

CONSTITUTION OF KENYA REVIEW COMMISSION

(CKRC)

VERBATIM REPORT OF

**CONSTITUENCY PUBLIC HEARINGS, MANDERA CENTRAL
CONSTITUENCY, HELD AT ELWAK**

ON

JUNE 4th , 2002

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Present

Com. Alice Yano
Com. Nancy Baraza
Com. Isaack Lenaola

Secretariat In Attendance

1. Joash Aminga - Programme Officer
2. Regina Obara - Verbatim Recorder
3. George Wachira - Rappotuer
4. Gore - Muslim Asst.

The meeting started at 8.45 a.m. with a prayer with Com. Yano in Chair.

Com. Yano: Nataka kuanza na kabla hatujaanza tafadhali tupate mmoja wetu atuanzie na maombi.

Prayer:(Speaker): (In Arabic) Bismillahi Rahmani Rahim, alhamdullillahi rabil alamin wasalatu wasalamu ala ajra mursalin wa ala alihi wa as habihi wa mujtaracmi mushtani llathi ama wa bath, assallam aleikum warahmatullah taala wa barakatuhu, yaqulu laku tabaraka wataalla koumu bil ah dhi bil minal ahatha wa kana mas'ula, sadaqal allahul aliyul athim wabarakatul minal dhinul karim wasalla llahul aleyhi wassallam – inshallah. Allahuma ma afina hatahl qubuli, wa athabina birahmatika ya Arhama Rahimin, Alluma wahdi kalimata, Allahuma adinal haqa, haqa warzuknal tibaa, Allahuma adinal batila, batila, warzukni jinadahu, Allahuma a izal islama wal muslimin, Allahuma taufina minal adaika birahmatika ya arhama Rahimin, wassallallahu ala nabiyina Muhammad.

Com. Yano: Viongozi wetu wenye wako hapa, wazee, wamama na pia vijana, leo tuko hapa tukifanya kazi ya tume tumekuja kuchukua maoni yenu. Na kabla tujaendelea nafikiria nitawajulisheni ama wenzangu wajijulishe kwenu ili mjue ninani wamekuja kuchuku maoni kutoka kwenu. Sijui kama tunaelewana kwa hiyo lugha ama tuongee lugha lingine? Ni sawa sawa.

Audience: Tuendele

Com. Yano: Tuendele na Kiswahili? Asante sana. Nitaanzia Bwana Lenaola, awambie majina yake halafu Baraza naye pia.

Com. Isaack Lenaola: Assalam Aleykum

Audience: Alekum salam

Isaack Lenaola: Ninaitwa Isaack Lenaola, Commissioner.

Com. Baraza: Hamjambo wanakenya,

Audience: Hatujambo

Com. Baraza: Mimi naitwa Nancy Baraza, Commissioner.

Com. Yano: Nami naitwa Alice Yano kama mwenye ninasimia huu makutano leo. Tuko na wenye tumekuja na hawa kuja kufanya kazi hii, nafikiria mnawaona hapa hawa ni records wetu, na huyu msichana pia anachukua maoni yenu akitumia, dicta phone. Nitaanza kuwapatia utaratibu wa kazi hii, venye tutaendelea na kazi hii, kuna record yenye tumechukua nafikiria wote mmejiandikisha na tutafuata hii recordi kwa utaratibu na mwenye amekuja wa kwanza ndio tutapatia hiyo nafasi ya kuongea awe wa kwanza. Alafu lugha yenye mnatumia kutupatia maoni yenu, sheria inasema mnakubaliwa kutumia lugha yenye wewe mwenyewe unayoelewa. Waeza kutumia Kiingereza, waeza kutumia Kiswahili na kama unataka kutumia lugha ya Somali na pia tuko na mwenye atatafsiri ili sisi kama wanatume tuelewe ni nini unatupatia.

Ya pili ni ya kuwa, ukiwa unapatiana maoni yako usiwe na wasiwasi yoyote hii ni tume huru na pia ni uhuru wako kusema jambo lolote lenye ungetaka kusema bila ushawishi, bila kuogopa. Tumeelewana hapo?

Audience: Ndio

Com. Yano: Halafu pia ukipatiwa nafasi ya kuongea unanza kupatiana jina lako. Unanza kusema mimi ninaitwa Fulani Fulani, halafu utupe maoni yako. Kama uko na karatasi yenye umeandika, ama memorandum, kwa lugha ya Kingereza, tumakuomba ya kuwa utumie dakika tano. Tutakupatia dakika tano utupe hiyo memoranda yako. Uiguzie yale maneno tu unafikiria ungetake kuyaguzia, usisome memoranda yote, usisome karatasi yote, hiyo ni kazi yetu kama wanatume tuende kusoma.

Interjection:(inaudible)

Com. Yano: Halafu kama haujaandika chochote, ukitaka tu kuongea na hauna karatasi yoyote yenye umetuandikia, tunakupatia dakika kumi, uko na dakika kumi. Pia wale wenzetu wasio bahatika kusikia, tuko na mwenye atafanya, nafikiria nyinyi wenyewe mnajijua mtaweza kutuambia kama kuna wenzetu kati yetu, wenye hawasikii, ili tutatafuta mtu wa kufanya hiyo

tafsiri. Na pia tunawaomba tafadhalini tutumie wakati kwa uzuri ili kila mmoja wetu awe na nafasi ya kuongea. Shida tunayo wakati huu ni kuwa tunatumia ndege na ndege tunaambiwa tuwe tumemaliza saa kumi unusu ili ije ituchukue. Asanteni na nitawapatia ruhusa watutafsirie.

Translator: (Garre Dialect) *Salaam Aleykum. Wan issan kubb khabbatani, horti warra nutt Commissioner (inaudible) irra yaanni, warr sadheen kanti nuu sudha warri kaan dhibillen warr offisathi ka dhirr kess jirru. Marka waan kubbh kabbatan dhadhalki issan gath dufftan, affan att beyyt dhubbad, hujji tenna namm waan sitafisir nu dhufnunu, kaan dhibille waan sinyeddan hinsothatin wann att fett himadd, dhubbad, sharrii beddellan, wanti area tennan gath dufftan kaa sothatalen hinjirtu, nammi sii (inaudible) hinjirtu, makka kanke himmadi, gaan kanke himmadi, garr at duffteff himmadi, yoo attin naam irra dhemte, naam sirradhem, yoo att khoffa, koffum tiyy maoni baffad yedd, dhubb akkasin himmad yeddani, dhubbad. Yoo attin korrati kabth, kaa waa gath korratte, dakika shaan sii kenani, dakika shann challa dhubbat. Yoo att ammo korrath hinkebne, dikko mudda sidharran, affan Garri dhubbat. Warri korrathki kab ammo dubdi gabbabsad yeddani, dhubb att koort taan inakkriini, dhubbi muhima challa nuu himm yeddani. Warri kaan dhibbillin affan att dhubbadi, makka kessan kkorra, makka suun issan yamman, akkum issan makka kkorattani issan yammani bekkadda, nammi arrm garth senn kaa dhubbachu fedd yoo kaan hindhubbattan, yoo kaanle(inaudible) yoo dhubbachu fedd yedd akkast sii yamman, akkas dhubb haddageffanutt guyya kunn guyya kessan, issant dhubbat, dhubbi kaan bekadda, warr kunn (inaudible) bekkada.*

Commissioners we have a standby gentleman translating for the public, thank you.

Com. Yano: Na pia kabla sijasahau itaweza kufika wakati ukishaongea umemaliza maneno yako, pengine Commissioner angetaka kukuuliza maswali, tafadhali ujibu hayo maswali kwa ujumla. Na sasa tunaanza na Haji Abdi Nur Ali, Haji Abd Nur Ali tafadhali kuja hapa mbele utupatie maoni yako.

Haji Abdi Nur Ali: (Garre Dialect) *Okay, Khalichi kunn makka issa kennatte, Haji Abdi Nur Ali Liban yeddani, innillen marki kaan naam ammantan gath duffe raii issa kennachutt jirra, sharrian kenn bedhel.*

Translator: This old man's name is Ali Haji Abdi Nur, he has appeared here to give his views as concerns Constitutional Review.

Audience:(inaudible)

Com. Yano: What of the rest of you please; you can leave him to talk then you interpret the whole..... why should you write it down.

Haji Abdi Nur Ali: (Garre dialect) *Annin onna kiyy ya korradd yedd*

Translator: The old man has said that he has already presented his views in a memorandum which has been listed by some of his colleagues here.

Haji Abdi Nur Ali: (Garre dialect) *Hinjirti yedd*

Com. Yano: Bado kuna maneno mzee yakutuambia?

Haji Abdi Nur Ali: (Garre dialect) *Annini, gaan kiyy amattan gaan sadhetammatt*

Translator: He is claiming that he is 80 years old.

Haji Abdi Nur Ali: (Garre dialect) *Halki taa chiffti taana chuff amma annat dhurr jirr seeh*

Translator: He is the eldest in age almost among those who have appeared here.

Haji Abdi Nur Ali: (Garre dialect) *Halki naam dhuur laff taan jirr, hortti garri yeddu kabilla yeddann sunn, awwallan wa akkarran karra fitte laff issi taan irrat argan hinseeh*

Audience:(inaudible)

Translator: He is claiming that he belongs to a community called Garre and that they do inhabit this place.

Interjection: Which place is that? You don't have to say that he is claiming, just say what he has said.

Translator: That is what he is saying.

Com. Yano: Excuse me translate word by word.

Audience:(inaudible)

Haji Abdi Nur Ali: (Garre dialect) *gaani kiyy gaan sadhattamma yedd yeddi*

Translator: I am 80 years he says.

Haji Abdi Nur Ali: (Garre dialect) *Maha yelley, artif arm lamman yiddhu, lakin kabilla gudhhott taa kabilla tenna, issillen laffum taan tett taa amma naa taahin.*

Translator: There are many sub tribes that live around here, among them include the community I come from called Gare.

Haji Abdi Nur Ali: (Garre dialect) *Laffti karr issan itt gath duffan lambarr wannin ann*

Translator: The first people to have been living in this part of the country among them were my services.

Com. Yano: Tafadhalini tunyamaze ilituweze kusikiza huyo mzee. Tumpatie wakati wake.

Haji Abdi Nur Ali: (Garre dialect) *Amma tannat baadhi keen, kabilla chuffuman amma taan karr, lakkin gussum tiyyale kaa ammo garri hintahin ammu taan gudho wallin kess jirr*

Translator: We live with many other sub tribes that are not coming from my community Gare.

Haji Abdi Nur Ali: (Garre dialect) *Lakkin, eggi warri gath duff, kaa warri sullen gath dufft, eggi sunni lakkin ammo dhubba laffa (inaudible) gath dufft*

Translator: After the other communities came in, now there is a bit of interference in terms of settlement.

Haji Abdi Nur Ali: (Garre dialect) *maxa yelley, laffum tiyy taa dhurri tanlle ammatan amm narra hogganiyyu.*

Translator: He says the place my official former land which was my original has already been grabbed from me.

Haji Abdi Nur Ali: (Garre dialect) *Amm laffti tiyy taa dhurri tannu amman taan kabbisumma tenn taa laff kess*

bonnonit sennu, amm ammatan ulla chuff la kessa gurratinniyu.

Translator: He says that people have started already grabbing the original land of my community called Gareb; and this are people who came to us as outsiders, and now after some time now already they have claimed some part of our region.

Haji Abdi Nur Ali: (Garre dialect) *Amm amman tanna baadhigi, amm horri sunn chuff, laff chuff laa naan kabbattan.*

Translator: Now today they are claiming that they also form the area.

Haji Abdi Nur Ali: (Garre dialect) *Lakin annin itt raliddhi miit*

Translator: But we are not happy with that, we are not for that idea of others who just came the other day claiming the land we have been living here for many years.

Haji Abdi Nur Ali: (Garre dialect) *Itt radhilli hinkabbnu*

Translator: We are *not* ready to receive such a people.

Haji Abdi Nur Ali: (Garre dialect) *Lakin att itt eddhem attiuman Kenyan, laff tenn amm polisi nurra fuddatte it gololfatt.*

Translator: Because there is the government policy which does not recognize the traditional system, now the land has been given to the other communities.

Haji Abdi Nur Ali: (Garre dialect) *Amm ammantan baadhi kenn ann challan amm laff tenn amma Garri yeddann challan kess hinchiff, nammi chuffuma kess wallin jirran, naam amm nam sunni.*

Translator: While the original settlers of the place were Garre, today there are other settlers who have also come and settled here.

Haji Abdi Nur Ali: (Garre dialect) *Wallakin warri kaanlen ammuamma tanna, amm ammatan laffum chuff laa gurratani nurra samman.*

Translator: Yes, they not only came to settle, but also they grabbed the land and they claimed to be theirs.

Haji Abdi Nur Ali: (Garre dialect) *Yoo laffti akk bannan Kenya issin hojja sunni, laff tenn warrum kenn warr kenn kanni ammale warr kabilla dibbiyyit sunnt makettit chuffamma issi.*

Translator: That the Kenya government is using its policy of land, it has now given them freedom to settle and they claim to be the owners.

Haji Abdi Nur Ali: (Garre dialect) *Amm laffti sunnin mukk sunn yoo issin gettelle ammantan, amm warr kaan gargar gurranne kessa baan.*

Translator: Now even if it means a tree or anything now everybody claims a small portion and they say they are the owners.

Haji Abdi Nur Ali: (Garre dialect) *Amm ammantan naam saadhi amm Kenyan arki kess hintet, Kenyan kettet Kenya kess jirti, amm amman hattatu laffti tenn amm amman tanna laa dibbamteyyu*

Translator: The land now has been divided now we will no longer have the land which used to be ours, now the government has given to every individual or every tribes and we have no land. We no longer have land which we claim as ours.

Haji Abdi Nur Ali: (Garre dialect) *yoo laff hoggan malle, laff baadhi keenalle itt raliddhi hintau.*

Translator: Unless force is used, I still believe this is our land, we are the original owners.

Haji Abdi Nur Ali: (Garre dialect) *Wanni dibbin, wanni dibbin amma tanna, kaa nuu chuffuman warr kallen walluma dhadhu jirru,*

Translator: The rest are mentioning the written memorandum.

Audience:(inaudible)

Translator: (Garre dialect) *Wann issan jettan chuffuma wanti kabbu jirr ammatan, mashini kabthu jirr, nafasi kuunn kaa haji Abdi Nur, yoo at naffas fette wadhubachu fett, naffas kee eggad. Ammale fadigin kunnini hagg issan daggeffatan, issan yamman issan dhubbattan, fadigi kaa warr kannat, hadhi maoni tessen daggechaffu dufft yoo issan kaillitan, enn daggeffatan dhubb. Mann issan irra korran, mann issan irra qabban, warr edhebtin qaillidhiy laanti daggefadda, wann nami dhubbatelle, maoni issa, irra qailliyu hindhathetan, atillen kott baffad, marki, marr dhubb akkas, akkasti sharii lall. Wommu tokk tokkole fahama, Sharrin warri kunn dhemmun, hagg at mooni naam tokko irra dhubbatu sharrin ogolki hinkabu, hatta sharri namman kabbanti jirr. Nammi kunn Kenya fursa issa kabba, lafti demokrati hadhubattutii, yoo feett dhid yoo feett kubal, hojja nafaski kaanke daae waan att fetttele himad. Fahamtani, akkas maonayu Inshalla akkas billowfna dhubb jardi hindhibinna.*

Com. Yano: Tafadhalini mtakuwa na mda mwingine wa kuongea.

Haji Abdi Nur Ali: (Garre dialect) *Warrakti taan, wanni dhibbin annin barua taan korre welli hinduffne.*

Translator: The rest are mentioning the written memorandum.

Com. Yano: Wapili ni Sheikh Abdullahi, Sheikh Abdullahi.

Sheikh Abdullahi: (Garre dialect) *Sallam Aleykum Warrahmatullahi, Ann mooni kiyy nakkor*

Translator: I am called Mohammed Sheikh Abdullahi.

Sheikh Abdullahi: (Garre dialect) *Mooni kiyy naa korre korra kabbthi*

Translator: I have written a memorandum and everything is in a memorandum.

Sheikh Abdullahi: (Garre dialect) *wann namm sunn akhriyye sunn kess jirra sunn amminki kkabb.*

Translator: I am comfortable with whatever I have already submitted.

Sheikh Abdullahi: *Sallaam Aleykum*

Translator: (Garre dialect) *wannti dharranki kaa att tokk tokkon dharru fett mambo?*

Com. Yano: Asante sana Sheikh, mwenye anayefuata ni Sheikh Mohammed Haji. Then I'll take it to the next where are memorandum.

Translator: They are coming.

Sheikh Mohammed Haji Addow: *Assallam Aleikum Warahmatullahi Wabarakatuh, aniga magaega wa Sheikh Mohammed Haji Adhow.*

Translator: I am Sheikh Mohammed Haji Addow Ado

Sheikh Mohammed Haji Addow: *waxan katirsanahai idharatha culumatha.*

Translator: I will represent the owner of this scholar, the Muslim scholars of this area.

Sheikh Mohammed Haji Addow: *marka carinta shercigan kurachitathetha in lagunoqtho, wah lagabethelo ama wah lagusiyathiyo wan ogolnahai.*

Translator: I support the idea of reviewing the current Constitution, either amending it or increasing some more issues.

Sheikh Mohammed Haji Addow: *marka wax bathan ban furney haga culumatha.*

Translator: We as a ulama or scholars we have written a lot of things.

Sheikh Mohammed Haji Addow: *xab oo Kenya odan ba wa wah kuseya oo sherciga lagudaqithono, wan korney.*

Translator: We have written the general issues that affect the whole Kenyans.

Sheikh Mohammed Haji Addow: *Kas axan North Eastern hathi an naxai, wan korney wah divatathain ee.*

Translator: We have also written specific issues affecting Northeastern Province.

Sheikh Mohammed Haji Addow: *tan hathi an kutharo,*

Translator: Let me add a few things.

Sheikh Mohammed Haji Addow: *xagi shercigatha mahathla diif.*

Translator: Especially care retouching on the Islamic region or the Muslim community.

Sheikh Mohammed Haji Addow: *waxan rabna shercigatha Muhammadiya in awoth loyelo.*

Translator: We would like the Islamic law to be given strength.

Sheikh Mohammed Haji Addow: *kadhigi districtiga chogo, awothisa in judgka okale lasiyo.*

Translator: A Judge and the Kadhi who is at the District level should be given into the Judge or a magistrate or any other court.

Sheikh Mohammed Haji Addow: *oo dhath xiri karo oo ganaci karo. Oo sharaf loyelo*

Translator: He should be having the power to arrest and prosecute and also fine or jail and should be given respect by the Judge or the court, the court to be respected.

Sheikh Mohammed Haji Addow: *marka sherciga Chief Kadhiga kan uwein, isaga na in yacni oo maxakamatul u'lya hog loyelo.*

Translator: We would like also the position of the Chief Kadhi be given strength and also the respect it deserves.

Sheikh Mohammed Haji Addow: *maxayelei xatha shercigi isaga hathi uu wax xukumo, rafan ba lagakathaneya High Court balageineya, shercithi Muhammadiya wala burburinaya. In lagachochiyo.*

Translator: If an issue or if a case before the Chief Kadhi is not settled, or the parties disagree, the issue is taken before a high court and the people who sit at the high court are not Muslims, and therefore, the Muslims as a result they are disadvantaged, because the person handling their case after the Chief Kadhi is a non-Muslim.

Sheikh Mohammed Haji Addow: *Shercigain Muhammadiya wahan rabna wah calay wahei shercigatha nogukoran in an kuhukuno.*

Translator: We would like everything that the Islamic law deals with or is subject to it should also be applied in our daily lives.

Sheikh Mohammed Haji Addow: *desturki lakoreyo wahakukoranahai nikahi hiyo dalath iyo dahal .*

Translator: They hold them as the jurisdiction of their current court is only divorce, marriage and inheritance.

Sheikh Mohammed Haji Addow: *marka wahan rabna sherciga Muhammadiya kuli in lahukumi karo. Kadhiga in uu hukumi karo.*

Translator: We would like the court jurisdiction expanded and it should cover everything including criminal issues.

Sheikh Mohammed Haji Addow: *jerahatha ee kamith tahai. Jerahatha binacathinka dawaca.*

Translator: It is inclusive in dealing in criminal issues, like somebody has assaulted you or killing you or anything.

Sheikh Mohammed Haji Addow: (Somali dialect) *degtan hathi lagoyo, koftan ketha, sherciga waa inuhukumi karo an rabna kadhiga.*

Translator: If somebody see a skirt according to the Islamic law, somebody should pay 50 camels and therefore, we would like even that to be done by the same court.

Sheikh Mohammed Haji Addow: *iligtan shan halath waye, in lahukumi karo an rabna.*

Translator: If somebody removes your tooth, it is five camels and we would like that the Kadhi to have the power to exercise that judgement.

Sheikh Mohammed Haji Addow: *zinathi, shehashatha ama zinatha ee kamith tahai, dawath ee kamith yahai, shercigatha Muhammadiya in talavo ee kagathi karto an rabna.*

Translator: Adultery and fornication, we have got our own punishment that is either stoning to death or canning would likely to be also a Kadhi, to be given the mandate to apply.

Sheikh Mohammed Haji Addow: *waha kale an rabna, division kan in kadhi rasmi loyelo.*

Translator: We would like at any Divisional level a Kadhi's court to interfere.

Sheikh Mohammed Haji Addow: *oo dhowlatha mushhar ee sineyso.*

Translator: And then to be paid by the government, at the Divisional level because all existing courts are at Mandera now.

Sheikh Mohammed Haji Addow: *waha kale on rabna, skulatha primary in culumo sherci ee loyelo, sithi macaliminta oo kale mishahara lee.*

Translator: Since your Muslim community says that I propose at even the education level, the intergrated system should be there, there must be a Muslim or Orama or a teacher who will teach about spiritual issues.

Sheikh Mohammed Haji Addow: (Somali dialect) *waha kale on rabna anaga bulkain dhowlatha wei hilmante deh. Bulkan North Eastern hathan nahai.*

Translator: The other issue I would like to address is the underdevelopment of this region.

Sheikh Mohammed Haji Addow *tavar maheisano, lacif ban nahai.*

Translator: We are poor, we are needy, most of the people are destitute.

Sheikh Mohammed Haji Addow: *taclinta, wahan rabna, primary school ila college ila jamacatha in laag lacan cilmaha free loyelo, chebkena wah nalaga kathin, tavar malihin rer baathiya ban nahai.*

Translator: Owing to the fact that we are poor and we are not able to meet the basic needs of education, I propose that we are given free education to University.

Sheikh Mohammed Haji Addow: *waxa kale on rabna haga hospitalatha, dib an kukabna.*

Translator: We have a problem with as far as health care is concerned.

Sheikh Mohammed Haji Addow: *magic moogiye dhawo maleh.*

Translator: There is only a hospital but there is no medicine, there are no drugs.

Sheikh Mohammed Haji Addow: *waxan rabna haga cafimathka in laag an labihinin oo dhowlatha ee kabisho.*

Translator: I also would like to recommend that the government gives free treatment and provide all the necessary facilities and drugs at the hospitals.

Sheikh Mohammed Haji Addow: *wahan rabna biyaha dib ban kukabna. Hola dakato ban nahai.*

Translator: We are pastoralists and we have a special problem concerning water.

Sheikh Mohammed Haji Addow: (Somali dialect) *wahtiga chithathka hathi lagaro, dhowlatha iney inodamiso an rabna.*

Translator: During the dry seasons, that is when we have a lot of problems and would like water tankery, water taken to livestock owners. The nomads in their, wherever they are grazing.

Sheikh Mohammed Haji Addow: *wahan rabna celal in nalokotho.*

Translator: We would like wells dug for us.

Sheikh Mohammed Haji Addow: *warax in nalokotho.*

Translator: We would like to have water dams or pumps.

Sheikh Mohammed Haji Addow: *wahan rabna in abnigeina navathgeliyathein in dhowlatha ee daman kathato.*

Translator: We would like the government to take full responsibility and guarantee security for the people, peace and security for people of this region.

Sheikh Mohammed Haji Addow: *wahan rabna katiya skul gurtey in loyelo.*

Translator: Our people are nomads, the people are sitting, they are mobile in their nature and therefore, we would propose a mobile School that will always meet their culture and demands.

Com. Yano: Umebakisha dakika moja.

Sheikh Mohammed Haji Addow: *marka wahan rabna jith makabney, jithka in nalosubiyo lami nalogayelo.*

Translator: We have a problem with our roads, our roads are in bad shaped, we would like it to be tarmacked and become all with a road.

Sheikh Mohammed Haji Addow: *marka Inshaallahu dhath bathan aa igathambeyei, maoniga wan korney haga culumatha, waka bahaya, wassallam aleikum warahmatullahi wabaraktuh.*

Translator: I am very grateful I welcome you to Elwak I appreciate your contribution.

Com. Yano: Kuna swali tafadhali kutoka kwa Commissioner.

Translator *sucal an kabna ee dehthey Commissioner.*

Com. Yano: Just use this.

Com. Baraza: Asante sana, asante sana Sheikh, asante, hii ardhi yenu huku chini iko maji? Kama kunaweza kuchimbwa iko maji chini?

Translator: *navath ee kudahthey. Meshan laguchina, hos biyaha Malaga heli kara aa lakorey deh?*

Sheikh Mohammed Haji Addow: *walaga hela.*

Translator: Underground water is available everywhere that is what he says a mayor, yes.

Com. Yano: Asante sana Sheikh, mwenye anayefuata Sheikh, ni Maalim Ismael Abdinoor. Alafu atafuatwa na Hillow Abdi Ibrahim.

Malim Ismail Abdinoor (Garre dialect) *Maqqan kiyy Maalim Ismael Abdinoor*

Translator: I am Maalim Ismael Abdinoor

Com. Baraza: Unajua tukirudisha hii machine Nairobi, itakuwa tu na kelele, nasitutakuwa tunapoteza mda. Tukuje tu tubebe kelele tupeleke Nairobi, na hiyo maoni yenu haitakuwa mali popote, hiyo itakuwa hasara. Mkimie tu tusikize watu. Endelea.

Maalim Ismael Abdinoor (Garre dialect) *Ann ganni kiyya jaatami shaan*

Translator: I am 65 years old.

Maalim Ismael Abdinoor (Garre dialect) *Gaff Ingirrisatiff gaff Kenyan Banderra, gaff qarr Ingirissi ni hukumuff Kenya lamman yiddhu armumm jirr eggi sunn, gaffas gani kiyy dhiqqa gaff Ingirisaa, eggi sunn Kenyat nuu hukm yedd.*

Translator: From the colonial times to when Kenya got independence, I have been living in this part of the country.

Maalim Ismael Abdinoor (Garre dialect) *Ingirissa dhurratiff Kenyaa Imman jidhuu colony sommallit nuu gubba tayy edd.*

Translator: From the colonial times up to today we have just been under the colony.

Maalim Ismael Abdinoor (Garre dialect) *Dhubbin tiyy guddho niit dhubbin tiyya ta Sheikh Mohamed yedde wann diqqo tokk it dharra.*

Translator: My colleague who has just spoken here has mentioned most of the things, but I would like to mention a few things.

Maalim Ismael Abdinoor (Garre dialect) *Dinna tenn ta isslanna colony dhurratiff ta egge lamman jidhu dinnan tenn taa Islana hoggoga kebthi, uwissa kabthi takkayu dhidhat himbanne. Akkiyar hinkabbnu.*

Translator: From the colonial time to this period, we are still under colony and the religion of the Islam is still also under this colony.

Maalim Ismael Abdinoor (Garre dialect) *laffat irr ejjacha kabth yedd, Dinan tenna takkayu nammi akkiyar kabbe it dhubbattu garr dinna.*

Translator: The system is stepping on us and also stepping on our religious practices.

Maalim Ismael Abdinoor (Garre dialect) *Yoo naam guyya kaan garr dinna akkiyar kabne dhubban, sunnu allhamudhullilla amarki rabbit, dinna tennan akk nuu walhuqumn.*

Translator: I am very grateful that we can speak our views without fear in front of the Commission and therefore, I would like the Commission to allow us to rule ourselves or govern ourselves based on Islamic sharia.

Maalim Ismael Abdinoor (Garre dialect) *Hukkunkin dinnaa tenna dugga, naam maasesiat dinna hukkuman, hagg*

dinna sunnin nuu wall hukkmn.

Translator: He says that, we have a lot of calls or penalty calls that build within Islam and among them is that adultery and fornication we have a particular punishment for that, and we are allowed to practice it.

Maalim Ismael Abdinoor (Garre dialect) *Naam nam ijess dinnan hukkmuni, dinna tennan akk nuu wall hukkmn.*

Translator: If somebody is killed, we have our own way of punishing the killer of the murder, so we like us to be allowed to do that.

Maalim Ismael Abdinoor (Garre dialect) *naam nam jirrahi gubba kkae, ilkan chhabsan, gurr taatt moo, kench kaan ka kuttan tatt moo, dinna tennat hukkmunki issi qabba akk nuu dinna tennan hukkmn.*

Translator: Our religion has got everything to do with even cutting hair, or cutting even somebody or even removing the nails there is a particular code for punishing such a person. We would us to be allowed to apply that in our lives.

Maalim Ismael Abdinoor (Garre dialect) *Banderra tenna ta Dowladhi Kenya itt raliidhi kabna ammo, huggunki kess kenna, illa North Eaastern kamila nuu kess kennat wall hukmn taan raliidhi itt kabn.*

Translator: As much as we like the unitary system and we respect the government of the day, we propose that we be given a majimbo system so that we can apply our own rules and laws here.

Maalim Ismael Abdinoor (Garre dialect) *Dinna tenn akk sguli kanna midaksanni, mabati itt ijarran middagsan, maaliminti, dereja kennaniffi besse kennaniffi nullen naam dinna tenn naam barbasi akk nullen nuu heshmian akk sunnit nuu kennan.*

Translator: He says that, as far as education is concerned, he finds that with the as much as we appreciate the secular system that is provided, we also cannot do without the Islamic system. We would like the government to employ teachers, build the Schools for us and also fund the teaching of the Islamic issues.

Maalim Ismael Abdinoor (Garre dialect) *Dinnan tenn wan matta namma gargalch kaa akk qamr faa kaa matta namma yakka hindhidhi akk waan kannalle laff tenn irra quttan.*

Translator: He says our religion does not allow any form of intoxicants, that is any beer or drugs, we would like it to be burned from our religion.

Maalim Ismael Abdinoor (Garre dialect) *dhubbiy tiyy karra qorre, dhubbiy tiyy amm hingabbsa naam duggat kess jirra, Wassalam aleykum Warhamatullahi Wabarattuhu.*

Translator: We have already written a memorandum and I would like to thank you for giving me the opportunity.

Com. Yano: Asante sana Maalim. Mwenye anayefuata huyo ni Abdi Ibrahim tafadhali uje uongee alafu Sheikh Ali aingie.

Speaker: Hillow Abdi

Abdi Ibrahim: (Garre dialect) *annini makkan kiyy Hillowa Abdi Ibrahim naan jeddan*

Translator: My names are Hillow Abdi Ibrahim Hillow

Maalim Ismael Abdinoor (Garre dialect) *Gann kiyyallen, jaahatami torb*

Translator: I am now 67 years old.

Maalim Ismael Abdinoor (Garre dialect) *Mooni tiyallen qarra qorra kabthi*

Translator: I have also written made a written submission jointed with my colleagues.

Maalim Ismael Abdinoor (Garre dialect) *Ammale akk Sheikh Mahmad dubbatte haggas irrat hiddacha kabb*

Translator: I personally support the views given by the Sheikh the Imam who has just spoken some few minutes ago.

Maalim Ismael Abdinoor (Garre dialect) *kaallan tiyy dub haggas*

Translator: Thank you very much for giving me the opportunity to say that.

Com. Yano: Sheikh Ali Aliyo

Speaker: Sheikh Ali Aliyo

Sheikh Ali Aliyo: (Garre dialect) *Annin makkan kiyya Sheikh Ali Aliyow yeddan*

Translator: My names are Sheikh Ali Aliyo.

Sheikh Ali Aliyo: (Garre dialect) *Gann kiyyallen torbattam jirr*

Translator: I am now 70 years old.

Sheikh Ali Aliyo: (Garre dialect) *hagga ganni kiyy kuddan shaniff arma lamman iddhu dinnum Islama taanat dakkachut jirr, gaff dikka duksi mukka gaan kenn ka torba duksi mukka, artiff arm yiddhu dinnum tannat dakkachut jirr*

Translator: From the age of 7 when I started attending my Koranic School, up to this age I have been just practicing the religion of Islam.

Sheikh Ali Aliyo: (Garre dialect) *nuu amm warr Kenya*

Translator: We are Kenyans.

Sheikh Ali Aliyo: (Garre dialect) *Banderra tanna, Banderra Kenya tanna, dubbi hinyallan*

Translator: We love our country, we love our flag.

Sheikh Ali Aliyo: (Garre dialect) *Itt ammale dakkanki kabna itt naggay arganne, dhubba itt jirran*

Translator: We like the country, we have a lot of peace, we have a lot of also progress.

Sheikh Ali Aliyo: (Garre dialect) *Amm yoo dubba amm Banderran, amm issan waan issan fettan gath dhubbada yettani wann fenn amm dubban*

Translator: If the same government, has said today to give your views, and openly without any fear, then we shall talk.

Sheikh Ali Aliyo: (Garre dialect) *Nuu warr dinnat, dinnan wann kabthu dinnan tenn waan fenna hagg hishmeyyani, karrameyyani, Islamaffa Kuffarillen heshimeyye dhubba jabbess feen*

Translator: We are Muslims. The first thing we would like is respect for religion, both by those who practice the faith and those who don't practice it. There must be a respect for religion first

Sheikh Ali Aliyo: (Garre dialect) *Hukkunki chuffuma dinnan teen tunnin, addunyannu dinna taan irra waan chuffuma gath fuddatan.*

Sheikh Ali Aliyo: (Garre dialect) *Islammaf kuffarillen dakkanki amma itt dakkatan dinna tann irra argan.*

Translator: Our religion is a way of life and therefore, we would like everything based on that religion.

Sheikh Ali Aliyo: (Garre dialect) *Dinna taan nammi nutt him Mohamed eddani naami chufuma dinna taan irra wann hojjattan, wann dubbatan, wann harka qorran chuff dinna taan irra argan Islanaff, kuffarillen.*

Translator: And he says that the person who brought to us the religion, who was the medium for passing the religion was prophet Mohammed, peace be upon him, and he said the same also with other religions. Such medias brought them and that is how they practice their religion.

Translator: Even both the Muslims and the Christians, get all their practices or their way of living they borrow from the religion.

Sheikh Ali Aliyo: (Garre dialect) *Akk itt wall haddan, akk itt dakkatan, akk chuffuma wanni irra garth argan dinna tann yedd nammi chufuman.*

Translator: How to stay, how to go to war, how to stay in peace, how to live in the family, everything is got from the religion.

Sheikh Ali Aliyo: (Garre dialect) *Akk nuu amm dinnan tennin tunnin hagg nammi chufuman qollof kuttatu kaan himt.*

Translator: The religion for example tells us to circumcise, that is why we circumcise our men.

Sheikh Ali Aliyo: (Garre dialect) *Namm dirra qollof hirkissan dakk tochanni gogga irra kuttan dubba hagg kaan lakkisan dinann kabth*

Translator: The religion says that men should be circumcised, and that is why we do it.

Sheikh Ali Aliyo: (Garre dialect) *Uwwalle dubba akk naff issi wann diqqo tokk akkan birtin dawwan kabth.*

Translator: He says that for when it comes to women, it is Sunna and therefore, it does not require FGM, it requires just removing a small section of the clitoris.

Sheikh Ali Aliyo: (Garre dialect) *Dubba waan amma nuun dubban dinna tunnini wanni chuffuma issa irra garth arggan, amm nuuin lla qorre nuu kalluwun chuff naa qqoree, naam nuu akkriut toffanne ejj yedd.*

Translator: Since everything is brought from religion, everything is written within the religion, we would like to be allowed to live with the religion, live within the religion.

Sheikh Ali Aliyo: (Garre dialect) *Dubba wann irr gudho taa qarra Kallun durra dubbate, dub wann kanle namm bugi harka kabbutt egger nuu akkriya, dhubb akkas qubb qabada yedd.*

Translator: So since my other colleagues have already mentioned most of this things, mine was only to literate and therefore, with that I am thanking you.

Sheikh Ali Aliyo: (Garre dialect) *Dubba agganummat kessa gath bahhaa dub akkas qubb qabbada yedd.*

Translator: It is okey be aware that that is my position, thank you.

Com. Yano: Asante sana Sheikh. Mwenye atakaye sasa ni Abdi Fatah Ismael Mohammed. Ameomba nafasi hii vile amesema

anaenda kwa hospitali kufanya kazi na wagonjwa.

Speaker (Garre dialect) *waan yeddani Abdi Fatah naffas kaan kaddatte, hujji dhemmu fedda dhubb akkas qubb qabbada issanin yeddani.*

Abdi Fatah Ismael Mohammed: First of all I wish to thank all those who are involved in this process. I am Abdi Fatah Ismael Mohammed. I am 29 years old. I am representing a society by the name Elwak Sub-District Action Development Youth. All whatever I am to say I have already written a memorandum, I therefore, request...

Com. Yano: Tafadhalini mpatie nafasi ya kuongea.

Abdi Fatah Ismael Mohammed: I therefore request this Constitution committee to take up matters of urgency because we consider ourselves to be marginalized from other parts of Kenya, so we request the following matters to be taken up quickly.

- 1) Compensation of victims of torture by the security process with an emergency law Ai Malkamari Masakas, Hamor and Bintu, Yabicho, Wajia and Garissa District Masakas. Everybody ought to be compensated for.
- 2) The screaming card and any other method used by the government to discriminate the Northeastern people from other Kenyans should be abolished.
- 3) We should have to get 10% of the budget of Kenya. Equal distribution of resources.
- 4) We should have to get free education and free health services, because we always short of rains and how to use natural calamities people cannot raise fees. Therefore, we request this arrangement to be taken.
- 5) Proper security: If any Kenyan is killed by a bandit or so, the government should compensate for the damage so that early warnings of good secret should be taken up.
- 6) We would like free markets for our livestock because at present, we cannot take our goods or livestock, from here to Meru or Embu or any other parts of Kenya. therefore, we would request the government to undertake this, that we should be given free market to our livestock. And also there used to be Kenya Meat Commission, so we would request Kenya Meat Commission to be established for marketing.
- 7) Chief Kadhis and Ghadhis should be free in handling Islamic issues as per the Islamic sheria, an independent Chief Justice court of Kadhi should be established. Why life should be taken care of because Northeastern is a very wide range, and we most of the time our animals are being killed by lions or whatever, therefore, we request the wildlife officers or the government to take its amendments that any loose of life, or any damage to property by wildlife should be taken care of. Therefore, with all the above urgent matters, and as per the opinions, we would like or request on the Review committee to act on this issues and put the head as an amendment in the Constitution. Because we were not presented or we were not taken into consideration when the former Constitution was being done. Therefore, we would like you people to go and take this views urgently. Otherwise, if this things are not taken, then we still feel that we are not yet presented.

Com. Yano: Thank you very much Ismael you will be assured that we will take your views. Maalim Musa.

Maalim Musa: *Assalam Aleykum. Nuu mooni tenn laa qorranne qorra kabth*

Translator: We have already written our views, they are in a memorandum.

Maalim Musa: (Garre dialect) *Amm ammo woom dikko tokk irra dhubbad.*

Translator: I would like to mention a few things.

Maalim Musa: (Garre dialect) *Dinni teenn irra dhubbad*

Translator: I would like to talk about issues of Koran concern with religion.

Maalim Musa: (Garre dialect) *North Eastern yoo eddan, amm Garrissa nuu gath hukm.*

Translator: We have as a Northeastern as a religion, we are controlled from Garissa that is where our Provincial headquarter is.

Maalim Musa: (Garre dialect) *Dinni tennallen dinti guyya kaan gath billawanin niit.*

Translator: Our religion never started yesterday it is as old as mankind.

Maalim Musa: (Garre dialect) *Namm tokk kaa Garrissat issan hukm yedd kaa Khadhi.*

Translator: They say that somebody who is stationed in Garissa will control the whole of the region and he is a Kadhi.

Maalim Musa: (Garre dialect) *Tokkollen kaa Wajeer tahhut issan hukm yeddani ka Khadhi.*

Translator: And then there will be another one who would be based in Wajia District, who is going to control the Muslim affairs.

Maalim Musa: (Garre dialect) *Tokkollen kaa Madeer taut issan hukm yeddani.*

Translator: Then there will be another one based in Mandera, who is a Kadhi and who controls issues regarding Muslims.

Maalim Musa: (Garre dialect) *Dinti tennallen dinti haggasittin nitt*

Translator: This is not a religion which is going to be based in a particular center.

Maalim Musa: (Garre dialect) *hagg chiss kunn kaa atta aggart kuun, waan Madera gath hukkuman guul yaa yedd.*

Translator: We feel a bit bitter, that is because we don't have access to the courts All these congregation gathering here, have to get their issues settled by the Kadhi at Mandera,..

Maalim Musa: (Garre dialect) *Irra dhibb kabbn*

Translator: we have a problem

Maalim Musa: (Garre dialect) *Dhubbi sunn zaid irra diib kabbn*

Translator: And we feel a bit bitter about it because we do not have access to the courts.

Maalim Musa: (Garre dialect) *Ilman sgulla kaa armat wa barsissut jirran, Ingiriss barssisan*

Translator: The children who have been educated here at the Schools, the children here have been taught in English, a foreign language.

Maalim Musa: (Garre dialect) *Diintin tenn kess hinjirt*

Translator: Nothing about our religion is taught.

Maalim Musa: (Garre dialect) *Diinti sulle tennat dhurr jirr*

Translator: Whatever that is being taught in School our religion is superior to it.

Maalim Musa: (Garre dialect) *Hagg sulle irra lallani huji irra nuu kabattan fedd*

Translator: We would like something done addressed, other three issues to be addressed.

Maalim Musa: (Garre dialect) *Tann ta bissanit*

Translator: The other issue is about water.

Maalim Musa: (Garre dialect) *fulla melli digthami jaa nurra jirti bissan miyaot jirr*

Translator: We have around 20 kilometres from this town, we have got atleast clean fresh water.

Maalim Musa: (Garre dialect) *issan chifftan kuun, amm arma bissan dugghan hinargattan*

Translator: Those of you the Commissioners, who are our guests today, will not get fresh water to drink.

Maalim Musa: (Garre dialect) *sulle irra diib kabban*

Translator: It is a problem

Maalim Musa: (Garre dialect) *Dhuub mooni tenn tann chuff qorra kabthi naa qorran dhubba naam korrut harka kaabb.*

Translator: We have already put everything in a memorandum and just wanted to advice you and I am grateful.

Maalim Musa: Asalam Aleikum

Translator: Asalam Aleikum

Com. Yano: Thank you very much. Asante sana. Mwenye anayefuata ni Haji Hassan Omar. Haji Hassan Omar

Haji Hassan Omar: Mimi nitaongea Kiswahili. Jina langu ninaitwa Haji Hassan Omar. Na ninaongea kwa niaba ya wale wafanyakazi wamefanya kazi kwa serikali na wameritaya. Na nimeandika kumbu kumbu langu katika karatasi na nikapeana hiyo. Kwa ufupi nitaongea machache. Ya kwanza, ninaongea juu ya serikali tunayotaka, tuna imani na serikali yetu ya Kenya, lakini tunataka serikali ya majimbo. Kwa vile tunaona magao ambayo serikali inagawa hatuoni kama ni sawa tunagawiwa kila Province. Province zingine ambazo zinakaribia mji mkuu zinameza ingine na sisi tangu ukoloni bado tuko namna hiyo vile tuliwachwa na ukoloni, jimbo letu la Kaskasini Mashariki tuko nyuma zaidi tunahitaji serikali ya majimbo.

Ya pili sisi ni wachungaji, uchumi yetu yote tunategemea mifuko yetu ya kuchunga, kwa hivo vile imetambuliwa na sheria ya Kenya wale wachungaji wanaokaa katika shamba kubwa kubwa tunataka tutambuliwe. Wachungaji wa kuhama hama kisheria na ilindwe kisheria na istawishwe kisheria.

Ya tatu, mambo ya mpaka ya kikabila tunahitaji igawanye area kikabila, vile waligawa wakoloni. Kwa vile wachungaji wako na shida, watu wamekuwa wengi na wakati wote shauri ya malisho, watu mahali wamekuwa wengi, wengine wanataka kuja kukalia wengine. Hapo kunatokea shida, kwa kuiba mali, kupigana kunatokea, kwa usalama wa wananchi tunataka mpaka wa kabila iwekwe.

Jambo la nne, mambo ya Trust Land. Hii system ya trust land ambayo tunaishi sasa katika Mkoa huu wa Kaskazini Mashariki,

ambayo inasemekana ardhi iko chini ya local government. Tunataka ibadilishwe iwe communion land. Isimamiwe na wananchi wenyewe ambao wako katika area hiyo. Na pia katika sheria ya sasa inaonyesha, ardhi hii ikifika fiti sita chini ni ya serikali. Sisi tunataka iwe kisheria ndani hata kama iko deep kufika wapi na iko juu kitu inamea juu, iwe ni ya wananchi wa area hiyo na wacontroliwe na wananchi wenyewe. Ingingine ninataka kusema, katika uchaguzi wa Rais yaani Presidential Election, iwe ishirini na tano yaani 25% vote ya mkoa wa tano ili ikishinda ndio iwe rahisi

Com. Yano: Uko na dakika moja.

Haji Hassan Omar: Hiyo dakika moja ninamalizia maneno mawili. Screen card, kitu ambayo inaitwa screen card, karatasi ingine nyekundu ambayo watu wa Northeastern wako nayo, hatutaki, hiyo inatubagua katika wakenya wengine. Na ile inakwisha hakuna replacement ama itapote ama vijana wengine.

Ya mwisho wakati wa emergency iliwekwa katika mkoa huu, wakati uliopita, wananchi masikini wasio na hatia walimalizika bila sababa yoyote na majambazi wako kila mahali hata Nairobi na awauwawi mali, ngombe, ngamia yaliisha na awapigi watu, wanataka walipwe hiyo mali na tunaweza wacha. Kwa hayo nashukuru Commissioners waliotutembelea nasema asanteni kwa kuchukua maoni yetu.

Com. Yano: Tunashukuru sana. Kuna swali hapa tafadhali ongojea kidogo.

Com. Baraza: Bwana Omar, hii mambo ya Trust Land, ungetaka ipewe community, mnataka tittle lakini kwa jina la community au mnataka nani awe anashikilia hilo shamba.

Haji Hassan Omar: Ninataka ishikiliwe na committee ya kama ni ya kijiji, ama watu ambaye community ambayo community wenyewe imechagua wasimamie nchi ni yao, watu ya area hiyo, sio County Council ama serikali kuu.

Com. Yano: Asante sana. Kuna swali lingine tena.

Issac Lenaola: Hebu nikumbushe hii mambo ya boundaries ya makabila, ilikuwa imewekwa mwaka gani na wazungu kama unakumbuka?

Haji Hassan Omar: Ilikuwa imewekwa wakati wa wakoloni kwa minajili ya watu kwa maana ya kupigania mambo ya malisho na maji. Na hiyo unaona katika area hii, visa kama hivyo vimezidi na tunataka hiyo iwe kwa sababu ya usalama.

Com. Yano: Asante sana. Wakati huu utaniwia radhi kidogo juu kuna walimu wanataka kurudi wafanye kazi ya kufundisha watoto wetu. Ningeita Bwana Abdi Rashid Haji. Abdi Rashid tafadhali harakisha, afuatwe na Ali Bashir Maalim, kumbe tuko na watoto pia, jina lako ni nani? Issak Mohammed Sheikh

Isack Mohammed Sheikh: My name is Isack Mohammed Sheikh, a standard 8 pupil from Alweiss Primary School, I am presenting my views on education. As a young Kenyan I am advocating for free education from Primary to university, free health services and free water supply. My reason for free education, free health service and free water are; our area is arid and semi arid due to the fact that it has unfavourable climatic conditions.

Second, our people are pastoralists, and they lack proper market to sell their animals that made them extremely poor. Our area is an NGO target, a disaster zone that is why we entirely depend on food aid from NGOs like OXFAM, ACTIONAID in Fanga. So, many students from Primary and secondary drop out of School due to lack of fees. This has led to poor enrolment in our Schools.

Finally, our parents have developed negative attitudes towards education, due to the expensive costs involved in educating children, thank you and I request our Commissioners to consider my views on free education, free health service and free water supply.

Com. Yano: Thank you very much.

Ali Mohammed: Thank you I would like to take this opportunity my names, are Ali Bashim Mohammed. I would like to present this to our Commissioners on key areas affecting us;

- 1) On citizenship: The process of acquiring identity cards, should be simplified and no let each without strings attached to each. Like here in our place for one to be considered he or she must present clinic card of his or her father and a lot of money, that is one. Birth certificates should be approval of citizenship not written back across. Screening cards to be abolished and Somalis should be as considered citizenship by rank not by registration. There should be no first and second class citizen all Kenyans are the same. Identity cards should be taken as a passport to everywhere and not only approval of citizenship. That is on citizenship.
- 2) National security: Public property should be safeguarded by the concerned law and order. On that point again police harassment and brutality should be stopped. On the Judiciary for example, the Kadhis should be appointed by the public and should be independent from other judicial work. The Kadhis should handle all matters pertaining Islamic laws i.e. marriage, divorce, inheritance and punishment. The branch offices should be open at every Division and they should be paid by the government.
- 3) On local authority: According to me I feel that mayors and council chairman should be elected directly by the people and must know how to read and write. If elected by the people their term of office should be extended to 5 years. Councilors should be paid by the government as salary workers.
- 4) Their should be gender balance in presentation of women both in Parliament and local authority. Candidates who fail to seek nomination from one party should be allowed to seek nomination from another party. On basic rights, all citizens of Kenya should enjoy the following basic rights; free education from Primary up to university, free health

care, free clean water and creation of job opportunities to solve unemployment problems. Our area is marginalized, therefore there should be equitable distribution of national resources rights of vulnerable groups. The rights of vulnerable groups should be restarted services to be rendered to them i.e. building of more special institutions, provision of facilities like wheel chairs and hearing aids. The Constitution should guarantee the lives that the children by providing them with basic needs like free education, free health care and security.

- 5) On land: Individuals should have the right to own land legally acquired and Kenyans should own land anywhere in Kenya. Communal rights: Communal and ethnic law should be respected and accepted. Respective ethnic and regional diversities and communal rights of communities to organize and participate in cultural of activities. In conclusion, we would like the government because our area is arid area to revise the following; the government should revise the Kenya School equipment scheme and the School milk programmes. The government should reverse the Kenya Meat Commission to enhance the market of our livestock products. Mobile Schools should be introduced in arid and semi–arid areas. More boreholes should be dug to solve problems of water. Thank you.

Com. Yano: Thank you very much. Now I request Habiba Musa Hassan please come forward, na pia Hajina Ali is that okey. Habiba Ali karibuni tafadhali mpatiane maoni yenu.

Speaker: (in venacular)

Com. Yano: Tuambie majina zako zote na shule yenye unatoka.

Habiba Musa Hassan : My name is Habiba Musa Hassan, Headmistress Elwak Girls Primary School. I will start with the preamble of the Constitution. It should acknowledge women as moral agents, who have to be listened to. It should recognize women as important agents of change who carry with them their own unique experiences. The Constitution should protect the civic of disabled women who participate in elections as voters or Parliamentary candidates, for example in assistance, to use an assistance by person of choice when voting. Constitution should mainstream aim at the eradication of poverty.

Affirmative action; it should be put in place at the Constitution to ensure all areas of discrimination and to facilitate their attainments of equity and justice for all. Affirmative action should be applied in appointment, recruitment, promotion, deployment, training and staff development especially for women. Independent candidates, should be included in the Constitution so that people who have a chance to elect the person they want, without conditions to a party can do so.

Muslim female prisoners should be allowed to dress Islamically e.g. they should put on long dress, and vail even if they are in prison. 15% of the development money to be returned to Northeastern Province, so that we can be able to use it to develop ourselves out of the 15 percent 5 percent to be given to the women. Factories for hides and skins and Kenya Meat Commission to be situated in urban areas so that it can benefit the people for employment.

Government should compensate livestock which has been killed by wild animals and to prevent this, they should create game reserves or game parks in all rural areas in assault areas. Government should build Schools for the girl child, to enable all girls in the assault areas, for example Northeastern to get education. Disabled people should not be discriminated and should be employed in all government sectors, like other people. Police barriers should be removed, from all the four Districts in Northeastern Province because they disturb wananchi. Those who rape should not be left free and should be prosecuted and sentenced to death. Prisoners should be allowed to meet with their spouses.

The language of the Constitution should be made simple and translated in all Kenyan languages for all Kenyans to benefit instead of only English and Kiswahili. Roads should be tarmacked from Nairobi to the furthest point of Northeastern Province, for easy communication. Electricity to be situated in all areas, in the assault towns whereby we don't have electricity. Government to build learning institutions and employ teachers for women in Northeastern Province so that all the women can gain education.

Gender commission to be included in the Constitution so as to fight for the women rights. Forced marriage should be stopped and included in the Constitution as it is stated even in holy Koran that the girl's consent is required during marriage. The government should stop violence killing of its citizens, and compensate the lives of those people who are murdered and the animals e.g. in Malkamaris, Wagala, Garissa and Garsasala.

The government to ensure fair distribution of property e.g. land men and women to be given equal land when issuing. The government to ensure security of the property of its citizens and again the government should create livestock board for assault areas. And again women should be nominated to Parliamentary seats. Thank you very much.

Com. Yano: Thank you. You may now answer a question.

Com. Baraza: How many of them do you want nominated to Parliament? Do you have a percentage of what how many women you want in representative position?

Habiba Musa Hassan: For example, in Northeastern, we have only 3 MPs so we request for the three MPs, maybe one of them to be a female.

Speaker: Get the bigger figure of the country.

Habiba Musa Hassan: Of the country, 25% yes.

Com. Yano: Thank you very much Habiba. You had very good news. Hajir Ali, Hajir, mtaongea nyinyi wote

Audience: Hapana

Com. Yano: Hajir then we have Ibrahim Adam Abdi

Hajira Ali Hassan: My names are Hajira Ali Hassan from Elwak Girls Primary School.

Speaker: Hajira Hassan.

Hajira Ali Hassan: Hajira Ali Hassan. Free education for the girl child from Primary to University. Free health care and facility. Conducive land and School environment and girl child should have access to education, even that who is at the most of rural area an outskirts of the town. Guaranteed security e.g. rape and those who rape to be sentenced to death. Insure water is available everywhere in town and outskirts. Food should be cooked in the School and made free, institution for the girl child education to be build by the government, and be situated in all areas. For I take that the right of the girl child. Roads should be tarmacked to ensure fast and good communication. Electricity to be put in place in all ares to promote the girl child education. KBC posters, be situated everywhere i.e. in each District to allow proper communication and health in education e.g television. Kenya School equipment scheme to be returned back.

Com. Yano: Thank you very much Hajira. Ibrahim Adan Abdi

Ibrahim Adan Abdi: My name is Ibrahim Adan Abdi I am a Deputy Headmaster from Elwak School. I would like to present my view on Constitution Review process to start with,

Education; as it has already been said by all I would like also to put this points across by saying atleast our area people are nomads and most of the time, our people are moving on foot from place to place. And most of the time people will not get the opportunity to go to Primary and secondary Schools. The number of Primary Schools and secondary Schools in our area are limited, and the number of people who are moving in the bush looking for grass and water, we would like mobile Schools to be established so that nomads, the children can get access to education.

On the same point on education, we would like free education, Primary and secondary. Also, since our area is disadvantaged and it has been marginalized, from time Kenya got independence the possibilities of getting the same points in School because of distribution of facilities, laboratory services, and so many other things in education where we lagged behind and therefore the cut points to public universities people should be given opportunities, cut points should be lowered down to C plain, for those who are leaving form 4 and going to public universities, since in our area the level of education cannot rime with other people in other parts of the country. The same on education, we would like also, most of the time we have already stated that our people are nomads and most of the children who are attending the Primary Schools, don't have their parents in that town. We would also

like to request the government to provide enough food to Primary Schools, so that pupils whose parents are moving from place to place can get food rush in the School without suffering.

Water: Water has been a problem in our area because we are people who are keeping livestock, we are not people who are relying on shambas, and people moving from place to place with the animals, we would like bores and dams to be dug, after every 9 km we would like to have dams or boreholes so that people can have enough water. It is still on the same point, water, we like clean water supply for all in areas. Most of the time people are relying shallow wells, dams and bores which are not protected. We would like the government to take into consideration clean water supply by using maybe, drugs which can help water to remove contamination.

Com. Yano: Do you have a point on roads?

Ibrahim Adan Abdi: Roads, roads leading to many towns to most of the parts of District especially Northeastern should be tarmacked, so that the government can exploit resources which are found in Northeastern Province. Emergency law should be removed completely, it has already been said, I conquer with them.

Turning to the Judiciary we would like the Chief Kadhi that is the Muslim representative in Nairobi to be runned with the rank of the Chief Justice. Disabled people their rights should be safeguarded, and be given equal opportunities in terms of education. 15% of government revenue should be set aside to develop action areas especially Northeastern since it has marginalized since Kenya got independence. Another problem serious problem please, should not police brutality in this area is common and mistreatment of civilians without any reason by asking ID card, when you produce ID they still keep on insisting on other things looking for corruption. Police corruption and police force should also be removed and a Commission should be set to investigate policemen who are caught in corruption and must be jailed for life. Thank you.

Com. Yano: Thank you very much. Asante sana Bwana Ibrahim. The next one now we are back to our list, tunarudia sasa orodha yetu, mwenye atakaye fuata Ibrahim ni Mohammed Sheikh Ali. Mohammed Aliyo, kama Mohammed hayuko, Ali Nur, Ali Nur, Ali, Yusuf Abdow, Alafu atakaye fuata Yusuf ni Ali Mohammed Sheikh, Ali Mohammed tafadhali jitayarishe.

Yusuf Abdow: Asalam Aleikum. Mimi naitwa Yusuf Abdow, x-livestock marketing Division na zamani mfakanyakazi wa livestock na retire miaka yangu ni 36. Maoni yangu mbeleni sisi tumeshaandika lakini nataka kuongeza kidogo. Mimi nilianza kazi katika Kenya wakati wa koloni 1966, 1960 mimi nilianza kazi mkono ya uthiru. Tangu siku ile wakati sina hata kazi, wakoloni walitulipa mshahara yetu shilingi thelathini na tatu. Ukiangalia mwaka thelathini na tano mbaka retire wakenya, msimamo yetu tangu Kenya ilipopata uhuru, haijaongezeka sisi kwa kuliko ya koloni sababa sisi tulifanya kazi miaka mingi wakati tulipata retire sisi na watu wa Northeastern, matata mingi ilianguka juu ya sisi na malipo yalimalizika na wakati tulipoenda retire, tulipewa pesa kidogo kama elifu hamsini hivi, na sisi tuko na watoto ishirini shuleni, tunashindwa kulipa karo na mali

ilienda na oppression njia ya Elwak sisi bado tuko msituni zaidi.

Interjection(Com. Isaac Lenaona): Utapenda nini?

Yusuf Abdow: Sasa sisi tunapenda Kenya iangalia haki yetu sisi tumefanya nayo kazi kwa mda mingi lakini uangalie kwa maisha yetu. Maskini si mzuri kutupwa kwa serikali yake. Sisi hatuwezi kulipa karo ya watoto wetu bila kupata mali na serikali yetu iangalie maisha yetu vile tunafanya kazi miaka mingi na ishindwe. Na pension yetu ni kitu kidogo, tena ile kidogo, tena hiyo kidogo sisi tunasafiri kila mwezi unakwenda kupata Mandera ama Wajia, wacha serikali yetu iwasilishe mambo hii yote. Thank you.

Com. Yano: Asante sana Yusuf. Ali Mohammed Sheikh. Lets just start.

Ali Mohammed Sheikh: Mimi ni Mr. Mohammed Sheikh, ninataka kuongea kwa niaba ya watu ya Shimbbir Fatuma Division which comes under Elwak Sub-District. Nafikiri kuna watu wengi ambao wanataka kutoa maoni yao, nataka niwape nafasi alafu sisi tuko na written memorandum kwa niaba ya watu wa Shimbbir Fatuma. Asanteni.

Com. Yano: Asante sana Ali. Alafu mwenye atakayefuata Ali ni Mohammed Molu Hassan. Mohammed Molu.

Com. Isaac Lenaola: Mohammed Molu Hassan

Mohammed Molu: Asalam Aleikum wanakenya.

Audience: Asalam Aleikum.

Mohammed Molu: Mimi ni mtu wa Badhiya.

Audience:*Affan Garri dhubbad*

Com. Yano: Tafadhalini mpe wakati aongee.

Mohammed Molu: (Garre dialect) *Ann warr badhiya yedde hinbekk, affan sawahili gudho himbekku.*

Translator: I come from the reserves which are in the outskirts of this town.

Mohammed Molu: (Garre dialect) *Waan dibb badhiya irra dhubbad yeddin.*

Translator: I would like to talk of the problem of the pastoralists who are living in the reserves.

Mohammed Molu: (Garre dialect) *dubbin tiyyallen gabbabthu yedd, himbeku wann gudho*

Translator: I would like to shorten also my views.

Mohammed Molu: (Garre dialect) *Laff taan gudho dibb it kabn yedd*

Translator: We have a lot of problems as pastoralists.

Mohammed Molu: (Garre dialect) *warri horri kaa malisho hundha nuu gugurdhat jirr yedd*

Translator: The pastoralists are the most affected by the hardships and the problems of the climate.

Mohammed Molu: (Garre dialect) *nullen wanti wananchi jirrun, horri yedd*

Translator: And our main economic, or anything like the farm, our everything is the animals, the livestock.

Mohammed Molu: (Garre dialect) *laff tann amm nammi said it tayy yedd*

Translator: The number of people has also increased.

Mohammed Molu: (Garre dialect) *malisho chuff laffa dabban yedd*

Translator: And the land as a result is no longer useful it is being overgrazed.

Mohammed Molu: (Garre dialect) *samani ddhurr nammu shemu uffi kabbb yedd*

Translator: And then every people used to have their own are to graze, every tribe or some tribe has got its own place to graze.

Mohammed Molu: (Garre dialect) *sehemu tann chuff lakkisan, warr sehemu kabbutt amm sehemu tann kess jirr yedd.*

Translator: Now because our area is better in terms of grazing, now people have moved in to our area.

Mohammed Molu: (Garre dialect) *wann laffa baatif wann mukkk irra bualle wall saman yedd.*

Translator: Now whatever grass that grows, or the whatever that grows as shrubs in the trees, there is competition because of the high number of people and animals.

Mohammed Molu: (Garre dialect) *hagg naam laff dhurr area issa it dhebissan, barr abbartin butt, namu waltihiffata, itt dhebisan feddan jedd.*

Translator: We would like, those who come to graze in our places to go back to their land, but during the drought, as pastoralists we have our own mode of grazing during the drought season, but with the other time when it is raining and the situation is not bad the people from arid areas should go back to their land.

Mohammed Molu: (Garre dialect) *warri wallin kubbat kunn tokkollen affan tokk himbek yedd*

Translator: Those people who live together something we do understand is language they speak.

Mohammed Molu: (Garre dialect) *lakkin wallin Islaam yedd*

Translator: They speak different language but they are Muslims.

Mohammed Molu: (Garre dialect) *dakkankiff herrikillen ammo takka niit*

Translator: But when it comes to custom and their culture there is some differences.

Mohammed Molu: (Garre dialect) *bissan dikko bokkay robb, it wall hinheshian jedd.*

Translator: The little water that is reserved from the rains, there is a bit of difference in it.

Mohammed Molu: (Garre dialect) *mukk bae ejju yoo abbartin buttu, herrki tenna mukkk himmuru, mukkk hindannu, kaa mukkk danne, maganda tan chuff daane horri kennut jirr yedd, kaa mukki goog.*

Translator: When there is a severe drought we do not cut trees, we do not peel off the cover, but we have few people who

come and cut our trees and peel off the cover that ends up the tree drying.

Mohammed Molu: (Garre dialect) *taan irrat marro chuff waldaban yedd.*

Translator: This is the cause of the conflict among ourselves.

Mohammed Molu: (Garre dialect) *Marro tokk qallaf himbau lollissi himbau yedd*

Translator: This cooperate has been long standing and it is also becoming continuous now.

Mohammed Molu: (Garre dialect) *barr abbarti kaa garr tokk bokkay robb nammu ha wall tikkatuti, barr kaan ammo haa sehemu uffit dhebiu yedd.*

Translator: So he says in short that I would like to recommend that during the rainy season that everybody graze in his land, but when it is drought and it is unavoidable, people now can share the resources.

Mohammed Molu: (Garre dialect) *Eshisi akkas challa duff yedd.*

Translator: That is when always there can be peace among the Garebs communities that graze together.

Mohammed Molu: (Garre dialect) *Guyya chuff rabot lollichat duff yedd amm.*

Translator: Everyday there are reports of fighting, rape or problems.

Mohammed Molu: (Garre dialect) *Wanni sunni dakkanki issa akk akk yedd.*

Translator: And this is not good for the communities that live together.

Mohammed Molu: (Garre dialect) *Assalam Aleykum, konko tiyy hagganumma*

Translator: Thank you very much.

Audience: *Koot wassigaffatani*

Com. Yano: Umesema kuwa eti kuna watu ambao wanakuja kuwasumbua kukata miti yenu, hawa ni wakenya ama sio wakenya, ni watu wa hapa, ama ni watu wa nje wanatoka nje kuja kuleta ngombe zao, au mifugo yao? Unaezatuambia ni nani?

Translator: (Garre dialect translation) *Warri horrin sii duffe, akkan mukken kess chirr, kaa akkan mukken kess fiqq, warr Kenya moo warr Kenya mitt, warr garramit, warr garrami duff yeddani*

Mohammed Molu: (Garre dialect) *Warrum Kenya kaa dhurr laff dakkat.*

Translator: This are Kenyans but we stay differently, maybe if I will clarify that, the point he is pushing is that we are Kenyans, we are Somalis but we belong into different sub tribes therefore, the other sub tribe is now encroaching on the other land during the dry season. This is what he is trying to mention.

Com. Yano: Thank you very much.

Com. Lenaola: Wewe ni Garre amma Degodia?

Translator: (Garre dialect) *Attin Garri moo Degodii sinjeddani.*

Mohammed Molu: (Garre dialect) *Garri*

Translator: And he says he is a Garre.

Com. Yano: Anayefuata ni Mohammed Ali, Mohammed Ali, Mohammed Ali Ahmed. Kama Mohammed hayuko, Maloow Abdullahi, Malo

Audience: Maloow

Com. Yano: Maloo Abdullahi

Interjection: That request I made, the request I made for Omar the old man. The one I wrote.

Com. Yano: Omar Ali, Omar Ali.

Interjection: Hebu uangalie vizuri Ahmed Ali au Mohammed Ali

Com. Yano: Mohammed Ali

Audience:(inaudible)

Omar Sheikh Ali: (Somali dialect)

Translator: I am called Omar Sheikh Ali or Omar Said Ali

Omar Sheikh Ali: (Somali dialect)

Translator: I am a businessman.

Omar Sheikh Ali: (Somali dialect)

Translator: We have got a lot of problems with the government of Kenya.

Omar Sheikh Ali: (Somali dialect)

Translator: People's animals have been killed and people have also been killed.

Omar Sheikh Ali: (Somali dialect)

Translator: Upto today there is nothing to be done to compensate them or even to tell them sorry.

Omar Sheikh Ali: (Somali dialect)

Translator: Now what you have been told is about some places like Malkamari or Garsasala, have been mentioned.

Omar Sheikh Ali: (Somali dialect)

Translator: But people have been killed within the towns like this ones.

Omar Sheikh Ali: (Somali dialect)

Translator: When the Somali came and the **shifting** movement started, some people even ran out of this country.

Omar Sheikh Ali: (Somali dialect)

Translator: People ran out of this country because of the government soldiers.

Omar Sheikh Ali: (Somali dialect)

Translator: What people saw as the government was the soldiers.

Omar Sheikh Ali: (Somali dialect)

Translator: When immediately we got independence the Kenya came and started killing people all everywhere.

Omar Sheikh Ali: (Somali dialect)

Translator: People have and animals have also been killed.

Omar Sheikh Ali: (Somali dialect)

Translator: People have also been killed.

Omar Sheikh Ali: (Somali dialect)

Translator: We have also stayed with the colonial regime.

Omar Sheikh Ali: (Somali dialect)

Translator: The colonial government used to tax the locals, but they never used to kill the people.

Omar Sheikh Ali: (Somali dialect)

Translator: And also they used to create market for the livestock of the community.

Omar Sheikh Ali: (Somali dialect)

Translator: They used to do what is called livestock marketing Division L and D and there used to be a meat supply where they used to sell their meat.

Omar Sheikh Ali: (Somali dialect)

Translator: Every year we used to have three markets in a year, that is every year free season there is a market.

Omar Sheikh Ali: (Somali dialect)

Translator: The animals now instead have been killed.

Omar Sheikh Ali: (Somali dialect)

Translator: The remaining have either been killed by drought or there is no market for them.

Omar Sheikh Ali: (Somali dialect)

Translator: The people have been told to start Schools, people have started Schools but there is no money to go and educate up to secondary Schools.

Com. Yano: Muulize pendekezo lake ni nini. He is giving all problems but he is not giving us any recommendations.

Omar Sheikh Ali: (Somali dialect)

Translator: Recommendation he says that all those who have animals and people who have been killed they should be compensated by the government.

Omar Sheikh Ali: (Somali dialect)

Translator: We have also been marginalized, we have been handled like those people who are like non Kenyans.

Omar Sheikh Ali: (Somali dialect)

Translator: We have been given cards which other Kenyans do not have.

Omar Sheikh Ali: (Somali dialect)

Translator: And people say we are Kenyans.

Omar Sheikh Ali: (Somali dialect)

Translator: We would like that screen card to be abolished.

Omar Sheikh Ali: (Somali dialect)

Translator: The ruling party was KANU and it was KANU that has created all this problems.

Omar Sheikh Ali: (Somali dialect)

Translator: Whatever has finished our animals and people have been in the ruling party.

Omar Sheikh Ali: (Somali dialect)

Translator: We would like all those laws that are oppressive, which have been old to be removed.

Omar Sheikh Ali: (Somali dialect)

Translator: We are fearing now that there is a Constitutional change going on, we are fearing that there might be election before you complete your work.

Omar Sheikh Ali: (Somali dialect)

Translator: We would like a new Constitutional order before elections.

Omar Sheikh Ali: (Somali dialect)

Translator: If that is not done it means the same problem will continue.

Omar Sheikh Ali: (Somali dialect)

Translator: We would like the government to establish for us markets, both locally, regionally and internationally.

Omar Sheikh Ali: (Somali dialect)

Translator: That is my main issues I would like to raise.

Com. Yano: Thank you very much. Asante sana. Anayefuata ni Maloo Abdulahi. Mohammed ako Mohammed Ali Ahmed

Mohammed Ali Ahmed: *Asalam Aleykum, Warhamatullahi*

Translator: Amewasalimia

Mohammed Ali Ahmed: (Garre dialect) *Waan gudho hindhubaddu, wanuum gabbathu wa sathii dhubbada*

Translator: I would like to mention three things.

Mohammed Ali Ahmed: (Garre dialect) *Makkan kiyy Mohammed Ali Ahmed*

Translator: I am Mohammed Ali Ahmed.

Mohammed Ali Ahmed: (Somali dialect)

Translator: I live in the reserve and now I am 70 years old.

Mohammed Ali Ahmed: (Somali dialect)

Translator: All this 3 years, I've been looking after the 3 types of livestock that is the camel, goats and sheep and also cows.

Mohammed Ali Ahmed: (Somali dialect)

Translator: I would like to mention problems related to the animals I look after.

Mohammed Ali Ahmed: (Somali dialect)

Translator: Our biggest threat is coming from wildlife.

Mohammed Ali Ahmed: (Somali dialect)

Translator: We have nothing to use to protect ourselves against.

Mohammed Ali Ahmed: (Somali dialect)

Translator: Whatever that the wildlife has been killing there is no compensation.

Mohammed Ali Ahmed: (Somali dialect)

Translator: Either the government has to auction or given us not to kill the wildlife or they protect the wildlife against us or they compensate us.

Mohammed Ali Ahmed: (Somali dialect)

Translator: The second thing again we are pastoralists.

Mohammed Ali Ahmed: (Somali dialect)

Translator: We have children.

Mohammed Ali Ahmed: (Somali dialect)

Translator: Our children stay in the bush.

Mohammed Ali Ahmed: (Somali dialect)

Translator: We have no contact with the towns.

Mohammed Ali Ahmed: (Somali dialect)

Translator: We would like the government to establish for us mobile Schools, that will adapt the culture and aspiration of the nomads.

Mohammed Ali Ahmed: (Somali dialect)

Translator: We really need that very seriously.

Mohammed Ali Ahmed: (Somali dialect)

Translator: The third one is the livestock in the reserves are dying with thirst because of lack of water.

Mohammed Ali Ahmed: (Somali dialect)

Translator: Animals are dying in large numbers because of lack of water.

Mohammed Ali Ahmed: (Somali dialect)

Translator: There are no good dams.

Mohammed Ali Ahmed: (Somali dialect)

Translator: Where there are wells there is no proper even facility like engines and the like.

Mohammed Ali Ahmed: (Somali dialect)

Translator: If you are Kenyans and we belong to this community of Kenya, then we would like those 3 issues I raised to be addressed seriously.

Mohammed Ali Ahmed: (Somali dialect)

Translator: Dams should be dug for us.

Mohammed Ali Ahmed: (Somali dialect)

Translator: We need engines for our wells.

Mohammed Ali Ahmed: (Somali dialect)

Translator: The nomad child should also get a mobile School.

Mohammed Ali Ahmed: (Somali dialect)

Translator: That is my appeal to the Commission.

Com. Yano: Asante sana Mohammed. Maneno hayo ni mazuri kabisa. Tafadhali jandikishe kule. Mwenye anayefuata ni Maloo Abdulahi yuko ametoka, Maalimu Mstaf Mohammed. Kama huyo hayuko Ibrahim Hassanow Osman Hasanur.

Audience:(inaudible)

Com. Yano: Tulia tafadhali ili naye apate kutupatia maoni yake. Alafu mwenye atafuata ni Hussein Abdi Mohammed na wewe, jitayarishe.

Ibrahim Hassanow Osman: Asalam Aleikum.

Translator: Amewasalimia

Ibrahim Hassanow Osman: (Garre dialect) *Annin dhubbin tiyy diqgo yeddin*

Translator: I will be very brief.

Ibrahim Hassanow Osman: (Garre dialect) *Makkan kiyy Ibrahim Hassanow Osman*

Translator: Ibrahim Hassanow Osman

Ibrahim Hassanow Osman: (Garre dialect) *Marka amm annin wann diqgo dhubbada*

Translator: I'll be very brief

Ibrahim Hassanow Osman: (Garre dialect) *Nuu warr Elwak*

Translator: We are locals of this town called Elwak.

Ibrahim Hassanow Osman: (Garre dialect) *Dowwladhi sadhi gath marr*

Translator: We went through 3 different governments.

Ibrahim Hassanow Osman: (Garre dialect) *Ingiressa gath marr*

Translator: We came we set a colonial government.

Ibrahim Hassanow Osman: (Garre dialect) *Kanyyata gath marr*

Translator: We went through Kenyatta regime.

Ibrahim Hassanow Osman: (Garre dialect) *Amm Moi ejjin*

Translator: We are currently Moi's regime.

Ibrahim Hassanow Osman: (Garre dialect) *Yoo dhowlathin chuffman laff tenn kess waa kabbatin dibbayu?*

Translator: If all those three regimes have neglected our region is this not a problem?

Ibrahim Hassanow Osman: (Garre dialect) *Ingerresan, chiddan kenn hidde muakkat hidden hidde nuu birra dhemm.*

Translator: The Colonial tied out testicles to the tree and left us.

Ibrahim Hassanow Osman: (Garre dialect)

Translator: Kenyatta came later

Ibrahim Hassanow Osman: (Garre dialect) *Kanyatta hinturreyyu hindhui.*

Translator: After sometime he passed away.

Ibrahim Hassanow Osman: (Garre dialect) *Amm Moi kess ejjin.*

Translator: Now we are 20 years of Moi era.

Ibrahim Hassanow Osman: (Garre dialect) *Eggi inni ketti irr teffat dibb malle, takk deffey hinaggarn.*

Translator: Since he came to the power, we have only been testing problems there is not even one day we got grace.

Ibrahim Hassanow Osman: (Garre dialect) *Wann issan marrakti*

Translator: One clear evidence.

Ibrahim Hassanow Osman: (Garre dialect) *Karran kenn armaff Nairobi yiddhu takka lammi hinargann.*

Translator: The road from here to Nairobi is untarmacked and it is bad shape.

Ibrahim Hassanow Osman: (Garre dialect) *Ell hinkabn*

Translator: We have no wells.

Ibrahim Hassanow Osman: (Garre dialect) *Sgull hinkabn*

Translator: The Schools are collapsing.

Ibrahim Hassanow Osman: (Garre dialect) *Yoo issan sgull kess battan silla hindettan*

Translator: If you see our Schools you will even run away.

Ibrahim Hassanow Osman: (Garre dialect) *harralle hinkabn*

Translator: We have no dams.

Ibrahim Hassanow Osman: (Garre dialect) *Hatta Jiffalle hinkabn*

Translator: We even don't have Chiefs, elders.

Ibrahim Hassanow Osman: (Garre dialect) *nuu amm wann nuu feenuu*

Translator: What we would like,

Ibrahim Hassanow Osman: (Garre dialect) *Sharri amm hinbedhellen yeddani duffanin tanna*

Translator: This new restriction and this Constitutional Review you have in place.

Ibrahim Hassanow Osman: (Garre dialect) *Taa abtigi kabth*

Translator: We really support you and we like it.

Ibrahim Hassanow Osman: (Garre dialect) *Daggetta*

Translator: Clear, are you hearing.

Ibrahim Hassanow Osman: (Garre dialect) *dhubb nuu amma, sharri am beddelan taan*

Translator: This new Constitution that you are writing.

Ibrahim Hassanow Osman: (Garre dialect) *irra abtigi kabn.*

Translator: We are really supporting it.

Ibrahim Hassanow Osman: (Garre dialect) *hagg dhurri kaan tokkole womma harka hinkabn*

Translator: It is like it is a new door, the rest has been just in the dark.

Ibrahim Hassanow Osman: (Garre dialect) *Yoo rabbin gudhan haqqi keen nuu gath baas*

Translator: Now that you are going to give us our rights.

Ibrahim Hassanow Osman: (Garre dialect) *nullen yoo hagg gath marr haqqi tenn hinargattin*

Translator: That we have not gotten our rights from 3 different year regimes.

Ibrahim Hassanow Osman: (Garre dialect) *Kaa nuu adhallum kannat hobban*

Translator: We have just been getting problems here all throughout.

Ibrahim Hassanow Osman: (Garre dialect) *Wann att bettun sitima hinkabn*

Translator: We don't have even electricity.

Ibrahim Hassanow Osman: (Garre dialect) *Wanni addunya kaa nuu laff taan kessa kabn guya kaan hinjirt*

Translator: There is nothing that we can say that we look like other Kenyans.

Ibrahim Hassanow Osman: (Garre dialect) *Hatta minni kullen kennamit*

Translator: Even the house we are using is not ours.

Ibrahim Hassanow Osman: (Garre dialect) *warr tokkot armat ijare birra yae*

Translator: It is the Japan government that left it away.

Ibrahim Hassanow Osman: (Garre dialect) *nuu amm womma tokkole arm kessa hinkabn*

Translator: We are just like destitute we are poor we have nothing.

Ibrahim Hassanow Osman: (Garre dialect) *sharri himbedhellan yeddani,*

Translator: If you are going to change the Constitution.

Ibrahim Hassanow Osman: (Garre dialect) *sharri wann beddellan taan yoo issin baddhi, amm wann nuu fenn, sharri taan raatigi kabnn*

Translator: We would like this new Constitution to address issues that are...

Ibrahim Hassanow Osman: (Garre dialect) *Akk sharrin tunn dhubb yo nuu ratigi kabn, nuu deffe kessa argan*

Translator: With new Constitution should now guarantee us some assistance some special considerations.

Ibrahim Hassanow Osman: (Garre dialect) *kaa waa nuu kabbatan*

Translator: You must bring some development in this region.

Ibrahim Hassanow Osman: (Garre dialect) *Nammi laff tanna hinjirru bekk ya dumme*

Translator: There is nobody else who is going to safe this situation other than yourself.

Ibrahim Hassanow Osman: (Garre dialect) *Armaff Ethiopia yiddhu bissan hinjirran*

Translator: From here to Ethiopia the situation is even worse.

Ibrahim Hassanow Osman: (Garre dialect) *Armaff Wajeer jidhu bissan hinjirran*

Translator: There is no water between here and Wajja.

Ibrahim Hassanow Osman: (Garre dialect) *Yoo bissan dummatan arm gath rebbani, armalle yoo duffan, gallani hinjiru,*

ell tokkot kessat chittan

Translator: We have only 2 major wells and now when there is drought everybody will now concentrate on the major wells.

Ibrahim Hassanow Osman: (Garre dialect) *Dibb guthatt harka nuu kabb*

Translator: There is a big problem.

Ibrahim Hassanow Osman: (Garre dialect) *yoo sharrin amm guyya kaan gath beddellan issin laa gull dhemne*

Translator: We are going to support you all throughout in your mission to change the laws.

Ibrahim Hassanow Osman: (Garre dialect) *sharrin sunnin annuman mullat*

Translator: Please bring new laws that will bring a change and give us some respite.

Ibrahim Hassanow Osman: (Garre dialect) *Tann dinti Islanna*

Translator: The other one is on Islamic sharia.

Ibrahim Hassanow Osman: (Garre dialect) *taa Islanaa dhubb gul dhemn, tenn ballessu hindhadhen*

Translator: We are Muslims and we cannot forsake our religion.

Ibrahim Hassanow Osman: (Garre dialect) *dub tenna tanle, wann nuu feen hagg nu dhinti tennale gul dhemn, kaa sharrii amm gath bussan kannale nuu gul dhemnu, haggan kabna hoo.*

Translator: We will follow that, we would like us to be governed on the Islamic law and we also support the Constitutional order.

Ibrahim Hassanow Osman: (Garre dialect) *Mark amm issan, Sallam Alleykum, Aleykum Sallam.*

Translator: Thank you very much for listening.

Com. Yano: Kuna swali mzee, tafadhali ngoja hapo kidogo.

Com. Baraza: Asante mzee. Tumesikia maombi yako na tutajaribu. Ile swali mimi ninataka kuuliza, iko kitugani upande huu ambayo unaweza kusema serikali ilifanya. Iko nini?

Translator: (Garre dialect translation) *Wann sii gaffattani, laff taan kessa hagg Sirkali duffe, wanti issin laa issan kabbat yette himmu dhandhet manni yeddani.*

Ibrahim Hassanow Osman: (Garre dialect) *Wanti adunya ka issin nuu kabath hinjirt yedd.*

Translator: There is nothing that we can say that the government has done for us.

Ibrahim Hassanow Osman: (Garre dialect) *Wann nuu qutt malle, waan nuu hobbaft malle wanni issin nuu kabbatte hinjirru.*

Translator: If we weigh the two we add more problems in terms of destruction date, and even oppressive laws than the benefits we got from it.

Ibrahim Hassanow Osman: (Garre dialect) *Ingerressa gath billai*

Translator: From the colonial time.

Ibrahim Hassanow Osman: (Garre dialect) *kolloni sunn dhurr teet ammale, dirr kess teet*

Translator: The same colony is still persisting.

Ibrahim Hassanow Osman: (Garre dialect) *taa Kanyattat arm gath teffat*

Translator: The Kenyatta colony persisted.

Ibrahim Hassanow Osman: (Garre dialect) *taa Moit arm gath teffat*

Translator: The Moi colony is still persisted.

Ibrahim Hassanow Osman: (Garre dialect) *wanti addunya ka dowlathin nuu kabbateyyu hinjirtu, lafti sitima hinkabn, ta bissan hinkabn taa karra hinkabn, laffa?*

Translator: There is nothing today we can say we can appreciate because there is no road, there is no electricity, there is no water, we are still destitutes.

Ibrahim Hassanow Osman: (Garre dialect) *yaa buffad*

Translator: I am through.

Com. Yano: Asante sana. Hassan. Halafu anayefuata nilikuwa nimesema ni Hussein Abdirahman. Hussein Abidrahman. Ameenda, Haji Hassan Omar – Ameongea. Sheikh Isaack na atafuatwa na Mohammed Ibrahim. Mohammed Ibrahim tafadhali jitayarishe.

Sheikh Isaack Musa: (Garre dialect) *Makkan kiyya Isaac Musa naan yeddin.*

Translator: My names are Sheikh Isaack Musa.

Sheikh Isaack Musa: (Garre dialect) *Hujjin tiyya Madrassatul Rawda ann maalinki*

Translator: I am a Madarasa to chat a place called Madarasatul Rawda in Elwak.

Sheikh Isaack Musa: (Garre dialect) *Wannti ann irra dhubbachu fedd first halithi madrassa irra dubachu fedd.*

Translator: Foremost, I would like to address issues concerning madarasa education.

Sheikh Isaack Musa: (Garre dialect) *Mann yennan Sirkal kenn ka Kenya wann inni zaidi konsacha kabb, skull challa hokkonsacha kabba lakin dinna tenn taa islana kubb hinkabbu.*

Translator: Because the government of Kenya recognizes the secular institutions and they don't recognize the madarasa education.

Sheikh Isaack Musa: (Garre dialect) *Dhubb wann ann irra dhubbachu fedd, Madrassa tenn ta Islama hagg issan, kubb kabbatan amalle financille kennanif.*

Translator: Therefore, I would like the government to recognize the madarasa education just like they recognize the secular education.

Sheikh Isaack Musa: (Garre dialect) *Hagga yaani Primary irra billawat hagg University hagg yaani finance kennanif, taa maaliminti issi besse bassanif.*

Translator: And that the madarasa education should be financed by the government from Primary to university.

Sheikh Isaack Musa: (Garre dialect) *hatta yaani maalimitti dukksille, taa haffidhille kessat dhuksi harka kabdhulle hagg issille qarqarran, dowladhin.*

Translator: We have what is called Koranic Schools which are informal, and we would like the government also to support those teachers of the Koranic Schools.

Sheikh Isaack Musa: (Garre dialect) *Taa lamesso waan ann irra dhubbachu feed, waan karrayu olomithin gath dhubbate, Kadhidhi issi irra dhubbachu fedd.*

Translator: The second issue I would like to address is the Kadhis issue.

Sheikh Isaack Musa: (Garre dialect) *Kadhin hagg yaani inni sirkali derejja kamil inni kennuff.*

Translator: We would like the government to recognize the Kadhi just like they recognize other courts.

Sheikh Isaack Musa: (Garre dialect) *Hagg ammale kadhin nuu qorran, inni Khadhi ullunti fulla it gai, University Level hagg inni kabb.*

Translator: But the Kadhi that the government is going to appoint should be somebody well educated especially in Islamic education to university.

Sheikh Isaack Musa: (Garre dialect) *Sirkalli kennalle waan yaani shariaan tenn kabthu, hagg inni yaani wawarran, yoo kaan inni dibb itt hingesffan.*

Translator: That the government shall recognize that Muslims have their own laws and they should be respected so that they can continue living by their laws.

Sheikh Isaack Musa: (Garre dialect) *Ammale taa dibbin ann irra dhubbachu fedd wanni zaid laff kess jirra wann yeddannin zinna.*

Translator: The other issue I would like to address is moral issues.

Sheikh Isaack Musa: (Garre dialect) *Yaani waan dinna tenn ta Issalannatin, hagg yaani Kadhin hojja inni hukkumme zinna sunn irra, naam hojja inni zineisat, kaa dhurran uwwolle inni fuddad dinna islanatin hijjessan.*

Translator: And that if somebody is married and he fornicates we would like the religious not to take his place that he should be stoned to death.

Sheikh Isaack Musa: (Garre dialect) *yoo inni ammo namm takk uwolle hinfuddini, taa hagg licho dibba dawwan.*

Translator: If he is an adultery and he is not married, he should be given 100 canes according to Islamic sharia.

Sheikh Isaack Musa: (Garre dialect) *taa dibbin taa ann irra dhubbad wann yaani maaskaathi beddel, taa karra irra gath dhubbatan, taa akk mirra, taa akk qamr, warri amm qamri faa gurgur ka laff tenn kessat lessan kennanif, hagg laff tenn kessa ejachissan ta North Eastern.*

Translator: On the same I would like to address the issue of drugs and antoxicans like miraa, like beer and even other drugs. We would like all forms of sale and purchase of those drugs to be burned.

Sheikh Isaack Musa: (Garre dialect) *Kaa dibbin yaani, yoo nuu warr North Eastern taat, kabande argachut hinjir.*

Translator: If you are people of this region, we have a problem with citizenship, and acquiring of ID cards.

Sheikh Isaack Musa: (Garre dialect) *maan yennan, amm kabande tenn, wann itt hida kabthu screening card itt hidda kabth.*

Translator: To acquire an ID card means there are certain conditions that are difficult to fulfil for example producing a screening card.

Sheikh Isaack Musa: (Garre dialect) *Screening cardillen wann Sirkal hojja issin balletu, yoo kaan issin naam irra chichit namma libbu nit*

Translator: The unfortunate thing about screening card is that there is no replacement or there is no where you can go and report about it.

Sheikh Isaack Musa: (Garre dialect) *Dhubb waan nuu fenn hagg screening card issin nurra ejjat.*

Translator: Therefore, I propose that the government abolishes what is called screen card or any condition that cannot be made by citizens.

Sheikh Isaack Musa: (Garre dialect) *School keen kaa dowladhi wanti akrifacchu daddabanif, besse zaid oll jirr.*

Translator: Parents are unable to educate the children because of the high cost of education today.

Sheikh Isaack Musa: (Garre dialect) *Laff tennalle wanti kess kubbata qolle*

Translator: The people of this region are mainly poor and pastoralists.

Sheikh Isaack Musa: (Garre dialect) *Dhubb wann nuu zaid dowlathi Kenya othki itt geffanu, hagg issin education issin free nutochitu Primary hagg University.*

Translator: That I would like to propose to the government through the Commission, that free education be provided specifically to the pastoralist society.

Sheikh Isaack Musa: (Garre dialect) *Tanni, bolisi laff tenna amale akkum gaff dhurri kolonin jirt kaan ammale ukoloni nutt harka kabb.*

Translator: The other issue I would like to talk about is the police. The police are just as the colonial system of police is still maintained in this region.

Sheikh Isaack Musa: (Garre dialect) *mann yennani, polisi hojja naam kabb, namm kaan waan kabbatuff sharia kamillalen hinkabbu, madhalimika maakamathille hingessu, dhubbi hagg karr irra nyattan, hagg lalush bassanit, mudda gudho yaani naam kanna cellum kess kekahani yalla bahhan.*

Translator: The police always arrest people without an arrest warrant, they also frustrate people before even they take them to court, and there is also extortion, there is a lot of bribe they request for and therefore, the police has become more of a problem than a solution.

Sheikh Isaack Musa: (Garre dialect) *hagga barrier amm kutoka Garrisatif Mandera lamman jirtulle hagg nurra dhullian.*

Translator: We have police barriers from Garissa to Mandera, we like all this barriers abolished and cleared.

Com. Yano: Dakika moja

Sheikh Isaack Musa: (Garre dialect) *Ammale ijolle oggontille hagg sirkal nuu kubb kabbat*

Translator: There are orphans we have a good number of orphans in a community and we would like the government to assist them.

Sheikh Isaack Musa: (Garre dialect) *mann jennan ijolle oggonti tanniyyu dibb kabthi qollumaff abbotin diib itt marte, taa ammo abba hinkabni taa ollonti daabthe, garr dinna Islamatti tabarti hinkabbne, taa garr dhowlathile karkars hinkabne taa akkan tannat jirr*

Translator: If the rest those who have fathers are unable to get education, what about the orphan who has nobody to care for them. So we would like a special provision, in this needs dispensation that will cater for this orphans.

Sheikh Isaack Musa: (Garre dialect) *Mooni tiyy hagganuma Salaam Aleykum.*

Translator: I am very grateful and thank you so much.

Com. Yano: Yule anafuata nilisema ni Mohammed Ibrahim, alafu pia kuna mwalimu na Isaack Hassan tafadhali jitayarisho uko hapo. Mohammed Ibrahim tafadhali.

Mohammed Ibrahim: Mimi ninaitwa Mohammed Ibrahim.

Mohammed Ibrahim: (Garre dialect) *Wanni aan irra dhubbachu feddu, waan badhia iyo wann belledha walti jirra*

Translator: I am called Mohammed Ibrahim and I would like to address issues on pastoralists and also the town dwellers.

Mohammed Ibrahim: (Garre dialect) *Nuhinni laff taan gaff dhurii kolony harka kabba, baada kolony, issi sharia waan itt dharran fennu, sharia ammantan issi zaid irra fainnat fenn karr.*

Translator: We have been going throughout, we have been colonized, we would to benefit from this new Constitution that we are making.

Mohammed Ibrahim: (Garre dialect) *waani complain kaani dhubbad hinjirti yeddin kaa amman tanna, hagg dhabru.*

Translator: I don't like to complain about the past.

Mohammed Ibrahim: (Garre dialect) *Wanni ann irra dhubbachu fedd waan gath dhemma.*

Translator: My concern is about the future.

Mohammed Ibrahim: (Garre dialect) *Nuhhin okolony nugath hukkumme, baada ukolonille, ukolloni kaan mpaka amman tanna hinjir*

Translator: Well, we have had a very bad experience with the colonial which has been extended today.

Mohammed Ibrahim: (Garre dialect) *Warr North Eastern yoo nuu taan badoukolony hinjirr*

Translator: As Northeastern community we are still under colony.

Mohammed Ibrahim: (Garre dialect) *Mufano wann si argarsifttu hagg yaaani nuu karra hinkabni, warr garri kaa Kenya locationlen karra kabb.*

Translator: What we are saying the main highway we have is not tarmacked and yet if you go to the other Kenyans even the villages are tarmacked.

Mohammed Ibrahim: (Garre dialect) *laff dub sidha uween intas hoo kilometer ee hagg laff tenn fulla college jirt hinjir.*

Translator: While we have the largest province, we do not even have one established institution living college by the government.

Mohammed Ibrahim: (Garre dialect) *hagg yaani ijolle teen University hinaggarne sababti akkrissa hammema*

Translator: Due to the low level of education and the poor standards of education, our children do not even qualify to universities.

Mohammed Ibrahim: (Garre dialect) *Wann zaidi, zaidi harka nuu kabba diggudhai ukolony nuu lakisse bado nuu fullum tanti hinn karr.*

Translator: Because of the oppressive laws and the colonial legacy that was left by all the regimes, we are now the most undeveloped community in Kenya.

Mohammed Ibrahim: (Garre dialect) *Administration wann irre zaida, taa zaida Assistant Chief issa awodhe raisi*

hinkabn kabh taa laff tanna.

Translator: The Provisional Administration right from the local Chief to the PC, have just the power of the President, they are so powerful.

Mohammed Ibrahim: (Garre dialect) *Anaka ukolony laga so balawo malinti Ingiriski gurai upto leo harka nuu kabba, kipande mexeleney, birth certificate mexeleney, passport mexeleney, scholarship mexeleney, college mexeleney waxas quli ina melna rabna.*

Translator: If the Constitution is going to address all the issues I have mentioned, we would like a Constitution that will make easy for us to get an identity card, we would like a Constitution that will make it easy for us to acquire a passport, a Constitution that guarantees scholarship for our children, a Constitution that will support us in terms of even establishment of higher learning institutions like colleges and universities. This is what he is trying to mention.

Mohammed Ibrahim: (Somali dialect)

Translator: Another discriminatory thing I would like to mention is the screen card, that is only exception for the Somali community.

Mohammed Ibrahim: (Somali dialect)

Translator: The Kenya government as much as it would like to identify who is a Somali Kenyan and who is a Somali Somalia, they have been unable.

Mohammed Ibrahim: (Somali dialect)

Translator: It is not a problem that is a problem of the government. The government should not use its own weakness to start harassing us by giving us discriminatory cards called screen cards.

Mohammed Ibrahim: (Somali dialect)

Translator: And therefore, he says since the government is not able to control immigrants or outsiders, I propose majimbo system, so that we can use our own laws our own identity, and we know who is who and we can be able to control immigrants or influx from other countries.

Mohammed Ibrahim: (Somali dialect)

Translator: And that is the much I would like to talk about the colonial legacies.

Mohammed Ibrahim: (Somali dialect)

Translator: We are pastoralists.

Mohammed Ibrahim: (Somali dialect)

Translator: That is our shamba, we don't have farms here.

Mohammed Ibrahim: (Somali dialect)

Translator: We would like the government to recognize pastoral economy, just like it recognizes the agricultural economy. He says for example the coffee has a board, he talks of pyrethrum has a board, tea has a board, sugar, so we would like the government also to recognize the pastoral economy, just like it emphasizes the agricultural economy.

Mohammed Ibrahim: (Somali dialect)

Translator: If the government wants us to go out of poverty, then they must create market for our livestock.

Mohammed Ibrahim: (Somali dialect)

Translator: If there is no market for this animals then they would die because of the droughts.

Mohammed Ibrahim: (Somali dialect)

Translator: Wajia we have got an international airport.

Mohammed Ibrahim: (Somali dialect)

Translator: Leave alone, slaughtery even the airport can provide facility for the animals to be alifted.

Mohammed Ibrahim: (Somali dialect)

Translator: We would like you to include this on the new Constitution, the marketing of our animals both locally, regionally and internationally, so that we can go out of this poverty.

Mohammed Ibrahim: (Somali dialect)

Translator: We do not have rich land here.

Mohammed Ibrahim: (Somali dialect)

Translator: We used to have what is called boundaries, local boundaries or the regional boundaries.

Mohammed Ibrahim: (Somali dialect)

Translator: Now there is no rich land, there is no traditional boundary, there is a confusion.

Mohammed Ibrahim: (Somali dialect)

Translator: Since we are livestock owners and livestock keepers.

Mohammed Ibrahim: (Somali dialect)

Translator: There is no peace or there is no interest in accumulation of large animals in grazing small area, and then people you know raising conflicts as a result.

Mohammed Ibrahim: (Somali dialect)

Translator: There is no peace in that.

Mohammed Ibrahim: (Somali dialect)

Translator: There is going to be livestock stealing.

Mohammed Ibrahim: (Somali dialect)

Translator: There will be killings.

Mohammed Ibrahim: (Somali dialect)

Translator: There will be rape.

Mohammed Ibrahim: (Somali dialect)

Translator: That has been brought about by lack of boundary or control.

Mohammed Ibrahim: (Somali dialect)

Translator: This is the problem of the pastoralists who are always on move.

Mohammed Ibrahim: (Somali dialect)

Translator: The town is at peace.

Mohammed Ibrahim: (Somali dialect)

Translator: We would like in the new Constitutional dispensation a rule that the pastoralist are controlled, aggression is controlled and people are starting to establish boundaries.

Mohammed Ibrahim: (Somali dialect)

Translator: One time it happened that the people of Elwak moved up to Isiolo.

Mohammed Ibrahim: (Somali dialect)

Translator: Those people were chased away, their animals were destroyed and they came back poor.

Mohammed Ibrahim: (Somali dialect)

Translator: Some of them went as far as Nanyuki and it was so cold and the animals died because of the cold.

Mohammed Ibrahim: (Somali dialect)

Translator: Others shifted from here through Ukambani to Mombasa.

Mohammed Ibrahim: (Somali dialect)

Translator: We would like the government to control the pastoralists and therefore should be in the new Constitution.

Mohammed Ibrahim: (Somali dialect)

Translator: I have completed that.

Mohammed Ibrahim: (Somali dialect)

Translator: My final word will be on Islamic law.

Mohammed Ibrahim: (Somali dialect)

Com. Yano: Saa tafadhali

Mohammed Ibrahim: (Somali dialect)

Translator: I would like you to add me one extra minute.

Mohammed Ibrahim: (Somali dialect)

Translator: We are Muslims.

Mohammed Ibrahim: (Somali dialect)

Translator: We have also others who are not Muslims who are also Kenyans.

Mohammed Ibrahim: (Somali dialect)

Translator: We would like our religion to be respected and recognized.

Mohammed Ibrahim: (Somali dialect)

Translator: Kenya does not respect and recognize other religions.

Mohammed Ibrahim: (Somali dialect)

Translator: A good example,

Mohammed Ibrahim: (Somali dialect)

Translator: While other courts are well established, Muslim courts are not well established.

Mohammed Ibrahim: (Somali dialect)

Translator: We would like a structure established up to the high court and even Chief Justice.

Mohammed Ibrahim: (Somali dialect)

Translator: Yes

Mohammed Ibrahim: (Somali dialect)

Translator: If that doesn't happen, then it is not going to be easy to manage things.

Mohammed Ibrahim: (Somali dialect)

Translator: Somebody is going to kill another.

Mohammed Ibrahim: (Somali dialect)

Translator: And is going to deny.

Mohammed Ibrahim: (Somali dialect)

Translator: And that is the end of the whole thing.

Mohammed Ibrahim: (Somali dialect)

Translator: Somebody is going to rape a girl.

Mohammed Ibrahim: (Somali dialect)

Translator: And that is the end of the whole thing.

Mohammed Ibrahim: (Somali dialect)

Translator: That can bring to an end all those bad practices that establishment of Islamic sharia.

Mohammed Ibrahim: (Somali dialect)

Translator: Islamic law requires,

Mohammed Ibrahim: (Somali dialect)

Translator: If a lady is killed.

Mohammed Ibrahim: (Somali dialect)

Translator: You must pay 50 camels

Mohammed Ibrahim: (Somali dialect)

Translator: If a man is killed

Mohammed Ibrahim: (Somali dialect)

Translator: You will pay 100 camels.

Mohammed Ibrahim: (Somali dialect)

Translator: If somebody rapes a woman

Mohammed Ibrahim: (Somali dialect)

Translator: If he is a man and he is not married, he will be killed.

Mohammed Ibrahim: (Somali dialect)

Translator: If he is married,

Mohammed Ibrahim: (Somali dialect)

Translator: He has to be killed.

Mohammed Ibrahim: (Somali dialect)

Translator: This is the only way that you can bring peace into this community.

Mohammed Ibrahim: (Somali dialect)

Translator: We would like the government to strengthen the Islamic education, Islamic madarasa, Islamic structures, so that the Islamic law can be institutionalized.

Com. Yano: Asante sana Bwana Ibrahim, tafadhali wacha mwingine, tafadhali tuko na karibu sasa watu mia mbili, watataka kupatiana maoni yao, tujaribu kutumia nyakati vizuri ili kila moja wetu apate kuongea. Asante sana Bwana Ibrahim kuja ujiandikishe. Isaac Hassan, halafu Rahma Mohammed tafadhali uwe tayari.

Isaac Hassan: I will start my name is Isaac Hassan Hapicha Adawa. I will start presenting my opinion starting from the legislature.

Com. Yano: And I can see you have a written memorandum you can finest matters. Main issues.

Isaac Hassan: Members of Parliament should be graduates, whoever is to be elected as a Member of Parliament should be graduates. All officials in Parliament should be elected by the Parliament themselves. Parliament powers should be limited to control its own procedures through a standing order. Age requirement for becoming a President should be reduced from 35 years of age to 30, while that of an MP should be retained. Person vying for Parliamentary seat should be tested or undergo the language test vigorously and should be able to address mass of people through public rallies and public media and thus be voted on by the people.

Moral and ethical qualification should be paramount, MPs should be clean from sex scandal, defilement and graft. MPs should present the view of their Constituents and must be respected by the house.

Supreme court should determine the salaries and benefits of MPs. Parliamentarian should abide by the rules and regulation of the Parliament and anyone who infringes should be suspended, expelled i.e. sit declared vacant. President tenure should be fixed and made 2 terms. Presidents should not be above the law though should enjoy some privilege e.g. pardoning. Votes of no confidence should be declared against the President if he involves misconduct e.g. sex scandal. Provinces should have power to dissolve Parliament or suspend it for sometime. Kadhis court should be given equal privileges to rule out cases at all levels. Judiciary should be appointed according to their qualification and should have the degree in laws.

On local government, mayors and councillors as one of my colleagues has said earlier, should be elected by the people directly. Elected councillors should be educated and should be above form four. Councillors should be fluent in both languages that is English and Kiswahili. The court should determine their terms and benefits. For an electoral system and process, the President election should be supported by at least 25%, 25 Provinces of Kenya. Whoever fails to be nominated in one party should not switch to other parties. Election date should be specified in the Constitution.

On basic rights, the Constitution should give or provide equal basic rights to all Kenyans, such as security, health care, water, food, employment, and education. On security, the Constitution should provide the life of an individual and his property. Constitution should give free medical care to all Kenyans, mobile clinics should be introduced for pastoralists. Government should provide food for its vulnerable people either destitutes and disabled.

On employments, the employment chances should be distributed equally in all Provinces. On education the government should provide free education for all up to university. Mobile Schools should be introduced in semi arid area. The introduction of the Kenya School equipment scheme for all arid and semi arid area. School milk should be provided for all arid and semi-arid primary Schools. A Constitution should also include telephone and electrification service to all rural area.

On the right of the vulnerable groups, the disabled, the government should improve and modify education system for all categories and disabilities. They should be allowed to participate in international amateur athletic association at their own level.

Supportive material should be budgeted for by the government annually like the wheelchairs and driving machine. Government should provide sustainable funds for aged and the disabled who could not assist themselves from the treasury.

Com. Yano: You have a minute to talk.

Isaac Hassan: On land and property right the land the government first owned the land and that the Kenyans have the right to live on the land depending on the law of the land. The government should have the power to possess, acquire private land for any purpose, provided the cost incurred by individuals for developing and maintenance be compensated by the government. Transfers or inheritance of land should be dealt with by the Chiefs, Councillors, D.O.s and the D.C.s, non citizens should not be given the right to own the land but, should only be a tenant.

On cultural ethnics and regional diversity and communal rights, Kenya ethnic and cultural diversity should be protected and seen fully by the government. Ethnic and cultural values must not contradict the law of the land. The Constitution must protect the right of a distinct group and promote fully. Kiswahili should remain the Kenya national language. Thank you very much.

Com. Yano: Thank you very much. We are very grateful. Kindly give us the memorandum.

Com. Isaac Lenaola: I don't understand the reason for the government to own all the land in the country? What is the reason for that?

Isaac Hassan: What I mean is that the land first of all belongs to the government, but the wananchi should have the right to live on them.

Com. Yano: Thank you very much Rano. Then there is Zeinab Mustafa, Zeinab tafadhali kuwa tayari.

Rahma Mohammed Ibrahim: (Garre dialect) *Bismillahi Rahmani Rahim, Anin Maendeleo ya wanawake irra dhema, Rahma Mohammed Ibrahim nan yeddän.*

Translator: I represent a Maendeleo ya Wanawake Organisation and I am Rahma Mohammed Ibrahim.

Rahma Mohammed Ibrahim: (Garre dialect) *Wann annin irra dhubachu feddu, hukubdhi zaid nadeni irra dhubachu fedd.*

Translator: I would to address first the rights of women.

Rahma Mohammed Ibrahim: (Garre dialect) *Waan an amman taan ossachu feddu, Commissioner hagg shariit nuu dharran, nadeni, ulla chuffa nadeni Somali dirr fuddu hindhadheti, nadden ulla chuffa dirsi issi Kenya challa kessat hidahinkabb yedd.*

Translator: The husband of a woman does not necessary have to be a Kenyan, anybody can marry a woman from any country.

Rahma Mohammed Ibrahim: (Garre dialect) *Marka yoo nuu dirsolle tenn Somali dirs funne, kaa nuhini America dirsi funn, lazima hagg wann itt nu dharran dirsi kenn sharii Kenya nuu kenaniff.*

Translator: If a Kenyan woman marries another man from another country, the Constitution should guarantee that spouse citizenship.

Rahma Mohammed Ibrahim: (Garre dialect) *Taan dibbin wann annin irra dhubadu guninki dhubra*

Translator: I would like to address the issue of Female Genital Mutilation.

Rahma Mohammed Ibrahim: (Garre dialect) *Nuin Islam*

Translator: We are Muslims.

Rahma Mohammed Ibrahim: (Garre dialect) *Sharii kenn ka Islama hagg nuu gul dhenn*

Translator: We must follow the teachings of Islam as far as the religion is concerned.

Rahma Mohammed Ibrahim: (Garre dialect) *Yo nu dhubb dubr kenn rassa gessine yarollen kalte*

Translator: If we live our ladies to be mutilated by old mothers.

Rahma Mohammed Ibrahim: (Garre dialect) *Dibbatidhi gurguthot dhubbri kenn itt duffut jirr garr taalinki.*

Translator: That will have a long health implication on the lady.

Rahma Mohammed Ibrahim: (Garre dialect) *Dubbri kenn dallu hindhanthau marro chuff dibattathi kabb.*

Translator: It has problems as far as delivery is concerned.

Rahma Mohammed Ibrahim: (Garre dialect) *dubbri duggat akkasin rawat*

Translator: Others haven't died because of profuse bleeding.

Rahma Mohammed Ibrahim: (Garre dialect) *hagg dhubb kallolle ten daqqani gaffatanni, yartin dhubbwa irra shaqeytu, hagg dhubb akk qalichi yeddun lazima issin dhubbi sunn akk it waitdharramt*

Translator: Those who do circumcision should follow according to the prescribed Islam teaching, and should not do cultural things.

Rahma Mohammed Ibrahim: Education

Translator: Another issue is education

Rahma Mohammed Ibrahim: (Garre dialect) *dhubri kenn Ilmi gessut hinjiran*

Translator: Our girls are not attending education institutions

Rahma Mohammed Ibrahim: (Garre dialect) *Skulla yoo atin dakti dib kesa sadhi moo afurt skull dakku jirr*

Translator: Out of a hundred or ten Schools, 30% attend.

Rahma Mohammed Ibrahim: (Garre dialect) *Dubri ini ilmi kabb kamuyu, sharrii intal Islama ta ilmi kabth akk intalti tuun Somali isin hinjenne, isi equivalent ak ijole ijole dirra tan isi hujji kenanif*

Translator: Women should be given gainful employment, should be employed to government services and qualification should determine whom to employ and not the gender.

Rahma Mohammed Ibrahim: (Garre dialect) *taa issin amale waya Islama, hijab Islama ofis kamu issin kessat keyattu.*

Translator: The employer should not restrict mode of dressing, the employer should respect the Islamic mode of dressing.

Rahma Mohammed Ibrahim: (Garre dialect) *dhubbri ken Islama ka jella kes jirr*

Translator: I would like to address women Muslims who are immates.

Rahma Mohammed Ibrahim: (Garre dialect) *gudho dubr ken ka Islama ka mata irra hadhan agar*

Translator: We are very bitter about shaving of women, Muslim women in the jails.

Rahma Mohammed Ibrahim: (Garre dialect) *dubri ken ka Islama rifensi isi hag hintukne, waya gagabathulle it hinken*

Translator: We would like the prison authorities or those in the new Constitution to address the issue of shaving and the issue of dressing, that no Muslim woman should be shaved and Muslim women will be allowed to dress as per the Islamic court.

Rahma Mohammed Ibrahim: (Garre dialect) *dibb kessa male dibatithi nami kab naden yeddin.*

Translator: Out of the majority women have a lot of problems.

Rahma Mohammed Ibrahim: (Garre dialect) *North eastern province naden dibatidhi issi ta zaid irr gudho, ijolle na skuli geffachu dadabth*

Translator: Unemployment, because most of the women are just house wives poverty is the main problem they cannot educate their children.

Rahma Mohammed Ibrahim: (Garre dialect) *Ijolle abotin na naden it lakift, abot huji hinkabth.*

Translator: For the men who are employed, there is nothing they are doing therefore, it is the women now who determine, they become the breadwinners of the family.

Rahma Mohammed Ibrahim: (Garre dialect) *Dibbi intal Islana amman tan mirra bitachis it gees,*

Translator: Whatever has made a Muslim woman to sell miraa.

Rahma Mohammed Ibrahim: (Garre dialect) *ta dhidh kaan issin soko adhu ketetuff,* **Translator:** Selling it in the open, in the sun throughout the day.

Rahma Mohammed Ibrahim: (Garre dialect) *dibatidhi hujjin hinjir*

Translator: Is because there is no other employment.

Rahma Mohammed Ibrahim: (Garre dialect) *zaid warr North Eastern kaan garr huji Sirkali Kenya ir chis.*

Translator: As far as employment is scanned there is a bit of marginalisation of Northeastern Province.

Rahma Mohammed Ibrahim: (Garre dialect) *hagg ilman kenn ka skul akrifatte form 4 hobaft, ka university hobaft isin sablate huji nuu argatu fenn.*

Translator: We would like those who have completed their form four university, from this region, be given special consideration as far as employment is concerned.

Rahma Mohammed Ibrahim: (Garre dialect) *nuu amman tan ilman ken ak jajabthut ilman kenn skul gath barsifn*

Translator: Because we had educated them through difficulties and hardships.

Rahma Mohammed Ibrahim: (Garre dialect) *nami ilman sadhi afur skul fees secondary ira bassu*

Translator: Whoever is educating 2, 3 children in a secondary institution

Rahma Mohammed Ibrahim: (Garre dialect) *ilamn egge kan bellan rawat*

Translator: The rest of the family will be starving, when you are educating a child in secondary.

Rahma Mohammed Ibrahim: (Garre dialect) *hojja ilman kan skul kan si gath hobbaft amale minat si gath dhebbit.*

Translator: When the same child has completed secondary education, he is now back to home because there is no employment.

Rahma Mohammed Ibrahim: (Garre dialect) *Gaff dhuri nam hojja standard 7 hobas huji argata*

Translator: Those days after the colonial system even a standard seven leaver gets employment immediately.

Rahma Mohammed Ibrahim: (Garre dialect) *aman tan rafad gutha kabna, hag ilman ken sablatani it nuu kenan.*

Translator: Now graduates from secondary and universities are staying unemployed at home.

Rahma Mohammed Ibrahim: Development.

Translator: Finally I would like to address development.

Rahma Mohammed Ibrahim: (Garre dialect) *Bese development tan ta Sirkal, garan gath erg*

Translator: All the development funds that is committed by the government

Rahma Mohammed Ibrahim: (Garre dialect) *dib kesa shan hag uwa kenani*

Translator: At least 5% should be given to women.

Rahma Mohammed Ibrahim: (Garre dialect) *yo uwolle kenanifi horrin sun himbalau*

Translator: Whatever is given to women, as far as the culture and tradition is concerned will not be misused.

Rahma Mohammed Ibrahim: (Garre dialect) *Islanti Islama sun ilman isitin qarqart*

Translator: It is going to support the family, it will be pillow of the family.

Rahma Mohammed Ibrahim: (Garre dialect) *marka ta at it na misho ta an amo dubbad,*

Translator: The last one I would like to talk about.

Rahma Mohammed Ibrahim: (Garre dialect). *silaftu oboloyen ten wan dugg tok dhubate*

Translator: My colleagues or my other fellow men have talked about this issues.

Rahma Mohammed Ibrahim: (Garre dialect) *chifot kenalle hag support kenanif*

Translator: We would like the Chief system be retained and supported.

Rahma Mohammed Ibrahim: (Garre dialect) *hagg amm chifot ken amri sirkal challa gubbat hindhemne isi amarkin*

ken ir jabat ka Sirkala.

Translator: We would like Chiefs who do not only just scruit the orders from above or from the Provincial Administration, but are responsible and consult the community in decision-making.

Rahma Mohammed Ibrahim: (Garre dialect) *Hagganum dubbada dub eger it gath dharada amale.*

Translator: Thank you very much. If I would be allowed maybe I can add more views but later.

Com. Yano: Thank you. Zeinab Isaac, Zainab.

Zeinab Isaac: I am Zeinab Isaac.

Zeinab Isaac: My first point, water should be made accessible in all areas in Northeastern Province in towns and rural areas, since the community are pastoralists. Roads should be created in rural areas to make communication for the pastoralists easier. Kadhis to be employed by the government in Divisional levels, so that they can practice their work well. Women should be employed in all sectors of the government offices so that to avoid discrimination of the women during employment. Chief Kadhis work should not be limited to marriage, divorce and inheritance but given all the Islamic sheria, to deal with and should be given strength by the government. Islamic dresses should be allowed in Schools, colleges and government offices. Muslims female prisoners should not be shaved hair, since the Islamic sheria does not agree with that. Muslim female prisoners should be allowed to dress Islamically, that is long dresses or hijab veil.

Violent beating by husbands should be abolished, and those who practice to be prosecuted. Kenyan women who marry husbands from other countries should be granted citizenship without discrimination. Kenyan Somali should not be discriminated when looking for passports and be granted without any conditions. 15% of the development money to be returned to the Northeastern Province so that we can be able to use it to develop ourselves, out of that we say that 5% to be given to the women. Women from North Eastern should be nominated to the Parliament, those are my views.

Com. Yano: Thank you very much, we are grateful for that. Another Councillor Coun. Ahmed Mohammed.

Ahmed Mohammed: Asalam alekum. Asante sana. Mimi nitaongea juu ya....

Translator: I would like to address issues concerning....

Coun. Ahmed Mohammed: (Garre dialect) *Makkan kiyy Councillor Hussein Ahmed Mohamed*

Translator: My names are Councillor Hussein Ahmed Mohammed.

Com. Yano: Mwambie aongee Kiswahili, Councillors hawaongei Kisomali.

Coun. Ahmed Mohammed: Sawa sawa wacha niongee Kiswahili, mimi ninaongea juu ya wakati wa kuajiria watu kazi. Wakenya wote wamesomesha watoto wao kuanzia Primary kuelekea secondary hadi university level. Basi mda huo wote watu wanasomesha hao watoto iliwapate kazi. Lakini shida ile iko, mda huo wote wamesomesha na tena hao watoto wanarudi

nyumbani bila kazi. Na vile tunajua Kenya ni nchi maskini sio nchi tajiri, tukisema watu wote wapate kazi mara moja labda ni vigumu. Mimi kwa maoni yangu ninaolea hivi, sisi tunataka serikali iweke sheria ya kupatia watu kazi kwa mda fulani sio mda mrefu kama miaka kumi na tano. Na pia kazi ifanywe na contract kama wazungu. Saa zingine kuna wengine wanataka kufanya kazi mda mchache chini ya hata miaka kumi na tano, lakini kiwango ya serikali iwe kuni na tano peke yake.

La pili, ninaongea juu ya recruitment, namna ya kuandika watu kazi, siku hizi mahali pa kuandika watu kazi kuna shida nyingi. Kuna hitilafu nyingi hapa ndani ufisadi mwingi umetokea hapo. Officer yeyote ambaye anapatiwa nafasi ya kazi kuajiri watu anauza hiyo nafasi bila kujali wengine. Wale watu wanapata kazi huko ni wale ambao wako na viongozi wa hali ya juu kama bunge, udiwani ama wengine, na pia matajiri, ama labda wale watu hao wengine wanatetea. Mimi ninaonelea hivi, maali ya recruitment kama kazi imetokea office fulani kama ni office ya administration ama office ya water ama AP wanaandikwa ama kazi fulani imetokea. Iwekwe kwa board kutoka idhara yote ya serikali, hiyo board irecruit watu, hiyo iwekwe kwa sheria.

La tatu, nitaongea juu ya District board development fund. District board development fund imeleta matatizo mengi sana. Sisi hapa wale watu wana tuudumia sisi ni watu wa District record board, watu ambao wanakaa ulaya, sio wanasiasa vile sisi tunafikiria. Pesa zote za serikali zinatumiwa kwawilaya. Hizo pesa zinatumiwa hao watu wanaokaa ofisini wanatumia pesa vilewanataka kama pesa za mfuko zao, hatutaki hivyo. Kusimamisha hali hiyo mimi naonelea hivi, pesa hizo kama pesa zimetokea tuseme kwa sub-District ya Wargadur, sub-District ya Elwak, kwanza number one mbunge hahuzike na hiyo kazi lazima ajue hiyo pesa imeenda wapi, na pia ile mahali ambayo iyo mali inatokea tusema kama ni Wargadur salange inakakikana kushindwa. Lazima community ya huko pesa tuseme milioni kadhaa imetokea huku ya kuchimbwa na hiyo mali. Community ya Wargadur yote, yule officer anayehusika na hidara hiyo akuje huku aulize watu hao tuseme, shilingi milioni tatu, milioni kadhaa imetokea hapa ya kuchumbwa na hii salange, jee wazee mnataka nini, aulize hao watu na tena awapatie, uwezo wa kupata kujua pesa kiasi gani imetumika na ngapi ijatumika. Nataka huo uwezo upatiwe wananchi ili wananchi waweze kujua kitu gani imetumika kwa hiyo mali na kitu gani imebaki hapo ndio pesa za serikali zimepotea.

La nne, nitaongea juu ya wanyama wa pori, sisi watu wa Northeastern ni wachungaji ile kitu tunachunga ni wanyama. Wanyama wetu ngombe nini na nini si binadamu, inapotea saa zingine inapata shida fulani. Basi mifugo zetu zote zimeharibiwa na zimekuliwa na wanyama wa pori, na hizo hazitajiki kama ajali, tunataka hizo pia zijaliwe serikali itengeneze sheria ya kufanya campaign ya kumaliza fisi hasa kuliko wengine na wengine pia wajaliwe.

La tano, I will talk of mgomo, mgomo should not be introduced, tukisikia kwa radio tunasikia walimu wanagoma, tunasikia idara mbali mbali ya serikali wanagoma. Serikali kusema kweli hii serikali si ya idhara moja, si ya watu fulani, si ya wafanyakazi peke yake, serikali ni yetu. Sisi ndio tunafaa kufikiria juu ya serikali. Mgomo kama unafanywa unavunja serikali, hii sio mzui mimi ninaonelea hivi maneno ya mgomo ikomeshwe kabisa, kwani kama idhara ya jeshi inagoma, polisi inagoma na wale wanaofanya kazi hospitalini wanagoma, walimu wanagoma, wote wanataka waongezewe mishahara, wale watu wengine hawaleti contribution yoyote kwa serikali kama forestry wanagoma, jameni, sasa hizo pesa mingi namna hiyo itatolewa wapi?

Haifai kwa hivyo mgomo ikomeshwe kabisa. La sita,

Com. Yano: Dakika moja.

Coun. Ahmed Mohammed: Dakika moja unanipatia, okey nitaongea juu ya land, sasa ya mwisho. Ardhi imelete taabu, maneno ya border, ile border ya zamani ya wazungu itekelezwe, ifanyike kwa sababu hapa shida nyingi imetokea. Kama sisi tunabishana na maneno ya border, Permanent Secretary anakaa office ya Rais ndio wanabishana na mimi, mimi ninajua mwenyeji wa hapa, yeye anachukua nafasi anasema hiyo mahali ni ya mali fulani, na ni uongo, hapo pia tunataka irudishwe kwa wananchi wenyewe wakuje pamoja ama kama mimi na huyo tunashikana wale wako jirani na sisi wafanye maamuzi kati yetu sio Permanent Secretary. Mimi nafupisha hapo asante.

Com. Yano: Asante sana. Tumeshukuru sana Counselor Mohammed. Anayefuata ni Hussein Abo, Hussein Abo, Honorable Abdulrizak Adan, Abdulrizak Adan, wee ndio Abdulizak.

Abdulrizak Adan: Mimi ninaitwa Abdulrizak Adan Abdulah kutoka Elwak town na sina mengi ya kusema yote imesemwa na wenzangu hapa, yangu ni kuongeza tu kidogo kuhusu upande wa wabunge. Bunge, kwa vile tuko na vyama vingi pia kuwe kama Rais mhula wake uwe mhula mbili tu peke yake sio kwanzia saa hii waendele mpaka miaka ishirini na tano thelathini au mpaka akufe. Tunataka pia yeye awe na mihula mbili peke yake na miaka ya bunge badala ya kufanywa kwa miaka tano irudishwe kwa miaka nne ili wengine wapate nafasi. Asanteni.

Com. Yano: Asante sana. We also recognize the presence of Action Abede Mtanga. Action Abede Mtanga we are very happy that you are here to listen also members of Northern aid we are also happy that you are here to listen we recognize your presence, natuendele Abdi Rashid Maalim, Abdi Rashid Maalim. Malam H. Kala, Malam H. Kala, Malam, Malam yuko. Mahumud Okola, Mahumud Okola alafu Mahmud atafuatwa na Imale Ukuro, Imale Okuru halafu Salat.

Audience:(inaudible)

Abdi Rashid Maalim: Asalam Aleikum.

Translator: Amewasalimia

Abdi Rashid Maalim: (Garre dialect) *Annini wan an sila dhubadu yabthu yarole nadhura dhubat*

Translator: Whatever we would liked to emphasize has already been mentioned for me.

Abdi Rashid Maalim: (Garre dialect) *Makkan kiyy Abdi Rashid Maalim*

Translator: Abdi Rashid Maalim.

Abdi Rashid Maalim: (Garre dialect) *Wanni an ira dhubadu ka zaid diba ka an diqo ir dhebiy ka fula land ta laffa yedd.*

Translator: I would like also to mention something about land issues.

Abdi Rashid Maalim: (Garre dialect) *Dinti ten tokkum Islanuma lakini, (inudible) tofauti gar gar nu tae.*

Translator: We are Muslims we live together but during the colonial time the colonial government, the British established borders for each community.

Abdi Rashid Maalim: (Garre dialect) *sullen sirkal ira gath korkot*

Translator: It was the government system and it had its own structures.

Abdi Rashid Maalim: (Garre dialect) *Kenyan len aman tan Sirkal kenn*

Translator: This is also our government and we like it, we adore it.

Abdi Rashid Maalim: (Garre dialect) *am wani zaid nu fen hag border sun (inaudible) nuin yaani nami hojja abartin butule horr gar gar hindore wallum kess dugg.*

Translator: We would like those traditional borders irrestated, but during the dry season, dry crisis people should be free to graze anywhere.

Abdi Rashid Maalim: (Garre dialect) *sotha laanti hag nami ini laf ufi inni hindowar*

Translator: That people should graze during other times in their respective areas or their traditional boundaries.

Abdi Rashid Maalim: (Garre dialect) *hoja abartin but warri gar kan jir ka ini war duffe magri isif, bissan isi.*

Translator: But whenever there is drought the people can move to other communities and graze and use water resources together.

Abdi Rashid Maalim: (Garre dialect) *kaa wari kallen ogolatuff*

Translator: And that the other community should also accept without any problems.

Abdi Rashid Maalim: (Garre dialect) *hojja borkay robb namu laff issat dugg*

Translator: But immediately it rains everybody should go back to his traditional boundaries.

Abdi Rashid Maalim: (Garre dialect) *adhal sun hoja isan ir...*

Translator: We would like it to be included in the new Constitution.

Abdi Rashid Maalim: (Garre dialect) *ta sharia ta fulla uwollen kalolet nadhurat ir bae akasum kabn*

Translator: Whatever that the sheria has mentioned about sheria we support our Sheikhs in whatever they have mentioned about the sheria.

Abdi Rashid Maalim: (Garre dialect) *sun haqq issi hagg ira olkin duffa*

Translator: If you will not strengthen the sheria, then there will be a lot of problem in the community.

Abdi Rashid Maalim: (Garre dialect) *maha yel nami intal isa dale gudhifat, ka intalti isa fayaa*

Translator: Somebody has raised a daughter, she is healthy, she is now grown up.

Abdi Rashid Maalim: (Garre dialect) *yoo gurban boru dhiram gal tis intal bufate intal seherinki isi jabsi*

Translator: If the person who has just a camel, shepherd or anybody goes and rapes your daughter and destroys her virginity.

Abdi Rashid Maalim: (Garre dialect) *aban intal sunnitif, gosti intal sunni wesit nam futt*

Translator: That can be a cause of trouble, clashes and even murder.

Abdi Rashid Maalim: (Garre dialect) *yoo dhowlathi nuin warr qubath tate adhal sun shiria it dharan talabti ira fuddan.*

Translator: This issue of rape, should be taken seriously and something must be done about it by the new Constitution.

Abdi Rashid Maalim: (Garre dialect) *sharia Islanatin yoo hinkumnele sharia dowlathi amatan woma kabachut hinjir, nam hidan gath lakisan, boshe nyachissan.*

Translator: The sharia, if you don't use the Islamic law, what we know about that current government common laws, is that somebody a rapist is arrested and after sometime is set free.

Abdi Rashid Maalim: (Garre dialect) *naam am intal it dakate ijessit jirr arman dhurat, ka an bekk*

Translator: Somebody at one time has raped and killed and we know him today he is alive.

Abdi Rashid Maalim: (Garre dialect) *kaa intal dhote dhabart*

Translator: The lady is buried but he is alive.

Abdi Rashid Maalim: (Garre dialect) *kaa namichale aman tan jelat hidan ini am afan sawaili ka himbeinelle bart.*

Translator: And that the person was all arrested and now today he is being taken care of by the government and he even learnt many things, when he left here he didn't know any language but now he even speaks Kiswahili he says.

Abdi Rashid Maalim: (Garre dialect) *wani sun haqi Islanatiiff haqi Dowlathille kes hinjirt.*

Translator: That is not something that should be appreciated because Islamic sharia is clear about it and the government should not condone such acts.

Abdi Rashid Maalim: (Garre dialect) *hagg jabesan hagg, anin onki kiy haggas, Salam aleykum*

Translator: I would like the issue of rapists and the laws dealing with rapists to be very firm.

Com. Yano: Asante sana. Tumeshukuru kwa hayo maoni. Amona Sala, Mahmud

Okor, Mahmud tafadhali njoo alafu Jimale yuko?

Maalim Mahmud Ukuro: Salaam Aleykum.

Translator: Aleykum salaam

Maalim Mahmud Ukuro: (Garre dialect) *an qalicha badhiya, ka hag dalate badhiyum ke tau*

Translator: I am Maalim I am a teacher a traditional Koran teacher and I live among the reserve, I am a pastoralist.

Maalim Mahmud Ukuro: (Garre dialect) *Maalim Mahmud Ukuro*

Translator: Mali Maalim Mahmud Ukuro.

Maalim Mahmud Ukuro: (Garre dialect) *nuu badiy dubad*

Translator: I would like to address the issues concerning pastoralists.

Maalim Mahmud Ukuro: (Garre dialect) *dib horri dubad*

Translator: I would like specifically touch on the animals the livestock themselves.

Maalim Mahmud Ukuro: (Garre dialect) *dibbi badhia ka harka nu kab*

Translator: There are a lot of problems.

Maalim Mahmud Ukuro: (Garre dialect) *horri kenna na fula dab*

Translator: Our animals have lost place, we have no place with our livestock.

Maalim Mahmud Ukuro: (Garre dialect) *horri million tokkot akan laini sadhi nutt dakalley jirr*

Translator: We are keeping a large livestock in a small area.

Maalim Mahmud Ukuro: (Garre dialect) *loon kenn tok Boranat kab*

Translator: All our animals have been taken by the other tribes like Borana.

Maalim Mahmud Ukuro: (Garre dialect) *bokkay yoo robb har tok yo rob guya tok tochine birra yaan*

Translator: If today it rains, we clear one dam in a day.

Maalim Mahmud Ukuro: (Garre dialect) *bokai yoo rob laf maggra guya sadhi nyane birra yann.*

Translator: If it rains and then there is grass which grows we clear it within a week.

Maalim Mahmud Ukuro: (Garre dialect) *dankankillen kes nu jir*

Translator: And that is not how we should be keeping our livestock.

Maalim Mahmud Ukuro: (Garre dialect) *muki laff tena tokolen hinjir*

Translator: The trees have been destroyed.

Maalim Mahmud Ukuro: (Garre dialect) *laff ten muk amale chirran amale kunchisan*

Translator: Not only that people are cutting the trees even they start peeling the cover from the trees.

Maalim Mahmud Ukuro: (Garre dialect) *num nami horriti yoo wan sun tochan, horrin hagg, Sirkali woma nuu kenn na rawane*

Translator: If the animals die because of such an act, then the government does not take anything, then it means we shall continue becoming poor.

Maalim Mahmud Ukuro: (Garre dialect) *wan Sharri Islana kess hinjir, dhubri ken na Koran chabsachu dadab hinmbufatani.*

Translator: The other thing interesting is that people who are not in the Islamic law, are the people who rape our ladies who goes even to fetch firewood.

Maalim Mahmud Ukuro: (Garre dialect) *Annan na bitachu dadab himbufatan*

Translator: They cannot come and bring their milk for safer market because there are rapists everywhere.

Maalim Mahmud Ukuro: (Garre dialect) *nullen dubran bokkochu hinkabni ammo sharian ken hinkab, sharii islana ira ejina*

Translator: The Islamic law does not allow this and this is verbatrated by people who are not even our locals.

Maalim Mahmud Ukuro: (Garre dialect) *nuu am tanat harka nuu kaba*

Translator: This is an issue which we are really concerned about.

Maalim Mahmud Ukuro: (Garre dialect) *gaff kolony horri kenn anan irra dugna, foon irra nyana,*

Translator: During the colonial time we used to sell our animals, take their meat and also drink their milk.

Maalim Mahmud Ukuro: (Garre dialect) *am anan sun hinkabnu, foon irra hinkabnu*

Translator: Now we do not even milk it, we don't also sell its meat.

Maalim Mahmud Ukuro: (Garre dialect) *lafti tenn muki chabki Koran male muk hinargani*

Translator: We do not even have firewood, there are no trees.

Maalim Mahmud Ukuro: (Garre dialect) *ha serr dhur kanti gargar abu debisani*

Translator: So what I recommend is that we should go back to our traditional boundaries.

Maalim Mahmud Ukuro: (Garre dialect) *Dogodin barran gaff ola it but arma yet banas wayam kadate tikkate*

Translator: There is a section of another subtribe of Somali called Degodia one day went and grazed in our land.

Maalim Mahmud Ukuro: (Garre dialect) *nullen arma yaane Ajuran, Dogody tikane barran gath debine*

Translator: And then when we graze we also we are able to go to other tribes, neighbours and graze them and come back.

Maalim Mahmud Ukuro: (Garre dialect) *maslahin akan kes jirre male, ta walti naka tan maslahi kes hinjirtu*

Translator: And that is the only way we do not want this people mixed but.....

Maalim Mahmud Ukuro: (Garre dialect) *diggiy namma akast ..nam naam ijes hinmbekani*

Translator: People are being killed.

Maalim Mahmud Ukuro: (Garre dialect) *nam naam bokkat himbekani*

Translator: The rapist is not known.

Maalim Mahmud Ukuro: (Garre dialect) *fula chuff kawe yae, yate laff gath dakte sotowan hinjiru, takrin hinjirtu*

Translator: And that people are using firearms against their locals.

Maalim Mahmud Ukuro: (Garre dialect) *amm yoo hori kara hori kan hobasan eger, biyy kara hobasan nufat dhebiyani*

Translator: After killing those wild animals or they eventually start killing us.

Maalim Mahmud Ukuro: (Garre dialect) *maslahi lonif, naamaf, gal tokkolen hinjirtu.*

Translator: This does not bring any solution to the people.

Maalim Mahmud Ukuro: (Garre dialect) *maslahin, nam chuff fulla issat dhebissan, hagg ser idhu dakani*

Translator: Solutions lies when a tribe or sub tribe is going back to its traditional boundary.

Maalim Mahmud Ukuro: (Garre dialect) *Salam Aleykum Warrahmatullahi*

Translator: Thank you very much.

Com. Yano: Asante sana. Anayefuata ni Hussein Abdi Hassan, Hussein Abdi Hassan, Hussein, Haji Hassan Manur, Haji Hassan Manur, Shakur Adan, Shakur Adan. Ninaongea tafadhali

Speaker (Com. Isaack Lenaola): Shukur Adan

Com. Yano: Tafadhalini mpe njia atoke.

Audience:(inaudible)

Com. Yano: Hassan Sheikh, Hassan Sheikh, Ibrahim Sheikh tafadhali jitayarishe. Ibrahim Sheikh.

Audience:(inaudible)

Hassan Sheikh: Mimi ninaitwa Hassan Sheikh Ahmed

Audience:(inaudible)

Translator: Sema majina yako

Hassan Sheikh: Mimi ninaitwa Hassan Sheikh Ahmed ya watu wa Elwak.

Com. Yano: Do you have a Sheikh.

Hassan Sheikh: Yes

Speaker: Shakur Adan ni nani?

Speaker: He is saying Hassan Sheikh

Hassan Sheikh: Kutoka Elwak

Com. Yano: Endelea

Hassan Sheikh: (Garre dialect) *Annin wan diqo yed yedin*

Translator: I shall be very brief

Hassan Sheikh: (Garre dialect) *wa sadhi ira dhubachu fed yeddin*

Translator: I would like to address three issues.

Hassan Sheikh: (Garre dialect) *ta qara*

Translator: The first issue.

Hassan Sheikh: (Garre dialect) *Wan anin fedu hagg Sharii Kenya ka harayya ka gath qorut jiran kesat dharan, hagg nam hori Sirkala nyat ka madhahathi, ka ofisa sirkala ka hori wananchi, ka bese wananchi nyate hagg dowlathin talabithi irra fut, hujile kesa hadan yed.*

Translator: The first thing I would like to propose to the new Constitution, is that any civil servants who misappropriates or abuses the power of his office and misuses the government fund, should be taken to court and also be dismissed from service.

Com. Yano: Just go on.

Hassan Sheikh: (Garre dialect) *Ta lamessa hag Sharii Kenya kessat dharran wan wana siasa ka amman tan Member of Parliament hagg issin gan lam ir gath ejatte hindhadhene sunle hagg sharii Kenya kesat dharan fenn yedd.*

Translator: The second proposal I would like to make is that in the new Constitution, a Member of Parliament should always be given maximum of two terms to serve.

Hassan Sheikh: (Garre dialect) *Ta sathesa, hagg horri ken ka nu dhakanun ka gala, Kenyan full himbetu, Kenyan uworuleffi lukuf loon chala beyti, horri nu dakanun yoo nu Somali tan majoritin gala dhub gal Kenyan haa konsate, gal dhuba shari Kenya kesat dharan feen yeddin.*

Translator: My third issue concerns animals, he says the Kenyan Constitution recognizes, it recognizes chicken, it recognized

goats, cows even pigs, it recognizes others like farm but it does not recognize our economic backbone the camel. And he says we would like the new Constitution to recognize the camel and also help it in its welfare and everything.

Hassan Sheikh: (Garre dialect) *Dawen gallalen laff tan hinjirtu, dowlathin dawe lonitif dawe tan.. dawe gala hag dowlathin dagal nu dawaweitu, dawe gala hagg arma dufanin.*

Translator: He says the drugs that are available are only meant for cattle, goats and sheep, so there is no specific drugs that are meant for camel. We would like the government also to do research and bring drugs that will cure or help the camel owners.

Hassan Sheikh: (Garre dialect) *hagg horr gal nyat, ka leincha ka akk warabessa ka gal sun jirren kena, nuu yo Somali tan, jirren ken galat hindas kabba, wan nyata ka hobasat jirat ka warabessa, ak lencha, wan sun ka gal nura hobasa, ka binessa sunin hag dowlathin nurra hobasitte issini dhuba sharii it nu midagsite, shari nuu kaani isin nura hobasit*

Translator: Another point I would like to add is that, that our livestock is being threatened by wildlife, especially the camel, the wildlife has become a threat to our life, this livestock is our blood we cannot do without it that is our survival and therefore, we would like the government to wipe out all forms of wildlife.

Hassan Sheikh: (Garre dialect) *mambo Jifota, ka Administration tanan hagg Dowlathin nuu korti, yarolle wan nuu fenu hagg dowlathin Kenya nu kubalt, ka sharii Kenya kessat nuu korrani hagg nuin yarolle teen ka traditional elders, haff tochtite dowlathin hakonsit, ka isin Jifote ul nuu gath hinkore, Jifut isi ka isi hojat ka issin nu gath kort kan isi nura difte, nuu Yarolle ten dorran, elders nuu uff kessa gath dorre Dowlathi dub sharii kenitefi wari sun dhuba mamul dakanki daba ak naffa bet Dowlathin nuu kubalt feen sharii kesat Koran.*

Translator: The other point I would like to stress is about the Chief. He says that we have an established traditional system of identifying, electing and throning a Chief. We would like us to be given the mandate to elect our Chief from an elder, throne him, recognize him, and work with him. We do not want the system of appointment by the government.

Hassan Sheikh: (Garre dialect) *hagga laff aman tan county councilit laf basa, hag lafti harka yarolle ka wananchi issin tattu. Ta laff tena Yarollen sun ta an baan sun elders sun harki communitin issin gath dhebite community issin laff hukumtu, ka community laff sun awodhi horrate feen, ka Dowlathin Kenya barisari isi it nu kort.*

Translator: The current Constitution says, the County Council is the trustee of the land because the land is under the County Council, he says we would like that issue revisited the new Constitution should empower the traditional elders, the council, the community to have control over the land because the land County Council has abused, those privileges land is being given to individuals and therefore, we would like it to go back to the traditional system.

Hassan Sheikh: (Garre dialect) *Mambon laff sammani taan, laff ach daggan sammani nami tok ka kiongozi ak county council ini laff hidate kutat taan amm nurra ejachissani land grabbing, amm nura ejachisani, laff sama tan Dowlathi hinkubal.*

Translator: And finally he says that what we have also realized, that somebody comes with a document and claims structure of land, so the County Council has encouraged land grabbing, he says we would like to have traditional system where people have control over their resources.

Hassan Sheikh: (Garre dialect) *hagg laff tenn, laff badhiatti dowlathi akk dhansa warr badhia isin skullen itt nu midagsite, skul ijole badhiya hag free wabarsisan karr, hag scholl hag dowlathin nuu kubalt.*

Translator: He says we are pastoralists and we are poor, we would like the government to provide free education for all our children.

Hassan Sheikh: (Garre dialect) *Wann shariin Islama kabbu, akkum qalun ten refu armat dhubat it raasanki kabni yeddin nuu.*

Translator: Whatever the Sheikhs we also give concensus as a community, to what the decision by the Sheikhs that the Islamic sheria becomes the law of this region.

Hassan Sheikh: (Garre dialect) *Sharin karra dhambeski ka hunkunki, dien kan hinlaff yeddin.*

Translator: The current common laws that are in use are not being implemented.

Hassan Sheikh: (Garre dialect) *Akk issan daggetanit buffachaff sharri dharidit dhemut jirr yeddin, ka armat issan*

Translator: There is a lot of rape case that has been mentioned and there is also total lawlessness.

Hassan Sheikh: (Garre dialect) *wan sunn wani wan sunn bathian dhandhanin, yoo amm dowlathin it gulleisachu dadabth hagg issin karra dhamentiff sharii isin gath dhebift ka mambo, bufachaff, daiff wal ijessan tun issin dowlathi ijessu dhdadabthe wanni gathebissunin dhandhan arirt sun akk rai tiyyat mambo feredal majimbot sunn nan fakkat yeddin.*

Translator: The other point I would like to rais is that, if you want law and order and there is control and there is a proper administration in this region, the government should establish majimbo system of governance in this region.

Hassan Sheikh: (Garre dialect) *Asante sana.*

Translator: Thanks to the Commission for giving me the opportunity.

Com. Yano: Mwenye anayefuata ni Ibrahim Sheikh alafu mwenye atamfuata ni

Haji Abdulkadir, jitayarishe Haji.

Ibrahim Sheikh: (Garre dialect) *Annin wan yettun dhubi gudho hinkab yeddin.* Mimi Ibrahim Sheikh Mohammed

Translator: Ibrahim Sheikh Mohammed is my name.

Ibrahim Sheikh: (Garre dialect) *Ann amm wanni ann irra dhubachu fedd korki torbi irra dubbachu fedd yeddin, kaa it dederfne.*

Translator: I would like to raise seven issues but I shall be very brief.

Ibrahim Sheikh: (Garre dialect) *mambo badhia huji tiyyanit yeddin*

Translator: I am not concerned about the pastoralists now.

Ibrahim Sheikh: (Garre dialect) *1953 dallade kutoka guya suni kutoka arra bokkoranki kubbad yeddin*

Translator: I was born 1953 and I have been living the town since then

Ibrahim Sheikh: (Garre dialect) *Kanyatta la gath dakab yeddin*

Translator: I saw Kenyatta regime.

Ibrahim Sheikh: (Garre dialect) *gudho it hoggin bont ka akkanat nurra dhuei yeddin, dibaff deffelle womma ira*

hinagarne.

Translator: Well we had not benefited from his regime, he never lived long so we never benefited so much.

Ibrahim Sheikh: (Garre dialect) *gaan dhigthama Moit irr tefate, gaan dhigthama KANUT boku kabna kara kan kess chifn yedin.*

Translator: Twenty years that Moi has been ruling I have been a KANU activist and I have been holding my biggest rungu and I have been administering KANU.

Ibrahim Sheikh: (Garre dialect) *wanni sunn chufti wani nuu toche, hujji laant nuu tochi yeddin.*

Translator: I have been doing that this is because it is a form of employment because there is no job.

Ibrahim Sheikh: (Garre dialect) *horti kutoka Moin korsigi korre, nuin Somalin warri yeddannwarr North Eastern wani nuu Kenya nuut hisabtigi kabn wanni nuu haqqi kessa kabn hinjirt yeddin*

Translator: It is the era of Moi that Somalis have been marginalized we are not even part of Kenya.

Ibrahim Sheikh: (Garre dialect) *Karra hinkabni yeddin*

Translator: We have no roads.

Ibrahim Sheikh: (Garre dialect) *bissan hinkabni yeddin*

Translator: We have no water.

Ibrahim Sheikh: (Garre dialect) *wan musaada ka musomo ka garr Islana tannan, garr kuffara tanan, wanti tokk ka gar dowladhi nu zaid irra kabn hinjirt yeddin*

Translator: We do not have support in terms of education, even the scholarships and even facilities.

Ibrahim Sheikh: (Garre dialect) *tunn arman tan*

Translator: That is an area I wanted to stress.

Ibrahim Sheikh: (Garre dialect) *ta bunge kennat kot,*

Translator: Come to the Parliament, the Parliamentarians.

Audience:(inaudible)

Speaker: (Garre dialect) *Wann sin yeddani, ann att amm himmat suni akkam irra fet, dib la himate man irra fet dowladhi.*

Ibrahim Sheikh: (Garre dialect) *akk an irra fedu hagg dib dhuri kan chuff nura bedelani, sharii halala ka straight nuu gath dhejian kaan raastinki kabn yeddin.*

Translator: We would like all those oppressive laws removed and the current Constitution to address our problems and bring a solution to this problems we have just mentioned.

Ibrahim Sheikh: (Garre dialect) *kan dibbin ka an am irra dhubbad*

Translator: The second issue I would like to raise.

Ibrahim Sheikh: (Garre dialect) *, bungele laff tenna yeddin*

Translator: Is about the members of Parliament from our region.

Ibrahim Sheikh: (Garre dialect) *Nami ilmi hinkabne massula tau hindhandhen*

Translator: If somebody is not well educated, he cannot be responsible

Ibrahim Sheikh: (Garre dialect) *Bungelen ten lachu ka laf tanna tokkolon ilmi hinkabth yedd, standard 5, standard 6.*

Audience:(inaudible)

Translator: The current members of Parliament and both ill educated they are not well educated they are levels of standard 5 and 7.

Ibrahim Sheikh: (Garre dialect) *yoo sharia himbedhellan yeddani, yarr lachu hanurra beddlan yeddin hinfennu. Assalam Aleykum*

Audience:(inaudible)

Translator: If the laws are to be changed then if means the two should not be continued to be Parliamentarians.

Com. Yano: Haji Abisa

Audience:(inaudible)

Speaker: (Garre dialect) *naam hoja inni maoni gath debisu, sharii irra dib kessan himatan, wan keso kessan lakissa, mambo muhima irra dhubadda, yoo att amale waimachu fettulle, nam makaa kubba hinkabin, wan at dhubachu fet sun irra dubad, wan china kan lakisa.*

Com. Yano: Asante sana. Tuendeleo mwenye anafuata simama karibu.

Mana Haji Kala: (Garre dialect) *Salaaam Aleykum Warahmatullahi Wabarakatuhu. Maana Haji Kalla nan yeddani. Dhubb wan anni Irra dhubachu fed yoo nuu warr North Eastern tatte, North Eastern karri Kenya kess hinjirt.*

Translator: I am Mana Haji Kala and I would like to talk about issues regarding this region of Northeastern Province, and I would like to mention that Northeastern is not part of Kenya.

Mana Haji Kala: (Garre dialect) *North Eastern karr first issan kwanza it dharanit Kenya karr*

Translator: The first thing I would recommend the Commission is that; adding Northeastern Province to the rest of the Kenya.

Mana Haji Kala: (Garre dialect) *Ta lamessit ammale education, irra dhubachu fedda*

Translator: The second point I would like to address is education.

Mana Haji Kala: (Garre dialect) *nuin karr ilman tennafi ilman Kenya taan walti hisabama kabth ammo nullen wal hintan*

Translator: When it comes to education we compete with other Kenyans but there is big disparity between us and other

Kenyans.

Mana Haji Kala: (Garre dialect) *man enan wari war owwru kab kaa wan dibbiy lakisi mirralen bahefi mirra bittatu.*

Translator: Those are people who have farms, they are agriculturalists they even send to us their miraa.

Mana Haji Kala: (Garre dialect) *nuin kilo viazi took shilingi shantamatin bittana, issan ammo loon issanit nyat.*

Translator: Here we buy viazi they are very expensive but yet some people it is just a free thing or even it is eaten by the animals.

Mana Haji Kala: (Garre dialect) *akassifu nuu kar waliyu tanu Dowlathin haa nuu kubb kabatu karr.*

Translator: That is why we cannot compete with them therefore, the government should consider the education here, and bring a solution to the problem of education in this region.

Mana Haji Kala: (Garre dialect) *ijolen tenini, gani chufti nuu abarti nuillen wannu nuu kabn horri, horriilen bei rakisatin bittan*

Translator: We have children, we educate children the only property or the only thing that we have in our economy is livestock and livestock is being sold cheaply because there is no market.

Mana Haji Kala: (Garre dialect) *wakti kan horrin, hirawata, akti kallebesse rakisatin bittan, skul fee hingetu, ijolen guya chuff war chifti, hoja mtihana ijollen himbut.*

Translator: Now, sometimes we are victims of droughts, and the other times we are victims of no market, others let more children staying at home and because most of the time they miss Schooling, the economic performance of this region has gone so low.

Mana Haji Kala: (Garre dialect) *akkasifu nuin karr ak Dowlathin nuu kub kabate, dibatithi nuu kabna tan lalte ijoles skuli bure nu tochitu.*

Translator: And the government should look at all this problems and give us free education at all levels.

Mana Haji Kala: (Garre dialect) *wann tokkolen nuu Kenya kes hinjirru, haa kenyat nuu dharani, warr North Eastern yoo issin tate nuin ammantan Somali amman tan dowlathi hinkabnit nurr kimma kaba, nurr rashinille kabth.*

Translator: We are Kenyans but we are not treated like Kenyans and if you look at things today, we would not get the share of the resource of Kenya. Like people from Somalia who today have no government and are in chaos it seems we live better live than people of this region.

Mana Haji Kala: (Garre dialect) *Amma tanni dowlathi allat nuu gath saideyut jira arabtiff, ngos irra msaada kabn didiyo talle ta madarassaf fulla chuffa.*

Translator: The little survival today we have is courtesy of the NGOs and some Arab government that little support some Islamic institutions like Madarasa.

Mana Haji Kala: (Garre dialect) *ijolle ogonti Kenyan yo issin sila sirkali Kenya tate issin sirkali North Eastern tat hagg issin sila ogonti tan kub kabbat, wannu issin habari irra kabth hinjirt.*

Translator: We have so many orphans among ourselves, there is nobody supporting the system, nobody cares for them, this is an issue we would like the government to address and come up with a solution.

Mana Haji Kala: (Garre dialect) *Dirti tenallen hujji hinkabthu, hagg uwollele saidin kara isin uffin karkart chuff*

dowlathin full it gath dheffat.

Translator: Most of our men are unemployed, they have lost their livestock through droughts there is nothing meaningful they are doing. We would like the women empowered, so that they can do some form of opportunities that can make them at least economically better.

Mana Haji Kala: (Garre dialect) *akkasifu nuin zaid gar Kenya issi beddel fenna, male nuin gath North Eastern, issi dibatithit kess nuu jira issi nura bedellan fenn.*

Translator: We support the Commission in its endeavor to bring a new Constitution and that as a region we have a lot of problems, we would like you to give us a special consideration in this new Constitution.

Mana Haji Kala: Thank you.

Translator: Anashukuru sana.

Com. Yano: Asante sana. Haji Abdikadir, kama Haji ha yuko Aliyo Gabow, Aliyo Gabow, alafu Isaack Adan, Isaack Adan, Abdikadir Adan, Abdikadir Adan, Abdikadir yuko, Abdula Shabura Adan, Abdula.

Audience:(inaudible)

Abdula Shabura: (Garre dialect) *makkan kiyi Abdulla Shabura yeddin*

Translator: My name is Abula Shabura.

Abdula Shabura: (Garre dialect) *Gann kiyallen torbatami shaan*

Translator: I am 75 years old

Abdula Shabura: (Garre dialect) *wanni an irra dhubachu feed, war Elwak ammo wani ani amo ira dhubachu fedd war okollo yeddin*

Translator: I am a resident of this town Elwak and I would like to address the issues of disabled, especially the physically disabled.

Abdula Shabura: (Garre dialect) *anna gani torbatami shani*

Translator: At the age of 75.

Abdula Shabura: (Garre dialect) *makka okollo tak hindagenne*

Translator: I have never heard of issues of disabled.

Abdula Shabura: (Garre dialect) *district Madera kessat taka hindageyne*

Translator: I have never heard people addressing their issues.

Abdula Shabura: (Garre dialect) *arr dagae,*

Translator: It is my first time that I am hearing about them.

Abdula Shabura: (Garre dialect) *tanaf dhubad yeddin.*

Translator: It is the first time that in this new Constitution that I have heard people talking about the rights of the disabled, that is why I want to contribute in the new Constitution.

Abdula Shabura: (Garre dialect) *gan kiyy ka kudani shani naffad yeddin*

Translator: I became disabled at the age of 15.

Abdula Shabura: (Garre dialect) *mukkat na warrane naffad yeddin.*

Translator: I got the problem as a result of a tree attack.

Abdula Shabura: (Garre dialect) *waan makka nam nafaa, dib male deffen it daratanile ar dagai yeddin*

Translator: It is my first time that I am hearing a group concerned or a Commission concerned about the disabled, people only have a negative attitude towards the disabled.

Com. Yano: What is your recommendation? What does he want for the disabled?

Translator: *Akam fet dub akkam fet ree?*

Abdula Shabura: (Garre dialect) *akk anin fed issi dowlithin nuu kub kabate lein kess nuu ket fed.*

Translator: I would like the new Constitution to recognize us and give us a special care and concern.

Abdula Shabura: (Garre dialect) *ilman dale ilman sodhoma kab yedd amm*

Translator: We are a family of obligations and we have as many children as 30.

Abdula Shabura: (Garre dialect) *horrible hinkabnu, horri abartin nurra hobbasit yeed*

Translator: We are poor, we are destitute.

Abdula Shabura: (Garre dialect) *makka am birr gath dhabar tan gath duffani dib kessan korrada, naf korada nakoran yedd*

Translator: There is a time when a group came and we wrote a report about the disabled problems.

Abdula Shabura: (Garre dialect) *maal feetani yennan, kreta fen yenn*

Translator: We requested for some specific issues like woodcuts.

Abdula Shabura: (Garre dialect) *harre nu bittan feen yen*

Translator: We wanted donkeys.

Abdula Shabura: (Garre dialect) *ilman kabna ilaman kennat nu shaqeyan jedd.*

Translator: We wanted our children to work with those facilities.

Abdula Shabura: (Garre dialect) *himbadhe eggi sun hinagarne, tanat am duffe yeddin.*

Translator: So we have had people coming writing about the disabled and then it disappears.

Abdula Shabura: (Garre dialect) *lafti ten Kenya, wanti nuu irrat daggakan dowlathi kenyati*

Translator: We are Kenyans and we live under the Kenyan government.

Abdula Shabura: (Garre dialect) *makkan kenn dibbiy ken egi ach dabr gath hinthebin yed*

Translator: People write our problems but they don't come back to tell us what was the outcome of those reports.

Abdula Shabura: (Garre dialect) *issi achi, issi nuu egi arma qor hingesine ithuta gatanille himbenu yedd*

Translator: We even do not know whether things are thrown on the way.

Abdula Shabura: (Garre dialect) *asantu sana yeddin, yoo issan arr nurra futtani gessitan.*

Translator: We will be very glad if you can take the plight of the disabled to the government, and that this don't disappear on

the way.

Abdula Shabura: (Garre dialect) *kan dibi kenna*

Translator: Finally,

Abdula Shabura: (Garre dialect) *bissan yedd*

Translator: Water is our major concern.

Abdula Shabura: (Garre dialect) *bissan elwak kes hinjar yeddin*

Translator: We have water in Elwak.

Abdula Shabura: (Garre dialect) *bissan sun sagallen hinyattan yedd.*

Translator: That is not water that can be consumed with anything.

Abdula Shabura: (Garre dialect), *jerken tokk ka amman tan armat sagallen dabatani* **Translator:** One jericin that is used for cooking.

Abdula Shabura: (Garre dialect) *ka yoo kan maili sagal nuut duffu*

Translator: That is brought from as far as ten kilometers.

Abdula Shabura: (Garre dialect) *kaa yokanille maili didhami shani nuut duffu*

Translator: That comes as far as from 25 kilometres.

Abdula Shabura: (Garre dialect) *nammi miskin ill hinkabneff ka naffallen,*

Translator: What about the problem of the disabled and the blind?

Abdula Shabura: (Garre dialect) *sodhoman bittati shillingi sodhomma.*

Translator: A jericin of fresh water cost 30 shillings.

Abdula Shabura: (Garre dialect) *warr garrit nurra duffen bittat yeddin.*

Translator: Those who have vehicles use this as they make it use in this type of business.

Abdula Shabura: (Garre dialect) *missinga alla nu dufft jirr kanna*

Translator: The relief maize food that we get

Abdula Shabura: (Garre dialect) *bissan kanan hinyattani yeddin*

Translator: We don't cook it with this water.

Abdula Shabura: (Garre dialect) *hinadwan yeddin, horri male nam hinyatu*

Translator: This water is salty and nobody can use it except animals.

Abdula Shabura: (Garre dialect) *issan nafti tessan ta tetten bissan ala issan duffaninif ka duffatani male issan hindhugthan yedd.*

Translator: Unless you use mineral water or you get fresh water from elsewhere, non of you can use this water.

Abdula Shabura: (Garre dialect) *yoo issan futtanille, jerkenat naka dhemani bima yedd.*

Translator: If you will be very glad if the Commission can take some sample of this water and chemically test it.

Abdula Shabura: (Garre dialect) *dibb kannat harka nuu kabb yedd.*

Translator: We have this problem.

Abdula Shabura: (Garre dialect) *kaan Islanimithi wan sharri tenna qara qorrane yedd kallutu himme.*

Translator: Then finally, I would like to support the recommendations by the Sheikhs about the Islamic law.

Abdula Shabura: (Garre dialect) *debbu teen halalani yedd, debu teen namaƴa horrille*

Translator: So please also address the problem of water.

Abdula Shabura: (Garre dialect) *sun hagganat kesa bay yeddin.*

Translator: I have completed that and I am grateful.

Com. Yano: Asante sana Bwana Shabura. Alafu tutapatia Mohammed Obo, Mohammed Obo, alafu Ali Hussein Salim tafadhali.

Speaker: (Garre dialect) *nami guyya kaan, bokkok kab beyta , book bau fedda mitti? Bokkok kessat hindowina, ala, dubachu fetta? Maka*

Mohammed Robo: (Garre dialect) *makkan kiy Mahmad Robow yeddin*

Translator: My name is Mohammed Robo

Mohammed Robo: (Garre dialect) *wani ani irra dhubachu feddu mambo warr okollo*

Translator: I would like to give the views of the disabled community of Elwak.

Mohammed Robo: (Garre dialect) *takkat ka ani irra dhubachu feddu, sirkali wan anin kadadu skuli bure ka warr okolo ka ilman ken akriffatu haa nuu kenani.*

Translator: The first thing I would like to raise to the Commission is that we want free education for the children of the disabled.

Mohammed Robo: (Garre dialect) *tann ta lamesitu, nami okolo ka akrifat sirkali huji allai, nafas gabau hakenuffi.*

Translator: The second issue is about employment of the disabled, any disabled, any persons with disability should be given special consideration employment.

Mohammed Robo: (Garre dialect) *tan amale wani an it dharru, nam okolo ka laf tanna haqqi wan musaada, ka laff gath duffe, gooni hakenanifi koffa issa.*

Translator: Whenever there is any aid or assistance or donation towards the community the special portion should be set aside for the disabled.

Mohammed Robo: (Garre dialect) *amale wan anin fedu Sirkali fomen gutta musaada sherkanille tanan, D. C. gessa morri ha issan dawani, Nairobi gessa, achit shekani faa musaada barbada nun jeddani. Nuin tabarti karra kanan yaan hinkabnu, besse haggas geet ka kara kan kesa banun hinkb. Sirkali nuu hissabe yoo nuu kennu fede, laff ten tan kessat hanukenut.*

Translator: We have had situations where we are told to fill forms then we are told we have to go and study in institutions far off Nairobi. He is proposing that all assistance for the disabled or institutions should be established within their reach, so that they can benefit from such trainings.

Mohammed Robo: (Garre dialect)

Translator: We would like to get immediate action on any problems of the disabled, we would not like to be dragged.

Mohammed Robo: (Garre dialect)

Translator: We are livestock keepers, we have few animals we would like the traditional old system which used to exist. Livestock Marketing Division to be introduced.

Mohammed Robo: (Garre dialect)

Translator: I am grateful he says I greet the Commission.

Com. Yano: Asante sana Bwana Robo. Atakayefuata sasa ni Haji Hussein, uko tayari? Hajim Hussein, Hajim Ahmed Mohammed, atakayefuata Mohammed ni Haji Abdul.

Hajim Mohammed Ahmed: (Garre dialect)

Translator: My names are Hajim Mohammed Ahmed Baro.

Hajim Mohammed Ahmed: (Garre dialect)

Translator: I'll be brief in my talk

Haji Mohammed Ahmed: (Garre dialect)

Translator: I would like also to support the position of the Sheikhs, as far as implementation of sharia is concerned.

Haji Mohammed Ahmed: (Garre dialect)

Translator: I am a pastoralist

Haji Mohammed Ahmed: (Garre dialect)

Translator: I would like to address the issues of the pastoralists.

Haji Mohammed Ahmed: (Garre dialect)

Translator: We have animals like, we have livestock like cows, camels and goats.

Haji Mohammed Ahmed: (Garre dialect)

Translator: There is no permanent source of water except here.

Haji Mohammed Ahmed: (Garre dialect)

Translator: We have to trek long distance looking for water from this permanent source here.

Haji Mohammed Ahmed: (Garre dialect)

Translator: Everybody has been leveled to the same position by continuous droughts.

Haji Mohammed Ahmed: (Garre dialect)

Translator: The first thing I would like to appeal to the Commissioners, is that the issue of water should be addressed in this new Constitution.

Haji Mohammed Ahmed: (Garre dialect)

Translator: Our animals have to trek 50kilometres to reach the water point here.

Haji Mohammed Ahmed: (Garre dialect)

Translator: The weak animals they are weak are always left on the way because they cannot reach the water points.

Haji Mohammed Ahmed: (Garre dialect)

Translator: The same with goats. We always leave them on the way.

Haji Mohammed Ahmed: (Garre dialect)

Translator: We have no dams.

Haji Mohammed Ahmed: (Garre dialect)

Translator: The nearest ones are close to Wajia, which is now not in our traditional grazing area.

Haji Mohammed Ahmed: (Garre dialect)

Translator: From here to Takaba there are no any other dams in between.

Haji Mohammed Ahmed: (Garre dialect)

Translator: There is only one dam in between.

Haji Mohammed Ahmed: (Garre dialect)

Translator: That is to serve the needs of the School and the community around there.

Haji Mohammed Ahmed: (Garre dialect)

Translator: We are livestock keepers, we are pastoralists, we would like to have water.

Haji Mohammed Ahmed: (Garre dialect)

Translator: Everyday there is fight of access to water.

Haji Mohammed Ahmed: (Garre dialect)

Translator: We would like the problem of water addressed.

Haji Mohammed Ahmed: (Garre dialect)

Translator: We are like other Kenyans, we contribute to the Kenyan economy.

Haji Mohammed Ahmed: (Garre dialect)

Translator: Since we pay also taxes, we would like us to get wells.

Haji Mohammed Ahmed: (Garre dialect)

Translator: Finally,

Haji Mohammed Ahmed: (Garre dialect)

Translator: Everywhere now people have mixed, there is no control there is a lot of problems.

Haji Mohammed Ahmed: (Garre dialect)

Translator: There is a lot of grassteling.

Haji Mohammed Ahmed: (Garre dialect)

Translator: We do not know that this,

Haji Mohammed Ahmed: (Garre dialect)

Translator: There is a lot of rape cases because of interruptions.

Haji Mohammed Ahmed: (Garre dialect)

Translator: If your daughter slept definitely you would like to kill the raper.

Haji Mohammed Ahmed: (Garre dialect)

Translator: That is going to lead to clashes.

Haji Mohammed Ahmed: (Garre dialect)

Translator: During the dry season, let people come and graze together because there is no other way. We are Muslims we shall share resources. But during the rainy season like the time like now, people should go back to their grazing area and graze their respective areas.

Haji Mohammed Ahmed: (Garre dialect)

Translator: We are part of Kenya, we are Kenyan community, we would like since we are underdeveloped, we would like the government to raise the status of this community.

Haji Mohammed Ahmed: (Garre dialect)

Translator: About Schools,

Haji Mohammed Ahmed: (Garre dialect)

Translator: Even those who could afford long time one time, cannot afford today because of the cost.

Haji Mohammed Ahmed: (Garre dialect)

Translator: Most of them they have been reduced purpose because of the drought.

Haji Mohammed Ahmed: (Garre dialect)

Translator: We would like support from the current Constitution.

Haji Mohammed Ahmed: (Garre dialect)

Translator: That is my final statement.

Com. Yano: Asante sana. Ibrahim Mukutar, hakuna anayeongea, haukualikwa unaongea? Karibu mzee.

Haji Akheri Mohammed: (Garre dialect)

Translator: I greet you.

Haji Akheri Mohammed: (Garre dialect)

Translator: I shall be brief in my statements.

Haji Akheri Mohammed: (Garre dialect)

Speaker: (Garre dialect)

Haji Akheri Mohammed: Haji Akheri Mohammed

Translator: We came together here,

Haji Akheri Mohammed: (Garre dialect)

Translator: To discuss on the changing of the new Constitution.

Haji Akheri Mohammed: (Garre dialect)

Translator: We never came to discuss issues which are political or otherwise.

Haji Akheri Mohammed: (Garre dialect)

Translator: I would like to first address.

Haji Akheri Mohammed: (Garre dialect)

Translator: We are Muslims

Haji Akheri Mohammed: (Garre dialect)

Translator: We would like the Islamic sharia strengthened.

Haji Akheri Mohammed: (Garre dialect)

Translator: I would stop there.

Haji Akheri Mohammed: (Garre dialect)

Translator: Secondly,

Haji Akheri Mohammed: (Garre dialect)

Translator: We are pastoralists,

Haji Akheri Mohammed: (Garre dialect)

Translator: I would like to recommend,

Haji Akheri Mohammed: (Garre dialect)

Translator: We would like a mobile system of treating the animals, giving them medical treatment, care while they are moving, a mobile system of veterinary care.

Haji Akheri Mohammed: (Garre dialect)

Translator: The other issue,

Haji Akheri Mohammed: (Garre dialect)

Translator: Before,

Haji Akheri Mohammed: (Garre dialect)

Translator: When we were part of the colonial system or the colonial government.

Haji Akheri Mohammed: (Garre dialect)

Translator: We have detained for 30 days without any reason.

Haji Akheri Mohammed: (Garre dialect)

Translator: This issue of detention for no reason should be abolished.

Haji Akheri Mohammed: (Garre dialect)

Translator: Even today the police arrest you and puts you in jail for 20 days.

Haji Akheri Mohammed: (Garre dialect)

Translator: There is also a lot of money you have to bribe them.

Haji Akheri Mohammed: (Garre dialect)

Translator: We would like the Constitution to address this and bring it to a halt.

Haji Akheri Mohammed: (Garre dialect)

Translator: And I would like to add,

Haji Akheri Mohammed: (Garre dialect)

Translator: There is something called acting Chief.

Haji Akheri Mohammed: (Garre dialect)

Translator: What is acting Chief?

Haji Akheri Mohammed: (Garre dialect)

Translator: Let this issue of Chief burned.

Haji Akheri Mohammed: (Garre dialect)

Translator: Let this issue called Chief be removed.

Haji Akheri Mohammed: (Garre dialect)

Translator: Instead I propose election, the traditional system of election.

Haji Akheri Mohammed: (Garre dialect)

Translator: It is called Sultan.

Haji Akheri Mohammed: (Garre dialect)

Translator: I propose that one.

Haji Akheri Mohammed: (Garre dialect)

Translator: This name called Chief should be eradicated.

Haji Akheri Mohammed: (Garre dialect)

Translator: I would like to add again.

Haji Akheri Mohammed: (Garre dialect)

Translator: During the time of elections,

Haji Akheri Mohammed: (Garre dialect)

Translator: The person who shall be a President,

Haji Akheri Mohammed: (Garre dialect)

Translator: If he does not get out of the 8 Provinces 50%,

Haji Akheri Mohammed: (Garre dialect)

Translator: If he does not get 50% out of the 8 Provinces,

Haji Akheri Mohammed: (Garre dialect)

Translator: He should not lead this country.

Haji Akheri Mohammed: (Garre dialect)

Translator: I would also like to add,

Haji Akheri Mohammed: (Garre dialect)

Translator: Whenever the Parliament is open and elections are about to come,

Haji Akheri Mohammed: (Garre dialect)

Translator: We only want those who are university graduates to be elected as MPs.

Haji Akheri Mohammed: (Garre dialect)

Translator: Whoever does not have a university degree should not vie for the post of a MP.

Haji Akheri Mohammed: (Garre dialect)

Translator: Only those who are graduates from the university should vie for the post of MP.

Haji Akheri Mohammed: (Garre dialect)

Translator: I would like also to talk about the local government.

Haji Akheri Mohammed: (Garre dialect)

Translator: If one is not a form four,

Haji Akheri Mohammed: (Garre dialect)

Translator: The new Constitution should burn anybody who is not a form four leaver to vie for a post, because he has no education.

Haji Akheri Mohammed: (Garre dialect)

Translator: Because he has is no education.

Haji Akheri Mohammed: (Garre dialect)

Translator: Finally,

Haji Akheri Mohammed: (Garre dialect)

Translator: People here are complaining, people here are lamenting about the problems

Haji Akheri Mohammed: (Garre dialect)

Translator: Unemployment issue.

Haji Akheri Mohammed: (Garre dialect)

Translator: This land has a lot resource.

Haji Akheri Mohammed: (Garre dialect)

Translator: There is even petrol, there is even oil in this land, the government should do some study and dig for us.

Haji Akheri Mohammed: (Garre dialect)

Translator: Even the stones are resources.

Haji Akheri Mohammed: (Garre dialect)

Translator: But the government does not even bother to look at this resources.

Haji Akheri Mohammed: (Garre dialect)

Translator: We are neglected as a region.

Haji Akheri Mohammed: (Garre dialect)

Translator: We have been added to the soil.

Haji Akheri Mohammed: (Garre dialect)

Translator: What I would like to recommend,

Haji Akheri Mohammed: (Garre dialect)

Translator: As locals from this region,

Haji Akheri Mohammed: (Garre dialect)

Translator: All the livestock products and the livestock themselves,

Haji Akheri Mohammed: (Garre dialect)

Translator: That should be beneficial to pass to this community, because today the people who are benefiting from those livestock, are the people of Kenya not ourselves.

Haji Akheri Mohammed: (Garre dialect)

Translator: We would like institutions of higher learning to be established in this region.

Haji Akheri Mohammed: (Garre dialect)

Translator: From Ramo where we are,

Haji Akheri Mohammed: (Garre dialect)

Translator: From Mandera up to Garissa

Haji Akheri Mohammed: (Garre dialect)

Translator: We would like institutions that have excellence, of higher learning to be established.

Haji Akheri Mohammed: (Garre dialect)

Translator: Because most of our children today are unemployed because of poor standards of education.

Haji Akheri Mohammed: (Garre dialect)

Translator: That is the only time we can trace that the Commission has been great.

Com. Yano: Ongea point ya mwisho

Haji Akheri Mohammed: (Garre dialect)

Translator: (Garre dialect)

Haji Akheri Mohammed: (Garre dialect)

Translator: Finally, I would like to propose that the people of this region have control over their governors. He is proposing majimbo.

Haji Akheri Mohammed: (Garre dialect)

Translator: He is saying thank you to the Commission.

Com. Yano: Kuna swali tafadhali ngojea mzee Ahmed.

Audience:(inaudible)

Com. Baraza: Mzee Ahmed, umesema kwamba hii Northeastern Province imeachwa nyuma sana, kielimu na mambo ingine kadhaa, na sasa unataka watu ambao wanataka kuenda bunge, wawe watu wa madegree. Hiyo mtapata? Kama watu wameachwa nyuma labda hawajaenda university.

Translator: (Garre dialect translation)

Haji Akheri Mohammed (Garre dialect)

Translator: We have people who are educated, he said with degrees from this region.

Haji Akheri Mohammed (Garre dialect)

Translator: He said they are there they are plenty, so we are the people who have degrees. He says.

Com. Yano: Asante sana Bwana Haji. Sasa mwenye ninahitaji apatiane maoni yake ni Ibrahim Muktar, Ibrahim Muktar halafu atafuatwa na Pauline Ibrahim.

Ibrahim Muktar: (Garre dialect)

Translator: He started with the name of the father, the most gracious, the most merciful, my name is Ibrahim Muktar, he says.

Ibrahim Muktar: (Garre dialect)

Translator: Before I start giving my views, I would like to pray that God guides us to what is best for this community.

Ibrahim Muktar: (Garre dialect)

Translator: The first thing I would like to address,

Ibrahim Muktar: (Garre dialect)

Translator: What I would like to propose is about, the electoral laws that govern election of an MP.

Ibrahim Muktar: (Garre dialect)

Translator: I propose that the minimum qualification for a Member of Parliament should be a degree.

Ibrahim Muktar: (Garre dialect)

Translator: All this problems that people mentioned, all this problems of underdevelopment, have relation with their level of education of the leadership.

Ibrahim Muktar: (Garre dialect)

Translator: Those who are not educated cannot go and articulate the problem of the community in the Parliament.

Ibrahim Muktar: (Garre dialect)

Translator: That is why we find that we are not properly presented unless the person is well educated.

Ibrahim Muktar: (Garre dialect)

Translator: That is my position about the MP.

Ibrahim Muktar: (Garre dialect)

Translator: I would to talk about the issues of local government Councillors.

Ibrahim Muktar: (Garre dialect)

Translator: I would like to propose that a Councilor should have a minimum of form four.

Ibrahim Muktar: (Garre dialect)

Translator: We have had experience where the local Councilors here could not communicate the problem they wanted to tell to the others. So we propose that those who have finished some basic education up to form four should be elected.

Ibrahim Muktar: (Garre dialect)

Translator: We would the new Constitution to bar anybody who does not have a form four certificate from vying for a Councilor.

Ibrahim Muktar: (Garre dialect)

Translator: Chiefs, I would like to talk about Provincial Administration, Chiefs.

Ibrahim Muktar: (Garre dialect)

Translator: During the old days of my father and my grandfathers, a Chief is somebody elected or nominated by a council of elders.

Ibrahim Muktar: (Garre dialect)

Translator: Those days people used to respect the Chief, he is somebody whose status was highly recognized, and he is somebody whose orders were always implemented by others.

Ibrahim Muktar: (Garre dialect)

Translator: People give him his due recognition and they are satisfied with his position.

Ibrahim Muktar: (Garre dialect)

Translator: Because it is their choice.

Ibrahim Muktar: (Garre dialect)

Translator: Today the Chiefs are just like soldiers, they are representatives of the government.

Ibrahim Muktar: (Garre dialect)

Translator: The public have no confidence in them

Ibrahim Muktar: (Garre dialect)

Translator: The public does not even know they just call him a Chief nothing more.

Ibrahim Muktar: (Garre dialect)

Translator: We have a lot of problems with the Chief.

Ibrahim Muktar: (Garre dialect)

Translator: The Chief should be elected by the public.

Ibrahim Muktar: (Garre dialect)

Translator: He propose that if the government cannot accept the wish the community that a Chief be elected, then a Chief who does not work with the community properly should be transferred like any of the civil servant.

Ibrahim Muktar: (Garre dialect)

Translator: If otherwise, he should be elected by the public.

Ibrahim Muktar: (Garre dialect)

Translator: Another issue I would like to address is about borders.

Ibrahim Muktar: (Garre dialect)

Translator: The traditional borders are a major concern for this community.

Ibrahim Muktar: (Garre dialect)

Translator: All this tribal clashes you here in this region has something to do with the traditional borders.

Audience:(inaudible)

Ibrahim Muktar: (Garre dialect)

Com. Yano: Endelea

Ibrahim Muktar: (Garre dialect)

Translator: During the colonial times every community had its own traditional boundary and grazing land.

Ibrahim Muktar: (Garre dialect)

Translator: But all the same when there was crisis, each community had the freedom to go and graze with the other community.

Ibrahim Muktar: (Garre dialect)

Translator: We would like the traditional boundaries to be revived, but during the crisis the community shares resources.

Ibrahim Muktar: (Garre dialect)

Translator: My last point will be on the Kadhis court and we would like somebody well educated in Islamic law to be Kadhi.

Ibrahim Muktar: (Garre dialect)

Translator: We would like this government to have a regional government, so that they can control the affairs.

Ibrahim Muktar: (Garre dialect)

Translator: To acquire a birth certificate is a nightmare in this region and even when you acquire it, it does not guarantee you, because there is a phrase written there which says, this birth certificate does not guarantee you to be a citizen of this country.

Ibrahim Muktar: (Garre dialect)

Translator: This clearly shows that this people of this region are not Kenyans.

Ibrahim Muktar: (Garre dialect)

Translator: We would like this new Constitution dispensation to add us into Kenya.

Ibrahim Muktar: (Garre dialect)

Translator: I like to conclude with those few remarks. Thank you.

Com. Yano: Asante sana. Asante sana. Mwenye anayemfuata ni Mohammed

Ibrahim, Mohammed Ibrahim. Mohammed, kama Mohammed ha yuko anayefuata ni Musa Hassan, Musa Hassan.

Mohammed Ibrahim: (Garre dialect)

Translator: I will be very brief

Mohammed Ibrahim: (Garre dialect)

Translator: Whatever I would have mentioned has already been mentioned by those who have preceded me.

Mohammed Ibrahim: (Garre dialect)

Translator: I will also like to give my support about the implementation of Islamic sharia in this region.

Mohammed Ibrahim: (Garre dialect)

Translator: The other thing I would like to add

Mohammed Ibrahim: (Garre dialect)

Translator: We would like to look like other Kenyans, we don't want to look different.

Mohammed Ibrahim: (Garre dialect)

Translator: Well tarmacked roads,

Mohammed Ibrahim: (Garre dialect)

Translator: Factories.

Mohammed Ibrahim: (Garre dialect)

Translator: Whatever that other Kenyans have in terms of development, we would also like to have it.

Mohammed Ibrahim: (Garre dialect)

Translator: If I mentioned them, they will be many

Mohammed Ibrahim: (Garre dialect)

Translator: And I have not also written them.

Mohammed Ibrahim: (Garre dialect)

Translator: Whatever resources that other Kenyans should also be established here.

Mohammed Ibrahim: (Garre dialect)

Translator: I would conclude with those few remarks.

Com. Yano: Thank yo very much. Anayemfuata ni Musa Hassan, alafu can we have Maalim Ibrahim Adan after that.

Mohammed Musa Hassan: My name is Mohammed Musa Hassan, I am a Vice-

Chairman of Vokolayo Development Initiative. Today I want to give my opinion about citizenship. According to my opinion anyone borne in Kenya, he stayed in Kenya for a period of seven years up to ten years. Wife and husband married to a Kenyan citizen, Kenyan citizenship should be acquired by registration and neutralization. As part of Kenyan citizen regardless of gender should be entitled to automatic citizenship. A child borne of Kenyan parents, regardless of parents gender should be entitled to automatic citizenship. All Kenyans regardless of tribe, race, religion, political affiliation, geographical choosing. Closeness to border should be entitled to equivalent citizenship, there should no ratio jupedise things like second class citizen should not arise. Example Kenya and Somalia are issued with Kenya Somalia restriction card known as screen card. The rights and obligations of Kenyan citizens shall remain the same, as though indicated in the previous Constitution. But this rights and obligation should be adhered to by all organs of the government. History has itself those who live Northern Kenya have been marginalized with men, abuse, rape name them. Though they are not entitled to equal rights like other Kenyans. We therefore, want this matter addressed in this current Constitution. The right and obligation of a citizen should not depend on the manner in which the citizenship is acquired. This particular Constitution process should not allow dual citizenship. As this will allow offenders to criss cross borders and go unpunished. The documentation a Kenyan citizen should carry as an evidence are ID cards, driving license, birth certificate of late the Kenya birth certificate have indicated that this is not prove of Kenyan citizenship. That particular cloud should be scrapped. The Kenyan passport you acquire when you want to travel outside Kenya.

The other thing I would like to add is about the local Chiefs, the Kenyan government have recruited a lot of Chiefs, and we as Somali are pastoralists and normally we have cattle, cows and camels, and all locations and Divisions are being settled apart.

One is around 20 km, the other one is about 3 km, the other one is about 20 km, so the animals have no place of grazing so we just want things to be added in the Constitution that no more Chiefs should be recruited. Thank you.

Translator: (Garre dialect translation)

Com. Yano: Okey, Maalim Ibrahim Adan. Halafu Maalim atafuatwa na Ali Musa Adem

Maalim Ibrahim Adan: Asalam Alekum.

Translator: I greet you first.

Maalim Ibrahim Adan: (Garre dialect)

Translator: Foremost I thank God for have given this opportunity to us, for also bringing all of us together and being at peace.

Maalim Ibrahim Adan: Maalim Ibrahim Adan.

Translator: Maalim Ibrahim Adan.

Maalim Ibrahim Adan: (Garre dialect)

Translator: I am now 63 years old

Maalim Ibrahim Adan: (Garre dialect)

Translator: During the olden days, during the colonial times, we used to have 2 recognized Chiefs who are locals here, who are called Adao Edo and Jerry.

Maalim Ibrahim Adan: (Garre dialect)

Translator: If it was the other tribes, the other tribes used to have traditional Chiefs called Ali Bakal and others.

Maalim Ibrahim Adan: (Garre dialect)

Translator: If it is the other section of the Murule which is also on the bordering, we used to have traditional Chiefs called Gesei.

Maalim Ibrahim Adan: (Garre dialect)

Translator: I used to have an old Kadhi called Sheikh Hussein who was among the first Kadhis of this region.

Maalim Ibrahim Adan: (Garre dialect)

Translator: If there was jobs, they used to call the youth.

Maalim Ibrahim Adan: (Garre dialect)

Translator: We thank this government.

Maalim Ibrahim Adan: (Garre dialect)

Translator: We have had peace throughout.

Maalim Ibrahim Adan: (Garre dialect)

Translator: Because the neighbouring countries have had a lot of turmoil.

Maalim Ibrahim Adan: (Garre dialect)

Translator: But we have been at peace in this country.

Maalim Ibrahim Adan: (Garre dialect)

Translator: Now I would like to mention.

Maalim Ibrahim Adan: (Garre dialect)

Translator: We have an order, we have an established system that has made everything to be in order.

Maalim Ibrahim Adan: (Garre dialect)

Translator: Now there is chaos, there is total lawlessness now.

Maalim Ibrahim Adan: (Garre dialect)

Translator: If it is that if people follow the teachings of Islamic law.

Maalim Ibrahim Adan: (Garre dialect)

Translator: If it is inheritance, Islamic law has taken care of it for.

Maalim Ibrahim Adan: (Garre dialect)

Translator: If it is murder, the law has got its own way of handling it.

Maalim Ibrahim Adan: (Garre dialect)

Translator: If a lady is killed, the same.

Maalim Ibrahim Adan: (Garre dialect)

Translator: Even if it is a small injury, the Islamic law has a way of handling it.

Maalim Ibrahim Adan: (Garre dialect)

Translator: The Sheikhs are here.

Maalim Ibrahim Adan: (Garre dialect)

Translator: The books are there.

Maalim Ibrahim Adan: (Garre dialect)

Translator: We have been told to keep them aside.

Maalim Ibrahim Adan: (Garre dialect)

Translator: The law that is in place does not also effect.

Maalim Ibrahim Adan: (Garre dialect)

Translator: That is my position about Islamic sharia.

Maalim Ibrahim Adan: (Garre dialect)

Translator: The current law of the government has got a very funny system, whereby those who have got strength, those who have the money, those in power, have always very busy from that law.

Maalim Ibrahim Adan: (Garre dialect)

Translator: The rest have been marginalized and the Islamic law has also been kept aside.

Maalim Ibrahim Adan: (Garre dialect)

Translator: Those who we used to consult, have been retired now we have nobody to consult.

Maalim Ibrahim Adan: (Garre dialect)

Translator: Now that is why there is a lot of instability in the society.

Maalim Ibrahim Adan: (Garre dialect)

Translator: There is instability.

Maalim Ibrahim Adan: (Garre dialect)

Translator: Therefore, I recommend institutionalization in establishment of Islamic sheria.

Maalim Ibrahim Adan: (Garre dialect)

Translator: It is said in the Korun, that we follow the teachings of the prophets.

Maalim Ibrahim Adan: (Garre dialect)

Translator: It is said that we are supposed to follow the teachings of the Korun, the prophets and also obey those who are in authority.

Maalim Ibrahim Adan: (Garre dialect)

Translator: We would like the establishment of the institutionalized Islamic sheria and also the implementation of the rule law, because they say there is no rule law now.

Maalim Ibrahim Adan: (Garre dialect)

Translator: We have no problem with whatever the consensus of the community leaders.

Maalim Ibrahim Adan: (Garre dialect)

Translator: We would the sheria to be implemented.

Maalim Ibrahim Adan: (Garre dialect)

Translator: I am an Imam of a Mosque which is just here neighbourhood here.

Maalim Ibrahim Adan: (Garre dialect)

Translator: There is no water

Maalim Ibrahim Adan: (Garre dialect)

Translator: And there is a well next to it.

Maalim Ibrahim Adan: (Garre dialect)

Translator: There is no toilet facility.

Maalim Ibrahim Adan: (Garre dialect)

Translator: The mosque is in a bad shape.

Maalim Ibrahim Adan: (Garre dialect)

Translator: Because of the high level of poverty in the community.

Maalim Ibrahim Adan: (Garre dialect)

Translator: Unemployment is rampant.

Maalim Ibrahim Adan: (Garre dialect)

Translator: We will be very grateful if there is a rule of law, as per the current laws and the Islamic law is also implemented.

Maalim Ibrahim Adan: (Garre dialect)

Translator: But there is no order, there is lawlessness would like order maintained.

Maalim Ibrahim Adan: (Garre dialect)

Translator: We should know who is in authority, and who is a ruler and who is being ruled.

Maalim Ibrahim Adan: (Garre dialect)

Translator: We should know who is a scholar and who is a follower.

Maalim Ibrahim Adan: (Garre dialect)

Translator: It is only the law which can make that difference.

Maalim Ibrahim Adan: (Garre dialect)

Translator: We would like the Islamic law strengthened, and even the rule of law seen at work.

Maalim Ibrahim Adan: (Garre dialect)

Translator: That is my appeal

Maalim Ibrahim Adan: (Garre dialect)

Translator: Thank you very much.

Com. Yano: Asante sana. Anayefuata ni Isaack Adan, Adan Isaack,

Speaker: He could be the last speaker.

Adan Isaack: (Garre dialect)

Translator: My names are Adan Isaack Mahad.

Adan Isaack: (Garre dialect)

Translator: I am a teacher at a madarasa at a small village called Kutulo.

Adan Isaack: (Garre dialect)

Translator: I shall be very brief, and I would like to address the issues to do with Islamic religion.

Adan Isaack: (Garre dialect)

Translator: The first one,

Adan Isaack: (Garre dialect)

Translator: The Kenyan government has strengthened and established the secular system.

Adan Isaack: (Garre dialect)

Translator: We would like also the government to strengthen and support the madarasa and Islamic system of education.

Adan Isaack: (Garre dialect)

Translator: As a teacher I would also to appeal

Adan Isaack: (Garre dialect)

Translator: I would like to propose an integrity system of education where the curriculum in the morning is secular, and in the afternoon it is Islamic.

Adan Isaack: (Garre dialect)

Translator: Why it is important that we do that,

Adan Isaack: (Garre dialect)

Translator: In the morning the children go to School and up to evening they are at School.

Adan Isaack: (Garre dialect)

Translator: Some of them when they reach about the final grade they continue going back to School even in the night to study.

Adan Isaack: (Garre dialect)

Translator: Kadhi leaves no room for people to get spiritual teachings.

Adan Isaack: (Garre dialect)

Translator: That is why I am appealing to the Commission, that they recommend an integrated system that gives them a balanced treatment, that is both secular then also the crucial nourishment.

Adan Isaack: (Garre dialect)

Translator: The other one is about core education where boys and girls are studying together.

Adan Isaack: (Garre dialect)

Translator: Now when they go for something like physical education or even dances the boys and girls have to do it together.

Adan Isaack: (Garre dialect)

Translator: The religion of Muslim does not allow mixing of boys and girls and also even playing together.

Adan Isaack: (Garre dialect)

Translator: And therefore, things like drama, things which will allow boys and girls mix together and dance, the government should not impose it on the Mutomusini community.

Adan Isaack: (Garre dialect)

Translator: The education system should respect the Islamic code of dressing, the girls should be allowed to dress in a jab.

Com. Yano: Yusuf Hassan, Yusuf Hassan, Yusuf Hassan yuko, kama ha yuko Sheikh Mohammed, Sheikh Mohammed

Com. Isaack Lenaola: There is an area Councilor who has pressurizing me Commissioner, he is a Councilor, come and give your views.

Ibrahim Hassanow Osman Baricha: (Garre dialect)

Translator: He says my name is Ibrahim Hassanow Osman Baricha a nominated Councilor.

Ibrahim Hassanow Osman Baricha: (Garre dialect)

Translator: He would like to thank the Commission, specifically the parents that has visited us, for coming and listened to our views.

Ibrahim Hassanow Osman Baricha: (Garre dialect)

Translator: If you cannot be able to express ourselves as you require is because we have our own limitation and we have the confidence that you are going to point, our points in a Constitutional way.

Ibrahim Hassanow Osman Baricha: (Garre dialect)

Translator: Most welcome to this community here and most welcome in this part of the country.

Ibrahim Hassanow Osman Baricha: (Garre dialect)

Translator: I will be very brief in my presentation.

Ibrahim Hassanow Osman Baricha: (Garre dialect)

Translator: There is a very big gap between the herb and herb not sealed, the rich and the poor.

Ibrahim Hassanow Osman Baricha: (Garre dialect)

Translator: For the poor to reach the level of the rich it requires many many years of sacrifice.

Ibrahim Hassanow Osman Baricha: (Garre dialect)

Translator: If this system only benefits the rich.

Ibrahim Hassanow Osman Baricha: (Garre dialect)

Translator: What will be the fate of the poor?

Ibrahim Hassanow Osman Baricha: (Garre dialect)

Translator: Then my first view.

Ibrahim Hassanow Osman Baricha: (Garre dialect)

Translator: The disabled.

Ibrahim Hassanow Osman Baricha: (Garre dialect)

Translator: The disabled persons of disability the blind the physically disabled.

Ibrahim Hassanow Osman Baricha: (Garre dialect)

Translator: The old mother who has no children but is aged.

Ibrahim Hassanow Osman Baricha: (Garre dialect)

Translator: The old man who is aged but has no children.

Ibrahim Hassanow Osman Baricha: (Garre dialect)

Translator: This special category should be supported by the government and they should be given salaries.

Ibrahim Hassanow Osman Baricha: (Garre dialect)

Translator: My second view,

Ibrahim Hassanow Osman Baricha: (Garre dialect)

Translator: Our economy, our garden or our shamba is livestock.

Ibrahim Hassanow Osman Baricha: (Garre dialect)

Translator: While the other Kenyans depend on agriculture our main stay is livestock.

Ibrahim Hassanow Osman Baricha: (Garre dialect)

Translator: And our biggest threat to that animal is drought.

Ibrahim Hassanow Osman Baricha: (Garre dialect)

Translator: When they say that there drought, there is nothing to support you.

Ibrahim Hassanow Osman Baricha: (Garre dialect)

Translator: That is why the level of poverty is increasing, because drought comes wipes the animals the people have nothing now.

Ibrahim Hassanow Osman Baricha: (Garre dialect)

Translator: I would like to propose.

Ibrahim Hassanow Osman Baricha: (Garre dialect)

Translator: Whenever there is famine and disaster, the government declares a disaster because human beings have no food. We would like also the government to decide declare disaster, whenever there is drought, the animals have no water no grass the government takes the responsibility to provide water and other essential needs of the animals.

Ibrahim Hassanow Osman Baricha: (Garre dialect)

Translator: We are quite aware that there are boards that manage various sectors of agriculture. We like also to propose a board for the livestock development.

Ibrahim Hassanow Osman Baricha: (Garre dialect)

Translator: We know that there is high demand for our goats, there is high demand for even our camels in the international market, but we do not know the procedure, neither do we know even how to acquire those licenses.

Ibrahim Hassanow Osman Baricha: (Garre dialect)

Translator: Well I like what I would like to propose.

Ibrahim Hassanow Osman Baricha: (Garre dialect)

Translator: I would like to recommend here, that the District have a livestock board that has the independence to seek to search for market at international level, regional level even within the country. Such that we are not curtailed, there are no barriers, such boards have the freedom to go anywhere and look for market for their products.

Ibrahim Hassanow Osman Baricha: (Garre dialect)

Translator: School issues has also been raised.

Ibrahim Hassanow Osman Baricha: (Garre dialect)

Translator: I would like to talk about specifically about mobile Schools.

Ibrahim Hassanow Osman Baricha: (Garre dialect)

Translator: It has become necessary that we emphasize mobile Schools, because those who can afford to take their children to established Schools like this, are the senatary people settled in the major towns.

Ibrahim Hassanow Osman Baricha: (Garre dialect)

Translator: The old man who has got few animals and does not live in the town.

Ibrahim Hassanow Osman Baricha: (Garre dialect)

Translator: Who has children

Ibrahim Hassanow Osman Baricha: (Garre dialect)

Translator: If he leaves the children here he has nobody to leave them with.

Ibrahim Hassanow Osman Baricha: (Garre dialect)

Translator: He would prefer having his children with him than leaving them under nobody's care.

Ibrahim Hassanow Osman Baricha: (Garre dialect)

Translator: In the process those children's rights are forgotten.

Ibrahim Hassanow Osman Baricha: (Garre dialect)

Translator: I would like to propose here that, it becomes the responsibility of the government to establish mobile Schools, that will move with the community in a make shift system, like the way they shift from one position to another position.

Ibrahim Hassanow Osman Baricha: (Garre dialect)

Translator: I would like also to address the issue of wildlife.

Ibrahim Hassanow Osman Baricha: (Garre dialect)

Translator: I would like to indicate to the Commission here that, like any parts of the country there is a lot of resources in this region.

Ibrahim Hassanow Osman Baricha: (Garre dialect)

Translator: We are only missing people to exploit this resource.

Ibrahim Hassanow Osman Baricha: (Garre dialect)

Translator: Are you aware that those lions that you watch in the zoos those hyenas, the antelopes and all other types of wildlife that you go and look in those parks, are always caught from here?

Ibrahim Hassanow Osman Baricha: (Garre dialect)

Translator: There it is a source of income it brings in dollar.

Ibrahim Hassanow Osman Baricha: (Garre dialect)

Translator: Here is the threat to the economy of a poor pastoralist.

Ibrahim Hassanow Osman Baricha: (Garre dialect)

Translator: Look at this paradox and how to address this paradox.

Ibrahim Hassanow Osman Baricha: (Garre dialect)

Translator: We have those animals.

Ibrahim Hassanow Osman Baricha: (Garre dialect)

Translator: We would like them put in a special reserve or parks.

Ibrahim Hassanow Osman Baricha: (Garre dialect)

Translator: Even if you make such a beautiful parks here, where is the road to bring us those dollars.

Ibrahim Hassanow Osman Baricha: (Garre dialect)

Translator: The reason why we are emphasizing the establishment of a tarmac road.

Ibrahim Hassanow Osman Baricha: (Garre dialect)

Translator: If you establish parks here, we do not have the highway for a mzungu to come and see our animals.

Ibrahim Hassanow Osman Baricha: (Garre dialect)

Translator: No mzungu would like to use this road which even ourselves we find it difficult.

Ibrahim Hassanow Osman Baricha: (Garre dialect)

Translator: Because of that urgency, we would like to propose to the Commission that the government tarmac the mainly the highway, which passes through all the major roads, such that it can become a source of revenue, such it can also help us in establishing tourism and the like.

Ibrahim Hassanow Osman Baricha: (Garre dialect)

Translator: The other point he says that there is this animals when they kill there is a rule that there should be compensation.

Ibrahim Hassanow Osman Baricha: (Garre dialect)

Translator: We have missed compensation for many years now.

Ibrahim Hassanow Osman Baricha: (Garre dialect)

Translator: We cannot kill them because if you do that you have only gone against the law.

Ibrahim Hassanow Osman Baricha: (Garre dialect)

Translator: We would like one thing the repelling of the law that allows anybody who kills wildlife to be arrested should be repelled so as we use it to defend ourselves.

Ibrahim Hassanow Osman Baricha: (Garre dialect)

Translator: I would like to touch on the electoral boundary.

Ibrahim Hassanow Osman Baricha: (Garre dialect)

Translator: Today Kenya, we are determined to make a constituency based on the number of the population, the size of the population.

Ibrahim Hassanow Osman Baricha: (Garre dialect)

Translator: But one thing you need to realize is that our people are few, but our land is vast.

Ibrahim Hassanow Osman Baricha: (Garre dialect)

Translator: We would like to recommend to the Commission here that the size of the population should not be the only determinant, the size of the land should also determine constituency locations.

Ibrahim Hassanow Osman Baricha: (Garre dialect)

Translator: Even in terms of the Councilor, or even in terms of an area MP or even the Chief when we are appointing a Chief.

Ibrahim Hassanow Osman Baricha: (Garre dialect)

Translator: We used to have a traditional council of elders before.

Ibrahim Hassanow Osman Baricha: (Garre dialect)

Translator: This council of elders used to handle matters even related to family issues, even to clan issues even sub-tribe issues.

Ibrahim Hassanow Osman Baricha: (Garre dialect)

Translator: They establish residents, they establish law they establish customs which has to be followed when it comes to council of elders.

Ibrahim Hassanow Osman Baricha: (Garre dialect)

Translator: We would like to recommend to the Commission here that the council of elders should be revived, so that they handle traditional issues, even including Islamic issues at their level.

Ibrahim Hassanow Osman Baricha: (Garre dialect)

Translator: Finally, I would like to talk about the issue of citizenship.

Ibrahim Hassanow Osman Baricha: (Garre dialect)

Translator: What we know today there are people who are born here, raised here who have reached 30 to 40 years and have no identity cards.

Ibrahim Hassanow Osman Baricha: (Garre dialect)

Translator: There is no evidence to show that he is a citizen, because people know he is a citizen.

Ibrahim Hassanow Osman Baricha: (Garre dialect)

Translator: He cannot get identity card because he has not been in access to the identity card.

Ibrahim Hassanow Osman Baricha: (Garre dialect)

Translator: That I would like the new Constitution, especially the Commission here, to include in the new Constitution that, identity cards should not be the only form of identification of citizenship. That being born in Kenya should qualify one to become a Kenyan citizen.

Ibrahim Hassanow Osman Baricha: (Garre dialect)

Translator: I would like to address environmental issues.

Com. Yano: You are short of time, wewe Councilor unajua kama ungejua ungengojea mpaka saa nane, iliungee kabisa, sasa ulifanya makosa, na pia kuna swali hapa unataka kuulizwa.

Com. Baraza: Mr. Baricha I can see you are a nominated Councilor, I would like you to comment on local authorities as an institution of governance and how you want to see it in the new Constitutional disengagement.

Translator: (Garre dialect translation)

Ibrahim Hassanow Osman Baricha: (Garre dialect)

Translator: If you will have allowed me time I would have made a comment about it

Com. Yano: You can make your comment.

Ibrahim Hassanow Osman Baricha: (Garre dialect)

Translator: The existing system is the Councilor, he is elected by the public

Ibrahim Hassanow Osman Baricha: (Garre dialect)

Translator: And the Councilors appoint the Mayor or the Chairman.

Ibrahim Hassanow Osman Baricha: (Garre dialect)

Translator: I would like to recommend that there should be a change in the system, and that the Chairman of the County Council and the Mayors of the towns or municipals be elected by the public.

Ibrahim Hassanow Osman Baricha: (Garre dialect)

Translator: And the two year term be extended to five years.

Ibrahim Hassanow Osman Baricha: (Garre dialect)

Translator: That is my recommendation.

Ibrahim Hassanow Osman Baricha: (Garre dialect)

Audience:(inaudible)

Mustafa Ahmed: My name is Mustafa Ahmed. I am a retired civil servant from the Ministry of Agriculture. I like to represent my view in front of the Commission. Constitutional Review Commission.

First I will talk on livestock. Livestock board should be formed, like other agricultural sectors, of pyrethrum, tea, coffee board, and camel, cattle board should be formed. To look for the market of this livestock. Thirty years of emergency rule we want the composition, the damage that is caused by the Kenyan military to the Northern parts of the Kenya, which is raping, castration of the men and killing innocent people, killing livestock, we want it to be compensated, should be looked upon. 10% of the budget of the country, we want it to go to the Northern Kenya for at least 15 years because this northern parts are very backwards on sites of developing, for the purpose of developing we need 10%. Tribal border should be recognized because most of the problems, civil war are as a result of tribal border, not as result of people, the most important is not the people but the land, why people are killing each other is land not people.

Passports and identity cards should be accessed to the people, somebody from Mandera goes for a purpose he is in Nairobi how many kilometers? You could see the road how it is. Therefore, you should replace whereby, at the District level like birth certificates should be brought near to the Division level. Chief Kadhi power and Chief Justice, should be given equal ranks, because there is in case whereby Islamic Kadhi rule and then they can again be referred back to Constitution case like jails. So to avoid such inconvenience, the Chief Kadhis should be given power. Just recently like a Kadhis case says alimaliza over the deport but they go and appeal again. So this is very un-Islamic.

Madarasa certificate, Primary and secondary up to university certificate of madarasa should be recognized as other education. If in the other language people learn in Kiswahili and English this is also people in Arabic and Kiswahili and other local languages. Where the case we have international language the same as English, Arabic is an international language. Mixed boys and girls Schools should be abolished. Because mixing girls and boys together increase a conception which brings AIDs and other things, sexual transmission disease, it encourages sexual transmission diseases. People form very early girlfriends, boyfriends and that is what brings even in the education level is a problem as well as Islamic level, Islamic sharia is also bad we don't need to mix men and women together.

Examination; School examination, of the urban area and this undeveloped area, should become different, because if you have the same circular, the examination is being set whereby, example I have never seen a laboratory, and I had the same examination with those who have all the technical things in the School, and we do the same examination and then I am told you have failed when I have never seen it. 25% of.....

Interjection:(Com. Yano): Time is up.

Mustafa Ahmed: 25% of Presidential election I support mobile health clinics, and pastoralists and equalism is support policy

boundaries should be removed from Northern parts of Kenya it has become as a commercialist. You only recognize in the Kadri total distortion like Naivasha, Mombasa, Thika but we have got a certain total extension here which has the money which we don't know where it goes.

Police polls station here; Okey, local government election, to qualify to become a Councilor, the person must be educated at least a Primary level, you don't need to go to an office and to be translated, at least a Primary level so that you know how you can solve this people's problems.

Com. Yano: Time is up.

Mustafa Ahmed: Okey, thank you.

Com. Yano: If you have your memorandum you can bring it here. Ahmed Lugari.

Ahmed Lugari Ali: Ladies and Gentlemen, Commissioners who have come to us, good afternoon everybody.

Audience: Good afternoon.

Ahmed Lugari Ali: My names are Ahmed Lugari Ali and I have a few things to present to the Commission. To start with, we need a Constitution that will empower the people and not one which gives the mandate to few individuals who will rule people with iron fists. We need people elected people, who can be recalled back at any time at all levels. We need a uniquely system of government in terms of resource distribution, and federal system in terms of administration. We need a (CKRC) Constitutional of Kenya Review Commission to be independent from politics as it takes time to complete its mission as long as it would take. We need no increme Constitution and let election be carried out under the current Constitution. For this Constitution, we need it to have a preamble, and that preamble, should clearly define itself as one which wipes out corruption, poverty, discrimination, disunity, injustice, tribalism, ritualism, dictatorship and non people empowerment underdevelopment.

My other point is about Parliaments and Presidency. We need a ceremonial President who leads people on special occasions only, he should be well educated and experienced. He should act on advisory basis and he should not be above the law. He should be the one who will be leading special Commissions to look into the problems of Kenyans. In my view we need a Prime Minister elected by Parliament, answerable to the Parliament and the people. He should be elected by at least 3 third majority, and a half from all the regions. He should be in Parliament all times to listen to sessions and answer questions pertaining to the government. He should be signatory to motion passed after public hearings and opinion have been carried out. In my view we also need, Parliaments should not amend Constitution before a consultation by a Review Commission which will visit all areas to collect the views of Kenyans and before amendment should be proposed, we need Parliament should not amend Constitution

before consultation by a Review Commission. This Review Commission should visit all areas and collect the views of Kenya and if it is proposed by maybe majority lets say 3 quarter of the people are that is the time when we can say that the motion has been designed or the amendment has been carried out.

MPs found guilty of corruption, their seats should be declared vacant and a hearing should be made in a supreme court. MPs to serve not more than 2 terms of 4 years each. That means the 5 year terms to be reduced to 4 years and let them not serve more than 2 terms. Same should be for the President and the Prime Minister. People should be given the chance to recall the MPs under a systematic procedure. Payment and salaries of MPs and the President and the Prime Minister should be decided by all Kenyans through refrodoms. Parliamentarians.....

Com. Yano: You have a minute to go.

Ahmed Lugari Ali: Parliamentarians should be an occupation of part time, but all of them should be there for the sessions. As far as court is concerned, we need the empowerment of the Kadhi court, we need no appealing jurisdiction for it, we need the Kadhi court to hear all cases regarding Muslim and Islamic religion. There should be terms for it and whoever is appointed to that post must be appointed by all Muslims and he must be knowledgeable to the maximum. We also need a supreme court, Judges should be elected by a Commission rather than one figure. As far as citizenship is concerned, all born in Kenya should be citizens of Kenya, those who have stayed in Kenya for more than 5 years with no criminal records, I think they should be also regarded as Kenyans. Easily obtainable IDs should be means of identifying Kenyans, we should not allow duel citizenship. Anybody born of parents in Kenya should be a Kenyan, investors who invest freely in Kenya with no unillegal business with which amount of money should also be allowed as Kenyans.

Birth certificates should be easily obtainable. As far as defense is concerned, the government should not given a lot of power to military and the police to harass the people and whoever is found guilty of doing the same, should face the law and given heavy punishment.

Com. Yano: Thank you very much.

Ahmed Lugari Ali: I should be allowed at least to continue.

Com. Yano: If you have your written memorandum, bring it

Ahmed Lugari Ali: I have not written.

Com. Yano: You can talk on one more point

Ahmed Lugari Ali: Okey, as far as defense is concerned, the President should not be the Commander in Chief.

Interjection: (Com. Yano): Just go to the point

Ahmed Lugari Ali: My last points are; Kenyans should be given free health services, free education, until Primary levels and valuation of investments in each region should be done. For example, Northeastern Province is underdeveloped and in other parts of Kenya it is very much ahead of us. So a valuation should be done or investments in each location should be done like sort of valuation for each region, you will come out that Northeastern for the last 20, 30, 40 years, it received the least kind of attention, they should be given priority. Thank you.

Com. Yano: Thank you very much. The one who should to follow is Hajir Hadir Adan.

Audience:(inaudible)

Shardahir Adan: (Garre dialect)

Shardahir Adan: Jina langu ni Shardahil Adan. Na ni mmoja wa religious leaders hapa Elwak, at the same time mwalimu wa madarasa. Mimi nataka kuchukua fursa hii kucontribute views zangu kwa proposed new Constitution of Kenya. Ya kwanza, mimi naunga mkono yale yamesemwa na maSheikh leo asubuhi kupatia Kadhi ya Waislamu wakubwa pia judgement yake kutekelezwa, to be implemented. Tena kuemploy MaSheikh wengine kama mimi kufundisha katika government Schools at Primary level, maanake sasa kuna MaSheikh wanafundisha huko secondary pia Primary levels. La tatu, encouragement; new Constitution ipatia encouragement kwa marriage ya katika vijana. Maanake ukosefu wa marriage utasababisha zina na zina italeti madhara kubwa pande ya life pia economy na madhara ingine.

Ya nne, Constitution mpya tunaomba isimamishwe ipatie ruhusa wale kina mama wanauza miili yao, ipatiwe ruhusa isimamishwe ipige marufuku. Mimi sisemi Northeastern peke but in all parts of Kenya. Pia mimi naomba mkono shule yetu ya Islamu pia madarasa ya Islamic Schools and government Schools ikuwe integrated maanake watoto wetu watoke shuleni wakiwa wanabeba secular education na religious education. Mpeane encouragement ya kufunza dhini ya Kiislamu katika all Schools in Kenya, government Schools sio Northeastern peke yake hata other parts, iwe hata wengine wajue maana ya dhini ya kiislamu. Point ingine tunaomba hii Constitution mpya kutoa kairat, maanake kairat maanake ni mali ambaye indani ya ardhi, ndani ya ardhi kama dhahabu, kama petrol, mineral yote itolewe. Especially mukoa huu ni hali kuu kupigana na umasikini na ujinga, kupunguza umasikini na ujinga. Point ingine ipatiwe priority pande ya agriculture maana yake nchi yetu hii ingawa ni semi-arid, lakini ikifanyiwa bidii mimi naamini kuna crops inalingana na climate yetu na haiwezi toka hapo.

Kuanzisha colleges in the level of universities kwa katika mkoa huu, kama MTC na Engineering na teachers college. Point ingine

general development ifanywe katika mkoa huu, mimi nasema katika mkoa huu maanake wenzetu wakenya wengine wametupatia shaka, tena ifanywe haraka maanake tumekuwa nyuma sana, sasa Kenya, uhuru wa Kenya ni kama forty years. Point ingine, koti zetu ambazo hushika sheria iwe independent kabisa, iwe independent free. Naomba sheria mpya iweke kabisa nguvu kwa kuadhibu wale wanafanya violation against ladies.

Rapping. Ilezaid kabisa ni rapping, maanake msichana mdogo ambaye anachunga ngombe, au anachunga mbuzi ya babake, mtu anaye nguvu anakuja na anaangusha anafanyia yeye yote na pengine anamuua, hivyo ni vibaya sana. Kwa hivyo sheria mpya iweke adhabu kubwa juu ya mtu kama huyo. Tunaomba sheria mpya isiruhusu mixed Schools girls and boys, na madhara yake kila mtu anajua, madhara ambayo msichana anasoma pamoja na mvulana katika shule moja, na wanafika wakati wa feelings wanakuja kila mtu anasikia haja hiyo madhara kila mmoja anajua, kwa hivyo hayo yakomeshwe.

Com. Yano: Umefika mwisho lakini nakuongezea dakika.

Shardahir Adan: Nashukuru. Point ingine (in venacular) kuchunga environment, environment, trees na pia wild animals kuchunga environment. Mwisho kabisa, birth certificates, tunashtuka sana kusoma ndani ya birth certificate yetu neno moja limeandikwa hapo chini la kusema hii birth certificate haionyeshi kama wewe ni Mkenya. Kwa hivyo kama hii sentence imeandikwa huko na sisi tunasafiri Mandera mali ingine kupata hiyo birth certificate, na hiyo birth certificate haitupi guarantee kama sisi ni Kenyans ni problem kubwa, kwa hivyo hilo neno liondolewe kabisa. Mwisho kabisa ni screen card itupwe kabisa, hatutaki screen card. Thank you very much.

Com. Yano: Asante sana. Tunashukuru Bwana Adan, kuna swali kwako.

Com. Baraza: Ulisema you wanted new Constitution to encourage marriage of the youth, how young, how young do you want the youths to be married?

Shardahir Adan: I mean from 18 years, 18 and above maanake msichana akifika 18 ametimiza form four yake ya education. Kwa hivyo from 18, hapo ndio kuanzisha marriage ndio mzuri under 18 ingawa katika sheria ya Kiislamu inakubaliwa lakini by consultation madaktari wanasema msichana ndio anapata madhara kubwa akiwa under 18.

Com. Yano: Asante sana ni vizuri kwa hayo maoni yako. Mwenye anayefuata ni Councillor Ali Ahmed.

Ali Ahmed: Kitu cha kwanza jina langu limetajwa huko, Mohammed Ali, jina langu ni Ahmed Ali ingine Haji Ahmed Ali ndio iko kwanza hapo ndani, hiyo yote nafikiri ni sawa hakuna shida. La kwanza nitarudisha shukrani kwa wale ambao wanakuja kwa haya mambo kubadilisha sheria, mtakuwa na sisi pamoja kwa hivo nina rudisha shukrani kubwa sana, kuchukua maoni yetu ambayo yatakamilisha kazi yenu, unajua sisi tunafurahi furaha yetu vile ambavyo mnachukua maoni yetu, ile ugonjwa katika roho yetu ninachukua kwa hivyo shukrani kwenu.

Langu kitu cha kwanza ni niko hapa karibu karibu siko mbali na sheria, sheria hii ya kubadilishwa tunakubaliana nayo pia tunafurahia, vile ambavyo mpango unaendelea, tunashukuru na tuko pamoja na nyinyi wale mnaoendesha. Maoni ambayo mimi nitaongeza bila kuenda mahali pengine, ile kamati ambayo inaandalia kubadilisha sheria, zinaendelea kusukumana na kuulizana mda ni mfupi nafikiri kwa maoni yangu nakubaliana naye mda ni mfupi, kwa sababu sisi watu wa Northeastern Province, ile sheria ilikuwa inatuhukumu sisi ambayo tuko nayo ni emergency. Ilikuwa sasa ni sheria inayoendelea kubadilishwa kwa sababu ile sheria ambayo itabadilika ambayo itakuja kupigiwa kura ni sheria mpya sasa ni hakikisho ya kwamba tumetoka kwa(inaudible) sasa tunaelewa, kwa hivyo maoni yangu, mimi natoa kwanza kwa hivyo, mda unatakikana huongezwe kwa wale wanasheria ambao wanaendelea kubadilisha sheria ambao unaongozwa na yule Professor iliwapate nafasi waangalie sababu sheria sio kitu cha kuchezewa, inatakikana uangalifu mzuri.

Mimi ninasikia vile sasa leo wananchi wanalia, Hapo mbele yenu, nimetaja mambo mengi mambo ya emergency kutoka 1963 upto juzi juzi tu 1981, kule kulikuwa na watu wanalia wanasema vijana leo wameuliwa, ngombe ameuliwa, ngamia ameuliwa kwa sababu ya sheria ya emergency. Mpaka leo tena kama bado hiyo sheria itaangukia hiyo kura bado itaanguka kwa hiyo hiyo sheria bado, sisi tunajua bado, bado hatujapata haki yetu, bado tunajua hii madhambi iko kwetu kwa hivyo ndivyo tuna uhusiano watu wote wa Northeastern Province. Maoni yangu Hassan alisema mda ule ambao unaomba mpaka nilisikia anaongea mwezi wa tatu mwezi wa nne it is okey lakini na fikiria mpaka sheria ikamilike. Mengine nitaongea hapo juu ya Rais ambayo amechaguliwa bado niko kwa Rais kuchaguliwa lakini kwa ulimwengu mzima ili inaendelea kwanza ni rahisi wananchi wanachukuliwa maoni yao. Baada ya maoni kukamilika nani atakuja kuwa Rais ndio inakuwa kura inaanguka, pia maoni yangu mimi natoa maoni yangu ilimuone iliakuwe Rais tafauti ya maoni ya wananchi ili kwanza maoni yawe mbele. Pia kura ya mbunge na Rais iwe tafauti, kwanza ya Rais iwe halafu ya mbunge iwe nyuma yake, iyo ndio maoni ambayo niko nayo. Ya tatu, Rais(inaudible) mda ambao unasemekana ni miaka kumi hali kadhalika tunataka pia wabunge wawe miaka kumi kama Rais vile ambavyo tunataka. Kwa sababu kama Rais ni miaka kumi, pia wabunge wawe miaka kumi baada ya miaka kumi awe sawasawa wengine watapata nafasi.

Kwa hivyo vile ambavyo nimetaja saa hii kutoka 63 mpaka 81 tumepoteza watoto wetu wengi, mali yetu nyingi, maisha ya watu wetu mini nasikia saa hizi watu wanalia mambo ya umaskini, kitu inaleta hii ni kuuliwa mali na kuua watu wao. Yale yamefanyika, yalifanyika kwa serikali yetu, wale ambao wamefanya sisi tunataka sheria wale wameacha watoto yao, wale wameacha mali yao, wale wameacha maisha yao ili wawangalie walipwe fedha kwa kila shida, walipwe haki zao na serikali, na kwa hiyo sheria iandikwe wale ambao waokolewe wale wadogo, kwa sababu wako na roho mbaya, walitendewa vibaya. Wanajichukua sasa wao sio wananchi wa Kenya, wanajichukua ingawa wako Kenya lakini huruma wamefanyiwa kwa ile roho wakati ule wamewekwa. Nyingine ambayo nitaongeza hapo nafikiri maneno mingi ningesema yametajwa na wale wenzangu wametaja ni kidogo tu nilibakisha....

Com. Yano: Haujamaliza?

Ali Ahmed: Bado zijamaliza, dakika zangu si bado hazijaisha

Com. Yano: Imebaki nusu dakika

Ali Ahmed: Nusu dakika, okey, ikiwa imebaki nusu dakika sitaki kurudia hii barua sababu nikirudia nitaongea maneno mengi, kwa hivyo yale tumetaja yanatakikana yarekebishwe, vile sheria tumetaja, ikamilike, pia sisi wananchi wa Northeastern Province tufaidike kama wale wengine wa down country, kwa sababu sisi hatuna haki, ilitubaki kwa sheria zile zimewekwa tupate haki zetu. Kwa hayo machache, asante.

Com. Yano: Asante sana Councillor.

Com. Yano: Vile niliwambia hapo awali ya kuwa tutakuwa tukiondoka saa kumi unusu. Kwa vile bado tuko na list ya watu karibu arobaini na sijui tutapanga aje ili kila mtu aongee. Tafadhali sasa tutajaribu kutumia pengine kama dakika mbili mbili ili kila mtu apate kuongea, tumeelewana hapo. Na kama jambo limesemekana, hakuna haja urudie. Okey, sasa twende kwa huyu mama Amina Ibrahim, Amina, Amina Ibrahim toa maoni yako. Ninakupa dakika mbili tafadhali harakisha.

Amina Ibrahim: Asalam Aleikum

Amina Ibrahim: (Garre dialect)

Translator: I am called Amina Ibrahim.

Amina Ibrahim: (Garre dialect)

Translator: I am a resident of Elwak

Amina Ibrahim: (Garre dialect)

Translator: Also a member of Maendeleo ya Wanawake Organisation.

Amina Ibrahim: (Garre dialect)

Translator: My views have been presented by the Maendeleo ya wanawake charity of the Division.

Amina Ibrahim: (Garre dialect)

Translator: All my views have already been submitted in the memorandum through the chairlady of the Division, however, I would like just to stress that there is drought, farming, and then there is a high level of poverty, that is today undermining all the efforts of the community, therefore, I would like free education for this community, that is our biggest problem, we cannot meet the demands of the cost of education therefore, if only that can also be put in the new Constitution say that would be very grateful to us.

Amina Ibrahim: (Garre dialect)

Translator: The other point I would like to stress is those ladies who work in any institution whether be it private or government, the maternity leave should be extended from 2 months to 3 months.

Amina Ibrahim: (Garre dialect)

Translator: Those are my main areas of concern. Thank you very much.

Com. Yano: Asante sana Amina. Anayefuata ni Isaack Ismael, Isaack Ismael, ulikuwa umepatiana maoni?

Isaack Ismael: Bado.

Isaack Ismael: My names are Isaack Ismael Sheikh.(inaudible) I have some views to say, that as the Commissioner was saying, I like to promote in some five minutes maybe of course I am presenting a very big youth group in the sub – District.

Com. Yano: One minute is gone, very first

Audience:(inaudible)

Isaack Ismael: Thank you, so the first point I will start with maybe I will just go very brief. On citizenship; As it has been said for all those who have stayed in Kenya for a period of more than seven to ten years, has to be given citizenship and then a child borne in Kenya, a child borne of one of the Kenyan parents regardless of gender should be entitled to automatic citizenship, all Kenyans regardless of the tribe, race, religion, political relations, and political settings closeness to borders should all be entitled to be given citizenship.

Then on local authorities, As it has been said formally, the Mayors and council chairmen should all be elected early by people. And then there is this also language test, when vying to the seats of Parliamentary seats I think it is there, so also for Councilors in my view I'll say language test when vying for local authorities are sufficient and there also should be moral and equal qualification for those vying for local authority seats. The electorates have the mandate to recall their Councilor. So by a vote of two thirds of the hatreds they should write sign and give sufficient reasons to the Electoral Commission who shall call for fresh election.

Nominated Councilors; Nominated Councilors should be retained and the criteria for nomination maybe in my views are as follows; they should meet all the qualifications required out of a Councilor, he or she should be from marginalized groups, vulnerables and minority clan.

Gender sensitive; Depending on geographical set up, population density, social economic factor the number of nominated Councilor should vary. Nominated Councilors should be viewed as a way of creating employment and this should maintain the marginalized community. There are some appointments we want them to be effected by Parliament. This appointments are the Head of Civil Service, Permanent Secretaries, Board of Directors and others I cannot now say because of time. As earlier has

been said a Member of Parliament has to have a minimum qualification of being a degree holder, or whatever the case must be a learned person.

The electorates to have the mandate to recall the MP. By 2/3 of the electorates should write sign and give sufficient reason to the Electoral Commission who shall call for fresh election. The salaries of the MPs should be determined by the supreme court. Nominated MPs should be retained and the criteria for nominating MPs are as follows; must meet all the requirements required from a Member of Parliament, gender sensitive, marginalized areas an equitable representation.

Kenya has experienced problems with raising revenue management and distribution of finance and management of human resources. Therefore, the government must employ competent workers to ensure that corruption stops. Distribution of finance has not been fairly distributed, especially to this parts of Northern Kenya, therefore, the current Constitution, or the new Constitution shall put forward the plight of the marginalized parts of the country especially Northern Kenya, and at least 10% of the resources be given to the marginalized.

Provincial Administration; In my view I see all Provincial administration maybe at the locational level and other levels should be scrapped, and therefore, council of elders should be elected. The other part it has been said by Sheikhs is Kadhi. A Kadhi has to be appointed, or recruited like other Judicial officers. The minimum qualification must be a holder of an o-level certificate and a degree holder in Arabic. Kadhi should handle all Islamic matters. I think affirmative action and whatever has been talked about, and I also support that also.

Then there is the basic rights; finally, the new Constitution should protect security, health care, water, education, shelter, food and employment as basic rights for all Kenyans. I think all the wazees who have been speaking here this morning, have been touching about water and whatever and whatever, but I am asking the Commissioners also, to put their plights in a very systematic manner in the new Constitution because they were trying to say their problems in terms of boreholes, in terms of water, in terms of health and whatever. So I am asking it to be put in a very systematic manner in the new Constitution bill because this is their problems. The problems that they have been having since we attained independence. Personally I come from, maybe my home area is around but my place of work is outside this town, so the living situation or the condition of living in other parts maybe in Bungoma or in Nakuru where I have ever been to, is different. So we urge them to rime. Thank you.

Com. Yano: Thank you very much. We will take your views and I think I will give you an assurance that that will be taken into point. The next one in line is Hassan Guro, Hassan Guro. Dakika mbili Hassan

Hassan Gara: (Garre dialect)

Translator: Hassan Hussein Gara is my name.

Hassan Gara: (Garre dialect)

Translator: I am 61 years old.

Hassan Gara: (Garre dialect)

Translator: I have thirty children in this town.

Hassan Gara: (Garre dialect)

Translator: I have never settled elsewhere except here.

Hassan Gara: (Garre dialect)

Translator: I have nothing to do with elsewhere, I will only concentrate my views on what affects me.

Hassan Gara: (Garre dialect)

Translator: The first thing is that people are easily and cheaply sold here

Hassan Gara: (Garre dialect)

Translator: I have got six small kids then I come and request for identity cards

Hassan Gara: (Garre dialect)

Translator: Then when I come to get the identity cards, I am told to pay person 500 shillings I have to pay 500, 5 children times 500 becomes 2,500/=.

Hassan Gara: (Garre dialect)

Translator: Then at the end of the day I will also(inaudible).

Hassan Gara: (Garre dialect)

Translator: Then I came back for the second time.

Hassan Gara: (Garre dialect)

Translator: And then I paid the same amount of money.

Hassan Gara: (Garre dialect)

Translator: I miss it again

Hassan Gara: (Garre dialect)

Translator: Then in the process my child attained 30 years old and I am told the child is not a Kenyan.

Hassan Gara: (Garre dialect)

Translator: This time I have to pay extra 1,000/=

Hassan Gara: (Garre dialect)

Translator: Then I pay.

Hassan Gara: (Garre dialect)

Translator: That is how we sell our rights here, that is how we buy our rights.

Hassan Gara: (Garre dialect)

Translator: That is the process you go through to get an identity card.

Hassan Gara: (Garre dialect)

Translator: There are people who cannot articulate their needs or rights.

Hassan Gara: (Garre dialect)

Translator: They told to come and tell their rights or needs

Hassan Gara: (Garre dialect)

Translator: There are a good number of people, who cannot come and face the Commission and give their views.

Hassan Gara: (Garre dialect)

Translator: I will not talk for more than two minutes.

Hassan Gara: (Garre dialect)

Translator: Talk of saa kumi

Hassan Gara: (Garre dialect)

Translator: That I should be given enough time to talk up to four and I will talk with a language of this community.

Hassan Gara: (Garre dialect)

Translator: The ID card is that way.

Hassan Gara: (Garre dialect)

Translator: I will address the issue of water.

Hassan Gara: (Garre dialect)

Translator: The water of Elwak sometimes maybe becomes poisonous

Hassan Gara: (Garre dialect)

Translator: At sometimes it becomes some medicine.

Hassan Gara: (Garre dialect)

Translator: Like this time we got evidence the waters are good.

Hassan Gara: (Garre dialect)

Translator: If it does not rain for the next three years, it becomes poisonous.

Hassan Gara: (Garre dialect)

Translator: Some people start diarrhoeing.

Hassan Gara: (Garre dialect)

Translator: Animals start being swollen

Hassan Gara: (Garre dialect)

Translator: And then they start dying

Hassan Gara: (Garre dialect)

Translator: That is the type of water we are using.

Hassan Gara: (Garre dialect)

Translator: I'll now address School.

Com. Yano: Those are recommendations, he is giving us problems, those are recommendations.

Hassan Gara: (Garre dialect)

Translator: I want, I recommend to the Commission that, fresh water be brought by pipe from 9km this place.

Hassan Gara: (Garre dialect)

Translator: Then the next fresh water point is 25km, I recommend that they are brought by pipe.

Hassan Gara: (Garre dialect)

Translator: Last one.

Hassan Gara: (Garre dialect)

Translator: This is a place where the poor are mistreated.

Hassan Gara: (Garre dialect)

Translator: The people who are mistreating the poor, are the rich.

Hassan Gara: (Garre dialect)

Translator: The Councilor.

Hassan Gara: (Garre dialect)

Translator: The Chief.

Hassan Gara: (Garre dialect)

Translator: The MP.

Hassan Gara: (Garre dialect)

Translator: This is the place where the poor has place sitting by those in position.

Hassan Gara: (Garre dialect)

Translator: Whatever that comes for the poor is given, taken by those who are in the position, in inflation position.

Hassan Gara: (Garre dialect)

Translator: Some of them here that is why they are a bit worried.

Hassan Gara: (Garre dialect)

Translator: School money comes.

Hassan Gara: (Garre dialect)

Translator: The bursary does not go to the poor but it goes to the rich.

Hassan Gara: (Garre dialect)

Translator: Restocking of animal comes.

Hassan Gara: (Garre dialect)

Translator: That restocking instead of going to the poor it is going to the rich.

Hassan Gara: (Garre dialect)

Translator: This is the place where the poor, the orphans cry because of lack of representation.

Hassan Gara: (Garre dialect)

Translator: The people who came in large numbers this morning, most of them are orphans, they have been orphans.

Hassan Gara: (Garre dialect)

Translator: Their fathers were killed by Kenya forces.

Hassan Gara: (Garre dialect)

Translator: And their animals were also killed.

Hassan Gara: (Garre dialect)

Translator: Kenyans force finished their animals

Hassan Gara: (Garre dialect)

Translator: My father Girai was killed by a Kenyan soldier.

Hassan Gara: (Garre dialect)

Translator: This are the problems we have.

Hassan Gara: (Garre dialect)

Translator: I have never settled elsewhere I know the problem of this town.

Hassan Gara: (Garre dialect)

Translator: We are nomads we cannot sleep without milk and meat, that is our stable food and we shall die if they are not there.

Hassan Gara: (Garre dialect)

Translator: (Garre dialect)

Hassan Gara: (Garre dialect)

Translator: On the orphans and the poor, I recommend that, if there is rights, if there is justice, the Commission should address the problem and give them a special provision in the new Constitution especially the poor and orphans.

Hassan Gara: (Garre dialect)

Translator: There is something called patience.

Hassan Gara: (Garre dialect)

Translator: I want to tell you what patience means.

Hassan Gara: (Garre dialect)

Translator: If somebody denies you your right you cannot address it.

Hassan Gara: (Garre dialect)

Translator: Somebody who has denied you your right but you cannot take action against it.

Hassan Gara: (Garre dialect)

Translator: Somebody who is playing about your life and you don't know where you are taking it.

Hassan Gara: (Garre dialect)

Translator: Well, you have to keep quiet about all your problems.

Hassan Gara: (Garre dialect)

Translator: That is what we call patience.

Hassan Gara: (Garre dialect)

Translator: The type of patience we have endured all this years.

Hassan Gara: (Garre dialect)

Translator: The problems we have gone through.

Hassan Gara: (Garre dialect)

Translator: It is today you are the saviors, because you have come and that is why today we can talk our feelings.

Hassan Gara: (Garre dialect)

Translator: All the years we got independence, this is the first time we have been told to come and tell your problems.

Hassan Gara: (Garre dialect)

Translator: If it is true that you are on a true mission

Hassan Gara: (Garre dialect)

Translator: We had a bad history in this land.

Audience:(inaudible)

Hassan Gara: (Garre dialect)

Translator: We have had a very bad history and with that we would like it to be addressed.

Hassan Gara: (Garre dialect)

Translator: That problem.

Hassan Gara: (Garre dialect)

Translator: We became patient, we just prayed to God and what God has tried to bring is a Commission listening to our problems.

Hassan Gara: (Garre dialect)

Translator: There are problems that you know no human or person can persevere.

Hassan Gara: (Garre dialect)

Translator: There are people who come from the same region, some of them are leadership positions but then instead of working serving the society, they even sell the society.

Hassan Gara: (Garre dialect)

Translator: During the dry seasons, while the rich man will fetch water from here to where his animals are the poor are left out.

Hassan Gara: (Garre dialect)

Translator: But you see our animals die on the roads, because of lack of such services and therefore, the same people drive the animals carcass.

Com. Yano:(inaudible)

Hassan Gara: (Garre dialect)

Translator: Therefore, we say that during the dry season we also want the government to also give support by giving us water through tinkering.

Hassan Gara: (Garre dialect)

Translator: Thank you very much.

Audience:(inaudible)

Com. Yano: Atakayefuata ni Adhani Ibrahim, Adhan Ibrahim, na tafadhalini nitarudia tena, tafadhalini tujaribu kutumia mda vizuri ili kila moja wenu apate kuongea. Itakuwa vizuri sana kila mtu akipata kuongea.

Audience:(inaudible)

Speaker: (Garre dialect)

Adhan Ibrahim: (Garre dialect)

Translator: My names are Adhan Ibrahim Aliyo.

Adhan Ibrahim: (Garre dialect)

Translator: We have a lot of problems

Adhan Ibrahim: (Garre dialect)

Translator: We have never had whom to address our problems to.

Adhan Ibrahim: (Garre dialect)

Translator: We have always been blaming all our problems on the government.

Adhan Ibrahim: (Garre dialect)

Translator: The government has sent its own bandits to come and finish us.

Adhan Ibrahim: (Garre dialect)

Translator: There is nobody who is poor.

Adhan Ibrahim: (Garre dialect)

Translator: The poor have died.

Adhan Ibrahim: (Garre dialect)

Translator: Today because we have got more than 200 Chiefs that why there is high poverty.

Adhan Ibrahim: (Garre dialect)

Adhan Ibrahim: (Garre dialect)

Translator: The Chief is somebody who is a broker who makes business.

Adhan Ibrahim: (Garre dialect)

Translator: The government has set a broker called Chief.

Adhan Ibrahim: (Garre dialect)

Translator: The piece of land I settle on the Chief has a power to remove me, and then they sell it and they share the money between the Chief and the DO.

Adhan Ibrahim: (Garre dialect)

Translator: If you go and complain to the police because you have no power you have no money.

Com. Yano: What is your recommendation? What does he want?

Translator: (Garre dialect translation)

Adhan Ibrahim: (Garre dialect)

Translator: He says that since we have a problem and it is the government who send this people, we would like the government, to establish laws that can deal with this people.

Adhan Ibrahim: (Garre dialect)

Translator: We would like one Chief instead of the many 200 Chiefs, better we have one Chief.

Adhan Ibrahim: (Garre dialect)

Translator: We would like the Chief to be appointed by the public and not by the government.

Adhan Ibrahim: (Garre dialect)

Translator: The second one is the police officers are people who are not non locals, the DO s are non local.

Adhan Ibrahim: (Garre dialect)

Translator: The few(inaudible) in the town they use them the way they want to their own advantage.

Adhan Ibrahim: (Garre dialect)

Translator: If you have got ten goats to survive, he has to always give out goats

Adhan Ibrahim: (Garre dialect)

Translator: There is nothing justice that is done, between two questions or two cases or two people with cases.

Adhan Ibrahim: (Garre dialect)

Translator: (Garre dialect)

Adhan Ibrahim: (Garre dialect)

Translator: So he recommends that the DO, the Chief and the DC be accountable to the people. Not to the higher authorities, they become accountable they are transparent, they are people who have respect for human rights, otherwise, he says 40 years, I am now 40 years old we have never had somebody who respects our rights, who have been accountable to us, who is transparent but only we subjects and we are always tortured by the same administration.

Adhan Ibrahim: (Garre dialect)

Translator: If the law has to be reviewed.

Adhan Ibrahim: (Garre dialect)

Translator: If the reason for review is to bring justice.

Adhan Ibrahim: (Garre dialect)

Translator: We want justice to be done, and justice be done by the new Constitution so that there is justice.

Adhan Ibrahim: (Garre dialect)

Translator: We wanted the thing called Chief to be all to be dismissed sacked.

Adhan Ibrahim: (Garre dialect)

Translator: Now that you have alighted us know whom to vote for as an MP.

Adhan Ibrahim: (Garre dialect)

Translator: Whatever has happened, has happened.

Adhan Ibrahim: (Garre dialect)

Translator: From now onwards we are going to control our votes there is no form of reigning.

Adhan Ibrahim: (Garre dialect)

Translator: The second point

Audience:(inaudible)

Adhan Ibrahim: (Garre dialect)

Translator: **Adhan Ibrahim:** (Garre dialect)

Translator: He says that as I am talking, it is as if that I have been you know, handicapped because I fear I will be jailed.

Adhan Ibrahim: (Garre dialect)

Translator: If you have been sent truly to review the whole process.

Adhan Ibrahim: (Garre dialect)

Translator: As much as there is no freedom in this region,

Adhan Ibrahim: (Garre dialect)

Translator: There is no openness, there is no government, there is no law therefore, we are at ransom.

Adhan Ibrahim: (Garre dialect)

Translator: All this corruptions should be cleared, the new Constitution should clear all forms of corruption at any level.

Adhan Ibrahim: (Garre dialect)

Translator: I will have had much to say, but now I want to end with those few remarks.

Adhan Ibrahim: (Garre dialect)

Translator: Thank you very much. The Chiefs should come to an end.

Adhan Ibrahim: (Garre dialect)

Audience:(inaudible)

Com. Baraza: Inaonekana kutoka kwa hayo maneno ulikuwa unaongea saa hizi, inaonekana ya kuwa, kuna hofu fulani yenye nyinyi watu wa hapo mko nayo. Na pia nitawapatia tena ile hakikisho yenye nilikuwa nimewaambia asubuhi. Leo ilikuwa siku ya

wananchi, ni siku yenu kama nyinyi watu wa hapa kupatiana maoni yenu vile mnataka kupatiana, hofu mhitilie mbali kama kuna shida yoyote tuko na bwana co-ordinator hapa na tuko na members CCC wetu karibu, mkohapa, simamemi, simameni mwangaliwe na wananchi. Yes, kama kuna shida yoyote ama kuna mtu anaharass mwingine kumwambia mbona ulisena hivi na hivi na hivi, tafadhalini chukueni hayo maneno mwambie hawa watu, tutahakikisha ya kuwa tumefanya chenye tunatakikana kufanya kwa hayo maneno. Tafadhalini toeni maoni yenu msiogope.

Speaker: (Garre dialect translation)

Com. Yano: Asanteni. Tuendeleeni, sasa mwingine mwenye anayefuata Hassan sorry, mwenye anayefuata Adan ni Ali Nuruu Mayo, Ali Nuruu, na nitakupatia dakika mbili tu. Haraka.

Ali Nuruu: (Garre dialect)

Translator: I am called Ali Nuruu Mayo and I am 44 years old.

Ali Nuruu: (Garre dialect)

Translator: From independence this dates, we have been underdeveloped as a region.

Ali Nuruu: (Garre dialect)

Translator: The first issue I would like to raise is about the roads, whenever it rains, our roads become impassible for 3 consecutive months.

Ali Nuruu: (Garre dialect)

Translator: Until it dries and the roads are passable, for almost 3 months we stay without any services.

Ali Nuruu: (Garre dialect)

Translator: For all this years we got independence, the government has been marginalizing this community.

Ali Nuruu: (Garre dialect)

Translator: (Garre dialect)

Ali Nuruu: (Garre dialect)

Translator: Since we are underdeveloped and the roads are very important infrastructure, he recommends that the roads to be tarmacked, from where there are tarmac stacks to where it ends.

Ali Nuruu: (Garre dialect)

Translator: If the issue of tarmac cannot be easily addressed, they should do instead do murrum, they should put something that can at least improve the current situation.

Ali Nuruu: (Garre dialect)

Translator: The other issue which is a bit touching us very seriously, is examination marking, he says that in Kenya exams are marked, but other areas do perform very well, interestingly when it comes to Northeastern Province, it is either cancelled or all the children fail.

Ali Nuruu: (Garre dialect)

Translator: Therefore, I recommend that marking exercise be done by teachers, we have manpower or under the supervision of our own teachers.

Ali Nuruu: (Garre dialect)

Translator: The other problem I would like to address is water.

Ali Nuruu: (Garre dialect)

Translator: This is the water, like my colleague just said that sometime it can turn into poisonous.

Ali Nuruu: (Garre dialect)

Translator: Unlike when it is raining like this season it is better because it improves.

Ali Nuruu: (Garre dialect)

Translator: Therefore, I recommend that water be piped from where there is clean water, and big tanks built around where we live and then water is distributed to the town.

Ali Nuruu: (Garre dialect)

Translator: Health care.

Ali Nuruu: (Garre dialect)

Translator: The condition of our hospitals is pathetic.

Ali Nuruu: (Garre dialect)

Translator: They are buildings without drugs.

Ali Nuruu: (Garre dialect)

Translator: If there is a supply, we do not know whether those officials sell them but hardly do we get any drugs.

Ali Nuruu: (Garre dialect)

Translator: We would like to see proper supervision of drugs and free distribution of drugs to the public.

Com. Yano: Ya mwisho

Ali Nuruu: Ya mwisho ni sitima.

Translator: Electricity.

Ali Nuruu: (Garre dialect)

Translator: Initially one time, we have been given hope that Elwak will be elevated to a status of a District though that never happened, we urgently need electricity.

Ali Nuruu: (Garre dialect)

Translator: Tunashukuru. Amesema. Thank you.

Com. Yano: Wakati huu kuna watu bado wako na memorandum hawajatoa?

Speaker: (Garre dialect)

Com. Yano: Written memorandum, ngoja kidogo, ni wangapi? Kuja mbele. Ni wangapi.

Speaker: (Garre dialect)

Com. Yano: Nilikuwa ninataka tutoe memorandum niguzie yale, the important issues. Jina lako ni nani?

Hussein: Hussein.

Speaker: Hussein has already given out his memoranda but he say he wants to make some few remarks.

Com. Yano: No, I can't give you the time if you've been given time...

Speaker: He only gave out his memorandum, but he never made any report.

Com. Yano: Okey, Hussein Umejiandikisha?

Hussein Abdlahaman: (Garre dialect)

Translator: My names are Councillor Hussein Abdlahaman

Com. Yano: Councillor ataongea Kiswahili, Endelea

Hussein Abdlahaman: Councillor Hussein Abdlahaman

Translator: Councillor Hussein Abdlahaman

Hussein Abdlahaman: (Garre dialect)

Translator: From 1963 to this date.

Hussein Abdlahaman: (Garre dialect)

Translator: We are now above 39 years

Hussein Abdlahaman: (Garre dialect)

Translator: We have been denied our rights.

Hussein Abdlahaman: (Garre dialect)

Translator: We went through a lot of denials.

Hussein Abdlahaman: (Garre dialect)

Translator: There are days when our people were killed by shooting.

Hussein Abdlahaman: (Garre dialect)

Translator: This government is a political government.

Hussein Abdlahaman: (Garre dialect)

Translator: The politician say that bad politics is bad governance.

Hussein Abdlahaman: (Garre dialect)

Translator: That is exactly today what we are going through

Hussein Abdlahaman: (Garre dialect)

Translator: We have no roads.

Hussein Abdlahaman: (Garre dialect)

Translator: We have no water.

Hussein Abdlahaman: (Garre dialect)

Translator: We have no hospitals.

Hussein Abdlahaman: (Garre dialect)

Translator: We have no electricity.

Hussein Abdlahaman: (Garre dialect)

Translator: That is the bad life we are facing today.

Hussein Abdlahaman: (Garre dialect)

Translator: We recommend that the power of the Provincial Administration be reduced.

Hussein Abdlahaman: (Garre dialect)

Translator: They have inflicted a lot problems on us.

Hussein Abdlahaman: (Garre dialect)

Translator: He says I am a Councilor by example he has given.

Hussein Abdlahaman: (Garre dialect)

Translator: Whenever we held meetings assistant Chief has a lot of power, he tells you move out of the meeting.

Hussein Abdlahaman: (Garre dialect)

Translator: Whenever there is a national function or a public function, the Chief allocates whoever he wishes the time to speak.

Hussein Abdlahaman: (Garre dialect)

Translator: We have a difficult time with our Provincial Administration.

Hussein Abdlahaman: (Garre dialect)

Translator: We would like their powers reduced or even they be even removed.

Hussein Abdlahaman: (Garre dialect)

Translator: If you have limited the time but I have many things to mention.

Hussein Abdlahaman: (Garre dialect)

Translator: I would like to summarize.

Hussein Abdlahaman: (Garre dialect)

Translator: The Islamic law does not recommend a man to be a midwife of a woman .

Hussein Abdlahaman: (Garre dialect)

Translator: We would like therefore, all maternity wings to be managed by women themselves.

Hussein Abdlahaman: (Garre dialect)

Translator: That is my final word.

Hussein Abdlahaman: (Garre dialect)

Translator: Thank you very much.

Com. Yano: Alafu mwenye atafuata ni unaitwa nani? Tafadhali lete memorandum. Kazi yako ni kutusomea yale umeandika katika memorandum.

Abrishid Mohammed: My name is Abrishid Mohammed. I am one of the pupils of Oleidid Primary School and a candidate of this year.

Com. Yano: Sema majina yako

Abrishid Mohammed: Abrishid Mohammed

Com. Yano: Abri

Abrishid Mohammed: Abrishid, yes

Abrishid Mohammed: I am one of the pupils of Oleidid Primary School, standard eight. The main points I would like to address is concerning education. Free education; We want free education, this is because our parent are poor, and some are disabled they cannot afford to pay School fees, or if this is not possible, make it cheaper.

Secondly, I am also requesting both Primary and secondary School be made a bording School because most of our parents are pastoralists. Getting a place to stay in our land is difficult. I also request the Commission to include in the Constitution the reviving bar, to the contribution exercise books and pens in Primary Schools since some parents cannot afford. Thank you.

Com. Yano: Thank you very much.

Hassan Jafar: Good afternoon everybody.

Audience: Good afternoon to you.

Hassan Jafar: About defense and national security.

Speaker: Your name

Hassan Jafar: I am called Hassan Jafar resident of Felafa, Hassan Jafar Johalam.

Hassan Jafar: About defense....

Com. Yano: Hassan nani?

Hassan Jafar: Hassan Jafar.

Hassan Jafar: About defense; undisciplined armed forces should be prosecuted, dismissed and sacked for any misconduct approved over them. Legislature; be a Member of Parliament should be a part time occupation not full time. Changes should be made to age requirements for voting and contesting Parliamentary sits or Presidency.

Age for voting should be from 15 years and above. Age for contesting assembly should be from 30 years and the one of Presidency should remain same. People have rights to recall their MP if the MP is development dormant, through vote of no confidence by the electorates. MPs should act as per the instructions from the consents not even of their parties. Commission like the one of teachers TSC should be set to determine salaries and benefits of MPs which is under the government of Kenya.

Concept of nominated MPs and Councilors, should be abolished.

About education, we want free education from the start to the last, that is university level and we want free medical service for all Kenyans. About citizenship Kenyans who are born and brought up in Kenya, should be considered as automatic citizens. Citizenship should be acquired through birth certificates, ID cards, death certificates etc. But the issue of screen cards should be abolished. Spouses regardless of gender should acquire automatic citizenship, child born of Kenyan parents regardless of gender should be entitled to automatic citizenship. Constitution should allow dual citizenship for Kenyans regardless of gender. Identity cards should remain as documentary events evidence for all Kenyans.

Com. Yano: You have a minute to go.

Hassan Jafar: Okey thank you. It is over.

Com. Baraza: You suggested on minimum age of Presidency 35. What do you have for the maximum?

Hassan Jafar: Maximum,

Com. Baraza: Yes

Hassan Jafar: Same

Com. Baraza: Thirty five.

Hassan Jafar: Yah.

Com. Baraza: A President, you can vie when you are 35, when do you stop being a President?

Hassan Jafar: Okey that is 55

Com. Baraza: 55

Hassan Jafar: Yah.

Com. Baraza: Thank you very much.

Com. Yano: But I am told you have a very big memorandum, just start on the points.

Abdulahi Hassan: By names I am Abdulahi Hassan Adam, and I will go over my views in bits. it has one of its enemies. Poverty, therefore, for it to overcome poverty just increase the determined age to 65. Free education, application of Islamic sheria law, need for powerful anticorruption authority, publication of whole citizenship, abolition of screen cards, unitary government headed by President and 2 Vice Presidents, one of whom must be a Muslim. Mayors should be elected by the

public.

Political parties should be reduced to be between 5-10 based on the ideology sense. Election date should be specified as 29 day of December, every year, so that aspirants will have enough time to prepare. I support the idea of two houses of Parliament. Pastoralism should be declared as one of their income earners, formation of pastoralism board and government to fund the sector. Free medical services for the disabled and free schools for the children, if possible the government to give them money every month.

The government is to undertake orphanage since death consumes several lives daily. Muslim civil servants, should be allowed to have their beards unshaven. Especially those in the administrative saccos. Freedom of indemnity act compensation for the victims and trial for the perpetrators. Ministry to deal with religious affairs should be instituted. Government to pay for teachers for spiritual Schools. Thank you.

Com. Yano: Thank you very much. Now have you given your memorandum? We have Amina Maalim.

Amina Maalim: A teacher from Elwak girls

Com. Yano: Your name is Amina

Amina Maalim: Yes. Kenya should carry or be given only identity cards as the evidence of citizenship I mean screening cards for Kenya Somali to be abolished. The government should form a committee, who will be paid to see over the protection on the environment in all Divisions. The committee formed should have the power to impose laws on the protection of the environment. The Constitution should make provision for a former President in terms of security. Election date should be specified in the Constitution to avoid last minute running and misunderstanding. Candidates who fail to set nomination in one party should be allowed to switch over and set nomination from another party. Presidential election should be conducted directly by the people.

Com. Yano: Thank you very much Amina. Now if you are through with giving out the memorandum, kuna mtu bado ako na memorandum?

Audience: Tumemaliza.

Com. Yano: Kuna mtu bado ako na memorandum?

Audience: Tumemaliza.

Com. Yano: Asante sana. Now the next one is Kassim Adan Ali, Kassim Adan

Ali.

Kassim Adan: Mimi ni Kassim Adan Ali. Maoni yangu mini natoa juu ya jimbo, naunga jimbo mkono. Utawala wa wakati huu uondolewe. Badala yake jimbo itajwe, kwa sababau utawala umepatia watu wa area hii shida mingi sana. Kwa vile watu wote walisema, kulingana na kifo ya watu, wengi kuna utawala mbaya kwa namna yote ya kipande, vile maendeleo ya barabara na njia yoyote wamepatia watu wa sehemu hii shida mingi sana. Kwa hivyo jambo muhimu kuliko utawala kwa wakati huu.

Ya pili, sisi watu wa area hii ni watu wachungaji na wafugaji, mifugo area hii haitambuliwi tunataka hii sheria iwekwe ndani na mifugo itambuliwe na sheria ilinde hiyo mifugo. Kwa vile area hii iliwachwa wazi namna hii bila kuangaliwa mifugo yoyote na mifugo ndio chanzo yote ya watu wa area hii. Kwa hivyo sheria ilinde mifugo pamoja wachungaji wake wa area hii. Maneno yangu ya mwisho, kama watu wote wanajua sisi ni waislamu, mia kwa mia area hii, na mini ningependelea kwa maoni yangu, siku ya ijumaa iwe siku ya kuabudu juma mbili. Yangu ni hayo.

Com. Yano: Asante sana. Asante sana Kassim. Dube Aliyo Ghari, Dube Aliyo.

Dube Aliyo Ghurai: Mimi naitwa Dube Aliyo Ghurai. Sasa.

Dube Aliyo Ghurai: (Garre dialect)

Translator: I am called Dube Aliyo Gharai. I would like to talk about the colonial system, though it has left bad laws, we also had some tangible development they have done, we have some dams they had constructed, at various points within the sub-District.

Dube Aliyo Ghurai: (Garre dialect)

Translator: Whatever we inherited from the colonial regime was a few dams, that proceeded the bad of the citizen that if somebody kill you, another person made sure that the blood is compensated and then he made tribal boundaries and made sure that there are police patrolling using camel back, so that the tribal boundaries are restricted people will not just cross criss the way they want.

Com. Yano: Give you recommendations. What do you want.

Dube Aliyo Ghurai: (Garre dialect)

Translator: I there fore recommend we go back to the traditional the way that the colonial government did and those boundaries are respected or are followed.

Dube Aliyo Ghurai: (Garre dialect)

Translator: In the hospital sector since we are Muslims, we recommend that women are dealt by women doctors and nurses and the men are dealt by men doctors and nurses.

Dube Aliyo Ghurai: (Garre dialect)

Translator: And the other issue is about the Provincial Administration, they have a lot of power, even at the village level you cannot take water, if you drink water without their permission you will be harassed and this are the type of experience we have

gone through, up even people you know pinching your testicles, so that you will not try again. So we would like those Chiefs who have held a lot of power, their power to be reduced.

Dube Aliyo Ghurai: (Garre dialect)

Translator: Therefore, the powers of the Chief whatever powers that the law gives the Chiefs all those powers should this time be repelled or they should be reviewed for this Commission.

Dube Aliyo Ghurai: (Garre dialect)

Translator: He said that a fearful person has no creativity. We are very fearful community, we cannot give our views, so he said we want autonomy. This region should be given majimbo so that we can rule ourselves, we can institutionalize the rule of Islamic sharia, so that people who just harass our women, rape them, and do whatever they want don't go straight, because say today you can rape a woman and the next day you are just free. You can kill somebody and because there is corruption, you can still be free, so he said there always ritual rise in virtual autonomy.

Com. Yano: Asante sana. Asante sana. Shaiya Abudula, Shaiya, umejitetea kabisa, kuja mbele uongee basi.

Shaiya Abudula: (Garre dialect)

Translator: The person who would like to speak to you is Shaiya Abdulahi Ibrahim.

Shaiya Abudula: (Garre dialect)

Translator: A woman who has been living from during the colonial times.

Shaiya Abudula: (Garre dialect)

Translator: During the colonial regime, most of us were young, but we have also got some little experience about their legacies.

Shaiya Abudula: (Garre dialect)

Translator: We always raise up 2 flags, the colonial flag and this flag.

Shaiya Abudula: (Garre dialect)

Translator: We have always seen the 2 flags of the Kenya and the colonial flag union jack.

Shaiya Abudula: (Garre dialect)

Translator: The British government though they were colonizers had a lot of organization and order.

Shaiya Abudula: (Garre dialect)

Translator: We witness what is called tribal or traditional boundaries.

Shaiya Abudula: (Garre dialect)

Translator: If you cross that boundary especially around the town should be that boundary, if you cross that boundary it will be reported and action will be taken.

Shaiya Abudula: (Garre dialect)

Translator: Immediately the report has to be received that you have crossed the boundary, the soldiers are sent all the animals are brought together and then they are put in an enclosure.

Shaiya Abudula: (Garre dialect)

Translator: Immediately the report reach people, that is the time people will start reacting and taking action.

Shaiya Abudula: (Garre dialect)

Translator: That is the time now we sit face to face with the government and we solve the problem.

Shaiya Abudula: (Garre dialect)

Translator: Immediately that happens the government does not just release the animals. But they fine so that you don't repeat the same action again.

Shaiya Abudula: (Garre dialect)

Translator: We have seen such an order.

Shaiya Abudula: (Garre dialect)

Translator: Within the Gari community that is the majority here, there is a sub section of a minority called Waki, they are hunters.

Shaiya Abudula: (Garre dialect)

Translator: This what are hunter and gathers.

Shaiya Abudula: (Garre dialect)

Translator: They kill things like giraffes, antelopes and others.

Shaiya Abudula: (Garre dialect)

Translator: That is what they kill for their living.

Shaiya Abudula: (Garre dialect)

Translator: And then they are people who have such an identity that, they have a red stripe on their head and there is usually look for such people, their work is to make sure that this people that this people not just break the law.

Shaiya Abudula: (Garre dialect)

Translator: When this hunters or this gatherers they are kill they immediately arrested by this people.

Shaiya Abudula: (Garre dialect)

Translator: Immediately they are fined for 2, 3 months.

Shaiya Abudula: (Garre dialect)

Translator: And this is what we witnessed during the colonial time.

Shaiya Abudula: (Garre dialect)

Translator: When you want to cross into Kenya, you must get a letter from the colonial government.

Shaiya Abudula: (Garre dialect)

Translator: Immediately you report to the office.

Shaiya Abudula: (Garre dialect)

Translator: You have to tell what you came for or the purpose of your visit and you finish your business you go back.

Shaiya Abudula: (Garre dialect)

Translator: This is what the type of organization or order we saw during the colonial time.

Shaiya Abudula: (Garre dialect)

Translator: (Garre dialect)

Shaiya Abudula: (Garre dialect)

Translator: Whenever it rains

Shaiya Abudula: (Garre dialect)

Translator: And that the dry season is over and the rains have started.

Shaiya Abudula: (Garre dialect)

Translator: Immediately that happens, the white mamblers soldiers will start moving.

Shaiya Abudula: (Garre dialect)

Translator: They go some five kilometers out of the town.

Shaiya Abudula: (Garre dialect)

Translator: They are given instructions, the public are given orders, they are told you cannot graze where you have grazed during the dry season, they were controlling the grazing. They tell people not to come to this limit, you must graze between that and that.

Shaiya Abudula: (Garre dialect)

Translator: The public will start responding the shifts.

Shaiya Abudula: (Garre dialect)

Translator: For all those periods they are away from that area, during the dry season they come back and now graze in the same area.

Shaiya Abudula: (Garre dialect)

Translator: The reason why today we have a problem with our livestock, and we cannot manage them because we are lacking government policies that will control such movements because this was the way the white man used to control the animals, such that during the rainy season you graze far and during the dry season you graze around the town where water sources are closer. And then as he says we have blame of governance because today where the garbage lies is that there is no proper governance, there is no proper leadership and that is why today we cannot manage such resources.

Shaiya Abudula: (Garre dialect)

Translator: Those days we had leaders.

Shaiya Abudula: (Garre dialect)

Translator: (Garre dialect)

Translator: Those days the people, the elders we know the elders are the ones elected by the public.

Shaiya Abudula: (Garre dialect)

Translator: You go identify the person you want, you look at his background, his personality the ability to carry out leadership and then you present that name to the colonial masters.

Interjection: (Com. Yano): Is that what you want.

Translator: (Garre dialect)

Shaiya Abudula: (Garre dialect)

Translator: That is exactly what I want.

Audience:(inaudible)

Com. Yano: Tafadhalini wacha mama amalize.

Shaiya Abudula: (Garre dialect)

Translator: (Garre dialect)

Shaiya Abudula: (Garre dialect)

Translator: They say those whose elders are now gone

Shaiya Abudula: (Garre dialect)

Translator: That old man used to do a job that the government cannot even do, he has been solving all the problems of the community.

Shaiya Abudula: (Garre dialect)

Translator: There were such just leadership that those elders will immediately take action on any problem that is reported to them by any class, any member, any person even the poor. He will immediately call for action to be taken the person in the culprit arrested and therefore he is jailed.

Shaiya Abudula: (Garre dialect)

Translator: (Garre dialect)

Shaiya Abudula: (Garre dialect)

Translator: We want the Chiefs or elders or leaders elected by the public.

Shaiya Abudula: (Garre dialect)

Translator: We do not want a leader who will chase us away, we want a leader who is going to be responsive to our needs.

Shaiya Abudula: (Garre dialect)

Translator: We tell him why are you denying me and yet you are my leader.

Shaiya Abudula: (Garre dialect)

Translator: You never gave me the leadership, it is the government, can you get out of my office, that is what we are told today.

Shaiya Abudula: (Garre dialect)

Translator: If you don't take instructions within the next two minutes, you will take orders now from the crown(inaudible).

Shaiya Abudula: (Garre dialect)

Translator: And that is why the men and women of this place are not possessive and they are not open because this is the type of leadership they are today under.

Shaiya Abudula: (Garre dialect)

Translator: We would like this kabisa changed.

Shaiya Abudula: (Garre dialect)

Translator: I would like to mention one final item.

Shaiya Abudula: (Garre dialect)

Translator: When you used to go to this hospital, it was small and there was only one door.

Shaiya Abudula: (Garre dialect)

Translator: If you came to the hospital and you are sick you get enough drugs, there will be somebody to serve you.

Shaiya Abudula: (Garre dialect)

Translator: And there is proper care, you know what the hospitals do like diagnosis before they treat you.

Shaiya Abudula: (Garre dialect)

Translator: They will check everything to make sure that is the true problem.

Shaiya Abudula: (Garre dialect)

Translator: By the time you are already there, they are checking you and they are also boiling the needles and everything.

Shaiya Abudula: (Garre dialect)

Translator: Today there are no drugs, everything is dry.

Shaiya Abudula: (Garre dialect)

Translator: You don't see them boiling their needles, you just see somebody inject you with a needle, you don't know where it is from.

Shaiya Abudula: (Garre dialect)

Translator: And if you don't boil the needles then you are likely to get infection from it.

Shaiya Abudula: (Garre dialect)

Audience:(inaudible)

Interjection: (Com. Yano): Nyamaza.

Translator: There is a maternity wing here the people who are midwives are men, and you can imagine the type of problem the women are going through.

Shaiya Abudula: (Garre dialect)

Translator: So during the colonial times things were better.

Shaiya Abudula: (Garre dialect)

Translator: Can we get a government that will bring a change and bring that order, that you know peace of mind that existed those days. Are the Constitution or Commission going to guarantee us such a government or such a governors?

Shaiya Abudula: (Garre dialect)

Translator: And that is why today we appeal to you.

Shaiya Abudula: (Garre dialect)

Translator: I would like to make a final comment on the religion.

Shaiya Abudula: (Garre dialect)

Translator: We are Muslims and that is our religion.

Shaiya Abudula: (Garre dialect)

Translator: And that is how we have been brought up respecting the religion.

Shaiya Abudula: (Garre dialect)

Translator: We have got Koranic Schools which gives foundation to our children.

Shaiya Abudula: (Garre dialect)

Translator: But today there are a lot of institutions of Islamic which have come up with the madarasas, which have structures which are from primary to secondary and that has brought a lot of information, people now well know about their religion now they understand better.

Shaiya Abudula: (Garre dialect)

Translator: We would like those institutions to be just raised or strengthened to the level of the other institutions.

Shaiya Abudula: (Garre dialect)

Translator: We like them to be independent, we like them to be funded and supported by the government.

Shaiya Abudula: (Garre dialect)

Translator: And I am very grateful and that is the end of my remarks.

Com. Yano: Asante sana mama. Tumeshukuru kwa hayo maneno umetupatia. Mwenye anafuata sasa ni Hassan Ibrahim, Hassan, Hassan Ibrahim ninakupa dakika mbili Hassan.

Audience:(inaudible)

Com. Yano: Kimya tafadhali wacheni Hassan aongee.

Hassan Ibrahim: (Garre dialect)

Translator: (Garre dialect)

Hassan Ibrahim: (Garre dialect)

Translator: My names are Hassan Ibrahim Ali. Foremost. I would like to register my appreciation for making all this effort and coming to listen to our views, this is what we have been missing for a good quite a long time.

Hassan Ibrahim: (Garre dialect)

Translator: Our region is a drought stricken area, there is a lot of problems, and yet every time there is need for emergency.

Hassan Ibrahim: (Garre dialect)

Translator: What I know, since a good number of people have raised this issues this morning, I wouldn't like to bore you with

the same statements, but what I am trying to say is that the new Constitution should address this issue of regional disparity and give this region, some special consideration.

Hassan Ibrahim: (Garre dialect)

Translator: One of the basic needs we require very much is water, we are nomads and water is life, we like this issue of water taken seriously.

Hassan Ibrahim: (Garre dialect)

Translator: The nearest place where we can get water if you go into the bush or into the(inaudible) services 40km, so something has to be done so that water is always accessible to the pastoralists.

Hassan Ibrahim: (Garre dialect)

Translator: That situation only tries to favor the rich because they can take water to their animals, but the poor is always disadvantaged.

Hassan Ibrahim: (Garre dialect)

Translator: Therefore, I recommend that the government or the commission recommends the government that water points are made many that water engines and dams are built, so that this people can get water access anywhere without necessary going over long distance.

Hassan Ibrahim: (Garre dialect)

Translator: This is an emergency zone, we always need assistance.

Hassan Ibrahim: (Garre dialect)

Translator: Another appeal we would like to make is that we are assisted in education

Hassan Ibrahim: (Garre dialect)

Translator: This is because majority of people cannot afford the cost of education today and it is becoming expensive.

Hassan Ibrahim: (Garre dialect)

Translator: We would like action taken against the office of the Chief, that office is no longer useful to the community, it holds a lot of power, and we would like the Commission to address the issue of the power of the Chief.

Hassan Ibrahim: (Garre dialect)

Translator: We have elected leaders and I would like foremost, to mention the qualification of a Councilor, since we have got a good number of young men who are educated, the minimum qualification for a Councilor should be a form 4.

Com. Yano: Tafadhali dakika moja.

Hassan Ibrahim: (Garre dialect)

Translator: The area MP or the MP should be somebody who is a graduate from the university.

Hassan Ibrahim: (Garre dialect)

Translator: I also like to recommend that the Mayors, the Chairmans of the County Council, be elected directly by the public.

Hassan Ibrahim: (Garre dialect)

Translator: Because this people who have, even the nominated Councilors including, the Chairman of the County Council

included are not directly responsible to the people of that District, because they never elected them.

Com. Yano: Sasa ni wakati wa(inaudible)

Hassan Ibrahim: (Garre dialect)

Translator: Nashukuru sana amesema, nimemaliza.

Com. Yano: Na tafadhali mtarudia sana yenye imesemekana, msemi yale maneno mpya mpya, Rashid Adan Isaack, Rashid Adan Isaack, not Rashid, Rashid amesema aongei, ni Ahmed Ahmed Adan, Adan Ahmed, Ali Mohammed, Ali.

Ali Mohammed: Jambo la kwanza mimi naitwa Ali Mohammed Sheikh. Mimi nimefanya kazi katika Kenya miaka kumi, kwa magereza nimefanyia miaka kumi na sasa ninafanya kazi ya nyumbani kwa pension, natumikiwa kwa pension. Shida iliyoko hapa kwetu, sisi shamba yetu na mali yetu ngombe, mbuzi na ngamia ndio tunategemea, ndio tunatoa fee ya watoto wetu na madarasa.

Mambo ya council hakuna, labda tuchague wanawake, kina mama ndio wanaweza kuwa council, kwa sababu wanajua taabu ya watoto na taabu ya nyumbani, kina mama ndio wanajua. Lakini wa council wengine ama MP ambao wanakwenda kujenga nyumba Nairobi naishi, hajui taabu yetu, vile tunaishi hapa. Sisi wenyewe ndio tunajua taabu yetu ya hapa na nashukuru kwamba nyinyi kufika hapa na kujua taabu yetu, tunashukurani kubwa kwenu na naomba Mungu awaongoze nyinyi vile vile na sisi vile pamoja. Kwa hivyo furaha yangu ya kwanza, kwa nyinyi kufika hapa na kuona taabu yetu, mimi nilifanya miaka ishirini kazi ya serikali, na sasa mimi ninapumzika kwa medical ground nyumbani. Lakini ninajua taabu gani iliyo hapa kutoka nyumbani.

Sheria ambayo nyinyi mnasema mtabadilisha hapo ni sawa kwa sababu barabara kwetu hakuna, na hakuna mtu anajua kwamba iko barabara, ndege ndio inatumika hapa ndio nyinyi mkakuja, hakuna barabara nyinyi mnaweza tembea kutoka hapa hadi Nairobi, hiyo ni taabu moja. Taabu ya pili, mambo ya hosipitali, kina mama wanajifungua kwa taabu, hakuna daktari amsafishe.

Ali Mohammed: (Garre dialect)

Speaker: (Garre dialect)

Ali Mohammed: (Garre dialect)

Ali Mohammed: Tusaidie tutengeneze barabara vile iwezavyo. Serikali nyinyi ndio macho yetu, nyinyi ndio mnakwenda kulilia taabu yetu, mnaweza saidia taabu yetu nyinyi ndio mtaeleza. Ingawa watu wengine wanajua lakini nyinyi mmeona siri ambayo iko chini. Hapo mnaweza saidia. Ya tatu, mambo ya hosipitali tunanunua dawa iko watu ambao hawajiwezi kina mama mzee, na kina mtoto maskini hana mama hana baba, ambao wanasemekana kwenda nunua shindano, kwenda nunua dawa kwa detention hiyo ni taabu kubwa kwetu. Tunaweza saidia madaktari kwa kuongoza sisi kusaidia kuleta hapa, ingawa dawa tunayo lakini hakuna experience ya watu wakuongoza sisi hapa, mnaweza kusaidi kwa njia hiyo moja.

Ya nne, mambo ya County Council, iko kina mama wengi wamesoma wako na ujuzi, wako na elimu, kwa hivyo waongoze

hawa vile inawezasaidia serikali wapatie kazi ya council kwa kusimamia sisi kuongoza hapa. Si mtu ati unakwenda kwa council jina anaenda kuchunga ngamia yake ama anakwenda kuchunga mbuzi yake, kina mama ndio wanajua wanaishi hapa, anajua taabu ya mtoto, taabu ya nyumbani kwa hivyo tunataka kina mama wafanye council hapa serikali itusaidie sisi ili tusimamie hiyo kazi. Si mtu amesoma university iko watu wamesoma wengi hapa lakini wameachiliwa chini wanasema kila mama anaongoja nini anaweza nini kwenda kwa bwana yako. Bwana hawezi beba mtoto kwa mgongo, mama ndio anabeba mtoto kwa mgongo, hapo nyinyi mnaweza kusaidia kina mama, nyinyi mnakuja sasa kutoka nje kuona taabu yetu, kama mwanaume angekuja, hawezi kujua taabu ya kina mama hiyo ni kitu moja ambayo mimi naona, ingawa mimi niko masikio, mimi sisikiii nyii mnaongea nini, mimi ni bubu lakini nina macho na nina kifua ya kuona kitu na kujua. Kwa hivyo niliwacha kwa hiyo medical ground kwa shauri ya mimi niliwacha serikali kuaribika, ndio ninakula medical ground, mimi nakula pension, kwa hivyo na shukurani kwenu ile taabu yote nyinyi mnaona hapa kila mtu nyinyi mmesikia maoni yake, kwa hivyo mpitishie mbele na tunataka nyinyi mkifika nyumbani huko mambo yetu yabadilike hiyo ndio tunaomba kutoka kwenu. Asanteni sana sina maneno mingi zaidi ya kufuatana hiyo tu maswali yangu. Asante sana.

Com. Yano: Hiyo mambo umesema itafanywa. Anayefuata ni Mohammed Hassan, Mohammed Hassan, Mohammed, Abdali Isaack Jari, Abdali Isaack Jari, alikuwa ameongea

Speaker: Bado

Com. Yano: Abdilaman Haji, Abdilaman

Abdilaman Haji: (Garre dialect)

Translator: I have only 2 issues to raise. I am Abdilaman Haji.

Abdilaman Haji: (Garre dialect)

Translator: Northeastern is part of Kenya.

Abdilaman Haji: (Garre dialect)

Translator: By name we are Kenyans, but not by resource and others.

Abdilaman Haji: (Garre dialect)

Translator: We are under-developed, we don't have educated rights, that is why we are irretrogressive.

Abdilaman Haji: (Garre dialect)

Translator: We do not need to put all the blames on Kenya.

Abdilaman Haji: (Garre dialect)

Translator: It is said in the, Gareb say that it is the one who wants to drink water has to remove the water from the well.

Abdilaman Haji: (Garre dialect)

Translator: We have not even thrown the item into the well, so that we can remove it.

Abdilaman Haji: (Garre dialect)

Translator: When Kenya got independence.

Abdilaman Haji: (Garre dialect)

Translator: They built a Parliament so that people can come and get their share of resource.

Abdilaman Haji: (Garre dialect)

Translator: We sent, everybody sent representatives.

Abdilaman Haji: (Garre dialect)

Translator: And the people who sent their representatives expected those who represent them, to get them their share of the national cake.

Abdilaman Haji: (Garre dialect)

Translator: We have always been sending people since independence to the Parliament.

Abdilaman Haji: (Garre dialect)

Translator: We have never missed an opportunity.

Abdilaman Haji: (Garre dialect)

Translator: Upto today we have not seen whatever this people or whatever their presentation has yielded.

Abdilaman Haji: (Garre dialect)

Translator: We do not know whether it is the Kenyans that are denying them something or whether they use that opportunity to eat on our behalf.

Abdilaman Haji: (Garre dialect)

Translator: As the real people from this region,

Abdilaman Haji: (Garre dialect)

Translator: This town is now 80 years old.

Abdilaman Haji: (Garre dialect)

Translator: We have seen today what type of town it is.

Abdilaman Haji: (Garre dialect)

Translator: It is town is now 80 years old.

Abdilaman Haji: (Garre dialect)

Translator: It is among the biggest towns for this community and it has permanent water.

Abdilaman Haji: (Garre dialect)

Translator: If Kenya would have developed this region this plan would have been like any other town in this country.

Abdilaman Haji: (Garre dialect)

Translator: This would have been just like as many as any town.

Abdilaman Haji: (Garre dialect)

Translator: It is not cold neither is it hot.

Abdilaman Haji: (Garre dialect)

Translator: (Garre dialect)

Abdilaman Haji: (Garre dialect)

Translator: I recommend that people who are educated who are people of integrity.

Audience:(inaudible)

Com. Yano: Sikieni maoni yake tafadhali, mbona hamuwezi kumpatia nafasi nanyi mpatiwe nafasi?

Abdilaman Haji: (Garre dialect)

Translator: I recommend that people who are educated are of high integrity be representatives of this region.

Abdilaman Haji: (Garre dialect)

Translator: The other point also, I would like to recommend to the Commission, is that all those, our animals are not of help to us, but they are meat is so beneficial to the Kenyans, we would like that stopped.

Abdilaman Haji: (Garre dialect)

Translator: We would like the market of the animals be done right within our reach.

Abdilaman Haji: (Garre dialect)

Translator: We would like also the Commission to tell the President Moi, to come by road here and see the conditions we are living inside.

Abdilaman Haji: (Garre dialect)

Translator: If he claims that he has been sending us our due share of the national cake, then we shall ask him, who is this that has been taking this share?

Abdilaman Haji: (Garre dialect)

Translator: If he has never done so.

Abdilaman Haji: (Garre dialect)

Translator: If he has never done so before, it is now the right time to ask him, where is our rights, where is our national share of the national cake.

Abdilaman Haji: (Garre dialect)

Translator: And we believe it is you people who are going to help us in getting those share of the national cake. Thank you.

Com. Yano: Thank you very much. Asante sana. Mwenye anayefuata ni Mohammed Tula, Mohammed Tula.

Mohammed Tula: Mimi ninaitwa Councilor Mohammed Ali Tula. Jina imeandikwa kidogo ni wrong, mimi ninaitwa Councilor Mohammed Ali Tula. Councilor Mohammed Ali Tula. Kwa hivyo yangu kwanza ni kuwashukuru nyinyi kwa kufika hapa, na nimeshukuru ya kwamba wale ambao wamefikiria katiba hii ambayo inaruhusia kila mtu aongee maoni yake vile yeye ameona ama yale ameona ama anataka kuona. Madhamini yangu ya kwanza, kwanza mimi ambaye naongea ni mimi, yangu ya kwanza ninaongea juu ya colonial. Mimi mwenyewe ninaongea na nyinyi, baba yangu aliuwawa na jeshi ya serikali ya wakati huo. Na mzee akiwa anabeba ngamia ya kuhama nayo, alimalizwa yeye pamoja na ngamia yake, kwa hivyo ninataka huyo baba yangu na hiyo ngamia tulipwe.

Ya pili, kwanza yale wanaongea yote ni shida ambayo inakabiliwa na administration, administration, tuseme kweli

imeangamizwa wanasiasa wote wale wamechaguliwa na wananchi. Vile mnaona, wananchi wanalalamika wakiwa wanasema, hawahudumiwi vizuri tuseme mimi nikiwa Councillor, nikiwa hapa kama ninakabiliwa na shida ya wananchi, ninalalamikia DO, DO hawezi peleka mtu, nikilalamikia DC, DC hawezi ondoa hiyo shida, nikilalamikia PC naye hawezi ondoa hiyo shida. Na ukizidi kuongea ongea, wanaelezana wanasema yule Coucellor wa kelele ama yule Councillor wa namna hii. Kwa hivyo hakuna njia ambayo anaweza hudumia wananchi. Kama kuna kitu kama hiyo, hakuna njia inaweza hudumia wananchi, kwa hivyo yangu ni ya mambo ya kwamba wanasiasa wapatiwe power kuliko administration kwa sababu, kama tuseme MP anapatiwa uwezo kuliko PC anaweza hudumia wanachi, saa hizi kama bunge hawezi kusikizana na DC hata akiongea namna gani maneno yake haiwezi kusikika. Kama hasikizani na PC maneno yake haisikiki. Councillor ni kadhalika akiongea na DO kama yeye na DO hawezi kusikizana, maneno yake haiendi maali popote. Kwa hivyo yangu ni kusema, politicians na administration politicians wapatiwe nguvu kushinda administration. Yangu ni hayo tu.

Com. Yano: Asante sana. Ninashukuru sana, mwenye anayefuata ni Mohamud Alas Abdullah.

Mohamud Alas Abdullah: (Garre dialect)

Translator: In the name of all and the most gracious and the most merciful, he says my names are Alasi Abdulla.

Mohamud Alas Abdullah: (Garre dialect)

Translator: I am a Koran School teacher.

Mohamud Alas Abdullah: (Garre dialect)

Translator: I was borne in the reserves of Elwak

Mohamud Alas Abdullah: (Garre dialect)

Translator: You will not be surprised about some of our views.

Mohamud Alas Abdullah: (Garre dialect)

Translator: It is because our problems are just the same and will continue repeating them.

Mohamud Alas Abdullah: (Garre dialect)

Translator: If you see us repeating the same things, it is because our problems are common and we shall not get the same opportunity to express ourselves again.

Mohamud Alas Abdullah: (Garre dialect)

Translator: Whether you came by road or by plane you will have known this place is underdeveloped and the government, starts after Garissa if you go beyond Garissa that is the time you enter the government, from here this side there is no government.

Mohamud Alas Abdullah: (Garre dialect)

Translator: Just from the time you enter into a reserve which is underdeveloped.

Mohamud Alas Abdullah: (Garre dialect)

Translator: Where there is no order, there is no law.

Mohamud Alas Abdullah: (Garre dialect)

Translator: It is because the Kenyan government has forsaken us.

Mohamud Alas Abdullah: (Garre dialect)

Translator: If it is true your ambition is to liberate or to bring a new Constitutional order.

Mohamud Alas Abdullah: (Garre dialect)

Translator: There are many things we have said and have not been ever realized.

Mohamud Alas Abdullah: (Garre dialect)

Translator: Whatever issues that today your Commission is addressing, is something we have been hearing for many years.

Mohamud Alas Abdulla: (Garre dialect)

Translator: I would like to make my remarks few.

Mohamud Alas Abdulla: (Garre dialect)

Translator: We would like the government now since it has turned back to us, now to come and face us.

Mohamud Alas Abdulla: (Garre dialect)

Translator: The inhabitants of this region are Muslims.

Mohamud Alas Abdulla: (Garre dialect)

Translator: In this region where we are there is a lot of problems even the town where we are.

Mohamud Alas Abdulla: (Garre dialect)

Translator: There is a lot of rape problems.

Mohamud Alas Abdulla: (Garre dialect)

Translator: People are killed.

Mohamud Alas Abdulla: (Garre dialect)

Translator: When you will hand over such a case a rapist of a murderer to the police what we have come from experience, the person goes through a(inaudible) and later after some few years, will just come back.

Mohamud Alas Abdulla: (Garre dialect)

Translator: If somebody kills and his hands are reputed like the murderer is murdered.

Mohamud Alas Abdulla: (Garre dialect)

Translator: Whoever does raping is either killed or he is canned.

Mohamud Alas Abdulla: (Garre dialect)

Translator: That is what Islam advocate for this problem would have come to an end.

Mohamud Alas Abdulla: (Garre dialect)

Translator: In summary,

Mohamud Alas Abdulla: (Garre dialect)

Translator: While we are ready to abide by the Kenyan laws.

Mohamud Alas Abdulla: (Garre dialect)

Translator: But as a region Northeastern Province we prefer to be ruled based on Islamic law.

Mohamud Alas Abdulla: (Garre dialect)

Translator: That is what was my position.

Com. Yano: Asante sana. Abdullahi Adan, Abdullahi Adan, Abdullahi Adan, Abdullahi Adan, ameenda, Alio Getho, Alio.

Alio Getho: (Garre dialect)

Translator: My names are Alio Getho Musa.

Alio Getho: (Garre dialect)

Translator: People have spoken about many issues.

Alio Getho: (Garre dialect)

Translator: The language I speak, is slightly different from the language of the majority who came here have spoken.

Alio Getho: (Garre dialect)

Translator: If people speak a lot of things repeat many things, suddenly the process gets evaporatory, just disappears.

Alio Getho: (Garre dialect)

Translator: You have just been seeing how I am walking as I am coming to address you.

Alio Getho: (Garre dialect)

Translator: While I am disabled like this, during the emergency that is during the era of either Kenyatta or Moi, I have been tortured by the police up to the time they smashed me part of my testicles.

Alio Getho: (Garre dialect)

Translator: All the same now you are talking of reviewing the whole system.

Alio Getho: (Garre dialect)

Translator: While we are going to be patient and will be persevering, we expect a lot from God, we expect a lot of change, we believe that a lot will come from your side.

Alio Getho: (Garre dialect)

Translator: In short I say the disabled community, the orphans, the aged, all this should be given free education, even their children educated, supported by the government that is what we want from the government. Thank you.

Com. Yano: Asante sana. Natumefika mwisho wa ile orodha tulikuwa tumeandika, lakini kama kuna mtu mwenye pengine haukuwa umejiandikisha, ilikutoa maneno yako na ujaalikwa, tafadhali uje mbele. Haukuwa umejiandikisha, jina ni nani? Hakuna summary kama umeongea umeongea, tutapatia wengine wenye hawajaongea.

Abdula Farah Abdula: (Garre dialect)

Translator: My names are Abdula Farah Alan Abdula.

Abdula Farah Abdula: (Garre dialect)

Translator: I am born in this region

Abdula Farah Abdula: (Garre dialect)

Translator: Well, we are born here, we are bread raised here, but we are different from Kenyans in terms of our living standards.

Abdula Farah Abdula: (Garre dialect)

Translator: What happened one time in Garissa, one person committed a crime and the whole community of Somali were

demonized and many people were killed.

Abdula Farah Abdula: (Garre dialect)

Translator: Whoever gave that instruction and that order was based in Garissa, he was a PC, and it was on his immediate order that people, shooting started and many people were killed.

Abdula Farah Abdula: (Garre dialect)

Translator: The same happened in Wajia.

Abdula Farah Abdula: (Garre dialect)

Translator: What I witnessed when I was somehow youth, the military forces tied people together at Malikamari, Malikamari is next to Banisa where today other Commissioners are, the military forces tied people together, put them on the rocks and instead of shooting them took big stones and smashed their heads.

Abdula Farah Abdula: (Garre dialect)

Translator: Garisasala which is a few kilometers from where we are today, he says that the forces, the Kenya forces in fact they are camping on the water point, any livestock that comes, or anybody that comes with the livestock is shot and the whole livestock also wiped out.

Abdula Farah Abdula: (Garre dialect)

Translator: Then the remaining ones either will die with anger, or they will come back poor or they will be killed by the soldiers.

Abdula Farah Abdula: (Garre dialect)

Translator: Sometimes they will put all the remaining vehicles on their vehicles and go away.

Abdula Farah Abdula: (Garre dialect)

Translator: The system we have been going through prolonged droughts, that have killed the remaining animals.

Abdula Farah Abdula: (Garre dialect)

Translator: So he says this is my recommendation. One: Livestock is our life, it is the heartbeat of our community, we cannot survive without livestock. So what we recommend to the government is creation of markets, provision of essential services like water, veterinary services and you know everything and also the compensation for all those livestock that were killed by the armed forces. And the compensation of all those lives that were lost due to that massacre.

Abdula Farah Abdula: (Garre dialect)

Translator: We are Muslims

Abdula Farah Abdula: (Garre dialect)

Translator: Whatever recommendation we would like to make as Muslims is that we need to be governed by Islamic law.

Abdula Farah Abdula: (Garre dialect)

Translator: We need majimbo.

Abdula Farah Abdula: (Garre dialect)

Translator: The reason why we prefer majimbo is because of the experience we have had. Kenya is now almost 40 years of independence, we have no roads, we have no schools, no infrastructure therefore, we find that by getting some level of

autonomy, we may be able to improve ourselves at our own level.

Abdula Farah Abdula: (Garre dialect)

Translator: Thank you very much for giving me the opportunity to say those few remarks.

Com. Yano: Asante sana. Tumeshukuru. Ulikuwa umejiandikisha? Jina lako ni nani?

Abudugar Ali: Magakelu Abudugar Ali.

Translator: My names are Abudugar Ali he says, I have registered.

Abudugar Ali: (Garre dialect)

Translator: We are Muslims.

Abudugar Ali: (Garre dialect)

Translator: This is where I was borne.

Abudugar Ali: (Garre dialect)

Translator: This is where my father was borne.

Abudugar Ali: (Garre dialect)

Translator: That is still where we are living and that is how we earn our living bread.

Abudugar Ali: (Garre dialect)

Translator: We are really having a lot of problems.

Abudugar Ali: (Garre dialect)

Translator: Nobody is helping the poor.

Abudugar Ali: (Garre dialect)

Translator: We have no roads.

Abudugar Ali: (Garre dialect)

Translator: We have no proper health facility.

Abudugar Ali: (Garre dialect)

Translator: We have got a center which has no drugs almost.

Abudugar Ali: (Garre dialect)

Translator: We do not know whether there is no provision of drugs or there is no supply.

Abudugar Ali: (Garre dialect)

Translator: We do not know whether the staff or other people are selling or buying, we do not know where it goes.

Abudugar Ali: (Garre dialect)

Translator: It is a problem that must be addressed.

Abudugar Ali: (Garre dialect)

Translator: Our children go through the School system but they don't go to any scholarship or sponsorship.

Abudugar Ali: (Garre dialect)

Translator: He says, we would like if it is a School, we would like the Schools to give free education, if it is the roads we like them tarmacked, if it is the hospitals we like the status improved, so that there is provision of drugs and services are provided.

Abudugar Ali: (Garre dialect)

Translator: Today there are students who have completed their Schools but the School cannot give them certificates because they have huge fees balance to clear.

Abudugar Ali: (Garre dialect)

Translator: The children are not working, they are not in any gainful employment, they are just loitering they are becoming more menace now, than being useful.

Abudugar Ali: (Garre dialect)

Translator: We do not know where to go look for money.

Abudugar Ali: (Garre dialect)

Translator: If any improvement can be done something can be done.

Abudugar Ali: (Garre dialect)

Translator: I am through. Thank you.

Com. Yano: Na mwingine mwenye ako na maneno yenye pengine akienda nyumbani leo aanze kulala.

Audience:(inaudible)

Speaker: Kuna daktari hapa. There is a daktari here who has just come.

Com. Yano: Lakini umejiandikisha.

Speaker: Bado.

Speaker: Sema jina lako.

Abdi Maalim: Jina langu mimi ninaitwa Abdi Maalim, Abdi Maalim Isaack. In my view I want to give only one suggestion to this Commission, and that is I tend to think that saa ya kusoma taarifa ya habari huwa inasomwa wakati ambao watu wako msikitini, especially saa saba na saa kumi. Ningependa huo wakati ubadilishwe ili waislamu pia wasikie.

Com. Yano: Endelea

Abdi Maalim: Ya pili ningetaka Ijumaa ikuwe siku ya kupumuzika on Friday instead of Saturday and Sunday.

Com. Yano: Endelea

Abdi Maalim: Islamic attires should be allowed to be used in working place especially the tabans and the kanzus. It is over.

Com. Yano: Umemaliza?

Abdi Maalim: Nimemaliza.

Com. Yano: Kuna mwingine? Umeongea?

Speaker: Come and sign.

Audience:(inaudible)

Speaker: (Garre dialect)

Gole Ibrahim: Mimi ninaitwa Gole Ibrahim. Mimi ni mzee wa mji ninaitwa Gole Ibrahim Adan.

Com. Yano: Umejiandikisha.

Gole Ibrahim: Bado. Nilijiandikisha asubuhi.

Speaker: He registered in the morning and disappeared.

Speaker: (Garre dialect)

Gole Ibrahim: (Garre dialect)

Translator: I will be very brief in my speech.

Gole Ibrahim: (Garre dialect)

Translator: The reason being that most of the issues I would have raised have been raised this morning.

Gole Ibrahim: (Garre dialect)

Translator: I would like to also raise a few issues.

Gole Ibrahim: (Garre dialect)

Translator: You came to us with the purpose of coming to get our views so that it can be cooperated in the new Constitution.

Gole Ibrahim: (Garre dialect)

Translator: We are pastoralists and most of us are not educated. We have that confidence that where we are not straight, or where we may not present our views as required the Commission especially the panel present will help us put those views together.

Gole Ibrahim: (Garre dialect)

Translator: In 1963 since we got independence,

Gole Ibrahim: (Garre dialect)

Translator: Since then,

Gole Ibrahim: (Garre dialect)

Translator: We are called Kenyans.

Gole Ibrahim: (Garre dialect)

Translator: We have other names apart from being called Kenyans there is another name.

Gole Ibrahim: (Garre dialect)

Translator: We are called waaria

Gole Ibrahim: (Garre dialect)

Translator: The first thing we would like to recommend to you, is that this men who stigmatize this community called waaria, to be outlawed.

Gole Ibrahim: (Garre dialect)

Translator: Somali is just an identity we are Somalis but that is not our religion, our religion is Islam, Somali is just an identity.

Gole Ibrahim: (Garre dialect)

Translator: Instead of calling us officary Somali we are called waaria and this direct term coming from the forces.

Gole Ibrahim: (Garre dialect)

Translator: The other point I would like to raise.

Gole Ibrahim: (Garre dialect)

Translator: If we are Kenyans,

Gole Ibrahim: (Garre dialect)

Translator: Yes we are Kenyans, we share that title but we have not benefited from the national cake, neither do we benefit from the resources.

Gole Ibrahim: (Garre dialect)

Translator: The way we like it.

Gole Ibrahim: (Garre dialect)

Translator: We have no roads.

Gole Ibrahim: (Garre dialect)

Translator: We have no Schools.

Gole Ibrahim: (Garre dialect)

Translator: Our education standards are very low.

Gole Ibrahim: (Garre dialect)

Translator: It is a common phenomenon in the whole Province.

Gole Ibrahim: (Garre dialect)

Translator: We would like in the new Constitution making, that its included that we have brought the levels of other Kenyans in terms of facilities, infrastructure, so the Constitution has a provision for that, so that in the process we are also elevated.

Gole Ibrahim: (Garre dialect)

Translator: What the government is also looking at.

Gole Ibrahim: (Garre dialect)

Translator: This land has no farms.

Gole Ibrahim: (Garre dialect)

Translator: Since it is not productive it does not grow cash crops, and the people living here are called waaria, though we are forgotten.

Gole Ibrahim: (Garre dialect)

Translator: Now,

Gole Ibrahim: (Garre dialect)

Translator: But Kenyans are benefiting a lot from us.

Gole Ibrahim: (Garre dialect)

Translator: The meat that we supply here is what Nairobians are depending on.

Gole Ibrahim: (Garre dialect)

Translator: So what we are now appealing to the Commission is that first, we would like that benefit of the animals, first comes to us before it benefits others. We benefit from this by proper marketing and then we become part and parcel of this community called Kenya, we are recognized and we are given also the share of the taxes, revenues collected from Kenya.

Gole Ibrahim: (Garre dialect)

Translator: Finally,

Gole Ibrahim: (Garre dialect)

Translator: The first mistake I did is that I never told you this place is a sub District, Elwak Sub-District.

Gole Ibrahim: (Garre dialect)

Translator: And there is no court here,

Gole Ibrahim: (Garre dialect)

Translator: When somebody is arrested here.

Gole Ibrahim: (Garre dialect)

Translator: He has to be taken 200km and something to Mandera.

Gole Ibrahim: (Garre dialect)

Translator: If we have a sub District,

Gole Ibrahim: (Garre dialect)

Translator: We would like us to see whereby the courts are brought closer to the community, until the sub District level, courts are brought closer so that both the one of the Islamic Kadhis and the one of also the common courts.

Gole Ibrahim: (Garre dialect)

Translator: And as a conclusion,

Gole Ibrahim: (Garre dialect)

Translator: All the main issues I would have raised have already been existed.

Gole Ibrahim: (Garre dialect)

Translator: I would like to just touch on one.

Gole Ibrahim: (Garre dialect)

Translator: I am hearing.

Gole Ibrahim: (Garre dialect)

Translator: What was made to understand what I was hearing this morning, some elders we want to go back to the colonial system of traditional boundaries.

Gole Ibrahim: (Garre dialect)

Translator: If I talk as an individual.

Gole Ibrahim: (Garre dialect)

Translator: We do not want to go back to colonial styles.

Gole Ibrahim: (Garre dialect)

Translator: That divide rule the colonial did it has brought a lot of problem.

Gole Ibrahim: (Garre dialect)

Translator: We have got so much problems that we don't even want it.

Gole Ibrahim: (Garre dialect)

Translator: We are now Africans.

Gole Ibrahim: (Garre dialect)

Translator: We know each other, we know our names, we also know even our identity, even the sub tribes.

Gole Ibrahim: (Garre dialect)

Translator: The reason why I am raising this issue,

Gole Ibrahim: (Garre dialect)

Translator: During the colonial times even the Africans were separated they were not even to interact.

Gole Ibrahim: (Garre dialect)

Translator: We do not want to go back to traditional boundaries because of that.

Gole Ibrahim: (Garre dialect)

Translator: We would like it to be made that in the new Constitution that, we are not taken back to colonial times and that we operate as one community.

Gole Ibrahim: (Garre dialect)

Translator: Thank you.

Com. Yano: Asante sana. Tunashukuru sana, bado kuna mama ama mtu mwingine anataka kuongea.

Audience:(inaudible)

Abdirkadir Abdi: I am Abdikadir Mwalimu Abdi a Primary School teacher. I have only few points to put across, that is one; as concerned the Councilors, a Councilor should be fluent both in English and Kiswahili to vie for a local authority seat. An MP should be a graduate. Presidential election, irrespective of whether he is elected from eighth Province or not he should be in a position to obtain more than 50% of the total votes casted in the public. Failure which a re-run election has to be made.

And then security; in the former Constitution, it has been indicated that the government is responsible for a life and property of its citizen, but we have seen several cases whereby an individual is just being killed, by shiftas and no compensation. It is the obligation, it is the duty of the government to compensate those people who have been killed by shiftas and it should be addressed in the new Constitution.

The other one is on binding bonds as concerns marriage; that is binding bonds as concern marriage, whether it is conducted in a church, whether it is conducted at Kadhis office HIV test must be done, HIV test and certificate must be produced to safeguard both spouse, not to infect each other. And then the other one is like pyrethrum board of Kenya research, pyrethrum research board of Kenya, marketing board the way it is established, we request the new Constitution to address livestock research institution and livestock marketing boards to be established in pastoral areas.

Then the other issue I wish to address is concerns workers; every worker, whether male or female, should be working in the same place with his or her spouse where applicable. Whether the wife can shift with the husband or whether the husband can shift with the wife, to eradicate this menace of HIV and AIDs, and that is all I have. Thank you.

Com. Yano: You still have something to tell us.

Speaker: Am I allowed with my views.

Speaker: Yes.

Speaker: Can I be allowed Commissioner to round up with my views myself?

Com. Yano: Yes. Come for two minutes and I give Councilor two minutes.

Ibrahim Rahmal: (Garre dialect)

Translator: I am Ramel Mohammed Mohammed.

Ibrahim Rahmal: (Garre dialect)

Translator: Ibrahim.

Ibrahim Rahmal: (Garre dialect)

Translator: I will still give you the views on behalf of maendeleo ya wanawake.

Ibrahim Rahmal: (Garre dialect)

Com. Yano: Rahmal you talk very good Kiswahili, we are going to waste more time translating.

Ibrahim Rahmal: Okey, okey.

Ibrahim Rahmal: Mimi ninaongea kwa niaba ya wakina mama wa Elwak, maendeleo ya wanawake na mimi ninaitwa Rahma Mohammed Ibrahim. Kuna suggestion mbili nilisahau leo asubuhi sikuongeza kwa suggestion yangu, moja yake ni msichana akiwa miaka kumi na tano, miaka kumi na tano, from 15 years lazima awe chini ya amri ya babake, mpaka aolewe aende kwa nyumba ya bwana yake.

Ya pili, nilikuwa nataka kuongea juu ya gerezani. Sisi wanakenya wote tuko na shida sana juu ya gereza wanaume wakipelekwa kwa gereza, magereza ilijengwa na wakoloni, manyumba kidogo kidogo, yaani kumaliza waafrika, wakiharibu chochote, kwa hivyo hizi nyumba kidogo kidogo labda nyumba moja wana binadamu mia moja ama mia mbili ndio wanaweka ndani ili hawa

waafrika wamalizike. Kwa hivyo tunataka mabadiliko hiyo ya magerezani, ibadilishwe kwa nyumba kubwa kubwa, na wawe wanapatiwa mattress yao kama human beings, because hata kama wamefanya hatia, hawa ni binadamu. Lazima babu wao waangaliwe wapatiwe mattress, wapatiwe kitanda, waangalie hata wapatiwe nafasi ya kuangalia tvs because hawa ni binadamu ingawa wako kwa jela.

Ya tatu, haya mambo ya magistrate wa Mander District. Tunasikia, tunajua kuna magistrate imejengwa katika emergency house na magistrate court imejengwa katika Mander District. Huyo magistrate anapatikana katika miaka moja mara tatu ama nne tu peke yake anakuja..... what do you say, kusikiza hiyo case, kwa hivyo down Kenya tunajua leo mtu akishikwa baada ya six hours, huyo mtu amepelekwa kotini, akifungwa ni bahati yake, akiwachwa ni bahati yake. Kwa hivyo tunataka huyo magistrate wa Mander District awe hapa katika Mander District asiende mbali, labda akichukua leave mwingine amubadilishe, mtu akishikwa leo aharakishwe hata akishikwa Elwak saa saba aharakishwe Mander District akifika leo Mander District kesho yake awekwe mahakamani. Ni hayo tu ndio nilikuwa ninataka kusema.

Com. Yano: Asante sana. Councillor halafu bwana co-ordinator ndio tumalize.

Ahmed Ali: Thank you very much kunipatia nafasi hii.

Interjection: (Com. Yano): Dakika moja.

Ahmed Ali: Dakika mbili. Kwa hivyo, unajua Councillor hawezi ongea dakika moja unaelewa.

Interjection: Sema jina lako.

Ahmed Ali: Jina langu ni Ahmed Ali. Basi langu la kwanza swali moja nafikiri nitawauliza nyinyi au mimi nitachukua hilo swali nipeleke mbele. Swali langu la kwanza. Hebu sikizeni. Swali langu la kwanza, vile mimi nimeona wananchi wanalia kila wakati, wale walikuja hapa wanalia mambo ya kipande na nini. Kipande hapa kwetu tunataka tuulize yaani swali ninauliza nyinyi, na mjue mimi nitakwenda kuuliza mbele, kijana au msichana anahesabiwa kutoka miaka kumi na nane ndio anapatiwa kipande, je sasa swali langu linafika, mpaka miaka gani ndio itakuwa mwisho huyu mtu hawezi kupata kipande? Kwa sababu hapa kwetu mimi ninasikia wananchi wanalia, mtu kufika miaka ishirini au thelathini na tano, thelathini(inaudible) thelathini unaambiwa umezeeka hautapewa kipande, na hawa ni wananchi wa Kenya. Vile ulikuwa unaona hapo, nafikiri kuna watu wa zaidi ya elfu hamsini hapa hii town, lakini unaeza kuta wale wako na kipande ni watu labda elfu ishirini kwa sababu wale wengine wanaambiwa miaka thelathini wanasema umezeeka hautapewa kipande, already haki yake imezimwa. Kwa hivyo ni swali vile nimesema, inatakiwa uchukue nafasi au swali hili langu.

Com. Yano: Na pia ungetengeneza, Bwana Councillor ungetengeneza iwe na halifu, zote tunajua ya kuwa miaka kumi nane ukifikisha unapatiwa kipande, hakuna mwisho hata ukiwa miaka mia moja, mia moja na kumi bado utapata kitambulisho yako,

hata ingekuwa kama lalamiko.

Ahmed Ali: Yes, Chukua kama lalamiko, haya basi asante hiyo ni malalamiko, na kwa hivyo inapelekwa kwa sheria iliukuwe from 18 up to there. Hayo mengine kwangu ni maoni vile mimi napeana kwa hii sheria lazima iwekwe, ile ingine ndio ninajua si lazima yaani sheria inaomba hii iwekwe, vile ningejua nafikiri kwetu hapa wengi wanaelewa, serikali ya somali mbeleni kitu walifanya, kwetu hapa ninaona ni vile watu wanakuja kutoa maoni mambo ya sheria, wanakujakutoa maoni yao kulingana na sheria, lakini uwezi kuta wametoka kwa hiyo laini, ambayo ni ya sheria ambayo ukitoa maoni yake ninaona yako area kwa sababu ya ukosefu wa elimu.

Tena ninaomba maoni ambayo ninapeana kwa sababu ya vile Somali walikuwa wamefanyika, Somali walifanyika mpaka wakati fulani walitoa walimu ambao mobile teachers, mobile teachers, wanatembea wanafundisha watu kama kwetu sasa, wale hawajui mambo ya elimu hawajui, wanafundisha sasa leo katika Somali ukitembea unaweza mtu anakaa chini hapa hata reserve, anashika kalamu na karatasi anandika barua kwa lugha yake. Kwa sababu wale walikuwa wanafundisha lugha yake. Pia sisi tuna maoni yetu tunataka pia sababu kwetu tumbaki nyuma, tunataka turekebishe sasa tusukume mbele mobile teachers, tupate wakati mvua, tuweke kwa sheria ile ambayo wakati wa mvua si wakati wa kukamua iliwasaidiwe, iliwakuwe watu wa kufahamu kitu. Hayo ndio maoni ambayo nilikuwa ninataka kuongeza, hayo mawili. Ninawapatia shukurani kwa kunipatia nafasi hiyo. Asante.

Com. Yano: Asante sana.

Speaker: Ningependa kuwaeleza na wazee pia kwamba haya maneno mmeyasema ni kazi yetu kama tume kuyaandika kwa lugha ya sheria, kwa hivyo vile mmesema kwa lugha ambayo ni lugha yenu msifikiri kwamba hamjaongea mambo ya kikatiba, kazi yetu ni kuchukua hayo maneno vile mmeongea na kuandika kwa lugha ya katiba. Kwa hivyo ni asante umesema hivyo. Si ati kwamba vile umesema mashida yako na kisomali haitaingia katiba vile mmesema, ni vile mmesema tuta translate kwa lugha ya kisheria, na kuandika kwa katiba. Tumeelewana. Asante.

Com. Yano: Kabla Bwana coordinator ajatufungia kuongea, kuna mtu bado anataka kuongea? Kuna mtu anafikiria leo akienda nyumbani, kwenda kulala na kuna pengine yale maneno ajayasema kabla ajaenda kulala.

Speaker: (Garre dialect translation)

Com. Yano: Imemalizika?

Speaker: Huyu

Speaker: Huyu ameshasema.

Com. Yano: Kama imemalizika asante. Wacha waulize maswali, Bwana D.C aongee yake.

Ibrahim Farah: In the name of father, the most gracious the most merciful, I am Ola Ibrahim Farah I am speaking as a resident of Mandera Central Constituency, I am borne in Ramo and like to address a few things, foremost I would like the new Constitutional dispensation, to remove inherent fear among the Somali community. There is a lot of fear, the fear that has denied this people freedom of expression, openness and perseverance of democratic ideals, because I see that they cannot even give their views because of that fear that is in them. So there should be such a guarantee from the new Constitution.

The next I would like to ask in the new Constitution making, the people of a region be allowed to practice their cultural and religious heritage without any interference and in the same I am requesting freedom of religion, it means if this people of this region at a particular time, decide to go on a particular way for example they want to be governed by Islamic sharia there must be a clause in the Constitution that is open so that they can find their own time come up with this idea and become to pursue that idea of theirs.

I also expect the new Constitution to address regional disparity. A clause to be included to allocate development funds to the less developed regions. Because we may only be talking of our region but as a Kenyan I do believe the other parts which are also hazard like the Turkana, we have Samburu, we have the Maasai, we have also other regions even within Kitui, Makueni all this areas have their own distinct problems and there must be that clause in the Constitution such that this disparity can be addressed.

On local government; I would like to see a situation where power is devolved from the central government. I believe in what is called unitary system. Kenya is a fragile society, Kenya as society is developing, we have not reached a state whereby we find that we are now coherent, we are one community, there is tribalism I feel that our salvation life unitary system, but the power that too much power that is there in the Presidency, that is there in the Executive be developed let the community make their own decisioning, let them design their future, let them say this is what we want, let everything, let people not dictate the community let the government become the servant and the people become the government, they give orders, tunataka hivi na serikali inafanya hivyo. That is what we mean by devolution.

And finally, on education; I will see from the way I find also somebody who is an educationist, the solution of education in this community life, integrated education. Because it will be very expensive, for the government to pay madarasa teachers and other teachers, but if this is integrated, both will take care of the whole problem. That means there will be an auristic development. The child will have spiritual development, the child also will have secular development and this will be a whole child who can now be a good Muslim also. And then, for the nomadic child, if the government cannot give free education to all Kenyans, it should address the education for the nomadic child. I can disqualify people living here to be nomads, strictly moving and those are the people who require education service that is free.

Recognition of pastoral economy, and support to the pastoral community in terms of research, in terms of development of boards, in terms of marketing, and even in terms of infrastructure, and then I personally believe 25 Constitutional requirements for Presidential aspirants to fulfill from five Provinces to be retained. We are a minority, we have only 1million Somalis, if by any coincidence we follow the rule of 51% it means this Province will not get any recognition, because that what makes us today important, in the political scene is because of this 25%, that is why those political aspirants who come from large communities, believe that they need our support, because of the 25% clause. So it is very important to us.

Then police identity, freedom of indemnity; Police to carry their name tags and number tags because what we believe, indemnity act has not been properly repealed, that is why the police are still in the jungle uniform, but if the indemnity act is repealed, that means they will have to carry their number and put on the blue, or the white black trouser and that will be the true identity we want, such that when somebody offends any person, anywhere it is easy to identify him because the numbers are displayed.

Then historical justice; You have heard many historical issues been shown, the most important thing is not only compensation but reparation, we want those people who did that, if they are living, if they are alive, they maybe taken to court. We need to rule a reconciliation, because this community, does not need only to be compensated, the world must know that this community went through problems, they have been frustrated, they were oppressed, they were killed, they were maimed, they were raped, so if the world does not know, it is the first time it has been known in the history of Kenya, it is today that the Commission is here, it has never been known. So we would like the world to know through a reconciliation, Commission, such that even the community can forgive, even if they know it, the world knows they can even forgive if they so wish.

Then the other point I would like to add, is that the issue of Parliament; Parliament to vet all appointments. If you must reduce people's power the Parliament should be given the power to vet all the appointments. Such that whoever comes into power does not just exercise his own authority to appoint individuals, but appoint people of integrity, people of qualification, people whom we can trust with our resources, because some of the positions in this country, are very sensitive, and yet we have seen it be run people who are questionable in their character.

Recall of responsible and number of how many MPs; I think it is high time the community is empowered either through(inaudible) either through opinion poll, or either through even no confidence vote, to be determined by the Commission. Such that they can recall, because an MP is an employee, most of them we know they have no other employment, they are employed by the community, if they don't perform then they should be recalled. The community should be given and then the establishment of members of Parliament offices at constituency level. The reason why this people are not performing, is because there is no office. If an office is established here, they have to come serve the people, you will know that this office is locked, it is dusty, it has never been doing its work, and in the process the community can take that person to task.

Political parties; I would like equal access to all political parties to government facilities. Be it KBC services, be it the

government services, a Presidential aspirant, I only prefer a system like Uganda where Presidential aspirant has escorts, even he uses a helicopter, he uses the government facilities, such that the Kenyans do not always see one person is doing the, it is only one man play or one man show in the Presidential. So I recommend, the political parties and Presidential aspirants, to get equal opportunities so that immediately somebody becomes a Presidential aspirant is no longer a President he is going for politics.

Finally, in the preamble, of the Constitution, I feel that as much as we must include our diverse heritage we must also address the issue of injustice, that has been done to the pastoral community, and that something has to be done about the injustice that has been done to women, to the children, to the disabled, to many other interest groups and specifically the injustice that has been done to the Somali community has been there, such that the community feels that this new Constitution has one way or the other addressed their problem and this can be a way of my child release grand child forgiving this community for whatever they have done. For those who have operated those against the community. For those few remarks, I hope that I will not be intimidated in anyway by the Commission for giving my view. Thank very much.

Com. Yano: Thank you very much for those remarks. Now Commissioner Baraza will want to have a word with you and I shall end remarks and we just break.

Com. Baraza: Thank you madam chair. I just want to take a minute to thank you. Ninawashukuru sana kwa maoni yenu, mmekuja kwa wingi, mmetuambia na mmeweka roho zenu kwa yale maoni tumeona wenyewe tumejionea maoni yenu, tutawambia tumeyasikia na tutayapeleka kule na tuone vile tutafanya. Lakini kile ningetaka kuwambia ni kwamba, katiba hauwezi kuona matunda yake kesho, mmelewa?

Audience: Ndio

Com. Baraza: Labda itachukua mwaka moja au mbili au tatu msife moyo, katiba matunda yake inaonekana baadaye, lakini tumeyasikia tutaenda nayo.

Com. Yano: Asante sana Commissioner Baraza. Nafikiria sasa tumefika mwisho wa kuchukua maoni yenu na vile tulikuwa tumewahakikishia hapo mbeleni, ya kwamba tutachukua haya maoni twende nayo mpaka Nairobi, ilitutengeze iwe ripoti na tukisha tengeza iwe ripoti pengine tunaambiwa na sheria yetu ya kuwa mtarudishiwa mwangalie hiyo ripoti kwa mda wa siku sitini, mjihakikishie ya kuwa yale maneno yote mlitupatia leo iko kwa hiyo ripoti, mkishaiangalia na mkaridhika ndio tutapanga kinachoitwa mkutano mkuu wa katiba, Nairobi. Hapo ndivyo sasa mtaleta wale representatives wenu, mtalete MPs, mtalete pengine NGOs, mtalete religious leaders, Sheikh wenu, waje wjadiliane maneno ya katiba.

Kama vile mwenzangu Commissioner Baraza amesema, leo kweli ilikuwa siku kuu ama siku kubwa kwetu, kuwa nanyi and its really been an eye opener, hivo kusema ya kuwa, ni vizuri wengine wetu tumekuja hapa, hatungejua ya kuwa pengine kuna

