

CONSTITUTION OF KENYA REVIEW COMMISSION

(CKRC)

VERBATIM REPORT OF

CONSTITUENCY PUBLIC HEARINGS,

BOMET CONSTITUENCY, HELD AT

BOMET COUNTY HALL

ON

12TH JULY, 2002

CONSTITUENCY PUBLIC HEARINGS, BOMET CONSTITUENCY, HELD AT BOMET COUNTY HALL ON
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Present.

Commissioner Charles Maranga Bagwasi
Commissioner Abida Ali Aroni
Commissioner Mosonik Arap Korir

Secretariat Staff In Attendance

Ishmael Aden - Programme Officer
Omwaya Ombati - Assistant programme officer
Flora Wafula - Verbatim Recorder

Com. Maranga: Asante sana kwa kufika, sasa tunataka kuanza mkutano wetu, na kabla sijanza pengine nikeomba Bwana Co-ordinator hatuitie mtu mmoja ambaye ataweza kutuongoza kwa maombi.

Com. Maranga Bwana Co-ordinator

Co-ordinator: Okay, Commissioners, who are with us, in this very, very important day, programme officers, and the sub-ordinate staff, members of the public let me welcome you all officially to this very, very important exercise. I would like to request if there is any Pastor or Reverend, who is inside to come and lead us in a prayer, or anybody who is able to give us in the word of prayer. Please come.

Volunteer: Hebu na tuombe, tunashukuru, ewe mwenyezi mungu asubuhi ya leo kwa sababu ya mapenzi yako tunakusanyika hapa, katika kumbi hii ya Bomet County Hall, hili kuchadiliana na kurekebisha katiba yetu ya Kenya, ninaomba kiongozi wetu

mpendwa Daniel Toroitich Arap Moi ambaye anajali masilai ya watu wote katika nchi yetu ya Kenya. Tonapo keti na kujadiliana juu ya marekebisho juu ya katiba mwenyezi mungu, utuongose kwa kila jambo hili baada ya kumaliza mkutano huu mungu wetu, tutapata maarifa zaidi kutoka wale wote wametoka Nairobi, hili kutuzaidia na kutupatia jinsi tutakapo weza kurekebisha mahali ambapo tunaona pako na kasolo, ni asante Baba wetu, wewe ni mungu ambaye ulianza kutoa katiba katika watu wa kwanza, yaani Adam na Eva, ulivyopatia jinsi anavyoweza kukaa hata ikiwa shetani alikuja kuaribu mpango mzuri, ambayo uliwapatia hao. Mungu wetu tunajua umepanga njia ambayo tunaweza kukurudia wewe na kurekebisha makosa yetu. Ninaomba haya machache nikiamini katika jina la yesu kristo aliye mkombozi wetu. Amen.

Co-ordinator: Thank you. I think I will hand over the programme to the commissioner in charge, so that he can proceed to the next stages.

Com.Maranga: Basi sasa nataka kutangaza lasimi huu ni mkutano, wa tume ya kurekebisha katiba hadi mwisho Kwa hivyo hiki ni kikao cha tume ya kurekebisha katiba. Na kabla hatujaanza kazi ya kutoa maoni, ningetaka kuwajulisha kazi ya kutoa maoni, ningetaka kuwa makamu wa mwenyekiti wa tume wa kurekebisha katiba bi Abida Aroni, ninamwomba awazalimu.

Com.Abida Aroni: Hamjambo, tunawakaribisha kwa hiki kikao na tuna tarajia kwamba, tutapata maoni ya kufaa kutoka kwenu, asanteni.

Com.Maranga: Basi mwingine ambaye ninataka kuwajuliza ni mtoto wa nyumbani, na ninafikiri, sitaki mimi kumtaja waja ajitaje mwenyewe

Com.Mosonik: (Inaudible)Mumesikia(insert Kikalenjin) Dr. Mosoin Arap Korir Commissioner.

Com.Maranga: Mumesikia vile ameongea hiyo lugha ni mtoto wa nyumbani, na mimi ambaye ni mwenyekiti wa kikao cha leo ninaitwa Dr.Charles Maranga Bagwasi basi na mimi vile, vile ni commissioner. Ningetaka kuwajuliza vile, vile wale ambao ni secretariat staff, kuna wale watu wemetoka upande wa ule wa kusaidia tume, ama yaani National Head Quarters, na leo tuko na Ismael Aden.

Com.Maranga: Wapi Ismael Aden? Inaonekana ametoka nche, lakini huyu ndiye atausika sana ile maneno Kama, kuna swali lolote ambayo kwingine hunataka kuuliza yule anaye msaidia anaitwa Bwana Omwanya Ombati. Huyu ndiye naibu wale na vile, vile anaweza kuwasaidia. Tunao yule atanasa sauti zenu pengine unaongea na unaona commissioners hawaandiki kile kitu tunae yule atakae nasa sauti zenu kwa uzuri kabisa na tape recorder, naye anaitwa bi flora wafula. Basi nafikiri kabla hatujaanza nitawapatia mashariti kidogo ambayo itafuatwa tukitoa maoni yetu.

Kwanza kabisa mtu ambaye anataka kuongea, anatakiwa ajaze form hii, wakati muliingia, and kuna sehemu moja ambayo mtu

mmoja amekaa anadikisha watu. Kwa hivyo unajiandikisha unasema Kama unataka kuongea ama hutaki kuongea, ama hunataka kupeana memoranda. Hapo ndio sisi kama tume tunawesa kujua. Na sisi tunafuata orodha vile, vile hulivyo ingia hapa. Kama humesaini namba one tunafuate, lakini watu tunaweza tukaruka ni kama, wanafunzi, watu walemavu na pengine hakina mama, ambao wantakiwa kurudi nyumbani, haawa ndio tunaweza tukapeana nafasi maluum hili waweze wakondoka. Lakini sisi tunafuata vile mumefanya registration Kwa mfano sasa mtu hatakuwa wa kwanza kuongea hapa anaitwa Benard Tole, huyu ndiye atakuwa mtu wa kwanza kutoa maoni kwa hivyo hii ni muhimu.

Na baada yeye kutoa maoni, inatakikana kuna official register, Hebu bwana Ombati waonyeshe hile register, kuwa bade hili huwaonyeshe, kuna official register baada ya yeye kutoa maoni, ama una memorandum unataka kuleta mbele ya tume hapo kuna register yetu ambayo unajiandikisha, ukishajiandikisha, hiyo ndiyo kumanisha kuwa uumefika mbele ya tume ya kurekebisha katiba ukatoa maoni.

Kwa hivyo njia vile vile kuna njia tatu ya kutoa maoni kwanza kabisa mtu anaweza kuja hapa na akaongee bila kusoma chochote. Vile vile kunaweza kuwa na mtu hako na memorandum na memorandum unaweza kuandikisha bila hata kuongea mbele ya tume kwa hivyo unaweza kujukua memorandum moja kwa moja hadi kwa Bwana Abed ama Bwana Mwanza ama yeyote ambaye ana register , unajukua hiyo memorandum na hii vile vile ni njia ya kutoa maoni.

Njia engine ya tatu unaweza kua na memorandum lakini unataka kugusia ile sehemu ile muhimu ya memorandum yako naye vile vile tutakupa mda mfupi tu uweze ukatupatia ile maneno ya muhimu hatutaki utusomee memorandum wewe utatoa zile points za muhimu (highlights) pekeyake.

Njia ingine ambaye kwa wale wengine, ambao hawataki kutoa maoni mnaweza tu, vile vile inakubalika uje ukae ndani ya hall uzisikiza vile wengine wanatoa maoni yaani. Tunawaita observers kwa hivyo unaweza fika hapa ndani kama hautaki kutoa maoni ukae kimya usikize vile wengine wanatoa maoni, hiyo ni njia moja ya ku observe.

Na tuna njia tatu ya kutoa maoni kupitia lugha mbali mbali , kuna ile lugha tunaita ya kimombo, ama kingereza, unaweza kutoa maoni yako kwa lugha ya kiswahili na vile vile unaweza kutoa maoni yako kwa lugha ile tunasema lugha ya mama , yaani kama auelewi kiswahili ama kizungu, basi unawesa ukatoa kwa ile lugha yako kwa mfano , hapa unawesa kutoa kwa lugha ile ambayo unaelewa hapa Bomet kwa hivyo tunawesa tu ili tueleze kwa mapema kidogo ile tuwese kupata mtu wa kutafsirina.

Kuna wale ambao pengine hawasikii mtu anataka kutumia sign language ama, ile njia ingine ya kuwapasha hiyo habari , Kwa hivyo kama watu kama hao wako tuelezee mapema ile tukawese kufanya mipago, ili tupate mtu ambaye anawesa kuwasaidia. Those are for the people with disabilities.

Kitu ingine tumesema yule mtu ambaye anaongea kwa kutoa maoni bila pengine kupeana nakala sisi tunawesa tukampa dakika tatu (three minutes), hii ni sababu sammery yule ambayo ako na memorandum na antaka kutoa highlights utapewa dakika mbili

sisi tumepita kenya mzima na tumefanya uchunguzi na tumepata kweli ata ukipatia mtu zaidi ya hapo mtu tena anaanza kurudia ile point alikuwa ameanza ya kwanza kwa hivyo sisi tumepima na kama tume two minutes ukiwa na memorandum , dakika tatu kama wewe uko na nini kama unatoa maoni na tunataka utoe mapendekezo kama sasa kwa mfano na ukiongea ongea kuhusu ofisi kama kwa mfano una taabu na ofisi ya raise apana taja jina la raise taja Ofisi ya Rais kama uko na problem na chief taja Ofisi ya chief hapana taja mtu fulani kama chief langat ,chief nani hapana taja ofisi ya chief kama ni Pc ,kama ni D.O , kama ni police namna hiyo hiyo tunaskisana kwa hivyo hapana taja jina la mtu kwa sababu huyu mtu ukimtaja jina hatakuwa hapa kujitetea tunaelewana, kwa hivyo sisi kama tume tunasema ofisi , kama ni mwalimu mkuu anasumbua nyinyi apana taja mwalimu wa shule fulani sijui cheborke ama nini taja ofisi ya mwalimu mkuu kama headmaster ,Principle namnaiyo tumeelewana kwa hivyo taja ofisi ndio utoe maoni .

Na kama unasema tuna taabu ya chai tuna taabu ya mifugo tuna taabu ya barabara ,masomo hapana ambia sisi tabu tu ambiya sisi taabu na tena utoe pendekeso kitu ya muhimu itasaidia tume ni mapendekazo kwa mfano kuna watu wengi wamependekesa wanataka elimu ya bure kutoka standard one (1) mbaka eight (8) wengine from standard one au nursery mpaka university wengine from nursery mbaka o' Level tupatiane.

Hiyo sasa ni pendekezo hukituambia maneno ya viama political parties ukituambia viama ni vingi vingi sana inatufuruga tuambie ni vingapi unataka usituache hivyo hivyo vile vile unasema ni vingi sasa tufanye nini tuambie ni ngapi unataka tumeelewana, kwa hivyo tunataka mapendekezo kamili ukisema taabu ya chai utupendekezee mnataka mfanye namna gani kwa hivyo, hiyo ndio maneno ya muhimu .

Kitu kingine ningetaka kuwaelezea ni kuwa tueshimu maoni ya kila mtu ata kama ukubaliani na vile fulani amongea akuna aja ya wewe kupiga kelele ama kusema aa !! aa! Hapana wewe kama una haki ya kufika mbele ya tume na wewe utoe maoini ambao pengine inaitilafiana na fulani kwa sababu kama mtumwingine amesema anataka serekali ya majimbo hiyo ni haki yake kama mwingine anasema anataka serekali ya umoja hiyo ni haki yake hapana sema aa!!

Tulikuwa tumesema namna hii kila mtu hapa anatakiwa kutoa maoni na mtu yeyote ana haki ya kufika mbele ya tume awe mfanyikasi wa serekali awe mkulima awe mtu asiyejua kusoma, awe mtu anayejua kusoma kila mtu ana haki mbele ya tume ya kurekebisha katiba. Tumesikisana, basi kwa hivyo two minutes kama uko na memorandum three minutes, kama wewe unatoa maoni usiongoje mimi nikukatishe kutoka hapa mimi nataka watu wa Bomet na jua ni watu wa heshima ukiona ule mda umefika toa ile pendekezo ya muhimu tumeelewana.

Basi bila kupotesha wakati na ukifika hapa kuna sehemu, ambayo watu watakaa unaanza na jina lako kamili , unasema mimi ninaitwa David Arap Langat so and so ndio unaanza kutoa maoni yako tumesikisana, hiyo maneno; basi kwa hivyo mtu wa kwanza kabisa naita ni Benard Tole . Karibu.

Benard Tole: Mr. Commissioner sir, I thank you very much for this opportunity you have given me to present my memorandum on behalf of the my names are Bernard kimutai tole. I am reading on behalf of the prisons inmates. Their recommendation number one:-

1. Mr. Commissioner sir is that they should be given a little education to enable them to run their own life. There recommendation number two Mr. Commissioner sir (inaudible) there recommendation
2. Number two is that prisoners should be a constitution review to be able to provided with basic need and some health care towards...ministry of health has lead to several deaths of prisoners . There recommendation number three is
3. To be made free of charge when the current constitution (inaudible).
4. Traditional and culture of a community to be respected by the new constitution e.g. the domestic problems to be first heard by elders and some recommendation to the adjudicating officer.
5. Five lands dispute first to be herd by the elders and recommendation to be herd by the court.
6. Six prisoners to be allowed to vote on a general election while they in prison because they also have the right to choose who to lead them .
7. Seven the new constitution to define the duties of a minister so that they know what is expected for such minister there are things Mr. Commissioner sir there are several things that I see ministers lie with the national flags but they do not understand there duties .
8. Point number eight and last concepts to prosecute
-A murder case to be given by high court to avoid the delay of such cases the ageing thank you Sir

Com. Maranga: Thank you very much. I think you should remain seated na nilikuwa nakuambia pengine kuna wakati ma commissioners watawauliza maswali, ndio waelewe kabisa ulkuwa unaongea nini. Kwa sasa tuna maswali kidogo pengine wanataka ufafanue saidi. Commissioner Abida Ali Aroni .

Com.Abida Ali Aroni: Mr. Tole, you are giving us views from , you are representing the ,

Mr.Benard Tole: I was the CP of the civic education provider for the (inaudible) prisoners Bomet, and I am presenting on behalf on them because they were not able to come and represent their views.

Com.Abida Aroni: Do you collect views from them ? Do you have their concept to present their views?

Mr.Benard Tole: I am the CP?

Com.Abida Ali Aroni: What is the C.P?

Mr.Tole: Civic Education Provider.

Com.Abida Ali Aroni: Your roll is to teach, isn't? so my question is ,and for what good reason whether you the inmates give you the concept to speak on their behalf?

Mr. Benard Tole: yes madam they give me the concept for security purposes

Com.Abida Ali Aroni: okay, now when you talk about basic needs, I would like you to expand on that , (inaudible)can I finish, knowing that as a prisoner there are limitations to what the state can't provide as much as we know that prisoners have to be treated well, so could you tell us what you mean by basic needs?

Mr.Benard Tole: When I talk about basic needs , I am talking about things like, we know , we all know that our prisons are congested, so the basic needs they should be given, enough space or to as sure the prisons should be expanded. I am also talking about clothing, you realise in most of the time prisons are walking half-naked.

Com.Maranga: Thank you Benard Tole, There is another question from Commissioner Mosonik.

Commissioner Mosonik: I was just wondering weather those are the only basic needs, space and clothing only.

Mr. Benard Tole: That is as per their recommendations, a view they talk about.

Com.Maranga: Thank you very much Benard Tole, know I request you to come out, then you register with us and you hand away your memorandum. Thank you very much for appearing for the commission. Councillor David Sang, na atafuatwa na Betty Ragat awe tayari.

David Sang: My names are Councillor David Sang from Bomet Municipal Council.

1. The first point that I would like to make is about the free harmony, the current constitution does not have a free harmony (inaudible) that I feel that the new one should have it. To reflect that the fact that it is people given. The current constitution starts by saying that, Kenya is a developed public, without telling us who is saying those words. So I think we should start by saying , we the citizens, of the Republic of Kenya, so that it reflected that it is people given.
2. The second point is the fact that the constitution should remain the very supreme organ, parliament should remain the only body that amaze it for to the current to that majority, that one should be retained. But just incase there is a need to amend it

, like for example was there was the talk about the extend of parliament, then National referendum should be held to seek the views of the public as to it should be amended in seven ways particularly in ways that touch the welfare of the people.

3. The structures systems of the government, I feel that we should retain the civic education of government that (Inaudible)modifications.

Modifications:1.That the president , must be directly elected by the people and in a different day and date . From civic and parliamentary courts.

2. The candidate of the president must look necessarily he, alighted member o f parliament.
3. Apart from getting at least 25% in five provinces required by the current constitution. The winner must also cover at least 51% of the total vote cast, and if no candidate raise this requirement then, I don't know between number one or number two must be dealt within the next 21days.
4. And the final modification. For I person to be registered as a presidential candidate he or she must name his or her running her net, This question of lending a vice president after the election are over should be used for political convenience.

And also for a unitary form of government, I suggest federalism because, it has a division in the country and resource of advantages. To certain areas of the country particularly the margin areas, know the rest area is the register that is the , I feel that the parliament, should vote the following :

Relation of ministries and appointment of ministers, must be voted by parliament , so that we do not Have this arbitrary creations of ministries to seek for political interests the appointment o f the AG

Attorney General should be appointed by the parliament, the same thing applies to the electoral commission, and its Chairman, the same thing applies to the chief justice of the high court judges and finally to the parastatals should also be voted by parliament. And then, on the executive, the Constitution must specify the clarification of the presidential candidates, and I think they should do the following:-

1. Must be a Kenya citizens by birth, both parents must be from Kenya
2. Must be at least 35 years of age.
3. Must be a registered voter of the pooling stations of the Country
4. Must be of a sound minded character
5. Must be nominated by the party or an independent candidate, their must be room for independent candidate.
6. Finally the presidential tenure Kenya should be made two, five year terms, a total of 10 years

And then the Local Government, the local Authority plus a Chairman must be elected directly by the people and not by councillors.

Mayors and Chairman must be given executive powers to be directly responsible for what is happening in their local authorities. Currently the mayors and the chairman are playing a ceremonial role and yet when things go wrong in the Local Authorities,

the chairman, have played and yet they have played a ceremonial role.

Therefore they should think be given the executive powers so that can also participate directly. Final the councilors who are made to sit for the councillors, a ...minimum qualification must be a form four (Inaudible) because that they have finished form four. I also feel that ht councillors should be given at least a minimum of at least a quarter (Inaudible) of parliament havefinancial poor they can not be able to pay the councilors, chief officers, workers, and private swerve at the same time, and then I feel also that we should not have the point of having nominated councilors since the method has been abuse, so then we also have it abused. (inaudible) And then finally to the electoral commission I feel the voted should be counted in the pooling station and, they should be allowed to (Inaudible).stations.

Com.Maranga: The last Point

David Sang: The last point yea , Candidates of both the parliament and civic elections should be allowed top seeks over the election from another party ... in another party. Thank you very much.

Com.Maranga: Thank you, there is a question.

Question: Know I you recommending that we should because that the papers have been abuse before , is there any way we can remove the abis.... , so that we can have the right people go in as nominated councillors.

David Sang: So far as for now ... effective way of the people refusing the way of abis... the list can be found then I can have ways to (Inaudible.)

Com.Maranga: Thank you, Councillor David Sang , I request you to hand away your memorandum and sign our official register . Thank you for clearing. Betty

Langat, atafuatwa na Lingston Kepich, Kepich ako, Okay, utafuata Langat.

Betty Langat: Thank you very Much , I am Betty Langat. I am representing my view on behalf of Kenya women political caucus based in Nairobi, the Kenya Women Political Caucus is about the women organisations committed to enhance the women constitution to. Public institutions in Kenya, it is good for the stakeholders deciding the interest for the women in Kenya (inaudible).

I there for declare the Kwcp official and Kenya constitutional process and a constitution that enhance principle of democracy which is equal to the citizens (inaudible)in equal (inaudible) to participate in governance by the state . shake for the forgoing the, women political caucus recommend that C.K .R.C the (inaudible) C.K.R.C following claim value than principles . practise for

we the women and people of Kenya

1. Citizenship : section 90 & 91 currently lead us women to second class citizenship , does not have the ability to transfer citizen to their children , or

Commissioner Maranga : Please speaks into the microphone because we are recording.

Betty Langat : Okay (inaudible)

Commissioner Maranga : It's okay continue .

Betty . The first point is citizenship , section 90 & 91 currently lead us women to second class citizen to their children born abroad or non-Kenyan fathers . Just... Just put at here, (inaudible) fathers were to convert citizenship to their sponsors, the Kenya political women caucus recommend that automatic citizenship to be accorded to any child born with or without Kenya so long as the parents are Kenyans. Plus Kenyan women & men should be able (inaudible) citizenship to (inaudible) forces, Passports also should be used as a right

2. (inaudible)System of governance: The caucus call for system that will ensure distribution or revolution of power through facilitation of people participation in government in public affairs.

Equitable distribution resources: To ensure proportional representation, that empower people to make decision in matters that affect their life; & makes them mark that as their own destiny (Inaudible) .to ensure participation in marginal groups .

3. Judiciary : the Kenya women political caucus, calls for a permanent constitutional courts and access to it should be a matter of right. Access should be simple, legal age should be preceded as a right for a person & unable to afford services of a lawyer, especially in various cases, and mandatory in cases relating to abuse of rights. Appointment of judges should be, subjected to parliamentary approval, gender equity being taken into account.
4. The electoral system process : the electoral system should be changed to increase women participation in parliament by : Making it mandatory for practise to fill 35% of candidate elections. The serving 35% seats for women in parliament, other group should be have representation in parliament include children, young people and persons with disabilities. Because , if the disability is not inability.
5. Basic rights, social economy and cultural rights should be protested in the constitution, in particular knowingly affecting other people with HIV/AIDS should be considered as an abuse of the right to life. For example when somebody (inaudible) HIV/AIDS the constitution should be able to

The right to free a compulsory education from primary - secondary should be protected

The right to employment should be protected \$ social harassment constitutes denial (inaudible) the right to non-employment. For example, us women we are socially harassed. First of all, early and forced marriages should constitute as a denial to a right to education and a freedom of choice. We should not allow our children to get married early and also forced marriages you wazee ... I know you just force your children to get married, when they have not completed

their education, that is denial of right, and I real wish the constitution should consider that.

Also I said that respect the dignity & rights for women (inaudible) attack women for violence by public & sectors. I hope you understand about violence against women, it is happening in our country & you should protect us.

6. Land and property rights :- According to land & property right men should not only be given the opportunity to inherit parents property even us women we should be given equal rights. Section 824B deleted, which discriminate women, the right to own and inherit land & moveable properties by women should be added as a right constitution. The constitution should regulate land tenure and ensure gender equity and land distribution. As process of approval regarding only transaction on land should be mandatory and included it the constitution.

7. Cultural Ethnic and (inaudible) diversity and communal life : cultural should not overwrite fundamental rights, consequently section 824B should be deleted. Deliberate helps through harassment of laws, should be made to outlaw law farm school enlargement , cultural practises and traditional such as FGO . early and forced marriages. FGM I wish should be deleted should not be practised any more also (inaudible) abuse of women and denying for whatever, the women continuing with their education Ethnic should be a background (inaudible) ethnic

8. Constitutional commission institution offices : there should be created an office for an ombudsman, who should check the abuse of power, corruption and other instances of administration by public offices is person should have power to investigate (inaudible)such and (inaudible). The ombudsman, should be selected by parliament . for a person to be qualified to hold an office as a judge of the court of the appeal. Thank you Mr. Commissioner sir.

Commissioner Maranga : Thank you , I think there are points of clarification Commissioner Mosonik .

Commissioner Mosonik : clarification No I on the electoral process to – Do you say, you reserve a 35% seat in parliament for women and disable another 35% for the disabled?. That is number one.

Betty Langat : I am saying women should be given 35% seats that is the member of parliament know, but the young people and (inaudible) disability should also attend, that parliamentary whatever ,(group)

Commissioner Mosonik : 10

Betty Langat: yea

Com.Mosonik : so 35% the 10% okay ? Betty yes , Mosonik second one when you were talking of the revolution you gave us a description of the system that you had in 90th but in terms issue of questions booklets there are specific types of system, there is a unitary system of government, there is a federal systems of government and thus there is a revolutionary to lower levels which is to districts or local authorities which one do you have in mind?

Betty Langat: Unitary

Com.Mosonik: What?

Betty Lancet: Ee

Com.Mosonik: What did you say?

Betty Langat: Unitary form of government

Commissioner Maranga: Thank you, points of clarification from commissioner Abida Ali

Com.Abida Ali Aroni: the quiz you answered Dr. Mosonik you were saying women should be given, what do you mean?. Are you saying that the seats to be (inaudible)?. Are you saying they be nominated?. What do you mean by the word given and... on the se question when you say that children should be given?. Are you saying we should remove our children to go to parliament?. Or how do you want them to be represented on parliament?

Betty Langat : No when I said 35% not actually being given , but the parliament should reserve the 35% seats for women, not actually, when people go there to represent the whatever, they want to be elected, the parliament to ensure that women are 35%.

Com.Abida Ali Aroni: what about the representation of children?.

Betty Langat: I mean the young people

Com. Abida Ali Aroni: Okay, there on section 824B you could like that one to be outlawed?.

Betty Langat: yes

Com.Abida Ali Aroni: I close look at that that section, define what discrimination is?.

Betty Langat: Okay it is not the normal understanding that we all have, all it says, it is that , it shall accord different treatment due to certain circumstances. Okay

1. cultural 2. (inaudible) Religion and you have told us you could like us to preserve culture so I am finding that a bit contradicting because you could like our culture protected, if I got you right , and you are now saying outlaw a section that says, we can allow different treatment of women on cultural or religion reasons.

Betty Langat: I think you never heard me madam, I never said, you should preserve culture, I said culture should not be allowed to overwrite our fundamental rights at all city all, for example this FGM thing the discrimination of women.

Abida: Thank you

BettyLangat: yea

Com.Maranga: Thank you and now I request you the official register and hand over your memorandum. Next is

Livingstone Rotich, who will be followed by councillor Joseph Langat I want you to stick to two minutes because I allowed a longer period of time, nilimkubalia aongee zaaidi kwa sababu wamama si wengi , ndio maana nimempatia mda mrefu kidogo. Kwa hivyo Bwana Livingstone Rotich, huna memorandum try to summarise it is two minutes. Thank you main points.

Livingstone Rotich: thank you my names are Livingstone Rotich I have a (inaudible) short (inaudible) to be able here which of the people of Kenya knowledge our struggle and sacrifice during our independent, remember the injustice and the operational colonial of party, all and those who vote for the peace for our freedom and integrity, (inaudible) ourselves was truly and just government without corruption, nepotism and (inaudible) based on the will of the people of Kenya established on the basis of genuine democracy (inaudible) and bill on fundamental of human rights and freedom the recognise the importance of regular free and fair elections that is of human right and freedom, the importance of regular and free elections where there is no over or under5 regulation or under regulation, where all citizens are equal before the law and where all , where leaders are answerable to the to the people.

At whatever system adopted by the Kenyans, managed by the Kenyans. What is important is to help the great way of democracy in the Kenya Constitution. Bwana commissioner in most case federalism (inaudible), is the area and the economy of the country which is the main factor. Area of india has 1million sqremiles3.6.inaudible. Kenya is Bwana commissioner a very small is only 2.6 square miles. Inaudible to region, Bwana commissioner federalism is not a required very strong economy because of they have no market expenditure required to inaudible) both levels from the government to both central and regional our economy is not very good at the moment good at he moment that we can not enjoy privilege inaudible . Why so? national youth community revolution of power from time to low levels inaudible (inaudible) may also lead to discrimination to other Kenyans from other regions, may also arouse (Inaudible) and we should create ... in the name of federalism, the more we interrupt with other Kenyans, and the more we come one federalism community.

On regislator Bwana commissioner, the directorate should get power to call their MPs (inaudible).....constitutional code, in order t...mps, should be given only the representatives.

They should not at any time the same be ministers. We should have a system where there is multiparty .. both in government and in parliament, we should have two houses, house of the government and of the senate; that in the senate memorandum, ..(Inaudible).culturally we should representative.

On executive: Presidential candidate should be married and living with the family.

The people should elect local government mayors.

- On the electoral process: A willing representative should be declared a winner only, if he attends 51% of the total votes cards.

Com.Maranga: You know you already passed your time and I think, I am sorry , I am going to stop you, you have a detailed memorandum; and I think the only best way is to stop at that point, and we can ask you questions.

Livingstone Rotich: Thank you

Com.Maranga: Thank you.

Com.Abda: Know in your written memorandum, there is one thing that I have not noticed, although you have a problem with the federal government, we are mandated to see how we can bring , centralise power and services so that we insure that services are obtained from citizens in a unit and very close to tem, so the issue of devolution of power with or without federalism is something we must consider as the commission, Although you said that, it is very expensive to be centralised ...power . in what way are going to try and bring services and power close to mwananchi if we do not divide... Power at all?.

Mr. Livingstone Kopich: Thank you Bwana commissioner, I think we can bring services close to the people by inaudible local authorities.

Com.Abida: Asante.

Com.Maranga: Thank you another question from Com.Mosonik

Com. Mosonik: I thought you said that the office of the age should be sorted out , .. we wanted your recommendations. I think you are commissioners and I am sure you are the appointed as the commissioners because you are expert some of the constitutional issues, so I am g leaving out that for you to you to sort it out.

Com. Maranga: Thank you Livingstone Kopich, know I think I will request you sigh up and hand over your memorandum.

Com.maranga: Councillor Joseph langat, so please I am know going to be very firm with the memorandum councillor two minute. Main points highlights. We are going to read this documents, tutasoma hizi makala zenu, za memorandum, to tachapa reporti itarudi kwenu hapa, mtasoma, kwa hivyo usitosome tupatie hile pointi ya muhimu, please highlights. Two minutes, because I can see you have the memorandum, start with your names.

CouncillorLangat: Thank you, My names are councillor Joseph langat , mayor Bomet municipal council .

Com. Maranga: Okay.

Councilor Langat: Before I start, I take this opportunity thank welcome you, the members of the commission and

everybody, to this meeting which is being held in within the municipality area of Bomet.

I go straight to the point, my centres on local government, Mayors and council Payment should be directly elected by the people, this will give the leaders sense of responsibilities as they will be answerable directly to the electorate.

The current two year term for mayors and chairmen is inadequate they should be elected for a period of five years so that they will have adequate time to formulate and implement their politics, at the end of the term they will be certified achievers. I am only skipping to the main points,

Remuneration: the councillors should discuss Remuneration of councillors, in the same way MPs, decide on their remuneration. Such forum as (inaudible) should be made all inclusive parties, each councillor, should have a representative, in that body, the body should act as a legislature for councillors, this members should be legally empowered to discuss councillors remuneration. The allowances given to the councillors should be agreed to at least a quarter of what an MP is paid. The money should come through the Government consolidated bank.

It is a pity I was going through a recent circular on salaries for workers, and the list they pay councillor employees sweepers and office messengers, are earning the same amount with the councillors. Yet councillors are the policy makers, if we continue paying them low wages, councillors will not attract highly qualified people and more so, if the government is intending to empower the council, the empowerment should go with higher allowances and cater academic and professional qualifications.

On the issue of the nominated councillors, I think this councillors should remain and that the nomination should centre on certain principles, that is there should be, experts or skill, in the person who is going to be nominated, we don't just nominate for his own sake, the person should have that qualification which will at least... running of the council.

As I said Mayors should be elected they should be chief executives of the council, and clerks should be their legal advisers, I am now advocating that, the local government Act chap. should be over held below to take more of the powers given to the clerk, to the mayor. It is sad when people come to my office I refer them to somebody who to them is a foreigner, they do not know where this man come from, but they know me because local area. Thank you very much.

Com. Maranga: Thank you remain seated, inaudible, you see you have gone beyond three minutes, but I was not going to interrupt, because you are the his wasip.. inaudible mayor, of Bomet Thank you very much.

Councillor Langat: Thank you

Com. Maranga: Any question from Commissioner Adida Ali?

Com.Abida Ali: Bwana Ngeni , this issue of remuneration for councillors to decide by themselves , I think will create I believe a problem, because I think already the wananchi are very unhappy with the MPs , do you see another way determining the salaries of councillors rather than, you, yourself determining; and the other way on Act Chap 265 I have a problem when you say that the power of the clerk should be removed and given to the mayor for I will that you have given to yourself you that normally people who go to the council are not highly educated, and we can attribute this properly to the kind of allowances and the salaries they get.

A clerk is a person who is supposed to be learned, because normally he is employed due to his profession or skills and if he is working to interpret policy and some of the payrolls, I am not saying that you are not educated, because I do not know you very well, I am finding a bit of a problem that a mayor who is not highly qualified may not be able to impetrate.... Policy and loss, as well as a clerk who is employed because of his professional and skills .

Councillor Langat: See to answer that I said the clerk , should be the chief legal adviser to the mayor, I am not saying that the clerk should not work side to side with the mayor, But it is a fact when people think that the mayor is help of the council, and they come to the mayors office, the mayor referees them to somebody else. Who is totally new to them, and then they wonder kind of leader is this? Is he going to run away from his responsibilities? And the other question?

Com.Abida: Remuneration

Councillor Langat: Remuneration this, people are now complaining about MPs raising their own salaries, then it should be done away with Mps, and then councillors, then a body; set by the government to look into the allowances for MPs and Councillors should be set up. We see it very certain when Mps, they took themselves a loan not knowing that we are working hand in hand as a local level.

Com.Maranga: Thank you. Worship the Mayor, know you can sign up and give us your memorandum. Stanley Kones? Stanley Kones? Yuko? Ako, ni wewe mzee wangu? Oh okay, kuja.

Waja tu nijaribu kuwaelezea vile tumefanya, mtu akiwa na memorandum unatoa highlights dakika mbili, mtu ambaye hana memorandum ni dakika tatu. Na kama una memorandum na huko na haraka ya kuondoka unaweza kuja pole pole na uweke sahihi na programme officer wetu Bwana Ismael Aden na hiyo vile vile inafika mbele ya tume.

Kwa hivyo usikojee kama wewe uko na memorandum na untaka kuondoka , na vile vile nimwaelezea kuwa watu ambao wanaongea lasima wajiandikishe kwa hii form. Mimi ninafuata vile watu wamechiandikisha, kwa hivyo first come first served that Said what we are going to follow as a commission. Kwa hivyo sasa ninamwita Stanley Kones? Baada ya Stanley Kones, una dakika pili hivi mzee kutoa maoni yako. atafuatiwa na Paul Chepkwonyi, Paul Chepkwonyi hako?Basi

you will be next. Stanley Kones. Ansa kwa majina yako.

Stanley Kones: Mimi ni Stanley Kones, Nitaongea kikalenjin halafu hili hawa akina mama wasikie.

Com.Maranga: Hunajua, Hata kama tulisema , Mtu anaweza kuongea lugha yoyote, lugha ya kiswahili, limopo au kikalenjin, humuhimu wa wewe kuongea kwa lugha ya kiswahili ni vizuri, hata kam a hunataka hawa akina mama wasikie sana san watu unataka wasikie ni tume, au wananchi wote wanasikiza. Tunaelewana, maoni hayawezi yakaenda kwa wnanchi, na hapa si mkutano wa kisiasa, kama wewe unataka ucouncilor, ati uongee wasikie, ongea kwa lugha ya kiswahili.

Stanely Kones: Okay. Asante sana Bwana inaudible, enyewe nimesema asnte san , ni bahati mzuri, tumekutana na nyinyi, na nimefurahi kama nyinyi mko hapa. Tuko na matatizo mengi katika duniani, la pande ya Kenya , mimi ninaanza na hii watu wanaitwa Administration, you write down my words.

Administration ni taabu hapa sijui Bomet, sijui hapa wapi, lakini yenyewe ni wapanya kabisa hawa watu, hata ukienda huko junction , unaona officer wa polisi anasimama anaangalia gari anapatiwa pesa , hiyo ni kazi kweli? That is my point and I do not like that, I am a polici officer x , lakini sijafanya namna hiyo, fanyeni hiyo kazi kabisa iende kwa parliament.

- Wazee wa kijiji mpaka wapatiwe mshahara hiyo ni namba one
 - Chiefs wataenda kufanya mlolongo , ni nini hii inaitwa nini ii mlolongo , tuchague. Na watenda transfer wakened wasipende, Hakuna haja ya kukaa kijiji kila siku, hanafanya nini, siawajiwa mimi tu, mimi ninataka wao wapigwe transfer Mandela, wapi mpaka akili yake itosheke, hao ni Assistant chief, pamoja na chief wote wanenda transfer. Kwa nini D.O anaenda transfer? Kwa nini anaenda transfer? Si wote ni administration? Si waende transfer.
1. makacouncils: Ni mwaka tano na mwende nyumbani na tuwaelect nyinyi, si kama achairman wanachaguliwa na makaselasi huko, ni sisi tutachuaje kama ni chairman mzuri? Or mayor mzuri.

Com.Maranga: Ya mwisho

Stanley Knows: Ya mwisho, Town ya Bomet ni chafu kabisa, hata kama mayor alikuwa anasungumuza hapa, town ya Bomet ni chafu kabisa kuliko matown yote nimeona, ni chafu kabisa, nitawashungusha nyinyi kidogo tu mwone.Asante
Com.Maranga:Asante, Keti hapa, okay, hakuna Swahili, ni sawa tu , enda huweke shahi. Thank you very much. Paul Chepkwonyi? Paul, Paul, Mpe microphone hapo, aongee hapo.Paul Chepkwonyi utanza na majina yako, hatafuatiwa na Gideon Chelule, chelule hako? Chelulu, Gideon Chelule hako? Gideon Chelule hako? Hayuko. Helen Maina, Helen Maina, Hayuko? Then we have Richard Chebweini. Okay you will be next. Okay Pau.

Paul Chepkwonyi: Kwa majina yangu ninaitwa Paul Chepkwonyi, niko na masemo..... kodogo hapa:-

- National Fund for the disabled, Ni jama cha walemavu hawa wakubwa wa hii jama ni lasima wawe walemavu,(inaudible) na also na UDPK ni lasima watu walemavu waongeze si watu wengine.
- Inaudible school for the disabled also, ni lasima wapewe a special teacher, at least one.
- Walimu tena kutoka shule za walemavu, wapewe assurance, kwa sababu hawa walimu wanaweza kuapokizwa na magonjwa, ndio serikali wanaweza kuwapa hawa insurance.
- Kotini, ni lasima hiwe tofauti na ya watu wengine.
- Special Room for the disabled people: Nchoo, wapeleke walemavu wachanganye na watu wengine.
- Another point, Assistant chief na Chiefs, Councillors, MPs ,inaudible na hata walemavu wanaweza kuchaguliwa.
- Landless disabled: Tunaomba wapewe shamba, at least one acre.
- Pesa za kulipa za kusafiri kwa ndege, walemavu, kwa pendeleo langu walipe 10%
- Local Government also, was nominate disabled , washungulikie mambo ya walemavu, na kutoka hapo ndio nilikuwa nayo.

Com.Maranga: Thank you very much. Next Richard chepwoi

Richard Chepwoi: I am Mr. Richard Chepwoi, here with the memorandum for people with disabled in Bomet District, I start to read the main points the others will go through, I start with ;-

- Education: The government of should provide free and compulsory education, at all levels of learning
- The government of Kenya equipment materials to institution of children with special needs.
- Also, should build multi-complex institution in every city in Kenya for children with special needs and in very special conditions in all areas in disability.
- Also, should provide the attractive incident to teachers, handling children with special needs with special needs and the terms of salaries, house allowances, computers(inaudible) e.t.c in order to boost the moral.
- Should organise regular refresh courses to teachers and other professional handling children with special needs regularly ones a term.
- Also , to lower the entry points or cut off marks of several schools, colleges, universities, and any other institutions of learning should be (inaudible) lower.
- Also, should be, should ensure that 10% vacancies are available in National schools, in colleges, several Institutions universities are preserved for the children with special needs.
- Also, should be abolished the subject classing in curriculum of children with special needs and allow them to chose or select real any (inaudible) .
- Should also create, fully mis-division for disable in ministry of education, science Technology, which will allow the government to allocate funds for the disabled.
- Should also make sure the infrastructures to the institution handled with the children with the special needs, should be worth structure.

Health Section: The government also, should provide free medical care to person with disability and their family for their

marriage individual.

Also (Inaudible), every District Hospital in Kenya, should have and cater for special doctor in all body organs e.g. Apastomologist should have an interpreter to cater for death person.

Com.Maranga: Last Point.

Richard Chepwoi: Job opportunities: The government should assure that 10% of the job opportunities available whether in public or private sectors should be preserved for people for disabilities who qualifies for the seat.

It should also assist persons with disabilities to start involving funds, to run small-scale enterprises to generate income for self employed person. Salaries with disabled persons should be two (inaudible) higher than the counter part in the same section , and should not be retrenched or retirement age should be raised to 60 years of age, because some may have (inaudible rare experience) in development (inaudible)

After retirement they should be given full salary, when employment they should be excepted from in any kinds of taxation.

Com.Maranga: Thank you very much, Richard

Mr.Richard: I will just read the last ...

Com.Maranga: Okay please do that

Richard.

Com.Maranga: Don't read give a highlight of that

Richard Chepwoi: General welfare: There should be a representative member of parliament in every province of Kenya member and should be elected by the disabled persons, in that particular province and every position there should be an elected councillor, who should be disabled and nominated seat in four, the local authorities and National assembly, that is one (inaudible) preserved for the special need group. Person with disability, who wish to join politics should join politics should also be sponsored by the government.

Ballot papers should be, produced in place in parliament there should be an interpreter or of sign language who have hearings hinder met.

A ministerial person with disability should be create cater for their welfare.

During public rallies a special place should be preserved for special need group, so that they can, set up comfortably ee...and maximum security in case of any case arise because they will not run so fast see where to go or protect towards (inaudible)

Com.Maranga: Thank you Richard. I think since it is a detailed memorandum we could be able to read it. Thank you very much for your views, knows I want to ask my fellow colleagues if they have any questions. Thank you and hand over your memorandum. Joel K. Muriet, Muiet, Joel Muiet, hebu Kuja uongee. Stanley you will be next.

Com.Maranga: Talk to the

Joel Muriet: Thank you. Mimi ni Joel muriet, Kutoka kibayiani location in Bomet District, Memorandum yangu ni kidogo sana kwani, nimekuwa nikiandika , mpaka nimefikia, kufanya appreciation and observation when indosing repartitioning the word liberty, and my purpose based on this one liberty .

Current constitution is not so good because regional constitution consists three hundred pages, todate 98 pages, and several amendments has been done without the concept of the public, so I propose the federation government majimbosim and (inaudible) ambaye anayefuata hiyo proposal yangu ni zile zakusaidiwa hiko ingine, ameenda kama , KCC , cereal Board nini, many failures, of course, this one started with the human rights, protection of property funds raise Rooters or rooter to public property to be (inaudible) be returned minimum,

- Education qualification for any elected members, corruption should be crushed out.
- Local government should assigned duties, by the central government.
- Traditional heritage should be protected
- Accountability and transparent be processed because, that has been dismissed
- Executive officer should be declared the office
- Protection of the Natural Resources;
- Development and processing private and public
- Education system should be rebuild and politics be limited

Com.Maranga: Thank you, MzeeMuriet. Thank you, give us your memorandum and sign. Next is Stanley Mutai.Stanely Mutai , you have two minutes.

Stanley Mutai: My name is Stanley Mutai from (IMBE (naudible) Location. But I am about, about...District right.

Com.Maranga: Endelea

Stanley: Employment in Kenya nowadays is not well, there are a lot of people in Kenya who have gone to school and yet the thieves roaming(inaudible) about. Therefore, the following should be taken: _

- To be given appropriate identity (inaudible)

- The following sub-location should be given:
- The small scales (inaudible) which is the single largest sources of employment in Kenya , to create more jobs.
- To start urban informal sectors which is second large source of employment in Kenya.
- Giving (inaudible) or encouragement, to expand the rural informal textures to create jobs in rural areas.
- (inaudible) Stop rural immigration, there are a lot of people running from the suburb to town, where I think there is no job.

Development: The (inaudible) in the formal fracturing sector.

To locate, disability in Kenya and create Jobs.

Education: Education also should be reformed, by designing better education system, to ensure that the proper (inaudible) is in control led. Stop any other system by developing other (inaudible) to (inaudible) faster economic development.

The level of education form politics: Any (inaudible) of institution to develop their as high capacity through independent operation and best management. Pursue policy, care tours (inaudible)

- Free education at primary level (inaudible) literacy in the country.
- (inaudible) Universally education through Local authority to ensure that children from married and single are not denied opportunities to excel primary education.
- What other rights should be (inaudible) in the constitution?

Com.Maranga: Please

Stanley; Constitution , Land Policy and Land (inaudible) system that will ensure that the property the property of land and allocation and ownership is carried out, well and justified thought (inaudible) insure that I should (inaudible) attention and guaranteed (inaudible) . To all individuals, to all property anywhere in the country. Develop and (inaudible) land policy that will ensure that never again in Kenya will Public land be allocated as a wish of the Executive. Thank you.

Com.maranga: Thank you, Stanley Mutai , hand over your memorandum and sign up. And the next Edina Nyibei. Edina, edina Nyibei, you come from the same organisation, is also Geoffrey speaking? Edina, alright. (inaudible)then that will be followed by Simon sang, Simon you will follow her.

Edina Nyibei: thank you Commissioner, I am representing women (inaudible).

Com.Maranga: Please speak your names, and I expect you not to read the preamble give us the main highlights only.

Edina Nyibei: Okay

Com.Maranga: Yea

Edina Mitei: My names are Mrs.Edina Cherure Mitei,

Com.Maranga: Okay

The preamble, with the gratitude the almighty father we the people of Kenya need justice, peace and Unity to provide all assets of life, harmony liberty and equal rights should be seen as a value of democratisation in our (inaudible) state we are (inaudible) natural resources which should be worth, socialize and properly preserved for future generation for family.....(inaudible). There should be equal education for both boys and girls.

- In a family, there should be transparency and accountability.

Marriage:

- Before marriage there should be negotiation
- Customary Law should be carefully (inaudible) e.g. relationship in the two families.
- That every marriage there should be two certificates issue whether, (inaudible) in his office or in customary Law.
- There should be no certificates for the second wife
- No inheritance for the widows
- There should be equal chair to a married woman in a polygamy family know, before the amendment.
- In a family asset, e.g. land should be there, two names of the owners wife and husband, example if the man is John Korea and the wife is Esther Chepkoriri should be written in the Title Deed, John Esther Chepkoriri plus there ID numbers
- No divorce only separation and divide family property.

Customary Law:

- There should be no fee cheque (inaudible)
- There should be seminars in preparation for marriage done by mothers
- There should be a woman a elder like elders and should be given salaries like other people.
- There should be equal decision making, for women in the family and all public forums.
- Every man implementing unmarried woman or a girl should
- marry her
- Any girl brought in the family for the marriage purpose, should be married immediately.

Taxation:

- All children should be given the equal share of land both boys and girls, if the girl is not married at the age of 45 years.
- Every member of the family has a right to succeed a family property, Nuclear family because the current children of the late person should inherit his properties.

Basic rights:

- Women should be proper and secured
- Women with disability should be given their rights e.g. free education, health care, food and shelter.

Citizenship:

- Passport should be given, should be issued as a right to every citizen
- Kenyan woman should be able to convert citizenship to foreigner husband
- There should be no discriminations as far as marriage is concerned

Employment:

- ladies should be employed equally as men
- People should be employed according to their qualification
- There should be no corruption, There should be fairness in government offices, all offices not government offices alone.
- Language of Constitution: should be written in simple language English and Kiswahili and Mother tongue
- Foreign(inaudible) women (inaudible) the lord is a solution

Rape:

- Action should be taken quickly using certificate of a doctor without a P three form, from the police station.

(Inaudible) The court of elders is a system is with a assistant chiefs and women village elder should deal with that case.

Thank you.

Com.Maranga: Thank you, Edina Mirei, Question

Com.Abida: Edina, could you tell us why , you are advocating that we give marriage certificate, to all sorts of marriage including traditional marriages, but you don't want a second wife to be given a certificate if, we are going to recognise the traditional marriage as a polygmou, and then, why don't you want divorce if, under the customary law divorce is recognised in some circumstances and all other forms of marriages do recognise divorce where necessary ?

Edina Mirei: Thank you madam, the reason why women refuse for the certificate for the second wife, here in Bomet I can talk about, I can talk about Bomet because people are getting more than five wives, those one who are saying come we stay together. So if the first one was married in customary, they are not recognised in that one because, when the man dies, the second wife is she has the certificate will inherit the husbands property and not the second wife because, you where married in customary.

Com.Abida: You know for your information

Edina Mirei: Madam

Com.Abida: That second wife can not have certificate legally because, ones you are married customarily normal man does not have capacity to go to the D.O or D.C, so that is even wrong in the first case. Do you see the problem? That the law, and stands know in Kenya does not recognise that certificate of the second wife, so that unless all marriages have certificates then, she ought not to have gone anywhere to get the certificate. It is not the problem of the la, it is because that man did, not say the truth either, to judge or to the D.O. It is nor really a problem of the law. So your proposal that all marriages be registered seems to solve the problem, so that all the wives whether they are five or ten should have certificates from somewhere, isn't?

Edina Mirei: Thank you madam

Com. Abida: Okay, What about the second question , on divorce

Commissioner Abida Ali:

For your information Madam, that second wife cannot have a certificate legally because once you have married customarily the man doesn't have a capacity to go to the DO or to the DC the first place.

Do you see the problem that, the more law in Kenya does not now recognize the certificate of the second wife, so that unless all marriages have the certificate the she ought not to have gone anywhere to have a certificate. It is not the problem of the law is that, man who did not say the truth either to church or to the DO so it's not really a problem of the law. So you proposal is that all marriages be registered since to solve your problem so that all the wives whether they are 5 or 10 should have certificates from somewhere.

Is it okay? Yes. Thank you madam.

Com.Abida Ali Aroni: What about the 2nd question on divorce?

Divorce the reason why I am saying their should be honest separation is because they want to marry the second wife then he want to chase the first one that is our experience here, so that is the reason why we say their will be only separation so the other wife to get property from the man.

Commissioner Maranga: Thank you register and give us your memorandum.

Simon Sang: Asante

Commissioner Maranga: You have only 2 minutes please.

Now here I will talk about title deeds, which say that this must, Your name first.

Simon Sang: My name is Simon Arap Sang

? Title deeds must be owned by the husband, because in the customary law the husband might marry many women and those women the other women cannot allow another women to own a title deed in customary law, only the husband must own the title deed. Even if he dies they will share the shamba.

? Another thing is the girl remaining at home she can at anytime get a husband somewhere so she will not be given a title deed she can get a husband somewhere therefore she is their to cultivate only. She might get a husband and disappear.

? The executive should not be the commander in chief of the armed forces because we want to leave the title to the parliament you know for example America. In America when the disaster appeared the President went back or goes back to the parliament to discuss how to invade the Afghanistan the weapons that must be used their, that the President might pass anything, might pass bitter weapons. Another thing is this a brief:

? The salary of the parliamentarians this can be determined by the public service. You know one it you tell one now choose the money he can choose anything he can say I want a million shillings but be chosen by somebody else.

? Land: Land owning somebody must not have more than 100 acres.

? Judiciary: Judiciary must be under parliament.

Commissioner Maranga: Thank you no more mzee, you hold on you are going to be asked question. Kaa hapo kidogo.

Simon Sang: I just wanted to say that in United States the president is the commander in chief except he controls congress to appreciation ((inaudible) in Afghanistan so he cannot use USA as an example to talk about Kenya in relation with that question.

Com. Maranga: They were also going to collect you that actually the President of United States is the commander in chief of

the armed forces.

Thank you very much hand over your memorandum

Com. Abida Ali Aroni: How do you say that Judiciary should be under parliament? What does that mean? Because if the executive appoints these people Judiciary has got a right to stop to say that the case of someone is to go like these and these. Judiciary is one organ of government. The 3 tree arms of state are Judiciary, Parliament and executive.

Why do you want one of government arms to be under the other, Judiciary should be under parliament that is what you said?

Com. Abida Ali : In democracy Judiciary is supposed to be independent of the parliament so that is why we are asking you, so you want it to come under the control of parliament, other than being independent or making its own decisions.

Com. Maranga: So the parliamentarians can be giving directions.

Who rules the Judiciary or were you referring to appointment of a certain positions in the Judiciary when saying they cannot be prerogative of the president but of parliament.

Is that what you are referring to who appoints certain people like this- Chief Justice.

Com. Maranga: Thank you Mr. Arap Sang.

? Again we need the commission government. Yes that is okay.

? Karibu sana hand over your memorandum.

Geoffrey Kosgei: I am Geoffrey Kosgei on behalf of CJBC organisation Bomet central Division.

? Supremacy: We foiled that CJBC the new constitution should give parliament the supreme body and it entitled to any amendment of the constitution with the concentration of directory

? We feel that their should be a restriction again amendment of the constitution should be a subject to a 70% majority vote.

? Citizenship: In citizenship we did not allow anybody to become a citizenship so we feel that automatic citizen of Kenya should be by party registration if both parents are Kenyan citizens.

? Security: We feel that all disciplinary forces should be charged in a court of law there should be differences in charging.

? President we feel that should remain to be the commander in chief of the armed forces and the declaration of war should be the responsibility of the parliament.

? On political public again we restricted the number of political parties by giving out this restrictions to have a national manifesto, which force a national unity.

? For a party to qualify should have 30% of party number of all registered voters in every province.

- ? The state of government, we feel that the new constitution retains the presidential system of government and the president should not be above the law.
- ? The system of government should be supreme body which is know as (kalenjini) this should be abovely protector which is scrutinised the three government organs for fair place.
- ? Legislature we proposed that a part from other duties the legislature should be given the following appointments:-
 - i) to appoint and form government commissions
 - ii) to appoint Ministers
 - iii) to control and implement public accounts for republic parts.
- ? Incase of nominations we feel nominations should be done to represent interest groups for example Churches, Federal groups and women.
- For examination there should be a national body to be formed in order to give test to parliamentarians and civic candidates.

Com. Maranga: last point.

- Executive: the constitution should specify the qualifications the respective candidate to be a University graduate with a profession.
- Electoral system: in electoral system we feel that their should be no funds given out promobilisation during elections campaigns
- Land policy:

Comm .Maranga: Thank you hand over your memorandum.

Shadrack Kiplagat: Thank you Bwana commissioner

- ? Title deeds: Title deeds should remain as it was before.
- ? Kenyan citizens should be given protection
- Profession arrangement made in the (inaudible) how they were before in the Kipsigis community they have been holding their title deeds that is right from the father and to be inherited that way.
- Kenyan citizens should be protected in all means that is in their properties –
- In their home maybe their cows and everything he owns.
- Kenya is a multiparty state and of course during elections we wish all these parties should take elections, that is one at the end of the year.
- They should have freedom of expression to all member, please not by intimidation.
- Education should be given and should be compulsory to all and free to all children who require to standard eight level.
- Health: health should be provided by the government.

- Marriages: once somebody has got a wife and has divorced for one year he should not come and claim a land.
- The last point on the chiefs and assistant chiefs, they should be given the clear system so that we elect whom we want.
- The crippled, disabled: they should be given free education and free training and wheel chairs by the government.
- Revenue: that is our revenues from our farms should be given to our local areas i.e. our markets to assist and help them to repair roads and whatever, since they are no jobs.
- Work: one man one job.

Com. Maranga: Thank you very much hand over your memorandum.

Andrew Kituo: My name is Andrew Kituo I am representing people with disabilities. I will start with education I give few points because we have already represent the memorandum.

- Education: the government of Kenya should provide compulsory education.
- Free education to all Level of leaning, on that part of education let me also say something to do that the government should draw us the entry point (cut off mark) to secondary schools, colleges, Universities and Institution of higher learning.
- Learning to be too great lower because we see that the Blind and also crippled they are using the same, same level and these people have got a lot of difficulties. So that I think those ones should be considered.
- Job opportunities: the government of Kenya should ensure that 10% of job opportunities available whether in Private sector or public sector should be preserved for people with disabilities who qualify for the same and application forms for employment should reflect the same. Same people have problems especially when in education and also the blind even the crippled they should not be treated for the same vacancies with the able affording people.
- Salaries of a person with disabilities should be too great higher than the counterparts in the same service and there should be trenched and their retirement age should be 60 years because some have (inaudible) in their education
- Accesibility to information and communication in the physical environment. I only want to take one point a very important point.
- The government should pass a law that all public transport vehicles should have seats designed for disables and provide busses to people with disabilities at the district level.
- disabilities should have separate stage in big towns, cities to easy congestion
- Wheel chairs should not be charged, let me touch one point here.
- Integrity and family issue the government of Kenya should ensure that normal person impregnates the disabled; the disabled women should be held responsible and made to marry them. Their salaries or properties attached to cover for their need and their children education and social welfare.
- The government should establish an office for the disabled children in every district in Kenya, so as to advocates for the neglected children and persecuting officer dealing with the same.

Com. Maranga: Thank you very much and I straight ask you the first question. Here is another one these persons with disabilities who are impregnated is it by consent or they are forced because I think the issue of willing or whatever. Unless it is rape real I think people with disabilities should not expect to be protected where they are consented. So that is one question. Another one:-

Commissioner: Abida Ali: As much as agree with you we need to give affirmative action to people with disabilities announce to the fact we know. Disability is not in ability I am wondering why you like us to lower the entry marks to schools other than ask for good learning facilities, so that people with disability can compete equally, the fact that one is lame does not mean that they cannot think properly and I also like to have your opinion as to what you require is it when you go looking for jobs, people look at you and people say that no this person cannot be really undated or you want improvement of facilities?

Another thing, I would like to hear from you is the idea of reserving job opportunities with the people with disability. If I am a private employer how I find very difficulties to (inaudible) with the person with disability yet I am not sure that they will apply job in my company. I you asking that there should be no discrimination when people apply for jobs especially people with disability, because for me that will be the solution. Otherwise we will be serving thieves and we are not so sure we will have for instant an Engineer is a person with disability coming up but if there is an engineer with disability applies he should not be discriminated at all. So which is which okay madam. Thank you.

Once somebody with disability comes with the qualifications he should be given a vacancy; they should be given chances. There should be no discrimination in job opportunities.

- What about the one of education?
- Education, if they are given enough facilities they will in a position to compete with others because right away now we don't have enough facilities in schools like, enough rehabilitation centres in many districts at least one to get education he has to travel far.
- These people who are disabled majority come from poor families they don't have enough time to reach schools in time because they have to walk from far.
- No enough schools for the deaf
- No enough schools for the blind.
- The solution is really to lower the marks or afford the facilities. I we have enough facilities their will be no problem of lowering the marks.

Commissioner: Maranga : Thank you and hand over your memorandum.

George Onchieg: I am George Onchieg from (Kalenjin) location my point is quite different from all these concerning the

economy of Kenya: -

- The economy of this country has been drained away simply because of mishandling of money.
- The money trade in the country seems to be carried on by two bodies.

- a) Central Bank &
- b) Commercial Bank

The Kenyans has no knowledge of what goes on. So the people can even use this chance to destroy the already developed projects, because they are actually (inaudible) the Bank and they're to finance the projects and there is non-to represent the community. The money traders in the country can use the high rates of interest to destroy the many generating projects.

- In the state I am not sure whether same system used to destroy the parastals and also the money generating projects which were their such as KGGCU, KCC and other.

Commissioner: Maranga.

Mr. Chirchir: what can you recommend?

I recommend that: -

- The government should appoint or form a commission or whatever name they can give as to monitor the financial or monetary sector, so that the Central Bank and Commercial Bank will only remain traders like any trader trading Tobacco, Maize or money.
- Another point I will like to recommend is that the Co-operative Banks act should also be amended so that it allows the Bank to work freely and serve all the community, just the same way as the present commercial Banks are doing.
- The body should consist of the formed body of the new body I have suggested that to be formed should consist of economy, people finance, treasury and appoint general managers who may be the chairmen and also directors from each province and the attorney general on the other side.
- The old one the governor of the Central Bank with its official the presentative manager for all the Banks come together or that group come together they discuss that still the newly formed body should be a watchdog.
- This should be there to see whatever is going on is right or not.

Com. Maranga: Thank you very much and hold for questions,

Bwana Chirchir

Com. Abida Ali: The best of my understanding is that for the Co-operative Bank operates other commercial Bank like any other. Yes what exactly would you like to see under the Co-operative Bank act.

Bwana chirchir: Thank you.

I think it may that I slept a little but still the act for Co-operative does not allow non member of the Co-operative to be given loan under any negotiation.

Commi.Abida Ali:

I don't think that is the collect thing usually when we look at the Co-operative act to see whether there is anything to be done or inclusive,

Vincent Korir: I would like to give thanks to my Kenyan colleagues who have come here (inaudible) commissioners who have given me this crucial chance to say one or three reasons concerning the future of this country. Actually I have 4 points or recommendation as various as this constitution of review is concerned:-

- I wanted to say that both MPs and the president be elected by the citizens and therefore this court of no confidence by the MPs should be eliminated both MPs and the president because both MP and president are regarded as employees while the citizens are regarded as the employers. Therefore an employee as no an authority to sack another employee.
- Citizenship should be given authority to vote for vote of no confidence against the MPs who are misbehaving.
- Creation of more constituencies by the president should not be a personal decision but should be taken to parliament to be debated on this because creation of more constituencies means more salary to be paid this makes the country to deteriorate more economically.
- There should be different bodies deciding on the amount or salaries to be given to the MPs not the MPs to decide for themselves, these because it has come to the point that the MPs will ruin the economy of this country, instead of preserving it.
- Participation of the MPs in parliament should be shown to citizens through the Television to enable he citizen to see their MPs who sleep in parliament. These are the recommendations

Com. Maranga: I you saying that the constituencies are created by the president the present? Yes, which constituency or district which one do you have in mind? Constituency.

Stephen Kosgei: My Name is Stephen Kibet Kosgei from Amaloi Institute.

I am just going as far as the question given in the questionnaire.

Com. Maranga: Don't answer the questions give us your summary of the questions.

- The structure of the Judiciary is not adequate.
- The present structure of Judiciary is not adequate therefore I recommend to have third class district magistrate situated on divisional headquarters to make other people reach for legal aids. And such new regulates should start their work from such offices and their should be a preferable 3 years before they are considered to upper positions. To say to come out from divisional levels because some of the officers might refuse to come out from divisional levels.
- I don't see any need of having a Supreme Court.
- Kenya court of appeal is sufficient for now but there is a need for constitutional court in the sense that the answer would be a creation of a separate legalized constitutional court, which deals with amendment continuously and the appointment of Judiciary officers should be as usual.
- Should also have seminars always as usual with KIA
- Minimum qualifications should be a B.A graduate.
- Holder of Kenya school of law.
- Also with the foreign certificate should be absorbed but given three terms to attend the Kenya school of law to promote efficiency.
- Tenure Judiciary officer are recommended to be over 68 years.
- ? The constitution should handle the discipline of Judges and other officers enjoying security so the constitutional court should be divided into 3 sectors be a new now>
 - i) Judiciary sector
 - ii) Revenue sector
 - iii) Executive sector

In the same new constitution court there should be restriction to Judiciary more especially to Kadhi.

- They should actually work like any other Judiciary officers
- They should not be given special consideration they are the same with other Judiciary.
- They should also hold familiar qualifications like other magistrates but the only different they should have knowledge of Muslims law as usual.
- They should also be appointed, as by Judiciary Service Commission subject to the qualifications provided on section 66 of the constitution at which everybody knows about that.
- General customary court of appeal for example sometime even in our culture Kipsigis a women can be married today disappear tonight went for 3 years come back to claim the shares and when they come with plenty of children they get the share despite the fact that the other women has been trying to working with the husband to get whatever property.
- I ask for one minute in the side of local government.
- Mayors should not be elected directly by the people.
- People who recommend that kind of system do not consider the Financial restraining because we can make the same

person who applies for councilorship use the money for the councilorship and then later the same people use the money to get the seat. So it is sort of financial straining.

- Currently two year terms for councillors and mayors is quite adequate the reasons is that even you are given more terms then they might corrupt the councillors fairs and he is sure for the full term of 5 years.
- The requirement for language test should be the older of O level however we should not forget to put a side those who have been selected for sometime without considering qualifications. so the new one who are now registering to council seats should have the qualifications but those who have been councillors before should come as they are because after all they have the experience.

Com. Maranga: You are now going to be asked questions on qualifications.

Com. Abida Ali: You want them to work as any other Judiciary officers that most consideration. What is the special consideration you have in mind? Then customary court of appeal your example I don't understand it very well because if we do not have a customary law because what you said the district level, divisional level with the new graduates.

If they are the once who will be handling issue, you recommend to have customary law court so why do you want habilitate court on customary law when you do not have any at the lower level.

With the present commission

you are adding another point, which is good.

I was referring that we should make people get legal assistance by devolution making. The court to be available in the divisional level and the same time, we should also have start a customary court of law specialised and the accurate to restriction of that.

Com. Maranga: Answer the questions of Kadhi.

Kadhi should work under Judiciary officer with no special consideration and I want you to understand what is this special consideration that you have in mind. They had requested for a special consideration by the government of which they have not elaborated themselves according to the question given here. So you are answering a question you don't understand. I understand that of course they should elaborate themselves we can see.

Com. Abida Ali : Now the question I was going to ask is that who do you expect to see in the general customary court of appeal? What are the qualifications who should be the member?

The member should be an elder from a district composed of qualified people.

Com. Maranga: Actually I am asking for qualifications of an elder who might have not gone to school but still have an experience on customary law. That is with the change of court of appeal. Not a judge but assisting the way this other people assists. You know with the Kadhi we also have the same Judges who have some special understanding so the qualification should be an elder as usual that as the time having somebody who support them on appointment.

I am asking you this question because if you have ever missed a langat you cannot even communicate in English but is he an elder of the Kalenjin community or Kipsigis community for that matter. How do you think he can assist the Judge of court of appeal? Who is maybe an Asian who do not even understand the customary law if the Kipsigis?

Because we shall establish a divisional headquarters, divisional magistrate court they will be also able to make a recommendation from this people send the papers to those qualified personnel.

Jeremiah Mosonik:

Commissioner Maranga: Karibu Wakati ni wako.

Jeremiah Kipter Mosonik: Thank you very much commissioner.

My name is Kipter Jeremiah Mosonik from Ungarawi sub location Bomet district. My points here are the document call title deed.

- Title deed: this document is very important and it's very expensive when collecting it from the land officers. So my recommendation is this documents should be issued free of charge and not the money charged.
- Nowadays is too expensive and they are so many title deeds lying in the land officers. Due to lack of fund.
- Villagers appoint an elder as their chairman so that in case of land case these people can deal with the case of land and recommend heir and send their recommendation direct to the district commissioners, where district commissioner held their case and not to the court. These people can also recommend that their cases to the court whereby so many members cannot afford the charges of the court. So please people should be given their court and heir the final also the land cases. I recommend the district commissioner because DC is the chairman of the land board.
- Cash crops: like tea. These cash crops are charged ceases and they are send to county councils.
- The farmers cannot benefit with these ceases forever.
- The ceases should remain in the hands of the farmers or the factories, so that they decide what to do with that in case they are roads who are impassable during the rain season they decide to repair that road with that cash crop instead of sending the ceases to their county councils. Bwana commissioner hii imekuwa shinda sana kwa wakulima kwa sababu mazao yao hayafiki factory. Na sababu njia ni mbaya hiyo wanapata taabu sana, kwa sababu hawapati pesa yakutosha. So their sales

should remain in their respective factories and the management of that factory inapaki pale pale pamoja na ceases. That is my recommendation commissioner. Asante sana mzee. Mzee akuna swali tupatie memorandum yako.

Erick Bore: Mimi Erick Mambo yangu sana nikuhusu hi mambo ya kienyeji. Sana sana mimi wakati mwingine for he customary law of Kipsigis you know if you get married they say that the children should belong to the wife. My suggestion is that the children belong to the man.

Recommendation

- Misbehaving: If the MP is misbehaving he should be sacked by the wananchi.
- Another thing is regarding the children of a girl at home to be given a share to me it is not good because we have our children at home that go on misbehaving and later on they come back and claim the land, they should not be allowed other that is my review.

Com. Abida Ali: You want customary law with.

Jeramiah Kipterer Mosonik: The child belongs to parents a you happy with that not a father or a mother. Yes. So the law is already in Kenya.

Elijah Soi: Constitution should specifically identify its author writers as we Kenyans reveal the constitution.

- Defined mandate with the protection
- The main ideas and objectives of the constitution are spelled out on according highlighted on the written constitution.
- The cramping of Kenyans Indegiouship, that only the indigenou person qualify.
- Parliament involves as the watchdog of the executive, which ensures that the (inaudible) does not over being overpowered, or violates to constitution.
- A general thoroughly and relation commission comprising of competent professionals the constitute consisted just be in charge of drawing up Justice and it provides salary schemes and structures all categories of public servants including councillors, MPs and the president.
- The executive is (inaudible) of parliament so us not to use unconstitutionally, means or methods or bodies e.g. efficiency monitoring unit.
- (Inaudible) be established towards to upgrade conflict between the state and the citizen or between the state and the cooperate bodies.
- The constitution profiles for the removal indigenou and prosecution of presidents from his conduct of ventures in community while in office.
- At the court of village elders especially among the communities who continue to have strong tradition like Kipsigs.

- The people directly elect the mayors and chairman of local councils.
- The 2002 election be conducted in such a manner that the counting and announcing of voters basically at each polling station so as to avoid suspicion over polling handling.
- Women in a married voter be included inheritance of family property e.g. land.
- The citizenship should have a right to brew and enjoy native beer for entertainment of the activity of cultural communities and therefore will never harass by the state or (inaudible)
- The councillor and African general are appointed by the parliament and they are also to be made completely autonomous on above of the objectives.
- Only affordable annual budgetary allocation
- Parliament checks and essentials the appointment of senior civil servants, public servants to rule and native of marriage.
 - Public institutions provides (inaudible)
 - The president should not be above the law and should be subject to impeachment and prosecution for he commits while in office
 - Polygamy should be recognised
 - The office of the village elders should be filled by persons of both sexes that is man and women such that this is gender alteration and appreciation and are equally based.
 - All (inaudible) public funds must be prosecuted to return the money.
 - The constitution must provide to citizen to conclude and appeal against the state.
- Fiola Chesmet: Title deed should have both names. In case my name is Chesmet and my husband is Elijah the title deed should appear Elijah Fiola Chesmet.
- Marriage: women and children
- Title deed should have both names. In case my name is Chesmet and my husband is Elijah the title deed should appear Elijah Fiola Chesmet.

Marriage: women and children

- ? should be given land like any other family. In case there is divorce both parents should share property to the children.
- ? Long term separation of both parents' couple should have equal right according to property in case the forthcoming parliament.
- ? Village elders to be paid salary.
- ? Public administration should be transferable
- ? In case of chief and assistance chief they should be transferable in case they are coming from Bomet they should be transferred to Kericho or elsewhere.
- ? Politically: president should not be above the law
- He should be sued

- President should be a signed to one duty not to be given all duties.
- Age and education level should be considered incase of appointing an Mp.
- Age should be 35 – 70 years
- He should be a graduate.
- Appointment of a minister should also be considered. He should also be a graduate.

Jeremiah Sowe : The secretary Kipsigis Centre Bomet district.

The louder speakers which disturb people should be stopped

- Chiefs should be given power so as to rule properly.
- The chiefs should not have their own courts Kangaroo courts.
- Wronged ones should be taken to a court of law
- This applies to policemen and administration police.
- The chiefs should stop changaa in the community
- The elders pray that bribery and Ukwimi (AIDS) should disappear in our country.
- Retired government employees and teachers should get their salaries reviewed from time to time and be given increment too much the economy changes of the day.
- Corporal punishment be deserves to be restored in schools.
- All grabbers of public utilities should be prosecuted.
- Kalejin weapons should be kept by elders and recognised by the constitution review.
- Advises of what not to do should be written an authority given to elders to advise and prosecute that concern.
- Original Kalejin boundaries should be noted and taken care by the elders of ethnic communities.
- Kalenjin flying should be prosecuted by the review commission and elders to use the properly.
- Ceremonies and cultures of the Kalenjin ethnic groups should remain under the elders hand especially men not women.

Com. Maranga: Question.

Com. You are saying about the Kalenjin boundaries cultural to be protected, and when we were somewhere in Albai and Emegwon the nandies some of the people from Nandi community said clearly and Mosonik is my witness that, they should not be included under the Kalenjin they should be called Nandies.

So what do you want to say about that? With that one bwana commissioner the elders are now walking hand in hand to bring them in because we are parking on that all Kalenji speakers we are going to bring then in : they are about 8 in numbers bwana commissioner.

Commissioner: Which one do you want to bring in, me I taught you are going to speak on behalf of Kipsigis that one will be

easier for you.

Those who are in now are: -

- i) The Kipsigis
- ii) Tugen
- iii) Sabot
- iv) Keiyo
- v) Marakwet
- vi) Pokot

These are the people who speak the same language, and these are the people I want the culture to be the same.

Sigei Weldon (Mutarakwa)

Land ownership: Some here say that we have the title deed is a very important thing. I support him:

- Title deed should be free of charge. The situations now in the country we find that most of the people have grown up sons who are married. I think the law should be changed whereby all the children should be listed in the title deed, so that if one of the son want to sell land he cannot sell until all the others agree.
 - The maximum land ownership should be 100 acres for an individual, this ensures that the landless get land and this will ensure that somebody does not keep the land he or she is not using. For example when you are travelling from Nakuru to Molo there is a land owned by a foreigner, which is about 3,000 acres. What we see there is a horse. What do we need horses for? We don't like the horses we like food. We should restrict land ownership to have a maximum land of 100 acres.
 - The foreigners should be concentrating in towns but not farming. We should make them industrialise our nation, by taking them to towns they invest what they have instead of having horses they can have Institutes where our children can go and learn, for me I don't think the horses can benefit the country.
 - Local government: Mayors and chairmen should not be elected directly by the people because at the present government the Mayors or chairmen come from different parts of the Municipality
- . Sometimes it reaches a situation where the numerical strengthen of place is coming from will determine because for example if somebody fights for the Mayorship in Bomet and comes from Teniwek and me I am from Tarakwa I don't know this person so I will vote for the person I know, that means this will depend on the numerical strengthen voters. I think they should be elected by councillors.
- They should be allowed to go for five terms this enables them to complete the projects they have started.
 - The councillors should be paid.
 - A local service commission should be established so those councillors should withdraw salaries for that commission.

- MPs salaries: should be placed in job groups as the way we have in civil servants. So as to have competent MPs who goes not because of money but to serve the people.
- The terms to be limited to two only.

Sammy Bett: Elections: the president and the Vice president should be elected directly by the people on different dates.

- The parties to represent their president and is running mate
- The president and the Vice-president should not be a Member of Parliament.
- He should elected for only two terms.
- The term of the MP should be five years and two terms only.
- Chiefs and asst. Chiefs should serve anywhere in the country as any civil servants.
- Be transferred like anybody

Langat Fred: National security should reflect the needs of our people basic human rights from interference from the government or any other group.

- The constitution should permit use of extraordinary powers in the management situation such as National disaster, war and breakdown of public order.
- The constitution should instruct the higher authority of power to humiliate the security forces at (inaudible) to repack discipline and institute a system or promotion strictly on merit to encourage and post effectiveness.
- Constitution should inorder and directed systematically reorganise the security forces and intensify in service showing to enable security forces to change the altitude to the people and vice verse.
- On youths: The new constitution should have to develop a policy framework with the participation of the youth in the public affairs at all level of our society.
- It should have well constitute or deliberately involve the youth at all level in decision making.
- The constitution should as well have institutes for youth's leadership training program that will help some of the most talented young people that are training various academic interpreneurship and political parties.
- The constitution should help the youth (inaudible) the government or political power to expand the economy in order to create more jobs reduce unemployment and eradicate poverty amongst the youths.
- Constitution should direct the government to give necessary development loan skills to support cash crop and livestock farming in order to create more opportunity for job seekers.
- Land and property rights.
- The new document of the constitution should actually direct the government that both the government and local community

should have ultimate ownership of land as partnership.

- Local authority should have power to control the use of land by owners or occupiers in order to generate economic development.
- There should be furious restriction of ownership of land by land citizen or foreigners.
- The procedure for the transfer of land should be simplified at the cost of the court be sacrificed
- All Kenyans to won land anywhere in the country through legal procedure and have total protection in the constitution.
- Constitution should direct the government to review property ownership laws that will ensure that the issue of quarters is given urgent.

James Kipsang: Mbunge aende safari mbili peke yake

- Mashamba : mtu asikuwa na shamba lenye limesidi heka mia moja.
- Mtu anayefanya biashara awe na biashara mbili ama tatu.

Com.Maranga: Asante Sana naifikiri uweke sahihi, Pita hapa huweke sahihi, Stephen Korir, Ametoroka, William Ngeno, oh, sorry , Wilson Ngeno , Wilson, Paul Kirui, Paul Kirui, isn't Paul Or Wilson, ee Wilson, okay' Huyu ni Wilson Ngeno. Paul Kirui Hako, Paul Kirui, Hayuko, Fredrick, You are there, thank you be ready. Do we have Richard Misei, be ready after chesminet, okay.

Wilson Ngeno: Mimi ni Wilson Ngeno, Jambo ambalo mimi ninge penda kuuliza katika hii commission, ni mambo ya boundary, ikiwa sasa tunaendelea na hay amabo ya constitution. Ningetaka mzingatie ile boundary ambayo iliwekwa na wakoloni.

Hiyo ni kumanisha ya kwamba katikas kutoa maoni, ningepedelea hile serikali ya majimbo, kwa maana, niliona katiaka nchi zingine wameendelea na hizo serikali za majimbo na sioni hupanya hapo. Kile kitu ambachoIle shida ambayo pengine watu wengine wanaona ni ya kwamba sisi tukiwa Bomet, pengine atuna vifaa vya kutosha kama vile shule na vingine vyo.

Hata hivyo tukiwa katika majimbo tutakua tu vile tulivyo, pengine wengine watasema hawana chakula, lakini watakuwa wakikaa kama walikuwa wakitegemea serikari wataendelea kufanya hivyo. Niguzia mambo ya local authority.mimi ninaonelea ya kwamba kwazia councillors, mayor, chairman ya council, wawe wakichaguliwa direct na wananchi.

Ya pili ni kwamba, tukichagua direct tukiwa waninchi hii mzozo wamekuwa nayo wakichiochan kwa hii na hii , pengine hii mzooz tutaiondo, ningependa pia kama chairman wakuwe na project katika sublocation yao, ningependa wapewe voucher ya miaka mitano hili angalao wamalize yaani project ambayo wameashisha, na katika kumaliza,hii extenuation ambayo

inasemekana pengine commission hawatakuwa wamemaliza kazi, kile kitu ambacho mimi ningeomba, ningeomba hii commission kwa maana hii Kenya yetu tuko na watu wengi wamesoma, na we have a lot of computers in the country ningeenda hii kazi ilahishishwe, hili ifikapo pengine mwenzi wa hii pengine mwenzi wa kumi na pili tuwe tumefanya uchaguzi ninafikiri haya yatatusaidia, hata kamacommission watakuwa na kazi ya kuendealea mbele wawe wamemaliza, halafu pengine hiiko kazi, final touches pando itaendelea. Kwa hayo ninafikiri nimemaliza.

Com.Maranga: Asante mzee, ninataka kukuelezea kidogo, sisi kama tume ya kerekebisha katiba tumepata rasimi zile siku tutamalizakiki, tuseme maneno ya katiba. tusesema ya kuwa sasa kama mfano tukichujua maneno ya waniainchi Ni lazima sisi tukae, tuangalie manoni ya kila constituency hili kitu inaigtwa National report, Hii report ya Bomet the national report mtaletewahapa musome hili mwakikishe ya kwanmba maneno muliyo yatua hapa ni yale yale, ambyayo yako kwa report.

Hii ni kitu moja, na hiyo itachukua mnda wa siku ishitini (60 days) kwa hivyo hata tukimaliza commission mwesho wa mwenzi huu, inatakiwa sisi tuende tutengese report, halafu tuicuklate kwa siku kapi ishitinki, Kama kuna maleke[isho ya kufanyua tunafanya tena baada ya hapo tutawaita kwa kikao kikuu hapacho tunaita, kiao cha kitaifa ama National constitution conference hapa[po yinyi matachagua watu watatu ambapo mmmjoja hatakuwa mama delicate watatu watatu kwa kila district hili mje mketi, mwongee hiyo draft ya report ndio sasa draft constitution itoke. Na kama kana maneno kama majimbo,.

Wilson Ngeno: Tumeelewana.

Com.Maranga: Na kama maneno kama ya majimbo, na maneno ya unitary government kwa sababu kuna sehemu tumeenda wanasema, serikali ya umoja, kuna mahali tumeenda wanasema, majimbo, kama hatukupaliani katika National Constitution conference hili mkutano ya kitaifa sasa inapindi tuiende kwa referendum, hama kura ya maoni, sisi tunafuata seria, hata kamapengine mmeona wengine wa wasungumuzia hata, mwenye kiti wa chama halitoa maoni yake peke yake binafsi, lakini sisi kama Tume kama tunafuata hile sheria tulipewa sheria hile ya kwanza haiwesekani kumaliza vile mnasema, kwa sababu vile sheria hiliyo, kwa sababu sisi Tume tumesapeana hile mda wetu tunataka, tusesema kama tukienda vile tunavyo enda tutamaliza mwenzi wa march, lakini kama kuna kura ya maoni tutaenda mpaka mai, lakini kama kuna kura ya maoni tumemaliza 15th of march, 2003. Kwa hivyo katiba ya Tume sisi, tulifunja hiyo report mbunge iamwe, kwa hivyo sisi kama wanatume tutafanya kazi kurikana na sheria, kama waninchi wanataka tualakishe nyinyi ndio mtasema, sheria tena ifanye nini ipandilishwe. Kama kwa mfano sheria ya maoni itolewe, kwa mfano hamtaki kiakao cha kitaifa basi kifanye nini ipandilishwe.

Wilson Ngeno: Lakini nimemaliza, lakini kitu ambacho kinacho tatiza mimi au watu wengine ni yakwamba, wakati mwengine, commission wanasema tunamaliza hii kazi wakati fulani, ikienda tena kitu kidogo kidogo wanasema tena hii kazi itaenda mpaka wakati fulani.

Com.Maranaga: Mimi sasa, ninakupa hili msimamo wa tume hili hapayo tutamaliza hili, rasimi sisis tutamaliza may 2003.

Kama hiko kura ya maoni ,kama kuna kura ya maoni , tutamaliza mwensi wa tatu. Na sisi hatujui kwa huo upande wa kitaifa itachukua mda ngani, tuimeweka mwensi moja hili wankenya wote wakae wasingisane, kama hawatawesa.

Uganda ilijukua miesi sita lakini wakenya wakikupaliana kwa mwesi moja hama chini ya hapo, sawa sawa tunaweeza kumaliza hata mwesi wa pili. Tunaelewana .

Wilson Ngeno: Asante sana

Com..Maranga: Tumeelewana. Asante. Weka sahihi kitabu chetu rasimi. Mwingi ne anayefuata ni, Richard sorry, Fred Chesinik Fredrick first, Mzee karibu.

Richard chesinik: Bwana Commissioner yangu ni machache sana, na jina langu ni Fredrick Chesnik kutoka kerugoya. Ni pongezio kwenu, kwa sababu yinyi mmekucha kuchukaua malalamiko yetu. Aa point ya kwanza: -

- Which I will like to read is unity; In all Kenyans to (inaudible)
- The second point this system of education 85 % is very, very wrong it should come back with the old system because 85% as a verily left mostly of the children some parts of the country, in the dark ages, because if you say 85%, there is a certain district that has no schools , which they don't have teachers and those who could have given facilities to select on 15% of outside country, out side the district and by doing so like that the district that does not have high school has remained and stand stagnant without, developing there country.
- Point of information I use the old system un the shoes because all district to have enough free services facilities and to raise standards education of the children,
- Secondly, I may (inaudible) as the matter of corruption , this corruption occurs mainly the side of the officers because the system of 85% and 15 % we should go back to the old ages and the get (inaudible) to be promoted as according to his properties, without referring to who is who, this (word not clear) Kenyans to remain behind in those ages and it has created big ignorance, because in the district where there are no less officers they remain just like where they where, so in that case encourage you commissioners to raise this point mostly too see that this corruption is being right. And it is with the official government. Not a raia not a common man so that we can remain and live as brothers and recognised as Kenyans. So thank you very much

Com..Maranga: Thank you Mzee, Chepget. Asante na ninakuoppa huje uweke sahihi katika kitabu hiki chetu rasimi. Next is ninataka Richard Mitei

Richard Mitei: Asante, my names are Richard korir mitei , I come from Mkoro location Chekoroi Division. I have my memorandum here and I will read out.

- I personally support to majimbo life of government that is one memorandum.
- The government or the state should provide basic needs to all Kenyan citizens, should be provided by the state that basic needs include the following;
 - The cloth, shelter that is land, education employment and the like, this means there should be an allowance to all grown up adults from the government, first land ownership should be limited from the average number of acres of plots more than fifty acres. (Inaudible) bad division cargo
 - Council or village elders aging from 45 and not exceeding through beyond should be given powers to manage community affairs and should have faith about their community. They should be put of good conduct and must be good conduct; every tribe that is 42 tribes of Kenya should have an executive in parliament be nominated.
 - Misuse of powers by an authority of the government should be discouraged by all means first, authorities include the following:-
 1. Executive (inaudible) of the government
 2. The Law courts
 3. All of the police

A threaten is (inaudible) like they defend the police because they get money from them, and I come to Th sixth point .

Office of the president: The president should be aged 66 years and not exceeding 70 years, that is, that is the time when his /her conducts could have be known, his mood of handling affairs of the Nation will have been moderate. When you come to the office of the president should be warded as follows:-

- Should be all O God help me not to favour nor fear, and make notice whenever I (word not clear) and if I , and if my heart tells me to do wrong to the people take to the strongest measure to occur to the people. O God help me to have good leadership from know to the end of the office help me God.
- The six (word not clear) office of the president should be two terms or 7 years each office, should be elected for two terms and each term should be 7 years only.
- The 7 and the last, cost of conduct, for the civil service that is the public service, should not be prepared from the top individuals alone, all covers in the civil service should be party and parcel of the preparation of the (word not clear) conduct of the civil service. Thank you.

Com.Maranga: Thank you very much; it seems no point of...okay one

Com.Mosonik: You said you come from Siangoroi Division , you said that you are (not clear) and this was(not clear)

Ricahrd Mitei: It is that I am here working in here in Bomet Distict.

Com.Mosonik: Okay so you are a temporally resident

Richard Mitei: Yea Commissioner.

Com.Maranga; David Langat, sign and give your memorandum , Wiliam Beth y uko, yuko ati? Wiliam Beth, Haya wewe ni William nani? Okey ka a William Beth Hayuko Mzee utakuja kwa hiyo nafasi yake, William Cheryot, William , Okay sawa tutakuita badaye basi. Kwa hivyo Beth Hayuko? Okay David Langat ;

David Langat: Okay, My names are David K. Langat, CKB Bomet town. And I start my representation by the preamble:

My proposed preamble are going like this we the people of Kenya, Have been fought for independence in day have continued to struggle for unity ,(word not clear) for stability connecting that to recognise that the dynamity in our society.

- We are ignoring to continuing this process of patriotism through the collective weaknesses that will recognise the (word not clear) rights.
- Returning the hands good governance where n democracy wee had is exercised and sustained through the rule of law and order respecting the Kenyan in their ethnic and diversity. (word not clear) Support sustained and cherishes our Nationalism . It is our promise that throughout this constitution we shall sustain democracy.
- In management of the national resources we propose that all the National resources belong to the people of Kenya and shall be practice protected by the state.

Party (word not clear) duties: Development partnership can give people, people to have peeled mandate in declaration the Republic of Kenya shall be founded by the Constitutional supremacy .

- People of Kenya are suffering in the clan d, human dignity and higher (word not Clear) for all people of Kenya.
- People of Kenya of Kenya to have democratic principles guided by the multipartism.
- People of Kenya should appoint all form of discrimination and civic education should be a continuous programme.

In citizenship : Other (word not Clear) it should be define who is the (word not clear) to become a Kenyan citizen and what right that he can have.

(Word not Clear) married wife, (word not clear) origin.

Level of governance: The level of government to be given power. Separation of power in all armed of the government should have a clear (word not clear) of balance.

In languages: Languages should be improvised all levels of governance e.g. courts.

Right to life: The government should ensure that the promotion and to protect the human rights by putting the rights. By putting the rights localism to (word not clear). There should be more such (word not clear) security forces.

Political Party: Since Kenya is a multiparty, all political parties which are legally resistant in Kenya under the same Law should be given equal opportunity, than freedom of movement to hold political rallies and also harambee running, through for development of the country wide without any restriction by the government .

Com.Maranga : Last Point.

David Langat: The Legislature: The nomination of the councils and MPs should be abolished.

(word not clear)

The powers of the president should be limited us follows:-

- Should be from all parties, parliament secretaries, to be appointed of elected by all members of parliament. And that is (word not clear) as and dependent to this activities. Without any fear or treat from any body in the cabinet.
- The Directors and the chairperson of the parastatals bosses both should be elected by the MPs of all parties.
- They should be elected for all parties.

Com.Maranga: Thank you very much I think we are going to read your memorandum, majoring strictly duty what we are going to take, I know want to say thank you very much. Thank you. Wiliam Chesot, huyo Mzee hako wapi? Kuja, keti huko na huanze na jina lako.

Com.Maranga: Unaweza kuketi, kuna microphone hapo juu. Kwa hivyo uanze na jina lako.

William Chesot: *Kainenyun ko. ...*

Com.Maranga: Jukua hiyo microphone, ee Hasa kusema, inaokea.

William Chesot: Jina langu ni William Chwesot, kutoka band e ya (word not clear). Lakini mwenye kiti nitaomba halafu.(words not clear).

Com.Maranga: Okay sawa, Kuna yoyote anaweza kutafisiri? Kuna yoyote anaweza kutafusiri? Kwa maana huyu (words not clear) Bwana coordiator, co-ordinator hako wapi? Tunataka mtu wa kusafiri. Okay come. Na Utafsiri kamili kabisa, usiongeze yako, yale mzee anaongea, hata sis tunasikia hiyo lugha kidogo.
Anaongea na wewe unaongea.

William Chesot:*Koninamwa kongoi missing en kasari koronyoru ko konamke kora ak ngalekab katiba anan wolutiet ne nyolu kegonun maoni ak echeck kosipke ak komosi bo bomet komiten ngalek che negit somok che kotindoi..*

Translator: First I would like to thank the chair about this constitution . I would like the chair for this arrangement. First I have somethings to raise.

William Chesot: *Ko ngolyot ne ta komache amwa kosipke kingogait emoni wabeberu kikinyo koboiwech en emonibo Kenya ko ngolyot ne ta ne kingogait kokinam kopchei emetab Uganda ak koguren Uganda (inaudible) kopchei emetab Tanzania ak koguren Tanganyika ak Somali ak Kenya koki colons..*

Translator: So first I could like to say that, when the colonialism came they divided (word not clear) in Uganda, we call it Uganda (word not clear) , Tanzania we call Tanganyika , then we had Somalia and Kenya colony.

William Chesot: *ko kounotet si mach amwa kokingogagobwa bichotet emoninyonet kokinam kotorettech agityo kogigonech kora kigingokagobata kopcheat mpakaisek en olin konam konyo kalyet en bororiet notet nekimiten kongeten kou Tanzania komakimuche kechup ketindoi ngal..*

Translator: So what happened, when this govern country where divided there was, peace in Uganda, Tanzania and Kenya.

William Chesot: *ko ngolyot age nekingogatar bichon kochut emoninyon nebo Kenya kotilji bororiosiek chenegit artam ak aeng.*

Translator: So in Kenya the colonial government divided into.. . about 42 tribes,

William Chesot: *kokipchechi agetul olekiboch olekinyorta ak ole kanyor konai kole chi age tugul kotinye ole kimenye*

ago kigipchechi kounotet kokimagotinye ole chame.

Translator: Each tribal was given the boarder, to .. divisional of each tribe.

William Chebsot: *Kokingo kagonyokopchechi bichotet kokimatakobit bolet ak kitun komengis komie ak konai kounotet.ko kit ne aome kora kokit agetugul sigai konyo miendokokaibur chi age tugul en kinyin ak en atebet ne nyolu.Kokit ne kimache kora serikalit nebo Kenya kogoribchi raiya malikwak ak tugukwak.*

Translator: So my suggestion the police to present the government to protect from the wealth of the citizen.

William Chebsot: *Ko en ngolyot age nebo aeng kokisibi kou olekingen kele kou olekingen yekogechopwech kounotet ak keeripwech tugukyok kenyonu boisionik che kororon.*

Translator: So the citizens should find that the ir property is well taken of.

William Chebsot: *ko en ngolyondonon kogabwati ale en emet ne kimenye nguni ketinye buik ngisiat ago makerke kasibutikewak age komengisie kabilet age alak komi koten atebetnywan ne ter kou ehek ngunon komosien kipsigis ketindoi ngunon kele kitinye tumwek bendi lagokyok ak keyae tuguk che echen lakini kimache keger ngunon kele amun kigonyo miendo emoni ak laboyet kondoomugagse konyolu kotebi tibik asi koba murenik .*

Translator: There are many tries in Kenya with different cultures, for example, the Kipsigis I mean they practice circumcision, I suggest that is the circumcision of girls to be stopped.

William Chebsot: *Ko en ngolyot age amache kora en betusik chukimi ko betusiek che kagenyuru tuguk che chang anan kaghiyomegen keigu agenge en ngalekab serkalit ko biasharaboisionik che kiyoe ak keyai biashara en emoninyon enoeert ne nyolu. Kalenjin*

Translator: So there should be freedom for business people to do any business throughout the country

William Chebsot: *Ko nebo let ago ne abwate ale agesunen ko en kasari kora ketindoi boisiech chebo kokwotinwek ko boisiechu bokokwotinwwek kokigoboisiechi serkali ago masiche ki.*

Translator: I also could like to say that as the village elders, they work for the government though they have not been paid anything.

William Chebsot: *ago o boisiet ne yae kosir age tugul konyolu ndo kerei serkali en ngatutik.*

Com.Maranga: Mwambie amalize

Translator: Though they are doing a lot of work, the government should consider them.

William Chebsoi: Okay, *Ko abwote ale korogesyi yoniton koainenyun konon karamwa asante.*

Com.Maranga: Asante Mzee wangu, nakuomba uweke sahih hapa, sassa ninamwomba, Mzee mwingine anaitwa Kiptere Arap Rusoyot, Kipter. Excuse me . Maybe you can remain here to get (words not clear) kipsigis.

Kipter Arap Rusoyot: *Okwek ochamke boroyioni ochamge kaptich.* Insert Kalenjin.

Com.Maranga: Mwambie anze na majina kwanza.

Kipter Arap Rusoyot: *Kainenyun kegurenon Kiptele Arap Tesot amenye komostab chepngaina sub location..*

Translator: I first a ward is that I thank you for that you have come today to ask us questions.

Kipter Arap Rusoyot: *Ngolyondenyun neta amwae kongoi ndamun karobwan oteb tebutik amu tebutichu keteben boisiek ak bik che mengechen che konerchi emoni.*

Translator: For they say that this question should be asked to the old man and the young people.

Kipter Arap Rusoyot: *koo kuni komakiyani ki agetugl kebut ngatutik ne kigitinye kongeten. Echek kokigiberurssei kipsigis.*

Translator: So we should not accept the traditional customs are broken they should be maintained.

Kipter Arap Rusoyot: *nebo aerng kogeny ko ago coucilaek che kigileweni kemache kelewen mayor amun meya kobendi kor komi ko kolewenke ak pitina kemache kelewen wanainchi.*

Translator: So the citizens are the ones to elect the mayors not the councillors

Kipter Arap Rusoyot: *ago kounon anyun kegere tuguk chechag chebwone chekimache keribchi lagokyok chelinda sugulisiek ak chemengech che kgeseni keribe emoni en imanda ak kemache kanisosieek kochomyo ak serkalit amun*

serkalit ko agenge ak en kanisa.

Translator: This country, should be protected with the truth and the church, and the government should work together in peace.

Kipter Arap Rusoyot: *Matkondege pitina amun kelemen mi che kogogoi ko kapcheech kou olikipcheech wabeberu..*

Translator: There should be no division, between the church and the government

Kipter Arap Rusoyot: *Ko wabeberu kokibwa ak konyon kobchei emoni kole bik ichechon ko bororiet age kole kiguren okiek kole kiguren indorobo akgo bikyok. Kalenjin*

Translator: We do not want division the way the colonial government divided calling us dorobo.

Kipter Arap Rusoyot : *Ak konam imbarenik che kibo bik ak koonate asi anyun kominji chaik ak kosir boisiokyok che kigobek koyai chaik choton .*

Translator : Our people want to be replaced by colonial settlers and then they started planting tea and they employed our fore father to work for them who are now dead.

Kipter Arap Rusoyot: *Kochun igo kole kasinyun abai tuga kole ingo abae nego ak konamech any che kibo koret kotuchech ak morangetit konyek komeketuchech kogongangak emet.*

Translator: From (word not clear) and then they broke her that she could not say the truth.

Kipter Arap Rusoyot: *Amache chomyet kochomyo serkalinyon ak bikyik raiya makimache kit ne kiusotege serkalit ninyon ko serkalit ne telelot.*

Translator: There should be peace between Christians and the government, so that no body should be chased on

Kipter Arap Rusoyot: *Ne ngebendoti kebendi kingen kele kiribot en serkali ya kit ne kiwirotoke kou emetab olin Somalia ngochei tebeit kemwe emetab Uganda ngochei tebeit kemwe emetab Zaire ngochei tebeit kemwe ko inoni ko emet ne tinye kalyet ketinye kalyanoton kora.*

Translation: The people should be free to walk around without any fear, because of the government protection, we should be like people of Somali people of Uganda and people of Zaire. When they hear a drum they run around thinking that there's war.

Kipter Arap Rusoot: *Ko kounon anyun kemachei anyun emoni konenyon ne kiosityini ne mekomi ole kibendi ak chichon tinnye imbarenik egainik ilibu tatu ago mi laagokyok che mi sugul che matinye imbaret aini matinye imbar ago atinye lagok taman andoi ano.*

Translator: Finally build our land where we can grow on. For those people who have three thousand acres and our children are without land, where will I put them.

Kipter Arap Rusoyot: *Ko kounon kemache ketakeswa manenyinet ileitinye kwonyik bogol ak somok asimeny tunia kipkoi.*

Translator: So that thing should be investigate, is it true that you have three hundred wives and you live in a very huge of land.

Kipter Arap Rusoyot: *Agot netinye che teno chon komanyoru egainik chon elibusiek somok mi che menye ak ichek sebebeago niboeit barak yu kogokoit kit ne kimuech , kimoche kowek kapkiruok kogetyigen ole kimi. Kibendi chito etwaget kototun kome amami komomi kit ne kigiyochi.kimache keyai en kaa wenyewe.*

Com.Maranga: Asante Mzee ninataka umalize, point yako ya mwisho.

Kipter Arap: *Nebo let alenjinok kongoi missing orib emoni ago ngalechonigoorib takolinda chepyosk ak boisiek chesirechkononiton kotomalechok e mwisho inoni takolelen boisiek koongalal koit ano moibu ngalek chengeten olimbo Nairobi che koge bir mepit age tugul konyokengololwech agele kobarkiet*

Translator: There are mothers and women at home and the old men, they are still waiting what will happen, we do not want to you to bring what have already written in Nairobi to us.

Kipter Arap Rusoyot: *Kongoi missing.*

Com.Maranga: Ninataka kumwita mama mwingine anaitwa Puline sitonik. Mama

Puline Sitonik: Please Continue to translate for us. Chukua hii. Mama anza kwa majina.

Pauline Sitonik: *Kongoi missing en kasdari kongoi en ofisaekche kagobwa ireyu.*

Translator: Thank you very much all officers who have come here.

Pauline Sitonik: *Ane kegurenon paulina sitonik*

Translator: My names are Puline (inaudible)

Puline Sitonik: *Ayabu indareweta.*

Translator: I come from Ndaraweta

Pauline Sitonik: *Ngolyot ne atinye* Insert Kalenjin

Translator: I have two issues to raise.

Pauline Sinotik: *ko nebo lagok chemiten ka kitinye kewelutiet nebo kwonget en lagok che siche lagok kogoin chito lakwet ak kobogokwan .*

Translator: We have problems with the single mothers , who are staying at home having given birth.

Pauline Sonitik: *Ngolyot any ne amache amae ye kagogoi chichoton lakwet amache komut en lakwenyin ne ta amun ingebagach agine cheboton koyage kosichot alak komae komut netaai.*

Translator: The first responsible father of the child should take the daughter so that the daughter should not be left to give birth at home.

Paulina Sinotik: *Ko ngolyotage ko tibikchotn kora che amwae ma ichegen, ko ngoolyot agoba kerichok kogoge en emet koborote lagok , turu moatinwek okot bik chebo family . ui kabisa ngolyondonoton amache kinde ngatutiet age.*

Translator: The other worry that I have is mainly, concerning (word not clear) about medicine

Pauline Sinotik: *kimache osweiwech kora wikkik che yobu olin bo kosobek ago bichuribe kalyet komayae amun rabinik .*

Translator: about the changaa that come from Kisii, (word not clear) save of alcohol is destroying our children and some people who are supposed to present this, they are not doing that because of money.

Pauline: *mogetinye maendeleo en emet kabisa.en boisionik chon yachen choniton chon karamwa chbo lagochon.*

Translator: That will stop development in an area, because of (word not clear) there is development.

Pauline: *Ale komatinye ngolti* Insert Kalenjin

Com.Maranga: Hebu kuna swali, hebu haketi kidogo.

Com.Abida: I am just wondering how come she is complaining the changaa from Kisii, is there no local brew here? If there's a local kipsigis brew, which again she does not have any complains about it?

Translator: *kole kemwa changaa chebo kosobek ani en olinyon oilbo kipsigis olo kotos kotomi maiywek.*

Pauline: *Alelen keger tugul ndo yon imugagse si koba bik maendeleo.*

Translator: She is saying if possible, (words not clear) local brews here, then she says if possible, all this should be stopped (insert kalenjin)

Pauline: *kimbo kirieche kindo mermeruk. (busaa)*

Com.Maranga: Okay Asante mama, na omwabile aweke sahihi hapa..Asante kwa kutoa maoni. Anayefuata ni Stanley Nkererchi, Stanley Nkerechi hako? Stanley, Stanley, hayuko. John Langat, John Langat Okay, come and we have, Jonathan Sijipnei, Johnathan, hako, hayuko. Ee okay, huyu hayuko, huyu anaitwa John Langat.

John Langat: My names are John Langat, and I am representing this memorandum on behalf of getembe Location. Highlights are :

1. On Constitutional supremacy, and the people of getembe are saying that parliament to amend Constitution by a 75% majority votes.
2. On citizenship: A child born by both parents being Kenyans, must be an automatic citizen .,
3. Also a child with one parent being a Kenya, that is a father being a Kenya also to be an automatic citizen.
4. The evidence to be carried by any Kenyan in the main passport. On descent a national security, there discipline forces be established.

We want our internal cultural as akipsigis for as a part can occur, if we want other people's cultures.

I do thank you Bwana Commissioner. If that is what you want, we don't want much

Translator: Alisema umusamehe kidogo, Unisamehe kidogo.

Com.Maranga: Thank you very much

Mi tuguk che yoyokse en ngweny

Translator: There are certain, occurrences in the world

Ko tuguk choton yoyogse en gwony .

Translator: Those occurrences in the world , Insert Kalenjin

Mr.Kimalog:*Ko chon bo maiywek chon kimwae chombo maiywek.* Insert Kalenjin

Translator : That concern illicit brew

Mr.Kimalog: ko maiywek komi maiywek olkingeten olda agetugul .

Translator: Illicit brews, or wine had their origin

Mr.Kimalog:*Ngunon ayae tumdanyun amache agesece lakwenyun arieche maiywek che aterechi.*

Translator: When I am concerning my ceremony I must have our traditional brew.

Mr.Kimalog:*Maibu wirkik any*

Translator: I am not going to bring changaa

Mr.Kimalog: *kongoi.*

Translator: Thanks

Com.Maranga: Asante, Asante mzee, kimalog, wapi Bwana bett, halafu korir huwe tayari. Please I want you to be brief, summary.

Mr.Bett: Kwa maoni yangu, jina ninaitwa. Pastor robert bett kutoka AGC Bomet, niko na maoni kwamba, Title deeds ya shule na pia kanisa, unapata ya kwamba, mashamba ya shule na kanisa yamenyakuliwa mara kwa mara, na hii ni kutokana na sababu kwamba sisi kanisa tukinunua , tuaabiwa kwamba baada ya miaka sita uwesi kupewa title deed. Kwa hivyo maoni yangu ni kwamba title deeds ya kanisa na Shule itayarishwe baada or less than three months iwe tayari , na ituswee na Board

ya kanisa na pia ya shule.

Pointi engine niko nanyo ni ya kwamba, ile sheria ya (ianudiable) yaani mtu akipatikana town, amelewa, achulikani kule ametoka, zamani walikuwa napelekwa kwao nyumbani, ninaona sheria mpia iwe retained, kwa maana itasaidia makao ya town na pia kuchua watu wanoa toka inche. Engine ni,

Public Universities: tunasema kwamba Universities, iwe distribute kuringan a na regions zote za kenya, ama every province iwe na University. Ya mwisho

Maoni ya single mothers and unmarried women, be given lands in their homes that is with there parents, they should be considered like sons of that family. Asante.

Com.Maranga: Asante Kuna swali.

Com.Abida Ali: Sasa ninge penda kukuuliza, wakati huu tumekuwa tukizikisha maoni, akina mama wangependa sanawaongezwe majina yao katika title deeds ,wazee wanakataa, wanaona wamama watawakalia sana, Oni lako nini kuhusu jambo hilo?

Ropert Bett: Mimi maoni yangu, ni kwamba ,kwa hiyo title kweli, yote iongezwe kwa maana , kanisani tunapeana title deeds, tukisesma ya kwamba, wote wameoana kama Bwana na Bibi, kwa hivyotunaon awote wawili ni one family,kwa hivyo kwa hiyo title deed iwekwe majina yote mawili ya Mama na Baba.

Com.Maranga: Thank you, you can know sign our official register. Know the next ni John Korir.John Korir? Just a minute. John Korir atafuatwa Joseph Chepkwonyi, Joseph Chepkwonyi hako? Okay you will be next. Do we have Alexcander Rono? Okay you will also be next. Okay thank you.

John Korir: Okay main is concerning water problem and family affair, the first one is water problem; We like the government to see that the trees should not be planted near river , because (word not clear) is a water consumer , this will void discusty of water in the water catchment area.

And the next point concerning water again the government should put (word not clear) the law, says that : Anyone who leaves along the river or the slop should not do any farming there , in an area about 30 mitres away from the river ,. This should give the peel or the domestic animals a gate for their use, concerning with water.

Planting trees from North to West is not suitable for the crops to grow it is good for the government, to enforce the law to prevent people from lowering the income of the rural people by teaching them to plant trees, from East to West this will not effect any of the message above, the should follow the ,Lines of the trees, which you plant the trees fromEast to West, South to West concerning with family:

The law should be enforced to private people who marry, people's daughters for a time and give her back home with children or that other luggage's. Anyone who should, anyone who stay with a your daughter for nine months and.. chase her back home should be given penalty of 1 million or set to jail for 7 years, and hard work. Reason for chasing her is because he has staying with her and without marrying her, just other people call it come we stay. With her or his husband, he should be forced to marry that daughter by the court order, if possible the person should be given 7 days to arrange their marriage.

Another, almost the last point

Com.Maranga: Last point.

John Korir: The last point, the government should enforce the law that says anyone who (word not clear) somebody's daughter, and refuse to marry her should be imprisoned for 7 years or be given penalties 2,250 thousand, because in Kenya, many street children in rural areas are suffering know because this rich comen who are keeping people daughters with money.

MPs for Civil Servants, this law is exercised for the civil servants,

Com.Maranga: Thank you very much.

John Korir: But for ht civilians, which is common for the wananchi this law is not illegally.

Com.Maranga: Asante Bwana Korir. There is a question, keti huko na humeweka hard kerchief yako na utoe. We have a question.

Com.Mosonik: Humesema anybody living with somebody's daughter what is so special with the nine months?

John Korir: Nine months that is the time, they have known each other that time.

Com.Maranga: Thank you very much, come and sign out, jukua ile memorandum using, hapo, na tena umenda na microphone, kuja bande hii Bwana, korir, kuja bande hii.

Joseph Chepkwonyi: Kwa majina ninaitwa Joseph Chepkwonyi, I am representing the organisation of the Taita churches (word not clear) in Bomet, we as Kenyans consider the following:-

-Recognise the justice of our cultures owner those who suffered for our justice, justice and (word not clear) in our country.

Respect those who work to develop our country, and believe that Kenya belongs to those who live in it, (word not clear) we therefore through our elected representatives, as this constitutions of the Review law of the republic so as one;-

1. To heal the division of our (word not clear) to establish a society based on Democratic Party, social justice to fundamental human rights, may (word not clear) from the party and open society in which the government is based on the agree of t people.
2. The citizen is physically protected by the law. In (word not clear) the presidential person, protect and ensure the governments properties, from those who involve in corruption, will recovered. We look forward to see the government properties e.g. houses, land already acquired by an individual person recovered and those involved (word not clear).
3. The ground land acquired by the, former tribes, settlers be returned to the people concern e.g. Kikuyu, Nandi Turgen, Kisii, Kipsigis and others. Only the development in the land be paid (word not clear). This law will help to solve the tribal war for land (word not clear

The new creation, greater District to share the assets to the mother districts equally. This law as a free law for the land to protected our new district.

A law to protect and give fair treatment to our prisoners or jails, to be given shelters where they are toilet suffering while waiting for their cases and not to be exposed, to go to the sun.

Action to help the replace the homeless people, every district in our republic to help a home to orphans, HIV/AIDS victims.

A law to mobilise the use of (word not clear) in cargo rustling areas.

Elders to be given allowances or full pay to allow, to enable (word not clear) before.

In our democratic government , the high judge should have the representative nominated to play a role (word not clear)Kenya. A law to protect people from those who's aims are to disrupt any baraza or smooth running of education, which the government has full rights by the people to bring those corrupt ones to face the la, and save the situation of our innocent people losing their lives.

Com.Maranga: Last point

Joseph chepkwony: Law to prosecute any leader either civic or parliamentarian who causes any incitement in which ends in theft or any citizen of this land Kenya. Every District, in our republic to have four or six councillors or councillor elders selected by people to control their affair of the councillors and the end of state is seeking advice from the. Being a united, democratic Kenya enable to take this right full place as (word not clear) in the family mission. May God protect our

people, may God help our commissioners, may God protect our government, and may God bless Kenya. Amen

Com.Maranga: Thank you, thank you very much and hand over your memorandum, know next is person I want is Alexander Rono, Alexander Rono? Then he will be followed by Harnest Lagat, Harnest lagat hako? Lagat Harnest, Hayuko Thomas Korir, Thomas Korir, Thomas Korir, he is not there, Nicolas Rono, Nicolas Rono, Nicolas Rono,

Alexander Rono: Jin a yangu ninaitwa Alexander Rono

Com.maranga: Ee

Alexander Rono: Mimi ninaitwa Alexander Rono

Com.Maranga: Alexandr Rono

Alexander Rono: Kutoka Bomet Central kutoka (inaudible) location . Maoni yangu, ya kwanza ni: -

1. Nigelipenda kuuliza vile ninaweza kutafautisha, maoni ya personal view ya upande wa commissioners, kwa sababu tunapo soma kwa gazeti mara tunasikia, hii mambo ya constitution itaisha mwensi wa tano mwaka ujao , hiyo ilitoka kwa chairman wa commission. Na tunaposoma sasa zingine kwa commissioner tunasikia, September, sas hapo ndio tunasidwa tunaweza aje kutafautisha, personal vierw na Reveiw y acommissioner.

Halafu ya pili, ni kuhusu mambo y akuajili, ninge pelea upande wa politicians, wale watu wao-uhusu siasa, wawe wanjukukiwa na wanainchi. Kama MPs na councillors, halafu upande wa government officials wawe elected na serikali. Na upande wa chief na wengine.

Engine ningependelea MPs wote wawe na office mahali watahusisha constituency yao.

Maoni yangu engine ningependelea iwe, watu wa (words nor clear) wa parliament wawe ni watu ambao wako na elimu ya chuo kikuu. Halafu councillors wawe ni form four leavers.

Engine na ninya mwisho ni kuhusu mambo ya ttitle deds, ningependelea title deed ikae kwa mzee. Nafikiri maoni yangu ni hayo.

Com.Maranga: Asante na uweke memorandum kwetuhalafu . Richard Malel, Zacharia Rotich, karibu. Do we have jeremiah Trotich, Jeremiah rotich , Huko? Uwe tayari mzee wangu.

Zakary Rotich: Thank you, I am is Zacharia Rotich from (inaudible) central . mine are few. First, There must be no person (inaudible) the law.

Com.Maranga: Ongea vizuri, yaani weak microphone vizuri.

Zacharia Rotich: Kwansa there must be no person about the loss.

Secondly, there must be no person having more than three hundred acres of land , at least maximum is three hundred, because so many people have no land , they are landless.

The constitution should be written in all languages concerning the tribes, in Kenya
42.

- All the assistant chiefs should be elected by the community
- The title (inaudible) too children, regardless to men or ladies when they are aged 35 years or in planning the land it should be involved both parents children, home agenda and chief.
- Village elders must be given training and should be paid because they are doing a lot of work in the community.
- Also working, the president should remaining being a (word not clear) also.

Thank you.

Com.Maranga: Thank you very much I know want to ask you to hand over your memorandum. The next person is Jeremiah Rotich

Jeremiah Rotich: Thank you very much hii ni nafasi yangu mzuri , sasa (words not clear) ningetaka kwansia Constitutional Review ambayo inakuja, (not clear) ambaye anitwa...

Com.Maranga: Majina, majina Kwansa

Jeremiah Rotich: Majina ni Jeremiah Rotich. Ninasaidia Constitutional Review ambayo imekuja, na (word not clear) ambayo imekuja kama ikiwezekana , kuna kitu inaitwa prospective rights ambayo ni kitu pengine inawesa kununua ni mwanakenya, na hiyo kitu ikiwezekana , iondolewe, mwanakenya deserves a prospective rights, ya pili if a foreigner comes to our country should be given money to buy the prospective rights and not as the Kenyan.

Secondly, I want to take this (words not clear) a Kenya went through a (word Not clear) some where in the (words not

clear) or in a river should be given prospective land to be the owner with the government. And not the government to be in the first. The owner should be the first and the government should be the second, we need the to come as a discoverer, we don't want to be a discovery to be put back ward, we want the discoverers to be looked at the government (word not clear) because when we look backward, the government have (word not clear) and the owner or the discovery should not (words not clear) her. That is my second question, so that one should be the one. The discovery should be known by all Kenyans

Secondly, about the assistant chiefs should be elected by the people but not to be employed, chief and assistant chief should be elected.

We need to learn (words not clear) elder (words not clear) and also a women elder, to be (words not clear) always together.

A title deed, is for mother and father, all those names should appear in the certificates, I hope that is my own constitutional review.

Com.Maranga: Thank you. Very much eee, weak sahihi kwa kitabu chetu rasimi. Cheriyot Sang, hatafuatwa na Mrs Mutai Florence hako? Okay you are next after Cheruyot Sang, do we have Joel Ngeno? Okay

Cheruyot Sang: My name is Cheruyot Sang wa (words not clear) work, ningependa kusungumza juu ya uchagusi ya wajumbe, wajumbe, ambao mna wachagua kwanda parliament ningependelea wachaguliwe na waende, kw mda wa miaka mitano tu. Na hapo nikomee, kwa kuwa mahali tumepitia, tumewachagua wajumbe wengi, lakini wakimaliza safari ya pili, wankuja na maneno ambayo wametumia fedha, wanakuwa na nguvu ya kununua watu. Kwa hivyo tukiwachagua wajumbe, waenda kwa muda ya miaka mitano tu na waondoke, hii itakuwa ni manufaa kwetu sisi raia. Na vile, vile waka tabue ya kwamba, raia ni wa muhimu kuliko wao, wawew wamechichukua kama, wao ndi watu wa maana kuliko sisi raia. Kwa hivyo ningependelea wajumbe wachaguliwe an waende kwa safari moja tu, miaka mitano, mikine vilevile, wachaguliwe kwa miaka mitano, ili kushudi, tupate nafsi ya kuchagua wajumbe wanawesa kututumikia katiaka nchi yetu.

Ya pili raia , raia watabuliwe , wawe na sauti kuliko wajumbe, raia hawana sauti yoyote, raia watabuliwe as an a president, Raia ni wakumbwa kuliko president, kwa kuwa sisi ndio tunawachagua wao, kwa hivyo mimji ninaonelea hao wot, ijapokuwa president, wa kujaguliwa, ni shariti iangaliwe kama alitenda mema arudishwe mara ya pili, lakini kwa ma MPs, wawe ni safari moja tu. Hiyo ndio maoni yangu.

Ya tatu, MPs, wasiende kufanya siasa wakiwa wamejaguliwa, wakisha jaguliwa, hawana nafasi ya kuja kutufanyia siasa engine , na hali tumewajagua. Mtu kama hajajaguliwa, yenye ni lasima apelike, kilio chetu katika mbuga, sio kutuletea

maneno hivyo, hivyo ya pologo katika (words not clear). Mjumbe ni mjumbe wa kufanya development lakini, mjumbe wa kuleta siasa tena , na kwa hali sis tumekwisha jagua, huyo si mjumbe.

Ya nne, Kume kuwa na krabu katika mrket zetu zote, katika Kenya nzima na sis tunaon maajabu, virabu hivyo watoto wetu, tumewapoteza watoto wengi. Klub vyia kutengenesa changaa' imealibu watoto wetu wote, watu wamekosa wanawake wao kwa ajili ya ulevi, na sisi tunaipigilia mbali ulevi tena isirudi. Wengine wanaweza kufikiria kwamba, serikali hii ichayo tunaweza kutetea klub virundishwe tena, lakini mimi ninainpigilia mbali kabisa. N a ninom,ba mwenyezi mungu atusaidie kulisipa hii klub sissirudi tena.

Com.Maranga: Ya mwisho mzee.

Cheroyot Sang: Hiyo ndiyo ilikuwa ya mwisho kwangu

Com.Maranga: Asante Mzee wangu

Cheruyot sang: Lakini nawaombea mpeleke mbele hiki kilio chetu.

Com.Maranga: Okay

Cheruyot: Tumewajugua wengi na tumeona ni wambunge wanajukua siasa kuwa ni siasa ya fununu tu.

Com.Maranga: Asante Msee, kuja huweke sahihi na utupatie memoranda

Mutai Florence: I am giving you, a summary of two minutes, so give me the highlights. Okay.

Florence Mutai: My name is Mrs. Florence from (words not clear) Citizenship, whether a woman who marries a foreigner, they should be given citizenship for the seek of the children.

A person man or woman married to Kenya citizens, should be entitled to authomatic citizenship.

On registrature, we should then consider nominated MPs and half should be women.

On Rights of honourable groups, (words not clear) women should fully guaranteed in th econstitution, that I seqaul education rights and political and environment.

On land and property the title deed ownership should be the local community, the entitle deed should have both names of husband and wife.

Also children should inherit land whether married or unmarried

Source conference should be mandatory in sale of land and should sign the authority of transaction.

- On cultural and ethnic, regional diversity, the ethnic diversity should be, unprotected and good cultural practices should be promoted but harmful cultural practices should be abolished e.g. when inheritance girls FGM that is Female Genital Militration. Whoever is forcing girls for a FGM should be penalised.
- Agirl should be set by herself at 18 years. Make a decision whether she should she should not
- The ethnic language should be encouraged
- All cultural marriages should be recognised and issued a certificate.

I think that is all.

Com.maranga: Thank you, very much and thank you , I request you to sign our official register and then hand over the memorandum. Joel Ngeno.

Joel Ngeno : Thank you very much commissioners for giving me this time.First I have, My names are; Mr .Jeol Kipngeno from Bomet Central Division here in Bomet District. I have two issues to raise, to represent to the commissioners here today.

First, (words not clear) here in Kenya, (words not clear) in Kenya. (words not clear) employment in Kenya is very poor and that is because here we have two National Examination being conducted annually here in Kenya:

First the is KCPE and the second one is KSE, we have a those students who seat for the KCPE they, with bad results , be allowed to join secondary schools.

Those who had fair or not fair results to be observed directly by the government. The government to take its responsibility to strictly see that these students are solved in government, to be given employment.

Then the second Examination is KCE that is form four examination, I will intention that , those students who had good results I think those ones are being taken to ht universities directly, those with fair results the government should take the full responsibility to employ them. Either in government offices or non-governmental Organisations and ..

Com.Maranga: The last point

Joel Ngeno: Students with KCE results, those who are to be taken to colleges they are not supposed to be, interviewed they should be given, they should allowed straight direct to the colleges, because they have (word not clear). Then the second point is , this is the last one

Com..Maranga: yea

Joel Ngeno: Okay, this is the last one,

Com.Maranga: Yea please

Joel Ngeno: The last one is about cost sharing, I the ministry of health here in Kenya, we have cost sharing , should be scrapped completely and patients all over Kenya , should be treated free of charge , I think that is my last ee..

Com.Maranga: Thank you very muc mr.ngeno.Know I request you to and over your memorandum and sign. Huyu hako na wawili hapa pengine walirukwa wakati tulikuwa tunaita majina, lakini moja alikuwa observer akabadilika, I give you two minutes to give your points. Ezekiel Tugut, you have a memorandum you have two minutes to give us two point, properly which I have know been said.

Ezekiel Tugut: Thank you, for this wonderful day, I have two issues here read that one of the role of the chiefs; Assistant chiefs and the village elders, so far the role of those people are not at peace at all interest to me. So what I want to say to them is, they should, their role is taken and certicified, yearly including and ensuring all children get education in their either there location, dispite lack of funds from the parents or whatever.

Secondly, in the law the (word not clear) should be rectified people who are very, those who are inheriting with lands and they extend their lands to the public utility that is the path, yaani njia ya kijiji, should go back, and make sure that they have refund they have found their original demactor.

Thirdly, on education , sector know the chairman of the school committee, should be educated to interpreter issues clearly, brought top them by members of the public in all that for the general management, of the school traditional.

Know the forth one, to educate, from (word not clear) should not interfere with the learning to be given in the name of sponsorship which is being based as a colonial law, that is quite (word not clear) to the members on society in the name of African. This issue is taking us back, to the nineties ..(inaudible) Know you should not enforce their by laws I the government of the institution, parents also who are the owners of the schools by development or helping discussions should speak and come out with best manifesto to help them run their schools, to avoid anyone who may come in to run the

schools any how using any rules.

In schools, except private schools, should be under District Education Board.

Know the forth one if there is a bylaw that promotes, parents automatically to the grade after five years, then should also happen to all the TSC employs, as in the case of (word not clear) where they promoted automatically.

Com.Maranga: Last point, don't give us the details and I have told you to give us the highlights. That memorandum it will be our duty, as they commission to read, give us your last highlights, in less than 30 seconds.

Ezekiel Tugut: The last one is, in (word not clear) in know should be over(nor clear) and should be of qualifications graduate level because to handle this people know they are very in festival they can interpreter issues very clearly and they can promote education. Other than this locally promoted, elements from (not clear) any level. Otherwise thank you

Com.Maranga: Thank you, very much hand over your memorandum, let me call know the councillor Alfred Cheragoi I can see you have a memorandum give us the main point in two minutes, you are the one who is indicated you as an observer and then later on you changed and you said you wanted to represent, so know less than two minutes. Thank you.

Alfred Nderamogoi, Thank you very much Bwan commissioner, my name is Alfred Cheragoi, my ward is kapter ward and iam the chairman of the county council of the ward of the Bomet, that is way I am here, in my reports I would like to highlight that the areas that need to be touched on, let me read quickly, all government services and finances should be dissolved in the classroom that is in the district level, that is what we what. In other words we need finances and services to come to the district level.

Secondly the district Board of the two districts reflected in the land as a constitution should remain so, it should not have been a member otherwise, same applies to the provincial, they should maintain the same order.

Three, every Kenyan has a right to live and transfer his or her business anywhere in Kenya as along as one respects he cultures and know laws of the communities he lives with.

Four, the Kenya currency should contain a logo or inscription that say Harambee' and on one side the e founding father Jomo Kenyatta should feature permanently in all the future currency of Kenya.

There should be an executive prime minister and a ceremonial president.

Right now we have a constitution wars in Kenya they need to postpone the live of the current governor, and the

reconstitution is completed and the war of the world is over. I think that is the few I had mr Commissioner.

Com..Maranga: Thank you much, Chairman of the county council, we are sorry you had to come late it is because you had indicated your own observer. According to my list you are the last person and may be I, can say thank you very much proceed and register.

Basi kulikua na hile ratiba tulikuwa nayo leo, hama orodha ya watu ambao walikuwa wanataka kusungumuza, chairman wa county council ndiye alikuwa mtu wa mwisho kabisa, lakini ninataka kuuliza kam a, kun amtu yoyote ambaye amewajua nje nimpe dakika moja. Okay one minute.

Thank you very much Bwana Commissioners, I am Walden Motai, teacher by profession. I am going to talk highlights only, three issues, that is (word not clear) groups that is the children and woman , the rights of the children should be observed. The rights , however should have boundaries, because we must say we are abusing, children we can as use even just being quite without talking to the children, being quite not talking to the children, that is an abuse. Know the present, constitution should be very clear about the caining of the children, how we can teach children for example, the ministry of education, of saying that we should cain the children , is in conflict with the bible, and our constitution can be, effective if it is in conflict to the edible, so it shouldn't be in conflict with the bible, and we should not allow other ministries or other department, to violate us rule in the constitution.

Women: There should be properly constituted groups in very village to deal with, conflicts in the home other than, what we have know, that just, people have kangaroo groups, that is wrong.

2. Land: Every family should be very clear I the constitution that, every family member should angry how they should divide their land, the children the father and the mother, other than, just argument about, the wives and the father and they write away, it should be in the constitution that ... otherwise we might end up registering devil worshiper. Thank you very much Bwana commissioner.

Com.Maranga: Okay, thank you very much Bwan Commissioner and I ask you to register, an dhand over hyour memorandum. Basi kwa niamba ya Tume ya kurekebisha Katiba, hii leo ndio tunafika mwisho katika kikao chetu hapa, ambayo tumekuja upande wa Bomet, lakini kabla sijafunga kabisa ningetaka kujua, ninasikia kuna mama moja anataka kuongea mbele ya tume ndio tufunge. Mama kuja useme majina yako, halafu tutaweza kufunga.

Asante, jina langu ni Mary Kiduiya, nataka (not clear) ninataka kuwachakia wakina mama kwa maaana, nimesikia wengine wamesema na hata mimi ninawachakia hawa hakina mama, kwa wanawake , hiko wanawake badia , na hiko wanaweke wengine, kwa maana tunasikia tubewe title deed pamoja na mzee, tunataka tujue, ni mama yule aliye aliolewa kwa kimaduni y

akinyum,bani au ni ya kanisa au kwa D.C ndio hao wanatakiwa wafanyi nini, wapewe title deed.

Kwa maana wako wamama wengine wa padia hanaweza kuja akupepeleze mzee, anakaa andikishe halafu auze hiyo shamba, lakinnilifurai nilisikia wakina mama wapewe title deed pamoja na mzee, kwa maaana hakuna, mzee hawezi huuza hiyo shamba, na mamahawezi huuza hiyo shamba , mzee haikiuza nenda kuliswa wapi yule muliweka sahihi na yeye kwa maaana tunasikia kuna pesa mzee wanaweka na mama, joint account, lakini mmoja awezi kwenda kutoa kama mwingine hayuko. Sasa tunataka hiyo tupewe kwa maana mzee, hacienda alewe , hanauza shamba kidogo kidogo, pamoja aniuze na watoto.

Mzee akimaliza kuuza shamba anaenda zake, ananiwacha na watoto, mwenye kununua shamba hatakuja kuniangamiza, n asijue nitaenda wapi na watoto. Najua mama ndiye trela ya nyumbani, habeba trela nyingi, hata paka, hata kuku, panya kila kitu, ni mama, lakini hakiwajiwa, mzee hapewe title deed peke yake hatauza, hanauwezo, anasema hakuna mtu tunagawanya shamba yangu na yenye, na mama alinunua, lakini atauza hiyo shamba paka atauza huyo mama pamoja na watoto. Kwa maan ahatatupa, si ni sawa sawa amuza huyo mama? Kwa maana amewaja yeye bila makao.

Sasa ninaomba mlisikia serikali ya kusema , ni mzuri tubewa tupewe title deed pamoja n amzee tuandikishe pamoja kwa maana hata mimi siwesi kuuza na tena siwezi juu ya mzee, mimi niko , ni mzigo ya mzee ni kichwa na mimi ni shingo yake lakini siwezi kuja kuwa kichwa halafu mzee hawe shingo yangu. Sasa tunatak tupewe ruhusa hili mzee hakitaka kufanya kitu, tuweke kwa meza , tuwekwe pamoja tufanye , ikiwa ni fees ya shule tumeona siku hizi wazee, wamewachia hakin mama fees.

Mama hanashugulika, kama hakun ashamba ya kulima watoto hawawesi kusoma watakaa nyumbani, kwa maana asubui mzee hanamka, anenda changaa, anaenda sa engine busaa, lakini nivizuri serkali itufungie chagaa hii inatumiza, sisi hakina mama, kwa maana mama hawezi kwenda changaa, hanashuguluka na hali ya fees ya watoto, chakula ya watoto, watakula nini lakini mzee anaenda mpakla za kuni n apili au saaa nane ya usiku, wakati hanakuja, hanakuja kupiga mlango, na hatchapa mama kofi na halafu mama asiseme kitu.

Saa hiyo wewe unalia tu, hakuna kitu ch akusem, lkakinitukipewa title deed pamoja, tunachua sisis hakina mama, tuttasaidiwa na serkali, kwa maana hata hakikunywa changaa yake hat yeye atenda atoe jasho yake, halafu akunywe chaa yake hawezi huuza hiyo shamba, ndio mimi ninasema ni mzuri serkali isaidie hakin mama, tunaona siku hizi ,

Zamani wakin amamawalikuwa wananyanayswa , hata hawawezi kuzungumuza mbele akisimama, hati walikuwa wanapigwa magoti halafu, azungumze, lakini siku hizi tunaona wakina mama siku hizi wamepewa cheo kidogo wanazungumuza, lakini hawesi kussema hati hawezi sikiza vile mzee hanasema, tunasikia vile wanasema, tunasikia wazee wanakatiza hiyo title yake ,lakinin sisi hatuwezi pita tunafuata hao vile , hao ni kichwa yetu na sisi ninshingo yao, lakinihiyo ni yangu ni machache nimesema.

Com.Maranga: Asante Mary Kiduiya: Ninaona mwingine hanainua mkono na mtu hanajukua mkono huko, nii , if you want to

ohand over a memorandum , you hand over know because we have followed the register accordingly, wale ambao wako na memorandum hand over know, ni nani mwingine hako na memorandum. Okay, come speak one point, I will give you a minute. You have a memorandum, you have amemorandum, You people you have been here, we have not even gone for lunch, niwangapi wameona tukitoka hapa, tumetoka, tangu tukae hapa, up to know and you just coming know and telling us that we are not Okay continue.

Okay, thank you very much Commissioner, your name, my nae are Weldon cherion (not clear)

Com.Maranga: Proceed you have a minute, infact what I wanted to add is, concerning employment , you find our population is increasing very rapidly so, I find it to be fair , to reduce the retirement age to be 45 years so that even those who are finishing school should taste the fruit of this country also what I wanted to add is this , when somebody has retire he or she should not be rappointed any more he should go and rest at home, not staying this is another chairman or director or whatever you should go home and rest. So that others will test the fruit of this country. Also commissioners, where they wanted to say, Kwa maoni yangu tena, ningependa macouncilors no mayors, chairmen with mayosr to be elected by wanainchi directly not by councillors, so I think that is all. Na mimi mabo ya title deed iajane kwa mkono ya mzee. Thank you.

Thank you very much, basi kwa niamba ya Tume ya kurekebisha katiba, sasa tumefika mwisho wa kikao cha leo hapa Bomet, lakini kama kuna yoyote ambaye amewajua nje leo, ama pengine amejelewa kufika, tunamwomba afike siku ya Jumatato, huko lokisha tutakuwa tunaketi huko tena. Kwa hivyo, kwa

niamba ya wanatume wezangu ninasema asanteni sana na mungu awabaliki. Sasa ningepomba mzee moja afike mbele hili atupe maombi ya mwisho, hili tuweze tukaondoka. Aasanteni. Na ninaomba mzee mmoja atuombee au mama, anyone, mama ama mzee ama pastor, anaweza akatufungie kwa maombi. Na useme jina lako. Please.

Nawaomba msimame hili tuweze kuomba.

Kwa majina ni pastor George Korech, ningependa tuombe, tuombe, baba wetu katika jina la yesu, kristo tunasema ni asante, kwa upali umetupeleka, asante kwa ajili ya tume ya kurekebisha katiba na ni asante kwa wanainchi wote ambao wametoa maoni yao.Ninaomba ya kwamba, Tume inapoendelea katika inchi hii, naomba ukawape neema, wanapoendelea, haza wanapoenda kule aa, lokish aninaomba pia mkono wa mungu huwe pamoja nao ukawabariki. Tunapo ondoka tunasema utuongoze na katika jina lako safi tunaomba. Na tuseme zote - **Amen.**

The meeting ended at 6.00 P.M.

