta-propose iwekwe miaka mitano. Pengine ya bunge haikuwa imewekwa. Una haki ya kusema kwamba hata wajumbe wawekwe terms mbili or term moja or terms tatu.

Com. Lethome: Pendekeza wewe mwenyewe. Unataka ngapi?

Mheshimiwa Charafano: Pendekezo langu ya raisi ni ikae vile imekaa.

Com. Lethome: Na ya MP?

Mheshimiwa Charafano: Ya MP and I want to say that I want to declare that one outright because kama ni miaka kumi na tano nimepita miaka kumi na tano. Uamuzi uwe kwa wananchi kwa sababu mjumbe hata akitaka kukaa miaka ishirini, mwananchi akisema ni miaka mitano that's the end of the game. So, tukisema sheria inasema miaka kumi kwa mfano na pengine wananchi katika sehemu hiyo wanataka mjumbe wao akae miaka ishirini, umekataa democracy ya hawa watu. Uamuzi uwe kwa wananchi.

Com. Lethome: Inaudible

Mheshimiwa Charafano: The last point Mr. Commissioner, mama Sophia alikuwa kiguzia. Sheria imesema kitu chochote ukipata chini ya ardhi, futi ngapi, futi tano sita ni ya serikali. Ni vibaya. Kama kwa mfano katika ploti yangu nikipata mafuta kesho nitaambiwa ondoka na hiyo ploti ni yangu, iko na Title Deed and iko na Letter of Allotment ya kwamba hicho kiwanja nichangu. Pengine kwa bahati nzuri, katika boma langu la mbuzi madini ipatikane, Gold. Another. Ninge-propose hiyo sheria ibadilishwe. Kama madini or mineral zozote zikipatikana katika sehemu fulani, ikiwa imepatikana katika boma la Commissioner

Ibrahim hiyo iwe ni mali ya Commissioner Ibrahim. Kama imepatikana katika kijiji tuseme kwa mfano Duse wakati huu

mali

(inaudible) itakuwa imepatikana.

Com. Lethome: Sikia.

Mheshimiwa Charafano: Kuna mahali saa hii watu wanachimba. Ilikuwa ya mwingine zamani akauzia mwingine zamani, akauzia mwingine zamani though ninafikiri that 4th party wenyeji huko pengine wapate cutting bora wakati huu. Lakini kama ingekuwa ni ya watu wa Kina, maskini wa Kina watakwisha. Hiyo Katiba ninge-propose ibadilishwe ya kwamba hiyo product inayopatikana katika sehemu hiyo iwe ya wenye sehemu hizo. Bwana Commissioner, kwa hayo machache ningependa kusema asante kwa kunipatia nafasi kwa vile umenipatia zaidi ya dakika tano haribu na ningependa kuuliza watu wangu watoe maoni kwa roho okay. Hujatukana, pengine kuna mwananchi amenipatia note hapa niseme juu yake juu ya usalama. Ningependa ku-propose hivi. Pengine hapa sisi watu wa sehemu hii tunaona tuna shida ya usalama hapa na pale. Pengine kwanza kile kimecontribute usalama mbaya ni system ya land tenure. Mtu anaruhusiwa atoke hapa vile anataka afike mwisho wa boma lako. Wakati hii ardhi itakuwa kwa mikono ya wenyewe vile nimepropose iwe community land, tutakutana kwanza pale hivyo. Wenyewe watasema hapa ni pa kazi fulani haturuhusu any trespass. Ya pili, system yetu ya sasa, security ya wilaya inaangaliwa na group au kundi la watu wanaitwa DEC

(District Equality Committee). Ni kweli watu wamehitimu katika kazi hizo pengine. Kwa mfano, pengine kama sehemu hii mkubwa wa polisi ndiye anaangalia usalama hapa ni mtu amesomea kazi ya polisi. Pengine mtu amesomea kazi ya polisi kulingana na Police Act ya Kenya lakini nina hakika hajui security ya sehemu hiyo kuliko wenyewe. Nina hakika hiyo DEC wakiwekwa pamoja wote hawawezi kujua usalama wa hii sehemu kuliko wenyewe. Katika hii cnhi tuwe na security ambayo inaangalia usalama wa nchi. Wenyeji wahusishwe. Wenyewe wapate watu wawili au watatu katika hiyo system ya DEC ili maoni ya wananchi, interests za wananchi ziangaliwe pamoja na wale members of the DEC. Nafikiri the system we are having now of the security is faulty. Pengine hapa watu wa Isiolo wana shida zao kiusalama. Lakini jamani nataka kuwaambia ya kwamba Nairobi ni kubaya kuliko hapa. Nawahakikishia nyinyi Commissioners, jioni hapa lazima utembe na gari yako mpaka saa tatu, nne au tano usiku. Nairobi nina hakika ukichelewa upitishwa saa moja ukifika nyumbani kwako umesoma na kupata mengi sana na nina hakika. Nahakikisha Nairobi ni kubaya kuliko hapa. Kwa hivyo msaada wa usalama katika nchi nzima nataka uangaliwe kwa makini hasa, narudia, wenyeji wahusishwe. Wenyeji wahusishwe na ninafikiri watafanya zaidi kwa sababu wanapenda huo usalama wao wenyewe. Ikiwa mbaya utaharibikia hawa. Mimi leo nikipelekwa niwe mkubwa wa polisi Busia pengine, kama ningekuwa polisi, nina hakika nikijaribu usalama wa huko kile nitafanywa ni kupigwa transfer nipelekwe Kakamega. I will not lose anything unless you are patriotic. Nitachukua vitu zangu niende Kakamega nitoke Busia. Lakini kama (inaudible) anaambiwa achunge usalama wa hapa na akiharibu mbuzi wake wataenda na ng'ombe wake wataenda, atachunga vile atachunga pesa zake za mfuko. Usalama wa hapa hata ingawa tuko na system yetu ya sasa ionekane kuwa watu wa sehemu hizo wamehusishwa. Wakihusishwa nafikiri tutakuwa na mabadiliko kuliko sasa. Nafikiri yule amenipatia note nimejaribu kusema.

Com. Lethome: Sasa ufafanuzi mdogo tu Mheshimiwa. Kabla hujakuja kuna mama alizingumza na pia sehemu zingine

ambazo Tumezunguka Tumesikia haya. Ume-propose kuwe na jimbo ambalo ni la Isiolo, Moyale na Marsabi. Sasa kwa mfano mimi ni Maasai niwe niko na land yangu hapa, nimenunua hapa, nime-develop ndani yake na nina mali. Baada ya kuundwa hilo jimbo na mimi si Mborana ni Mmasai nifanyiwe nini sasa?

Mheshimiwa Charafano: Asante. Nafikiri ni vizuri umeuliza swali nzuri. Nilisema tuwe na system ya majimbo, federal system. Ikiwa wewe ni Maasai umetoka Loitokitok na una Ng'ombe zako hapa na umeishi hapa wewe ni part of that majimbo.

Wewe ni part of that majimbo, wewe ni mwenyeji kwa sababu system imekupata hapa. Nafikiri nimekujibu Commissioner. Swali lingine?

Com. Lethome: Nafikiri ni hilo tu. Sijui kama Commissioner mwenzangu ana ufafanuzi wowote. Haya, asante sana Mheshimiwa.

Mheshimiwa Charafano: Huna swali?

Com. Lethome: Yule hana ruhusa ya kuuliza maswali ni Programme Officer.

Mheshimiwa Charafano: Okay. Kwa hayo machache ningependa kuuliza watu wangu watupe maoni na yale maoni yatatusaidia kuanzia leo mpaka wakati tutaacha dunia hii na hata tukiacha wale watabaki iwafaidi. Tusiangalie hapa kidogo kidogo chini hapa. Hii Katiba sio yetu ya hapa peke yake na pia wakati huu tukitoa maoni, tutpe maoni yana uzito ili hata yakienda Nairobi tuijumulishe na maoni ya Kenya nzima inaenda kupata nafasi ya kufaulu. Asante sana.

Com. Lethome: Asante Mheshimiwa, asante sana. Kuna mama nilimwita hakupatikana. Lela Kenyaga amekuja? Lela.

Mheshimiwa Charafano: Commissioner I think I will present my memorandum later.

Com. Lethome: Ngoja Ngoja. Ebu ngoja, Lela ni mama ama ni wewe?

Speaker: Hapana

Com. Lethome: Pole ndugu yangu utanisamehe ndugu yangu, mimi si mtu wa hapa na majina sijayajua yananichanganya haya. Wajua Lela sehemu zingine ni mama. Pole. Nataka kupatia akina mama nafasi kidogo. Mumina Konso yuko hapa? Njoo Mumina halafu afuatwe na Muslima, Muslima Gababo ni mama huyo? Eeh. Halafu baada ya hapo kuna mzee hapa anaitwa Mokku W. Mariki kutoka CJPC ajitayarisha.

Mumina Konzu: Thank you, the Chairman Commissioner and all the distinguished guests. My names are Mumina Konzo.

Com. Lethome: Karibia Mic Mumina.

Mumina Konzu: My names are Mumina Konzu. This is going to be my presentation and I am sorry for those who don't understand English but those who are concerned are going to listen.

Com. Lethome: Tafadhalini huko nyuma sasa mimi nitatoa red card. Saa hii nikimya msikize mama. Mama ataona kama mnadharao maoni yake.

Mumina Konzu: I have got a written memorandum which I am going to present now before even I give my speech and I have a few issues to highlight on from my written memorandum. It's already there. Few of them are there and there are others which I want to add. In my memorandum, we would wish to have a Constitution that every one of Kenyan, every Kenyan has got a right of protection. The law should protect everyone in Kenya and also there should be no discrimination in the terms of may be gender discrimination. In our Constitution we'll really appreciate if there should be no discrimination in whatever view in whatever sort. So, the things that I would like to highlight to you on is about the Constitutional Commission. Formation of a few Constitutional Commissions to be instituted in our Constitution. One is the National Gender Commission should be established and be infringed in our Constitution to streamline gender in development planning and implementation of our country.

The other Commission we wanted, I wanted to propose the National Food Commission. There should be National Food Commission which should be intruded in the Constitution with 50% women representatives. The next Commission we also wanted to be instituted in our Constitution is the

The other Commission is the Constitutional Commission, Constitutional Review Commission with 1/3 women representatives should also be established in our Constitution and all these Commissions I have talked about should be appointed by Parliamentary select committee not any other body. All those Commissions should be appointed by special Parliamentary select committee to look on it. Also there should be, under the same, we all want we keep on forming a Commission of inquiries in our country. This Commission of inquiry is usually be established and then the results are not revealed to wananchi. So, in the Constitution I propose that the finding of the Commission of enquiries and also other Commissions established the findings should be revealed to wananchi within six months of its completion.

The other thing I wanted to talk about is about the affirmative action. When we talk of affirmative action, people think it is something which should be put only for women as one gender, no. Affirmative action can help any marginalized group or any disadvantaged group to bring them to be in the same level group with the rest. So, I propose that affirmative action policy should be instringed in our Constitution and also there should be a Parliamentary gender desk provided with 50% women representation. The other thing also wanted to highlight about is on the natural resources.

(inaudible) in our Constitution it says that when you dig down the land far even in your plot there are some stages where you reach that the land belongs to the Government and also if you go up to the air there are some spaces which you are

not allowed they also belong to the Government. So, I suggest that that should also be abolished from the Constitution and if the land, let's say if the land belongs to the local people those who are living on it, for example, if there is gold or any mine which has been found in area 75% of that resource should belong to those local people. Also there must be a formation of omission which starts from the grass root. The Commission should be elected by the local people and go to the national level. Those coming from the national level have to go down. Also on the same about the land, I suggest that on our land today, in our laws if you look for a Title Deed if somebody is issued with a Title Deed it is issued in such a way that the plot is leased to you. You get only a Title Deed for 99 years in our Constitution. So, I suggest that that should be abolished and if you would be given a Title Deed you should be given free hold of that land forever so that your people, the next generation of your family will inherit that land from you. That one has been put by the wazungus because they know that one time they are not going to live in this country. That is why they established that sharia of 99 years of lease of land. So, that is what I propose. It should be a policy and people should be given an ownership, free ownership of land if you are a citizen of this country. I also want to say about property rights. In this countrymen, women and children really suffered most in terms of owning property. I suggest it should be Constitutionalized that women and children should also own, assess and control property and I also suggest that it should be constitutionalized that a family property, a family custody, a family's property there is the mother and the father should have the names on the Title Deed not only a matter of men writing the Title Deed in their name and forgetting that women have also contributed to that property. So, I suggest that the Title Deed of the family should be in the name of the father and the mother both spouses. I also suggest that, this is religion now. One of the inter (inaudible) both religions when it comes to marriages there are several types of marriages in our which are legalized. When it's the Muslim marriage which is legalized, Christian marriage is also legalized, customary and may be any other. But when it comes to customary law it is very clearly written in our Constitution Chapter 5 of our Constitution that it is also legalized but when it comes to inheritance or succession customary law is disadvantaged. So, I propose that customary law should also be Constitutionalized and be given registration certificates like Muslim law or any other marriage law.

Com. Lethome: Wide up now Mumina please.

Mumina Konzu: About the Central Government. I also propose that Central Government should be constituted in our country and if that one may be in seems to be supported by all Kenyans, I suggest that this region which is called Isiolo, Marsabit and Moyale which is marginalized already, it is put under Eastern Province this land, like somebody saying from I don't know from Mwingi or from where to where. When we usually go to the higher offices in this Government, people do not even know where Isiolo belongs. People ask whether Isiolo, Marsabit and Moyale belong to North Eastern. Infact most of them take Isiolo, Marsabti, Moyale for North Eastern. So, I kindly want the Constitution to establish this region to be a province of its own.

Com. Lethome: And call it what? What do we call it? That province.

Mumina Konzu: I suggest that this can be called Borana Province like any other province because Embu is called after their

name and so on. So, because from Marsabit, Moyale and Isiolo we talk one language.

Com. Lethome: Okay, that's enough now. Let's listen to her please. That's enough.

Mumina Konzu: On education there is something I would like to suggest that this place has suffered a lot in terms of may be people going for higher education. So, to make it on the same level ground with other Kenyans, with our counterparts, I suggest that it should be Constitutionalized that the people of this area should be given free education. The people of this region should be given free primary upto university education until they reach on the same level ground with the rest of the Kenyans. Also, I suggest because women have suffered double marginalization, they should be deliberately given scholarships. Those who can be able to study even for further education anywhere. Thank you.

Com. Lethome: Mumina maliza sasa, time time. All this is in your memorandum I guess?

Mumina Konzu: Yah, few of them. May be just a few which are not in my memorandum.

Com. Lethome: Okay I give you a minute to finish now.

Mumina Konzu: The last thing I wanted to say is local communities to manage their local resources. The local communities should be given the mandate to manage their local resources here and also the local Government should be empowered in such a way that they are not controlled from the higher authority but they should be empowered from the grassroots. The mayor also and the chairman of the county council and their jibute should be elected by people and not by councilors who are just taken to the college, to the what do we call, I don't know which college. They should be just brought together during campaign, they should be put in a room until the last day of election and then they are brought here to vote for one's person's choice. So to avoid all that it should be Constitutionalized that the local Government, mayors of the deputy mayors or the chairmen should be elected by wananchi. Thank you.

Com. Lethome: Thank you very much Mumina. That is Mokku? Naam.

Interjection: Inaudible

Com. Lethome: Have I called your name? Just wait. You wait for me to call you. Mokku W. Mariki halafu afuatwe na yule mama nilikuwa nimemuita Muslima Gababo, should follow him.

Morris Mariki: Okay, a bit of correction; my names are Morris Mariki.

Com. Lethome: Oh okay ni vile imeandikwa hapa.

Mr. Mariki: Okay we featured mostly on behalf of the Catholic Youth in Isiolo. We featured mostly on separation of power in the three Arms of the Government. That is on the signature, until today members of Parliament have involved themselves in after private business as lawyers, medical doctors, businessmen and women and others. A factor that well affects the participation and performance in Parliament. We feel that the situation would be better if an MP is full time occupation. For one to qualify as an MP, he should be of age 21 and above, attained the level of secondary education and above all so as to avoid illiterate members from finding their way to Parliament. Lack of quorum in the Parliament evidenced in the 8th Parliament is a concern towards development conscious youth. This is because most of the MP's have taken the advantage of the 7 sessions that are put there so that when you miss the seven that's when your seat is declared vacant. So, we suggest that this should be reduced from seven to three consecutive sittings. The concept of nominated MP's should be retained but the nominees should be drawn from special groups e.g youth, women, disabled people and others and not as a way of rewarding those who lost in the immediate elections.

Salaries and benefits of MP's should be controlled and regulated by an independent Commission to avoid a situation where MP's edict themselves within a day. The current Parliament is still seen as telebersum of the executive since it has limited powers to control its own resource procedures through standing orders. Changes should be effected if Parliament is to be fully independent. MPs should be involved in drawing major national and international policies e.g. budget and other donor issues etc so as to ensure quality service delivery. Parliament should have its own calendar to avoid an ambush by members of the executive. In case of a continuous lack of quorum in Parliament, Kenyans should be allowed to pass a bote of no confidence with the whole Parliament. On the executive side, in the current Constitution the President is above the law. We call for a change to this and have the subjected to the rule of law. A President should be of 35 and above, of sound mind, a degree holder, married and of unquestionable intergrity. MP's rejected at the constituency level have been in the past appointed in the cabinet thus surpassing those elected ones an aspect we view as unfair. The following misconduct should see the removal of a President:

- Abuse of office e.g tribalism, nepotism, tribalism and others
- Abuse of power
- Corruption
- Abuse of human rights

Procedure: We should have all MP's without external persuasion from external forces should pass a vote of no confidence with the President. People should be empowered to vote out the President through referendum or impeachment. The President should decide the powers of dissolving the Parliament and calling for election at any time as in the case at the moment. The presitent should be barred from being chancellor of public universities and other universities. We should have university chancellors in various universities. The Provincial Administration should be de-linked from the office of the President and

headed by Commission such with responsibility of hiring discipline and sacking discipline Provincial Administration so as to avoid the influence of the executive. The Judiciary is slowly turning out to be a house of shame due to corruption, incompetence and political interferences hence affecting delivery of justice. We therefore recommend an independent Judicial Service Commission to hire discipline and sack indisciplined Judicial officials. We have sitting judges who are of unsound academic qualification. Thus, the Chief Justice and the Judges of High Court should be degree holders and men and women of high integrity. The rule of law should apply to all Kenyans. Many citizens have denied others of justice. Others incurring unnecessary costs in pursuit of justice due to unproportional distribution of courts. As youth we feel courts should be distributed to the level of divisions and districts. Enough Judicial officers should be recruited and all Judicial offices be equipped to facilitate good record keeping. Every Kenyans should have a right of legal representation in court so as to ensure fair judgement.

On other issues we feel that the youth at the moment have been locked and more attention has been given to other groups e.g. women and special groups. It is that time that we considered electing youth as nominated members of Parliament so as to involve them in the development and economic progress of the country. Participation of youth in politics depends on how much they are informed hence registration and finances should be set in place to ensure all Kenyans have a right to a continuous civic education exercise. Isiolo district holding more than 3 army camps and a police station, it is one of the insecurity prone areas. So, by use of all security machinery the Government should be compelled to the Constitution to prioritize Kenyan security before even being involved in the international peace keeping. A ministry should be created to oversee youth issues, help in identifying, tapping and promote youth talents e.g in sports. National Identity Cards should be replaced by something because we are tired we are tired of always being told to identify ourselves. I believe other documents like passports can also do this well. The youth in Isiolo are prone to evils e.g. abuse of drugs, abortion and economic exploitation. Hence there is a need to bear forth to have a registration protecting Kenyan youth from above vices as the perpetrators of the same are known at the moment and few are subjected to the wrath of justice. Many Kenyans have died in the hands of policemen and women like dogs. Political meetings are disrupted on security reasons and freedom of place tampered with. This should be checked by having a Constitution that respects and recognizes human rights and freedom. Many youths and Kenyans at large are jobless. Foreigners of poor education background are being employed at the expense of well learned Kenyans. This can be checked if the rule of one man one job prevails a creation of more jobs is done. Youth have been at the moment locked out of promotion on the ground of lacking experience. How will we gain experience tomorrow if learned youth are not given a chance.

Com. Lethome: Morris, for the remaining time just give the recommendation. Don't elaborate the problem, read the recommendation.

Mr. Mariki: Last but not the least, Government has taken pleasure in enslaving youth to bad debts as a way of parring domestic economies. We view this as unfair and call for de-linking over development and prosperity to IMF and World Bank and other donor funds. We should have a way of creating a promotional economy ourselves. Thank you.

Com. Lethome: Okay, hand over the memorandum. Muslima, followed by Hama Bonaya halafu Fredrick Kinaro akae tayari na George Mbugua wafuatane hivyo.

Muslima Lovoba: Jina langu ni Muslima Lovoba, sina (inaudible).

Com. Lethome: Oh, tayari eeh. Asante sana. Kama kuna wengine ambao wana memorandum wanataka kupeana tu you just hand over. You want to hand over your memorandum?

Interjection: Inaudible

Com. Lethome: Okay, but let me tell you there is a proper way of requesting. I am making a request. We have Programme Officer, we have a District Coordinator. You know when you stand up like that it's like you are not respecting the chair. Yah, have respect for the chair please. You can come over and make that request. I will consider you, I know you a teacher, you are a busy person but do it in the right way. Okay, Hama Bonaya. I will call, I will call you. You can see. You know I'm following the list. Wacheni niwaambie vile ninafanya mimi nafuata list. Watu wale napatia preference na nilisema tangu asubuhi ni akina mama peke yao. Hiyo tulisikizana tangu asubuhi wale walikuwako. For the rest, ninafuata list vile mliingia. First come; first served. Akina mama peke yao ndio nimepatia priority. Haya, endelea mzee.

Hama Bonaya: Agenda ya leo

Com. Lethome: Jina, sema jina lako.

Hama Bonaya: Sisi viwete hatuna haki hapa Kenya. Tungetaka kama sheria ya Kenya inaangalia wananchi kama sisi, viwete kama sisi, tunataka hii agenda ya Kenya iangalie viwete. Sisi ni viwete na tuna watoto ambao tunataka wasome, sisi wenyewe tuna ujuzi na hatuna haki katika hii Kenya yetu. Tuko na ujuzi wa uzi sherahani, kushona viatu lakini hakuna mahali pa kukaa.

Com. Lethome: Sasa unapendekeza sheria ifanye nini?

Mr. Bonaya: Napendekeza sheria itupatie nafasi ama mahali pa kukaa tukishona ili tufanye ujuzi wetu. Sisi viwete tupatiwe ardhi na watoto wetu wasomeshwe free. Hatuna nguvu ya kuto karo. Tena agenda kwa upande wa hospitali iangalie sisi hatuna pesa ya kulipa hospitali tukipata magonjwa. Watupatie hospitali free kwa ajili sisi ni viwete na hatuna nguvu. Watoto wanataka kusoma na tunataka kula na hatuna chochote. Kwa hivyo serikali iangalie iweke kwa sheria vizuri waangalie sisi viwete kwa sababu hata sisi ni binadamu. Tunataka serikali ituangalie sawasawa ili tusimame kwa councilor, kwa councilor maalum, kwa chief, kwa bunge hata sisi tunataka kusimama. Iwekwe kwa sheria iwezekanavyo kuwa tunataka kusimama kwa

councilor, kwa chief na hata kwa hospitali hata kama ni msichana kiwete awe nurse. Anaweza simama na kukaa juu ya kiti na aandike kila kitu. Hata sisi ni binadamu hata kama tu viwete.

Com. Lethome: Ndio

Mr. Bonaya: Kwa hivyo serikali ituangalie sisi viwete kama binadamu wengine kwa njia yoyote.

Com. Lethome: Asante

Mr. Bonaya: Tena hapa Isiolo kwa hii district yetu hatuna haki sisi viwete. Tunakosa haki kabisa kwa sababu wananchi wale wako na nguvu wako na power na hakuna mtu anatuangalia. Sisi viwete tuko nyuma kwa kila kitu hapa Isiolo. Hakuna chochote tunapata hapa. Hata kama ni mahindi inakuja sisi hatupati na inatakikana kila kitu kipelekwe kwa watu wote hata walemavu kama sisi.

Com. Lethome: Sasa unaona sababu yake ni kwa sababu haijasimamiwa na watu ambao si walemavu ama ni nini?

Mr. Bonaya: Ndio kwa sababu hatuko kwa idara hiyo.

Com. Lethome: Sasa ungependa nini?

Mr. Bonaya: Ningependa hata sisi tuwekwe kwa idara ya kugawa kila kitu. Kiwete kama sisi apelekwe huko ili asimamie viwete. Kwa hivyo Bwana Commissioner weka hiyo kwa sheria.

Com. Lethome: Hiyo Tumeweka

Mr. Bonaya: Nataka nyinyi mweke kwa sheria. Kwa upande wa ardhi tupatiwe ardhi kama workshop tufanyie kazi humo ndani. Kuna nyumba hapa Isiolo. Kwa hivyo weka kwa sheria. Hakuna haki yoyote tunapata hapa.

Com. Lethome: Hiyo Tumesikia.

Mr. Bonaya: Kwa watoto watusomeshee, kwa upande wa kazi watuangelie.

Com. Lethome: Na mijengo ya Isiolo.

Mr. Bonaya: Hata kazi ya

Com. Lethome: Na mijengo ya Isiolo inaangalia watu ambao ni walemavu kweli?

Mr. Bonaya: Hakuna hata mjengo mmoja unatuangalia sisi hapa.

Com. Lethome: Iko ngazi ndefu ndefu ngazi?

Mr. Bonaya: Ndio. Tena agenda yangu ningetaka mweke kwa sheria, tuweke kama mtu hana nguvu serikali iangalie aandikiwe mshahara. Nataka namna hiyo. Ndio watuandikie mshahara shauri hatuna nguvu, hatuna uwezo wa kulima mashamba na tuna watoto, kama mimi sasa niko na watoto tisa hata bibi alizaa juzi na sina nguvu. Kwa hivyo serikali itusaidie. Kama ni mshahara kidogo naenda kuchukua kwa DC nakuja kusiadia mama. Sasa kama sina nguvu na sina shamba na mama alizaa juzi nitamsaidia na nini? Sina nguvu. Kwa hivyo serikali iweke kwa sheria, Bwana Commissioner tafadhali sana.

Com. Lethome: Hiyo Tumeandika.

Mr. Bonaya: Tupate kazi haki hata kama

Com. Lethome: Tafadhali tumsikizeni

Mr. Bonaya: Hata kama sisi ni walemavu sisi ni wananchi. Tufanane na wananchi wengine namna hiyo.

Com. Lethome: Haya asante Hama.

Mr. Bonaya: Haya asante.

Com. Lethome: Fredrick Kinaro

Fredrick Kinaro: Jina langu naitwa Fredrick Kinaro. Mimi hasa ningependa kuongea juu ya vitengelea fulani katika sheria za Kenya ambazo siridhiki nazo vile zinatumiwa. Kwa upande mmoja tuseme kwa upande wa traffick cases, mimi naona kama wakati ajali zinapatikana katika nchi yetu hii, zinapendelea upande mmoja. Wakati mwingine ajali zinawezapatikana kwa sababu ya mnyama amekutokeza barabarana pengine mnyama wa pori ambaye hakufifadhiwa na njia nzuri, wakati mwingine barabara mbaya inaweza kufanya upate ajali. Lakini unakuja kukuta yule ambaye anaadhiriwa na sheria, analaliwa na sheria ni yule mwenye gari na yule anaendesha anaambiwa yeye ndiye anaendesha gari vibaya. Mimi ningependekeza kama hiyo sheria haihusishi hawa wengine, wahusishwe katika sheria kwa sababu hata wao ni moja ambao wanaweza sababisha ajali na wachukuliwe hatua kama nikugaramia wagamie hiyo gari na wagaramie wale jamaa ambao wameumia katika hiyo gari badala

ya kuingizia mwenye gari.

Ya pili inahusu mwizi ambaye amekuibia kitu chako. Ninapendelea serikali, kwa mfano, mwizi amekuibia kitu chako cha dhamana ya elfu kumi au ishirini na anafungwa miaka saba. Mwizi ataenda jela na anatoka na course ya ufundi seremala ama course ingine na wewe unaambiwa urudishe kesi umshtaki ati udai mali yako. Huyo mwizi anaenda kuranyia serikali kazi, wewe unabaki hivyo. Mimi ningependekeza serikali igaramie wewe ikulipa garama yako baada ya kupata yule mwizi na hatia, ulipwe na mwizi aende afungwe.

Sehemu ingine ambayo ningependa kuongea ni juu ya wabunge. Wabunge wanakuja wanatuhadaa wantudanganya, wanatupa ahadi nyingi wanaingia bunge. Halafu, akifika kule hauka kitu atatufanyia. Inatubidi tumngojee mpaka siku ile miaka itaisha ndio sasa arudi tena. Mimi ningependekeza kuwe na nafasi ya mbunge kama hatufanyii kitu tutoe kura ya maoni kama aendelee ama aache.

Sehemu ingine ambayo ningependa kuzungumzia Bwana Commissioner, kusema ukweli ingawa tunapalumu forces zetu kama polisi na nini, hawa ni watoto wetu wametoka manyumbani kwetu. Njia ya kujitetea kwa mtu anayeitwa askari, askari yeyote, njia anayotumia kujitetea akiwa na shida zake hasa za kunyanyaswa sijifichi nazo. Askari apewe uhuru wa kujitetea kwa sababu anaambiwa ajitetea kwa yule afande ambaye anaogopa. Mimi ningependekeza kuwe na kamati mbali na kikosi cha polisi ambacho kinatetea askari wetu katika nchi hii. Asante sana.

Com. Lethome: Fredrick, yule mwalimu aliyekuwa na haraka yuko wapi? Ameshaenda? Haya asante mwalimu. Tumpate George, ni Mbugua? George Mbugua from Esep. Kama hayuko Rev. Solomon Kimathi badala ya Rev. Muriithi. Nimepata instructions nimuite Solomon badala ya Muriithi on behalf of NCCK. Karibu Reverend.

Rev. Solomon Kimathi: Okay, thank you Bwana Commissioner and members of this house. I'm Reverend Solomon Kimathi working with the Methodist here in Isiolo but I'm presenting to you views of the NCCK in Isiolo.

Preamble: The Constitution should include the historical background of the people of Kenya acknowledging the geographical boundaries and the ethnic groups of the people. It should also include people's supremacy rights and power and sovereignty of the Constitution as the nation. Being a God-fearing nation, the preamble should acknowledge on independence upon God and should start this with "We people of Kenya" such that everybody feels that he or she is encompassed.

Social and economical cultural rights: The Constitution should uphold the social economic cultural rights of the people of Kenya which will help them to strengthen the nation unity. Such rights as free education for all, employment, free medical services, personal protection and security in a nation with civil and political rights.

Citizenship: Those who should be regarded as automatic citizens of Kenya are those born in Kenya by the Kenyans citizens,

children born outside Kenya by Kenyans citizens, spouses of Kenyan citizen regardless of gender, all children of the parents regardless of parents gender.

Documentation of the citizenship: The Identity Card should be looked upon as one of the documents, then the passport, birth certificate, marriage certificate and baptism certificate should be regarded as legitimate certificate to show that people belong to this country.

Land and property rights and ownership: The Government should have ultimate ownership of the private lands for the purpose of development of social amenities like roads, schools, areas with minerals and sports grounds. When this is done they should be compensated. Compensation should be reviewed to be paid according to the current market of lands both men and women should have equal access to land and property. Kenyans should have Constitutional rights to own land and property and settle in any part of the country without disturbance.

Succession and inheritance: The nuclear family should have equal rights in sharing the deceased's property.

Political parties: Kenyans should be discouraged to form political parties on ethnic grounds. Political parties should portray a national outlook so that they can be funded from the Consolidated Bank of the Government. All political parties should participate in civic development, adult education and revival of Kenyan economy to alleviate poverty and at the far front in campaigning against HIV and Aids disaster. The Constitution should allow all political parties to solicit funds from outside. The Constitution should regulate the management and conduct of political parties.

Qualities of the President or the prime Minister: He should be a university degree holder. He or she should be a Kenyan citizen of 35 years and above and not more than 65 years. His or her medical history must be investigated by a competent medical doctor, he should be economically stable and should not have a criminal record. He should declare his wealth and should be married with a stable family.

Powers of the Executive: The functions of the President should be confined in the Constitution. The Presidential Tenure should be fit into two tenure years of five years each and should not seek for Presidential elections after the tenure is over. The Parliament should have powers to summon and sensor the ministers.

Structures and systems of the Government: As you know, we have the three arms of the Government; The Executive, The Judiciary and the Legislature. These arms should work independently. The powers of the executive should be reduced and defined in the Constitution. Parliament should have the power to control the Government. The Parliament should control the expenditure of the office of the President and the entire executive. Also, the Legislature in the Government we should have a coalition Government whereby ministers will be shared among the parties represented in the Parliament.

Powers of the Executive: They should have a ceremonial President who is neutral and who has a national outlook. The Constitution therefore should have a provision of a Prime Minister who will be head of the government and answerable to Parliament. The Parliament must approve all the Government expenditure, determine the calendar and not the President. The expenditure by the President should be approved by Parliament.

Judiciary: The Judiciary, Attorney General etc should be appointed by the Commission and should be answerable to the Parliament and not the President. The Judicial officers should have a tenure of service. It should be independent and beyond reproach.

Electoral system process: The Electoral Commissioner should be elected by the Parliament and they should be answerable to the Parliament. They should retain simple majority rule as the basis of winning an election at the constituency at the local Government sits. That is in case of electoral posts. The defectors from one party to another should cease to be an MP of a particular constituency, they should go back for fresh elections. We should retain seats for specific interest groups like different abled persons in Parliament. Civic and Parliamentary election to be done together at different days and that of the President to be done on its own day. There should be a limit in election expenditure by each candidate. The election day should be specified by the Parliament and agree upon. Election process should be through secret ballot which needs to ensure that there is always free and fair elections. Equal paly ground for all candidates should be provided. These include funding, use of media and security.

Public finances: The comptroller and the auditor general should be independent and have security. There should be power to prosecute those who have misappropriated the public funds. All corruption offenders to be required to pay all the money they have acquired through corruption.

National resources: Irregular allocated public land to be place under recovered. Parliament has the power to enforce laws on the protection of environment. National Resouces Commission to be established.

Law of civil servants: Creation of office where civil servants will take their grievances. Appointments of civil servants should be on merit and they also be non-partisan.

Local Authority: The Councillors should have O level education and those who are elected mayors to be at least a university degree holde. Mayors and council chairman to be elected by the people directly. Where the Local Authority fails to give efficient services 2/3 of the local ara residents may petition the Constitution court for resolution of the Local Authority and have fresh elections.

Freedom of worship: Freedom of worship should be defined such that all the cultic movements are abolished. Religious denominations or cults that bring disorder in the society should be de-registered.

Areas of concern: We identified these areas of concern:

- Provision of health facilities to all citizens
- During elections we are fearing whether there will be enough security and especially in our district.

Com. Lethome: Just go into the recommendations. Just go into the recommendations Reverend please.

Rev. Solomon Kimathi: Also we identified insecurity as a major concern.

- The quality of education.
- Poverty.
- The rate of illiteracy in Isiolo is a major concern.
- Forced marriages of under aged children.

The other bit that I can handle is on land ownership. Kenyans should own land with a Title Deed or lease. Land Commissioner should be stationed in every district headquarters and to be centralized at district levels. There should be a sealing in land ownership. One should own land anywhere in the country.

Education: Free primary education should be made compulsory in this country and also we have subsidized secondary school education which is really affordable by every ordinary mwananchi. We also feel that we reverse that system of education whereby we have got 7-4-2-3 system; 7 primary school, 4 is the junior secondary, 2 the higher secondary and 3 the university so that it can be tried in the Constitution and be followed. University entry should be uniform in all areas and know in the Constitution.

Salary remuneration for all civil servants, teachers and forces should be free from Government interference. Salary review should be done every two years. Thank you. Those are the views from the NCKK member churches in Isiolo.

Com. Lethome: Thank you, hand over. Now can I have mwalimu and them shoba, Shoba Liban.

Interjection: Inaudible

Com. Lethome: Just a minute. Please, I'm trying to take care of a situation. Can you move a little mwalimu.

Mwalimu: Hii siasa ukiona mimi naenda round round, mimi si mwansiasa. Mimi I'm a teacher by profession.

Com. Lethome: Okay give us your name and give us your views.

Mwalimu: I'm born

Com. Lethome: Go nearer karibu na mic.

Mwalimu: I'm born (inaudible) and I'm a tutor of Central division. So when I have here I have not come here politically but I was a civic education provider and I failed to conduct civic education due to lack of funding but all the same, this is the time of collecting views and we should go ahead with the Constitution Review Process. The Constitution Review Process is a major thing in the country especially when you want transition from the colonial Government. Colonialists were terrorizing us and finish your house completely and that is when they left a bad Constitution to us but now we ought to ask ourselves, this is the time of democratization. It is a kind of democracy. Now the time that this year has gone to two come former transition Government which will take over from the old generation to the new generation. I ask myself, is the new people prepared to take over the Government? I think it is ready to take over the Government because they computerized at the age of dot.com and whatever the email. So, what I want is this one, I was given the Constitution and I am not teaching democracazion but this Constitution is a document that governs this country and any member of Parliament is governed by the Kenyan Constitution and dear friends, ladies and gentlemen, we are leaving the Constitution because the current Constitution has failed us completely. Nasema Katiba ya sasa imetumaliza na tukataka Katiba ingene mpya ambayo itaremsha madaraka ya ofisi ya riasi lakini hata hivyo civil servants wote ingieni OP, ingieni kaitka ofisi ya raisi ambayo pia itateremsha mambo madogo madogo kama hapa hivi. Sasa republic of Kenya, structure of Government. The Constitution to establish judicial principle in powers of Government. They can (inaudible) that the legislature and the judiciary which is big? It is the executive where the President is the minister and the minister should be given sitting power to man the ministry efficiently. Teachers and the executives should be well remunerated and I propose that teachers be paid their salaries from 200% and above. This is because they are milking cows and you can't milk a cow without finding a problem, something little. So, how do you expect to give dear sir when we cannot take our children to school. My daughter is in nursery and I am a teacher of only APS 2 and I am supporting a wife and I am failing to cater for them looking like a teacher of sound when I am suffering loosing like that. I can't teach the children when I am suffeing. So, please this money for teachers was started in 1994 the time when I was sober and it was, it was yah when I was sober, and it was formed under Taita Towett and also the Commissioner which gave us public say. The first days (inaudible). It was like Kuindwa, Lesrima and Lingera was there. So, Lingera and the late Ndungo went to Kibaki and they were honoured and he was given PS 1 peke yake that went to 45. Sasa mimi natupa hiyo mbali. Ninasema hiyo tumepata hapana hiyo tusahau. Tupatiwe 150% 120% na hakuna mwalimu ataenda strike. Walimu hawataenda strike, kuleni pesa. Pia hawa watu wa secondary school ambao nasikia wako na puppet, wacha. Form KNUT ndio tunajua. Pia mambo ya uraisi mimi nimesema kwamba sisi sichukii raisi Moi ni mtu mzuri lakini sitaki kuongea mengi. Pia mambo ya kumweka kwa Command tusimuweke.

Com. Lethome: Ebu tumsikizeni mwalimu.

Mwalimu: I am sorry, sorry I am not (inaudible)

Com. Lethome: No I am telling them to keep quiet.

Mwalimu: The President is the Chief of forces of Kenya, I agree to that one. He is also the head of state, I agree and Commander in Chief of the Armed Forces I refuse because kama ni process we should have a chief commander and I am telling the truth. Let me tell me the truth si commander. He is immune, he is not immune. He should be under the law. I don't care. He should be under the law from (inaudible) or face prosecution while in office. He is not immune and I not taking over as Government ombudsman (inaudible)

Com. Lethome: One more minute please.

Mwalimu: Now, this is just to touch on election of the President. Someone to be elected as the President of the Republic of Kenya should be in job group K and above and should be a civil servant and a teacher by profession. Yes, teachers make the best Presidents because we talk. Our work is talking, yah, he should be a secretary of Kenya. He should be at least 35 years and above. Those are the (inaudible) elections can take over. 30 years and above. Also he should be (inaudible) by a political party. Political parties that are formed right now are formed on historical grounds. We want them to be spiritual, formed on spiritual lines. Salvation Government whereby we don't have history, KANU is historical, DP, SDP mimi napatia nyinyi sacred development of Kenya chagua moja, salvation department of Kenya ingia katika utakatifu na wale ambao wanapigia Moi by Parliament ingia (inaudible) na apana chagua nchi. Corruption imemaliza, nini nini nini, apana stua mimi.

Com. Lethome: Poor guy. Mwalimu enda ukajiandishe jina kule. Yah register asante sana mwalimu. Now George can we have you now. Haya tumsikizeni George halafu Shoba Bonaya, Shoba Liban, yuko karibu? Shoba Liban, utamfuata huyu. Halafu Mzee Hadi utamfuata huyo mama.

George Peter Mberia: Commissioner Honourable Government, ladies and gentlemen, my names are Peter mberia, George I had been called in the class. Recommendation to the Kenya Constitution Review Process presented by NCKK and Catholic Church.

Preamble: We need a Preamble in our constitution which starts as follows. The present one we don't have a Preamble, it just states Kenya is a sovereign state. We the people of Kenya should live in peace without fear or favour; enjoy equal distribution

of wealth, resources of our country. Have respect to our constitution and subordinates and live as a God-fearing country. Our (inaudible) our philosophy of Peace, Love and Unity Kenya. Our country should be well defined with a brief history of its resistance, boundaries and remarks. Nitaenda tu kwa recommendations zile tumeweka. Sitasoma yote kwa sababu nitapeana.

Citizenship: Everybody born in Kenya should be a Kenyan citizen. There should be a Kenyan citizen through marriage and national system through application for a given period of time.

Note: All Kenyans regardless of their acquired institution should be treated equally. All citizens should contribute to national building but should have the welfare of the country attached. ID cards and Birth Certificates and travel documents should be the documents to identify Kenyans citizens.

Office of the President and Prime Minister: The constitution should provide for the office of the Prime Minister who should lead the Parliament and the Cabinet. Though, the Prime Minister and the President should be elected. The President should be:

- Kenyan by birth
- In scene
- Be of age between 4 and 65.
- Ceremonial President.
- Be married and have a stable family.
- At least be a holder of a first degree.

Functions of the President: The functions of the President should be defined in the constitution. The appointment of the powers of the President should be reduced to other appointed bodies. The constitution should provide for a patchment if the President does not work in accordance with the constitution. This should be done in accordance with the constitution which shall provide for the vote of no confidence passed by 2/3 majority in Parliament. The President should be voted out if he commits offences such as immoral, misconduct, economic crimes.

Provincial Admsintrations: We need the Provincial Administration but the office should not be under the office of the President because of (inaudible) might be exploited. It should fall under the Provincial Service Commission.

Judiciary: The Chief Justice and other judges should be appointed through Parliament. All judges to be holders of a university degree and holder of post graduate diploma in law. Corrupt judges should be prosecuted and then dismissed from the service. This should apply to the members of the bench. The rule of law should be upheld and respected.

Parliament: Members of Parliament should have at leaset O level of education. Members of Parliament should be people of high intergrity and good morals. Service Commission should look into terms and conditions of service of MPs. Nominated MPs should be nominated Cabinet Ministers. Ministers should be appointed through Parliament approval. Constitution should

provide for a vote of no confidence on MPs by the constitution. The constitution should not allow MPs to be absent for four consecutive sittings else they should be declared vacant. The MP should hold only one job as their salary allows it. Separation of powers between the Executive and the Legislature should be practiced.

Languages: Kenyan languages should continue to be Kiswahili and English. Vernacular language should be used in translating other businesses and also at the other local levels.

Property: Local property. The constitution should provide local property and Parliament should be the watchdog for the local property. All public land should be gazetted. The gazetted should pass through Parliament. Land owners be issued with title deeds and in case of a government use, they compensated at a market rate. Land cases and documents should be handled at respective district headquarters. All people who grab land and misuse public property should be prosecuted and made to pay back. All property already grabbed should be returned to the government. All public institutions which have collapsed and given to private firms should be taken back by the government.

Security: It is the responsibility of the government to provide Kenyans with enough security who are peace-loving citizens. Constitution should provide for better terms and service for security officers, better remuneration, better allowances, housing, equipment and training. Discipline forces like Kenya Army and Kenya Police be called to help in case of social welfare and security. Corruption in the recruitment should stop and should be an offense punishable by law. Citizens should not be allowed to own weapons licensed or non licensed for the security to do their work.

Women: Women should have a share to the title deed for the husband's land or parent's land. Women should as well as men enjoy equal distribution of wealth of our nation. Women as men should enjoy equal citizenship. Women should have equal rights of owning their child. Women should do away with cultural practices that do not allow them to develop.

Children: Our children should have free education upto primary level, free medical. As in primary school they should also have free medical attention and care. Constitution of Kenya should continue guiding homes the number of street children whose parents will be focused in the streets to be punished in accordance to the law. Constitution of more government institutions to care for children.

Right of worship: This should be in accordance to the constitution but should not be explained further. Devilish practice should not be covered under the rights of worship and other cults that intervene the good worship of our God.

Thank you. These are our recommendations from the NCKC and Catholic Church.

Com. Lethome: Thank you. Shoba and then Mzee Hadi. And then for the Muslims who would like to go for prayers, I know it's time for dhuhur now, you just break, go for dhuhur. We will be sitting here up to 6.00 p.m. Kwa hivyo nenda ukaswali halafu urudi tutaendelea. Kikao kinaendelea, hatuvunji kikao.

Shoba Liban: Good afternoon all of you?

Com. Lethome: Good afternoon to you.

Shoba Liban: These are my personal views on issues affecting women.

Com. Lethome: Liban, karibia. Anza kwa jina.

Shoba Liban: Okay, mimi kwa jina naitwa Shoba Liban.

Com. Lethome: Ngoja, ngoja. Bado hatujalipata vizuri. Twataka lirecordiwe pale. Nenda karibu na mic.

Shoba Liban: Okay. Naitwa Shoba Liban. Nafanya kazi na ActionAid lakini kwa sasa si-represent ActionAid. Naongea kwa.....

Com. Lethome: Kimya huko nyuma.

Shoba Liban: Kwa niaba yangu kama mama wa Isiolo na pengine kwa niaba ya akina mama wengine kama tutakubaliana. Nimeandika kwa lugha ya Kimombo kwa hivyo nitasoma vile nimeandika. Nimeanzia kwa kusema issues affecting women in Isiolo District.

Ya kwanza nimesema law enrolment, completion, performance of girls starting from primary to higher level of education. Ingingine ni early marriage. Ingingine ni genital mutilation or female circumscision. Ingingine ni no loaning facilities in the district. Nyingine nimesema child abuse mostly girls working as maids instead of going to school. And then, this one affects all of us. Most of essential services found outside Isiolo district and my recommendations are:

- Women should have right to best opportunity in education, economical, political and social fields especially among the pastoral communities where when resources are minimal the boy child is given preference even when the girl has performed very good.
- Then the other recommendation is that marriage should only be entered into with the free consent of the man and woman intending to marry. Not arranged marriage especially during this time of HIV and Aids pandemic.
- Women and men shall have equal rights to inherit, access and control property. These are specifically saying on land or any other property the woman can have in the course of the marriage. Because especially in some of the pastoral communities, if the woman gives birth only to baby girls, the inheritance should not be extended to her and especially is the father or the mother is not alive. So, the policy should see into that. As much as we said we are guided by our

religion but some things still go to the custom which is still very biased towards women.

Com. Lethome: So, what would you recommend when there is a conflict between custom and religion, what should take preference?

Shoba Liban: At least they should be hearing on both sides. If custom does not favour the women especially if I give birth to a baby girl, it's not my fault that I should give birth to baby girls. What I worked for or my husband worked for should go to those girls equally. So they have to look for ways and means to balance. And the n the othe rrecommendations is provision of basic education to pastoralist. This I say, alternative education for patoralists should be included in the Education Act. Like in some districts we have nomads school or shepherd school, where there is mobile school going with the people and helping the nomad student to be able to have their time to herding and going for learning. So it should be formalized.

Loaning facilities in the district, I said it's not there especially in Isiolo like Rural Development Fund. This should be seen by government like they can bring about Commercial Banks, I believe it is done by government, National Banks should be in Isiolo and should not be like the cause of insecurity. Some of the essential services should not be in Isiolo. I also still say that essential services should be brought to Isiolo district. Isiolo should not be seen as a division under another district. Like in Isiolo you have to go even for renewal of license of Meru, you have to go and pay bills like electrical and so many other facilities. So, why should Isiolo should be division of another district?

The other one is more women should be given positions in leadership. Like there should be nomination, they should be deliberate so as to bring about the change in so many forums like even this security committee or whatever it is. In Isiolo district you will find one woman or two and it doesn't represent the two women issue and it is the women who normally suffer during insecurity or any other problem. The man might run and leave the children with the mother but the woman will stick there and die with whatever she has.

The other one, when choosing leaders, this is specifically during registration of voters. In most cases, everybody is entitled to vote and especially in Isiolo, we have over 4 Army Barracks, we have Heads of Departments who are not from this district and they will come, because they have taken their votes in isiolo, they will come and choose our leader and so not a true representative of the people. So, there should be some control especially during giving of voter registration to curb this situation. This can be checked through how many years somebody has stayed in the district, what type of property this person holds in this district, what interest this person has for this district? You may cultivate a lot of power, a lot of resources from this district and you are not ready to develop it. So, we are saying it has to come starting from the voter registration. Thanks.

Com. Lethome: Thank you very much, Shoba. Mzee Abdul Haji. Mzee Haji?

Inaudible: Inaudible

Mzee Abdul Haji: Jina langu ni Mohammed Haji Ali ambaye mimi ni Mwislamu na nitatoa maoni yangu kuhusu Katiba hiyo. Mimi na-support wale ambao wanazungumza na kusema kama President atakuwa Mkristo na Vice-President awe Muislamu. Kwa hiyo, Bwana Commissioner, sisi wakaaji wa hapa Isiolo au tuseme Kenya nzima, wale wanaitwa Wasomali, tuna shida kubwa sana ambayo haihusiki na wananchi wa Kenya. Wanatupatia kitu kinaitwa screening card. Sisi tunahudhuria huu mkutano kama wananchi wa Kenya na leo tuko kando kabisa. Mimi nimechukua ID card 1956, siku ambayo Sudan ilipata uhuru nilichukulia hapa wilaya ya Nyeri wakati wa emergency ya maumau. Kwa hakika nakwambia nikileta mtoto wangu, leo hapa kipande. Wanamwambia alete screening card ya baba yake. Screening ina afisi yake na leo kama registrar inatafutwa haiwezi patikana, hakuna afisi ya screening. Namna ya kupiga kura sisi hatuna. Labda wazee kama mimi wanaweza piga kura. Lakini, Wasomali wa hapa wanaandika kipande hapa, wanatumwa Nairobi. Mtu hata maisha yake hajaona Msomali kabila yake. wanrudisha kipande na kusema lete barua ya screening card. Serikali, hiyo shida tunataka ioendolewe kabisa. Afisi ya serikali, kitu kinaitwa screening card, mtu kama anakuuliza wewe kama ni mwananchi wa Kenya, si mwananchi wa Kenya. Sisi tuko kando kwa Wakenya. Mimi nimezaliwa hapa Habasuen, Wajir na kipande siku ile nilichukua kipande, labda yule mtu alichukua wakati huo ana miaka arubaini na tano au hamsini na tano. Mpaka leo, watoto wangu tangu juzi wanahangaika. Huyu ndiye shahidi wangu hana kipande. Mtoto alikuwa anafanya kazi Saudia wakati wa screening card, akaambiwa alete kipande ya baba yeke. Mimi nimeshazeeeka na kipande kimezeeka na nimetupa screening card. Sijui pahali iko kwa kuwa si karatasi ya maana.

Ya pili, kitu mimi na-support ni pahali pa prison vile naftari ile Asha alisema wale watu Waislamu lazima wakubaliwe kuswali kwa misikiti hiyo. Mambo ya majimbo. Watu bado hawajajua maana yake lakini wanasikia tu majimbo. Mimi ndio mtu wa kuingia majimbo 1963 baada ya Garissa, district tatu. Leo, sisi watu wengi wanaishi averagely. Majimbo ni ya wale watu ambao wanajitosha kama doctrine. Majimbo lazima ihitaji serikali kuu kuwasaidia. Majimbo ya taabu nyingi.

Com. Lethome: Sasa wewe unapendekeza nini sasa?

Abdul Haji: Mimi nakataa.

Com. Lethome: Unakataa majimbo, asante.

Abdul Haji: Majimbo isiwe kwa sisi. Sisi sio watu wa kutafuta majimbo, bado tunatafuta family relief. Majimbo itatoka wapi?

Com. Lethome: Mnatafuta nini?

Abdul Haji: Chakula ambayo ni msaada wa serikali. Tunaishi kwa msaada wa serikali. Kesho kama tutafanya majimbo, serikali itasema wewe mwenyewe ujitegemee. Hayo ndio majimbo. Hakuna mtu atakusaidia. Kufanya kazi itakuwa mwito

wako.

Com. Lethome: Hiyo tumefahamu sasa.

Abdul Haji: Hakuna mtu mwingine. Kwa hivyo, kitu kingine Bwana Commissioner, lazima waangalie mjumbe. Wakati wa uchaguzi unafika, serikali iko macho. Waangalie sifa ya yule mtu atakayesimama. Huyu mtu anaweza kuongoza watu kwa njia gani? Sio mimi nisimame na mimi sio mtu kamili au mtu ambaye kuhudumia wananchi kwa njia ya haki. Lazima serikali itume watu wanachunguza kila jambo. Serikali iwatume wananchi waangalie maoni yao vile huyu mtu anatafuta barua yake ya kusimama. Recommendation itoke kwa wananchi. Sio serikali imesema Moi asimame Kanu au vipi. Lazime awe mtu msafi, hana deni ya wananchi, sio mtu ambaye kama sisi WaIslam, haendi msikiti. Hatutaki mtu ambaye anachunga haki za watu. Kwa hivyo, mimi napendekeza huyu mtu awe ni mtu msafi lakini kitu ambacho tunataka alikuwa (inaudible) tunapatana huko Nairobi. Ameletwa na serikali na sisi hatuna haja ya (inaudible). Hata kipande, kiletwe. Kuna committee side yao. Kuna PC, kuna watu wa kipande, side yao hawakimbii. Karatasi injazwa wanatupa Nairobi, wanarudi kesho. Mtu anasimama mara kumi kutoka West, hapa anasimama, anasema ngoja, wiki ingine ile ambayo anaketi committee, wiki ingine na mtu yule tikit yake inatoka upande wa Ukamba, ameshamaliza pesa yake na anahangaika hapa. Sisi tunataka kila kitu kiletwe katika district yetu. Hata birth, zamani sisi tulichukua (inaudible) barua ya kuzaliwa na sasa kuna afisi ya DC karibu. Sisi hatukati kuenda safari, hata kipande yetu tupewe hapa. Kwa hivyo, mimi natoa shukrani kwa nyinyi. Vilevile karibu lakini lazima serikali iangalie haki za wananchi. Kuna shida kubwa sana. Kuna shida, mtu ambaye hujui ndiye anawekwa (inaudible). Tunarudishwa katika wakati wa ukoloni na serikali haitupatii harambee ya msikiti, haiwezi kusaidia shule, sisi bado hatujaona mtu wa kutumwa na serikali akisema msaada huu ni WaIslam na wanafanya harambee kila siku za kanisa. Pesa yake kama wanatutumia ni haramu? Tunaweza kujenga msikiti, waseme hii harambee ni WaIslam wajenge shule au madrassa. Sisi hatuna harambee ni mdomo tu katika Kenya. Lazima serikali iangalie haki zetu. Asante sana.

Com. Lethome: Asante Mzee Abdul Haji. Tumpate J. Kithumbu. Halafu kuna mtu anaenda Nairobi, Kimaita Machunguma. Kithumbu yuko?

Interjection: Yes

Com. Lethome: Haya

J. Kithumbu: Yes, Bwana Commissioner, thank you very much. Sasa mimi nitatoa maoni kuhusu Constitution Review Commission nianze na upande wa Provincial Administration. Kenya imegawanywa katika areas pengine zile watu wanazungumza lugha za kikwao tu. Tuseme kutoka district level kuenda chini, watu wanazungumza lugha ya kikwa hivi, tumegwanywa kwa njia kama hiyo. Kwa mfano, tuna area tunaita subarea, kuna sub-location, kuna location, kuna division, kuna district na kuna province pia. Katika hiyo administration system, kuna wale watu wamewekwa katika hizo area. Katika

sub-area, kuna mtu ambaye anaongoza hapo lakini hajulikani. Maoni yangu ningetaka huyo mtu wa sub area awe gazetted kwa sababu sub-location iko na sub-chief ambaye ni gazetted na serikali, location kuna chief ambaye ni gazetted na serikali. Katika division tuna DO yule gazetted, district tuna DC na katika province tuna PC. Sasa katika maoni yangu, katika recruitment ya serikali wamapo-recruit ma-offisa hao, sub-area ako, sub-chief ako, chiefs wako. From the local community sasa let the same structure of administration be followed to recruit the following officers from their areas and intergrate them in

Katika kutoka DO tuwe kila division inatoa DO ambaye atapelekwa huko kwa serikali wajue watampeleka huko. Division I-recruit DO apelekwe huko. Sio lazima afanye kazi kwao. Kila district ito DC ambaye si lazima afanye kazi huko. Kila province itoe PC na sio lazima afanye kazi katika province yake lakini hao maofisa hao wote kwa sababu division hizo zote ziko na area za watu wako, wachague kila district iwe na disctric Commissioner, kila division, kila province. Hata hawa katika ma-OCPD, unawezaone ma-OCPD wanatoka area moja wote and districts ni nyingi sana. Kwa hivyo, kila district itoe OCPD wake apelekwe huko watajua watamplekea mahali gani. Kwa hivyo, upande uo, every community concerned will free to sentence in the government of the day. By doing that now every division, district and provinces will be represented at their power represented in the areas by the chief and the rest. Hiyo ni katika Provincial Administration. Katika area ingine kama vile watu wengine wanasema hapa kama Mzee Haji, kwamba watu wanachoka sana kwa safari ya kuenda Nairobi kufanya nini. Katika pension department, kila district ina retired officers wake ambao mtu akikosa mshahara inakuwanga shida sana kujua ni nani atafuata na ni nani atafanya nini. Kwa hivyo, ningeaona kama every district needs the pension lists ziwe empty ziletwe katika district. Kila district level iwe na area yake ya kufanyia hao pensioners kazi and the period in which the beneficiaries are paid for five years ni fupi sana. Inaweza kuongezwa iwe kama kumi ili wale beneficiaries pengine ni wadogo sana, ikiwa miaka tano tu hawataendeshwa na hiyo pesa mahali wanatakiwa kuenda. Again on the same, frequencyre-visit of the pension pay roll is very important as regard to the government workers. Kuna wengine wanapata shilingi tuseme kama ni mia tatu kutoka 1920 mpaka wa leo, ni kitu ambacho hakionekani kitafanya nini. Katika nchi zingine, tunakuta hao retired officers wanakuwa honoured as senior citizens. Pengine wanawekewa viti vya gari kama kutoka Isiolo kuenda Nairobi, kila basi au gari la moshi linapewa 5 seats zile zitakaliwa na hao wazee. Wakikutwa kwa barabara wakifanya kazi yake akipeana atakuwa free kuenda mahali anapotaka. So, such recommendations can be there. Kama, like the first hand debt are there to stay. Hakuna wakati hii nchi itakosa. Therefore, kila nchi lazima iguard kama constitution yetu ya Kenya, iguard these officers as much as possible. Nafikiri yangu ni hayo tu.

Com. Lethome: Asante sana. Can we now have Mr. Mwachunguma? Yuko hapa? Karibu. Halafu baada ya hapo afuatwe na mama mmoja kabla hatujaingila watu wa Aldonyiro. I know you are a bit impatient but now I will give you a chance. All the Aldonyiro mfutane nyote pamoja.

Kimaita Mwachunguma: Asante Bwana Commissioner kwa kunipa nafasi hii. Yangu nitasoma kwa Kiingereza lakini because of benefits, mimi naitwa Kimaita John Mwachunguma, sorry for that. Hii memorandum nasoma si yangu ni ya wazee lakini waliniambia juu hawajui Kiingereza niwasomee na nitasoma na nikimaliza niko na yangu tatu. Utaniruhusu Bwana

Commissioner.

Com. Lethome: Sawa

Kimaita Mwachunguma: Thank you very much. The Kenyan constitution even though it guarantees freedom of worship, investments (inaudible), this has not been experience by people in tribal clashes areas like in Molo, Isiolo, Tana River, Kisii na Maasai border etc. We ask for an additional clause in our reviewed constitution that will punish those who fail to stop and enforce the rule of law for co-existence of all Kenyans. Both the majority and the minority require to be guaranteed for co-existence if we have to be free from political and administrative decisions of the day. Kile nimesema ni kwamba wanakenya wanepewa mamlaka ya kukaa na kufanya kazi popote, lakini tunajua akina DC, akina PC, akina askari wakuu OCS na wengine wanashindwa ku-prevent au kuzuia mauaji. Kwa hivyo, kuwe na clause ya constitution juu wanapata mshahara wawe wanaadhibiwa na sheria. Thank you.

We require the constitution to review Commissions, I will repeat. We require the Constitution Review Commission to ensure the Kenyan boundaries are recognized by the constitution. These boundaries set plans to Kenya's independence and differentiate Electoral Commission from administrative boundaries. We support the High Court decision on behalf of Michuki versus the State where the electoral were permitted to be re-drawn to satisfy the electoralate. Kile nimesema tuko na sheria zilipitishwa

Com. Lethome: Aah, ndugu yangu sikiza. This memorandum is meant for the Commission.

Kimaita Mwachunguma: Correct, not your,

Com. Lethome: Not them. So, don't bother about elaborating it in Kiswahili. It's meant for us.

Kimaita Mwachunguma: Thank you. Establishment of police stations. We suggest that the current order of establishing police stations if overtaken by the very fast growth of urban settlements in Kenya. There should be incorporated an additional clause in the Police Act to ensure community policy. This will encourage investors and subsequent guarantee life and investors will create more jobs. Number four, public offices of national and regional importance should be elected by the public in that area. This will create more responsiveness to the general electoralate and not to a catel or political. This will help create transparency and eleminate corruption in public officers. Example, chairman of council, urban councils, mayors, President, Prime Minister etc.

The other one, we have noted with great concern that the current Kenyan currency has been changing format, design and appearance an exercise considered to be expensive due to the frequent re-printing and designing costs. We recommend that to avoid the cost, Kenyan currency should be standardized and even avoid current heads of state portraits so as not to necessitate

re-printing of new currency even when other things happen. And here, we noted Kenya will change leadership at the national level and therefore this will demand a change of head of state because of the portrait. We are saying with multi-partyism, it is only fair that a national element be inscribed in our currency like the Americans have done. This will eliminate costs and it will ensure that there is no fraudulent work. It will also encourage the wazees kujua hii pesa ni aina gani.

Coalition government is not there in Kenyan constitution and we are recommending that it be enshrined. The other point, it is noted that supreme law enacted in Kenya is done by Parliament. It is also regrettable to note that the project and programme passed by the house have not been implemented and this case we have the Nairobi-Moyale-Addis Ababa road which was passed by Parliament, lakini mpaka sasa haijawekwa tarmac. We are saying, Parliament ikipitisha kitu, hiyo kitu ifanywe. Kama imesema Isiolo ikunywe maji, ikunywe maji sio mimi nije ni-change nikiwa government officer. We are refusing that. We also suggest that the constitution to trim the powers of the President and that no one should be above the law. This will guarantee accountability and responsibility. We suggest that the current procedure used in taxing Kenyans be reviewed. Hiyo nitasema kwa Kiswahili. Tumejua ya kwanza ukitumia stima una-chargiwa, ukitumia una-chargiwa kulingana na bill lakini unaketi tu pale umeketi Bwana Commissioner, mimi ni assessor wa serikali nakuletea bill ya milioni tatu na siku hiyo nimekuletea inaanza kuzaa mazao na labda hiyo pesa imekufa. We are talking and asking the government and the constitution to guarantee. You are charged for what you are taxable about. Equity of taxation. Sio mtu apewe mamlaka ya corruption. Vile vile tunaomba, kama kutakuwa na kitu chochote cha kuwa changed, tuseme ni hii elimu ililetwa ya 8-4-4, wazee na wazazi waulizwe kwa sababu sisi tunasema 7-4-2-3 was good. Lakini iki-changiwa hivi huwa ina referendum. Sio mtu aketi kwa afisi yake, aseme ikuwe, ikuwe. Kenyans should have a way through referendum for national important events. Thank you Mr. Chairman.

Com. Lethome: Okay, thank you.

Kimaita Mwachunguma: And the recommendation is that we revert back to 7-4-2-3 kwa sababu mtoto wa Form Six saa hiyo alikuwa mwerevu kushinda wa university leo na hatutaki kuwa na graduates ambao hawajui ni nini kinaendelea. Kitu kingine ni mali ya uma ambayo imekuwa ya watu wadogo. Hata State House yenyewe unaweza kukuta mashuguma leo wamepewa. Resident ya PC naweza kuwa nimepewa, county council pahali palipowachwa pa kutega maji unakuta nimepewa nikiwa chairman wa council. We have said no. The local residents, I am not talking of local people, I'm talking of local residents who are there, they should have a say in re-allocating natural resources and public utility land. Thank you. In order to offer competitive competition, tunasema Kameme, Radio yoyote iwe ni KBC, iwe ni KTN, iwe ni Citizen wapewe mamlaka kwa sababu tunajua sheria iko ya kuwashika kama wameharibu hiyo sheria. Lakini hawa raia wasikini ni nini inasemekana, serikali ikijua kuna makosa itawashika. So frequency should be equal, all lines information iwe tayari.

Tunasema Katiba ya Kenya haisemi ni minister wangapi wako. Kwa hivyo mimi nikiwa President na wewe ni Commissioner ulinisikiliza Isiolo, nitakupa kiti cha constitution Review ingine, ingine hivi. Tunasema no. sheria Katiba iseme ni viti vingapi. Sio

uwe na minister watano under one PS; hawana mamlaka, hawana kazi. Ni kuwe one minister na assistant ministers wake, zingine ziwe departments. Pesa hatuna ya kutosha na isitumike vibaya. Lingine, all constitution offices to be voted by Parliament for approval. Constitutional face yote holder awe ni mtu ambaye jina lake lingeingishwa Parliament na Parliament imesema la au ndio. Hatutaki kuwa na mtu kama fulani amekaa siku mbili kama Attorney-General, hujui hata Kamere alienda wapi. Mwingine ameingia hapa, hujui kama ako na cases. We don't want that. It is Parliament to veto all constitutional office bearers for accountability and responsibility. Thank you Mr. Chairman.

Lingine na ni muhimu sana, all Trust Land before being issued out by County Councils, Urbans Councils, offices and the like should be discussed and approved by a referendum. Hata mheshimiwa alisema hivyo na watu wengi wanesema hivyo. Kwa sababu mimi nikiwa chairman, nitachukua watu na kutumia na tumaharibu mali ya uma. Hatutaki hivyo. Thank you Mr. Chairman. Sasa ni yangu.

Com. Lethome: Sasa kwa vile umechukua time ya watu wawili, yako utafanya haraka haraka.

Kimaita Mwachunguma: Sana.

Com. Lethome: Dakika tatu?

Kimaita Mwachunguma: Moja.

Com. Lethome: Haya.

Kimaita Mwachunguma: Tunasema hauwezi kuendelea na investment bila kuwa na security. Hii ni kitu kimeanguka Kenya. This is, hii ni yangu ya Kimaita Mwachunguma I can be quoted. To ensure that there is investment and creating of new jobs, there should be total security in this country. The constitution guarantees life. Life should also be guaranteed by those who are guaranteed to guarantee life. Sio nikipigwa niende kwa police officer ananiuliza; 'Unajua yule ame-rape bibi yako?'. Nitajuaje na ni mtu alikuwa na bunduki? Mama anaulizwa, 'Unajua ni nai?' Mama ataangalia kitendo kibaya akifanyiwa? So, we require those with authority to guarantee co-existence and life. Also to guarantee what they are employed to do, they do it and they do it right. In Kenya, na hii nataka usikilize vizuri sana Bwana Wakili, Kenya kuna makosa inatumika. Wewe ukizaliwa mhindi hapa Isiolo, inasemekana wewe ni local. Mimi nilizaliwa 1990, mhindi alizaliwa 1912. Nataka in the constitution we replace the word local versus resident. Permanent residence to replace local na hiyo ikitumika hivyo, watu hawatakuwa na chuki. Kama wewe umetoka Ukambani, babako kwa bahati mbaya alikuwa DC hapa miaka, ni milele. Thank you very much for your time.

Com. Lethome: Haya, asante Bwana Mwachunguma. Amina, Amina, yuko wapi Amina? Ama ameenda Amina?

Interjection: Inaudible

Com. Lethome: Haya, njoo Amina, Amina Gamadid. Baada yake watu wa Aldonyiro waanza na Enriko, halafu Nicholas, halafu Councillor, halafu Jana, halafu Paul. Wafuatane hiyvo.

Amina Gamadid: Okay. Mine is not much. I just wanted to present basic rights and basic needs to the Commission and this basic rights chapter was developed by chairing committee.....

Com. Lethome: Amina, we want to record your name please.

Amina Gamadid: Oh, my names are Amina Gamadid. The basic rights chapter is written by a basic rights chairing committee. The committee constitutes and represents 12 organizations. These 12 organizations include Action Aid, Association for the Physical Disability of Kenya, Citizens Conditional for Constitutional Change, International Commission of Tourists, Kenya Aid NGOs Consentrum, Kenya Alliance for the Advancement of Children, Kenya Pastralist Forum, National Council of NGOs, Network of Water and Sanitation International, Public Law Institution, Shelter Forum, Strategic Public Relation and Research Limited. Points developed by these 12 organizations, the chapter was a direct outcome of a wide consultative process which brought many grassroot communities together. The chapter captured majority of issues test by public in this forum. Four, I will just highlight what is in this Chapter. First there is a Preamble, then a Statement of Economic and Social Objectives and Principles to be provided for consideration of inclusion under the new constitution of Kenya, article covering group rights. This article reflects the interests of pastoralists, people with disabilities, people with Aids, women, children, minorities and youth. Article covering basic rights. This article covers right to food, education, health, water, shelter, information and security. So, allow me this to hand over this one you.

Com. Lethome: Thank you very much Amina. We receive that. Watu wa Aldonyiro mko hapa. Haya tuanza na, ama tuanze na Councillor? Ama mlikuwa mmejipanga ni nani ataanza?

Interjection: Inaudible.

Com. Lethome: Tutaanza na Councillor eh?.

Interjection: Hapana.

Com. Lethome: Enriko, wewe ndio Enriko?

Enriko: Ndio

Com. Lethome: Haya, Enriko anza.

Enriko Eminae: Asante Bwana Commissioner na kidogo kabla ya kuanza kusoma tulichoandika ku-represent kama watu wa Aldonyiro, kuna ombi ambalo kundi nzima limesema nifanye hapa kwamba wakati wa kuchagua....., okay, nimekosa kuanza na jina, jina langu ni Enriko Eminae. Wamesema kwamba tuombe kuwa wakati wa kuchagua wale waakilishi watatu wa wilaya ya Isiolo, jamii ndogo ndogo zisisahaulike hasa za sehemu za ufugaji kama zetu ili na pia mawazo yetu yaweze kuchangia katika utengenezaji wa katika mpya ya Kenya. Kwa upande wa views kutoka Aldonyiro, nitaendelea kusoma kama tulivyotayarisha na wale wengine wataendelea kuchangia baadaye. Na nitasoma kwa lugha iliyoandikwa ya Kiingereza. There were 14 items of concern and the first is security and in security, the new constitution should emphasize the following that the residents of a given geographical location be constitutionally empowered to enhance their own security at community level to enable them expose wrongdoers and curb insecurity. The new constitution should also ensure that constitutionally ensure that security personnel are fully equipped with means of transport, means of communication and the necessary resources to work on insecurity issues urgently because these are issues that deserve urgency. Transparency be observed from the district level on matters affecting security like the issuance of homeguards guns be dealt with in a transparent manner such that all communities benefit and not only those whose people are working on the issue. If a given community member or members are not legally armed, security operations conducted on them and these people get hurt because of being disarmed for what they do not have, the government should compensate those hurt or whose property gets lost and the government should also be held responsible on attacks on innocent people when they occur. On boosting security, the government should bring the Provincial Administration agents like chiefs and sub-chiefs closer to the people especially in marginalized areas. The constitution should provide for a channel through which to compel security personnel to deliver justice to the wrongdoers and also to those who have been wronged.

The constitution should provide for compensation in case of loss from wildlife. Where there is no compensation then the wildlife personnel should be prosecuted and held liable for the loss incurred. The game wardens should be assigned duties at community levels to address complaints from members of the community. The constitution should provide for disciplinary measures against unnecessary harassment directed at members of the community by security personnel especially when pursuing wrong doers and they end up punishing people who are not the ones they are looking for. The constitution should also provide for stiffer penalties for security personnel who harass members of the public in pursuance of justice and peace.

Second is land tenure system: The current land tenure system provided for in the constitution, that's the Trust Land issue, be transformed to a free hold system to enable creation of group ranches at pastoralists areas and this will make the pastoralists take care of their land and stop moving from here and there.

On district boundaries, the revised constitution should provide for the revision of all political boundaries in the country putting into consideration individual community needs. This will clear the present confusion and conflicts created by the colonial

boundaries that are currently in use.

Marginalization: The communication system particularly in remote areas, are completely overlooked from the district authority levels due to marginalization. Full representation of all government ministries and departments at the divisional levels, the rights of the minority tribes especially in Isiolo be protected fully and be granted special minority status in the constitution. On the special minority status, the constitution should provide for automatic nomination of special representatives in different social categories and groups that form the minority in a particular area.

On education: The constitution should provide for special education like mobile schools, adult teaching units and sufficient personnel to the pastoralist communities. The pastoralist children should be given special representation and consideration at higher institutions of learning and even at provisional level. The government should help to establish more local boarding primary and secondary schools in pastoralist's areas to curb the dropout from schools due to shifting from a place near the school to a further place. The government, if possible, all pastoralists' children should be given free primary and secondary education to compensate for their hard way of life. The adult education department be merged with the Ministry of Education for ease of co-ordination at divisional level.

Com. Lethome: Enriko, I hope you are not going to read the whole memorandum. Just highlight because we are going to receive that document. So, don't read the whole of it.

Enriko Emina: Okay. On the economy, the Kenya Meat Commission be revived at its established branches and establish even new branches at divisional level to assist in marketing pastoralist products, that is livestock, just like there are marketing boards for coffee and tea and there also other factories for the processing of the same. On fundamental human rights, the constitution should establish the government responsibility as in the, okay. On fundamental human rights, the government should be constitutionally held responsible to educate the larger Kenyan community on their rights because currently we have a constitution that speaks on basic human rights and we have so many people who do not even know what the constitution is.

On employment, opportunities should be distributed equally and this can only be done if those in position to do the same stop favouring their communities and distribute the national cake to the rest of the communities equally. On the court systems, there should be constitutional divisional courts to deal with cases at divisional levels to cut down on the suffering of those who have to attend cases at district courts and are actually far from the district.

On health, the government should ensure that drugs and medication services are available at all times, at all levels where communities require health and medical services. On culture, the government should recognize the different cultures of the people of Kenya and enhance them and enable the people exploit their own cultures for the benefit of the communities whose cultures form the bulk of the tourists' attraction in Kenya.

Another item is on tribalism. The new constitution should outlaw tribalism and nepotism and any of its levels or practices that can be observed. On lodges and wildlife conservation, benefits from the same should accrue to the communities that live around the areas where lodges and wildlife conservancies are established. And lastly on national documents, that's the passports and the ID cards, offices should be established at divisional levels to ease the processing of the said documents and the issuing of the same. Ni hayo tulikuwa nayo kutoka Aldonyiro na wengine wataendelea kuchangia. Asante.

Com. Lethome: Asante sana Enriko. Nicholas Lesokoyo. Very briefly.

Nicholas Lesokoyo: Kwa jina naitwa Nichola Lesokoyo kutoka Oldonyiro na yale ambayo niko nayo ya kuchangia hapa, moja ni kuhusu elimu. Kawaida kwa seriklai kuna pesa za bursary, national bursary education fund ambayo huwa wakati inagawanywa zaidi zile sehemu zinapata pesa nyingi ni zile sehemu zinaitwa down country, areas of high agricultural potential. Na sisi ambao tuko kwa area ya low agricultural potential ambazo ni sehemu karme, tunapewa pesa kidogo na ni sisi tungekuwa focused kwa sababu mpaka sasa hatujajua hata maana ya darasa ni nini. Pili, yangu ni abolition of the 8-4-4 system of education. The 8-4-4 system of education has outlived its usefulness. One joins nursery school, primary, secondary and university and a disease by the name the diploma has cropped up. One goes to school for certification and qualification and for us to bring that disease to an end of certification and qualification, we better go back to the old system. Two, sorry, three, ninaposimama hapa ni kwamba kwa familia yangu tu mimi ndio nimesoma. Kwa hivyo, ningependekeza serikali iweke kwa Katiba wale watoto wa wafugaji ambao hawaendi shule, wanakuwa waharani na wasichana, wakiona kwamba utamaduni wao unaendelea wapate basic education through (inaudible). Kuna programme siku hizi imeandishwa na NGO's; herds voice and girls education. Kwa hivyo wao wanaelemishwa jioni wakati wanarudisha mali yao malishoni. Na kwa hivyo kwa kufanya hivyo, sisi wote tunaweza kupata elimu.

Jambo lingine ningependa kuchangia ni culture na kwanza kabisa kwa mila, mimi ningependekeza kwa Katiba, kuna groups, vikundi watu wanaenda wakitumia majina ya makabila ambayo yanavutia watalii kama jina la Msamburu. Saa hii kuna wale wako hapa ambao wanatumia jina Msamburu, wanafaidika na wanakaa vizuri kuniliko na bado mimi niko na shida. Ningependa katika Katiba hiyo isimamishwe kabisa. Mtu atumie jina la kabila lake na afanyie biashara. Nikisema hivyo ni kama Samburu Serena Lodge. Samburu Serena Lodge imeelimisha watoto wa Waborana na ielimishe watoto wa Wasamburu na ndio inachangia pesa nyingi sana katika wilaya hii ya Isiolo. Na mimi nikiwa Msamburu, hakuna mmoja kati yetu ambaye amewahi pata bursary na kuna wanafunzi wachache wanasoma hapa. Lakini ukienda huko ukiwa Borana, kwa sababu kila kitu kiko chini yao, wao wanachukua. Jambo kama hilo lisimame. Jambo la pili ningependa kuchangia kwa upande wa culture ni kwamba nikiwa Msamburu nimezaliwa nikijua kwamba nikiondoka niwe nimefunga kisu changu. Nimebebana na rungu yangu, lakini hizo zote kwa sisi ni mere display. Yaani ni maonyesho tu. Na shiku hizi askari polisi akiona Msamburu akiwa na hizo, anakuja kumtafuta na kumshika kwa sababu ako na makosa na anafungwa. Tafadhali hiyo kwa Katiba iwekwe kabisa kwamba Msamburu akitembea na kisu chake na rungu yake ni kawaida mradi asivunje sheria. Tatu kwa mila yaani culture ni

kwamba sisi Wasamburu na ninafikiri kabila zingine ni namna hiyo, kuna sherehe tunatanya na kwa hizo sherehe tunatumia trophy za wanyama. Unakuta kwamba tunatumia ngozi ya chui, tunatumia meno ya ndovu, kiasi kidogo tu, tumatumia pembe ya malo, na hizo polisi wanakuja wanatupata nazo, wengi wetu wamepata shida na hatuwezi kukaa bila hizo, tafadhali ningemba hiyo iwekwe kwa sheria na kwamba sio makosa kwa mtu anaitwa Msamburu kuweka bidhaa hizo za mila ama kwa Mkenya yeyote.

Jambo lingine ningependa kuchangia ni juu ya council. Kama kabisa Isiolo County Council, unakuta kwamba kwa upande wa elimu, bursaries, sisi huwa hatufaidiki na sisi ni minorities. Kwa hivyo mimi ningemba kwamba minorities katika wilaya hii ama sehemu zingine kila wakati wawe wakiangaliwa na iwekwe kwa sheria kwamba chochote kinachofanyika minorities waangaliwe na kwa sababu mimi ni minority hapa Isiolo, ninataka hiyo iangaliwe kabisa. Halafu jambo lingine kwa upande wa councils, ni kwa councillors wakati wana-electiwa. Councillors mpaka sasa unakuta katika Isiolo district huwezi kupata kazi hata yule ako na diploma. Na chief officer ambaye ni clerk ni msomi. Kwa hivyo yeye mwenyewe anatumia hawa councillors ambao hawajasoma kuwanyanyasa na kumaliza kila kitu kwa council kama sasa hizo kesi mnasikia ziko kortini. Kwa hivyo hiyo education requirement iwe O level and above ana iwekwe kwa Katiba. Jambo lingine tena kuhusu councils ni kwamba, ningemba kama chairman iwekwe katika Katiba kwamba chairman wa local authority ama mayor awe professional in any discipline na awe na minimum of 10 years experience ndio aweze kukabiliana na mtu anayeitwa clerk kwa sababu ni mtu ako na ujuzi mwingi sana ndio asinyanyase wengine pia.

Ya mwisho kabisa, ningependekeza katika katiba Provincial Administration iwe scrapped out. Kwa kusema hivyo kwangu, Provincial Administration is a colonial mentality. It has derived from us na mpaka sasa ndio sisi tunatumiwa, provincial administration ndio inatumika kutunyanyasa na kila kitu katika hii serikali kiwe kizuri kiwe kibaya ndio huwa wanatumiwa. Kwa hivyo tafadhali iondolewe na wawe replaced na elected leaders kama councillors at grassroot level kwa sababu councillor anapochaguliwa hana nguvu yoyote. Nani amempokonya nguvu? Ni Provincial Administration. Asante.

Com. Lethome: Ngoja kidogo ndugu yangu, swali moja tu. Sijui una maoni gani kuhusu wildlife conservation. Conservation ya wanyama wa mwituni, una maoni gani?

Nicholas Lesakoyo: Maoni yangu juu ya wanyama ni kwamba, moja kwanza, sisi huwa tunaishi na wanyama. Nikiwa Msamburu mimi mwenyewe naishi na wanyama na hatufaidiki na hao wanyama. Kwa hivyo, ingewekwa kwa katiba kwamba sisi wafugaji ambao tunaishi na hawa wanyama kwa sababu ardhi yetu ni kama buga za wanyama, serikali itusaidie kuhifadhi hawa wanyama na hizo ziwe conservantists ndio sisi tupate kufaidika.

Com. Lethome: Kwa hivyo wanyama wahifadhiwe?

Nicholas Lesakoyo: Wanyama wahifadhiwe lakini wahifadhiwe wakati wale wanaopata watafaidika ni wenyeji kutoka sehemu hiyo ambayo hao wanyama wako.

Com. Lethome: Sasa kama watahifadhiwa, Msamburu atapata wapi pembe ya Rhino na ngozi ya chui.

Nicholas Lesakoyo: Hawa wanyama, excuse me, hawa wanyama wakati huo ndio nitakuwa nikipata kwa sababu nitawasilisha kwa serikali wakati iko kwa constitution kwamba hizo bidhaa nataka, mara moja napewa idhini ya kuenda kuua.

Com. Lethome: Asante. Thank you very much.

Nicholas Lesakoyo: Asante

Com. Lethome: Haya, Councillor John Lengirnas.

Councillor John Lengirnas: Asante sana Bwana Commissioner na wale ambao wanaandamana naye. Pia, yangu ni maombi kwanza. Sisi kama jamii ya Oldonyiro tumeomba Commissioners ya kwamba tunataka nafasi moja ya wale watu ambao wataenda kufanya hiyo.....

Com. Lethome: National Conference.

Councillor Lengirnas: National conference, okay. Hayo ni maombi. Kwa sababu yale yote tulikiwa tueongea, mengi mmesikia katika memoranda. Yangu yatakuwa mafupi kwa sababu sheria ambayo tunaangalia saa hii, sio ya Isiolo peke yake, ni ya Kenya nzima. Tumeshukuru sana vile serikali ya Kenya imesema kila mwananchi atoe maoni yake. kwa sababu sisi wafugaji hasa pastralists, sisi tunaongea kama tumeachwa nyuma. Tumeachwa nyuma kabisa na ukiangalia katika boundaries za Kenya, wale watu wanaochunga boundaries za Kenya ni pastralists. Sababu ukienda upande wa Somali wafugaji ndio wako mwisho wa boundary. Ukienda upande wa Ethiopia, wafugaji ndio wako mwisho wa boundary. Ukirudi pia Tanzania pande ya Maasaini, wafugaji ndio wako mwisho wa boundary. Kwa hivyo, sisi tunaomba serikali ya kwamba, sisi pastralists ambao sijui ni kwa nini wametuweka mwisho mwisho wa country tuangaliwe hasa kielimu. Sisi tuko nyumba kielimu. Tunaomba ya kwamba tupatiwe elimu ya bure kutoka primary mpaka secondary. Hayo ni maombi makubwa sana kwa wafugaji. Jambo lingine pia, sisi hapa tunalia sana juu ya land kwa sababu hilo jina Trust Land ambalo linatumika hapa, wananchi hawana nguvu kwa hilo jina. Na ukisikia hilo jina la Trust Land, ukisikia vita vya wafugaji, vinaletwa na hiyo Trust Land. Kwa sababu gani? Mtu anatoka kutoka district ingine na wewe ni mkaaji wa Isiolo. Ukimwambia, 'tafadhali ndugu yangu mimi nakaa hapa kwa hivyo usiingie'. Anakwambia sheria ya Kenya inasema mwananchi akae mahali popote. Sasa wewe kama mzee ama viongozi wa huko unakosa hata namna ya kuambia huyu mtu usiingie hapa kwa sababu hapa ni kwa watu wengine. Kwa hivyo, hapo tunataka iangaliwe kabisa katika katiba ya Kenya kwa sababu inatugonganisha sisi wafugaji. Hatuwezi sema hatuwezi kutembeleana kwa sababu sisi ni wafugaji na kesho mvua iko Isiolo, kesho iko Laikipia; tunatembeleana. Hatuwezi kusema hivyo. Lakini sheria iwekwe ambayo inalinda area ya wafugaji, wazee waonane wagawanyane ardhi vile ilivyokuwa zamani.

Jambo la pili ambalo ningependa kuchangia, sisi wafugaji pia, na nimeshukuru viongozi wengi wameongea namna hiyo, tumeachwa nyuma kibiashara ya mali yetu. Sisi tuko na mali ambayo katika dunia hakuna mtu hakuli nyama. Dunia yote, kila mtu anakula nyama katika dunia na sisi ndio tunafuga hiyo nyama katika Kenya. Wafugaji ndio wanafuga hiyo nyama na hiyo nyama haina soko. Tunakosa mahali pa kuuza hiyo nyama. KMC ambayo tulikuwa nayo ambayo tulikuwa tukijivuna nayo, saa hii hakuna. Unakuta unatoa ng'ombe hapa unapeleka mpaka Nairobi. Kufikisha Nairobi, unaangusha chini kutafuta mtu wa kununua. Mahali unapolaisha hao ng'ombe unalipa, ile nyasi wanakula unalipa. Kwa hivyo tunaomba ingewezekana KMC irudi kwa wafugaji tena. Tunaomba kabisa hiyo ya kwamba KMC irudi kwa wafugaji tena.

Jambo la nne ambalo nitamalizia ni biashara. Tuna shida ya biashara katika pastralists wote tuko na shida ya biashara na saa hii tumeaza kujua kidogo kidogo. Tunaomba serikali, huwezi kufanya biashara kama huna barabara. Huwezi kufanya biashara kama huna elimu. Serikali ituangalie kwa mambo ya barabara yote, ituangalie kila location, kila division ihakikishwe barabara imeingia na hiyo iingie kwa katiba ya Kenya. Barabara ziangaliwe katika Kenya yetu kwa sababu hakuna communication kama hakuna barabara.

Nashukuru sana Bwana Commissioner kwa hayo machache,

Com. Lethome: Naam.

Councillor Lengirnas: Asante sana.

Com. Lethome: Haya asante (inaudible). Jane Lemariwas. Ametoka? Ah yuko. I wish I knew you are a lady, ningekuwa nimekupa priority lakini kwa kuangalia jina singejua.

Jane Biriwas: Asante Bwana Chairman. Kwa majina ni Jana Biriwas, unfortunately Mr. Chairman haukunipa chance.

Com. Lethome: Imeandikwa hapa Jana na unaona hapa ninachanganya majina ya wengine bila kujua. It was not deliberate.

Jane Biriwas: Sawa. Sasa nachangia kwa hiyo memorandum ya Oldonyiro na hata hivyo ningependa kuongea the issue of the pastralists especially inheritance. Sana sana inheritance in pastralists or Samburu community. For example, kama mimi in our family we are four, let's say three boys and 1 girl. My parents will not give me any livestock. They only consider the boys. So, actually that one in the constitution should be taken care of because when we say issue of gender watoto wote ni sawa. Why do they have to neglect the girl?

The other issue is the issue of marriage. In pastralists area we find that especially in the Samburu community, we find that a girl can be married off as from the age of 10 years.

Com. Lethome: Hebu sikia. Yaani hamtaki kusikiliza kwa sababu ni mwanamke.

Interjection: Hapa.

Com. Lethome: Hebu msikizeni vizuri. Haya.

Jane Biriwas: I am talking about the issue of marriage in Samburu communities. For example, now you are 10 years old, you can be married off. Na hakuna law yenye ina-guarantee that you should not get married. So, I think the constitution should take care of that one. At least they should have a certain age. That may be a pastralists should be may be 18 years to get married. As for now it should be the age of 10 years you get married off.

Com. Lethome: But there is an Act in place now.

Jane Biriwas: But they don't follow it.

Com. Lethome: The Children's Act. Watashikwa Wasamburu kwa sababu kuna sheria imepita sasa. Children's Act imepita.

Jane Biriwas: The other issue is the issue of health facilities. Whenever they construct a health centre, they should give priority to wards, maternity wards for women to avoid death rates especially in those pastral areas. You find that in a health centre hakuna facilities kana za kuzalia ama medicine. So it becomes so problematic that mama anatolewa anakimbishwa Mwamba or Nanyuki. So at least that one should be taken care of.

The other issue is national documents like IDs and Passports. We request that a passport should be given at the district level and the passport should not have an expiry date. It should be like an ID. Thank you.

Com. Lethome: One question. What do you say about, what are your recommendations about FGM?

Jane Biriwas: About the FGM, it should be totally abolished.

Com. Lethome: Good. Thank you. Paul Nachio.

Paul Nachio: Kwa majina naitwa Paul Nachio. Siju nianze na corner gani kwa sababu naona watu wamechangia sana, lakini kwanza ningeanza kwa kusema kwamba sisi tumekuwa marginalized sana na hii marginalization imeanza kutoka kwa community area mpaka inafika hata kwenye ile small area still marginalization is there. Nikianza nimekuwa marginalized from down root there in Oldonyiro. As I am giving my views here, Oldonyiro has never seen civic education. Even your Commission has

marginalized that we have never seen civic education. So, it is very difficult for me then to give views here and I do not know whether I'm in the frame or I'm going outside the frame. When we come to the district level or to the national level, you find that we are marginalized just because they are saying that we are coming from low potential areas and I wonder because we come from low potential areas, is that the guarantee for us to be marginalized? You find that all the resources are taken to where it's producing. Those people are capable of making the infrastructure and the rest. Why should the government not concentrate to the places that it's low potential for them to make that place to be productive and infrastructure to be more better? As we have been pushing you the Commissioner to call us here in front because me I come from Oldonyiro but I have to pass.....

Com. Lethome: Excuse me, excuse me please. Nobody pushed me to call you. I was following the list please. Can you correct that please? I was following the list, you people were being impatient.

Paul Nachio: Okay, I withdraw. We were impatient because, you find that we have to travel the whole route and come to Isiolo. The route is impassable just because of marginalization and that one should be taken care of in the new constitution. We go to economic and in this we should check on this issue of pastoralism as a means of livelihoods. The constitution should recognize that pastoralism is a way or a means of biconomy because you find that the government presently is trying even to discourage pastoralism in the essence that it is destroying the environment and the rest. The government should create research centers to try and see whether they can improve these pastoralists lives like the cows whether they can improve it. But you find that we are just concentrating to make research centers for coffee, tea but no research centers are made in these places to improve the livestock of this place. So, that one should be intensive in our constitution.

Going on the issue of employment and the rest, you find that the government presently how employment is done, we cannot actually tell. But what I feel or my recommendation is this, if any employment comes from a national level, it should be equally divided in all districts that are existing and when it comes to the district level it should be divided equally to the divisions that exist so that no place will be left aside from that.

Going to education, I feel that it's the responsibility of the government to give education to all its citizens and therefore, free education should be given; primary education for all and in the pastoralists places, at least two secondary schools must exist in each an every division because you find in the pastoralist areas, you find in a whole district you can find one secondary school or none. And at the top we need at least even colleges and universities intake for pastoralists the grades should be lowered because you find a child in this pastoralist area does not know what a computer is, does not know these other things. But you expect him and a child who is schooling in Nairobi to have the same passing grades for them to be in public universities or other institutions of learning. So, the pastoralist child should be considered when it comes to this. Still on education, we feel the 8-4-4 system is burdening the child too much and when it comes to this system, I feel the government should come into a system that develops the potentiality of a child. You find that in this system you have to cram all these subjects for you to pass.

Com. Lethome: Please, recommend. Make recommendations. Don't go into the details of the system.

Paul Nachio: Yeah, the recommendation is that the system should be developing the potentiality of a child. If a child is able to draw, let this drawing in this child be develop to a higher learning of education. You find that because this child's potentiality will not be developed he will be dropped in a primary level.

Com. Lethome: You have made your point. We want a system that will develop the potential of the child. Another point. I will start pushing people because of time. I have more than a hundred people who have not spoken and we have only up to 6.00 o'clock. So, I will start pushing people now.

Paul Nachio: Okay. The last thing that I may tackle is governance. We wish so many people we have the post of a prime minister but I feel the Kenyan economy is still very crumbling and making so many posts in the government that will take a lot of the tax payers money will be a lot of burden to the Kenyan economy.

Com. Lethome: What do you recommend?

Paul Nachio: So, I recommend we just have a President but the three arms of the government should be checking and every arm of the government. Let the executive not have all the powers. That is all that I have (inaudible).

Com. Lethome: Thank you. Can I have Bodana Doyo who is the lawyer here followed by Pastor James Wambua. Pastor yuko? Hayuko eeh. Haya, afuatwe na Mohammed Hussein halafu na Paul, not Paul, Duncan Muthuri jitayarishe.

Godana Doyo: My names are Godana Doyo, I'm chairman of Northern NGO Development Forum and at the same time I'm also national chairman of Pastralists and Hunter Gatherers Network in Kenya which consists of Northern NGO Forum, the Maka, Soi, Masaai land, Ogieka, Senguer in the North Rift. I'm speaking here as a representative of the said organizations and my paper or my memorandum will focus on the region. It's a kind of a regional position paper for Northern Kenya. I wouldn't like to read the memorandum the way it is prepared but I would just like to glance over some of the major issues which are raised in the memorandum. Before that I would like to indulge may be Commissioner in my own pessimism although I wouldn't like to behave like that, that may be the constitutional process might not too some extent establish what we would have liked to be ideal national state of Kenya because for the last 75 years when colonialists actually ruled this country they did it so illegally. 40 years later, I think the government of Kenya has not put any structure place legal or constitutional or institutional. So, I believe the so-called Kenya has always existed illegally. So, I wonder whether we are making or rather are trying to make a constitution for a country which already exists. It's a major problem for me to actually eschue, I always be in difficult to think about this country because we have been made to understand and I think through some cohesion that we are living as a nation

while actually we have never lived like a nation anytime in our history. So, I would rather start with definition of what is Kenya or how are we going to have a geographical entity called Kenya within the continent or within the global situation. So, I start with the suggestion that we change the name of this country in the first place so that we depart a way with stigma that shall always star it. This is supposed to be an entity of 42 nations and nationalities and that is how it should be looked at. For our situation especially the pastoral areas of this region, I think even that slight impression that was created about Kenya was not there for us at all. As you all remember, and most of us especially may be some of us among the legal fraternity would remember as soon as Kenya got independence, a fort night after independence 25th of December 1965, the government of Kenya declared a state of emergency on this region, the pastral areas of Kenya. Declaration which meant that this is not part of Kenya from that particular date because it clearly suspended the operation of the constitution on this particular region and that was entrenched immediately after the majimbo constitution was scrapped. So, I think all these years I could say we were not part of this country and if we have to be then, I believe we need to de-construct Kenya and I never thought the constitutional process could be one of the instruments of deconstruction. One time I remember one of the newspaper in Uganda carried a picture which said the Banyamunenge of Kenya waiting in the winds and shot about a radicle a revolutionally way of changing the way things are done in this country. But, God forbid, I think that did not happen. So, I think we will think about the constitution and when we think about it, I'm sorry may be I'm king of transgressing

Com. Lethome: Yeah, Godana please, those are very important things you are saying but just give your recommendations I'm sure we will read all that.

Godana Doyo: Yes. Then I would believe that if we have to reconstruct after deconstruction of course I'm thinking of reconstruction and if you are thinking of reconstruction of this country I'm trying to address some of the historical injustices that were

Com. Lethome: Let's begin at something you mentioned by you did not complete. You said we change the name of the country from (inaudible) to what?

Godana Doyo: Oh, sorry. I think we change the name of Kenya to reflect the composition.

Com. Lethome: What name do you have in mind now?

Godana Doyo: I have what I could think as Bantu, Nilotes and Cushites and the short of that.

Com. Lethome: Okay.

Godana Doyo: Banikush, something like that. I think somebody can complete it for me. So, we have to change the name of

this country so that we depart from the past. The other thing may be general I will look at an ideal constitution which has very simple, which is supposed to be in languages like Kiswahili, English and other predominant vernacular languages and then the same constitution should be accessible like it should be in the school curriculum, it should be availed in the public institutions like libraries. I am also thinking that it should be understandable to all Kenyans in terms of simplicity, clarity and brevity and then the question of enforceability, we should promote constitutionalism through the constitution by having such code as constitutional codes that district level where shoes of constitution can be actually enforced by the code. Then I think such as issues as Preamble have been mentioned and I'm also saying that the historical injustices should be replaced and I'm giving the following recommendations for the same:

- First is that constitutional recognition of minority and promotion of the identity and self-interests such as cultural values, customary practices and social organizations.
- Special anti-discrimination constitutional provision. Any statutory or administrative action that encourages discrimination of minority should be expressly rendered null and void in the constitution.
- An equality before the law should be entrenched. And then I was also thinking of establishment of an office of ombudsman where it should have some responsibility in terms of investigating public complaints and collect evidence of discrimination to be tabled before Parliament for necessary actions.
- I am also thinking of establishment of law enforcement machinery designed to secure equality and fairness under law including independent criminal prosecuting authority that is divorced from the police. You can't be a police, a judge and a prosecutor at the same time. It is impossible.
- A system that enhances feedback mechanism that make Parliament more accountable and participatory should be constitutionally entrenched.
- A constitutional civil servants Commission to supervise the recruitment of training, promotion and transfer of government employees should be set up to ensure impartiality and equal opportunity.

Finally, I am thinking of affirmative action. We have mentioned of these historical injustices that were conducted or rather undertaken by the government of Kenya and the colonial government which have made this section of the country to lag behind and for that particular reason, I think affirmative action should be introduced in the constitution so that positive discrimination kind of should be metted out of this particular region in terms of development and provision of basic services. The other may be major issues that I would like to look at is that the constitution of Kenya should also kind of recognize those historical injustices that had happened among the Kenyan's population and this is particularly for the region I'm talking about, the pastoral areas and especially those North of the Equator. And then finally, I think for this constitution to be the constitution of Kenya, I'm thinking at the National Conference Constitutional Conference, a kind of a mechanism should be established so that all the 42 tribes in Kenya should sign that particular document for it to become a social contract, for it to be owned by all Kenyans and for it to be said to be the constitution of Kenya, I think that should be manifested in that particular, at the end of this process so that we can now say this is the constitution of Kenya and that Kenya is now a national state. Of course I cannot say that it is a state so that it can be a nation state. And then I was also thinking that instead of using innovative statements like Republic of Kenya, I think Kenya should be recognized as Union of Nations.

Com. Lethome: What do you say Godana about land, finally? About land, people are talking about Trust Land changing it to community land.

Godana Doyo: Yes.

Com. Lethome: You as a lawyer I don't know what you would say.

Godana Doyo: I think the question of Trust Land has been problematic especially in terms of its management of resources. I think Trust Land has never been trusted to anybody. There is no fiduciary relationship between the County Council or the community.

Com. Lethome: So what (inaudible)

Godana Doyo: And I believe it should not become a community land and I think a kind of district resource zones should come up so that every dision or location should take control of the resources within its own environs and I think in the areas of land and other natural resources, I think sovereignty of local communities should be recognized. None of these resources should belong to the government. Like I always say about these are the natural resources, minerals, water, forests and all these belong to the state and I wonder how it should belong to any state. So it should belong to the community.

Com. Lethome: Okat, thank you Godana. You have a very detailed memorandum and I promise you we will read every word in it. Thank you very much.

Godana Doyo: Thank you very much.

Com. Lethome: There is a queation from Commissioner Githu.

Com. Githu Muigai: I have two questions. One is on Trust Land and community land. The reason why historically land belonging to communities was vested in County Council is because County Councils were the most important organ of government that was closest to the people. You agree with me. So that if you look historically, land that used to belong to what were called 'Native Reserves' were then vested in the county council for it to hold in trust for the people, right? Now, everywhere we have been in Isiolo, people say we don't want Trust Land, we want community land. Who will hold the community land for the people? Shall we issue one Title Deed called Boran District? Who will hold it because we cannot individualize tenure in the game parks, in the communal grazing areas, the watering areas? As a lawyer, what do you think would be the mechanism for holding that land?

Godana Doyo: Yeah, maybe I start with the issue of the Native Reserves being vested in the local councils. I think that the intention of the government at that time was actually to vest this land into the county councils. I think the provisions of the law were not very clear. What was given in right hand so were taken away with the left hand and we find that county councils actually had never had power to control these resource on behalf of the communities and you will find that the Commissioner of Land, the President had actually had powers to alienate these lands. I think the laws were not well established in our current situation and I believe that if this land had actually to be benefit the local communities, that particular institution called County Councils are not useful because we find that local council is the still under the control of the local government. So, for us to have an institution similar to that, first of all the central government should be devolved to the local government, that is, to community. I think we will have a model applied between a customary social organization and the current modern institution to have a kind of expanded county council where we have elected councilors and at the same time other second has to be included into like civil society, like women, like youth and all the other interested groups. I think we will have a model of the past and the present blended as one institution.

Com. Githu Muigai: (inaudible) about resources. You said and we've been told this everywhere things under the land should be owned by the people who own the land. Now, there are shared resources of the people of Kenya. Ewashonyiro for example, whose River is it?

Godana Doyo: For the whole country.

Com. Githu Muigai: It is for all of us.

Godana Doyo: Yeah.

Com. Githu Muigai: Should we have a separate regime of law for shared resources and another regime for resources that we can vest in communities and individuals?

Godana Doyo: Yeah, I think we can have that. This should be based on a kind of negotiated settlement. Like Rivers I'm sure they are reparants life which is estranged in most of our law. But if this is kind of extended, a kind of extension is made to include the communities living along the rivers or within environments where most of these resources are located, I think in that case we can have shared resources. Like if I may think about the resources within let's say a district like range lands and water uses within a district, I think if the communities within certain districts are empowered to control these resources they can negotiate with the neighbouring districts in how such resources should be used across the border. I think some kind of sovereignty of the local communities should be established.

Com. Lethome: Thank you very much. Duncan Muthuri. Duncan Muthuri Njihia.

Duncan Muthuri: My name is Duncan Muthuri, Kilimani Children's Home. Well, much is talked about and highlighted about the adults, that pertains the adults but now much I will highlight on the plight of children. It has been quite long but the constitution has been so silent about the children until late when the bill has been passed. It is now an Act, but what will it entail? The reviewed constitution now should entail the distinct recognition of children in a special section under the Bill of Rights. The current one, if you read the chapter 5 of Kenyan Constitution where it talks about the bill of rights, there is nowhere a child is mentioned. Now, children need express constitutional identification and recognition as distinct category of citizens.

Number two; definition of a child. For the purpose of legal interpretation, a child should be any person below the age of 18 years; meaning every boy or a girl and children with disabilities in acknowledgement of enforcement of children's rights. Number three in the reviewed constitution should be the nationality and citizenship of children. Until they become 18 where are they? Are they not in Kenya? Therefore, the reviewed constitution should highlight, should pick this to recognize the nationality of children. It should provide registration of birth as fundamental rights for every children. Birth certificates should be primary evidence of citizenship of children. Rights to life and basic rights; the state should ensure basic needs like nutrition, health care, shelter, water and sanitation, safety and security to children. No child should be deprived of medical treatment, basic healthcare or shelter and shall be the primary responsibility of the state to guarantee this right.

Right to education Every child should be entitled to free and compulsory basic education and affordable subsequent education both of which should be the state's responsibility to guarantee. Education is the key to development which involves body soul and mind. Also, the renewed constitution should entail the protection of children from abuses and exploitation. To protect the child today is to guarantee a secure tomorrow. Children need to be protected from abuse, neglect, discrimination, cruelty, cultural practices like Female Genital Mutilation, early marriages that have negative influence on the lives and welfare of children. The girl child and the children with disabilities are particularly vulnerable. Children should have the right to be free from the corporal punishment or cruel and inhuman treatment in homes, schools and other institutions responsible for care of children. The renewed constitution should entail the best interest principle. The interests of state and other persons should not take precedence over the best interest of children. In any action concerning children undertaken by public, private welfare institutions, code of law administrative authorities or registrars of this, the primary consideration should be the best interest of the child. The newly reviewed constitution should entail special constitutional office for protection of children. To guarantee the effective protection of the child and to ensure full enjoyment of rights into all children, the constitution should establish a special office. This would be an independent constitutional office vested with full tenure an office by itself to govern all that entails to children.

Com. Githu Muigai: summarize, please summarize. We have (inaudible) two people waiting.

Duncan Mwaaura: Sorry, I summarize my precise memorandum like the justice of children. There should a constitutional recognized superior court for children with original jurisdiction administered by officers trained on children's issues and it should

be observed that no child should be put in police remand for more than 24 hours.

Governance: The reviewed constitution should provide an avenue that enables children's voices to be heard and the Section 82 of the current constitution should be reviewed to ensure that provisions do not exist that may exploit or abuse or disinherit children. Two, to include the aged and disability on grounds upon which citizens may not be discriminated.

Finally, taxation and community rights. The office of public trustee should be reviewed within the constitutional framework to protect children especially orphans, girls and children with disabilities and children in need of special protection. Finally is the freedom of movement according to the current constitution has been biased. Men in security force are really biasing it like there is no freedom of movement. You walk out at 6.00, you have to answer some questions like where is the ID and things like that.

The freedom of assembly should be allowed in every denomination that people to worship according to their free liberty. If I'm a certain denomination, I'm schooling in a certain denomination institution, let me be given the liberty. Thank you.

Com. Githu Muigai: Thank you very much Mr. Muthuri. Saprina (inaudible). Halifa Afiahmed .

Halifa Afiahmed: Yangu ni machache kabisa.

Interjection: Inaudible.

Mr. Halifa: Nitaanzia na amri ya rias kwa sababu rais amechukua amri nyingi sana, amri kubwa sana na sasa napendekeza ya kwamba,

Com. Githu Muigai: Zungumza karibu na mic.

Mr. Halifa: Napendekeza kabisa rias awe ceremonialanachaguliwa na council of askaris ambao watakuwa pamoja. Electoral Commissioners kwa sababu wengi wanachaguliwa kupitia wanasiasa na chama cha siasa, chama cha upinzani, mimi napendekeza ya kwamba hawa Electoral Commissioner wawe na qualifications ya kwamba chairman wa Electoral Commission aw na qualification ya Masters degree na clean record, awe si mtu amehudumia kwa siasa, awe na umri wa miaka arubaini na tano na juu na awe na anashtakiwa akiwa atakuwa anahusika na chama chochote cha siasa. Vyama vya siasa kwa sababu zimekuwa nyingi sana, mimi napendekeza hivi vyama viwe viwili peke yake katika Kenya kwa sababu huyu registrar anaandikisha kila mtu ambaye anafikiria kuandikisha wakati wowote.

Ingingine napendekeza ni kwamba watu kutoka Northern Frontier District, wako na shida nyingi sana kuhusiana wakati wa kutafuta kipande kwa sababu ya lugha. Wengi hawajasoma, illiteracy is very high na unaona wakati hata uko na kipande ukishikwa na polisi, unaambiwa kwamba umehonga ndio upate kipande. So, lugha isiwe, Kiswahili kisiwe ni lugha ambayo

itatumiwa zaidi mpaka tuone ya kwamba elimu imefanywa iwe ni rahisi kwa hawa wote. Hata wazee ambao wanaweza kama inawezekana warudi kwa masomo wasome. Halfu napendekeza kwamba waziri wa mifugo, kwa sababu tulikuwa na waziri wa mifugo wakati wa Kenyatta awe katika wilaya ya Isiolo na asimamie district ya Isiolo, Moyale, Marsabit, Mandera, Wajir, Garissa, Turkana, Samburu kwa sababu wao ndio wenye mifugo na KMC badala ya kuwa huko Athi River irudishwe hapa ili ifaidi watu wa hapa wenyewe. Nominated MPs or civic leaders wawe nominated kutoka Women Groups, Youth Groups na disabled na HIV people. Mimi napendekeza kabisa kwa sababu HIV, wale ambao wanaambukizwa ugonjwa huu wa ukimwi ni kwa sababu wengi ambao wako katika Parliament wamepitisha ya kwamba kwa sababu wako na contract na watu wa huko nje, wamepitisha kutafuta condoms nje. Tunapinga hizo condoms kabisa, tunasema watu wa-abstain kutokana na sex na yeyote ako na HIV awe anaweza ku-representiwa katika civic na Parliament pia. Na serikali ambayo ninapendekeza ni serikali ambayo rais atakuwa ceremonial peke yake, awe chini ya Parliament, wabunge na 65% ya bunge kuweza kurekebisha sheria ni kidogo kabisa kwa sababu wengi sheria ambayo haiwafai wanakuwa pamoja wanapendekeza. Mimi napendekeza iwe 85% so that chochote ambacho wanataka kurekebisha, wawe 85% in the Parliament. Naona ya kwamba polisi na Jeshi na askari wa jela hawana haki zaidi kwa sababu unaona wako corrupt kabisa. Corruption inakuwa high kwa sababu mishahara yao ni ndogo kabisa na hakuna yeyote ambaye anawatetea. Yeyote ambaye atateta inasemekana ni firing squad. Wanapigwa risasi na kuuwawa wakifanya mgomo wowote. So, naona hiyo sheria irekebishwe wawe na Commission ambayo inaweza kusimamia askari wote na mishahara yao irekebishwe so that yeyote ambaye atapatikana na bill ya corruption ahukumiwe vilivyo na sheria.

Namalizia ya kwamba judiciary, wengi ambao wako katika judiciary kwa sasa ni watu ambao wamehudumu katika polisi. Hakuna watu ambao wamehitimu. Sasa utaona ya kwamba wakati ako hapo kutoa hukumu ya sheria ni mtu ambaye amesimamia polisi zaidi. Yeye anatoa tu ile amesomea Kiganjo kwa sababu hana degree ama diploma ya sheria. So, mimi napendekeza ya kwamba yeyote ambaye atapatiwa jukumu ya kusimamia sheria awe ni mwenye ambaye amehitimu na ana degree na anaweza. Na yeyote ambaye atapatiwa ni forum ambayo wananchi wa-discuss yeye mwenyewe. Asante.

Com. Githu Muigai: Asante sana. Nordman Lekapuli. Basi huyo hayuko ameenda lunch. Ibrahim Ahid, ameenda lunch. Reuben Kibori, pia ameenda. Abdirazil Galgalo, Rev. Stephen Maina, ashaenda huyo. Mohamed Abdi Kadir, Peter Kiaine, pia simuoni huyo. Paul Kimathi.

Paul Kimathi: Majina yangu yote ni Paul Kimathi Nabea. Kwanza kabisa ningezungumzia katiba kama haijageuzwa ipate kujua kulinda sheria kwa vile bila kulindwa kwa sheria hakuna kitu kitaendelea. Mpaka sasa, Kenya tuko na katiba na tuna sheria lakini bahati mbaya hizo zore hazitumiki. Kwa hivyo, kulinda sheria iwe ni kitu kitatiliwa maanani kabisa, yule atavunja sheria anaadhibiwa vilivyo. Ya pili, ningeongea kuhusu kundi ambalo linasaidiana na wale wanawakilisha ama wale wanahudumia wananchi wakishirikiana na uongozi, tuseme kama wazee wa area ama akina mama wale wanahusika kulinda maslahi ya wengine. Hata wao waangaliwe na serikali, katiba mpya, wawe wakilipwa kitu kidogo. Hayo yatakuwa ni manufaa yao hata wao wapate kufurahia. Upande mwingine ni upande wa nchi ambazo zina ukavu kabisa, ziangaliwe kwanza kabisa katiba ikibadilishwa. Wakati wa mvua kuna maji mengi yanatiririka bure. Kwa hivyo, katiba ikionelea kama ni sehemu hizo,

maji yatengenezewe pahali ambapo inaweza kutumika na wakaaji ndio wapate kufaidika kwa vyovyote. Hayo ni yangu machache namna hiyo.

Com. Githu Muigai: Asante sana Paul. Mohammed Guyo, Mohammed Guyo, Mohammed Abdi Kadir,

Interjection: Ameenda.

Com. Githu Muigai: Gelson Chare, Lela.

Interjection: Inaudible

Com. Githu Muigai: Lela Kinyaga, halafu Ibrahim Kosi kuwa tayari.

Lela Kinyaga: Asante sana Bwana Mheshimiwa. Nafikiri yangu yatakuwa..... Oh Kwa jina naitwa Lela Kinyaga na yangu yatakuwa madogo sana. Mimi naomba kwanza wananchi wenzangu wale wako hapa amani. Kwanza, kitu cha kwanza nitasema ni juu ya amani sababu wilaya yetu ya Isiolo, kile kinachoturudisha nyuma kabisa kwa maendeleo yoyote ni kukosa amani. Unajua amani ndio ngao ya kila kitu sababu ile biashara yote, ile mambo mengi wananchi wameongea kama hakuna amani hayo mambo yote hayaendelei. Kwa hivyo, nafikiri kitu ambacho kimelete hii amani isipatikane Isiolo ni kuwa mtu hana mahali pake, hana kwake. Kila mtu anasema nchi ni yangu na ndio inafanya hiyo amani ikosekane Isiolo. Naomba wenzangu wa Isiolo tuwe na amani halafu tupate kuendelea maendeleo yoyote mnayoomba. Sababu, ni maendeleo mengi yanazoroteka Isiolo, hata shule nyingi zimefungwa shauri hakuna amani. Kwa hivyo, mimi naomba tuwe na amani ndio tupate maendeleo yoyote sisi tunaomba. Na ninaomba katiba yetu, kile kitu inafanya amani ikosekane ni hao watu. Kila mtu anasema hii nyumba ni yangu. Ikikosekana kuwa kila mtu yuko kwake, nyumba hizi zote sisi wote tunasema ni zangu, hatuwezi endelea mpaka tunakorogana. Kila mtu anasema hapa ni kwangu; hapa ni kwangu na hiyo ni shauri ya serikali. Hata hawa wameshindwa kufanya wananchi kukatia group yao. Mimi napenda kuambia katiba yetu, kila mtu anagawanyiwe ardhi. Kila watu wawe na group yao ili iende na groups sababu ikienda na groups biashara nyingi na maendeleo mengi ya kusaidia taifa letu lote tutaendelea. Lakini ikisemekana kila mtu kuwa hapa ni kwangu hakuna maendeleo yataendelea. Mwingine akijaribu kufanya maendeleo nitakuja kumharibia. Mwingine akijaribu kufanya maendeleo fulani, mwingine atakuja kumharibia. Kwa hivyo, yangu, hiyo ni shauri ya serikali wanashindwa kuangalia hayo maneno na ni vizuri kuwa ni serikali ya county council ambao wanasimamia ardhi hii na ndio wameshindwa ku-control watu wapatiwe sehemu na groups. Kwa hivyo, yangu ni machache na ninataka kuongeza kidogo. Maendeleo ya nchi hii ni mengi sana sababu sasa sisi ni watu wa nchi kavu.

Com. Githu Muigai: Pendekeza, Lela pendekeza kile kitu unataka kiandikwe kwa katiba.

Lela Kinyaga: Kile napendekeza ni kuwa tunataka ardhi ikatakatiwe wananchi.

Com. Githu Muigai: Hiyo tumesikia.

Lela Kinyaga: Iwe kila mtu ana juhudi yao. Basi watu wanaendelea na maendeleo.

Com. Githu Muigai: Asante sana. Ibrahim Kosi.

Ibrahim Kosi Galgalo: My names are Ibrahim Kosi Galgalo and my presentation will be on minority rights or the rights of the vulnerable groups. I would be very pleased, it's just a one page document I hope I will be allowed to read. Some constitution makes a special provision for the rights of groups of people who have suffered from marginalization due to historical, social and cultural or other reasons. Our current constitution is silent about this important aspect. Specifically I will talk of a group called Waka which lives within Isiolo district. In Isiolo, there is a small community referred to as Waka who live among Boran community. Their population is estimated between 2,000 – 3,000. This community is a minority type in Isiolo who is also satiated inside the line and marginalized by the rest of the communities. The main reason for being marginalized is due to historical reasons of being hunter-gatherers in the past. There are also the poorest of the poor in the district and most of their children have not gone to school because they cannot afford the high cost of education. The Boran community is normally hunters and as such the Waka is considered as outcast due to the historical reasons of being hunters. The community has suffered socially and politically from time immemorial. Many people do not like to intermarry with the same community and this has created a special stigma among them as unwanted or people of low caste, worthlessness and down trodden feelings. Politically they have no voice in the district. This is because politics is place by numeral number. It needs it or resource ownership all of which work against them. They are basically excluded in many of the decision making forum due to the fact that they are few and poor. The few who are learned are also segregated by the other communities in terms of employment and job opportunities simply because they lack representation and as such cannot influence decision. A good example where they are segregated is in Isiolo County Council where many youngsters are employed as game rangers and there are no single persons from the same community.

So, we have the same recommendation which we are asking this Review Commission to take very seriously. The first recommendation is there is need to recognize the Waka as one of the marginalized minority type in Kenya and given a code as any other tribe in Kenya. Secondday, the new constitution should make provision for affirmative action in favour of the Waka and other similar marginalized minority communities in Kenya for the purposes of redressing imbalances created by the reason of history, tradition and ethnicity. First, that the Waka community should have its space in wildlife conservation and the income from the same. This is because hunting which historically has been an income earner to the community is an illegal practice in Kenya today. Therefore, the new constitution should make an alternative income for this community who live in poverished conditions and sedentary conditions. The fourth recommendation; the politics in Kenya is influenced by numerical factor, wealth and ethnicity. The Waka community being poor and minority do not have representation and influence any political arena in the district. We are therefore demanding the new constitution to make a deliberate effort to reserve nomination seats at the civic

level exclusive for the marginalized minority tribes in Kenya, the Waka being among them. A similar provision for nomination should be reserved for the Parliamentary level for the marginalized minority tribes of groups in Kenya. This document is presented on behalf of the same community as I also come from the same community. We are asking the Review Commission to take this issue as a matter of urgency and thanks a lot.

Com. Githu Muigai: Thank you very much. Liban Gitonga. Yukodeko Wario.

Interjection: I am there.

Com. Githu Muigai: You are there. Is that Gitonga or Wario? Deko Wario. Endelea Bwana Wario, say your names.

Interjection: Inaudible

Com. Githu Muigai: Mmh? Wewe ni?

Interjection: Liban.

Com. Githu Muigai: Wewe ni Liban. Okay. Liban Endelea.

Liban Gitonga: Kwa jina naitwa Liban Gitonga. Ningependa kurudisha shukrani kwa Tume kwa sababu ya kuja kusikiliza maoni ya wananchi. Mimi natoka group ya Neparua na maoni yangu na kwa niaba ya hiyo group ni ya kwamba kwa niaba ya Neparua Group tumekuwa na shida ya wizi wa mali na vitu namna hiyo.

Com. Githu Muigai: Pendekeza sasa. Ungependa sheria gani?

Liban Gitonga: Na mapendekezo yetu ni ya kwamba kwa group tume-experience groups nyingi ambazo ziko na title deeds zao. Tulikuwa tunaomba ya kwamba kama Isiolo ingekuwa na groups, kama ni Somali wawe na group yao, kama ni Samburu wawe na group yao, kama ni Maasai wawe na group yao, itakuwa kila mtu atachunga ardhi yake na itakuwa hakuna mtu ambaye atavuka kuenda kwa mwingine. Ni kama vile tu mtu anajenga nyumba na anafence area yake, itakuwa ni gumu wewe kupita kuenda kwa nyumba yake mpaka uombe ruhusa ama akubali. Kwa hivyo tulikuwa tunaonelea kitu kama hicho. Kitu kingine, kama group itachunga environment; kukatakatwa kwa miti ama kuharibiwa kwa ardhi itakuwa ni kila group inachunga mali yake kama wakati huu watalii wanatembea kwa area na wanyama wamejaa, watu watachunga mali yao.

Kitu kingine tukija upande wa uongozi. Kuna kama sub location hiyo yetu ambayo tumebaki nyuma na ni kwa sababu area ni kubwa na yule sub chief yuko, enyewe itakuwa ni gumu sana kufikia pande hiyo. Kwa hivyo, tungeomba kama serikali

ingeongeza kama sub chief mmoja kwa pande hiyo ya hiyo location. Kitu kingine ni uongozi wa councillors. Sisi tungependelea wawe wanachaguliwa kama kawaida vile inafanyika kila wakati.

Com. Githu Muigai: Na mayor na chairman wa County Council?

Laban Gitonga: Na chairman wa County Council awe anachaguliwa na wananchi wote katika wilaya. Faida ingine ama sababu ingine ni maendeleo. Tukishapata groups na hata hiyo group iwe na title deed yake, itakuwa ni rahisi sana kufanya maendeleo. Kitu kingine ni kama hiyo group iko mbali sana na town kama 35 km kutoka Isiolo hapa, kwa hivyo tulikuwa tuanaomba kama barabara ingerekebishwa kwa kila sub locations zote ama locations zote kwa Kenya nzima sio eti kwa Leparua peke yake; kwa locations zote zile ziko mbali na town. Kitu kingine ni matibabu. Enyewe kama group yetu ama mahali petu ni mbali sana na town. Kwa hivyo, kama mtu amekuwa mgonjwa itakuwa ni gumu sana kufika kwa town. Kwa hivyo, kama tungepata kama dispensary huko karibu na wananchi ingekuwa ni ajabu kidogo.

Elimu: Sisi wafugaji tumekuwa tukibaki nyuma sana kwa elimu na ni kwa sababu hatukuona faida sana ya kusoma isipokuwa watu wachache wamesoma na saa hii elimu imekuwa na juu sana na kulipa inakuwa ni gharama kubwa. Kama tungepata msaada kutoka kwa serikali ama elimu ya bure, ingekuwa afadhali kidogo. Kwa hayo, enyewe nimesikia watu wengi sana wamesema elimu ya bure, elimu ya bure; kidogo uulize labda hiyo pesa itapatikana wapi ama kitu namna hiyo? Kwa akili yangu nilikuwa nafikiria kama wale watu wanafanya kazi Kenya nzima labda unawezakuwa ukifanya kazi na kuna kitu kidogo kinakatwa kwa kila mfanyi wa Kenya hiyo pesa yote inaweza kusaidi wanafunzi wasome halafu kila mwanafunzi akipata kazi hata yeye atakuwa akilipa kitu kidogo ndio mwingine asome. Kwa hivyo hiyo yenyewe ni njia ingine ya kutafuta kitu cha kusomesha. Nafikiri hayo tu ndio nilikuwa nayo kama tungepata huo msaada ama hiyo katiba ibadilishwe namna hiyo, enyewe itasaidia watu. Nimeshukuru sana.

Com. Githu Muigai: Asante sana Liban. Deko Wario. Hassan Jima. Mohammed Ahmed Dahir.

Interjection: Inaudible

Com. Githu Muigai: Ujaribu Mohammed usisome yote, huenda (inaudible).

Mohammed Ahmed Dahir: My names are Mohammed Ahmed Dahir; I want to pass some memorandum which was passed by my community. These are Somali community in Isiolo, the (inaudible). This community are the most marginalized and being here we are the owners of Isiolo, I can't hesitate to say that and everybody knows that. The following are our memorandums; the right of ownership, the Commission should provide the laws that empower the rights of citizens to own land or plots. The said land should be in the hands of local authorities. If the said have been acquired in the wrong way, the same can be repossessed. The right of

compensation in 1964, an ugly incidence happened in Isiolo and its environments where many Somalis were killed and their livestock confiscated by the state hence rendering this community poor and destitute. This incidence happened in the following areas: Logovito, Lowangiro, Marti,, Garbatura, Blapesa where animals were detained and our community was put in concentration camps by the state. In this regard we are asking to prosecute an act for compensation. The reparation and compensation should be given to all affected communities during the emergency rule of 1964-69 and indefinite act to be abolished. The other issue is land tenure Isiolo holding ground which is leased hold area for Hardhi and Esta community should be given back to them in terms of ownership and management not the current system of council holding as a trust. This is to avoid abuse of the trust by the council since the communities are not represented in the council.

There are a lot of human rights abused by the state in these Northern parts of this country and thus this should stop especially in police and administration police. Boundaries should be redefined using the colonial boundaries visible marks like towers should be used to mark the same. In the even of elections of President if it happens that the President elected is a non Muslim the vice President should be a Muslim and vice versa. The other issue is also screening cards should be abolished completely because this is segregating the Somali community and marginalizing them further. Because in this case we have the Maasai who are in Tanzania and in Kenya. Why didn't they get the screening cards the Somalis were given?

The community should be given the right to manage the resources namely parts, wildlife, natural resources. The bursary fund which is being run the council should be given to the community based organization thus should not be in the hands of civic bodies. As it is in our case, the Hardhi and the Esta we don't have any representative in the country. Decentralization of title deeds, passports, Identity Cards, boards should be established in the issuance of the same. The minority nitee, nominated councilors and members of Parliament should be given to the minority e.g. the Ogiek, Hardhi, Esangs and Emollos of L. Turkana. The Islamic sharia should be introduced to all Muslim dominated areas. The government should establish banks which offer interest free loans in line with the teaching of the Holy Quran and the Hadir. The post of chief Kadhi should be elective and thus the minimum qualification should be a Bachelor of Law Islamic Sharia, Bachelor of Law in the Secular Law and a minimum of 15 years experience. The faculty of Islamic Sharia should be introduced in the universities in Kenya. Local authority should be created based on electoral constituency boundary unlike the current administrative boundaries.

Terms of MPs and councilors should be limited to two terms only. A referendum to collect views of township municipals should be put in place. The government should locate some funds to cater for marginalized communities in terms of education, water and health.

Com. Githu Muigai: Thank you very much. Mohammed Mahmud Mohid. K. J. Mwachunguma. Nicholas Luba. Nicholas,

Nicholas Luba: Yeah.

Com. Githu Muigai: Okay, Karibu. Na ujaribu kufanya kwa mukhtasari tu eeh?

Nicholas Luba: Nitajaribu. My names are Nicholas Luba. I am just going to touch on a few things mainly regarding the pastoralist communities and the Island resources in this particular area. I just want to touch a few areas one is water, land, minerals and livestock. As I do that I will just make recommendations towards these areas, I'll not go into problems related to these areas in this particular regions. One, on water, I just want to recommend that there is need for us to get water for development projects. As per this we request the constitution to consider supplying water from any sources of potential areas like Aberdare and from main rivers from other regions of the country to this areas. I equate this to the supply of things like oil and millet which are being supplied from lets say like Eldoret to Nairobi, oil brought from Mombasa to Nairobi. This same thing can be applied to our areas whereby areas which need a lot of water can also get supply of water from other areas to our region and this entails to areas like Turkana, Samburu, Marsabit, Moyale, Wajir and Garissa just the hazard areas. As at this again, I feel that we need to harvest water. I can see that there is a lot of water flowing particularly during the rainy seasons. We need to install structures in place like the storing tanks, dams whereby this water can be harvested during rainy moments when it is in plenty to be used when it is dry in the particular areas. I request that committees could be established particularly in district levels whereby such resources can be maximumly utilized.

As per land, I will just touch on areas whereby the Trust Land issue should be taken back to the communities. Communities should own land and it should not be to the Trust Land. So, I just concurred with the suggestion made as per this with my colleagues in the previous presentations. As per the natural resources, there are certain resources in this area which are not maximly used and this entails resources like gums, razis and particular in this vercular there are gums like Gum Hagar, Gumar and they are not constituted anywhere in the Kenyan constitution and these resources are lying idly in these areas and they are not maximumly used. I suggest that a constitution should be put in place whereby these resources should be constituted somewhere and they should be used maximumly to the benefit of the people coming from these particular areas.

The last aspect is on livestock. As I touch on livestock, it is entailed as one major economic activity being undertaken by pastoralists in this particular region. I suggest that a very competitive market situation should be created whereby animals gotten from these hazard areas are getting market outlets and the KMC which collapsed sometimes back should be brought to Isiolo because many of the animals are gotten from this Northern region. Animals coming from Marsabit, coming from Moyale, coming from Garissa, all over pass through this route to Isiolo. We suggest that KMC should be installed in Isiolo and as per this I suggest that a co-operative would be formed particularly a co-operative related to livestock keepers whereby it will take those people who are livestock benefits into consideration and even animals could be taken to(inaudible) fees for this particular co-operative so that people can get one body whereby their views and their products are being developed together. As in the same region, I focus that atleast something like Livestock Board of Kenya similar to other boards like Coffee Board of Kenya, Tea Board of Kenya, should establish in the current process of constitution making whereby the Livestock Board of Kenya will be responsible of handling all aspects related to livestock. Marketing,

establishment of such sections like KMC and many others. In the same line as well, I suggest that a bank particularly on livestock should be established whereby we could call it a livestock bank whereby people, when there is surplus of livestock they can sell and bank their money in the bank and when there is deficit they can as well withdraw the money to supplement the deficit. So, in these areas that resources in these areas should be maximumly developed. So, as per this constitutional review process I also suggest that when the constitution will be fully favourable, I suggest that the ideas passed by various areas, various districts, various regions should be approved back to this area so that the law which is supposed to be related to people of upcountry should not also be related to us. We should also be handled by the law which we have made ourselves. So the suggestions, the views, the memorandums passed in various constitutional sittings in this district should be accrued up to Isiolo district and other related districts so that we will know that what we shall be handling as a constitution in future is entirely our views. Thank you very much.

Com. Githu Muigai: Thank you. Guyo Ali Guyo. Guyo Dura, okay wote wawili wameondoka. Abdul Wario, Abdirahaman Tori, Omar Godana, Fransischa Kaburu, Okay, Joshua Mutia Mukindia. Katama Guraj, Abdilahi Abdi, Godana Doyo?

Interjection: Ashazungumza? Asante. Buka, Oh, Abdilahi Hassan Abdi, Okay.

Abdilahi Hassan Abdi: Ya kwanza nasema Salaam Aleikum?

Com. Githu Muigai: Aleikum Salaam.

Hassan Abdi: Nashukuru kwa Tume kufika na kuchukua maoni yetu ya wananchi leo. Nafikiri tuna bahati ya kwanza na yaliyopita ni mengi hatuwezi kusema lakini tunataka kutoa maoni kwa yale yanakuja. Kwa ukweli sisi kitu cha kwanza huduma ya afya, ingawa tuna ujenzi tu hapa hatuna madawa ndani yake na sijui hizo dawa zinaenda wapi na kuna kitu kinaitwa cost sharing, mtu maskini mama pengine ana yatima mahali fulani ataleta shilling thelathini ama ishirini kuchangia na hatimaye kukosa matibabu yanayofaa.

Com. Githu Muigai: Pendekeza.

Hassan Abdi: Napendekeza hii sheria mpya inayoundwa sasa iweze kuangalia ni manma gani hiyo mali ya wananchi wenyewe wale wanahitaji. Pili, sisi hatujui kulima; tunajua kufuga na ufugaji ni kama umetengwa ikawa ni kitu haipo kulingana na sheria iliyokuwa ya kwanza. Napendekeza kwamba ukulima wetu ni mifugo yetu. Kwa hiyo tuangaliwe haki yetu kwa kuwa mifugo hii ina nyama, maziwa na pia ngozi ambazo zinatumiwa kwatika viwanda kutengeneza hata kama ni viatu, zitoke kwetu Isiolo ikiwa ndio iko karibu kuliko kwingine kote NFD.

Ya tatu, nasema ni usalama wetu. Sisi tumevumilia kwa muda mrefu na ikawa wale tunaona kama ni maadui ni serikali ambayo

imevaa combat ya green ambao tunawaona mchana tu. Usiku sisi mahali tunakaa na mazingira yetu, chochote kikitembendeka ni mpaka ipambazuke hakuna usaidizi unatufikia. Nataka hiyo pia ikiwezekana irekebishwe ili tuangaliwe masaa yote ishirini na manne ili tujione pia tu wananchi wa Kenya hii vile inavyokaa na mchoro wake.

Kwa hayo machache asante kwa Tume.

Com. Githu Muigai: Asante sana. Galfana Guyo Mokku. Guyo Mokku. Huka Kanu.

Huka Kanu: Jina langu ni Huka Kanu.

Com. Githu Muigai: Endelea.

Huka Kanu: Nashukuru Mwenyezi Mungu kwanza (inaudible) sisi hapa Ishalla kwa Mungu. Shukrani ya pili, jambo kama hili hatujapata tangu uhuru ama wala mbele ya uhuru. Leo tumefurahi kabisa kwa sababu kwetu ni kitu kigeni kabisa lakini inaonekana ni kitu muhimu kabisa. Mimi siwezi kuongea jambo ya Kenya nzima kwa sababu hata mbeleni jambo la Kenya nzima sisi hatujafika. Nitaongea juu ya nyumbani kwangu; yaani kama Isiolo. Kwa sababu sheria imekuwaw mara tatu; sheria ya koloni, sheria ya Kenya wakati ilipata uhuru tangu sasa, na sheria ambayo pia inawadia, sasa mimi nitalilia kwa sheria mpya kwa sababu zile zingine zote hazijatushisha. Kwa hivyo, sisi watu wa district ya Isiolo tunapakana na district sita kwanzia Meru, Garissa, Wajir, Moyale, Samburu district na Laikipia. Mbeleni wakati wa utawala wa ukoloni, mkoloni aliweka boundary ya district ili kila mmoja ake katika district yake hata ingawa haikutufaidi sisi lakini ninapita huo mpaka na hakuna mtu anakuja kuguza mpaka mwingine lakini tangu tunyakue uhuru na kujitawala, nchi yetu ya Isiolo district imekwenda. Meru inakatwa ambao ni jirani wetu bila kutuhusisha, Garissa wamekata, Wajir wamekata, Samburu wamekata na Laikipia wamekata bila kutuhusisha na hii nchi tangu mababu zetu ni yetu. Maomba katiba mpya irudishe hiyo nchi kwa wenyewe. Hayo ni maombi.

Ya pili,

Com. Githu Muigai: Ya pili?

Huka Kanu: Ya pili, sisi watu wa Isiolo district tunakaa kama wanyama. Hakuna mtu ana makao yake eti hapa ni pahali pa mtu fulani. Hata baba yangu hana mahali pake na mimi pia sina mahali pangu. Hakuna mtu hapa inasemekana hapa ni mahali pa mtu fulani kuanzia hapa mpaka Habasuen. Labda juzi kama wewe hujafika pale, waweza kutoka Kenya bila kuona mtu anafika Garo, katikati panakaa kichaka pakilishwa Trust Land. Ilikuwa lota voluteer. Kwa wakati huu Trust Land, hakuna nchi ya mtu ama hakuna ardhi ya mtu. Ardhi inasemekana iko chini ya council. Kwetu upande wa (inaudible) hata kabila zetu pamoja na watoto wetu ambao tunakaa pamoja na Turkana na watu wengine, hakuna mtu inasemekana hapa ndio mahali pa mtu fulani, usiguze. Unaweza kupiga bunduki vile unataka ama unakanyanga na miguu yako vile unataka. Hata wewe

unaweza kuja kuchukua nchi yetu, wewe mwenyewe. Unaweza kuja kujenga vile unataka kwa sababu hakuna mtu anasema wacha hapa ni kwangu.

Interjection: Inaudible

Huka Kanu: Eeh, hiyo uliza hawa watu wamekaa mbele yako ni nani hana na tite deed katika sehemu zake.

Com. Githu Muigai: Ungependekeza nini?

Huka Kanu: Ninapendekiza vile watu wa nchi ingine ya Kenya yetu ambao kila mtu anapata mahali pake, hata sehemu hizi kila mtu apate mahali pake.

Com. Githu Muigai: Okay.

Interjection: Ndio(inaudible)

Huka Kanu: Wanyama wa pori: Serikali yetu inafuga wanyama pori katika sehemu zetu lakini hawawezi kuchunga nyinyi(inaudible). Wanyama pori huwa watuwanalipa shilingi thelathini. Lakini ukiuwa ndovu moja unafungwa miaka kumi na mitano.

Com. Githu Muigai: Pendekeza.

Huka Kanu: Ninapendekiza hao wanyama ambao wanatunzwa, watunzwe katika mahali pake. Usikutane na mali zetu na watu wetu katika katiba yako mpya.

Com. Githu Muigai: Okay.

Interjection: Inaudible

Huka Kanu: Halafu, ingine ni hospitali, afya. Serikali inasikika katika Radio eti ufisadi uko katika upande wa serikali kwa sababu hospitali ya government imejengwa ; ni moja. Lakini mtu binafsi ametoa (inaudible) mia moja ya kuuza

dawa.

Interjection: Applause from the crowd.

Huka Kanu: Saa hii wewe ukipata malaria na uende hospitali ya Isiolo District (inaudible) wanasema uende ununue. Kumbe serikali inaingiza dawa pale, wamepita njia za badia na kuenda kwa watu binafsi.

Com. Githu Muigai: Pendekeza.

Huka Kanu: Ninapendekeza serikali katika katiba mpya ipunge hiyo license ya kumpa mtu binafsi.

Com. Githu Muigai: Okay. Tuendele.

Huka Kanu: Wizara ya mifugo. Sisi tuko kwa wizara ya mifugo, kuna waziri wake, kuna Permanent Secretary, kuna mjumbe wake, sasa veterinary yuko ambayo anahusika na ugonjwa wa mifugo; sasa wewe unaenda kununua dawa ya veterinary kwa mtu binafsi kuliko kuitana kwa veterinary anayesimamia mifugo ya wananchi. Wananchi hawajui kusoma, wanachunga ng'ombe, mbuzi na ngamia. Sasa dawa ambayo wanauziwa tangu ilipokuja ina mwaka mmoja na imekuwa sumu. Kwa sababu hii, unanunua na kuenda kudunga ng'ombe yako na inakufa.

Com. Githu Muigai: Okay, pendekeza.

Huka Kanu: Kwa hivyo, wizara ya veterinary isimamie vile ilikuwa wakati wa wazungu walivyosimamia mali ya wananchi.

Com. Githu Muigai: Okay.

Huka Kanu: Katika katiba mpya. Inginge tena?

Com. Githu Muigai: Mwisho.

Interjection: Inaudible

Huka Kanu: Mawasiliano. Mawasiliano ni ya aina nyingi; stima ni mawasiliano, barabara ni mawasiliano,

Com. Githu Muigai: Simu,

Huka Kanu: Gari ni mawasiliano, simu ni mawasiliano. Sisi hatuweze toka hapa Isiolo ikiwa nyumbani kwetu ni Mardi. Hatuweze enda kwa sababu hakuna barabara. Hii nchi ya, haidhuru, yaani hapa ndipo njia mbili zinaingia Kenya kutoka Mogadishu na kutoka mpaka wa Ethiopia wanaopakana nasi. Barabara hii ya Moyale ilipitishwa miaka ishirini na tano iliyopita kuweka lami.

Interjection: Kweli, (applause).

Huka Kanu: Wakati ilipokuwa akina Haille Sellasie na Jomo Kenyatta. Hadi leo inakaa tu vile vile na wananchi wako pande inaitwa Kenya. Tunataka katika katiba mpya ipitishwe, hii barabara iwekwe lami ili matatu kutoka hapa ziende Worja. Wewe ukitoka hapa kuenda njia katika town ya Isiolo, mama anabeba(inaudible) kutoka Moyale hadi Nairobi. Akifika pale anatupa mtoto kwa sababu hakuna basi na hakuna matatu. Afadhali wakati ule wazungu walikuwako.

Com. Githu Muigai: Pendekeza, pendekeza Mzee.

Huka Kanu: Ninapendekeza hii njia iwekwe lami kuna wananchi pande hii.

Com. Githu Muigai: Njia iwekwe lami, tumesikia hiyo. Okay. Tumelewa hiyo mzee. Endelea.

Huka Kanu: Uchaguzi: Uchaguzi ni right ya jamhuri nzima na mkiweka hata miaka kumi ni sawa. Mjumbe na councilor katika maoni yangu, sikiza bwana, yeye mwenyewe mjumbe na councillor ni kama msichana. Waswahili wanasema uzuri unajiuza. Uzuri unajiuza. Kama ni miaka mitano wewe unakaa ambayo amefanyia wananchi kitu ambacho mbeleni hakikuwa anachaguliwa na wananchi kwa uzuri wake, kama hapana hata miaka mitano haitakwisha. Akijua yeye ametoshelesha wananchi wake akae hata miaka kumi.

Interjection: Inaudible.

Huka Kanu: Katika dini ya KiIslam: Sisi ni WaIslam na tuna desturi ya KiIslam na tuna fikira zetu wenyewe na wewe pengine (inaudible) na kuna desturi na dini tofauti. Kidelesturi ya KiIslam, mwanaume aingie kwa bibi mwingine ni haramu kwetu hasa mwanaume mtu mzima aende kutongoza msichana ni aibu kupatana kwa (inaudible). Ni haramu kabisa. Mimi napendekeza mtu akiweka msichana miba afungwe miaka ishirini.

Interjection: Applause.

Com. Githu Muigai: Okay.

Huka Kanu: Na mwanamke MwIslamu kama bwanake amekufa itakuwa KiIslamu kwa kuomboleza sisi tunaweka miezi minne ili kuheshimu mambo yake. tunataka katika katiba mpya mwanamke akiwa kazini kama bwanake amefariki, kwa huruma kwa upande wa Mwenyezi Mungu, huyo bibi atulize kwa miezi minne bila kumfukuza(inaudible) apoe kwanza. Serikali iweke kama huruma kulingana na katiba mpya.

Com. Githu Muigai: Okay

Huka Kanu: Kwa hivyo(inaudible) umewadia.

Com. Githu Muigai: La kumaliza. La kumaliza Bwana Kanu.

Huka Kanu: Elimu.

Com. Githu Muigai: Elimu.

Huka Kanu: Wewe juzi labda umeshafika Kericho. Sijui kama umefika lakini tumepata habari kwamba fundi wenu amekwenda huko. Mwalimu anakaa Kericho na hakuna hata nyumba moja ya serikali isipokuwa mabati mabati watu residential wanajenga jenga. Sasa walimu hawana mahali pa kukaa. Wanakaa katika nyasia, nyumba ya kinyesi. Yeye mwenyewe ana shida na hawezi kusomesha hao watoto na akiwa anakula mshahara kwa siku thelathini. Sasa ikifika mshahara ya kula hakuna hata Posta wacha Benki, anakuja hapa Isiolo na miguu. Nitakaa hapa miezi mitatu bila kurudi Kericho.

Interjection: Inaudible.

Huka Kanu: Kwa macabre ingine yeye ameshomesha miezi mitatu au minne kwa sababu ya barabara. Vile wewe unatoka hapa leo jioni unaingia Kisumu,

Interjection: Meru.

Huka Kanu: Kisumu. Ukitoka hapa leo jioni, leo usiku uko Mombasa. Mimi siwezi fika hata Bunawawe maili arubaini. Siwezi fika kwa sababu barabara hazina gari.

Com. Githu Muigai: Asante sana. Asante sana Bwana Kanu. Ali Halake. Ali Halake. Hassan Wako. Wewe ni Ali Halake? Okay Karibu. Ali jaribu uzungumze kwa kifupi kwa sababu tuna watu wengie wanangojea.

Ali Halake: Kwanza ningependa kuchukua wasaa huu kushukuru Tume hii ya Kurekebisha Katiba kufika hapa Isiolo, nasema asanteni sana. Kwanza sisi tumasema kwamba ile katiba ambayo mpya inayokuja kwanza twaomba kwanza iangalie masilahi

ya watoto ambao wametoka katika sehemu za wilaya kame; iwe ni katika wilaya ya Samburu, tuseme wilaya ya Garissa, wilaya ya Wajir or wilaya ya Tana River, wilaya ya Ijara, Mandera kule, twaomba iangalie hii ama wale watoto wanaopita mthani wa kidato cha nne iwe alama izingatie kulingana na vile walivyofanya katika maeneo walikotoka wanafunzi wale. Iwe katika Samburu, Wajir ama kama vile nimetaja hapo awali. Sheria ya chief twaona ndio hivyo msharekebisha. Twaona sheria ya chief baradhuri yule mshaanza kutoa toa. Kwa hivyo alama hiyo iangaliwe ya sehemu karme. Iwe mwanafunzi tuseme labda hata awe amepata alama iwe C hata kama ni /c ambayo ni duni ni sawa aangaliwe apate kujiunga na vyuo hata kama ni vyuo vya walimu, hata kama ni vyuo vya kutoa mafunzo ya kidini, mafunzo ya ualimu, yaani ile alama iangaliwe. Ile alama hata kama C duni ile C- iangaliwe. Sasa nasema iangaliwe hapo.

Ya pili nasema ya kwamba ufisadi uangaliwe kabisa na uondolewe. Watu wamesema ufisadi,ufisadi, umeimbwa. Hiyo iangaliwe katika recordi zenu Bwana maofficers ama mchapishe katika katiba inayokuja muite mkazo. Ufisadi mwangalie.

Interjection: Inaudible

Ali Halake: Tuseme pia kuingilia maswala ya sheria za utawala, mambo ya kiongozi wa nchi ipate kuangaliwa kwamba ana mamlaka zaidi apate kutafitiwa msaidizi ambaye atapata kubeba ile mizigo anamkabidhi maanake rais ana iwezo zaidi. Kwa hivyo PM aangaliwe. Nadhani unafahamu PM ni kusema nini. PM?

Com. Githu Muigai: Tunaelewa. Endelea tu.

Ali Halake: Mmh. Pia sheria za madini twaomba dini ni vile vile tu. Mtu akiwa Mkatoliki akae na ukatoliki wake, MwIslamu akae na(inaudible) sheria zake zile zile ziangaliwe sawasawa, Seventh Day Adventist pia aangaliwe pia kivyake pale. Kwa hivyo dini iheshimiwe pia pale kwa hivyo muweke katika orodha hiyo.

Com. Githu Muigai: Okay Bwana Ali.

Ali Halake: Bado naendelea Bwana Mheshimiwa. Tafadhali naendelea tu. Kila Mkenya ana mahali popote pa kukaa pale. Iwe ni wewe waweza kaa Isiolo hata mimi naweza toka hapa nikae hata Meru naweza keti tu Bwana Mheshimiwa, kwa hivyo Mkenya ni Mkenya tu. Ule mkondo wa zamani pia urekebishwe kidogo lakini uwe pale pale tu. Mkondo wa zamani uwe pale pale.

Com. Githu Muigai: Okay Bwana Ali, jaribu.

Ali Halake: Bado ngoja nimalizie Bwana Officer, wacha niendelea tu. Nitatoka nikimalizia mara moja. Mimi nasema kwa sheria hatutaki majimbo. Tukae pale pale tu. Wewe kama unaweza kaa Samburu unaweza Samburu. Mimi nikiwa naweza kaa

Meru naweza kaa Meru. Yaani ile sheria ikae vile vile tu pasiwe na ubaguzi, eeh.

Interjection: Inaudible.

Ali Halake: Kwa hivyo majimbo nikipima inalingana na vile watu ambao nimesikia wakisema inalingana na makazi na vile eneo fulani linavyokaa na kujizatiti na kuweza kujiinua katika maendeleo yake. Kwa hivyo utawala uliopo uweze kuwasirishwa bado pale pale kwa ile katiba itakayokuja tu. Kwa hivyo, asanteni.

Com. Githu Muigai: Asante sana Bwana Ali. Asante sana. Hassan Wako, Hassan Wako. Josho Isaak, Isiolo Youth Affair; Josho Issak, Adam Jai, Dahabo Bonaya.

Interjection: Niko.

Com. Githu Muigai: Dhabo Bonaya, okay karibu.

Interjection: Ah ah kwa sababu tunataka kuchukua kwa tape.

Dahabo Bonaya: Mimi ni Dahabo Bonaya. Ya kwanza mimi nasema, every Kenya citizen should have access to land ownership. A leader or an able persons owns 20 plots and the rest of the residents are squatters. Sasa yeye ndiye mtu wa lands, ana-supply lands. Anakuwa na ploti nyingi zaidi kama 100 plots, state plots, leaders wanakuwa ni hao matajiri. Sasa wale maskini wale wangepaa kupewa maploti wote wana shida, hata kama wanashika pahali moja shamba lao wananyang'anywa. Leaders ndio sasa wanakuwa wholesaler wa plots. Anakuuzia ploti na kama wewe hu-align na line yake anakunyang'anya na kupatia mtu mwingine. Such things the government should look for ways to deal with such criminals. The law should be put.

Com. Githu Muigai: Yes.

Dahabo Bonaya: Halafu nyingine ni council. Council should be given more powers to develop from central government and councilors should be empowered to run their own affairs and not individuals to lead the affairs. This will lead to the abuse of power and duplication of roles. Mambo mengine on the same point, wafanya siasa lazima wajue if it a councillor or a leader or an MP or a Cabinet Minister, he should know his role what he is supposed to do not to trust people not to kunyanyasa civil service. He is taking that kazi yake anafikiri ameandikwa kunyanyasa wafanyi kazi wa seriklai ama kunyanyasa wale employees. Tender ikija sasa yeye ndiye anakuwa mkubwa wa tender; bila yeye Commissioner ama the Chairman of the Board of Tenders hawawezi kuwapatia peke yao vile wanataka. Yeye ndiye sasa ana-dictate vile itaranywa. Na sasa mambo kama hayo na ni leader umechagua wale watu wengine wa civil service wakikataa hayo maneno they will be transferred. If he

doesn't use that resources he will be against you and he will be transfer you or do something against or you will be even interdicted or something of that sort. So, people are living in fear. So, the government should find a way to streamline such leaders. What are we supposed to do if we are living under threat? We can't work comfortably with the government or anything unless you are lining his line. Mtu anataka kutumia resource ya government kama his own property. Such things should be put in the constitution to streamline how civil service should live comfortably and work with the government.

Parliament: We wanted Parliament not to serve more than two terms. Otherwise wakipatiwa more than two terms wanajiona kama wao ndio Mungu basi sasa mwisho wamepata pesa. Mashahara ni mnono na hawatoka hapo na wanakunyanyasa mpaka siku ya mwisho hawatatoka. Mashahara ni mwingi zaidi. Wananyanyasa wale maskini. Leadership should be share between gender balances. Decision making development running kama kuna councilors ishirini wanawake tunagiwe kumi na wamaume wachuku kumi hata kama kuna MP mmoja ndani ya district hii hata sisi tutafute tupate na moja tupatie wanaume halafu tuwe na equal share.

Mambo ya Meat Commission watu wameongea zaidi. Isiolo tunataka Meat Commission to be established to create employment for our children. Watoto wetu wamekosa kazi, tu-tackle that problem ya unemployment. Some institutions like Meat Commission could be better here. this is a central place so if the factory is built here itatusaidia watoto wetu wapate kazi because there are lots of unemployed youth in this district. Tunataka serikali iangalie hayo maneno. Thank you very much.

Com. Githu Muigai: Thank you very much. Roba Ali.

Roba Ali: Basi jina langu ni Roba Ali. Mimi nataka maneno madogo tu ambayo naweza kupendekeza kwa hii constitutional reviews. Kuna mambo ya security. Mambo ya security ni jukumu ya serikali kutoka ukoloni mpaka sasa na ninapendekeza kama serikali ina-neglect mambo ya security kwa sababu kama mimi ninanunua bunduki ya kujilinda hiyo sasa serikali inasema ni illegal gun. Na yeye ina-neglect kuchunga raia. Napendekeza kwa katiba hii serikali ikishindwa kulinda raia ishtakiwe. Serikali ishtakiwe kwa ku-neglect sheria ya kulinda raia na raia wanauwawa ovyo ovyo kwa sababu hiyo jukumu iko juu ya serikali na haishughuliki. Kwa hivyo napendekeza serikali ikishindwa kulinda raia ishtakiwe.

Neno lingine na pili ni msichana akiwekwa miiba na kijana, sheria ya sasa ambayo coloners waliacha, kijana peke yake ndiye anashtakiwa. Kwa hivyo hata msichana ashtakiwe kwa kukubali. Yeye ndiye anapeana consent. Ingizwe kwa sheria ya sasa. Hayo ni mapendekezo yangu. Kijana ashtakiwe na msichana pia ashtakiwe. Neno lingine la tatu, kuna sheria ya Kenya ambayo iliachwa na mzungu. Negligence of children; wazazi wakiacha watoto kulinda, baba anashtakiwa, mama anashtakiwa. Hakuna sheria ambayo iko kijana akiwacha mzee mkongwe, mama mkongwe ambaye amemzaa, yeye aki-neglectiwa hakuna sheria inashtaki. Kwa hivyo, sheria hiyo iingizwe. Kijana lazima alinde mama yake, baba yake akiwa amekosa nguvu asiye kuachwa ovyo ovyo bila kulindwa. Kuna watu wengi wanaacha wazazi; baba na mama ambao waliwasomesha na kuna higher positions, kazi kubwa kubwa mama anateseka na baba anateseka. Kwa hivyo sheria iwekwe huyo kijana ashtakiwe.

Jambo la nne ni juu ya land. Land ambayo iko chini ya County Council, Trust Land, iwe community land board control ambayo ina-consist kwa county council. Iwe chini ya county council ili wazee kama Meru ambayo inaitwa Njuuri Njeke, wazee yaani elders wawe na sauti hapo ya land katika County Council. Land iwe community land board control chini ya county council. Hiyo ndiyo mimi napendekeza. Asateni sana.

Com. Githu Muigai: Asante sana Mzee. Abdi Jenge. Laurencia Odinga.

Interjection: Inaudible

Laurenus Odinga: Nashukuru sana kwa kupata hii nafasi, Bwana Commissioner mimi naitwa Laurenus Odinga, mimi ni police officer na ningependa kutoa maoni yangu kuhusu kazi yetu ya police kwa vile hata wale wako hapa wengi ni ndugu zetu, dada zetu, mama zetu na hata hao wengine wanatupenda kulingana na hali ya kazi wengine hawatupendi. Kwa hivyo ningependa kusoma kidogo yale machache niliandika hapa. I hereby submit this opinions relating to the police force and other general civil views for your consideration. A police service Commission should be set up to rule the constitution of Kenya so as to look into the conditions of service of police officers and also to be able to change some of the sections of the force standing orders or the force standing orders as a whole because some of the rules in this part of the law are draconian therefore allow senior police officer to sack junior ones thereby forcing the scandal elements who later on engage in crime after they lack what to do. Sacking police officers should not be used as a means of discipline. The police service Commission shall be shouldered with the duties of seeing to it how duties with intervals shall be delivered so that the police who work in busy areas for many hours should be properly remunerated for the extra hours they work and the Commission will invent a way for police of claiming for such money. Just to add to this point, policemen work in very hard conditions; whether in rain, touching dead bodies, resuming dead bodies, removing accident victims, fighting hardcore criminals and working overtime. Thus the need for this Commission to see to the plight of the men in blue. This Commission will also look into the disciplinary appeals for offences charged to avoid impartiality. Upon considering the above views, a personal risk insurance should be set up for all serving police officers because the current workman's compensation which covers all civil servants is so bureaucratic and non of us actually know how to claim after an injury on duty. Other injured officers have never paid; living with disabilities and only being promised to be paid at retirement. A time not easy to focus and whereby the employee will be long dead or payment has lost value while the same employee would have been earning from the government doing almost no work.

Also in the police force is a very bad system of handling issues of development i.e. building schools, contributing money for health care. Such forums do not reach the bottom man. He is only informed that such and such amount of money is going to be deducted from your salary for such developments. The money is deducted to which account God know. No breakdown is brought back to show how the money was spent thus causing satisfaction on the contributors about the legality of such contributions. One of such issue is the Kenya Police Medical Fund. This money as we were told as an insurance health kit for the officers whereby if an officers fall sick and spends upto 50,000 shillings, he would be repaid from this kit. But as for now

nothing has been said over the accounting or expenditure of this kit. Such issues should not be handled within the police headquarters thus the need to stop them. The Police Service Commission will therefore look into such matters informed. There should also be provision of continued learning whereby members who are interested in continuing with education will have an opportunity to do so. You may learn that most of the men who joined the force just do it after completing their ordinary level education and having attended no other courses. The government should therefore sponsor interested individuals at the particular time to be able to further their studies just like the men in the army. This will therefore enable the police to go with the current fast developing world of ideas and be able to deal fairly and well with educated members of the society. To be changed in the essence so are those sections which also deal with transfers from one department to another i.e. police officers should not work in one operational area for long while others are in places like traffic where it's very blamed on all to be corrupt. Changes should be made from time to time as provided by the force standing orders.

Provision for passports: Passports should be given to Kenyans as ID are given to Kenyans. Like in the police force one goes to serve in the peacekeeping mission in the UN, the same same person goes again for the second or third time as if it is an issue of money making. That one should be avoided and should be looked into seriously.

Increment of salary should be seen according to how long somebody has worked. Hiring of police officers: There should be provision for police officers to be hired for personal issues i.e. if a police officer has worked for the normal 8 hours in a day, he should again be paid for the extra hours that he is going to work and he is going to be hired by a private person, that private person should pay to the police officer himself and not the government. This one is going to avoid corruption whereby police officers have to move here and there trying to get little little money from members of the public.

I will also talk about land policy. This is an area let me say i.e. agriculture. People who do not utilize their lands properly should be disciplined by the law. Somebody who does not make use of his land properly, somebody who does not avoid soil erosion on his land, somebody who does not develop his land agriculturally that one should be put in the constitution that such a particular person should be dealt with by the law or that land should be given to another person who is interested in developing. I would also like to talk about the sugar industry. While we are having a lot of sugar in areas of Western province, the government should not provide for any sugar to be imported until that one on the local market has been utilized. Thank you.

Com. Lethome: A minute. Some elaboration please. First of all ningependa kuwashuru watu wa Isiolo. Isiolo has been unique kwa sababu ndio peke yake tumeweza kuwasikia watu kutoka disciplined forces wakizungumza. Merti pia walijitokeza wakazungumza na leo tunampata officer mwingine wa polisi anazungumza. Asanteni sana. That is the spirit. Number one; nafikiri unakubali wewe mwenyewe kuwa uhusiano baina ya polisi, kikosi cha polisi na raia sio mzuri. Infact, sehemu zingine kama kule mimi natoka polisi akifa watu husherehekea, meaning relationship between the police and the people they are supposed to serve is not good. In your opinion as an officer who is serving, what can be done to improve that relationship because it has to be improved for us to live in a better society? That's one. Number two, sijui kama polisi ni members of any

Trade Union, are you allowed to be members of any Trade Union?

Laurensius Odinga: We are not allowed.

Com. Lethome: So I don't know what you would say about that in the new constitution. Then, about the training that police undergo, do you think the current system of training is adequate to produce the kind of police that Kenyans need today after 39 years of independence? Thank you.

Laurensius Odinga: First on police public relations. When officers join the force they are posted to different areas whereby they just start working using the same same law that has been existing. The Sorce Standing Orders is a very old kind of law. So, it must be changed to come to the normal times. Also there must be courses for police officers to go to attain so that they can be, you know, when you leave college you are given an opportunity to go on a certain training so that you may attain a certain level. Because, if a police officer is let me say passes out from college and is take to an operation area and he stays there for five years and then you take this particular person who have come from that place you take him to Nairobi. When you take him to Nairobi, there will a communication breakdown between him and other members of the society because there are so many things that would have happened between these five years. So, there is need to go on, say somebody goes to an operation area for three years and then during that time he is then changed to another place so that he cannot be overtaken by time. So, that one will improve the kind of relationship that we must have. Also, if a police officer is paid well, say a police officer is paid those extra hours he works he will not need to go and harass the public trying to look for some money here and there. That is one of the reasons why the relation between police officers is broken down. I can't remember the other one, what is the third one?

Intejction: Inaudible.

Laurensius Odinga: We are not allowed to join Trade Unions and anybody who is working, there must be some labour laws to govern him. As police officers you are not supposed to join any labour unions. So, a police can be sacked at any time, senior police officers sack junior ones at their own will at their own wish, so there is need for a trade union to be there so that those officers who have complains their complaints have to be reviewed. When a police officer is sacked, it is causes some members to be disgrated and because they handle arms they go into crimes like robbery causing insecurity in the country. Thank you.

Com. Lethome: Thank you very much. Kuno David.

Kuno David: Mr. Chairman, my names are Daudi Kuno Agudo, I'm the headmaster of this institution. Niwie radhi kwa sababu pengine pahali mmekaa sio pazuri vile mngetaka lakini hii ninyumba mbayo ilijengwa 1969 and since then no much

renovation has been done because the community seem to have neglected the institution. That is why some of the institutions that have been built after this institution have failed like Garbatura but this one is still standing and we are actually offering all the services to most of the forums that are taking place. Since we are contributing to constitution review 40 years after independence, we would like to be a bit imaginative. So, if we somehow go out of some of your expectations we are trying to be imaginative as possible so that some changes can happen. I'm talking of education, regulation concerning awards of scholarships abroad be equitably drawn because 40 years down the line, those regions like ours here have been left behind. The Northern Frontier district has been neglected. You remember when the colony was actually going out, there was what we call 'Air Mist'. Airmists were people who were learned by then, they were sent abroad for training so that they can take over the government. But, we from this region never benefited from airmist. Therefore, our share of scholarship abroad is accumulated. Therefore, I am proposing that those accumulated scholarships be given to us in the Northern Frontier districts and let it be later on such shares be written equitably in every district so that all of us benefit equally.

Two, I'm talking on regulations on marketing and livestock which many people have talked about. I want to say that in 1963 when the constitution was being made, it stated that we cannot export live animal out of this country. Therefore, those of us who are keeping live animals because we rear animals and that is our economic manstead. If we cannot export live animal and the other crop productions are being exported, we are never going to be on equal footing with those in this part of Kenya. Therefore, we are asking this review constitution let us be allowed so that live animals can also be exported.

Three, more of the marginalized tribes be appointed to higher positions in the country. We have very few of them; District Commissioners, Provincial Commissioners. The administrative parents has not been passed at all. Those of us who are in this region, we are not corrupt officers. Therefore, the corrupt profile of the 60's which are now in the country may be it's the result of these people who are in this side are not being promoted to these positions. That may be the solution.

Four, the national examination on education; excuse me Mr. Chairman, I'm talking as the representative of Heads Association of Isiolo District so I can be a bit political. National examinations is an area where all students in this country are compared on the same examination but with total unequal resources and preparations. A child in Mandera lacks all the facilities, the lab facilities that they are supposed to get, lighting facilities for preps during the nights. That is a right to children in other parts of this country but they are being given the same examination. I think, this has really affected out educational standards and those people from the marginalized communities have been disadvantaged and the gap of resources between those who are here and those who are there is widening. So, there is a need to lessen the gap by holding a sort of a measure of constraints so that at least they are able to be compared on this (inaudible) under certain measured criterias.

On health: Medical officers should not be offered with certificates to operate private clinics. In my opinion, instead they should be paid better salaries to continue giving services to people who cannot afford to go to private clinics.

On local government: 40 years after independence we are electing people who hold public office but without basic education.

I think this is illegal. Therefore, I am proposing that let us have the minimum qualification for a councilor to be Form Four. Finally, emergency laws was listed in 1992 during the routine of the famous section 2A on multiparty democracy. Northern Frontier was under the emergency laws for 30 years. As a result most of our life and (inaudible) have been marginalized. I am calling for reparation, let it be shined in this constitution. Thank you.

Com. Githu Muigai: Thank you Mwalimu. Shall we now have Roba Kotile. Roba.

Roba Kotile: Asante sana na kupata hii nafasi ndogo na mimi nafikiri nitaongea kidogo tu kwa sababu yale nilikuwa nataka kuongea wengine wameongea lakini nitasisitiza kidogo kusema nimeunga huyo mtu mkono. Halafu mimi

(inaudible). Jina ni Roba Kotile. Kwa hii sheria ya hapo awali tumeumia sana; utawala ama viongozi. Sheria mpya, mimi nakata haya maneno kichwa iende tu kidogo nisikavunje nafasi ya wengine. Sheria mpya itufanyie ili tusinyanyaswe sana na wale wanaongoza. Nakupa mfano mmoja, kama mambo ya elimu ya watoto, mimi nafikiri kuna kitu serikali inalipia wale watoto wa maskini. Lakini kifika hapa ndugu yangu, watoto wa maskini hawapati; wa tajiri ndio wanasomea. Tumeumia kwa hiyo kabisa.

Lingine;

Com. Githu Muigai: Endelea, endelea.

Roba Kotile: Hiyo nikikata kwa ufupi sababu nimesema hayo maneno nafupisha, kitu kama hicho serikali kwa sheria mpya nimeomba serikali ikituma ili ihakikishe watoto wa maskini ndio wanasomea hiyo kitu wakitumia kupitia kwa wazee kuwa huyu mtoto ni maskini ama tahiri ihakikishwe. Sababu, kunatumia njia ya kupitia kujuana ama kwa ukupa. Mambo ya waajiri, kuna kitu tunaumia. Mimi nafikiri kama tungekuwa na sheria nzuri hapo awali tungekuwa kazi kidokia kama hii ya askari. Kila mtoto hata wa maskini angepata kazi. Hata saa ingine babake ni maskini lakini huyo mtoto akipata kazi atalisha babake na huwa ni kazi pande hiyo. Lakini kitu cha ajabu, mtoto wa tajiri ndiye anaandikwa wa maskini hapati kazi, baba yake anamuona wapi? Kitu kama hicho, tena vile nimesema nikikata kidogo, hayo maneno nimependekeza, kazi ikitokea kama hiyo ya jeshi, ipitie kwa wazee wa area kama yule mtoto wa maskini apate haki kama ya wengine.

Com. Githu Muigai: Ndio.

Roba Kotile: Hiyo mimi nimefika sasa iko stage ya basi mimi naenda job job.

Com. Githu Muigai: Haya.

Roba Kotile: Inginge, mambo ya kimila, wengine walipitia na mimi nasahihisha vile nilisema.

Com. Lethome: Msikizeni, msikizeni, kaeni kimya.

Roba Kotile: Tuna taabu sana kwa hayo mambo tumepotea kimila, mimi nafikiri hata wengi wa Africa sio Borana peke yake ama Somali peke yake. Watoto wetu leo wanapata miiba ovyo ovyo. Watoto wanajaa kwa nyumba na hawana baba. Sasa wanarudi kusumbua baba yake, yeye alikuwa anasimamiwa na baba yake. Sasa huyo mtoto atasimamiwa na baba mgani?

Com. Lethome: Unapendekeza nini?

Roba Kotile: Napendekeza hao watu vile mzee mwingine alisema adhabu yao ikuwe ni ile huyo mzee alisema mimi naunga mkono.

Com. Lethome: Haya.

Interjection: Inaudible.

Com. Lethome: Basi ameshasema ile mzee alisema wote wawili waadhibiwe. Msichana aadhibiwe na mvulana aadhibiwe ndio adhabu yao. Haya, endelea.

Roba Kotile: Kuhusu elimu nafikiri nimepita. Halafu kuna kitu kimoja tu nataka kupitia, mimi naenda mbi mbio.

Interjection: Inaudible.

Roba Kotile: Mimi naona.....

Com. Lethome: Tafadhali, just a minute, excuse me please. I think we are having disorder behind there. We are recording the proceedings of this meeting; we shall carry noise in that cassette for Isiolo. So, please boys from Isiolo Boys can we have some order please. Okay?

Roba Kotile: Basi nikimalizia ya mwisho, kuna kimoja tunaongea na sijui kama watu hawajajua. Hiyo ni gani? Kama sasa wewe umetoka pande ingine umetumwa na serikali na umetumia allowance ya serikali. Ukija hapa umeona wakubwa wengine kwa ofisi na yule mkubwa hasemi shida yangu ya nyumba yangu kwa sababu haijui haingi nyumba yangu. Wewe sasa umechukua yake na unapelekea serikali. Huyo maskini anaendelea kuumia. Mapendekezo yangu kuhusu hii wakati mtu kama PC anatoka mahali pengine aje afanye mkutano hapa, tupewe nafasi kidogo ili hata sisi tujitete, kila kijiji mzee mmoja apewe nafasi apane ile shida ya kijiji chao. Wakubwa hawatajua shida zetu.

Com. Lethome: Kweli kweli.

Roba Kotile: Eeh. Pendekezo langu ni hilo. Kwa hivyo, sitaendelea ile inabaki wenza wangu watamaliza. Asante sana kwa kupata hii nafasi. Mimi nafikiri watu leo wamefurahi kwa kuwa hii ni mara ya kwanza. Watu wengi walikuw ana akili lakini hawapewi nafasi ya kuongea. Tumefungwa na wale walipewa madaraka. (inaudible) tukiwa na nafasi kama hii ya kijiji. Itakuwa Vizuri. Asante.

Com. Lethome: Haya asante, sasa tumefungua. Is your name Godana? Mohammed I called your name. Just come over. Mohammed Hussein, nilikuwa nimekuita ukawa hauko.

Mohammed Hussein: Naitwa Mohammed Hussein. About supremacy of constitution to change the constitution average to require 75% majority vote. The public should be allowed through referendum to change some parts of the constitution and process should be spearheaded by the people's choic. About citizenship, the constitution should allow dual citizenship. ID should be given free of charge and without discrimination provided the applicant meets the requirements. About political parties, they should be reduced to three to make them competitive and have a national outlook thus nurturing true democracy, to discourage tribal and regional affiliations in the name of political parties. For a party to be formed it should have a minimum of 1 million signatures and be government friendly. Political parties with national outlook depending on their strength should be funded by the government and should be accountable to the public failure to that provincial administration should be abolished and replaced by local authority.

Parliament: It should be empowered to approve senior government officials appointment and be independent of the government. MPs should be Form Four leavers and have passed in languages and have good records i.e. should not have a record of misappropriation of funds or corrupt. And then voters should be given powers to summon and even recall their MPs if they are not delivering. Parliamentary accounts committee should be allowed to prosecute those people who have mentioned in their report. About the President, he should only serve for two terms and his executive powers should be reduced and limited and he should not be above law. The judiciary should be independent and appointment should be on merit and (inaudible) record. Corrupt judges and magistrates should not be allowed to hold public office. All Kenyans should be given constitutional rights to legal A.

Local government: Councillors should have a minimum of Form Four education. President or minister incharge od local government should not have power to dissolve council as it is happening right now we don't have a clerk just because the minister has got the power. He can sack or he can transfer the clerk. So, we want that in the constitution to be abolished. When we come to health, the government should provide free health and scrap cost-sharing. Health committee should be formed comprising of local communities at the district level. those people who are working in the government should not do private businesses. If I'm (inaudible)

MOH, I should not be allowed to operate a clinic because of conflict of interest. I will go to the hospital and don't find anything. And for your information, Isiolo Hospital is built a copy right of Eastern (inaudible) hospital. Ten years ago, it was very nice, good with all the facilities but now there is none just because people are operating clinics.

About drugs: You find that Isiolo, even you Mr. Commissioner, I'm sure that may be you've been in Isiolo. If you continue staying here for three days when you go to hospital and then they take your blood sample, you will be malaria positive. To curb this, I'm proposing that mosquito nets should be provided free of charge or at affordable rates. Then drugs (inaudible) malaria Isiolo being an endemic area but in paper work. In reality it is an endemic area but because of poor coverage that we have been given you find that we don't benefit like other districts.

About state security, the government machinery e.g. GSU, Police and Prison should be reconstituted to be public friendlier and act only according to law. Failure to comply an officer should be disciplined accordingly. Security should be provided to all Kenyans without discrimination. You find that what is happening here in Isiolo in terms of security somebody is brought here, may be I'm the OCPD and I'm sorry to say, and then two clans because there is no demarcation and there no boundaries, a Samburu attacks a Somali. Then what happens is that that Samburu instead of police doing justice to them all, I'll go to the OCS or the OCPD then what I'm going to do, I will give him 20 heads of cattle and then the police are not going to go there.

Com. Lethome: Okay, recommend. Recommend the way forward please.

Mohammed Hussein: Okay. Then to discourage that in the security committee, the law courts should be involved. Torturing to extract information by police should be abolished. State corporations should be managed by competent people. Loss making corporation such as Kenya Power and Lighting management should be sacked. Services like Kenya Power & Lighting should be figurized and be closer to people. You find most of us, electricity is something new to us because.....

Com. Lethome: Just recommend Hussein.

Mohammed Hussein: Okay, I need those services. We need those services and I apply for electricity services I should not go to Nyeri. The services should be brought closer to the people.

Com. Lethome: Okay, point made. Wind up please.

Mohammed Hussein: Sorry.

Com. Lethome: Wind up.

Mohammed Hussein: Okay. Foreign military (inaudible) should be imposed on to the locals and

environmentalists. You find that the British Army come and train here and when they leave you find the livestock people they go, homes explode and the government is not paying them. So, before any training has to be done, the locals should be involved. To discourage cattle rustling and insecurity in the pastoral areas, there should be proper demarcation of land. Kenyans should not be over-taxed. Isiolo, Marsabit and Moyale should be separated from Eastern Province. Foreign government should not interfere with internal security of our country i.e. our people should not be subjected to what happened like the bomb blast that happened in this country just because the President wants some money from the foreigners, the super powers, then if I am a Muslim I am just harassed by the security. Muslims should not be harassed and considered 2nd class citizens. If I go to Nairobi I'll be asked 'Where do you come from?' Even if I produce the ID which shows that I am a Kenyan because they see that may be I'm (inaudible), they just think otherwise and you are told, 'come here. Where do you come from?, what is your clan, where do you come from? Such things should be abolished. Civil servants should be answerable to the public and an individual has a right to see even the highest authority without getting assistance through proxy. Nowadays in Kenya you find that if I want to see somebody big I have to go through a proxy. May be even coughing some money and yet this is a civil servant. We don't want such a thing. Registration of voters for non residents should be abolished because you find may be I've got a (inaudible) I'm not staying here but because I want to come and may be disrupt something then I'm forced to come and register here.

Lastly, you find that as the Greed Philosopher put it Aristototele, the fate of the empire depends upon the education of the youth. Here we have been subjected to marginalization as far as education is concerned. So, we want education to be free and compulsory and we be given a quota system. If for instance I have to qualify.....

Com. Lethome: It's understood quota system, yah.

Mohammed Hussein: To university and may be I've got a C+ then they require B-, I should be given because you can't compare a student of Isiolo and a place like Kisumu or even Alliance because even facilities we don't have.

Com. Lithome: Okay. Thank you.

Mohammed Hussein: Thank you.

Com. Lithome: Thank you Hussein. Lawrence Kamaru, yuko. Yuko Kamaru? Hayuko. Twende kwa Yusuf Ali kama hayuko twende kwa Mohammed Mwiraria. Kama hayuko twende kwa Bishop Joseph Michuki, Adam Galgalo, Esther Muchuki, Sebastian Muthuri. Haya karibu. Sebastian afuatwe na Abdirazak Kala. Abdirazak Kala yuko? Hayuko basi Mohammed Noor ajitayarishe. Noor Yuko? Haya Endelea.

Sebastian Muthuri: The Commissioner Sir, ladies and gentlemen hamjambo?

Com. Lithome: Hatujambo.

Sebastian Muthuri: Yangu sio mengi, ningetaka tu kutoa maoni madogo.

Com. Lithome: Jina?

Sebastian Muthuri: Naitwa Sebastian Muthuri. Kwanza ningetaka kuongea juu ya separation of powers. Unkuta kwamba kwa three arms of the government, executive, judiciary na legislature, executive inajaribu ku-assert powers zote za judiciary. Kwa hivyo ninge-recommend kuwe na independent body kama, I mean Parliament iwe independent, judiciary iwe independent na executive nao wawe independent. Jambo la pili, ningetaka ku-recommend kuwe na independent body ya ku-make watu kama viongozi wa parastatals tuseme kama watu wa Power, watu wa Posta, watu wa Railways tuwe ma body ya ku-vet organizations kama hizo, I mean chairman wa hizo bodies au managing directors. Pia kuwe na body ya an organized institution ya kuchagua watu kama PS, watu kama Attorney General, Managing Directors, Judges ma Vice-chancellors wa universities, na watu kama DC and PC kwa sababu unaweza kunaona out of 736 for example that we have, almost 60 wanatoka from a certain ethnic community. Kwa hivyo hiyo tungetaka kuwe na njia ya kugawa hawa watu. Kuwe na njia ya kuchagua watu kama hao.

Jambo la tatu, ningetaka kuwe na kazi kama ya wale watu tunachagua kuenda Parliament, kazi ya MPs. MPs tunawachagua, wanaenda huko, kama ni maneno ya salaries wanajitipishia salary wenyewe. Halafu hakuna consultation kwa wananchi. wananchi wawe consulted kwanza kitambo MPs wajitipishie chochote kama mshahara. Tena ukiangalia vile wanafanya kwazi, MP wetu hapa Kenya wanafanya kazi siku tatu peke yake na in most cases, MP anaweza ku-attend wiki moja siku moja na mshahara wanalipwa mkubwa sana. Ukiangalia kama nchi yetu hapa Tanzania, wanafanya kazi tukota Jumatatu mpaka jumaa na mshahara wao ni chini ya MPs wa hapa kwetu. Kwa hivyo, ninge-recommend wawe wakifanya kazi from Monday to Friday na kama ni mshahara, mshahara wao upitie through wananchi.

Kitu kingine ni equal distribution of natural resources. Saa ile tunaongea juu ya distribution of natural resources, hata employment is our natural resources. Tusiangalie natural resources kama ni kitu kama minerals, hata employment. Human beings are also natural resources. So, kitu kama employment, kama ni kuandika watu unaweza kuona watu, wakati mwingine nilienda some places sitaki kitaja, unaona askari kama wa army wanaandikwa watu wengi watu mia mbili, watu mia tano. Lakini ukija hapa Isiolo unasikia tunataka watoto watatu tu peke yake. sasa mtu ametoka Marti, meingine Garbatura, wengine wanatoka huko Oldonyiro, wengine hapa Central, hapa ndio tunagawa hao watoto watatu . tutatoa tu watoto watatu; hatupatiwi nafasi kama mahali pengine. Kwa hivyo hapo kuna.....

Com. Lithome: Ningependekeza kuwe na even distribution of natural resources kama employment au pesa zikipatikana kuwe

kuna usawa wa kugawa hizo pesa kwa kila sehemu yote ya Kenya. Kitu kingine, ningetaka serikali, I mean constitution ipitishwe kuwe na proper mechanism ya ku-discipline watu wale corrupt kwa sababu in most cases, watu wale wanakuwa corrupt wanashikwa halafu all of a sudden unasikia huyo mtu ameachiliwa na kuna evidence inaweza kufunga huyo mtu. Iwe kama ni pesa ya uma alikuwa ameiba, hizo pesa zinapotea bure na hizo pesa ni za ku-benefit kila mtu. Kwa hivyo ningerecommend kuwe na proper, njia proper ya ku-punish hawa watu na ikiwezekana kama pesa zile wameiba kama zinaweza kuwa traced kama mtu ame-invest kwa njia fulani kama kujenga, hiyo nyumba inaweza kuuzwa na hizo pesa zirudishe.

Kitu kingine, ningetaka kuwe na tenure of office kwa watu kama MPs. Isizidi na terms mbili,, tuseme miaka kumi. MPs wakichaguliwa, wao wakae, kama ni mtu mzuri sana anaweza kuwa re-elected asiende more than two terms. Kwa hivyo MP awe na miaka kumi na President pia miaka kumi. Kwa hivyo, haya maneno ya MP kukaa mpaka anafanya mahali kama ni kingdom yake, hiyo ndio inatumaliza kabisa. We need a change. Kwa hivyo tuwe na tenure of office kwa upand wa MPs. Kitu kingine, ningetaka to empower the farmers. Ninge-recommend kitu nafikiri Bwana Commissioners mtakubaliana na mimi, farming ndio backbone ya economy ya nchi yetu. Kwa hivyo yule mkulima amastabilize economy ya nchi yetu ndiye anaumia zaidi. Mkulima analima.....

Com. Lithome: Pendekeza afanywe nini mkulima?

Sebastian Muthuri: Mkulima awe na access ya credit facilities. Kama ameenda kwa banki apatiwe pesa na hizo pesa alipe kwa interest nafuu sio apewe pesa ile manager wa bank awe na interest ya kichaka chake halafu aje auze the next day.

Com. Lithome: Haya.

Sebastian Muthuri: Kwa hivyo apatiwe na alipe kwa njia ya pole pole. Kama ni wa mifugo pia wafanyiwe hivyo. Kitu kingine, ningetaka Electoral Commission iwe an independent body. Kuwe na institution, an organized institution kama Commission ya ku-elect either through Parliament, ku-elect Commissioner wa Electoral Commission sio eti ni President anasema eti so and so ndiye atakuwa Electoral Commissioner. Kwa hivyo huyo Electoral Commissioner atakuwa akifanya kazi ni kama anafanya ya yule mkubwa aliyemu-appoint. Kwa hivyo, Electoral Commission iwe an independent body.

Kitu kingine,

Com. Lithome: Wind up now.

Sebastian Muthuri: Eeh?

Com. Lithome: Wind up.

Sebastian Muthuri: Ningetaka kuwe na scrapping off of these nominated MPs. MPs wastaafu for the seat kuenda Parliament kusiwe ati President anatoka ana-nominate so and so kwa sababu anapendelea so and so. Hakuna kitu kama hicho, mtu astaafu kuenda Parliament sio ku-nominate. Kitu kingine ningetaka kiondolewe kabisa ni hii Provincial Administration. Hatuoni maana ya Provincial Administration. Kuwe na system ingine lakini sio hii ya Provincial Administration kwa sababu tukiingalia hata tukiangalia kama DC hakuna project yoyote amewahi ku-initiate hapa, si ya maji si ya nini. Kwa hivyo, maneno ya Provincial Administration inaweza kuondolewe.

Com. Lithome: Kitu kingine?

Sebastian Muthuri: Kitu kingine ni ya registration of voters. Ninge-recommend registration of voters iwe ni continuous process si eti registration iwe ni ya wakati wa mda fulani, mwezi mmoja. Wengine wanang'ang'ana kupata kipande, wakati huo unaisha. Hasa wakati kama huu hatat tukiangalia kama sasa wengine wangetaka ku-registar lakini hawajapata nafasi. Kwa hivyo ninge-recommend registration of voters iwe a continuous exercise.

Com. Lithome: Maliza sasa tafadhali.

Sebastian Muthuri: Kitu kingine ningetaka government ile iko in power iwe ina-finance all the political parties si eti kama government ile iko kwa power wakati huu ita-finance chama chake peke yake. government in power ifanance all the political parties kwa sababu hiyo political party ingine inaweza kuja next time na iwe a better government than the previous government which was there before. Kwa hivyo, kuwe na equal distribution for our political kwa upande wa finance. Kitu kingine ni kitu kama auditor general angepatiwa more power, angepatiwa more keys to fight kwa sababu in most cases akipeleka repoti yake aki-analyze watu wale wameonekana wame-embezzle pesa za serikali, anapeana tu list tunaona kwa gazetti lakini ukiangalia hawa watu hakua hata mmoja umesikia amepolekwa kotini. Kwa hivyo, ninge-recommend auditor general awe kwanza na tenure of office asije akababaihsia na mtu yeyote. Halafu apatiwe meno ya ku-bite so that he can be able to prosecute wale watu ambao wame-embezzle pesa ya serikali.

Com. Lithome: Lawrence muda wako umepita.

Sebastian Muthuri: Kidogo. Tena ningetaka councilors kama vile wengine wamesema, ningetaka also to hammer the same point. Councilor awe na minimum education ya Form Four, O level na MP ikiwezekana awe graduate kwa sababu tungetaka proper representation. Mtu yule tutapeleka huko awe akitu-represent vizuri. Kitu kingine, ningeliza kuwe na free airways. Kusiwe na (inaudible) ya airways. Kuwe na citizens wanapewa the same same chance. Kukiwa kuna Nation wapewe the same chance. Watu wa nje nao kama wa magazeti wale wanaandika magazeti kuwe they are not intimidated every now and then. Harassment kwa watu wa magazeti iachwe. Ninge-recommend ni serikali ile itakuja iwe ni government kwa

national unity, serikali ile itaunganisha watu wote, serikali ile haitajua kwa mfano kama hapa Isiolo, this is a cosmopolitan town. Hapa kuna tribes zote. Kwa hivyo sasa tungetaka serikali ile ita-preach unity sio ile itasema maneno ya national unity lakini in the real sense vile wanafanya wana-separate watu. Kwa hivyo tungetaka a government of national unity wale wataunganisha watu kwa sababu hapa watu they are consistent.

Com. Lithome: You have made you point.

Sebastian Muthuri: Okay. Kwa hivyo, kwa hayo machache, labda point moja.

Com. Lithome: Hapana please, now please.

Sebastian Muthuri: Kwa hayo machache nimesema asante.

Com. Lithome: Elizabeth Ibrahim yuko hapa. Elizabeth Ibrahim. Haya kama hayuko tuna Mohammed Hassan Isiolo Boys halafu afuatwe na..... Are you Elizabeth?

Interjection: I'm Elizabeth(inaudible).

Com. Lithome: Imeandikwa Elizabeth, okay, zungumza zungumza. Halafu Tari, Abdirahman Tari.

Elizabeth: Okay asanteni sana kwa nafasi hii mmenipa. Mimi nilikuwa nataka kupendekeza.

Com. Lithome: Sema majina yako?

Elizabeth: Elizabeth Maitima.

Com. Lithome: Sema kwenye mic ndio I-recordiwe.

Elizabeth: Elizabeth Maitima. Nilikuwa nataka kupendekeza haya mambo ya insecurity kwa sababu tunaona nchi yetu imejaa bunduki na tunaona serikali hii yetu ya Kenya, tunaona jeshi letu ndio linaenda ku-keep peace outside our country lakini kwa nchi yetu yenyewe hawawezi ku-keep peace. Kwa hivyo nilikuwa nataka kupendekeza kuhusu tuseme kama ni kuokota bunduki kwa sababu they are able. Serikali ya Kenya wako able kuokota tuseme kama hizi bunduki kwa sababu tukisema hasa kwa mahali tunapokaa kama Isiolo, hizi bunduki ndizo zimeleta umaskini. Otherwise, hatukuwa maskini vile tuko kama tuseme for example, Isiolo ni kwa sababu ya hizi bunduki. Ndio tunalia ili kama serikali yetu inaweza kuchukua hatua ya kama ni bunduki zikotwe zote kwa sababu they are able. Kama wanaenda nchi zingine na wana-keep peace, mbona wasi-keep

katika nchi yao? Kwa hivyo

Com. Lethome: Point please, another point.

Elizabeth Maitima: Ile ingine nilikuwa nataka kusema ni kuhusu raping ya wamama na wasichana wadogo. Tuseme, nilikuwa nataka kupendekeza yule mtu atapatwa akiwa anafanya raping, iwe hata kama ni kukatiwa kinyonga akatiwe kwa sababu hawa ndio wamerudisha nchi yetu nyuma. Kwa mfano, mtu akijua ako na ugonjwa anaenda akikamata wasichana wadogo a wamama. Kwa hivyo, hawa ndio wanatuletea haya magonjwa mengi kwa sababu sasa mtu ako na bunduki yake, akija kwa boma nzima anafanya raping na anaacha kila mtu kwa hiyo boma ameisha. Kwa hivyo, nilikuwa napendekeza mtu kama huyo kaikamatwa hata kama ni kinyonga afanyiwe ana afungwe maisha kwa sababu hiyo ndio ile shida tuko nayo. Inge nilikuwa nataka kupendekeza hasa tuseme kama Isiolo mambo ya land. Kama ni plot zikatakatwe kila mtu awe na right yake akijua hili shamba ni langu sio eti mtu anatoka anapotoka anaingia kwa shamba la mwingine bila ruhusa yoyote. Tufanyiwe kama huko Meru ama mahali pengine kama vile mashamba yanafanywa ndio kila mtu awe na right ya kukaa mahali pake akiwa na amani.

Inge ningependa ni kuhusu upande wa serikali, tuseme kama civil servants. Unakuta wengine kama ni hii pesa ya hospitali, ni civil servant na anapewa pesa nyingi, mwingine anapewa pesa kidogo. Hiyo ni sawa ningesema kulingana na elimu ya mtu. Lakini, pamoja ya hiyo education ya mtu, wakati nitakuwa mgonjwa nikienda chemist nitasema mimi ni mdogo kazini niuziwe dawa bei nafuu? Vile yule anauziwa ndivyo nitauziwa. Kwa hivyo ningependekeza serikali mpya iki-consider mambo ya madawa kuhusu pesa ya medical wana-consider watu wote sawa kwa sababu ule ugonjwa yule mtu atapata hata mgonjwa mdogo ndio anapata. Kwa hayo machache, asanteni.

Com. Lethome: Haya asante Elizabeth. Jiandikishe hapa. Tari, Adbirahman Tari, afuatwe na huyu kijana Mohammed Noor Hassan, he is a student here. Yuko?

Abdirahman Tari: Asante sana. Kwa majina naitwa Abdirahman Tari, ningependa kuongea machache or rather to recommend some few things on how the new constitution should look like. On the presidency, I think the current constitution invent a lot of powers to the President which is not checked and is subject to abuse. So, the next constitution should instead invest all those powers in Parliament. I'm suggesting that tungetaka kuwa na supreme Parliament ambayo ita-act kama macho ya wananchi. That is where we have a full representation na iwe ina-overlook all issues appertaining in this country both at national and local issues.

On registration of political parties, the country is not yet cohesive enough. We are forming political based on tribes and regions. I think we should put a strong legislative in place in the forthcoming constitution to control the number of political parties we are supposed to have. I suggest, the government should only legalie three political parties and those who might not agree with those three political parties, we should have a clause in the constitution that allows independent candidates to vie for Parliamentary

and local authority seats. Then those political parties should be funded by the state so as to have equal footing during campaign period.

Appointment to national offices. For example, Ambassadors, High Commissioners, Permanent Secretaries, Constitutional Office holders, Chief Justice, Member of the Electoral Commission; all these can be proposed by the President but exclusively vetted by the Parliament only after approval by Parliament that such bodies can work effectively. Otherwise, you can hear a Commissioner of Police appointed by the President without consulting any other authority; I'm sorry your Commissioner Sir. Appoint of Constitutional officer holders must be vetted by Parliament and all constitutional officer holders should be given tenure of office for them to deliver effectively. Provision of services should be decentralized. For example, it's hurting and very cost effective to go for a passport in Nairobi and ID cards. All those services should be decentralized at least upto district level for efficiency and time consumption. During the transition period, when the tenure of the existing government expires after five years, I think in my view, the next constitution should clearly spell who will take over between the electioneering period and the formation of the subsequent government. I'm suggesting the Electoral Commission chairman should be the acting President so that an effective non-biased electioneering can be conducted. In our current scenario, you can see a President still after the government term has expired is still in the office. Then when he is campaigning, he campaigns using the government resources. Therefore, vying of presidency with the existing President who is already in office I think it's not going to be fair. I think it's good that the President who has been in office and his term is expired and he is seeking for the second term may be, should relinquish all the powers of the presidency, vacate the State House then contest as an independent candidate independent of the government resources. If the party he is contesting on has resources he can use the political parties resources. If not, the constitution should empower political parties to be funded from the consolidated fund and then given equal amount of money, security, logistic support and all others together with other Presidential candidates also. Like in Kenyan case now, if a President's term is expired he still acts as a President and then contest for the same presidency again with others also. Therefore, I think the playground is not fair. For it to be seen to be fair, the President should fully relinquish.....

Com. Lethome: Point made Abdirahman.

Abdirahman Tari: On separation of powers, I'm suggesting that members of the cabinet should not have constituencies as the case is now. For example, for you to be a cabinet minister you must a member of Parliament. There is a lot of contradiction in our current constitution because it says that we have three arms of the government; the Judiciary, the Executive and the Legislature. The Legislature is independent of the Executive. The Executive is independent of the Judiciary, the Judiciary is independent of the Legislature. Then who checks whom? It seems either one is absorbing the powers of the other one or nobody is answerable to the other one. I think the next constitution should be very clear that all powers of checking the executive powers of the others should be vested in Parliament. Parliament should be the supreme authority to check on the powers of the Executive. Parliament should be the supreme authority to check on the powers of the Judiciary. The Judiciary might end up abusing their powers. Then now, if they are independent of one another, it they are independent of the Parliament,

who will check the powers of the judiciary. I think Parliament should be given the teeth to bite.

On appointment of the Chief Justice, Parliament should be consulted by the President. The President can nominate I have appointed Mr. So and so to be the Chief Justice. It is subject to approval by Parliament after discussion at own expense of that person. What is he, what has he done for the country, what does intend to do, what is his social life? All this is subject to discussion by Parliament and then the nominee gets approval.

On the liberalization of the airways. I think our airways are just too limited. It's only Nairobi area where you are accessed to communication. I don't know, there might be a political reason to do this but in the next constitution, I think airways should be liberalized. The government should be legally bound to do that. Liberalization of the airways so that somebody in Mantagalla can have free access to any tune of the Radio he feels like listening to. He should not only be subjected to propaganda by KBC.

One thing, economic lifeline here in Northern Kenya is livestock industry. The current constitution does not talk on empowerment of the livestock industry at all. As earlier said in the morning by people who presented their views here, you know of Kenya Tea Development Authority, Coffee Board of Kenya, Sisal Board, Pyrethrum Board etc but we have never heard of Livestock Board and we were independent for the last 40 years, 20% of the population of this country is depending on livestock.

Com. Lethome: Recommend Tari.

Abdirahman Tari: I recommend that the government should put in place a policy mechanism that will savour to economically empower the livestock users. The government should put policies in place, the government should invest in it, should an interest in economically empowering the pastoral community. In line with livestock industry again, there is veterinarian in the current laws. That veterinarian when it was put in place I think it did not look at the interest of the livestock users. Could be there is an outbreak of a disease that can be controlled. Like for example, may be two weeks ago there was an outbreak of rinderpest within the district. All our animals were put under quarantine. No notices were given. The government officers there were using the Veterinary Act to do that. I think the Act may be will help us in controlling the outbreak of the disease but at the same time it is punishing use. Somebody comes with his animals all the way from Kericho hoping that he will market it in Isiolo town, all of a sudden to learn that the town is under quarantine. Now the livestock we are carrying that is ready for eating. We are selling these animals to pay school fees, to pay hospital fees and the like. Now when you are told that these animals are under quarantine, you have nothing else to do. I think the same constitution should put a measure in place in case of such an outbreak, what will the alternative source of maintenance as long as those animals are under quarantine? Because these animals to us are ready meat, ready milk to eat. We don't keep them for future, we sell them today we buy clothes and eat food but if they are put on quarantine, we have nothing else to go for. So, there must be a constitutional provision as a supplement measure as long

as the quarantine is still in place.

On the resource management at the local authority level, I think there is a lot of contradiction in the current constitution. We are told to elect councillors, we use all our time, all our resources, everything is put on hold, we go and elect councillors. But unfortunately, the same council can be dissolved by a local government minister who is an appointee of the executive. It's very unfortunate. Therefore, the powers of the minister for local authority should only be supervisory. He should not have the powers to dissolve authorities elected by the people.

Thank you very much.

Com. Lethome: Thank you very much Abdirahman. Please sign our register. David Lokorobi, yuko? Has that boy from this school come? Amefika? There is a student who had registered here to speak or he has developed cold feet? Stephen Karani? Julius Kibuti? Thomas Matumbi, Jackson Kiogora, Francis Nagidia, John Mweka, Elijah? Ngoja tuangalie, ni akina nani wako hapa na wameandika majina yao hapa? Just tell me your name.

Interjection: Inaudible.

Com. Lethome: Wacha niite majina basi. John Mweka, Elijah Mwenda, Maria Gacheri, Moses Kanyeke, Kulo ah huyo amezungumza. Daniel Talami.

Interjection: Ni mimi.

Com. Lethome: Haya njoo uzungumze na Paul, njoo usimame tu hapa niangalie ni akina nani wako hapa. Paul Kailemia, Michael Esingiran, Michael, Ambrose Muthaura, Murungi Mariani, aha utamfuta huyo. Ahmed Ibrahim, utamfuata huyo. Ahmed Jama, jama hayuko? Mitiri Charles haya mtafuatana hivyo. Jarso Galgalo, Hussein Guled, Mzee ameenda? Julius Gituma, Elizabeth Maitima, she spoke, Elizabeth has spoken. Mohammed Hussein, Abdulahi Halgano, hadija Halake mtafuatana hivyo na mama wote watatu. Lakin kabla ya akina mama you will also speak. Haya, hivyo na hiyo order, in that order. Njoo njoo, chukua dakika tatu chap chap, recommend story nyingi usilete. Sema jina.

Daniel Talami: Majina yangu kama kawaida ni Daniel Talami. Nashukuru hii team ya elections ya kupendekeza hali ya sheria,

Com. Lethome: Hii ni ya katiba si ya elections.

Daniel Talami: Hali ya katiba, kwa vile mimi sijakuwa kwa kitu kama hiki ilikuwa 1963 na mimi sikuwa na akili lakini waleo nimeshukuru hata Mwenyezi Mungu kunionyesha hawa. Nasema kwa timu hii rais kama vile walivyo mimi nitaanza na rais.

Rais wa nchi yetu wawe kama vile walivyo wawe wawili, vyama viwili kwa sababu isiwe ni rais mmoja awe akiamua kile anataka ama akisema huyu ndiye atatuongoza sasa akatuongoza. Hapan, kama kuna huyu rais mwingine, atakuwa pia akichunguza mwenendo wahuyo rias mwingine. Ya pili ningependa timu ya electry iangalie sheria ile inasimamia kama vile wazee walisema mambo ya barabara. Tulioina kama majeshi mengine ya British walitengeza stima hapa Isiolo, wengine wakajenga hata dormitory za mashule hapa. Je, hii yetu na wako na vile vitu, matinga tinga na vitu vingine, kama wao wangepewa huo mzigo hawawezo kufanya hiyo? Hiyo ingefaa timu hii ya electry ikienda kuangalia habari ya katiba waone hiyo katiba imeingia ya kutengeneza mambo ya barabara kwa upande wa jeshi. Ingingine, wakati kunatakiwa watu waangikwe, timu hii ya kutengeneza katiba, ingetoa mtu wao wa kuwa macho sio kusema eti itakuwa ya kuamuriwa kwa sababu timu hii tunajua haiko kushoto wala kulia, wako kati kati. Kwa hivyo hao ndio wangetoa mtu mmoja ama watoe officer wao achunguze wale watoto wanaandikwa kazi.

Ya tatu, timu hii ingechukua mzigo mkubwa na kuangalia vile serikali ile inatawala inaendelea kuangalia vile ministry za serikali zinafanya kazi kwa maana kuna ministry zingine kama zile za agriculture mimi naweza sema tayari ni kama imerudisha milango. Na hiyo ndio sababu unaona nchi inakuwa maskini kwa sababu watu wanapewa relief. Hii ni kama kulea watu kama kuku. Hii ni makosa kabisa hata mbele ya Mwenyezi Mungu. Sisi tukiangalia mito, nataka kuambia Commissioner wa timu hii kama Mombasa achunguze ile maji iko Mombasa imetolea Kilomita ngapi kuenda kuteremka Mombasa town. Je, hapa isiolo tuko na mito hapa Nyambene, mito kubwa kubwa mingi sana inapotea bure. Hata kana ingesemekana tu ni watu wa Isiolo na wa Meru hiyo mito ingeingia na kama ingeingia hakuna haja ya kupatia watu chakula style ya kuku. Wangepatiwa hiyo maji wafundishwe njia ya kujilisha wenyewe, watobolewe visima na yale majeshi wafundishwe njia ya kujitegemea wenyewe. Je, huyu mtu utampatia chakula miaka mingapi?

Com. Lethome: Haya pointi ingine, hiyo ushamaliza.

Daniel Talami: Haya ingine ya pili...

Com. Lethome: Ya tano,

Daniel Talami: Ya tano nasema pande ya ulinzi, upande wa polisi. Mimi naunga yule mzee mwenzangu alikuwa hapa mkono nikisema mtu aliye chini ya miaka arubaini na tano asipewe OCS. Huyu mtu asifanywe OCS kwa sababu hatoshi. Hiyo kazi ni kubwa sana kumshinda. Ingingine, watu wanaitwa chiefs ama assistant chiefs, kuna mtu mmoja hapa anafanya kazi gumu sana lakini hajulikani anaitwa sub area. Mtu huyu sub area anafanya kazi.

Com. Lethome: Unataka afanywe nini sasa?

Daniel Talami: Hata huyo mtu aangaliwe na election katika sheria ya Kenya aonekane ni kazi anafanya kata yeye apewe

kiinua mgongo kidogo.

Com. Lethome: Asante

Interjection: Kweli.

Daniel Talami: Halafu, kuna huyu mtu anayeitwa chief. Huyu chief aende nyumbani. Huyu anatumia pesa ya serikali bure na anasumbua wananchi bure. Coucillors wa local government ama hii inaitwa county council, councilor anatosha kupewa pendekezo na assistant chief yule mwananchi anataka. Chief anafanya nini? Hakuna haja ya chief kwa hivyo hakuna kazi.

Com. Lethome: Hiyo tushasikia. Ingene.

Daniel Talami: Ingene.

Com. Lethome: Ya mwisho sasa

Daniel Talami: Hii ni ya mwisho sasa. Ingene ni mambo haya ya kuridhi ni lazima mwanaume aridhi mali ya baba bwana.

Com. Lethome: Na mwanamke?

Daniel Talami: Mwanamke ikiwa mzee hana mtoto wa kiume itategemea vile ukoo utasema. Sina mengine.

Com. Lethome: Njoo njoo ujiandikishe. Peana majina halafu uendelee. Dakika tatu tafadhali recommend.

Murungi Mariende: Thank you Bwana Commissioners. Majina yangu ni Murungi Mariende na ya kwanza I propose the President and the vice President to be directly elected by the people. We should have an executive President without the Prime Minister's post. The government should establish health service Commission which should take care of all health workers from the subordinates to the higher ones so that they can all serve the people and any allowances that are there can be given to all. We should also abolish costsharinng in hospital and establish a scheme of insurance that the taxes that are collected can take care of the patient, the drugs can be supplied and the private clinics and the chemists should not get patients even the most poor ones being sent to the private clinics and the chemists. So, I think the government with all the taxes that we collect, I propose that our patients can be well catered for through abolishing the costsharing.

Another one, the government should also abolish through the Kenya Revenue Authority taxes of all vehicles that are not measuring upto 1 tonne such a pick-ups, 1200 and all those other vehicles that are categorized as commercial vehicles and in actual fact they cannot do any commercial work they are just less than 1 tonne. In that capacity I also propose that the

inspection team and also the TLB should be abolished for all vehicles that are less than one tonne. Also, I recommend that this region should establish a meat Commission preferably around Hasas so that all the animals coming from North Eastern and Isiolo, Samburu and all other areas can be processed there and the government to help the people here to just take the product to all areas even if it means outside the country.

Also, I propose the log books of all vehicles which are not more than one tonne should not read commercial. Instead they should read private cars. Also to finish, I propose that the word local should be replaced or substituted by the word residence so that those people from all races in any part of the country can have or can feel free that they are residents and can participate in all aspects and developments within that area because they own property and some have even stayed for more years than the locals or the word local can be to avoid tribalism and so forth. The word local should be substituted by the word resident. Thank you Commissioners.

Com. Lethome: Thank you very much. Juho amefika? Go and register there. Mfuatane vile vile tulikuwa tumewaita.

Ahmed Ibrahim: Asante sana. Kwa majina najulikana kama Ahmed Ibrahim. Kwanza kabisa kuhusu katiba ningesema kwamba sisi watu wa sehemu hii ama watu wa Northern Region tuwe na katiba yetu tofauti na watu wengine kwa maana mahitaji yetu ni tofauti na ya watu kama pengine wa upande wa Central, upande wa Mombasa tuko tofauti sana. Kwa hivyo, tuwe na katiba ambayo inatulinda na maisha yetu na hapa hivi. Upande mwingine ningependa kuguzia wadhifa wa rais. Kwa hivyo ningesema rais awe ni Head of State na pia tuwe na Prime Minister ambaye ndiye Head of the Government. Na hai kadhalika pia tuwe na distribution ya resources. Wakati tutakuwa na hivyo Head of the Government, headquarters ziwe hapo kwa sababu gani? Headquarters zote za serikali ziko Nairobi na kazi nyingi sana zinapatikana Nairobi. Kwa hivyo sisi hapa sisi watu wa Isiolo ama watu wa sehemu hii hatuna resources za kutosha. Kwa hivyo maofisi ya Prime Minister yawe hapa hivi.

Upande mwingine, bunge, upande wa bunge pia, tuwe na bunge ndogo na bunge kubwa. Na pia ningependekeza kama ikiwezekana pia tuwe na bunge ndogo hapa hivi na bunge kubwa iwe huko kwa sababu gani pia? Hapa hivi watu wa sehemu hizi tutapata faida, tutapata kazi na hali kadhalika. Pia, imeguziwa upande wa resource zingine kama ufugaji. Sisi watu kama pastoral communities tunategemea ufugaji sana na utaona nchi kama Botswana ni tajiri kwa sababu ya resources ya wanyama lakini sisi watu wa hapa hivi tumenyanyaswa. Kwa hivyo ningependekeza tuwe na kiwanda cha kusagia nyama hapa hivi katika sehemu ya Isiolo ndio pia watu wetu wafaidike.

Upande mwingine ningependa kuguzia upande wa walemavu. Hapa walemavu wamebaguliwa kwa kila namna yote. Hata ukiangalia mabarabara, walemavu hawana nafasi ya kutembea na magurudumu za zile magari zao na pia katika kikazi pia wamebaguliwa kwa maana huwezi pata mlemavu mmoja pengine akiwa kama DC ama PC, huwezi kuona. Bahati tu tumepata mlemavu mmoja katika bunge na hiyo nayo ninaoa ni unyanyasaji wa hali ya juu. Upande mwingine kikazi pia, walemavu wakati wa kuacha kazi awe na miaka sitini na tano ama retirement age yake awe na miaka sitini na tano na hali kadhalika

walemavu wapate disability allowance ya kitu kama 20% ya salary yake na walemavu pia wawe tax free asilipe ada zingine za ziada za serikali na hali kadhalika walemavu wengine ambao hawana kazi pia wapate free medical care na hali kadhalika wapate free education. Hali kadhalika walemavu wenyewe watumiwe katika institutions zao waweze kusimamia hao walemavu wenyewe.

Upande wa ardhi, sehemu hii tunasikia ni Trust Land na ikiwa Trust Land sisi wenyeji wa hapa hivi nafikiri hatuwezi kuendelea kwa sababu gani? Hatuna ma-title deed ya kuweza kuaomba hata loan kwa maana tukipata ma-title deed tunaweza kupata loan. Ni aibu sana baada ya miaka thelathini ama arubaini kuita mtu squatter kwa sababu hana mahali pa kukaa. Je miaka hii yote huyo mtu alikuwa anaishi wapi? Upande wa, nafikiri nitamalizia hapo kwa sababu ya wakati.

Com. Lethome: Asante, asante sana. Okey, nani alikuwa anamfuata? Okay, let him begin halafu utakuja, just give him time. Mzee utazungumza baadaye. Ni wewe utatufungia.

Abdikadir Rakata: My names are Abdikadir Rakata. I'm here to present a memorandum for Isiolo Central which was drawn from a consultative workshop. I'll be bried presenting some issues and to begin with I will start with the dublication of laws between the three arms of government. Here the appointment of all civil servants to be regulated by an independent body so that this independent body will have the autonomy to decide on the fate of the civil service, the remuneration and the rest. The roles of the President is too much and needs to be reduced, shared and regulated by other bodies. For example, the Parliament or other Commissions. The form of government that we today recommend is a regionalized kind of government or majimbo for that sake. Here the essence of deciding on this is to decentralize the services from central level and the powers through strengthening the local authority.

On education and distribution of resource, the allocation of natural resources have not been equitably allocated and thus we are calling for equitable allocation of national resources. People must be involved in all matters affecting their lives for example, insecurity, national planning on development, people must be involved. The position of council chairman mayors should be an elective position. The tenure of office should be considered for example the MPs, the Councillors, the President should have a tenure of office and not live just blankedly.

The DC being the chairman of all the forums in the district should be, that position should be reviwed and given to a common person especially call person that is a local. And then just like the others have said, livestock industries should be developed and a network of marketing established just like the agricultural bodies have been put in place. The public utilities and infrastructure are only focused in the high potential areas and thus need in the new constitution to focus on availing infrastructure and public utility services in pastral areas too. The MPs and councilors tenure of office should be two terms of five years each. The President's tenure should also be two terms of five years. And then just like the others have said, the Provincial Administration should be completely abolished and the local authority to be strengthened to cater for all the departments. The chief's position

should also.....

People have cited the new constitution should look into establishment of an AP's office within the constituency. The Parliament service Commission to be given all the independency required to look into the regularization package of the APs.

Com. Lethome: Don't read the whole memorandum please because we are going to read it ourselves. Yeah, just highlight what you think has not been mentioned and then hand it over.

Abdikadir Rakata: Okay. On land and property right, people should be consulted and given the power, should be empowered to reside on their land. And then the decision of the role of the Commissioner of land and the registrar of land and the Presidential power over the land to be abolished and given the mandate to the local. On the rights of vulnerable groups, it is said the right of Muslims to be entrenched in the constitution and affirmative action to be enforced and special references be given to pastoralists and neglected minority groups. Pastoral economy to be recognized in the constitution. Widows right of inheritance of wealth should be streamlined in the new constitution. Also recognition of youth and establishment of national youth policies as a matter of interest in the new constitution. On the electoral systems, the elections of councilors, MPs and the council chairman of mayors, the day should differ that elections should not be conducted on one day or together. It has to be separate days so as to avoid rigging and conflicts. And then on basic rights, here the new constitution should expand the current provision of the rights to include all the agreed upon rights in International Conventions. Also, all the basic needs, the health, the education free, water provision and the right to environment. We also suggest that the new constitution should recognize these as not basic needs but recognize them as basic rights. Then the government should also commit itself in provision of these basic rights.

Com. Lethome: If you just wind up now please.

Abdikadir Rakata: And then on local authority, the community based land control boards to be put in place for use and management of land and its resource. Here the board must constitute majority of local leaders. Okay.

Com. Lethome: Thank you. Just hand over the memorandum, we will read every word in that memorandum. Mama utazungumza, naona una moto sana, nafasi yako, huyu mzee akizungumza ni wewe sasa. Hakuna wasi wasi. Haya.

Miriti Charles: The name is Miriti Charles.

Com. Lethome: Basi sikiliza ndio uzungumze sasa.

Miriti Charles: And I'm sorry if I become repetitious (inaudible).

Com. Lethome: No problem.

Miriti Charles: First of all Mr. Commissioner can you clarify this for me. Are parents part of the Kenyans government?

Com. Lethome: Parent?

Miriti Charles: Parents, the school parents as that be, are they part of the Kenya government?

Com. Lethome: You tell me.

Miriti Charles: I think so.

Com. Lethome: Okay.

Miriti Charles: And if I'm right that the parents form part of the Kenyan government, I was trying to pursue a small controversial point in my mind. Are parents really part of the Kenyan government? And my answer to my question is that these parents are part of the Kenyan government and if that is true then, it is absolutely wrong to adapt the term free education. To me, the word free education is rather meaningless and impractical. It is absolutely true that it is the parents who provide for at least everything that takes place in the school. They provide the physical facilities, they build the classrooms, they paste and buy the blackboard, they make the desks,

Com. Lethome: What do you recommend now?

Miriti Charles: I recommend that the next constitution should seek to introduce a simple education levy so that they address a meaningful and proper management and running of the school institution. Under the current economic constraints we cannot cheat ourselves that the government will provide anything.

Com. Lethome: Point made.

Miriti Charles: Point number two, I am not very much please with the term 'above the law' because this term 'above the law' is a source of pollution to the judiciary currently. Very many good people have been polluted simply because of that term 'above the law'. Two it promotes and it uses stratification among the society such that many people belong to a particular calibre because somebody belongs above the law. And finally, I believe that the laws were made by God and in the current constitution I propose that that word above the law should be completely eradicated from the Kenyan society and can we leave to the term (inaudible). Third point, may be the last one, people have already talked about resource allocation

and I have one small point to note from that word. When we talk about resource, we have already forgotten that there is the distribution and allocation. It is very true that by nature Kenya is an agricultural country and it very much depends on the agricultural products. For example, there is lot of the tea zone, the coffee zone, the pastoralists and so on. Through the fact that all those places that earn the Kenyan government a lot of revenue are totally inaccessible. You can perceive that one by sighting one or two examples.

Com. Lethome: No, don't site the examples. Just recommend for the purposes of the constitution.

Miriti Charles: I wanted to contest the facts. I recommend that the next constitution should come up with a well streamlined and laid down modality of resource allocation and distribution so that we do not entertain the current wastage of capital and human resources.

Com. Lethome: Thank you. Hadija. Na hao wamama wengine wote sasa wapange line hapa wazungumze dakika moja moja. Njoo Hadija Halake na wewe Hoyoo ufuate.

Interjection: Sisi tuko pamoja tu.

Com. Lethome: Oh, yeye anaongea kwa niaba yenu.

Interjection: Eeh.

Com. Lethome: Haya, sema jina uanze.

Hadija Halake: Jina langu naitw Hadija Halake. Mimi natoka karibu pande hii ya karibu na sewage. Pahali mimi natoka panaitwa Kambi Vule, Kambi Vule ni huko karibu na sewage. Leo, sisi tumetoa shukrani kubwa sana kwa sababu sisi tulisema mbeleni tuliona kama sisi tuko nje ya Kenya sababu tulikuwa tunasikia katiba ya Kenya ilisema hivi na hivi na hivi. Hata ni ajabu sana kama akina mama kama mimi tunakaa mbele kuongea ile shida tuliyo nayo. Sasa Mungu amelele. Maskini anasema haki ya maskini itaangaliwa na Mwenyezi Mungu. Leo Mwenyezi Mungu ametuangualia. Sasa ile shida tuko nayo, sisi hufikiri sisi ni wanakenya lakini sisi sio wanakenya. Wanakenya wetu ni siku ya kura tu ndio tunakuwa wanakenya sababu sisi kwa lugha yetu kama mtu anatoka Mardhi tunasema mtu akitaka kuenda Nairobi, tunasema tunaenda Kenya. Hata Mardhi ni Kenya isipokuwa kama ni barabara huko inatoka Nairobi inaishia Isiolo na watu wa Mardhi wanasema kuna vijana wa university walikuja wakati mwingine kutembea mpaka wa Ethiopia na Kenya wakasema hapa ndio mwisho wa Ethiopia? Tukasema hapana. Hapa ni Kenya. Tukaona sisi watu wa Isiolo tuko nyuma sana ya Kenya sababu ile lami inatengenezwa Nairobi lazima ifike hapa kwetu mpaka huko Mardhi, Moyale iende kila mahali, iende mpaka Ethiopia kwa sababu gari inatoka Isiolo inaenda mpaka Ethiopia na lami inaishia Isiolo. Je, wakati wa kura tunatakatupige kura sisi wanakenya wote? Kwa nini sisi ile haki

wananchi wengine kama wa Nairobi wanapata lami mbona sisi hatupoti? Leo tumetoa shida yetu ya kwanza hiyo. Tuangaliwe hiyo barabara iende mpaka Moyale.

Shida ya pili. Nitarudi kuongea juuya maskini ikiwa mimi ni mmoja mpaka wengine. Hapa kuna watu wakubwa wakubwa na wengine wanaitwa local. Local ni watu kama sisi. Na hawa watu wanaitwa local hatuna benefit hata moja kwa kila idara ya serikali wala ya council na hata kama watoto wetu wa local wanasoma, sisi hatuna benefits. Watoto wetu wanaitwa chokora wa local. Iwe watu wa local wasiitwe chokora, waitwe wananchi wa Kenya. Tena kuna kisa cha kusikitisha kila mtu anaweza kutoa machozi. Mnaona sisi akina mama hapa, sisi ni watu wa kutoka 1963 wakati Kenya ilipat uhuru mimi nikiwa mtoto labda kiasi hii, babangu amenizaa huko, mama amenizaa huko, tunakaa mahali panaitwa Kambi Vule. Hiyo Kambi Vule, watu wa council walikuja kuejenga sewage huko. Sewage kama inajengwa, inajengwa juu ya mwananchi au inapelekwa nje? Sewage ni chafu.

Com. Lethome: Sasa Mama Hadija unataka ipelekwe wapi hiyo sewage?

Hadija Halake: Sawa. Ngoja nitakutatia sina mengi. walitumbia tuende tuhamie huko misituni Kambi Garba isipokuwa hakuna watu huko; wengine walihama na kuna shamba tunakata upande wa ng'ambo ya sewage huko. Wengine walitoroka kwa shamba wakakaa. Tukabakishiwa piece ndogo. Sasa sisi tunapakana na sewage. Ile mbu inatoka kwa sewage inatudunga usiku. Tukawa na imani na tukanyamaza, tunasema haki ya maskini Mwenyezi Mungu ataangalia. Aliye juu atalipa tulisema. Sasa, kwa watu hao wa council hawajatosheka na sewage. Ile shamba tunakaa tangu 1900 to 2002 sasa. Mimi nilikuwa nakaa hata Nairobi tunasikia basi ya Nairobi ikienda Murang'a kuna stage ya Murang'a, ikienda Nyahururu kuna stage ya Nyahururu. Tunajua watu wa pande hii Isiolo tangu zamani ni watu wa ufugaji. Sasa wanatutisha na soko ya ng'ombe na hao watu wanakaa hapa tangu 1963 ilikuwa hapa, kwani hii soko ya ng'ombe itakosa kuwa pale gari yenyewe inawekewa stage? Bona soko ya ng'ombe haina stage? Sasa badala ya kuenda kukata soko ya ng'ombe mistuni wanakuja kwa shamba letu. Wanatumia force na kuja kujenga boma hapo, wanakuja kuweka pipes. Sisi tulifurahi kwa sababu wamama wengine watoto wetu wengine ni yatima. Wale wazee wamekufa hapa, wengine ni wale waliuliwa na shifter na sisi tulisema pengine mwaka huo mwingine kama hatujapanda, mwaka huu Mungu akifanya usalama tutapanda. Sasa sisi tumetumiwa kama

(inaudible). Badala ya kusema soko ya ng'ombe, walianza soko ya ng'ombe town. Wanaweka soko ya ng'ombe hapo na baadaye kesho tunakuta ni nyumba ya gorofa. Tajiri ametoka Nairobi amejenga gorofa yake na ingali yule maskini anakaa msituni. Kwa hivyo sasa Mungu ni mzima. Ametuonea akalete watu wa katiba leo ndio hata sisi akina mama tulisema Mungu atatuona. Jana kwa bahati mbaya sisi akina mama tunaokaa hapa wote pamoja na watoto wetu tulisema damu tunakwishia hapa na tuzikwe na hata serikali ijue sisi tunakufia ardhi yetu kwa sababu tunaambiwa tutapatiwa ardhi ingine. Ardhi ile sisi tumekufia na tulilima zamani, hakuna misitu inakaa ndani ya manyatta. Mistuni ni huko. Kama wanataka kujenga gorofa, wacha hao matajiri waende kujitia sio pahali sisi tunajikatia halafu wanakuja kutuuzia na kutwambia ni Trust Land. Kama ni Trust Land, Isiolo nzima tunajua ni Trust Land. Yaani tajiri anapata title deed na sisi tunakosa title deed. Tafadhali, nyinyi muangalie hata sisi maskini tunaumia. Jana sisi pamoja na watoto wetu tulipigwana polisi. Walienda kutuitia ofisa wa

polisi na hatulaumu huyo ofisa wa polisi. Sisi tunalaumu wa-council sababu hiyo council hatuna imani nao. Wamama wote tulipigwa pamoja na watoto wetu. Wangapi wantaka kutoa watoto wetu wapelekwe kwa jela? Sisi tuling'ang'ana juu juu ya watoto wetu sababu tunajua tumesomesha hawa watoto na hii ardhi na tukafa na watoto wetu wakafa. Hata hayo tulisema badili mnakuja kutupiga tupigeni risasi na wakaona hakua haja ya kutupiga risasi. Kama huyu mama mweusi kwanza amekaa katikati alishikwa na polisi na huyo na huyo polisi ni rika wa kijana wake. Alimvuruta mguu mpaka hata suruali ya ndani ya mama inaonekana. Na hiyo sio haki. Kama sisi tutaamua tutapiga kura hakuna haja tunajulikana tu kwa kupiga kura. Kwanza akina mama tunyanyaswa sana kwa sababu sisi hatutaki council ikikaa inasemekana ni local government. Local government ni ya wananchi. hawa walichukua kama ni mali yao wamerithi.

Com. Lethome: Mama Hadija, mama Hadija?

Mama Hadija: Eeh

Com. Lethome: Tumeshakusikia sasa.

Mama Hadija: Ndio.

Com. Lethome: Sasa fanya hivi unataka hawa watu wa local government tuwafanye nini?

Mama Hadija: Irudi kwa mwananchi, mkono wa mwananchi. Wasiseme hii ni Trust Land.

Com. Lethome: Haya, asante sana, asante Mama Hadija. Enda ukajiandikishe pale. Sasa mtu wa mwisho kabisa ni yule Mzee. Auwowo, chukua hii. Eeh ni wewe. Sema jina,sema jina lako Mzee.

Jilo Tajo: Jina langu ni Jilo Tajo.

Com. Lethome: Haya.

Jilo Tajo: Jilo watu watu wa kula mawe.

Com. Lethome: Oh, ile njia ya kuenda Garbartula.

Jilo Tajo: Garbatura, ndio. Sasa kila mtu anatoa maoni yake.

Com. Lethome: Mzee anajua Kiswahili wewe kaa huko, mzee anajua Kiswahili.

Jilo Tajo: *Wonni annin bekhu yossi, mooni tiyy baass naalen natoa mooni.*

Com. Lethome: Sema kwa Kiborana halafu yeye atasema kwa Kiswahili.

Jilo Tajo: *Ann naam loon tissu gaanni kiyy torbaathami took.*

Translator: Yeye anasema ni mchungaji wa ng'ombe.

Jilo Tajo: *Gani kiyy torbaathami took*

Translator: Anasema miaka yake ni sabini na moja.

Jilo Tajo: *Shamba inqaamn*

Translator: Anasema hana shamba ya kulima.

Jilo Tajo: *Shambaan teen loon*

Translator: Anasema shamba yake ni ng'ombe.

Jilo Tajo: *Loon keena haaqi itti inqaamn*

Translator: Anasema katika hao ng'ombe wake hana haki ya kutumia.

Jilo Tajo: *Beesse inqaamn*

Translator: Anasema hapati pesa na hao ng'ombe anachunga (inaudible).

Jilo Tajo: *Annan issani beesse inqaabban*

Translator: Anasema hata ile maziwa anakamua haoni soko ya kuuzia.

Jilo Tajo: *Soko siilla aarmma nuhu toolcani, kaa sookon teen siilla aarma, Nairobi toolcaan*

Translator: Kwa hivyo mzee anasema anahitaji soko ya kuuza hao wanyama wake au maziwa ya ng'ombe wake.

Jilo Tajo: *Dhuubbin tiyy dhiiqo*

Translator: Anasema maneno yake ni kidogo.

Jilo Tajo: *Loon keen kaa sooko aarmma nuuhu toolcaan feed.*

Translator: Anasema haja yake tu ni kupata soko ya maziwa na nyama ya ng'ombe wake.

Jilo Tajo: *Dhiibbi took taa reefu dhuubbathaamte, dhiiqo daathu baani jirr.*

Translator: Anasema kuna maneno kuna maneno aliendelea lakini watu walilipa kando.

Jilo Tajo: *Laaf taan shiifta baalless.*

Translator: Anasema hapo aliharibiwa na watu wanaitwa shifter.

Jilo Tajo: *Shiifta taan waan aann seehu, woorr ciifa nuhu guurgurrath.*

Translator: Anasema hiyo labda mambo ya chief tu lakini analaumu hawa.

Jilo Tajo: *Kaara kaan cuuf yoo aath baatuyyu naama raawath.*

Translator: Anasema kila njia watu wanakufa, kama wangetuangua vizuri hatungekufa.

Jilo Tajo: *Shiiftaan naam fiith*

Translator: Anasema wanamalizika pahali wanajiunga wamejiunga na mambo ya shifter wanawamaliza.

Jilo Tajo: *Shiiftaan tuun qaawe guurgurathe kaara kaan gaadh yaath*

Translator: Anasema hao shifter wanakuja bunduki upande huu.

Jilo Tajo: *Qaawe taan nuuth hiin guurguraan.*

Translator: Anasema hata hiyo bunduki walinyang'anywa ng'ombe lakini hawauziwi.

Com. Lethome: Ebu mpatie mic azungumze amalize halafu utafsiri. Maliza yote. Maliza.

Jilo Tajo: *Qaawe taan nuuth inguurggurani, kaarum kaan yaani, qaawe shiiftaan kaara kaanaan gaadh yaathi, kaara kaan gaadh inyaadh shiiftaan tuun nuhu fiith. Yoo issiin nuu fiith, nuhu laaf teen keessa nuu fiithi. Naam laaf teen hinthaahin, kaa laaf teen suun injirr, kaa laafti teessan hintaahin qubbathe laaf teen kee jirra, yoo katiba Kenya beedhelaan, kina woolth naam cuuf kaa fuula iffi gaalcaan feen. Kaa naami suhun woorri suhun fuula uffi nuura gaal. Yoo woorri suhun nuura gaalle, nuhu naaggaan teen, merule qaarra woolumaan teen, Oolkin injirth. Turkan sulle wooluman teen, oolkin injirth, woorr diibbi goodhane kaa nuhu quubbath jirr, ibbidh woor kaana duufen, diibbi woorr kaana guul duuf, aann dhuubbi tiyy keessa baaha, loon keen beetha kaa assi gaadhiith beesse (inaudible) worr kaan kaa hoojja katiba Kenya beedhelaan nuurra gaalcaan feen.*

Translator: Mzee anesema hata ingawa amesema maneno marefu sijui mengine nitasahau lakini amesema tu. Anasema hawa watu yeye analaumu anasema watu wa kutoka mahali pengine ambayo hawajui mambo ya hiyo kitu lakini wanapita nayo na saa zingine wanawapiga piga. Hawana furaha.

Com. Lethome: Kitu gani?

Translator: Eeh?

Com. Lethome: Kitu gani wanapita pita nayo.

Translator: Anasema bunduki.

Com. Lethome: Sasa unaona? Si tulisema asubuhi usiogope kusema? Sema bunduki, kitu gani?

Translator: Eeh. Anasema wanapiga hawa na bunduki na hawakui na maisha mazuri ya kuchunga wanyama wao na hizo bunduki hawawauzii lakini wanapeleka mahali pengine na wafurahii. Halafu, anasema hao watu wa kuleta hiyo kitu mbaya, wakae na hiyo kitu kwao, serikali iangalie vizuri wasiingie na hiyo kitu kugonganishia hawa furaha. Kumalizia maneno yake anasema hao wanyama wako wao wapate soko ya maziwa na nyama ndio wafurahi kama wakulima wengine.

Com. Lethome: Naam.

Translator: Hapo ndio mwisho wa meneno yake.

Com. Lethome: Asante sana, asante sana mzee. Aah, nafikiri sasa tumefika mwisho wa kikao chetu na tungependa kuchuka fursa hii kuwashukuru watu wa Isiolo sana. Tumeanza kupata tangu tulipaniza Isiolo district leo ndio tumepata memorandum nyingi zaidi na pia wale waliozungumza tumepata watu wengi zaidi na maoni yenii ni ya hali ya juu sana. Kwa hivyo tunawashukuru sana na kama tulivyosema asubuhi leo sio siku ya mwisho ya kuchukua maoni. Ukiwa na maoni yoyote kama wale wanafunzi walijiandikisha halafu wakaogopa kuzungumza. Write your memorandum. Ilikuwa je ukatoroka Mohammed? Ni wewe Mohammed Hassan?

Interjection: Inaudible.

Com. Lethome: No, no. there is somebody who had given his name. No, I know you want to enjoy the club, forget it now. This is not the forum for that. Kwa hivyo, ikiwa una maoni yako unaweza kuandika mahali tuna ofisi ya district co-ordinator, iko hapa Isiolo unaweza kuwasirisha. Tunawashukuru sana na maoni yenu haya tunawahakikishia yatafikishwa na sheria ambayo imebuni tume hii ya marekebisho ya katiba, imeweka utaratibu ambao utakuhakikishia wewe mwananchi kuwa maoni yako hayatapotea. Nimesikia baadhi ya watu wana wasiwasi. Wanasema pengine haya maoni tukitoa yatapotea. Tunakuhakikishia kuwa sheria imetulazimisha sisi baada ya kuyachukua haya maoni tuweze kuya-publish yaani kuyachapisha na kuyarudisha kwenu kwa muda ya miezi miwili. So you will have another opportunity of going through the report and ascertaining whether your views have been taken on board or not. Pia lazima mjue mtawakilishwa katika National Conference. Kutakuwa na kongamano ya kitaifa kuhusu katiba ambayo itakuwa Nairobi na kila district itatoa watu watatu wajumbe wenu wote watakuwa huko, tunakuwa na viongozi wengine wa vyama, viongozi wa dini, viongozi wa youth, watakutana Nairobi na wao pia wahatajikisha kuwa maoni yenu yamefika huko. Kwa hivyo, kwa hayo machache tunengependa kuwashukuru wale walisosubiri tangu asubuhi na tungependa mzee huyu wa Kiborana atufungie kwa dwa. Maombi Mzee, ndwa halafu tuende hata kama ni ya Kiborana tufungie nayo. Chukua mic.

Interjection: Inaudible.

Com. Lethome: Ngoja, ngoja chukua hii mic.

Jilo Tajo: Prayers (*Boobban naagayy. Naagge, Gaalcumi naagayy. Naagge, Waare naaggayy. Naagge, Waarri naaggay. Naagge, Nuhu dhuurri naaggay. Naagge, Nuhu dhuubbi naaggay. Naagge, Kaarra fuullon naaggay. Naagge, fuullan boorani keen naaggay. Naagge, Keessa keeno keen naaggay. Naagge, Keena oollaan naaggay. Naagge, foorri keen naaggayy. Naagge, Foollen teen naaggay. Naagge, Foorr goossen naaggayy. Naagge, Goosthi teen saabbo gooni naaggayy. Naagge, Yaayubbi naaggayy. Naagge, Raabba goothin naaggayy. Naagge, Gaadhaa gaadhamoji naaggayy. Naagge, Gaadhamoji roobba naaggayy. Naagge, Boorri oodhaa yaahe wool guul roobba naaggayy. Naagge, Boobbaan maarra qaajeelth. Naagge, Maaroon maarra qaajelth. Naagge, Koormaath annaanth qaajeel. Naagge,*

