

CONSTITUTION OF KENYA REVIEW COMMISSION

(CKRC)

VERBATIM REPORT OF

CONSTITUENCY PUBLIC HEARINGS,

**BARINGO CENTRAL CONSTITUENCY, AT MARIGAT SECONDARY
SCHOOL**

ON

4TH JULY 2002

**CONSTITUENCY PUBLIC HEARINGS OF BARINGO CENTRAL CONSTITUENCY AT MARIGAT
SECONDARY SCHOOL ON 4TH JULY 2002**

PRESENT

Com. A I Hassan – Chair
Com. Dr M Swazuri
Com. Nancy Baraza

SECRETARIAT IN ATTENDANCE

Fatuma Montet – Programme Officer
Anne Koross – Asst Programme Officer
Asha Boru – Verbatim Recorder

The meeting was called to order at 9:40 a.m.

Com Ahmed Hassan: Hamjambo.

Response from the audience: Hatujambo

Com Ahmed Hassan: Ningependa kuwakaribisha kwa hiki Kikao cha Tume ya Kurekebisha Katiba hapa Marigat Secondary school, Baringo Central Constituency. Kwanza kabisa tungefungua na maombi. Kuna mtu yeyote ambaye anaweza kutufungulia na maombi?

Prayers: Baba wetu wa mbinguni, Baba wetu wa Yesu Kristo, asubuhi ya leo tunakuja mbele yako Bwana, tunakushukuru kwa sababu ya wema wako na fadhili zako. Asante Bwana kwa asubuhi kama hii ambayo Bwana umetufikisha kwa sababu ya

upendo wako wa ajabu na mapenzi yako. Mungu utubariki
wewe ni mwaminifu na unatupenda kwa upendo wa milele.

(?). Baba hatuna budi kukushukuru kwa sababu

Baba umetuma mwanao wa kipekee kwa ajili ya dhambi za wanadamu na Bwana ndiposa tumeweza kukombolewa na tumekuwa na amani, tumeishi kulingana na mapenzi yako. Baba hatuna budi kukutukuza asubuhi ya leo.

Tunasema ni asante kwa wageni wetu ambao wametoka sehemu za Nairobi na hata sehemu hii Bwana. Tunajikabidhi mikononi mwako tukiomba ya kwamba uwe pamoja nasi tunapoanza mkutano huu, na uweze kuwa mwongozi na Bwana uanze pamoja nasi na hata umalize pamoja nasi. Asante Bwana kwa sababu unatujali na unatupenda, Bwana wa mbinguni. Baba wetu wa mbinguni tunajua amani ambayo inadumu katika nchi yetu ni kwa sababu unatupenda na unatujali. Tunaomba amani hiyo iweze kudumu, Baba kulingana na mapenzi yako. Asante Bwana (inaudible) ya Serikali ambayo iko mamlakani wakati huu Bwana (?). Asante Mungu wetu, tunakushukuru kwa maana tunajua ya kwamba sisi ni watoto wako na unatupenda, asante Bwana. Mambo yote ama maneno yote ambayo tutajadili mahali hapa ama kuingea Baba uwe katikati yetu, Baba utusaidie, chochote tutanena ilingane na mapenzi yako Bwana. Baba bariki hata wageni hawa ambao wametoka mbali na wenyenji ambao watakuwa mahali hapa. Wale wako nje wanakuja, (?) njia zao ili tuweze kushirikiana pamoja na Bwana kuweza kusikia yale ambayo utatupea siku ya leo Bwana. Asante Baba wetu wa mbinguni, tunakushukuru kwa hayo machache. Baba yale ambayo sijaweza kutaja, Mungu unaweza kutuombea kule juu mbinguni kwa maana wewe ni Mwokozi wetu, na yote ninaweka mikononi mwako na ni katika jina la Bwana wetu Yesu Kristo nimeomba na kuamini, Amen.

Com Ahmed Hassan: Asante sana, sasa tunaweza kuendelea na shughuli yetu ya leo, ya kutoa maoni juu ya urekebishaji wa Katiba. Kabla hatujaendelea, wacha niwajulishe wale ambao tuko nao hapa.

Mimi ninaitwa Ahmed Isaack Hassan, mimi ni commissioner na nitakuwa kama chairman wa meeting ya leo. Mwenzangu ni Nancy Baraza, ambaye pia yeye ni Commissioner, na Dr Mohammed Swazuri ambaye pia ni Commissioner.

Tuko na wenzetu ambao tulisafiri nao kutoka Nairobi. Yule msichana ako huko anaitwa Fatuma Montet, yeye ni Programme Officer kutoka headquarters. Anafuatwa na Anne Koross, ambaye ni Assistant Programme Officer, na Asha Boru ambaye ni Verbatim Recorder.

Nafikiri tuanze na wageni wetu wakija nitarudia tena yale machache ya hiki kikao chetu lakini ni hizi hizi nitawapatia sasa. Tungependa kuwaomba mjaribu kuangalia wakati kwa sababu tunataka kusikiza kila mtu, kwa hivyo Tutawapatia dakika tano, tano kila mtu. Kama uko na written memorandum umesha-prepare, tafadhali usijaribu kuisoma neno kwa neno, Ujaribu ku-highlight yale maneno muhimu kwa hiyo document lakini usipoteze wakati mwingi kwa kusoma neno kwa neno kwa sababu hiyo tutaifanya baadaye. Kwa hivyo ujaribu kuchukua yale maneno ya muhimu kwa ile document.

Kama hauna written document lakini unataka kupeana maoni tu kutoka kwa mawazo, unaweza kufanya hivyo na pia tutakupatia dakika tano. Kama hutaki kuongea na uko na written document utaiacha kwa huyo msichana, u-sign jina lako na uende ukitaka.

Kabla tuanze kuongea kwa sababu tuna tape hii proceedings, tunataka kila mtu aanze na jina lake liingie kwa recording. Na vile tunasema hii ni meeting huru, watu wajisikie huru kuongea na kutoa maoni yao bila kuogopa. Bora tu wasitumie lugha chafu, lugha ya kutukanana ama kukashifu watu wengine, lakini toa tu maoni kwa kitu ambacho unafikiri unataka kutoa. Bila kupoteza wakati, tungependa kuanza na yale majina tuko nayo. Tutakuwa tukiwaita watu kulingana na jinsi wamejiandikisha kwa hiki kijikaratasi chetu.

Yule ambaye anataka kuongea kwa lugha ya Kiswahili au Kiingereza ataongea. Kama kuna mtu ambaye anaona hawezi kuongea Kiswahili ama Kiingereza, anataka kuongea lugha ya kimama, tuelezwe na tutajaribu kumtafuta mtu wa ku-translate halafu pia aendelee kuongea hivyo. Na mkimaliza kuongea, mtaenda kujiandikisha kwa hiyo register iko na huyo msichana, hapo kwa Fatuma Montet, ndio uingie kwa recodi ya kwamba umetoa maoni.

Na wakati mwingine ma-Commissioners wanaweza kuwauliza maswali ile ya kufafanua kama hawajafahamu vizuri kile kitu umesema. Sasa bila kupoteza wakati wacha tuanze na majina vile yameandikwa na vile mumejiandikisha. John L Olekesio.

John L Olekesio: Mimi ni John Olekesio na hivi sasa niko na maoni...

(Interjection) **Com Ahmed Hassan:** Usiweke kwa mdomo hivi, unaweka kwa umbali kidogo.

John Olekesio: Niko na maoni machache kama tano hivi. Yangu ya kwanza ni kusema hivi, utaratibu wa ardhi, hiyo ikiwepo lazima mtumie utaratibu wa ardhi uliokuweco (inaudible). La pili, mahospitali. Kuna mahospitali kadha kabla hatujapata uhuru (inaudible). La tatu, (inaudible) gharama ya hospitali imekuwa juu sana na watu wa hapa hawawezi kujimudu kwa sababu ya mapato ya chini.

Tukienda upande wa utawala. Katika utawala, kuna ma-chief, hawa ni civil servants na ni watumishi wa Serikali kama watu wengine. Yafaa wawe transferred kwenda sehemu zingine kama vile watu wengine walivyo.

Com Ahmed Hassan: Endelea tu.

John Olekesio: Sina mengi ni hayo tu.

Com Ahmed Hassan: Okay, asante sana. Asante Bwana Olekesio, tafadhali enda ujiandikishe hapo vile nilivyokuambia. Samuel K Chebii.

Samuel K Chebii: Hamjamboni wananchi. Kwa majina ninaitwa Samuel K Chebii. Mimi ni mkazi wa hapa Marigat. Nina maoni yangu kidogo ambayo ningependa kusema kwa Tume hii. Commissioners tunataka Katiba ambayo imetungwa na wananchi. Tunataka kodi ambayo inatolewa kwa mapato yetu irudishwe kwa mwananchi kikamilifu kwa budget ya Serikali ambayo wananchi kila wakati wanafanya na haionekani mahali inafanywa, na wananchi wajue hiyo kodi yao kama wamedanganywa ijulikane kila mwaka na isomewe wananchi.

Masomo ya watoto wetu. Tunataka watoto wetu kwa sababu wako na masomo ya chini, na vile wananchi watozwa kodi, tunataka masomo kutoka darasa la nursery mpaka Primary school, na hata secondary school iwe ya bure. Mahospitali yetu ambayo imekuwa kwamba sasa watu wengi wanaanza kufa kwa sababu ya ukosefu wa pesa, tunataka kodi ambazo tunatoa itumiwe na Serikali kuwalipia wananchi hawa, na wananchi wapate matibabu ya bure ili wananchi wapate kupona. Kuliko kufa kwa sababu ya umasikini.

Upande wa mashamba ya Kenya. Kila mtu awe sawa, hakuna mtu mkubwa, hakuna mtu anasemekana ati huyu ni mkubwa
(?) kila mtu apewe kama ni acre tano, wapewe acre tano. Kama ni acre kumi, wapewe acre kumi kila mtu. Hakuna mtu mkubwa anasema anachukua acre nyingi. Na mashamba yapewe hata wasichana na akina mama, waweze kuridhi.

(Interjection) **Com Ahmed Hassan:** Tafadhali wale wamewasili sasa, tunawaomba mungeenda mujiandikishe. Hata kama haujakuja kutoa maoni, umekuja kuhudhuria kikao hiki, tunataka tu jina lako liingie kwa register kwa hivyo tafadhali ujiandikishe huko.

Samuel K Chebii: Wasichana na akina mama wawe na haki ya kuridhi mashamba kama watu wengine, yaani kama vijana. Machiefs, assistant chiefs na D.Os kama inawezekana wasiweko kwa ma-location ama kwa division. Tuwe tu na D.C na P.C. ambao watapeana tu usalama kwa nchi peke yake. Mamlaka ya ofisi ya chief na D.O yapewe Councillors na village elders.

Mtu wa Kenya ana haki kuishi mahali popote nchini Kenya. (?) wanaishi mahali popote Kenya na hakuna kuweka vikwazo, wawe na haki ya kuishi mahali popote Kenya. Haki za watoto zilindwe kikamilifu. Watoto wapewe uhuru wa kutosha, kina mama pia wapewe uhuru wa kutosha. Walemavu wapewe mali sawa na kila mtu, kusiwe na ubaguzi kwa walemavu.

Madini yaliyoko chini ya ardhi, futi mia moja, wananchi wapewe mamlaka ya kuridhi mali hiyo kwa sababu shamba ni yao. Bunge likivunjwa, wananchi wajulishwe tarehe za Bunge. Pia kina mama (inaudible) kila district. Kwa vile kina mama hawana nguvu za kuweza kuchaguliwa, wapewe kwa kila District, constituency moja, kina mama wapigania

wenyewe, hata kama watakuwa kumi, wapiganie wenyewe, bila wanaume kuingilia huko.

Usalama wetu uwafikie watu wote, kama wanaishi juu, kama wanaishi kwa bonde au wanaishi wapi, usalama ufikie kila mwananchi. Kwa hayo machache, asanteni.

Com Ahmed Hassan: Asante sana. James Komen.

James Komen: Kwa majina ninaitwa James Komen, mkazi wa hapa Marigat. Maoni yangu ya kwanza ni kuhusu pesa ama budget. Ningependa kusema hivi, pesa ambazo zimetengwa ziende kuwasaidia wananchi na imeletwa hapa Baringo, ijulikane mpaka kwa kijiji kwamba pesa hizo zimekuja, na ni kiasi fulani na nizakufanya kazi hii na hii na ile, ile wananchi wote wapate kujua.

La pili (?). Ningependa Katiba hii tunayo endelea kuunda wakati huu ifanye (?) ama iongoze nauli za barabara, ili wafanyi biashara wa matatu wasipate nafasi ya kuwanyanyasa wananchi. Tuseme kwa mfano, waweke kama ni kilometer moja ijulikane ni pesa ngapi.

Elimu: Elimu iwe ni haki ya mtoto kutoka nursery mpaka university iwe ni free bila kulipa. Kwa maana imeonekana kwamba elimu hii inaenda kwa wale ambao wako na nguvu, lakini wale hawana nguvu wanaendelea kuteseka. Kwa hivyo watoto wakipewa nafasi hata wale wa familia ambazo hazijiwezi kwa kulipiwa fees, basi watainua hali ya maisha yao. Kwa hivyo elimu iwe free.

Administration: Pande ya uongozi, administration, ninaonelea kwamba itolewe kikatiba kabisa, isiweko. Pia katika upande wa uongozi, tunataka kuwa na separation of powers. Kama ni mahakama, waamue mambo yao pekee yao, kama ni Bunge, waamue mambo yao pekee yao. Kama ni upande wa (?) pande ile basi waamue yao pekee yao isiwe inaingiliwa na mtu fulani tukishika pande ile, na pande ile na pande ile. Wawe wakikata ushauri peke yao.

Lingine la mwisho, kila district in Kenya wapatiwe huduma sawa kila mahali humu Kenya kwa maana sisi wote ni watozwa ushuru. Kwa hivyo tupatiwe huduma sawa. Asanteni.

Com Ahmed Hassan: Asante Bwana Komen, just go and sign the register. Nickson Lolkisoi

Nickson Lolkisoi: Mr. Chairman, members of the Commission, my names are Mr. Lolkisoi Nickson. I am a lecturer in the District Centre for Girl Child Education in Baringo. I would like to start by saying one of the (inaudible) about the Commission after (?) the Constitution of Kenya is to guarantee peace national unity and (?) of the public of Kenya in order to safeguard the well-being of the people's of Kenya.

And to my observation...

(Interjection) **Com Ahmed Hassan:** Watu wale wanaingia saa hii, tafadhali mjiandikishe hapo mbele. Hata kama hutaki kutoa maoni, lakini tu unataka kuingia, tafadhali ujiandikishe kwa sababu tunataka kuwa na record ya wale watu walifika hapa leo.

Nickson Lolkiso: Thank you. One of the areas I would like to highlight in my set up is Parliament representation. Parliament is one of the key organs which is actually of the government, and it is the only place where people are represented. So we can therefore achieve the fundamental rights we have (inaudible) to say if all the 42 ethnic groups recognized by the Republic of Kenya are represented in Parliament. Because I have seen that there is no way they can express their own voice apart from Parliament. So they cannot do it in the Executive, because they have been appointed to those positions. They cannot do it in the Judiciary, because that is a place where the laws being made in parliament are being implemented.

I therefore recommend that in order to achieve and safeguard the well being of all Kenyans, all groups in Kenya, all communities must be represented. We should not base our representation in Parliament on numbers, we should base our representatives on the cultural background of that community. On the historical origin of that community, on the common ancestry of that community, and the language they use. There is no way another group can actually represent another one, when their cultures are diversified.

Another point I would like to highlight there is that, groups that live in Baringo are three for example, I am giving that one as an example. Are Tugens who are the majority, the Pokot and the Njemps. There is no (?) justification of saying that one group should not be represented in Parliament and yet their cultural backgrounds are completely different and diversified. There is no way you can get their cultures but you can only represent at a national level. So I would like this Commission to avert this culture of 'internal colonization' where people have got the sanity of saying that the majority can only be represented in Parliament and the minority cannot because of their numbers. This Commission should come out clearly to state that the majority must arise and the only place they can voice their problems is Parliament.

Another area I would like to highlight is that by all means there is a groups of Kenyans who cannot be represented in Parliament. Then the fellows or if there are fellows nominated are people to (?) Parliament. That area has been abused by dishing those seats to the political Parliamentary parties. These parties can only dish those seats to their own colleagues whom they want to reward. I would recommend to this Commission, that the nomination should be done by Parliament, by a Committee being chaired by the Speaker of the National Assembly so that (?) represent that special interest, there are varying special interests.

You know these special interests have not been specified anywhere. So we are now saying that special interest should be a

community or an estranged group in Kenya which has no (inaudible) in terms of being represented in Parliament because of a variety of reasons that this Commission is the only one which says. That they should be given the first priority by that Committee chaired by the Speaker of the National Assembly.

Another group which can be given that priority are the disabled, which I think deserve a seat in Parliament. Another area they can look at is the religious groups like the Hindus in Kenya who have been here in Kenya for a long time. And obvious they cannot elect a person of their own, they can be looked at. So Parliamentary parties should not be left to abuse that privilege of nominating the nominated members, because they will never consider that special interest that has been specified in the Kenyan Constitution.

Another area I would like to talk about is land and property use. The Trust Lands Act, which was effected on 1st March 1939. I think that Act is now ineffective because the County Councils within those areas that Trust Lands have been given mandate to manage their affairs have no independence at all and autonomy to control the affairs of that land. They are also being controlled by the Minister of the Local Government, and therefore they cannot have any mandate of being entrusted the Lands money. The County Council have no relation at all to (inaudible). They are actually in the Council often through (inaudible) of that land and therefore that land called the Trust Lands, there is no point of these lands (?) in the pastoral areas, the dry areas of this country. So that land has been... particularly in Baringo the Trust Lands are mainly in the dry areas where the Pokot and the Njemps are living, and therefore these lands have been abused and therefore the (inaudible) where the Commissioner of Land gives these lands to his own friends the way he wants, because the Councils have no authority of controlling the whole thing.

So I would say the (?) should actually be ignored by the laws of Kenya so that these lands will be returned to the community to manage, and the organization of that particular community to manage the affairs of that land. So, an independent Commission must be set to manage the affairs of land in the country; which contains experts in environmental use. Lake Baringo is getting dry and we are saying this lake is getting dry because some people who are handling the affairs of this land (?) Commissioner of land in this country. That office should be abolished completely.

It is (inaudible) other people's land and a Commission should be set to manage the environmental issues of this country because this lake is getting dry because all the (Inaudible) in the water has been destroyed.

(Interjection) **Com Ahmed Hassan:** One minute remaining.

Nickson Lolkiso: Lease for land. This leasing of land also we are saying when the lease... because there is an agreement, when the lease period is over, that land should return to the owners of that land.

Another thing is that the pastoralists. These people are marginalized. I recommend here to the Commission that a Ministry of Pastoral and Livestock production in the marginalized areas should be created by the government of Kenya to manage the affairs of pastoralists and marginalized communities. Because they are the only people who can understand their own problems.

Therefore, this Ministry can market the products of these livestock and they can also form the Kenya Meat Commission so that the products of these animals can be (?) there.

Another area I would like to touch on is education which the old man has said. In fact in Baringo $\frac{1}{3}$ rd of the people

(?) especially in (?) areas cannot meet their income basic needs daily. Therefore I am saying, education can be paid by those people who are able to pay, the rich and there should be a committee to establish who is able to pay for education and who is not able.

Another area, but because I have no time, is that Presidential term should be fixed to two terms of five years each, and the Constitution should limit the powers of the President like one of the areas that I wanted the Commission to look at is a way of impeaching the President when he has abused the office, and at that time committed a big problem that the country should (?).

Another area is that the I would like the political parties to be reduced to three. Why I am saying that is because most of our political parties are tribal based. Therefore we should have two main political parties and one independent party which can act as a checks and balance of these other two parties and does not support the politics of the other two main parties.

(Interjection) **Com Ahmed Hassan:** Thank you very much.

Nickson Lolkisoi: What I am trying to say here is that all Kenyans regardless of their number should actually have a voice in this country.

Com Ahmed Hassan: There is a question for you.

Com Nancy Baraza: Mr. Lolkisoi, I have a question for you. You say that every tribe in Kenya should be represented in Parliament minority, majority, should be in Parliament. Tell me what structure of Parliament you have in mind, to accommodate all these. What is your picture of the structure of Parliament?

Nickson Lolkisoi: A structure where there will be no voiceless people.

Com Nancy Baraza: Should we have an Upper House and a Lower House, or how do we fit all of them in one House?

(Inaudible) a minority are few.

Nickson Lolkiso: You know that is a bad mentality in this country where think the minority should not be represented anywhere. That is why I am telling this Commission should actually avert that 'internal colonization' of the minority. We should not be colonized (?) you have the majority still saying if people are 40,000 like let us say in Baringo here, the Njemps are 40,000, and someone comes and says they cannot be represented. Is that logical is there any justification somebody can stand and say they cannot be represented in Parliament?

Com Ahmed Hassan: I think you said that the nomination of MPs should consider the special interest groups and minorities like the Njemps.

Nickson Lolkiso: You are right.

Com Ahmed Hassan: So that one I think...

Nickson Lolkiso: No, I am saying (?) that a Constitution that says that group cannot qualify to be represented, yet I may decide to say then this population should now set up the interests of those people who cannot be represented. That is what exactly I am saying.

Com Ahmed Hassan: Okay thank you please go and sign the register.

Nickson Lolkiso: Thank you very much.

Com Ahmed Hassan: Now that you are coming many of you, I think I will have to repeat the rules because when we were starting the hearings there were only sixty of us in the hall.

I would like to welcome you to this meeting. My name is Ahmed Isaack Hassan, I am a Commissioner. On my right is Com Nancy Baraza and to my left is Com Dr Mohammed Swazuri. They are all Commissioners, and we have the other staff from the Commission. The lady there at the gate there is Fatuma Montet, a Programme Office. We have Anne Koross the Assistant Programme Officer and Asha Boru the Verbatim recorder.

The rules are that you spend five minutes to give your views, whether you want to give an oral or a written submission. And we said if you have a written submission, please do not read your written document word for word. You may try to highlight the main points in that document but do not read it word for word.

We also said that the Commissioners may seek clarification if they do not understand what you have said. So please let us

keep time. Peter Kachike.

Peter Kachike: Kwa majina ninaitwa Peter Kachike na ningependa kuwashukuru kwa kunipa nafasi hii kuchangia kwa maoni yangu. Mimi Peter ningependa kusema kwamba hapa watu ambao ni wachache katika taifa hili, tunaomba waweze kupewa uwakilishaji bungeni, ili nao pia waweze kuwa kama wana Kenya wengine.

Jambo la pili, ningependa kusema juu ya hospitali. Ninaomba pia ziangaliwe hasa kwa sehemu za joto katika chi hii ya Kenya. Mahali ambapo unakuta watu wengi ni maskini na hawawezi kujimudu kulipa gharama ya hospitali. Ningependa Serikali iweze kuangalia kwa upande wa madawa, ili watu wote waweze kupata afya nzuri.

Neno lingine ni kuhusu masomo. Ningependa pia hiyo waangalie sehemu hizi ambazo ni za ukame, sehemu ambazo watu hawawezi kujimudu, waweze kuangalia masomo (?) kutoka pre-school mpaka university bila kulipa chochote.

Neno lingine, ningependa kusema kwamba sehemu kama hii ambayo tuko wakati huu hatutakikani (inaudible) ama kwa chakula. Watu wa sehemu hii wakiwatembelea watu wao nyumbani (inaudible) waweze (?) kila nyumba ya bure kila wakati.

Neno lingine ningependa kusema ya kwamba hawa watu ambao wanaishi juu pahali mito inatoka kama (?) waweze kuangaliwa, waache maji ama wahifadhi mazingira ili maji yaweze kuteremka kufikia pale wako mwisho, kwa sababu wakati huu mto kama huu wa Lake Baringo inaangamia na huo mto unawasaidia watu kupata mapato kidogo, lakini maji kama yanakwisha kwa sababu ya uharibifu wa misitu na (?) maji kwa wale wako na uwezo wa (?) Basi wale watu wanaoishi hapa wanaangamia. Wakitafuta nyasi, ukitembea mahali watu wanalisha mifugo hakuna nyasi tena. Na ukame mara nyingi huja na kumaliza wale mifugo chache ambayo wako nayo kwa sababu ya uharibifu wa mazingira. Watu hupata shida nyingi kwa sababu ya ukame. Basi kwa hivyo, kwa sababu mimi sijaandika, nimesema tu kutoka kwa kichwa, nitafikisha hapo ili wengine wapate nafasi. Kwa wale wamechangia na wale wamehudhuria ninawaunga mkono kwa yale yote wanasema. Asanteni.

Com Ahmed Hassan: Asante sana. Zakayo Chemakani

Zakayo Chemakani: Mimi ni Zakayo Chemakani. Mimi ninaomba nyinyi Commissioners wetu watukufu, nataka mtu wakunisaidia mimi na (inaudible) tafadhali moja tu.

Zakayo Chemakani: *Kikureno Zakayo Chemakani.*

Translator: Kwa majina yeye ni Zakayo Chemakani.

Zakayo Chemakani: *Atinye ngalek tutikin chamoche amua.*

Translator: Ana maneno machache ya kusema.

Zakayo Chemakani: *Ochomekei.*

Translator: Shikamoo.

Zakayo Chemakani: *Kikoik eng berberiet ab rani.*

Translator: Imekuwa chini ya ujinga wa sasa (inaudible).

Zakayo Chemakani: *Ak kekere akoi rani.*

Translator: Na tunauona mpaka muda huu wote.

Zakayo Chemakani: *Akoi rani.*

Translator: Hata wakati huu.

Zakayo Chemakani: *Ak amwoe ole.*

Translator: Na ninasema hivi.

Zakayo Chemakani: *A kokoyam anyun kekonech kebeber nekiteleltochini eng bunge .*

Translator: Sasa tumefika wakati ambao tunapasa kupewa sehemu ya uwakilishi bungeni lakini sio kugawiwa watu.

Zakayo Chemakan *Amu kikendoiwech eng kibakenge kotkomakingen olekibo.*

Translator: Kwa sababu muda huu wote tumekuwa tukiongozwa kimoja hadi tumeipoteza ardhi ya sehemu kubwa sana.

Zakayo Chemaka *Ak kararan anyun ketuiyech eng komosak kou bikalak.*

Translator: Kwa hivyo ni muhimu sana tukiwa pamoja katika sehemu yetu na tuwakilishwe kama wote wengine.

Zakayo Chemakani: *Kakobochit yoto chechu..*

Translator: Kwa hivyo sasa anasema sasa ataachia hapo maanake (?) la tosha kuwakilisha...

(interjection) **Com Ahmed Hassan:** (Inaudible)

Zakayo Chemakani: *Jamus .*

Translator: Anasema kwamba wapewe sehemu ya uwakilishi bungeni kwa jina (?) ambayo itakuwa watu wa jamii hiyo pekee yao.

Zakayo Chemakani: *Jamus.*

(Interjection) **Com Ahmed Hassan:** Unauliza borders, boundary ya pai? Itakuwa wapi na wapi?

Translator (to Zakayo Chemakani for Com Ahmed Hassan): *Ngeten ano Jamus.*

Zakayo Chemakani: *Akoi Lekiria.*

Translator: Mpaka ufike Laikipia.

Com Ahmed Hassan: Namia Lemefuran.

Namia Lemefuran: Mimi ninaitwa Namia Lemefuran, ninatoka jamii ya Njemps. Mimi nitasema machache sana sababu nimesikia (inaudible) katika Baringo iko makabila tatu Pokot, Tugen na Njemps.

(?) mipaka yote ya uhuru kwa kila jamii na hii kabila yetu mimi ni Pokot na Tugen (inaudible) hatusikizani kimila

kila watu wana yao. Kwa hivyo sasa tukitaka kamati hii

(inaudible) kwa sababu tunasikia kuna constitution sasa ile inatolewa lipitisha ombi letu kuwa

kuna watu wanaitwa Njemps, wako katika hesabu ya watu arubaini na mbili

(inaudible) constituency inaitwa (?) kwa sababu mlisikia (?) ilikuwa lugha yetu. Zamani

ilikuwa sisi tunaitwa (inaudible) kwa hivyo Constitution yetu tunataka iwe

(inaudible) tuwe tu tujenge boundary yetu, Njemps pekee yao (inaudible) mpaka wao unafika tupewe

tujiwakilishe wenyewe na mjumbe wao.

Neno la pili kwa sababu maneno yangu ni mawili. Serikali inatakikana iangalie County Council. Kwa sababu County Council

(?) raia wanakaa katika wilaya, wanapitisha maneno katika ma constituency ya watu, tunataka sasa County

Council. Mambo yote (inaudible) kamati ya wazee itolewe kwa location ambayo itapitishwa mambo yao

lazima ipeleke katika (?) kwa sababu tunaona tukiwa Njemps ama tukiwa wakaazi wa Marigat kuna views

zinatoka Nairobi na hatujui ni nani anakuja kutoa kazi hapa. (inaudible) kwa hivyo

mahospitali ya County Council irudi kwa raia kwa location (?)

Com Ahmed Hassan: Asante sana. Maskonde Ole Keren.

Maskonde Ole Keren: Ni lazima niongee na hii?

Com Ahmed Hassan: Ongea kwa sauti mzee.

Maskonde Ole Keren: Basi niko na maoni tatu na nitachukua one by one...

Com Ahmed Hassan: Tuambie jina lako.

Maskonde Ole Keren: Jina langu ni Maskonde Ole Keren.

Com Ahmed Hassan: Endelea.

Maskonde Hassan: Nina maoni tatu. Ya kwanza ni hii mambo ya Constitution, (end of tape) Tunataka kila kabila la Kenya linaongea lugha yake pekee yake na liwe na mwakilishi Bungeni.

Pili, tunataka sheria iandikwe ya kusimamia ardhi ya watu ili wengine wasihamie bila kibali kutoka kwa wenyewe. Kuwe na sheria ya kulinda nchi ya watu wengine. Jambo lingine, tunataka haya mambo ya elimu ichangie iwe free na tuendelee kusomesha

(?) watoto wetu wasome vizuri.

Nitaongeza la nne. Sisi wafugaji wa ng'ombe, tunasheria ambazo sijui zilitoka wapi, watu wa Kenya tunataka ifunguliwe wakuje soko la Baringo na kununua ng'ombe kwa bei inayofaa. Yangu ni hayo tu. Asanteni.

Com Ahmed Hassan: Asante. Wesley Lekekimon.

Wesley Lekekimon: Kwa majina ninaitwa Wesley Lekekimon. Ningependa kutoa maoni ama kuchangia katika review hii ya Commission, na niko na maoni tatu. Ingawaje mengi yamesemwa hapo mbeleni, kwa kweli tunarudia rudia kwa sababu unajua ni kitu ambacho kiko kwa roho ya watu, na hili ni jambo la constituency. Tunaunga mkono ile mipango ambayo ilipitishwa juzi kwamba ama

(?) ambaye constituency ziongezwe.

Na constituency zikiongezwa, lazima watilie mkazo kwa minority groups. Katika Jamhuri yetu ya Kenya tuko na kabila arobaini na mbili (42), na kuna makabila mengine ambayo hayajakuwa represented kwa parliament. Na hiyo ndio hoja tulikuwa tunasema, kila kabila wafikirie kutafuta hiyo constituency. Waweke katika hali hiyo ya minority kwa sababu haikosekani wanyanyasaji kwa group zile ambazo ni ndogo kwa sababu sauti hawana hata, mtu wa kuwatetea hawana. Na utakuta sasa kama ni mahali pao inagawanywa vile inahitaji, na tunataka haki isimame. Kwa hivyo tume la kusikia maoni ya watu; lisimamie haki na yale maoni ambayo yanatolewa yaende kulingana na vile wananchi wanataka.

Kwa hivyo tuko minority group kama Njemps, na vile nilisema hapo mbeleni, tuko katika Baringo, na Baringo kuna kabila tatu. Kuna Tugen ambao ni wengi, kuna Pokot na kuna Njemps. Na kusema ukweli, katika makabila haya mawili yamekuwa represented parliament, na sisi tukiwa Njemps we are still under another tribe, ambayo utamaduni wetu ni tofauti, lugha ni tofauti, kila kitu ni tofauti. Na tunahitaji, such a community iwe represented kama zile zingine ambazo ni minority groups.

Jambo la pili, ni kwamba distribution of work, kama sasa katika Serikali hii watu wamesoma na wanapewa kazi. Promotion isipewe kulingana na tribes, promotions zipewe kulingana na masomo, na kulingana na ile kazi umesomea. Kwa sababu unaweza kuta mtu hajasomea kazi fulani anapewa hiyo kazi. Na unakuta ministry kama hiyo inaendelea kuharibika. Ninaunga mkono yule aliyesema juu ya commission of Lands, unakuta watu wanawekwa mahali na area hiyo inaharibika.

Kwa mfano katika hii Lake Baringo, it is endangered. Na in the next ten years coming hakutakuwa na hii bahari. Na Serikali watapata kazi ngumu ya kuwalisha hao watu ambao wanategemea hiyo bahari. Watu wengi watakuwa maskini, na wengi watakuwa maskwota, wataenda wapi? Na unakuta ile mito yote ambayo ilikua ina-feed hiyo bahari imefungwa fungwa. Unakuta sasa ile kidogo inakuja inabeba mchanga, kwa sababu imekauka kwa muda, hiyo siltation italeta shida. Kwa hivyo tunataka hiyo distribution iwekwe watu ambao wamesomea jambo fulani ama wamesomea kazi hiyo.

Ama kwa mfano hii mambo ya cadet. Cadets in Kenya wapewe kila kabila tuseme kama wamesomea wapewe. Ministry ikitakikana, mimi siku hizi ninajulikana kama cadet moja. I know so many graduates wanajaribu hii kazi, na mimi wakati nilikuwa ninataka hiyo cadet. (*Clapping from the audience*). Kwa hivyo isipewe vitu kulingana na tribalism ama nini.

Com Ahmed Hassan: (inaudible) kwa sababu hiyo (inaudible) hataka kama mnafurahia kile kitu anasema (inaudible)

Wesley Lekekimon: Kwa hivyo tulikuwa tunasema hiyo distribution ifanywe kulingana. Mambo ya education. System ya education, tunaona hii system inabadilika kila wakati kila wakati, kila wakati. Na kwa kweli ikibadilika kila wakati, tunaona itakuwa mzigo na tunahitaji kwamba Serikali yetu waone ni elimu ya aina gani ambayo inawasaidia watu wake. Kama ni ile ya self-employment; kweli ionekane kwamba inasaidia watu wapate kuwa self employed.

Na ninatoa maoni kwamba pre school ni shule muhimu sana, na waalimu wa pre school, mara nyingi wanapewa watoto wawalinde. Na tunahitaji kama Serikali itachukua iwe education for all. Waanze kulipa hata waalimu kutoka nursery school kama waalimu wengine, mpaka secondary iendelee vile iko. Kwa sababu unaona ile nursery kuna watu wengine wako chini ya poverty line, na unakuta kama wakiambiwa kaa nursery school na hawana pesa ya kulipa huyo mwalimu definitely hiyo nursery itakufa. Na tunaomba Serikali iwachukue kwamba waalimu kutoka nursery mpaka secondary ichukue hiyo jukumu ya kuwalipa.

(interjection) **Com Ahmed Hassan:** (inaudible)

Wesley Lekekimon: Jambo la mwisho ni mambo ya security. Tunaomba kwamba tukiwa chini ya hii Serikali, kila mtu apewe security irrespective of class, security tupewe kila mtu. Kwa sababu unakuta wakati mwingine watu wanauliwa tu, na ile hatua itachukuliwa, itachukuliwa baada ya muda mrefu sana. Na tunaomba security ikuweko kila mahali, everywhere na every people lazima wapewe security kulingana. Ni hayo tu maoni yangu. Thank you.

Com Ahmed Hassan: David King'etich.

David King'etich: Ningependa nichukue nafasi hii, kusema jina langu ni David King'etich na ninashukuru kupata nafasi hii. La

kwanza ni kuhusu haya mambo ya Katiba. Tulisema tunataka kubadilisha Katiba, si kitu rahisi na inafanywa kwa siku moja (?) ni jambo ambalo tungelikuwa tumefunzwa kutoka hapo awali, ikiwa ni jambo kuhusu mambo ya ardhi tungesoma all parts ya ardhi. Tusome kama ni mbaya tuitoe pale ibaki gani?

Kama ni mambo ya uongozi, kwa mfano Presidential powers, tunasema presidential powers ni (inaudible). Tunasema Constitution hii iwache hii. Nasikia tukija kwa democracy ya African culture democracy, tusifuuate ya wazungu. Kwa sababu saa hii tunashida ya Wazungu, kana kwamba Waafrika hawakuwa na democracy. Hii ni kusema ya kwamba, Waafrika hawakuwa na democracy ya zamani? Na kama walikuwa nayo ni nani alitoe? Kuna sehemu muhimu ambayo ilikuwa inachunga watu kutoka zamani.

Nikija katika makabila mengi ya Kenya. Kila kabila ina utamaduni wake, na hii utamaduni lazima iangaliwe ilindwe kabisa kwa sababu pia tungejilinda jamii hiyo na hiyo kabila, mpaka ikuwe mpaka saa vile tuko sasa. Na ilikuwa ni bora hata kushinda Katiba hii tunayoingea kwa sababu heshima ya kule kuangalia kila kitu kinaganaga ilikuwa inaangaliwa. Watu wengi kwa administration ningesema ya kwamba ibuniwe katika vijiji viongozi ambao watakuwa wakilipa na kuangalia mambo ya jamii katika kijiji. Hii itafaa (?) Central government kuelewa ni mahali gani inapaswa kusaidiwa, na mambo gani haistahili.

Nikija kwa mambo ya madawa ya hospitali. Ningependekeza ya kwamba Serikali itoe free medicine, kwa sababu kuna haja gani watu wafe kwa ajili ya kukosa dawa na nchi yetu tuko na uhuru. Itakuwa ni uhuru gani kama mwenzako anakufa kwa sababu amekosa pesa za dawa? La pili nitaongeza tu kuhusu sehemu ilikuza mambo ya elimu. Ni watu wengi Kenya hii ambao wangukuwa viongozi ambao wanategemea na wenye busara, lakini walikosakufika mahali wangelikwenda kuhudumia jamii ya Kenya hii kwa sababu ya pesa. Kwa hivyo Kenya ikitolewa bure, watu wa busara tutawapata lakini kwa wakati huu tunasukuma mtu kwa sababu familia yake labda ni afadhali kuliko ya mwingine na kumbe atakuwa representative ambaye ata-represent Kenya hii. Na atutaitwa kama kiongozi alizaliwa kwa (?) kama wewe.

Kuhusu ardhi. Sehemu nyingi kwa ardhi dunia hii kwa Tume hii kuna watu wengi, wengine wanakuwa na mashamba kubwa, kubwa. Ningetoa pendekezo kwamba kama kuna ardhi ambayo ingelimika na kutoa raslimali ya nchi hii, na tunajenga nchi ya Kenya sehemu na kama hapana leta (?) ili kulipa Serikali kodi ya kuwasaidia wananchi wengine wa Kenya.

Ninakuja kwa sehemu ambazo kuna hii Trust lands and what not, the inhabitants of that land should be entitled to see and to live like any other Kenyan not like a squatter. Haya mambo ya kusema kuna watu squatters, watu (?) hii jambo si nzuri. Tungelipenda kwamba Serikali iwahesabu watu wote wa Kenya, na ijue ni wangapi wanamashamba, ni watu wangapi hawana mashamba, na wataishi namna gani. Na pia itolewe sheria kwamba kama shamba ya mtu ile ya chini isipite chini ya acre tano, kwa sababu ile nyingine itakuwa ni plot.

(Interjection) **Com Ahmed Hassan:** Maliza.

David King'etich: Lile la mwisho ni mambo ya Councillor. Uongozi ni kipawa na kama ni kipawa, tungependa kama council ipewe nguvu kwa sababu ni watu wanachagua katika nyaja za chini, na pia iangalie kupitia sehemu ya elimu kiasi fulani. Isikuwe ya kwamba mtu awe amesoma sana kiasi ya kule raia watakosa mtu wa kumtuma na tumetunzwa kwa sababu ya (?).

Hii ni kusema tumenyima raia haki yao. Na sehemu ya Chairmanship iongezewe zikuwe kama mara mbili, mara tatu na pia malipo yalipwe na Central Government na pesa nzuri kwa sababu kwa nini mtu wa siasa ya bunge alipwe pesa nyingi na mtu wa siasa ambaye anawahudumia watu usiku na mchana alipwe pesa kidogo ambazo hazitoshi? Asante.

Com Nancy Baraza: Unataka mteja wa mwisho apate acre tano?

David King'etich: Acre tano.

Com Nancy Baraza: Na ile kubwa sana?

David King'etich: Ile kubwa sana apate not more than a hundred acres.

Com Ahmed Hassan: Asante sana, leta hii microphone hapa halafu enda sign kwa register. Aaron Chirchir.

Aaron Chirchir: Mimi ninaitwa Aaron Chirchir. Kwanza kabisa ni maneno ya ardhi. Tangu uhuru nimeona kwamba kuna watu fulani ambao walikuwa wakipewa shamba. Unapata mtu kwamba amepata shamba Uasin Gishu, haya tuseme kama Mochongoi hapa juu hapa kwetu, unakuta mtu anapata shamba hapa Nakuru ama kila mahali. Sasa kunaweza kuwa na sheria kwamba mtu akuwe na shamba kiasi fulani, na asiwe kama amepata mahali fulani, anyimwe kupata sehemu nyingine. Kwa sababu tunapata taabu...

(interjection) **Com Ahmed Hassan:** Suggestion yako ni nini maximum?

Aaron Chirchir: Maximum kama si shamba ya kampuni kama mtu binafsi apatiwe acre hamsini. Haya tena kuna haya maneno ya County council chairmen na mayors. Tunataka hawa watu kuwa kule wawe wakichaguliwa na raia wenyewe. Kwa sababu unapata ya kwamba tunachagua Councillor hapa halafu pale mbele unakuta Chairman wa County Council anachaguliwa na watu (?) Kwa hivyo inaweza kuwa watu ni more corrupted ama kwa sababu kama mtu fulani akisimama watataka wamtembelee hatakuwa anawafuta rahisi wote.

Tena haya maneno ya political parties. Kama vile tuko na kama constituency tatu hivi. Sasa hapa Kenya unakuta political parties zimefika karibu hamsini, na hata unaweza kuta wakati mwingine mtu anaamka tu na familia yake na kuunda political party yake ambapo hii sio mzuri. Sasa inatakikana kuwe na political parties chache halafu wananchi wanaweza ku-identify,

ndio wasikuwe wanahama hama. Tumekuwa na mambo ya defections. Imekuwa mtu anaingia parliament leo, kesho unasikia ame-defect ameenda to another political party. Sasa kukiwa na political parties chache watu watakuwa wana (?). Political parties ziwe tatu.

Tena kuna haya maneno ya constituencies. Kweli kabisa kuna yale makabila ambayo ni minority, kama vile mmesikia hapa wenzetu kama Njemps ama El Molo kule Turkana. Kweli sehemu hizi zinatakikana kuwa constituencies, lakini hakuna guarantee kwamba kuna mtu hapa amechaguliwa kutoka kwa hiyo community akuwe MP kwa sababu kuna interaction ya communities wengi. Kwa hivyo tunataka kama kuwe constituency ama a certain number of seats wa represent communities zote zilizoko Kenya, zote forty two za Kenya. Wape hao (?) representative ikuwe bado fanya, hii ndio inakuwa ina take care of interest ya hiyo community. Halafu pia kuwe na (?)

Maneno ya opposition candidates. Ni lazima mtu akiwa anaenda kupata asilimia fulani ndio achaguliwe kuwa rais, na asipopata hiyo asilimia kuwe na a second run-off, ndio

(Interjection) **Com Nancy Baraza:** Asilimia ngapi?

Aaron Chirchir: Kwa vile Kenya... kama 40%. Kuna haya mambo mengine ya Provincial Administration. Tunataka provincial administration ikuwe scrapped ,na ikuwe replaced kama kwa P.C. kwa provincial level ikuwe replaced na governors ambao watakuwa wanachaguliwa na wananchi.

Tunataka hii Katiba mpya ikuwe people ama citizen-centered. Halafu maneno ya integration. Unapata kweli inabaki mwingine ana kazi inaenda inapewa watu wa nje na kuna watu wa Kenya ambao wanaweza kufanya hizo kazi. Kwa mfano kuna mtu ametoka mahali kama kwa mfano kama (?) anaweza kuja afanye kazi kama mahali kama Nakuru ambayo ingefanywa na watu wa hapo karibu. To check hii influx tunataka Wakenya wote, government iandike right ya ku-issue kila mtu na birth certificate, ndio tukipata mtu wa pande fulani anakuja kuchukua ID akiwa eighteen na hana birth certificate, ambayo ilikuwa wakati fulani ambayo mnaona huo wakati ulikuwa umepita na hakuwa amechukua birth certificate, akatazwe mara moja kwa ajili itajulikana wewe (?) ama (?).

Pia kuna...

Com Ahmed Hassan: (Inaudible)

Aaron Chirchir: Okay. Maneno ya (inaudible) kama maneno ya health, tunataka wananchi wapewe huduma bure, kwa sababu kuna vituo vingine watu hawana pese ama hawawezi kulipa maneno ya hospitali na watu kama wanakuja nyumbani, wakuje na tunasikia maneno ya tax (?). Kwa hivyo tunataka watu kama hawa waangaliwe vizuri na

wakuwe wanapewa.

Vile vile maneno ya education. Education igawaje hatuwezi kusema ikuwe bure sana lakini kuna ile ya Primary kwanza, ni lazima ikuwe free, na ikuwe free kabisa bila mtu kutozwa pesa zozote. Halafu maneno ya chakula. To boost food security tunataka government iangalie maneno ya waste lands. Waangalie mahali wanaweza ku-reclaim, mahali pana irrigation. Tafadhali waangalie vile wanaweza ku-reclaim hizo lands na tu-irrigate ndio in future tusikuwe tunategemea maneno ya relief. Nafikiria ni hayo tu. Asante.

Com Ahmed Hassan: Asante, Thomas Letangule.

Thomas Letangule: My name is Thomas Letangule, I am a Nairobi based lawyer. My views I would repeat them if I am a bit short. Honourable Commissioners I recommend myself in the new Constitution, the creation of a federal structure of government. I do not want to go into details as to its working, but I would strongly recommend the creation of a federal structure of government. Where we have the President as the head of State, and the Prime Minister as head of government. And then on the same format, we will have a federal assembly. I believe this is spurr development in the country will create consecutive contradiction within the regions themselves and this form of government must be within our own set up, that is our own Majimbo within our Kenyan context. I believe this form of government will actually further this country to greater heights on development.

My other issue I have to address is the issue of minority, and I propose that everything in the following manner. That the new Constitution would specifically and expressly recognize the existence of minority groups in Kenya, either by ethnic or like somebody else said the religious minority. In that way I would propose the amendment of Section 42A as viewed in the current constitution; which Section 42 steps on the way of where constituencies are looked into such that it specifically provides for such minorities in that particular Section. That is one way of going about it.

The other way of going about it in my proposition is that Kenya being a signatory of International Conventions would adopt such international laws regarding minorities and put it in our principle law. So that in this regard now, we have a specific provision in the Constitution, which not only recognizes the existence of these minorities within us, and allow as in other countries, like for example Australia, which recognizes the existence of the Aborigines or the Islanders in Australia. And either by way of clear provision in the Constitution, allows such minorities which by their own nature and by their own existence can not merit by their own existence cannot either be represented in parliament so that that position now allows those groups expressly to be directly elected or nominated or to be represented in parliament.

Or in another way, the law regarding nomination of MPs, I would propose the repeal of the negotiation in which, where it is now called the IPPG where parties are given the mandate to nominate members of parliament; because we have seen an abuse

of that process. It is now a situation where parties tend to reward their own party activists, or people who contributed to the party by either financing or otherwise. Therefore, I would propose the creation of a committee, which will directly advise the President on nomination of Members of Parliament. This committee in advising the President, will specifically address such diverse groups as the minority, or the ethnic or such other special groups. That is my proposition in that issue of representation of minorities; and I end my submissions. Thank you very much.

Com Nancy Baraza: On the issue of acquisition of the international treaty. I think that we have been asking Kenyans we have to do one style (inaudible) because that has been a problem involving that piece of paper (inaudible).

Com Ahmed Hassan: (inaudible) the work of the (inaudible)

Thomas Letangule: Yes I will answer your question first. That section as (inaudible) (?) there is only one provision which probably covers the issue of minorities. The one which says the community of interests. It is not very clear and that is why I said, very specific and clear provisions must be put by way of amendment to that section; to clearly state that in considering the creation of constituencies, the Electoral Commission must look at certain minorities and the disadvantaged groups. It just should be very clear so that it leaves no room for community of interest which now is open to speculation, who is community of interest? so it has to be very clearly provided for. I think that that is my opinion on that.

And to the issue of adapting International Conventions, there are so many conventions actually which Kenya is a party to, but which we find ourselves not taking into consideration in our own laws. There are laws relating to either children and other matters. Now I am talking specifically about the laws relating to minority groups. We can adapt such laws by domesticating them. We have them as international laws, for example we have the issue of human rights as an International Convention, but we have adopted them in our Constitution. I think the best thing which should be applied in the issue of either minorities or any other issue arising therefore, so that we put it clearly in our Constitution that how do we go about dealing with the minorities, how do we go about dealing with children and that the Constitution must provide for. That is my theory.

Com Nancy Baraza: Probably if I could lead you, there are two ways of domestication. If you look at the Constitution of Ethiopia, the Constitution provides that once Ethiopia signs an international treaty then it automatically becomes a domestic law of Ethiopia. But there is another way of probably having it debated in parliament. A provision that within a certain period, it should be debated in parliament and adopted as our body used for law. So I do not know which one you would recommend to us? How do we go about the domestication?

Thomas Letangule: I would go for the latter, so that if it is debated in parliament and we find either certain weaknesses which to our own uniqueness we may not adopt in our own laws, so that parliament can debate and (inaudible)

and probably even make amendments for it so that it is now domesticated

(?) for our own laws. That is

(inaudible). Thank you.

Com Ahmed Hassan:

(inaudible) John Lekodei.

John Lekodei: Asante sana Bwana Chairman maoni yangu si mengi sana. Tunashukuru kwa kuwa mlikuja hapa wale mnasimamia maneno ya Katiba ya Kenya, na kitu ningependa kuwauliza nyinyi kabla sijaendelea, ninaona tunaongea mambo ya Katiba ya wale wazima pekee yao, kwa sababu kama ingekuwa inaweza kutuwakilisha hata sisi, sababu mimi ninaongea kwa niaba ya wale wajuaji Kenya nzima. Hapa mahali tuko ninaitwa John Lekodei (*in vernacular*), ni Vice Chairman,

(?) Marigat, na ninafikiria kabla kutaja maoni yangu ningependa kuwauliza nyinyi ni Serikali

(inaudible) sababu kama ninavyo elewa...

(Interjection) **Com Nancy Baraza:** Weka Microphone mbele kidogo

(inaudible)

John Lekodei: Nafikiria....

Com Ahmed Hassan: Unajua mzee ukiisongesha microphone karibu sana, itaharibu...

John Lekodei: Sasa ninafikiria itakuwa sawa. Nafikiria kama...

(Noise from the audience)

John Lekodei:

(inaudible) kwa sababu imesemekana sana sana kwa Katiba ya Kenya

(inaudible) kwa sababu maneno mengi

(?) tuko wengi sasa hatuwezi hata kuja hapa kutoa maoni yao, yanayo

hitajika kusaidia kwa Katiba ya Kenya baadaye.

Ninafikiria sasa, sisi ni watu wale hatujajulikana au tumesahauliwa kwa Katiba, kwa sababu wakati mwingi, tuko na watoto, ni watu tuko na watoto lakini wanasoma na hawana watu wanawasimamia hao watoto wao. Mara wanafukuzwa shule, hawana...kama uko na watoto wako kusaidia familia yako nyumbani, nafikiria hata hao watoto wataumia. Na chochote itafutie wale hawajajulikana, mambo ya kazi, na wale wamesoma lakini hawaja pata kazi bado. Pengine hamjaweka

(inaudible) binadamu kama nyinyi.

Ningependa kuwaomba nyinyi mkijenga Kenya, mkiendelea namna hii ni vizuri kwa sababu ukiona sasa hata parliament hakuna

(?) huko parliament wanatusaidia sisi, wale hawajiwezi humu Kenya. Hakuna wale ma-Councillors,

(Inaudible) ndio inaweza kuwasaidia hawa, inaweza hata kuwasaidia waweze kujitetea wenyewe kwa wenyewe, isipokuwa parliament wanajitetea. Wakichukua location, wanajitetea. Sasa mambo ya KANU, hakuna watu wanawasaida hawa kujitetea na sisi ni watu tu. Na tuko (?) juu ya kujitetea.

Kwa hivyo ningependa kusema sasa mambo ya hospitali (?) tunaumia sana ndio unaona sababu mimi ninaongea. Kwa sababu (Inaudible) na nitaongea namna hiyo, tumeumia miaka mingi. Kwa sababu nilikuwa na watoto ninawapeleka hospitali, mimi mwenyewe ninaenda, ninapiga kelele saidia sisi (?) mambo ya Serikali (inaudible) ndio tunajua sasa ndio watu ni kama nyinyi. Lakini kama nyinyi ndio mliweka kiti kando (?) kwa hiyo sababu sasa kama hiyo (?) tunafikiria hamjamua kama wakati (inaudible) nafikiri huko waliteuliwa watu kama (inaudible) lakini kama nyinyi hamjamua namna hiyo, mtusaidie huyo jamaa, mtusaidie tafadhali, kwa sababu kuna wale wengine kama hawasimami wana mwakilishi wao kutoka parliament, kutoka KANU kutoka location, division mpaka district lakini (Inaudible) na ninataka mtusaidie sisi kabisa ikiwa na chochote ambacho watu husaidika.

Mambo ya ardhi, pahali pa kuishi. Vile mnavyojua sasa Kenya ni watu

(inaudible) ndipo mnaona sasa sisi mambo ya ardhi ni ngumu. Mahali pa kwisha ndio kama possible mtu mzima anaanza kung'ang'ania. Kama ma plot, huwezi kupata. Mashamba ile watu wanapata huko, hatuwezi kupata kwa sababu hatuna pesa, hatuna wale wanatusimamia sisi kama wawakilishi wetu. Kwa hivyo wangeongea ingejulikana tu kwa hivi kama hatujapata hiyo sababu ya hiki na kile ingetambuliwa tu. Kwa hivyo sasa mimi ninasema (in vernacular).

La pili, nikikaribia ya mwisho, ni kitu ambacho kishasemwa na nilisema hiyo kama (?) hajalipiwa kitu hamgejua. Lakini ya pili mambo ya (?) sasa kama nyinyi wajamaa mnakimbishana huku na huko. Mara kwa upinzani, mara KANU. Je mnajua sisi ni watu hatuna mahali tunaenda, hakuna mahali tunakimbia, tunakaa tu hapo na tunakufa hapo hapo. Kwa hivyo kile kitu ambacho nilikuwa Ninawaambia nyinyi ni kwamba mtusaidie sisi kwa kila jambo. Mambo ya hospitali, mambo ya masomo, kinyumbani. Kwa sababu wengi sasa hawawezi kupata hata ndururu ya kula! Na usifikirie pengine hawatapata mwisho wa mwezi kama vile wengine wanapata pesa lakini mimi sipati kwa sababu hakuna, hakuna kazi mimi niko nayo. Pengine niandikwe kazi kidogo, ingine na watu wawili, watatu. Wengi wao wanaumia nyumbani! Kukaa kwa nyumba.

Kwa hivyo ninafikiria... Nitamaliza kwa kusema mambo ya Constitution. ingawa imesemwa na wale wa mbele, hapo kodi inafaa kupatiwa constituency yao (?)

(Interjection) **Com Ahmed Hassan:**

(inaudible)

John Lekodei: Haya sawa sawa. Kwa hivyo ninafikiria kuhusu hiyo constituency, hapa kunaitwa Baringo constituency ingefaa kuwasaidia hawa. Kwa hivyo ninashukuru sana na mambo yetu mchukuwe kwa njia ya inatakikana. Thank you very much.

Com Ahmed Hassan: Bila kupoteza wakati kwa sababu kuna watu wengi tujaribu kuchunga saa ni watu wengi wanataka kuongea (inaudible). Tupate Julius Lokisoi.

Julius Lokisoi: Bwana Commissioner ninashukuru sana na ninawaunga mkono wale watu wengine ambao wameongea.

(interjection) **Com Ahmed Hassan:** Anza na jina lako.

Julius Lokisoi: Mimi ninaitwa Julius Lokisoi. Kile kitu ningependa kuongeza ni kwamba, tusiwe wakimbizi wa hapa Baringo.

Vile vile tumesema mmesema mambo mengi na nikipitia hiyo nitachelewa. Ile (?) ilikuwa ni ya watu wengine tangu zamani, ingawa wale walikuwa wenyeji wametosheka nayo.

(inaudible)

Kile kitu kingine ningependa kusema tuko na shida nayo, ni usalama. Usalama wa (?) ni kidogo sana hapa Baringo.

Wa (?) wale wafugaji wa ng'ombe wanakuwa wakasumbuliwa sana kwa vitisho na majirani. Wanakuja wanachukua ng'ombe wao, mtu anauwawa na hatua ya kweli haichukuliwa. Unakuta pengine kama polisi anapelekwa wanenda kuchunga ma-refugee badala wafuate wale wamewasumbua hawa. Na stesheni za polisi hakuna ambayo inasimama katikakati ya mji huu ambayo inachukuliwa hatua kwa haraka. Ukingalia hii (?) ni sehemu ndogo sana ambayo haiwezi kutumaniwa usalama na hawa watu wote (?) unaona? Zile shule zingine wa Njemps wako nayo.

Barabara, communication, barabara ya lami inaishia hapa Marigat na ku-divert kuelekea huko (?) ambayo sasa

kama huko barabara ime-cross hapa katikati ya Uasin Gishu mpaka itoke Samburu, ingekuwa (inaudible)

mngekuwa na biashara nyingine tofauti na communication ingekuwa rahisi. Kama upande wa Samburu ndio kuna biashara mzuri tungekuwa tuna communicate nao. Lakini sasa Mnjemps akitaka kwenda Samburu mpaka apande gari ya kuelekeza Nakuru halafu aeleke (?) huko lakini njia ya hapa ni usalama hakuna.

Kwa hivyo, lile lingine ningesema, tunataka utawala. Sisi tutawale tukiwa Wanjemps wa hapa ambapo sasa kama Wanjemps zamani wangukuwa na mtu mwakilishi katika bunge ingekuwa rahisi (?) kufika pale. Lakini kwa sababu tulikuwa tunatawaliwa na kiongozi wa nje ambaye yuko busy wakati wote, sio rahisi kufikia, unasikia mtu mwingine ndio Wanjemps wamechelewa kimaendeleo mpaka sasa.

Promotion; Wanjemps tena wale wanasoma, mtu anakalia promotion moja miaka kumi, miaka mingine kumi na mitano kwa sababu ya njia (?) ya kupenya au kupita ama kuendelea na masomo mengine ya kuongeza ni shida; kwa sababu

hakuna mwakilishi katika bunge, unaona. Wengine wameshindwa kusoma kwa sababu ya ukosefu wa bursaries, na hivi vitu vingine vya kutusaidia na mashule mengine kama yale ya watu wakubwa wakubwa (?) waone? Tena utawaonesha hiyo ma plot? Wanjemps haushiwi kwa hiyo kugawanya ardhi yao. Unakuta wengine wanakuja na mali kutoka sehemu zingine wanasema plot hapa, na pale na pale pengine ni ya fulani. Hakuna Mnjemps ambaye anaelewa. Kwa hivyo hiyo tunasema tunataka constituency ya Wanjemps na hiyo ni Mnjemps mwenyewe anaongoza. Yangu ni hayo, asante sana.

Com Ahmed Hassan: (inaudible). Raymond R Kipkorir, yuko? Kama hayuko Ezekiel (?).

Ezekiel Parkena: Nafikiri kabla hatujaongea, ningepongeza kamati hii ambayo imekuja kusikiliza maoni ya kutengeneza Katiba mpya. Basi mimi ninawaunga mkono wale wenzangu ambao wamezungumza kuhusu constituency. Mimi ni Ezekiel Parkena, vile umenitaja hapo. Nafikiri ninaunga mkono vile wenzangu wamezungumza juu ya constituency.

Kwa kusema ukweli, sisi tumewakilishwa kwa muda na Mtukufu Rais na tulifurahia uwakilishi wake. Na vile sasa tulikuwa watu wachache hatungeweza kutosha tumtoe mwakilishi wetu, lakini kwa wakati huu sasa nafikiri tumeweza kufika kiwango cha kuweza kutoa mwakilishi wetu. Nafikiri ninaunga tu mkono hiyo, hiyo nafikiri mtachukua kwa roho mzuri.

Kuna jambo lingine ambalo ningependa kuongeza. Ningependa kuongeza juu ya elimu.

Elimu nafikiri pande kubwa, kwetu hapa kuna ukavu sana. Kuna watu wengi wameshindwa kuwaelimisha watoto kwa sababu ya ukame ambao umewakumba. Unajua sana, sana upande hii wanategemea wanyama, na kuna wakati wanyama wao wanakwisha kwa sababu ya ukame, na hapo sasa tunakosa namna ya kuelimisha watoto.

Tena kuna kitu kingine ningependa kuongeza tena. Ni juu ya afya, health. Hata sasa tunashida sana. Ukipatwa na ugonjwa unaweza kufa na huo ugonjwa, kwa kuwa huna kitu cha kugharamia matibabu hospitalini. Na hapa sasa madawa yamekuwa ghali sana hata mwananchi wa kawaida hawezi kujimudu kujilipia gharama ya hospitali. Kwa hivyo ninaomba Serikali iangalia mambo ya hospitali, waweze kutoa huduma hiyo kwa bure.

Vile, vile juu ya mambo ya biashara. Kutembea ndio kitu kinacho weza kuwasaidia wananchi. Hapo tunaona mambo ya biashara yako chini sana, kwa kuwa sisi ni watu ambao tunategemea wanyama, na hatujawekewa soko la kuweza kuwauza hawa wanyama wetu ili tuweze kujisaidia maishani. Kwa hivyo ninaomba Serikali ituangalie mahali pa soko ya wanyama hawa kama KMC, au mahali ambapo tunaweza kujisaidia kwa wanyama kama hawa. Nafikiri hiyo ndio ingetusaidia maishani tuweze kusomesha watoto, ama mambo ya kugharamia matibabu hospitalini vile nilikuwa ninasema. Basi ninafikiri hivyo ndio tunaweza kusaidika. Kwa hivyo ninaomba Serikali yetu ituangalia kwa mambo kama hayo.

Kuna tena mambo ya maji. Hapa kwetu hatuna maji safi ya kutumia. Kama vile kuna dam moja ambayo iko hapa Chemeron,

hiyo dam imejengwa tu ya maji na tunayatumia hayo maji (?) Hatujapatiwa namna ya kutunza hayo maji ili yawe safi kwa kutumia. Tunaomba Serikali ituangalia kwa hali ya maji ili tupate maji safi ya kunywa. Nafikiri bila kupoteza au kuchukua nafasi nyingine mrefu, yangu ninafikisha hapa. Asante.

Com Ahmed Hassan: Asante sana. Samson Lekakimol.

Samson Lekakimol: Honourable commissioners, my names are Samson Lekakimol.

(Interjection) **Com Nancy Baraza:** Lekakimole?

Samson Lekakimol: Lekakimol. I am a student at Egerton University. I wish to first of all express my gratitude for your coming especially to Marigat for this particular mission. I think it is very important and it is our hope that our views will be expressed in the current new constitution. So we have some few expectations that vary in this new Constitution.

We feel that the forth-coming general election should be held under a new constitution. This is just to create a level playing ground, so that democracy can take place. It is our hope again that under the new Constitution, our views will be accommodated because us being a majority and (?) immediately we felt that the old constitution was not containing any views that is to our interest.

I would like to talk about national resources especially issues concerning lease of land. I am talking a lot because I am a lawyer by profession, and I stand to be corrected if anything. There are issues, this is to do with the lease that last ninety nine years (99) and other places where you talk of this lease lasting for about 33 years. I am of the view that this one should be cancelled, and should be debated especially agreed upon by the parties concerned. That is now to pave way for the people to manage their land. On the same point, our Land Bill that is now coming under the trustees land, should again have a board regulating them. This board should be elected where we talk of... we can consider gender that is in this case the (?) representation. This one will now assist such that this land will not again fall under Local associations.

I would again want to talk about the issue of governance. I am of the view that there should be separation of powers where we have the President, the Prime Minister who is in charge of the government. Now, we should openly have the Central system of governance or political system where we talk of majimbo.

Now here, I would once again talk about the qualifications. For one to be the President, he should be a graduate, just the same way as the MPs, for you to be an MP you have to be a graduate. Coming to the Local authorities, the qualifications there, should be Form IV and above.

We should again talk of education where if being a disadvantaged group, that is the Njemps. The Njemps being a disadvantaged group and particularly a clever lot of the side of agreement of 1904 and 1911. This agreement brought a lot of problem that is in Laikipia side such that we were displaced where we are. Our time here...

(Interjection) **Com Ahmed Hassan:** (inaudible)

Samson Lekakimol: 1904 and 1911, this (?) That is to pave way for the white settlers in Laikipia.

I am of the view that our children or rather this land should return back to the people that is the Njemps. They should be given this land and if it is not possible that they should be given this land, then our Children should learn free of charge. Education needs to be free that is on the (?)

I have also talked on nomination. The nomination, we lack recognition that is the current constitution...

(Interjection) **Com Nancy Baraza:** Sorry, spell for me Njemps.

Samson Lekakimol: Njemps.

Com Ahmed Hassan: Go ahead, go on.

Samson Lekakimol: So I would like to correct again that tribe because I am talking about recognition. You are now calling us the Njemps. We are not the Njemps we are the (?) and we are saying the current Constitution is really giving us little recognition in that line. If you have seen the Daily Nation of 18 June 2002, where the MPs are literary campaigning, one of our old men was photographed and given a different name altogether. So in other words we are not recognized.

So in that light, I would want the new Constitution to give special recognition especially the minority groups, or the disadvantaged groups of Kenya on that particular matter. Otherwise thanks a lot for that opportunity.

Com Ahmed Hassan: Thank you. Please sign the register. Simeon Oletengech?

Simeon Oletengech: First of all commissioners, I just want to take this chance to say thank you for taking a second opportunity in Marigat to air our views as a community in this important occasion that you set aside. Well, I just want to give my few suggestions that will include some two items...

(Interjection) **Com Ahmed Hassan:** Start with your name.

Simeon Oletengech: My name is Simeon Ole Tengech. Well, the Njemps community concurs with the rest of Kenyans in recognizing the need for the review of the current constitution. The Njemps community is a Maa speaking group occupying Marigat, Mokitany and recently the new Mochongoi division of the larger Baringo District. We want to correct this anomaly about the word Njemps. This word has been particularly disturbing to us but coming up to the root of this community because there is no evidence of Njemps. We are the Il-chamus

(Interjection) **Com Ahmed Hassan:** Can you spell the word.

Simeon Oletengech: Il-chamus. This was prescribed by the colonialists because of illiteracy. There was nobody to write these names correctly and pronunciation we believe caused this anomaly.

Com Ahmed Hassan: Okay, go on.

Simeon Oletengech: The name Baringo is derived from the Il-chamus word Mparinko and is referred to the current lake Baringo. The historical, religious and economic activities think of the Ilchamus community revolve around lake Baringo, and they have great attachment to the lake. Mparinko is spelt M p a r i n k o.

Originally the Njemps community occupied the land, an extension of the Laikipia Plateau to the East to the (?) to the West. Likewise from the Northern source of lake Baringo to the Northern source of Lake Bogoria known by Il-chamus as Mpatipat.

(interjection) **Com Ahmed Hassan:** Spell it.

Simeon Oletengech: S m p (for Peter) a t i t a t, Smpatitat. The Il-chamus center and language are completely different even from the two current tribes Tugen and Pokot in Baringo District while the larger part was the community is conveniently pastoral in nature, they also practice subsistence agriculture and fishing.

Land and Natural Resources: Land is a (?) for any community and to the Njemps, it is just more than that. Land is seen as a cultural hold, the identity and their way of life. The Njemps consider themselves as the custodians of the earth, rather than owners. They are custodians of their land which all the stages have to come and they have been bound with their culture, spirit, identity and survival. Without land registry their culture the Njemps will not survive neither have identity.

Trust Lands Act: The ownership of land, Mr. Chairman as is basically inform of land which is as a form of ownership is qualified in the sense of not being direct owners by the Njemps themselves. As a result the (inaudible)

from the Central Government, the County council and other

(inaudible) this qualification of ownership

through a

(inaudible) of their right of ownership of land and constitute

(?)

Current seminars and recommendations: The majority of the Njemps in view of the current constitution, they were not aware of their rights because of illiteracy and because of poverty they were not able to excel to understand or be aware of what is there.

Then we have had various anomalies in it and there have been various problems in it. This means that the rights

(Inaudible) of the community are either misrepresented or not represented at all. Due to the land tenancy

(inaudible) the community has lost land, and it continues to lose much of it. Land to merchants who do not respect the symbolism.

The average Njemps initial poverty levels have continued to rise thereby retarding development. In this aspect we want the review constitution to recommend to (?) for the Njemps community or for the community.

The infrastructure of the Njemps people: poor infrastructure in the area has come in front of several other things. They understand (inaudible) this has denied the community the opportunity to eradicate illiteracy. So we want the Review Commission to recommend that the groups be equipped by giving them teachers. The government to see the places which teachers are not adequate edited and...

(Interjection) **Com Ahmed Hassan:** One minute left, try and summarize.

Simeon Oletengech: The Commission proposal: The Njemps community like their own competition un-meted and they did not want to really recognize that it is coming from such a minority community (inaudible) in Kenya. Recognize that the rich and the unique culture of the Njemps people is fast disappearing due to rising poverty levels. Recognize their past encroachment of their native land and therefore provide mechanisms for these people. Protect the community from possible split of their (inaudible) without public and a written context and a (inaudible) we all own that one block within one constituency.

Provide for the right of constituency and representation (inaudible) in parliament on the strength of the fact that Njemps are indigenous minority strengthened by mis-interpretation. Provide for a law to conserve the environment within the main settlement areas for the lake Baringo (inaudible) that is Laikipia (?) and Mau escarpments because that is where these rivers which are the (?) of these communities well being is seen to degenerate and the community is actually going to have a problem in the future.

Lake Baringo being an important natural resource for the Njemps community should be protected and a law be enacted to

safeguard it...

(Interjection) **Com Ahmed Hassan:** Summarize eh.

Simeon Oletengech: Yea, and a law enacted to defend it. Provide for the (?) of the Kenyan (?) of private land ownership because the thing is communal ownership of land is not helping much and that is why there is a lot of encroachment and that is why there is environmental degradation and so many other things in that state. So it is our wish that in the county council who are practicing the

(Interjection) **Com Ahmed Hassan:** I have told you for the third time please summarize. Your time is up, you have finished your time.

Simeon Oletengech: To summarize, I just want to say that the County Council who are the trustees of these lands and the community. We don't have... we need these constitution to recommend in such a way that what they amend it, let everyone

(inaudible) and as a community we only have three people who will represent us in this (?) and we wanted this issue of land, that if I happen to (?) kwa hivyo people are (inaudible) ministry of local Government then there (inaudible). Thank you.

Com Ahmed Hassan: Thank you. Sasa, I want to make one request. I have said this in the morning, but then I think some of you have come late. Wengine wenu mlikuja mwisho baada ya kikao kuanza. Kama uko na maandishi kama huyu mwenzetu Simeon, we are requesting, please do not read it word for word, the way he was doing it. if you can try and highlight the main points, yale maneno muhimu. Usijaribu kuisoma neno kwa neno, kwa sababu hiyo itachukua muda mrefu. Kwa hivyo tunawataka please, mjaribu kuchukua yale maneno muhimu halafu mnayataja.

Com Nancy Baraza: Niko na swali kidogo. Ninataka tu nipate clarification au ufahamu, kwa sababu kila mahali tunaenda Wakenya wanasema tunataka tribe yetu iwe kwa Constitution, tu recognize in the Constitution. Sasa nyinyi tuseme nyinyi ni Il-chamus or Il-njamus?

Response from the audience: Il-chamus.

Com Nancy Baraza: Kwa sababu tunaweza kuandika Il-chamu, msemi hao ni watu wengine si Njemps, ndio tunataka tujue nyinyi ni kina nani.

Response from the audience: Il-chamus.

Com Mohammed Swazuri: Tungependa kusema leo ni (?) Kenya nzima. Kwanza hiyo constitution review ambayo ilikuja ni mbaya sana. Na tungependa iandikwe tumekuta atu wanaitwa Il-chamus.

Com Ahmed Hassan: Ni kweli hiyo?

Response from the audience: Ndio.

Com Mohammed Swazuri: Na kama jina Il-chamus wale wote wa lugha hiyo ningependa wasimame na waseme asante.

(Interjection) **Com Nancy Baraza:** Weka mikono juu tuone lift up.

Com Ahmed Hassan: Haya sawa tumeona. Paul Kanyaman Lemigure?

Paul Kanyaman Lemigure: Asante sana mwenyekiti.

Com Ahmed Hassan: Majina yako?

Paul Kanyaman Lemigure: Majina yangu ninaitwa Paul Kanyaman Lemigure, kutoka (?) Mimi ninaongea tu maneno matatu. La kwanza ningetaka kusema ninaunga mkono wale watu ambao wameongea kwa ajili ya kuomba kuwakilisha Baringo kwa sababu ukiwa na mzee ambaye una vijana kama watatu ama wanne, kijana wa kwanza akiwa mkubwa, hamwezi kuishi pamoja; kwa hivyo mimi ninaomba hiyo ikiwa mtu wa community ya Njemps ama community ya Njemps yote kwa jumla, kwamba nimekuwa kijana ambaye ninaweza kujisimamia ama nimekuwa mkubwa nikaomba baba nijenge kwangu.

La pili ningesema hivi, mimi ni mtu ambaye niko na miaka hamsini na sita. Na sasa wakati mzee, mtukufu Rais, nilikuwa kabisa kwenye mji wakati ambao alikuwa anaongea akisema atawasimamia. Nasiwezi kuwadanganya hawa vijana, ninasema haki. Mpaka wa leo hatuna ubaya na mzee. Ni wakati wake umefika, ama kama bado anaweza kuwasimamia, Wakenya wanapenda awasimamie, bado tuko na yeye. Lakini akiwa amechoka ama ametaka kwenda kusimama, tunasema ya kwamba hakuna mwingine atawasimamia. Nina vijana ambao wamesoma, wamepata masomo ya kutosha. Kuna vijana wako Masters, vijana wa degree, diplomas. Hata kwanza tukiwa sasa jinsi hii hakuna mwalimu tunatumia Primary anaka nami hapa, (?) pekee yake.

Kwa hivyo hayo tu ndio mimi nitasema. Na ninasema, nyinyi sasa mko wageni hapa. mko watano. Na mimi nikiwa mbunge wenu au mkubwa wenu, na mlinichagua na niseme wale wasichana hawawezi kuniona; na nyinyi watu watatu wananiona. Wale watafurahia mimi? Basi hayo ndio maoni yangu.

Com Ahmed Hassan: Asante sana, enda uandikishe jina lako huko nyuma. Antony Lodopich.

Antony Lodopich: Asante. Ninasema asante sana kwa Commissioner. Ninashukuru Commission hii kwa kufika hapa, ili tuweze kutatua neno kama hili. Mimi ninaitwa Antony Lodopich kutoka Njemps. Mimi ningependa kushukuru commission kwa sababu ninataka kuchangia vile wenzangu walisema. Kwa sababu kwetu tumeongea zaidi ya kwamba, mtoto ukizaa hutawacha tu akae hivyo bila kupea mali, na kama umekubali kuzaa, lazima upeane mali kwa mtoto wako ili aende ajitegeme. Kwa hivyo tunashukuru

(?) kwa kusema ya kwamba, sisi kama Njemps tungependa kabisa kwa sababu baba yetu atapumzika, na kama amekubali kwenda kupumzika, nimesema asante kwa sababu ametufanyia mengi. Na sisi tunaomba kwa Serikali, sio kwa nguvu; ya kwamba sisi tutambuliwe kama jamii nyingine. Tupewe nafasi yetu ya kujisaidia.

Pili ni mambo kama hii ya mahospitali. Kweli, wananchi wote wanateseka sio sisi Njemps pekee yake hasa (?) kwa sababu tunapata kama mahali inatiwa dispensary, kwa dakika hii sio ajabu kuambiwa nilipe shilingi mia mbili, ili upate dawa ya kutosha ili mtoto wako apone. Na hiyo shilingi mia mbili hata shilingi kumi ni ngumu ile ya kununua kadi ya hospitali. Tungependa matibabu hospitalini ipeanwe free, kama vile ilikuweco zamani, ili watu wapate kujisaidia.

Mambo mengine ni kama hii ya County Council. Hapo zamani wakati tulikuwa wadogo, mambo yakifanyiwa kwa Council yanafika kwa mwananchi, kama mambo ya land. Unakuta kama mini nimekuwa nikikaa kwa hii ploti, unakuta hiyo ploti imepewa mtu ambaye yuko Nairobi kwa sababu yeye yuko na nguvu. Nikijaribu kulalamika ninaenda kortini. Hayo mambo ya kuenda kortini ninaomba Serikali ya kwamba kama ni mambo ya ardhi sisi tuje tuongee kama jamii ya hapa hapa, ili tutatue mambo ya ardhi. Kwa sababu kama nilivyokubali wote tuende kortini huenda matajiri watafaidika kwa sababu watakuwa na nguvu.

Lingine ni mambo ya hawa wazee ambao wanaitwa elders, ambao ni wazee wa kijiji. Serikali ingeangalia sisi

(inaudible) hawa wazee wanasaidia watu sana kijijini, kwa sababu vita vya usiku, vita vya nini, hatuwezi kufika kwa chifu kwa haraka, tunawaita hawa headmen anawasaidia watu hapa. Kwa hivyo tungeomba kabisa, Serikali iwafikirie hawa watu wanaitwa headmen, wapewe nafasi.

Nitaenda kwa mambo ya elimu. Hiyo ninataka kuchangia kwa upande wa nursery schools. Sote tungetaka tuwe sawa Kenya nzima msingi yote ni nursery schools. Ni ajabu ya kwamba waalimu wa nursery school wanapelekwa training tunasikia huyo mtoto ako na certificate (?) unaambiwa ni wakati wa lipe nursery school dible), ni ajabu. Na yeye ni mwalimu kama wengine. Kwa hivyo tungependa kabisa hawa (inaudible) mtu alipe sisi wananchi kwa sababu tuko hapa kwa semi-arid, zile mahali mbaya, mbaya sana sio town, watu wengi hawana kazi. Kwa hivyo tungependa hiyo tusaidiwe, hayo mambo ya nursery schools.

Tunakosa kazi hasa sisi community ya Njemps, tuko na matatizo mingi. Kweli vile tunajua kwa sababu tunataka mbunge (inaudible). Unakuta majina yameletwa kitambo, unasikia mtu ameandikwa na mini ninafanya hii kazi (?) kwa nini sikuambiwa nikae nyumbani niende nipumzike? Unakuta mtu ameandikwa kwa kazi kama Jeshi na army. Watu wachache wanaleta watu waokitambo (inaudible) na kama tungekuwa (?) tunaambiwa tuje karibu tungelalamika kwanza lakini sasa saa hii tunalalamikia na nani? Tuko na Councillor lakini Councillor nguvu yake inafikia hapa na kurudi nyuma. Kwa hivyo tungependa sisi vitu kabla hiyo, tuangaliwe.

Pia mambo ya maji, kwetu tuko na maji ya kutosha kama hii Pekera. Lakini hii Pekera kwanzia sasa sisi tukiwa kutoka jami kabila tatu hapa, kama Pokot, Tugen na Njemps, haya maji yameanza kutumiwa kutoka huko kwetu. Pekera haikuwa hivi, hii Pekera ilikuwa kubwa. (inaudible) kwa hivyo tungeomba wale wako na nguvu watupe maji tafadhali iende chini kwa sababu tumeteseka kwa sababu ya maji. Kujaribu kuongea hakuna nafasi. Kwa hivyo tungeomba kitu kama hiyo. Ile dam kama hiyo ya Kolon, hiyo dam iko na maji chafu sana, na hayo maji yanaenda mpaka mahali panaitwa (?) nafikiri kama (?) kuna mahali inaitwa (?) Primary School, hiyo maji inakuja mpaka huko.

Na hayo maji ni chafu kwa watoto, ukikunywa unapata typhoid. Kwa hivyo tunaomba Serikali itusaidie sisi kwa upande wa maji. Watutafutie sisi maji yale safi ili watoto wetu wapate maji safi. Watoto si wa Njemps pekee yake lakini ni wa kenya nzima. Kwa hivyo tusaidiwe na mambo ya maji.

Barabara: Kwetu hatujasaidiwa na barabara. Iko barabara ya kwetu inaenda mpaka (?) iko nyingine inaenda mpaka Laikipia. Hiyo barabara saa hii ukitembea hapa hata kama una (?) siku tatu, (?) kwa sababu barabara ni mbaya na watu (?). Kwa hivyo tungsaidiwa kwa mambo haya ya barabara. Watu ambao wanahusika na mambo ya barabaran watutengenezee sisi barabaran ili communication yetu iwe karibu na (?) kwa hivyo asanteni sana, yangu ni hayo tu.

Com Ahmed Hassan: Asante. Laban Boiwo.

Laban Boiwo: Mimi ningetaka niongee kuhusu mambo ya Katiba. Ningetaka niwashukuru nyinyi ma-Commissioner, ambao mmefika hapa siku ya leo ili kupata mambo kutoka kwa wananchi. Ya kwanza ningetaka niseme Bwana Commissioner ni kwamba, haya mambo ya Commission yametufikia sisi kwa upande wa kushoto, hayatukujia kwa mkono wa kulia. Sababu ya kusema hivi ni kwa sababu, sisi kama wananchi hatujui hata Constitution Review ya kwanza, Constitution ile independent iko aje. Hata ukimuuliza mwananchi, Constitution number moja ni nini hajui. Sisi tunajua tu Section 2A ile ilikuwa repealed huko Parliament hata mtu hajui.

Kwa hivyo kama wananchi tungefundishwa Constitution kutoka moja hadi mia moja sijui na ngapi, na tuambiwe siku ya leo

tubadilisha, tungekuwa na nafasi nzuri ya kubadilisha hii Constitution. Wale ninaamini wanajua pengine ni wale mawakili na wale wamesoma mambo ya sheria. Sisi wengine hatujui. Kwa hivyo tutafanya yale tunajua, lakini kama ingekuwa maoni yangu, hii Constitution Review wangepewa muda wa kutosha, wafundishe wananchi, wananchi waelewe halafu wabadilisha Katiba kulingana na matakwa yao.

La pili, ningependa kuongea kuhusu mambo ya Judiciary. Mimi kwa niaba yangu ninataka niseme haya mambo ya kortini yamekuwa na matatizo sana. Utakuta mtu anafanya makosa, akifika kortini anatakikana ushahidi, shahidi atatwa apelekwe mpaka Kabarnet, mwananchi hana pesa ya kumpeleka huyo shahidi. Huyo shahidi akifikishwa huko Kabarnet anakuwa frustrated mpaka watu wameogopa kutoa ushahidi. Serikali itafute namna nyingine ya kuchukua ushahidi kwa wananchi kwa njia nyingie kuliko kutaabisha mwananchi kwa kumpeleka safari ya mbali. Ama korti iletwe karibu na wananchi, ili mwananchi apate kutoa maoni yake kwa kweli.

Siku hizi kuna watu wamekuwa wajhuri zaidi, ninaweza kuwaita pengine ma-jailbirds. Hao wamesomea mambo ya korti, wakifika huko wana frustrate efforts zako zote, anasema urongo mpaka inaonekana ni kweli na inakubaliwa na judge anathibitisha kwamba huyu mtu hakufanya makosa. Lakini kwao mwenyewe ameona ni makosa lakini kwa sababu ya sheria ambayo iko, sio nzuri, inafunga mtu ambaye hakufanya makosa. Na yule mwenye kufanya makosa, anaachiliwa. Hayo ndio maoni yangu kuhusu mambo ya Judiciary.

Nikiingia upande mwingine, nitaongea kuhusu mambo ya irrigation rule. Haya mambo ya irrigation rule, ningependa kama ingewezekana ifanyiwe overhaul! Mwananchi anakubaliwa kuwa chairman miaka yote, (inaudible) na kunyang'anywa hiyo shamba, hana mahali pengine pa kwenda kwa sababu pengine National Irrigation Board wako na title deed ama ni Serikali. Kama ingewezekana mwananchi apewe kibali akikaa na hiyo shamba na ajue ni yake, na afanye matumizi na maendeleo ndani ya hiyo shamba akijua ni yake.

Lingine ni kuhusu mambo ya machief. Chiefs wapewe jukumu kiasi ambayo wanaweza ku-control mwananchi katika location. Ma-chief wakiwa hapa ni (?) ya location, wamekuwa frustrated anatusiwa (?) hata na mwananchi, hata hana mwelekeo. Hawezi kumsaidia mwananchi, kazi yake itakuwa ni bure! Sasa tutaendelea kuishi maisha ya aina gani? Tutaishi namna hii kwa muda gani?

Lile lingine ni African marriage. Tunataka ieleweke na ihalalishwe na Serikali, African marriage iwe na kibali kama zile zingine. Kwa sababu unakuta wazee wengine wana oa bibi kwa African marriage, halafu wanaenda wanoa bibi mwingine kikanisa, ama anaoa kwa D.C. Yule wa kwanza hajulikani, amepotea huko msituni. Kwa hivyo ningependa Serikali ipeane cheti kwa kina mama wale wameolewa nyumbani, hata hao wajulikane.

Lingine ni kuhusu mambo ya school fees ambayo watu wamesema. Ninaunga mkono kwamba shule kutoka darasa la kwanza

ama kutoka nursery mpaka Form IV iwe bure, ili kila mtu apate ku-participate. University iwe mtu anaweza kulipa, aende sasa kusoma huko. Na kama inawezekana sisi wananchi wote, Kenya nzima kama tutapatiwa tax ya kwamba kila mtu aweke shilingi tano, tano ili mtoto aende shule. Kila mtoto aende shule, kila mtoto afike Form IV. Hiyo itakuwa tunasaidika watu wa Kenya.

Lingine ambalo ningetaka kuongea juu yake ni kuhusu mambo ya Local Government. Local Government wamepewa uwezo

(?) ma-Councillors. Kiwango kwamba ikiwa sikupigia Councillor kura, huwezi kupewa ploti. Akisimama huko Kabarnet aone jina langu anakata. Kuwepo na utaratibu ambao kila mtu ako na haki ya kupewa plot, uwe umempigia mtu kura au haukumpigia. Sio kwamba Council wa decide kwa sababu Councillor hanipendi mimi, wanaita jina ama wanafanya nini, akisikie jina langu anakata. Council haina utaratibu wa kupeana maploti, kwa sababu ma-Councillors pekee yao ndio wanatawala hizi ploti na wale watu hawakumpigia kura wanaumia miaka yote. Hawatapata ploti...

(Interjection) **Com Ahmed Hassan:** La mwisho.

Laban Boiwo: Lile la mwisho, ni kuhusu mambo ya elections. Elections ziwe zinafanywa na secret ballot kwa sababu nimeona ya kwamba kina mama wanakosana na wazee wao kwa sababu mzee anataka mama ampigie fulani kura, na ameona fulani ameweka mlolongo kumpigia mwingine kura. Haya mambo ya mlolongo yawe abolished. Iwe ni KANU au opposition sote tuwe wangwana ndio haki itendeke.

La mwisho ningependa kuongea kuhusu mambo ya ugawaji wa ardhi. Watu ambao wanapata mashamba utakuta ni watu ambao wako na mashamba. Wale watu ambao wanaitwa landless hawawezi kupata shamba. Kwa hivyo tutafute namna kabisa ya kuona ya kwamba yule mtu anapewa shamba ambaye ni landless awe kweli ni landless. Ikiwa mtu anatolewa kutoka mlima ule anapelekwa mlima ule mwingine. Mosop aingie mpaka Mosop ingine, hawa watu wa kwenu wote hawana chochote, wamekauka, na wanaendelea kukauka. Kwa hivyo itafutwe namna ambayo wale ambao kweli ni landless wawe settled.

Lingine ni kuhusu haya mambo ya plot. Tafadhali ningependa mambo ya Commissioner of Lands iwe abolished kwa sababu wale werevu wanaenda kwa Commissioner of Lands, wana-grub Marigat yote, sisi wenyeji tukienda huko kwa Commissioner of Lands, tukitaka kuomba plot, hakuna plot. Ni plot ya fulani, plot ya fulani, kwa sababu hao wanajulikana. Kwa hivyo haya mambo ya Commissioner of Lands, yawe abolished, wananchi wawe na uwezo wa kutatua mambo ya mashamba yao. Asanteni.

Com Ahmed Hassan: Samson Kimutai.

Samson Kimutai: Asante sana Commissioners, kwa kututembelea hapa Marigat. Ninayo maoni machache sana na ningependa kuyasema kwa ufupi. Katiba mpya, ningependa wananchi ama kimila iingize kwa vile unaweza kuta kama sisi

Kalenjin. Kuna vitu vingi ambavyo unakuta kwa ndani inatumika kwa ile Katiba ya kwanza, hii ambayo ni ya Lancaster House ile unaona kuna zingine (?) kwa hivyo ningependa tuhusihswe ama tupewe nafasi kwa Katiba hii mpya.

Nikichukua mfano, tuseme sasa kama kuna Katiba inasema kwamba, gari ikikanyaga ng'ombe, unakuta mwananchi yule hana kitu chochote anaambiwa alipe gari ya milioni tatu. Unakuta sasa hapo mwananchi anaumia sana. Kwa hivyo ningependa Katiba itungwe ya kulinda hata mwananchi kwa mali yake, kama hiyo gari.

Nikienda kwa upande wa Councils. Ningependa, ama ningependelea mayor wa jiji achaguliwe na wananchi sio Councillors peke yao. Lingine ni kwamba kuna nominated Councillors ama nominated MPs. Hawa mimi ningependelea kwamba kama ingewezekana wasikuweco, kwa sababu sioni kile wanatekeleza zaidi kupita yule amechaguliwa na wananchi.

Jambo lingine ni kuhusu administration. Ningependa Katiba iundwe ya kwamba machifu wawe wakichaguliwa na raia wenyewe. Sio kwamba wanaenda kwa interview maana siku hizi kumetokea hii mambo ya corruption. Unaweza kuta mtu ana apply kuwa chifu halafu anafuatilia kupeana kitu kidogo huko, ili apewe awe chifu. Kwa hivyo ningependelea kwamba chifu atoke kwa wananchi wenyewe, kama vile ilikuweco hapo mbeleni.

Nyingine ni mambo ya elimu. Mambo ya elimu ningependelea Constitution iunge ya kuwa watoto wasome bila kulipa chochote vile wenzangu wamesema. Mengine ni kwamba nilisikia mwenzangu hapa akisema ya kwamba hawajui sheria ya ukweli, hawakufahamishwa. Kwa hivyo ningependa Constitutional Review wakubali tuendelee kufunzwa Civic Education, ili wajue mambo ya sheria.

Jambo lingine ningependa kusema ni kwamba uchaguzi ujao. Sheria mpya itumike kwa uchaguzi ujao. Ya mwisho ni kwamba ningependa Katiba iandikwe kwa kila lugha. Maana kuna wazee hawajui kwa Kiswahili sasa ikisemekana Katiba number one inasema hivi kwa Kiswahili, hawaelewi. Kwa hivyo ningependa Commissioners wachukue hilo jambo. Kwamba Constitution iandikwe kwa lugha zote. Kwa hayo machache asanteni.

Com Ahmed Hassan: Asante. Dickson Chepkut. Samson Kimutai, please sign the register huko.

Dickson Chepkuto: Vile iko kwa Katiba, sisi hatuko (inaudible) kwa sababu ni (?) katika Constitution hii. Tukp na walimu (inaudible) hatujui sababu na ni Serikali ilisema watu wafunge (?) sasa sisi hatujui kitu cha kusema kwa sababu (?)

(Interjection) **Com Nancy Baraza:** Ni Chepkut or Chepkuto?

Dickson Chepkuto: Chepkuto.

Com Nancy Baraza: Wacha tu nikwambie, labda hukupata Civic Education kwa ule muda mngependelea lakini tungetaka Wakenya waongee maneno, yale maneno ya day to day life, yale yanawahusu kila siku. Ongea yale maneno ya moyo. Kama wewe ni mnani? Il-chamus?

Dickson Chepkuto: No.

Com Nancy Baraza: Kalenjin?

Dickson Chepkuto: Mimi ni Tugen.

Com Nancy Baraza: Tugen, eh. Ongea maneno ambayo yanakuhusu, ya kila siku. Usiseme hauna cha kusema. Kwa sababu hata kama haujui ile Constitution ile tuko nayo na mimi ni mwanasheria, lakini hata mimi sielewi hiyo Katiba. Nisikudanganye, hatuelewi sana. Ni Katiba ambayo wazungu waliotengeneza na ni ngumu. Sasa usiseme hauna cha kusema. Toa maneno ambayo yanakuhusu, kwa vile unaishi na vile ungetaka uishi na utakuwa na kitu cha kusema.

Dickson Chepkuto: Sawa, (inaudible) sasa sisi watu wa (?) na hatukusema, tuliuliza (?) kwa County Council tuende kortini. Kuenda kortini hawa wakatusukuma sisi nje kwa sababu hawa ni (?) Sasa kile kitu mimi nilikuwa ninaona, sisi turudishiwe Lake Bogoria kama wale wengine kama Maasaini.

Pili, watoto wetu wasome kutoka huku kwa sababu hiyo lake (inaudible) sisi watoto wetu kutoka nursery school kama ingefaa. (?) Neno lingine ni kuhusu ma chief. Kwa maoni yangu hata ma chief wapigwe transfer... (*Laughing from the audience*) kwa sababu...

(interjection) **Com Ahmed Hassan:** Tunyamaze tafadhali, tukitoka hapa Marigat, tutakuwa tumechukua tu ule mcheko wenu, mnacheka na kupiga makofi. Tafadhali tunyamaze kwa kuwa hiki kitu kina-record hapa.

Dickson Chepkuto: Kwa sababu ma chief (*end of tape*) sasa ingetosha kama wangepigwa transfer (?) mtu wa Mandra akuje hapa hajui kitu. Kama upande wa town watu wengine wamekaa kama askari, wanatoka kwao wanaenda North Eastern, wa North Eastern anakuja hapa, itakuwa vizuri kama Councillor, Councillor ni mzuri kwa sababu baada ya miaka tano wanaenda. Kama chief anaweza kaa hii miaka yote atakaa tu.

Neno lingine ni kuhusu mashamba na mwenzangu alikuwa amesema. Mtu anatoka highland yuko na shamba, lakini watu wa hapa hakuna shamba. Tunajua hapo town (?) Mochongoi ilikuwa ofisi yetu, Mochongoi Location, na saa hii watu wa Mochongoi labda ni watu watano wako na mashamba. Kwa nini na hii ni location yetu ikapewa watu? Ipewe mtu wa Nakuru,

mtu wa town na sisi wenyeji hatuna shamba?

Neno lingine... natukienda kuuliza unaambiwa hakuna shamba, na ukienda kesho huko unakuta mahali uliacha jana iko watu. Tungepewa hiyo shamba watu wa low land kwa sababu hata mtu wa highland akiletwa aishi hapa kama ni Baringo. Ataishi kweli?

(Interjection) **Com Ahmed Hassan:** Lingine?

Dickson Chepkuto: Lingine ni kuhusu headmen, wazee wa kijiji.

(inaudible) Serikali ingeangalia welfare ya sub

(Interjection) **Com Ahmed Hassan:** Wanaitwa nani?

Dickson Chepkuto: Chepkuto.

Com Ahmed Hassan: Hapana, hawa wazee wa kijiji wanaitwa nani?

Dickson Chepkuto: Sub-headmen.

Com Nancy Baraza: Sema hiyo jina.

Com Ahmed Hassan: Sebedmen?

Speaker: (From the Audience): Sub-headmen.

Com Ahmed Hassan: Oh, sub-headmen? Endelea.

Dickson Chepkuto: Serikali ingeangalia welfare yao, kwa sababu ni hawa tuko nao usiku na mchana. Hata ukiwa kwa shamba tuko nao tuseme chief atakuja kama imeisha...

(Interjection) **Com Ahmed Hassan:** Tumesikia hiyo, tumejua. Jaribu kumaliza.

Dickson Chepkuto: Kufikia hapo sina neno lingine.

Com Ahmed Hassan: Asante, enda u-sign huko kwa register. Olempaka Amos.

Olempaka Amos: Kwa majina ni Olempaka Amos na niko na haya ya kusema (?) na ule upande wa elimu, education. Mimi ninaonelea kuwa katika nchi hii au (?) pahali ambapo tuko, ikiwa ni Njemps tuko na mashule chache sana na tunataka watoto wasome. Katika hali hiyo, mimi ninaonelea kuwa Serikali inafaa waongeze shule nyingi katika eneo hili. Mashule haya yawe yatagawanishwa, wasichana wawe upande wao, na vijana wawe upande wao. Kwa sababu tunaona sisi wenyewe hatuna wasichana ambao wamesoma tu na tunataka kuelimisha wasichana, gender equality.

Lingine ni upande wa elimu tena, tukifikisha tu kwa hiyo (?) Vijana hawa ambao wanamaliza mashule hapa, huwa wengi wao wanateseka kwa sababu ya ukosefu wa kazi, employment. Tunaona kuwa vijana hawa wanatoka shule, kufikia hapo hakuna mali nyingi. Tunauza ng'ombe ng'ombe. Tunaweza kuja tunasimashwa kazi nyumbani saa hizi sisi ni watu ambao tunaweza kufanya biashara, self-employed lakini hatuna pesa za kuweza kuendeleza biashara hizo. Mimi ninaonelea kuwa kama serikali inakuja kutuona, wasaidie ili pesa zikuje tundeze biashara ya kuuza ng'ombe kwa sababu (inaudible). Unaona hata (inaudible) watu wengine wanakuja kununua ng'ombe ambazo (inaudible) inasaidia watoto wengine wakiwa shule.

Nikija kwa upande wa land distribution of power, employment. Mimi ninaonelea vijana ili wapate kazi zaidi, watu wasiwe na madaraka zaidi ya moja katika Kenya. Utaona mtu mmoja anaweza kuwa na madaraka karibu ishirini au kumi. Mwingine anaitwa chairman mwingine ako na cheo hii na sisi ambao tumesoma hakuna kazi na tunataka kazi ziwe distributed fairly.

Lingine ninakuja upande wa community, culture. Culture ni kitu cha maana sana. Tunasema kwa upande wa msingi ya cultural affairs. Tunataka cultural ionekane. Na tukitaka culture ionekane sisi Wanjemps tunataka kuenda (?) ili hata sisi tuonyeshe kitamaduni kama Wamaasai na jamii zingine ambao tunataka kuonyesha watu (?). Mimi nikiwa kijana sasa kuna vitu vingine ni mimi nimejaribu (?) siwezi kujua kwa sababu nimeadikimika hapo awali. Tunaona sura ya kitamaduni hapo awali. Na culture hii iwe wazee (inaudible) kwanzia wale wameizoea wajue culture (inaudible) imekuwa directed kwa upande wa (inaudible).

Nikija kwa upande wa economy. Sisi ni watu wa nyama kama vile nilikuwa nimesema . Katika hali hii tunaona kuwa tunakuwa watu ambao tunategemea wanyama sana, na kiangazi inaweza kuja na kuwachukua wanyama. Sasa kama inakaa serikali haikuji kuangalia kwa upande (?) ya wanyama. Wanyama hawa wakifa wataleta (inaudible). Kama juzi wanyama waliisha, na watu wengi walikuwa kwa shida kwa sababu hatuna lingine la kufanyia. Kwa hivyo serikali wakuje waangalie watu ambao ni pastoralists. Wanyama wakiisha watafanya nini kwa sababu hii shida ni nature imesababisha kwa kuwachukua wanyama.

Ninakuja kwa development. Development mnasikia nikisema sana lakini (?) kuna mashule hapa ambayo ni ya secondary. Ni ajabu kuwa kuna jamii ambazo saa hizi wanatumia pressure lamp na ni shule ambayo iko katika eneo hii.

Hakuna watoto kuumia na kupata shida ya macho, wanaenda kwa daktari wanatumia pesa nyingi. Tena ukiangalia (?) iko remote sana (inaudible) watoto wako mbali, communication ni mbaya, barabara ni mbaya huwa ninajiuliza (?). Tena ukijaribu kuangalia uchumi ile communication (inaudible) ni ngumu hakuna ku-communicate kwa sababu hakuna simu na watoto hawa wako na shida kama hii. Kwa hayo yote sina kitu kingine kipya.

Com Ahmed Hassan: Enda huko nyuma uandikishe jina lako tafadhali. Lengaka Javan.

Lengaka Javan: Asanteni, kwa majina ninaitwa Javan Lengaka, ninatoka sehemu za (?) Sasa mimi nimekuja hapa kuchangia...

(Interjection) **Com Nancy Baraza:** Weka microphone mbali kidogo.

Lengaka Javan: Nimekuja kuchangia yale ambayo ninaweza kuchangia (inaudible). La kwanza ninachangia mambo ya administration kwangu mimi ninaonelea kitambo kidogo niliona watu kama chiefs ambao walikuwa na uwezo fulani lakini baada ya zile powers zao kudidimishwa, administration ikaanza kuwa haina nguvu zaidi. Chief anaweza kutukanwa anyhowly lakini kwa haya yote (?) watoe rules ama ule utaratibu tulikuwa nao hapo awali, maanake wao ndio wako na wale watu nyumbani. So wao ndio wanaweza kupata masilahi na first hand information on problems.

La pili, ninaonelea kwangu mimi kuna miradi fulani Serikali inaweza kuanzisha. Kwa mfano wanaweza kuanzisha miradi kama kuwa na division mahali fulani, lakini it is just a perfect division hatuoni maendeleo katika ile division. For example poor means of transport and communication, hata wale maofisa ambao wamestahili kuwa ile division hawaonekani. Hatujui Serikali inafanya nini, na wameamua kuweka ile division ile wananchi waweze kufaidika na hata wapate mwelekeo mzuri.

(Interjection) **Com Ahmed Hassan:** Lngine?

Lengaka Javan: Lngine pia, mambo ya education especially sisi na wale ma tribes wako hapa lowland, sisi ni watu wakufuga mali, na wengi wetu tuna ng'ombe, mbuzi na kondoo. So, hatuna mashamba ambayo tunasema tutalima saa hizi, baada ya mwaka huu tutapata mavunao mazuri tuuze watoto waende shule au tufungue biashara zingine, la. Basi tunategemea ile mali, na we have the natural disasters for instance drought, ama kiangazi, ikija, tunapata shida sana. Mwaka uliopita unaweza kuona kuwa wanafunzi wengi walitoka shule. Wale wazazi ambao hawakujimudu na mifugo ambayo walikuwa wanategemea, wengi wao walitoka shule, ama waliacha shule wakaenda kukaa chini.

(Interjection) **Com Ahmed Hassan:** Sasa Unaonelea tufanye nini?

Lengaka Javan: Ninaonelea ikiwezekana Serikali iwauzie mazao yao na hata waweze kuangalia hizi tribes ambazo ziko lowlands, ambao hawana tegemeo lolote. For example watoe mashamba, sio ati wanatoa mtu from the highlands wanampelekea ile highland ingine kumpea shamba na kuna wale wana-suffer, are we not Kenyans? Hiyo ni mbaya sana.

Lingine...

(Interjection) **Com Ahmed Hassan:** La mwisho.

Lengaka Javan: La mwisho, tungependa Serikali iangalie shida ya Njemps kwa sababu we need our MP. Mbunge ambaye anaweza kutusimamia, kwa sababu baada ya ugawaji wa maakazi tumeona tuko three tribes in Baringo lakini ile rate ya kupeana sio ile ya kupendeza maanake kama walisema (inaudible) 25%, wale wengine 25% tutakuwa tumependelea huo uongozi. Lakini kama tumelaliwa hatutapenda. So kwa hayo machache, asanteni.

Com Ahmed Hassan: Asante sana, na uende uandike jina lako huko. Momus Ngaraka? John Lenapane? Ametoka nje, haya. Nahashon Obayi, dakika tano.

Nahashon Obayi: Asante sana Bwana Commissioner tumefurahi sana kwenu nyinyi kufika hapa Marigat. Kwa hakika nina furaha sana. Kwa majina ninaitwa Nahashon Omwenga Omwambia, mimi nilijiunga na Civic Education baada ya kuwanashida. Nilikuwa ofisa wa Serikali, nilianza NYS (?) nikafanya kuelekeza miaka mitano na baadaye nikajiunga na (inaudible)

(Interjection) **Com Ahmed Hassan:** Twambie maoni yako kwa Katiba unataka nini.

Nahashon Obayi: Kutoka kwa maoni yangu ambayo nilikuwa nimeandika hapa, sitaki kurudia, nitaongea kwa summary halafu nitawapatia mbaki nayo kwa vile nimeandika mambo mengi. Chapter 1, Section 1, the Republic of Kenya shall be a multi-party democracy ambayo itakuwa na a democratic nation. (?) ambayo tunataka hiyo Constitution ibadilishwe ili kila chama kiwe na uwezo wa kuchagua na wananchi wawe na uwezo wa kuwachagua viongozi ambao wanawataka. Hatutaki Serikali ambayo itasema ya kwamba itasema ya kwamba tunataka tuunge fulani, fulani akuwe (?) sisi wenyewe tunajua mtu ambaye anamwogopa Mungu, mtu ambaye atafanya maneno kihalali.

Tuwe na protection of fundamental rights. Mambo ya mtu mwenywe kutoa maoni yake bila kuambiwa ya kwamba hiki na kile huku tukikatazwa. Ikiwa mimi ninapendelea Civic Education, ninafuraha ya kufundisha. Sasa ninaomba Civic Education iwe na wizara yake ifundishwe watu na iwe na ministry yake. So that watu wajue mambo ambayo yanawakabili au yanawakera sana. Kwa vile kama sio hao watu wa Civic Education hatungefika hapa. Hata katika Bibilia, Luka chapter 3:3 inasema “prepare the way for the Lord...” Kama hawa wananchi hawajasikia habari ya Civic Education na vitabu tuko hapa kuhusu mambo hayo.

Tumewekwa huo uoga wa kwamba ukitaka kuongea unasema unaongea nini. Ikiwa taabani.

(?) italipuka Serikali itakuwa

Tunataka wale corrupt officials katika government wawekwe jela na warudishe mali yote ambayo walichukua, promotions walizo lalia, maana tukiuliza tunataka promotion ati tunataka kuwa promoted tunapigwa transfer, tukienda kujitetea mimi ninafutwa kazi na baada ya kufutwa kazi (inaudible). Kwa hivyo tunateseka.

Mambo mengine nimeyandika hapa, na kwa sababu nitawapatia hiki kikaratasi mchukue sitaku kuyaeleza hapa. Kwa hivyo asanteni.

Com Ahmed Hassan: Enda uandike jina lako hapa.

Nahashon Obayi: Kitabu ndio hiki...

Com Mohammed Swazuri: Na uende pale umpe yule mama huko nyuma. Simeon Maramba. Nyamazeni tafadhali.

Simeon Maramba: *Kikureno Simeon Maramba akamwoe ngalek somok kitio.*

Translator: Yeye ni mzee Simeon Maramba na atasema maneno matatu.

Com Ahmed Hassan: Anza na jina lake.

Translator: Simeon Maramba.

Simeon Maramba: *Netai ngalek ab barabaret.*

Translator: Maoni yake ya kwanza ni juu ya barabara.

Simeon Maramba: *Barabaret newenti Marigat Division.*

Translator: Barabara ambayo inaenda (?) Division.

Simeon Maramba: *Ya barabaranot missings.*

Translator: Hiyo barabara ni mbaya sana.

Simeon Maramba: *Abunu ane Kiseriani.*

Translator: Kwa sababu mimi ninatoka huko kuja Kiserian...

Simeon Maramba: *Ngotko karobon rani.*

Translator: Kama mvua imenysha leo,

Simeon Maramba: *Komoitei chi oloto rani.*

Translator: Hakuna mtu yeyote ambaye anaweza kufika huko.

Simeon Maramba: *Imekei biik ochei eng yunto.*

Translator: Wananchi wanaumia pale

Simeon Maramba: *Makitinye Sipitalisiek,*

Translator: Kwa sababu ya kukosa mahospitali

Simeon Maramba: *Makitinye Sukulisiek,*

Translator: Kwa sababu ya shule,

Simeon Maramba: *Ak makitinye amitwokik.*

Translator: Na kwa ukosefu wa chakula.

Simeon Maramba: *Ngoliotab oeng,*

Translator: Point yangu ya pili.

Simeon Maramba: *Ngalekab Sipitali,*

Translator: Maneno ya hospitali.

Simeon Maramba: *Ngalekab Sipitali koimi biik tukul eng Kenya.*

Translator: Mambo ya hospitali yamekuwa magumu kwa kila mmoja katika taifa letu.

Simeon Maramba: *Kinemu kiitukul eng Sipitali.*

Translator: Kwa mahospitali tunatoa kila kitu.

Simeon Maramba: *Kiole kotkeal katit nekisirchin kainaik.*

Translator: Hata tunahitajika kununua ile kadi ya kuandika majina.

Simeon Maramba: *Ingen chitukul tukchuto.*

Translator: Hiyo ni (?)

Simeon Maramba: *Ingen chitukul tukchuto.*

Translator: Na wananchi wote wanaona (?)

Simeon Maramba: *Kikobet biik chechang sobonwek kwai.*

Translator: Watu wengi wamepoteza maisha kwa sababu ya hiyo.

Simeon Maramba: *Nebo somok,*

Translator: La tatu,

SimeonMaramba *.Ako nebo let...*

Translator: Na hiyo ndio ya mwisho,

Simeon Maramba: *Anoni ole kitinye bororiosiek somok eng Baringo.*

Translator: Nafikiri nyinyi mlisikia ya kwamba hapa Baringo we have three tribes.

Simeon Maramba: *Bororiosiek oeng kitio che imuchikei.*

Translator: Mnaona mbili zinajisimamia, tribes mbili wamejisimamia.

Simeon Maramba: *Akot chomusiek kindochinin.*

Translator: Hata Wanjemps wanasimamiwa.

Simeon Maramba: *Mochei ak ichek Chomusiek kondochikei.*

Translator: Wanjemps pia hao wanataka kujisimamia wenyewe.

Simeon Maramba: *Mitei ngalek yoto.*

Translator: Kwa hivyo tunaona maneno moja hapo.

Simeon Maramba: *Komoche atebe biikab commission ngolio,*

Translator: Pia ningependa kuuliza, nafikiri (?)

Simeon Maramba: *Tos itei wii ngalechu kemwoe?*

Translator: Hayo maneno ambayo constituents wanatoa hapa yatafika mahali ama yataishia hapa? Anauliza nyinyi wale maofisa, Commissioners. Kuna mahali haya maoni tunatoa yanaenda ama mahali yatafika?

Com Ahmed Hassan: Ndio, kuna mahali itafika. Ambia mzee kuna mahali itafika.

Translator (to Simeon Maramba): *Imoche koit ano?*

Simeon Maramba: *Amoche koit Parliament.*

Translator: Yeye mwenyewe anataka haya maneno yake yafikishwe kule mahali inatakikana, kwa parliament.

Simeon Maramba: *Kimoche kiitwech Parliament anyu.*

Translator: Kwa hivyo tuhakikishiwe kweli tumeona pale.

Simeon Maramba: *Kingobwa Chumbek emoni.*

Translator: Wakati wa wazungu yaani colonialist walipokuja hapa...

Simeon Maramba: *Achek chomus komokiib emetab biik alak.*

Translator: Sisi kama Wanjemps community hatujawahi kuchukua mpaka wa watu.

Simeon Maramba: *Rani kokikeibenech emenyo konget kitikin kitio.*

Translator: Na ardhi yetu imenyakuliwa kama yote.

Simeon Maramba: *Konoto neyoei asi ketenech MP nenyu.*

Translator: Kwa hivyo hiyo ndio sababu sisi tumekatazwa MP wetu.

Simeon Maramba: *Ngokikerkei anyun,*

Translator: Na sisi tukiwa sawa,

Simeon Maramba: *Okonech Mbunge nenyu.*

Translator: Mtupatie sisi MP.

Simeon Maramba: *Ngongenech Serkali kokonech Mbunge .*

Translator: Kama sisi tunatambuliwa na Serikali, tupewe MP wetu.

Simeon Maramba: *Kongotamene kondoiwech,*

Translator: Kama ni yeye ndiye atakuja kushindwa,

Simeon Maramba: *Ketinye chiche kitebe amune.*

Translator: Halafu tutakuwa na mtu wa kuuliza.

Simeon Maramba: *Ngounoto anyun.*

Translator: Kwa hayo,

Simeon Maramba: *Mami chi ne imuchi koimech.*

Translator: Sisi hatuna mashindano na mtu yeyote.

Simeon Maramba: *Kimoche chitnyo neteleli.*

Translator: Sisi tunataka mgombea yetu.

Simeon Maramba: *Kimoche kandoindetnyo.*

Translator: Na sisi tunataka mchungaji wetu.

Simeon Maramba: *Mingolio akenge nebo Kenya tukul,*

Translator: Iko neno moja iko hapa na ni la kila mtu katika taifa letu.

Simeon Maramba: *Ngo Councillor?*

Translator: Kama ni Councillor (?)

Simeon Maramba: *Kekonech MP Kora.*

Translator: Naomba pia tupewe MP.

Simeon Maramba: *Imoche iiku MP kwekeny?*

Translator: Na wewe unataka kuwa MP kila siku.

Simeon Maramba: *Tos makararan kounoto?*

Translator: Na hiyo sio vizuri.

Simeon Maramba: *Memoche chii ake koik kandoin?*

Translator: Wewe hutaki kukaa siku moja halafu mwingine achukue nafasi hiyo.

Simeon Maramba: *Ngounoto anyun.*

Translator: Kwa hayo,

Simeon Maramba: *Motinye ngolio ake.*

Translator: Ni hayo tu yalikuwa maoni yangu.

Com Ahmed Hassan: Yale maneno mnayoyasema yatafika kwa sababu tukitoka hapa tutakuwa tukitengeneza repoti, ile ya kila constituency. Na hiyo repoti ikimalizwa itarudisha kwa constituency tena ndio mweze kuona, na muone kwamba kila kitu ambayo mlisema kweli kimechukuliwa namna mliyosema. Kwa hivyo hiyo repoti ikikuja tena msome na muangalie mhakikishe kwamba yale mambo mlisema kweli yamezingatiwa kwa hiyo repoti halafu mtatupatia sisi comments zenu. Kwa hivyo mzee ahakikishiwe kwamba maneno ambayo mnasema hayata tupiliwa mbali. Joshua Olupea?

Joshua Olupea: Kwa majina ni vile mmesikia ninaitwa Joshua Olupea. Lakini maoni yangu nimeandika kwa hivyo...

(Interjection) **Com Ahmed Hassan:** Utapeana?

Joshua Olupea: Ndio.

Com Ahmed Hassan: Okay, asante.

Joshua Olupea: Asante.

Com Ahmed Hassan: Tafadhali tujaribu kuangalia wakati, watu wengi sana wamejiandikisha kuongea kwa hivyo tuangalie wakati, dakika tano, tano. Charles Kamulei? Kama hayuko, Councillor Jacob Olesikamoi

Clr Jacob Olesikamoi: Kwa majina ni Jacob Olesikamoi wa (?). Yangu ninasema asante sana kwa Tume hii. Nimepata nafasi ya kuja area ya Baringo kutoa maoni kwa sababu sikuwahi kupata wakati mwingine. Kwa hiyo tunasema asante. Mimi niko na maoni tatu tu.

Ya kwanza kama vile mwenzangu alisema, tunataka mwakilishi wa Il-njemus. Ya pili, sisi kama wakaazi wa Baringo, sehemu hii ya Ziwa la Baringo, tumekumbwa na mmomonyoko wa udongo. Tunaomba Serikali yetu tukufu watafute njia ya kuzuia mmomonyoko wa udongo katika area hii yote ya Baringo.

La tatu, humu Kenya kuna wabunge kweli ndio, na tunaona wabunge wanalipwa na hii Central bank au wapi, na Council tunalipwa na nini? Na ikiwa namna hiyo, tunataka kama wabunge kwa sababu tunasikia wanapata mshahara kama milioni, pia Councillors wapate hata robo ya hiyo. Kwa sababu kazi zao ni sawa. Hata hao wako kazi kubwa zaidi, hawa ndio wako nyumbani kila siku, tunafanya harambee kila siku, kila wiki. Kwa hivyo hao ndio wako na kazi kubwa zaidi. Kwa hivyo Serikali yetu tukufu ni vizuri iangalie hawa.

La mwisho, Katiba yetu ni vizuri iandikwe kwa kila lugha, Kiingereza, Kiswahili, Tugen, Njemps, Pokot, Kiturkana ili kila mtu apate kuelewa Katiba. Kwa hivyo mimi ninasema asante.

Com Ahmed Hassan: Asante Councillor, enda sign kwa hiyo kitabu. John Ngairo.

John Ngairo: Jambo la kwanza nikuwashukuru nyinyi Commissioners kwa kuja hapa Marigat siku ya leo. Infact sitakuwa na mambo mengi kwa sababu ya saa na ninajua uchungu (?). Niko na swala tatu tu pekee yake ambayo nitaongea na nitaongea kwa kifupi sana.

Mbeleni mlisikia mambo ya community ya Njemps. Ningependa tu kusema kwamba jamii ya community ya Njemps ningeliza swali kwa sababu mlisikia kwamba community ya Njemps ni moja katika Baringo kabila tatu na wale wengine wote wako na representative. Sasa nilikuwa ninauliza kuna makosa community ya Njemps kuwa na representative wao? Wapate mwakilishi wao. Okay, kwa sababu ya hiyo na mambo mengi ambayo tunaona kwamba tukimpata mwakilishi wetu mambo mengi yatahudumiwa. Kwa hivyo ningepomba nyinyi commissioners kwamba tafadhali, tafadhali tunataka our representative.

Jambo la pili Locational Boundaries. Ningependa tu kusema ya kwamba locational boundaries ziwe respected. Ni kwa sababu gani ninasema namna hiyo. Kwa sababu ukikaa hapa sasa unasikia Baringo Central imekuwa sub-divided. Now, Njemps community tunasikia wametupwa mahali pengine na wengine wametupwa mahali kwingine. Ningependa kuomba kwamba kama hizi community tatu hapa Baringo, kama imefikia wakati wa ku-divide Baringo, wacha the ordinary community wawe wakija kuidhinisha boundary itafika wapi ili tuone kwamba haijapitisha au imepelekwa mahali ingine. Kwa hivyo tunaomba kwamba locational boundaries ziwe respected.

Jambo la mwisho, sitaki kupoteza wakati. Ningepomba Commission kwamba community ya Njemps tupewe constituency yetu, Tusije tukagawanywa. Tukipata au tusipopata mbunge, tusije tukagawanywa, tuwe pamoja. Kwa hivyo Mungu awabariki.

Com Ahmed Hassan: Asante sana. Charles Kamuren amerudi?

Response from the audience: Amerudi, hata John amerudi.

Com Ahmed Hassan: Nani mwingine amerudi?

Response from the audience: John Lenapane.

Com Ahmed Hassan i: John Lenapane? Okay.

Charles Kamuren: Let me start by thanking the Commissioners for coming.

(Interjection) **Com Ahmed Hassan:** Give us your names.

Charles Kamuren: I am called Charles Kamuren. I have come to give the views of the Njempis.

(inaudible) otherwise the Commissioners in the Constitution of Kenya Review Commission

(Inaudible) the Kenya National Union of Teachers Baringo is pleased to prepare the following memorandum before the Commission of Kenya Review Commission. I will not read everything because I will give you a copy but I will touch on the certain areas.

That the Constitution of Kenya should have a preamble that (?) and stating where we have come from to where we are going as the (?) projection of this country because the previous one was not giving our (?) properly. So this one should indicate clearly. Then again, the Constitution should have directives and guiding principles which will include national philosophies and guiding principles to guard the Constitution and (?) the management. That one is very important and (inaudible) Constitution.

Then about amendment of the Constitution of Kenya, it should be that before any change to the Constitution we should have 70% majority votes from the MPs in the house because some sections can take over and they can harm us. That is correction Chapter 43.

(Interjection) **Com Nancy Baraza:** What percentage?

Charles Kamuren: 70%. About citizens, you will check that one in the document. And this becomes an issue concerning the political parties (inaudible) but we are saying that political parties that should be in this country should only be three instead of having so many. That is why you see that the citizens are somehow confused and they cannot pick the right candidate over this. And these three political parties should be fully funded by the government. No need of borrowing money from other sources or coming up to the people. So they should be funded by the government like what happens in the USA and Britain.

Then we should adopt the federal system of government for better utilization of the available resources and power sharing. Parliament should have power to vet those occupying higher posts. You see under the present Constitution, the President was the one appointing Permanent secretaries, Ambassadors and even Commissioners. Even the heads of Parastatals were appointed by the President. So this new Constitution should empower Parliament to appoint and that is why we have corruption. So we are for the issue that parliament should be given the power to appoint even the Judiciary.

An independent body be constituted to (inaudible) the salaries and other benefits of MPs as well as elector's body and any other government worker. Sio mambo ya parliament peke yao kupitisha salary yao. Tuwe na committee au commissioners ambao wanaangalia mshahara wa MPs, independent na wana angalia mishahara ya Councillors na any independent body of government hata kama ile ya waalimu na wengine, wao wawe wanaangalia mambo ya mshahara. Ili mambo ya strikes humu Kenya ikwishe.

Again, parliament should have powers to move a vote of no confidence against the Executive, including the President elected by the people. So they should have that power. Another issue is pertaining to chapter 6 of the (?) the one of the (?) constitution. That the present structure of the Judiciary is inadequate but it should be given time to be a separate arm and that the appointment be vetted by commissioners. Sio mambo ya president kuchagua Chief Justice. We should have commissioners led by several lawyers. Anybody who has studied the law and is (?). They should form a Commission where they can elect somebody to be the Chief Justice and that is why we have corruption in the courts of Kenya.

I am going to Chapter 41, 42 and 43 of the Kenyan Constitution and in our view we are saying that the Council and parliamentary seats should not be discriminatory or they should consider the issue of gender. (?) the Electoral Commission so that they can consider like the disabled, wale hawajiwezi hali ya kina mama pia hao wagawiwe viti vyao so that they contest for that.

Another issue is about the Electoral Commission. We are saying that we should have elected people even the Chairman. Isikuwe mtu ambaye alichaguliwa (?) ama alichaguliwa na president. Commission ambayo inasimamia mambo ya uchaguzi irudi kwa raia, raia wachague chairman ambaye atasimamia mambo ya uchaguzi na atakuwa akichunga raia, hataweza kufuata sheria ya mtu. So that is what we are proposing and specifically if possible let it be a woman, because women sometimes can (?) hawataleta kufuatilia ile laini ingine.

In Section 19, the president be elected directly by the citizens and evaluated by the AG after (?) through elections. President awe akichaguliwa na watu direct. Na baada ya hiyo, baada ya miaka yake, yaani katikati ya miaka tano that is miaka mbili na nusu, wawe na court kwa parliament ya kuangalia kama watakuwa na confidence kwake. Wakiwa hawana confidence kwa huyo president ambaye alichaguliwa na wananchi, basi irudi kwa wananchi halafu achaguliwe mwingine ama ipewe na hiyo party mwingine achukue hayo mamlaka. Ili mtu akiharibu kazi, (?).

The Constitution should protect fully the basic rights, security, health care, water, education, shelter food and employment. Should be stated in the Constitution clearly outlined and how (?) ili kama (inaudible) tunalia sasa hii, tunaumia...right be

(Interjection) **Com Ahmed Hassan:** One minute to go.

Charles Kamuren: Tunalia saa hii tunaumia. Ijulikane dispensary inatakikana kwa Constitution iwe part of the law. Kama hospitali inatakikana kwa location iwe dispensary ama clinic. Kila location Kenya kuwe na clinic. Kama ni shule kila location iwe na shule. Kama ni secondary, secondary iwe kwa a certain allocated area ili wengine wasiachwe nyuma.

The (?) and Constitutional right be compulsory (?) at all levels. Haya mambo ya masomo iwe free kwa kila mtoto na iwe ni masomo ambayo yanatakikana. Na vile vile tuwe represented (?) katika Ministry of Education isikuwe watu walikosekana. Hao wapewe nafasi kama lawyers wafungue maofisi zao halafu shule ambayo wanataka exception waende wahongwe walipe pesawakuje wafanye inspection kuliko yule anasimamia mtu ambaye anaweza kuhongwa.

Then again we should also have (?) those ones ambao wako na uwezo wa kufungua mashule ya kibinafsi, wawe na uhuru na wa-form association yao ya kuangalia masilahi yao kuliko kuingiliwa na politicians wengine. Wawe na huru, independent body. Then lastly, the curriculum imposed should last at least ten years if need be and that it should be approved by parliament. Unaona what is happening kwa elimu ya sasa kwa Kenya? Unaona kesho mtu anaweza kuamka na aseme tumebadilisha syllabus na juzi watoto walikuwa wananunua vitabu, halafu wale wengine wanaanza kutengeneza vitabu tena na (?). So isiwe mambo ya kubadilisha syllabus saa yote, ikae na iwe approved by parliament ikibadilishwa na iwe na Commissioners ambao wanaangalia hayo maneno kabla hawajabadilisha.

Then, almost to the last point. On Section 42, that the Constitution should guarantee the (?) the right to man the (?) and human resources, because the natural resources (?) in collaboration with the government. You can see what is happening at the moment that the present Constitution...

(Interjection) **Com Ahmed Hassan:** Speak your last point, I understand that is the one.

Charles Kamuren: Okay, I was just giving an example. (?) hata kwa ng'ombe yuko nyumbani, (inaudible) na Serikali ama watu wengine na wale ambao wanaishi hapo wanaumia.

Com Nancy Baraza: Matiti au maziwa?

(Laughing from the audience)

Charles Kamuren: Maziwa, yaani kunyonya matiti. I am finishing just now I am summarizing. The Constitution should constitute an office or establish a Ministry of Constitution affairs. We should have that Ministry, a Ministry concerning the Constitution. This Ministry could be doing such a vital function. First it would be dealing with domesticating these international

laws like from the UN whatever that they are signing with other countries. Then they should come and (?) and then (?).

Then again we should check the Constitution for Child rights, Women's rights those of the disabled and others, issues of Civic Education should be (?). Then there is another important point here that we should be considered in this Constitutional review. Concerning customary, they should be checking zile issue (inaudible) kungekuwa na korti nyingine Marigat, na nyingine Mochgoi kwa sababu kuna (?) ambao wanaangalia hiyo (?) and they are protected. So tungekuwako na hiyo (Inaudible) and then the issues of Civic Education would be going on.

Ningemaliza kwamba the Constitution should guard and protect the community culture and indigenous languages. If possible it would not interfere with the individual fundamental rights. I think here that we should again (?) these indigenous languages, customary laws kwa sababu (?) haitaleta kuingiliana na mambo ya (inaudible) issues of FGM, issues of marriage, misuses. So we mean let us guard our customs otherwise they should (?) the outsider.

I have so many and (?) from a booklet of one hundred and eighty-three pages to your office there in the head quarters. So you will get it there.

Com Mohammed Swazuri: Thank you very much. In fact you have taken ten minutes plus but it is because you are acting for the teachers we are giving you more time. Now you said that you were not conducted Civic Education. You are from Kreggo.

Charles Kamuren: I am from Kreggo.

Com Ahmed Hassan: You were not conducted Civic Education here?

Charles Kamuren: We had conducted Civic Education but we difficulties.

Com Ahmed Hassan: Why?

Charles Kamuren: Infact I used to be here with the CKRC when we were supervising the Civic Education with the coordinator for (?) but according to the people it was a problem.

Com Ahmed Hassan: What was the problem?

Charles Kamuren: The major problem is to do with the administration. We had a problem in that during the first week we had to (inaudible) assistant chiefs, KANU chairmen all over through the letter from the D.O. (?)

with the CKRC coordinator. When we called them later on, I do not know what happened, the same D.O. warned the chiefs again and said do not allow Kreggo to provide Civic Education (inaudible). I met with the coordinator in Njemps because I had to sign the memorandum of understanding with the police. When I took it back to him, he said I am not the coordinator; in fact he had been suffering alone. He has got the problems in Marigat Division, specifically and that is why with him I have to know personally because you do not profile me because I am coming from this district, you are coming from these people. Otherwise they are having problems, they have not been told some of these things.

Com Ahmed Hassan: Okay, thank you. Just sign for us the register. John Lenapane.

John Lenapane: Thank you, honourable Commissioners. I think I will just say a few points and my first point I will talk about education. We want the new Constitution to consider people from the arid areas from these lowland areas where the pastoralists come from. It seems that education in Kenya nowadays is (?) sometimes back (?) government national schools. And they should have the quota system to take students from the arid areas where

(inaudible) we have very bright students who can score marks but they cannot go to places Starehe Boys Center, Mang'u High School, Alliance, Lenana and such other schools. Because these schools nowadays they are not (?) they way you are seeing, they are being commercialized they have those (?). If a student goes from this area surely he will fall out he cannot continue with education and here we are saying education for all. And if they go, we want bursary provided for those students because if they go (inaudible). If education in Kenya (inaudible) that thing should not go because we understand sometime back in places like Rhodesia and (?) and South Africa where there is discrimination (inaudible) there are schools for the rich and schools for the poor. (inaudible) my child cannot learn here.

Again, we have talked of equal opportunities like (inaudible) since Kenya got independence a long time ago. I think from that time up to now, we have seen that those people who (?) that so and so or such a person gets to be president (inaudible) we see that there is no equal distribution. We may find (inaudible) there is no balance. So we want that balance to be there. Because if (inaudible) from that area so we want that equal distribution of work balancing. (inaudible) should see that everybody has been catered for.

Again we are talking about trust lands (inaudible) in areas where they are. Those areas called trust lands, those who are living on trust lands which is not yours, you do not have a title deed. (inaudible) all the animals died and if somebody is there who got a dry land (inaudible) if we lose animals the government should stop because we do not have access to loans. (?) and again there we have said that

(inaudible) like the Njemps, they do not have nomadic schools and they are also nomads. The Pokot here do not have a nomadic school. And if you see the Njemps, they are few they can all go to one school. They should also have one. For example here in the trustlands, this is where animals are. For example, (inaudible) we have the

crocodiles and themselves they eat us and we starve and when we try to get that hippo you may be jailed for seven years or more. But when you try to compensate they tell you Ksh 30,000. what is Ksh. 30,000? That is one one bull! And a life has been lost. so we want that (?)

I come from the constituency where the president is an MP. I am telling this Constitution that the president occupies a high office, and I want that the president should not be an MP. I say so because I have reasons (inaudible). This is an area of the president and he comes with a lot of security that is why we have to (?) the president should (inaudible) For example if (?) and a person who try to challenge the president wins, why (inaudible) he has already been taken an MP down here (inaudible) we shall have a weak president. Who sometimes has no (?) He can be challenged and he loses that seat! So many MPs here who are ministers now and somebody comes and takes over, that seat because (inaudible).

(Interjection) **Com Ahmed Hassan:** We understand, tumekufahamu, endelea kwa point nyingine.

John Lenapane: Then again, there is this thing called presidential decrees. I think presidential decrees... a president himself is an individual and if he gives a directive, sometimes that directive gets to confuse us. Especially in the Ministry of Education. Now the Ministry of Education (?) whereby the policy of government (?) And then they would say we want no fees to be paid (inaudible)

Then again about the creation of divisions, districts, locations, (inaudible) only those divisions that were created a long time ago by colonialists are the only ones that are respected because all other departments (?) and even when a division is created, there is no office for the D.O, there is no (?) so how can they have a division with no offices (inaudible). Like now creation of locations and then later on they say we merge them. Already you have divided those people because you have told people a name for that and then you merge them! How do you think the (inaudible) so you already are dividing us in an indirect way. If there is no money there should be no creation of those things.

To my last point, this is on security. Because we are saying security in Kenya, the government is devoted to seeing that we are all set, we are peaceful as we are Kenyans. We are saying now, the things (inaudible) and we are seeing those things come in now and the present Constitution should not allow them. An organized group of one hundred or two hundred people attacking others (inaudible) if those people will be compensated or they will go like that. So we want (?) that any organized tribe which organizes a group to go and kill others, something should be done to them.

Com Ahmed Hassan: Okay asante, thank you. Councillor Joel Ole saya.

Clr Joel Olesaya: Mimi ni Councillor Joel Olesaya, ninawakilisha community ya Njemps. Mimi ninaona nyinyi hamjui zaidi maana yake Njemps. Kwa hivyo tuwe na utamaduni wetu. Lakini katika district hii, tuko na kabila tatu, Tugen, Njemps na Pokot. Na tunajua tukiwa hapa, (inaudible) ndio inaendelea mpaka leo. Na leo Serikali ya Kenya imetuma Tume yanu ichunguze (inaudible) lakini unakuta sisi kama tuko hapa Baringo na sisi ni community nyingine na leo tunakuja kulalamika hapa na pale. Na hiyo tunataka nyinyi mchunguze kwa makini na mchukue (?) kwa makini sana.

Kwanza mimi ninajua kamati yenu ya Katiba na Electoral Commission ni kama mko jirani. Hii record ambayo mnachukua hapa ile inahusu constituency mnapelekea Electoral Commission ili watengeneze hayo maoni. Lakini jambo ambalo mimi ninasema tu hapa kwa sababu (?) ni kuelimisha Electoral Commission. Maneno ya kwanza, tunasikia Baringo Central imegawanywa tayari. Baringo Central imegawanywa ikawa constituency mbili. Na ikiwa hiyo imefanyika, tungependekeza Baringo igawiwe community ya Njemps, ingine kwa upande wa South na ingine kwa upande wa East. Hiyo mimi ninasema kama ingefanyika hivyo (inaudible). Kwa sababu sisi hatutaki kugawanywa hata mtu mmoja, sasa au siku zijazo. Hatupendi kugawanywa.

Jambo la kwanza, mjue kama ni mambo ambayo (inaudible) mpaka wakati ambapo tunakuja kupata repoti ya Katiba na mmetengeneza namna gani.

Neno lingine, ni mambo ya Trust lands zimeumiza sana wakulima au wafugaji wa nchi kavu. Hizo trustlands, (inaudible) Kupiga piga kelele, unaenda kwa D.O. na wapi, hakuna msingi sana kwa sababu (inaudible) na wale watu ambao wanaishi Mosop wamegawanya nchi yao zamani na (?) anakuja mpaka mahali kuna jua kali ambapo kuna grasslands, wanakuja kuhamia hapo. Hiyo ndio sheria mimi ninasema ibadilishwe, iwe sheria ina tungwa na wenyewe inakuwa sheria. Mtu akikiuka, inakuwa ni police case na hayo ndio mamlaka tunataka ipewe wananchi. Au mchukue kama maoni ya mwananchi kwa kamati yenu na kusema wananchi wengi wame-accept na ninashukuru nyinyi kwa sababu mmekuja mashinani, kukutana na raia. Iko watu wengine hapa (inaudible). Kwa hivyo unachukua maneno sahihi na kupeleka kwa Tume na kamati yenu, chairman akaangalia hayo mambo yote. Hiyo trustlands msiuze kamwe.

Mambo ya constituency. Sasa Il-chamus kwa muda mrefu sasa tumekaa chini ya uwakilishi wa Baringo Central ambaye alikuwa hapa akaenda. Tunashukuru sana na tunampenda sana. Hata akipumzika, anapumzika na sisi tunakuwa (inaudible) Lakini baada ya hiyo taabu, hakuna mtu mwingine ambaye anaweza kuja kutuanguka sisi, kwa sababu ya (?). Kama saa hii, inakuwa sheria watu kuwakilisha (inaudible) Mzee akistaafu, Il-chamus tupewe constituency hapo, hapo, hakuna haja tena kungojea. Hapo, hapo.

(Interjection) **Com Ahmed Hassan:** Hiyo point tumefahamu, enda kwa nyingine sasa.

Clr Joel Olesaya: Hiyo nyingine, Il-chamus iko namba arubaini na mbili halafu aende ndani ya Maasai na Samburu na hiyo ndio tunasema sisi tutapata njia ya kutimiza mahitaji yetu. Il-chamus wako number arubaini na mbili Kenya na tuko haki kupata nafasi. La mwisho, wajumbe wa Kenya, (?) pengine ndani yao hakuna (inaudible) asanteni sana.

Com Ahmed Hassan: Gideon Bartileo. Councillor, enda sign kwa kile kitabu kabla hujakaa.

Gideon Bartileo: Asante sana kwa ajili mmekuja hapa asubuhi ya leo...

(Interjection) **Com Mohammed Swazuri:** Unaitwaje?

Gideon Bartileo: Mimi ni Gideon Bartileo. Mimi ninawashukuru nyinyi sana. Mimi sina maneno mengi kwa sababu wale wamenitangulia wameongea zaidi, na mimi nitapatia juu juu. La kwanza kama vile wenzangu wamesema tuko na shida nyingi hapa (?) kwa jumla. Hatuna hospitali kubwa, kila siku (?) na sisi hatuna sub-hospital. Kama mtu anazidiwa ugonjwa sana anakimbilia (?). Na sisi tunataka hapa Marigat kuwe na hospitali kubwa na kama watu wa Kenya na (?).

La pili hata maji ni shida, hatuna maji. Kila mara tunashikwa na typhoid kwa sababu tunakunywa maji ya mvua au maji yanayotoka kwa milima (inaudible). La tatu, hatuna mashamba. Watu wengine wako na mashamba pahali pengine wanakuja hapa Mochongoi. Na wengine wako na mashamba upande wa (?) pande za Nakuru na hata pande za (?) wako na mashamba pande hizo na tena wanataka mashamba upande wa Mochongoi.

La nne ni uwakilishi. Mwaka wa hamsini na tano (1955) wazee wa Pokot, wa Njemps na wa Tugen walimchagua rais kama mwakilishi, kutoka wakati huo mpaka sasa. Hakuna siku hata moja tulisema tunamkataa huyu mzee. Hata saa hii (inaudible) tunasema tunataka mwakilishi au mbunge wetu kwa sababu mbunge anaenda kustaafu na wengine wanasema Wanjemps wanampinga mzee. Na sisi hatujasema hivyo. Tunasema mzee anaenda kupumzika na ni lazima tumchague mtu wetu, kama Wakenya wengine. Kwa sababu tumechunguza, iko pahali pengine wapiga kura wako kama elfu tano na wako na mbunge wao. Tumefanya uchunguzi na sisi tuko zaidi ya hiyo na ni kwa nini sisi hatujapata mbunge wetu au mwakilishi wetu? Kwa hivyo hiyo ndio shida yetu. Tuko na shida kubwa...

(Interjection) **Com Ahmed Hassan:** Muko wangapi?

Gideon Bartileo: Tuko zaidi ya elfu kumi au kumi na tano ama hata zaidi ya hiyo. Ukitaka rough estimate ni kama elfu kumi na tano na wengine unapata wako watu elfu tano na wako na mbunge. Pande za Western na hata Eastern. Kwa hivyo mimi ninawaomba nyinyi mpeleke hayo maneno yetu mpaka kwa mzee. Kwa sababu in 1960, mwakilishi wa Wasamburu,

Wamaasai na mzee walikuja mpaka hapa Njemps

(?) Samburu watawachukua nyinyi, wawasimamie nyinyi kama

mbunge. Mtu wa Maasai anakuja anasema mimi, Moi anasema mimi niko hapa. Wanjemps wanaamua siku hiyo tunasema hakuna mtu mwingine tutakaa na yeye, ni Moi. 1960, mimi siku hiyo nilikuwa na miaka kumi na saba, walikuja hapa kwetu

(?) Location

(inaudible). Hatuwezi enda kwa Wasamburu au Wamaasai na tunaongea lugha moja.

Baba Moi anashikilia sisi mpaka saa hii, na hakuna siku hata moja alisema sisi sio watu wake, hakuna

(inaudible) ukitaka kumwona, mzee yuko na kazi mingi na tena

(?) anaenda nje, anaenda wapi, lakini siku

moja, jumapili au

(?).

Com Ahmed Hassan: Haya asante. Maria Lekisebon.

Maria Lekisebon: Asante sana, kwa majina ninaitwa Maria Lekisebon, kutoka hapa Marigat. Ninachukua nafasi hii kuwashukuru nyinyi Commissioners kwa kututembelea hapa kwetu, constituency yetu ya Baringo. Na ninachukua nafasi hii kwa ufupi. Mimi ninafanya kazi, mimi ni mwenyekiti wa SODINET, Baringo Central. Na pia ninashugulikia mambo ya Civic Education.

(Interjection) **Com Ahmed Hassan:** Nini maana ya SODINET?

Maria Lekisebon: Social Development Network. Kwa machache nimeandika lakini wacha nirudie kidogo. Nitaongea juu ya nguvu ya Constitution, supremacy of the Constitution. The people of Kenya should be involved through a referendum on amendment of the Constitution. Lazima watu wahusishwe kwa marekebisho ya Katiba sio ipewe bunge au wengine (?) huko mbele na kurekebisha Katiba yetu bila kuhusisha raia wenyewe.

Lingine, wale ambao wanatakikana warekebishe sheria mahali popote ni raia wenyewe wahusishwe. Juu ya citizenship. Tunapendekeza kuwa mtu wa Kenya ama yule anayeweza kujiita mwananchi wa Kenya ni mtu yule ambaye anazaliwa nchini Kenya na pia amekaa kwa miaka zaidi ya kumi. Lazima awe na kitambulisho na birth certificate. Haki ya wananchi wa Kenya, lazima awe mrithi wa ardhi, anunue shamba mahali popote Kenya na pia hata plots akihitaji anaweza kupewa kwa sababu ni haki yake akiwa mwananchi wa Kenya.

Lingine, lazima mwananchi wa Kenya apewe heshima yake, akiwa mtoto mdogo ama mkubwa, lazima awe na heshima. Mwananchi wa Kenya lazima awe na security ya kutosha. Ikiwa wewe ni mdogo au ni wa kabila yoyote, tungenda security ya Kenya ienee kwa kila mtu ama kwa kila community ambayo inaishi Kenya.

Ni haki pia ya wananchi wa Kenya, wawe na uhuru wa kujieleza, expression. Mwanakenya awe pia na uhuru ya kuabudu Mungu wake, kwa njia ile anaweza kumfikia Mungu. Lazima pia awe na uhuru wa kutembea mahali popote Kenya, kama mtu wa Kenya. Lazima awe na uhuru wa kujumuika na Wakenya wenzake, na kujadili mambo kuhusu nchi yake ya Kenya.

Lazima pia awe na uhuru wa kuchagua kiongozi wake mahali popote ambapo anahitaji kuchagua. Napendekeza pia awe na uhuru wa uongozi, akitaka kugombea kiti chochote, lazima awe na uhuru. Mwananchi wa Kenya lazima iwe ni jukumu lake kuipenda nchi yake na pia kulinda nchi yake. Lingine ni lazima ajitokeze na (?) ya Kenya kupitia haki na amani na umoja.

National Security and Defence: President should be the custodian of our national security. Lazima kiongozi wa taifa awe yeye ndiye mlinzi mkuu wa Kenya. The disciplined forces and department, the police intelligence, prisons, the military, para-military etc be appointed by the Constitution. The president should be the Commander-In-Chief of the Armed Forces.

The Executive should have exclusive powers to declare war. Parliament should have the role of declaring the emergency powers.

Political parties: The Republic of Kenya should be a multi-party state. Lazima Jamhuri yetu ya Kenya tuwe na vyama vingi, sio chama moja ili kila mmoja akihitaji kusaidiwa kwa chama kingine awe na uhuru. The political parties should play a role in building the Nation, rather than political mobilization. Lazima wale ambao wanashughulika na mambo ya siasa lazima wawe na lengo la kujenga nchi sio tu kuongea juu ya chama chao.

The Constituency to be declared in the (inaudible) and manage the conduct of political parties. We are saying the number of the political parties should be ten within the nation. Political parties should have the liberty to seek and receive (inaudible)

(Interjection) **Com Ahmed Hassan:** Maria, do not read it word for word, just try and summarize the main points please.

Maria Lekisebon: Naongea juu ya Structure of the government: Lazima tuwe na military system.

(Interjection) **Com Ahmed Hassan:** Military?

Com Mohammed Swazuri: Military or unitary?

Maria Lekisebon: Unitary system.

Com Ahmed Hassan: Unitary eh? Not military?

Com Mohammed Swazuri: Military ni ile ya majeshi...

Com Nancy Baraza: Kama ile ya Amin.

(Laughing from the audience)

Maria Lekisebon: Unitary.

Com Ahmed Hassan: Okay, sawa.

Maria Lekisebon: Legislative...

(Interjection) **Com Ahmed Hassan:** Please try and summarize your time is up.

Maria Lekisebon: Wacha niende kwa MPs. Lazima tuwe na MPs ambao wanamwogopa Mungu na lazima pia wawe ni watu ambao wamesoma, wanaelewa Kiingereza na Kiswahili. Watu wawe na haki ya kuwaita viongozi wa MPs wao kwa eneo yao.

(Interjection) **Com Ahmed Hassan:** Okay, thank you.

Maria Lekisebon: (inaudible)

Com Ahmed Hassan: Your last point.

Maria Lekisebon: Lazima election process iwe secret ballot. Human Rights, watu watambulishwe haki zao. I thank you very much, may God bless you.

Com Ahmed Hassan: Thank you. Now, I want to ask you something. Do you want us to take a break for an hour or we continue?

Response from the audience: No.

Com Ahmed Hassan: Okay. Then can we try and keep quiet because you can see (?). Those people who are outside, can you keep quiet or go away. Okay, Fredrick Ilen.

Fredrick Ilen: Asante sana. Kwa majina ninaitwa Fredrick Ilen, from the Catholic Justice and Peace Commission, Marigat

Parish. Kwa maoni yangu nimeonelea kuwe na maadili yafuatayo ama points zifuatazo.

Justice, peace, love and unity iongoze Kenyans. Basic rights. Families need protection by the State. Right to education. Supremacy of the Constitution. (inaudible) by the Constitutional Commission

(inaudible).Citizenship, those who qualify to be the citizens of Kenya are those who have both parents are Kenyans. Kenyan citizenship also should be acquired through application and naturalization. No dual-citizenship.

National Security and Defence. The security (inaudible). Political parties, Kenya is a multi-party State and should have a maximum of three political parties and should be financed by the State. (inaudible) coalition government (inaudible)

Structures and systems of government: The Constitution should retain the presidential system of government with clear separation of powers. The legislature, anyone aspiring to be a parliamentary candidate should be a graduate or above 21 years and morally upright. An independent body set up constitutionally should be (inaudible). Parliament should have its own calendar.

A vote of no confidence to the president should be retained. The Executive; the (?) of parliament, (inaudible). A presidential candidate who is between 35 – 75 years, married with good leadership skills. The president should not be a Member of Parliament.

Judiciary; other bodies that should deal with distribution of powers should include the council of elders (inaudible) should be appointed by parliament. Constitution (?) officers should be elected and their tenures should be ten years and above. Creation of Constitutional courts.

Local Government; We need to have (inaudible) from the locational to the village level. Councillors minimum education qualification should be Form IV. Moral and ethical qualifications for Councillors should be there. (inaudible) for Councillors.

Electoral System and Process: A percentage of 51% for winners in elections is essential. Election dates should be set out in the Constitution. Fundamental rights; guarantee free education from Primary to university. All (Inaudible) to be guaranteed with the same views.

The rights of the vulnerable and minority groups; Right to education and employment for those with disabilities. (Inaudible) Land and property; the local community should acquire land for purposes benefiting the community (inaudible) The Lands Act to be controlled by the government. The (inaudible) Men and

women should have access to land (inaudible). Kenyans should have the right to own land anywhere in the country. The Constitution should guarantee access to land for every Kenyan.

Cultural ethnic diversity: The Constitution should recognize two languages; Kiswahili and English. The Constitution to provide protection from discriminatory (?) of culture. Develop a Constitutional curriculum for schools.

Environment and natural resources: Local authorities to have powers to enforce laws (?). Natural laws and community (?). People should be involved in the national budget process. Participatory governance. The constitutional community oversees the civil society (inaudible).

(Interjection) **Com Ahmed Hassan**: Last point.

Fredrick Ilen: International relations: (inaudible) be the legislatures responsibility. Like signing international treaties and appointment of Ambassadors and High Commissioners. Constitutional Commission (inaudible). We should have an office of the Ombudsman. (inaudible)

(inaudible) Human rights Commission and (inaudible).

Succession and transfer of powers. President assumes office immediately after elections. Presidential results to be declared through the media. Handing over power should be done ceremoniously. The Constitution to provide for the president in terms of security and welfare. Thank you.

Com Ahmed Hassan: Thank you. Please do not again read these memorandums. Sijui niseme sasa kwa Ilchamus ama namna gani.

Response from the audience: Sema kwa Njemps.

Com Ahmed Hassan: Niseme kwa Njemps tena. Sign there, kwa register. Because if you read it word for word the way you are doing now, what goes into the tape and what you have written is the same thing. So it is really going to take a lot of time. Ukisoma neno kwa neno, ile kitu umesoma neno kwa neno kwa mdomo inaingia kwa tape na ile umesoma ni sawa. Kwa hivyo, afadhali mngejaribu tu kuharakisha, u-highlight, upatie wale wengine ambao hawana maandishi waongeze. Samuel Chepkuto. You also have a written document eh? I hope you will not want to read it again.

Com Mohammed Swazuri: Read the recommendations, education we want this, land we want this... Do not read the entire document.

Com Ahmed Hassan: Kile kitu unafanya ni kuwa unaenda kwa mapendekezo, kile kitu unataka.

Samuel Chepkuto: My name is Samuel Chepkuto, ninasoma yangu kama raia, mkaazi wa Marigat. Pendekezo langu la kwanza ni kuhusu preamble. Preamble should (?) the kind of political and ethical party that mwananchi should support.

La pili ninasema Constitution lazima iandikwe kwa lugha ambayo ni rahisi sana kwa mwananchi kuelewa. Katiba iandikwe kwa lugha ya Kiswahili na Kiingereza. Pia ninapendekeza kuwa hii Katiba ifunzwe kwa mashule na pia ipeanwe au itambazwe through the print and electronic media, na iwe ni document ambayo ina (?). Pia African traditions and customs ziwekwe, yaani zipatiwe equal recognition kwa Constitution.

Kwa mambo ya information: Licensing of broadcasting stations ifanywe ili wananchi wapate habari za local, national na international. Pia wananchi lazima wajulishwe ama wafunzwe zaidi juu ya (?) national and international blocks kama vile East Africa community, Comesa, IGAD, NEPAD na zingine ili wananchi wajue jinsi hizi bodies... the impact such bodies have on the social political and economic development of the citizens.

Napendekeza pia kwamba the new Constitution ipeane provision for registration of political parties ambazo ziko na wanachama million moja na kuendelea. Political parties pia ziwe funded from the consolidated fund. Pia, Katiba ipeane ruhusa ya independent candidates waweze kusimama.

Katika bunge, kuwe na two chambers, where there is an Upper and the Lower House. The Upper House to consist of elected members na ile ya chini iwe na provincial and special interest representatives kama wa vijana, wasiojiweza, women na minority. Bunge iwe na unlimited power ambayo inaweza kujiendeleza. Mambo ya nomination of MPs ikuwe abolished. Business ya bunge iwe kama vile iko kwa Katiba yetu ya sasa. Iendelea kwa lugha ya Kiswahili na Kiingereza na pia, Bill ama Acts za Parliament lazima ziandikwe kwa Kiswahili na Kiingereza kwa sababu wakati huu ni kwa Kiingereza pekee yake.

Local government and Central government iwe delinked. Na Mayors and Chairmen wa County Council lazima wapigiwe kura na wananchi. (?) Councillors wawe Form IV na walipwe kutoka kwa consolidated funds. Nomination of Councillors, hiyo itupiliwe.

Nina-propose pia tuendelea president representative kwa electoral system. Winning in an election should be those who acquire above 51% of the votes cast. Mahali kuna Section 5, (b) ya Constitution ya sasa ambayo rule ya 25% iwe abolished. Na uchaguzi wa urais uwe tofauti na wa ubunge na Diwani.

Calendar ya elections iwe fixed mahali watu wanaelewa ili kila mtu awe anajua ni siku gani tunapiga kura. The registration of

voters iendelee na Civic Education pia iendelee. Electoral Commission iwe ni Tume ambayo inajisimamia, iwe na Commissioners, wasiwe zaidi ya kumi na tano. Pia wawe na jukumu la kusimamia uchaguzi wa haki, tunaita democratic, free, fair and informed elections.

Mambo ya uchumi, ninasema kwamba Constitution lazima ipeane provision ambayo tuweze ku-fight mambo ya corruption kwa sababu kwa wakati huu hali yetu ya kiuchumi sio nzuri, na nchi yetu iko na madeni mengi mpaka hata wakati huu wanasema kwamba Wakenya...Kenyan at the moment are giving birth to children who are already indebted. Taxation without representation should not be allowed. Tunasema pia kwamba viongozi waseme mali yao, they should declare their wealth.

Nina-propose pia kwamba Constitution to guarantee health, education, food na shelter kama basic rights na ziwe zimeshapatikana na Wakenya wote nchini. Provision na mobilization of resources. Kwa mambo ya ardhi ninapendekeza kuwa Constitution pia itunge limits za mtu anawezakuwa na ardhi kiasi gani. I propose one thousand acres, asipitishie one thousand acres, asipitishie one thousand acres..

(Interjection) **Com Ahmed Hassan:** One minute more.

Samuel Chepkuto: Pia, ardhi ambayo haitumiki lazima iwe subjected under taxation. Kwa Constitution ya wakati huu, the public participation in all public services through committees and boards iwe constituted to promote quality control (inaudible). Public appointments iwe vetted by parliament na public universities wawe na chancellors wao. Kwa Constitution hii mpya iweke provision ya (?) assistants ambao hawawekwi kwa board. Mambo ya paralegalism iendelzwe ili isaidie watu kujua mambo ya haki zao. Kwa hivyo, nitaachia hapo.

Com Ahmed Hassan: Thank you. Charles Naboi? Hayuko. Peter Ole Markoko.

Peter Ole Markoko: Asante sana Commissioners. Tunaona ni vizuri sana kwenu nyinyi kututembelea kama constituency ya Marigat ili tutoe maoni yetu kama wananchi wa Kenya wengine. Jambo la kwanza ni mambo yanayohusu wale minority wa Kenya. Ningeomba hii view iangaliwe hawa kwa njia tofauti na community. Mimi ninasema hivyo kwa sababu utakuta mara kwa mara hao wanalalamika kwamba hakuna (?) na ninauliza ya kwamba (inaudible) iende kwa hawa ili wapate representative wao.

Mmesikia malalamiko makubwa kutoka Ilchamus community. Ninaamini ya kwamba nomination haihusu population ya mtu yeyote na hakuna category yoyote ambayo inaangaliwa. Inakuwa ni interest ya wale political parties...(end of tape) Njempis community kwa wakati huu sio minority kama ilivyo kuwa hapo 1963 au 1965. Wakati huu Njempis community sio minority tena na ningesema ya kwamba maoni yangu, kwa hii nafasi ambayo ninasikia inaongezwa wabunge tisini kwa Jamhuri ya Kenya, community ya Njempis iwe kati ya parliamentary... one of the groups ambayo watapatiwa nafasi hiyo. Nikisema hivyo

ninashukuru uongozi wake mtukufu Rais ambaye ametulinda na tumekuwa naye. Yeye mwenyewe anasema kama angeendelea, tungeendelea na yeye. Lakini kwa sababu imefikia wakati wake wa kustaafu hakuna wakati mwingine ambao tutasema sisi ni minority tena. Jina minority limetoka katika community ya Njemps, tuko sawa na tunaweza kujipatia mbunge kama wengine. Na ikiwa kama Mtukufu Rais ataendelea, na mkishindwa kutengeneza kazi yenu ya kutengeneza sheria, basi, tutaendelea, tutakuwa hivyo. Naamini ya kwamba hamtashindwa.

Jambo lingine ningenda kwa mambo ya local Authorities. Local authorities kwa wakati huu waangalie mambo ya kuunganisha malocations zingine na zingine ambalo ni jambo ngumu sana ambalo limeleta (inaudible) kwa Kenya. So,

(?) 1992 wakati tulianza mambo ya political system. Wakati Section 2A ilipoondolewa na tukakuta ya kwamba tuwe na political parties nyingi humu Kenya. Jambo lingine limetokea kama hilo

(inaudible) ambayo watu wameshindwa kwa sababu ni jambo mpya kwao. Hali kadhalika mambo ya kuunganisha

(?) wengine ni jambo mpya ambayo italeta msukosuko sio tofauti na ile chama mbili.

About administration na mahali kwingine, uongozi wa nyumba ingine haitakuwa uongozi wa nyumba yako. Ningesema pesa ile inalipwa Councillors ni kidogo kabisa, ninafikiri ni kama Kshs 7,500. Na ningesema Central government ichukue huo mzigo wa kuwalipa Councillors kama vile wamechukua wabunge. Ninaweza kutoa mfano kama wa Baringo Town council, pesa anazolipwa mbunge mmoja zinaweza kuwalipa hawa wote it is very sad na ni jambo ambalo linaletea Kenya umaskini. Kwa sababu kama Kenya tutakaa hakuna mtu anajiongezea mshahara vile anataka, basi wananchi watagawanya itakwisha. Tutafanya kazi, tuta-sweat tukitafutia watu salary.

Kwa sababu salary ya MPs na ya Councillors inatoka kwa Rais, hakuna mahali hawa wanaweza kutoa hizo pesa, wanatoa kwa wananchi. Kwa hivyo Councillor na MP ni sawa, hao wote wako kwa political system. Kwa hivyo hilo ndio ombi langu kwamba, hilo jambo la Councillors kutengwa kulipwa na revenue ya Council na marupurupu ambayo watarokota ni kweli na hiyo ibadilishwe na hao walipwe kwa sababu sasa salary yao ni kidogo. Kwa district kama hii, pesa zile MP mmoja analipwa zinatoshwa kulipa Council. Kwa hivyo wasinyang'anywe juhudi kama (Inaudible) Kenya mzima. Mtu yule ambaye hatuwezi kusema salary yake ipunguzwe ni President kwa sababu anawakilisha the whole country.

Jambo lingine ni mambo ya hospital. Mambo ya hospitali katika Jamhuri ya Kenya ninafikiri tungesaidiwa wananchi tupate matibabu ya bure. Kwa sababu mambo haya yakulipishwa hospitali tunataka iwe in private hospitals Kenya nzima. Tunataka wale doctors ambao wanasimamia hospitali za Serikali ambao wametengeneza hospitali zao ili kutulipisha wananchi, tukienda huko tunaambiwa hakuna dawa, hakuna shindano nenda ununue! (inaudible) unaenda kununua kwa duka yake.

Kwa hivyo (inaudible) ni janga ambayo imekumba wananchi wa Kenya na mimi ninafikiria ya kwamba kama daktari ni wa Serikali, basi afanye kazi ya Serikali, kama daktari ni wa private basi afanye kazi yake ya private. Utaona hawa wananchi wakipona na mambo ya kuwalipisha wananchi ile inaitwa 10% (inaudible) iondolewe kabisa.

Mambo ya education, ningeomba sana nursery school teachers walipwe na Serikali kama vile wanalipa waalimu wengine kwa sababu tunaweza kusema kwa Location moja labda itakuwa na waalimu wawili pekee yake na hiyo haitashinda Serikali. Kwa hivyo mambo ya masomo tunaomba kwamba secondary schools katika Jamhuri ya Kenya fees yao iwe ni sawa kwa sababu unakuta secondary kama ya Kabarak fees yake ni more than Kshs. 25,000 per term na bado huyo mtoto anatakiwa afanye mtihani ule mtoto analipa Kshs 2,5 000. At the end watafanya mtihani mmoja na (?) wa hapa na anatakiwa afanye

(?) Ni nini inafanya gharama iwe kubwa ya ile shule nyingine kuliko hii nyingine? Ama ni chakula gani ile mtoto anatakikana akule na huyu mwingine hakuli?

Tunaona ya kwamba hapo kuna ubepari kidogo, kuna umaskini ambao (?) Kenya wawe special labda kuliko wakubwa na ndio ninauliza wananchi. Na sisi tunaongea mambo ya economy na hatuwezi kurudisha tena mkoloni mwingine ambaye atatunyanyasa sisi wananchi wa Kenya. Tunaomba mambo ya elimu yawe ni sawa kwa Wakenya kama vile (?) iko sawa.

Kwa nini university na university nyingine ziko sawa? Malipo yao yote ni sawa unless kama unaenda nje. Labda ukienda kusomea Masters, ndio itakuwa tofauti kulingana na masomo yako. Kwa nini secondary iwe tofauti? Hiyo ningeomba ya kwamba from the Ministry of Education tuwe na sheria ya kwamba mambo ya masomo yawe sawa kwa wananchi wote wa Kenya.

(Interjection) **Com Ahmed Hassan:** Tafadhali jaribu kuharakisha.

Peter Ole Markoko: Pia mambo ya catchment areas nchini Kenya. Tunaomba kuwe na law ya kulinda misitu na ilinde sehemu za (?) katika Jamhuri ya Kenya kwa sababu zile vitu ambazo zinaleta mambo ya janga ni kufyeka misitu. Na tunaona kama Ministry of Environment ama Wizara ya Misitu wamegeuka kuwa majambazi. Hao wameingia katika biashara ya kuuza miti. Kwa hivyo kuwe na usimamizi, ninasema kwa maoni yangu ya kwamba usimamizi wa misitu irudi kwa wananchi. Wananchi wenyewe walinde misitu yao kulingana na area yao. Sasa kama tutakuwa na officer wa Serikali lakini wananchi watengeneze kamati ambayo inasimamia kwa sababu misitu imeisha Kenya, na ikiisha mito itakauka.

Nikichukua mfano kama wa Lake Baringo hapa, inlets zake zimefungwa, iko inlets za kuingia Lake Baringo. Na Lake Baringo itasimama kwa njia gani kama inlets zake zimefungwa? Ningesema Serikali itumie system ingine ya kutafuta maji kuliko kungojea yale maji ambayo inateremka kwa dyke kufunga ili watumie kwa maendeleo nyingine. Watafute system nyingine, kama ni kuchimba borehole, wachimbe, kama ni kutengeneza dams wafanye hivyo. Lakini waachilie maji yaende kwa dykes na hiyo ifanyike kwa Kenya mzima, sisemi Lake Baringo pekee yake. Ni Kenya kwa jumla kwa sababu tukiibiwa hiyo mito basi hizo lakes zitakauka.

(Interjection) **Com Ahmed Hassan:** La mwisho.

Peter Ole Markoko: La mwisho, ni mambo ya employment. Employment kwa district popote katika Jamhuri ya Kenya iwe sawa. Kusiwe kuna watu wengine wanaajiriwa kwa njia ingine zaidi na wengine wanaajiriwa kwa njia ingine tofauti. Ninasema hivyo kwa sababu ukija kama hapa sasa, kama mimi ni lieutenant colonel kwa Army ninapatiwa nafasi yangu ya watu tano nafanya hiyo Ministry iandike watu wengine zaidi ya tano. Na kama ile committee hawana mtu kama huyo wataandika nani? Na watapata hiyo usaidizi (?) kutoka kwa nani? Iwe ni kuandikwa watu wa recruiting officers wawe ni watu ambao ni citizens, watu ambao wanapenda Wakenya, waandike watu. Kama ni watu kumi (?) itafanyiwa ya watu kumi na iwe ni kumi. (?) inatakiwa kama itafanywa huku watu wajulishwe iwe kama ni hii ni hii. Lakini kwa kila mtu. Yangu ni hayo tu, yangu yatafikia hapo.

Com Ahmed Hassan: Asante Bwana Ole Markoko. Dominic Ole Kateya. Jaribu kuzingatia wakati tafadhali.

Dominic Ole Kateya: Jina langu ni Dominic Ole Kateya. Ningependa kutoa maoni yangu juu ya ubadilishaji wa Katiba. Kwanza ningependelea kuwa uchaguzi uendeleo na Katiba ya sasa. La pili, nguvu za Rais zipunguzwe. Ya kwamba rais asiwe anawachagua ma-directors, ma-PS ama Ambassadors, wawe wanachaguliwa na independent commission.

Pia Provincial Administration itenganishwe na Ofisi ya Rais. Tunaona ya kwamba hawa provincial administration wanakuwa corrupt na wameumiza demokrasia Kenya. Hasa katika pande hii ya Baringo, tunaona ya kwamba hakuna demokrasia kwa sababu (?). Hao watu wa provincial administration ni corrupt ndio wana-practice nepotism wanavunja haki za binadamu, na pia wanaendeleza siasa ya chama kimoja cha KANU.

Kwa mfano, hivi majuzi nimesikia habari kwamba D.O. wa hapa anaeleza watu wasikubali watu wa chama cha Nyachae, wasiingie katika sehemu hii. Hii hi kumaanisha ya kwamba, hawa provincial administration wana-practice partisan politics, na hao ni wafanyikazi wa Serikali.

Pia ma-chiefs pamoja na Councillors wawe ni watu ambao wameelimika, wamefika Form IV. Machiefs pia wawe wanachaguliwa na wananchi. Pia na commissioners kwa sababu Civic Education ilikuwa imeendelea kidogo katika sehemu hii, kwa sababu imeendelezwa na governmental organization, lakini provincial administration walivunja hiyo. Waliwafukuza watu, ndiposa tusipate kujua mambo ya Katiba.

Rais akikosa yaani akifanya makosa akiwa kwa ofisi ashtakiwa. Na baada ya kumaliza kazi yake kama hakukosa apelekwe. Kama amevunja haki za binadamu apelekwe katika International Tribunal Court huko Hague mahali President Milosovich alipelekwa.

(Laughing from the audience)

Kuna watu katika nchi hii ambao wamepoteza maisha yao (?) na ni vibaya sana. Rais awe mtu ambaye amesoma, amefika University na amesoma Ukuu wa Nchi. Rais pia, katika (?) asiongee juu ya vyama, aongee juu ya uchumi. Pia Rais awe na bibi yake, watembe pamoja katika sherehe rasmi ili kukuza uelewano kati ya bibi na bwana katika manyumbani kwetu na pia kuleta kina mama waonekane hao pia wanajukumu la (?)

(Interjection) **Com Ahmed Hassan:** Na kama Rais ni mwanamke?

(Laughing from the audience)

Dominic Ole Kateya: Kama Rais ni mwanamke pia yeye atembe na bwana yake. Na pia, nimeonelea mwanamume atawale kama Rais kwa miaka kama kumi halafu baadaye tumpatie mwanamke. Ili wao wenyewe waweze kutimiza ndoto zao za maisha.

(Interjection) **Com Nancy Baraza:** Tumekubalia.

Dominic Ole Kateya: Pia, Judiciary, tunataka iwe independent. Yaani Rais asiwe anawateuwa majaji, iwe hao majaji wanateuliwa na independent commission. Pia katika constituency tunaona ya kwamba haki haitendeki kama vile wenzangu walikuwa wamesema. Tunataka mtu awe anapewa wakili na Serikali wa kumsimamia. Kwa sababu tunaona ya kwamba mnyonge ndiye anaumizwa hata kama ana haki.

Lingine, ni juu ya minority rights. Na kama vile wenzangu walisema hawa watu wapewe nafasi katika Bunge, wawe nominated na kwa sababu nilikuwa nimesikia wakili mmoja akisema ya kwamba Kenya walikuwa wame-sign International Convention nyingi, lakini hawatekelezi. Hiyo ni jambo moja ya kumhukumu rais ambaye ako mamlakani. Akikataa kuenda katika hiyo International Convention, hiyo treaty ambayo ame-sign ahukumiwe.

Jambo lingine ni kwamba watu wale, wafugaji wa ng'ombe wasikubaliwe kutembea ovyo ovyo na ng'ombe zao kwa sababu tunaona hiyo ndio inaleta shida kati ya jamii. Nyasi ikiisha mahali pamoja, watu wanabaki mahali pao. Wachinje ng'ombe ama wapunguze idadi ya ng'ombe zao (*Laughing from the audience*) kwa sababu tunaona ya kwamba jamii zingine wanafuga ng'ombe wengi halafu baadaye wanavamia kwa wengine halafu wanaanzisha vita. Sasa iwe sheria, mtu asiende kwa boundary nyingine. Akae na alishe ng'ombe wake pale. Mambo ya cattle rustling, tunaona ya kwamba watu wengi wameuwawa kwa sababu ya cattle rustling na law itengenezwe ya kwamba wale ambao wanahusika wawe punished. Ng'ombe wakiibiwa walipe faini ya mara kumi ya wale ng'ombe ambao wameibiwa.

La mwisho ama la kuongezea ni juu ya power brokers. Katika sehemu hii ya Kenya tunaona hakuna vile mzee mwingine

amesema hapa tunapatia kazi ya leaders na wananchi. Watu ambao wanakataza watu wawaone viongozi wao. Hawa power brokers wawe punished na law. Watu wasi-practice hiyo power broking kwa sababu hiyo ndio imeleta shida nchini Kenya hata humu Baringo Central.

Jambo lingine, lazima kuwe na direct link between a leader and a common man.

(Interjection) **Com Ahmed Hassan:** Please summarize your points.

Dominic Ole Kateya: Lingine ni District by-laws, ziwe kwa sababu tuko na tamaduni mbali mbali katika kila wilaya. Lingine tena ni kwamba tribal clashes zikitokea government iwa-compensate hao watu kwa kuwapatia land. Kama vile wale watu ambao walikuwa displaced wakati wa 1992 na 1997.

La mwisho ni juu ya democratic instructions. Democrasia watu wa Kenya hawajaelewa sana. Tunataka democratic institutions ziwekwe katika kila district halafu watu waelimishwe juu ya democracy. Halafu mambo ya uadui ya kuunda chama ama wewe ni mfuasi wa chama fulani iishe.

Lingine tena ni mambo ya licensing ya free air waves ama ya radio station. La mwisho ni juu ya hand-outs, money hand-outs wakati wa campaigns. Hiyo ikatazwe na sheria, pesa zisitumike wakati wa campaign. Asanteni.

Com Ahmed Hassan: Tafadhali tujaribu kuangalia wakati. Ninawapatia dakika tano, tano lakini karibu nusu wenu inaonekana hamjali huo wakati, mnazidi kuongea tu. Mjaribu ku-summarize kwa sababu kuna watu wengi, kuna watu karibu mia mbili wamejiandikisha wanangojea kuongea. Na inaonekana tutakaa mpaka usiku leo. Henry Komen.

Henry Komen: Honourable Commissioners, mine are some recommendations that I feel are necessary to present to this Commission. First, is that the Review Commission and the Kenyan government, after coming up with the new Constitution; should provide free and compulsory school education from pre-school up to university in the Pastoral communities. This is because currently, the system of education has failed to balance education in this country. We know that education is the key to development so those marginalized communities that have been left behind over the past thirty-eight (38) years should be looked into.

Nomadic schools should be built for both Primary and secondary schools to serve the nomadic communities. I would like to mention the communities which need to be supported to have free education: - Pokot of East Baringo, West Pokot, Marakwet, Turkana, Samburu, Ilchamus of Baringo, the lower part of Tugen, Maasai and Somali of Kenya.

The other point is that (?) TSC employing students with O level minimum grade of D+ from pastoral communities

because we are the (?) and the (?). The recruitment of Primary school teachers to be done in the system through quotas not the national.

The quota system to be retained in all sectors or ministries of employment. This will provide room for marginalized communities having a share of the national cake like any other tribe in Kenya.

Natural resources: I recommend to this Constitutional Review Commission that if there are natural resources found in parts of this country the members from that particular community should be assisted by the Kenyan government to form a cooperative society and also to support and have (?) They could be in turn (?) in the national company who would also pay back a (?). This co-operative society should be assisted by the Kenya government to acquire the necessary equipment and technical advice. This will contribute to avoiding corruption from building (?) who always advocate for the international (?) so that they may remain (?) and benefit from themselves at the expense of the community.

Presidential elections: The President to be elected by all Kenyans (?) atleast 48% of all registered voters in the country and any presidential candidate should not be an MP. However, he should be the Chairman of his party. The President should be a graduate with a degree in Economics or Law or Planning, and Management of Resources. He should go for only two terms of five years each, not beyond that. President's constituency should not be dominated by a certain tribe...

(Interjection) **Com Ahmed Hassan:** Henry, you know you are reading it word for word. Why don't you try and... because really what you are doing is that you are taking all the time which three other people would have taken and yet you are giving us the document, it will still go to our file, we will go with it to Nairobi...If you are reading you are just doing the same thing as in the (?). So please try and just sum up, pick the main points.

Henry Komen: The president should rotate in any other family; it should not be the two families. He should be a God-fearing person, by actions and deeds with upright morals not from the (?). He should be between 35 – 58 years of age. The president should appoint the Vice President and the cabinet from the people with clean past records not the people who have been known to be corrupted.

The nominated MPs should be appointed from the minority tribes who do not have the population to qualify for a constituency. For instance the Ilchamus and the Elmolo, Okiek, and even women to be considered.

The Local Government: The Councillors should be paid by the Central Government. I propose that the salaries of the Chairman should be Kshs 150,000. The Councillors should be Kshs 100,000 and the Mayors of the city and other towns, Kshs 175,000. (inaudible). Mwenyekiti I am going very fast.

I also recommend that the (?) should be under County Councils with all experts, doctors, water engineers, road engineers, agriculture, livestock experts. Three-quarter of the total budget which (?) should be posted to Local governments in their respective areas, so that they would be able to mount activities very fast.

Chiefs, I recommend that chiefs should be people with a minimum of O-level up to university as graduates. I recommend that the chiefs to be (?) like any other civil servants who deserve to get promotions as D.Os, D.Cs, P.Cs. and even up to the head of the Civil Service. To abolish the (?) that we had before during the colonial period.

I also recommend that the chiefs be transferred within their districts and be trained on how to use and be provided with computers so that they can update their work. Those who are living in rural areas to be given solar system to assist them in their computers.

The Kenya Meat Commission: I recommend that a revival of the Kenya Meat Commission to be effected and the shares be bought by the pastoralists in Rift Valley preferably Marigat area and Mandera. They should be (?) and we tell them one time to be by the (?). This would help pastoralists to get revenue.

I recommend that there should be a ministry called the Pastoralists Ministry. This ministry will have integrated departments to discharge its services to the Pastoral community, who were otherwise marginalized during the colonial period and subsequently have a legal impact of the realization (?) of development during implementation.

(inaudible) health, water, road and other things. Lastly Bwana Commissioner, the District Development Committee should be abolished and replaced by the Constituency Development Committee (CDC), and the chairperson be appointed from the locality while the secretaries will be a company officer with a title of the CEO. Thank you very much.

Com Ahmed Hassan: All those who have written documents, can you please take them now to the register. All those with written documents like him, can you please take them to the register there and register them now. We only hear those who can give their views orally. We are asking those with the written documents because it is difficult to explain to you you should try and highlight because you keep on reading the same thing and you are wasting time, other people would have been given more time to talk, those who have not prepared any documents. Because I think it is only fair to hear many more people from Marigat than one person taking twenty minutes. Joseph (?)

Joseph: Asante Bwana Commissioner yangu ni machache kuhusu maoni ya Katiba. Tunawashukuru kwa kuwa Marigat siku ya leo. Yangu mara ya kwanza ni kuwa uchaguzi ufanyike ule wakati unatakikana ambapo ni after five years time. (inaudible).

President's powers ziwe trimmed. Kwa sababu rais wa sasa unakuta ako na nguvu zaidi kwa sehemu zote hata mpaka (?) unakuta Rais ako na mamlaka yote. Judiciary should be independent na wafanye kazi yao vile wanatakikana.

La nne, mambo ya misitu. Kwa Serikali ya sasa, (?) inatengenezwa ama haitengenezwi. Na sasa (inaudible) misitu kwa njia ambayo inastahili kwa sababu kwa wakati huu misitu imeharibiwa kila mahali; ambapo utapata kwa miaka hamsini inakuja tutakuwa tunaagiza chakula kutoka nje na kwa sababu hatujali masilahi ya misitu.

Kwa upande wa elimu, elimu ningeomba kwamba kutoka nursery ama pre-school mpaka Form IV level iwe free, halafu university level bursary iwe kwa wale hawajiwezi. Hapo tutakuwa tumetengeneza upande wa elimu na itakuwa imesambaa kwa kila community. Jambo lingine ni kwamba Bunge ikuwe inaendelea ikuwe katika media throughout, ili raia wakiwa vijijini kokote wanaangalia vile wabunge wao wanafanya kazi, ama vile wana-tetea katika parliament.

Lingine ni kwamba wabunge pia wawe na uwezo wa (?) ambayo (?). Kama atakuwa amekosa wapige kura ya kutokuwa na imani kwake. Na kama sheria inaruhusu asthakiwe, asthakiwe kulingana na sheria. Yule atakaye kuwa katika opposition wakati huo mwingine ataheshimu hiyo ofisi.

Jambo lingine ni kuhusu mambo ya ardhi. Ile ardhi yoyote itakuwa hapa Kenya, katika ile Wilaya (?) should be confiscated and given to the committee concerned so that we avoid (inaudible) that is very important.

Jambo lingine ni kuhusu mambo ya administration. Administration should be scrapped na tuwe na (?) ya kuingia katika provincial level. That is very important and there are other areas like (?) we should have (?) and the others wafanye kazi hiyo na kama (inaudible) tuwe na committee ambayo inahusiana na D.O wa sehemu hiyo. (inaudible)

Jambo lingine ni kuhusu Chairman na Mayor katika wilaya, ama provincial ama city council. Hao pia wawe elected and the term should be four years. Haya, kuhusu tena rais nilikuwa nimesema kuwa rais awe anachaguliwa na raia, that is very important, na asiwe kutoka constituency fulani ama atoke kama mbunge. Achukuliwe kama rais pekee yake na asikose kukutana na raia wake kama ikiwa ni upande wa Baringo Central, saa hizi sisi wengine wetu hatujawahi kumwona rais katika sehemu hii kwa vile ako na kazi nyingi, anahudumia raia nchi nzima. So kama tungekuwa na mbunge wetu hapa tungekuwa accessible to him. So it is very important that the president should be elected by everybody and the number of votes (inaudible) should be 25% ili ahitimu kama rais wa nchi. Nafikiri ni hayo tu.

Com Ahmed Hassan: Asante. Benson Lechike? Kama hayuko, Councillor John Kandie.

Clr John: Maoni yangu ya kwanza... Mimi ninataka nitoe maoni kuhusu mambo ya employment. (inaudible)

Bwana Commission (inaudible).

(interjection) **Com Mohammed Swazuri:** Weka kando kidogo hiyo.

Clr John: Najua kuna policy ya government, employment ikiwa ni ya askari (inaudible) iko katika district hii yetu.

Mimi nitataka kama ilikuwa ni policy iliyowekwa katika sheria ya Kenya iondolewe kwa sababu ya corruption. Kwa sababu huyu mtu ana pesa (inaudible). Kama wewe umeshindwa kutengeneza hayo maneno kuajiri watu kwa njia

ya haki, wakati wanatangaza nafasi za polisi (inaudible), wale wanakuja kufanya uajiri tu kwa sababu hawajui

huyu ni Mkikuyu, huyu ni Mkalenjin ama huyu ni mtoto wa tajiri, ama ni mtoto wa tajiri. Kwa sababu wameshindwa

kutengeneza mambo yao. Kwa hivyo maoni yangu (inaudible) Juzi huko Kabarnet

(Inaudible) kwa hivyo hayo ni maoni yangu. Kama mimi ni mwanasiasa kutoka katika grass roots.

La pili ni kuhusu mambo ya central government. Central government walikuwa na jukumu la kutengeneza kazi katika

(?) lakini inaonekana kwa sababu ya corruption, iwe revoked. Kwa sababu ya corruption wanamalizia pesa katika district, hizi shida (?) barabara, hospitali, ni hao ndio wanapoteza pesa katika district. Kwa hivyo hayo ndio maoni yangu.

Bwana Commissioner sina maneno mengine, asante.

Com Ahmed Hassan; Asante Councillor John Kandie. Steven (?)

Stephen (?): Bwana Commissioner, ninasema asante kwa kufika Marigat...

(Interjection) **Com Ahmed Hassan:** Jina lako?

Stephen (?): Stephen (?). Na bila kupoteza wakati, nitaenda moja kwa moja kutoa maoni yangu. Maoni yangu ya kwanza tunaona kama wazee wa kijiji wawekwe kwa Katiba, kwa sababu kwa kijiji zile shida kubwa ambazo zinatokea kijijini, wazee wa kijiji ndio huangalia shida hizo, ndio wapeleke kwa chief na hiyo tunashukuru sisi tukiwa wananchi.

La pili ni nguvu za chief. Kwa area kama hii, mara nyingi chief ndiye anaelewa ukweli uko kwa fulani na uongo uko kwa fulani, na yeye hawezi kuhongwa na (?) ninatoa maoni yako kwa chief kuwa asinyang'anywe nguvu ndio apate kuchunga

raia. Kwa sababu wale ambao hawana pesa, au wale masikini hawana nguvu ya kupanda gari kwenda kustaki au kwenda kutafuta usaidizi na chief yuko karibu. Anaweza kuenda kwa mguu atatue hayo maneno, kama ni kwenda mbele anasongesha kwa D.O na kuendelea kortini. Hayo ni maoni yangu kwa upande wa chief.

Lingine ni mambo ya (?) kama iko karibu na Lake Baringo, (?) tungeona County Council ndio inafaidika

zaidi. Na hii Lake yote, sio County Council inaleta ni Mungu. Na yule mtu aliweka watu hapa ni Mungu na tungependa wale watu ambao wako na maji karibu ambayo Mungu aliweka huko, wale watu wako huko wapatiwe mamlaka. Maneno ya Local Government ijaribu kurekebisha hiyo baharini yote ili wananchi wapate kitu kutoka hayo maji. Kwa sababu ukiona county council wanaweza kuchukua (?) wanaweza kusaidia watoto wetu kwa shule.

Lingine ni upande wa corruption. Tunaona projects mingi zinakuja, zinakuja na tunapatiwa pesa nyingi, lakini mwishowe tunaona hakuna kitu kinafanya. Nikiwa Ilchamus, mimi niko na miaka kama arobaini na kitu, na tangu sisi tumekuwa, tumekuwa na mtukufu Rais na mimi sijaona ubaya wowote; na kufikia wakati huu, tunaona sisi tukiwa kama jamii ya Ilchamus, tumengoja kupatiwa nafasi kama wananchi wa Kenya, ili hata hii pazia itakwisha. Kwa sababu ukiwa na shida ya yule, ukiwa na shida ya aina yoyote utakimbia kwa mbunge wako. Lakini kwa wakati huu, hakuna wakati tutakimbia kwa mtukufu Rais na sio makosa yake, ni ile pasia iko mbele. Na yeye hajui, lakini wale watatu wanne wanazuia wanakuja kusema watu wazuri, watu wazuri, lakini iko shida. Na yeye hawezi kutufikia. Na tuko na imani na yeye. Lakini hata ingawa yuko, tunaomba tukiwa kama Ilchamus, ile constitution tumeona inapatiwa tisini, Ilchamus iwe moja. Pia sisi tupate mtoto wetu, anayeongea lugha yetu, hata watu wakifurahi hata sisi tunafurahi. Watu wakiona watu wao wakiongea hata sisi tunaona. Tukiwa na haja ya kwenda kumwona akiwa Nairobi, hatuwezi kuenda kukaa kwa veranda, kuomba omba transport, kwa sababu tuko na mwakilishi wetu ambaye tunaweza kuongea na yeye, anatuonyehsa njia, hata njia ingine nyingi. Tutakuwa hata sisi tumeona mbele. Badala ya kufuata mtu mwingine, mnaongea lugha nyingine ambayo sio yenu. Na hiyo tunaomba tukiwa Njemps, muangalie na yenyewe mfikishe mahali inafikishwa na vile mlisema ofisa, unajua Serikali iko, mkono yangu baridi. Tunaweza kusema hapa maneno na mwisho haya maneno yote hayatafika, na hiyo italeta shida vile sisi tunaona. Lakini ni vizuri mchukue, mahali mtapeleka mengine yote hata yetu yaingie na hiyo tunaomba namna hiyo.

(Interjection) **Com Ahmed Hassan:** Asante, hiyo point tunaifahamu. Asante sana, tafadhali enda u-sign huko. Jaribu kutupatia mapendekezo, msirudie, rudie point ile ambayo mshatuambia. Joseph Lepalchalai.

Joseph Lepalchalai: Honourable Commissioners, mimi pia niko na furaha na ningependa kuchukua fursa hii kuwashukuru ,kwa nafasi hii ambayo mmepata kutembelea wananchi wa Marigat katika mashinani.

Jambo langu la kwanza, mambo ya Civic Education. Ningependa kutoa maoni kuwa, nyinyi mkiwa commissioners ambao mlikuwa na jukumu la kutekeleza ama mlikuwa mnataka kuja kupata maoni ya wananchi, kuhusu jambo ambalo wameelewa. Inaonekana sehemu hii yetu Civic Education haikuendelea kama vile nilikuwa ninatarajia. Na ningewaomba mchukue hiyo kama responsibility yenu hata kama hamtarudi tena hapa. Lakini Civic Education iendeleo kwa mwananchi ili tukiongea juu ya Constitution, mwananchi katika grass root aweze kuelewa tunaongea juu ya nini. Isiwe tu wanasikia Constitution wanasikia Constitution ni kama kitu (?) ama ni kitu ambacho kimeletwa na wakoloni.

Maoni yangu ya kwanza ni kuhusu Serikali ambayo... ama the type of governance that we require. Mimi ningependekeza tuwe

na federal government, ambayo tuko na rais na Prime Minister, na tuwe na majimbo. Kwa sababu Serikali hiyo inaweza kusaidia mwananchi, kama utawala ama good governance inaweza kuangaliwa kwa njia sahihi.

Pia ningependa kuungana na wale wananchi ambao walikuwa wametoa maoni kuwa rais asiwe Mbunge. Rais awe ni mtu ambaye anatekeleza kazi ya Rais pekee yake, kwa sababu vile wananchi wote wanalalamika hapa ni kwa sababu hiyo. Kama wangukuwa na access kwa mbunge wao, bila shaka hatungekuwa na shida kama hiyo.

Lingine, Katiba yetu ya sasa inasema kuwa Rais awe na minimum of 35 years. kwa maoni yangu ninaona forty years, (40) ndio itafaa.

(Interjection) **Com Nancy Baraza:** N aende mpaka miaka ngapi?

Joseph Lepalchalai: Na awe na two terms of five years each.

(Interjection) **Com Nancy Baraza:** Forty years is the minimum how many years is the maximum?

Joseph Lepalchalai: Maximum seventy-five years, kwa sababu tunajua, tunaambiwa ukifikisha zaidi ya seventy-five unakuwa senile. Kwa hivyo hatutaki watu au rais awe zaidi ya miaka hiyo. Na awe na elimu ya minimum of university, awe graduate.

Kwa upande wa wabunge, mimi kwa maoni yangu kwa mbunge, awe na kama vile sheria inasema awe kutoka twenty-one (21) years na kuendelea mpaka seventy-five. Na pia kwa sababu tunaambiwa kuwa hakuna limit ya kuchaguliwa, ni raia ndio wanaangalia; na zaidi zaidi tunakuta ya kuwa, kama mbunge ako na pesa, hata kama hapendwi na wananchi, atachaguliwa. So tuwe na Constitution ambayo inasema kama vile Rais anachaguliwa two terms, hata mbunge mwenyewe aende two terms only, awe anapendwa asipendwe, akae parliament two terms peke yake. Na elimu yake pia awe graduate.

Kwa upande wa registration of voters, honourable Commissioners tunaona tunapofika katika wakati wa uchaguzi, ndio tunafanya registration of voters, ambaye baada ya mwezi mmoja tunasema haitoshi, tunaongeza siku kadhaa, na still hiyo haitoshi. Kwa maoni yangu ninaona registration of voters iwe open. Mtu akishahitimu umri wa eighteen (18) years, awe registered as a voter.

Jambo lingine ni freedom of association. Katika Constitution yetu inasemekana kuwa freedom of association iko, lakini tunakuta kwa miji mikubwa, mikubwa, Nairobi, Kisumu, yes it is there, lakini ukija katika rural areas, that one is not there. Example ni kuwa 2A ikawa repealed (?) tukapewa, tukawa na multi party, lakini saa hii mtu wa chama nyingine akija hapa atafuatwa na provincial administration. Kwa nini na ni Kenya? The same Kenya ambayo ime-repeal Section 2A. so we want that freedom of association to be enjoyed everywhere. Whether it is in the rural areas or the urban areas, iwe enjoyed na

mwananchi.

Elimu: Sisi tukiwa jamii ya Ilchamus, watu wengi wanatoa maoni kuwa hatuna wasichana wengi ambao wamesoma. Hiyo ni kweli, kwa sababu watoto wanaenda shule kama wamehitimu umri wa juu. From ten years, mtoto akifika class four, ameshafika eighteen years. Hiyo sababu nyingi ni mashule kuwa mbali, mbali. So kwa maoni yangu kwa sababu sasa tuko na kila sub-location, na kila sub-location iko na kijiji, iwe ni lazima kila kijiji kiwe na primary school, ndio haki ya mtoto iwe imetekelezwa vile inatakikana.

DDC: Tuko na District Development Committee, ambayo labda baada ya miezi mitatu huwa inaanza katika mashinani, wanakaa katika sub-location ya Rural Committee, Location Development committee, inakuja mpaka kwa Division. Lakini haya mambo yote ambayo mwananchi anatoa, anapendekeza kuwa hiki na hiki kifanyike. Kwa miaka nenda, miaka rudi, hakuna wakati wowote ambao tumeona chochote kimatekelezwa na hatujui mambo hayo huwa yanapotelea wapi. So kwa maoni yangu, ikiwa pendekezo limetolwea katika sub-location na iendi katika DDC, kama imepitishwa kuwa itatekelezwa, irudi tena kwa sub-location, waambiwe hii tatekeleza. Kama haitatekelezwa, irudi pia wajue kuwa hiyo haijafanyika.

Mwisho, honourable Commissioners, hapa kwetu tuko na wanyama aina kadhaa. Kwa mfano, tulikuwa tunaambiwa, wakati mmoja kulikuwa na giraffe ambayo ilikuwa inaitwa Ilchamus giraffe. Hiyo Ilchamus giraffe ilichukuliwa, ilitolewa hapa na haiwezi ku-survive mahali kwingi, lakini ilitolewa. Ile historia ambayo tuko nayo kidogo ni kuwa ilitolewa, na imepelekwa mahali ambapo mimi siwezi nikajua; na labda sasa mtu binafsi, ama kundi la watu wanafaidika na mnyama huyu. Pendekezo langu, chochote ambacho kilikuwa kwa jamii fulani, ama ni cha locality fulani, kirudishwe. Asante.

Com Ahmed Hassan: Okay, asante sana. Unajua tulikuwa tumesema tutaendelea lakini kwa wakati huu tunataka kuchukua break kidogo, ya dakika arobaini na tano, tutarudi saa tisa.

Charles Rotich: Kwa jina ninaitwa Charles Rotich, Chairman, Ford People Baringo District.

(Interjection) **Com Ahmed Hassan:** Baringo?

Charles Rotich: Yeah.

Com Ahmed Hassan: Endelea.

Charles Rotich: Kwangu sina mengi ya kusema isipokuwa tu ni kutoa maoni kidogo. Maoni yangu ni kwamba ningemba kabisa nyinyi watu wa Ghai ya kwamba kama tungekuwa na civic education ingine mzuri, ingekuwa ni vizuri kwa sababu watu wa Baringo hawajafundishwa hata moja, hata siku moja, hakuna wakati tulifundisha hawa watu. Hata saa hii tunavyo kaa hapa

chini hakuna mtu amefundishwa neno moja kwa vile Baringo hakuna uhuru! Hata siku moja, hakuna uhuru kabisa! Na kumbuka hata watu wengine walikuwa wanataka kutufundisha hapa Marigat, wakafukuzwa na police, na machief na ma D.O. wa Marigat ambaye anaitwa Bwana (?) ambaye yeye mwenyewe alikuwa ame-retire, na saa hii amekuja kufanya kazi hapa (?) ama anafanya kazi kienyeji. Kwa hivyo ombi langu ni kutoa maoni kidogo kwa Katiba lakini sisi watu wa Baringo hatujui sana.

La pili ni kuhusu mambo ya extension ya bunge. Tunataka bunge ikae kama (?) miaka tano halafu tunapiga kura. Hakuna kurudia tena. Kusema tunaongeza ama (inaudible). La mwisho ama la tatu ni mambo ya lakes, bahari. Wale wako na bahari hapa kama Lake Baringo, Lake Bogoria, raslimali ya huko iwe ni watu wa huko. Kwa sababu watu wa Council wanachukua, na hakuna kitu wanafanyia watu; kwa hivyo tulikuwa tunataka iwe ni watu wa huko ndio wanafaidika. Asante sana.

Com Ahmed Hassan: Asante. (Inaudible)

Charles Kosgey: Mimi ni Charles Kosgey (inaudible). Haya kwa kweli tumeshukuru kwa sababu ni mara ya kwanza kuona Commissioners wakija upande huu. Pande hizi ni semi arid kwa mfano kama sehemu za (?) sehemu za juu Kabarnet (inaudible). Ningeonelea kwa maoni yangu kwa sababu hapo mbeleni tulikuwa na boreholes mbili, kulingana na hali ya anga. (inaudible) Sasa hatuna (?) kama zamani. Lakini hapo kitambo kidogo tulibahatika tukagundua madini aina ya ruby, na katika maoni yangu ningeonelea kama zamani kama siku za ukoloni, ilikuwa hayo madini ndio yangefaidi sana Serikali. Lakini siku hizi ningependa sheria ibadilishwe halafu (?) raia ama community (inaudible). Sasa hiyo madini iwe ya community, watafute kampuni, vile watapatana kama ni mamilioni kadhaa. Kama ni 400% ya community iwe 200% kwa maana sisi hatuna mashamba, sana sana tunategemea riziki na riziki pengine kuna (?) inaweza kukatika.

Maana sehemu ambazo hizo vitu zinaweza kupatikana ni (?) rubies na aina ya emeralds, (inaudible) Sasa tungependelea kwa sababu sisi watu wa kufuga mifugo ama ng'ombe kufaidika kwetu iwe kama kahawa yetu kwa watu wa lowland maana (inaudible) Sasa hii Serikali ituruhusu sisi wenyeji tufaidike.

La pili ni kuhusu masomo kwa wasichana. Sisi wakaaji wa lowland kama sehemu hizi kutoka Central mpaka (?) Baringo huko (inaudible) Serikali ijariibu kuwasaidia wasichana kabisa. Kwa maana kwa pande hiyo tumeenda chini kabisa kwa wasichana. Mpaka hata hatuna hata professor, hata wale ambao wana university (?) ni wachache sana...

(Interjection) **Com Nancy Baraza:** Ni kwa nini?

Charles Kosgey: Ni kwa sababu ya karo.

Com Nancy Baraza: Kwa hivyo unatakaje?

Charles Kosgey: Ningependa Serikali itoe misaada...

Com Nancy Baraza: Ya shule?

Charles Kosgey: Ya shule, na hasa ya kusoma hiyo (?) Point ya pili...

(Interjection) **Com Ahmed Hassan:** Ya tatu.

Charles Kosgey: Ya tatu sorry, Serikali ilinde wasichana kwani kuna wengine wanafaulu wanaitwa secondary

(?) halafu kuna ukora ambao (?) wakijaribu kushika mimba anaenda kwa (inaudible)

Lakini kwa vile watoto hawajui haki zao (?) wanakubali. Lakini hiyo ni kuwa (?) Tangu nijuunge na kazi hii nimepata wasichana wameaacha shule kwa sababu ya udanganyifu kama huo.

La mne, ni upande wa Council. Iangaliwe sana, sana, kwa upande wa wasichana pande hii, maana ni chache. Wengi wanaweza kupita lakini college hawapati, kwa sababu ni maskini. Hakuna masomo lazima ujulikane wewe ni mkubwa fulani ama uko na cheo fulani na baada ya (inaudible). Sasa maoni yangu (?) kwa maana ni maendeleo wasichana wakisoma, na tena wasichana hawawezi kushindwa na corruption, wanafanya kazi yao vizuri. Asante.

Com Ahmed Hassan: Asante. Enda u-sign hapo. John Kigen.

John Kigen: Asante bwana commissioner kwa nafasi hii. Nafasi hii tu. Jina langu ninaitwa John Kigen. Sasa mambo ambayo ningependa kupendekeza kwa Katiba ni kuhusu (inaudible). Utawala wa nation nzima Kenya yote ni (inaudible). Ninaomba Serikali I;ete (inaudible) vyakula.

Jambo lingine ni kuhusu officers wa ofisi wanaweka koti ofisi wanaweka ziara zao. Wananchi wanakuja kukaa hapo, kungonjea mtu ambaye anashughuli zake mbali na ofisi. Kitu ingetakikana hapo ni kuwa ungekamata kazi moja, kazi ya ofisi, ni kazi ya ofisi, badala ya kuweka moto jiko mbili kwani lazima nyingine kuchomeka. Kwa hivyo kama unakamata maneno mawili, ingine itachomeka. Kama hapana kazi ya Serikali itachomeka, lakini kazi ya Serikali ndio itachomeka kwa sababu unapenda yako.

(Interjection) **Com Ahmed Hassan:** Lingine?

John Kigen: Jambo lingine ni kuhusu (?) watu juzi wanaweka kazi nyuma, wanaweka tumbo mbele. (inaudible) kama ni ya (inaudible) kama hapo zamani, mimi niko na miaka sitini na nane. Ninaona kila idara inatuma pesa kwa Serikali, mpaka inajaa huko halafu hiyo pesa inarudi kwa Serikali badala ya raia kufaidika. Sasa ikiwa ni hivyo, raia tunapotea. Kwa hivyo mimi ninaomba muangalie hapo sana. Kufanya kazi kwa bidii na kuchunga pesa. Sasa watu wamekuwa wengi sana, kama tunafanya hiyo tunaanza (inaudible) siku nyingine utalala na njaa, na siku nyingine na nyingine. Kwa hivyo ninaona hiyo ni kitu kama hicho. Kwa hivyo mimi sina maneno mengi.

Com Ahmed Hassan: Asante Mzee. David Likimon.

David Likimon: Thank you Commissioners. I would like to give my views towards (inaudible) then we have the governor. Then when we come down from the governor we have (?) then there is the D.O and (Inaudible).

Concerning the appointments, the powers of the president should be reduced. For example he should not appoint senior officers (inaudible). Chiefs (inaudible) and should have a certificate of Form IV and above.

Concerning the Local authorities, the mayors and the chairmen should be elected by the area residents (inaudible) when people vote it would be a waste of time to again come back and (inaudible) elect the chairman and the mayor and the term should be five years. The (?) of the MP should expire with the year (inaudible).

I also propose that an MP should not (inaudible) but if he vies the first time (inaudible) he can vie for the second time but if he (inaudible). For the qualifications of a Councillor (Inaudible). Why I am saying this is because we are (inaudible)

Voters have no right to recall their MPs (inaudible) their term should be five years then (?). Like the MPs (inaudible).

Com Ahmed Hassan: Naumari Lekachuma? Kama hayuko, Reuben Lokit? Lehsua Lokitoi? Councillor Cheboi? Joseph Birir? Nickson Koyala? Raphael Leselo? Mariko Marutich?

Marko Marutich: Niko.

Com Ahmed Hassan: Endelea na useme jina lako.

Marko Marutich: Asante sana Commissioners, jina ni Mariko Marutich. Neno langu la kwanza ni upande wa elimu. Ninaanza na waalimu wa nursery. Yule mwalimu wa nursery school anapelekwa pale, na baadaye anatupwa kwa wazazi. Na tukiangalia mwalimu wa nursery school yeye ndiye foundation wa masomo. Ana kazi mingi, na inafaa Serikali iwalipe kwa sababu mpaka wakati huu, ni wazazi ndio wanalipa. Kulingana na sehemu hizi zetu za jua kali, nimeona hao waalimu wako na shida, na wanafanya kazi ile ngumu. Kwa hivyo hiyo ningependa kwa taifa iangaliwe kwa Katiba.

La pili ni mambo ya barabara. Ungeanagalia sheria ya barabara, ni ile sheria ya ukoloni, ile ambayo ilikuwa ya mzungu zamani. Kwa sababu mzungu alikuwa na akilianafunga ng'ombe wako kwa seng'enge halafu akasema barabara pahali mimi ninapita sitaki kuona hii ng'ombe ya Mwafrika ndio maana waliweka sheria ng'ombe, ikipatikana barabarani inakanyagwa na hailipwi. Na labda wewe mwenye ng'ombe ndiye utalipa gari, tukiangalia kwa kusema kweli hiyo ilikuwa sheria ya mbeberu.

Huyu ni maskini wa Mungu ambaye yuko na ng'ombe watano, moja inakanyagwa zinabaki nne na anataka ulipe ile yote ulipe ile gari ya mwenyewe. Kwa hivyo hapo ninaomba iangaliwe sana. nafikiri nilikuwa nimesikia wengine walikuwa wamegusia.

Jambo lingine, ningependa kwa hii Katiba mambo ya Councillor. Unajua tuko Councillors wengi, na kila kabila wanakaa na kimila yao, Hasa tunasikia mambo ya hawa watoto, kwamba siku hizi wasichana hawastahili kutahirishwa; na sisi tukiangaliwa kwa upande wetu wa culture ni kwa sisi mtoto akiwa mdogo tunamwita mtoto; lakini anaenda mpaka kufika kiwango kingine ambapo anaonekana amefika kiwango fulani akina mama wanafanya kitu fulani. Na hapo ndio anaonyesha anaruka utotoni anaelekea mtu mzima. Na vile vile kina mama wanaanza kufundishwa mambo mengi. Na sasa tukiwa hayo mambo, tunaweza kusema tunatupwa hiyo kazi ya culture yetu; inaweza kuwa imepoteza mambo mengi. Mtoto anaitwa mtoto ile jina ya mama tangu akiwa mtoto lakini anapolekwa hiyo college ambayo mimi ninasema anatoka utotoni, anawekwa jina lingine ambalo ni la heshima. Kwa hivyo tukiaangalia kwa upande wa culture, heshima nyingi inapotea kwa watoto. Hapo ndio tunachunga sana, kwa hivyo tungeangaliwa pande hiyo. Kwa sababu hiyo ni culture nyingine ambayo inamfanya mtoto aheshimu baba, aheshimu mama, aheshimu wazazi wake na aheshimu hata bwana yake. Hata wakati anapeanwa kwa bwana, ako na jina ingine ambayo anawekwa hapana ile ya (in vernacular). Kwa hivyo hiyo ningetaka tuangalie.

Ingingine, mambo siku hizi yametoka mambo mengi, hata kiboko kwa mtoto inasemekana haitakiwi sana, na hiyo kiboko usipomchapa mtoto hawezi kuingia laini vizuri. Nasikia hawawezi kuchapwa kwa shule, hata mzazi wako hawezi kukuchapa, akiwachapa tu, wanapelekwa kwa polisi. Hii ni njia moja ya kupoteza watoto wetu, mpaka watoto wameanza kupotea, kwa sababu unajua kiboko inakamilisha mambo mengi. Kwa hivyo ninataka hata hayo yaangaliwe.

La nne, kuna mambo mengine, yanatakikana, mzee ikiwa mama amekosa na unamchapa yeye, mama anakupeleka polisi na unaingia taabani, na ukiwa na makosa utashindwa wewe. Jaji hata anaweza kukufunga kwa mwaka mmoja, ama miezi sita,

ama miaka miwili. Mzee yuko ndani sasa mama wa

(?) Kwa sehemu kama hizi zetu, inaweza kugawanya

mtu na bibi yake kabisa; kwa sababu mzee akifungwa, akirudi ataishi na huyo mama tena? Tunaona hiyo ni kitu kingine ambacho anaweza kugawanya manyumba ambayo watu hawataki. Kwa hivyo tunaangalia hata hayo. Kusema kweli tunajua mama ndiye mwenye, anaharibu kidogo kidogo, kwa sababu mimi ninaweza kumchapa, lakini siwezi kumchapa kusema ati ninamuua. Ninamchapa ili aache mambo alifanya, ajue hiyo ni sheria...

(Interjection) **Com Nancy Baraza:** Na yule anakuchapa wewe je?

(Laughing from the audience)

Marko Marutich: Ndio wakati hamsikizani fimbo haikatai kufika mahali popote. Ikiwa mzee umechapwa, na mama amechapwa, lakini tutarudi kusema lakini unajua nani alikuwa mwenye makosa? Hapo atajua mambo hayakuwa mazuri, hata wewe mwenyewe utaenda kwako ukijua hiyo haikuwa vizuri. Kwa hivyo hiyo itachunga boma. Unajua boma, ni lazima mzee ndiye anawachapa watoto, anamchapa mama, na watu wanakaa kwa njia mzuri.

(Laughing from the audience)

La tano...

(Interjection) **Com Ahmed Hassan:** Jaribu kumaliza.

Marko Marutich: Eeh, itakwisha tu. La tano, kuna mambo mengine yanasema mkikosana na mama, kile mtafanya kiko kwa mama tu. Unajua mama wakiwa kwa boma ni watu wakutawanya. Kuna mambo mengine ukikosana na mama, kama umemchapa ama mmekosana akarudi, baadaye anasema mimi nimeaachana na huyu mzee. Kufika pale kuna mama anasema ati mali inatawanywa. Mpaka tunaacha ng'ombe iko kwa boma, mbuzi, hata mpaka mabakuli na masahani jikoni. Tukiachwa hivyo sio vizuri. Kama mama anakasirika anaenda kwao halafu tunaenda (?) anarudi lakini kugawanya mali, ati mama anaenda na mali ingine... kwetu sisi tunanunua. Kwetu sisi pande hii ,mali yetu ni ng'ombe, huyo mama alikuta ng'ombe iko boma hiyo. Kwa hivyo sijui inaweza kuja namna gani tugawe hii mali, na mama anaenda kuishi huko na mali ingine, na mimi ninaishi hapa na mali ingine. Hapo tunaona hiyo ni kutawanya maboma ya watu. Kwa hivyo tunadhania iwe mama tu, wale tunagawia pale ni wale watoto, sio mimi na mama, tunagawia watoto.

Lingine kuna mambo inasemekana

(?) kwetu sisi pande hii. Hapo kuna watu wanatugawanya, kwa sababu

wakati huu tunasomesha vijana, na tunasomesha wasichana. Wote pengine wamebarikiwa, bado bwana yuko na kazi, na bibi yuko na kazi. Hawa wanachokoza kwa sababu kila mmoja analeta mali. Lakini kwa sisi pande hii wate au wanyama, ng'ombe ile iko kwa boma, ni ile ilikuwa ya babu yangu ndio mpaka saa hii kila mtu anachunga lakini hakuna saa tunasema tunagawanya.

(Interjection) **Com Ahmed Hassan:** Umemaliza?

Marko Marutich: Niko karibu kumaliza. Kuna mambo mengine kuhusu watoto tena. Sisi kwa wasichana, tunazaa wasichana tukitarajia wataolewa. Ile shamba iko boma hii, tunawagawia vijana. Lakini labda kwa bahati mbaya iko msichana wangu ambaye bado hajaolewa, ako na haki ya kugawiwa shamba. Lakini wale wanaolewa, hawatapata shamba hapa, labda pengine kama hakuna vijana. Lakini hiyo ni pengine, kama sijazaa vijana, na niko na wasichana pekee ambao hawajaolewa, wataridhi mali yangu. Kwa hivyo ninafikiri yangu ni hayo tu.

(Clarification) **Com Mohammed Swazuri:** Mzee kwa kimila yenu wananawake ukiwapa shamba kama wako na watoto (?) na watoto ama wanabaki kwa bwana hata wale wadogo wachanga?

Marko Marutich: Eh watachukua tu, halafu wakiwa wakubwa kidogo, wanarudi wanakuja kwa baba.

Com Mohammed Swazuri: Wanarudishwa?

Marko Marutich: Wanarudishwa.

Com Mohammed Swazuri: Na nani? Kwa nini?

Marko Marutich: Kwa sababu unajua sisi hapa tunanunua, unanunua bibi hata huyo bibi ukimwacha mpaka aolewe na mwingine, wale watoto anazaa wote watarudi kwa boma hii. Kama ni bibi nilikuwa nimeoa...

(Interjection) **Com Mohammed Swazuri:** Hata akiolewa na mtu mwingine?

Marko Marutich: Ehe, hata akiolewa na mtu mwingine bahati yangu mbaya. Ukioa yule bibi na ametolewa ng'ombe, watoto wote watarudi kwa boma hiyo ya ng'ombe.

Com Mohammed Swazuri: Na huyu mama kama umemfukuza yeye, na watoto umewachukua na yeye anarudi kwao, atakuwa na haki ya kuridhi ardhi ya babake?

Marko Marutich: Hiyo sasa inategemea, ndio nilikuwa ninasema kama kuna mtoto yule hajaolewa. Lakini kama huyo ambaye amezaa kwangu na ako na watoto wangu...

(Interjection) **Com Mohammed Swazuri:** NI lazima arudi nyumbani?

Marko Marutich: Hakuna anakuja tu kwa hao watoto. Unajua hata wewe unazaa mpaka unazeekea, inakuwa watoto ndio wanatawala boma, wanaleta mama yao akuje kutawala.

Com Mohammed Swazuri: Huo ni mkosi mbaya sana kwa wanawake, kwa sababu amekaa na wewe hiyo miaka yote, amezaa watoto na wewe, sasa utamwambia yeye atoke awasindikishe hao watoto bila mali?

Marko Marutich: Unajua huko kutoa mama, watoto labda ni yeye mwenyewe anakuwa na mambo mengi. Sio lazima utoe bibi yako aende akakae nyumbani mpaka (?)

Com Mohammed Swazuri: Na huyo (?) atakaa wapi?

Marko Marutich: Hata wengine wanaweza kukaa kama kijana wangu amejenga huko na (?) wanakaa na mama yake.

Com Mohammed Swazuri: Mzee asante sana.

Com Ahmed Hassan: (inaudible) hayuko. John Olepaturir? Wesley Cheptum?

Wesley Cheptum: Asante sana. Nimeshukuru kwenu nyinyi kwa kuleta Katiba kwa wananchi wa Baringo. Watu wa Baringo upande huu (inaudible). Tulikuwa tunasikia Katiba iko njiani lakini (?) kuna mambo fulani.

(Interjection) **Com Ahmed Hassan:** Sema jina lako kwanza.

Wesley Cheptum: Jina langu ni Wesley Cheptum.

Com Ahmed Hassan: (inaudible).

Wesley Cheptum: Kwa hivyo tunashukuru kwa sababu Katiba imekuja pande hii ya Baringo. Tulikuwa tumesikia Katiba imekwisha lakini (?) pande hii kuna kasoro fulani. Wakati mmoja ofisa wenu wa katiba (inaudible) alihusisha viongozi (?). Tukafunzwa na baadaye wakati aliporudi watu walikuwa wanataka kujaribu (inaudible). Kwa hivyo tunasema pole kwa sababu unajua Katiba ni ya wananchi na (inaudible). Kwa hivyo kama nyinyi (inaudible).

Maoni yangu ya kwanza ningeomba tu kabisa mahali popote Kenya hii kuwe na sheria ya (?) Katiba iwafunzwe kwa watu kwa sababu hiyo ni haki yao. La pili, hapo mbeleni kidogo, ilikuwa mtu kama hapiti mahali, na amezaa mtoto wako mahali, huyo mtoto alishika kipande hapo. Lakini kufikia saa hii, sijui ni Katiba ya saa hii inaleta, au ni Katiba ya wakati wa mbele kidogo na hatujajua ni gani. Kufikia saa hii, mtoto ikiwa amezaliwa hapa na amehitumu miaka kumi na minane anahitaji kupatiwa kipande. Asisumbuliwe kwa kuambiwa kuwa mama yake alikuwa hajazaliwa hapa na kuwa baba yake hakuzaliwa hapa, ati ni lazima aende mahali baba yake alizaliwa. Imagine (?) mpaka Lodwar aende kutafuta kipande. Na huyo mtu wakati hajapata pesa za kwenda mpaka Lodwar anaweza kuenda hapa Nakuru, apate kipande huko ama Kitale, na amefukuzwa hapa. Sijui sasa kama Katiba ya Nakuru ni tofauti, au ni sawa na Katiba ya hapa Marigat. Kwa sababu kuna watu (inaudible).

(Interjection) **Com Ahmed Hassan:** Jaribu kutoa mapendekezo.

Wesley Cheptum: Basi nilikuwa ninataka tu haki ya huyo mtu itimizwe. Kama yuko Marigat apate kipande hapa Marigat kwa sababu hapa ndipo mahali alizaliwa.

La pili ningeomba tena Serikali iangalia maneno ya hospitali kwa sababu siku hizi ukienda hospitali kama hakuna pesa (?) wewe unarudishwa (?) mnarudishwa nyumbani kwa sababu hakuna pesa. Na yule mtu akienda (?) ya private, ya mtu binafsi, anaweza kuongea na (?) apatiwe dawa (?) unaambiwa hata uende mbali, unaona sasa huyo mtu ametibiwa ameenda.

Com Ahmed Hassan: Unataka nini? Usiende kwa story nyingi, peana mapendekezo mzee.

Wesley Cheptum: La tatu, tungeomba kabisa, kuwa machief wapigiwe kura kwa sababu mtu akipigiwa kurakama miaka mitano anaweza (inaudible) lakini (?) anaweza kuwanyanayasa watu kama vile yeye anataka. Kwa hivyo ningeomba kabisa chief apigiwe kura.

Com Ahmed Hassan: Sawa, moja tu.

Wesley Cheptum: Ndio, imebaki. La nne, ni uandikishaji wa kazi kwetu, iko shida. Mtu yule hana pesa ya kuhongana, hawezi kupata kazi na kama inawezekana, Serikali itupilie mbali hayo mambo ya kuhongana; kwa sababu wale hawana pesa hawawezi kuona pesa maishani mwao na no haki yake (inaudible) huyo mtu ataumia hivyo. Na hiyo mambo kama hiyo Serikali iangalie.

La tano, Kenya inatangaza, inasemekana Katiba (inaudible) hata maendeleo hatuwezi kuendelea mbele kwa sababu ya ukabila ule uko Baringo. Wewe ukisimamia kiti fulani, lazima nichunguze kwanza wewe ni mtu wa wapi.

Kama wewe sio mtu wa hapa, unasumbuliwa
wote (Inaudible).

(inaudible). Hata kama utafanya nini, isemekane watu

(Interjection) **Com Ahmed Hassan:** Mzee wacha (?) kama una chochote sema. Jaribu kutoa maoni.

Wesley Cheptum: (inaudible).

(Interjection) **Com Ahmed Hassan:** Umemaliza? Jaribu kumaliza, la mwisho eh.

Wesley Cheptum: La mwisho tungeomba tu, kama nyinyi ni wajenzi wa Katiba, tafuteni namna Katiba itamfikia kila mtu, kwa sababu kila mtu atapata haki yake. Kwa hivyo yangu ni hayo tu.

Com Ahmed Hassan: Councillor William Kiplagat.

Clr William Kiplagat: Asante sana Commissioners. Kwa majina ni Councillor William Kiplagat. Yangu ni kwamba ningependa mashamba hii ya group ranches, yaondolewe, ili Wakenya wawe na shamba zao na kuweza kupata haki ya kumiliki. Vile vile Serikali isibadilishe ama kuchukua shamba la mtu yeyote, kwa njia yoyote ile. Vile vile, ile shamba ambayo ingefaa kuwa kwa kila mtu ni kama acre hamsini. Wanaume na wanawake wawe na haki ya kumiliki mashamba. Wakenya wawe na haki ya kumiliki shamba mahali popote nchini Kenya.

Kuna shida tena ambayo tungependa iangaliwe. Wasichana huwa wanatungwa mimba, na tunataka kusema kama ingewezekana mtu akimtungwa mimba mtoto wa mtu, aweze kumlisha mpaka awe na mmiaka kumi na minane, au akishindwa afungwe miaka kumi na minane.

(Laughing from the audience)

Halafu chiefs and assistant chiefs wapigiwwe kura na wananchi. Halafu mayor na wenyekiti wa County Council wachaguliwe na wananchi moja kwa moja. D.C. asiwe nominated Councillor.

Maplots ambayo yanapeanawa isimamiwe na kamati ya ile centre (?) ambayo inapeanwa, ili kusiwe na mwingilio wowote ule. Kwa hivyo kamati itengwe kama ni center ya Marigat, hiyo ni center ya kila mahali. Kwa hivyo na assistant chiefs na kamati wawe wanatengewa ili waweze kutujulisha haki.

Kwa mambo ya mishahara ya wajumbe na madiwani, kuwe na tume ambayo itakuwa ikishughulikia mishahara ya Wajumbe na madiwani. Na madiwani pia wawe wakilipwa kutoka kwa account ile ya wajumbe ambao wanalipwa. Halafu pia madiwani

waweze kuongezwa pesa vizuri, ili waweze kuwasaidia wananchi vizuri. Na kukiweko na mambo ya (?)
ugawaji wa sehemu ya Ubunge tuhisishe viongozi wote hata kwa (?). Ma-locations yasiwe yana gawanywa
mara mbili. Iwe kama ni location, inaenda mahali pamoja yote na isiwe inakatwa halafu unagawa hapa na pale.

(Interjection) **Com Ahmed Hassan:** Jaribu kuharakisha mzee.

Clr William Kiplagat: Ninasema tuseme sasa kama Baringo Central inataka kuwa kama (?). Sasa inaweza
kufika location mmoja inagawanywa mpaka (?).

Na vile vile mambo ya elimu. Ingefaa Serikali itoe elimu ya bure kutoka nursery mpaka Form IV level. Halafu kwa university,
Serikali iwapatie bursary wale ambao hawajiwezi. Hii budget ya Serikali ipewe kama ni pesa ya huduma yoyote ile, iwe
inatolewa ifike kwa district, iende kwa division, location, mpaka kwa sub-location; ili iweze kutumikia wananchi kamili.

Com Nancy Baraza: Budget au (?)

Clr William Kiplagat: Pes kama ya agriculture, kwa sababu hata hapa kwa sub-location iko kazi ambayo inatakikana
kufanyiwa kama mmomonyoko na mambo mengine. Kwa sababu unaweza kuwekewa pesa ya agriculture lakini inakwishia
huko huko tu. Haiwezi hata kupitia kwa ground ya mwananchi. Kwa hivyo inafaa itengewe inakuja mpaka divisional level,
mpaka location, na hata sub-locational level. Hiyo mwananchi aweze kupata hii pesa (?) kwa sababu yeye ndio
anatoa kodi.

Nikija kwa mambo ya mabarabara, kuwe na kamati ya watu wa sehemu ambazo watu watafaidika sehemu hiyo. Halafu kama
iko pesa (?) ya barabara ni hao wananchi wenyewe wanasimamia hiyo pesa, na kuhakikisha hiyo pesa
imefanya kazi; kwa sababu unaweza kuta trekta inapita na inaandikwa elfu kumi imekwisha na mwananchi apite.

Com Ahmed Hassan: Jaribu (inaudible).

Clr William Kiplagat: Inatakikana kwamba police waongezewe mshahara, ili wasijihusishe na mambo ya corruption. Kwa
sababu utakuta polisi anaambiwa achunge mamilioni ya pesa, ili hali yeye anapata mshahara wa elfu tatu. Akiona hiyo pesa
nyingi atajihusisha na corruption. Kwa hivyo police waangaliwe, wapewe mshahara mzuri, kwa sababu wanachungwa Serikali.

Wale ambao wanaoana kwa kinyumbani, wapatiwe certificate kwa sababu watu wengi huoana kinyumbani. Ikifanyika
kwamba mtu amekufa, kupata hiyo inakuwa ni ngumu. Kwa hivyo kama iko jambo ambalo limekuwa likifanywa
(?) yaani kama ile certificates zinapeanawa kama zile certificates za kuoana. Chief awe nayo halafu zinasaidia
wananchi.

Com Ahmed Hassan: La mwisho?

Clr William Kiplagat: La mwisho ni kama (inaudible) kama president anakuwa wa mahali kuwe na mjumbe ambaye anachaguliwa. President asiwe mjumbe awe president pekee yake. Na nchi hii kuwe na kiti cha Waziri Mkuu na nchi iwe wa majimbo ambayo kila mahali itakuwa ikijisimamia kwa mamboyao. Asanteni sana.

Com Ahmed Hassan: Thank you very much. Ningetaka kuwatambua wale viongozi ambao wamejuinga nasi, Bwana D.C wa Baringo pamoja na Bwana (?). Karibuni kwa hiki kikao, na wale representatives wengine ambao wamekuja nao. (inaudible) kwa hivyo tafadhali mjaribu kuangalia time. Kila mtu achukue dakika tano. Charles K Lobatian? Dickson? (?) hawako? Caroline Kiptum?

Caroline Kiptum: I am Caroline Kiptum, I am a freelance journalist. I work for the (inaudible) women. I would like the government to make it possible for the mentally disabled especially the women. They should be taken to hospital, they should be the responsibility of the government, and also their children they should have free education. If not free education, they should be given first priority (inaudible).

Also hospitals should be taken to district hospitals, for these people there are few hospitals for the mentally disabled people, it is only Mathare and the situation there is not good. They should be taken to homes, and be taken care of by Social Workers. And also after being discharged from the hospital, there should be a follow-up to know how they are fairing and also their children need counselling because they are traumatized. Anybody raping or torturing them, should be prosecuted.

I will also talk about land. No one should own more than one hundred acres of land in our country. No doctor working in the government should own a private clinic. The Constitution should live up to its word. Parliament should not be extended. Our law states that the term is five years, and in case of war maybe it can be extended, but our country has no war.

About accidents, drug abuse in our country is very rampant so people who (?) people's lives, may be drivers, PSV drivers, the police, the doctors they should be taken for drug tests. That is why there are many police shoot-outs, this is because of drugs. Also the drivers, we have been seeing our PSV drivers, even smoking bhang when driving. So they should be taken for drug tests. It should be a law, because accidents are rampant in our country.

About cattle rustling; it is seen as a traditional thing, but now it has gone beyond that because the rustlers come, kill, torture people. They even kill women, children... that means it has gone beyond cattle rustling. It should be taken seriously.

The Kenyan people also should know the Constitution. This may protect us from torture, and it will reduce corruption. When

you know you are right, you will never be corrupt; because you will know that if you have done any wrong, and if you go to before a court, you will be protected, you may be jailed for a month or so. But if you do not know your rights you will think that maybe you are going in for ten years, and then you will have to chota kitu kidogo. Thank you.

Com Ahmed Hassan: Thank you very much Caroline Kiptum. David Kamar.

David Kamar: *Kongoi missing.*

Translator: Huyu mzee anasema asante sana.

(Interjection) **Com Ahmed Hassan:** Mwambie aseme jina lake.

Translator: Yeye anaitwa David Kamar.

David Kamar: *Kamakingen kiiaketukul amune sikebwa yu.*

Translator: Kwa kusema kweli tulipofika hapa hatukuwa tunaelewa tunakuja nini.

David Kamar: *Kimenye reserve ineni komakimuch kenai akobo konetisyetab CKRC.*

Translator: Kwa vile tuko reserve, na hatujafikiwa na mafunzo haya ya CKRC.

David Kamar: *Ngangololi angololi kouye kaketebi sait kitikin kityo.*

Translator: Hivi ninaongea ninaongea sawa na kitu (?) sisi tulisikia kwa muda kidogo.

David Kamar: *Ngotkekertoi bet ak keruiye kemboi,*

Translator: Ikiwa mchana tutakuwa tukiangalia na usiku tutalala.

David Kamar: *Amune asikelechech achek biikab Chomus kerubet?*

Translator: Anasema sisi Wanjemps tunaambiwa lala na imekuwa mchana. Ni kwanini tunaambiwa lala na imekuwa mchana?

David Kamar: *Kotkelechin inye mumut konyek kokertoi biikalak koibabai?*

Translator: Tukiwa kama saa hii tunaangaliana namna hii, na unaambiwa huyu mwingine wewe funga macho, na wewe unaangalia utafurahia?

David Kamar: *Kimoche chitnyo neindoiwech eng Bunge.*

Translator: Yeye anasema tunataka mwakilishi wetu katika bunge.

David Kamar: *Kimoche kandoindet nyo.*

Translator: Tunataka mwakilishi.

David Kamar: *Ndamuchi ait olindo.*

Translator: Kwa sababu kama mungekuwa na uwezo wa kuweza kufika mahali panaitwa (inaudible)

David Kamar: *Ndongololi amite olindo.*

Translator: Ngingekuwa ninazungumza kutoka hapo.

David Kamar: *Moroisi ikuiye kieamwoe.*

Translator: Huoni jina iliyoko hapo.

David Kamar: *Amungamua amiyu....*

Translator: Kwa sababu nikizungumza nikiwa hapa...

David Kamar: *Omuchi obwat ole akenuki.*

Translator: Labda mtasema ninasema uongo.

David Kamar: *Tomokero achek chitnyo nebo Bunge kongete kenyoru Uhuru.*

Translator: Anasema Ilchamus inaitwa (?) huko. Hawajaona mbunge tangu Kenya ipate uhuru mpaka wa leo. Hatujaona mbunge akija kusimama hapa.

David Kamar: *Akoi rani.*

Translator: Mpaka wa leo.

David Kamar: *Komosta neiimikekei....*

Translator: Na sehemu ambayo zinashida...

David Kamar: *Ak kemwoei kelen kitinye chito nemi Bunge?*

Translator: Na hivyo ndio mnasema tuko na mbunge.

David Kamar: *Mito ano chichoto?*

Translator: Yuko wapi?

David Kamar: *Kandoindet nemokikere....*

Translator: Huyo mbunge ambayo hatumwoni.

David Kamar: *Kikere bichaitnyi kityo...*

Translator: Tunaangalia kichwa tunasema ni mbunge?

(Interjection) **Com Ahmed Hassan:** No, no, we don't want (Inaudible)

David Kamar: *Amache ane kandoindet.*

Translator: Maoni yake anataka mbunge.

David Kamar: *Amukikandoik kikekas ngal...*

Translator: Kwa vile sisi ni wachungaji na tulisikia ati (Inaudible)

David Kamar: *Kikekas kelemochei kepchie Chomusiek kobun oeng.*

Translator: Na Wanjemps wanataka tugawanywe katikati.

David Kamar: *Ngotkounoto komosikchinin.*

Translator: Hiyo itakuwa ni hatari (?) kwa sababu (inaudible)

David Kamar: *Kimoche kandoindet nebo Bunge.*

Translator: Tunataka mbunge na ikiwa hatutampata hatutagawanywa katikati.

David Kamar: *Kimoche MP nenyoy.*

(Interjection) **Com Ahmed Hassan:** Mwambie aweke (inaudible) atuambie maoni mengine.

Translator: *Ne?*

David Kamar: Mbunge.....

David Kamar: *Mbunge kityo.*

Translator: Anasema ni hayo tu.

Com Ahmed Hassan: Christopher Parstenei? Solomon Saidimu? Joseph Keboi?

Joseph Keboi: Asante sana mimi ninaitwa Joseph Kemei.

Com Ahmed Hassan: Kemei ama Kemoi?

Joseph Kemoi: Kemei. Mambo ambayo ningetaka kuwaeleza nyinyi ni machache na nitaenda mbio mbio.

Ya kwanza ni hali ya barabarani. Wazungu waliweka abiria wakuchunga magari yao, wakigonga mbuzi, ama ng'ombe hawalipwi. Na hiyo sasa yeye alikuwa ameweka hiyo (?) halafu achukue mali ya Mwafrika kama anataka. Kwa hivyo saa hi kama sisi wenyewe kweli tumebadilisha tunataka hiyo iwe sawa. Gari na maji yawe sawa, even.

La pili, Chairman wa County Council achaguliwe na wananchi. Isiwe atachaguliwa na ma Councillors watu mmoja mmoja. Na hata mayor achaguliwe na wananchi. Machiefs wachaguliwe na wananchi kwa maana iko machief wengine wanachapa wananchi sana na wanasema wataenda wapi. Na tunataka wakae tu na wachaguliwe na wananchi na wakae miaka mitano; halafu wapige tena kura na kama ni mzuri arudishwe.

Sote tunataka iwekwe kura ya maoni kuwania Ubunge, mayor, chairman wa County Council, na ma-Councillors. Kama Councillors, chiefs au mbunge analala, kuwe kunapatikana mahali ambapo pa kumrudisha yeye. Isiwe tu mtu anakaa mpaka anawachokesha wananchi, hakuna mahali anaenda.

Lingine, constituency ya Njemps, tunataka kuwaambia nyinyi mjue ya kwamba iko kwa roho ya kila mmoja wetu. Msione ya kwamba ni watu wachache ambao wanapendekeza jambo hili. Na tuchukuliwe kama iko mtu ambaye tunakataa. Kwa maana wakati tulikuwa tunapanga, mwaka jana mwezi wa kumi na moja, tulikuwa tumeungana tukiwa kama community ya Njemps, na tulisema ya kwamba tunataka kumwona mzee. Mwezi wa kumi na moja tarehe ishirini na nne. Viongozi walikuja huko wa districts na tuliwaomba tunataka kumwona mbunge wetu. Tukaambiwa hawezi kupita siku kuu bila kumwona yeye, mjitayarisha vya kutosha. Lakini kwa njia ambayo iko katikati, ilituletea hasara sana, mpaka tumekaa tangu tarehe ile tulipoamua kwenda Nairobi; kwa kukosa namna ya kuingia mlango wa State House (inaudible).

Lakini tulikosa kwa maana hakuna namna. Hata kama wewe uko karibu, hata kama tunapiga mlango wake. Miezi nne hakuna kupanda. Ndio sasa tunasema hao viongozi ambao wako katikati yetu na mzee wametutesa ya kutosha, na ndio sasa tunasema Rais wa nchi akae na asiwe mbunge, kwa maana tunaona ya kwamba hawezi kufanya kazi yake vizuri.

Na tumesema tunataka constituency na hatujakataa mzee (?) ametusaidia (?). Lakini nafasi ni ya kuwakilisha sisi kama mjumbe ndio nafasi hiyo inakaa peke yake.

(Interjection) **Com Ahmed Hassan:** Bwana Kemei hiyo point tunaifhamu sana, enda kwa nyingine ikiwa uko nayo.

Joseph Kemoi: Lingine ni kuwa elimu ilipwe na Serikali, badala ya kuongeza mishahara ya wafanyikazi, lazima ikomeshe hiyo

halafu iangalie watoto kutoka Form I, mpaka university. Hiyo iangaliwe kwa maana hivyo ndio anatusaidia kuliko kusaidia mtu mmoja. Kuongezea mtu mmoja mmoja na watu wengine wanateseka. Isimame hapo halafu ilipe elimu ya bure kutoka Form I mpaka Form IV.

Lingine ambalo ningependa kuongezea halafu nimalize ni mambo ya wafungwa. Wale ambao wanafanya makosa madogo madogo, katika kila location warudishwe waende kufanya kazi katika location hiyo (inaudible) wafanye kazi ya shule na wapatiwe hata mishahara na afande na wafanye kazi huko kuliko kwenda kufanyia (?) kwa nyumba ya Serikali huko (Inaudible) amekuja huko kulete maendeleo.

Ingine (?) angechaguliwa na Serikali kwa maana ni hawa wanafanya kazi zaidi kuliko assistant chiefs, machiefs na ninafikisha hapo, Mungu awabariki.

Com Ahmed Hassan: Asante sana. Joseph Chebii? Councillor Anne Chebol?

Clr Chebol: Asante sana ma-Commissioners. Nitachukua nafasi hii kuwashukuru kwa kututembelwea sisi katika wilaya ya Baringo katika tarafa ya Marigat. Neno la kwanza kabisa ambalo ningependa kuzungumzia ni kuhusu Serikali ya mitaa, kwa kuwa niko katika sehemu hiyo.

La kwanza ni mayor na mwenyekiti wa baraza la wilaya. Ninapendekeza wachaguliwe na wananchi, moja kwa moja, ili kukatisha wale power brokers ambao wanaingilia katikati, na kupendekeza ambao watafaa interests zao. Na baada ya kuchaguliwa kwa miaka mitano, huyo chairman ama mayor, achunguzwe kwa kipindi cha miaka mitano.

Tatu, local authority ninapendekeza ipewe mamlaka ya kujisimamia, kwa sababu saa hii kazi ambayo inaandikwa katika any Council, kuna job group 1 mpaka job group 9, hiyo inaenda kwa Public Service Commission ambayo imekuwa ni tisho sana kwa Council. Tuko na watu qualified, lakini wakifika Nairobi kwenda kwa interview, watu wanampitisha njia nyingine. Tuko na clerks ambao wamekuwa active miaka mingi na treasurers. Also in every Council in Rift Valley, tuko na clerks ambao ni active (?) in every where and they have qualifications. Kwa hivyo ninapendekeza local authorities ijisimamie, kuandika wafanyikazi wote wa all job groups.

Nne, elimu ambayo wengi wamezungumzia, ninaonelea ya kwamba mtu ambaye anapaswa kuwa diwan ni yule ambaye anayeweza kusoma na kuandika vizuri. La tano, mishahara na marupurupu ya madiwani izungumziwe na tume moja, pamoja na ile ya mishahara ya wabunge kwa kuwa bunge saa hii wanaelekea milioni, moja na Councillor sisi tunashika elfu saba, na yule mtu anawatumikia wananchi ni Diwani.

Sita, jambo ambalo linaitwa nominated Councillors liwe ni jambo la kusahaulika milele katika nchi ya Kenya. Kwa sababu

baada ya mimi kumshinda mwenzangu kwa kuwa yeye alikuwa rafiki ya power brokers anakuwa nominated, ili ku-frustrate efforts ya moani ya wananchi ambayo ni ya Councillor elect.

Saba, waziri wa local Government kufunga baraza lolote, ninaonelea kwamba ni upuzi mtupu. Maoni yangu iwe tu ni rais peke yake ambaye ana mamlaka ya kuvunja local authority yote, any Council ambayo ime mess. (?)

Kuhusu mambo ya ranching, kuna nyang'au ambaye anaitwa group ranch hapa kwetu, hiyo ni chama ya group ranch ya sehemu inayoitwa Sabaot ama Marigat mahali tunakaa. Mimi ni Councillor wa hapa na hapa hapa ni group ranch. Tuliandikishwa majina na majina yakapelekwa Nairobi, na ndio tukaambiwa we are supposed to pay Kshs 3million ili ardhi igawanywe na hakuna hata hela moja (?) tulipata kwa group ranch, hiyo sehemu ya Serikali ya group ranch. Kwa hivyo group ranch iende milele, hatutaki kusikia mambo ya group ranch.

Lingine ni mambo ya irrigation schemes. Irrigation schemes katika Kenya, wakulima wanakuwa tenants. Hii ni ajabu na sio ajabu sana kwa sababu ni sheria ile ya ukoloni. Kwa hivyo tunamshukuru mheshimiwa Rais kwa hili jambo la akiba. Na hata ninataka niseme ya kwamba ninapendekeza muda wa kutosha upewe Katiba. Kwa sababu kuna mambo mengi ambayo tungetaka mrudi Marigat tena tuwaeleze.

Kuwa tenant, baba yangu anakuwa tenant, mimi ninakuwa tenant, mtoto wangu anakuwa tenant, mjukuu atakuwa tenant, na hataka kijukuu na hata kilembwe na hata kilembwekeza na hiyo ni aibu. Kwa hivyo mambo ya tenants ninaomba itupiliwe mbali, isahaulike na iwe ndoto.

Mambo ya uridhi wa ardhi, iwe ni mtu binafsi aridhi ardhi. Katika ile mambo ya ardhi Commissioner of Lands anapeana plot katika Marigat hapa, acre kumi. Na hiyo acre kumi inapewa yule mtu ambaye ako na plot everywhere katika town hii, na katika other big towns in Kenya. Anaongezewa acre, kumi, kumi, kumi! Na yule mwenyeji hata akipewa 50X100 angetaka kujenga ninambiwa maplots isimamishwe. Kwa hivyo hayo mambo ya plots (?) tunaomba tuongezewe mali, mambo ianze bottom top kwa mambo ya ardhi. County Council ama municipal council ipewe mamalaka ya kutosha.

Lingine ni mambo ya mahakama. Mambo ya mahakama, ninaona ya kwamba hatia na pesa, basi waswahilli husema 'asiye na lake aelekee jiwe.' Kwa hivyo mambo ya pesa watu wote wameangamia. County Council inapeana plot kwa mtu. Mtu mwingine tumepatia plot raia, mtu fulani anaenda anachukua wakili anampeleka pale kortini, hivyo anaswaga kwa sababu ya toa kitu kidogo. Kwa hivyo ninapendekeza mahakama iwe autonomous, ijisimamie, isiwe chini ya mtu yeyote.

Katika uchaguzi, uchaguzi itakuwa tu bahati mbaya kwa sababu mtu hupiga bibi yake kwa sababu ya mlolongo. Lakini mimi ninasema kama sio mlolongo mimi singekuwa Councillor. Kwa hivyo ninashukuru mheshimiwa Rais kwa kuanzisha mlolongo. Kwa sababu rigging ni order of the day katika mambo ya siri. Kwa hivyo mimi ninaomba hata mahali pengine Ikiingia siri,

ninaomba mlolongo kwangu kwa sababu kura yangu haitabiwa.

(Laughing from the audience)

Na kuhusu uchaguzi, uchaguzi wa Diwani, Mbunge na Rais ifanywe siku mmoja kwa sababu uchaguzi wa Diwani ukifanywa leo, mimi nitapiga yule mtu mwingine ambaye anaomba ubunge, na ya ubunge ikifanyika kwanza atakuja kunimaliza mimi ambaye sikumuunga mkono. Kwa hivyo ifanywe one-day, halafu mtu akose mahali pa kupiga. Na katika kugawanya sehemu kama Baringo Central. Tunaomba ya kwamba ikiwa itagawanywa, Baringo Central, wale wanaohusika...

(Interjection) **Com Ahmed Hassan:** Jaribu ku-summarize.

Clr Chebol: Nina summarize. Wale wanahusika wasigawanye kwa kuangalia ni sehemu zipi ambazo zinaweza kuwafurahisha ili wapate viti. Kwanza wahusishe the stakeholder, and if they don't do so, basi tutawaonyesha ya kwamba kura ni ya mtu sio ya watu.

Katika kumaliza, Provincial Administration. Katika parovincial administration, Chairman wa DDC anatakiwa kuwa Chairman wa County Council ya district hiyo na D.C. awe patron (?) overall na D.D.O awe secretary ikiwezekana. Machief wote wapigiwe kura. Kila chief after ten years, mambo yake yaangaliwe tena.

La mwisho halafu niende niketi na niondoke niende niketi mahali pangu ambapo nimeketi. Mishara na marupurupu ya Councillors ilipwe mahali pamoja na mishahara ya wabunge. Ilipwe na consolidated fund. Thank you very much.

(Clarification) **Com X**

(Inaudible)

Clr Chebol: Group ranch, we don't want group.

Com Mohammed Sawzuri: You don't want group ranch?

Clr Chebol: Ehe?

Com Nancy Baraza:

(inaudible) what about

(?)

Clr Chebol: (?) hiyo ni kamili kwa sababu iko chini ya Count Council.

Com Nancy Baraza: Niiwache hivyo hivyo?

Cllr Chebol: Ikae Councillor namna hiyo kwa sababu County Council inachangia raia lakini group ranches hakuna mtu inachangia.

Com Nancy Baraza: Hapa Baringo bado mnapiga kura kwa mlolongo?

Cllr Chebol: Mlolongo tunapiga kwa KANU kwa sababu ndio njia mzuri.

Com Nancy Baraza: Kwa party au...

Cllr Chebol: Kwa KANU nomination lakini kwa kura ile kubwa ni siri. Thank you very much.

Com Mohammed Swazuri: Wacha tupatie nafasi hii kwa kiongozi wa KANU chairman Bwana Hosea Kiplagat (inaudible).

Hosea Kiplagat: Thank you very much commissioners. I don't know whether it is since I came from another (?) same function (?) like this one, I don't know whether to (?) or to say a few words...

(Interjection) **Com Ahmed Hassan:** (Inaudible)

Hosea Kiplagat: I think mine is the (?) summary because I had presented my points there. I would not want to (?) some of the things which being said here (inaudible) and I do believe that this is a Constitution we are not patronizing.

On the side of the mlolongo I believe this is only a capacity and we think the manifesto of the KANU party will (inaudible) whether mlolongo or by secret ballot (inaudible). Some of you think it is bit a because mainly some people may not have understood but I may have to name one point which I did not point out on the other side.

On the Section 2A which (?) expands to the parliament (?) Of the president. but I just want to suggest that maybe I gave only to the president. if it is more than four times, you are (inaudible). And after that the president I think it is of my view that the president should also be elected nationally not on the constituency level. And on those days... that remains either a president, I want to clarify, if after the fourth year the president is (inaudible) then he should be free to go back to either a constituency (Inaudible) as a Member of Parliament then no problem. I do not wish to (?) a president who is elected four times, we should not

go by the (inaudible). Because I do not see why we talk of (?) doing things. Considering the freedom and wish of the people there should not be an inhibition on the (?)

(inaudible) has been talk a lot on the other side of Kabarnet and as (?) my views (inaudible). Thank you very much.

Com Ahmed Hassan: Thank you very much. (Inaudible). Joseph (?) amekuja?
(Inaudible)

Chepchumba: Asante sana. yangu nitasema kuhusu upande wa kazi. Inaonekana kwa upande wa kuandika kazi...

(Interjection) **Com X:** (Inaudible)

Chepchumba: Inaonekana kwa upande wa kuandika kazi ni shida kwa sababu watu wametumia kuhongana. Kama huna kitu hawawezi kukuandika kazi. Hata kama umesoma namna gani, huwezi kupata kazi. Sasa ningepomba Serikali itoe sheria kuhusu jambo hilo, kwa sababu raia mwema anaweza kuumia. Kwa sababu unaweka pesa macho yako kusoma na baadaye huwezi kupata kazi. So ningepomba Serikali iangalie juu ya jambo hilo.

Ya pili ni masomo kutoka kwa Primary mpaka Secondary, Serikali iangalie itoe masomo ya bure. Kwa sababu watoto wengi wanaweza kukaa bila kusoma, kwa sababu hakuna uwezo wowote na kwa university ilipwe.

La tatu ni kuhusu hospitali. Ningependa Serikali iangalie upande wa hospitali kwa sababu watu wengi hawana pesa. Serikali itoe matibabu ya bure kwa hospitali. Ni hayo nilikuwa nayo, asante sana.

Com Ahmed Hassan: Asante sana Bwana Chepchumba (inaudible). Zakayo Loriko. Zakayo?

Zakayo Loriko: Kwanza ninashukuru kwa vile mlikuja hapa mkaleta (?) kwa sababu tangu (inaudible) iko hapa Marigat. Mimi ninaitwa Zakayo Loriko, sijui linaandikwa namna gani sijui ninasema aje Loriko.

Com Ahmed Hassan: Zakayo Loriko?

Zakayo Loriko: Ninaitwa Zakayo Loriko.

Com Ahmed Hassan: L o r i k o?

Zakayo Loriko: Loriko. Loriko ni nyororo. (inaudible) (*Laughing from the audience*) Basi maoni yangu mimi ninaogopa kama utapeleka huko mbele kwa sababu unajua kila mtu yuko na tofauti ya maongezi yake, vile utaongea, niongee maneno mengine ninasema kila siku...

(Interjection) **Com Ahmed Hassan:** Hakuna shida mzee endelea tu.

Zakayo Loriko: Kila siku iko mvinyo ninachapa mpaka ninakosa mahali ya kuweka. Basi mara ya kwanza maoni yangu ni kuhusu maneno ya hospitali. Hospitali hii yetu ya Marigat iko na shida kubwa, kwa sababu shida ziko za namna nyingi. Magonjwa ya damu yanamaliza watu hapa Marigat. Kama mtu anakwisha damu, mtu hawezi kufika Kabarnet bila kupoteza maisha. Hata mimi ninapotea mwaka jana (inaudible). Basi ikiwa nyinyi mko na uwezo, mtachukua hilo jukumu ya kututafutia hapa Marigat hospitali ya maana. Kama mtu (inaudible) tunapata ana ugonjwa wa damu kutoka (inaudible) huwezi kufika Marigat tena hapa kwa sababu utakufia njiani kwa sababu damu inamalizika na upepo huu ambao unavuma. Upepo unakunywa damu ya mtu. (*Laughing from the audience*)

Maneno yangu mengine, mimi mtaona vile mimi ninasema (?) kwa sababu (inaudible) iko Tugen, na iko Pokot hapa. Na hiyo kabila (Inaudible) halafu je mimi ni Turkana, kwa nini hapana hesabu mimi (inaudible)? (*Laughing from the audience*) Kwa sababu wakati Pokot walipigana na bibi wote walipigana. Kwanza mimi nilipigana zaidi hata vita vya juzi ambayo ilikuwa ni kufa na kupona (inaudible). Kwa nini mimi bado sijasikia jina langu (inaudible) (*Laughing from the audience*) na mimi ni mtu wa Kenya. Kama nchi ya watu wote ni kitu gani ambayo haijaleta jina langu? Hiyo ni ugonjwa, tabia mbaya. (*Laughing from the audience*)

Jambo la tatu (inaudible) sasa hiyo (?) ni ya nani? Ni ya Kenya gani? Kwa hivyo...

(Interjection) **Com Ahmed Hassan:** (inaudible) iko Njemps, iko Tugen, Pokot na Turkana.

Zakayo Loriko: Ndio, mimi ninataka kufanya hivyo. (*Laughing from the audience*). Sasa kwa hivyo iko jina kubwa (?) kwa Marigat kwa sababu hata (inaudible) iko wale hakuna masomo na (inaudible) kwa sababu hata wale wako na (inaudible) unashinda na pesa kwa sababu pesa hakuna (inaudible). Mtu kama ng'ombe zangu ninauza mbili saa zingine mbili au tatu zinabaki, iko na watoto ninakamua halafu hauna nini? Utauza nini? Unataka sasa mimi ni (?) tunataka sasa watafute namana ya kuelewa zaidi shida za watu.

Kwa upande wa masomo mtoto gani yuko na nguvu na gani yule hana nguvu halafu nyinyi mtaelewa. Maoni yangu

(?) nashukuru (??) mlileta jina kitu kinaitwa mmomonyoko. Saa hii sasa sisi tunapambana na mmomonyoko.

Sasa tunahesabu hiyo kama ni msaidizi kubwa hata

(inaudible). Basi hayo ndio yalikuwa

maoni yangu.

Com Ahmed Hassan: David Kigen.

David Kigen: Asante. Jina langu ni David Kigen, mkaazi wa hapa Marigat. Yangu ningependa kuchangia, ni kama maoni.

Kile kitu ningesema na ninazidi kusema kuna vitu vingi ambayo mbeleni tulikuwa tunatumia na hata saa hii tunatumia.

Maoni ya kwanza sisi ni watu wamila, na mila zetu tunasikia kama mtu akizaliwa kulikuwa na mila fulani na tunataka tujue ziko namna gani. Sisi kwanzia zamani ni watu hupasisha wasichana tohara na ukiona tangu mbeleni ni wale walianza mbeleni walikuwa wanajua, kwa sababu kulikuwa na sababu mingi. Ya kwanza ilikuwa msichana akitahirishwa baadaye anakuja kuolewa, na anakuwa na unyenyekevu na anajua jinsi ya kuchunga bwana. Na tangu siku hiyo ni mwaka wa 1982 mwezi wa sita, hiyo maneno yakasemekana hiyo imekataliwa na tukaona. Mbeleni ilikuwa wasichana hutahiriwa na baada ya kutoka jandoni unaona wanaume wanakuja kuingia kila nyumba ile wasichana wanachaguliwa.

(Interjection) **Com Nancy Baraza:** Hatusikii vizuri, weka microphone mbele usitoanishe mdomo rudia hayo maneno ulisema.

David Kigen: Nilisema mbeleni wasichana walikuwa wanatahiri na baada ya kutoka jandoni wanaolewa haraka. Na kutoka siku hiyo, siku ile (??) unawaoana wasichana wamekuwa shida, wanatangatanga na hawaelewi. Hiyo ndio tulikuja kuona itakuja kukatazwa. Na hiyo mila ilikuwa ni ya mbeleni na hiyo tukanona vile tunataka...

(Interjection) **Com Ahmed Hassan:** Kwa hivyo unataka nini?

(inaudible) Toa pendekezo.

David Kigen: Nitatoa pendekezo. Sasa mimi ninaonelea mambo hayo yangerudi ili... kwa sababu mambo haya yakukatazwa ni mila ya nyumba ingine. Mila ya nyumba yetu ni ya nyumba yetu. Hiyo habari ya kutolea kwa nyumba nyingine na kuingizwa kwa nyumba nyingine haistahili. Maoni mengine ningependa hiyo kama (??) irudishwe, tufanye arusi.

Com Ahmed Hassan: Unajua iko sheria ya watoto inasema ukifanyia msichana tohara hiyo ni hatia,

(??)

David Kigen: Iko namna hiyo, lakini inategemea mtu ambaye anapenda. Inastahili kutegema mtu anavyopenda. Lingine, saa hii iko mtu ambaye anaweza kuingia kwa bar tukisema habari ya vinywaji. Mtu ambaye anajiweza anaingia kwa bar, anakunywa. Na kuna mwingine hajiwezi, kwa hivyo pombe yake haina tofauti na ule uji wa kienyeji. Na hata yeye

(??) na yeye apae kitu kidogo. Sasa tungependa nao watu wale hawajiwezi wapate kujiburudisha na kinywaji ya kienyeji.

Lingine kwa sababu ikisemekana habari ya chang'aa ningependa hiyo kitu itupiliwe mbali kabisa. Lakini hii chai ya wazee ile... (*Laughing from the audience*) inaitwa millet, ile inaitwa uji tupate. Na kwa sababu busaa... kuna wale wanajiweza, wanaenda kwa bar na wengine wale hawajiwezi wapate kidogo. Ni hayo tu nilikuwa nayo, asante.

(*Laughing from the audience*)

Com Nancy Baraza: Ninataka kukuuliza swali. Mambo ya kutahirisha kwa hospitali. Msichana akitahirishwa sasa anaolewa, mpaka aolewe...

David Kigen: Aolewe, ataolewa.

Com Nancy Baraza: Na siku hizi there was a time (inaudible) hawaolewi watu wanawakataa au nini kwa sababu hatujaelewa vizuri ni nini.

David Kigen: Ndipo tunaona wasichana enyewe wakati walipokataliwa kuenda hiyo arusi, hiyo college kwa sababu hiyo ni college (*Laughing from the audience*). Hiyo ni college ya watu. Ikiwa ulisoma ama hucusoma hiyo ni college ya kinyumbani, na hiyo college ndio inafunza watu tabia mzuri, wale hawakusoma. Hata ingalao umesoma, lakini kuna maneno mengine ya kienyeji ambaye hata kama umesoma hutajua iko namna gani. Na tuliona (?) hata mtu akitaka huwezi kuja kwangu ukitaka msichana unauliza (?). Unauliza hata huyo msichana kabla hatujaongea kuhusu mali yake. Ameenda college ama bado?

(*Laughing from the audience*)

Com Nancy Baraza: Iko swali lingine hata mimi nimekaa hapa watu wanasema mnataka muelimishwe mpate masomo kama Wakenya wengine, na wasichana wameacha shule. Na wewe (?) college (inaudible) juu ya ng'ombe, watasoma namna gani ndio wawe kama Wakenya wengine?

David Kigen: Watasoma hata saa hii huwezi kukosa mtu ambaye ameenda university na ameenda hiyo college.

(*Laughing from the audience*)

Kendagor Kisire: Asante sana Commissioners. Yangu ni maneno mawili tu pekee yake. Jina langu ni Kendagor Chesire (?). Maoni yangu ya kwanza, ingawa wengine wameshasema, Chairman wa County Council wachaguliwe na wananchi wenyewe.

La pili kutoka hapo hapo, wakati tunafanya development yule alikuwa kwa D.C yaani chairman yeye apewe mamlaka awe chairman wa kutekeleza mambo ya wananchi. Pia maoni mengine, wakati mwingi ukichaguliwa na kupewa na ni mlevi tutakuja kugongana nyumbani, na maendeleo tunasoma mpaka yeye anaenda retire ama miaka mitano ikiisha. Tunataka kuona sasa wale wamechaguliwa watekeleze mambo ya wananchi kuondoa umaskini kwa wananchi. Kwa sababu tunataka wakati tunaona yule ameendelea kama tunataka kumrudisha kuchukua miaka mitano mingine, kwa sababu ya kutekelezea wananchi kazi ndio tunataka.

Tena mambo mengine, hii pesa kwa sababu imekwisha semekana tunatakikana kulipa pesa ya Councillors kutoka kwa account ile inalia wabunge. Ile pesa tunatozwa ya ushuru, pesa hizo zitengenezee wananchi mabarabara, mashule. Pia ilipe waalimu wa nursery school. Waalimu wa nursery school walipwe kutoka kwa pesa za wananchi ambao wanafanya katika County Council.

La mwisho, iko wezi ambao waniba mbuzi au ng'ombe ya watu halafu wanakuja kukuuzia na wakati ukishanunua pengine ukipatikana nayo ukisema uliuziwa na mwingine, wansema wewe unasaidia wizi. Kwa nini Serikali hawamfuati yule ambaye aliuza wale ng'ombe wa kuibiwa? Kwa nini wanataka kuumiza mwenye kununua? Angejuaje? Hicho kitu kinahitaji kukataliwa kabisa katika Katiba (?)

Basi kwa hivyo ningependelea kwa wale machief ambao wanaandikwa, ama wanafanya interview katika Serikali wachaguliwe na wananchi, lakini wakati D.C amewakamata yeye anakaa mpaka wakati inamaliza miaka tano, sio ati mwananchama anachaguliwa tena kama Councillor. Kwa hivyo ningependelea namna hiyo kwa sababu tumekuwa tunachaguliwa watu wengine wa kuja kuumiza wengine, hapo hawajui hata mimi mwenyewe nilipita njia hiyo. Mimi nilifanya kazi ya assistant chief miaka ishirini. Lakini iko kazi nyingine wakati mwingine sisi tukiona haifanywi hakika hata mimi wakati mwingine nilitoka kwa kazi hiyo kwa kuona mambo sio tamu sana. Mambo ni mbaya kuchungakwake kwa sababu siku za mwisho nyumba yako itatikisika. Kwa hivyo sasa kila mtu achunge maisha ya kwake kwa sababu (?) ndio itakuja kukatakatwa. Kwa hayo machache ninasema asante.

Com Ahmed Hassan: Haya nenda sign kwa kile kitabu. Chesire (?) kama hayuko Mary Komet? Okay Toroitich Chergot? Joseph Motogoi? Patrick Koko? Ni wewe?

Patrick Koko: Asante sana kwa Commission na kwa wananchi wa Marigat kwa jumla. Mimi niko na furaha kubwa siku ya leo kwa sababu ya hii kazi vile mliitayarisha kwa sababu tulitumaini tutafika siku kama ya leo. Kwa hivyo tunawakaribisha Marigat ili tuweze kubadilisha hii Katiba kwa pamoja.

Kwanza mimi ninataka kurekebisha Katiba. Kwanza ninataka kurekebisha upande wa desturi kwa sababu kama tunarekebisha, tunarekebisha desturi. Mwananchi ama mtu yeyote mahali alipo hatuwezi kusimama kama... kama hii nyumba

haiwezi kusimama kama hakuna foundation. Mimi ninashangaa sana kama tutarekebisha kile kitu hakina foundation. Kama tutarekebisha Katiba ile haina foundation, tunarekebisha bure. Mimi mwenyewe maoni yangu ni kusema hiyo tuvuke tuende nyingine. Lakini kama tuko na foundation ya Katiba, nitaingina na nitauliza Mkenya mwingine aingie ili turekebishe, kwa sababu ya... we are dealing with life yaani, tunarekebisha maisha ya kesho, sio ya saa hii. Na kama ni maisha ya kesho, mimi ninarekebishia wale watoto wangu na mimi nitakuwa wapi?

(Interjection) **Com Mohammed Swazuri:** Which foundation are you talking about?

Patrick Koko: Desturi, culture.

Com Mohammed Swazuri: (inaudible) to continue or to be ...

Patrick Koko: To be amended, yaani turudishiwe desturi ile yetu tulikuwa nayo. That is what I mean by foundation. Kwa sababu nimeona kama tungekuwa na foundation, nafikiri hatunge kaa hapa, ama mahali pengine.

Pili, ninakuja kurekebisha sasa tabia ya mwananchi sasa. Kwa sababu tunarekebisha kitu kimoja. Labda nikiulizwa mimi kama ningelizwa tunarekebisha nani atanufaika? Ni mimi, sio mtu mwingine. Sasa mimi sitarekebisha Katiba pekee yangu nitarekebishia Wakenya wote. Kwa sababu nikirekebisha Katiba ya kwangu nitakuwa ninajipenda mimi mwenyewe. Kwa hivyo mimi ninaongea jumla Wakenya wote. Kama tutarekebisha, turekebishe kile kitu amacho kitaingia kwa 41 tribes of Kenya not one tribe. I am talking of 41 tribes of Kenya. Hiyo sasa ninapita ninaingia three.

La tatu ninaongea juu ya misaada. Tumekuwa tukitegemea misaada kwa wakati mrefu na ni vizuri. Mara kwa mara nilikuwa ninaona nikiomba sikuwa na maendeleo yoyote. Nilikuwa ninaomba, ninapatiwa ninakula inaisha ninarudia tena.

(Interjection) **Com Ahmed Hassan:** (inaudible)

Patrick Koko: Sasa natumai tungeachiwa sisi Wakenya tuendeleo hivyo. Ninaona misaada kama imeturudisha nyuma sana. Ya nne, ninafikiri ndio ya mwisho. Sitaongea juu ya uchaguzi kwa sababu ile nilikuwa nayo, nilikuwa nimetayarisha ni hiyo. Sasa ya uchaguzi hiyo ni ya wengine. Kwa hivyo ninashukuru sana kwa hayo yote. Karibuni.

Com Ahmed Hassan: Asante. (inaudible) Kiptoo Kimeto? Kama hayuko, Wilson Kireng. Nakuona uko na written memorandum, please do not read it word for word.

Wilson Kireng: Honourable Commissioners...

(Interjection) **Com Ahmed Hassan**: Tell us your name.

Wilson Kireng: I am Wilson Kireng. I am not going to cover the eleven chapters, I will cover a few. Let me go to the point straight. I propose or rather I suggest that... I am going to start with the Executive, that is the President. I propose that we are going to have the president; under him there should be a Prime Minister assisted by two deputy Prime Ministers. Below them are the Ministers and the assistant ministers.

I suggest this to be the work of the president. It should be a ceremonial position to be elected by parliament.

(inaudible). He should not belong to any political party. He should not be a member of parliament. To appoint a party leader with the majority in parliament to form a government. Should have the powers to dissolve parliament. Should not be above the law. Should have $\frac{2}{3}$ vote in the Senate and House of Representatives (?) Him and both parents must be citizens of Kenya by birth, if by naturalization then he should have continuously lived in Kenya for not less than six years.

The state of his health physically and mentally should be determined before being elected. He should serve for only two terms consecutively for a given time. He should exercise the prerogative of mercy (?) and court matters. He should be the Commander-In Chief of the Armed Forces. He should not then declare war before the approval of the Senate. The president plays in defence and national security. He should establish Armed Forces as the President and the Commander-In-Chief. The president cannot declare war and state of emergency. The president cannot deploy the Kenya Armed Forces to war, peace keeping, or for any duty outside Kenya without approval of the Senate. For in emergency cases when the country is under attack, the (?) natural disaster (?) the president cannot deploy Armed Forces but (?) the Senate within 24 hours. The president would have and use central powers. Any legislation powers by the Senate and parliament.

The powers we expect of that president. He should be empowered to dissolve parliament or Senate, regional assemblies and counties. The president to have powers (?) recommendation of the Prime Minister (?) and call for fresh elections. The president to have powers to (?) the leader of the party with majority in parliament to form a government.

Retired presidents: They should be given good security after serving his time and all the (?) welfare. He should also be (?) from prosecution and any crime that he or she committed while in the office.

The Prime Minister: He should be the Head of the Government. He should not be directly elected but come clearly automatically as the head of party, kwa sababu we want elections with the majority immune (?) He should not have a constituency seat in parliament by virtue of his office. Appoint ministers and assistant ministers following Senate approval. Appoint senior civil servants e.g. the Attorney General, the Ambassadors members of the Public Service

Commission, judges of the Court of Appeal and the High Court, the Kenya Police Commissioner and the head of Parastatals, subject to Senate approval.

Can be impeached by a no confidence vote of $\frac{2}{3}$ rd majority by both the Senate and the House of Representatives. The ministers appointed by the Prime Minister should be subject to confirmation by the Senate, may not be MPs, Members of Parliament. He may not be an MP in any parliament run or manage ministries.

Counties: The Chairmen and chairpersons to be elected by the public, not Councillors as it is at present. To have a minimum of Form IV level. To be the chief District Administrator, combining the current responsibilities of a chairperson and those of the current District Commissioner (D.C.). To be the Chairperson in the District Security Committee. Those are the views that I suggest for the Chairmen.

County, City and Municipal Councillors: They should be elected from their respective wards. They should be of Form IV level of education and above and no language tests. They should be remunerated well and paid by the Central government and not the County itself.

On judges, the judiciary: We are going to have the (?) prosecutor and the investigation. The judges:- the Supreme, Appeal and High Court judges be appointed by the Prime Minister and approved by the Senate. Supreme and Appeal judges should deal mainly with the interpretation of the law while the High court and Magistrate courts deal with the administration of the law. Magistrates to be appointed and promoted by the Public Service Commission in collaboration with the Judicial Service Commission. Supreme Court to consist of not more than five judges to deal with Human Rights and Constitution cases. While Appeal judges should deal with the criminal and civil appeals.

The Attorney General: He should be the public prosecutor, be appointed by the Prime Minister. He should sit in the government. Acts as the government's Chief Legal advisor, and prosecute all criminal cases. Police should not be allowed any more to prosecute any case in the force. Represent and defend the government against the liabilities, (?) civil cases. Draft Bills and present them in parliament. Provide legal representation to the poor citizens who cannot afford to hire a private lawyer.

Head of the Anti-Corruption Unit must be a lawyer by profession appointed by the Prime Minister and confirmed by the Senate. To investigate and prosecute all cases related to corruption abuse of office and breach of Human Rights.

General issues, emergencies, order of succession. In cases where the president (?) as the Prime Minister or (?) this should be the order of seniority or succession. When there is no president, the Prime Minister will occupy that position. And if the two are not there, the Chief Justice and it comes down to the Speaker of the Senate or the Justice of the

Supreme Court.

Senators should be elected, one per District and Municipalities with more than three thousand people be it Mombasa, Kisumu, Nakuru, Eldoret etc should have one. City Council of Nairobi to have two. Senators should be of thirty-five years and above with good experience in administration. With a minimum of O level education.

Regional governance: To be elected by the convention of counties, electoral colleges of Councillors. Should be of thirty-five years and above with (inaudible) with a minimum of O level education. To serve for only two terms and be removed from the office or impeached. This (inaudible) responsibility of the provincial commissioners (P.C.s)

The Chairperson: The regional governor should be the chairperson of the (?) Security Committee. Regional legislature should be elected two from each district and one from the Municipality. To be of O level education and above. He should be nominated by the Prime Minister with approval of the Senate. To represent the disabled, the minority, women and civil organizations.

Trustlands: Section 114 of Chapter 9. We have regularity Trustlands votes have not been in existence. (?) their responsibilities have been overtaken by Land officers and Provincial Administration. (?) those are the (?) Trustland vested on County Council power taken by the land...

(Interjection) **Com Ahmed Hassan:** Kireng you have one minute. (inaudible)

(Interjection) **Nancy Baraza:** I didn't get that point, what are you saying about Trustlands, where do you want the power vested?

Wilson Kireng: Yes, thank you. We need the powers, these are my recommendation on the trustlands. No direct allocation by the President or commissioner of Lands (?). No current (?) the government to provide as a service. Let the people control their own land and the government facilitate (?) if these have failed in the (?) etc.

The next is a regional set up exchanging I propose it is not. Areas of (?) if the new proposal is put in place. Remove the outdated (?) administrator except chiefs. (inaudible). Remove urban and town councils leaving cities, municipalities and counties to operate. Reduce the number of (?) currently in place in the province, district, ministries and Local authorities. Leave only those required. Remove the post of the Vice President for there is no need to have a non-Executive Vice President. Rebuild the government as most of the work will be done at the regions and counties. Eliminate the nomination of Members of Parliament and Councillors except a few to represent the minorities,

women and the disabled. Special interest groups in decision making, these are women and the marginalized groups.

Human rights to be made more serious, specific and to the point for citizens to understand. E.g. right to legally acquire and own property anywhere in Kenya, Right to live in Kenya and all those others.

Elections to be divided into two:- general elections to elect the Senate and parliament, regional elections to elect the regional assemblies and Councillors. No use of money to woo voters. Any candidate found giving money or gifts of any kind to be disqualified. Only those with 10% representatives in parliament or Senate should qualify for State funding. Those are these political parties. Any party that fails to get 10% representation after three consecutive general elections should be deregistered.

(Interjection) **Com Ahmed Hassan:** Please try and summarise (inaudible) give us the last one.

Wilson Kireng: The last one is the environment and natural resources. The Constitution should address issues of environmental protection and management. The government to reinforce laws for the protection of the environment. Local communities to have an active role in the protection and management and ownership of the natural resources.

Natural resources such as wildlife, forests minerals and natural resources should be protected by the Constitution and give the community their rights. The County natural resources are managed for the benefit of the community and the future.

Lastly the Rights of the Child. The Constitution should guarantee the rights of the child, right to freedom, education from Primary to University, inheritance of mother and father's estates, protection from all sorts of abuse whether from the parents, guardian, community and the government. Free medical care by the government.

Public Service Commission should be guaranteed by the right of (??) To be appointed by the president and confirmed by the Senate. To be removed from the office by $\frac{2}{3}$ rd majority votes in the Senate. Civil servants from job group A and above, directors, head of Parastatals to declare their assets when they are being elevated. Thank you.

Com Ahmed Hassan: Thank you, sign the register. Councillor (??) Chebii? Kama hayuko, Richard Yegon. (inaudible). Anza na jina lako.

Richard Yegon: Mimi ni Richard Yegon. Mimi ninapendekeza Kenya iwe na majimbo. Kwa sababu ya majimbo wengi wanaweza (??) maoni yangu Kenya iwe na majimbo. Wananchi wawe na uhuru wa kuweza kujiamulia kwa sehemu kadha ya mahitaji yao. Tunaona wakati huu imeenda (??) kwa area nyingine. Kwa hivyo wananchi (??) wapewe uhuru wa kuweza kujiamulia.

Corruption itafanya watu wengi waumie. Ni maoni yangu, Serikali ile imechaguliwa na wananchi wapewe ruhusa watawale Serikali yao kwa sababu chama hicho kinajua vile kinaweza kulinda mwananchi. Kwa sababu tukianagalia kwa wakati huu wale wanaongoza Serikali ni watu wachache na wanaumiza sana. Kwa hivyo maoni yangu, chama kile kitachaguliwa na wananchi kipewe ukweli asitawale na (?) na achunge mali yao. (inaudible) anaweza kuchunga mambo ya elimu na hata mambo ya chakula, mambo ya Serikali kama vile imekuwa namna hii kama haingekuwa chama kinachunga ingekuwa namna ingine haingekuwa namna hii.

Barabara pia pendekezo langu, watu wanaendesha magari (inaudible) waheshimu wanyama kama mbuzi, kondoo, ng'ombe ambao wanagonga tu wakiwa (?) ati kwa sababu ya kwamba (inaudible). Watu kama hao walinde mali ya wenyewe kwa barabara kwa sababu mtu akitembea reserve anasikia kuna mali ya wenyewe na anapopeleka gari, unakuta amekanyaga kwa barabara na hiyo inaleta shida. Yangu ni hayo tu.

Com Ahmed Hassan: Asante. (inaudible). Francis Letopia Ole Migura. Jaribu kuharakisha mzee, dakika tatu.

Francis Letopia Ole Migura: Nyinyi nido mlichelewa (?)

Com Ahmed Hassan; Songa karibu, weka microphone karibu.

Francis Letopia Ole Migura: Mimi ninaitwa Francis Letopia Ole Migura.

Com Nancy Baraza: Letopia?

Francis Letopia Ole Migura: Ole Migura.

Com Nancy Baraza: Ole?

Francis Letopia Ole Migura: Ole Migura. Maoni yangu ningependekeza kusema machache. Haya mambo ya Katiba yenyewe sisi wengine hatukujua Katiba ni nini. Tungeelimishwa. Kwa hivyo ingawa nimekuja nikakuta kama imeendelea nitaweza kusema hivi.

Maoni yangu mimi, ninaonelea kile kitu kiko sasa Serikali ya faa kuangalia kwa Katiba ile mbaya. Waangalie mambo ya hospitali kwa wananchi, wawasaidie watu kwa madawa. (*End of tape*)

Neno lingine, unajua sasa mimi nitasahau kwa sababu mimi sijui kuandika, nitasahau. Sasa mimi ninaonelea tena mambo ya

County Council. County Council imechukua katika Kenya mamlaka yote, kwa sababu ma-Councillors wanaweza kuchukua majina ya watu wale wanapeleka (?) kama area sasa... wewe kama umetuma yako, pengine hatujajua kama kuna kitu kinaendelea. Pengine umeona tu makaratasi (inaudible). Na hiyo sasa tunaona hiyo kitu iko (?) tunataka igawanywe na watu wa nje. Community location au kamati ya location waungane na ma-Councillor wao ndio wapitishwe ndio ipelekwe (?).

Chairman wa County Council awe akichaguliwa na wananchi kwa jumla. Rais achaguliwe pia na wananchi, na awe anasimamia kiti cha Rais peke yake. Asiwe tena mbunge wala kitu kingine. Kwa sababu atakuwa na kazi nyingi. Tena mambo ya sheria ya jela kama kifungo.

Sasa inaonekana mwizi wa mbuzi mmoja anaweza kufungwa, miaka saba na mtu akiiba ma-milioni ya pesa za wananchi hakuna kitu anafanyiwa. Au anaweza kufungwa tu, au anaweza kubadilishwa au anaweza kufungwa miaka miwili halafu anatoka. Hapo sasa inafaa iangaliwe vitu kama hivyo.

Com Ahmed Hassan: Haya lingine? La mwisho?

Francis Letopia Ole Migura: Ni hayo tu.

Com Ahmed Hassan: (inaudible). Samson Kases.

Samson Kases: Kwa majina ninaitwa Samson Kases. Nilikuwa tu maoni mawili pekee yake, hayo mengine yamezungumziwa na wengine. Yangu ilikuwa nikupendekeza ya kwamba, ningependa Katiba ya nchi hii, kama mimi ni mfugaji. Wakati wa ukame kwa sababu ni mambo ya Mungu, tusaidiwe. Kama kuna mashamba ya wenyewe na Serikali uko ndipo tujisikie kwamba (?)

Jambo la pili ni mambo ya elimu. Sehemu hii kwa wale watu wafugaji, mara nyingi tuna taabu nyingi. Ni watu tunahama pale leo, kesho huko, siku hiyo nyingine ni kutembea tembea kutafutia wanyama wetu chakula. Nilikuwa ninaomba tujengewe hizi boarding schools na ipitishwe katika sheria. Tuwe kama ni watoto wetu tunawaacha kwa shule, halafu tunaenda kutafuta malisho.

Vile vile masomo ya msingi, tupewe bure sisi wafugaji. Nikiongezea hapo kwa mambo ya ufugaji, katika hiyo sheria ya ufugaji, kuna kitu kinaitwa trespass. Mimi ninasikia wahenga wanasema, wazungu (?) hiyo sheria ya trespass kama bado iko nchini itolewe tafadhali. Kwa vile tuna mashamba ya wazungu hapa hivi, mtu akipita ng'ombe yako inaweza kuingia kidogo (inaudible)

Com Ahmed Hassan: Kwa hivyo tu-scrap hiyo?

Samson Kases: Ehe, hatuitaki. Jambo lingine ni mambo ya uandikaji wa kazi, kufutwa kazi. Mtu anaajiriwa leo, ninasema kwa Serikali, kabisa kwa Serikali. Kuna (?) za polisi kuna waalimu na idara zile zingine. Tunataka iunde Commission watu wasije wanafutwa kazi kwa sababu mmezosana na mkubwa, au kwa sababu nimefanya mambo yangu ambayo si haki kwa kazi. Pengine sijapotea kazi lakini nimekosea mkubwa, napoteza kazi. Hiyo sheria iangaliwe. Mambo ya kazi watu waangaliliwe kabisa, watu wanafutwa kwa njia nyingi na ndio unakuta uhalifu unaendelea kwa njia nyingi. Kwa sababu ya watu kuachishwa kazi ovyo ovyo.

Mwisho, ningependa kusema tu, Serikali iangalie masilahi ya watu hawa, wafugaji hatuna barabara. Mtu unaenda one hundred and fifty kilometres footing ukibeba mgonjwa. Kutoka mahali panapoitwa Lopita mpaka Sapolpei ni one hundred kilometers. Hakuna gari hakuna nini. Hivyo basi wajaribu kutuangualia. Ipitishwe sheria (inaudible) iangaliwe. Asante.

Com Ahmed Hassan: Chelal Willy.

Willy Chelal: Kwa majina ninaitwa Willy Chelal. Ninashukuru sana kwa kuwa mmetutembelea. Jambo langu la kwanza ni kuhusu ufisadi. Ningependekeza Tume ya kukabiliana na ufisadi iundwe ili wawe wakiwanasa watenda ufisadi na kuwashtaki na kuwafunga. Hivyo ninafikiri tunaweza kuendelea mbele. Kwa upande wangu mimi ninaona upande wa ufisadi ndio inaharibu nchi kwa jumla.

Maendeleo imefikia au imeanza kusimama kwa sababu watu wamekufa moyo. Kwa hivyo maoni yangu mimi ninaona Tume hiyo ikiundwa, pia wawe na elimu ya kutosha ya kupeleka mpaka hata kijijini. Kwa sababu tunaona raia wenyewe, raia wenyewe wamedhuriwa na hiyo tabia ya kutoa corruption. Kwa hivyo kila mtu tunaona kwa roho yake imejaa. Nafikiri Tume hiyo ikiundwa watakuwa wakitembelea wananchi kamili, waeleze ubaya wake na jinsi ya wote kushirikiana kukabiliana na hawa.

Pia kuwoko na mahakama huru. Mahakama huru ambayo itaweza kujisimamia na inaweza kuwashataki hao watu bila wale watu wa Serikali kuwa ndani yao. Kwa sababu tunaona sasa hata tunapo unda sheria huko bungeni, tunaunda sheria ndio, na sheria ikishaundwa, haita hukumu yule tajiri au yule ambaye alienda sheria kwa sababu ana mali. Itahukumu tu yule raia ambaye hana kitu. Mimi nikiiba na nikiwa niko na mali, basi nitaenda na nilipe, nitahonga korti yote, hata na mapolisi wataniachilia. Na mimi nikivunja sheria mimi raia wa kawaida basi nitashikwa, nitaingizwa ndani, nitawekwa ile, nitahukumiwa na ile sheria ambayo imenikamata kamili. kwa hivyo mimi ninaona tuwe na korti huru.

Lingine ni kuhusu elimu. Elimu kutoka Primary hadi Secondary igaramiwe na Serikali. Hata mpaka Form IV. Tunaona enyewe kwa sehemu za ukame ama sehemu ambazo hazitumiki kikamilifu, ninaonelea Serikali iweke pesa nyingi katika maeneo hayo ili

waimarishe. Na hasa wajenge mashule ya mabweni katika eneo kame kama hii yetu.

Ninaona pia, kwa sababu ya corruption, ninapendekeza adhabu kali itolewe wale ambao wananajisi hasa watoto na hata wanawake kwa jumla. Kwa sababu tunaona mambo hayo yamezidi na kwa ajili ya corruption tunaona mtu hata hafungwi hata (?) kwa hivyo iwe tight.

Tunaona upande wa wasichana, tohara ya wasichana iondolewe, iondolewe kwa kabisa na isahauliwe; kwa sababu ni tamaduni mbaya ambayo imepitwa na wakati. Na elimu haiwezi kuendelea, na ujinga haitaondoka ikiwa watu wataendelea kwenda katika ile elimu yao ya zamani ambayo imepitwa na wakati.

Ninapendekezo yangu pia kwamba, chiefs... lakini kwa vile watu wengine wamesema. Lakini kwa upande wangu... hivi vinywaji vya kinyumbani ndio vimechangia sana katika umaskini wa nchi hii. Tunaona watu wanaishia mchana mzima wakikunywa na kusherekea yale kidogo wanayo; halafu sasa baadaye umaskini unaingia na watashindwa hata kuwapeleka watoto wao shuleni, na wataishia tu kufikiria ile pombe yao na tohara. Kwa hivyo itolewe. Pendekezo langu ni kwamba Serikali iondoe mambo ya pombe haramu.

Na pia ninapendekeza kusikuweko na (?) wanasiasa wasiwe wanatumia pesa wakati wa campaign. Kwa hivyo kutoa pesa ili upewe kura isikuweko. Ni hayo tu asante.

Com Ahmed Hassan: Asante sana. (inaudible) hayuko. Okay (?)

Kiptoo Kimosop: Dear Commissioners, I am very grateful (inaudible). Okay, I am Kiptoo Kimosop. My first view is that the president should not be an MP because maybe very soon a place like this locality may get its first MP.

Group ranches is actually endangering our security in settlement in the near future and therefore these individuals should make place for title may end up owning the whole land or even selling the land making the occupants landless.

(Interjection) **Com Ahmed Hassan:** (inaudible)

Kiptoo Kimosop: No, we should not be.

Com Ahmed Hassan: (inaudible)

Kiptoo Kimosop: We should place the land on individuals and give the individuals titles. This will also lead to environmental (?) in the degradation rights because (inaudible)

Com Ahmed Hassan: Next point?

Kiptoo Kimosop: Next point is that tribal identification given in localities should be avoided completely. There should never be tribal boundaries. ASAL investments need skilled and planned individuals who can (inaudible) understand what should be kept there. For example hardy animals that can resist the drought, maybe hardy crops that can resist the current drought in order to improve the economy.

Tourism centers are very many and especially in Rift Valley. The interior (?) one hundred and fifty and over kilometers. There are areas where natural (?) have not been discovered or have not been utilized to attract these tourists. This (?) should be...

(Interjection) **Com Ahmed Hassan:** What are you recommending? Just make the recommendation.

Kiptoo Kimosop: Okay, the recommendation is this, that we should improve the road network in order to discover these areas and use them. The NGOs in the government of Kenya should directly monitor the projects they initiate in order for them to be implemented.

There should be education for all nationwide. That is to say sponsors in the country, we want them to assist a given community (inaudible) without monitoring in the government some (inaudible) that given opportunity and then maybe the project is not going to be implemented or even accomplished. Therefore, a way should be devised in order to ensure that these projects are actually implemented without corruption getting into it and maybe (?)

I was going to education for all. It was a target that by maybe the year 2000 (inaudible) and industrialization by the year 2020 (?). This may not be realized because of the (?) in our country and therefore we all want that these people be assisted by having boarding schools. Maybe if possible, because there is this fear that (?) education is offered those in the urban centres they benefit leaving alone the rural (inaudible)

Leadership through this idea of dynasty should be avoided because there some individuals who think that our clan can lead best than others and this must get (?) from the central (?) national level and therefore everyone should be given the freedom (inaudible). Thank you so much.

Com Ahmed Hassan: (inaudible)

Simon Chesang: Nitasema jina langu. Langu ni Simon Chesang. Maoni yangu nitasema hivi kwa upande wa hospitali kwa sababu watu wengi wamepoteza maisha yao kwa sababu ya kukosa pesa. Kama ingewezekana Serikali iangalie (Inaudible) kwa sababu mtu amejaribu bahati yake kupona. Kwa hivyo wasaidiwe mpaka wakati wataenda.

(Inaudible)

Upande wa shule, shule zimepoteza vijana yetu (?) wanasoma wakati wanaitwa shule hakuna pesa.

(Inaudible) na tunapoteza yeye kwa sababu ya ukosefu wa pesa (inaudible). Sasa tunaona

kama (?) ingesaidia kama ingekuwa free mpaka university tutajua huyo ni mtu wa maana sana labda anaweza kuwa daktari, anaweza kuwa nini. Labda hata tunaweza kumchangia tumsaidie yeye asome vizuri na akuje kutusaidia sisi.

Pointi ingine ni upande wa chief. Chiefs wapigiwe kura na wawe wanachunguzwa kwa kazi yao (?) na yeye ako na wananchi na anajua wananchi walimpigania yeye kwa (?). So kama inawezekana apangiwe kura na awe akichungwa hata yeye shauri mimi ninaona Serikali inawafuata waalimu wanachunguzwa. Hata mwalimu anakuja kuanagaliwa kama anasomesha watoto. Na kwa nini huyu mtu mkubwa... hata yeye aangalie wananchi kama anaweza kuwasaidia hao watu ama anaweza kuwasaidia vipi na atolwe kama hakuna kazi anafanya. So ningependa...

Kwa upande mwingine, kwa upande wa ukame areas, zinahitaji maji zaidi kwa vile hiyo ndio njia moja ambayo tunaweza kukuza chakula kwa pande hii yetu ya ukame. Sasa hivi Serikali iangalie upande wa maji, tutafutiwe maji ya kuwasaidia hawa watu bila watu kupoteza maisha.

Kwa upande wa barabara, ziangaliwe. Tutengenezewe barabara ili tuweze kuletewa chakula ama tuweze kuwasafirisha wagonjwa hospitalini. Kwa sababu saa zile ukame unaingia na mabarabara hakuna na mabarabara hakuna unapata (inaudible) kwa sababu ya njaa.

Lingine tena tungependa...

(Interjection) **Com Ahmed Hassan:** Mzee jaribu umalize.

Simon Chesang: La mwisho. Tungependa waangalie mwizi. Wengine wako na bunduki na wengine hawana. Kama ni makosa itolewe kwa polisi na kila mtu akae kama raia na Serikali iwachunge hao kama raia. Kama inawezekana tusaidiwe namna hiyo, kama haiwezekani mtuambie (inaudible) ili kila mtu ajichunge kwa sababu hakuna haja mwingine akuje na bunduki, akuje kunigonga na kuniyng'any'a mali yangu na mimi ninatoka familia ya maskini. Kwa hivyo Serikali iangalie mambo kama hiyo. Kwa sababu watu wengi wanapoteza uchumi kwa sababu ya wizi na hao wakora wanakuja.

Nafikiri hii sasa ni kama ni ya mwisho. Pengine ma MP wanaiba pesa. Wakati mtu ameingia finance, anaiba pesa anapeleka ng'ambo anajenga nyumba nyingi huko countries zingine anafaidisha country ingine badala ya country yake. Kitu kile kinafaa (?) iangalie kama pesa ya mtu imefika kiwango fulani hiyo iwe ni ya Serikali, isaidie Serikali. Kwa maana imeshakuwa nyingi mpaka hata amekua mchoyo (?) aandike watu kazi, badala ya kuchukua pesa kutoka kwa country anapeleka nchi nyingine. (inaudible) aangalie mambo kama hiyo. (Inaudible)

(Interjection) **Com Ahmed Hassan:** (inaudible)

(Laughing from the audience)

Kiptoo Kimosop: Ya mwisho officer. Ya mwisho kabisa, ndio tusihongane kwa kazi. Kama mimi nimesema mpaka Form IV au mpaka university, kwa nini certificates zangu zisifanye kazi? Kwa nini grade yangu inakuwa ya chini, halafu watu wa chini wananunua na mali yao kazi, wanapewa kazi. Na haya masomo nilisema yote ni ya nini? (inaudible) kama ni grade B, mimi nipate kazi kwa grade B, kama ni A, nipate kazi kwa grade A, na iwe ni haki. Asante sana.

Com Ahmed Hassan: (Inaudible)

Susan Kaitau: Kwa jina langu ni Susan Kaitau.

Com Ahmed Hassan: Susan?

Susan Kaitau: Susan Kaitau.

Com Ahmed Hassan: Kaitau?

Susan Kaitau: Yeah. Basi maoni yangu ni kwamba sisi bado ni wanafunzi katika mambo hii kwa sababu hatujui sana kwa hivyo tunaomba nyinyi kama mnarekebisha Katiba mfuatilie sana nchi hi yetu vile mnaendesha, mangalie kwamba imefika mpaka mashinani kwa sababu tunataka kila mmoja atoe maoni yake katika Katiba hii, hiyo tu. Kwa sababu ukiona saa hapa, ni watu tu labda mmoja mmoja na pengine wengi ambao wangetoa maoni yao, wako huko katika reserve. Ni maoni yangu kwamba mfuatilie sana jinsi waalimu wale mnatuma wanatupatia masomo. (inaudible) iwafikie wananchi wa kawaida.

Maoni yangu ya pili, ninasema kwamba katika jamii yetu tuko watu aina tofauti. Tuko na wale wanaitwa minority groups, ambao hawajawakilishwa katika bunge kwa sababu ya uchache wao. Kwa hivyo ninaomba basi kama hawawezi kufikisha kiwango cha kuwakilishwa katika bunge watafutiwe nomination yao.

Halafu lingine tena ni juu ya wasichana. Wasichana hasa katika sehemu hizi ngumu ngumu ama hardship areas, wako na shida sana. Mara nyingi wanapata shida ya kuolewa ama kutahiriwa na labda wakirevuka na (inaudible) kutaka kusoma sana baada ya wazazi wao kuuza, wakitaka kukimbilila mahali, hakuna mahali watakimbia. Hata wakitaka kukimbilia hata kwa ofisi ya D.O., wanafika huko na wanarudishwa tena. Kwa hivyo ninaomba sana kama hii area ambayo iko na shida sana kwa upande wa wasichana kukosa elimu. Ofisi (?) ya kutetea wasichana iwe karibu katika (?) kwa sababu wako na shida sana hata kusoma ni ngumu. Shida ni kukosa mtu wa kuwasaidia na hata tena katika sehemu hiyo, (inaudible) wawe in a boarding, wajengewe boarding ya wasichana. Hiyo itasaidia sana ili wapate kupata elimu kwa sababu wakiachwa hivyo watapatwa na dhuluma katika maisha yao. Asante.

Com Ahmed Hassan: (inaudible)

Stanely Masas: Mimi ninaitwa Stanely Masas, mimi ni mkazi wa hapa Marigat.

Com Ahmed Hassan: Stanely...

Stanley Masas: Stanely Masas.

Com Ahmed Hassan: Masas?

Stanley Masas: Yes. Na mimi ni mtu wa hapa Marigat. Maoni yangu ni kwamba mimi nimefurahi leo kwa sababu watu wa Katiba wamekuja hapa na ingawa hatukufunzwa mambo ya Katiba lakini kwa yale kidogo kidogo ambayo tumesikia tumefurahia hiyo. Na ningependa kutoa kwamba, nimeona kwamba kuna sheria nyingi ambayo bado ni ya ukoloni na inaonyesha hata sisi kukaa hatujakuwa na uhuru wa kutosha. Inaonekana hata pengine hatujafikia uhuru ule ambao tungetengeneza nayo Katiba hii kwa sababu mingi ya sheria bado ni ile ya ukoloni.

La kwanza ambalo nitatoa kwa sababu ni machache yale nimeelewa, ni upande wa wanyama wanao tembea barabarani. Nimeona hiyo, sheria ya wanyama kutembea barabarani, kama sisi tuko huku, utakuta mtu amenunua gari yake, amelewa anatembea barabara hii, anakanyaga ng'ombe wako na huwezi kumuuliza. Ukimuuliza, anakufunga. Na ng'ombe anatembea barabarani ako na uhuru anakula nyasi yake kando ya barabara. Na hiyo ni sheria ambayo ilikuwa imetengenezwa na wabeberu.

Kwa sababu wabeberu wakati walikuja Kenya walichukua sehemu (?) nzuri yote na wakachukua mashamba makubwa na kufungia ng'ombe wao ndani. Wakawaachia Waafrika sehemu mbaya mbaya na wako na wanyama wengi, wakatengeneza sheria ile ya kupita wakati wameshiba. Wapite tu bila mtu kumguza. Wakasema wewe ukigongwa wewe

utafungwa, na hakuna mtu atalipa ng'ombe wako. Hiyo sheria mimi ningeomba iondolewe. Kama sisi tuko huru kamili, barabara ni yetu, wanyama ni wetu, watu wasitusumbue sisi. Mtu akiwa ananunua gari lake awe amejifunza driving vizuri. Akikanyaga ng'ombe wa mtu ajue atagharamia. Na niwe na uhuru mtu akuje aongee na huyo mtu mpaka waone makosa yametokea wapi. Sio mtu mwenye ng'ombe akisikie amekanyagiwa ng'ombe yake yeye anakimbia anapotea halafu anatafutwa mpaka yeye anafungwa. Hiyo sheria mimi ninaona inafaa kutolewa.

Ya pili ni kwamba kwa kweli mbeleni mambo ya mashamba, mahali ambapo watu wanaishi na madini. Mambo ya madini. Kwetu hapo mbeleni wabeberu walikuwa wamekataa mambo ya madini. Hata kama iko hawakuwa wamewashughulikia watu wachimbe ama watu watumie kwa njia yoyote. Lakini wakati tulipopata uhuru mwaka wa 1964, sheria ilitolewa kwamba kama wewe uko na madini ndani ya shamba yako, basi hayo madini sio yako. Wanasema ya kwamba hiyo itakuwa ni ya Serikali. Hiyo sheria mimi sifurahi kwa sababu nikiangalia yule mtu yuko highlands ambaye analima shamba nzuri hakuna siku hata moja atakuja kumsaidia yule mtu ambaye yuko kwa area mbaya. Na mimi ningependa yule mtu yuko area mbaya kama kuna madini ndani ya shamba yake, hiyo iwe ni mali yake. Hiyo, mimi ningependa yeye aridhi hiyo mali.

(Interjection) **Com Ahmed Hassan:** Hiyo tumefahamu. Inginge?

Stanley Masas: Na vile vile katika sehemu hiyo, walikuwa wamesema huyo mtu akitolewa anapelekwa pahali pengine, hiyo mimi nimeona mahali pale mtu anapelekwa sio pazuri. Kwa sababu kama mimi ninaishi for example in Baringo, na niko na shamba yangu acre tano pahali fulani. Na imechukuliwa na shule ama hiyo minerals halafu ninapelekwa mahali pengine ninaweza kupewa acre tatu ama acre mbili, kwa district nyingine ambayo sio hii. Hiyo sheria mimi ninaona tumenyanyaswa kwa sababu mimi kwa hii district, hii hata kama ni acres kidogo, ni faida kwangu mimi kwa sababu bado hatujagawanyishwa hata watoto wangu wakikufa ninaweza kuishi huko. Lakini hiyo ninaenda kupewa ya acre tatu, itatosha mimi kwa maisha yangu na hiyo district nitakaa sitaruhusiwa tena kurudi kwa hii.

(Interjection) **Com Ahmed Hassan:** Inginge?

Stanley Masas: Inginge ni kuhusu mambo ya bunge. Mimi kwa wakati huu nimeonelea ya kwamba bunge ya nane, kwanzia bunge ya saba hapo katikati mpaka bunge ya nane, nimeona kwamba wabunge wetu wanaangusha nchi yetu. Nimeona ya kwamba nchi imeanguka kabisa, isipotengenzwa haraka (?) nchi hii inaangamia kwa sababu ya bunge na niko na sababu.

Sababu ni kwamba, wabunge tangu wameenda hiyo miaka (?) nimesema, kazi yao ni kuzozana katika bunge, hakuna kuwaangalia wananchi. Kwa sababu ukiangalia hata mambo ya irrigation tangu hiyo miaka nimesema imeanguka yote katika nchi na hakuna mtu anaangalia hata (?) hapa ni kwa sababu ya irrigation kidogo ambayo imefanywa leo. Kwa hivyo mimi nimeona bunge ivunjwe (?) kwa sababu isipovunjwa bunge, wananchi wattangamia. Factories zote,

hakuna zile zinaendelea na wabunge wako. Watu wamefutwa kazi na wabunge wanajiongezea mishahara ile watu (?). Sasa nimeona bunge ile iko saa hii sio ya kusaidia, ni ya kuangamiza.

(Interjection) **Com Ahmed Hassan:** Umemaliza?

Stanley Masas: Inabaki kidogo, inabaki kidogo sana.

Com Ahmed Hassan: Sema ya mwisho.

Stanley Masas: Wacha niseme ya mwisho. Mimi ningependelea rais achaguliwe kama hana chama kwa sababu kama mzee akisimama bila chama, hawa watu corrupted hawatakuwako kwa sababu yeye atasimama kama (?) president.

Com Ahmed Hassan: Haya, asante.

Christopher Parteneo: Mabibi na mabwana na raia wa Marigat, Hamjamboni?

(Interjection) **Com Nancy Baraza:** Sema jina.

Christopher Parteneo: Kwa jina ninaitwa Christopher Parteneo.

Com Nancy Baraza: Jina lako?

Christopher Parteneo: Christopher Ole Parteneo. Mimi ninashukuru siku ya leo kwa siku kama hii ambayo tumekutana ambayo hatujawahi kukutana kujadiliana jambo kama hili la kurekebisha Katiba. Nami kwa upande wangu ningependelea kuomba ya kwamba Wanjemps kwa ulalamishi wao ya kuwa wanahitaji mbunge. Serikali iangalie hilo jambo kwa maana tunahitaji. Jambo ni hili, maanake kwa hali ama tukiwa tunakaa, unajua tunakaa kama mali ama kondoo na hakuna kondoo ambaye anaweza kuenda malishoni bila mchungaji.

Point number two. Wakenya wenzangu wote ningependa wakuwe free, wa-feel free. Wazee ni watu ambao wana corruptiwa kuwa kila aina na namna ya mbinu kuangamiza ma kuharibia hawa maendeleo.

Number three, poor families: Kuna jamii ambazo hawajiwezi, na hizi jamii zinazidi kuhangaika. Tuseme for example, unaweza kuta kwa familia moja hakuna mmoja ambaye ako kazi wala hakuna payslip ambayo inaweza kuingia kwa hiyo boma. Na tuseme jamii hiyo wanaendealea kusoma na wanahitaji kusaidiwa kimaisha kwa mambo mengi na kugawanya pay slip (?). Na unakuta kwa mafamilia zingine unakuta wako karibu na payslip ishirini kuingia. Hapo kuna advantage na disadvantage.

Point number four; Ningependa Serikali iangalie maslahi ya vijana wenzangu kwa maana tumezidi kuhangaika na sijui hivyo ndivyo unaona vijana wanazidi kuharibika. Unakuta wengine wanaamua wanaenda kuwa *(in vernacular)* msituni.

Wale ambao wanazidi kusoma kwa shule wazazi wao wanauza mali yote, amaemaliziwa tayari anaenda secondary, anaenda university anamaliza anarudi anakaa nyumbani amekuwa stranded, no job. Saa ngapi atafikiria namna hii anahitaji hiki na kile? Akose kuamua kuiba? Kwa hivyo Serikali iangalie na ichunguze mambo ya vijana.

(Interjection) **Com Ahmed Hassan:** La mwisho.

Christopher Parteneo: Mambo ya upinzani. Upinzani vile tulisikia ya kwamba Serikali imekubali kuingiza upinzani hapa hivi. Tungehitaji kweli hawa wakuwe free kwa Kenya, maanake hao bado ni Wakenya wenzetu. Wafanye campaign kwa kila corner ya Kenya hii. Niko na point kumi...

(Interjection) **Com Ahmed Hassan:** *(inaudible)*

Christopher Parteneo: Wafanyikazi wa Serikali: wafanyikazi wa Serikali wengine, unaweza kuta mtu wa Serikali anafutwa ovyo ovyo, bila hatia ambayo inaweza kumtoa kwa hiyo kazi. Na anatoka anakuja nyumbani bila malipo yake. Na tena pia unaweza kuta pengine mtu wa Serikali ameaga dunia na akose kulipwa hiyo pension yake. Unaweza kuta mtu amekaa miaka saba au kumi bila kulipwa. Kwa hivyo Serikali waangalie hayo mambo. Hizo pesa, hiyo mambo ya pension...

(Interjection) **Com Ahmed Hassan:** *(?) jaribu kutoa mapendekezo.*

Christopher Parteneo: Mapendekezo, ningependa watu kama hao wasaidiwe. Ya saba, soko mbali mbali. Hapo awali tulikuwa na soko mbali mbali, wachuuzi wanatoka mbali mbali, unaweza kuta wengine wanatoka sehemu za Nyeri wengine kutoka Nakuru. Siku hizi hakuna masoko mbali mbali kama hizo, na sijui ni kwa nini soko hizo zimefungwa; kwa maana

tulikuwa tukiona wakati hizo soko zilikuwa zinaendelea tulikuwa tunafaidika. Kwa hivyo Serikali iangalie hayo mambo.

Upande wa barabara. Tuko na shida ya barabara. Mvua saa zingine huwa inatukuta hapa na pengine mtu unaenda about eight kilometers. Pengine uko na baisikeli, unajua hapa baisikeli ndio magari yetu hapa hivi. Unahangaika. Kwa hivyo tunahitaji barabara iweko hata at least kama hamtaweza mambo ya lami mweke hata kokoto. Sawa, asante.

Francis Kulei: Thank you so much the Commissioners of the Constitution of Kenya Review Commission...

(Interjection) **Com Ahmed Hassan:** Anza na jina lako.

Francis Kulei: My name is Kulei Francis.

Com Ahmed Hassan: Kulei Francis?

Francis Kulei: Yes. My first opinion is that we need to raise the salary for traffic policemen so that we can reduce corruption. This is because...

(Interjection) **Com Nancy Baraza:** (inaudible)

Francis Kulei: Okay. This is because this is testing human lives therefore if we corrupt that side, and we do not look at this we may endanger human lives. Number two we would like to pay highly for those guards who safeguard high valued property for example in banks; because if you do not pay enough they are going to rob money in banks and this is going to get down the economy of the country.

The third one is concerning administrative positions. We want to elect those people who serve in those positions for example the Divisional... or the D.O, D.C and the P.Cs. This is because they are standing for the wananchi and therefore they are supposed to be elected by the wananchi.

The fourth one is concerning the chiefs. Chiefs are also supposed to be transferred from one location to the other, just like the D.O's and the D.C's and the P.C's. This is because maybe the chief stays in that place for maybe over ten years, and they might make friends with other people so that when they commit crimes they are not disciplined accordingly.

Another one is concerning local brews. Most people take this brew and they become disorganized in most communities. So we would like to reduce this by licensing those people who prepare these brews so that only few people can prepare them and we can reduce the consumption of these brews.

Another one is the hefty salaries of MPs. They should be reduced by at least half. This is because you find that the MPs are paid around Kshs 500,000 and you find that most of this money goes to waste because they use it so badly and in corrupt ways. So their salary should be reduced and instead the government employs those people who have just completed colleges and universities.

Another point is free education from primary to university level. I would like to give this view that education should be free right from primary level up to university. Because you find that children who come from poor families end up getting out of school; not because they are not bright but because they do not have money to pay school fees.

Another point concerns the Civic Education. Recently there was Civic Education which was going on in some of the divisions in the district, and you find that most of our communities like Civic Education. This is because they would like to know, they would like to have a know how of the government and the (?). They do not have anyway apart from through the provision of Civic Education to eradicate this through these forums. Those are my opinions thank you very much.

Com Ahmed Hassan: We would like to thank the people of Marigat for the views that they have given today. Wale wako hapa, ninajua kuna wengine hawajafika leo na labda wangetaka kutoa maoni yao. Bado tunachukua maoni mpaka tarehe kumi na tano mwezi huu. Na unaweza kutuma maoni yako, uandikishe kwa barua vizuri halafu umpatie either District Coordinator, ama assistant wake ama Committee members wa Constituency ndio waweze kuleta kwa ofisi. Kwa sababu, leo vile tulivyo kaa hapa sio mwisho wa kuchukua maoni ya watu wa Marigat. Bado tunachukua maoni mpaka tarehe kumi na tano, Kenya nzima. Kwa hivyo kama kuna wengine mnafikiria hawajakuja leo tafadhalini mwapashe habari watume hayo maoni yao. Lakini ninafikiri leo tumepata maoni mazuri kutoka watu wa Marigat na vile nilisema leo asubuhi, repoti itarudi hapa. Repoti itatengenezwa ya constituency na National Report ile ya kitaifa na ile ya constituency, repoti mbili zitakuja hapa ndio mweze kuangalia na kuona ndio pia mtoe maoni yenu kwa hiyo repoti kama tuliyanasua maoni yenu yote. Na siku ile mtaitwa kwa mkutano kama huu mje na mjadilie kwa hii repoti.

Bila kupoteza wakati ningependa kuwashukuru wanakamati na Coordinator kwa ile kazi amefanya hapa na tufunge kwa maombi. Kuna mtu anaweza ku-volunteer kutufungia na maombi ama Reverend atatuomba.

Reverend: Natuombe.

Prayers: Baba katika jina la Yesu tunakushukuru Mungu kwa wakati huu. Tazama kwa wale wote wamekaa mahali hapa, na Bwana umekuwa Mungu wa amani katika jina lako. Asante Bwana kwa mkusanyiko wa hawa wazee na vijana walio mahali hapa. Bwana tumekuja kutoa maoni yetu ili tupate kuchangia Katiba yetu ambayo Mungu itatuongoza katika nchi yetu ya Kenya.

