

CONSTITUTION OF KENYA REVIEW COMMISSION

(CKRC)

**CONSTITUENCY PUBLIC HEARINGS, MOYALE CONSTITUENCY,
HELD AT MOYALE STADIUM**

Secretariat staff In Attendance

1. Pauline Nyamweya - Programme Officer
2. Lilian Odoto - Asst. Programme Officer
3. Keziah Kamau - Asstn. Programme Officer
4. Hellen Kanyora - Verbatim Recorder
5. Translator - Guyo John Duba

The Meeting started at 9.55 a.m. with Com. Prof. Okoth Ogendo in the Chair.

Tuta anza na Maombi: *Na sasa ninataka kum omba Bw. Abdi Nassir Abdi atuelekeze katika Maombi. Asante. Prayers were said in Islam.*

Com. Okoth Ogendo: Are we ready to start?

Guyo: (District Coordinator): Ninataka kuchukua nafasi hii kukaribisha mwenye Kiti kwa Kikao hiki – Com. Prof. Okoth Ogendo.

Guyo John Duba: *Waan anniin jeeuu jiirruu ammantaanaa naamaa aabbaa baarcuumaa khaa jiillaa taanaa Pro.Okoth Ogendo gaadh diiyyessin*

Com. Okoth Ogendo: Asante sana. Hamjambo Wananchi?

Wananchi: Hatujambo.

Com. Okoth Ogendo: This morning we are going to listen to you. We will listen to you give your views to the Constitution of Kenya Review Commission.

Guyo John Duba: *Dhuub Prof. Wanjedhu abbaan worr commisionat khaa accii dhufet dhiiram khaanaa issan worr Moyale raayya mooyale yaadh keesan isan irra fuudhu dhumne dhub yaadh keesan waan issan qabdhani worr khaanat khenitani jeed*

Com. Okoth Ogendo: So this Meeting is formally declared as a Meeting of the Commission.

Guyo John Duba: *meeting taanaa duurati guyya worri commiitee wol argguu akhaas dhubatan jeed*

Com. Okoth Ogendo: We are four Commissioners here today,

Guyo John Duba: Nuu commissioners affuurit aarm jiirr jeed aard

Com. Okoth Ogendo: On my extreme right is Com. Dr. Mohammed Swazuri.

Guyo John Duba : *Dr. Mohammed kuunoo khaa isan gaaran guul jirr khan maqqan isaa akhaas jeed commissioner khan*

Com. Okoth Ogendo: Next to him is Com. Bernard Njoroge Kariuki.

Guyo John Duba: *Khaanale Bishop Njoroge jedaanjed commissioner khaan kha issat aannulee*

Com. Okoth Ogendo: On my left is Com. Nancy Baraza,

Com. Nancy Baraza : Hamjambo?

Wananchi – Hatujambo.

Guyo John Duba: *commissioner Nancy Baraza jeedaan jeed taa gaaraa biitaa issaa teetuulee worraa khaanaa aafuurani gaadh dhuuf jeed Narobii*

Com. Okoth Ogendo: I am Prof. Okoth Ogendo,

Guyo John Duba: *Annillen Prof. Okoth Ogendo jeedaani maaqa khan guudho daaggau indaabdhani*

Com. Okoth Ogendo: From the Secretarial, we have, Pauline Nyamweya,

Guyo John Duba: *worrii aammaa secretariat khaa worraan wooliin hojjaatule intaal suuniille maaqa daaee Pauline jeedaan jeed*

Com. Okogh Ogendo: We have Hellen,

Guyo John Duba: *Intaal itti aantuulee Hellen jedaan jeed*

Com. Okoth Ogendo: We have Keziah,

Guyo John Duba: Keziah lee

Com. Okoth Ogendo: and Lilian

Guyo John Duba: *Lilianille worri khuun cuuftii worr secretarial worr oongoozii worr khaana worr commisioner cuufti naam jel hojjatu jiira worr issan jel hojjat jeed worri kuuni*

Com. Okoth Ogendo: When you come to give your views, we will ask you to come and sit on the chair where my friend is sitting here,

Guyo John Duba: *Hojja isaani yaadh keesan kenuu duuftani fuula amm jaali kiyya dhiqaan kuuniin duufe tefaat khaana armmaa teefaataani yaadh keesan baftaan jeed*

Com. Okoth Ogendo: and when you come you can speak in any language you choose.

Guyo John Duba: *hojja isaan armmaa duuftan afaan ammantaan isaan irkhaani afaan akhanatin dhubatan jeedhan injiirtu afaanum issan filataan khaa isaan feetan firii dhubatan jeed*

Com. Okoth Ogendo: We want you to give us your views on how the new Constitution should be drafted.

Guyo John Duba: *Wooni nuu isaan irra feenu kha issan hiirkiftan aadha haarreti ardhaan Kenyaa itti buultu akhaam feetani akhaam issaani qooru maale haggasum caala nuut himtani jeed*

Com. Okoth Ogendo: If you have a Memorandum and you do not want to read it, you can record it with the Secretariat here.

Guyo John Duba: *Hojja issaan memorandamfaa haarka qabaatan waan beetaa qoraani ammaantan qartasiin khaa kaamila khaa keniitan qabatanilee khaa issaani armaat soomulee infeene fuulum secretary sunnit waan akhaana kanaan jeetani accii qorrani issaan irra fudaanii jeed*

Com. Okoth Ogendo: If you want to give us the highlights of the Memorandum, you will have five minutes to do so.

Guyo John Duba: *Memorandam khaan dhuub qaartasi at qorte haarka qaabd hojja at beeta poointi keesaa muhimufa*

irr baabaau feete dhaaqiiqaa shaan sii keenaan jeed akhaat irr baatu waan qaartasi tantee kee jiira.

Com. Okoth Ogendo: You may also come and simply address us without a Memorandum and you will also have five minutes to do so.

Guyo John Duba: *Naami ammo gaartee baarua qooraate harka inqamneleen armuum eejee beeta akuum quudhbaa khaan diib adhaa Kenyaa taan garte harka qaab aak atiin siila adha kenyaa irra feet armuum eejaani daaqiqa shan kutfaa dhaqiqa shaan sii keenan jed sulee*

Com. Okoth Ogendo: When you finish you must register and sign our register so that we have a record of you have done.

Guyo John Duba: *Hoja aatiin dhuubfa dhuftelee rejistaa jiira garte naam arma baachifte maan maaqa kaanke qoraate achiit sainit jeedh aak yaani hoja armaa yaane yayuu garte arm gadh duufne raya kenyaa taa Moyale qubat maoni issaani irraa fudaan jecha akh huji teen agarsiimn yayu nuu geesaan jeed*

Com. Okoth Ogendo: Now we are ready to start. Bw. Co-ordinator, how do you want to us to start?

Com. Okoth Ogendo: O.k. the Co-ordinator wants to introduce the Members of the Constitutional Constituency Committee, please go ahead.

Guyo John Duba: *Coordinataan keesan am worr koomiitii kaa iss wooliin hojat kaa arm jiruu taan agaarsisu fedha jeed worr hoji taan armaan duur wooliin hojaataan*

Mbunge: Ninataka kuomba Wana Kamati ya Kamati ya Katiba ya sehemu ninayo wakilishwa Bungeni ya Moyale, wenye wako hapa tafadhali muje hapa karibi niweze kuwatambulisha.

Guyo John Duba: *Worrii komitii khee jiirtaan gaarte gaadh dhiadha jedh akhaa jaroolee taanaan wol isaan barsissaan*

Mbunge: Wako mbele yenu ni Bw. Abdikadir Sued, nimstafu, ambae zamani alikua zamani District Social Development Officer,

Guyo John Duba: *Abdiqadiir Suedi kaa issaan duur ejuleen armaan dhuur naama distric social service officer aam inileen comiitee taan kees jirr jeed*

Mbunge: Bw. Abdi Kala

Guyo John Duba: *Abdi qaadirrilaleeni jaars armaati inbetani jeedh inileen committee taan kees jiir jeed*

Mbunge: Bw. Abdi Hassan

Guyo John Duba: *Abdii Hassaniileen committee taan kee jiir jeed*

Mbunge: Bw. Abdi Nassir Aji Hassan

Guyo John Duba: *Abdi Nassir Hajj Hassanillen comiitee taan kee jiir jeed*

Mbunge: Tumekua na Chairman of the Country Council ambae pia ni Chairman ya Constituency Committee, nafikiri ame ondoka kidogo.

Guyo John Duba: *Chairmanin County Council mzee Goliichiilen armaataan arm jirra hujum taanaf aakaan diiqoo gaar gaaee innileen kee jiira argee chairmanin kamatitiyu iss jedh*

Mbunge: Tuna tarajia Rev. Abraham Muocho na Abiba Thomas ambao nafikiri bado hawaja fika.

Guyo John Duba: *Rev. Abrahamif Habiba Thomasileen armum jiraani committee suun kee jiraani worrileen in duufaa jedh*

Mbunge: Wengine tutajumuika nawo kesho katika Mji wa Sololo.

Guyo John Duba: *Worri dhiibileen qaar ardhaa sololo sun jiira archiit maqaa worraa yaamaan jedh*

Mbunge: Asante.

Com. Prof. Okoth Ogendero: Thank you very much. Now, who wants to start?

Guyo John Duba: *Ammaantaan yaayu bane jedh naami anzuu feetaan naami jeel qabuu feetaan haqa arm teefataan jeel qabdhaan jeed*

Com. Prof. Okoth Ogendo: Please come forward.

Amina : Thank you very much.

Com. Okoth Ogendo : First, you give us your name.

Amina Dawe: My names are Amina Dawe. By profession, I am a teacher. Right now I am representing Maendeleo Ya Wanawake, Moyale Branch. At the same time I am a member of Moyale Women Association. Now I will start - I think those are the introductory part. I will start by Women's specific issues and I will just -----

Guyo John Duba: *Obooleetiin tuun waan jeetee maqaan kiyy Amina Dawe jeet annin worr maendeleo wanawake kaa moyale gaar moyale branch worr suuni nyataa woor sunitiin dhubad jeet hujjin tiyaleen maalimu jeet*

Amina Dawe: Aamale moyale women association represent ---

Guyo John Duba: Tuko na ma Speakers hapa lakini wakati tutakapo record maoni yenu, hizi speakers zita interfere na recording, ndio sasa tume amua muwe karibu hapa ndiyo tuwe tukiongea na tunasikilizana. Kwa hivyo tafadhali tunawaomba radhi. Tafadhali wenye muko nyumba mujaribu kusonga mbele.

Guyo John Duba: *Waan khaanaa guudhoo iyya jeedaan waan aarmaa dhuubataan khaan qaalaamuuleen qaabbaanii kaasseetaleen qaabuu jirrarii dhuub hojjaa beetaa woonni khuun assummaat iyeye waan khaanaa recording diibaa taanaaffi laakkissan jeeddaannii aadhaayyuu. Woomaamitii laakiissa wonnii kunninii waan khaan khaa maaoonii daagaau feedaan naamii accii jirraaniileen gaadh hiiqqaa*

Com. Okoth Ogendo: Talk loudly please. Can you hear me at the back? Haya endelea mama.

Alice Dawe: Yes, thank you very much. First and foremost I will welcome the Members of the Commission, the Commissioners, welcome to Moyale. These are the specific women issues.

The members felt that the Constitution of Kenya must eliminate violence against women. That is my point No.1

No.2 - Getting rid of harmful and traditional practices e.g. Wife inheritance must be removed.

No.3 – Land and Property Rights – Property inheritance by females. The Constitution must ensure equal inheritance for both male and female.

Guyo John Duba: *Duuba oboletiin teen waan jeechu jiirtu waan gar garte daala kaan irra dhuubat nadeen hoja dirs issi daalaan kaana habaleesaani jeete jaar kenya keesaa waan garte nadeen gudho violence waan jedaan garte diib gudha it dhefaatan kaa akhuum argaan bufachaafaa taanan daanichaafa taanaan waan aakaana kaan chuufaa aadha keesa habaleesaani jedh dhaan garte nadeen dhabsaan*

Taan diibileen taa sadeesoo waan gaarte daalalee daalalee haqii akuum issiin qabaat et gartee akhuum biya taani

Alice Dawe: My No.4 point is Affirmative Action in education especially for girls.

Guyo John Duba: *Gaar dubra kanaalee akh maale egeet hafee woorii uuwaa kuunin garte masomo worraalee akhmaalee hindhiidiini halaalaani jet ha hiree irr khaani jet*

Alice Dawe: The Spouses of Kenya citizens regardless of their Gender must be an automatic citizen of Kenya.

Guyo John Duba: *Duuba khaa gartee naamii kuun uuwaaf diiraa ilaalee gartee akh kibaandhe akh argaataan jet garte nami aalaa gaadh duuf yoo naamii aalaa gaadh duuf yoo naamii uuwaa aalaa naam fudeelee yoo naamii diiraa aalaa gadh fudelee nuu chufti akhiini raya kenya garte akh woorii diiraa chaalaa illaal*

Alice Dawe: Equality in employment. The Constitution of Kenya must provide equal opportunity for both men and women.

Guyo John Duba: *Nadeeniif diirtileen haguumtaakaa gartee hajaa haqabatuu jeet gaar huji argachitii keesat ardha kenya keesat*

Alice Dawe: Protection of disabled women. The Constitution of Kenya must protect disabled women against any rape, responsible men to be accountable for the children born out of such cases.

Guyo John Duba: *Dhuuba akaanumaat agartee worr uuwaa worra naafaafa khaa akhanumaan nami it jaalate diib it geefaatalee waan akaasile ha sirkalii gartee sheerriyyaa jajaabdu khae chungu, yoo diibi akhaasii jiiraatee gartee kaara hamaan gartee ilmaan daalatelee akh garte worri waan suun hojaat irra mansuruf taa sirkalii sheeryya it muur*

Alice Dawe: The Constitution of Kenya must set an age limit for girls to be married. Minimum age shall be 18 years and above. Both men and women shall make decision on the marriage, not forced marriage.

Guyo John Duba: *Dhuuba gaan dhubr iit fuudhaanilee akh gartee akh gaartee laaf keyaatan worri amaantaan maoni worra keesat gaan khudaani sadheti keenaa gartaani fuudhii hiireeleen akh injiiree naami uwaatiif naami diiraaleen*

akh innii yaadh issaa keenuudhandhau waan fuudaad keesaat akh hireen naam lazimiishani fuud lazimaa naam irr inn kheen

Alice Dawe: Women shall have equal rights along side opportunity in education, economic, political, social field.

Guyo John Duba: *Waan chuuf keesaat masomo keesaat besharaa keesaat gaar siisaaleet akh gartee akhuum diirraa garte issin miirg khabaat adhaa kenyaa hareetii ammaa qoruu demmaan taan keesaat jet*

Alice Dawe: Full participation of women in all spheres of public life including decision-making forums.

Guyo John Duba: *Waan chuufatiyu gartee jiiru gaartee uumaataa keesaat naadeen akh fulaa chuufaat muulat waan gartee naamii wool gaee yaadh waaii waan jiruun waan dhurr dheemitii dhuubaataan akh issiin kee jiraat*

Alice Dawe: Husbands who divorces their wife must be responsible for their children for whatever, i.e. he should cater for the basic needs especially in Pastoral Community.

Guyo John Duba: *Nadeen gartee laakiisaanileen taa diirtii biira gartee lakiisee worr issi galchelee ilmaan issii gartee akh inni irraa laalee waan jiruun issi chuufaayu waan hajjaa irraa qabbaan khaa akh saagaalee khaak woyaa aabbaan ilmaan suunii akh inni laal akh adhaan kenyaa khaan dhabarsit*

Alice Dawe: Establishment of an efficient and non-corrupt Judiciary and Legal system

Guyo John Duba – *Gaar garte kotiinii kaanaalee kootiini gartee gaaraa worr adhaa laafaa laal khaan worr gaartee khaaraa haamaan gartee adhaa inlaal khaa waa infuudaan khaa gartee khaa corruptionin kees injiir corruptionin imbeetaaniniiti khaa akhaan harkhaan waabalesaan akh wooni aakhasii injiraane sun feenaa adhaa aakhaasii*

Alice Dawe: The new Constitution should guarantee basic education and training for girls as well as for men. The Constitution shall guarantee the following the following to all: the basic health care, food, security, shelter and education.

Guyo John Duba: *Waan akh masomo khaanalee akh sheeriaan garantii naama keeniit agartaanii keesaatuu masomoo jaaljala taan diibileen waan akh saagalee waan akh bisaanii waan akh naam akh sheriaan gartee naam kheniit*

Alice Dawe: The other points are general issues. This is what the group came up with. The Constitution of Kenya must provide equal services to all Kenyans especially Arid and semi-Arid areas. Heath facilities, water, roads, education, security, proper marketing for our livestock, communication and electricity.

Guyo John Duba: *Gaartee adhaan kenya tuun gaartee akh issiin naam chuuf iltokoon laalt akh issiin ilbiraan naam inilaalee worr amaataan laaf pastrolist jeedan worr gartee horrii kenyaatiin jiiraat khaan khaa waan dibiin inqaamn khaan sokoo baarbaadhanitiin horri issaani mirg issaani akhuum kenyaataan dibii lalaan waan gaara beshaaraa taanan waan gaar kaaraa taanan waan gaar bisaani taanan akh gaartee laalaani jed woori laaf taana*

Alice Dawe: *The Constitution of Kenya must allow people to elect their administration leaders as from Assistant Chief to Provincial Commissioners, Mayors, and County-Council Chairmen.*

Guyo John Duba: *Worr naam duur deem kha akh chief khaa akh D.C bakaa P.C bakaa mayor chufaayu akh rayaan akhuum majumbee chaaguataan khaan chaaguataan jeet*

Alice Dawe: The new Constitution of Kenya must find ways of eliminating corrupt officers jail them, sack them or both.

Guyo John Duba: *Duubaa Adhaan kenya tunin gaartanii worr amaataan corruptionileen daulee maan worr khanalee akha nuulaalani gartee qabaan jeet*

Alice Dawe: Rights are necessary in human life, so tortures in custody should be stopped.

Guyo John Duba: (in Borana)

Alice Dawe: The semi arid-land must be provided with Title Deeds like other Kenyans.

Guyo John Duba: *Laaf akh worr semi-arid jedaan worr beeta gaaran qubaatu khanalee gartaani laaf diiqo jaajaabdu taa gaar boonileen diib taana akhuum Kenyans taani akhuum harkuum Kenya khaan dibii gartee title deed keenaniifi laftii worra tunileen gartee akh worri laaf issaanii irra faidha quubat*

Alice Dawe: Our resources must be monitored by our local community frequently.

Guyo John Duba: *Worri gaarte jaarolee teena taa ardhaa akh gaartee waan qabiis laaf teenaa gartee worri quub qabaatee hark biyy laafa debiisee duub gubaa laalaan jeed*

Alice Dawe: The administration in co-operation with the entire community must deal with drugs i.e. the drug abuse. The Government should take drastic measures against buyers and sellers accordingly.

Guyo John Duba: *Worr aam waan drugs jeedaan khaan gaartee waan liiliqimsanii mataa namaa baleesa khan*

gaartee chufuumayu khanale siirkali laalee agaartanii worr waan khaan gurguur worr waan khaan gaartee biitaatulee chuufayu siirkalii fulaa jaajabdut mirg jaajaba hirree jaajabduu khaa irr khau jeet

Alice Dawe: Composition of Parliament: A third of members to be women through affirmative action that can be increased later on.

Guyo John Duba: Parliament kenya taanalee naadeen keesaa innuulaatuu naam diib laamaaf dhidhamii laama naam saadheet chaala diib khanaafu yaadh dieesu akh gaartee harkii tokiin fuulaa saadhi godhaanii harkii

Alice Dawe: Thank you very much. That is the end.

Guyo John Duba: Galaatoomii yaa bufaadee

Com. Okoth Ogendo: Just a minute madam. You have to answer one question. Now, title deeds, for the (inaudible). Who should have title deeds, individuals, communities, clans or what?

Alice Dawe: The community at large.

Com. Okoth Ogendo: The community at large. Thank you very much. Please register. Next?

Mr. Guyo John Duba: *Amaalee commissioner agaartee chairman commissioner taana waan gaafaatee attin akhaam feeta biya taan waan gafaataam qaabdaa jeenaan worri waan gaafaan inqaamn jeenaan inni waan gaafaat title deed ammataan laaf teesaan taa armaa taan naam tookoo kanaan moo issaan worr goos laaf taan quubaat chuuf wool biir issaani keenan jeenaan laaf taanayuu chuuf title deed jeela dheebisaani akh district Moyalee jedani worr jarolee gaartee transcript keenaani achiin duubaa akhaana baarbaadatan akh naami humn qaab chaalaan waa argaatee khaan indaabd akhaas fedaa jet intaalti maalimun akas jet*

Guyo John Duba: We now invite the Chairlady of the District Development Women Group to present.

Com. Okoth Ogendo: Which women group?

Guyo John Duba: District Women Group.

Com. Okoth Ogendo: O.k. Your name madam?

Madina Giro Tutu: I am a teacher by profession. I the chairlady for the District Women Group Development Committee and I am District women representative KNUT, Moyale Branch. My Memorandum is long but the most, the part -----

Com. Okoth Ogendo: Just summarise

Madina Giro Tutu: The part I want to summarise is Kadhi's Court.

Guyo John Duba: *Waan kootiinii khadhii irraa dhubachuu feedaa jet*

Madina Giro Tutu: No. 1: The appointment of the Chief Kadhi should be taken in consideration and the views of the Muslims community.

Guyo John Duba: *Hojaayu chief khadii hujii qoraani akh umaat islaana chuuf yaadh suun beesiisaanii woliin dhuub yoo hujii qoraan woliin qoraani jeedaan*

Madina Giro Tutu: No.2: Islamic law should be practiced.

Guyo John Duba: *Akha sherriyyaa islaana nuu jeela buluu jet*

Madina Giro Tutu: Women must have rights to own property.

Guyo John Duba: *Naadeen akh issiin adhaa issiileen horiin horaateetiin qabeen issii maamulateetin jaajabatuut jet*

Madina Giro Tutu: Islamic marriage should be permanent.

Guyo John Duba: *Namii islaana yoo wool fuud akh fudii suun fuud adhuunyaa khaa mishoo taau dhandau*

Madina Giro Tutu: The Kadhi should be fair.

Guyo John Duba: *Worii qaadhii hoojaayu dhuubiin woldaabaa duur gaaduftee akh woarr suun adhaan duugaan dhubii suun hobaasuu jet*

Madina Giro Tutu: Divorce rate should be minimized.

Guyo John Duba: *Kooti khadhii hagg dhandheet woldaab diirsaaf naadeen hadh woolii keenaan haa dhiqeesituuti jet*

Madina Giro Tutu: During divorce, the household property should be for the wife and other household property should be

divided equally.

Guyo John Duba: *Yoo diirsii niitii laakisee mikhii miinaa khaa niitii guul hafee horri khaan dibiilee khaa gaargaar qoodaataanuu jed*

Madina Giro Tutu: It should be the will of the mothers to take care of the children when separated or divorced.

Guyo John Duba: *Yoo diirsaaf niitiin wool laakisaanii akhaa haaqii yoo khaan miirg haatii ijoolee suun ijoolee suun qaabaatee ijoolee suun wooliin tetuu jet*

Madina Giro Tutu: Household tasks should be shared equally regardless of sex.

Guyo John Duba: *Hojii minaalee yoo diirsaaf niitiin akh wool qaarqaranii tuun hojii diiraatii tuun hoji naadeenii injeedaani*

Madina Giro Tutu: Girls – Girls labour should be minimal.

Guyo John Duba: *Ijoolee duubraa khaa hojiin hojaataani hojja hojaachaa wooraan hojaataan suuni haa dhiiqeesaniitii jet*

Madina Giro Tutu: Girls education must be compulsory.

Guyo John Duba: *Ijoolee duubraa akh adhaa hareetii taan keesaat soomon issi somoo laazimaa khaa hireen soomsisaan*

Madina Giro Tutu: A man or a boy who seduces a girl should be punished according to Borana culture, hence to reduce pregnancy, high population rate and HIV/AIDS.

Guyo John Duba: *Gurbaa diiraa khaa intaal duubraa duubiifat khaa waan naamii gudhaan siilaa woliin tauu maal inni toolch akh waan suun dhiiqeesaanii kwa sababu wooni suun diibaan duftii amaalee akh waan suun adhaa boranatii dhubaataani hobasaan*

Com. Prof. Okoth Ogendero: Madam, thank you, thank you very much. You want the boys punished according to Borana culture. What is the culture? What is the punishment?

Madina Giro Tutu: The punishment is – the boy is punished and he will not be among the age sect of his clan. He will be out of, he will be neglected, outcasted and he will no longer be a member of that age sect. That is the punishment which the Borana culture means and that punishment was there before the Islam came and no girl became pregnant and there is no high population rate like it is now.

Guyo John Duba: (in Borana)

Com. Dr. Mohammed Swazuri – You say Islamic marriage must be permanent but God has given opportunity to divorce if it is not possible to continue.

Madina Giro Tutu: In Borana culture there is no word like divorce before Islam came. There is separation which, a mother who has children, when she has problems with her husband, the community sits and if they see the problem of the mother, they are separated but the mother stays with the children and she is given the property properly and she is cared for, but she does not go out of that Boma. My point is, it is better to practice that Borana culture rather than marrying a girl today and after three months she goes out of the Boma.

Guyo John Duba: Commissioner woonii inni gaafaatu adhaan islaanaa akh naamii naadeen baakaa naadeen afuurii fuudee niitii taalee hoojaa wooldaabaani laakiisu daandau adhaan islaana taana aat ammo hojjaayu fuudii islaanaa khaa fuud adhuunyaa akhaaraa taau jete akhamiin woonii kuun taau dandheetii jeede gafaat

Com. Prof. Okoth Ogendo: Thank you very much madam. Please register. Next?

Guyo John Duba: Now we will call upon the Director of the Kenya Livestock Marketing Council Mr. Ismael Gedhi

Guyo John Duba: *Aammattii taana Ismael Gedhit duufe waan dhuubaachu feed dhubaat*

Com. Prof. Okoth Ogendo: Go ahead.

Ismael Gedhi: O.k. I will speak on behalf of Livestock Marketing Sector and first I will speak about Livestock policies in Kenya.

The Government -----

Guyo John Duba: *Ann ammantaanaa niaabaa woor horitii dhubaadaa jeed*

Ismael Gedhi: Formerly, during colonial days, we have Livestock Marketing divisions under livestock marketing act and that was removed immediately after independence.

Guyo John Duba: *Inni waan inni jeedu duurii gaaf khoolonii khaanii adhaan seerii hoorii chuuf injiir jeed khaa amaalee serr suuni adhaan perliament sheriaan perliament dhabaarsiteetiin jeet aadhaa suunii akhuum laaftii tuun uhuruu argateetiin jeet adhaan taan baaleesan jeed*

Ismael Gedhi: And as a result during those days the market was to come near to a Pastoralist who is very busy looking after his animals and now we have no longer a market unless a Pastoralist will find on his own way.

Guyo John Duba: *Duuri akh aadhaa duurii taa baaleesaan suun jeelaatii akh gurgurfaa horrii faa gaadh nuu dieesaanii jet amaataan adhaa taan baaleesinaani nuu sookoolee inqaabnuu sokoon suleen nuut iin diaatuu nuut baarbaadhaat jed*

Ismael Gedhi: We must have an Act on Livestock Marketing and thus the former colonial Act on Livestock Marketing should be re-introduced.

Guyo John Duba: *Aam waan nuu feenuu adhaa dhuurii taa gafaa kolonii taan taa waan horrii fiin horrii irraa dhubaatu akh adhaa suun nuu ghaadh dheebisaani jed*

Ismael Gedhi: In Kenya we are having what we call Coffee Board of Kenya, Sugar Board, we are having Pyrethrum Board which will market for the product of Agriculturalists but with Pastoralists we are highly discriminated, we don't have such a Board and Livestock Board of Kenya should be introduced so as to alleviate poverty in pastoral areas.

Guyo John Duba: *Aam inni waan inni jeeduu kenyaa ammantanaa seeraa bunaa jirr jeed serr maajanii jiir jeed seer suukarii jiir jeed seer aannanii jiir jeed nuu ammo seeri sun chuufa woonii miidaasaniff akhaa qaabeenii woorr sunii suuninii sokoo guudho argaat laaf teena ammo seer horrii maaniin tokooleen injiirt jeed nulee akh seer akhaasii nuu midaasaanii horrii kheen kharaa dansaan daqaanee kharaa dhansaan gurguuraanee kharaa dhansaan horrii horaanuu jed*

Ismael Gedhi: Let it be the duty of the Government to have an Act that will press this noble Government, this present Government to market livestock up to Europe, Middle East and Asia so as to alleviate poverty among the pastoral community who are more poor than anybody else in Kenya.

Guyo John Duba: *Inni waan jeduu amma wooni nuu feenuu akha sirkaali adhaa midaasee adhaa horrii kheen laaf*

naam aadhii laaf aaraaftii laaf naam aafrikaa laaf aafrikaa diibilee gurguuraanee kharaa sunii dheeg keesaa baanuu jeed khaaraa aammaataan daalciis hoorrii jeed

Ismael Gedhi: There should be an Act. Before colonial days we had Acts that looked into ready regiment land, resource use, water and some other livestock production related acts that has been removed and we are nothing else than a Gazelle or a Giraffe in its natural habitat.

Guyo John Duba: *Inni ammantii tan waan inni jeeduu duurii adhaa wooliin daalcisaan horri qeenchaa adhaa suunii jirr jeed adhaan amaataan horri suniin daalcisaan tookoleen injirtuu adhaan dedhaa injiirtuu ammaantaana akha aadhaa dedhaa suulee nuu dheebiisanii adhaa taanaan dhuub nuuleen horri daalciifaane deegaale cuuf keesaa baan jeed* **Ismael Gedhi:** *(nuu Ghaadhaamsaaf sootowaan tooffotii inqaamn aamm) nuu ammaan taanaatii akha jiiruutii naamaaf biineensii tofaautii inqaamnuu jeed*

Ismael Gedhi: Empowerment- We need community empowerment in Pastoral community. Unless our community is empowered, there is no success. The present law empowers the Government, it does not empower us. There is a separation between us and the Government. The chief with his own Act that suits the Government, the veterinary with his Act that suits his people, the District Commissioner with his own Act. We don't have more empowerment. There should be community empowerment in production; an Act should be made to empower the community in their day-to-day activities.

Guyo John Duba: *Inni ammantaan waan jeeduu akha nuuleen raayaa akha uummaat kenyaa jajaabesaanii community akha jammaa teeneetiin waan irr nuu jirraaf waan irr nuu injirreelee nuuleen miidaafaachuu daandeen jeet adhaan ammantaan jiirt chuufaa adhaaa hirree gudhoo siirkalaa keenitee raayaa jirrt hirree dowaart jeed hirree akhaanaa taan nuuleen keenaanii nuuleen yaanii maalaa maariilee chuufaa khee jiiraaneet akhaana dhuraat dhemn jeen*

Ismael Gedhu: Veterinary Act: A DVO is empowered to impose a veterinary quarantine on our animals when a disease erupts, when he sees there is a disease and now this is the question, he is to put quarantine on our animals and he is to do the surveillance also with us. The power is only with him to impose. So if he thinks to punish us, he will even impose it before even the eruption of the disease. So we don't have any other way of being involved in putting the quarantine on us. So, the if the present Act is giving extensive power to the veterinary people, without involvement of the community, this power should be reduced and some of it to be given to the elders so that when quarantine is being made, we are put into the decision. The decision should not be taken alone by the Government. We should be involved

Guyo John Duba: *Aamman taan waan inni jeeduu waan vetenary irra dhubaana waan vetenary adhaa horrii hoojaa dukuubii laaf taanat gaadhufee hoorriin ammantaan indeemnee jiir jeed adhaa taanaa yoo adhaa taan muuraan yoo*

nuu muurtii akhaasii nuu guubaa khaanii siirkalaa nuu guubaa khaa maalee nuu khees injiiruu yoo diinii akhassiileetin dufee jeedee akha muurtii suuni nuuf siirkaliileen wooliin teenee miidaasuu dhandeenee jeed

Com. Okoth Ogendo: Unaweza summarise? Summarise please.

Ismael Gedhi: I think this is livestock sector and it is our main problem.

Com. Okoth Ogendo: I am not stopping you. I am just saying that you should summarise so that you can move.

Ismael Gedhi: Then when removing the quarantine we livestock traders in Moyale got problems because the law does not empower us to take any decision in removing the quarantine.

Com. Okoth Ogendo: I get the point.

Ismael Gedhi: So we should be involved even in removing.

O.k. I think with no objection, rules. The present Act does not give power to the DVO to take no objection on livestock when permit is being issued, we are going to take no objection from a Veterinary Office in Nairobi and give it to the same veterinary office in Moyale, why not a DVO to ring his veterinary office there and obtain no objection instead of giving us an expenditure to go into the same route.

The last one is Presidential power that is Presidential Decree. I am very sorry to say that. We are getting very much problem with a Decree that the President imposed and it becomes a law straightforward.

Guyo John Duba: *Aammantaan waan inni jeeduu waan guudhiin hiiree siirkala office raaisa irra dhuubaaan jeed adhaan kenyaatuuninii gudhoo hirree gudhoo office sunii keeniitii adhaa suunii taa dhiiqoo nuuraa maan nuraa dhuun ammaan llaallaafsiissan feenaa jeed*

Ismael Gedhi: Let me give an example and this is my last comment. Sometime, four or five years back, a Presidential Decree was given in Rift Valley to ban night movement with the animals when permits are being issued. This arose out of a problem that erupted in Pokot and Turkana and now we are suffering from a Decree, from a problem that we did not take part in. The Decree became a law. We don't move at night. We can travel by the day. The area is security wise not all right. If it reaches 6.00 p.m. we cannot stop everywhere, so we have to give "chai" and everything to the police. It cannot stop anything. So the Decree became a law that gives a lot of problem. So the Presidential powers could not consider our problems here. The problem in Turnaka is making us to be punished here in Moyale. So it should be removed and that is why I am very sorry----

Com. Okoth Ogendo: Thank you very much There is a question here for you. We want to ask you a question.

Ismael Gedhi: Madam?

Com. Nancy Baraza: Yes, you said you want the community to be empowered. Right now power is with the Government only. Who in the community will exercise that power if we give it to you?

Ismael Gedhi: Elders. **Guyo John Duba:** *Jaartiin commissioner waan issiin gaafaatee ammantaana woonii aat jechuu jiirtuu guudinii cuufaa gudiin office rayyisaa kees jiiir jeetaa yoo ammaantaan nuu hirree inqaabnu jeetaanii hirree taanaa committee teesaan taan keesaa eenu keenuu maalaanii jeet, aakaam issaanii keenuu maalaani jeet*

Ismael Gedhi: Right now madam, just a minute. Let me just answer **Com. Okoth Ogendo:** Can we hear the answer please?

Ismael Gedhi: Right now Madam, DC surveillance is being done by the community, the Veterinary office, the officers in Veterinary are very busy in their office. When we see that there is DC's there, we will come and report the same to the man; the man will come and see. The movement of DC's is being controlled by us. Now the power of putting quarantine is only with him. Why do we share other information and give him only the powers that will make us not to trade, that will give us no movement and everything. Why not to -----

Com. Okoth Ogendo – The question we are asking is “who should exercise community powers?” Is it elected leaders or are there elders who under tradition ----- **Ismael Gedhi:** Elders. **Com. Okoth Ogendo:**

Elders? Fine. Thank you. **Guyo John Duba:** I now call upon the Imam of Jamia Mosque to present their proposals in his

personal capacity as an Imam and not as a member of the Constitutional Committee. **Abdinasir Aji Nasar:** Imam:

Asalamalekum. **Commissioners:** Aleikumsalam. Your name sir? **Abdinasir Aji Nasar:** My name is Abdinasir Aji Hassan –

Imam, Jamia Mosque. Can I start? **Com. Okoth Ogendo:** Can we please, please, nyamazeni kidogo. **Guyo John Duba:**

Aan waam qoorr khaan affaan keenaan issaanii dhuubaadaa. Waan laamaa qooree waan tookoolee waan adhaa

laafaa irraa qoorree waan tookoolee waan adhaa islaamaa irraa qooree qaartasii laamaa woltii naaqee jiiirraa **Guyo**

John Duba: The Imam says he will prefer presenting his views in vernacular so that we can translate it into English. **Abdinasir**

Aji Hassan: *Wonnii anniin aafaan keenaan dhuubaacuu feeduuf, aaffaan kheenaayyuu affaan uummaat guudhaatii*

akhaa gaartee adhaa kenya taalee aaffaan kenyaatiin qoraan kuutookaa isiiooloo baakkaa aarmmaa uummat

guudhaa aaffaan kaan duubbatuut laafaa taan kheesaa quubaat jeediin **Guyo John Duba:** He says he will prefer to

speak in his local dialect because many people, a large population of people speak this language and that they want in this new

Constitution, they want the Constitution to be translated into this vernacular language. **Abdinasir Aji Hassan:** *Aafaan*

faaraanjii aaffaan gaar woor gaam badheetii aamalee gaartee duukubii qaabaafi taanaaf duubacuu inbaarbanee

jeediin inmbeekhaalee **Guyo John Duba:** He says he does not prefer speaking in English because it is one aspect of

neo-colonial subjugation. **Abdinasir Aji Hassan:** *Aan taa qaaraa woonii aaniiraa dhuubaduu adhaa kenya taanaa*

gaartee akhaa gaartee waan gaartee diib gudhaa adhaan kenya tuun uummaat keenaat hoojaatee diib adhaan kenya

nuut hojjat suun commission miidaasaani commission inni tunnii gaartee woor diib itt geesaan naam hoobbasaan

naam horri issa hobbasaan cuuf faan daanii qoraanii waan suun gaartee commission inni report dooftee akha

gaartee worr gaafaas dhaabii guudaan miidaamii gudhaan sababtii seerr suunii irraa gaaduufee siirkalii conversation tolcuuf

Guyo John Duba: He says he wants to take issue first with the imposition of emergency in this country immediately after independence and he says the Government passed the Indemnity Act and visited untold crimes against humanity in the Northern Frontier District and he says that they now want the Government to compensate the victims of those atrocities and crimes against humanity.

Abdinasir Aji Hassan: Conversation caalaa aadhoo intaainu constituency hareeti taan keesaat agaartee addressing tolcaanii hirree keenaanifii constitution tuuniin akha issin commission establishing tolcaan. Commission life is burning issiin gaan shaan jeel injiirt khaan investigation tolchee report kaamilaan gaadh duuftee report perliament handing over tolchiitee uumaat gaaafaas akaas baaleesaan khaa laaf isiolo district keesaat baleesaan khaa laaf north estern keesaa baleesaan cuufaayu life naamaatiif property cuuf conversation tolcaan

Adinasir Aji Hassan: He suggesting that over and above that, in this new Constitution should provide for the creation of a truth finding Commission that can have a life span of at least five years to determine the extent of damage, the extent of atrocities visited upon the Northern Frontier District community during that period of the Shifta war and the emergency.

Abdinasir Haji Hassan: *Aamalee uummat keen khaanaa qaabiss issa aagartee waan inni qaabu kaa akha keenchaa khaan woonii nuu qaabnu suunuuma waan suun akhaa adhaan gaartee akha qaabiis kenyaat fuudaat akha qaabiis kenyaat itt illalee qaabiis kenya yoo irraa dhuubaataan adhaan kenya gaartee waan cash crop iffaa waan buunaafaa waan maajanifaa waanuum kaan guudhoo dhuubaatii aagartee loon bodheele hojjaa miidaasaanii woorr khaanaa kheenanii worri gaar hoorrii gaartee programme suun tokoolee kees injiiruu akha gaartee programme siirkalaa keesaa dharaanii qabiisuumaat kenna gaartee siirkalii gaartee development issaatiif marketing issaatiff production issaa waan khaan chuufa akha gaartee miiskiinumaa baalesaan*

Guyo John Duba - The presenter says that at the moment there is a focus on the eradication of poverty, that the country has set sights on the year 2020 as the time by which Kenya will become a newly industrialized country. Now he is posing a question, he is saying statutory legislation has always focused on the development of cash crops in the arable areas and that the Pastoralist economy has been left in the periphery of policy formulation, and he says that if the Government is really serious in eradicating poverty in the Pastoralist community, then it must take appropriate legislative steps to ensure that the resources in the Pastoralist land are adequately tapped and (inaudible).

Abdinasir Aji Hassan : *Taan diibileen gaartee perliamentaty system presidential system khaan irra aagaartaani siirkaal perliament khaa gaartee perliamentiin hirree haarkaa qaabd khaa akaanaat akha dheebissaan akhaa power presidenty releasing tolcani prime minister minister anni president introducing tolcaan presidnet introducing toolcan khaa power haarkum maataa dheebitte power presidenty reducing tolcaanii power sharing tolcaan*

Guyo John Duba: He says that he will favor a Parliamentary system of Government where the winning Party or the Party with the majority seats in Parliament will elect a Prime Minister and that the President will merely be the Head of State symbolizing National Unity and doing ceremonial functions.

Abdinasir Aji Hassan: *Siirkaal kuutaa gaartee siirkaal khaa kuutaa kuutaa khaa akha gaafaa gaartee gaafaa eegii koloonin demtee miidaasaaniilee khaa north eastern innilee eastern province khanaalee ghoos guugurdhoo chuufaayu original government aakhaassi nuu mmidaasaani akha perliament guudhoo suunnilee gaartee perliament jeelaa taan controlling tolciitee perliament uffum caalaa waan tookh inni hojaanee raayaleen participating taatu akha dhaansa*

Guyo John Duba: He says he will favor a Regional System of Government by which power is devolved from the Central

Government to the Regional authority to be able to take executive decisions while major decisions such as defence, finance, and the conduct of foreign affairs can vest in the Central Government. Other powers like the provision of essential services such as education, health, public transport, maintenance of protection of the environment can then be vested in the regions and the local authority.

Abdinasir Aji Hassan : *Sheerriyyaa worraa laafaataanaa discriminating tolchiin chuufaa akha haraakha gaartee keesaa baasaab constitutuency kheesaa akha Indemnity Act iffa khaa waan kenyaan duurii miidaam gaartee worr laafa taanaat hojjaat ingaafaataani gaafaacuu indaandaan jeedaan waan akhasii suunifaa waan akhaa kibaandhee diimtuu worra somaalitii worr arraftii itti qodhaan khaa woorra khaan akhaa worri raayaa kenya intaainii worri khuun ammo biyya cuufaa duraati gaadh duufee kenya taan maendeleo itt gadh fidhee garr mombassaa khaan quubaatee laaf kenya taanayuu namii jaareyu worr islaamaa khaa akhaa aarrabbaa khaa akha somaalii khaan amma worr khaan khaa magendoo khaa second class tolcaanii jaar worr eeggee worraa gaadh dhufee raayaa gudhoo tolcaanii worr khaan dulmiaani kibaandhe dhiimtuu baakaa ammantaanaa worr islaamaa khaa arabaatiif khaa somalisuun akhaana dhasuu jiraanii waan naam dhaabsaa khaa raayaa kenya gaargar goodhee ufiiraa illaala khaan chuuf sheeriyya khesaa baasaan*

Guyo John Duba: He says that in this new Constitution all Legislative Acts that undermine the full enjoyment of rights by Pastoralist community are in general and the Muslims in particular should be repealed and he sights the case of the registration of persons where an Arab who may have been resident in Kenya for the last 200 years is denied identification papers when he applies for them ---

Abdinasir Aji Hassan: They were the first arrivals before independence and now they are made second class or not even Kenyans and they are being mistreated. Yeah, the Asians and the Arabs are the first arrivals according to the historical fact but today they can be, they have to be denied the identify cards by a Mukikuyu who came after them which is a very big injustice.

Guyo John Duba: (in Borana)

Abdinasir Aji Hassan: Bw. Chairman I will beg you to give some five more minutes because ----

Com. Okoth Ogendo: No, I will give you one.

Abdinasir Aji Hassan: Because I wanted to present also on the Islamic position, Muslim position, I am a Muslim leader. This one I participated like any other Kenyan. I wanted to mention something also.

Com. Okoth Ogendo: Take three.

Abdinasir Aji Hassan: *Taan dhibiin taan irra dhuubad taa islaamaa irraa dhuubadaa waan islaamaa adhaa kenyaataan fuulaa section 3 jeedhani sheriaan kenya sherriaa chuuf guubaa jiirtii woonii sherriaa kenyaatii woolii ingaliin chuftii aadhaa intaatuu baadhii eechaa waan aakhanaaa sheeriaa kenya keesaa qooraa qaabaa woonii suuni waan akhaamaalee nuu islaamaa dhiib nuu gheese nuu sheeriian sherriaa chuuf guubaa jiirtuu taanuu beenuu sheerria qorraanaatii akhaa section suunni agartee sheerriaa kenya keesaa bedhelaanii sherriaan kenya sherriaa chuuf guubaath intaanee gaartee laaf islaamaa keesaat woonii suun diib gudhaa nuugafidh waan ammaantii teen baleesaatii*

Guyo John Duba: He says the Constitution, it is provided for in the Constitution that any law, any written law, customary law, that is inconsistent with the Constitution is null and void to the extent of that inconsistency. He talks about Section III, about the supremacy of the Constitution. He now says that as traditional communities here, they have had an established system of laws, which have governed them since time immemorial and he says they have had a system that has been widely documented in academic circles.

Abdinasir Aji Hassan: Now he says that ----- Islamic laws because Islamic laws is God revelation. We Muslims we don't believe that any law can be supreme over the Koranic law. So there should be some harmony. That statement should be repealed in such a way that we bring the Kenyan law in harmony with the Islamic law.

Guyo John Duba:

Inni waan jeechuu jiiruu adhaan islaama adhaa waaq irraa gadh duuftee aadhaa suunii taa kenyaa suunii aadhaa naamii miidaasee akhaa aadhaan islaanaa suunii adhaa kenyaa jeelaat imbulchiinee jeed **Abdinasir Aji Hassan:**

Because I will hand over the paper, I don't want to read a lot. I only want to mention a very important point. The isolation of the Muslims worldwide by big powers for their own hidden agenda and they are becoming world police and they have been going round and trying to spot and put a lot of pressure and frustration on the Muslim leaders worldwide. There is a situation where even an Imam was arrested ----- **Com. Okoth Ogendo:** How do we deal with that as a Constitution? **Abdinasir Aji**

Hassan: Year, I want a Constitution to make sure that Muslims in Kenya are answerable to the Kenyan law and not to a foreign law or any other big powers of the World. We want the Constitution to protect us. **Guyo John Duba:** *Inni*

ammantaan waan inni jeechuu jiiruu islaan fuulaa chuufaa chuufatuu iitgaamuu jiiraanii siirkhalii doghlaan doghlaan akhaa ameerica tuun chuuf itt gaamtii nuu ammaantan waan nuu feenuu akhaa islaani kenyaa keesa jiruleen adhuum kenyaa jeelaa buluu khaa hoojja att armaat woo yaakhitelee armuuma siilalaan maalee gaar dibii siingesiinee jeed

Abdinasir Aji Hassan: I also want "Miraa" to be declared as a very dangerous drug and the chewing of "Miraa" should be stopped as quickly as possible. **Mr. Guyo John Duba:** *Miraalee akhaa armaa aach naamii iinyaanee jeed mirraani*

qorsaa hamma surrii gaarnaam gaalchu **Abdinasir Aji Hassan:** So with this I think I will hand over my Memorandum

Com. Okoth Ogendo: You know there was a "Miraa" Prohibition Act but it was repealed after independence. Do you think that was a mistake? **Abdinasir Aji Hassan:** I think those people who repealed it then had some hidden agenda. We heard that

some "Miraa" traders have paid a lot of money and they repealed it actually by ----- . It was not to the benefit of our people. Our people have suffered a lot. Many "Miraa" parents, they don't take care of their children. They don't take care of their

family. There are always family disputes. It has actually accelerated the rate of poverty in our community and it is in deed a very dangerous drug. **Guyo John Duba:** *Commissioner waan inni jeedee gaaf kolooni khaanii adhaa naamii miraa*

innaan adhaa akhasii jiira jeed adhaa suun eegii sunii baalesaan jeed adhaa suuni ammaantaan gaadh issaani aantii jeede issaan gaafaat **Com. Okoth Ogendo:** Any other question Commissioners? Do you have any other questions? Thank

you very much, Sir. Next. **Guyo John Duba:** I would like to call upon the Chairman of Moyale County Council to present his views. **Com. Okoth Ogendo:** Chairman of Moyale County Council? **Guyo John Duba:** The Chairman also says he prefers

to present his views in Ki-Borana. **Com. Okoth Ogendo:** No problem. Jina? **Bolicha Galgalo Guyo:** My names are Golicha Galgalo Guyo – Chairman Moyale Country Council – Alleen aaffaanuum borana duubaad jeediin. Qaaraa waan naagaa irraa

dhubaadaa **Guyo John Duba:** He says he wants to talk about peace and security. **Golicha Galgalo Guyo:** *Woontii gaar naagaa khaa anniin irraa dhuubaduu mamboo ammaantaan tiikh laafaa khaayu jiidhuu border jediin* **Guyo John**

Duba: Particularly he talks about the issue of land and the issue of cross border or cross-district movement. **Bolicha Galgalo Guyo:** *Waanii jiiraa laaf teen taanaa naamii gudhoo aalaa gadh seseenee gudhoo dibii jiiraa jeeddiin* **Guyo John**

Duba: He says there is free movement of Pastoralists from one jurisdiction like a district to the other and this has been a source of insecurity and conflict among the ethnic community. **Bolicha Galgalo Guyo:** *Woonii khuuniin dhuubi luubuu naamaa*

ejeesaan duuftii jeediin kees **Com. Swazuri:** Has been the case of conflict and insecurity. **Bolicha Galgalo Guyo:** *Aakaasiifiyuu waan khaan dhuub kharaa issii adhaa khee khaanii namii ammaantaan jiraaniin laaf aalaa khuleenii*

akhuum arghuu laaf teen inseenee khaa ammantaan jeshii kharaa adhaa dhuniaa border tisuun cuufaa border Kenya

*chuuftii Isreenaitii***Guyo John Duba:** Firstly he says, this is a community that lives on the border and they want to suggest a Constitutional provision that will ensure the formation or the creation of a special border guards to ensure that there are no cross-border aggression.**Bolicha Galgalo Guyo:** *Ammaalee worra ammantaana distric laafuum kenyaa keesaa khaa district laafuum taanii akhaan gaadh seenee khaan kheessa baae diibaan duufuu jiiraa jeediin***Mr Guyo John Duba:**

He says, during the colonial period, in fact he says, the present administrative boundaries have been drawn according to the ethnic communities that live within that unit. He now says that they want that to be introduced in this Constitution so that groups living within one territory are given formal recognition and legal right to use that land for whatever purposes. **Bolicha Galgalo Guyo:** *Naamii cuuftii aadhaa aadhaa qaab jeediin aadhaan issaa tofaautii naam adhaan tofaautii naami aadhaan gargaarii kuleeni cuuftiinu yoo gaadh duufee waan khaan bekh khaan inn bekhuu khaa khaan beekhu ammalamalaa dagataani duufee yoonii duuf dhuub naamii irraat wool dhidhee diigii buuee laaftii baalaan khaat jeediin*

Mr. Guyo John Duba: If I am not wrong, he says about that Section 83 talks about the freedom of movement and he says this freedom of movement has been misused and abused in the Pastoralist areas particularly Northern Kenya where groups often intermingle without making prior consultations or prior negotiations about these movements. The end result has been loss of life, loss of property and they say they want to have de-limited boundaries for every ethnic groups.**Bolicha Galgalo Guyo:** *Waan aammaa dheemuu jiiraa naamii kenyaa cuufti naama kenyaatii you have a friend ----- yaanii freedom -----*

Mr. Guyo John Duba: He says there is some exception to this freedom of movements that have never been enforced. There are exceptions on the freedom of movements regarding public health, public safety, defence, morality and the control of Nomadic people. He says that exception on the control of Nomadic people has never been imposed. Had that exception been imposed, then there would never have been tribal ethnic hostilities.**Mr. Guyo John Duba:** *Yoo naamii kenyaa cuuftiinu naamuun kenyaan jeedaanii akha feedu yaaee wooraanii buee yoo jeedaani aammaalee woruum kenyaa khaanth dheebiite wool laum jedhiin ooh goos akhaanaat akhaanat akhaan taaee goos akhaanaat akhaan taaee naamii kenyaa naam keenyaatii issaannin kuuncuftiinu naamuu fuuluum itt daalaat qaabaa eeh kaagaarii ammaantaana nuuin amma northern kenyaa moyalee distric daalaan, khaa gaarii central daalaat amma nyeri, khaa gaarii amma meru daalaat, khaa gaarii kisumu daalaat yoo akhaasii naamii cuuftiinu ammaalee afaan affaan dhubaat aadhaan issalee tofautii yoo naam cuuf akhaasiin inkheenee akhaasumaan adhaa tolchaanii injeed khaa naamii akhuum argeen naam seenuu akhuum shetaanaa naam seenaa dhuub sheetaanii khuun gudhoo waa yaakhaa jeediin***Bolicha Galgalo Guyo:**

He contends that the rights to move and reside freely within this country at some point is sounded on wrong premises because he contends that in private property regimes, you cannot just move freely or even trespass on people's land because it is actionable but he says that there is a tragedy of open access in the Pastoralist communities because people will say or any group from any place will say that they have the right to move freely which is provided for under the Constitution and he says that this kind of mingling under the pretext of Constitutional -----(interjection)**Balicha Galgalo Guyo:** Kwa mfano, let me just chip in with Kiswahili, **Com. Okoth Ogendo:** I understand the problem. Just go ahead.

Balicha Galgalo Guyo: O.k. you understand the problem? So aassiifuiyu control waan suunii khaa adhaa kenyaa kees khaanii adhaa taan jaarsa itt dhaaraanii waan caan goociitii chuftii jaarsa uuffii qaabdii jaarsaan doowaan feenaa jeediin**Mr. Guyo John Duba:** He proposes that once these boundaries are set, then the traditional elders should be involved in monitoring

Mr. Guyo John Duba: He proposes that once these boundaries are set, then the traditional elders should be involved in monitoring

cross border movements so that, should there be famine in one district, or drought in one district these elders can sit together and maybe allow this group to cross over and maybe use these resources, the pasture and water resources within their territories within a given period of time.**Balicha Galgalo Guyo:** *Laaftii teen tuuniin aamma transland jeedaanii transland tuuninii jeenaanii ciinii yaanii council jeel jiirt jeedaanii waan issiin haarcaan nuu jirt ingaar jeediin waan waan akhaasiifitii chairman naamaa plot DC. D.C Mombasaa dufaa, turkanaa duufaa Central Duufaa laaf taan amma ann coucillor chairman dhuubii woonii ann itti harkaa qaabuuyu injiirt jedhiin maaqaa buutee woraabesaa naama irra khaani naamaan soobbaanii. Akhaanafuuyu aadhaa suunii khaa chairman suuni harkhaa fuudaani woorr laafaa dheebisaani akha chairman akhaa tiyyaa yoo taatee khaa jaarsa laaraa taatee itt kheenaanii khuniin abbaa plot khaa haqii duugaa khenuu khenuu feeduuf taanaaf naamii irrat wool baaleessaa*

Mr. Guyo John Duba: The Chairman says that under the present Constitution, Trustland is vested in the County Council but he says, from his own experience as the Chairman of the Country Council, they are more or less powerless in enforcing the provisions of the Trustland Act. It is the Executive that has complete dominant control over the disposal, the use of Trustlands and he says the alternative would be for this land, the Trustland Act to be repealed and the ownership of this communal land or this Pastoralist land to be vested with the community. **Balicha Galgalo Guyo:** Ammaalee nuu gaafaa ukolonii khaani dhaabnee eegheet haafnee jeediin **Mr. Guyo**

John Duba: He also talks about marginalisation and under development from the colonial times and that the same marginalisation and under development has been perpetuated by the independent regime, Kenyan-----**Com. Okoth Ogendo:**

Summarise.**Balicha Galgalo Guyo:** Let me finish Bw. Commissioner, just a statement. Let me finish just as my agent and then I will summarise please..... (He continues

Balicha Galgalo Guyo: Laaf taanaa gaafaa duurii khaanii ukolooniin eegee nuu lakiiftee kinyattaallen dufnaan eegee nuu laakiisee bakhaa amma eegee jiiraa akkii nuu eegee jiir aakh nuu eegee jirru kharaa inqaamnuu, TV, Video waan dhuniaa laalaan oomaa inqaamnuu college tokh laaf taanaa inqaamnuu educational maanii waan tookh inqaamnuu bakhaa ammaa eegee jiiraa dhaabii eegii dhurrii gaaf koloonii nuur taee bakhaa ammaa nuura taau jiiraa taalee issii bedhelaan feenaa jeediin**Guyo John Duba:** He talks about past and present injustices in terms of access to resources, access to infrastructure and he says they want the Government or the State to take appropriate legislative steps to correct these disparities and imbalances.

Balicha Galgalo Guyo: *Akhamiif bedheelaan? Nuu waan suun cuuf gaaf kenyaan uhuruu argaathee naamii cuufiinuu khekehii qodhaath khaan oomaa nuu inqoonee adhaa kees jiiraanee womaa nuu inqonee yayuy haamnee harr adhaa taan keesaat issii khekhii suuni argaan feenaa jedhiin. Akhii nuu argaan budget kenya akhaa 20% laafaa ammaa northern taan nuuu dheebisaanii irraa khutaanii kenya miziimaa gaaraanaa nuu dheebisaani nuu waan qaaraa inqaamn khaan horraanee biyaan rebnee daqamn feenaa jeediin***Guyo John Duba:** *He suggests that one way of redressing that historical imbalance is by the Government committing 20% of its annual budget to the development and the reconstruction of arid and semi-arid areas.*

Balicha Galgalo Guyo: *Akhaa nuu waan biyiitii argaath khaan argaanuu. Ammaa akhaa taa roofuu livestock biyyiitii irra dubbaat taan irra dhebiuu infeeduu jediin***Guyo John Duba:** *He says he will not talk about the livestock issues that have already been fully covered.* **Balicha Galgalo Guyo:** *Hoorriin kheenaa akhaanuumaatii sookoo daabee baanee suun ammaantaanaa akhaa woorii suunii baanee adhaa khee khaanii khaa yoosi okhokhaanii with them so that change come within so that we can have the you know outside the market and so*

fort. Yaa hobaafaadee hayee aadhaa ammalee kotiinii jeediin adhaa kotiinii **Guyo John Duba:** He says he wants to talk very briefly about the Courts system. **Com. Prof. Okoth Ogendo:** Half a minute. **Balicha Galgalo Guyo:** O.k. Sir. Aadhaa kootiinii akhaa kootiinii caalaat inlaakifnee jeed **Guyo John Duba:** He says that the Court system should provide for the establishment of Customary Courts to deal with local disputes or disputes between parties of the same community. **Balicha Galgalo Guyo:** Waan adhaa laaf taanaa goos kee jirtuu jaarsaat bedhaa akhaa jaarsaalee adhaa tolcaaniifii kootiinii issaa adhaa issaatiinii taaee buufaatee adhaa issaatiin taaee naamaa woo itti muuree akhaanaaninii criminal guugurdhoo maalee khaan adhaa jaarssaa dheebisaan jeediin **Guyo John Duba:** As a means of alternative dispute resolution, he says that, that system of justice is inexpensive and accessible to everybody. **Balicha Galgalo Guyo:** Akhaasiifuu taanaa feenaa jeediin **Com. Okoth-Ogendo:** Thank you. Now we want to ask you another question. **Com. Bishop Bernard Njoroge:** Now you have said that in Central Province and other areas, there is private property, which is true because they have Title deeds so that you cannot go to anybody's land. Now the proposal you are making is to prevent people from moving from one place to another, is to create Council of Elders to check on those who are coming. **Balicha Galgalo Guyo:** Yes. **Com. Bishop Bernard Njoroge:** Now, let me ask you this. If the prevention over there is Title deeds, couldn't it be easy for the communities living there to have titles to their own land so that they are also protected by law? **Guyo John Duba:** **Balicha Galgalo Guyo:** Yes, yes. Aafaan boranaatiin waan attiin jeetu ann akhaa ammaantaanaa guruub yaanii amma guruub beetaa akhaa ammaa siilaa guruubbaatiin naamaa laaftaan akhaa location guruubaan yoo ciiraanii jeddaani jeddaanii naamii location suun kee taaee akhaa location innittiin title deed keenaanii district cuuf akhaanaan gaargaar qoodhaan naaminnuu laaf gadh innseenuu jeediin yaa dowaanii **Guyo John Duba:** As an answer to the question you have posed, he is suggesting that communal title deeds be issued within specific localities. Perhaps a Location. If it is this Location now, the community here should be given a collective title deed so that they can regulate the entry of other groups that are not ordinarily resident there. **Balicha Galgalo Guyo:** Woor local tiif suunii individual akhaa gaargaar qoodhaath beekh jeediin **Guyo John Duba:** Then it is up to them to decide how best they can utilize those resources within that locality. **Com. Prof. Okoth Ogendo:** Councillor, you have suggested the establishment of special border guards, do you want these to be part of the Police force or part of the Army? **Balicha Galgalo Guyo:** I think they can be combined or if they were going to be combined, both I think I don't mind about it. What we need is just the security along the border. **Com. Prof. Okoth Ogendo:** Thank you very much. **Guyo John Duba:** Please register there. Now we call upon the Chairman of Darara Welfare Association, which is Youth organization. **Com. Prof. Okoth Ogendo:** Please make it brief. **Guyo John Duba:** Let us get some order first. **Com. Prof. Okoth Ogendo:** Let us get some order please. Can you tell them that we are going to hear everybody who wants to talk to us. We will hear everybody's views. Just be patient. **Guyo John Duba:** commissioner waan inni jeeduu sabaartii qaabadaa naam waa jecuu feeduu cuuf naafaas innii duubaatuun nuu keenaafii jeed. **Com. Prof. Okoth Ogendo:** Your name please? You can introduce yourself and continue. Summarise in five minutes. You can speak in English. **Wario Guyo –** My name is Wario Guyo. **Guyo John Duba –** He is speaking in English. **Com. Prof. Okoth Ogendo –** He is speaking in English. So when he speaks in English it will be recorded in English and you can translate into the local language. **Wario Guyo –** Be ready. I will present my Memorandum in English language and I will just read throughout. **Com. Prof. Okoth Ogendo -** O.K. **Wario Guyo -** Mr. Commissioner, I would like to register my appreciation with the Review Office on behalf of the entire Darara Welfare

Association to present a memorandum to constructively criticize the current Constitution under review exercise and in my official capacity as a Chairman, I would like to highlight on the possible weakness and strength of our current Lancaster House based Constitution and how we wish it to be redesigned to meet the challenge of the new Millennium. **Guyo John Duba** – Inni ammaa waan innii jechuu jiruun aan qaaraa gaalaataa issanii gaalcaa khaa ardhaa duuftaannii annaa ammaantaanaa akhaa chairman dhararaa welfare association waan katiibbaa khaanaa khaa aamaantaan jeelaa dhuu jirr khaanaa irraa dhuubaadaa jeed

Wario Guyo – Mr. Commissioner in defining the Corporate strategy, the Constitution of our choice is the one that emphasizes common mission, vision, goals and objectives and a visionary one which harness focuses and inspire the attention, energies, competence and other resources reflecting a brand of modern and good dimension of governance ensuring feasible participation and consultation among Government, Private, NGO's and Civil Society towards attainment of ultimate designed co-operative districts.

Guyo John Duba: Inni ammaa waan innii jeeduu laaf taanaa adhaa taanaa adhaa yoo qabaataanii adhaan teenaa reedhoo akhaa siirkaalii itti naamaa bulcuu akhaa innii ittiis naam olcuu akhaa innii itti naam khaadhuu waan akdhaasii qaabaacuu maaltee jeed

Wario Guyo – A weak Government, a strong community, a law by people, for the people should be the basis of the new expected Constitutional Preamble.

Guyo John Duba – Inni ammaantaanaa waan inni jeeduu yoo katibaa khaanaa qooraaniyyuu akhaa siirkalii hirreen sirkhaalaa laalaftee hirreen raayaa gudhaat feenaa jaajabaat feenaa jeed

Wario Guyo – Mr. Commissioner, on a wider scope, the infinite and exclusive Presidential powers has created an imbalance of power reasoners on the triangle of Legislative, Judicative and Executive. **Guyo John Duba** – Inni duub waan inni jeeduu siirkaalii kenyaa khuun sunsuum sadhiin yokhaan utubbaa saddiin eejaa tokiinii tokiiss naam raisaatii kaan fuulaa bungee tadhaa itti midaasaani kaan kotiinii jeed ammo hirreen gudhoon cuuf gaar office raaisaa khaan jiirt jeed

Wario Guyo: This could have otherwise been a comprehensive and integral infrastructure of the Government.

Guyo John Duba: Yoo siilaa ammo woorrii chuftinuu miizaan akhaas woliin sunsumii sun saadheen akhaa taakhaa khaa tookoo naam irraa injirree khaa tokoo naamaa jeelaa injiirre gudhoo dhaansaa jeed

Wario Guyo: The Executive Arm has tapped the principal role of governance by style, autography and elaborate Provincial Administration.

Guyo John Duba: Waan inni jeedu duub office raaisaa kuunii khaa executive hirruum cuufaa fuudaatee woom cuuf naamaa tolcaa waan cuuf through system DC, khaa PC khaan cuufaanuyuu waan cuufaa issatuu fuddaatee harkaa naam qaar jeed

Wario Guyo: Mr. Commissioner, this inconsistency in the system resulted to an increased poverty and lack of basic services despite the theoretical industrialization target for the year of 2015, structural adjustment programmes, poverty reduction strategy, etc. a wide spread corruption and looting, recessionary economic trend hence violation of trade state sovereignty by donor agencies, brutality by police force, lack of commitment from the State and ignored Pastoralist community among others. **Guyo John Duba:** inni dhuub waan inni jeeduu fiinii khuuninii yaa dhegaan nuu duufee yaa balcuum nuu dabsiisee kwa sababu nuu naam ammaantaanaa bessee siirkalaa allaa eegatuu yaa amaalee corruption yaani waan beesee woliin kanaan taa waa naam nyacisaan taa yoo office siirkaalaa deemtuu waa naam nyacift maalee waan feedaat khaan innargaanee diib khaan chuuf issatuu nuut gadhiin duufuu jiraa jeed

Wario Guyo: Mr. Commissioner, as part of the suggestion to be included in the new context of the Constitutional framework, the Presidential power should be trimmed to a level of a mere ceremonial duties.

Guyo John Duba: Aammaa inni waan inni jeeduu adhaa hareetii taan kheesaa office raaisaa yaa hagg yoomii beetaa office diiraa khaa akhaa qaluufaa taau maalee jeed

Wario Guyo: This therefore requires the devolution of powers to a Prime Minister to be (word not clear) by the other two, one to be in

charge of Parliament and the other the Executive. **Guyo John Duba:** Waan moi khaan feenuu akhaa prime minister khaa prime minister khuun dhuub huujjii siirkalaatuu cuuf akhaa innin guubaa eejuu khaa yoo raayaaleen woo gaafaacuu dhaandetuu issa waa gaafatuu jeedaan **Wario Guyo:** Mr. Commissioner, to further intensify the administrative network, the District Commissioner should be a local elective post, heading the security development and other subsidiaries under the Office of Prime Minister plus the Ministerial head of Department. **Guyo John Duba:** ammalee waan innii jeeduu nuu ammaatii taan aadhaa hareetii taan keesaatiyuu akhaa DC leenuumaan raayaa chaaguaanee dhuub naamii khuun nuu dhuurr dheemeetiin jeed feenaa jeedaan **Wario Guyo:** This will face out the current Provincial Administration, which is a duplicate of duties. **Guyo John Duba:** Acaanaafiyuu yoo naamii cuufaayuu naam caaguanuu maneno ammantaan khaa DC, Khaa PC, Khaa DO khuun tookooleen hujjii inqaabduu jeed **Wario Guyo:** On the same line, the ministerial headquarter for different ministries should be based evenly throughout the country depending their relevant demands e.g. Tourism in Coastal areas, Livestock in Pastoral areas, etc. to bring services closer to the people and break barriers of social interactions instead of the present Nairobi based headquarters. **Guyo John Duba:** Aammalee waan inni jeeduu wonnuumaan cuuf khaa office siirkaalaa cuuf haaguun Nairobi ciisaa jeed aadhaan hareetiin taan jeelaatii ministry siirkallaalee cuufa akhaa fuulaa ministry sunnii hujjiini issii jiirtuu akhaa issii accii geesaan jeed waan inni jeed ammaa faakheena yoo waan utalii koot geesaan jeed yoo waan hoorrii gaarkheen khaanfaa geesaan jeed **Wario Guyo:** Mr. Commissioner, I anticipate in my address that this galaxy of stakeholders in the audience is anxious to hear the specific agenda on Constitution in Northern Kenya. **Guyo John Duba:** Beenii ammaantaan khaan khaa ciisuu khuunini adhaan tuuniinii akhamiin nuu qaarqartii taan dagaauu feed jeed **Wario Guyo:** The Current Constitution deliberately sidelined the region as a third rate citizens as advocated by Sections like outlined district ordinance of 1902, special district administration of 1934, North Eastern and contiguous district regulation of 1966 listed recently with introduction of multi-partism is all a big denial to freedom of justice and rights. **Guyo John Duba:** inni duub waan inni jeeduu nuu woor garaanaa khaa worr northern kenya khaanaa aadhaan assii keessaat gudhoo nuu dhaabraani gudhoo umrii kheen nuu doowaanii akhaa aadhaa taa jiiya afuurii taa yoo DC diiraamuum tookoo laafaa khaaee laaftii kaadhioo yoo khaan waan naamii tokhoo waan feed naam toolcu waan khaan cuuf yaa nuu baalesitee waan kaan qaaraa jeelaat damdamaad fiin daansaa yoo khaan qajeelaa feenaa jeed **Wario Guyo:** The Indemnity Act of 1972 that protects the Government against any possible indictment of the past inhuman acts done to Northern Frontier District and North Eastern Province, these are all contrary to the concept of human dignity and contravenes international humanitarian laws. **Guyo John Duba:** Fiinii duubii keesaa nuu gudhaan suun khaa emergency khaa ghaaf shiiftaa khaan cuuffaa fiin yaanii binadaamuuyuu kheesaa bulcuu immaaliinii woonii suun dhaab gudhaa jeed **Wario Guyo:** As such our proposal is crystal clear; the damage committed can only be reversed if the new Constitution's address on strategies of how to organize a well-defined martial plan for Northern Frontier District and North Eastern Province as a package for reparation to reconstruct this region back to ordinary citizen status. **Guyo John Duba:** Inni waan inni jeeduu dhuubaa woonii nuu kadaanuu duurii gaafaa olkii adunyaa khaanii laaftii khaa naam aadhii khaa yuruubii dhudub chaptee eenaanii siirkalii amerikaa machaan waan jeedaani machaas yoos plan aabbaa issitiin laaf suun cuuf hortuumaa issii mogaasaan jeed waan akhaasii khaa nuutiin gaadh duufaanii nulee ool nuu khaasaanitiini biyyaa woll qiitee taan feen jeed **Wario Guyo:** This will be a platform from we can together with the rest of Kenyans ponder for the next move on this global village. **Guyo John Duba:** Aakaasiifiyuu hojjaa aartiin nuu gaanii nuleen ammaantaan biyyaan woliin yauu dhandeenaa

guumuum woolii guumuum biiyaa kees jiiir jeed **Wario Guyo**: Mr. Commissioner, to avoid such further occurrence, extensive rehabilitation of our current system of our legislature is inevitable. **Guyo John Duba**: Aadhaa bungeelee khaa jijjiiraani jeed **Wario Guyo**: This includes a Parliament of two Houses, one House of normal elected MPS' at Constituency level and the second House a component of tribal nominees, the latter safe guarding the interest of all tribal groups in Kenya and possibly a means to combat the crisis of nepotism and tribal chauvinism which is the fundamental of corruption today. **Guyo John Duba**: Inni ammaantaan waan inni jeed nuu buungee laamaa feen jeed. Bungeen tokhoo bunguum khaa kawaidaa khaa contitutuency naamii chaguaatuu jeed, bungeen taan diibiinii bungee goosaa kenyaa keesaa cuuf tooktook fudaanitiin dubaa yaani interest maaslai goos cuufa laaltuu feenaa jeed **Wario Guyo**: Mr. Commissioner, the Executive Arm and the general public will be the source of the policy guidelines towards passing a Bill in Parliament. Along side this will rule out the Presidential veto of Nomination to the House. **Guyo John Duba**: ammaalee waanii hojjaayuu bungee nominated MP jeedaan khaanaa waan khaan qaaraayu raaisuum callaan yokhaan namuum chamaa suunii gudhaa namaa khenuu dhandaa jeed **Wario Guyo**: However, any business focusing on personal interest, pension and remunerations of the MP's should be above the Bill debatable in Parliament but instead addressed by an independence Board appointed by the President. This will prevent the unsatisfactory pay-rise and the benefit of the August House. **Guyo John Duba**: Buungee ammaantaan beessee maataa naam insseen nyaatii beeseen tuun ammo issumaat dhaabaarfaataa buungee kees teetee woonii ammalee akhumaufuumaan miidaafaatee ufuumaan dhaabarsiit suun dhaabaa armaa accii yoo buungee mushaaraa dharuu maalaan akhaa tuumee akhaanaa taa commissioner taa akhaasii tuuniin teeteetiin laaltee yoo dhaabaarsit dhaabaarsitee yoo dhaabarsuu bhaat laakiftuu jeed **Wario Guyo**: Mr. Commissioner, recent world policies such as globalization, liberalization, democratization and information technologies, have reduced the world into a global village and increased gathering momentum towards a free trade and competition. This raises danger that information and knowledge gap endangers the poor Northern Frontier District and North Eastern Province compared to other parts of Kenya. **Guyo John Duba**: Amman taan nuu ammaalee gaar yaayuu waa taau yaani waan laaf kees jiiiraa waan adhunyaan kee dheemtu khee jirtuu tokhoolee quubaa inqaamnuu jeed **Wario Guyo**: The new framework as a matter of urgency should address the problem of infrastructure e.g. roads, information technologies such as Television, Boosters and extension of Mobile phones service radius to our area and its environs and giving a blue print in -----, **Guyo John Duba**: Aammaan taan waan naamii fiinaan daqaatuu cuufaa akhaa laaftaanaa nuu raraanii waan akhaa khaaraafaa, waan akhaa satellite, waan akhaa siimuufaa, waan akhaa television khaanfaalee nuu inqaamnuu waan kenyaan kee jiiituulee arguu dhaandeen waan khaan cuuf infeenaa jeed **Wario Guyo**: and giving a blue print in redefining the Northern Frontier District and North Eastern Province as a hardship zone at a more delicate capacity to boost the Civil Servants in this area. **Guyo John Duba**: aakhaa ammaalee laafaa taanaa khaaraayu laaf dhuraa jeedaanii akhaa laaf diibaatiin dhuubaa yaanii horrilee goolol laaf taanaalee gaaraan nuu dhaabaarsaan jeed **Wario Guyo**: Mr. Commissioner, to promote strong community principal, the local council should employ a sort of federal policy on local resource management to improve service efficiency. **Guyo John Duba**: Aarmaaleet county council akhaa issiin region waa qooqodheetiini dhuun akhaasiin dhuub hoorri issiin kuuleen naamaa qaarqaaru daandaa jeed **Wario Guyo**: The post of a Clerk should be elective and with Mayors and Council Chairmen with substantial degree of literacy. **Guyo John Duba**: Nafaasaa clerk illee akhaa naamii kuraa daatuu woorii councilor khaa chairman innilee cuufa akhaa woorileen masomoo goomtu qaabuu jeed **Wario Guyo**: The enforcement of the present Trustland Act, Chap. 288 Laws of Kenya should be put in

place rigidly as it organizes a sensitive exercise to avoid the situation where the Trustland is becoming a personal shambas for the County Council big fishes and the DC's.

Guyo John Duba: Eeh aammaantaana trustland suuleeni diqhoo laalaani akhaa wooruumaan coucil khuniin laafaayu akhaanumaa woruumaan gaargaar qodhaatee waan feed tolch wooyaa.

Wario Guyo: Mr. Co-ordinator, I would like you to emphasize a bit on this Trustland Act, Chap. 288. (Interjection by District Co-ordinator)

Wario Guyo: It is okay. I am winding up.

Guyo John Duba: Inni waan inni jeeduu trustland taan kheesaa divisional land booth jirr jeed eeh division cuufaa committee jirr jeed taa laaf taan tissitu ammo ammaan taanaatii waan suuni tokoolee guuldeemuut injirraan jeed akhaa aarmaa achii divisional landboard tuun teeteetiin yoo laaf taaanaa maanctolchiin jeedaanilee namii itti wool gaafaatee akhaa itti woldaagaani laaf suunii duubaa waan toolch toolch jeed

Wario Guyo: Mr. Commissioner, to be more vigilant on fundamental rights and freedom of individuals, the new Constitution should address the current youth labour force and agony of unemployment problem.

Guyo John Duba: Nuu ammaan taan waan inni jeeduu binaadaamuu yoo daalaat shauri issin binaadaamuimtuutatemooguraatiitatemoo ammaataan naaam hujji dhiiqeesiinaa akhaa naamii akhaa dhaansaa hujji argaatuun jeed suunii khaa naamaa eedhuu hujji keessaa gaalchaan suunii waan naamaa maaleenii jeedh kwa sababu liqiimsaa naamaa diqeesaa

Wario Guyo: Employment should therefore be part of the Bill of Rights subject to a certain qualification criteria for unemployed labour force status as set by the Ministry of Labour since the impact of unemployment will have an obvious macro and micro economic consequence. I am sure this will save our jobless youth from mental and psychological anguish.

Guyo John Duba: inni ammaan taan waan inni jeeduu akhaa adhaa hareetii taan keesaatii waan miirg naamaa fuulaa miirg naamaa jiiiraa miirg khaan kees miirg naamii hojjiin hojjaatuun khaa naamii hojji argaatuun khee nuu khaanii akhaanaan nuleen naamii dhiqaan hojji argaanee uffi gaargaareetiini fiinaa dhaansaa fidhaamnuu jeed

Wario Guyo: Mr. Commissioner, on the perspective of citizenship, the new Constitution should consider the dual citizenship status of those at the borders to promote socio cultural and economic interactions at a local level. A joint deal for international and regional obligation that deals with a legal sense on a neighboring states or Nations.

Guyo John Duba: Inni ammaataan waan inniin jeeduu nuu akhaa woorri boarder quubaatuun khaanaa akhaa raayaa armaalee taanee raayaa siirkaal gaam khaanilee taauu dhandenuu nudhaabaarsuu maalaan jeed yoo akhaanaa nuu woolkeeseenee nammii qaraa gaam khanaaf suulee injiiraa woldaageenee siirkaal khalee woldaagesisuu dhandhesin jeed

Wario Guyo: On the same note, as a token of gender sensitivity for women, the Constitution should also spare ----(interjection Com. Prof. **Okoth Ogendo:** I have to stop you.

Wario Guyo: Yes. I have finished. I have just less than half a minute. On the same note as a token of gender sensitivity for women, the Constitution should also spare a guarantee to citizenship by naturalization for men who are non-Kenyans married to Kenyan women.

Guyo John Duba: Ammaan taan waan innii jeeduu naadeleen adhaa kenyaataa ammaan taanaa namichii diiraa oojaayuu naadeen laaf aalaa fudee niitiin suunii khaddii argaatee naam keenyaa taateammaa waan nuu feenuu niitii kenyaalee yoo issiileen naam diiraa khaa laaf diibii issiileen jaalaatee fuutee akhaa naamii suun naam kenyaataa taauu jeen

Wario Guyo: Finally, after comprehensive overhauling resulting to an all rounded and contemporary and broad based Constitution, it should be written in a very simple layman's language understood by ordinary citizens of basic literacy. It should have an organized dissemination to enhance easy access to all citizens and more over integral part of the formal education curriculum for easy recognition by individuals, breach or denials of their rights and privileges ending my proposal with confidence that finally Kenyans will be union of nations.

Guyo John Duba: Amma waan inni jeeduu indbuufaadaa buufaati kiyaa akhaa adhaa hareetii taanaa afaan naamii daagau afaan issaa tileen

qooqoraanii ammalee katiba khaalee fuulaa chuuf naam beessissanii school khee nakhaanii liberary khee naakhaanii ammalee curriculum school masomoo school lalee khee kaanii nammii suuniin soommeetin waan adhaa kaan chuuf baraat jeed**Com.**

Prof. Okoth Ogendo: There is a question for you from the Commissioner here. **Com. Nancy Baraza:** Mr. Guyo, I have a question for you. You are talking of devolution of powers from the President to the Prime Minister; you talk of devolution of Ministry to relevant areas,Interjection by **Mr. Wario Guyo:** it has to do with headquarters ----**Com. Nancy Baraza:** Yeah.

What is the nature of the State we envisage after we write our Consitution. What will be the nature of the State?**Wario Guyo:** That kind of arrangement----**Com. Nancy Baraza:** and then the second question is, you say the post of the Clerk should be elective, what about the Mayor and the Chairman?**Wario Guyo:** The Mayor and the Chairman should also be elective. That should be the normal process. I think one thing is that we here, we don't know the law. So we are just bringing our problem so that you the Commissioners whom we think you are qualified in law will go and write it in your own language.**Com. Nancy**

Baraza: Yeah, that's fine. Can you answer my first question?**Guyo John Duba:** Now the Commissioner is saying, we devolve power so that we will have a President, we will have a Prime Minister and then the Ministries can now be regionalized depending on what its core businesses are--- What system of Government do we envisage with that kind arrangement?Interjection by **Com. Nancy Baraza:** Now what is the next ----- **Wario Guyo:** Now we are going to have a case whereby the Office of the Prime Minister is the central Government ---**Com. Nancy Baraza:** The State, how will it look like?**Guyo John Duba :** Siirkalii maan taauu maal jeed yoo suun**Wario Guyo:** I am talking of the union of nations, because currently, currently, Kenya is not ----- . They are calling it a State, they are calling it a Nation, but from the proper defination of what a State and a Nation is, it will not fit anywhere because like ourselves, there are others who are not talking the national language of Kiswahili. Are we qualified to be a State therefore? It is better we in Moyale be a Nation, in Marsabit be a Nation, Masai and others be a Nation, and we can be a union of Nations. **Guyo John Duba:** He is talking of a Nation and the Nation itself.**Wario Guyo:** Yeah, you know better in your own language.**Com. Prof. Okoth Ogendo:** Thank you very much.

Please register yourself.**Wario Guyo:** Thank you.**Haji Muhamed Apicha:** Kwa jina Haji Muhamed Apicha: Nimfanyi biashara na wazee wa Moyale. Ni mzee ya Moyale.**Guyo John Duba:** He says that he Haji Muhamed Apicha---**Com. Prof. Okoth Ogendo:** No, no. He is speaking in Kiswahili.**Guyo John Duba:** Inni waan inni jeeduu worra hajj Mohammed apicha naam besharaa assii keessat hojjaatuu**Haji Muhamed Bicha:** Mimi napenda kuongea Kiborana tafadhali. **Guyo John Duba:** annii afaan boraanaa dhubachuu feed jeed**Haji Mohamed Bicha:** anniin yaadh gagaabaabaa sathii baasaa jeediin **Guyo John Duba:** He says he wants to present three important views.**Haji Mohamed Bicha:** ittiilee inndeeraaduu**Guyo John Duba:** He says he will be very brief about them.**Haji Mohamed Bicha** – Taa qaraa waan islaamaa irraa dhuubaadaa jeediin **Guyo John Duba:** The first thing is about Islamic law**Haji Mohamed Bicha:** Aakhaa islaamii chuuf beekh woonii khaadhii mukuu khadhii guudha kenyaa gudhoo diibii irraa jiiraa jeed gaar islaamaa guul **Guyo John Duba:** He says we have a lot of problems with the office of the Chief Kadhi.**Haji Mohamed Bicha:** chief khaadhii guuyaa sukuukuu islaamaa taa iiddii gaan keesaa maar laama gudhoo islaamii kenyaa irra diib qaabaa akhaa aan feeduu yaadhaa adhaa siirkalii chief khaadhii naamaa taauu akhaa haarka barazaa immaam kenyaa lakiisaanii immaamii kenyaa filaat feeda adhaa suunii akhaa siirkaal irraa fuudaanii immaam kenyaa laakiisaanii immaamii kenyaa barazaan immaam kenyaa chief khaadhii kuu filaat feedaa jeediin**Guyo John**

Duba: He says the Chief Kadhi has on many occasions given conflicting information during Muslim ceremonies and he is

suggesting that the Chief Kadhi be appointed by a Council of Imams of Kenya. **Haji Mohamed Bicha:** yoo woom islaamaa diibii irraa duubaad ijolee teen taa duubraa taa skuulaa aarriaa islaamii quubaat khaa skuulii jiirr akhaa inn diineef wooyaa islaamii kuurfees issiin keewaatee skuulaan daatu uniform skuulaa khaayuu issiin akhaa islaamii irraa feed issiin keeyaat akhaa indiineef sheerriaa kenya kees akhaa khaan yaadhii kiyaa akaas qaabaa jeediin **Guyo John Duba:** He says that under the new Constitution, they want an entrenchment where Muslim people or Muslim students should be given a right to dress in Islamic attire irrespective of where they are schooling whether they are in Christian funded schools or otherwise. **Haji Muhamed Bicha** : Naamii chuuf waan diibaa issaa irraa duubaataa diibee laafa taan keessaat taa guudhoo nuu diibee khaa worr moyaalee yokhaan worr northern kenya chuuf diibee waan suun diikhoo irra baa jeediin. Waan suun yoo iraa baa adhaa duurii khoolonii naamaa muurs khaa worr horrii khaa innii gaargaar doowee adhaa suun akhaa dheebiisaaniif worr horrii khaa inni baarbaadh issaanii irraa wool daabee wooliin fiitee waan suunii gudhoo nuu khees jiiraa maarraa biisaan khaaniiraat naamii kheen gudhoo wool baalessee akhaa woorraa jiiireenyikaa horrii khaa qootumaa jiiraanii chuuf adhaa suunii deebisaanii naamii ammo guummi laaf seensis khaa diibii laaf seensis worr laafaatiin dhubaatee akhaasiin seenee yoinni laaf seeneelee akhaasiin bekhaan khaa yoo inn seenilee diibii injiire jaarrolee suunii iiree itti kheenaanii adhaa horriin laaf diibii goodhaanee yookhaan naamii laaf diibiin horriin goodhaanee maaraa biisaan guul goodhaanee diibii laafaa taanaat induumn akhaa adhaa suun seera suunii dheebiisaaniseera suunii jaajaabeesaan akhaas feedaa jeediin **Guyo John Duba:** He proposes that the colonial boundaries be re-introduced so that every community or ethnic group will be confined within specific territories and to graze within that area exclusively. **Haji Muhamed Bicha:** Taanii waan gaar boliisaa. Waanii gaar boliisaa woonii anniin irraa dhuubaaduu boliisii kenya adhaan injeetii adhaa akhaa yoo naam saabbaa naam indaannee ammo alleen jeed. Akhaa adhaa suunii jaajaabessiinee boliisii kenya yoo naam qaabuu kaaraa kaamiilaatiin uchuunguzii toolch maalee inni naam daanee naamaa fiinyee naamaa diirraa diirroma doowe naamaa uuwaa naafaa saalaa chuubaa khee khaan akhaa adhaa dhaabii seel keessaa naam teesaan suunii akhaa jaabbeesaa baasaan akhaasii feedaa jeediin **Guyo John Duba:** He says that, incidences of Police torture and exposure to inhuman and degrading treatment is all too common around and they want protection in the Constitution so that the Police should not torture people or arrest people indiscriminately or arbitrarily. **Haji Muhamed Bicha:** Dhaab gaaraa boliisaa oottoo kaaraan armaa mooyalee deemuu nayyirrobii deem kutookaa armaa bakhaa siooloo beeriaa kuudaanii afuuri jiiir. Berriian kuudaanii afuurii khaamuu kilomiitaa shaanii jiiirt yokhaan kudaanii yokhaan diidaamaan haagaanaan jiiirt. Beerriian sunnii taamuu waan OCPD, yokhaan OCS inni taaraafaa tookhoo akaabiishuu taaee guumboo diidiiqoon guuraat akhaanaafuu boliisii akhaanaan adhaa kenya taan gaartee daaraan haarkaa qaabaa eerriiaa kutokaa armaa baakhaa siooloo OCPD tohoo yoo khaan OCS tookhiin keeyaat khaanaa akhaa yoo sioloo daabraan beerriian injiirtuu woonii jiiraa taaraafikii caalaa taaraafikii gaarii akhaahaamaa deeuu chaalaa khaa kutokaa armaa baakhaa sioloo ammo beerriiaa kudaanii afuurii kiloomitaa diidaamaatiin kudaanniin jiiirt khaan beerriiaa taan akhaa nuuraa khaasaani adhaa kenya jijjiirtee akhaa adhaa kenya diibii nuuleen akhaassii buul taa akhaasii suun feed jeeddiin. Beerriian sunnii woonii issiin saabaabishituu waan corruption jeedaan khaa gumboo diidiiqoon baasaan woonii khaaniifileen sunnii haanuura khaasaaniitii jeediin dhaabaa suun **Guyo John Duba:** He says that there are fourteen Police barriers between Moyale and Isiolo, which is a curtailment on the full enjoyment of fundamental rights and freedoms. I mean the freedom of movement. He says that these barriers have been deliberately put on the roads by the Police or the Police Chiefs in that locality as a way of extorting money from the public which is one means of

corruption and that this should stop. **Haji Muhamed Bicha:** Adhaan kenya goos guuguurdhoo goos diidiqoo chuufaa akhaa taakaatii issii laalt feedaa akhii issiin laaluu malt yoo mfaanoo mooyal goochii guudhoon tookoo jiiraat khaa issiin kuuraa bungee issiin fuudaat goochii diiqoon diibii mooyalee taan khee jiirtuu yokhaan kenya diibii fuulaa diibii issiin jiiraat akhaa goosaa diidiqoo akhaa minority laalaan akhaa adhaan kenya issiin keejiirt akhaas toolchaan feed **Guyo John Duba:** He is saying that all ethnic communities in Kenya irrespective of their number or their population should be treated equally and he takes the case of Moyale District where he says there could be a dominant ethnic group so that the others should also be declared minorities and be given some special or preferential treatments. **Haji Muhamed Bicha:** Bungee teenaa taa qaaraa haataatuutii bungee laamessiitoo taa jaarolee taa goosa cuufaa kaamuu keesaa fiilaan issii taatulee yaadhii keena akaasiitii haafaa jeediin **Guyo John Duba:** He goes further to propose a National assembly whose members are elected on the present basis of the Constituencies and then another house of tribes that will have representation from every ethnic group in Kenya. **Haji Muhamed Bicha:** Laa fiitaadee Aasaantee saanaa gaalaatii keesaan imbaadiin qaraataa gaalfaad **Guyo John Duba:** Asante sana. **Com. Nancy Baraza:** Mr. Bicha you don't think the Police barriers along the road provide you with any security at all. They don't serve any security purpose at all? **Guyo John Duba:** Inni waan innii jaartiin tuunii waan issiin hajj Mohamed gaafaatuu beerriaan khuun khaa fuulaa cuufaa nakhaan tuuniinii security issaan inqaarqaatuu jeet waan issaan qaarqaartuu inaarguu jeet **Haji Muhamed Bicha:** Woontii tookh khaa issiin nuu qaarqaart injiirtuu **Guyo John Duba:** He says that those barriers do not serve any of their interest, either security or anything. **Com. Prof. Okoth Ogendo:** Thank you. I want the Imam back here. **Com. Prof. Okoth Ogendo:** Imam, I have called you back here to clarify something for me and I would like you, if you agree to speak to me in English. I want to understand the structure of Islamic Religious leadership. The Catholic have a Pope, then they have Cardinals, then they have Bishops and so on. I want to know what the structure is because I don't see where the Chief Kadhi really fits. So just give us an idea of hierarchy within Islamic religious position. **Abdinasir Aji Nasar:** Islamic Religion, I think the word Chief Kadhi is also after all now many people mix the title of a religious leader and the title of the office of the judge. When we talk of a Sheikh, this is our scholar; it is a title of the level of education. A Muslim scholar can be called a Sheikh or a Mufti in Arabic. But when we talk of a Kadhi, which is in Arabic, it means a judge. So there can be a Kadhi for a certain region because even during the time of the Prophet or after the time of the Prophet various Arab Nations, they used to have Governors whom they called Kadhis and then the one who is overall now, they can call him a Kadhi for that, that is the chief of all the other Kadhis. So, I mean the way the Christians have it, that is a Priest, a Bishop something like that. I think this is a title in the line of religious duties not the duties of judgement. This one is a bit different because when we talk of a Kadhi, this is a kind of a judiciary rank, while if it in the Christian line, when we talk of a Bishop or a Cardinal, I think that is something to do with a ---- I mean ----- **Com. Prof. Okoth Ogendo:** My problem is this, when the Chief Kadhi says he has sighted the moon, I have heard some Imams saying that the Chief Kadhi is wrong. They have also cited their own moon. So who gives authoritative Islamic religious leadership? **Abdinasir Aji Nasir:** In Islam leadership is not somebody's right. It is not autonomy for anybody whether you occupy a high position. Always it is the truth that prevails. So even the sighting of the moon, the moon is sighted in Mandera or in Moyale and the Chief Kadhi is given the information and he refuses to respond, then any Imam has got the power to announce to the other Muslims because the truth has to prevail because the Chief Kadhi has refused will not give him the right or deny the Muslims their right of celebrating the right day when the Muslims are supposed to

celebrate all over the world. But if the Chief Kadhi is on the right he has to be obeyed. So obeying of leadership in Islam is that we obey the leader whether he is the Head of the State, whether he is the Chief Kadhi, if he is in the right. If he is in the wrong, he has to be corrected. **Com. Bishop Bernard Njoroge:** But one thing you are saying Kadhis deal, their judges they deal with the Courts. But you also have Mufti, who are religious leaders. Now sighting of the moon and announcing it is a religious thing, isn't it? It is not a legal ---- and why does the Kadhi then announce---- do you have different shifts between what is legal and what is religious? **Abdinasir Aji Nasir:** I think that is going to part of the Constitutional process which is now going on because a lot of power has been vested in senior people in this country and many people have been denied even basic rights of celebrations. Celebration is now just a basic right. What has it got to do with the Government? What has it got to do with the Chief Kadhi? If Islam is a universal religion, if Muslims are celebrating all over the world, and then just because it was not announced over the KBC, then we are not going to celebrate. I mean that is unfortunate.**Com. Prof. Okoth Ogendo:** Imam, I thank you very much. I needed to clarify that. We can proceed. Next.**Guyo John Duba:** We call upon ---- aammaa baarbaas koonaa tookhoot waan ijjoolee skulaa duubaachuu feed **Alkano Jiwako:** My name is Alkano Jiwako. I am from Moyale Primary School. I have the pleasure of giving my presentations to this Constitutional Review on the following:**On the Rights of children:** Firstly provide children with the right to free and compulsory primary education.**Guyo John Duba:** Innii waan innii jeechuu jiruun anniin ammaantaan akhaa ijjoolee duufetiinii yaadhaa kiiyaa armaat diefaad jeed. Woonii qaaraa akhaa masoomoo buuree

hojjataan laamesso toolchani laafaan qootaataan taan beessee toolchaanii maa yoo laafaan qootaataan waanii suunii irraa injiirtuufii akhaa waan suunii baaleesaanii jeed**Alkano Jiwako:** The State should implement measures aimed at addressing the problem of Street children and families.**Guyo John Duba:** Taalee akhaa siirkaalii ijjoolee ammaantaan kaaraa gubaa yaat khaa fuulaa feetuu guurguurt khaan ammaantaan ufiyuun yoo gaarii guugurdhaatee **Alkano Jiwako:** Children should be protected from parental abuse and mistreatment.**Guyo John Duba:** Aammaalee waan inni jeeduu ijjoolee aabbaaf haattiileen akhaadaansaa laaluu maalte khaa ijjoolee taan arraabbalee innaa arrabsiin khaa ijjoolee taan fiinaalee inn fiin **Alkano Jiwako:** Children should have the right to own property without discrimination on the basis of sex.**Guyo John Duba:** Aammaalee waan innii jeeduu akhaa ijjooleen haaqii wooiin argaattuu haaqii horriin daaltu aargaattuu diir innjeenee duubr injeenee**Alkano Jiwako:** Finally, implementation and enforcement of the Children's Act.**Guyo John Duba:** Taaleen waan aadhaafaa khee dhaabaarfaataan suulee laafeedaannii akhaa waan suun ammaantaan siirkaalii duurrumaati laal jeed**Com. Prof. Okoth Ogendo:** Thank you very much. Please register here. Next?**Guyo John Duba:** Mr. Abdi Ali?**Com. Prof. Okoth Ogendo:** Abdi Ali? Please summarise**Abdi Ali:** Waan aaniin dhubaadduu waan adhaa skuulaa cuuf laa dhuubataanii akhaa diigaa baarbaadhuu akhaa biyyiiti naadhuraa baantuu akhuumaa hirree chaagussii fedaan suunii khaa diiqeesaan feed.Laameesso akhaa iiddaaraa worraa aamaa administration khaanaa akhuum niitiin ardaa baantuu karnee shaanii afuurfaa khaa beeshaaraa haarkaan worri tiishoo kuun jeen. Worri akhaa PC, DC, DO bakhaa chief **Guyo John Duba:** Mr. Abdi Ali says he wants: One: Presidential Powers to be reduced.

Two: He wants the officers of the Provincial Administration including the DC to be elective and for a period of five years for two terms.**Abdi Ali:** Taa saadheesooleen akhaa horrii uumaataa uumaataa kenyaa naamuumaa laamaan tookh aakuun feed intoolchiinee goos cuuf keesaa goos didiiqoo akhaa aamma worr tokhoo aan imbeekhuulee woorra laaftaanaatii gaarl-molo maan jeedaan el-mmolloo moo maanjedaan worr didiiqaa took akhaa akhaa irraa qaabaataanii horrii

uummaa taanaa naamuumaan laamaan tookhoo fuulaa tookh chiisee waanuum feed toolchiitee kaamaatii horrii suun laaltuu kaaaulaa dibii jiirr kaamaandaalees chuufuumaa akhaa tusemee worraa akhaa moora haatuufaa kaamaatii iitti guuraanii kaamaatiin suuninii horri uumaataa khanaa baadhuu dowaartee horri suulee yaannii uumaataa akhaa irraa laaltaan **Guyo John Duba**: He proposes that national resources should be distributed equitably and that minority groups such as the El Molo should also be catered perhaps by the creation of a special Commission to look into the rights and interests of the minority. **Abdi Ali**: aammaalee akhuum reefuu ijja teesaan duraat baas nuuin northern kenya diibaa hammaa qaamnaa diibii akhuum roofuu niitiin baantuu maant irraa tookh waanuumaa naamii laamfaa wool daabee jeedaanii naam laam khaa siirkalii yooislaummulee fuudee aadhaa toolche aadhaa tuun laaltuu fuudaanii nuu oobbaasaan akhaa duurii shiiftaa khaanfaa waan siirkaalii siilaa hirree itti toochee naam shiiftaa taa khaan qaaqaabaanii yokhaan fuudaanii hiidaanihiidaanii itti naamaa oobbaasaanii laafaa akhaa maalkhaa baarii suunifaa, wassofaa, saakhuuyee akhaa baaraan oobbaasaan suunii waam suunii fiitaa akhaa dhoogoodhiifaa gaaraan gaadhiit obbaasaan suunii Akhoo hawoofaa loon issii duuraa oobaasaan suunii waan suunii tiikhaa diibii diium taan kuunoo kibaandhee diimtuu jeedaanii goosoomaan naamaa gaargaar baasaanii namii laamaa khaa nuuwoolbeen kuunoo gaariifaa guurguur woorii afuurii wooldaabee jeenaan bedheel fuudaanii woolitii haaraarsaan khaanii fudaanii hiddaanhiddanii kibaandhee diimtuu waan aadhaa kenya injiirree durr khaanii daaraa nuu hiidaan **Guyo John Duba**: He talks about the massacres of Wagalla, the Malkamari and he says that these groups were either tortured, killed their property confiscated indiscriminately for works that they were not responsible for and he also mentioned something to do with discrimination like the issuance of the Red Card to a specific group of Kenyans at one time in 1989 and he says these forms of discrimination should be declared unconstitutional. **Com. Prof. Okoth Ogendo**: One minute----- **Abdi Ali**: Aakhaasumaan ammaa annuu kabaartii kibaandhee laaftaanaan naamaafaa fiikiiree jiir laa jiibaan akhaa waan suunii siirkaalii kooloonii suun nuuraa fuudee raayaa kenya diibiin woolnuu qiteesee laaf tookhoo aadhaa laam iitti imbaafnee aadhuumaan tokhootiin biyy chukkiimn suunii nuuleen akhaa nuuraa fuudaan feen **Guyo John Duba**: He proposes the repeal of these vetting committees that are set up in border districts. He says there should be equal treatment before the law. **Abdi Ali**: Taa itii aantuu waan maaq horrii assiilii kiswaahilin jeet khaanaa waan laaf keesaa baa khaanaa waan akhaa dhaahaabaa waan akhaa biisaanii waan akhaa yaanii mukhaa khaanfaa waan akhaa horrii waan akhaa bineensaafaa laaf teen taanaa nuu waan akhaasilee gudhoo inqaamnaa siirkaalii waan worr waan suun laal suunii yokhaan waan worr dhaahaab sunn hataadhaa inqaamnaa waan ammaa kuunoo goos worraa lafeetuun inqaabdii worr waan sunni laal sunni gaaraan nuu gaadieesaa yoo biineensalee olliitt muukichaanii horri laaf taan kheesaa baauu khaan aammaalee dhaaoo kaantii aachii geesaanii mukhummaan uubbaaitiin worri laaf teen kheesaa baa nuulaalt feen **Guyo John Duba**: He says that local resources found available in those local areas, be they minerals, wildlife, livestock should be used for the benefit of that local community. **Abdi Ali**: Aammalee council teenuum taan irraa qaabdee taa moyalee taan cuufaa akhaasuum jiirt seeaa akhaa nuumaa laamaan tookh khaa artiit chaaguuaan kaa yokhaanii akhaa miraafaa miitti diir chuufuumaa moyalee taalee kessaa injiiraa arguu jiiraa horri khaanaa waan laaf taan kheesaa khorrii uummaat irraa guuraat naamuumaan laamaan tookho teafaatee waambiaan intolchinee uummaat laafaa khee quubaatuu khaa achiit office khaan kees eejaanii waan woonii suun taauu waan worri sunni tolcuu maalaanii waan sulee miidaasaan feen taanaafuu ammaataan nuunii nammii ukhaaqaar injiir waan tookoolee inqaamn akhaanaafuu hoorrii kheen akhuumaa naamuumaa laamaan tokhoo imbaaleessiinii jeechuu maanii wolfaakaat waan guutuu maalaan khaan khaaum baalees khaan akhaa waan guubuutiin nuuraa baaleessan wonii

laaftaan fiituu duuf guuboo taalee siirkaalii guldeemee fituuf feen**Guyo John Duba**: He says that revenue or local levies collected by the County Councils should be used to benefit local communities instead of the same money being misappropriated by a few officers in the Councils. **Com. Prof. Okoth Ogendo**: Please wind up.**Guyo John Duba**: He has finished.**Com. Prof. Okoth Ogendo**: Asante sana.**Guyo John Duba**: Yaa issaan khaadaanee aammaalee deebiinee issaan khaadaanee woorri arr waan khaan khaa kesuumaa guubaaciisaa khaan keesuumaa yaa haafuur baafaachuu daadaabdee biyy taan irraa gaaraan deebiiiaa jeechaan aamma nuu daageetaani woorii duuduub chiisu suuleen deebiiiaa aartii gaadbaa diiroo yaa issaan khaadaanee waan! Issii maarr haagaam waan khaan issaannit hiimn diirroo raalidhii nuu qaabaadaa biyy taalee duuraaf duubaa gaadh deebiiiaa woonii biyaa akhaam woolkeeseenaanii naamii sissoodhaa beenii akhaan imbaaraanee mee irraa dheebiiiaa

Issack Hassan: My names are Issack Hassan. O.k. mine is brief and I will revisit the issue of the Kadhi and as other presenters have suggested, I propose that he be appointed by a council of Imams. Secondly, that ----**Guyo John Duba**: You mean you are repeating the same issues that have already ----**Issack Hassan**: No, these are mine.**Guyo John Duba**: Do we tell the public again?**Issack Hassan**: No.**Guyo John Duba**: Inni ammaantaan waan innii jeeduu aaleen woom roofuu dhubaataan khaa immaamaa khaan irraa dhuubaadaa immaamaa akhaa council immaamaa chagutuu khaa siirkhalii iinchaaguunee jeed**Issack Hassan**: Secondly his scope should be widened. The current Constitution states that the duties of the Chief Kadhi or the Kadhi is marriage, divorce and inheritance and it ends there. **Guyo John Duba**: innii ammaantaanaa waan innii jeeduu hojjiin ammaantaan khaadhiin hojaatt katibaa ammaantaanaa keesaatii waan fuudaafaa, waan daalaafaa, waanaakhaanaa khanaa ammaa naamii anniin laakiis chuufaa waan kaan chaalaa haagaas irraa hirree khaa kheenuuf khaa kheenaaniif jeed**Issack Hassan**: Before taking a matter to Courts, if the parties involved are both Muslims, I request that they appear before the Kadhi first before they appear before the Magistrate or the Judge and the like so in the event of any dispute and the parties involved are Muslims, then let them be referred to the Kadhi to widen his scope.**Guyo John Duba**: Aarmaa waan innii jeeduu yoo naamii laam khaa islaanaa wool daabee qaraa adhoo kootiinii indaandee akhaa woorrii khaadhiin duuraa duufetini yoo daandaaee wool daagaee duubii aachiit obbaafaatuu jeed**Issack Hassan**: On land issue, I will request that the Trustland, that word be repealed from the Constitution of Kenya.**Guyo John Duba**: Waan inni jeeduu fuulaa waan laafaa trustland akhaa aadhaa laafaa suunii khaa baaleesaa nuutii jeed**Issack Hassan**: That the tribal boundaries that have been put in place by the colonial Government be revived and clearly demarcated.**Guyo John Duba**: Aadhaa duurii taa seeraa taa seerr goochii chuuf seeraa uufii qaabdii aadhaa suunii khaa gaadeebiisaanii aadhaa suunii jeelaa buluu jeed**Issack Hassan**: And those Pastoral communities who are now in the act be forced to move back to their regions.**Guyo John Duba**: Loolii ammaantaan goochii laaf diibii taa goosaa laaf naamaa diibii kees jiir suun taa woorr gaarii gaad duuf akhaa issiileenii booraa laafaa uufii deebiituu jeedaan**Issack Hassan**: In the event of severe drought and they would like to move from their region to another region then they should consult the elders that live in that particular region.**Guyo John Duba**: Yoo diibii duufee booniifaa baarieetiin jeedee laafaa worraat akhaa issiinii jaarollee goosaa taa laaf gaaraanaa haarkaa qaabd akhaa jaarollee taan biir duuftee nuu boonaat haarkaa nuu qaabaa boonkees teeteenaa jeetee akhaasiinfaa woolt gaadheedheebiisaanii teetuu jeet**Issack Hassan**: Although I was not born during the Colonial Government, when I asked stories about the Colonial Government from my elders and I ask them which Government do they prefer, the present independent Government or the colonial Government? The answer that I am getting from them is “they prefer the Colonial Government”.**Guyo John Duba**: Inni waan inni jeeduu

anninii gaafaa koloonii khaan indaalaanee ammo yoo aannii iistooriaa jaarolee irraa fuuduu siirkaal ammantaanaa suunii feetaan moo khaa koloonii khaan feetanii jeedee gaafaad siirkaal koloonii suun feenaa naanjeetee jeed **Issack Hassan**: The reason for that is the Government of Kenya has perpetrated a lot of brutality, untold suffering against the people of Northern Kenya. **Guyo John Duba**: Woonii aakaasiitiifii siirkaalii kenyaa khaa ammaantaan nuu jeeljiir khaanaatii gudhoo nuu dhaabsee jeela dhaamnee baanee jeed **Issack Hassan**: My father himself was a victim of that. **Guyo John Duba**: Aabbaan kiiyaa menyewee jaar siirkaalaa suunii siirkaalii daabseetiinii jeedee jeed **Issack Hassan**: When I was told of this, I wanted to take the Government to Court, but I was told that there is the Indemnity Act that will bear my movement. **Guyo John Duba**: Aabbee siirkaalaa daabsee duugeesee jeenaan siirkaal kootiinii gees jeedee jeenaanii waan naan jeedaanii aadhaa tookootii taa siirkaal geesuu siirkaal kootiinii chaaluu jiiraa naan jeedaan jeed **Issack Hassan**: So I will ask for a Constitution that will repeal the Indemnity Act. **Guyo John Duba**: Aakhaa aadhaa suuniilee baaleesaanii aadhaa Indemnity Act **Issack Hassan**: The victims of those days, from the days of independence or the Shifta wars should be actually ----, their case should be looked into and they should actually take the Government to Court and let the Court decide on their fate. **Guyo John Duba**: Aakhaa duubaa raayaa suuleen siirkaalalee kotiiniifaa geese laafaa sulee khaafaalaaniif jeed **Issack Hassan**: The I know we are retarded very much, we are centuries behind the rest of the Country and I will ask for a Constitution that will provide free education for the people of Northern Kenya from Pre-Unit to the University. **Guyo John Duba**: aamaalee waan innii jeeduu aadhaa hareetii taan keesaa khaadaanuu nuu woorii ammaantaan gaaraanaa kuuninii horrii inqaabnuu akhaa ijoollee teen hurrriiftee nursery baakhaa university masomoo buree keenaaniif jeed **Issack Hassan**: The number of doctors in Down Country for a particular tribe are as many as primary pupils in Down Kenya but we don't have even a single doctor, a single professor in this region, if any, only one or two. **Guyo John Duba**: Woonii aakhaanaatiifii nuu beetaa aarmaa naam qorsaa tokoolee kheesaa inqaamnuu tokoo laamaa kaamn jeed **Issack Hassan**: On that line I would like education to be free and the quarter system for admission into the University be introduced. It is there in words but it is not there in practice. **Guyo John Duba**: Aammaalee akhaa yoo university lee deemn khaalee khoottaa quarter goosuun maan jeedaanii naasuun akaanaan naamaa qoodaan feenaa jeed **Issack Hassan**: I would like to have a Constitution that will bar the President from making decrees any moment he feels like. **Guyo John Duba**: Aammalee waan nuu feenuu adhaa raaisaa akhaainnii feeduu cuuf irraa yaadhaa feenaa diraamuum tookoo laafaa khaaee waan suunii toolchuu feenuu **Issack Hassan**: For example, recently he announced free education ----- **Com. Prof. Okoth Ogendo**: We do not want examples, please summarise. **Issack Hassan**: Okay, I would like that one and probably that is where I will stop. **Com. Prof. Okoth Ogendo**: Thank you very much. Any questions Commissioners? Thank you very much. Please register yourself. **Guyo John Duba**: We call upon Mr. Godana Guyo who is the Chairman of Northern NGO Development Forum. **Com. Prof. Okoth Ogendo**: Mr. Godana, you have three minutes and please make three minutes. **Godana Doyo**: My names are Godana Doyo. I am Chairman of Northern NGO Development Forum and at the same time National Co-ordinator of Pastoralist and Hunter Gatherers Network. **Guyo John Duba**: Ammaa waan innii jeeduu anniin maqaan kiyaa Godana Doyotii anniin chairman worr NGO khaa northern kenyaa hojjaat chuufaa naamii itti chairman ammalee gaam biitaaleetii worr horrifaa worraa beetaa waa gaagaarsiisfaa kaa bheetaa gaar binneensaafaa cuufaa naatii ittii gudhaa jeed **Com. Prof. Okoth Ogendo**: Don't read it. Just summarise. **Godana Doyo**: Yes. Well, I am not going to read anything. I just want to re-enforce most of the issues raised by the previous speakers and one thing I would wish to look at is the issue of Kenya

itself. **Guyo John Duba:** Innii waan inni jeeduu ann woonii anniin duubaad gaabaabduu woom beenii refuu khaan duubaat irraa deebiaa ammo tookoo qaaraa waan kenya jeedaan khaan irraa dubaachuu feedaa jeed **Godana Doyo:** I think the new Constitution should recognize that Kenya had existed illegitimately for 38 years. **Guyo John Duba:** Innii waan innii jeeduu qaaraa aakhaa aadhaan tuuniinii akhaa issiin faaraamtee kenyaan tuuniyuun aadhuumaaleenii gaanaa 38 jirtii taan aakhaa issii faaraamaan feedaan jeed **Godana Doyo:** This is especially because people from this particular region had not been involved in any process that came up with construction of Kenya and I want it to be recognized and reconstructed Constitutionally. **Guyo John Duba:** Innii waan innii jeeduu laaftaan kenya jeedaanii keesumatt aarguu maalee akhaa laaftii tuun laafaa kenya taatee qaaraa ammaa nuuleen naamaa kenya taanee waanfeen tokoollee maaramarii issii kees injiiruu akhaasifiyyuu kenya jeechuuniyyu maaqaa dhaabaatii akhaa ammaantaanaa waan kaan chaabsaanii ammaantaan haareetii jaaraanii jeed **Godana Doyo:** That brings me to the point that a new Kenya should be renamed actually if there is need for that. **Guyo John Duba:** Innii waan innii jeeduu akhaa ammaantaan kenyuum taanaayu ammaantaan haareetii maaqaa baasaanii jeed maaqaa baas diiduu jiirtaan **Godana Doyo:** Maybe I would suggest for it to be called something like “Banochu or Banokush” or something like that so that we no longer have the stigmas of the past because Kenya had stigmatized the people of this region. **Guyo John Duba:** Innii waan innii jeeduu nuu duub laaftii tuun maaqaan kenya jeedaan kuuniyyuu guudhoo qaaraa jaalaa daabnee maaqaa khaanaa daagaauyyuu infeenuu akhaa maaqaa immee bantuufaa -----, akhaa kushiitiikfaa, naayyilootiikfaa goos aarmaa kees jiirtuu maaqaa suunii yaamaan jeed laaftaanaayyuu **Godana Doyo:** That is to say that, maybe Bantu, Nilotic and Kushitic Nations, something like that. A short name for that. **Com. Prof. Okoth Ogendo:** I thought for once you are excluding me. **Guyo John Duba:** Aakhaa dhaabaa guudhaa dhaabsuu jiiraan jeed **Godana Doyo:** Well, I thought you are a Nilot. I am sorry, Professor, I thought you are ---- okay, and then I think we should also recognize that Kenya is not a Nation. It is an amalgam of a Nation and Nationalities. **Guyo John Duba:** Innii ammalee waan innii jeeduu maar miingii kenyaan taifaa jeedaanii kenyaan taaifaanii jeed taaifaa jecuunii naam woonii chuuf wooliin jiirt khaa fuulaa taakaa duuf gaarbuum taakaa qaabuu khaa adhaa taakhaa jeelaa buul khaa finii taakhaa qaab khaa afaan takhaa duubaatuu woonii ammaantaan kenya jeedaan kuuninnii wooltuuguuree jeed woltuuguuree waan cuufaa **Godana Doyo:** I think I should also revisit the issue of the Indemnity keesaat hojjatt tokoollee itti naamii ingaafaanee waan akkaanaa gaafaas daabaarsaanii taanaan naam baaleessan jeed **Godana Doyo:** I think that is self-incrimination by the Government of Kenya for atrocities it had committed against the Pastoralist communities in this region. **Guyo John Duba:** Suuniiduub aadhaa akhaasii baasiitii eechuuniyyuu siirkaaliiniyyuu akhaa nuu dhorsee nuu baalesseyu yoo fuulaa feed aadhaa suun keesaa hiimaanii khaa waan naamii laafaa taauu waan nuu taan duubaa yoo maalaa nuu ingaafaatiinaa jeedaan yaa kuuraa diibii akhaa nuu gaar ufiiraa deemaa **Godana Doyo:** In this Act, it continued to say that the prescribed area means North Eastern Province, Isiolo, Marsabit, Tana River and Lamu District and it is very clear that these are areas, which are isolated from the rest of the Country. **Guyo John Duba:** Aadhaan tuun ammaantaanaa dhaabaa suun kees khuun siirkaalii waan hojjachuu feed suun khaa benginee waan eedhuu nuuingaafaan north eastern keesaat hojjaanee province suunii marsabit isiolo tana river laaftaan keesaat akhaa nuu waan suun hojjan jeed laaftii tuun laafaa bakhaa haraalee kenya taan eegee jiirt jeed **Godana Doyo:** I think there are some other statutes which have been repealed but since the repeal, I think the Government has done nothing to actually replace whatever it had committed. **Guyo John Duba:** Waan innii jeeduu aadhaan taagaariileen taa baaleesaanii inni jirtii taa akhaa makueni district suun chufaa inmbaaleesaanii ammo khaa

baaleesaanuu woomaa aarguut injiir jeed suuleen iirraa inbuqaanee akhuum duurii jiiraa **Godana Doyo**: That is why I feel the marginalisation of this region was structural compared to the rest of the Country and it was ----- **Guya John Duba**: Duubaa innii laaf kenya sunnii yoomaa akhaanuumaatii yaanii akhaa luugaa khaani nuugaaleeniitii yoo kaaraa aadhaatiinii jaaraanii yayyaabaan jeed **Godana Doyo**: I think just the last example, not only the other laws, the statutes, but the Constitution of Kenya entrench the discrimination of the Pastoral communities and the last section of the Constitution of Kenya – Section 127 which was repealed in 1992 showed that this region is not part of Kenya. **Guya John Duba**: Innii waan innii jeed ddubaa nuu shaaidh ittii qaamn jeed katibaan kenya tuuninii baakhaa 1992 lee nuu yaanii kenyaan akhaa nuu tuuresitee akhaa wooraa diibii nuu fuudaat jeed **Godana Doyo**: So I think that should be recognized and I believe there are a lot of issues, but if you will give next chance I think I will speak on some basic issues, which are also very important. **Guya John Duba**: Waan diibii ammaalee naafaas duuraa issaannaa kheenitaanii jeechuu feedaa ammo tuunii haagaanuumaa jeed **Com. Prof. Okoth Ogendo**: Mr. Godana, **Godana Doyo**: Yes, **Com. Prof. Okoth Ogendo**: My purpose is not to give an answer to your views, but after the repeal of Section 127, it is perfectly possible that the Indemnity Act itself is now unconstitutional. Thank you. Please register. **Godana Doyo**: Are you collecting the Memorandum? **Com. Prof. Okoth Ogendo**: Yes. If anybody has a Memorandum and they don't want to speak, they can register the Memorandum. **Guya John Duba**: Naamii memorandum faa haarqaa qaab khaa armaa dhuubaachuu infeeneleenii aartaa khaanaa duufee maaqaa uuffii qooratee memorandum taalee aartii laakiifaachuu daandaa jeedaan **Com. Prof. Okoth Ogendo**: Who is next? **Guya John Duba**: Abdullahi Shariff? **Abdullahi Shariff**: Okey, mine is to represent a tribe called Corner tribe living in Moyale area. This is a minority tribe. **Com. Prof. Okoth Ogendo**: Which tribe? I beg your pardon? **Abdullahi Shariff**: Corner tribe. Corner tribe. These are actually minority tribes who are living in parts of Moyale and other parts of Northern Kenya and now ----- **Guya John Duba**: Aan goos diiqoo duubaad jeed goos corner tribe jeedaan taa moyaalee quubaat **Abdullahi Shariff**: We have our proposals which we are going to present to you, the Commissioners. The other few things that I wanted to mention, although it has been mentioned by the rest, I would like to say a word or two especially on 'Screening Card'. This Screening Cards ----- **Guya John Duba**: Waan khaadii diimtuu khaana naamaa qoodhaan kaan duubaad jeed **Abdullahi Shariff**: These Screening Cards as we were told by one of our friend here that it was a difference between two individual people who fought in a place called Garissa. **Guya John Duba**: Duubbiin waan khaan cuuf guul gaad duuftee woor laamaa goos laamaa wooldaabee goos laamaan suunii guulaa ammaantaan qaartaasii suunii nuu qoodhaan jeed **Abdullahi Shariff**: Then this same punishment goes to majority of the people because of the difference between two individuals. **Guya John Duba**: Waan ammaantaan naam wooldaab naam laamaatiif jeedaanii naamii goos haagaangeet dhaabsuu chuufaa khaa haagg **Abdullahi Shariff**: So we as the Corner tribe especially ---- **Com. Prof. Okoth Ogendo**: Please don't use that microphone, use the bullhorne. **Abdullahi Shariff**: Okey, the same issue now made us suffer especially the mininority tribe or the so called Corner tribe when especially once somebody wants to register as a Kenyan or taking an issue of Identify Card. People are asked for a Screening Card, one. Secondly we were asked to bring your grandfather's birth certificate and then this especially shows that we were very much discriminated and as such we want this issue to be treated seriously. **Guya John Duba**: Innii waan innii jeed ammaantaanaa nuu diibii keen guudhaanii akhaa corner tribe fuulaa khaadii baarbaadhaan taanaafaa jeed. Beenii khaadii aabbeetitiin kootii khaa aakaakuu keetitiin kootii khaa aakoo teetiitiin khootii jeedaanii kaaraa kaanaan nuu diibuu jiiraanii waanii kuunuu dhaabaa jeed **Abdullah Shariff**: The other issue is

also about the Kadhi although it has been raised by the other colleagues, I would like to also say something about it. I want to make it short and clear. Thank you.

Guyo John Duba: Kotiinii khaadhii taancuufaaalee irraa duubaacuu feed jeed

Abdullahi Shariff: I suggest that a local of this area should be appointed as Kadhi instead of a Kadhi being brought from other places.

Guyo John Duba: Khaadhii yoo chaaguuanii yookhaan yoo hojjii qooraanii khaadhii naamuum aarriiaa suunii khaanuu tolchaanii jeed

Abdullahi Shariff: With these few remarks I would like to register my proposal and I say thank you.

Com. Prof. Okoth Ogendo: Thank you very much. I don't think the Commissioners have seen a Screening Card. Is there anybody with a Screening Card here?

Guyo John Duba: Naamii screaning card naamii card diimtuu suunii ammaantaan qaabuu jiiira jeedaan ammantaan aarguu feedaa gaadbaasaa jeedaan

Com. Prof. Okoth Ogendo: We just want to see one. Next? It is alright. It is alright. Order, order.

Adan Dalacha: Maaqaan kiyyaa Adan Dalacha

Guyo John Duba: His name is Adan Dalacha and he has started with the normal Boran salutation greetings.

Adan Dalacha: Duubii qaaraa waan aanii duubaachuu feeduu dhuubiin waaqii waan waaqii tolch waanii raabiin guudhaan tolch khaa raabiin gaafaa Hawaaiif Aadaamuu gaabuus waan suun suunguul yoo deemaan daansaa moo yosuungul indeemn daansaa? Hawaiif Adaam gaafaa Addaam ummaan Hawaaiilee chiinaach iisaa khaa moogaa irraa uummaan

Guyo John Duba: He is posing a question now to the Commissioners. Morally should we obey devine laws or man made laws?

Com. Prof. Okoth Ogendo: We have heard the question.

Adan Dalacha: Yaa daageenee ittidaabr

Guyo John Duba: He is now saying that from creation, the woman was created from the rib of a man and now you people are trying to say that women are equal to men.

Adan Dalacha: Aaleen naadeenuumaa naadaalee naadeenuumaan wooliin daalaanee ammo naadeen aammaa waan anniin daagaae raasiifaa feedaat

Guyo John Duba: He says that he is born of a woman. He is born with sisters but what he is hearing now is that women even want to become for the presidency.

Adan Dalacha: PC Embu khaa nuu jeel jiiir aammaa naadeen

Guyo John Duba: He says that he told that the Provincial Commissioner for Embu is a woman or is a lady.

Adan Dalacha: Raabiin guudhaan naadeen hojjii aakaasii inkeeniin

Guyo John Duba: He says that -----

Com. Bishop Bernard Njoroge: Ninataka kusema kitu kidogo. You can translate to them.

Guyo John Duba: Waan diqoo tookoo ittii kheenaa chaaqaasaa mee

Com. Bishop Bernard Njoroge: Munaone ka kitu haka?

Guyo John Duba: Waankaan laalaa jeed waan haarkaa qaab khaan

Com. Bishop Bernard Njoroge: Kanachukua sauti zenu na kuweka hapa kwa ajili ya kupelekua Nairobi na kufanyiwa kazi.

Guyo John Duba: Qonqoo teesaan fuudee Nairobi geesaa jeedaan aakkaa hojjiin hoojjaataan jeedaan

Com. Bishop Bernard Njoroge: Mukipiga kelele sana, sauti zenu haziwezi kuingia hapa.

Guyo John Duba: Hojjaa aammoo issaanii iyyitanii qoonqoon teesaan assii keesaa inseentuu jeedaan

Com. Bishop Bernard Njoroge: Maoni yenu hayataweza kufika vizuri kwa ajili ya sauti nyingi.

Guyo John Duba: Yaadhii keesaaniileen indaagaam jeedaan aarm keesaa hojjaa issaan indaagaamn intaatii jeedaan

Com. Bishop Bernard Njoroge: Kwa hivyo mungoje mtu mmoja tu azungumuze ili iweze kuingia hapa.

Guyo John Duba: Aakaanaafuu duub issaanii eegaa jeedaan naamii tootokoon yaadhaa uuffii

Com. Bishop Bernard Njoroge: Musipo fanya hivyo watu watasema Moyale hawakusema kitu. Ni kelele kelele tu.

Guyo John Duba: Yoo akhaas taatee gaaraa aabraatii biyaalee waan jeeduu worrii Moyale woomaa induubaanee akhaanummaatii iyyee jeedaan jeedaan

Com. Bishop Bernard Njoroge: Na ndio Chairman wetu alituambia, kila mtu aseme na akubaliwe kusema maneno yake mpaka amalize.

Guyo John Duba: Aakaanaafuu aabbaan baarchumaa waan nuunii jeedee naamii chuuffii khaa waanfeed khaajeeduu tii jeedee akhaa aammaa jeed khaan nuunjeedee jeed

Com. Bishop Bernard Njoroge: Asante.

Com. Prof. Okoth Ogendo: Mzee Endelea.

Adan Dalacha: Duub deebisii kiyya taa

qaaraatuu sun duubii hojjiin daabaa inqaabduu hujjiin beetaa daabaa inqaabduu taa kenyaa keessaa khaa aargaatuu hujji raaisaa aammaa beetaa boorii uummaatii chuufaa issii jeelaa jiruu taa aakhaanaa taanaa hujjiin suuniin duubii sheerriiaa teenaa taa islaamaa kheesaa injiirtuu

Guyo John Duba: He says that according to Islamic law a woman is not suited or a lady is not suited to enter upon such positions as the presidency, those senior positions. He says there are other positions sufficient enough to take care of them.

Adan Dalacha: Naa waan gaalaataa siintaainnii attiin beetaa ammaa laafaa kuuraa eejeetaan raaisii eejjataan waan diibii eejjataan anniin waangaalaataa siintaainii attinii irraa innyaataa

Guyo John Duba: He says, can you reciprocate if somebody has not done something for you, you are not morally bound to return any gesture to him or her.

Adan Dalacha: Gaafaa jaarsii sisiigississee deemtee mimi ni saakuyee Nakuru siigiisee deem naambalisee haba kwa sisi haba ehee oolaa nuu oobaasaanii gaafaa jaarsii siigiisee baatee

Guyo John Duba: He says as a member of the Sakuya community, they were tortured, killed and maimed.

Adan Dalacha: Saakuuyeen siilaan gaadheebiisee naam yoo akhaammugguu jiirtuu naam soodhoomaat seenee dhaabeelii seenee namii ammaantaan kuuraa kuumshaanii jaa qaabuu ijjoolee 1972 daalaatee assii

Guyo John Duba: He says in 1967 they were rounded up in concentration camps and about thirty survivors came over to Moyale and that they now have children who are born since 1972.

Adan Dalacha: siirkaalii kenyaa kuunuu duuruu wooraa gaalaa worr loonii worr naamii keen haaggaassii poolee issiiraa innaaraghaan haaggaa aarraa

Guyo John Duba: He says for all those acts committed against them, the Government has never apologized to them.

Adan Dalacha: Aakaanaafuu duubii yoo siilaa aan fuullaa bekhuu naam naamichaa tookoo kaajeeshaa kaagaafaa 1972 baaqaatee nuu baaleesaanii kaa innii qaabiilaa gaanii jeedee nuugaafaat khaa aachiin duubaa sakuuyee jenaanii yoo issaanii saakuyee aallenii saakuyee jeedee siilaa raaisiifaan jaalaatee naamaa suun fuulaa bekhee

Guyo John Duba: He says there was one Army officer who came here in 1977 and when he asked them about their tribe, they said they were members of the Sakuya community, and that person said that he is also a member of their tribe.

Adan Dalacha: Aallaatiin tiyaa jua khali keejiiraa aan waan haarkaan miimiidaasaan jua khali kee jiiraa jua khali suunii taa ghaarii buuruum sakuuyee jeedaanii dhuubaa haataa woonii diibii inqaabuu woonii aanii buuluunii khaanaa biiraat ijjoolee ghaanii kiiyaaleen haaggaanaa, taa aakhaanaa taanaa haaqii kenyaalee inargaanee haaqii keenyaalee aakhaanuumaat miilaaniirtaan haaqii kenyaalee haanuukeenaanii yoo siirkaalii haaqii namaa naamaa kheen haanuukheenaanii inqoonuu

Guyo John Duba: He says that all people should have equal rights and they should be allowed to enjoy those rights as fully as possible.

Adan Dalacha: Ammalee giiffaa qooraadaa jeedaanii qaaraat jaasaa qooraadaa jeedaanii application baanaan gegeesiin innii baanaan khuunii baadhii geesaa jeedaan keessii jeedaanii application injeedaanii naamaa siinii deemuu dhaandaau khaa aatiinii wooliinii deemuu daandaau namiich kheesaa daalaateet beekh, naafsii aatiin keesaa daalaateetii beekh jaarsaalee jiiifilee akhaa issaanii baantaanii issii akhaasini haachaaguaaniitii siirkaalii nuutii iinqoorrinii ammaa duub

Guyo John Duba: He says in most cases positions such as his are filled without involving members of the local community and now they want these positions or these appointments to be done or to be elective positions.

Adan Dalacha: Gaafaa koloonii naamaa tookoo khaa diiraa yoo ijjeesaanii gaalaa diibaatiin nuu dawaan gaalaa diibaa suunii naadeen gaalaa shaantaamaa duubii keessaa jeetee taanaa huubaadh diirtii gaal diibaatii naadeen gaalaa shaantaamaatii nuudaan sheerriiaa teenaa keesaat ammaa taanaa diigaa iyyaallinii bodheelee yaadaabn

Guyo John Duba: He says in the past when somebody is killed, the fine is a hundred heard of cattle for a man and fifty heard of cattle for a woman.

Adan Dalacha: Ijjooleen gaafaa koloonii irraa jiirr jeetee duugaa baante hagaanaa chaalaa itti dharaa

Guyo John Duba: That is why they say they prefer the good old colonial days. Are there

any questions?**Com.Prof. Okoth Ogendo:** Haya, hello, he is being asked a question.**Com. Nancy Baraza:** Asante Mzee. Dalacha.**Mzee. Adan Dalacha:** Asante sana Mama----- **Com. Nancy Baraza:** Hapana ni mzuri tu. Mimi nataka tu kuuliza, umesikia nchi ambae inaitua Pakistan? **Mzee Adan Dalacha:** Pakistan?**Com. Nancy Baraza:** Na ni Waislamu pekee yao huko Pakistan. **Mzee Adan Dalacha:** Sijazikia habari zozote.**Com. Nancy Baraza:** Na walichagua Mama, anaye itua Benazir Bhuto, kuwa Prime Minister na akaongoza hio nchi vizuri sana. Ulisikia hiyo maneno? Na ni Muislamu.**Mzee Adan Dalacha:** Sisi waislamu tu. Mama sorry. (Laughter)**Guyo John Duba:** Naomba tu kidogo, dakika moja tumeambiwa vizuri tu na Commissioner, kwamba kama hatuta nyamaza maoni yetu hazitafika Nairobi kwa sababu ya kelele nyingi inaingia hapa kwa cassette. Sasa faida ni nini? Si ni hasara kwetu? Hichi Kikao cha leo sio wanaCommissioners, ni sisi watu ya Moyale, haki yetu, watu wa Kenya, wakati ya referendum, wakati watu wanafanya coference, hii cassett ndio itasikizwa, sasa kama tunapiga makelele ama munapigia watu filo kama ile Baraza ya siasa. Hii hapana siasa. Maoni yote ingie kwa cassette, filo itakua siku ingine, tafadhali tunaomba. Laakiisaa diiroo inniyyinaa maanii jeenaanii yoo nuu iyyinnee faidhaan tokooleenii innijiirt woorii iyyitaanuu kuuninii khaasaraa worraa moyaaleetiinnii duufuu jiirtaan maalee haataa hoojaa roofuu aarmaat godanaan dhuubaat khaa issaan haarkaa daantaanii haarkaa daaniitiileen woomaa nuuimbaat naamaa tookoolee haarkaa indaaiinaa duubiinii issaa suuniinii cassette deemtee qooraa Nairobi suunii suunii haacheekituu incaaliimnaayu aamma yookhaan naamii dhuubaataabii miirgaa keenyaa yaabaalesitaanii akaasuumaa issaniin jeedaa aakaan quubaa qaabaadaa aantaanuummaa issaannin jedhaa Assallamaalekhum**Mohammed Hassan:** Mimi nitaongea Aanniin waan aanniin feeduu khaa worraa commissioner khaan anniin khadaadu alkeerii bawaa akhaaniitiimuu bawaa ammaa worraa siyyaassaa khaa candidate kuuwaanzaa diiqoo adhaa keesaa jiiraa**Guyo John Duba:** He is proposing that the Executive powers held by politicians should be reduced.**Mohammed Hassan:** Laaftii teenii tuuniin woonnii zaidhii diibii aammantaan haarkaa nuu qaabuu zahidhii hirree waanaa siyyaasaa zayyidh ammaantaan yooissinii dhuubaat wanaanchiin irraa laalaatee fuudaatee deemtee waa daabdh taanaa irree taanaa zayidh irree taanaa bunguusiit feed**Guyo John Duba:** He says that more often than not politicians are the cause of problems.**Mohammed Hassan:** Taa tookoofii yoo wooraa mooyalee taatee aakhaa district diibii akhaa maarsaabeetifaa akhaa madeerafaa akhaa waajiafaa akhaanaa nuuleen haaqii aargaanee bungee teenaa sadhii taau maalte jeed**Guyo John Duba:** He is proposing that Parliamentary Constituencies should also be increased.**Mohammed Hassan:** Maanii goostii ammaantaanaa bungee inqaamnee taa aarmaa keesaa jiirtu saangiineefaa goostii dhiiqoofaa yootee ammaataan shiidhaa zayyidh qaabd. Saababtiin issinii shidhaa qaabdhufaanii naamaa office jiirr khaa ammaa kheessii inqaamnefaa khaa akhaa daaktaarifaa khaa akhaa laafaa tookoofaa naamaa siilaa illimuu qaab kaam siilaa borommoshoon aargaachuu maalee inaargaat maanii naammuum yoossii ammaantaan goostii issaa itti gudhoo faatii boromoshoon kaanii innaargaatuu masomoo innilaalaanuu haaqii innii laalaan gudhiinuumaan ammaa taanaa wooldhaabsaanii akhaa dhaabii suunii diiqoo ammaantaanaa goostii cuufaa taa laafaa keesaa jiirtuu buungee siilaa aargaatee khaa naamichii masoomoo qaabuu khaa beenitiileen haaqii laalaanii naamicii khuunii yoo innii goosaa saakuyee taatee khaa inniihaaqi jaalaanuu maambooo kibaandhee screaning card jeedaan taanuu woonnii zaayidh laafteesaan diibee haangaashuu jiiraa screaning card kuuniin naamii ammaantaan akhaakhuu issaafaa taakaayuu innargiinii screaning akhaakhuu keetii keen jeedaan namiichii kuunii naamaa baadhiaatii taakumaa laafaa taanaa gaadhiin duumnee screaning card keen jeedaanii screaning card baanginee naamichii khuun baadhiaa jiiraa taakhuumaa inkuutaaneefaa woommaa haarkii innilaamn laakiinnii yoo laalteelee naamaa aarmaa daalaat khaa haaqii aarmaa qaabuu khaa aarmaa innaargaatuu jeedii maambooo screaning card taalee

akhaa nuuraa baaleesaan feedhaan jeed **Guyo John Duba**: He says that when vetting for registration, they are normally asked for this Screening Cards and he says that this is unconstitutional and it should be declared as such. **Mohammed Hassan**: Duubii siirkaalii maambooo siirkaalaa khaa ammaantaanaa deemaanii siirkaalii ammaantaan DC inni allaanaamaa gaadhdhuufuu khaanaa khaa DC rift valley daalaat khaa armaanuugaadh duufuu chuftii siilaa uffiraa dowaartaanii naamii laafaa khaa armaa daalaat waanaanchiin baatee ongoozii laafaa tolfaachuu maalte jeed **Guyo John Duba**: He says positions like the Provincial Administration; the County Council officers there should be made elective by the people. **Mohammed Hassan**: kuuaanziaa ammaantaan northern frontier jeedaanii laafaa Isiolo, Marsabit, Mandera, Garissa laaftii aassii chuufii ammaantaanaa laafaa aargiit tuunii chuufii ammaantaanaa laafaa akhaammalee diibaa qaabduu jeedii laafaa hoorii issii fuulaa ittii biitaatuu tokhoo inqaamn khaa horriinni issii market tookoo inqaamn gaariinii ammantaanaa aachii kiireefaatee armaa fuudaatee shiilingii kuum diibaafii dhiidhaamaa kuum diibaafii dhiidhaamaa waan boliisii nyaatuutii irr guudhaa market tookhoo khaa ammaantaan nuu daaqnee yoo khaanii isiolo yoo khaan wajja market horrinii keeniin armuumaatii worrumaanii kenyaannii nuu wooraa kenyaatinitii worrii kenya armuuma qabaatee nuobaafaatee nuobaafaatee **Guyo John Duba**: He says that because of misdirected policies, the Pastoralist economies are beset with a lot of problems and that there are laws, there are statutes that undermine the creation of wealth by Pastoralists through that mode of production. **Mohammed Hassan**: Tanii nuunii laaftii teenii tuuninii yoo aattinii ammaa akaanaa keelaaltee laafaa yoo attii aargiitee yoo tookoo boonaa yoo tokoo roobaa khaa siirkaalii deemee saadhii chuufaa laalee yookhaan waanaanchii attiinnii enyuu jeedaanii gaargaar naamii laafaa keesaa jiiru waanaanchii beetaa taa laafaa keesaa jirtuu woolbeekhaa naamii eggii siigaadhii duufee woomaa sii imbeekhu naama horriinii siitii gaadhii duufee Ammaantaan ammaantaan kootaa aaraduum humn teesaaan kootaa laalaa jeetee naamaa horri gaadh duuf sii gaadh eergaan naamaa hoorriin siitii gaadhii duufee benginee akhaa baanaan ongaa fuudaatee woonii aatiinii haaqii siilaa aargaatuu cuuftii naamuumaan aalaa gaadhii duufee baangaa fuudaatee deemee yees jeedee ittiin daabaataa haaqii armaa jiirt injiirtuu aakuuma haaqiinnii keeniin waanaanchiinni waan laafaa goos goosaanii gaargaar baasaanii. Naamaa yoo fillaataanilee nuumaanii fiilaachuu maalee jeed **Guyo John Duba**: He talks of endemic corruption and the absence of truth and fairness in the conduct of public affairs. **Peter Zeriyyun** – I am presenting for the Pastoralist Results Marketing. **Guyo John Duba**: Innii waan innii jeeduu maakhaanii peter Zeriyyun annii worraa annaani khaanii duubaad jeed **Peter Zeriyyun**: I would like to put my points very briefly to save time. **Guyo John Duba**: Aann aafaat gaagaaboo duubaad jeed **Peter Zeriyyun**: The present Constitution: We would like it to strengthen traditional councils of elders. **Guyo John Duba**: Aadhaa haareetii taanaa adhaa jaarolelee hirree keeniituff hirree issiin naamaan buulchiit feenaa jeed **Peter Zeriyyun**: Strengthening the traditional institutions. **Guyo John Duba**: Aadhaa waan gaadhaafaa taa laafaa taanaa keess jiirt taalee chuufaa jaajaabeesaan feen jeed **Peter Zeriyyun**: Abolishing the Veterinary Act policy that undermines and hinders the marketing of livestock and its products. **Guyo John Duba**: Aadhaa vetenary taa hoorrii hoorraachuu nuu doowaartuu taalee cuufaa haabaaleesaanuu jeed **Peter Zeriyyun**: We would like the Constitution of Kenya to provide for Pastoralist results marketing body like any other agricultural activities such as Coffee Board of Kenya. **Guyo John Duba**: Aakhumaa board inn buunaa faa taa maajaanii jiirtuu nuuleen akhaa taa hoorrii keenaafaa annaanniif foonii kenaafaa nuu sookoo itti nuu baarbaad feenaa jeed **Peter Zeriyyun**: The Constitution should put in place those machineries that will make Northern people to catch up with other parts of Kenya in development. **Guyo John Duba**: Waan innii duubaa waan akhaa irdhaataa guudoo yaanii akaa qaarqaas guudhaa siirkaalii nuu kheenee nuu woorr eegeetii haaff

khaanaa dhuubaa nuuleenii qaarqaas sunniin biiyyaa daaqaabneetiin biyya faakaan feenaa jeed**Peter Zeriyyun**: The Constitution should promote the equal distribution of resources in Kenya hence Northern Kenya should be compensated for being subjected to under-development.**Guyo John Duba**: Waan inni jeeduu qaabeenyaa kenya yoo gollochaanii goollol suunii aakhaa naam chuufaa wolnuu qiteesaanii nuulee eegeetii nuu inn aambisaanii akhuma biyya goollochaanii nuuleen goolool akaasii nuu keenaan feed jeed**Peter Zeriyyun**: District Security Committee should come from local community.**Guyo John Duba**: Naamaa aadhaa nagaa district tiisuu akhaa jaarolee laafaalee yookhaan naamaa naamdhur deemuu vioongoozii ittii dhaaraaniitini nagaa khaanaa wooliinii tiisaan dhansaa jeed**Peter Zeriyyun**: Provincial Administration offices should be elected by the members of public instead of being appointed by the Executive.**Guyo John Duba**: Wooraa aammaantaan chief khaw DO khaanaa khaw DC khanaa cuufaa akhaa worraa raayaainii fiilaatuu siirkalii naamaa maataa guubaa inkeenee jeed**Peter Zeriyyun**: The members of the Parliament should be a holder of at least a degree.**Guyo John Duba**: Naamiichii bungee chaaguaataan laazimaa digrii qaabaachuu maal jeed**Peter Zeriyyun**: The Chairman of Country Council should have the following qualifications: Should be elected by Members of the Public and not by elected Councillors Should be a holder of a degree He should hold a powerful portfolio than just a clerk to the Council.**Peter Zeriyyun**: Qualifications for Councillors should include: Must be a Form IV and above, this will actually promote development in the area. The previous meetings, they have not even been able to read.**Guyo John Duba**: Naamiichii chairman county council feedeenii aakiinii waan kaan qaabaatuu jeed: -Akhaa kuuliikoo councilor aammaantaan members keesaa teeteetiinii chaaguutuu akaasii infeenuu akaw raayaanii chairman council suuniitii chaaguutuu feenaa jeed Issaa aamaalee digrii qaab feen jeen chairman council Issaa aammalee hirree yookaanii guudhiinaa clerk irraa qabbaachuu maal feenaa jeed Councillors siileen naamaa waanaa aakhaanaa qaabnaa feen jeedaan Issaa baakhaa form four masoomoo qaabuu feenaa jeedaan councilor naamaa miirgaa biitaa aarguu. Aakhaasii woonii chuuf khaw council liilee midaaguu dhaandheet jeed. Woorii aammantaanaa nuu council keesaa qaabnuu wooraa yaanii minutes yoo wooraa khoodaa yaamaanii minute khoodaa khaanilee sommaachuu imbeen jeed marroo afaan indaageeneef**Peter Zeriyyun**: The public should be given power to recall their MP.**Guyo John Duba**: Aakhaa raayaanii aamaalee yoo bungee naamaa khaw attiin chaaguaat yookhaan councilor attiin chaaguaatee hojji innii sii hojjaachuu dhaadaabee yoo innii Nairobi faa siibiiraa gaaleetiinii diibaa diippo taantee quubaa inqaamnee akhaa attiin naamaa suunii yaamteetiinii gudhiin khaalee itii keeniit kaalee irraa fuudaachuu daandheetuu akhaa aadhaa sunilee nuu kuubaaltuu feenaa jeed**Peter Zeriyyun**: Government machineries should not be used by the Ruling Party to undermine other Political Parties.**Guyo John Duba**: Waan innii jeeduu chairman siyyaasaa khaw siirkaalaa oongoozituu akiisiinii hirree siirkaalaa suunii tumiitee chaamaa kaandibilee khaw binzaaniilee inchachaabsinee jeed**Peter Zeriyyun**: If you are in Opposition, you are a Taxpayer and you are entitled for each every amount of money for your campaigns like the others.**Guyo John Duba**: Woorii binzaanilee namiicii kuraa feeduuleenii haguuma nammaa caamaa utawaalaa haarqaa qaabuu kheesaa jiru worri worrcuufaa haarkii worraa woolqitee jeed**Peter Zeriyyun**: Just to summarise my views, our present Constitution, they don't have views and objectives.**Guyo John Duba**: Aammaa ingaabbaabsaa kheesaa baaha. Aadhaa teenaa tuunninii waanaakhaa yaanii herredhooyu inqaabnee jeedaa nuuwaanii woonii kuuninii adhaa taatee aadhaa kenya taan maale taa ebbeluutii aakhaan yaadhaa taafeenaa tokoollee inqaabduu jeed**Peter Zeriyyun**: We want the present Constitution to put people to be very important.**Guyo John Duba**: Aakhaa adhaa tuuninii naamaa guudhaa yaanii naamaa cuufaa irraa guudhifaat feenaa jeed**Peter Zeriyyun**: In our current one, even the word people are not used.**Guyo John**

Duba: Aadhaa teenaa taa kenya keesaatii nuu aadhaa tuunii aadhaa teenaa taa wooraa kenyaalee injeetuu jeed aadhaa aammaa taanaa aadhaa tuunii adhaa kenya jeedaan maalee **Peter Zeriyun:** The word people should be emphasized. **Guyo John Duba:** Fuulaan ammaataanaa adhaa keesaatii aadhaa naamaa midaasaanii naamaa aakhaa duubaa aadhaa guutee maaqaa naamaa guudhisaanii jeed **Guyo John Duba:** I thank you. **Guyo John Duba:** Yaa oobaafaadee jeed **Guyo John Duba:** Any questions: **Com. Prof. Okoth Ogendo:** No questions. Please go and register over there. **Guyo John Duba:** I now want to call upon the disabled group. The Moyale Disabled Association Group to present their views. **Com. Prof. Okoth Ogendo:** Jina? **Hussein Guyo Juson:** Jina langu ni Hussein Guyo Juson. **Com. Prof. Okoth Ogendo:** Okey Hussein. **Hussein Guyo Juson:** Maoni ya walemavu Wilayani Moyale. **Guyo John Duba:** yaadhaa aannimbaas kunni yaadh khaa naafaa baalaa jeed khaa moyalee **Hussein Guyo Juson:** Walemavu wapatiwe nafasi fulani katika kazi zote zinazo toka nchini. Kwa mfano nafasi kumi ikitakea katika Wilayani, nafasi mawili ziwe za walemavu. **Guyo John Duba:** Waanii innii jeeduu yoo naafaasii hujjiifaa gaabbaee naafaa baalalee yoo tusemee mooyalee keesaa naafaasii kudaan gaabbaee akhaa nafaasaa laamaa naafaa baalaa keenaan jeed **Hussein Guyo Juson:** - Walemavu ambao waliochimua shuleni, hasa shule ya msingi, na walipita vizuri, Serikali iwasimamie kwenda shule ya upili. Na wale wasio faulu katika shule ya msingi, wasaidiwe wapate ujuzi flani kama vile seremala na kadhalika, ili waweze kujisimamia vizuri maishani na wapewe mkopo ya vifaa ili kujisimamia baadala ya kwenda kuomba, omba mjini. **Guyo John Duba:** Innii waan innii jeed lafaa naamaa naafaa baalaa yoo innii skuulfaa soomeetiin jeed yoo inni akhaa dhansaa daabree akhaa siirkalii worraa khaan soomsisuu jeede yoo ammo naamicii akhaa dhaansaa indaabrinilee akhaa baaraanootaa haarkaa tookoo faalee geesaanii taanaa dhuubaa innileenii hojjaacuu dhaandhaa jeed kuulikoo dhiirfaa keesaa dheemee waa khaakhaadaatuu **Hussein Guyo Juson:** Tunataka Katiba mpya isaidie walemavu kwa Afya, Shule na semina. **Afya:** Wale walemavu wasilipishwe kwa matibabu mbali wasaidiwe na huduma ya dawa ya bure. **Guyo John Duba:** Waanii innii jeedee naafaa baalaa akhaa akhimiilee wooldaansaalee taa buuree keenaaniif jeed **Hussein Guyo Juson:** Juu ya **Shule:** Wale walimavu wapewe elimu ya bure ya shule ya walemavu ipelekwe Wilayani badala ya Mikowani. Tunataka Serikali itupatie huduma ya kwanza katika shuguli ya maendeleo. **Guyo John Duba:** Innii waan innii jeeduu kaaraa masoomoolenii akhaa masomoo buuree nuu keenaanii amaalee hojja yokhaan hoojja maalilee cuufaa nuulee kheesaa quubaa nuu qaabaataan jeed **Hussein Guyo Juson:** Juu ya **Seminar:** Katika Seminar, kuna mafunzo sisi kama walemavu tunataka tuwe ndani ya Seminar yoyote Wilayani ili tupatiwe mafunzo, mawaida mbali mbali kwa mfano hata katika Katiba kuna wale wana alikua kwenda kutoa maoni Nairobi, nasi tunataka tuhusushwe ili mtu kama mwenye kiti audhiriwe na aseme maoni yote. **Guyo John Duba:** Innii waan jeeduu fuulaa maaraa maarilee cuufa khaaitum duubbissanitiin nuulee yaadhaa keen baafaan jeed **Hussein Guyo Juson:** **DDC meeting Wilayani:** Sisi walemavu tunataka katika Katiba mpya tu husushwe katika mkutano kama haya DDC meetings na zingine ili walemavu waseme shida na maoni yao kama wananchi wengine. **Guyo John Duba:** Taaumaa roofuu khaanii suunuumaa akhaa maaraa maarii taa akhaa diibaa diibilee nuudhuubiisaan **Hussein Guyo Juson:** **Kubaguliwa Walemavu:** **Guyo John Duba:** Yoo ammaantanaa naamicaa naafaa baalaa khaainii diiqoo faareefat jeed **Hussein Guyo Juson:** Kwa mfano: Mtu mlemavu, wakija kwa officii yoyote ya Serikali, au officii kama ya kampuni ya Serilali au officii yoyote walemavu, wana ambiwa mkubua hayuko na ili hali wengine wanaona wakubua. Kwa hivyo tunaomba hizo tabia za kubagua walemavu isikweko tena na sharti hawa walemavu wahudumiwe mara moja bila kubaguliwa. Ni hayo tu asanteni. **Guyo John Duba:** Nuu waan faareefataan khaa goodhaa jiiraa khoobbaa khaa hojjayu nuu ofisaalee duumn naamicii guudhaan kheesaa

injiiruu jeedaanii beenii khaan ammo taanaaf yoo innii gaadh duufuu waanii duufeef khaani oobbaasaanif jeed akhaanaafuyyuu waan khaana khaa nuu miidaasaanii oobbafaan jeed **Com. Prof. Okoth Ogendo:** Thank you very much. Any questions Commissioners? Thank you. Who is next?**Mama Dima Hassan:** Maaqaan kiyya Dima Hassan**Guyo John Duba:** She says, her name is Dima Hassan.**Mama Dima Hassan:** Aanninii chairlady women group taauu jii**Guyo John Duba:** She says, she is the Chairlady of Township Women Group.**Mama Dima Hassan:** Aakhaanaafuu dhuubaa anninii dhuubiin tiyyaleenii gudhooniitii ammo diiqoleenitii aanniin gaafaa kenyaanii uuruu aargaatee aannin duubraa **Guyo John Duba:** She says, when Kenya gained independence, she was a young girl.**Mama Dima Hassan:** 1963**Guyo John Duba:** That was in 1963.**Mama Dima Hassan:** Guuyyaa baandeeraa kenya daabbaan illaatiyyan aargee aanniin duubaa aakhaanaafuu ammallee 1966 naafuudaanii kenya kheesatii ammo kenya uhuuruu aargaatee daagaau maalee nuu waan suunii tookolee kenyaan uhuuruu aargaatee maanii woonii nuu irraa quubbaa qaabnuu injiiruu baakka aaraa**Guyo John Duba:** She says, they have not benefited from the fruits of independence to-date.**Mama Dima Hassan:** Gaaraa diibii induumnee aarmuumaa daalaanee aarmuumaa nuu fuudaanii aarmuumaa guudaanee aarmuumaa daalee nuuf ilmaan teenaaleen waanii maatundaa kenya woonii tookoo khaa nuraa quubaa qaabnuu injiirtuu. Duubaa akhaanaafuu kenyaan nuu maalee nuu gaaraanaa khaan maale worraa worrii keen nuu kenya banderaa baarbaad sunii nuuncuufaa woluumaanjiiir gaafaa kenyaataan baarbaadhee woolin jirr, gaafaa kenyaataan uhuuruu aargaat woliin jiiir kenyaataanii naamaa cuufaa baarbaad maalee goosaa tokhoo khessaa imbaarbaanee**Guyo John Duba:** She says that as Kenyans we were collectively involved in the struggle for independence but after independence, they were not given the National cake as she puts it.**Mama Dima Hassan:** *Goosuum cuufaa baarbaadhee aargaatee khaa aargaatee nuunii gaaraanaa suunii naamii quubaa qaabuu injiir. Biinensiileen dhaab maanaa qaabaa gaaraa biyyaa diibiitii guuyyaa diibii fuulaa biinensaa daaqee indegeen bineensaa guubaa maar tii indegeenii tuunii maa aarmaa guubaa maartii jenaanii biitaa bineensaa tissitii naan jeedaan biinensiileen dhaamaanaa qaabaa ammo nuu khaa kenya kheesaa daalaan khaa wooliin naamii gaarii khaa kenya baarbaadh khaa nuuraa dhuueeleen cuufa khaa nuu waaella saabbaabbu siyyasaatii ejeesaan abbuuya kiyyaa khaa nuu ammo saabbaab suunii tokoo laamaa induuin nuu baakhaa aaraa bineensilee dhamaanaa qaabaa nuu binensaa suunilee hanqaanee dhaamaanaa daamnee baakhaa aaraa nuu binensaa suunii hanqaanee taau jiiiraa maanaa nuu dhuubaa dhaaman binensaa suunii hanqaaneefii nuu inbeen akhaa biyyitii jiiirtuu akhaa worri maatundaa uhuuruu biyyitii gaarii nyaacuu jiiirtuu khaa siyyasaalee khees injiiretii khaa aammaantaan daalaatee gudhaat khaa siyyasaa keesaa injiir khaa naamii irraa induuyiin khaa naamii woomaa intayyini siiree guubba taaee nyaacuu jiiiraatee nyaatee duuguu jiiir. Nuu ammo khaa doonee ittii duuanii jeedan ilmeen teenaa maatundaa uhuuruu laakisii yoo kenya keessa hujjiin baateele huijji innaargaat***Guyo John Duba:** She says that, while the Government cannot protect their basic rights to life and property, it attaches a lot of value to wildlife. She says, she has been to KWS and she has seen the areal recognisance of wildlife. She is now saying that if we had all collectively participated in the struggle for independence, then we should also be treated equally and resources should be distributed equitably amongh all the Kenyan groups and individuals. **Mama Dima Hassan:** *Aakhaanaafuu nuuleen haaqii inqaamnaa aakhaa biyya suunii laallanii khaa nuu laallaniitii duubaa taa laamesso hojjaa hujjiin baat hujjii hojjaa qooraan nuuleen haaqii laafaa taanaa inqaamnaa naamaa diibii allaa nuutiinii induufinii khaa hujjii ilmaanteen qooraan naam DC taan tuun yaa dhaabaartee taa DC taa maanii yaa nuuduuraat daabbaart ammo yoo hojjiin baatee*

*hujji qooraan naamaa diibii allaa nuutiin induufinii illmaan teenaa taa aarmaa kheeyyatee skuulaa obbaafaatee aarmaa jeelaat aarthigii jeelaat raandhaarandhaa yaa taana haanuu qooraanii haaqii naamuu akhaa kenyaan khee jiirtuu wol khaa nuu qittesaanii adhaa suulee khaa nuu dhaabaarsaanii woonii adhaa biyaa jiirtuu woonii nuu injiireef injiirtuu akh kenyaan jiirt khaa wol nuu qiiteesaanii nuu kenya kees jiir woolumaan***Guyo John Duba:** She proposes that the local communities should benefit from job opportunities that arise either through Government recruitment instead of people being recruited from outside.**Mama Dima Hassan:** *Hojjaa naamii aarmaa duufee hujjii naamaa qooruu duufee khaa kenya gaadhiduufaani hojjii naam qooruu duufaani naamii beessee inqaamn innaaf naamii beessee qaabuu hojjii suunii bittaatee qooraat naamii beessee inqaamn illmaan biyyaa aarmaat haaftii maaskiin haatii qooraan caabsiitee akhaanani illmaan uffii soomssifaat soomsifaatee hujji taan hojjaa issii inni skuulaa oobbaafaat hojjii innaargaatuu beessee qaaraa guudhisii qooraan caabsitee akhaanaani illmaan uffii soomsiifaatee yoo issii innii skuulaa khaan obbafaat naamii hujjii qoor injiir maanaa maanii naamaa beessee qaabuu hujjii aargaat naamii beessee inqaamn hujjii innaargaat akhaanaani ijjoleen teenaa dhaarbiigii jeelaat haaftee faarsii duudee baangii duudee aarmaan duub duubii aarm irraan raandhiitii aadhaa suunii infeenuu adhaa suunii khaa nuuraa waan kenyaan khee jiirtuu khaa wolnuu qiiteesaanii akhaa buul khaa nuu daabaarsaanii ammalee***Guyo John Duba:** She says that even local recruitment to Government service should be done on merit because she alleges that the present practice is such that even for recruitment to Government Service, only those people who are able to pay money as bribes are the ones who can get employment for their children and the people from poor families or the children from poor families end as misfits in society.**Safo Roba:** I am presenting this Memorandum on behalf of Pastoralist Community Development Organization, a local NGO. **Com. Prof. Okoth Ogendo:** What is your name?**Safo Roba:** My name is Safo Roba. **Com. Prof. Okoth Ogendo:** Okey, go ahead.**Safo Roba:** The idel type of Constitution: Our Constitution should be written in a language that can be easily be understood by all Kenyans. The Constitution must be accessible to all Kenyans. This can be done by providing it in school curriculum, kept in public institutions like libraries, distributed free of charge or sold in bookshops.**Guyo John Duba:** *Issiinnii waan issiin jeetuu nuu aadhaa kenya taa aaffaan naamii daagaaninii qooraanii aammalee fuulaa naamii ittii aargaacuu dhaandhauu cuufaa khaanitiinii akhaasiinii dhuubaa adhaa akhaasii feenaa jeet***Safo Roba:** Our Constitution must also introduce a Preamble. **Guyo John Duba:** Aadhaa teenaa taa kenya haarretiinii qaaraa aadhoo oomaa induubbanee herredhoo siirkaal khaanaa hiimuu maaltee jeet**Safo Roba:** Redress of historical injustice: The Pastoralist communities were purposely isolated from other Kenyans during colonial era and postcolonial administration. The isolation was strongest in Northern regions, which were called Norther Frontier District. In this area, local people did not feel that they were Kenyans having never been treated as such. NFD remained a closed region from the rest of Kenya.**Guyo John Duba:** Issiin waan issiin jeetuu nuu naamii gaaraanaa khuuninii dhuubaa khaa uufuum woo aargaan khaalee biyyaa irraa nuu khuutaanii biyyaa wolseenuu nuu doowaanii akhaanaat dhaabnee akhaanat maendeeleoo cuufaan worraa eegee biyyaat aaffinee jeet**Safo Roba:** The war broke out whereby many lives and animals were lost. The President was given power to declare a state of emergency in the North and do what he deemed fit.**Guyo John Duba:** aakhaasiifuu dhuub oolkiileen baatee jeenaanii oolkii taanii rayyissa hirree cuuf kheenaniif jeedaan taa inni waan feeduu cuufaa naam tolchuu taa innii naam eejees taa innii naam khoolaas taa innii maallin taau waan suun jeet**Safo Roba:** Pastoralist thereby lost their fundermental right enjoyed by other Kenyans.**Guyo John Duba:** Aakhaasiin

miirgaa naammoommitii kaana akhaa naamaatii siilla aargacuu maal daamn jeet**Safo Roba**: The emergency imposed during the Civil War of 1963 to 1968 has in effect become the permanent condition of North Kenya.**Guyo John Duba**: Aakhaasiifiyyu nuu baanuu suunii woonii khaan diibiin gaadhaaneesii suunii badoo nuu guubaa taa jeet**Safo Roba**: Heavy handed state operations led to human rights abuse. More suspicions and massacre were created and sustained.**Guyo John Duba**: Naagaa akhaanumaat yaanii biitaamsii naamaa bittansaa tiittelee haanqatee akhaanumaa hobbane baanee jeet**Safo Roba**: The region remained poor in infrastructure, education, health service and other state provided services and economic marginalisation.**Guyo John Duba**: Khaaraa taatee moo skull taat moo siibitaal taatee moo waan khaan cuufumaan eegee biyyat haafn jeet**Com. Prof. Okoth Ogendo**: Please summarise the Memorandum.**Safo Roba**: In conclusion we understood that the Indemnity Act was passed so as to stop the Pastoralist from seeing those responsible for those injustices. Therefore we recommend that the Indemnity Act be removed to enable the Pastoralists sue those responsible and claim for compensation.**Guyo John Duba**: Ee nuu ammantaanaa dhaab dhuurii nuu dhaabsaan suunii cuufaa aakhaa yaanii gaabbaneetini siirkaalii waan kheen suunii cuufaa diigaa daauu feen jeet siirkaal**Safo Roba**: Protection from discrimination: We believe that some sector or group of people was being discriminated against in one-way or the other: these are minority groups, the Pastoralist, women, people with disabilities, children and people suffering from HIV/AIDS.**Guyo John Duba**: Aammalee akhaa goos diibiitii yaanii khoobba nuu inni illaa feenaa jeet waanii fiin dhaabaatiin fiitaanii jir jeet khaa worri khuunini worraa akhaa hoorriifaa naadeenfaa naafaa baalaafaa ijjooleefaa naamaa duukuubaa aamaa taan AIDs qaab khaanfaa naamii khuun cuufaa naamaa baaguuaanii khoobbaa qoodaan jeet**Safo Roba**: Therefore the Constituion should have a provision requiring the State to take affirmative action to help these disadvantaged groups to overcome this discrimination.**Guyo John Duba**: Aamaantaan waan nuu feenuu adhaa haarretii keesaatii akhaa guuruub akhaanaa khaa reefuu nuu maaqaa doonn khaanaa cuufaa katibaan duub yaanii worr suun biyyitifaan wooraa daabsuu doow jeet**Safo Robu**: Pastoral people's sovereignty over their natural resources such as land, forest, water and minerals be entrenched in the Constituion. Therefore we recommend land and other natural resources be utilized for the benefit of local people. **Guyo John Duba**: Ee issiinii waan issinii jeet survey laafaa taanaa keesaa dhaahaab taat moo aalmaas taat moo bineens taat moo waan khaanaa cuufaayuu horri taat moo waan khaan cuufa akhaa hoorri laaf taanaa maan laafaa diibii kheesaat aargaan laaf suuniin jaaraan jeet**Safo Robu**: Issuance of Title Deeds: The management and control of these resources be entrusted to the community.**Guyo John Duba**: Waan title deed jeet: Waan laaf taan keesaa jiraa cuufaa akhaa laafti naamii laaf taan kee jiruun waan tolchuu maalaan wolgaafaat jeet**Safo Robu**: Traditionally, Pastoralist communities have ways of preserving and protecting their resources especially land, water and forests. These should be encouraged and strengthened by the Constitution.**Guyo John Duba**: Waan issiin jeet nuu woorii khuunnini aadhaa qaabn jeet aadhaa bisaanii jeet aadhaa belaamoo qaabn jeet belaa bisaanii qaamn jeet beel laafaa qaamn jeet aadhaa taanaa akhaa adhaa haarretii kee nuu khaanii nuuleen adhaa suuniifii waan keensun midaafaanuu jeet**Safo Robu**: Citizenship: The Constitution must ensure that -----**Com. Prof. Okoth Ogendo**: Madam, please summarise.**Safo Robu**: Okey. Membership to any Kenyan natural nationality should lead to automatic citizenship. The spouses of Kenyan citizens regardless of gender must be entitled to automatic citizenship.**Safo Robu**: Dual citizenship to be guaranteed especially to those who live on the border towns.**Guyo John Duba** : Wooraa seeraa guubaa jiraa khaanaa akhaa innii gaamaa laacuu wooraan taaee worraa laafaa suunii taae**Safo Robu**: The Constitution must ensure social, economic and cultural rights of the people.**Guyo John Duba**: Aadhaan dhuubaa akhaa waan

adhaatiin khaa fiinaa khaanaalee cuuftumaan issaa akhaa naamaa keeniit**Safo Robu**: We recommend that the Constitution should protect security, health care, water, education, shelter, food, infrastructure, and unemployment to all Kenyans.**Guyo John Duba**: Aakhaa ammalee adhaan haarrettiin tunnini waan eliimuu, waan affiyyaa, waan fiinaa cuuftuumaan issinnii naamaa laalt**Safo Robu**: The Constitution must ensure that the three Arms of the Government are as independent from each other as possible but provide clear checks and balances between the three Arms of Government.**Guyo John Duba**: Suunsummii laamaan siirkaalii irraa fiidhaam khaanii haanaamuu haaqii uffii qaabbaatee wolqiitaaee dhuub naamuu aakhumaa haaqii issaatiin naamuu buuluu**Safo Robu: Women Rights**: The interests of women are not fully guaranteed in the current Constitution.**Guyo John Duba**: Aadhaa ammantaanaa keesaa naadeenii uulffinn inqaabd jeet**Safo Robu**: For example, many customary laws prevent women from inheriting, acquiring, owning and disposal of land and other property.**Guyo John Duba**: Aadhaan worraa gaarii taa goos gaarrillanii naadeenii daaluu malt jeet laaf faa waan daalaa khaa horrikhaanfaa indoowaarti taanalee akhaa illalaan jeet**Safo Robu**: In Kenya, land being the most acceptable form of security to acquire credit, women may not have a chance to get credit.**Guyo John Robu**: Kenyaa kheesaa naadeen laafaalee inqaabd jeedaani suulee khaa lallaaniti jeet**Safo Robu**: Succession and inheritance: Culturally women did not inherit from their fathers or husbands. Where the husband dies, his brother inherits the property whereby the woman is also considered part of these properties.**Safo John Duba**: Naadeen akhaa issinni adhaa inqaabnee taa aammantana keesaatii naadenii yoo diirsii duu oobboleesaa daalaa issiif woom sillaa issiin daaltulee khuun woolin daalaan jeet**Safo Robu**: Boy child is given priority over the girl child in terms of education.**Guyo John Duba**: Ijjollee diirralee duubrr irraa jaajaabbessanii yoo maasomoolee taa diiraa irraa soomsisan jeetee tuuleen taan jeet**Safo Robu**: Therefore we recommend that the Constitution must allow women to acquire, own and dispose off property. The Constitution must allow or give women the chance to inherit.**Guyo John Duba**: Duubaa waan jeetuu gaaraa waan faaidhaa khaa masomoo khaanaaf khaa daalaalee duubaartileen khaa akhuum diiraa suunii khaa haaqii aargaachuu maalte jeet**Com. Prof. Okoth Ogendo**: Madam, we can read the rest of that Memorandum. Just give us your conclusion. There is a question here.**Com. Nancy Baraza**: I have a question for you Safo. You said that you want affirmative action entrenched in the new Constitution to take care of the imbalances to marginalized groups, the Pastoralist, the women, the children, what do you have in mind? What areas specifically?**Safo Robu**: In terms of resources, the country's resources should be shared equally. **Com. Nancy Baraza**: What about leadership?**Safo Robu**: Yeah, including the leadership. Women and other marginalized groups should also get leadership and they should be given nominated seats.**Com. Nancy Baraza**: Allright.**Com. Prof. Okoth Ogendo**: Now, Co-ordinator? (interjection by Com. Okoth----- Thank you very much madam) **Com. Prof. Okoth Ogendo**: Now Co-ordinator, I wanted to announce that we are going to go up to three and then we will adjourn at three. We are not having a break. We are going upto three and then we finish. **Guyo John Duba**: Waanii chairman station khanaa jeed Pro. Ogendo nuu khor khaanaa shootii issaan gudhoo maaonii teesaan baasuu feetaanif baakka saa saagalii khaa saagaalee inyaan aarmaa teeteenee yaadh suun irraa issaanii iraa fuudaa wolleirraa ejaanjaatanii wol indhaadharbinaa taataa muuri woolii muureefaadaa issaan chaaqaamnaa jeed. Daageetanni? **Com. Prof. Okoth Ogendo**: Okey, who is next? **Ibrahim Addan**: I am Ibrahim Addan.**Guyo John Duba**: Aanniin Ibrahim Adan jeed maaqaan maalimu khaan**Com. Prof. Okoth Ogendo**: Please take two minutes and be very brief.**Ibrahim Addan**: Okey. I would like the Constitution to have a Preamble and in the Preamble I suggest, we should start it with “we the people of Kenya, former union of 42 communities that live in Kenya, to establish justice

and share democratic Government and equal distribution of our resources without any favour”. **Guyo John Duba:** Waan jeedee nuu adhaa haarretii taan kees woonii preamble khaanaa nuu naamii goostii 42 taa kenyaa kees jiirt waan cuufaa waan gaar oobbruu jeenaan khaa waan cuufaatinii khaa wol qiitoomnuu jeed **Ibrahim Addan:** I would like to talk on the Constitutional supremacy. It should be written in understable language and it should be accessible to all Kenyans. **Guyo John Duba:** Waan jeedee aadhaan tuuleen yoo qooraanii khaa affaan naamii daagaaun affaan naamaa gaalatiini khaa qooraanii jeed **Ibrahim Addan:** On Defence and National Security, I would like to mention that local communities should participate fully in matters pertaining to security unlike the current situation whereby we don’t have any single local person in security teams. **Guyo John Duba:** Waan jeedee waan gaar defence khaa miikh laafaa khaa security waan jeedee woorri laafaa waan security khaanaa tookoolee naamii laafaa khaa laafaa taanaa daalaat kheesaa injiiruu suuleen kheesaa jiiraacuu maal jeed **Ibrahim Addan:** We should have elders, MP’s, Councillors be represented in that team. **Guyo John Duba:** Team khaa security khaanaa councillors faan AP faa woorrii khuun gaaraa khees jiiraacuu maal jeed **Ibrahim Addan:** I would also like to talk about Structure and System of Governance. **Guyo John Duba:** Dakhalee khaa siirkaalii irraa jaaraamuu jeed **Ibrahim Addan:** We should adapt the Parliamentary system of Government in which Prime Minister is appointed from the majority Party in the Parliament. **Guyo John Duba:** Bungeen duubaa siirkaal bungee khaa waan innii jeed siirkaalii suun Prime Minister khaampeen jeed khaa duuba cabinet woorri chaaguu suun keesaa Prime Minister baahu **Ibrahim Addan:** We should adopt Federal System of Government. **Guyo John Duba:** Siirkaala akhaa killilii khaan khaa qaabaanuu jeed khaa region khaan **Ibrahim Addan:** In current situations, some regions have been forgotten such as Marsabit, Moyale and Isiolo Districts. **Guyo John Duba:** Maan jeenaan laafaa gaarii yaadheedaan jeedee akhaa Marsabit akhaa moyaaleekhaan faa yaadhedaan jeed **Ibrahim Addan:** These regions are occupied by the same community. **Guyo John Duba:** Laafaa taan goos taakaa quubaataa **Ibrahim Addan:** They have poor infrastructure, **Guyo John Duba:** Waan tokoolee ijaars inqaabduu **Ibrahim Addan:** Poor standard of living, **Guyo John Duba:** Aakhaa hamaa jiirtii khaar inqaabduu **Ibrahim Addan:** Arid and semi-Arid, **Guyo John Duba:** Laaftileen laafuum gogoodhuu **Ibrahim Addan:** They have common basic problems such as water, shelter, road and food. **Guyo John Duba:** Diibii issiin qaabduleen taa khaaraa taa biisaanii taa waan ijaarsaatu suun tokoolee inqaabd jeed **Ibrahim Addan:** We have seen that development in Kenya is clearly following personalities in the Government. **Guyo John Duba:** Wooni diibiinii nuu adhaa qaaraa taa jiirt aagaarree jaarrumaa laafaalee naamaa guulaa deemtii jeed naamaa siirkaal kee jirr **Ibrahim Addan:** We did not get one single person in most of those high posts, to at least determine the development in our region. **Guyo John Duba:** Laafaa teen keesa naam tokolee siirkaal keesaa inqaabnuu jeed khaa waan khaan siilaa laafti siilaa maaendeleo qaabd jeed **Ibrahim Addan:** Unfortunately for us, we are put under Meru, Kamba, Embu who are really numerically more than us and they have more bargaining power than us. **Guyo John Duba:** Aammalee waan diibaa baatii mbaaya Meru, Embu, Wakambaa worraa khaanaa jeel nuu khaani khaa worra hirree nuuraa qaabuu ammaalee worr nuuraa gudhaa jeelaa nuu dowaan jeed **Ibrahim Addan:** So we want the Constitution to address this issue and we should have independent region. **Guyo John Duba:** Duubaa woonii aan khaadaduu aadhaan haarretin tuun waan khaan khaa laalte naamaa gaalcituu jeed khaa laaltutii jeed diib khaan **Ibrahim Addan:** We should remove the current Provincial Head because they have no purpose. **Guyo John Duba:** Waan jeedee worr siirkaal duurr yaau khaa province khaan khaa buqiisanii jeed hujji inqaabuu **Ibrahim Addan:** The post of Chief, District Commissioners, and District Officers should be elective. **Guyo John Duba:** Chief, DO worrii khuunilee worra kuuraa daaniif jeed **Ibrahim**

Addan: On Legislature: We should have a single chamber legislature. **Guyo John Duba:** Gaaraa worraa chaguuan khaa bungee khaan, bungee khaa tokuum qaabaanuu jeed **Ibrahim Addan:** But we should have house of community, comprising of 42 communities that we have in this Republic. **Guyo John Duba:** Duubaa bungee tookhum diibii miinum suunii keesatii taa koobbaa jiirtuu taa goostii 42 taa district taanaa naamuu naam keesaa qaabd jeed **Ibrahim Addan:** This should be placed on the basis of all the communities having one representative. **Guyo John Duba:** Duub kaanaafuu goostii cuuftuuman naam tookho keesaa qaabd jeed **Ibrahim Addan:** It should be supreme. **Guyo John Duba:** Aammalee issinii hirree jaajaabduu qaabaatuu jeed **Ibrahim Addan:** Anything which is passed in the Chamber of Legislature should be passed by the 42 communities. **Guyo John Duba:** Waan ammo bungee kawaaidaa taan daabaarse worri 42 kuuleen khaa goosaa kuuleen khaa daabaarsuu jeed khaa khaan irr baatuu jeed **Ibrahim Addan:** The post of Permanent Secretaries, Ambassadors, Managing Directors, and Commissioners such as Public Service Commission, Teachers Service Commission, and Electoral Commission should all be passed by the Parliament. **Guyo John Duba:** Woorraa iinnii maaqaa daa suunii khaa waan akha secretary, kha aakha baloozi kha aakhaa commissioner waan khaan cuuftuuma khaa bungee daabaarsituu jeed **Ibrahim Addan:** We should include moral and ethical qualifications for Parliamentary candidates. **Guyo John Duba:** Worr bungee caaguuanilee khaa masomoo worraa laalutii jeed **Ibrahim Addan:** On Judiciary, the appointment of Judiciary (interjection Yes please). The appointment of Judiciary should be done on the basis of qualifications. **Guyo John Duba:** Worraa jaajiis khaanalee khaa masomoo worraalee caaguuanuu jeed **Ibrahim Addan:** The Kadhis and Chief Kadhis should be appointed on the basis of qualifications. **Guyo John Duba:** Woorraa qaadhii khaanafalee suuniihaa masomoo wooratiin caaguuanii jeed **Ibrahim Addan:** They should also be appointed by the Muslim Members of Parliament. **Guyo John Duba:** Qaadhii ammaalee khaa muuslimsini baaftuu jeed worri suunii worri islaanaa **Ibrahim Addan:** We should also have Kadhi's Court of Appeal. **Guyo John Duba:** Qaadhileen Court of Appeal jeedaanii khaa hojjaa aaramaatii issan dhaabsaatu khaa ittii laabsaatuu suunilee khaa qaabaatuu jeed **Ibrahim Addan:** There are a lot of disputes, which are resolved outside court by cultural practices. These should be given provision in the Constitution. **Guyo John Duba:** Aadhaa gaarii khaa woldaabuun khaa kotinii intaain khaa aalaatii goositiin obbaafaataan injiirtii aadhaa goosaa taalee khaa hiree itti tolchaa nutti jeed **Ibrahim Addan:** Local Government: **Guyo John Duba:** Waan gaaraa siirkaal biitaa khaan **Ibrahim Addan:** Minimum education qualification for Councillors should be Form IV. **Guyo John Duba:** Woorri councillor eejjaatuleenii khaa naamii Form IV gaauu jeed khaa councilor feedaat **Ibrahim Addan:** The position of Mayor and Council Chairman should be elective. **Guyo John Duba:** Chairman niifi Mayor siileen khaa kuuraa daanifii jeed raayaan **Ibrahim Addan:** Councillors should be accountable to the elected members and they should be recalled back. **Guyo John Duba:** Woor khalee hojja worri hujji worraa inni miidaafaatiinii hujjilee keesaa baasuu indhaandhaan jeedan **Ibrahim Addan:** Nomination of Councillors should be done on the basis of women representative, youth, disabled and minorities. **Guyo John Duba:** Hojja aammaa nomination taan keenaanifile councilor nadeenii ijolee kaaimaa worr naafaa baalaalee khaa laalanii jeed **Ibrahim Addan:** The President and the Minister should not have powers to dissolve the Council. **Guyo John Duba:** Minister affi president akhaa innii bungee council incaabsiin jeed **Ibrahim Addan:** Basic Rights: The Government should have the responsibility to ensure that all Kenyans enjoy basic rights such as Security, health care, water, education food and employment. **Guyo John Duba:** *Waan gaaraa aadhaa miirgaa:* namii kenya keesaa cuuftuman khaa wolqitaaee haaqqii woluuman aargaatuu jeed kha sagaale, khaa oosiibitalaa, khaa maanii fiinaa cuuf **Ibrahim Addan:** The Government should

provide compulsory free education. **Guyo John Duba:** Siirkaalii ammalee khaa ellimuu buuree fidhuu jeed **Ibrahim Addan:** I would like to talk on management and use of natural resources. **Guyo John Duba:** Waan gaaraa fiinaa laafaa keesaa khaanii waan khan irraa dhuubad jeed **Ibrahim Addan:** The Executive should continue with the responsibility of collecting revenue, management and distribution of finance. **Guyo John Duba:** Siirkalii khaa hoorri guuruutii, **Ibrahim Addan:** But he should create some checks and balances. **Guyo John Duba:** ammo khaa laalee aakhaa dhaansaa qaabuutii jeed waan khaanaa----- **Ibrahim Addan:** Members of Parliament should have active role in funds sent down to the District for purposes of development. **Guyo John Duba:** woorri wabungee khaan khaa caaguanii waanii laafaa gaaraan laafaa issattii eergaani khaa irra eejee laaluutii jeed **Ibrahim Addan:** Those exempting themselves from paying taxes because of their positions, the Constitution should do something about them. **Guyo John Duba:** Worraa koodii imbaamnelee khaa irraa waa jeedaan jeed aadhaan **Ibrahim Addan:** The Controller and Auditor General should be appointed by an Act of Parliament. **Guyo John Duba:** Naamicaa waan siirkaalaa issaabbu kaaleen khaa perliament innii baaftuu jeed controller general jeedann **Ibrahim Addan:** At the District Level, leaders should be given powers to appoint independent auditors. **Guyo John Duba:** Aammo hoojjaa gaar worr laafaa khaa gaar baadhiaa khaanfaa diisaanii akhaa district faatii raayyan khaa baafaatutii jeed worr **Ibrahim Addan:** Each Ministry should have its own accounting offices and manage its funds. **Guyo John Duba:** Ministry cuuftumaa khaa auditor uffii qaabaatee waan naama waaan hoorri khaan siilaa qaabaatuu jeed **Com. Prof. Okoth Ogendo:** Please summarise. One minute. **Ibrahim Addan:** Every Ministry should have local community representative to monitor the management of the Ministry. **Guyo John Duba:** Ministry cuufaa worr laafaa keesaa khaa naamaa qaabaatuu jeed khaa waan laafaa cuufaa laal **Ibrahim Addan:** Constitution Commission Institution and offices: We need to have human rights Commission, Gender Commission, Anti-corruption Commission and Land Commission. **Guyo John Duba:** Waan commissions khaa worr waa haatuu, khaa worr laaf laaluu laaf saamaatuu khaa waan feed cuufaa commission khaalee khaa qaabatutii jeed **Ibrahim Addan:** Succession and transfer of power: **Guyo John Duba:** Waan daalaatifii khaa khaa yaadh baarcumaa worrilaa daalaniif khaa hirree **Ibrahim Addan:** The Speaker of the National Assembly should be in-charge of the Executive during the election process. **Guyo John Duba:** Guyyaa kuuraa naamicii speaker khaani khaa ittissimaamiuf dhuuraa **Ibrahim Addan:** The results of the elections should be declared by the Chairman of the Electoral Commission. **Guyo John Duba:** Aammoo khaa gaartee kuuraa taangaazaan khaa electro commission chairman issaa taatuu jeed **Ibrahim Addan:** The in-coming President should assume the office immediately. **Guyo John Duba:** Aammoo namicii baarcumaa fuudat khaa president hojjuum sunii haauf saagaadhuu jeed **Ibrahim Addan:** The Chief Justice should swear in the President. **Guyo John Duba:** Chief justice khaa khaakhaa ciisuu jeed **Ibrahim Addan:** We should have power transferred to an in-coming President by out-going President within a period of three months. **Guyo John Duba:** Haagga duubaa hojjaa president kuunduuraannaniyyuu khaan buuy kaan khaa jii saadhii keesaatii waan issaa ittii keenee yaalaa baauu jeed **Ibrahim Addan:** The handing over ceremony should take place in State House. **Guyo John Duba:** Handing over yaanii wonni woltii keenaan suunileen khaa state house keesaat tatuu jeed **Ibrahim Addan:** That is all. Thank you. **Guyo John Duba:** haagaasumaa. gaalaatoom **Com. Prof. Okoth Ogendo:** Thank you very much. Now, how do you know that we are only 42 communities? The Corner community that came here, they are not in the list. What are you going to do with them? **Ibrahim Addan:** We should include them. **Com. Prof. Okoth Ogendo:** So, it is not 42. **Ibrahim Addan:** I am not putting a fullstop at that point. We can increase if they are there. If they are one hundred, we can have a hundred of them, there is no

problem. **Com. Nancy Baraza:** I also understand that you would rather want this part to be created as a region of itself without Embu, Meru and so forth. Is that what you are saying?**Ibrahim Addan:** I think their numerical power and what has -----

Com. Bishop Bernard Njoroge: What are you suggesting?**Ibrahim Addan:** I am suggesting that this region (inaudible) let us say the current situation, we should handle problems on our own. **Com. Prof. Okoth Ogendo:** Okey, but you have still got Marsabit, Isiolo and Moyale**Ibrahim Addan:** Yes, I am talking about (inaudible).**Com. Prof. Okoth Ogendo:** Thank you.

Almas Bachu: I am Almas Bachu. **Guyo John Duba:** She says, she is Almas Bachu.**Almas Bachu:** Mine is a continuation which was presented by Maendeleo Ya Wanawake. It is just a point.**Guyo John Duba:** Maaqaan kiyya Almas Bachu jet. Aanii woo tokoo caala jeed **Almas Bachu:** The new Constitution must get rid of the failed candidates who are nominated and later given a public office.**Guyo John Duba:** Issinnii waan issiin jeetuu naamuu hojjaa kuuraa daatee kuuraa daabbee akhaa nomination jeedaanitinii ammaalee bungeefaa geesaanii yookhaan county council faa ingeesiinee jeet**Almas Bachu:** Like Ministerial posts. Therefore nomination should stop or if nominated shall not hold a public office starting from Local Government.**Guyo John Duba:** Naamaa hojjaa innii kuuraa daabree innii kuuraa tokhoolee officee tokhoolee kees inkeenee jeet office yaanii kuuraan daataanii seenaan**Almas Bachu:** Tha is all. **Com. Prof. Okoth Ogendo:** Thank you very much.**Cllr. Abdullahi Abdi Lafa:** Mimi Jina langu ni Abdullahi Abdi Lafah. **Com. Prof. Okoth Ogendo:** Fanya kwa haraka. **Cllr. Abdullahi Abdi Lafa:** Mimi ninasema kwa ufupi. Mimi kabila yangu ni Sakuye ambao yule mzee alikua naongea juu ya wamama kidogo alitaja. **Com. Prof. Okoth Ogendo:** Abdullahi?**Abdullahi Abdi Lafa:** Ambao hiyo Sakuye ni kabila ingine chache sana hapa. Lakini Sakuye yenyewe -----**Com. Prof. Okoth Ogendo:** (interjection)**Abdullahi Abdi Lafa:** Hapana kula. Hawa ni waziliwa wa hapa kutoka zamani hawana pahali pengine, hawako Ethiopia, hawako Somalia, the word of Sakkuye itself ilitokana na hii pahali inaitua Saku. Sisi, we originated from Saku. Saku is Marsabit. Hakuna pahali pengine, ni wa hapa.**Com. Prof. Okoth Ogendo:** Sakkuye?**Abdullahi Abdi Lafa:** Yes, Sakkuye.**Guyo John Duba:** Innii waan innii jeeduu anniin sakuyee annin councilor annii sakuyee duubaadaa nuu sakuyee aann sakuu daalaadee jeed**Abdullahi Abdi Lafa:** Hatuna pahali pengine. Ajabu ni kwamba kama last year's Census 1999, in 1969 tulikua kwa Census hata ilikua kwa, (word not clear), 1969 tulikua na Code No.35, 1969. Hata 1959 ilikuako. By 1999, last year, Census tuka ambiwa nyiny ni kama watalii, nowhere now, hatuna Code Number. Ajabu kua, you are "others". You are "others".**Guyo John Duba:** Innii waan innii jeedduu duurii gaafaa 1969 Code No. 35 qaabn jeed aakhaa saakuyee taa onnaanaa taan aamoo gaafaa 1999 khaanii nuu worr diibii yaanii goosaa naam cuuf toktokoo himmaanii haalaafuu tuun goos diibii waan beetaa wolt baasaa nuu baasaa kee jiiir jeed**Abdullahi Abdi Lafa:** Bw. Commissioner, kama kuzaliwa kusema kweli, hatuna pengine, uwezi kupata hata wazimu mmoja wa Sakkuye aki kaa Ethiopia au pahali pengine. Ninataka ya kwanza Sakkuye yenyewe itambuliwe kama hawa ni Kenyans. Kwa vile tumeone kama sisi hapana waKenya.**Guyo John Duba:** Nuu akhaa saakuuyee akhaa goosaa saakuuyee khaa nuutaambuaanuu jeed **Abdullahi Abdi Lafa:** Basi ile ingine kidogo ninaongeza ni mambo ya border, tumeongea kila mtu akaw kiviake. Hawa wa colony walikua ni wazuri isipokua tulisema wabeberu ni wabaya. Lakini naifadhi wananchi waangaliwe mzuri kwa vile mtu kutoka nje, nyiny hapana sumbuliwa. Watu wanakaa na amani, kila mtu iko na sehemu yake. Tunataka watu wakae kiviao. Vile ilikua nakaa, wakaae. **Guyo John Duba:** Innii waan innii jeeduu naamaa cuufaa akhaa innii laafaa uffii keesaa taauu jeed aakuumaa gaafaa koloonii khaanii kuulen seer borana, kuuleen seer saakuyee kuuleen seer eebbeluu akhaas feennaa jeed**Abdullahi Abdi Lafa:** Tena hiyo ingine hii Act inaitua Indemnity Act hii, ambao inapoteza haki ya binaadamu, hiyo

Sheria ifutuliwe mbali. Sababu ya mimi kusema hivyo, vile huyu mzee alikua hapa akiongea mambo ya wamama, wasiwe kama kawaida, aliongea, zamani 1964, 19765, sisi tuli lemewe saana, sisi community ya Sakkuye. Walimalizwa kabisa, totally. A good example, ambao mimi naweza kupeana saa hii, there is two of them, mawili yao walikamatua wakichunga Ngamia yao, mmoja anaitua Abudo, na mwingine anaitua Ali, wakichunga Ngamia tu, walikamatua na Military. Wakapelekua huko juu, baada ya kupelekwa huko, sisi hatuna habari yao. Tukiuliza wanasema hii ni kazi ya Jeshi. Jeshi hatujui ni gani. Tutauliza nani?

Hawa wajamaa wawili hawakua na Bunduki, hawakua na nini, walikua wanachunga Ngamia. Waliambiwa nyinyi muna vita ya Shifta. Hata kuficha Shifta. Hata kama ni Kortini, wangetujulisha, kama ni kunyongua, wangetujulisha, mpaka Abudo na huyo Ali hatuna habari yao. Isipokua mimi nasikia mmoja yao amekufa, one of them is still alive. Iko somewhere there in Kenya here. Tunataka haki igangaliwe, hata kama ni watu wachache, hio haki yao igangaliwe. Na hawa watu tunataka tujue kama wamefungua, Serikali ijulishe sisi. **Guyo John Duba:** Aadhaa worraa suulee taa indemnity akhaa nuraa baaleesaanii aadhaa suuni adhaa miirgaa naamaa dowaaatee naamaa baaleesitee nuu haagaamaa eegii nuu saakuyee laaf taa gaafaasii qaabaan haagaamaa fuulaa issinii jiirt imbeenuu worraa suulee khaa nuu muulisaanirii jeed **Abdullahi Abdi Lofa:** Ile ingine mimi naongeza kidogo, sheria inaangalia kila mtu, mkubwa, mdogo. For example, mimi, I am a Police officer ya zamani, mimi ni officer ya polisi, na huyu mwingine ni officer ya polisi, sisi wote tumeenda retire, baada ya sisi kwenda retire, mimi nasema polisi, hata AP hata Military. Sisi wote tulikua wafanyi kazi ya Serikali. Iwe na pesa kiasi fulani ambao wanapata iko, kwa sababu dollar mzee charge ni ya polisi, ya wakati ingine kitambo, saa hii wanapata shillingi mia nne. Utaona, askari mwingine ametoka juzi, na ni askari kama yetu, anapata elufu nne, elufu tano, kwa nini hapana kua kiasi moja, hawa ma askari wote? Because they are all soldiers. Kwa nini hapana kua iko hio peas yao ya pension? **Guyo John Duba:** Innii waan innii jeeduu waan pension innilee yoo gaan duudaan hojiii keesaa siibaasaanii tokolee aar keesaa baasaanii beesee waan worri bessee jaarumaa taa fuudaat cuufaa aabbaan qiitee fuudaacuu maalaanii jeed **Abdullahi Abdi Lofa:** Iwe iko. Ile ingine mimi naongeza, ni vile wajama nimeunga hawa mkono, kwa Bunge iwe mara mbili, iko Bunge ile ya wazee, House of Senate sijui whatever they call it, hawa wenyewe wanajua. Community, kwa vile mimi, mimi nina hakika hata miaka mia tano inayo kuja, another five hundred years to come, hakuna Sakkuya ata ingia Parliament. Unless hiyo Sheria ibadilishwe. Another five hundred to come, we won't go there. Parliament hatutaone na macho yetu. Lakini Katiba ikibadilishwa isemwe kila community iwe na representative mmoja, nina hakika tutawahi. Kwa hivyo kwa nini Bunge iwe namna hio? **Guyo John Duba:** (in Kiborana) **Com. Nancy Baraza:** Mr. Lofa muko watu wangapi? **Abdullahi Abdi Lofa:** Hatuko wengi saana. Ni wachache. **Com. Nancy Baraza:** Muko wangapi? **Abdullahi Abdi Lofa:** Hapa tuko kama elfu sita. Isiolo kama elfu kumi na kitu. Isiolo kama elfu twenty au thirty. **Com. Nancy Baraza:** Allright. **Abdullahi Abdi Lofa:** Isiolo wako wengi. Lakini hapa ni wachache. Hapa ni wachache. **Guyo John Duba:** Innii waan innii jeeduu ammaa bungee khaa laamaa tolcaanuu jeed bungee tokoo bungee goos cuufaa naamaa toktokoo keesaa fuudaaniiif jeed taan taa kawaaidaa jeed yoo akhaasii intayyinii gocii akhaa saakuyeeafaanii maishaan wooraa aadhoo bungee ingaaree dhootee baadhii jeed **Abdullahi Abdi Lofa:** Ile kidogo mimi naongeza Bw. Chairman, mimi sijazoma. Hata kama sijasoma, mimi nina hakika na kuongea hata mbele ya watu kwa vile haki ya wananchi wakinichagua, wanitume nina hakika I won't let them down, kwa vile ninatosha kuongea kila kitu. Kwa hivyo mambo ya kusema Form IV na Univesity, it is not a must. Yule mtu anapendwa na wananchi ambao wananchi wake wamemuchangua, yoyote anaweza kua Councillor hata Mjumbe hata kama haja soma, na anapendwa na watu wake. Mimi mwenyewe sijasoma na ninatosha kuongea hata Kasarani,

mara ingine mimi nilisimama kiwanja na ninaongea. Kwa hivyo mtu yule wananchi wanataka ndio ana weza kua kiongozi.**Guyo**

John Duba: For your information, Mr. Abdullahi is a councilor for (,,,) for the Sakkuya community. (Innii waan inni jeeduu councilor taat moo bungee taat moo naamii masomoo waa innaargaatuu namii naam dhubii jeech naam daamsaa naamaa yaai eergaa guutuutii hujii dhaandhaa masomoo suunii nuu infeenuu jeed maanenoo masomoo taa nuutiin gaamtaan suun).**Abdullahi**

Abdi Lofa: Sasa, mimi nikimaliza Bw. Chairman, yangu nikidogo, mimi niko na memorandum yangu nikapeana huoi, yangu ni kidogo. Ya mwisho tu mimi ninasema, nyinyi ndio wenye sheria, mimi nina hakika nyinyi in the end ndio lazima muna elewa hii mambo ya law, yote munaelewa, iko kitu moja sisi tuko naye, mtoto akikamatua jela asitakiwe, anaitua hiyo kijana ni under age, kama haja fika 18, he is under age, si anapelekwe koti ingine ya kando ya watoto, kwa nini hatuwezi kua na over age, mtu aki fina 80's? Akifika miaka themanini awe na kotini yake kando, sio hii ya kawaida? Kwa vile yeye ni mzee. Under age and over age. Kwa nini hapana fanya namna hio? Aki fina seventy-five and above or eight years?

Guyo John Duba: Innii waan innii jeeduu kotiinii ijolee gaarii ojjae issiin gaanaa kudaanii saadheetii ingaayyini ijolee namii kotii woraa khoobaa tolcaan jeed, naamaa gudhaalee yoo innii gudhaatee gaannaa saadhetamaa dhaabree kotii naamaa gudhaa taa jaarolee maa koobaa intolciin jeed

Abdullahi Abdi Lofa: Asante. **Com. Prof. Okoth Ogendo:** Thank you very much.**Abdullahi Abdi Lofa:** Iko swali?

Com. Prof. Okoth Ogendo: Hakuna.**Guyo John Duba:** Sasa tutaita District Youth Group. **Hussein Haro:** I am called Hussein Haro, Chairman District Youth Group.

Com. Prof. Okoth Ogendo: Hussein, please summarise.**Hussein Haro:** The State should give the right and obligation of any person who is automatically a citizen of Kenya and these are: right to live, freedom of speech, right to worship, freedom of assembly and yet some of them, we have not been given, especially in Northern Frontier District, where if we are found in a gathering of more than one person, it is declared an illegal gathering, so we want that right to be given to us.

Guyo John Duba: Aakhaa aadhaa cuufaa nuu keenaanii aadhaa teen imbeedheelan baanaan khaanii khaa naamii aakhaa feedee woolt gaadh duufee waan feeduu cuufaa duubaatuu taalee cuuf nuu kuubaalaan feed jeed

Hussein Haro: Secondly, I need to talk more about the youth. The youth should be given their right to hold views from different communities and to be assisted with the same.

Guyo John Duba: Waan innii jeeduu naam diiqaalee yaadh issaalee akhaa daagaan jeed fuulaa maara maarilee cuuf

Hussein Aro: Citizens should be given welfare like in other countries.

Guyo John Duba: Waan innii jeeduu nuu raayyalee naam hujii inqaamn faa akhaa yaanii jiyafaa waa baabbassaniif waan naamii kuunii nyaatee duuguu

Com. Prof. Okoth Ogendo: We understand. It is welfare payments like in the developed countries. Youth girl, please let the Commissioners to understand----- We have understood.

Guyo John Duba: (in Kiborana)**Hussein Aro:** Lastly, I have one thing to say, we people from nearer to the border, we need a different identity card, like a passport to be given to us, those who are at the border.

Com. Prof. Okoth Ogendo: Why?**Hussein Aro:** Because we are Pastoralists. Sometimes we can pass there.

Com. Prof. Okoth Ogendo: We have heard a lot about this special Screening Cards. Nobody wants them. Why do you want another Screening Card?

Hussein Aro: That is not the Screening Card. All the Northern Frontier District ---

Guyo John Duba: Prof., he is talking about the irregularity of cross-border movement, so he says that we should be given some special Passports to be able to live and enter the country as they wish.

Com. Prof. Okoth Ogendo: That is his view and we understand the problem within the society.**Hussein Aro:** Those are my views. That is all. I thank you.

Com. Prof. Okoth Ogendo: Whom do we have here?**Guyo John Duba:** Mr. Said Dube:**Said Dube:** The new Constitution must ensure that the will of the people of Kenya is supreme and expressed in the Preamble.

Guyo John Duba: Innii

waa innii jeeduu akhaa nuu yaanii rayyaa kenyaa naam cuuf haataa naamaa naam duuraa yaaulee cuuf nuu irraa hirree qaabnuu akhaa adhaa kenyaa kees khaan jeed**Said Dube:** The Preamble should also invoke Kenyan's history and clearly stipulate the fundamental principles to which all Kenyans must legally remain committed to democracy, liberty, equality, and economic prosperity.**Guyo John Duba:** Aadhaa kenyaa suunii akhaa democracy kaanaamii cuuf sheerriyya duuraalee wolqiitee waan khaan cuuf kee nuu khaanii khaa fiiniilee fiin qaajeelaa**Said Dube:** In the new Constitution, we want the three Arms of Government i.e. Executive, Parliament and Judiciary should be independent of each other. The three Arms should have equal powers such that what is not stronger than the other, and their power should be clearly defined and limited in the new Constitution. There should be the principles of separation of powers.**Guyo John Duba:** Innii waan innii jeeduu utuubaa saadheen siirkaalii wooliin eejuu khaa kootinii, khaa bungee, khaa office executive khaa raayyissa khaan faa akhaa naamii tookoleen woltii inbuun khaa aabbuu hujji uffii beekh khaa aabbuu hujji uffii suun caalaa hojjat khaa naamii hojji naamaa keesaa inbuun feenaa jeed**Said Dube:** The new Constitution should be set to let the President be as Head of State and Prime Minister as Head of Government. The latter should be nominated by Political Party, which wins the general election while the former should be elected by all the people and obtain not less than 50% of the total votes cast in the election.**Guyo John Duba:** Innii waan innii jeeduu system President tiifii khaa Prime Minister feen jeed. Khaa Prime Minister chairman diyyaa takaa kuuraa guudhoo bungee keesaa aargaatuu khaa bungee fiilaateetiinii Prime Minister tolfaatuu jeed ammo naamiicii raayyissaa kuuraa raayyaan cuufaa dofteefii ammo kuuraa diibaa yoo daanii shaantaamaa khaa aargaatuu jeed**Said Dube:** The new Constitution should guarantee independent and partial Judiciary by appointing of the Chief Justice, Judge of Appeal, personal Judges and any other judges should be appointed by Parliament.**Guyo John Duba:** Waan bungee worraa naamaa duubaat jaarsaa duubii khaa kotiiniilee cuufaa akhaa bungenii caaguutuu jeed**Said Dube:** There should be a Parliamentary Judicial Committee to vet appointments and determine terms of services.**Guyo John Duba:** Worraa jaarsaa hujjii jaarsaa duubii, khaa kootinii, khaa judge, khaa magistrate akhaa committee moogaa miidaasaanii committee moogaa suunii worraa khaanaa hujjii qoortee beese waan woorrii nyaachuu maalee dhaamoos worraalee worrumaan duubaat**Said Dube:** In the Constitution, we want all Judges to have security of tenure.**Guyo John Duba:** Naamaa judge khuun yoo innii judgee taaee akhaa hujjii issaa suunii irrayyu inbbuune **Said Dube:** There should be an established a Constitutional and Supreme Courts**Guyo John Duba:** Kotiinii adhaa daayoo naamaa aadhaa daabbaa miirgaa naamaa yoo naamaa dowaaniilee yaadhuu kotiinii akhaasileen constitution court illee khaa miidaasaanuu jeed. Kotiinii ammallee supreme court kotiinii kotiinii cuuf irraa guudhoo khaa miidaasaanitii jeed**Said Dube:** Magistrates should be appointed by an independent Judicial Service Commission.**Guyo John Duba:** Wora magistate illee judicial service commission worri khuunii naamaa tokoolee woomaa inlaal khaa qulqullo khaa akhaanaa khaa enjooou jeed**Said Dube:** Kadhis should be nominated by the Muslim community before being appointed by the Government.**Guyo John Duba:** Naamiicaa qadhii tolcuu maalaan qaaraa aadhoo siirkalii hojji suunii inkeenineefii akhaa rayaanii itti woolligaalteetiin nominate itti jeed**Said Dube:** The new Constitution should better protect the right of individual's i.e. human rights. The Constitution should provide for basic rights enshrined in the covenant on economic, social and cultural rights in addition to the Civic and political rights as enshrined in the United Nations Declaration of Human Rights and the African Charter on Human and People's Rights.**Guyo John Duba:** Aadhaan miirgii namaa khaa lubuu faa jeedaan khaa hoorrii naamii horratuu khaanfaa jeedaan khaa naamii woliin taaee duubaatfaa jeedaan ammaa aadhaa diibii taa akhaa naamii miinaa buurefaa aargaatuu khaa naamii hujjiifaa

aargaat aadhaa akhaanaafaa cuufaa khaa itii nuu dhaaraanii jeedan**Said Dube**: All other instruments safeguarding the rights of the people whether regional or international must be recognized by our laws.**Guyo John Duba**: Aadhaa laaf aadhunyaa international law jeedaanii yookaan international treaties yokhaan instrument waan aadhaa fiinaa adhuunyaa aadhaa teenaa taa kenyaa keesaa khaa khaanitii jeedaan**Said Dube**: Human Rights education shall a right of every Kenyan.**Guyo John Duba**: Naamaa kenyaa cuufaa akhaa miirgaa issaa aadhaa issaa baarsissan**Said Dube**: There should be an independent Human Rights Commission established by the Constitution.**Guyo John Duba**: Kootinii yokhaan commission miirgaa naamaa thithiduulee cuufaa khaa miidaasaanii jeedan**Said Dube**: The new Constitution should secure better protection of Rights of the child.**Guyo John Duba**: Ijjollelee miirg issii yookhaan haaqii issiilee keenuufii maalaan jeed**Said Dube**: The Constitution should give effect to the United Nations Convention on the rights of the child.**Guyo John Duba**: Waan adhuunyaan siirkaalii adhuunyaa dhuubaat khaa waan ijjollee khaa issii irraa jiiraa cuufaa aadhaa teenaalee keesaa khaa khaanii jeed**Said Dube**: The new Constitution should secure the rights of women. The Kenyan society shall be based on the principle of equality including the equality of the sexes.**Guyo John Duba**: Aadhaa kenyaa kessaa akhaa diiraaf naadeleen wolqiitee waan cuufaa keenuu maalaan akhaa taakaa**Com. Prof. Okoth Ogendo**: Please summarise.**Guyo John Duba**: Yeah. He is summarizing.**Guyo John Duba**: Gaabbaabsii buufaataat**Said Dube**: All sexes are equal ingenuity and rights. No Government, institution or person shall pursue a policy or engage in practice that offends this principle.**Guyo John Duba**: Aakhaa siirkalii waan nuu jeenuu cuuftumaan diiraaf naadeenii khaan offissii siirkaalaa tokholeen waan khaanaa wool immillissinee jeed**Com. Prof. Okoth Ogendo**: Thank you very much.**Said Dube**: Wait I haven't finished. **Com. Prof. Okoth Ogendo**: (interjection not audible)**Said Dube**: The new Constitution should have wide principle for better management of natural resources such as: the Constitution should entrust all natural resources in the people and not in the Government of Kenya.**Guyo John Duba**: Qaabeenya laaftaanaa yaanii khaa laaf waan laaf guubbaa baafaa waan laaf jeelaa baafaa kuulikoo siirkaalii haarkhaa qaabuu khaa rayyaa deebissanitii jeed**Said Dube**: Parliament should be responsible for formulation of policy with regard to the management of natural resources.**Guyo John Duba**: Parliament yaanii bungee adhaa waan akhaasii issaanii midaasitii jeed**Said Dube**: Local Authority be mandated to manage the resources within their area of operation where there is proven competence.**Guyo John Duba**: Local county council faanii yoo hoorri aaccii keesaa qaabena aaccii kee jiiraa yoo issinii itii dhaandheet yoo issinnii itii guudhaatee khaa akhaa issinnii maanii waan sunnii mammultuutii jeed**Said Dube**: The new Constitution should guarantee an independent, efficient and competent Civil Service by appointments to the Civil Service through merit.**Guyo John Duba**: Naamicii siirkaalaa qooraanii akhaa innii naamaa hujjii dhandhaauu khaa dhaandheetii itti qaabuu khaa qooraanii jeed **Said Dube**: Creation of the office of Ombudsman to check on maladministration.**Guyo John Duba**: Office ammallee Ombudsman office yaanii naamaa siirkaalii hojjatt yokhaan offissaa siirkaalaa yoo issinnii waa yaakiitfaa yoo naamiifaan worrifan naam daabs dhaabsuun ittiin duufaata offissaa akhaasii suunii khaa nuu miidaassanii jeed**Said Dube**: Civil Servants to be non-partisan.**Guyo John Duba**: Naamii hujji siirkaalaa hojjaatuu siyyaasaa tokoollee akhaa innii injiiree jeed**Said Dube**: Civil Servants not to engage in any profit making businesses.**Guyo John Duba**: Namicii hujjii siirkaalaa hojjatu akhaa innii beeshaaraa innii hojaanee jeed**Said Dube**: The new Constitution should guarantee the establishment of independent, efficient and competent Local Authority. The Constitution must declare the principal of devolution of power.**Com. Prof. Okoth Ogendo**: Please summarise.**Said Dube**: Yeah. I am completing. **Guyo John Duba**: Please complete all of them and then you summarise.**Said Dube**: Yeah. The

Constitution must divide the Local Government from Central Government. All Councillors must be elected. Councillors must be 'O' Level. Local Authority must be empowered to hire and fire all employees. Funds collected by Local Authority should be used by the same Local Authority. Prospective Councillors should have a minimum qualification of University Degree or its equivalent. Mayors and Chairman of County Council must be elected directly by the people. **Guyo John Duba:** (in Kiborana) **Com. Prof. Okoth Ogendo:** Thank you very much. Who is next? You take three minutes and I will stop you ----. Jina? **Molu Boru:** Jina langu ni Molu Boru. **Com. Prof. Okoth Ogendo:** Okey. **Molu Boru:** **Guyo John Duba:** (in Kiborana) **Molu Boru:** Nataka kupatiana maoni yangu kwa local vernacular, (Waan qaaraayii waan aatiin jeetuunii waan eedhuu dhudhuubataanii askariin cuuftiinu waan horrii, waan sheriyya waan magistrate cuufaa ammaa waan aannii feeduu booliis faa uniform irraa akhaa duubbatan soldiers kenyaa cuufa waan jeeshii duubatin **Guyo John Duba:** He is proposing that other than the Armed Forces, other security organs such as the Police, the Administration Police, and the prisons should wear plain clothes or civilian clothes. **Molu Boru:** Aammalee taa laammessitoo waan annii feeduu akhaa naamii boolisaa indeenee **Guyo John Duba:** He says that the present image of the Police Force is such that the mere sight of a policeman will scare somebody away. He is now proposing that the Police Force must stick to its Moto of Utumishi kwa Wote and it should serve the public diligently without having to arrest them on false charges. **Molu Boru:** Aamalee beeseen kenyaa akhaa issinnii picture naamaa inqaamn **Guyo John Duba:** He is suggesting that the National currency should not have the picture of the sitting President. **Molu Boru:** Aammalee kioongozii hojjaa feedaanii masomoo caalaa akhaa inni laalee bekhaa issaa intelligent issaa akhaa bimaanii akhaasiinii hoo kiongozii tolcaan **Guyo John Duba:** He is saying that education alone should not be the criteria for the appointment or election of leaders. **Molu Boru:** Aammalee llaal akhaa licence faarsoo khaalee akhaa diiqeesaan skull hee aammaa mamboo skullaa dheebia ijollle skullaa ojjaa issinni soomtee akhaa subject hirren itii inkeeninee subject intelligent faa biimaanii itii keenaan. **Guyo John Duba:** He says that school children should be allowed to take the subjects that they so wish to take other than making some subjects compulsory or forcing subjects upon them. **Molu Boru:** Taan diibiin ammalle akhaa adhaan kenyaa taa dhuurii daabaartee woomaa irraa ooluutii injiiree adhaa harretin tuniin akhaa hujjii irraa oolt feenaa jeediin **Guyo John Duba:** He is requesting the Commission that the new Constitution that will emerge from the proceedings of these hearings should be implemented to the letter. **Com. Prof. Okoth Ogendo:** Who is next? **Guyo Sasura:** Maaqaan kiyaa Guyoo Sasura Jeedan **Guyo John Duba:** He says that his name is Guyo Sasura. **Guyo Sasura:** Aanniin gaan 1952 daalaad gaaf kenyaan uhuuruu aargaatee gaanii kiyya kudaanii laamaa. Gaanaa ammaatii kenyaa uhuuruu aargaatee 1963 aarmmaa laamaan jiiduu waan aana aargee laafaa teena taa moyalee taanaa worraan caalaa keesaat aargee **Guyo John Duba:** He says that since 1963 when this country gained independence, this region has been subjected to conflicts. **Guyo Sasura:** Aaciin duuraat ammo waan aannin aabbaa kiyyaa irraa daaggae khaa gaanii kiyya kuudaanii laamaa kenyaa taanaa worraanaa khee jiiraa ammo worraanii kuun wooran nyaapaa naamaa aadhii taa laafaa naamaa guuraachaa laafaa kenyaa taanaa keesaa khaasaanii aabboo akhaas naanjeed **Guyo John Duba:** Before then, he was told by elders that this place was peaceful. The only event was the struggle for independence. **Guyo Sasura:** Aannii ammo gaanii kiyya dhiidham gaaee jeenaan waan anniin aabboo gaafaad khaa naafii aabboo woltiidheebinee wolgaafaan, worraanii khuuniin maaf laaf teena taan haaggaa kenyaan uhuuruu aargatee aarmaa laamaan jidhuu maafii worraanii kuunii baauu dhiidhaa jeenee wolgaafaan **Guyo John Duba:** He says discussion has been raging on why ethnic conflicts have been the norm since independence. This discussion and this debate have been going on within this

region for sometime. **Guyo Sasura:** Waan aabbon itti naanjeede naafii aaboon itii woliigaalle naamaa adhaan issaa taakhaa intayyin khaa laaftii issa taakhaa intayyin naamaa akhaanaa woldidhuudeffii worranii kuuninii laaf teena keesaa baauu dhaadabee woollin jeen **Guyo John Duba:** The emerging view out of those debates is that ethnic conflicts have been accentuated by independence bringing groups with different cultural and ethnic backgrounds together so that you will even find communities being divided through the international boundary system. **Guyo Sasura:** Akhaanaafuu akha aan itii laallet adhaanii worraa laafaa taanaa fiidhuu dhaandheetuu aadhaa ferenjii dhuurii laaf taan khaa **Guyo John Duba:** He says that he is in favour of those customs, laws and traditions, which were there before this Constitution and the statutory legislation. **Guyo Sasura:** Khaan woonnii akhaanatiifii worri moyalee goos laaftaan teetuu jiiraa wajir goos teetii jiiraa Marsabit goos teettii jiiraa namuu laafaa uffii qaabaa laafaa uffii suunnii khee ta'ee laafaa uffii suunii ishiimee yoo laafa diibii yoo laaf taan gaadhii duufuulee ishiimaa laaftaanaa mpaakaa khaanaat hiimuu **Guyo John Duba:** He says that this is because all the ethnic groups around here have their specific areas where they have been living since time immemorial and if that kind of group territory is respected, then that will be end of conflicts. **Guyo Sasura:** Akhanaafuu gaan 38 khaan yokhaan gaanaa 39 khaa kenyaan uhuurruu argaat khaan dhuunnaa keesaa hojja nuudaageen duukkubba tokkoo kaa ukkimi jedaan naam baaleesu jiiraa ammo laaf taanaa worraanaa naamaa diiqeesuu jir jeed **Guyo John Duba:** He says that the problem at the moment, AIDs is a global pandemic, but he says in this region it is ethnic conflict that is the main pandemic. **Guyo Sasura:** Akhaanaafuyyu adhaa suunii aadhaa kooloonii taaniit indeebiin laaf taan naamii irraa hoobbaa jeed **Guyo John Duba:** He says that if those colonial boundaries are not re-drawn and groups are confined to their specific territories, then these people will be decimated by intermittent ethnic fighting. **Guyo Sasura:** Khaleenii waan maaraa biisaan hoorrii qeencaa **Guyo John Duba:** He also talks about rangelands, about livestock economy. **Guyo Sasura:** Maaraa biisaan hoorrii qeencaa haarkhaa jaarolee laafaa haark chief faatii baanee haark DO, DC itii baanee haarkhaa jaarsaa laafaat khaa deebiyyanuu **Guyo John Duba:** He proposes that the management of local resources should be vested in a council of elders other than Chiefs and the County Council. **Guyo Sasura:** Taa saadheesoo: nuu hiyyumtii teenaa taa armaa taa laameesoo biisaan daabaaf bissan daab fuulaa biisaan jir maarrii injiir fuulaa maarrii jir biisaan injiiraan akhaanaafuu siirkaalii kheenii khuun yoo dhaandheetii itii qaabaat laafaa gudhoo qaamn laaf biisaan itii aargaamuu dhaandhaan laafaa qootuu dhaandhaan akhaanaafuu gaar khaan irraa gaadhii bu'ee goondhoo taanaat laafaa guudhoo qaabnaa biisaan qootaanii maaraa qootaanii haarkhaa uffii akhaan guubaa khaanii akhaa hoorrin qeencaa laafaa taanaa irraa aallaal aargaatuu **Guyo John Duba:** He request that the Government should take legislative steps to improve the livestock economy because he says presently where there is pasture, there is no water and where there is water, there is no pasture and that is why pastoralist economy has not developed to its full potential. **Guyo Sasura:** Dhuubiin tiyyaa haagaanuu **Guyo John Duba:** He says that, those are his submissions. **Com. Prof. Okoth Ogendo:** Thank you very much. Any questions Commissioners? **Mohammed Ahamed:** Maaqaan kiyyaa Ahmed Mohammed jeedaan **Guyo John Duba:** He says that his name is Mohammed Ahamed. **Mohammed Ahamed:** Duubaa anniin waan irraa feeduu anniin kwa mfano yoo anni yeedee yoo anniin naadeen toopiyya gaadh fuudee khaa annamaa kenya khaa issinni kibaandhee inqaamn akhaa issinnii haaqii naamaa kenya khaa issinni niitii tiyya kibaandhee keenaaniff feed **Guyo John Duba:** He talks about citizenship. He says a Kenyan man who marries from another country, that his spouse must be given automatic citizenship. **Mohammed Ahamed:** Aammalee waan anniin irraa dhuubacuu feeduu waan gaaraa oosbbitala kaanaa irraa dhuubaacuu feedaa. Siirkaalaa gaaf dhuurii kenyaataa naamii cuuftinuu miiskiinaaf taajjirileenii

hudumaa buuree khaa qoorsaa aargaat aammaantaan aammoo gaaf maanii khaanaa kuaanziaa 1984 naamii cuuftinuu qoorsaa haabbitaatuu jeedaanii miiskiinii aammaantaan qoors biitaacuu dhaadaab tokooleen qoorsaa bittacuu indhaandhaau akhaa siirkaalaa naamii cuuftinuu qoorsaa buuree aargaatu jecuu feed**Guyo John Duba: Mohammed Ahamed:** He says the Government should do away with the cost-sharing system in the Government Hospitals because he says previously people were given free healthcare.**Guyo John Duba:** That all Kenyans should be given free healthcare.**Mohammed Ahamed:** Taa diibileen ijjooleenii aammaantaan laafaa moyalee diiba keesaan jaataamii cuuftii miiskiinaa ijjooleen worra miiskiinaa ijjooleenii worraa miiskiinaa akhaa dhaansaa hojjaa dhaansaa dhaabbartee university inaargaatuu Form IV waan skuulaa aartii baaftuu inqaabduu akhaa siirkaalii kenya worraa miiskiinaa innii ellimuu khaa qaarqarr**Guyo John Duba:** He says the majority of the District population is poor and therefore he requesting that a new Constitution should provide for free education for poor people in those areas.**Mohammed Ahamed:** Taa diibileen screening: Worraa soomalii khaadii diimtuu nuu keenaan screening card jeedaan taanaa vikwaazoo nuuraa khaanii sehemuu taan tokoolee kenya keessa injiirtuu vikwaazoo taanii naamaa armaa daalaatee sehemufuu yoo innii fuulaa feetee issinnii taatee akhaa yaanii khaadii suunni siirkaalii nuuraa baalesuu **Guyo John Duba:** He is also proposing that the Screening Cards which a section of the Kenyan community is still carrying should be declared un-constitutional.**Mohammed Ahamed:** Aamma diibii tokooleen khaa jiruu worraa aarm jir khaa ijjooleenii issaa armaa daalaat khaa worri issanii kibandhee north eastern inni qaabuu, kuun north eastern jeedanii kenya gaargarr foan kibaandhee north eastern ijjooleen issaannii khaa ijjoolee armaa daalaatee aargaacuu indaandeen khaa miinaa armaa qaab khaa boolodhaa armaa qaab akhaa siirkaalii kenya naam chuuf gaargaarri hiinfoonee naamii kenya qoodhaa innii kenya taat akhaa kitaambulishoo inni aargatuun qaab**Guyo John Duba:** He says that there are some families which were registered in North Eastern for the purposes of identification and that some of them have now moved to this town, and they have had children but their children cannot now be given identity cards because their parents' cards refer to North Eastern as their place of residence. So he wants this to be done away with.**Mohammed Ahamed:** Taaleenii waan kaaraatii: Kaaraa bungee keeniin kuaanziyya kenya uhuuruu aargaate iyyumaa jiraa nuumaa iyyu jiraa yoo bookenii roobee kaaraan keen hiinciitaa gaarrilee armaa yaa cuuftinuyyu kaaraa caabee kaaraa irraa ciisaa irraa feedaanii instalment irraa feedaanii instalment suunii gaar kaaraa daabaa waan baasuun daabee gaarii worri qaabuuleen jaajaabdumaa kutookaa 1963 baakhaa gaanaa 2002 cuufaa iyyumaa jirranii akhaa siirkaalii kaaraa laamii nuu daaee akhaa rayyan teenaaleen issillennii matuundaa uhuuruu aargaatuu suun feen**Guyo John Duba:** He is proposing that a new Constitution should provide for the equitable development of infrastructure and he gives the example of the roads where he says vehicle owners are required to pay monthly instalments but after a year that lorry is declared un-road worthy so that it becomes a bad investment.**Mohammed Ahamed:** Taan diibileen waan garaa biinnensaa raassaa khaa laafaa worra wild life waanuu irraa duubaanuu woorabbessi diidhaa khaan qaabaatee haarree naamaa nyaataa guyya cuufayyu worraa wild life report cuufaa inn daannii haarreen biyyaa yaa baadhee hoorri yaa naamaa irraa baadhee akhaa worra wild life khaanalee horri bineensii nyaat khaana cuufayyu worri nuu liipuu feen**Guyo John Duba:** He says that as from 7.00 p.m. this town is infested with hyenas which devours goats and donkeys. He is now saying that the KWS people must keep their wild animals in their wild places away from human residents and settlements.**Mohammed Ahamed:** Taa miishoo waan gaar booliisaa: Kaaraa khaan yoo attiinni baatuu duurii siirkaalii waan jeeduu oongoonii injiirtuu jeedan naamaa oongoo nyaatuu qaabba jeedaan lakinnii ammantaanaa oongoo suunii kaaraa khaanaa ammantanna baataanii iilltii issaan

aagaartaanii dhiid khaanaat ciisaanii rayyani waan kiiloo tokooleen baauu indhandheetuu “lete kitu kidogo” jeedanii naamaa irraa fuudatanii naamii khaan kaaraa baauu dhadaab, yoo attinni beesee keenuu dhiidhee waan kaankee siiraa fuudaanii hirreen fuudaanni sii geesaan baakhaa guubbaa baakhaa jeelaa woonii ittii duubaataan injiirtuu siirkaalii oongoo nyaatauu baaleesaa jeeuumaa jiiraanii woonii suunii injiirtuu akhaa siirkaali waan khaanaalee laalee haatuaa irraa fuudaatee naamaa oongoo nyaatuu hujjii keesaa baasaan **Guyo John Duba:** He talks about corruption, the extortion of money by the Police through bribes. He says that these practices should stop because these people if you don’t give them money, they will take away whatever you are carrying even if it only a kilo of sugar, they will take it away from you. So he says this practice must stop. **Shariff Ali Ibrahim:** Alahamdulilahi. In the name of Allah ...The merciful. The status of the Constitution of Kenya has been to a disadvantage to some areas in particular has been a worrying factor to many Kenyans. In the Nomadic areas, Moyale inclusive is worse. This is mainly due to insecurity previously due to national disasters, frequent droughts, seasonal floats, lack of information centers throughout the District, discrimination of minorities, limited teaching and learning materials, poor infrastructure, educational facilities are not accessible to Nomadic communities. In general, there are numerous problems, which have affected the people’s progress in this region. **Guyo John Duba:** Innii waan innii jeedee aadhaan kenyaa taa ammantaan nuu keejiir tuuninnii guudhoo nuu dhaabsuu jiirtii keesumaa nuu worraa horri khaanfaa woonii issinni aakhaanatifii security inqaabnuu diibii nuu guudhaa information yaanii oodhuu inqaabnuu haayee aammalee nuu naamaa dhidhiqqaa tookoo khaa wolkeesaat eegge irraa eejaanjataanii jiiraa skullaa inqaabnuu waan kaan cuufaafuuyuu duubaa diibaa khaanaat haarkaa nuu qaabbaa jeed **Shariff Ali Ibrahim:** Therefore this paper is an update to give previews to the new Constitution and policy hence the present Constitution and Government is not favouring the Muslims and Nomadic communities in Kenya. **Guyo John Duba:** Aanna ammantan kaaraa dhuub yaadh kiyya ammantanaa assii diiefaaduunii yaanii gaadhiin duufaa jeed **Shariff Ali Ibrahim:** Proposal and recommendation: Predominantly Muslim areas in the country are characterized by under-development, marginalization in all spheres. The current Governance and colonial policy had made Muslim late starters at all levels. Affirmative action will be required by the Constitution Review Commission and Government to correct this imbalance. **Guyo John Duba:** Proposal tiyya taan jeed yaadhii kiyya. Innii waan innii jeed nuu laafaa naamaa qeencaa horrifaa keesumaa naamii islaanaa guudhoo waan cufaaniyyu guudhoo eegge nuu haambiisaan jeed, aakhaanafiyyu akha ammantaana commissioner tuunnin siirkaal lilleenii kaaraa dhaandhaau cufaanii nuu qaarqaareetiinii duubaa gollool dhaabbaa khaanaalee nuuraa kuutee nuu qaajeelcuu feena jeed **Shariff Ali Ibrahim:** Muslim schools should be recognized by laws constituted subject to Ministry’s curriculum with honoured certificates parallels for the circular for education as Primary, Secondary and Universities. **Guyo John Duba:** Aakhaa islaanileen skullum uffii miidaafaatee booraa skuulii suuniin waan woonii soomsisaaniif woonii aallaat soomsissaanilee woolfaakaat khaa issinii woliindhiinee akhaa nuulee haaqqii suullee nuu kheenaan jeed **Shariff Ali Ibrahim:** Muslim students who grauate from Islamic institution and universities should be instituted into TSC, Government employment sector to teach IRE, in Arabic languages and other relevant opportunities. **Guyo John Duba:** Yoo aatiin skuulla yoo aattin masomoo islaanaafaa soomtee skuul aaciifaa diigrii aaciifaa qaabduu akha siirkaalii aarmaa huujiijii siiqooree akhaa maalimuufaa akhaasii sii miidaasaanii jeed **Shariff Ali Ibrahim:** Many Muslim students are compelled to take CRE against their wishes especially in disabled schools. This is a violation of their rights; therefore the Constitution should take corrective measures to curb this unjust practice. **Guyo John Duba:** Ijjoleen islaanaa yoo gaari maasomoo kiiristiyyana hirreen soomsissan jeed woonii suunii dhaabaa miirg issi

baleesaanii akhaa waan akhaassilee nuuraa baaleesan jeed**Shariff Ali Ibrahim**: Bussaries came to be established for the Nomadic community pupils since they are frequently subject to drought, seasonal floats and insecurity. IRE must be taught and exams prepared by Muslim teachers to create impact and avoid errors.**Guyo John Duba**: Innii waan inni jeeduu akhaa ammantaan laafaa akhaa hoorrii khaalee khaa qaarayyu deeggii haarkaa qaabuu bursary faalee miidaasaaniifii taanaan soomsisaanii ammaalee taalee masoomoo islaanalle cuufaa akha islaanii soomsissee islaanumaan ammalee maalimuun islaana teestiilee toocuuf jeed**Shariff Ali Ibrahim**: Since freedom of worship and religious practices are enshrined in the Kenyan Constitution, the religiously based schools should not enforce pupils of their faith to their religion as a condition of admission to their institution.**Guyo John Duba**: Innii waan inni jeeduu yoo gaarii kenyaa keesaa haaqii naamii diinii feeduu guul deemuu jiir jeed, aammo yoo ijjolleen islaanaafaa yoo khaan ijjoleen kiiristiianafaa skullaa islaanaa geesaan taa yookhaan ijjolee islaanaafaa skuul kiriistianaa geesaan akhaa worri suunii sherryaa teentaa dhiinii jeelaa bullaa nuun injeenee jeed**Shariff Ali Ibrahim**: Our Islamic system of dressing in learning institutions, Parliament and public places to be respected and enacted into law. Sex education should not be introduced into the school at any level as it encourages immorality, which is against both African and Islamic virtues. **Guyo John Duba**: Waan inni jeeduu akhaa naamii wooyaa yoo attiinii islaanaalee wooyyaa feetuu keewaatee fuulaa feeten deemt bungee taanaan, skuull taanaan, khaaleen akhaa soomoo waan beetaa daaloot laafaa naamii kuuniin diiraa naamii kuuniin uuwaa jeedaanii jirr maasoomoon suunii hojjaa skuullaatiin duufaan waanaa haamtuu naam baarsifitii ijjolee waan haamtuu baaraatii suunii akhaa nuutiin induumnee jeedaan**Shariff Ali Ibrahim**: Minority discrimination is subjected in this region and other parts of Kenya since independence. Therefore law must be enacted to cover the minorities get access to the ruling Government.**Guyo John Duba**: Worri eeggee haaf khaa aakhaa keenaa cuufaa khaa nuulee nuu qaarqa**Shariff Ali Ibrahim**: Insecurity is a prime factor in Kenya, Northern Kenya generally has fallen victim to massacres, insecurity, tribal clashes and yet the ruling Government has not played any role of fact finding of the cause so as to curb this situation to-date, since every Kenyan is entitled to security, life and property, therefore the Constitution must guarantee the security for Kenyans.**Guyo John Duba**: Nu yoo gaarii laaftii teen tuunii laafuum diibaa taa worraanaatii worran khaalee waan duufuun siirkaalii nuutii imbaarbaadhuu waan khaan cuufaa khaa laalanii jeed**Com. Nancy Baraza**: This issue of insecurity, what do you think the Constitution should do or say specifically for people in border areas, the Nomadic people, what should it say? Right now the Constitution guarantees security for everybody. **Shariff Ali Ibrahim**: To my thought, since the policy of inquiry, as we understand that for a single person like Ouko, Kenya has wasted millions of shillings to find facts. But for many people of Northern Kenya especially, nobody has spent even a single cent to find the facts about our people who have lost their lives. **Com. Nancy Baraza**: Fine, many have died. Therefore for you the one who is living, those of you who are still living, what do you think the Constitution should say? **Shariff Ali Ibrahim**: I had not understood**Com. Nancy Baraza**: But for those who have died, we can take another action altogether. But those of you who are still alive and need to continue living. What do you think the Constitution should specifically say or do?**Shariff Ali Ibrahim**: They give us a regional autonomy to rule ourselves. **Com. Prof. Okoth Ogendo**: (in audible)**Shariff Ali Ibrahim**: Year, my opinion. Fine. Thank you.**Com. Prof. Okoth Ogendo**: Thank you.**Loko Molu**: Maaqaan kiyyaa loko Molu chairlady Somaree Women group**Guyo John Duba**: She says her name os Loko Molu, Somare Women Group**Com. Prof. Okoth Ogendo**: Endelea.**Loko Molu**: Woonii anniin irraa dhuubaad akhaa haawaan illmaan: Wonnii annin irraa dhuubad illmaan teenaa illmaan miiskiinaatii illmaan hiiyyesaatii soomsiiifnee qooraan

ittichaabsiinee nuhuun haawaan illmaanii illmaan teen suunii aamoo form iv waan daabarsiinuun inqaamnuu hojjaa akhiinseyyin issiin form iv geetelee adhoo hujjiin siirkaalla tokoo baatee haaqii keesaa aarggatee illmaan taajjiirat biitaataa illmaan teeniin suunii inqooraat **Guyo John Duba:** (in English to the Commissioners) She says, she talks as a mother. She takes her children to school by collecting and selling firewood and that once she struggles to take her child through secondary education as a poor mother, her children cannot get access to job opportunities like Government recruitment here because the rich people buy those positions. **Loko Molu:** Iyyumaafuu university soomsii faachuu indaandeenuu taa sekondaarii form iv hoobaaftee suuniyyuu hujji innaargaatuu naam hujji aarggateet diidii qoo miinaat haaft taanii akhaataanii qooraan itii chaabsee suukhuumaa taanuuyyuu haatii beelum taannii qaabdhi hujji dabdee seeseeg diir khaan kee yaatee mirra nyaatee siigaaraa fuutitee hujji woomaatuu inqaabdhuu **Guyo John Duba:** She says that as a result, they are now demoralized. They do not even see why they should keep on struggling to send their children to school when even the ones they have struggled to take through the school system cannot find jobs because the few jobs available are taken or bought by rich people. **Loko Molu:** Aakhaa illmaan moyalee hojjaa skuull soomtuu waan aadhaan skuulla haatolcuu maalte fuulaa skuullaa naamaa geesuu maalaan cuufaa issiillee geesaa illmaan iyyessalee akhaa issiin hojja hujjiin siirkaalaa baateele illmaan teenalee qooranii issileen hujji suun aargaatee haaqii laafaa uffi keesaa aargat **Guyo John Duba:** She now proposes that the Government should take appropriate legislative steps to ensure that the children of the poor are given access to educational opportunities. **Loko Molu:** Yoo khaan haatii khaalee soomsii faat aabbaan khaalee soomsii qaraa woommaa inqaabuu qaraa hiyyessaa miiskiinaa miskiinumaa suun issileen woonii ill baanaatee waan took baaraatee diibiin injiirtuu haaguum haatii taabuu aargaat khaan issileen qooranum khaalee haatii itti deebbit khaanii suunumman buluu jiirt **Guyo John Duba:** Otherwise what is happening now is that the same children we have struggled to take through the school system, since there are no jobs any more, are now going back to the same trade, to the same profession that we are doing like collecting and selling firewood. **Loko Molu:** Anniin dhuubaa diibii aann irraa dhuubaaduu khaam illmaan skuullatii akhaa illmaan kheen illman hiyyessalee laalaanii illmaan tee maasoomolee siirkaalii qaarqaaree besseele baasuuf khaa illmaan hiyyessalee hojja university deemtii maalaa deeman **Guyo John Duba:** She talks about equal educational opportunities. Any questions? **Sadia Shariff Omar:** Maaqaan kiyyaa Sadia Shariff Omar naan jeedaan waanaancii yaa moyalee aarmaa daalaadee miini kiyy khaanaa jaarolee dhiiraatii jaartii dhiiratii gaanii kiyyaleen jaataam laakiisuu infeen biyye itti daalaad mooyal **Guyo John Duba:** She says her name is Sadia Shariff Omar, permanent resident of Moyale. **Com. Prof. Okoth Ogendero:** Endelea. **Sadia Shariff Omar:** aan waan irraa dhuubaacuu feeduu dhuubii laam. Tookiin dhuubii tiyyaataa ijoollee, ijoollee anniin yaa gudhiifaadee yaa guudhaatee alhaamdullillah kaarum dhaansaan naa guudhaat. Ammaa diibii haarkaa nuu qaabuu diib aakhooti intaaltii duubraa dealt taa gurbaan diiraa daal diib ijolle suuniit haarkaa nuu qaab **Guyo John Duba:** She says she has two issues to present touching on children. **Sadia Shariff Omar:** Waan nuu daageenee khuunoo mooyalee khaaraa seerraa khaan irrattii baangii aabbuurranii ijollee skuulaayyu insoomtuu maadaarasaa insoomtu khaa skuul deemuuleen aawaal keesaa dookaatii wonnii baangii suunii siigaaraa, miiraa skuullaa naamii daaquu injiirruu naamii maadaarasaa daaq injiirruu akhaanaan ijollen haamaatee baangii khuunoo qaa seerraa khaan irraa aabuuraan jeedaan fuulaa khaaraa custom khaan. Akhaasiif ammaa diibii kheen ijolle taan haatuua siirkaalii itti fuudaat jaarroleen teen iyyaa daatee uffijiibaat Immaamii kheen khaa dhiirraa iyye, jaarsii keen Hajj Wario Iyye naamaa nuu jeelaa dhuubii taan boolisii nuu jeelaa qaabuu dhiidhee ijollee skuul insoomtuu maadaarrassa indaatu ammaa baangii suuniin haamaacuu jiirtii aawaal kee ciiftee

baangii duudhii kootaa jeedaanii haawaan ijoollee khaa duuftuu jeedaanii guyyaa cuuf muukutaano baasaanii akhaanaa diib suuniit haarkaa nuu qaabaa aakh diib suunii duub siirkaalii nuu laallee haatuua itii fuudaatee waan khaanaa laafaa baaleesaanii khaaraa ijolle suunni itti miidaadhuu siirkaalii nuu laall

Guyo John Duba: She is saying that the biggest problem with children here is that most of them no longer go to schools. She says that “Bang” or “Marijuana” is grown in the No -man’s land between Kenya and Ethiopia so that these children spend most of their time smoking ‘Marijuana’ in Graveyards and that inspite of their pleas, this issue has not been addressed properly. They want legislative action to be put in place to ensure that these kids do not engage in those kinds of habits.

Said Shariff Omar: Diibii kheen guudhaan tookiin khaanaa worr ijoollee irraa haamaat qaasaarraa guudhoot itii buuaa ijollen yaa wool baarssiftee tookhoo laamaa niitii khaa gaanaa kudaanii shaanii, taa gaanaa kudaanii saadiilee duufuu jiirtii muusomoo woomaatuu inqaabduu ijolle gaan cuufaa injiidhii diibii kheen took khaanaa diib khaan akhaa fuulaa cuufaa nuu daaqaabssiftaanii qaar waan baangii khaan khaa laafaa baaleesaan haatuua siirkaalii itii nuu fuudaatan akhaas feena

Guyo John Duba: She says that the smoking of ‘Bang’ should be criminalized and appropriate action taken against the offenders.

Sadia Shariff Omar: Taa laameesoo nuuyyini kenya daalaan laafaa diibilee imbeen ijoolleen kenya quubat, Nairobi quubat, Isiolo quubatii Marsabit quubat. Nuu ammaa gaanni kheen jaataam nuu laafaa itii daalaan khaan feena woor khaan barraanee jaamaa teen tan barraanee ijoolleen khootaa nuu biirr taaha jeet nuu infeen khaaraa inqaabn khaaraan kheen khaaraa shiiftaat khaaraan keen khaaraa haalkhaam saadhii buullan naamii armaa gaal haalkaan saadheesoo Nairobi gaal nuu naam gaan jaataamaa yoo nuu gaariin nuu khoorr gaarii loonii khor khaa baassin aarm injiir khaa maataatuun aarm injiir iindeegge baafaacuu indaandeen shiilingii aaliif saadheetitii suun baasuu indaandeen yoo nuu gaarii guul deemn gaarii guul deemn gaarii loonii guubaa khor yoo nuu woor kheenaan baanuu naaffii cuuf nuu duuduukuubee guyyaa toorbaa isbbiitaal daan akhaasiifuu akhaa khaaraa kaanaalee nuu miidaasaanii khaaraa kaanaalee duub security kee nuu khaanii gaariin haalkhaan saadhii buul beessee hiikhaatan naam eejeessan khaaraa kheen khaa taabuun issaa khaanaa khaaraa kaanaalee khaa diib khaaraa khaanaa nuu miidaasaanii ammo siirkaalii akh daansaa nuu laalle care injiirtii police injiiraa AP injiirtii akhaa hojji issaa seenaanii diib khaanaalee nuuraa buuqisaan

Guyo John Duba: She proposes that the Government should put in place policies to ensure that the road from Moyale to Isiolo is tarmaced because she says right now, you take a minimum of three days to arrive in Nairobi and that the Government should also provide adequate security in this highway.

Sadia Shariff Omar: Duubaa tiyy dhuubiin haaghaanumaa nuu taabuun teen ijoollee adhoo issaan dhootaan issaan aawaallu indhaandheet kootaa nuu biir taaha jeet nuu taahu infeen fuulaan nuu teen laaftii teen taanaa akhaasii dhuub khaaraa nuu security khaaraa khaale nuu miidaasaanii baasiif maataatuuleen khaa duufuu akhaa maataatuuf baasiin nuu yaanee akh boombassaa meeroof mooyaal qiitee taakhaa jeedanii gaanii issi kiiloon issii moombassaa naamii meeroo baahu moombaassaa saa saagaal saa saadheet kee jiir aarm naamii nayyirobii baahe guyyaa saadhi kaaraa jiir daageetaa khaaraan shiiftaa deet khaa taabuun teen beeseen diiqoo tok siin geet khaaraa khaanaalee akhaa haatuua itti nuu fuudaanii siirkaalii nuu qaarqaarre khaaraa kaanaalee nuu baasaanii kaaraa nuu miidaasaanii laamii nuu tolcaan maataatuulee baasiilee (in audible)

Guyo John Duba: She says that by tarmacking the road from Isiolo to Moyale, the Government would be able to open investment opportunities for the people of this region.

Tulich Guyo Ruba: Annin maqaan kiyya Tulicha Guyo Roba jeed jaarsaa heelluu

Guyo John Duba: He says his name is tulicha Guyo Ruba – an Elder.

Com. Prof. Okoth Ogendero: Guyo, please summarize.

Tulich Guyo Ruba: Gaabaabdum dhuubaadaa qaar naamii yoon naageenaf roob aargaatee rayyaa ammo hojja suunii argaatee jeedin

Guyo John

Duba: He says, that in anything that human beings do, peace and stability are very important. **Tulicha Guyo Roba:** Roobaa yaa aargaanee aammaa oobruu laa haaraanee waa diibaa khaa nuu soodhaanuutii nuu biir jiirr. Waan nuu soodhaan khaanaa ammaa obbruu yaa aargaanee laafaa naaam tiikh tiifaataanii siirkhaalii khaaraa nuu intissu diibaat haarkaa nuu qaabaa akh nuu miidaan khaan indaabn siirkaalii khaa nuu tiissu siinjed jeed **Guyo John Duba:** He says he is grateful that they have received rains, they have prepared their fields but now there is a security problem, they may not even be able to harvest their crop.

Tulicha Guyo Roba: Waan laaf taanaa ammo eeggii gaaf nudhurri nuu tawaal qaabuum qaabnuu kenyaan uhuuruu aargatee jeenanilee ittum nuu dhaar maalee woonuraa gaadh imbuun jeedin. Wooma nuuraa gaad imbuunee eegii gaafaas nuu dhaabsaan dhaabii sunnii haarkaa nuu qaabaa laaf gaafaas jiiimboo jeedaanii gaargaaritti ciirraan laaf teenaalee cuufuumaa north eastern laaf miishoo guul kuutaanii laaf diib tookoo haarkaa nuu qaab jeedin **Guyo John Duba:** He says that from the time of independence, the people of this region have been mistreated. **Tulicha Guyo Roba:** Yoo naageenaan hoobaafaatan ammo naam cuuftumaa laaf issaa taa ittii keenaan keesa akhaa dhuurii iingeerreezaa taa gaargaarii ittii dhaaraanii naamii akhaas caalan naagaa aargaataa naagaa khaa nuu baarbaadhaanii jeedaan jeed **Guyo John Duba:** He is proposing that all groups should live within their defined boundaries and territories to forestall conflicts. **Tulicha Guyo Roba:** Waan gaadh aannaa ammo naamii yoo aadhaa qaabuu khaa naamii cuuftumman durii gaafiin ijjoollen adhaa qaabdii jaarsii adhaa qaabaa naadeen adhaa qaabdii diirsii adhaa qaabdii adhaa sunn daabaanii wonniccuftuman woltiduudee boorchaamtee woonni cuuftumaan wooliin baadh jeediin **Guyo John Duba:** He says that the problems we are experiencing now are as a result of the breakdown of traditional system of law and order. **Tulicha Guyo Roba:** Duubin shayyidhalee taa kiitaabaa qaaluu cuuftii wol faalaamtii adhaa daabdee duubii sherriyyalee taa kiitaabaa taa islaanaa akhaa dhaansaa khaa miidaasaanii jeedaan jeed **Guyo John Duba:** He is requesting that all statutory laws should be reviewed and made to conform to the realities of the times. **Tulicha Guyo Roba:** Aadhaa kenyaan nuu gaadh fiid duubraayyu qaabbaanqaabba inqaabban jeetii kiitaan kheen inqaabuu dubbii haaraanatii nuu infudaan. Duubr qaabbaan qaabbaa inqaabban jeedaanii diintiin teen inqaabduu islaamii akhaas inqaabuu adhaa islaanaatimiitii duubr guurr uuraa beenitii guurr innurrinaa kenyaan jeet suunn nuu kiitaabii keen inqaabuu dhuubii haamtuu dhuubii akhaasilee nuu infeenuu **Guyo John Duba:** He says that there is a law on Female Genital Mutilation. He says that as a traditional elder, he does not support the present position on Female Genital Mutilation. He says that practice must continue. **Tulicha Guyo Roba:** Aadhaa islaamaa suulee sheerriyyaa woor islaamaa keenaanii akhaa dhaansaa adhaa kiitaabbaa diirissanii adhaa islaamaa kiiristaanii taa uffii injaajaabbeefataa teenalee akhaasii khaa jaajaabbessanii miidaasaanii jeed **Guyo John Duba:** The Islamic laws as interpreted in the Kadhi's Courts should be enforced properly. **Tulicha Guyo Roba:** Naamii cuuftuumma yoo adhaa uffii aargaat khaaraa tookolee diibaa inqaabuu adhaa naam uundhaa adhaa issa ittii keenaanii juumbee siirkaalat miidaafaataa siirkaalii akhaa adhaatiinii naamaa tiissee yoo uffii naam intiissin qaawwee ookeelaarii nuu keenaanii laafaa teesaan jaabeefaadaa laafaa aarmy aabbottii taaa keenaan injeen laafaa aabbotti gaafaatan khaa siirkaal ingaafaan khaa council ingaafaan laaf mee aabbootii worraa laafaa khaa gaafaatanii jeedaan jeed khaa adhaa laafa **Guyo John Duba:** He says the Trustland, the ownership should vest in the local community and that we should be fully involved in matters affecting the disposal of any such land. **Tulicha Guyo Roba:** Laafaa dhuurii uingirizeen naama huundhaayyu gaargaa qoodee naamuu laaff uffii qaabbaa laaff suunii naamii daabee cuuffumman taa laaftii aadhaa inqaabduu naamii kenyaan aamuurri baaftee laaftii aabbaan inqaabduu akhaa feetaan yaahaa jeedaanii diibii worranaa woonni innii baahuu dhiidheef suun jeedaan **Guyo John Duba:** He says the biggest cause of insecurity

in this region is the free movement of Pastoralists groups from one area to the other without respecting traditional boundaries and therefore for us to prevent further conflicts we should have those boundaries reviewed and every group restricted or confined to their grazing areas and the same should be given legal effect.

Tulicha Guyo Roba: Naamii qqaaraa yaa adhaa uffii baarraatee naamaa adhaa uffii baarssissanii diiqaa adhaa baarssissanii guudhaa adhaa baarssissanii naamuundhaa adhaa uffii aargaatee adhaan taantee taan jeedaan akhaa naamii adhaa wollii kee ineejaanjaan khaa naamuu adhaa uffii qaabbat khaa kiitaabbaa kiitabb uffii qaabbat khaa aadhaan tee akhaan jeedaan adhaa uffii duurr eejee naamuu uundhaa hujjii naamaa kees innsseenninni akhaa akhaassin deemaanii chief ammaa laafaa jiir khaanaale chief raayyaan fillaatee jaarsaa raayyatiif woonnii laafaa eejjaa uuwaaf diiraan aamuurrii laafaa uffii hooraatee adhaa uffii naamucuuftumaan qaabbatee adhaa issii khaa baadhuu jeedaan jeed

Guyo John Duba: He is also saying that as Kenyans we come from different cultural backgrounds, we should be allowed to promote our cultures and that the position of the Chiefs, the District Officers and the District Commissioners should also be made elective.

Tulicha Guyo Roba: Yaa oobbafaadee jaarrolleen jaartiin siirkaalii kheessumaan inni hoojjattinni worr laafaatiin hojjad jeed

Com. Prof. Okoth Ogendo: Please summarize.

Guyo John Duba: He said the Government should work with the local communities and not with the people who are agents from elsewhere

Tulicha Guyo Roba: Yaa oobbaafadee dhuubiin teen inqaabbatuu dhaadaabnee dhuubii teena laafaa imbuussinnaa miidaasaa hiirree itii toolcaa akh dhuubiin teen qaabbat hoojjadaa jeedaan jeed

Guyo John Duba: He is requesting that the Commission will take these views seriously.

Com. Prof. Okoth Ogendo: Asante sana.

Elema Hassan: My name is Hassan Elema.

Com. Prof. Okoth Ogendo: What is his name?

Guyo John Duba: Hassan Elema.

Hassan Elema: Aammaa wool caaqaasaa waa caaqaasaa aamma. Maaqaan kiyyaa Hassan Elema woorri kiyya diir khaan

Guyo John Duba: I am a resident of this town. Even before independence I was living in this town.

Hassan Elema: Gaafaa dhuub kenyaan uuhuruu innaargaatinilee ann aassumm jiir jeed. Taammii yoo jeedaanii naamii laamaa took naam guudhaa tookh ijjollee, naamii guudhaan injaarraa inndhuuwaa taawaalaa ijjollee fuudaa adhaa ijjollee fuudaa woorri mooyalee ijjollee haarkaayyu innqaabbuu, maarraataa maalee waan naam guudhaa maalee

Guyo John Duba: People are divided into two age groups, one group are elders, the other group are youngsters. Elders, they normally grow old and they die. Youngsters, they grow up but instead the youngsters in Moyale, they are living in a very bad condition. Most of them are not good.

Hassan Elema: Ijjolleen cuuf baangii duudh, ijjollen cuuf faarssoo duudh, siiggarra duudh, miirraa nyaat haarkh waazaazii tookoleen innjiirt, haalkhaanii guuyyaa report inni doonn marrataa qaabbaa laaf baaleesiit naam faayya hijjeeft, naam saamt. Woonnii diibaa khaanaa faakaataa waan naam guudhaa maalee naamii khaa illmaa khaa gaanii issaa dhiidhaam soodhoomaa gaadhii cuufaa maaratum jeed

Guyo John Duba: He is now talking of the immoral practices.

Hassan Elema: Woonni naam maarracuu sunnii baangii taan

Guyo John Duba: He is talking of the immoral practices that have become rampant in the area. Many places where alcoholic drinks are sold, availability of the ‘Bang’ which are not controlled or checked by the security team as required by the law, because of that a lot of immoralities are rampant among the youth and they have become total failures and they are no longer useful to themselves and to their community as he is reporting.

Hassan Elema: Aannaa sii hiiyyaa affiss jiiffaa maarr eedhuu daaqee affiss booliissaa daaqee report daahee aan jaars mooggaa tookootii waan aakhaanafaa naaghaadhaa siirkaalii khaa hootuubbaa fuudaatuu jeenee naamii nuu jeelaa fuuduu injiir

Guyo John Duba: He is saying that he has severally reported to the Chief and to the Police officers concerned to track these people who are selling theses drugs in this area but no action has been taken to curb the same.

Hassan Elema: Taa llaameessoo kenyaan aadhaa

qaabdhii siirkaalii aadhaa qaabbaa naamii wooraa laafaa intaahiin laafaa buuyyee haalkhaan naam saammaa naam eejeessaa nuu qaabbaanii khaa maataambullishoo inqqaamn duuruumaaa haataani keenyaa khees intaahuu ammaa naamii maataambullishoo qaabuu khaa maataambullishoo innqaabnee gaargaarr imbbeekhanii akhanaan adhaan baadhee naamii sheerriyyayyuu daab jeedaa

Guyo John Duba: Again he says the influx of foreigners from the various parts of neighbouring countries are very common in the town and that has brought a lot of insecurity to the area because the security team are not doing their job as is required to curb or to comb those people who are foreigners. **Hassan Elema:** Qaawwee laafaa irraa dhaabbaart, maassomoo laaf irraa dhaabaart khaan cuuffaa siillaa yoo aadhaarggi siilla eegee aannuu diene khaan maanaa naarraa caabsataan report yaa qoorree. Ammaa waan sheerriyyaan taatuu duuguumaa laaftii aann gaafaa imbbeckhaa laa issaanii jeenee seeheemuu laakkissanii naamii seeheemuuyyuu inqaabbuu naama wooltnaaqaannii naam khaa kenyaa taahuu khaa kenyaa inntaahiinii gaargaarri imbaafnee nuu qoorqooraattanii naamii akhaanaanii waalhaadee woosaamee akhaanaan dheemuu jiiir

Guyo John Duba: He says due to the influx of the foreigners from various neighbouring countries into our Nation has caused a lot of insecurity to the people of Kenya and he wants a Constitution that is going to check into the coming of the foreign people into our Country and he also reported that there are ammunition or arms, guns, pistols in the hands of wrong people which also causes a lot insecurity in the area.

Hassan Elema Guyo John Duba: naamii aammaa dhuubaacuu feed Guyoo Alii jeed. Aammaan aaccii irraa maaqaa khee qooraadaa. Maaonii namaa kha heeshiimaanuutii Kiswahili: Maoni ya kila mmoja iheshimiwe. Kwa hivyo hakuna haja ya watu kupiga kelele waki cheka. Hata ma Commissioners wame toka Nairobi na hawaja cheka na sasa nyinyi wengine mnacheka kwa sababu gani? Tafadhali tuheshimiane na tuheshimu watu, iko watu wakubua kubua hapa kama Professor, wazee, mababa zetu kwa miaka, kwa elimu, tunafaa kuheshimiana, tafadhali)

Guyo John Duba: Khaa aabboo naamii kheessumaa tuunnii nuu gaadhii duuftee eesshiimaa worr jeedaanii yaadhaalee khaa wooldaagaanaatii aabbaan waan feed armaat injeedaa akhaanaafuu worr kheessummaa khuullennii jiiirraa akhaan laalaadaa issaaniin jeedaa. Naamii khuun khaa nuu ittii hiimuutii maaoonii aabbaan baafaateleen khaa daagaahanii. Innkoobliinaa shoorrii issattii waan feed aabbaan khaa duubbatuu

Guyo Ali: Maaqaan kiyya Guyoo Ali

Guyo John Duba: My name is Guyoo Ali.

Guyo Ali: Aanniin diiqoo dhuubiin tiyy

Guyo John Duba: I will be very brief.

Hassan Elema: Naamuu waancuuf dhuubatee woonnii kuun waan gaarii waan nuu baaleessineef waanuumaa laaffaa baalessin khaa siitii himmaataanii khaa suukh biirr injjir khaa siillaa aargguu jiiirran tuuniin issimmitii (inaudible)

Guyo John Duba: He is saying that since some of the people are reporting some of the misdeeds, which are just their own making, I will not go into details like that but I will just report briefly on some important issues.

Guyo Ali: Diibii kheen guuguurdhaan naamii yoo gaarri reefuu yoo aartii faagoo eejee daaggae koollonii ddhuurii ssiimuurt jeel innejjinee

Guyo John Duba: As I am hearing some propels from outside from far, some people are even proposing that they preferred the colonial government to our current government.

Guyo Ali: qaar faastii diib kheen nuu waan saadhiit haarkaa nuu qaab jeed

Guyo John Duba: There are three major problems that he wants to identify.

Guyo Ali: Diib kiyy khaa gaafaa kenyaan uhuuruu aargaatee laaf taan gaargaar ciiraanii distric keen tookoo Alaatiit eejjeciisaanii aarmaa duufaan diibii gaafaas nuu seenee jeed qaar

Guyo John Duba: When Kenya got independence, this Moyale was a District and the boundary was a place called Alati which is not now even part of the District but in Wajir District and the problem started from there from changing the boundary of the land.

Guyo Ali: Diibii guudhaan qoobbaa nuu aarggatee nuttaaffee nucaalat dhuub haaf

Guyo John Duba: So that problem was a big problem and it has remained with us until now.

Guyo Ali: Waajeerrfaa,

Maandeerrfaa Gaariissfaaleen cuuf wolqaarqaartee naam guudhaa jirraa khaa fuullaa accii deemee wollin deemmaa nuu caalla qooffaa eeggee haaffee jeedaan laaf taanaat **Guyo John Duba**: Our counterparts (our friendly Pastoralist neighbours) from the North Eastern Province i.e. Mandera, Wajir and Garissa, they were a bit better because the Provincial Administration are local, so they made some effort at least to improve their situation, however with us since even the Provincial Administration is very far from us, the suffering remains with us and we are suffering quite a lot. **Guyo Ali**: Worrii laaf taanaa dhuurii woonni innii guudhoo haarkhaa qaabuu khaa innii qaab hoorri jeed **Guyo John Duba**: Our economy is based mainly on the Pastoralism. **Guyo Ali**: Hoorri suunn khaarrum suunniin daabaan **Guyo John Duba**: So now due to the various massacres that was reported this morning, most of our animals were massacred and we lost our livestock. **Guyo Ali**: Naamuu massacres tuun wol haada haawan khaa gaargaar taabee wolhaaduu qaab jeed **Guyo John Duba**: He reported cases of the tribal clashes but he says although the clashes were there, everybody had his own area, his own boundary. **Guyo Ali**: Laaf taan keesaayyuu dhuulanii kuunoo ghaanarrfaa kuunoo aaccii daaqaanii gamma aaccii haadaanii gaadhgaalaani jeed woltii indiiatuu **Guyo John Duba**: People in the olden days used to go from here and even go as far as Ganare in Ethiopia raid people and they come back. **Guyo Ali**: Khaa laaf teenalee duuruu waan eejjessanii gaadhaa wolphadaa khaa haaduu wolt dhuulee haadaa akhuum khaan woliin jirr jeed haaguum daalaanee worranii khuun **Guyo John Duba**: These tribal clashes have been common he says that for a very long time it has been there. **Guyo Ali**: Aamaa dhiir siilaaa adhaa qaabaat naamaa cuufaa quubaacuu maal jeed **Guyo John Duba**: With a town everybody can live together i.e. in the main town. **Guyo Ali**: Kuun adhaa diirattii jeed dhiir naamiicuufumaa innii quubbaat jeed gaaf nuu laafaa taanaa ittii gadh duumnee Iddi, Soomalii naam cuufaa jirr jeed **Guyo John Duba**: He says that even during the colonial period, within the town settlement people were not restricted to a certain area; all tribes could come and live in the town own together. **Guyo Ali**: Aammaa aakhaasinitii ciifaaat uullaa qaabee horrii qaab kaanii akhaa nuu cuuftii siirkaalii kenya taanaa aadhaa koobbaa immidaafaanee taa fuullo uffii woom dhuurii khaan suunuum haarkaa qaabbaa khaa woonii innii miidaassee gaargaar fill taa laaftii suuninii taa kenyaan uulaa cuufaa haagg takhaa naamuu khaa fuulaa yaat yaauu jeedee naam wolt naaquu **Guyo John Duba**: Now after independence the Government declared that Kenya is open for everybody and that statement people were mixed up and not there is no respect for the traditional boundaries and this started the current problem. **Guyo Ali**: Kenya qaraa sheerriyyaa dibii iimmidaafaanee miidaafaanee aardh **Guyo John Duba**: He says that we were not party to the law that was drafted at Lancaster House. Maybe if we are going to be a party to Kenyan Constitution, it is just this time. **Guyo Ali**: Aakhaa diibii kuun nuuraa oobbaahuun woorr luffee baadhii duuf siirkaalii laafaa diibii laallee akhaa maasillahii namaa khaa diibii khuun naamaarraa ciituun taan khaa laaluu jeed **Guyo John Duba**: So he is suggesting that the people who are concerned the Commissioners, and everybody who is concerned with this exercise should look into this new Constitution and the issue of land particularly so that things can become better. **Guyo Ali**: Naamii miinaa armaa jaaraatee duukaan baanaatee eejjaa kuuleen faaidhaa irraa feed khaa khaa gaarii biitaat dhuukaa guurguur kuuleen inqaasaaraa aargiin **Guyo John Duba**: Even the people who have built big houses and they are doing big businesses, except for losses they are not getting anything. **Guyo Ali**: Worrii loon oolfaauu kuunoo full naarobbii geessuleen haagaas irr inqqaab **Guyo John Duba**: Even the people who are dealing in Livestock trade from here to Nairobi, they are just making losses; they are not making any profits. **Guyo Ali**: Sokoo laafaa taanaat nuu baarbaadhaanii jeed yoo Marsabit taat yoo Isiolo taat yoo hoorrii keen geefaan. Ruulsii akhaassii khaa nuu baarbaadaab qaraa daabbannii fuulaa ammaa loon bulluu ool khaa ammaalee

qaaleefaa foon bull nyaan**Guyo John Duba:** We want the Government to revive the KMC and our meat get market.**Guyo John Duba:** Sasa tunakaribia tamati ya Kikao hiki na -----Nitawaita hawa watu katika hii horodha halafu wawe wakitoa maoni yao mfululizo. (He continues in Kiborana). Sasa tutachukua maoni ya hawa watu wasaba halafu tunafunga kikao hiki.

Com. Prof. Okoth Ogendo: Munao dakika moja, moja.**Mohammed Huka Gila:** Waan jeecuu jiiiruu aammaa yaagaabbaabacu geennee gaadhiis amman taan jeelaa khaanaa woorraa khaan shaanantii dhuubataa reefuu naamii woo dhuubacu feetan kootaa maaqaa qorradaa jeenaan namii tokooleen naam shaanaan khaan maalee namuu naatii indduumnee worr khaan shaanaan maaf akhuum ann yaam khaanaanii khaa yaadh keenaatuutii caaqaassaa**Guyo John Duba:** My name is Mohammed Huka Gila. **Mohammed Huka Gila:** Maaqaan kiyya Mohammed Huqa Gila. Gaanii kiyyaleen shaantaamii laam. Dhuubii deertuu beennii dhuubat khaan tookoolee inddubbaduu. Nuuinnii laafaa taanaa mooyallumaa daalaadee gaanaa shantaamii laamaa aarmmaa gaal, kenyaan adhaa qaabdhiidhaa kenyaan khee duuft sunii taa dhuurii haamtuu dhansaa nuu inndaaqaabneeyyu nuu woorrii mooyalee**Guyo John Duba:** He saying that Kenya has a Constitution even before the one we are changing now but even the past Constitution has not been applied to us properly or in the right way.

Mohammed Huka Gila: Fiinii siirkaalii kenya khaa qaaraa ittii nuu fiidhuu jiiirra fiin feereenjiin dhuurii ittii nuu fiidhuulee irraa haammaa**Guyo John Duba:** The response of the Kenya Constitution on our people was even worse that what the colonialist have done to our people.**Mohammed Huka Gila:** Aabbootiin teen ammo dhuurrii gaarbumaa keesaa baanaa jeetee feereenjii suuniin yaa lloolt**Guyo John Duba:** But some of our parents they assisted along with the freedom fighters in Kenya hoping that things will be better for them.**Mohammed Huka Gila:** Aadhaa haarretti duufaa daagaayyanii jeenaan daageenee jeenaan adhaa haarretti duuft sunii ammo waan buuggii keesaat irraa soomnee akha taa dhuurii suun nuurraa jijjiirran guudhoo jaalaan**Guyo John Duba:** After we heard that the Commissioners have been registered to change the Kenyan Constitution and we reviewed some of the past Constitution of Kenya, we were happy that the Consitution is going to be changed. We are happy about the change.**Mohammed Huka Gila:** Jaarolle reefuu naadhuuraa dhuubbat cuuf yoo dhuubbatuu laafaa taanaa waan border dhuurii feerenjiin khaaee maaqaa dooft**Guyo John Duba:** Most of the elders who spoke before me spoke about the colonial boundaries between the tribes.**Mohammed Huka Gila:** Baorder suunn gaaf feerenjiin gooddane gaarbumaa nuuraa fuudaan fuudaanii jeecaa daageen adhaa kenya taa qaaraa kees**Guyo John Duba:** We heard that the boundary disappeared with the disappearance of the colonial power.**Mohammed Huka Gila:** Nuu boarder sunii naamii khee quubbatuu woorrii hoorri hoorssiss naamuum goos taakaat khaa wolfaakaat khaam oobbolleyannii khaa wool haad suunnii **Guyo John Duba:** These people who are always having tribal clashes are just the same people, neighbours people who are family,**Mohammed Huka Gila:** Nuu llaalee jeenaan ammo haaqii teen suunii siirkaalum kenyaat fiinaa dhaabba khaan nuu fiidhaanii wollii nuu haassissu jiiirraa aaggaa siirkallii qaaraa**Guyo John Duba:** and he says that maybe it is not only the absence of the boundary that has brought the problem; maybe even the Constitution must be having a deficiency which also contributed to these clashes.**Mohammed Huka Gila:** Nuu naam keenyaa kee jiiir cuufaayyu issaa oobboolees taaee waaljaallatee miirg gaargaarri innqaamnee naagaan laaf wooliin taaee naamii tookooleen fuulaan tookooleen irraa hiidaa innqaamnee faayyidhaa aargaan jeen**Guyo John Duba:** He is suggesting a Constitution whereby all Kenyans can move freely over the Country without putting unnecessary boundaries. Maybe he is talking of a boundary like a Title Deed.**Mohammed Huka Gila:** Worrayyu woonii diibaan ittii duuf taa doowittii fuulaan tuun tee fuulaan tuun taante jeedaanitiin naam gaargaarr doodowaan khaanatii diib guudhaa

nuu duuf **Guyo John Duba**: He is saying the idea of you know, concentrating people in places e.g. this is your place, that is your place, this is what is causing the problem, he is saying, in Kenya. **Mohammed Huka Gila**: Fiin feerrenjiji khaa duurratii fiin feerrenjiji suun eeggii irraa jijjiirramnee nuu khaa soomnee naagaan kenyaan haagg taakaa wolqiitee guurr nuu baant **Guyo John Duba**: He is saying, maybe that concentration was caused by the colonial power and now because we are independent people should move freely in the country everywhere **Mohammed Huka Gila**: Woonii diibiin laaf keenyaa keesaat nuu duurrees maalee iyyeessi tookoolen adhaa inqaabuu nuu hoojjaa dhaabii feed nuu qaabbaateele beessee mallee induubbatanii duubiin tuniini khaa naam iyyessa tookoolen fuulla inqaabduu naam iyyessa suulee khaa diidhaa baanee naamii naamuuma wolqiitaa uuf feen **Guyo John Duba**: He is saying that another big problem which the needy people are having in Kenya, like if you have some legal problem maybe in the Magistrate's Court and maybe you cannot be able to hire a lawyer, in most cases it is only the rich people who are even legally protected in this country and the poor people can suffer any time. **Mohammed Huka Gila**: Aadhaan kenyaan dhuurii kheesaan nuu jiirtuu khaa booliisii hoojja duufee maakoosoo attii qaabd naam daabd dhiidhuum khaana daanaanii uullee naam eejeessan issii nuurra jijjiiramt feen **Guyo John Duba**: Saa diiqoo fuudada jeetee maaf akhaan deereessit taa jeed **Mohammed Huka Gila**: Duubii laaf jiirtuu guudhoo eed aammalee naarraa induummanee siilla. **Guyo John Duba**: Hoojjaa reefuu waaktii gaabbaabduu fuudaadaa jeetee maa akhaan deerreesit jeed **Mohammed Huka Gila**: Ammaa yaa oobbaafaanee jeed **Com. Bishop Bernard Kariuki**: Give us the proposal. **Guyo John Duba**: He is saying that it is now over. He also sighted Police harassment. **Prof. Okoth Ogendo**: Police harassment? **Guyo John Duba**: Yes, harassment by the Police. **Com. Prof. Okoth Ogendo**: Police harassment? **Com. Nancy Baraza**: Mzee, niko na swali. Umesema watu wanyonge hawawezi kuchukua wakili, sasa wewe ungetake namna gani. Hawa watu wanyonge watendewe namnagani? **Guyo John Duba**: Aadhaa taan taa akhaamii feetaa **Mohammed Huka Gila**: Khaa maaskiin adhaa maaskiin sunnii hojjaa innii hoorrii inqaabnee siirkaalii adhaa hoorritii yoo dhuubatu khaa siirkaalii wookiil taaee dhuubaatuuf feen **Guyo John Duba**: He is saying that the Government should substitute a Constitution, which is going to find a way of representing ----- **Com. Nancy Baraza**: Yani, upewe wakili? **Guyo John Duba**: Yeah. **Com. Nancy Baraza**: Asante. **Rashid Ibrahim**: Mini ninaitua Rashid Ibrahim. Mambo yangu ni machache. Mimi nilikua nataka kuongea juu ya biashara. Mimi nimfanyi biashara. Hivi hapa sasa hapa Kenya mimi ninaona biashara imekosa midhamu kabisa. Kila mmoja anafanya biashara, kitu inaitua Price Control imepotea, na Price Control ikirudi, na iwekwe hasa kwa bidha kama chakula na bidhaa muhimu muhimu vile ilikua Serikali zamani ikifanya, hiyo ingekua vizuri sana hasa kwa sisi raia kama sisi. Na sisi sasa tuko na shida mingi sana kwa vile mtu huyu ambae amekaa Moyale, the same mtu huyu huyu anatuma mizigo akiwa huko Dubai, America na nchi zingine za Europe na Asia. Na hizo mizigo zinakuja hapa na yule ambaw alikua akifanya biashara hapa ana angamia. Na yule anauza bidha za Kenya, ana angamia. Ni hizi bidha imekosa midhamo na sasa ningependa Serikali iweke sheria nzuri hasa kwa hizi kama bidha kama za biashara ya chakula. Ni hayo tu. **Com. Prof. Okoth Ogendo**: Asante sana. **Giro Somu**. Aab duubiin tiyya diiqoo maambo ammantaan election toolcuu jiiraan khaa ammaa kenyaan 5% barrasaan dhaabaa **Com. Prof. Okoth Ogendo**: Jina? **Guyo John Duba**: Anaitua Giro Somu. **Giro Somu**: My name is Giro Somu (Duubiin aann qaab diiqoo duubiin nuu eenuu maambo ammaantaan kuurraa daataan kuurraa ammantaan 5% naamm innii daabaarssuu maalee indaabbarssin woonii kuunii dhaabaa jeedaan. Naamii naam kuurraan naam shiinduu maalee daabruu maalee khaa maambo attiin amm daabbaartee 5% jeetee attiin ammaa 5% taan innaargaatiin hoojjaa attiin kuurraa qeencaan naam daabbaarseelee attiin indaabbart khuun woonii

khuun daabbaa aargguu jiiiraa waan khaan aagaarree yaanii tiyyaa taa qaarraa took taan **Giyo John Duba**: He is talking of 25%, which is not very clear to me --- **Giro Somu**: Mimi naongea juu ya kwamba kama election inafanyua kama election ya President, kama 25% baado pita mzuri, hata eanda kwa State House. Hiyo kitu kwa maoni yangu ni dhuluma. Mtu kushindwa hata kwa mtu mmoja ndio mtu huo anakua President ya Kenya ingekua huyo mtu pekee yake. Sasa tunasikia kwamba kama baado shinda election in Provinces tano, ati hiyo ushindi yako haiwezi kutambuliwa. Sijui kama mnaafhamu hio Commissioners? 25%? Hiyo tunakataa. Kwa maoni yetu mtu mmoja hata akishinda na mtu mmoja pekee yake, huyo ndio mwamuzi. Tunatoa maoni hiyo. Na ya pili, ile maoni yandu, mtu wananchi wamekataa, ameingia election, na ameshindwa sasa mara ya pili tena anafanyiwa nomination, ati anakua Minister, na yule mtu wananchi wamechagua amekosa nafasi ya Minister. Yeye anakua sasa mara ya pili kwa upendo yake anafanya nomination anakua Minister, na yule wananchi wamechagua anakosa nafasi ya Minister. Hata hio kwa maoni yangu ni dhuluma. Ya tatu, ile kitu tunasema yaani President anakua na nguvu zaidi hata kushinda wana Kenya wote, namna gani. Akitaka kufinya mtu mwingine ambao hana makosa unastukia sababu mtu fulani ametolewa ile position yeye yuko ndani. Kwa hivyo tafadhali tunaomba hii Katiba ipunguze mamlaka ya President. Yangu ni hayo tu. **Guvo John Duba**: Sasa tunaita Abdi Abdillahi. **Abdi Abdillahi**: Maaqaan kiyyin Abdi Abdullahi **Guvo John Duba**: Jina langu ni Abdi Abdillahi. **Abdi Abdillahi** : Jeecii anniin jeecuu feeduu wonnii qaaraa akhaa diibii keenaa akha chief laafaa taanaa naamaa laafaa taanaa nuu toolcaan **Guvo John Duba**: Anasema mtu ambaw atapatiwa wajiba wa chief awe ni mtu ya Moyale. **Abdi Abdillahi**: Aamallee diibii kiyya khaa laammesso kibaandhee naamii aabbaan issaa injiirree kibaandhee naamii ammaa aabbaan certificate aabbaa inqaamnee yoo taa aakhaakhuu inqaamn kibaandhee inaargaatuu jeedaan. Ammaalee naam hojjaa khaa chief beekh taatee aakh naamii kibaandhee aargaat akhaa naamii sunnii waanaanciin kibaandhee **Guvo John Duba** : Anasema tena kuna matatizo katika kuandikishwa kupata kipande ya Kenya. Basi wasikuuliza mambo mengi mpaka jadi yako au kama mtu ametambuliwa na chief aweze kuandikishwa mara moja kama raia wa Kenya. **Abdi Abdillahi**: Ammalee birth certificate naamaa laaf taanaa daalaatee aakh biilaa dhuubii biillaa maataatiizoo aargaat naammii laaf taan keesa daalaat akha wommanuu imbiin **Guvo John Duba**: Na Cheti ya kuzaliwa pia mtu apatiwe bila kusumbuliwa bila kuulizua masharti mengi n tiyyaa diibiinii akhaa laaf taamuu naamii hoojjaa quubbattee goostii cuuftii quubbacuu dhaandheet **Guvo John Duba**: Anasema kabila yote waweze kuishi pahali popote wanapenda katika Taifa ya Kenya. **Abdi Abdillahi**: Dhuubiin tiyyaa haagaasuumaa saallammallekyum **Guvo John Duba**: Basi anasema hayo ndio maoni yangu. **Guvo John Duba**: Aamale waan taataan beetaa affaan kiyya taatiin dhaansaa niitii yoo yaadhii naamii diibiin dhuubat khaanuum taatee yoo guuyyacuuf itii dhuubbaacaa oollee woorri kuuleen yaa dhaadaabee waan jiiruulee nuutii hiimuu nuutii inhiimuu nuubirra yaa akhaanaayyu, qaartaasii kheenaan taan ammaa yaadh woorr moyalee jeedaan maalee maaqaan naamatiin indeem woorrii khaanaafuuyyu akhaanaafuu yoo yaadhii khee khaa diiraamaa khaaleen khaankeetuum taat akhaas tolcaa kaaraan injiir **Ali Abdi**: Ann maaqaan kiyya Alli Abdii **Guvo John Duba**: Mimi ninaitua Ali Abdi. **Ali Abdi**: Jeecaa diiqaa took jeecuu feedaa jeecaa guudhaanit. Waan gaar county council **Guvo John Duba**: Anasema mimi ninataka kufupisha na ninaelekeza kwa upande wa Country Council. **Ali Abdi**: County Council waan issii nuuiniin woommuulee irraa inbeen **Guvo John Duba**: Anasema sisi kama wananchi hatujui kuhusu jukumu ya County Council wanafanya kazi gani. Hatujui. **Ali Abdi**: Laakiin waan adhaa taan kheesaa nuu daabaarsaan waan qaalbiin teen feet akhaa hojji County Council suun waan issii hojjat hirree jaarsii laafaalee kheesaa qaab **Guvo John Duba**: Mimi nataka kuomba hii Katiba mpya ambae ina andikua, ipitishe katika Katiba, Council kazi yao na function yao, na ile mambo yao yote

wazee wa mji wajua na wazee pia wakue katika sehemu ya kuendesha hio mambo ya County Council. **Ali Abdi:** Yoo laaf naamaa kheenuu feedaannilee khoommitiin oollallen hiirree kheessa qaabd **Guyo John Duba:** Na hata kama wanataka kupatia watu haki ya kumiliki ardhi hiyo pia wahusishe wananchi na wale wazee wasimamizi ya hiyo ardhi. **Ali Abdi:** Hoorii lafaa khaa lafaa guuraan khaa laaf seeneelee sulee akhaa qaarqaarsaa naammii hiyyessa khaa lafaa kheesaa qaab **Guyo John Duba:** Pia ile mali Council inapata kwa njia ya ushuru au kwa njia ya msaada ingine kutoka sehemu ya juu pia wale watu masikini ambao wanafaa kufaidika nayo, wafaidike nayo. **Ali Abdi:** Taandiibiilenii naam miiskiinaa khaa uffindhaandheen khaa dhaabssaan khaa akhaassii akhaa aadhaa haarretii keesaat waakiillallee keenuuffii dhaandhaan **Guyo John Duba:** Pia katika Katiba mpya wale watu minorities, wale watu hawana uwezo pia sheria to reflect vizuru haki yao iweze kulindwa na Katiba. **Guyo John Duba.** Nafikiri hio ndio ya mwisho. **Com. Prof. Okoth Ogendo:** Wananchi watukufu, we have been sitting here for the last five hours and we have heard the views of the people of Moyale. Tomorrow we will be in Sololo to continue listening to the views of the people of Moyale. **Guyo John Duba:** Waan jaarsii jeeduu woorr mooyalee nuu kaaribuu maa saa shaanii armmaa akhaan duumnee issaan wooliin teenee yaadhaa issan irraa fuun jeed, borr hojjaa waaqii jeedee diiraam lafaa khaanee sololoo daandee woorr acciilee yaadh akhaa ammaa issan irraa fuun khaalee irraa fuunaa jeed **Com. Prof. Okoth Ogendo:** We have heard very, very good views from this meeting. **Guyo John Duba:** Guudhoo yaadhaa dhaansaa koorr khaan keessaa nuu keeniitaan jeed **Com. Prof. Okoth Ogendo:** And we are going to take them extremely seriously. **Guyo John Duba:** Nuu dhuub yaadh issaan nuu kheeniitaan khaan aarmmaa laakiifnee biirraa iyyanuu acciitiin gaalaanee haatuuaa jaajaabduu irraa fuudaanaa jeed **Com. Prof. Okoth Ogendo:** Let me thank you for having taken this opportunity to help this country write a new Constitution. **Guyo John Duba:** Duubbaa gaalaatii kheesaan imbaadhiinii khaa duuftaanii yaadh keesaan assii diyyessitaan akhaa aadhaa haarretii lafaa taanaa nuu midaassinuu jeed **Com. Prof. Okoth Ogendo:** We will bring back the draft Constitution for you to examine and to discuss before it goes to the National Constitutional Conference. **Guyo John Duba:** Aadhoo conference heggerr waan aadhaa kaanaa lallan llaalt inyaamnee yoo aarmaa dheebiiin waan issaan irraa fuun khaan adhaa suun qooree draft jeedaanii draft aadhaa kaan qooree issant gaadh deebiiimnee teetaanii woliin llaaltanii waan keesaan khaa nuu issaan irraa fuuneef khaalee cuuf laallataanii akhaasii dhuub kooraa suunii yaamnaa jeed **Com. Prof. Okoth Ogendo:** If at that point there is anything we have left out, please tell us. **Guyo John Duba:** Yoo nuu draft aadhaa sunn taa aammoo qaarr indaabaarssin gaafaassi gaadhii eergineetiin soomaa waan keesaa beenginee nuu deeneelee khaa nuu ambimneleen yoo issiin jiirrat duub incaallisiinaa waan suun nuutii hiimaadaa jeed **Com. Prof. Okoth Ogendo:** Like we started, I would like the Imam to close this session for us with a word of prayer. **Guyo John Duba:** Aakhuumaa reefuu aanziin khaanii immaammii ammantaanaa khaa koorr khaan eebbaan nuu hiiduutii jeed The meeting closed at 5.55 p.m. with prayers from the Imam Abdinasir Aji Nasir. Ee Mwenyezi Mungu ubariki hii juhudi yetu ya kuandika Katiba mpya. Ikuwe Katiba ya wadilifu na haki ya kuunganisha watu wa Kenya yote pamoja na tofauti yao ya dini, pamoja na tofauti yao ya uchumi, pamoja na tofauti yao ya rangi, pamoja na tofauti yao kabila tuweze kuishi kwa mapensi na kwa amani, kwa faida ya watoto wetu kwa siki jijaazo. Kwa hivyo Mwenyezi Mungu utuwezeshe. Patia pia viongozi wetu, wale wako katika Katiba sasa kama Rais wetu na mawaziri wake nguvu ya kuweza kushirikiana pamoja na wale wanafanya hii kazi isipatikane hitilafu, tuweze kumaliza kwa njia ya usalama kwa manufaa yetu ya dini ya nahara (continues in Islam) AMEN. **Com. Prof. Okoth Ogendo:** Asante sana. Mungu awabariki.

