

CONSTITUTION OF KENYA REVIEW COMMISSION

(CKRC)

VERBATIM REPORT OF

CONSTITUENCY PUBLIC HEARINGS,

**KIPKELION CONSTITUENCY, HELD AT KIPKELION CATHOLIC
CHURCH**

ON

JULY 11TH, 2002

**RECORDS OF THE PROCEEDINGS OF THE CONSTITUTION OF KENYA REVIEW COMMISSION,
PUBLIC HEARINGS, KIPKELION CONSTITUENCY,
JULY 11TH, 2002 AT KIPKELION CATHOLIC CHURCH.**

Present

Com. Pastor Zablon Ayonga - In the Chair
Com. Phoebe Asiyu
Com. Abubakar Zein Abubakar

Secretariat In Attendance

Irungu Ndirangu - Programme Officer,
Anthony Oluoch - Assistant Programme Officer
Regina Mwachi - Verbatim recorder
Caroline Langat - District Co-ordinator

C.C.C. Members

Emily Rutto - Committee Member
Patricia Maritim - Office Assistant
Anthony Rotich - C.E.P

The meeting started at 10.30 a.m. with Com. Pastor Zablon Ayonga in the chair.

Com. Pastor. Ayonga: We want to call the meeting to order. Ningelipenda wale wazee wako pale nyuma tafadhali njoo mchukue viti hapa mbele kwa maana tunataka kuanza mkutano. Kuna viti hapa, wacha wale watakuja nyuma wakae nyuma ninyi ambao mmekuja njoo mchukue viti vya mbele ili tuanze mkutano. Bwana Ndirangu hebu kuja hapa. Co-ordinator - kama tuna chairman wa council.....

Caroline Langat: Asante sana. Nadhani tutaanza mkutano, na kabla hatujaendelea nitaita mtu mmoja atuongoze kwa maombi. Bwana Charles Kibe karibu utuongoze kwa maombi.

Prayer (Charles Kibe): Mtu yeyote ana kofia tafadhali weka chini ili tuendeleo na maombi. Tuombe. Mwenyeze Mungu tunakushukuru sana kwa wakati huu tumekutana hapa. Ni mapenzi yako Mungu kwa vile umetulinda na kutuchunga kutoka kwa taabu yoyote na sasa Baba tunakurudishia asante sana kwa maana viongozi wetu ambao wamekuja kuchukua mambo yetu hapa, wamefika bila taabu. Tunakuomba kwa wananchi wote walio hapa na wengine tunawangoja, tukikutana katika kikao hiki Baba, utuongoze. Yale yote Baba tutakayo sema hapa ni yale Baba tunatafuta ya nchi yetu, ili nchi yetu iwe na makao mazuri kwa kila mtu. Na kwa hivyo Baba tungekuomba ututumie hayo, tusije tukawe na mafikira yetu sisi wenyewe, kwa maana hayo ni yale yale yanaleta taabu. Kwa hivyo tunakuomba na twakuita kwa kikao hiki, ututumie Baba wale wanaongoza mkutano huu, Baba uwe pamoja nao. Wasemaji uwe pamoja nao ili neno lolote tunalolisema hapa, liwe na faida kitika nchi hii yetu, na

katika taifa letu. Kwa hivyo tunakuita uje Baba uanze nasi hata umalize nasi ili mkutano huu tukiumaliza Baba, uwe wa furaha na tunaomba hayo katika jina la Yesu Mwokozi wetu.

Audience: Amen.

Caroline Langat: Okay asante sana. Kabla hatujaendelea tutafunguliwa mkutano na Bwana D.O. halafu atawachia Chairman, Town Council atusalimie pia. Karibu Bwana D.O.

Mebone Kitadzi: Commissioners, Chairman Town Council, Councillors, wananchi wote hamjambo? Hamjambo tena.

Audience: Hatujambo.

Mebone Kitadzi: Kitu cha kusema tu on behalf ya wananchi wa Kipkelion division na serikali, Commissioners mnakaribishwa na mjisikie kama muko nyumbani. Jambo la pili, nyinyi kama wananchi wa hapa, huu ni wakati wenu ambao mnataka mtoe maoni yenu, muwe free, msikue na uoga. Kila mtu useme kile kitu wewe mwenyewe unaona. Sitaongea mengi sana kwa sababu tunataka tuanze mapema, na nafikiri nitakaribisha Chairman, Town Council anene halafu tuendele. Okay asante.

Chairman: Macommissioner, Macouncillors wako hapa, wazee na wakina mama hamjambo?

Audience: Hatujambo.

Chairman Town Council: Mimi ninafikiri siku ya leo sisi watu wa Kipkelion ni siku kubwa sana. Maana tuko na wageni wanaleta mambo ya Katiba. Na mimi nafikiria tumefurahi sana kukuwa leo hapa Kipkelion. Na nyinyi wageni, karibuni halafu nyingi mtasikia yetu yale tutasema leo. Mimi nafikiri watu wa Kipkelion ni kitu kimoja. Kile kitu tutaongea hapa, wewe usikuwe na wasiwasi, sema haki hakuna pahali pengine utapelekwa. Hapa ni nyumbani na tutasema kile kitu tunataka. Usiongee kama wewe unaregesha mguu, hakuna kitu kingine wewe utaulizwa leo, lakini ile haki yako wewe uliza leo. Mimi ninafikiri tutakaa na hawa Macommissioner watachukua mambo yetu, na hawataweka kwa cupboard, watachukua kusema watu wa Kipkelion wamesema wanataka hii, asante sana.

Caroline Langat: Okay asante sana. Kabla hatujaendelea ningependa kuwatambulisha wote ambao tumekuja nao. Kwa majina ninaitwa Caroline Langat, mimi ni District Co-ordinator, katika hii district yetu ya Kericho. Tuko pia na member mmoja wa constituency committee ambaye atasema jina lake. Karibu.

Emily Rutto: Jina langu ni Emily Rutto. Committee Member, Kipkelion.

Caroline Langat: Okay asante. Nitarudisha microphone kwa Commissioners ambao wataongoza mkutano. Tuko pia na Assistant wangu ambaye anaitwa Patricia Maritim, ako upande ule wa registration ndiye ana-register wageni wanapoingia. Asanteni.

Com. Pastor. Ayonga: “Change tugul”. Sasa leo sisi tuko hapa Kipkelion, tuko Commissioner watatu, nitawapa nafasi wawasalimu. Lakini kabla hawajawasalimu, nataka nirudie yale ambayo D.O. na Chairman wa Town Council amesema. Leo ni siku yenu, siku ya namna ya pekee ambayo tumekuja hapa, si kuulizwa maswali-siku ya maswali mlikuwa mnatuuliza wakati wa civic education. Leo tumekuja mtupe maoni, si kwamba hii habari sasa ambayo nimesema muende muangalie leo. Leo sio sisi tunaenda kuangalia, ni wewe umeshaangalia unatuambia kwa kitu hiki, ninataka hivi na vile na vile. Na wengine pengine mnakuwa mkifikiri D.O. akiwemo, pengine Chief yuko, na nani yupo, nikisema hivi tukitoka jioni nitachukuliwa juu juu. Hakuna habari ya mtu yeyote kubebwa juu juu, tuna blanketi kubwa ambayo ni ya uwezo ambayo imetolewa ya kufunika kila mmoja. Mambo ambayo utasema hapa, yataheshimiwa jinsi yalivyo kwa maana tumekuita uyaseme, na uyaseme jinsi yalivyo.

Na pia, tumetaka hapa mjue kwamba hatukuja mkutano wa siasa. Tumekuja mkutano wa kutoa maoni, ninyi mko kama watu ambao wako kortini. Watu wakiwa kortini wanasikiza, mpaka ameulizwa aseme. Kwa hivyo tunataka ukimya ule, tumetaka heshima ile, tuheshimiane katika mkutano huu. Na, nitawaambia baadaye jinsi ambavyo tutafanya. Lakini kabla ya kuwaambia, nataka mjue kwamba tunawafanyi kazi wa ofisi yetu ambao wako hapa. Tunayo programme officer-Ndirangu uko wapi? Ni yule nyuma. Mkimuona mmuone kama mtu ambaye ni mfanyikazi wa Commission, ndiye anayeongoza mambo yetu ya kikazi. Halafu tunaye mama Regina, ambaye huyo ambaye ameinua mkono pande hii, ana kazi ya kunasa maneno yenu kwa kanda. Tuna hicho kimashini ambacho kinanasa kila neno unalosema. Kwa hivyo tutakuja kukuambia unataja jina lako kwanza, “mimi ni fulani fulani, na maoni yangu ni haya na yale”.

Hatukuja hapa leo mtuambie Wazungu walipokuja hapa, hii reli ilipopita hapa, jambo hili na lile lifanyika-hayo yote tulishasoma kwa shule. Tunataka mtuambie mambo mnayotaka; hatukuja hapa kwa history, tumekuja hapa kwa present. Mambo yaliyoko, na jinsi umetaka yafanywe wewe binafsi. Na wale ambao mko hapa, hatutaki mtu anaposema, na wewe unanza kusema, “la si hivyo, au ingekuwa hivi na vile”. La. Tunataka heshima kwa kila mmoja wenu. Ikiwa anasema vibaya, hayo ni maoni yake, we ngoja mpaka wakati wako utakapofika. Na kama jambo limesemwa na fulani na ndilo ulilokuwa unafikiria kusema, afadhali wakati unapoitwa ni kusema “ninazingatia yale ambayo fulani aliyasema, sina mengine mapya, ni yale yale”. Kuliko kurudia rudia na neno ni lile moja. Sasa, kabla sijasema mengine, hebu Commissioners wawasalimu. Kwanza nitaanzia na mama Bi. Asiyu, ili awasalimie.

Com. Asiyu: Asante sana Pastor Commissioner Ayonga kwa kunipa nafasi ya kuwasalimia watu wa Kipkelion, habari za asubuhi nyinyi nyote? Tumefurahi sana maana tumekaribishwa na nyinyi, pamoja na D.O. wenu na Chairman wenu. Na ninavyoona, mkutano wetu wa leo utakuwa wa mhimu na wa maana kwa maana watu wameanza kuingia kwa wingi. Nataka tu kuwakumbusha kwamba tunajenga mji mpya safari hii. Na kujenga huo mji mpya, ninyi ndio mtatuletea ile miti ya kujenga,

yale majani ya kuweka juu ya hiyo paa ya nyumba na vile vyombo vyote vitakaa kwa hiyo nyumba. Kwa maana hii nyumba tunaishi sasa, yaani hii Katiba ya leo, ilitengenezwa kule ulaya. Ijapokuwa imerekebishwa mara thelathini na nane, wakati umefika sasa ambao sisi wenyewe kabisa Wanakenya Waafrika tutajenga Katiba mpya. Na sio sisi Macommissioner tutajenga, kwanza sisi Macommissioner hatuko na maoni hata kidogo, vile Chairman wetu amesema. Maoni yenu ndio yatajenga Katiba mpya, na hiyo ni kitu cha muhimu ninataka mfikirie sana.

Kwa hivyo, mkifika kutueleza, mtueleze mambo ya muhimu na ya maana, ambayo yatasaidia kubadilisha maisha ya watu wa Kenya, ili pengine waendeleo kuishi vizuri zaidi ya vile tumeishi miaka hiyo mingine. Katiba ambayo italinda vijukuu vyenu hata kwa miaka hamsini, mia moja ijayo kama Katiba za nchi zingine zimefanya. Na mkumbuke jambo la maana sana ni kwamba, Makatiba nyingi za Africa au nchi ingine, zinarekebishwa wakati wa vita, wakati wa shida, wakati ule ambao nchi imeharibika. Sisi-mimi ninafikiri ni Mungu alifanya mpango huu-tunaandika Katiba wakati kuna shwari, na tumpe Mungu asante na pia tumpe President Moi asante, kwa maana ma President wengi, wakiwa bado wako kwa power, hawafanyi mambo kama haya huyu amefanya.

Sisi hatuzungumzii serikali lakini tunasema ukweli. Kwa serikali ya sasa kukubali na Bunge kupitisha kwamba Katiba mpya ya Kenya iandikwe. Na watu wa Kenya ambao walipigania sana sana kutafuta Katiba mpya. Kwa miaka kumi, watu wa Kenya wamekuwa wakiuliza Katiba mpya iandikwe, Bunge imepitisha Mzee ameweka sahihi na ninaona kila mtu anatupatia nguvu na support ya kuandika Katiba kamili, kuikamilisha na kupeleka report yetu kule mbele ambako, mimi ninajua mumeelezwa vile mpango wa repoti yetu utakavyokuwa tukishapeana kwa kamati ile kuu ya watu wa Kenya, ambao watakaa wajadiliane warekebishe halafu ndio Act itengenezwe ambayo itapelekwa Bunge, Wabunge wapitishie, halafu sasa iwe kamili ni Katiba mpya ya nchi mpya ya Kenya. Kwa hivyo ninawashukuru sana kwa kufika leo na kushukuru pia watu wetu ambao tumekuja nao, tumezunguka Kenya mzima tumefanya kazi ngumu kweli kusikiliza, kuwauliza maswali na pia kusaidiana nanyi ili mambo yenu na mapendekezo yenu-kila mmoja iingizwe kwa computer zetu kama imeandikwa au umezungumza-hakuna jambo hata moja litapotea vile Mzee ameeleza hapo mbele. Asanteni tunawakaribisha na tunafurahi kwa vile mmeingia na twajua kwamba sisi wote tutafanya kazi kama ndugu na hii Katiba ifanye tuwe marafiki zaidi Kenya, na tuishi kwa mapenzi zaidi ya vile hata tumeishi hapo mbele. Vile hata mliona mzee alikuwa akisema jana usiku. Asanteni sana Mungu awabariki.

Com. Pastor. Ayonga: Asante Bi Asiyu, sasa hebu Commissioner Bwana Abubakar Zein awasalimie.

Com. Zein Abubakar: Habari ya asubuhi?

Audience: Njema.

Com. Zein Abubakar: Mstahiki mwenyekiti wa baraza, Bwana D.O. viongozi mbali mbali na wananchi waheshimiwa mliofika hapa, mimi nina mambo mawili tu; la kwanza, ni kuwashukuru kwa kufika hapa na la pili ni kusema kwamba nimeshajitayarisha

vizuri kuwasikiliza maneno yenu, kwa sababu wazee wakishasema maneno, mimi kazi yangu ni kukubali, kuafiki na kusema tuendelee hivyo. Asanteni.

Com. Pastor. Ayonga: Kabla sijaanza, nimetaka kuwajulisheni mmoja wetu wa ofisi, kijana ambaye anaandika kama machine.

Hii ni sehemu ambayo anataka muelewe kabisa, mtakapoona nimekaa hivi ninasikiza au huyo ndugu yangu anasikiza au mama anasikiza handiki, mnaanza kufikiri, “na haya maneno yetu tunasema, mbona tunaona hawaandiki?” Yule mama atakuwa akinasa maneno kwa kanda, hata ukikooa, kikohozi chako kitakuwa katika record yetu. Utaambiwa, “wewe mzee unakaa na maneno na siku hii si ulikohoa, nani anakohoa kama hivyo?” Halafu, kuna kijana hapa ambaye anaitwa Oluoch-Oluoch inua mkono, - Oluoch ndiye huyo rangi mbili au rangi tatu, sasa naona ni tatu: nyeupe, blue, nyekundu. Oluoch huyu, anaandika kama chepreta. Yeye atakuwa anaandika kabisa kabisa, na yule mama atakuwa ananasa na sisi hapa tutasikiza wakati mwingine mtaona tunaandika-lakini cha muhimu kuliko vyote, ni kwamba hakuna mtu hapa hata mmoja ambaye atatoa maoni yake, yakapotea. Hakuna cha hiyo. Sasa ninataka kuwaambia taratibu jinsi ambavyo tutafanya. Nimekumbuka mimi mwenyewe kwambam - niliwaambia mimi ni nani? Mimi ni Pastor Zablon Ayonga, ni Commissioner na nitakuwa Mwenyekiti katika kikao hiki.

Sasa, ninataka mtege masikio vizuri sana kwa maana tunaenda kuanza. Mumekuja hapa ili mtoe maoni. Kuna wengine ambao mumekuja kutoa maoni ambayo mmeandika tayari, umepanga huko nyumbani, umeandika, umeandika. Nitakuambia jinsi utatoa maoni yako. Unaweza kuchagua kuleta hayo maoni ambayo umeandika.....hebu Bwana Ndirangu usimame, huyo-mbona Ndirangu usije hapa watu wasije wakapoteza maoni yao ambayo yameandikwa wakampa mtu mwingine. Unajua, Kenya ya sasa ina mambo mengi. Mtu atakuja kuwa hapa tu anakuja anapokea maoni yetu, jioni tukikuuliza yako wapi, unasema hukuona. Huyu ndiye - ikiwa umeandika, utampelekea, mnaona hiyo file, hiyo file tupu ambayo tumeleta kama sanduku la kuenda kupigia kura? Hiyo ni ya Kipkelion. Na ukisha maliza kutoa maoni yako, utampelekea hayo maandishi ili aweke kule, ayafungie katika hilo li-folder hilo la chuma hilo. Na pia utahitajika uweke sahihi katika kitabu kwamba umetoa maneno yaliyoandikwa au umekuwa ukisema maneno, bila maandishi. Kwa hivyo huyu ni mtu wa maana sana, na kila yeyote ambaye atatoa maoni hapa leo, lazima umalizie kwenda kwake. Utasikia nikikwambia, enda kule, tutakuelekeza kila wakati tukiona unataka kuenda njia ingine. Basi asante sana Bwana Ndirangu.

Kitu kingine katika huyu anayetoa maoni ya maandishi. Hata saa hizi, unaweza kuenda kwake, bila ya kungojea na kumpa maoni yako, kwa maana umeandika. Au unaweza kungojea ili katika hayo maoni yako-ngoja kidogo msikie-ili katika hayo maoni yako, kama una neno fulani unataka kuliwekea mkazo, una nafasi ya kufanya hivyo. Unaweza kuja na maoni yako, ukasema maoni yangu haya makubwa yaliyomo, moja ni hili, pili ni lile, tatu ni hili. Basi ukaenda ukampa maoni yako hayo maandishi, ukajiandikisha, atakuuliza maswali moja mawili, kama ilivyo kawaida. Halafu unaweza kutoka uende nyumbani, uende kujenga taifa kwa njia moja au ingine, au unaweza kukaa hapa, ukisikiza wengine wanasema nini. Kwa hivyo kukaa hapa si jela, ukufungiwa kwamba, wewe utakuja kutoka hapa wakati sisi tumetoka. Una uhuru wa kutoka, una uhuru pia wa kukaa. Tumelewana? Sasa, namna ya pili ya kutoa maoni, ni yule mtu ambaye huko kwake nyumbani amefikiri, amefikiri na

anataka kuja hapa sasa kusema. “nitasema hili, nitasema lile, nitasema lile” na ukisha maliza, utakwenda kwa yule Bwana Ndirangu ujiandikishe kwa maana tumenasa maneno yako.

Kwa hivyo, katika wasemaji wote hawa wawili, tuna timing-dakika ambazo mtafanya. Nataka muangalie kila mmoja ageuze kichwa aangalie nyuma. Mnaona watu ni wachache au viti vimejaa? Hall yetu hii mpya ambaye haijafunguliwa kirasmi, ninaona imejaa. Kwa hivyo, hebu tufikirie wengine; umekuja hapa kutoa maoni na fulani pia ametaka atoe maoni. Usije ukajifikiria ni wewe tu ndiye Kipkelion constituency. Hawa wote wamekuja kutoa maoni. Kwa hivyo ninaposema, tumekupa dakika tano, ni hizo tano tu. Nikikwambia dakika zako zimekwisha, ninatazamia utatatii. Sababu gani ninakukatisha? Ni kwa maana ninataka fulani na fulani pia apate nafasi. Ama si hivyo? Kwa hivyo, usije ukaniambia maneno yangu niliyo nayo ni muhimu zaidi”. Kila mmoja amekuja hapa na neno ambalo litakuwa muhimu kwake zaidi, lakini ili kila mmoja apate nafasi, lazima tutii.

Sasa, sehemu ingine, ni lugha gani tutatumia kwa kutoa maoni? Bila shaka umejitayarisha kutoka kwako nyumbani, pengine maandishi yako umeandika kwa Kingereza na unataka utoe maoni yako kwa Kingereza. Kwa hivyo, utayatoa kwa Kingereza. Mwingine amekuja na maoni, na ametaka ayatoe kwa Kiswahili, utayatoa kwa Kiswahili. Mwingine amekuja hapa na anaona hawezi Kingereza, hawezi Kiswahili, anataka atumie lugha ya mama – Kipsigis; ikiwa huwezi Kiswahili, huwezi Kingereza, tutakupa mkalimani hapa, ambaye atakutafsiria. Lakini kumbuka hivi, mkalimani kama una dakika tano, ni kana kwamba mko watu wawili mnagawana dakika tano, atakula mbili na nusu na wewe mbili na nusu. Kwa hivyo, tafadhali kama unajua Kiswahili, usije ukaseme, “sarufi yangu si nzuri ambayo inaweza kuongea Kiswahili”. Ongea Kiswahili ikupatie dakika zako tano, lakini ikiwa ni lazima huwezi, tutakupa mkalimani.

Neno jingine. Tutampa kila mtu dakika tano tukianzia. Lakini jinsi watu wanavyozidi na saa zinazidi kuenda, nitakata kutoka tano mpaka tatu, kwa nini? Ili kila mtu at least akienda nyumbani naye awe amesema kitu.

Jambo jingine, kurudia rudia jambo moja jambo moja. Kama mtu amesema maneno uliyotokea nayo nyumbani ukaja, na umesikia yamesemwa, ni heri hata usimame hapa na kusema “yangu yamesemwa mimi ni fulani fulani, na maneno ambayo niliyotaka kusema, tayari yamesemwa”. Na tutakushukuru kwa hayo.

Nimekumbuka kitu kimoja. Kuna kile kijitabu ambacho tuliwatumia-mzee inua hicho kijitabu juu. Mnakiona hicho kijitabu? Hicho kijitabu si textbook ambayo tuliwatumia, na sisi leo tuwe kama walimu ambao tunakuja tunasema, “sasa fungua pagi fulani tuanze masomo ya siku ya leo”. Hicho kijitabu kilikuwa tu changamoto kwenu. Umeshakisoma, umefikiria, leo hatutaki mtu aje hapa asimame na kusema. “Swali la kwanza katika hii, jibu ni hili” Kama tungekuwa tumekuja hapa kwa kuja kufanya hivyo, ni mtu mmoja tu ambaye angesimama hapa, atupe majibu na tena kusingekuweko na haja yetu kuja hapa. Tunesema watu wa Kipkelion tunataka mtutumie majibu kwa kile kitabu tulicho watumia-si ingekuwa namna hivyo? Kwa hivyo yeyote asiye akasimama hapa kutusomea kitabu chetu. Ni sisi tulikiandika, sisi tunataka maoni ambayo kijitabu hicho kimekuchanganya mawazo, halafu ukafikiria mambo fulani fulani. Na hiyo isitoshe, tunataka mawazo yako pia, juu ya yale ambayo hatukuandika.

Tumeelewana?

Sasa mlipokuja mmejiandikisha katika karatasi ya namna hii, na kama kuna wengine hapa ambao mmekuja na hamkujiandikisha, tafadhali kule nyuma, muende mjiandikishe. Katika hii karatasi ndio nitakayotumia kama muongozo wangu wa siku ya leo. Nitaanza na mtu ambaye alijiandikisha kwanza. Namba moja, nitafuata fuata, kwa maana hiyo ndiyo ingekuwa haki. Lakini haki hii, inaweza pia kubadilishwa, kama mtu mwingine anaweza kuwa amekuja hapa lakini yeye ni mgonjwa, kama ni mgonjwa, nikiambiwa kuna mtu mgonjwa hapa, nitamuita kwanza aje atoe maoni yake. Kama kutakuja mzee sana hapa ambaye hawezi kukaa muda mrefu, nitamuita aje ingawa amekuja nyuma, atoe maoni. Kama kuna mama, mama mja mzito, nitampa nafasi aongee arudi nyumbani. Kama kuna mtoto wa shule, ambaye amekuja atoe maoni ndipo arudi darasani, nitampa nafasi atoe maoni yake arudi shuleni. Au, kama kuna mtu ana jambo la muhimu sana na jambo hilo lake tunaweza kulisema kwamba ni la muhimu, ninaweza kumpa nafasi pia atoe maoni kabla ya wengine. Bila ya hayo, nitafuata orodha hii jinsi ambavyo nimeipata. Kama mtu ana jambo lolote ingawa limesemwa na anataka aweke mkazo fulani, anaweza kusema hayo yamesemwa lakini, ninaweza uzito fulani fulani, hiyo inakubalika kabisa. Kuna yeyote ana swali kwa yale ambayo nimesema ambayo hakuelewa vizuri? Mzee una swali gani?

Speaker: Hamuwezi kurudi hapa kesho kwa wale ambao hawakuweza kufika hapa leo?

Com. Pastor. Ayonga: La, hatuwezi kurudi hapa kesho. Kama kuna mtu ambaye atakuwa amepitiwa na kikao hiki, anaweza kututumia memoranda yake ofisi yetu huko Nairobi, through your co-ordinator au, kesho tutakuwa Belgut. Kama una uwezo wa kufika Belgut, kwa yule ambaye hakupata nafasi hii, anaweza kufika Belgut au Bomet, au Konoin au Sotik, au Molo au Rongai. Hapo pote tumetapakaa kwingi-Commission nzima iko hapa. Tuko pahali pote sio sisi tu. Tuna vikundi nane ambavyo sasa viko katika district hii na zile zingine, kwa hivyo tunaweza patikana au, unaweza kuweka vitu vyako kwa posta, tuma huko Nairobi au kama unaenda Nairobi, KENCOM House, 2nd floor, kabla ya tarehe kumi na tano. Baada ya hapo hatutachukua maoni. Sasa yale mliotupa, ndio tunaketi tunachambua chambua. Swali jingine-hilo litakuwa la mwisho tusije tuwe ni siku ya maswali.

Speaker: Sijui kama tungeanza na wale waheshimiwa ili wananchi tuingie.

Com. Pastor. Ayonga: Hapana, hapana. Nimekuambia tuna taratibu ambayo tunafuata hapa. Na tena, kama kuna mtu aliye na jambo fulani fulani lile atatuambia kupitia kwa co-ordinator-wapi co-ordinator-kama mtu anajambo anaweza kupitia kwake. Huyu dada ndiye co-ordinator wa district hii. Kwa hivyo kama una jambo, unaweza kupitia kwake yeye atanjulisha kuna jambo fulani fulani.

Speaker: Yangu sio swali, hii microphone inayotumika na wale watakuja kuzungumza, ni kuwa sisi tunapenda kama tunazungumza, tunaangalia jukua.....(inaudible)

Audience: (inaudible)

Com. Pastor. Ayonga: Hebu tusije tukaweka maneno mengine magumu. Unajua, kama umeenda kortini, utaangalia kule ambako judge yuko. Na ninyi ambao mmekuja, mmekuja kuwapa nani maoni? Sisi, kwa hivyo sisi ndio tunataka utuangelie.

Speaker: Naweza kusema jambo?

Com. Pastor. Ayonga: Hebu ngoja kidogo Commissioner Zein ana neno.

Com. Zein Abubakar: Nasema aje ndugu yangu-ikiwa ndugu yangu-nasema wewe uliyeyuliza swali, nasema hivi; ikiwa wewe hutalala leo usiku, kwa kuzungumza ukielekea huku, zamu yako ikifika, geuza ile microphone utuangelie sisi. Sawa, zamu yako ikifika geuza ile microphone utuangelie sisi tu.

Com. Pastor. Ayonga: Kwa maana-ngoja kidogo na mama ana neno.

Com. Phoebe Asiyo: Ninajua mara kwa mara tunapeana heshima kwa viongozi wetu, na tumewapatia heshima Bwana D.O. na Bwana Chairman wameongea, lakini pia kumekuja swala au ombi ili viongozi waliotambuliwa na watu wapewe nafasi. Na Pastor amesema kweli kama wanaongoza vikundi fulani, watapewa nafasi waongee. Hiyo itakuwa ni njia nzuri kama nyinyi mtakubaliana na maoni ya hawa watu. Asante.

Com. Pastor. Ayonga: Kwa hivyo, hebu tukomeshe sasa yale yote na wacha gari moshi hiyo ipite. Sasa ninataka kukitambua kikao hiki, kama kikao cha Commission na tumeanza kazi yetu sasa kama kikao. Hayo yalikuwa maelezo lakini sasa kikao hiki tumekifungua hapa Kipkelion kirasmi. Na tunaanza kazi yetu. Asante. Na hata kama ulikuja bila ya kutazamia kusema neno, na umekuja kusikiza, hii record yetu tunachukua hata wale ambao tunaita waliokuja tu kuona. Kujiandika-wale mmekaa juu ya mawe, mnaweza kuenda kule kujiandikisha. Kujiandikisha kalamu ni yetu, karatasi ni yetu, jina lako tu ndio tunataka kwa maana umekuja kwa kikao na umesikiliza ingawa hutasema kitu. Pia, baadaye ukigeuza mawazo ukasikia changa moto imeingia, basi tunaweza kukuita ukasema kitu. Asante. Tunaanza sasa. Mtu wa kwanza kujiandikisha leo, anaitwa Ezekiel Lang'at. Ninapoita ningalipenda mnafanya haraka kidogo ili tu-save time. Na ambavyo Ezekiel Lang'at unayo memorandum, ningalipenda ukisamama hapo, sema majina yako kamili jinsi yalivyo, na pia utupe maneno makubwa makubwa ya hiyo memorandum yako. Usitusomee kwa maana ofisini tuna wasomi, hii tutaenda kusoma.

Ezekiel Lang'at: Thank you very much our Commissioners. I am Ezekiel Lang'at from Lesirwa location. I have the views here from members of my location. Let us start with the Local Authority being the most basic level of government, we hold the opinion that Mayors and Chairmen of Councils, the chairman of Council that is, should be elected directly by the members. We

also have the qualification that should be there for the mayor or the chairman of Council. Commissioners, we are saying that the chairmen of Council and the Mayors should have a minimum qualification of diploma in any field-it doesn't matter the field but they should have a minimum qualification of diploma that is, and they should have good ethical values. We also have in our local area, multi-national tea farms, namely the Brookebond, we have African Highlands produce, we have Kaisugu. There should be save ways provided for these estates.

Remember our Commissioners, if those tea estates were not there, maybe our piece of land would have been larger in the acreage. That is what I am trying to say. We also have the forests like Londiani forest for example, that forest is there because we gave our land to the government, so that they have that forest in that place. We also have the Kenya Pipeline, we also have Kenya railways, we are paving way for these two companies. Now if we take for example the amount of fuel that is being transported in the Kenya Pipeline for example, at the end of the year or each year we are saying that, the amount of profits they are receiving is very large. So us as the members of this place, because we paved way for this Kenya Pipeline Corporation, we have Kenya Railways, we also provide safe custody for this Kenya Pipeline for example-suppose now we had people coming to raid and then they take their fuel, we will be held responsible for that. Now what I am saying is this; because we are paving way for these two companies, we should get something small from these companies.

Now, there is another thing which I am seeing also. Let's come to employment for example. Now as pertains tea estates, we should be given a larger percentage, us as members because we gave out that land for that tea estate to be there. We also have this Kenya Pipeline. Our members or our people from this area should be employed in that field. We also have the issue of remuneration of Councillors. We are seeing that, since the Councillors are Assistant MPs, we are seeing that they hold a very big position-they are assisting the MPs. So, we are saying that a Commission should be formed, that is the Local Authority Commission, to look into the remuneration of Councillors so that they should be given enough salaries. That is what I am trying to say. Our Members of Parliament are getting a huge salary. So we are saying that since the Councillors are assisting them, they should be given also a large salary so that they do their work well.

We also have this issue of registering parties. At present we are seeing that, I can come with my people and we register a party. Now that is not enough, we see that I may come with a register of 50,000 members from all the eight provinces of Kenya which makes the party look national an not tribal. But we also have enterprising Kenyans-people who form parties for sale. What I am saying is this; these people-there should be some measures which are put in place, so that I don't come registering parties every other time and then I wait for a Mr. Nyachae to come for example and then I sell my party to that person, I run very quickly to the registration office I register another party. That is not good.

We also have social amenities for example the stadiums. We also watch football in this place. We also play football. I don't see why we have stadiums in Nairobi, for example, we have a lot of stadiums - we have three or four. We don't have any in this place. So we are seeing that the government should provide those stadiums in each and every constituency for example, we

should have a stadium, because we also watch football, we enjoy playing football and all those.

Interjection (Com. Pastor. Ayonga): You've made your point. Any other? Your five minutes are over, just say the last thing.

Ezekiel Lang'at: There is also one thing as pertains the number of seats in Parliament. We are seeing that not everyone is considered in the Parliament, we have the disabled for example, we have people who are handicapped. We have students, they are not represented in the House. We are saying that the government should provide seats for these people. That is, we should have an MP who is there for the sake of the handicapped or the disabled. We should have also MPs for children in school, we should also have MPs for religious groups or the Kenyans living abroad, or the military or armed forces. Thank you.

Com. Pastor. Ayonga: Thank you. We have a question for you. From time to time, you are going to find us asking a person questions. We ask a question as a matter of clarity, so no problem.

Com. Zein Abubakar: Ezekiel, you have proposed that Councillors should have their salaries and benefits increased and the reason you give for that increment is that because MPs have huge salaries, therefore, Councillors should also have huge salaries. We have received a lot submissions from Kenyans, saying that infact, you should reduce MP's salaries, doctors and others, so it will be - because MPs have huge salaries, everyone else should get a huge salary. What you should tell me, do they need that increase as Councillors, what they are doing, the work they are doing do they need an increase?

Ezekiel Lang'at: Yes, the Councillors need an increase. As I said earlier, they are assistant MPs, that is what we are seeing, because an MP is the overall person for the constituency, and then in a constituency we have several wards for example.

Com. Zein Abubakar: Now, Ezekiel, they are not supposed to be assistant MPs. They play different roles. Members of Parliament make law for the nation in Parliament. Councillors serve the Local Authority in that area. They are not supposed to be assisting the MPs.

Ezekiel Lang'at: Now, as we are saying in our place that is for example in our constituency here in Kipkelion, we are seeing that the Councillors are working hand in hand with the MPs for the development of our constituency that is.

Com. Zein Abubakar: Yes it is fine, they are not the assistant of the MPs.

Ezekiel Lang'at: But they are assisting the MP. I don't see why you are.....

Interjection (Com. Asiyo): I have another question for you. Would you rather justify this increase of salary by giving more

responsibilities to the Local Authorities? Because, I cannot see any other justification if you don't give them more responsibilities.

Ezekiel Lang'at: Now, in my memorandum here I have a few things as pertains Local Authority. Thank you.

Com. Pastor. Ayonga: Before you go, you said Kenya Pipeline passes through Kipkelion and it carries a lot of oil. And then you said the railway also passes through here - and we heard an engine going by and you want something small because it passes through here. Now this railway line is ours; ours in the sense it is for Kenyan and it has to pass somewhere. Now, I want you to start thinking from Mombasa up to Busia, if all these people who railways pass through there, want something small, what will remain for this railway line? I want also you to think of the roads that we have, all the way from Mombasa to Busia, all the way from North Eastern going down to Tanzania, everybody being paid tax, because it passes through here and this is Kenya and all the tea big farms people to be paid. I thought, perhaps, the most thing you would say, you would like to see that the people of those places takes procedure in say tea farming area, that they should involve people of those areas-I mean giving them some of this unskilled jobs rather than 'importing' people from elsewhere.

Ezekiel Lang'at: That is one of the things I said, I said.....

Com. Pastor. Ayonga: But with the Kenya Pipeline what can you do?

Ezekiel Lang'at: We have the security men in the Kenya Pipeline.

Com. Pastor. Ayonga: And from all tribes from Mombasa up to here, those people will feel even the locomotive - they have all been.....

Com. Zein Abubakar: If I can just add Ezekiel. You know, first of all Kenya Railways making losses for the past 15 years.

Ezekiel Lang'at: It is the problem of Kenya Railways.

Com. Zein Abubakar: Wait wait, - it is public - it is your company. Secondly, if you ask a company like Kenya Railways to pay that kind of charge, what they will do, they will pass on the cost to those who will use the railway now. It means passengers will pay more. It means if you want to put your agricultural products on that train be it tea or coffee, whatever it is, you will pay more. So in the end you will pay more yourself.

Ezekiel Lang'at: Now what I am seeing is that there is bad management with the Kenya Railways. That is why we are not getting that money.

Com. Asiyu: Address the management of Kenya Railways.

Com. Pastor. Ayonga: Lastly-this is for the safety of everyone of us here - when you give your views, don't mention names. We are not dealing with people's names, we are dealing with issues. You see? So, we shouldn't be mentioning anybody's name. You may like him, you may not like him. But, deal with an issue. Is that clear to everybody? So please don't speak about names. Thank you. You go give that memorandum, it has become our property now and whatever you have written we are going to read. Next person is Charles Kibe. Mzee kwenda hapo utoe maoni yako. Una dakika tano.

Charles Kibe: Asante sana Commissioner wetu. Neno langu linahusu matibabu, hospitals. Ningetaka kuuliza serikali yetu, Katiba, iondoe malipo. Mtu yeyote akienda kwa hospital ni kuingia tu na kupewa dawa maana yake, tunaona watu wetu wengi wanakaa nyumbani kwa kuogopa ataulizwa senti kidogo.

Com. Pastor. Ayonga: Mzee umeshasema point, watu wapewe matibabu free, bila malipo, hiyo umetuambia point enda pointi ingine.

Charles Kibe: Pointi ingine, ni ya elimu. Katika skuli zetu tunasikia amri moja imetoka kwa Bunge ya kwamba watoto wasipigwe viboko. Maoni yangu ni mswada huu kurekebishwa, kwa maana watoto tunaona wanaharibika, hawaogopi kwa maana hawapigwi.

Com. Pastor. Ayonga: Point unayotaka kusema ni kwamba, watoto wachapwe kama wanakosa. Hayo ndiyo maoni. Halafu pointi ingine.

Charles Kibe: Sina ingine.

Com. Pastor. Ayonga: Asante sana Mzee. Uende kule nyuma ujiandikishe. Na tafadhali msipige makofi, hizo ni pointi za mzee Charles Kibe, wewe ngojea wakati wako. Mwingine ni Elisha Soi, Mzee nawe utoe maoni yako.

Elisha Soi: Maoni yangu, hata Bibilia yenyewe iko na Katiba. Maana yake, ukisikia Kumbu kumbu la torati ninakumbuka maneno ambayo yaliandikwa zamani. Kwa hivyo kitu mimi ninataka kusema ambacho uleta amani katika ulimwengu ama kwa dunia, ni Bibilia yenyewe inavyosema lazima kila mahali pawe na mpaka. Hata kwa nyumba ya mwenyewe kuna mpaka. Kuna mpaka wa mwanamke na mwanaume na watoto. Hata kiti ambacho kiko ndani ya nyumba kiko na mpaka. Kwa hivyo, mimi mwenyewe ninaona, mpaka wa kila mtu kila taifa iwe nayo maana Bibilia yenyewe - kumbukumbu la torati thelathini na mbili na fungu la saba mpaka nane. Inasema, "Kumbuka siku za zamani, uliza baba yako, uliza wazee wako ambao wanaweza kuwaonyesha jinsi Mungu alivyoweka mpaka kwa kila taifa na kila watu ambao wanaweka mpaka yao, maana dunia ilikuwa

inazungumza lugha moja na Mungu alitawanya lugha halafu kila mtu akapewa mpaka wake”.

Ya pili, mimi ninasema makao yetu ambayo tunayo, lazima serikali ikumbuke sana kuna watu ambao wanakaa makao mawili ama tatu. Anaweza kukaa hapa ama huko na akiua mtu anatoroka kwao. Inatakakiwa mtu kama ni mwenyeji wa hapa awe wa hapa. Na kujulikana kweli akiua mtu iwe kuwe na mlango wake hapa au hakuna mlango, ambao unaweza kulipa mtu huyo. Maana desturi yetu ya Kalenjin, nikiua mtu wa fulani, tatalipa na mlango wetu, kusema sasa huyu tumeua. Lazima tukumbuke, sasa mlango wetu tunaita na kulipa huyo mtu. Lakini kuna watu wengine wanakaa wakiua mtu wanatoroka. Kwa hivyo kama.....

Interjection (Com. Pastor. Ayonga): Sasa unatakaje Mzee? Unatakaje hao watu ambao wanatoroka, tuwafanyeje, maoni yako ni nini?

Elisha Soi: Maoni yangu, yule mtu ambaye ana miguu miwili, atoroke aende kwake. Yule ambaye anakaa hapa akae kabisa kama ni mwenyeji. Wasiwe na wasi wasi kukimbia pande hii na hii. Akiwa namna hiyo italeta kifo kila mara kwa watu kuuana. Nataka mtu kama anakaa hapa wakuwe ni nani huyu, wewe ni mtu ambaye ni wa mlango gani katika nchi yetu hapa, maana kwetu lazima mtu ashikwe kama mimi ni fulani, ashike huyo mtu na awe mtu wangu, na akifanya makosa, unajua tatalipa na mlango wango.

Interjection (Com. Pastor. Ayonga): Asante na ingine pointi ingine.

Elisha Soi: Pointi ingine ambayo ninaweza kusema, ni kama nimesema mambo ya mpaka, na nimesema mambo hii ya kufanya namna hiyo. Mtu wa kuuu mtu na kutoroka. Cha pili, mtu tena kama mtu yuko hapa, akiwa ameshakuwa mtu wa hapa, tunaona tena anaweza piga kura tukiwa kwa kura hapa, anawezapiga Kisumu na yeye ni mtu wa hapa awezi kubaliwa na watu wa hapa. Nataka mtu ambaye yuko hapa, anapigia mtu wa upande huu, iwe alifuata sheria ya upande huu. Yeye mwenyewe amekuwa hapa anafanya hivo, unaona mtu wa hapa, kuna mtu wa kwetu kama mama sasa wewe unakumbuka huko kwa mama hapana kumbuka kwetu hapa.

Com. Pastor. Ayonga: Asante. Na pointi ingine.

Elisha Soi: Ni hiyo tu hayo ndio mambo yangu.

Com. Pastor. Ayonga: Asante sana Mzee, na asante kwa kutumia neno la Mungu, Mungu ndiye ana Katiba iliyo kamili na watu wakimuheshimu Mungu, wataheshimu hata Katiba ya nchi yetu. Hebu kwa hayo Mzee, uende kule ujiandikishe. Asante sana. Mzee mwingine John Kahindi, nafasi ni yako Mzee.

John Kahindi: Mimi sina mengi ya kuongea, isipokuwa tu nitatoa maoni yangu. Mimi niko na maoni manne. Maoni ya kwanza, majimbo hatutaki, ni kwa sababu majimbo inatawanya watu kutoelewana na watakuwa wakikosana milele, hiyo ni ya kwanza. Ya pili, wale watu watateuliwa kupiga kura, maoni yangu ni kura ihesabiwe hapo ambapo inapigiwa, na ihesabiwe hapo hapo kwa sababu kule kutoka nje inachukuliwa inapotea na haiwezi kujulikana ilipigwa ngapi na ni mtu mgani alichukua. Maoni ya tatu, Kipkelion kuna watu wa mchanganyiko na tunaongea lugha ya mchanganyiko. Maoni yangu, ingekuwa kama kuna mchanganyiko Kipkelion na mahali pengine kama kunaishi watu wa mchanganyiko, hata utawala uwe wa mchanganyiko, isiwe ya upande mmoja. Kumaliza neno la nne, mtu ambaye anateuliwa na Rais au Mbunge kama nominated member, mtu huyu hawezi kusaidia wananchi kwenda tu anafuata yule aliyemchagua. Maoni yangu ni hayo.

Com. Pastor. Ayonga: Asante sana Mzee. Mzee unaweza kuenda kule ukajiandikisha. Emily Ruto.

Emily Ruto: Asante sana Commissioner. Mimi ni Emily Ruto nikichangia kwa upande wa land ownership. Kwa upande wa land ownership, kwa mandishi yangu ningeonelea niseme land mbeleni ilikuwa ya mzee na kwa maoni yangu nimeonelea shamba iwe ya mama na mzee na watoto. Sikusema watoto aina gani, watoto kwa jumla, wasichana na vijana kwa vile mashamba siku hizi zimekuwa shida sana.

Upande wa inheritance. Tunataka equality, kwa upande wa girls and boys kwa masomo na kwa vile hapa kwetu masomo ya wasichana iko chini sana. Vijana - msichana akifanya mtihani darasa la nane na msichana na mvulana wapite, kijana mvulana ataenda na msichana atabaki. Sasa equality kwa education. Upande wa inheritance kwa upande wa widows wale mabwana zao wameaga, unaona kuna mambo ya kifamilia. Bibi kama huyo aonekeni kama kitu lakini anaweza kunyanganywa mali. Sasa inatakikana sheria ambayo inaweza kulinda watoto na huyo mama. Yangu sikuwa nayo nyingi ninayo in written.

Com. Pastor. Ayonga: Asante mama kwa maoni yako. Ila ni kuuliza kaswali kadogo ambako sikuelewa vizuri. Umesema land ownership iwe kwa baba, mama na watoto, yaani title deed, unataka hiyo title deed iandikwe majina ya hao wote au baba na mama?

Emily Ruto: Baba na mama/children ikiwezekana.

Com. Pastor. Ayonga: Na hao children, majina yao yaandikwe au iwe children - muungano.

Emily Ruto: Muungano.

Com. Pastor. Ayonga: Okay. Thank you.

Emily Ruto: Asante.

Com. Pastor. Ayonga: Utupelekee hiyo memorandum kule na ujiandikishe. Richard Langat. Richard ufupishe muda wako kama, mtindo ndio huo tunafuata.

Richard Langat: Asante sana. Yangu nimeandika kwa Kiingereza. Yangu nimeyatangulisha, na utangulishi ni kama ifuatayo. “We the people of united federal Republic of Kenya, enact this Constitution for the benefit of all united Kenyans”. Ya pili, nimeonelea kwamba, the current Parliament should be given less powers to amend any laws in Kenya. Ya tatu, ni vyama vya kisiasa. Vyama hivi ningependelea vipunguzwe viwe viwili na serikali iwape fedha. Ya nne, serikali ya mitaa, serikali hii yaani Local Government, Mayors and Council Chairmen should be elected directly by the people. Pili, Local Authority should be given full powers to come up with its own operation, leaving alone central government with its own operation. All elected members of Local Authority shall have to meet minimum education qualification of form four certificate and above. Ya tano, ni land and property. The land owners of a given land, should own his or her land and property fully not giving any chance to the state or government and Local Authority the power to control the use of land except with the concept of the owner.

Ya mwisho ni muundo wa serikali, formation of the government. Kenya should adopt federal system of government, yaani majimbo to give people more opportunities within the government or region where they stay. Provincial Administration boundaries which were there, before or immediately after independence should be brought back to its operation. Ningependelea serikali iwe kama hivi; kuwe na Rais yaani President as Head of State na iwe ceremonial. Prime Minister, head of the government business, President, Head of Defence, District Prime Minister, head of finance, we should also bear in mind that there were boundaries after independence and we had a Prime Minister before, who was Jomo Kenyatta. Regional.....

Interjection (Com. Pastor. Ayonga): Sema, hiyo ni ya mwisho.

Richard Langat: Sasawa asante sana.

Com. Pastor. Ayonga: Asante. Kuna maswali mawili.

Com. Zein Abubakar: Umependelea ya kwamba mtu atakayesimamia Local Government awe na minimum qualification ya O-level, sasa kulingana na sera ya sasa ya elimu - uhitaji kupita mtihani unaweza kuenda darasani au private candidate. Ukakaa ukaandika jina lako kwenye ile mtihani tu, ukakaa, hatu ukafeili flat O-level, bado utapata certificate inasema wewe ulimaliza O-level, hiyo ndio maana yako wewe?

Richard Langat: Yaani awe form four na qualified.

Com. Zein Abubakar: Qualified maana yake ni nini? Ndio tunataka kujua wewe wataka pass, grade gani, maanake hata

ukaandika jina tu utapata certificate inasema alihudhuria mtihani - huyo mtu.

Richard Langat: Bora tu amefika form four na kuendelea. Hayo ni maoni yangu.

Com. Zein Abubakar: Hiyo ndio nilikuwa ninataka kujua.

Com. Pastor. Ayonga: Hayo ni maoni yake.

Com. Asiyu: Kwa mwanzo ulituambia habari ya preamble na ukaongea habari ya federal nation of Kenya. Sawa sawa nilisikia vizuri?

Richard Langat: United federal of Kenya.

Com. Asiyu: Ndio ninataka kujua, hiyo system ya federal, mpango wako juu yake ni nini, ninataka utueleze tujue.

Richard Langat: Kwa maoni yangu ninaonelea kwamba, provinces iwe na jimbo, yaani kila province iwe na jimbo na kila province iteuwe wanaowakilisha hapo kwa hiyo jimbo.

Com. Asiyu: Na mkubwa wa hiyo jimbo ni nani?

Richard Langat: Iwe ni Governor.

Com. Asiyu: Ni governor, na P.C. saa hiyo kazi yake iko wapi?

Richard Langat: Saa hiyo P.C. ninaonelea hatakuwa na kazi saa hiyo.

Com. Asiyu: Kwa hiyo yeye atakuwa governor.

Richard Langat: Aa aondolewe na watu wachague. Na system of Administration yote itaenda nafikiria.

Com. Asiyu: Okay asante.

Com. Pastor. Ayonga: Enda ujiandikishe na hiyo makaratasi utuwachie.

Com. Asiyu: Hiyo ni mali yetu sasa.

Com. Pastor. Ayonga: Joshua Rono. Stephen Kosgei yuko? Awe karibu baada ya Joshua Rono.

Joshua Rono: My name is Joshua Rono from Kisabo sublocation, Kipkelion constituency. In the preamble for the Constitution of Kenya, I would like the Constitution to have its prime objective being the equitable development and distribution of natural and human resources, together with the opportunities of utilizing such resources by the citizens of the country. Also, it should be aimed at achieving national unity, tactism and pride by all citizens.

Supremacy of the Constitution: It is expected that the Constitution shall be supreme, thereby superceding any other law of the land. Amendment of the Constitution should be such that, Parliament can amend by having a majority of 65% majority votes, but only after an approval by a special Constitution Commission and an approval by a referendum.

I will say something about this special constitutional Commissions. It is my proposal that we have certain constitutional commissions established. These include Human Rights Commission, anticorruption commission, land commission, Education commission, health and welfare Commission, labour and employment commission, economic policy Commission, and the constitutional and elections commission. It is suggested that this Commissions should have as Commissioners, experts and people who have had experience in their fields of specialization, so that they can guide. This constitutional Commissions, should have a role to do the following;

- 1) To advice Parliament on the enactment of laws, so that parliamentarians don't simply pass laws which they do not understand. They should first be passed through such Commissions.
- 2) The Commission should advice the government on personnel to be appointed to give government and parastatal positions. They should also device policy on how different government departments or parastatals should be run, so that we do not have cases of mismanagement as it has happened in the past.
- 3) It is also my view that cabinet ministers should be experts with long experience in work they are expected to perform as cabinet ministers. Cabinet ministers should also not be people holding an elective political force. Details of how ministries should be run should also be laid out in the Constitution.
- 4) On the Electoral system and process, I would only want to say one or two things. Parliamentary constituencies and Local Authority wards, sizes and boundaries should be reviewed every ten years after every population census and as the next election approaches.
- 5) On political parties; political parties should be registered separately from other societies or associations. Presently, we have an anomaly I think. We should have a section where we register political parties separate from other societies and associations.
- 6) Secondly, political parties should not be funded by the State. The people who form the political parties should look for their own ways of funding their political parties.
- 7) Structures and system of government: Kenya should adopt federal system of government so that the Executive and

Legislative authority is split between the central government and the regional authorities. There will be need for local authorities, Regional Assemblies and two chambers of Parliament. Consequently, there will be need for Local Authorities at district levels, at regional level, also there will be need for regional government and regional and provincial level under central government at the national level.

- 8) Ya mwisho, functions of Parliament should exclude remunerations to parliamentarians. Salaries and allowances to parliamentarians should be set by labour and employment Commission, which should also be charged with the duty of working out the salary of all other public workers in the country. It should also set the working conditions for all public servants. MPs salaries as of now should be reduced to those of the average Kenyans.

Com. Pastor. Ayonga: Thank you very much Bwana Joshua Rono. Sasa ambavyo umeandika hayo maneno, sisi tutasoma. Asante kwa recommendation zako.

Joshua Rono: This is just a draft I thought I

Com. Pastor. Ayonga: Unakumbuka kile nilichosema, kwamba tumpe kila mtu a fair listening. Umetuandikia na tutasoma. Na sisi ni wasomi. Next, atakuwa Stephen Kosgei.

Stephen Kosgei: Kwa jina ninaitwa Stephe Kosgei. Mimi ni mwenyekiti wa haki na amani katika kanisa la Katholiki kutoka Londiani. Nimaandika lakini sitasema yote lakini nitasema machache kwa sababu mengine yako ndani. Kwanza, ni kuhusu Rais. Rais asiwe akiwateuwa makatibu wakuu, asiwe akiteuwa Hakimu mkuu na pia asiwe akiteua wasimamishi wa vyoo vikuu yaani universities, hiyo ni ya kwanza. Chapter two katika Katiba ya Kenya ambayo ni kuhusu Executive powers, Rais asiwe juu ya sheria.

Tatu, kuhusu soko huru, soko hii ipunguzwe ama iondolewe kabisa kwa sababu inakandamisha mwananchi wa kawaida. Kwa mfano bidhaa ambazo zinakuzwa hapa nchini, zingine zisiagizwe kutoka nje, kwa mfano, sukari, mchele na mahindi na kadhalika. Zile ambazo zinapatikana hapa, zitumike hapa kusiagizwe zingine kutoka nje.

Ya nne, Rais apendekeze majina ya Mawaziri, kisha wabunge wahitimize au wakatae. Ingene ni kwamba, watu waajiriwe kulingana na masomo yao na ujuzi wa kazi ambayo aliyosomea.

Kuhusu masomo, masomo iwe ya bure, either in primary ama secondary iwe ya bure. Section 2 ya Katiba ya Kenya ambayo iko kwa sasa, ifafanuliwe ili kuwe na vyama vichache, iwe mbili ama tatu. Uteuzi wa wabunge, uwe kwa vikundi vinavyohusika kwa mfano, vijana, wanawake, wasiojiweza na kadhalika. Wabunge ambao wameteuliwa wasiwe mawaziri katika serikali ya ndani. Ingene ni kwamba, wabunge wawe na ofisi katika constituency zao ili wananchi waweze kuwafikia kwa urahisi. Ingene ni kwamba, tumependekeza ya kwamba mtu yeyote asiwe na zaidi ya eka mia moja. Ikiwa ni zaidi, serikali inunue na kuwapa

ardhi ili kuondoa jambo la masquatters. Hawa masquatters wapewe ardhi ama mahali pa kukaa. Kusiwe na masquatters katika nchi.

Wabunge wasiwe wakijiongezea mishahara kila wakati wapendavyo. Lazima kuwe na Tume ambayo inachunguza kuhusu mishahara. Ya mwisho, Katiba ya nchi ifundishwe katika mashule kwanzia darasa la nne na kutafsiriwa kwa lugha mbali mbali. Nafikiri ni hayo. Mengine sikuyasoma.

Com. Pastor. Ayonga: Asante Bwana Stephen Kosgei. Kuna swali.

Com. Zein Abubakar: Bwana Kosgei, umependekeza kwamba Rais anyanganywe mamlaka ya kuchagua Chief Justice, Permanent Secretaries na kadhalika. Who will appoint these officials?

Stephen Kosgei: Vile tumependekeza ni kwamba, kungekuwa na kamati katika Executive ambayo inawateua wafanyikazi wa serikali.

Com. Zein Abubakar: Na nani anawateua hawa wanakamati?

Stephen Kosgei: Hapo sikufikiria jambo kama hilo.

Com. Pastor. Ayonga: Na swali jingine, umesema kuwa mtu asiwe na eka zaidi ya mia moja. Sasa, wale walio na hizo eka zaidi ya mia moja na wamelima wamepanda ngano au wamepanda chai, ifanyweje?

Stephen Kosgei: Tumependekeza kwamba, serikali inunue hizo mashamba na kuwapatia masquatter.

Com. Pastor. Ayonga: Sasa kama kuna shamba la chai na ni zaidi ya eka mia moja, hata kama serikali ikinunua, unataka kusema masquatter wapewe hiyo chai? Sasa amepata kweli udongo aliyokuwa anataka?

Stephen Kosgei: Si atakuwa na chai na anachuna chai hiyo na amepata mahali, kama ni nusu eka, ako na chai ndani na atapata mahali pa kukaa na anapata hiyo chai.

Com. Pastor. Ayonga: Ngoja kidogo.

Com. Asiyu: Na hiyo shamba ikichukuliwa nani atalipa hawa walionunua hiyo mashamba?

Stephen Kosgei: Tumesema serikali inunue hizo mashamba na kuwapa masquatters.

Com. Asiyu: Ndio, lakini ukisema ni mtu aliye na shamba kubwa, kama je anatumia hili shamba pande zote kwa kuinua uchumi wa Kenya, kwa mambo ya maziwa au ya ngano, au kondoo, aina yoyote ya kazi, au pengine mambo ya horticulture. Unataka kutuambia kwamba tuharibu uchumi wetu kwa ajili ya kupeana shamba kwa kila mtu katika Kenya, kwa maana kuna nchi nyingi ambazo kuna watu wanafanya biashara hawataki shamba, si kila mtu anataka kwenda kuishi mashambani kwa shamba. Tutafanya namna gani?

Stephen Kosgei: Iko hivi: kama nikiwa nitapewa shamba ambayo kulikuwa na chai, nitaendelea nayo kulima hiyo chai, kama ilikuwa na phyrethrum, nitaendelea nayo kulima hiyo phyrethrum, hakuna mahali pa kuharibu, nitakuwa tu ninaendelea, bora tu nimepatiwa kama ni robo ama ni nusu lakini zile vitu zilikuwa ndani tutaendelea navyo.

Com. Asiyu: Na hii ipewe kwa Wanakenya wote kutoka Kapenguria, Busia, Kindubay mpaka Mombasa. Shamba mahali iko ipeanwe namna hiyo.

Stephen Kosgei: Iko hivi, kama ni sehemu ambayo wewe uko, kwa sababu kuna squatters kila mahali katika sehemu nyingi. Mahali wewe uko na kuna shamba mali pale upatiwe mahali pale.

Com. Asiyu: Kama mimi ni squatter na kuna shamba hapa Kipkelion naweza kupewa.

Stephen Kosgei: Kama wewe ni squatter hapa Kipkelion?

Com. Asiyu: Hapana mimi ninatoka Karachuonyo, lakini ni squatter hapa.

Stephen Kosgei: Hapana, si Kenya ni Kenya.

Com. Asiyu: Kwa hivyo naweza kuja hapa nipewe hiyo mali.

Stephen Kosgei: Upatiwe yako bora wewe ni squatter.

Com. Pastor. Ayonga: Okey huyo ni Stephen Kosgey, hayo ni maoni yake, wengine wanao yao. Benjamin Ruto.

Benjamin Ruto: Asante sana Bwana mwenyekiti wa kikao hiki, jina langu ni Benjamin Ruto. Mimi ninatoa maoni yangu nikiwa binafsi. Nikianzia political parties katika nchi, nimeonelea kwamba, Kenya iwe na three political parties. Kwa sababu tukiwa tunakubali kuandikisha vyama vingi katika Kenya, Kenya will be divided among the tribes. Na ukabila utazidi sana. Kwa hivyo tukubali tu tuwe na vyama vitatu, hivi vyama viwe vinakuwa funded na serikali, zipewe pesa proportionally. Chama ambacho kinatawala kipate pesa nyingi, ifuatwe na official opposition party halafu zile zingine.

La pili, hizi parties zikubaliwe ku-advice the government on matters pertaining to insecurity, ikiwa mambo ya elimu, vyama viwe na uwezo ku-advice government kuhusu mambo kama haya. Lingine, ni kuhusu mambo ya dini, Kenya tunajua tunataka uhuru wa kuabudu, na ikiwa ni hivyo kuna mathehebu wengine wanaabudu Ijumaa, Jumamosi na hawakubaliwi ikiwa wewe ni mfanyakazi wa serikali ama mahali popote, na unataka kupumzika tuseme Ijumaa, hukubaliwi, na ikiwa wakati mwingine ukitaka kupumzika Jumamosi ukubaliwi. Kwa hivyo ule uhuru wa kuabudu kamili ukubaliwe kwa Kenya. Kama ni siku yako fulani, unapumzika, ukubaliwe bila kusumbuliwa na mtu yeyote.

Lingine kuhusu serikali ambayo tunahitaji ni federal government. Kwa sababu tunataka mali ya nchi igawanywe sawasawa, kwa sababu hata katika nyumba watu hawawezi kuwa sawa sawa, kila nyumba ijisimamie na itunze mambo yake, iangalie maslahi yake. Kwa hivyo ninaonelea kwamba, federal government is the best one for our country.

Kuhusu security katika Kenya hii, tuwe na army, GSU na police, kile tu naonelea ifutiliwe ni Administration Police kwa sababu inatumika vibaya na administrators. Kwa hivyo hiyo tu ni moja ingeondolewa wale wengine wabaki. Kwa haya, mimi ninafikiria maoni yangu ni hayo machache.

Com. Pastor. Ayonga: Asante sana Bwana Benjamin Ruto. Unaweza kuenda kule ukajiandikisha. Bwana Kirui Noah, yuko? Maneno makubwa makubwa usitusomee hiyo.

Noah Kirui: Kwa majina, I am Kirui Noah and may I present my views before the Commissioners and some of the views ahead - someone has already mentioned it but the few which I have here, may I take this opportunity to mention. It is pertaining the children. The children should be given opportunities and facilities to develop in a healthy manner and in a condition of freedom and dignity and that childhood and youth are protected against exploitation and against moral and material abandonment.

My second view, in case of parent to support, assist and educate their children, whether born in our out-of-wed lock and in particular, to give them a true understanding of their basic rights and obligations.

My third view is pertaining domestic violence. It should come to an end.

Interjection (Com. Pastor. Ayonga): Na ile ya mwisho unayotafuta.

Noah Kirui: I wish also to mention about the ownership of land in Kenya. As for my view may I present before you that if possible, the amount of acreage one should have in Kenya, should not be more than 20 acres and whoever who has that piece of land and may not make use of that land, should be asked by the government so that he or she could be forced to walk on

that land and generate income to promote the economy.

I also wish to propose the establishment of a Constitution that promotes national unity, social equality and foster the growth of economic development. Last but not least, the natural resources should be controlled and make use for the benefit of all of us and replenish for the benefit of future generation. Thank you.

Com. Pastor. Ayonga: Thank you so much. Unaweza kutupatia sasa hayo maandishi kule na ujiandikishe. Richard Towett, Maina anapokuja mbele. I would like to remind the schools that have sent students here kwamba you will be next. Ningalipenda mtambue yule ambaye atakaye zungumza, ambaye atatoa maoni to represent others na pia mwalimu atakayezungumza pia, ninataka nipate jina lake ili ninapomaliza with one school, ninaweza kumaliza na mwalimu wao ili warudi darasani. I would like to go by that order. Wanafunzi na mwalimu ili wamalize kutoka one school wapate nafasi ya kurudi, kwa hivyo organize yourselves in such a way, kama kuna mkiume atakaye ongea, kama kuna msichana atakayeongea to represent a school, basi nipate hayo majina na niweze kuwaita mfanye na kurudi. Sasa wewe ndiye nani?

Richard: Richard Towett Maina.

Com. Pastor. Ayonga: Mbona umekaa mbali hivyo Richard, na tena ninaona wewe ni mfupi, uwezi kusonga karibu?

Richard Towett: Nangojea umalize ndio nikaribie.

Com. Pastor. Ayonga: Okay karibia basi.

Richard Towett: I am going to present it in English.

Interjection(Com. Pastor. Ayonga): Sema majina yako.

Richard Towett: I am Richard Towett Maina from Kedo Tea estate. The new Constitution should be accessible to all citizens in written form easily available in libraries, schools, bookshops and massmedia. Should be taught in schools, colleges, should be written in languages that is easily understood by all and in vernacular languages.

Presidency; presidency power should be trimmed and checked and should not be an MP. The new Constitution should guarantee fair and equitable distribution of our national resources. The new Constitution should have an armed forces and police who is professionally and politically neutral. The new Constitution, should have right to information and broadcasting to be unlimited. The new Constitution should oblige the government to use specific percentage of national revenues generated by a particular region, to build infrastructures like communication, markets, irrigation, tourism, etc to enhance equitable economic

development.

Aspirants for council and parliamentary seats should be vetted and interviewed to assess their capability. Concerning land, idle land should be taxed and if possible should be heavily taxed and if possible repossess them and convert them to state enterprises. There should be a body to oversee revenue collection and expenditure to be established. Appointment of public offices should be purely on merits and run by a Commission with security tenure of office. The new Constitution should also abolish the Provincial Administration and instead replace by elected councils and governors. Thank you.

Com. Pastor. Ayonga: Tunakushukuru sana Bwana Richard Maina. Kuna swali.

Com. Zein Abubakar: Bwana Maina, you have proposed that employment should be on merit now, there is a community of Kenyans called the Malakote. I don't know if you have ever heard of them?

Richard Towett: Well I suppose they are Kenyans.

Com. Zein Abubakar: Yes, they are Kenyans, I can assure you that they are Kenyans. They are called the Malakote and they do not have a single graduate. Since independence to-date, they have not taken one daughter or son from the Malakote to the university. What does that mean? It means that that community will never have anybody employed if the qualification is on merit, it will take them maybe fifty years to get one person employed, if we use merit.

Richard Towett: As we talk now, here in Kipkelion, we have highland malaria. Suppose we are Malakotes can we pick a quack and treat us because there are no doctors? That is why I thought that we should exercise a lot of professionalism when we are dealing with public offices not on quota system.

Com. Pastor. Ayonga: Ngoja, Maina; wewe kwenda pole pole ngoja.

Com. Asiyu: Maina, unajua kwamba Wazungu walipokuja, mbeleni kuna makabila fulani ambao walichukua mambo ya elimu kwa hali ya juu sana na wakasoma sana. Kuna wengine ambao hawakupata nafasi hii, na hawa wote ni watu wa Kenya. Unatuambia leo kwamba hawa watu ambao pia wana hekima na experience, na pengine elimu isiyo ya PH.D, hawawezi kuwekwa kwa maofisi ambayo wanaweza kufanya kazi? Hata kama kuna mtu wa PH.D hapo? Nayeye pia yuko na qualification ya kumtosheliza kuingia kwa hiyo kazi kwamba asipewe hiyo kazi kwa maana hajapata PH.D?

Richard Towett: Okay, what I meant is this, since independence, for the last 40 years, we have been struggling to get the education in line, and I believe, if there has been fairness, there is no single - even the Elmolo of Turkana, they are accessible to education.

Com. Asiyu: You have just been told right now by Commissioner - we have been there and the Malakotes do not have a single.....

Com. Zein Abubakar: Well, it could be the Malakotes don't have a graduate(inaudible)

Richard Towett: What I mean is this, suppose that job is done at graduate level, should we just place them because(inaudible)

Com. Zein Abubakar: No Mr. Maina it is not a matter of debate, what we are saying is this. Because of scarcity of employment, even a clerical job if you are saying on merit, it will mean that you take the most qualified to be a clerk, to write people's names. If you say in Kenya then we are going to ask any clerk to be employed, we should look for all the graduates who have jobs, before we go to those who have A-level. That is the way it should be done, so that if there is a clerk to be employed here in this town, we should advertise it in the country and if there is a person who has two degrees and has no job, he says I want it there - you will take him from wherever he is, to come and take the clerical job. That is the point we are making not that for doctors you will employ a quack to be a doctor. But if you say merits, pure merits, no other consideration, then it also goes against the point which you made that you should have equitable development.

Richard Towett: Thank you.

Com. Pastor. Ayonga: Asante hayo ni maoni yake, na wengine wana maoni tofauti ya kuangalia kila maslahi ya kila kabila kubwa au dogo. Sasa, I want to change the system ambayo nilikuwa ninafuata, ninataka sasa kuita wanafunzi wale ambao mmekuja muwe tayari. Mwanafunzi ambaye nitamwita wa kwanza ni Merceline Chebett. Ninaona kuna mwalimu anayeitwa Bernard Momanyi Chande, awe karibu ili baada ya huyu msichana atoe maoni.

Merceline Chebett: I am Merceline Chebett, from Kanjing secondary school. I am in form three. My views pertaining the rights of vulnerable groups are; some people like the disabled should have right to have job opportunities. Also, they should have right to be educated. These people should have their living standards be improved. They should have enough security. They should also have right to own some property, e.g. land. Also, the Constitution should guarantee and protect the rights of children by; the children should have their own rights to own the property. The children should also be sheltered and they should be educated. My views pertaining the basic rights of human beings for example, the death penalty should be abolished are nobody should have a right to take somebody's life, so, there should be no one sentenced to death - that should be to death be abolished. They should for example - if you are able to create somebody - so you should be able to kill him but as since nobody is able to create somebody, we should avoid that. If somebody has committed any crime, he should be given severe punishment.

Com. Pastor. Ayonga: If the person kills a person, rather than to be killed he should...

Merceline Chebett: He should be given for example, life imprisonment. Also in cultural ethnic and regional diversity of communal rights. We should recognize and promote indigenous languages for example Kiswahili, this is because it promotes cultures and also it creates understanding as we know that different people don't understand some languages, so we should promote our indigenous languages.

Com. Pastor. Ayonga: Thank you Chebett. Let me ask you a small question. You said children should have a right to property, what do you mean? Because, I have been thinking that, what the parents have, belongs to the children as well. Now what right is this that you want?

Merceline Chebett: There are some parents who don't share their property to their children equally so they might leave girls, then the boys are the ones who take the property. So I propose that the property should be shared equally.

Com. Pastor. Ayonga: So you are saying boys and girls must be treated equally in a family property.

Merceline Chebett: Yes.

Com. Pastor. Ayonga: Okay thank you. Msichana, enda kule ujiandikishe kwa mwandishi wetu, weka jina lako. Sasa ni mwalimu Bernard Momanyi Chandi. Mwalimu unajua, ile mnaita huko shule mnaita summary. Kwa hivyo, tunataka ufanye summary, a mature summary.

Bernard Momanyi: My names are Bernard Momanyi Chandi. I am a teacher in Kanjing secondary school. I have seen that much has been suggested by my fellow citizens, and I am happy that we have the same minds. I only wanted to talk about management and use of natural resources. We find that there is no balance in increment of salaries especially when it comes to civil servants. Therefore, I would propose that regardless of the merit in school or in academic performance, one of the major thing that we should look at is the characters, then we should not forget that if it means that a primary teacher should be given an increment of 10% as salary, likewise to the secondary school teacher should be given 10% increment of salary, but forgetting even the President himself.

My second point is about employment of the civil servants, it should be defined in all sectors but proportional to the needy sector and those which have got a back bone to development of the nation, especially in economic development. For example, we should emphasize on employing agriculturists in agricultural sector and education, and therefore, I feel that - those were my own suggestions.

Com. Pastor. Ayonga: Asante mwalimu Momanyi Chandi. Ujiandikishe kule. Sasa nataka Bernard Kipkwae ni mwanafunzi. Halafu huyu Bernard anafuatwa na Lillian Rono. Bernard ni kule na toa maneno yako kwa ufupi, na huyo msichana Lillian Rono awe karibu. Sema majina yako.

Bernard Kipkwae: Good afternoon to you all? My names are Bernard Kipkwae, I come from Kimasha secondary school, I am in form four. My views I like to express about the citizenship. First and foremost, I would like to talk about automatic citizenship. An automatic citizen of Kenya should be one born in Kenya, by native Kenya parents who should be from any of the 42 Kenyan tribes. Second point, Kenyan citizenship should be acquired after a keen and thorough inspection and investigation of the party concerned by a rightful body in terms of the subject's motive and aspirations. Third, spouses of Kenyan citizens, regardless of gender should be entitled to automatic citizenship. Fourth, a child born of Kenyan citizen, regardless of the parent gender should be entitled to automatic citizen. Fifth, the right and obligation of a citizenship should be the right of owning property, right for protection against arbitrary arrest, entry rights of self expression and movement. The right and obligation of a system should depend on the manner in which citizenship is acquired. The Constitution shouldn't allow for dual citizenship because of security purpose to the subject. Lastly, identity cards should be the document only carried as an evidence of citizenship by each and every citizen. Thank you.

Com. Pastor. Ayonga: Ngoja ulizwe swali.

Com. Asiyu: Bernard, hebu tueleze kama kuna kijana hapa Kipkelion ameenda America amesoma huko, amezaa watoto wake kule, tuseme ni vijana wawili, wasichana wawili na amechagua kurudi hapa nyumbani. Wewe unasema wasipewe citizenship hapa kwetu?

Bernard Kipkwae: Watapewa kwa sababu wazazi wao walizaliwa hapa, sasa watoto wao hata watapata share hapa Kenya.

Com. Asiyu: Na unajua ukisema hivyo ni kusema kule walikuwa wamekaa, maana Mwamerika saa zile mtoto anazaliwa hospitali anapewa passport hapo. Sasa wakija hapa unataka tena wapewe, yaani kusema umekubali dual citizenship. Wasipewe sasa.

Bernard Kipkwae: Wasipewe, hiyo dual isiendee, kwa sababu wazazi wa hawa watoto walizaliwa hapa Kenya, so watatumia birth certificate ya wazazi wao kuwa citizens wa Kenya.

Com. Zein Abubakar: Kama mzazi mmoja ndiye Mkenya?

Bernard Kipkwae: Atakubaliwa.

Com. Asiyu: Tuseme huyu kijana wa Kipkelion ameo mwanamke Mwamerika, Mzungu au mweusi huko, sasa wakija hapa na watoto wao unataka wawe namna gani?

Bernard Kipkwae: Wataitikiwa kukaa hapa kwa sababu, yule bibi hakuja hapa kwa kutoroka, alikuja hapa kukaa vizuri sasa wataitikiwa kukaa hapa.

Com. Asiyu: Tumlazimishe akae?

Bernard Kipkwae: No; hapo inategemea, sio kulazimisha, kwa sababu babake alizaliwa hapa na mamake alitoka huko kwa usalama, sio kwa kufanya mambo mengine ndio akaja hapa, alikuja kwa usalama, so ataitikiwa.

Com. Asiyu: Na watoto pia tuwalazimishe wawache kile kitu chao cha huko, wa-declare kwamba wao hiyo passport ya America wamewacha, wachukue ya Kenya.

Bernard Kipkwae: Inategemea pahali watapenda kuishi, kama ni America, watakaa kama ni hapa, watakaa hapa na wawe permanent hapa.

Com. Asiyu: Okay asante.

Com. Pastor. Ayonga: Asante. Sasa ni msichana, Lilian, that is Lillian Rono, karibia microphone na sema majina yako na shule na darasa.

Lilian Rono: Good afternoon to you all?

Audience: Good afternoon.

Lilian Rono: I am Lilian Rono, from Kimasha secondary school, I am a form four. I am going to talk about land and property rights. For my first point, it says; an individual, should have ultimate ownership of land and the State or the Local Authority should not have the power to control the use of land by the owner or the occupiers. The government should not have the power to compulsorily acquire private land for any purpose except for specific and constructive purposes helpful to the citizens at large.

The issue of equal sharing and inheritance of land should be addressed into the Constitution, there should be a sealing on land owned by an individual. There should be restriction on ownership of land by non citizens. The procedure for land transfer

should not be simplified simply for concrete proof if need be. Men and women should have equal access of land and a rule should be amended and adhered to. The independent land treaties and agreement involving certain communities should not be retained for this will inhibit the freedom of movement. Kenyans should own land anywhere without restriction. The Constitution should guarantee a sense of land for every Kenyan. That is all.

Com. Pastor. Ayonga: Lilian Rono, umesema there must be a land ceiling, lakini hukutuambia ceiling hiyo inafikia wapi.

Lilian Rono: Lazima kuwe na kiwango.

Com. Pastor. Ayonga: Hicho kiwango ndicho tunataka.

Com. Zein Abubakar: Eka kumi, eka mia, eka elfu moja?

Com. Pastor. Ayonga: According to you.

Lilian Rono: According to me, mimi ninaona kwamba kila mmoja, ama hasa citizens of Kenya, mtu asiwe na eka tuseme karibu eka hamsini. That is maximum, then minimum we can say about five.

Com. Zein Abubakar: Ngoja Lilian. Unasema the owner of the land should have absolute ownership, and the government should not interfere with the person who owns the land, or even say to the person how to use that land, that is what you are saying?

Lilian Rono: Yeah.

Com. Zein Abubakar: Sasa kukiwa kuna mtu anatumia ardhi vibaya, inamomonyoka, au kwa aridhi yake analipua baruti anasumbua watu wengine, au anaharibu mazingira, serikali isimwingilie.

Lilian Rono: Kwa maoni yangu mimi ninaona ni shamba lake na serikali isimwingilie. Ni shauri yake.

Com. Zein Abubakar: Hilo shamba, kwa sababu hilo shamba lake haliko angani, ana majirani, vile anavyofanya pale, it affects the neighbours, it affects the environment. So you are saying, even if the person is using the land in such a way that it is polluting the environment, the government should not interfere with this person.

Lilian Rono: Maybe I can say, if it is polluting the environment, sasa hapo ndio government itaweza ingilia. Lakini kama ni mambo mazuri it is okay.

Com. Zein Abubakar: Kwa hivyo almasi ikipatikana hapo ni yako.

Lilian Rono: Eee.

Audience: (laughter)

Com. Pastor. Ayonga: Wapi Robert Ngetich? But fanya haraka ili mrudi shuleni.

Robert Ngetich: Infront of you is Ngetich Robert from Kimasang secondary, form four. What I am going to present here as based on Constitution, is a topic on basic rights. On basic rights I have the following information to put across. Our constitutional provision for fundamental rights are adequate but should include job opportunities, provisions under the category of both the form four and the university leavers.

Secondly, rights to receive free medical services more especially at the district levels should be entrenched in the Constitution, to stress abit on that issue, every now and then we see in our society, many people are suffering in that they don't have the ability to meet their medical need and hence we loose lives of our people.

Third issue is that the Constitution guarantees right to life, but the death penalty shouldn't be abolished and then there is need to harbour dangerous people among the citizens that increase the rate of crime. The Constitution should protect security, health care, water, education, shelter, food and employment as basic rights for all Kenyans.

Another issue is each and every ministry should have a body responsible for ensuring that all Kenyans enjoy basic rights such as security, health care, water, education, shelter, food and employment. The Constitution should deal with education, employment and security in terms of provision adequately to the citizens.

Interjection (Com. Pastor. Ayonga): Hiyo inafanya nini?

Robert Ngetich: Why I am stressing....

Com. Pastor. Ayonga: Adequate, what is adequate?

Robert Ngetich: What I mean here is that education and security also employment, should be given out in equal terms to all Kenyans such that we will help provide the poverty that is seriously hitting our people here in Kenya.

Com. Asiyu: How can you give the deaf equal opportunities in Kenya to an orphan child whose father died and cannot be.....(inaudible)

Robert Ngetich: Thank you very much Madam. I will put it this way; here in Kenya, we have the revenue collection authority, that area if at least there is set aside a small fee, it will help meet education of those poor children who are needy but their situation cannot help them eat what they require in the society.

Com. Asiyu: Then you are not suggesting free education for such children.

Robert Ngetich: Free education is there, but we also have to consider the cost of running that free education. That is why we are bringing in something small from a section that can be available to run this free education system.

Com. Pastor. Ayonga: Thank you very much. Do you have a last point?

Robert Ngetich: Yes.

Com. Pastor. Ayonga: Please do so, because we have many people and I want to give everyone a chance.

Robert Ngetich: Thank you Sir, and I am about to finish. Another issue is that the Constitution should provide for compulsory and free education up to the secondary level. Kenyans should have the right to access to information in the possession of the State or any other agency or organ, but limitations due to some information being very delicate and sensitive to be handled by the citizens in general. Also, citizens should be allowed for suggestion and correction where necessary. The Constitution should guarantee hawkers the right to trade union representation for this will help improve the economy of the country.

Interjection (Com. Pastor. Ayonga): Thank you very much. I have to stop you because, I have one hundred and twenty one persons who want to speak.

Robert Ngetich: It is true Sir and I am grateful, may I only stress one point here that I wouldn't wish to leave it out. May I please put across a point that I wouldn't wish to leave out?

Com. Pastor. Ayonga: Which is it? Say.

Robert Ngetich: Kenyan Constitution should ensure that poor Kenyans and those living in drought stricken areas, are provided with relief food, the same free education and employment based on the acquired skills and knowledge.

Com. Pastor. Ayonga: Thank you. But let me say this while you are leaving. In some areas, we have been told we shouldn't look for relief food, rather we should be helped with the means to have our own food here. Relief is today, mtu anakupa chakula unakula saa hii tumbo imejaa ukasikia vizuri, na ikifika usiku umebaki katika that same same situation. So, instead, we would like to have means ya kutusaidisha ilituweze kuwa na chakula chetu all the time. Asante sio debate, we are not debating, I am just educating you what is on the other side of the coin. Thank you.

Robert Ngetich: Thank you.

Com. Pastor. Ayonga: Now, wale wanafunzi ambao mmebaki, nitawapa dakika moja na nusu, moja na nusu, kwa maana nataka kurudia hawa. Na sababu yangu ya kuchukua wanafunzi kwanza ili warudi waende wale kengele cha saa nane kabla hajalia wawe madarasani. Kwa hivyo nani wale, David Ngetich, na David anapokuja, kuna watoto wa primary school hapa, David Ngetich ni mtoto wa primary school, Lelu primary school, sasa wacha tusikie kutoka kwa mtoto wa primary school, ambaye anaitwa David Ngetich. David tuambia yale maneno yanasumbua unataka itengenezwe.

David Ngetich: My name is David Ngetich from Lelu primary school, I am a standard seven pupil. To Constitution Review Commission of Kenya, presentation from Lelu primary school.

- 1) Equal education opportunities for all pupils of Kenya.
- 2) Caning should be re-introduced as a way of practical discipline.
- 3) The government should provide enough facilities in all schools.
- 4) Pupils to ask the government to provide clean water and mobile clinics to schools.
- 5) School fees payment should be restructured by the government to avoid exorbitant charges.
- 6) The government should provide mobile libraries in rural schools.
- 7) Bursary disbursement should be localized to school level.
- 8) We should be taught subject that will assist us to solve our problems after our primary course.

Com. Pastor. Ayonga: Ngoja kijana.

Com. Zein Abubakar: David wewe unataka viboko virudishwe shuleni, ama ni mwalimu amekuambia useme kwamba viboko virudishwe shuleni?

Com. Pastor. Ayonga: Na usiposema hiyo utaenda kuchapwa.

Com. Zein Abubakar: Sema tu wewe mwenyewe usiogope David, si eti ninasema hivi kusudi mwalimu akasirike, kwa sababu sisi tumesikia Wakenya wengi wanasema kutoka viboko viondolewe, nidhamu shuleni imepungua. Sasa wewe kama mtoto tunataka ujue wewe unapendekeza kwamba viboko virudishwe kwa wale watoto ambao hawana nidhamu au umeambiwa

maneno useme?

David Ngetich: Kwa maoni yangu, irudishwe lakini sio zaidi.

Audience: (laughter)

Com. Zein Abubakar: Iwekwe kiwango kidogo?

David Ngetich:(inaudible)

Com. Pastor. Ayonga: Hebu niwaite hawa wanafunzi, na ningetaka mje hapa kwa laini - wanafunzi ambao nitaita, nataka mfuatane hapa, kwa maana ninataka kufunga chapter ya wanafunzi. Vivian Mwamba, kuna Vivian? Uanze mbio mbio ile ya Olympic, halafu kuna Emily Cherotich, halafu kuna Sinei Monica, halafu mwisho kuna Joyce Mwende. Nataka mje hapa na maneno moja mbili, na dakika ni moja tu. Mnajua dakika moja kwa shule? Hiyo ni hesabu ambayo ni ndogo. Kwa hivyo make your point, usirudie kingine cha mwingine. Mwingine akisema pointi yako, simama hapo na kusema pointi yangu niliyotaka kusema imekwenda. Sasa huyo ni Vivian Mwamba.

Vivian Mwamba: My name is Vivian Mwamba from Masaai girls, I am in form four. A government to have a stipulated policy on hiring, firing and retrenching of person in civil services. This is because a lot of people were left in pain after the retrenchment. You find that most people during that time, maybe had been employed for maybe one month and they were retrenched, now it left a lot of pain.

Com. Pastor. Ayonga: Okay point ingine.

Vivian Mwamba: I have the effects of this. I have finished.

Com. Pastor. Ayonga: Sasa Vivian uende ujiandikishe kule. Emily Cherotich.

Emily Cherotich: My names are Emily Cherotich from Maskal girls I am in form three and in my views, equality be stressed on job opportunities issued. The ration be equal regardless of sex, place, religion, tribe, race and etc. I would like to elaborate about this point on employment opportunities. We find mostly in places of work, we see women are being neglected. Take for example like in a company, we find mostly it is men who are in that institution. I have another point that is distribution of equal resources. We would like equal distribution of resources regardless of anything these is because you find mostly it is our government that is supposed to do this. We find maybe an MP or a Minister - we all know that a Minister at least has some power than an MP, so you find mostly the ministers are the ones taking resources to their places, living us this way, especially in

our place.

Interjection (Com. Pastor. Ayonga): You have made your point, equal distribution of resources, another point?

Emily Cherotich: Equal job opportunities.

Com. Pastor. Ayonga: Equal job opportunities hiyo umesema. Thank you very much. Enda huko ujiandikishe. Sasa ni Monica Sinei.

Monica Sinei: Okay my names are Monica Sinei, I am from Maskal and I am in form three. My point is, I could like that we students should have free education in that there are some problems in this country of ours. You see that much poverty is in our country. Many students have dropped out of the school because they don't cater for the money to come to school.

Com. Pastor. Ayonga: Free education, that is the main point. Ilikuwa hiyo tu? Okay enda ujiandikishe tafadhali. Next is Joyce Mwende.

Joyce Mwende: My names are Joyce Mwende from Mercy girls, I am in form three. According to the International Labour Organization, child labour is prohibited. These leads to, if a child is employed, we can see the effects are; they are poorly paid, do hard tasks, lack education and are exposed to violence in early stages. It is my suggestion it to be constitutionalised because we find that children in Kenya are abused before attaining the age of 18 years. Thank you.

Com. Pastor. Ayonga: Now let me ask you a small question; You said child labour is not well paid. Were you going to recommend it if it were better paid? Is it the salary or it is the age, the abuse, because if someone attracted say a child comes from a poor home and that child is paid very well, are you justifying that?

Joyce Mwende: No, my point is we find that even if at times - it might be according to circumstances - but you find that these people who take these children for labour they do not consider that these people are children, so they give.....

Com. Pastor. Ayonga: So whole thing is about abusive? Thank you. Ngoja kidogo, utaulizwa maswali leo mpaka usikie.

Com. Zein Abubakar: Usiogope Joyce - Chairman is just joking. Don't worry we are not going to make life difficult for you. Your point is very clear on child labour, but the way the internation convention defines child labour, it will include that if you are to help your parents at home, that to be outlawed. It will also mean that if you are in school and you are asked to sweep the school, that will be outlawed, it will also mean that if there is a very poor child who wants to do small chores over the holidays to make money for themselves, that would also be outlawed. Have you considered that - should we - if we are going to define

child labour, the Kenyan way, sisi wenyewe, wacha international convention now, we should outlaw everything like the way it is in the international convention?

Joyce Mwende: Okay. According to my suggestion.....

Com. Zein Abubakar: You can say yes or no I will be fine. Should we or should we not?

Joyce Mwende: We should outlaw everything.

Com. Pastor. Ayonga: Hata kama katika boma yangu, watoto wangu wametoka shule kweli, na unataka kuniambia watoto hao wakija, wakae tu, mimi na mama yao tu ndio tunafagia, tuwapikie hata sahani wasisafishe? Is this what you are telling me?

Joyce Mwende: No that should be according to the child suggestion.....

Com. Pastor. Ayonga: Child suggestion?

Joyce Mwende: Yeah.

Com. Pastor. Ayonga: Ngoja, sasa wacha mama akuulize, pengine mimi nikikuuliza unaona namna ingine.

Com. Asiyu:Classroom ambayo anasomea saa ile wakiingia, na kama ni lazima afanye hivyo, mpaka aulizwe, mpaka yeye ndiye aseme kama anaweza kufagia ama asifagie. Je nani atafagia kila siku? Na kule nyumbani mtoto Mwafrika, msichana tuseme, ambao hata kweli wengi wao wanaolewa, atawezaje kujua kazi ya nyumba kama hajafundishwa practically na mama yake? Au kijana wa kiume, tukifuata ile mambo tumeambiwa na International Labour Organisation, kijana huyu mdogo, atawezaje kujua mambo ya vile ataishi kusafisha hata nguo yake, hata kushona ikiraruka? Unatuambia mtoto hawezi kufanya hii kazi.

Joyce Mwende: No, there is an education given in schools that is homescience,

Com. Asiyu: Hiyo tunajua.

Joyce Mwende: Homescience is able to teach a child how he or she is supposed to do all that.

Com. Asiyu: But you don't want them to do this at home?

Joyce Mwende: You know, it is like, they are small kids like maybe a class three kid is told to sweep the class, that isn't sensible in all points. Because, that child is too small even that child doesn't know how to handle a broom.

Com. Zein Abubakar: What you are saying Joyce, because you said up to 18(inaudible)

Com. Asiyu: You want up to 18?

Com. Zein Abubakar: You should not also wash your own uniform, somebody should wash it for you.

Joyce Mwende: No, according to me as I am in a boarding school, I was brought to that boarding school because my parents know that I am under good care and that is, I can do my work and support myself.

Com. Asiyu: And not wash your uniforms?

Joyce Mwende: I can wash my uniform, that is me - I am not supposed to be forced to do it.

Com. Zein Abubakar: When did you learn?

Com. Asiyu: You are not supposed to be forced to wash your uniform?

Joyce Mwende: Yeah.

Com. Asiyu: No, no, no that one, no

Audience: (laughter)

Com. Pastor. Ayonga: Lakini hebu tujue hayo ni maoni ya Joyce Mwende, na Wakenya tuanze kufikiria vitu ambao vitajenga, tusikope vitu kutoka nje all the time. There must be a Kenyan way also of doing things. Kwa hivyo watoto watabeba wazazi wao kuenda shule, waende kuwasafishia nguo na hiyo, it means a lot of expense in education. Tunasema free education, lakini mnaona kama shule itasafisha nguo, haiwezi kukusafishia bure, karibu hata watatuambia kuwa tuwalishe chakula. Sasa mnajua tulipoingina hapa nyinyi mlikua hamjaona mtu ambaye alitangulia kuja hapa na sisi, alikuwa Chairman, na yeye tulimwambia angojee tu wacha watu wakae kwanza. Sasa Chairman wa County Council, na alitaka aseme na tukamkataza wewe ngojewa watu wako wa council yako waingie kwanza. Sasa mimi ninataka kumpa yeye lakini yeye nitampa dakika tano, si ile ile mbili ambayo ninawapa wengine, wacha yeye aseme dakika tano. Chairman kuja ukatoa maoni. Chairman bado angali ana-push wengine, kwa hivyo anasema clerk ndiye ataongea. Clerk tunataka uwe kwa ufupi, precise to the point.

Shadrack Koros: We have a memorandum to represent, but actually I should touch the main points. I am Shadrack Koros, Town Clerk Kipkelion town Council. I will only touch on issues which touches on Local Government, which is Local Council. Our proposal is that Local Authorities should have their own system in the structure, organization of government, to address shortcoming of their varied personal problems of law government Act Cap 265 of the laws of Kenya. Local Authority should be autonomous, providing local democratic accountable government for locals besides their task to promote economic, social, cultural, political development for the communities. Local Authorities should provide grounds for protection, defence, efficient utilization of land resources and all other local resources. Local Authorities should be based on a council level, which shall be the highest political authority within the area of jurisdiction. With legislative and executive powers.

We are also proposing that the Mayors and the Chairmen of the council should be elected directly by the citizens and they should not actually have wards. There should be a direct election and whoever will the chairman or the mayor should not have a ward - all the wards in the council should cover his administrative powers. Also we are proposing that Local Authority should have a service commission called Local Authority Service Commission, which will actually cover for the terms and condition of service of remuneration of Councillors and staff.

On the question of nomination, we are saying that nomination should only cater for the special persons or actually should be reserved for the disabled, for the youth and women. So we are proposing that women should be - of the nominated members of the council or Members of Parliament 50% of the nomination should go to the disabled or the handicapped. We are saying 50% of the nomination, should cater for the women, another 50% of the nomination, should cater for the youth and the 3% of the nomination, should cater for the disabled. We also prefer ten percent to cater for the professionals within that area. We give them 50% and we are also saying that whoever will be nominated, will be nominated by a body. For example, if you want a nominated woman the women should nominate not the minister for Local government or the President. The women should give out or should elect and give out such and such a person to be nominated by the minister and actually the proposal should come from the group. If it is women, the women should propose and not the minister of Local government or the President. If it is the youth, the same thing, even the special groups - the professionals. The professionals should elect their own and give out for nomination.

We are also touching on the issue of...

Com. Pastor. Ayonga: Clerk, kama umemaliza kwa maana tutaenda kusoma, nadhani ungesema pointi ya mwisho.

Shadrack Koros: We are also touching on the land issue or the property rights or property over land. We are saying, all the land should be managed by the local authorities and whatever comes out of the natural resources, should be shared at the ratio of 50 – 40%. The central government should take 50%, the Local Government should take 40% to manage, so that they can

actually provide service.

Com. Pastor. Ayonga: And another 10% goes where?

Shadrack Koros: We are saying 60% goes to the central government. 40% should remain at the Local level which is the local council, to provide for services to the people within that local authority. Thank you Sir.

Com. Pastor. Ayonga: Unaweza kwenda kule nyuma ujiandikishe huko. Sasa chairman huwezi kukataa?

Cllr. Chumo: Kwa jina ni Councillor Chumo, chairman wa Kipkelion town council. Pointi yangu ya kwanza kabisa ni majimbo. Tunataka majimbo kwa maana central government, tunataka ipunduliwe kutoka central government, mali yote ije kwa council. Vile zamani ilikuwa, mali yote inabaki kwa council, inatengeneza mabarabara, mashule, afya ya watu kama hosipitali - ilikuwa wakati huo pesa zote iko kwa council. Sasa kila kitu kilienda central government tukawachwa tu vile watu wanasema hii ni council, Macouncillor wako na pesa na council haina chochote. Council hakuna chochote, mshahara wa Councillor ni 7,000/=

Com. Pastor. Ayonga: Niliwaambia msipige makofi. Wakati mwingine chairman atawafurahisha huko. Lakini kwa leo sisi tunataka tu maneno ya kushika.

Cllr. Chumo: Kwa hivyo, tukaona kama hii nyumba sasa, tunajenga kutoka chini mpaka kwa mabati kule roofing. Sisi hatuwezi kupindua roofing iangalie chini halafu chini iangalie juu. Tunataka mali yote itoke central government mpaka kwa mwananchi hapa. Kwa hivyo, hakuna kitu ingine watu wa Kipkelion wataongea kusema tunataka kitu fulani, kitu tunataka kabisa, ni majimbo halafu tuchunge nayo mali yetu na tuchunge nayo mahindi yetu na kila kitu na maziwa yetu jimbo inatosha. Tunataka jimbo. Maneno mingi ya kwenda mpaka Mombasa na kurudi, ni jimbo tunataka.

Pointi ingine ni vile tunaona kama vile mahosipitali, imelegea sana lakini kama pesa yote ya central government kuja kwa mwananchi hapa chini, hata malaria inasumbua sisi haitasumbua tena. Sitaki kuweka mengi, hiyo ni mambo tunataka hata wananchi wote wanakaa chini hapa, ile kitu tunataka ndio hiyo.

Com. Pastor. Ayonga: Ngoja, Ngoja mbona unakuwa na haraka sana.

Com. Asiyu: Nilitaka kujua mzee, hii jimbo itaongozwa na nani? Na itakuwa kwa provincial au kwa district, na ni nani atakuwa kiongozi wake.

Cllr. Chumo: Itakuwa kwa provincial.

Com. Asiyo: Na mkuu wa jimbo ni nani?

Cllr. Chumo: Atakuwa Governor.

Com. Pastor. Ayonga: Tena ngoja tu - basi kama hawana swali - wacha nikuulize swali jingine. Je unatosheka na provinces tulizonazo kwa wakati huu au tukipata serikali ya majimbo itakuwa lazima tena tuanze kuweka boundaries za majimbo ambayo yatafaa kwa wakati tuna serikali ya majimbo?

Cllr. Chumo: Hiyo lazima tutakuwa na boundary.

Com. Pastor. Ayonga: Tutakuwa na boundary. Umeanza kufikiria kama tukiwa na boundary, umesha gawa hiyo boundaries kwa kichwa yako peke yako?

Cllr. Chumo: Bado lakini si watu watakaa chini tuweke boundary. Na tena boundary zinajulikana kama Rift Valley kuna boundary yao.

Com. Pastor. Ayonga: Ndio, lakini kuna sehemu zingine nafikiri Rift Valley ni kubwa zaidi, pengine ingegawanywa iwe boundary moja na nusu. I mean jimbo moja na nusu.

Cllr. Chumo: Haiwezi kuwa jimbo moja na nusu.

Com. Pastor. Ayonga: Au jimbo mbili.

Cllr. Chumo: Itakuwa jimbo moja au watu watakaa chini.

Com. Pastor. Ayonga: Hiyo ni ya baadaye lakini kwenda weka kidole huko tujue kwamba Chairman alikuweco hapa.

Cllr. Chumo: Asante.

Com. Pastor. Ayonga: Ningalipenda tena kurudi njia ingine, kuna mama yeyote hapa ambaye alijiandisha, alitaka kutoa maoni ambaye ajaitwa? Kuna mama? Unajua sisi - kuna mama, mama si usimame? Kumbe sasa mama ni wanne. Tunataka wamama waende kupika, ingawa mlisikia watoto wanasema wasifanye kazi, wamana kuja muende muwapikie, hebu msonge hapa, wewe yule ulikuwa wa kwanza, ufuatwe na huyu nguo nyekundu, tena wale wengine mmekeki tu. Nataka hawa wamama waje hapa ili tuwape nafasi, kazi yao ni nyingi. Naona wengine nikiwaita wanaenda nyuma ile njia ingine, basi hawa ambao wamejitolea - mama sema majina yako na dakika ni mbili tu tafadhali.

Jedida Cheruiyot: Majina yangu, mimi naitwa Jedida Cheruiyot. Ninaisha Momoniot. Maoni yangu ni kama haya, masomo ya wasichana, wazazi walazimishwe kusomesha wasichana mpaka kiwango cha form four. Mali igawanywe kulingana na watoto wote, wawe wasichana ama wawe wanaume. Ningetaka tena mama hata yeye awe na mali yake, wakiwa na mzee, mama awe na mali yake mzee mali yake na wawe na mali ya pamoja.

Com. Pastor. Ayonga: Tafadhali hayo ni maoni ya mama, ninyi mngoje nafasi yenu itakapofika, kila mtu ni chake. Endelea mama.

Jedida Cheruiyot: Ningetaka tena, mashamba serikali yetu ya Kenya ione ya kwamba, kila mtu ako na sehemu yake kidogo.

Com. Pastor. Ayonga: Mama yake bwana yake?

Jedida Cheruiyot: Watu wote wa Kenya. Inginge ambayo ningetaka kusema ni ya kwamba, watoto, ningetaka kurudia mambo ya watoto niseme, watoto waelimishwe hata kama wazazi wametengana. Watoto lazima waelimishwe na wazazi wote wawili.

Com. Pastor. Ayonga: Ngoja kidogo kabla ujatoka. Mama, sikujua kama tulikuelewa vibaya ama ni lugha ilienda namna ingine au kama ulivyosema ndivyo ilivyo; haya maneno unasema bwana awe na mali yake na bibi awe na mali yake, au umesema mali ambayo iko katika kwa nyumba yenu, iwe yenu nyote wawili, ni lipi ulilosema?

Jedida Cheruiyot: Nimesema mali iwe ya mama, baba na watoto.

Com. Pastor. Ayonga: Oo wote pamoja.

Jedida Cheruiyot: Wote wawe na mali yote iwe joint.

Com. Pastor. Ayonga: Kwa hivyo wanaume, ninadhani hata ninyi mlikuwa mmeelewa vibaya, mama anasema mali iliyoko katika mji au katika boma, ni ya bwana, ni ya bibi na watoto wao - joint. Asante mama uende ujiandikishe huko. Mama mwingine kuja hapa, sema majina yako, naona unamakaratasi mengi tunataka tu utuambie pointi zilizoko hapo ndani na utupe makaratasi tuende kusoma. Dakika mbili tu.

Hariet Macharia: Asante. Mimi ninitwa Hariet Macharia kutoka Londiani. Ninasimama hapa on behalf of CMEWAK. CMEWAK maana yake ni Country Micro Enterprises Women Association of Kenya. Hawa wamama ndio wamenituma na pointi zao, proposals zao, wakaniambia nilete hapa mbele ya Commissioners. Wako na mambo mengi, ya kwanza ni kuhusu citizenship, na wako na pointi tano, of which sitaweza kusoma zote lakini ningesema, the Constitution should be reviewed to

entark a profession that will allow and provide everyone equal rights. To be automatic beneficiaries of the law. The second point is basic rights, I can only read one point: the Constitution should be reviewed to provide protection and security, health care, water, shelter, employment. It should also provide food by encouraging marketing of farm produce through proper policies.

Rights of vulnerable groups: I can only read one from there, the Constitution should be reviewed to give room and enable the handicapped person to participate equally with all Kenyan citizens on building the nation without discrimination.

Political parties and legislature and judiciary: women should be given an upper hand during their campaign rallies by being provided with security. Women or NGOs should be given a seat in Parliament or allocated a representative through nomination.

The electoral system: we have about six points on that. There should be a provision in the Constitution that dues on monitoring the candidate expenditure, to know how much the individual constant has spent on his campaign.

Interjection (Com. Pastor. Ayonga): Sasa mama sema la mwisho. Kwa maana haya yote tutaenda kusoma.

Hariet Macharia: Iko sasa land and property rights. A couple should be instructed to register their properties in their both names. The title deed should be registered and all names must appear in the document. Thank you.

Com. Pastor. Ayonga: Asante sana mama. Unaweza kuenda kule utupatie hiyo document, ujiandikishe. Mama mwingine, sema majina yako na tuambie makubwa tu ya document yako.

Petronilla Lelei: I am Petronilla Lelei.

Com. Pastor. Ayonga: Songa karibu, unasonga mbali sana.

Petronilla Lelei: I am Petronilla Lelei. I am Petronilla Lelei. I am here on behalf of Kipkelion women. Here, tuko na machache, women's critical areas of concern in the Constitution. In the bill of rights, our proposal is this; enshrine equal access of resource and equality before the law to men and women, boys and girls. In consideration of gender, race, religion, ways of life, etc.

Guarantee security and equal protection by the law to men and women. Recognize the(inaudible) groups that constitute Kenya in all aspects of life. Women rights must be guaranteed under the bill of rights.

Women participation in the legislator, local authorities, governance and decision making. Our proposal number one in our

proposal;

- 1) Separation of power of the various organs of the state, so that each organ is autonomous and self governed.
- 2) Devolution of power in all government structures to ensure Local Authorities.
- 3) Local communities participate - women will have easy access to leadership position if this happens and she has to take place in democratic to give a chance to the women and men of Kenya to participate fairly in decision making and debating on national issues.
- 4) Eliminate all form of discrimination on the basis of sex in recruitment, appointment and training in the discipline force and all other institutions of governance. Every presidential aspirant should have a running mate or V.P who is of opposite gender.

Interjection (Com. Pastor. Ayonga): Sasa mama hiyo sisi tutaenda kusoma. Sema pointi ya mwisho.

Petronilla Lelei: Pointi ya mwisho, nitasema machache tu, ya children's rights. Sasa, our proposition is, Constitution should have a clear uniform, definition of the child as any person below the age of 18 years. Recognize general human experience of non discrimination on the base of age, sex, language, look or colour, religion, opinion can apply to the child rights. Guarantee civil rights and liberty to the female and male child.

Com. Pastor. Ayonga: Asante mama. Sasa utupe maandishi kule na ujiandikishe. Kuna mama mwingine, huyo ndiye mama wa mwisho, sasa baada ya hiyo nitaanza kutafuta wazee, kwa maana sitaki wazee wakakaa hapa siku nzima ninataka waende kuona ile ng'ombe walifungia wapi. Vijana ndio tutamaliza nao mwisho.

Rael Koech: Asante sana. Jina langu ni Rael Koech. Na maneno ya Katiba vile mimi ninasema, mimi ninasema kulingana na watoto wasichana wale wako kwa shule na vijana. Sababu ni hii; watoto wale wako nyumbani wamekuwa wengi sana. Watoto wanazaa na hawajui baba yao ako wapi. Sasa tunataka mtoto kama anazaa ama kama anashika mimba, nataka tujue mwenye mimba, nataka kujua kama hachukui huyo msichana amuo, achukue huyo mtoto wake, aende awalishie, aende amusomeshe - hilo ni jukumu lake.

Interjection (Com. Pastor. Ayonga): Lakini mama, atachukua je na kwanza umesema watoto wamezaa watoto hawawajui baba yao? Sasa nani atawachukua kama hajui?

Rael Koech: Mwenye alikuwa amemuweka mimba.

Com. Pastor. Ayonga: Okey, endelea.

Rael Koech: Tena wakati wa elections, kama mnataka wamama waende elections au kuwaandika kazi, waende kwa kazi,

sasa wengine ni kama wanaenda kama wanachukua kura kwa nini watu wasema mama si kitu. Tunataka wamama tena waende wapate elimu. Kama ni assistant hata mama ni assistant chief.

Com. Pastor. Ayonga: Asante sana mama. Ya mwisho?

Rael Koech: Ya mwisho, kama mama anawachana na bwana yake na kuenda, saa zingine anaenda kufanya kazi, anaenda kupata mali, ananunua shamba. Wakati wa mwisho, hiyo mali ninataka watoto wake peke yao wagawiwe, sitaki mtu mwingine agawigwe.

Com. Pastor. Ayonga: Mama umemaliza?

Rael Koech: Bado.

Com. Pastor. Ayonga: Katika hiyo maneno ya shamba ndio ujamaliza au ingine? Sema ingine basi.

Rael Koech: Karibu na kuwa ya mwisho - ya mwisho ni title deed, mama na mzee waweke sahihi pamoja.

Com. Pastor. Ayonga: Hiyo ndio ya mwisho, ngoja ulizwe swali, na nataka nimpe mama mwenzako nafasi akuulize.

Com. Asiyu: Umesema mama ameenda, amefanya kazi kwa nguvu amepata mali yake, watoto wake peke yake.....

Rael Koech: Wagawe mali ya mama yao.

Com. Asiyu: Kwa maana yule mzee mwingine pengine ameo bibi mwingine, anaweza kuja, ni 'Mrs.' na wewe jina lako pia ni 'Mrs'. Yake. Maana wewe bado hujapata bwana mwingine. Je kama hukupata watoto huko, mali hii yako nani mwingine anaweza kuchukua kama si watoto wa mzee - huyu mzee, inaweza kuenda kwa ndugu yako, kwa mama yako, kwa nani?

Rael Koech: Hapana, mzee atachukua mali.

Com. Pastor. Ayonga: Ngoja kidogo mama.

Com. Zein Abubakar: Mama umesema kwamba katika upigaji wa kura, kuna wanaume wanasema hawawezi kupigia wanawake kura. Na unasema unataka wanawake wawe nao wanachaguliwa kama viongozi. Hawa ndugu zetu Waganda, wametenga viti, wakasema hivi ni wanawake peke yao. Watu wote watawapigia kura lakini mwenye haki ya kusimama, ni mwanamke peke yake, ndio wanawake wakapata fursa ya kuingia bungeni kwa wingi. Sasa sijui wewe unapendekeza bado

wangangane na wanaume? Au wawekewe viti vyao pia wanawake washindane wanawake kwa wanawake, na wapigiwe kura na watu wote, lakini viti watakao simama ni wanawake peke yao.

Rael Koech: Wale wote. Kila mama ako kwa kiti, mzee ako kwa kiti.

Com. Pastor. Ayonga: Mama wa maendeleo nataka ufanye maendeleo kwa kutumia dakika mbili tu.

Lucy Saya: Tuko na memorandum hapa ambayo wakina mama wameandika lakini naona sitamaliza kwa hiyo dakika tatu.

Com. Pastor. Ayonga: Sema majina yako kwanza.

Lucy Saya: Kwa jina ni Lucy Saya. Chairlady maendeleo ya wanawake katika wilaya ya Kericho. Sasa ninataka kusema ya kwamba - kitu cha kwanza, nataka kusema ya kwamba, sisi kama wakina mama, tuko nyuma kidogo kwa mambo ya kisiasa. Vile mama alisema hapa kwamba tunahitaji viti vya mama, tumeonelea ya kwamba tumetembea, tumezunguka kila mahali katika wilaya hii ya Kericho, na mimi ninaona wakina mama wanasema ya kwamba, viti tunahitaji 1/3 katika bunge ya Kenya, kwa ujaguzi huo unakuja. Wakina mama wanauliza namna hiyo. Wanasema sasa hata kama hiyo ya nomination ipewe wamama wawe sawa.

Kazi yoyote kama assistant chief vile mama wamesema, tunahitaji hiyo. Kwa maana sasa nikiona sasa wakina mama wako nyuma. Vile ninaona ni kwamba, pengine kijana anaenda ngambo anapata bibi yake, anakuja na sisi tunaenda kwa uwanja wa ndege tunampokea kama ako na watoto na yule mama mwingine kutoka ngambo. Na sasa kama msichana anaenda huko, pengine anarudi na mtoto peke yake hata akuji na bwana. Tunaulizwa huyu mtoto anatoka wapi, rudisha mali ulikuwa ulete, tunaona hapa kuna shida, kwa maana hawa watoto wote ni sawa. Kwa nini hampokei huyu msichana kama vile kijana tulikuwa tunapokea, tunahitaji hiyo Bwana Commissioners waone hapo, halafu mnaona ya kwamba mtoto kamaa anakuja sisi zote tuko sawa kwa maana tunazaa watoto pamoja.

Kitu kingine tena, tuko na mambo ya mashamba. Ninataka kusema ya kwamba mahali ya mashamba vile tunaona ya kwamba, pengine mzee anaandika hii shamba ni yake peke yake, pengine anachukua loan, hiyo shamba inawezauzwa mara moja, pengine anatoa hii loan bila mama kujua. Kwa maana hata akikuta mwingine anamchukua huko anasena “huyu ni bibi yangu”. Hiyo kazi inaendelea pengine tunashukia tu pengine shamba imewekwa inasemekana hakulipa mambo ya loan. Tunahitaji hiyo title deed iandike bwana, bibi na watoto pamoja. Hilo shamba sitaki liende kwa mtu mmoja. Tunahitaji kama mimi niko nyumba hiyo, hata mimi niko nguvu kidogo.

Com. Pastor. Ayonga: Asante ume-make point yako, kitu ingine?

Lucy Saya: Kitu kingine tena ni mambo ya watoto. Mtu kama anaoa sasa bibi yake, pengine ukikaa kama miaka ishirini hivi, pengine analeta mwingine, ninajua ya kwamba kabila yetu Kipsigis hawawezi tosheka na mama mmoja, hawa wanataka watu wengi. Pengine ninaoa, mimi ninafanya kazi pengine tumenunua duka, mwishowe, kama huyo mama anaingiea pengine anasema hii mali yote - pengine ni bahati mbaya huyo mtu akufe - anasema hii mali yote tutagawa katikati. Lakini tunaona hiyo ni shida, lazima aone kama huyu mzee anaona hakuna kusema wazee hawaoi, hiyo ni desturi yetu. Lakini, kama anaoa kutoka hapo kama kuna mali, awachie huyo mama mkubwa halafu mzee aendelee kutafuta ingine.

Com. Pastor. Ayonga: Hebu tunyamaze tusikie maoni ya mama.

Lucy Saya: Sasa kutafuta hiyo ingine, mali ingine kutoka hapo, aniwachie hiyo, mimi ninachunga nayo watoto lakini sasa ile ingine yeye anamtafutia mali, pamoja na mimi tena. Kwa maana yeye alisema tunaweza hao watu, lakini shida yetu wamana ni kuona sasa ameo, amekuja kukata hiyo mali yangu na huyo mzee pengine kazi yake imekwisha amekuja retire, anakuja kuo halafu anatupatia umasikini ndani ya nyumba.

Com. Pastor. Ayonga: Ya mwisho.

Lucy Saya: Ya mwisho, ninataka kuwaambia kina mama, sasa hizi viti tunauliza kama Concillors, wakina mama waone kama wenu wamesimama, muunge mkono na kuomba wanaume wawapigie kura. Ndio hiyo.

Com. Pastor. Ayonga: Asante lakini kuna swali. Swali unaulizwa na mama mwenzako kwanza, ndipo nitakuuliza swali.

Com. Asiyu: Umesema kwamba wanaume wanapenda kuo bibi wengine, na hiyo unasema iendelee, lakini unajua kuna nchi jirani kama Tanzania wamekataa, polygamy na iko kwa sheria ya kwamba bwana awezi kuo bibi wa pili, hebu ni malize, isipokuwa iwe na sababu kabisa. Hapa Kenya tulisema, saa zile msichana akiolewa, bwana amuambie kwamba kwa uoji huu katikati yangu na wewe uwe potentially polygamous yaani siku ingine mimi ninaweze kufikiria na nikaleta bibi mwingine. Au aseme sitaleta bibi mwingine kwa hii sheria mbili, hivi unaona inaweza kufaa watu wa Kenya. Hapana Kipsigis peke yake.

Lucy Saya: Unajua sasa nikiongea hapa, ninaongea kwa maana mimi ninajua mila ya Kipsigis zaidi, mimi sijui mali pengine, na sasa unajua pengine kama mtoto wako anaoa, na bibi huyo wa mtoto wako hakuzaa watoto, ama pengine unajua kabila yetu sasa, wengine tena ninaona wanazaa wasichana wanasema hapana, wanaeza kwa sababu hiyo, lakini kitu mbaya sasa ni kuona mtoto wako kama pengine hakuzaa watoto, ninakubaliana hapo, aoe halafu apate watoto. Upendo wa watu ni watoto.

Com. Asiyu: Hayo nimesikia nimekubali, swali la mwisho ni hili: umesema mali iandikwe kawa jina la baba na mama, na ukaeleza kwamba saa zingine baba anaweza kwenda town akapata msichana akapeleka kusema huyu ndiye bibi yangu wanaandikiana halafu wanasema hiyo mali ni yao. Na hata hiyo kama mtu ana akili mbaya namna hiyo anaweza kuchukua watoto wengine wawili hapo chokora town, abebe na huyu mama waseme hawa pia ni watoto wao, na wewe hujui kama

mambo hii imefanyika. Je, ungependa majina yote ya huyu mama na huyu mzee iandikwe ili yule mama mwingine akienda kule ikute jina yako sio yako?

Lucy Saya: Hana kipande, kipande ndio inaongea kwa maana tunaliza jina ya mzee yangu inaandikwa yote, sasa ikienda hata ikikosa hawa watoto haiwezi kosa yangu.

Com. Asiyu: Hiyo sawa. Asante sana.

Com. Pastor. Ayonga: Mama sasa uende kule ujiandikishe na asante kwa maoni yako. Tumefunga kikao cha wamama na maendeleo ya wanawake. Sasa tunataka maendeleo ya wamaume. Peter Chepkwony, halafu kutafuata Peter na Pastor Johah Keino, Pastor uwe karibu, Chepkwony dakika ni mbili. Karibu tutaanza kuingilia dakika moja na nusu. Unamaandishi hatutaki utusomee, tuambie yale yaliyomo tu.

Peter Chepkwony: Sawa sawa asante sana. Yale ambayo ninayo hapa, ni mambo makuu ambayo yametolewa na kanisa katholiki la Chepsiolo. Jambo la kwanza, sitasoma mengi, ni kuhusu wabunge ambao wamechaguliwa, ikiwa kama mbunge hatatekeleza kazi ama wajibu, kuandikwe kutokuwa na imani kwake katika muda wa miaka miwili, ili wananchi wapige kura ya kutokuwa na imani kwake ili atolewe. Vote of no confidence.

Ya pili, wabunge maalum na madiwani maalum, wasiwekwe kwenye katiba kwa sababu hawana kazi maalum kwa wananchi. Ya tatu, kama kutakuwa na masaa ambayo wananchi wanatoa kwa kama ni mashirika mbali mbali, malipo haya yapatiwe kwa muda wa mwezi mmoja. Kama malipo haya yatachelewa, walipe pamoja na interest. Halafu kusuluhisha mambo ya kuwa na njia katika nchi ya Kenya, wakulima wapewe soft loan ili wapate kuendeleza kilimo yao. Halafu kama wamepata mazao wapate ku-make marketing board ambayo itauza mazao yao, na hiyo marketing board wale madirectors ambao watachaguliwa na wakulima wenyewe. Ni hayo tu asante.

Com. Pastor. Ayonga: Asante sana. Pastor Jonah Keino. Dakika mbili.

Pastor Jonah Keino: I am Pastor Jonah Keino from Chepcheliot sublocation in Kipkelion division. Pentacostal church. My views on basic rights. The Constitution of Kenya, should guarantee freedom of worship which should be like this; they should be allowed to register all churches, because the current Constitution does not fully serve because sometimes you may be told from up there, after passing through all the security formalities, in registration of churches, whenever it reaches up there, someone there on reason known to himself may nullify your registration. So, it needs all worship crue should be given to worship regardless of any. Moreover they will be governed by security loss of the land, that is basic rights.

Second system of the government; we should adopt a parliamentary system of government in which a prime minister is

appointed from the majority part in Parliament and the President should be ceremonial only and should be elected by Parliament from the citizens who are qualified. The prime minister should be the head of the government and should elect this cabinet from qualified citizens of this country.

Legislature; Parliament should have unlimited power to control its own procedure through standing orders. Parliamentary candidate should be people of good moral values and integrity with a questionable character.

Age limit for voting, should be not less than 18 years. Contesting of Parliament should be not less than 45 years and not more than 80 years. Parliament should have power to remove the executive through vote of no confidence. The Constitution should regulate formation management and conduct of political parties. The number of political parties should be limited to reflect the national out view because the current formation of political parties only reflect tribal out look, so they should be limited to three political parties and they should be financed through the consolidated fund by setting a commission of enquiries to set terms and conditions of financing that.

Com. Pastor. Ayonga: Thank you very much. Ngoja kidogo. Unasema, kwamba registration ya makanisa kwamba watu waruhusiwe kufanya registration bila masharti, kwa maana umeenda huko au makanisa yameenda huko kwa registration, na wakielekea kule juu, registration inakuwa nullified. Na, umetaka kutuambia kwamba, ikiwa Registra of societies anaweza kuona mambo fulani Fulani - kwa maana anajua kanisa linakuwa registrered kwanza lazima litoe Constitution yao, na kama Constitution hii itaonekana(inaudible) not in Kenya. Au unataka aje?

Pastor Jonah Keino: Imekuwa hivi. After presenting the constitution of that church, it has to pass through the security formalities from the grassroots, that is what is happening now. After passing - after they give you a clean bill of health, there is only one person, mtu mmoja tu anasema hapana.

Com. Pastor. Ayonga: Mtu mmoja si committee?

Pastor Jonah Keino: I've passed through that situation.

Com. Pastor. Ayonga: Kwa hivyo, kanisa lako lilinyimwa registration, is that what you saying.

Pastor Jonah Keino: Yes.

Com. Pastor. Ayonga: Okay. Thank you. Toa makaratasi yako – Pastor, makaratasi yako kule na ujiandikishe.

Com. Pastor. Ayonga: William Magori, sasa karibu tuende dakika moja na nusu. William anapojitayarisha, Hillary Cheruiyot

yuko? Hillary yuko wapi? Uje hapa karibu. Dakika moja na nusu.

William Magori: I am William Magori. From Taragon I here on behalf of Pondene self group and help group. Let me say as written. The views written here is that, tuwe na muundo wa serikali ambayo inayounganisha wanasiasa wote. Secondly, mwenye atakayeshinda kura ya Uraisi, ni sharti awe na kura nyingi pamoja na viti vingi vya ubunge katika bunge. Pia afaulu kwa kuwa mbunge kutoka eneo lake. Tatu, mwenye atakayeshinda uraisi sharti awe na kiwango cha asilimia za kura ishirini na tano katika mikoa tano. Ya nne, Mkenya ana haki ya kurithi ardhi na mahali pahali popote nchini. Halafu ingine, walemavu wa kila aina sharti wawe na budgeti yao ya kuwalinda katika budgeti ya pesa za serikali. Halafu ingine ya mwisho, mamlaka ya uraisi sharti ipunguzwe na bunge iwe na uwezo wa kuteua mkuu wa majeshi, mkuu wa polisi, mkuu wa sheria, judge mkuu, pamoja na Macommissioner wengine.

Com. Pastor. Ayonga: Asante sana. Uende huko utupe hiyo karatasi. Next ni Hillary, dakika moja na nusu.

Hillary Cheruiyot: Good afternoon to you all. My names are Hillary Cheruiyot from Kinugu location. Much has been said but I want to emphasize a few. First the President who is in power, should not campaign for any society or any party, therefore, he should be neutral.

A Member of Parliament should have head office in the centre of his constituency.

The party that is in power should have the responsibility of ensuring that all Kenyans should enjoy basic rights such as education and health.

Mayor and chairmen to be elected directly by the people.

The last is that the President or the local authority and the MPs candidates should be law abiding citizens, without any criminal records and can be able to a law his or her region to be infected before coming to power. Thank you.

Com. Pastor. Ayonga: Thank you so much uende kule ujiandikishe, pande hii, Joseph Cheruiyot anapokuja Joseph Langat awe karibu. Dakika moja na nusu.

Joseph Cheruiyot: Kwa majina yangu ni Joseph Cheruiyot kutoka Lemosit location, tarafa ya Londiani. Ninapenda kusema machache ingawaje mengi yamesemwa sitarudia. Yangu nitaongea juu ya utamaduni. Katiba yetu ihifadhi utamaduni wetu wa kila kabila kutoka nchi hii ya Kenya. Kwa sababu ikiwa kuna jambo, utamaduni ama mambo ya desturi au mila za watu wanajua namna ya kutekeleza wajibu wa watu wao. Jambo lingine ni kuhusu siku ya kuabudu, siku ya Sabato iwekwe katika Katiba ili watu wanaopumzika siku hiyo, wawe huru wa kuomba na hata kwa makazi mahali wanafanyia kazi wapewe

kupumzika. Kuhusu misitu, misitu iwe chini ya county council. Mashamba yote mengine yawe chini ya county council. Kama plots, tusije tukapata ama kuona Commissioner of lands anapeana shamba kule juu, na watu wenye mashamba hawajui shamba hilo lilienda lini, so ni heri iwe chini ya county council.

Corruption; corruption unit ianzishwe katika wilaya. Ili ianze kuangalia hiyo kazi na ifanye kazi kama idara ingine. Corruption iweze kuondolewa na watakaohusika.

Uongozi; ningependa kusema mtu kama village elder, naye alipwe kitu, machief na ma assistant chiefs wachaguliwe na wananchi. Jambo lingine nikienda kumaliza ni kwamba trespass katika nchi hii ya Kenya, iliondolewa zamani, na tuweke Katiba ya kwamba, movement iwe rahisi kwa kila mtu mahali popote atembeapo. Trespass isije ikaonekana.

Mimea ama vitu ambazo tunakuza mashambani, ikiwa ni mingi mahali fulani, factory iwekwe huko, isije ikasongeshwa na kusema headquarters ni mbali, na mahali mimea hii inatokea.

Investors ambao watakuja nchi hii, mali yao wanapopata mali yao, wawe free kuwa na mali yao, lakini 50% ya pesa hizo ziwe za nchi hii. Ili serikali iweze kuwa na venue ya kuendesha kazi. La mwisho, umbrella ya kitu yote, ni lazima tuwe na majimbo ambayo itafunika na kuona kila jimbo na watu wake wanaendelea namna gani. Majimbo ni ya maana na itasaidia kila sehemu kukua kimaendeleo, kimasomo na hata kimaisha.

Com. Pastor. Ayonga: Asante sana mzee kuna swali. Ngoja kidogo.

Com. Zein Abubakar: Unapendekeza sheria kuhusu trespass iondolewe unasema Mkenya awe na haki ya kuenda mahali popote anapotaka. Kama wewe unashamba lako, mimi niwe na haki ya kuingia kwenye shamba lako vile ninataka.

Joseph Cheruiyot: Kuna njia ambayo nimetengeneza kama ni kuingia kidogo ya mguu, kuna mahali imetengenezwa mtu anaruka na anapita.

Com. Zein Abubakar: Wewe unatengeneza njia ya kupita shamba lakini - yaani wewe ndio unatengeneza, lakini ukisha nipa mimi haki nitembee kwa shamba lako, naweza nisipende njia hiyo nipite vile ninapenda mimi.

Joseph Cheruiyot: Hiyo ni kuharibu, mtu mzuri, mtu mwenye muhathilibu mzuri, anapita mahali ambapo inaonekana hapa ni njia - ninasema kwa mfano - unaweza patikana ukipita railway, unaambiwa hapa ni hatari hiyo ni kweli na hata tusikie sheria zake, lakini mbona tusitengenezee mahali pa kupita kwa urahisi?

Com. Zein Abubakar: Sasa hayo ni maoni mawili tofauti ndugu yangu. Two different things.

Com. Pastor. Ayonga: Mzee, unajua kama kuna hatari huko kwa kupita kwa railway, hatari ni hatari, lazima tu-recognize kitu kikisemwa hii ni hatari ni hatari. Kitu ni kwamba, watupatie pahali pa kupita.

Com. Zein Abubakar: Kwenya mashamba kuwe na njia ya kupita watu?

Com. Pastor. Ayonga: Ndio. Mtu hawezi kupita pahali popote katika shamba lako. Lazima pahali paonekane ambako pengine udongo sio mzuri ndio unafanya njia. Thank you so much. Next ni Joseph Langat. Langat uko karibu, mzee uanze kusoma majina yako na uendele. Kimagut John awe karibu.

Joseph Kiptanui Langat: Kwa jina mimi ninaitwa Joseph Kiptanui Langat. Ninatoka Parament, Londian division, Kipkelion constituency. Langu sitachukua muda mrefu kwa sababu tumeandika memorandum.

Com. Pastor. Ayonga: Utuambie maneno tu machache juu ya memorandum.

Joseph Kiptanui Langat: Ndio ninataka kusema machache kuhusu memorandum. Labda nitaomba tu nyinyi Commissioners kwa sababu tumeandika kupitia ule muongozo wa maswali. Hii memorandum yetu mtakapopata mahali imeandikwa no or yes ni kulingana na ile namba tulifuatilia kwa ule mwongozo. Kwa hivyo, letu ambalo tulizungumzia sana ni kuhusu mambo ya majimbo. Na ninasema hiyo kwa sababu tunasikia watu wengine wanakataa serikali ya majimbo bila sababu.

Com. Pastor. Ayonga: Bwana Langat, ngoja kidogo, wazo ambalo umetoa ni kwamba, unataka serikali ya majimbo, hiyo point is well taken, hatutaki kusikia kwa nini wengine wanasema hivi na vile. Asante endelea.

Joseph Kiptanui Langat: Ingingine ni point kuhusu uchaguzi, hii mambo ya uchaguzi, watu wengine wanasema, kura imeibiwa imefanywa nini, tunapendekeza ya kwamba, uchaguzi wakati wa kura inapigwa ihesabiwe pale pale na itangazwe pale ili mambo ya reject isipatikane.

Com. Asiyu: Hiyo tayari imewekwa kwa item.

Joseph Kiptanui Langat: Okay hiyo ni sawasawa. Ingingine ni kuhusu mambo ya umilikaji wa land. Mambo ya mashamba iko na tabu Kenya hii. mashamba tayari yameanza kuwa kidogo, na ingine hakuna hata kidogo. Hakuna haja mtu mmoja awe na maeka elifu kumi, ishirini na majirani wake hawana hata nusu eka. Niliona ya kwamba kuwe na maximum acreage ya mtu. Halafu yule ambaye hana, serikali ipewe uwezo inunue hiyo shamba igawanyie wale ambao hawana, na wapewe kwa njia ya loan na walipe, ili tusiwe na landless Kenya hii.

Com. Pastor. Ayonga: Asante na ya mwisho.

Joseph Kiptanui Langat: Ya mwisho ni kuhusu mambo ya kilimo, area hii Kipkelion tunategemea mambo ya kilimo sana, na tulipoambiwa mambo ya soko huru tulifikiri itakuja kutusaidia. Sasa imekuja kutuumiza area hii, tunataka hii farmer's union,(inaudible) na vyama ambao vinahusika na wakulima waingizwe kwa kikatiba na wapewe nguvu zaidi ili kututetea, yale ambayo tuna produce katika area hii hakuna aja ya ku-import kutoka kwa nchi zingine nje na tumize na tuwe masikini.

Com. Pastor. Ayonga: Asante sana Mzee, ngoja kuna swali.

Com. Zein Abubakar: Hivi sasa serikali ya Kenya, tayari imeingia mikataba na mashirika mbali mbali pamoja na nchi za nje, ambayo yanatulazimisha sisi tuwe na hilo jambo ulilotaja la soko huru, lakini nchi zingine zinafanya hivi; Zinawapatia wakulima mbegu bure, zinawapa pesa za kulima, halafu bidhaa zao zinakuwa bei rahisi. Kwa hivyo hata kama mtu anataka kuleta mazao yake ya nje hawezi kushindana na mazao ya Kenya sababu ya Kenya itakuwa rahisi, kwa sababu serikali inatoa subsidies. Sijui msimamo wako utakuwa nini mzee wangu?

Joseph Kiptanui Langat: Msimamo wangu na wetu hapa kama wakulima ni ya kwamba, sisi tumepoteza mambo ya maziwa yetu inapotea hapa, na kila kitu inapotea kwa sababu ya soko huru ya watu wengine wa nje na tuko nayo hapa.

Com. Pastor. Ayonga: Lakini – asante - sasa Mzee unaweza kuenda kule ujiandikishe. Nilimuita Kimagut. John Kimagut, unamaandishi na nina watu mia moja na kitu wanaoningojea, ninataka tu utumie dakika moja na nusu.

John Kimagut: Kwa maana umenipatia dakika moja na nusu, nafikiri ni vizuri tu kwa maana utasoma hizi zote ambazo nimeandika ni mingi kweli. ningependa tu kusema moja ambayo ninaona mpaka saa hii hatujaanza kusema. Ningependa tu hii maneno ya registered parties, registered union, kama ingekuwa covered kwa Constitution, wawe wakifanya election kwa secret ballot. Kumekuja siku hizi mvurugano kubwa sana unapata watu wanaenda wanafanya mlolongo, this public manner of voting. Imeanza kuwa mingi sana mpaka unaona hata watu kwa nchi wameanza kuvurugana kwa sababu ya huyu mwingine alikaa kwa laini ya fulani, kama registered union, registered parties yote iwe covered kwa Constitution, wawe wakifanya kwa secret ballot all voting system hata kwa general election, hii maneno ya parties ya nomination kama inaweza kuwa covered iwe ikifanywa kwa secret ballot, itakuwa mzuri haiwezi kuleta chuki kati ya watu. Mpaka hapo Bwana Commissioner, afadhali nikomee hapo kwa maana you will have time to read my recommendation.

Com. Pastor. Ayonga: Thank you. Tunataka watu wanaotusaidia namna hiyo, huyu Samuel Busienei, si alikwisha ongea, hajaongea labda ni Busienei mwingine.

Samuel Busienei: Bwana Commissioner, yangu ningetoa tu maoni mambo ya mjumbe ambaye tunachagua katika...

Com. Pastor. Ayonga: Sema majina yako kwanza.

Samuel Busienei: Mimi ninaitwa Samuel Busienei kutoka Rigawa. So mimi ninaongea kuhusu maoni ya mjumbe ama Councillor. Kwa sababu wote wanafanya kazi moja, moja ndio yuko katika council na mwingine ni mjumbe ambaye wananchi wanamchagua kutoka constituency yake. Ninaonelea ya kwamba mjumbe anaenda miaka mitano, na baaba ya miaka mitano, kukaribia mwana wa nne, anaanza kukuja nyumbani, kwa hivyo ningeuliza Commissioner, sijui inaweza kufikiriwa.....

Com. Pastor. Ayonga: Ni wewe unafikiri sio sisi.

Samuel Busienei: Mimi ninafikiria iwekwe wakati mtu ameshindwa kutumikia watu wake, pengine tungekata a fee yeye aondolewe kwa sababu tulimchagua kufanya kazi yake.

Com. Pastor. Ayonga: Sawa umesema hiyo ni point moja, ya pili?

Samuel Busienei: Ya pili, pia wana Councillor katika area yake, baada ya watu kumchagua na kusema nitafanya ile, baadaye anakaa miaka mitano akatoka bila kufanya chochote lazima akatwe a fee yeye aondolewe mwingine aingie hata miaka tano.

Com. Pastor. Ayonga: Sawa sawa, ya tatu?

Samuel Busienei: Ya tatu, ninasema asante.

Com. Pastor. Ayonga: Okay sasa Mzee enda kule ujiandikishe. Haji Hussein Omari, halafu kuna John Sigei, Haji Omari, hebu, una dakika moja na nusu endelea.

Haji Hussein: Mimi ninaunga huyu sasa anatoka.

Com. Pastor. Ayonga: Sema majina.

Haji Hussein: Haji Hussein Omari. Huyu anaondoka sasa ndiye mimi ninaunga kidogo ninaongeza chumvi kidogo. Kwa maana Mbunge sisi tumechagua, Mbunge tulipomchagua, badala kuja kutumikia mahali alipochaguliwa, Mbunge anakwenda miaka tano Nairobi. Na alichukuliwa hapa Kipkelion. Macouncillors vile vile nguvu yao lazima iwe anashirikiana na Mbunge na mbunge hata akanyagi hapa, je Councillor watafanya kazi yao namna gani? Wewe mwenyewe ndio unapita barabara hii, hii barabara wewe unaona na macho yako. Kutoka Kipkelion, “Kakarabakarukaru” mpaka lini? Haenda hata Kisumu, kufika hapa hakuna pahali wewe utapita uongo mbaya. Ya pili,

Com. Pastor. Ayonga: Wewe unataka aje?

Haji Hussein: Ya mwisho, hii sheria sasa mnatunga muweke katika sheria kuwa Wabunge wasiwe Nairobi, wawe na watu wa hapa, wajengee ofisi hapa, watumikie na watu hapa.

Com. Pastor. Ayonga: Kwa hivyo mzee unataka wakae hapa?

Haji Hussein: Iwekwe kwanza kwa orodha ya sheria, wakae hapa wanalie pahali walipochaguliwa, wajenge nchi.

Com. Pastor. Ayonga: Okay asante sana Mzee Hussein Haji. Sasa uende kule mzee ujiandikishe, umeweka chumvi ya kutosha. John Sigei, una dakika moja na nusu tu.

John Sigei: Maneno yangu ni machache tu, mengi yamesemwa na watu ambao wamekuja hapa. Lakini langu ni, tukiwa kama tunataka kuhifadhi culture, vitu vingine tuliletewa na Wazungu. Kama ukitaka kuoia, unapata certificate kwa kanisa, ingine iko kwa D.C. lakini wewe Mwafrika, ukioa kinyumbani, hupati certificate.

Com. Pastor. Ayonga: Kwa hivyo unatakaje?

John Sigei: Nataka kama mtu akioa kinyumbani, apatiwe certificate na chief, kwa sababu ameo kinyumbani.

Com. Pastor. Ayonga: Mzee umefanya point watu wanao oa kinyumbani pia wapate certificate. Point ingine.

John Sigei: Point ingine ni habari ya shamba. Shamba isiwe ya serikali, iwe serikali ya mitaa na mwenyewe. Kwa sababu ikiwa shamba litakuwa la serikali kuu, serikali kuu itagawa vile inataka, lakini ikiwa ni ya county council na mwenyewe, county council na mwenyewe wataona vile watagawa hiyo shamba.

Com. Pastor. Ayonga: Point ingine ya mwisho.

John Sigei: Point ya mwisho ni introduce land tax. Kama ukiwa na shamba elifu tatu, hekari elifu tatu, utoe kodi, usinyanganywe ulinunua. Toa kodi kwa kila eka. La mwisho ni habari ya education na employment. Tukitaka watoto wote waelimike Kenya hii, kutoka form four waende university, tufuate quota system. Vile vile kazi ifuate quota system.

Com. Pastor. Ayonga: Asante hiyo ni point yako ya mwisho ya quota system, university na kwa kazi.

John Sigei: Ya mwisho ni serikali ya majimbo, majimbo kwa sababu tutaweza.....

Com. Pastor. Ayonga: Hiyo tunajua mzee, kile majimbo itafanya, tumejua tayari.

John Sigei: Una swali?

Com. Pastor. Ayonga: Hatuna swali.

John Sigei: Asante.

Audience: (laughter)

Com. Pastor. Ayonga: Tafadhali ujiandikishe na utupe hayo maandishi hapa mzee - fuata kule. Sasa ninataka kusema kitu, msije mkafikiri ninawaharakisha bure. Nataka mtusaidie: kama points ambazo ulikuwa umepanga, mwingine amezisema. Si hayo imetosha? Na tena kuna wale mlio na memorandum, si lazima utusomee memorandum, unaweza kuenda kule nyuma ukatoa memorandum yako. Kwa hivyo hebu tufanye kila mmoja apate nafasi. Ikiwa unajambo ambalo ulitaka kusema na limesemwa, ninapokuita, sema niliyotaka kusema yamesemwa tayari. Ikiwa kuna jambo jipya ambalo halijasemwa, kwa wale ambao mmesikia kutoka asubuhi, basi hilo uje na uliseme. Sasa ninamwita Joseph Too. Una dakika moja Joseph, sema majina yako na endelea.

Joseph Too: My names are Joseph Too from Koroi South. My first point is taxation issue. We want to get rid of this idea where one person have in mind this thing of secret issue. We want to know from the incoming the immediate heir.

The auditing of public funds. Receipts have to be put off. This is because some draft staff have taken advantage of writing some false information.

Parliament must not be given monopoly and autonomy in preparation of budget speeches. I propose that before the day of budget, some committee has to go round collecting and collecting views from the public.

Vesting management committee, to a certain deficiency and efficacy of civil servants.

We should have in Kenya a one man-one job.

Com. Pastor. Ayonga: Asante. Hebu chukua kule na ujiandikishe, pande hii. Josephat Samoe. Ni wewe? Samoe dakika ni yako. Sema majina yako. Usiharibu.

Josephat Samoe: Majina yangu ni Josephat Samoe. Langu tu ni kuunga mkono yale yamesemwa.

Com. Pastor. Ayonga: Wewe ni mtu mzuri sana.

Josephat Samoe: Yangu wenzangu wenye wamezungumza wamesema yale nilikuwa nayo.

Com. Pastor. Ayonga: Asante sana. Tena unaongeza?

Josephat Samoe: Kitu chenye nitaweka mkazo ni serikali ya majimbo, ili tuwe na serikali ambayo itasaidia Wakenya wote. Kwa sababu kuna jamii ambao hawatambuliki Kenya hii, kama Wadorobo, Watalai, lakini tukifanya serikali ya majimbo hawa watu nao watapata kuingia serikali ambayo ni ya kikamilifu.

Com. Pastor. Ayonga: Asante sana. That point umesema tayari, unataka serikali ya majimbo.

Josephat Samoe: La kumalizia ni maneno ya shamba. Tunasikia kuna Commission ya land huko Nairobi. na shamba haliko huko Nairobi, liko Kericho ama mahali pengine. Kwa hivyo mambo yote ije katika Local Authority.

Com. Pastor. Ayonga: Okay asante sana. Sasa uende pande hiyo ujiandikishe.

Josephat Samoe: Niko na moja.

Audience: (laughter)

Josephat Samoe: La kumalizia, ni la kwamba kuna constitutional review, lazima itengenezwe kulingana na culture ya watu, tusije tukakopa kutoka culture za huko ngambo tulete mji huu. Kama hii ya kusema ya kwamba, tugawane mamlaka. Kwa culture yetu, itakuja kuwa vigumu.

Com. Pastor. Ayonga: Asante enda huko ujiandikishe. Stephen Sawe, ana maandishi juu ya kanisa la katholiki, tutapata hayo maandishi. Elisha Kalia, una dakika moja na nusu, utuambie uliyo nayo, yale makubwa tu mengine tutasoma.

Elisha Kalia: Kitu ambacho ningeliomba Bwana Commissioner, ni ya kwamba, hizi memorandum ambazo nilipatiwa na wazee wa Londiani division na hawa wazee wako hapa, pengine wangependa kusikia kama nimepeana kulingana na vile walitoa.

Com. Pastor. Ayonga: La, hatutataka uje kutusomea. Umekuja kutupa kwa nafsi yao kwetu - sisi ndio umeletea,

hukuwaletea, kwa hivyo umulike kama kuna maneno mawili matatu makubwa, tuambie hii na hii. Kama hiyo ndio unataka wasikie.

Elisha Kalia: Okay asante. So I can read it ya kwamba, we people of Kenya, need a preamble in our Constitution.

Com. Pastor. Ayonga: Okey, we need a preamble.

Elisha Kalia: We need this to be recognized by the constitutional makers. This will enable mwananchi to refer, and the agreement reached and retained for the young generation. In most cases the preamble is very important to every Kenyan. For example, we in Kipsigis tribe, have many preambles which were not written e.g. customarily law, which comprises many activities including movable lativals. Therefore, we need all this to be protected and be promoted in the Constitution in terms of customarily law.

Ya pili, hata mimi ninaruka kabisa. It is the structure of the government system, but that one has been said, kwa sababu imesemwa, ya muhimu kabisa kulingana na structure ya government na wale wazee pamoja na mimi tulionelea ya kwamba, a federal system of government be established. Hiyo ndio majimbo. And if it will go through, the name be formed in the name of federal republic of Kenya. That will be the name if it goes through.

Ingingine ambayo imesemwa na marafiki zangu, ni hii mambo ya marriage of culture ya kwamba, tumeonelea ya kwamba kweli certificate of marriage, traditionally be issued and even those certicates from the D.C.s office be centralized in the chief's office. So that the family who are marrying each other, can receive those certificates.

Ya mwisho, are those people who are impregnating the school children. Kama mtu akimweka mimba mtoto wa mtu, ni lazima amuo no matter whether he has got many wives, lazima aoe, otherwise, akikataa kuo, lazima asomeshe huyo mtoto mpaka university na ampeleke college halafu sasa amuachane asipooa mama yake. That is when tumefanya hesabu itaweza kuwa 26 years kuchunga huyo mtoto.

Ya mwisho, ni mambo ya Councillors and the powers of the council. Tulionelea ya kwamba, kwa sababu tunataka nguvu yote iwekwe kwa county council, in order that to be well enough, ni lazima this small other councils, town council and urban council ivunjwe halafu nguvu zote ziwekwe kwa country council. All the resources, all the collection on whatever iwe centralized in the county council to meet the need of the community. Kwa hayo machache, nasema asante I think zingine ambazo niliwacha mtazipitia.

Com. Zein Abubakar: Asante sana Mzee Elisha, uende pale nyuma u-sign memorandum. Sasa wale waliokuja wamechelewa mimi kwa vile nimepata fursa ya kuendeleza kazi hii, wazee wanapumzika kidogo, ninamajina yamefikia mia moja arobaini.

Ningependa tu kurudia kwa kifupi mambo tuliowaeleza wale waliofika mapema kuhusu utoaji wa maoni. Lakini kwanza kabisa ningewaomba hawa wazee wawili waliokaa hapa, make kwenye vile viti vile pale tafadhali. Nyinyi wazee wawili mliokaa hapa mbele, mukae pale kuna viti viwili mukae pale. Na nina sababu nzuri ya kukuomba ufanye hivo mzee wangu. Sasa nitaita majina ya watu sita sita au saba saba waje wakae hapa mbele. Ngoja tunaenda taratibu, badala ya kuita mmoja anajivuta dakika moja au dakika mbili anafika hapa. Nitaita watu saba wakae hapa, kwa laini vile nimeita majina. Mmoja anatoka mwingine anaingia, mmoja anatoka mwingine anaingia, ni sawa hivyo.

La pili, tumesema wale ambao wana written memorandum, kuna njia tatu za kutoa maoni - njia tatu. Ya kwanza ni kwamba, wewe huna maandishi, umeandika maandishi yako vizuri kabisa kila kitu ukusahau umeweka hapo. Ukiwa unataka kuyatoa maandishi hayo bila kuzungumza, usingoje jina lako liitwe, uende pale nyumba utoe maandishi, u-sign register, umemaliza kazi yako. Sawa hivyo? Njia ya pili, wewe una maandishi lakini unataka kuja kugusia yaliyo muhimu peke yake. Unaruhusiwa kuja kugusia maoni muhimu peke yake. Na kwa vile hayo maandishi ama hiyo memorandum utatuachia sisi tuifanyie kazi, unahaja kututajia kila kitu. Uchague yaliyo muhimu peke yake ndio waweze kujua unasema nini, au si sawa hivyo?

Njia ya tatu ni mtu kuja kusema yaliyo moyoni mwake na kichwani mwake, bila maandishi azungumze kwa mdomo. Hiyo pia inakubalika. Lakini kama alivyokuwa akiimiza mzee, useme mara moja umalize, point kwa point kwa point. Sasa mimi nitatoa mwongozo kuhusu kutoa maoni namna hiyo. Kwanza yule atakayekuja hapa kusema ya mwisho na ya mwisho karibu na ya mwisho kabisa, huyo ninampiga red card nasema umemaliza wewe. Au si sawa hivo, ukisema mwisho ni mwisho sawa, si mimi nina kuambia wewe ndio ukiniambia mimi ni mwisho, umalizie hapo. Na mimi nikikwambia sema ya mwisho useme ya mwisho. Au si sawa hivyo.

Ingingine ukija hapa ukianza kumshukuru chairman, umshukuru D.O., ushukuru Macommissioner, time zako zimekwisha ninakwambia keti umepoteza wakati wako kwa kushukuru watu. Si sawa hivyo. Kwa hivyo, ninatak kumuuliza mwalimu Amos Nyamu, wenzako walipoitwa wewe ulikuwa wapi? Mwalimu uko wapi? Amekuachia ripoti kimbiba pale nyuma u-sign utoe, uzungumze on behalf of mwalimu Amos, peleka maandishi yake pale, u-sign kwamba umetoa maandishi ya Bwana Amos, sawa. Sikubali mtu amsomee mwenzake, sijui kama unanielewa, yako ikifika zamu yako sema yako, ya mwalimu Amos peleka kule u-sign saa hizi.

Halafu ile sheria ya kusema hapa ni kama kortini watu wako kimya kabisa imerudi, tena kwa vishindo. Ni sawa hivyo. Wacha nichangamshe watu kidogo, sasa nataka Stanley na tuseme mila na desturi mpya kwa ruhusa yenu nyinyi sio yangu mimi, nitamuita mtu mara mbili, kwa sababu tunatumia kipasa sauti, akiitwa mara mbili asiseme “mimi niko” au asiinue mkono kuja hapa mbele, tutaenda kwa jina linalofuatia, au si sawa hivyo. Stanley Koech, mara ya kwanza, kuja hapa mbele mara moja ukae. Ukae karibu na pale. Wycliff Ngeno Lesang, ufuate, Patrice Lesang, Beatrice Lesang, hayuko, Reuben Cheruyo, asante sana mzee umefanya kazi sawa. Rael Chemtai Koech, nilisema sheria ya kuzungumza nimepiga mzee wangu. Mzee wangu mwenye hilo korti la kijivu nimekuona, sheria inasema tusizungumze hapa afadhali tukae kimya ndio kazi ifanyike haraka.

Asante mzee. Rael Chemtai Koech, ameongea, Earnest Cheruiyot, Bernard Momanyi, Zephania Soi, kuja mzee uje hapa kwenye laini. William Chege, uje karibu mara moja ukae kwenye sofa hapa mbele Eliud mimi ninataka kitu hichi chenye rangi nzuri watu wakae huku mbele. Richard Mutai, au wewe ni muai, box yako ni ngapi mzee?

Speaker: Box yangu ni 1009 Londiani.

Com. Zein Abubakar: Richard E. Tonui, uje mzee karibu, na mtu wa mwisho nitamuita apate kiti pale ni Samsom Tono kina kiti Samson. Ni wewe mzee, uje ukae pale kiti cha pale. Mzee wangu wa kwanza niliyemuita wa kwanza ilikuwa ni Stanley Koech. Bwana Stanley utaje majina yako kwa recordi na utoe pointi mara moja, na mimi ikiwa unakwenda kombo ninakurudisha kwenye laini.

Stanley Koech: Mimi ninaitwa Stanley Koech kutoka upande wa Marau na....

Com. Zein Abubakar: Watu wawe kimya.

Stanley Koech: The first point is that power must be developed, majimbo should be there in use. The next one is about land and natural resources should be managed by the County Council. Public officers, majority should be at the district level and a skeleton at the Head Quarters. Passed treaties should be re-examined either in Coast, Masaai land, even in Kericho district whereby people were moved away from tea bushes, so we need to revisit. Community gain - all which has to do with tea should be dealt and finalized here in Kericho.

Contract; the government should not be in business of selling things or purchasing or constructing. Instead, it should give our contracts to people who are accountable so that we can accuse somebody not the government.

Marriage; as we move to the next century, we require law to be put in place, so that marriage as a way of stabilizing the country, should be streamlined. Nobody should marry below 18 years old.

Land; no non citizen should own land.

Malaria; we should put in place a stage whereby we don't treat the symptoms but we treat the cause, so far we have been buying fansidars and all this.....

Com. Zein Abubakar: Unajua umeenda kwenye hadithi, wewe unataka prevention zaidi, primary care iwe prevention.

Stanley Koech: I wanted to say this; we have tick control in this country, so we need to face mosquito control not malaria.

The last one is our Constitution should allow nominated persons especially women - a third of our MPs and maybe of Councillors should be women and that should be there until such a time we have women.

Com. Zein Abubakar: They can compete in politics equally. Thank you very much Bwana Koech. Nataka Bwana Wycliff Ng'eno, Bwana Koech sign kule register.

Wycliff Ng'eno: Okay Bwana Abubakar nashukuru kwa kunipa hii nafasi. First of all I will want you to give me more time than you have given to this other people because.....

Com. Zein Abubakar: You have already wasted a lot of my time. Wewe Wycliff unaona mwenzako sikumzuia, as long as you are making points mimi sitakuzuia, ikifika dakika tatu nitakutoa mara moja. Lakini ukianza kuni-wastia time, you have wasted one minute of your time and one minute of my time. Sikiza Bwana Ng'eno, for the record, state your name and go straight to the point.

Wycliff Ng'eno: My names are Wycliff Ng'eno, representing the Kaplela cultural youth group. So in the Constitution that we are expecting to have in this country, that is after we have made a good one, we need first of all to have the preamble and the preamble if you give me a chance to read the preamble.....

Com. Asiyu: You should read(inaudible).

Wycliff Ng'eno: Very fine. Kenya is a republic - one and indivisible. A democratic State with a President who is sovereign. The sovereign power emanates on the citizens and the President exercises it in conformity with the provisions of this Constitution. Changes in the sections is; we go to the real Constitution, section 4, there shall be a honorary President. Section 5, substitute F, 25%.....

Com. Zein Abubakar: Just hold on Ng'eno. Nilisema hapo nyuma watu wasizungumze. Yule mwenye kutaka kuzungumza atoke na rafiki yake waende kule chini wazungumze wamalize. You are now wasting everybody's time - mzee wangu, najua unanisaidia lakini I can handle it thank you. I am saying this mnaona time tunapoteza kwa mimi kuzungumza na nyinyi, ni time yenu si time yangu, ni time yetu sisi sote pamoja. Nimemsimamisha Bwana Ng'eno, alikuwa anaendelea vizuri sababu kuna watu wanazungumza. Bwana Ng'eno alikuwa hapa amenyamaza amempa mtu heshima akazungumza vile anavyotaka, hakuingiliwa. Sasa Bwana Ng'eno anazuiwa. Ningeomba nisipate fursa ingine ya kuzungumza namna hii tena, tafadhalini. Bwana Ng'eno.

Wycliff Ng'eno: Okay fine; Section five substitute F, 25% votes from five province should be considered and to majority votes. Sub section four them incase of president becoming vacant, by reason of section five, people should be given a chance to

choose again. Section seven, strict and particular dates of assuming forces by the President, should be put in place as evidence in the Constitution. But section 7 and 3, I can't declare the President has seized to hold the office of profit. Section 7 substitute 4, our President should declare wealth as possible to be allowed to operate business to profit. Subsection 14, there shall be a provision to allow the President to be impeached as in the US. Section 15, there shall be an office of the prime minister who shall be appointed by the President among the MPs who shall be the head of executive. Section 16, office of the ministers shall be established by Parliament who determine the number of ministers, this should be abolished for this commands, dictatorship. Section 22, President shall appoint such number of Secretaries as National Assembly may determine. This will check and balance to minimize conspiracy. Section 23 of the Constitution which is having now executive authority of the government depends on the Prime Minister. Section 26, Attorney General should be nominated from the sitting judges of the High court, and Court of Appeal and be approved by National Assembly. Section 34, it should not be compulsory for one to be nominated by a political party, to allow private candidate and minimize cartailment of the promising candidate.

Com. Zein Abubakar: The last point.

Wycliff Ng'eno: Parliament should not alter any part of the Constitution unless it is given direct permission from the citizens for than we shall need a referendum. After the third stage, the committee stage, they come to the referendum in the villages and then they go to the reporting stage and then it will go on. The last one about the land.

Com. Zein Abubakar: No, no, Bwana Ng'eno listen to me. I negotiated these rules and the people conceded and said "yes conduct this meeting in that fashion". If I break the rule with you, I will have to break the rule with everyone else. Please just hand in the memorandum we will read and process each and every memorandum.

Wycliff Ng'eno: Okay thank you. The youth were saying, there is no way for majimbo.

Com. Zein Abubakar: Asante sana Bwana Ng'eno. You took your time and decide to say whatever you wanted to say, any way.

Zephania Soi: I am Zephania Soi from Kaplaba. Political parties; political parties should be limited into four. And, they should be financed equally by the government. System of government is federal. The Executive; any presidential candidate should have at least a degree from a recognized university. The presidential tenure be ten years. Two terms each of five years. The Local Government, all the mayors and council chairmen must be elected directly by the people. Impeachment of the Councillors and MPs. In the side of MPs there should be a document to be signed by the people of the constituency not more than four hundred, Councillors not more than 100 people.

Basic rights; The Constitution, should provide for compulsory and free education, right from standard one to form four, that is primary and secondary level. Land and property rights: The Local Government authority should have powers and should not be empowered to rule all the land from the owners and occupiers. This is the last one. In the title deeds, men and women - and that is why even husbands and children should be written in the title deeds. Thank you.

Com. Zein Abubakar: Bwana Soi uende pale nyuma ujiandikishe. Unaona, Bwana Soi ametaja point, point point na ameenda vizuri. Taja jina na uendelee Sir.

William Chege: I am Willian Chege. Constitution review proposals. The electoral system and process. The electoral process should be designed in such a way as to increase the participation of women and youth in Parliament and local authority. Out of 12 nominated MPs, 3 should represent the youth and 3 others should represent the women. This will enable issues concerning the two groups to be handled accordingly.

Com. Zein Abubakar: We understand that point go on.

William Chege: We should do away with the rule of 25 representation in at least five provinces for presidential election. From the polling date the time when the Electoral Commission announces the presidential candidate, the nation should be having no President and therefore should be under the hands of the Attorney General. This will minimize the(inaudible).

Com. Zein Abubakar: We understand that.

William Chege: The electorate should have the power to remove their MP as their representative if he is non performing. The President of Kenya should not belong to any political party. Legislature; the Constitution should permit coalition government. Each party should be part of the government by having various posts in the government. The presidential candidate ranks position 2, should become the Vice President. The life of each Parliament, should end at the official time scheduled that is five years. MPs should have offices in their home constituency for them to understand the problems of their people. The President should not be the commander in chief of the armed forces. He should only have one post and must be an MP.

Com. Zein Abubakar: Okay William, two questions quickly: the first one is that you are saying that you want the President not to be the Commander in chief. Who will be the Commander - in chief?

William Chege: We can have a senior military officer taking that post.

Com. Zein Abubakar: The reason why Presidents and head of governments are made into commander in chiefs, is so that God forbid if there was a war, they would be able to act quickly and defend the interests of the country accordingly. And that is

a political decision, that is not a military decision, that is a political decision, but if you give it to a military officer, you are asking that military officer to make both military decisions and political decisions.

William Chege: That is my view. Land and property rights.

Com. Zein Abubakar: Nilikuambia last two points, tutasoma hiyo, Chege tutasoma hiyo, the next person please, u-make sure Chege ume-sign na umepeana tutai process. Ndio bwana.

Eliud Serem: Mimi kwa majina ni Eliud Serem, kutoka Matharma. Yangu ningependa kutoa

Com. Zein Abubakar: Ngoja kidogo Bwana Eliud ninajina lako hapa, ninataka kuwashauri Wakenya. Mpaka sasa mimi ninamajina mia moja arobaini - nimeletewa list ya watu wengine imefika mia na hamsini. Tufunge register mpaka tumalize watu ndio tufungue tena au tuendeleo ku-register? Tuendeleo sawa. Endelea.

Eliud Serem: Yangu ni kwamba.

Com. Zein Abubakar: Taja jina lako vizuri tafadhali.

Eliud Serem: Jina langu ni Eliud Serem kutoka Matharma, uko Barshile. Mimi ninataka kutoa yangu yaliyo moyoni. Ya kwanza, nitaanza na elimu - mambo ya elimu Kenya hii, sheria ipitishwe kama vile Rais alipitisha ya kwamba elimu iwe ya bure. Iwekwe kwa sheria na wafanye follow up. Pili, mambo ya cost sharing kwa hosipitali, iondolewe. Ufisadi unaingilia hapo. La tatu, machief wachaguliwe na wananchi. Inge kama Commissioner wa land, hiyo iwachiwe Councillors wasimamie, the nearest councils kwa kila area. La mwisho, mambo ya kuoja, marriage. Wamama wamataka tuwe sawa, hiyo ni sheria. Maoni yangu ningependa ya kwamba, ikiwa nimeoa na baba amenipatia shamba, hata kwa kina bibi watoe shamba kidogo tukutanishe tuwe sawa.

Com. Zein Abubakar: Asante sana Eliud ulisema hiyo ni ya mwisho, kama mambo yatakuwa ni kugawanyana sawa anasema muanze sawa. Andikisha jina kule, endelea mzee wangu.

Richard Tanui: Kwa jina ninaitwa Richard Tanui, first point,....

Com. Zein Abubakar: Mpeni mzee Tanui nafasi najua mmefurahia ino lakini mpeni nafasi.

Richard Tanui: First point, regional government to be established. Second point, 75% of local resources to be spent on a local area. Third point an office of Ombudsman to be established to make checks and balances on those political personnel and other authorities who may be corrupt. Fourth point, chain of companies, 75% of shares to be given to local community.

Fifth point, local authority to be given powers in implementation of various projects according to the wish of the community. The sixth point, subsistence allowance to be given or paid to jobless people those who have no potential resources to exploit. In this regard, number of stealing and burglaries will be reduced. Alteration of constituencies boundaries, electorate to be informed but not a few people to be final decision makers.

Boundaries of various districts to be maintained no alteration without consultation. Customs of different communities, to be kept and e.g. they have basic rights to keep and own their customary weapon as before as no harm. Unwanted pregnancies to be stopped and those who indulge in such act, should take care of the infant children till maturity.

Com. Zein Abubakar: Ya mwisho mzee wangu.

Richard Tanui: Ya mwisho, abortion should not be allowed at all costs it is not good. Thank you.

Com. Zein Abubakar: Asante sana. Uandikishe kule na utoe hiyo memorandum tutaitumia katika kufanyia kazi zetu mzee wangu.

Sansom Tanui: Jina ni Samson Tanui. Yangu ni kuuliza serikali ndio inachunga watu, kuna watu wengi masikini. Kuna watu wengi na hakuna mashamba, watu wote wanazaa hata masikini ndio wanazaa zaidi.

Interjection (Com. Zein Abubakar): Kwa hivyo unapendekeza nini?

Sansom Tanui: Sasa nataka hii Katiba iweke watu wale hawana mashamba, serikali itafute mashamba halafu iwagawie. Sababu hawa wanapenda hata watoto wao wasome pamoja. Serikali iwapatie shamba na watu watoe pesa zao kidogo kidogo na kununua shamba. Sababu kuna wengine.....

Com. Zein Abubakar: Hiyo nimeelewa tumeandika kuna watu wengine matajiri wana shamba wengine hawana, wale masikini, serikali iwasaidie iwakatie shamba. Jambo lingine.

Sansom Tanui: Inginge kama maploti, hapa Kipkelion, nasikia saa zingine wanagawa watu wa hapa wamesha andika, hata sasa sisi tunaona mashamba wameshagawa kwa wadosi na wengine hawajapata. Na watu wa hapa kutoka zamani, nataka watu wa hapa wapate ploti.

Com. Zein Abubakar: Ikiwa kuna ploti za kugawanya hapa katika mji wowote Kenya, wapewe wale watu wa pale pale.

Sansom Tanui: Wa hapo, kuliko wa mbali wanakuja kunyanganya watu wa hapa. Inginge hawa machief wachaguliwe. Sasa

maneno yangu yametoshia.

Com. Zein Abubakar: Sawa sawa Mzee Tanui. Asante sana. Uende pale nyuma utie kidole kwamba umetoa maoni yako kwa Tume ya Kurekebisha Katiba. Nitaita watu wengine waje hapa mbele wakae. Yohana Chepkony, huko? Ni wewe mzee, njoo ukae hapa mbele mzee. Richard Chepkony, hayuko, huyu ndiye mzee yohana mimi ninaita Richard sas, William Koech, karibu Mzee, Kiplego A. Sang, karibu mzee. Harriet Macharia. Hayuko. Ruth C. Rotich. James Maina, Joshua Cheruiyot, Simon Kosgei, Daudi Lasoi, karibu mzee ukae hapa, emmanuel Abdul Ali, wewe ukae kiti hicho, Ali tuanze na mzee wa kwanza ambaye ni Yohana A. Chepkonyi. Mzee Yohana. Endelea mzee.

Yohana A. Chepkony: Mimi ni Johana Chepkonyi. Naishi hapa Kipkelion, nilizaliwa hapa Kipchingang.

Com. Zein Abubakar: Naomba usongee karibu na hiyo microphone ndio tusikie vizuri.

Yohana A. Chepkony: Mtasikia, shauri ya hii koo hakuna.....

Com. Zein Abubakar: Ukisongea karibu na hiyo mashine tutasikia.

Yohana A. Chepkony: Mimi ni mzaliwa na hapa Kipkelion na kitu kilicho cha kwanza - hata ukiona mimi ni mzee namna hii - wale wanajua mtoni, mtoni haiwezi kulingana. Mimi ni mzaliwa wa hapa Kipkelion na wengine wameponyoka wamekuwa sawasawa - vile unasikia watu wanalia mlilo kilio cha shamba - na kitu tunataka cha kwanza katika Kipkelion hii, crown ya Kipkelion ilikuwa ni eka ngapi? Eka nane kutoka kando na kando halafu nyuma yake sasa, tumeonelea sasa, kwa nini mimi niliishi kwa hiyo crown land na nimeondolewa na tayari imeuziwa mwingine? Kwa nini mimi sikuulizwa, “wewe uko na pesa”, halafu nikae, hiyo kilio ni jambo la kwanza. Sijui hata mmeniweka juu wapi, sijui ni chini wapi.....

Com. Zein Abubakar: Kwa hivyo mzee unasema hivi, hii inaitwa crown land au ardhi ya serikali?

Yohana A. Chepkony: Ardhi ya serikali.

Com. Zein Abubakar: Ikiwa itaganywa, yule yuko pale aende aulizwe yeye kwanza.

Yohana A. Chepkony: Angeulizwa, ndio hizo walikuwa wanauliza.

Com. Zein Abubakar: Sawa mzee wangu.

Yohana A. Chepkony: Sababu tunaona '88 tulichomewa manyumba na mpaka saa hii(inaudible) iko barabara tu katika

area hii.

Com. Zein Abubakar: Sawa, una lingine mzee wangu?

Yohana A. Chepkony: Ya pili ni hii; Kipkelion kwa maendeleo ya sasa, tunataka kama maji inakosa, maji iwekwe kwa tangi ya zamani halafu ijaze mchana wote maji haitakosa kwa town hii, sababu sasa maji hata inakwisha, hebu uliza maji saa hii uone kama utaona maji. Kitu ninataka kwanza maji ijazwe kwa ile tangi ya zamani ile ni store. Halafu ile store ndio itagawa maji kwa area ya town, hakuna hata mchana mmoja tutakosa maji.

Com. Zein Abubakar: Ngoja mimi nikuulize swali mzee wangu. Kuhusu ukosefu wa maji, zamani hapa kulikuwa kuna maji mengi, lakini si hiyo pia ni sababu ya misitu imekatwa hapa?

Yohana A. Chepkony: Hii sio ya misitu. Hii ni maji ile inatolewa tinga inapelekwa kwa tangi, halafu hiyo maji inawekwa kwa tangi. Nafikiria hivyo ni sawa pamoja na kuangaliwa wale watu hawana mashamba. Tutafanya nini?

Com. Zein Abubakar: Haya asante sana Mzee. Tumeenda mahali kwingine - hii mpaka nikuulize mzee - tumeenda mahali kwingine wanasema Wakenya, kwamba, wazee wanapata taabu. Wakifika miaka Fulani, serikali iwaangalie, wewe maoni yako ni nini?

Yohana A. Chepkony: Maoni yangu, kwa sababu sasa serikali haioni itasaidia huyo mzee namna gani sababu amezaa watoto chungu mzima.

Com. Zein Abubakar: Sawa mzee.

Yohana A. Chepkony: Chungu mzima wanaoa wanawake watano.

Com. Zein Abubakar: Uende pale ujiandikishe mzee kwamba umetoa maoni, tumeandika kila kitu.

William Koech: Kwa majina mimi ninaitwa William Koech kutoka pande ya Kedawa, ninasimamia group ingine inaitwa Kendrif, huko Kedawa, tarafa la Londiani. Nimesema jina. Kitu cha kwanza mimi ninataka kusema ya kwamba, kwanza ni majimbo, iletwe kama mwaka ile ingine iliyopita siku tulipata uhuru tulikuwa na majimbo.

Com. Zein Abubakar: Kwa hivyo unataka mipaka ile ya majimbo ya mwaka sitini na tatu irudi.

William Koech: Irudi halafu kazi iwe rahisi kwa watu wetu wa Kenya wote. Na tena culture, najua tukiwa na majimbo culture

yetu itasimama imara kwa sababu saa zingine watu wengine kw nchi zao, imeharibiwa na taabu ya watu wengine.

Com. Zein Abubakar: Sawa mzee unasema kwamba watu wakianza kusimamia watasimamia utamaduni wao.

Willian Koech: Commissioner ya tatu ni employment. Ikiwa hiyo system ya federal imeletwa, employment iende 90% kwa wale watu wa hivyo hiyo region. Ya tatu, local government, ipewe nguvu yote isimamie mali yao katika region zao. Kwa sababu...

Com. Zein Abubakar: Hiyo iko clear kwetu mzee kabisa.

Willian Koech: Hiyo ni clear hapo. Inginge education, mambo ya elimu watoto wetu wapete elimu kutoka primary mpaka secondary bure. Na tena kuenda university iangaliwe na quarter system halafu kila mtu apate haki ya mchanga yao na nchi zao zipate kupata kazi na upate masomo. Asante sana.

Com. Zein Abubakar: Ngojeni kuna swali mzee wangu. Umesema kwamba ikifika wakati tumeweka hiyo system unataka wewe - ikiwa tutaifikiria hiyo system unataka majimbo wewe. Unasema katika majimbo yako asilimia tisini - 90% wakati wa employment wawe watu wa hilo jimbo. Nataka unifafanulie hiyo, maanake nini, maanake watu waliokaa hapo au mtu aliyezaliwa hapo?

Willian Koech: Watu waliozaliwa hapo jimbo lake.

Com. Zein Abubakar: Sawa. Asante sana Mzee uende u-sign pale register kwamba umetoa maoni. Mzee Daudi ndio wewe sio, aa, anayefuata ni Mzee Daudi halafu atafuatiwa na Emmanuel Abdula Ali halafu Bernard Ng'eno. Wewe ni nani mzee.

Speaker: Kiplego Sang.

Com. Zein Abubakar: Basi toa jina Mzee wangu. Kiplego A. Sang.

Kiplego A. Sang: Yangu ni kidogo, kwa hivyo mimi ninasema kidogo. Jina langu ni Kiplego Riyan Sang. Kwa hivi mimi ninasema sijui hawa wa squatter wanafunga njia hii zamani, sababu tumefungiwa sisi tumefungiwa, tutafunguliwa lini. Sababu sisi tuko kwa kifingo.

Com. Zein Abubakar: Kwa hivyo mzee wewe unataka kuweco jina squatter, mali igawanyiwe wananchi, kusiwe kuna mtu anaitwa squatter.

Kiplego A. Sang: Zinaitwa sasa sababu mimi sina shamba.

Com. Zein Abubakar: Lakini unataka hivyo, mambo ya squatter iishe watu wapewe ardhi.

Kiplego A. Sang: Ndio mimi ninaomba muwaambie mkubwa wenu wowote yule anaweza asaidie, tena si mimi peke yangu, iko siku moja watu kidogo kama arobaini na sita walichukuliwa kutoka hapa, wale waliofariki, sio wale wako sasa. Na hao waliofariki, wamezaa zaidi kama njugu. Kwa hivyo mimi ninalilia watu hao wote sio mimi peke yangu. Hata wale mimi nimezaa wanapita ishirini.

Com. Zein Abubakar: Hiyo peke yake, enda uandikishe jina kuwa umetoa maoni mzee wangu. Hata kama umekaa Mzee Daudi ni tum yako.

Daudi Latoi: Bwana Mtaa ndio unasikia au unasikia, mimi ninasema neno moja kwanza.....

Com. Zein Abubakar: Sema jina lako.

Daudi Latoi: Mimi ninaitwa Daudi Latoi. Mimi ni mzee wa upande wa Kipkelion kwa mashamba makesi ya mashamba, Kericho. Kuna neno moja ndugu yetu, imeshinda sisi dunia hii, kila mtu sasa hana haya, hakuna haya kwa wakubwa hakuna haya kwa watoto. Hakuna haya kwa kila kitu. Hii ni mambo gani sasa? Mimi ninaona hii mambo, wakati watoto wanaanza shule, si kuna watoto wa secondary saa ingine wanachoma, wanapiga madirisha wanavunja, wanaharibu vitu kwa mashule, kufika university ninasikia wanapiga watu na mawe kwa barabara, hii tabia gani sasa watu wa Kenya namna hii?

Com. Zein Abubakar: Unatakaje mzee?

Daudi Latoi: Sasa, mimi ninataka serikali ianze kuwachunga. Kwa kuwa kuchunga watoto kwa uwanja, watoto wa primary, mwalimu anatakikana awaangalie sawasawa, kwa maana hawa watu hawajui mtu mkubwa.

Com. Zein Abubakar: Lakini mzee sasa, imekuja sheria mpya, mtoto shuleni hufai kumchapa.

Daudi Latoi: Inatakikana watoto wote wachungwe kutoka nyumbani hata kwa baba yao, sababu sasa, wanazaa kusema watoto kwa maana watoto sasa watu wengine wanaogopa mtoto. Eti wanasema wameshasoma. Angalia yale matawi ya miti ile iko juu. Wanasema matawi yameangalia mbali, na huu mti umesimama chini, nani anashika ile tawi. Na ile tawi maana yake ni nini? Kama pepo inakuja si inaangusha?

Com. Zein Abubakar: Kwa hivyo mzee unataka zile heshima za zamani watu wazitumie?

Daudi Latoi: Nataka hii heshima ya zamani iingie kwetu. Kitu moja tena mimi ninaongeza, kusema kila mtu ulikuwa na ikiwa sisi tuliimba zamani - wacha mimi ninajaribu moja. *“Mourenen emenyon, ingen age tugul korenyin”*. Tulikuwa tunasema namna hiyo, hii ni nyimbo ya zamani.

Com. Zein Abubakar: Kwani mzee, sasa mimi nataka uniambie inasema nini. Ngoja mzee aniambie hiyo nyimbo inasema nini.

Daudi Latoi: Tunasema, hiyo nyimbo inasema usicheze na ya mtu mwingine, kila mtu anajua kwake. Basi mimi ninasema hii maneno ndugu yangu inatushinda sisi. Wakati wa uchaguzi unakuja, sababu uchaguzi ni wa binadamu. Nataka kuchagua watu, kuchagua wanasema huyu ninataka kumchagua, nataka kufanya kazi ya Bunge, ya Council au ya nini - hii pesa inatumiwa watu ndio inaharibu dunia hii. Watu wakutumia pesa ndio kitu inaharibu hata kwangu.

Com. Zein Abubakar: Sasa mzee hutaki watu wachaguliwe kwa sababu ya kupeana pesa, wachaguliwe kwa sababu wana mambo mazuri.

Daudi Latoi: Basi, hata hao watu wazee wanakaa vijiji wao kila wakati wanasema sisi tutachagua mtoto wa nani, atakwenda Bunge, nani atakwenda - angalieni sasa watu wanazungumza wasipofika huko unasikia mtoto wa fulani na mtoto wa fulani wanaondoka. Sasa wazee wanazungumza tu hata hawa wazee wanajijua.

Com. Zein Abubakar: Kwa hivyo mzee, unataka tuunge memoranda ya wazee wawe wakikaa chini wakikata shauri.

Daudi Latoi: Hatutaki hawa watu wa nini.....asante sana kuwa hiyo maneno machache lakini inatosha tu wacha.

Com. Zein Abubakar: *“Kongoi missing”*. Asanteni Emmanuel Abdul Ali. Utafuata orodha ndugu yangu.

Emmanuel Abdul: My names are Emmanuel Abdul Ali. Protection of journalists’ press mail. The new Constitution should elect special rules that will protect the journalist - local plus foreigners from the attacks of police, while they are carrying out their official duties. Unaona mara nyingi ya kwamba kunapotokea shida...

Com. Zein Abubakar:.....(inaudible) wewe unataka kunieleze kuhusu the nature of the work of the journalist,(inaudible) lakini wawe protected

Emmanuel Abdul: Wawe protected wasiwe wakipigwa au camera zao zinakuwa confiscated by the government. Freedom of expression; utaona ya kwamba wakati huu, many Kenyans are still being victimized for expressing views that are contrary to the government official version of two. Kwa hivyo tunastahili kuwa na uhuru wa maoni katika Katiba ya sasa. Freedom of

movement; the law should guarantee even citizen the right of movement anywhere he or she feels like. Tumekuwa tukisikia wanasiasa wakipinga mtu na kusema kwamba eneo hili ni langu.

Com. Zein Abubakar:(inaudible)

Emmanuel Abdul: Protection of children rights. The laws on rape defilement section, assault as sexual harassment should be thoroughly reviewed. Why am I saying so, tumeona ya kwamba.....

Com. Zein Abubakar:(inaudible)

Emmanuel Abdul: Plus rape. They should be treated the same. Kwa hivyo mtu ambaye pia amechafua mtoto anastahili kupewa kifungo cha miaka mingi kama yule ambaye ametenda kitendo hicho. Kwa hivyo, hizo sheria zitetee mtoto. Mimi ninapozungumzia children rights, nataka kusema kwamba, mtoto akizaliwa Kenya hata kama ni wa siku moja ama dakika tano baada ya kuzaliwa, basi iwe ni Mwanakenya. Akifanyiwa kitu chochote kibaya, akifanyiwa mathara yote anastahili kuwa anatetewa na sheria ya wakati huu. Judiciary; ni lazima tuwe na supreme court katika Katiba ya wakati huu, yaani korti kuu ambayo itakuwa ikisamiwa na ma judge saba akiwemo judge mkuu plus Chief Justice. The appointment of Chief Justice and high court of appeal judges should be vetted by Parliament first, before the President signs.

The Attorney General office; tumekuwa tukisikia shida moja imetokea hata ma judge wakilalamika hapa nchini Kenya, ambayo inaharibu what is known as miscarriage of justice. The Attorney General has been entering what is known as nolle prosequere. What I mean by this, the termination of a case before it's final conclusion.

Com. Zein Abubakar: I understand what you are talking about, what do you want?

Emmanuel Abdul: I want it to be removed.

Com. Zein Abubakar: So the AG will not have the power to.....

Emmanuel Abdul: To interfere with the case before it is finally concluded by the judge or a magistrate. We have corruption which has become the order of the day in our country. I want now to say how are we going to fight this corruption? In the new Constitution, we should have a permanent and independent strong anticorruption authority, which should have teeth to bite criminals of this nature. It should be headed by a competent qualified criminal lawyer who should be appointed through Parliament. Independent special courts, this number should be established to deal with the sort of corruption cases. The following stiff law should be enacted to deal with corrupt civil servant, this should include sacking them instead of transferring them, confiscation of their ill gotten property by the State, their bank accounts should also be frozen by the State. Give them

heavy jail terms without any fine.

Land issue; the new Constitution should get laws for the acquiring of title deeds for all plots which have been leased for a long period of time by the occupant, for example, 35 to 40 years. Those with “2-TON” should now be given title deeds.

Electoral system and process; voter registration should be made a continuous process. The electoral Commissioner should be appointed through Parliament not by the President. Provincial Administration, the slot of chief. Sublocational chiefs should be done away and all their duties delegated to the office of locational chief. Each village should have a headman, who will be answerable to the locational chief. The locational chief should be directly elected by the people through secret ballot like the first day we used to have it in Kenya. This chiefs should be given very good remuneration or good packages so that they can work and perform their duty very well.

Com. Zein Abubakar: Unayosema itakuwa ya mwisho. Tutasoma hiyo - kila kitu tutasoma.

Emmanuel Abdul: Okay, culture and national language. More effort should be put in place to develop Kiswahili as a national language. We should have a national language governing audio or a national language like we have in Tanzania or Tanganyika.

Com. Zein Abubakar: Asante sana Bwana Emmanuel, tafadhali toa hiyo memorandum. Ameenda mbio mbio, ame-cover mambo mengi. Bwana Bernard Ng’eno, zamu ni yako ndugu yangu.

Bernard Ngeno: Kwa majina ninaitwa Bernard Ng’eno. Yangu nitataja tu machache ingawaje yametajwa lakini bado nitayapitia kidogo,

Com. Zein Abubakar: Unaweza taja na kusema kwamba unaunga mkono au unatilia mkaza.

Bernard Ngeno: Kweli, ya kwanza, ni masquatter wapewe mashamba. Ya pili, ni ufisadi ukabiliwe yaani, upewe adhabu kali kwa yule ambaye atapatikana na ufisadi. Ya tatu, wazee wa mtaa wapewe kitambulisho na pia walipwe pesa kama wanavyo lipa machief. Vyama vya kisiasa viwe peke yake na vibadiliwe na serikali yenye iko kwa mamlaka. Rais achaguliwe hata ingawa yeye sio mbunge apigiwe kura. Ingingine ni ugawaji wa ardhi, tufanye kama vile ilivyokuwa hapo awali. Watoto wa kiume peke yao ndio watapewa jukumu la kurithi ardhi ya wazazi wao lakini, wasichana iwe ni kwa aihari ya mzazi peke yake, akiona kuna msichana mwenye amezaa watoto na pengine ataolewa, apewe shamba. Ingingine ni kuhusu matibabu, matibabu serikali pengine kuna outbreak kama hii ya malaria, sasa serikali ndio itachukua jukumu la kupeana dawa za bure kwa outbreak yenye itatokea. Hata kama ni malaria ama nini, serikali ipewe dawa ya bure. Asante sana.

Com. Zein Abubakar: Unaona Bwana Ng’eno alivyo kwenda, alienda vizuri sikumzuia ameenda ametaja point amemaliza

mara moja. Sasa ninataka kuita watu wengine waje wakae hapa mbele. Samuel Rotich, hayuko, Christopher K. Jeresh. Karibu mzee ukae hapa mbele. Richard Munai, karibu huku Richard, kama uko mbali nikikuita sema niko. James Malel, nimeita Richard Munai sasa ninaita James Malel, naona mvua imeanza kunyesha, kama uko nje kule njoo hapa kwenye kivuli upate fadhila za kivuli hiki. Hayuko James, Wilson Rono, karibu ukae hapa. Stephen Rono, uje ukae hapa mbele, Elija Chepkonyi, karibu mzee, Simon Langat, kaa bwana hapo tafadhali, David N. Tuwei, hayuko, Zigira A. Koech, ameenda, Joseph Kirui, karibu ukae kwenye hicho kiti kidogo hapo. Asante sana. Tuanze na Bwana Christopher K. Cheres. Utaje jina mzee usongee karibu na microphone, songea tu.

Christopher Jeresh: Asante sana Bwana Commissioner wa hii committee. Mimi jina langu ninaitwa Christopher Jeresh kutoka Kimugu location, hii division ya Kipkelion, wilaya ya Kericho. Basi kwa hivyo, jambo langu la kwanza, ni kusema - ya kwanza ninafikiri ya kwamba, kwa kufikiri kwangu, nimesikitika sana kwa hawa watoto ambao wamezaa nyumbani na wamepata mabwana na wamewachana na wengine wameolewa, baada kidogo miaka tatu, miaka nne wamewachana ako na watoto watatu.

Com. Zein Abubakar: Kwa hivyo mzee Jeresh, unatakaje?

Christopher Jeresh: Sasa kwa hivyo kupendekeza kwangu, ni kuuona lazima amri iwekwe kwa huyu bwana ambaye amepata watoto badala ya kurudisha wazazi wao waende wateseke, wazee wa mitaa wafanye kesi na hiyo ni kazi ngumu. Waweke amri ambayo watatii hawa wakae, kama msichana akiwa yeye amekosea bwana, vile vile anataka kifungo ambacho anatosheka halafu akitoka kumaliza kifungu chake bado atarudia bwana yake bado ni mnyama wake, kwa hivyo mimi nafikiri ya kwamba, akiwachilia watu namna hiyo,

Com. Zein Abubakar: Sawa mzee hiyo tumefahamu tumeielewa, ingine.

Christopher Jeresh: Jambo la pili, mimi ninafikiri serikali wakati ambao walipata uhuru, tulipata siku moja na kwa hivyo serikali ni moja hapana kuwa siku moja. Na kwa hivyo mimi ninafikiri hii multiparty ya chama mingi hatupendelei.

Com. Zein Abubakar: Kwa hivyo mzee wewe unataka chama kimoja.

Christopher Jeresh: Chama kimoja kama KANU kimoja. Sababu kiti hii ikinganiwa, hichi kiti(inaudible) sawasawa. Mimi nafikiri tena - a kuongeza hapo, watu wamekuwa wengi sana. Nataka wazee wa mitaa wapate mshahara na hiyo ni sawa. Mimi ninafikiria, Mbunge wakati anaenda bunge, kunatakiwa kupunguzwe mshahara wake, halafu aonekane mwenye kujitolea kusadia wananchi. Sababu, anangangania sisi tumpigie kura aende aketi huko kwa sababu ya mshahara mnono. Mimi ninataka upunguzwe halafu huo mshahara ukuje kwa district ugawiwe wale watu ambao wamesoma wamefanya nini....

Com. Zein Abubakar: Ngoja nikuambie mzee. Kulingana na sheria ya sasa, mtu anaweza kukaa, wakubaliane waniongezee mshahara, wewe unasema uwaambie wao wajiongezee mshara au unataka kuweko sheria ya kuwapunguzia mshahara?

Christopher Jeresh: Sisi tunataka kuweka sheria ya kuwapunguzia mshahara iliaonekane mwenye kutumikia wananchi vile ambavyo waliomba kura.

Com. Zein Abubakar: La mwisho.

Christopher Jeresh: Mimi ninafikiri ya mwisho, itakuwa jambo kama hilo sina lingine.

Com. Zein Abubakar: Asante sana Mzee Christopher, Jeresh uende pale. Mzee Christopher ni mzuri, ingekuwa mtu mwingine angeanza kutafuta kwa kichwa akune kichwa alete ya mwisho ni nini. Endelea mzee wangu.

Richard Munai: Asante sana Bwana Commissioner. Kwa majina ninaitwa Richard Munai. Hii document ya Constitution ambayo tungependelea, tungependelea ihimize zaidi federal government. hiyo ndio federal government inatakikana. Hii Constitution yenyewe ile tulikuwa nayo katika independence haikuwa mbaya. Pengine ni machangilio machache tu wameharibu pale na huko. Kitu tu tungependa ihimizwe ni hii organs tatu, iwe autonomous, na ikiwa autonomous inawekwa nguvu ili ianze kujichek wenyewe. Lingine ni kwamba local authorities, inastahili ipewe irudi kama zamani. Iwe na authority katika mashinani, halafu ndio nguvu itaanza kutoka chini, vile ilivyo sasa nguvu inakuwa kutoka huko juu.

Com. Zein Abubakar: Local Authority kawaida inaendeshwa na pesa hawaganyi na serikali.

Richard Munai: Ningependelea kwamba ile yote wanapata Local Authority, iwe inapeana sixty percent kwa serikali wawe wanabakia na 40% na hiyo itakuwa afadhali na central government ianze kutoa machinery ile ilirudisha kutoka Local Authorities. Ili Local Authorities waweze kufanya kazi yao, hilo ndilo jambo la busara. Na uchaguzi wa Local Authorities, mimi ninapendelea vile kama wengine wamesema, chairmen ama mayors wa Local Authorities, wawe wanachaguliwa na wananchi. Wenyewe wasiwe wakichaguana. Na wawe na elimu isiwe chini ya form four. Kwa hivyo hayo ndio maoni yangu asante sana.

Com. Zein Abubakar: Asante sana Mzee Munai uende pale nyuma ujiandikishe kwamba umetoa maoni kwa Tume ya kurekebisha Katiba, anayefuata tafadhali.

Wilson Rono: Asante sana. Jina ni Wilson Rono. Kutoka Masaai Londiani. Mimi ninaonelea uteuzi tuseme kama ya mawaziri, iwe na qualification ya kulingana na wizara yake. Ingekuja kuwa mzuri sana mtu ateuliwe kulingana na qualification yake. Sio

vile.....

Com. Zein Abubakar: Tumelewa, you want professional qualification.....(inaudible)

Richard Munai: Yes, ingine ni nidhamu ya wakubwa. Wasiwe wakibishana wakizuzana in public. Hayo ni maoni yangu. Ingene, ili serikali isiwe na hasara kutumia pesa nyingi na kuunda Macommission mingi, itue hii Commission mpya kwa election. Ingene, ni hawa wazee wa mitaa, waangaliliwe kabisa, hata wapatiwe wawe mzee kiongozi badala ya assistant chief. Asante sana.

Com. Zein Abubakar: Uende ujiandikishe kwa ile meza yetu kawaida Bwana Rono. Ndugu yangu ngojea utengenezewe mic, halafu uanze kwa kutaja jina lako tukurecord halafu uendelee.

Stephen Rono: Jina langu ni Stephen Rono. I am reading this memorandum of the Kenya Constitution. All available natural resources in the area such as forest, mountains, must be controlled by council. Sanctions; the Kenyan Constitution should have adopted vote of no confidence even in the side of voters I mean the wananchi, they should have adopted the vote of no confidence, as it is right now in the Parliament.

A businessman or a woman should adopt the procedures because he or she must have bought the things which have been stolen instead he or she must equalize this things with the owner of the things. You know sometimes you can be victimized for nothing. Because let say you have bought things which could be here and you never know this things were stolen...

Com. Zein Abubakar: Wewe utaki ile sheria inasema, ulipatikana na mali ya uizi.

Stephen Rono: I am against that law which says that holding stolen properties - I wanted to narrate for you to understand.

Com. Zein Abubakar: Unasema saa zingine watu wanawekelewa na hawajui.....(inaudible)

Stephen Rono: The fourth one all oppressive laws must be done away with, when the Kenyan members have(inaudible) about the law, suppressive law such that there are laws which were brought by colonials. They should be done away with. The fifth one, all lying idle farms in the country must be utilized and the sixth one, tribunal court must be established in the local area.

Com. Zein Abubakar: Ngoja, unasema idle land must be utilized, ikiwa mtu akalishi mali iwe je.

Stephen Rono: The government will own it and give the people who will to utilize that farm because it may be lying idle.

Com. Asiyo: Compensation or for free?

Stephen Rono: Not compensation, I mean actually you should acquire this thing by the government. The seventh one is tribunal court must be established in local locational areas actually to solve the problem of the local. The seventh one the President should not be above the law. All administrators must be scrapped so that the wananchi may decide the system of governance.....

Com. Asiyo:(inaudible)

Stephen Rono: The wananchi themselves are going to deny that actually the system can fit them. We must do the Constitution so that wananchi themselves are going to decide. Farmers must have their act because if they want to explore the.....(inaudible).

Violence against women must be done away with, that bill that has been established recently must be done away with.

Com. Zein Abubakar: Ya mwisho hiyo.

Stephen Rono: The government should extract at least 3% of VAT to our Kenya school equipment scheme like a government.

Com. Zein Abubakar: Asante sana. Bwana Rono anayefuatia. Mzee wewe ni Mzee Elijah Chepkwony. Karibu mzee usongee karibu na mic utaje jina useme maneno.

Elijah Chepkwony: Asante sana mimi ninaitwa Elijah Chepkwony.

Com. Zein Abubakar: Unataka mtu wa kutafsiri?

Elijah Chepkwony: Nitajaribu kidogo kama itakuwa ngumu, nitaita. Jambo la kwanza nitasema ni mambo ya mipaka. Nataka mpaka ya kwanza. Wakati D.C. anaingia Kericho au saa zile ataingia Nairobi anakata Kenya kwanza, anaweka mpaka Kenya. Baada ya kukata Kenya mpaka anatoa D.C. arobaini na ngapi wale wako sasa. Watu wako arobaini na mbili. D.C. alipewa kwa kila mtu, Kisii, Jalu, sasa wakati D.C. anafika huko anatembea na mzee wa Kipsigis na D.C. wa Kipsigis wanasema nyinyi mpaka yenu iko wapi. Akakata mpaka ya Kipsigis inakwisha huko Masaai kila pahali.

Com. Zein Abubakar: Kwa hivyo mzee unataka, hiyo mipaka ya zamani iliwekwa na mkoloni turudie huko huko.

Elijah Chepkwony: Huyo mkoloni wakati anaingia anakata kwanza halafu anatutawala sisi. Ndio tunataka hiyo mipaka. Halafu baada ya kidogo hii mambo ya majimbo, watu wakaenda huko. Sasa akakata jimbo nane.

Com. Zein Abubakar: Subiri kidogo mzee, kuna watu ambao wamefika hapa, walikuwa hawajui, sheria tulioweka hapa, hakuna mtu anaruhusiwa kuzungumza ikiwa kuna mtu anatoa mazungumzo. Watu wanaoruhusiwa kuzungumza ni mtu anayezungumza kwenye meza hii, au mzee kama yeye aliyepewa fursa ya kuzungumza. Lazima tuheshimiane na tumheshimu mzee atoe maoni yake. Ikiwa una mazungumzo yako, uende kando mbali kabisa uzungumze na mwenzako mkimaliza, urudi kimya kimya. Tumeelewana, wale waliokuja saa hii, endelea mzee tafadhali.

Elijah Chepkwony: Basi kwa hivyo, wakati wa hii mambo ya majimbo iliingia, sasa akakata majimbo nane, sasa hiyo majimbo ikae hivyo hivyo. Sasa wale watu wako ndani ya hiyo majimbo, wawe na nguvu na mambo yao. Wale wako ndani ya hiyo majimbo, kama wewe uko central, Nyeri uko wapi, wewe uko na nguvu na mambo hiyo. Kama kuna mugeni aliponyoka akaingia huko, fuata amri ya wale watu namna muhindi anakuja Kericho, alitoka India akakuja huko anafanya biashara tu, yeye sio council, yeye sio MP, biashara tu. Lakini kama yeye ako na milioni arobaini asinyanganywe, kama ako na lorry arobaini asinyanganywe hiyo ni yake. Sasa wale wengine wanalima shamba hata kama yeye alikuwa anatoka wapi, kunyanganywa shamba kusema yeye ako na eka mingi, hata siku ingine nitanyanganywa mtoto kusema wewe unazaa namna gani.

Com. Zein Abubakar: Sawa mzee, kwa hivyo unataka....

Elijah Chepkwony: Mtu awe na mali yake. Halafu mimi sasa kama iko location, kama sasa kuna location. Afadhali serikali ijue masikini ndio wanajaa huko zaidi ya tajiri. Wakati wa kugawa pesa ya kila mwaka, agawe mpaka kwa masikini wale wako huko. Hao masikini wawe na nguvu, hata mbunge mmoja yule anatetea huyo masikini kuleta kitu inaitwa district vocus. Aende mpaka anapiga mpaka kwa yule masikini ambaye anapotea hapa jana. Basi mzee kama mimi, kuna wazee huko wanakwisha sasa ni kukufa tu. Serikali iangalie, sasa mimi nitakufa na mali

Com. Zein Abubakar: Mzee unataka serikali iangalie wazee, kutoke miaka mingapi?

Elijah Chepkwony: Sabini. Kutoka hamsini na kuelekea juu. Asaidiwe na mimi ninataka kwa sababu huko reserve judge huko Kericho iko mbali, tunataka watu kumi na mbili wawe judge wanaandika huko ndani ya kila reserve ya watu ndani ya hii Kenya. Waandike mkubwa wao anajua kuandia hii lugha inaitwa Kizungu. Halafu apelekwe mbele kama anaandika kuliko twende tusumbuke kutafuta judge au huko nyumbani nifungwe huko, lakini judge huyo anasema wewe utakwenda kulima barabara. Nataka judge awe karibu huko. Wale wazee basi kwa hivyo huu umasikini tupunguze.

Com. Zein Abubakar: Asante sana mzee Elija Chepkwony, umesema mambo yako vizuri ngoja uulizwe swali hapa.

Elijah Chepkwony: Haya, ninataka kutoroka.

Com. Pastor Ayonga: Mzee, mzee usitoroke haraka. Wewe unasema, wazee waangaliwe na serikali ianze kuwatunza. Unataka serikali iwatunze namna gani, unataka serikali iende ikajenge pahali ambapo wazee wote pande hii ya Kipsigis wanasommbwa wapelekwe huko au unataka hawa wazee wapewe kitu ambacho wenyewe wanaweza kujifanyia mambo. Unataka msaada namna gani?

Elijah Chepkwony: Mimi ninataka huko nyumbani pale mimi niko, tunataka mtu wa kutembea anajua huyu mzee ni masikini anakuja kwangu mpaka anaona. Na watu wanasema yeye ni masikini.

Com. Pastor Ayonga: Lakini kuna pahali pengine watu wanatuambia hivi, nyumba ijengwe kubwa wazee wapelekwe huko, hiyo unaonaje?

Elijah Chepkwony: Hapana, nikae huko ninaweza kufa mara moja.

Com. Asiyu: Sasa mzee umesema kila jimbo ikae na jimbo lake, na wewe bado ujatueleza mkubwa na jimbo hii ni nani?

Elijah Chepkwony: Iwe governor, na kuja chini. Wakati wa mzungu alikuwa kulikuwa na CNC anaunganisha VC.

Com. Asiyu: Hiyo ilikuwa chief native Commissioner. Angangane na hiyo, tumefahamu kabisa. Asante sana

Elijah Chepkwony: Na awe na nguvu, Commissioner wa polisi huyu wa hapa, yeye anakaa na Commissioner wa polisi na asikari wake hapa chini. Hiyo CNC.

Com. Zein Abubakar: Tumelewa Mzee Chepkwony asante sana kwa maoni yako, tafadhali ujiandikishe pale umetoa maoni kwa Tume ya Kurekebisha Katiba, asante sana mzee.

Simon Langat: Kwa majina mimi ninaitwa Simon Langat kutoka Chepteun location. Yangu Constitution of Kenya, inaanza na federal government system. Having state government and central government and we need preamble Constitution, that is Kenya is a supreme country state composed of many tribes and languages and cultural. Our Constitution should be based on the cultural, moral, social ethics, religion and economy. Environment, political and backgrounds. The integrity part of it, our Constitution should strictly be respected by the state government and the government should be the servant of the state, to own all the rights of the people and the people should be owned by the law. The people should own the land with full rights and the government of the day should respect and transparency should be accountable and has the right to utilize the revenue

taxation collected with proper audit and gazetted through the Kenya gazette every year before the budget day or the budget to be made. So my comment here, the others have been discussed, I want only to say two things here;

- 1) Farmers should be recognized in the Kenyan government and should be given the autonomy to manage their items.
- 2) International law should not be entertained in Kenya, whereby one can be arrested in Kenya and taken to Geneva and be burned there, molested and whatever there. So we don't entertain that in Kenya. Hayo ni yote, asante sana.

Com. Zein Abubakar: Asante sana. Tafadhali uende ujiandikishe kule nyuma, tafadhali.

Joseph Kirui: My names are Joseph Kirui. Kiongozi wa vijana wilayani Kericho na pia Kipkelion. Tungehitaji preamble kwa Constitution of Kenya. "We people of Kenya having solemnly resolved to constitute Kenya as a sovereign State as a democratic republic of Kenya and to secure to all citizens justice, liberty, equality and certainly. Tunahitaji constitutional supremacy, iko section katika Katiba chapter nine ambayo imevunjwa, hapa wilayani Kericho kuhusu land trust land. Haikufuatwa, shamba ikitumika ama ikichukuliwa na serikali ama campuni Fulani, ikimaliza kazi yao inafaa irudishe kwa wenyeji, lakini mpaka wakati huu, kuna wengine wanapitisha stock exchange.

Com. Asiyu: Unataka nini?

Joseph Kirui: Sasa tunataka ikifika wakati wa ku-surrender, irudi kwa wenyewe, isiende kwa stock exchange kama hii ya chai yetu ya Kericho. Defence and national security tunataka kamati iongeze nguvu ya Rais ambayo inaitwa defence council, iwekwe kwa Katiba. Pia kwa defence tunataka Administration Police waongezwe kwa maana hao ndio security kwa kijijini huko. Ukienda kwa polisi unaambiwa hakuna mafuta ya gari. Political parties zisipite tano. Structures ya government and systems tunahitaji federal ambayo tunajisimamia. Appointment ya ministers na permanent secretaries iwe vetted kwa Parliament. Executive powers lazima iendelee ikuwepo na President asichaguliwe na bunge, achaguliwe direct na raia. Local Government ipate nguvu ya kujisimamia. Haki ya binadamu ilindwe na haki ya wasio jiweza, walindwe na serikali kama ni mgonjwa nini ilindwe na serikali. Asante sana. Yangu ni hayo tu.

Com. Zein Abubakar: Asante sana Bwana Kirui sasa nataka kuita wale watu wengine. Unajua nikiwaita watu mbele hapa, wakitaka kurudi kwenye viti vyao ikiwa umemnyanga kiti hii kazi yetu itapungua hapa, unajua hivyo, sijui kama mnajua hivyo. Mimi nilisema viti vya hapa mbele, nataka kuwaachia watu ninaowaita. Mzee nilikuwa nimekuita. Mzee wangu basi kaa kwenye hichi kiti kimoja hichi, kaa hapa mzee. Sija kuita mzee wangu, hichi kiti ninawekea watu ninaowaita, Johnson Cheruiyot, na watu wasiwanyanganye viti nikiwaita, Julius Chelugot Korir, Dulaphan Langat, hayuko, Edwin Tom, karibu mzee, David Yegon. Nicholas Uwago, njoo haraka mzee wangu. Simon Turugut, ni wewe inua mkono ukija, Geoffrey Ngetich, hayuko, John Kipkorir Mutai, ndio kuja ukae hapa mzee mfuatane namna hiyo wa kwanza aende mara moja. Jonsom Cheruiyot. Kama wanavyofanya wenzako na wewe unafanya hivyo mzee wangu. Sema majina yako mzee.

Johnston Cheruiyot: Majina yangu ni Johnston Cheruiyot. Nawakalisha Soret group kutoka Chesinende. Mengi imesemwa lakini nitaja taja tu kidogo kidogo halafu nimalize kama wengine. Langu ni ya kwamba nataka kabila zote za Kenya, itambuliwe Kikatiba isiwe....

Com. Zein Abubakar: Sawa hiyo point tumeielewa.

Johnston Cheruiyot: Hiyo ni moja nimesema. Pia kabila zote, hii Katiba ilinde utamaduni wao na culture kama sisi watu wa Kipsigis kuna milima yetu hapa Londiani ya utamaduni, nataka iandikwe Katiba hiyo milima itambuliwe, iitwe *'tubulwabulagu ama tubu busigis'*. Hiyo isomwe katika Katiba. Lingine ni majimbo, iongezwe mikoa kwa sababu itaitwa state nane, sasa itaongezwa kuwa kumi.

Com. Zein Abubakar: Vipi?

Johnston Cheruiyot: Rift Valley itagawanya mbili, North Eastern Iwekwe mbili, kumi zimefika hesabu yangu imefika. Kuna kabila zingine ndogo kama vile Wandorobo, Laibon na Lemolos, iwe inawakilishwa bungeni. Ya kumalizia, hii mali ya athili iwe chini ya Local Authority. Asante.

Com. Zein Abubakar: Asante sana uende u-sign kule mara moja mzee anayefuata, wewe ndio Bwana Julius, njoo karibu na microphone utaje jina lako mzee halafu uendelee.

Julius Korir: Iko juu zaidi. Haya asante sana. Mimi ni Julius Chelegoi Korir. Mimi ninaishi hapa Kipkelion. Nashukuru Mungu mwenyezi Mungu kwa sababu yeye ametuwezesha, sisi tuko sote wote pamoja. Sasa neno langu kitu ile ya muhimu mimi ninafikiri sana ni mpaka. Mpaka sisi tunataka mpaka sababu sisi Wakalenjin tunajua mpaka kutoka chini mpaka huko juu. Tunataka Kalenjin wakae Rift Valley.

Com. Asiyo: Hiyo ni ile mpaka ya zamani.

Julius Korir: Ile ya zamani.

Com. Asiyo: Ile ile ilivyokuwa.

Julius Korir: Ile ile ile, na kitu cha pili, mimi ninataka tena kwa maoni yangu, ichungie kila mtu shamba lake na mali yake. Ya tatu, nataka shamba iwe ya mzee, isiwe ya mama na mzee. Isiwe ya mama na mzee sababu mzee alipewa silaha halafu ikapata shamba.

Com. Zein Abubakar: Silaha ni nini?(inaudible) pesa.

Julius Korir: Hapana taka kunyanganya wazee mali yao, sababu unajua ukinyanganya mzee atakufa, nani ataponyesha halafu mama atabaki peke yake. Hiyo sisi tunataka iwekwe kwa Katiba. Na ya nne, majimbo iwekwe ndani sababu majimbo ni kitu cha muhimu sana kwa wazee, halafu inachunga wazee, hiyo haitaki mzee nikimbie. Hiyo ninasema sasa asante sana maneno yangu yameishia hapo.

Com. Zein Abubakar: Asante Ngoja mzee kuna swali.

Com. Ayonga: Mzee unasema Wakalenjin wakae Rift Valley, inakuwaje wale Wakalenjin ambao sasa wako Rift Valley unataka kusema umewatupa?

Julius Korir: Sisi hatujawatupa.

Com. Ayonga: Unasema warudi,

Julius Korir: Warudi tu hapa katikati.

Com. Ayonga: Na wale watu wengine ambao wako kwa Rift Valley ambao sio Wakalenjin?

Julius Korir: Hata Bibilia inasema, mtu hawezi kuwa mzee kwa mahali ingine, nataka mtu awe mzee katika pahali pa mifupa ya baba yake.

Com. Asiyu: Kuna swali moja tu mzee. Umesema ile boundary ya zamani, mimi nikienda shule kulikuwa na mali ingine namna hii inaitwa Kisumu-Londiani, sasa hiyo itarudishwa kwa Jaluo.

Julius Korir: Hapana hiyo ni kimasomo kwa sababu kila mtu anaenda na kujua nyumbani ni wapi, ni kule.

Com. Asiyu: Lakini ilikuwa na mavi ilikuwa imechorwa kabisa.

Julius Korir: Hapana hata ikichorwa, lakini inaonyesha mahali ulitoka.

Com. Zein Abubakar: Mzee uende ujiandikishe pale nyuma tafadhali, anayefuata, wewe ndio Edwin Tumu. Mzee Edwin Tumu. Endelea mzee.

Edwin Tumu: Haya majina yangu naitwa Edwin Tumu. Mimi ninataka mambo ya

Com. Zein Abubakar: Ngoja mzee, nyinyi vijana mnaozungumza watoto wa shule hapo, mnaozungumza hapo nyuma, nimewaambia sitaki watu wazungumze nitawatoa hata kama kwenye mvua. Mvua ikiwa inanyesha inapiga kele na mzee anasema, nani atasikia mwingine. Nataka watu wanyamaze kabisa. Sawa mzee songea karibu na microphone sababu mvua inafanya fujo.

Edwin Tumu: Mimi nilikuwa ninasema mambo ya kimila, culture. Tuko na mataifa arobaini na mbili kwa Kenya, na kila taifa iko na kimila yao. Sisi tulikuwa na mambo yetu ya kujichunga, protection, kama silaha kama mikuki, kama mishale, tunataka kurithi hiyo na kuweka vizuri. Mambo ya education, nimeona education siku hizi, imekuwa kali zaidi na itaelekea upande moja wa matajiri. Nataka tupate free education. Inge ni watu ambao walikuwa wakifanya kazi zamani, walipo-retire wakabaki hapo hapo tu, hata ingawa walikuwa na cheo cha mwingine ambaye alizaa juzi. Kwa nini hapana ongezea. Nathani mengine yamesemwa na wengine. Asante.

Com. Zein Abubakar: Mzee enda pale nyuma uandikishe jina na utoe hiyo memorandum, na ndugu yangu pale jina mara moja na tuanze hiyo summary.

Nichocas Owago: Yangu ni Nicholas Owago. Nina propose a unitary type of government. Ya pili, the winning party should be recognized and respect the opposition. President should not be above the law. Parliament to establish and abolish any public office. Halafu, clear separation of powers among the three arms of the government. Parliament to let the very important public office of like AG, CJ, Chairman CLC, Judges devoted by Parliament. Public service Commission to be appointed by Parliament. Halafu government views, direct observing be brought down to wananchi by elected members. Not through the Provincial Administration. National budget to be prepared by selected members of parties represented in Parliament. Natural resources and also consolidated funds, to be distributed after being devoted by Parliament. Education, it is for the rich now, we want it be made affordable to the majority who are poor. That is fees guide line. Thank you that is all.

Com. Zein Abubakar: Asante sana Bwana Nicholas Owago. Uende pale nyuma u-sign na utupatie hiyo memorandum kwa sababu tutaitumia kuifanyia kazi sawa.

Simon Turukut: My names are Simon Turukut. I am representing a group of teachers from Misan. I would like to talk about the education curriculum review. On the education curriculum review, we as teachers have seen that the curriculum that should be brought about should actually consider the children to be taught technical and vocational subjects. Second, this curriculum should also include the teaching of patriotism and ethics in schools that is religion.....(inaudible) and then thirdly, this curriculum should also include the teaching of bad debts that is for corruption practices, that is it should start from the lower classes up to the secondary level and then lastly this curriculum should also involve the teaching of bad habits that is drug abuse,

and also alcoholism. This curriculum should also be based on an African style, that is we should actually restore back the gaining of this people. That is the views.

Thirdly, this curriculum should be specified, that is class one to class three to have their specific curriculum, class four to five should have their specific curriculum and then class six and eight to have their specific curriculum. Fourthly the curriculum should also include matters like environmental, that is strip landing, should also involve water resources in the school. Then on the TSC that is the Commission that will be employing teachers, we want this TSC to be localized that is it should be brought to a district level. It should be decentralized, and then also the other aspect is that the government and the TSC, the government of the TSC should brief the truth all the teachers, whether primary teachers or whatever the school teachers, should be treated equally in this curriculum. Lastly, their teachers to be inspectors of the schools rather than this other educational system.

Com. Zein Abubakar: Ngoja ndugu yangu. Unataka headteachers, wawe inspectors of schools?

Simon Turukut: Exactly.

Com. Zein Abubakar: Waji-inspect wao wenyewe?

Simon Turukut: We want the headteachers because they are close to the teachers, to be inspecting the teachers.

Com. Zein Abubakar: They can be inspecting their own schools or other schools?

Simon Turukut: They can vary, they can be inspecting their schools at the same time they can inspect others.

Com. Zein Abubakar: Asante sana uandikishe jina kule mara moja, mtu wa mwisho kwenye hiyo roote, mzee taja jina.

John Kipkorir Mutai: Jina langu ninaitwa John Kipkorir Mutai. Basi langu ni kusema ya kwamba mimi ninaunga Katiba kusema ya kwamba, majimbo ni lazima iendelee. La pili, nasema ya kwamba kuliko kujigamba na kujinasi, eti ya kwamba tumefanya chochote, lakini sisi kwa sheria tunataka sheria itulinde wananchi wote wa Kenya. Na mamlaka ya chief irudishwe chini na naibu wake na basi utawala nao upewe mamlaka. Kwa maana polisi ukienda kwao ku-ripoti jambo Fulani, wanachukuwa muda kufika pale, nauliza hakuna mafuta. Basi tunataka Katiba irekebishwe halafu nao wazee wawe wakilinda jamii zao na sheria ya vijana waendelee.

Kulingana na masomo, taaluma zote kama ni wasichana kama ni wanaume wasome taaluma yote kisawa. Wanakeya wote wawe na uhuru wa kutembea kila mahali, maanake detentio yote ilitolewa. Kwa kumaliza, ni kusema ya kwamba sisi wanakenya ni sisi wenyewe tunatunga sheria na sheria ndio hiyo itatulinda. Asanteni.

Com. Zein Abubakar: Asante sana. Sasa mimi nitafanya ile kazi mlikuwa mnasema nifanye, nitafanya hiyo. Sasa kwanza kabisa tulisema kutoka asubuhi, wakija wanafunzi tutawapa fursa wazungumze ndio tusiwazuie sana hapa. Sasa nitaita wanafunzi wawili kwanza, halafu niite wale wengine tena wanafunzi namna hiyo. Lakini wanafunzi wako watano peke yake, wacha niwaite wanafunzi wetu. Emmanuel Koech, uje haraka mbele hapa ukae hapa, wewe kaa pake Emmanuel kaa pale. Chelangat Beatrice, njoo mbele, Koech Kipng'eno uje mbele, Pauline Mokuu, uje mbele, James Onsomu uje, Beatrice ulikuwa umezungumza tayari, hapana hii ni shughuli ingine. Sasa nataka Bwana Ngetich Robert, hayuko, nataka Francis Chepkonyi, uende pale Francis, na Joseph Yegon, ni wewe Bwana Joseph? Kaa hapo tafadhali. Sasa tuanze na mwanafunzi, nyinyi nataka utaje jina, utaje darasa lako na shule na utoe pointi zako, point peke yake sitaki illustration, point peke yake.

Emmanuel Koech: My names are Emmanuel Kipkori Koech from Taita Towel secondary school, I am in form four. My point is that, the government should offer free and compulsory education from primary level to secondary level. The Kenyan government leaders should be graduates or should have higher level of education. Also the President should be below the law not above the law. Also each family, also restricted number of children per family should be made. Another thing is that the presidential tenure terms must not exceed 2 terms. Also Kenyans must be given first priority in job opportunities. Also land tenure policy should stop assuming on the land which should be owned by individuals. The rest should be given to the government so that they can least to those people who are able to use them to feed the growing population. Thank you.

Com. Zein Abubakar: Uende ujiandikishe kule kwa hiyo meza kule. Tunajaribu kusongesha hii speaker hapa tuweze kusikia nini inaendelea. Kiasi mama Regina anafanya mabadiliko usubiri kidogo. Haya taja jina darasa, shule, halafu uendelee.

Beatrice Chelangat: Kwa majina ninaitwa Beatrice Chelangat. Shule ya upili ya Taita Towet, kidato cha tatu. Vidokezi vyangu ni ya kwamba, wakulima wanapaswa kuwa wakusema bei ambayo wanaweza uza nafaka zao. Maana tunaona ya kwamba, wakati wale wakuu wanapotoa amri ya kuuza bidhaa zao, wakulima wanapata hasara kubwa sana. Pili, ningependa kusema ya kwamba, nchi yetu ya Kenya aistahili kuagiza vitu kama misaada kutoka nchi za ng'ambo kama nafaka. Kwa sababu tuna wakulima ambao wanatosheleza mahitaji yetu kama wananchi wa Kenya. Kitu ningependa kusema ya kwamba, wale watu ambao wanamiliki mashamba kubwa, inastahili wagawe kwa wale hawana, ili mashamba haya yapate kufanyiwa kazi ambayo itainua nchi yetu ya Kenya.

Com. Zein Abubakar: Beatrice, shamba kubwa ni kiasi gani?

Beatrice Chelangat: Wale ambao wanamiliki mashamba takribani ekari ya hamsini, thelathini, na kadhalika.

Com. Zein Abubakar: Sawa basi uende ukajiandikishe kule.

Kipng'eno Koech: Majina yangu ni Kipng'eno Koech Patrick kutoka shule ya upili ya Taita Towell, niko kidato cha nne. I want to start with education. Education is an unreliable right for every child. The Kenya Constitution should make it compulsory and free education for the first 12 years. The Kenyan Constitution should(inaudible) with the management of education affairs. The cost sharing policy in education, has made parents contributors of education in the government to pay teachers salary.(inaudible) also be empowered to higher empowered teachers, depending on their needs. This will make the entrusted to seating children to be transparent and accountable to the public. The 5% policy must be developed in self development of schools with a case education policy of social intergration and it should be scrapped. According to the university, the number of public universities has increased instantly and it is no longer useful to have the Head of State being the chancellor of every public universities. Chancellor of university should be elected.

Com. Zein Abubakar:(inaudible) public council awe chancellor of the university or the university should elect their own chancellor.

Kipng'eno Koech: I go to the election of the Vice President. like in America, the President should have a running mate, whom if he wins.....

Com. Zein Abubakar: Sawa tunaelewa habari ya running mate, endelea.

Kipng'eno Koech: I go to vote of no confidence to the parliamentarians.

Com. Zein Abubakar: Endelea, unataka kama MP, ha-perform vile inatakikana wananchi waweze kumuita wamfundishe. Endelea.

Kipng'eno Koech: Water catchment areas and water public points. You want me to explain that?

Com. Zein Abubakar: Explain.

Kipng'eno Koech: The land which should be good. Water public points should be given full conception by law. I go to appointment of chief officers also. This should be done purely on merit and only those who deserve should be considered. They should not be elected to the President they should also be given facing with the(inaudible).

Education for the disabled. The Kenya Constitution making to mandate to give free education to all the disabled, till the ability inhabitance. Most of the disabled have no reliable source of income. Thank you very much.

Com. Zein Abubakar: Asante sana. Usione nimekuharakisha sana, nina majina yamefika mia mbili na ishirini na bado tuko

kwenye mia moja na. Endelea.

Pauline Mokuu: My names are Pauline Mokuu I come from Taita secondary school, form four, my views are, the government should ensure that there is no child labour in the country anywhere. That is any child who is below 17 years old should not be employed to work in a factory or to work for somebody. Also the government should make sure that those girls who drop out of school maybe because of pregnancy, are given chances to go back to school to continue with their studies. Also we should ensure that girls are also entitled to inheritance of property from their parents. Another one is about religion which is known well in Kenya because it is as if this freedom of religion has made people to abuse religion so much. They have come up with dirty religion.

Com. Zein Abubakar: What is the universal of education?

Pauline Mokuu: The common ones.

Com. Zein Abubakar: What is common?

Pauline Mokuu: The common known, I was talking about the common known religions. My last point is about the education. Education should be made compulsory for the disabled and they should be paid for even to the university level.

Com. Zein Abubakar: Asante sana. Next one. Unaweza kujiandisha kule. Pitia hapa mbele.

Onsomu James: My names are Onsomu James and my views as far as the Kenya Constitution Review are;

- 1) The government should provide welfare money for those people who have qualified from previous learning institutions.
- 2) In the case of America, girls who drop from school, should be allowed to come back, such that free education should be allowed to all citizens. In case sex and demonstration school, the children should be allowed to participate actively in the day to day running of the school.
 - a. The student should be consulted in making or purchasing for the school affairs.
 - b. The students should be represented in the BoG and PTA committees.
- 3) Install of the Constitution should provide that to install mandatory guiding and counseling departments which are well equipped.
- 4) Punishment should be allowed to those students who misbehave.

Com. Zein Abubakar: What do you mean does that include canning?

Onsomu James: It does. Now with those who violate against the school rules and regulations. That is all I had.

Com. Zein Abubakar: Asante sana Bwana Onsomu.

Francis Kibet: Kwa majina ni Francis Kibet Chepkony. Church elder/counselor. Kutoka kanisa la Seventh Day Adventist. The Seventh Day Adventist as part of the Kenyan citizens has a role, as it is in the Bible in Roman 13:1, na mengine, we would like the following change in the Constitution of Kenya;

- 1) The government should not have a state church. This is that every citizen, be allowed to choose every denomination and religion that he would like to join as stated in 1st Chronicles 16:29. A government that sees God, a government that knows that God exists and he is the giver of everything, leader of the government, be a family man or woman that live exemporary life with his family as a role model.
- 2) Freedom of worship; but not devil worship. That every Kenyan has a right to worship, have a religious liberty on choosing the worship God on a particular day. The Seventh Day Adventist to worship their God on Sabbath that is Saturday. This includes the following;
 - a. The denial of minority rights in the name of democracy for example, when election or by elections are conducted on Saturday, school fund raising and other such functions.

Com. Zein Abubakar: Tumelewa unataka sabbato iwe holy, usifanye jambo lolote wakati huo, watu wa SDA wawe na rights iwekwe kwa Katibe.

Francis Kibet: Again the church, public institutions e.g. colleges and schools be under the sponsorship of DEB, unlike what is in the case where a particular denomination is sponsoring a school which has resulted in many disputes and that each member of DEB in school to be a member of various denominations within the locality. Church to have freedom of its members. Church to be given rights to import church facilities free of tax, if they wish e.g. public address system.

Com. Zein Abubakar: Chagua mambo mawili ya mwisho.

Francis Kibet: Basi security, corruption, caring of environment and forests. The church denounce a corrupt government kabisa. The environment, natural resources be protected by the local authority and the community and should have powers to involve no one on protection of environments. Thank you much and God bless you as you prepare the Constitution which will take care of every Kenya.

Com. Zein Abubakar: Asante sana. Please hand in the memorandum so that we can see it, read it and work on it and work on it. Lastly, sign the register. Thank you very much.

Joseph Biegon: My names are Joseph Biegon. I am going to present about the voting of the President. The President of

Kenya is the President of the people of Kenya, he is not just a President of a particular body, he has to avoid appearance in political campaign in his capacity as the President of the country. The President of the country should leave the running of the affairs of the party as the chairman or party officials. The government, the administration military and the President, must keep a distance from political campaign and show that they are in power not for the good of their party but for the good of all Kenyans.

Equal opportunities are to be given to all parties and persons in political campaign. The use of public media has to open for all without any restriction. Violence must be avoided because the electoral campaign is not to be confused with ballot fill where the end is to destroy in order.

Social services; all Kenyans are tax payers. The money collected from taxes is not supposed to be used for paying(inaudible) or personal expenses and transport for permanent secretaries, cabinet ministers or higher personalities, in offices only, but for the welfare of the country. In order to exercise this social responsibility we need to know our rights and duties as citizens of this nation.

Freedom from illegal arrest; as a police officer is not allowed to arrest except in special circumstances without a warrant, if a police officer is suspected to arrest a person of crime, the police have to go to the magistrate and obtain a written permission for a warrant before they are held a suspect.

Another thing is the freedom of speech. The people must be proud from the freedom of speech but any particular law does not guarantee it in every part other kinds of freedom, has to be restricted in order to survive.

Com. Zein Abubakar: Ya mwisho mzee wangu.

Joseph Biegon: Freedom free meetings, police must not prevent citizens from meeting unless they get a written permission from authority, public meetings can be provided if they are likely to cause a bridge of peace. Thank you.

Com. Zein Abubakar: Thank you very much Biegon. Give in your memorandum and sign our register we would read and go through. Kule mwisho kule mzee. Sasa nitaita wale wengine, Langat Julius, ni wewe ako kama yuko akae kwa kiti hapo. Doris Chirchir, David Kipkorir Langat, Joel Langat. Ukiwa wewe ndiye David Kipkorir Langat, ndugu yangu naongea na wewe, unaitwa nani? David Kipkorir Langat, Box yako ngapi? Ni wewe, mtu atajwe mara moja na nikikuta ukianza ku - Joel Langat of Box 83. Councillor Francis Chepkony, umemaliza. Patrick Lagat, uje karibu hapa mzee, Henry Sai, uje hapa mbele ukae hapa mara moja. Monica Sinei, alisema, Joyce Mwendu pia alifanya, Emily alifanya, Nyamu S. Amos, Antony Toroitich, karibu mzee, Ezra Korir, Zacharia Cheruiyot, wewe ndio Izak sema ni wewe mara moja uje ukae na wewe mzee ni nani?

Zachari kaa basi tuanze na huyu hapa.

Julius Langat: I am Julius Langat. From Kedowa. This are my own views: I want a preamble in the Constitution. Secondly,

Com. Zein Abubakar: Umesema majina yako?

Julius Langat: Yeah. Secondly, I support the issue of majimbo and in connection to that, as we talk of majimbo, I also want to point out that there are some issues like road, airport and even seas whereby we can use in exporting our farm products. This issues should be taken care of so that....

Com. Pastor Ayonga: Really you have made your point, what you want is majimbo. And they know what majimbo can do so you don't need to explain it to us.

Julius Langat: But I don't want us to be landless Sir. And then the third thing, our Councillors and our Members of Parliament, should be given offices on constituency level and what level so as to avoid going to somebody's house. Another point, court fee should be lowered so that all the poor citizens will be able to go on legal proceedings and thus avoid corruptions. Courts should also be(inaudible) to avoid a lot of time wasted during the hearing of this cases. Government should also employ lawyers or advocates to stand for the poor man.

Com. Pastor Ayonga: Ya mwisho.

Julius Langat: Commission should be formed to investigate unsatisfactory cases. And then secret balloting, political parties should be three. Discipline in school, should be proper but we don't mean watu wachapwe na ile fimbo kubwa zaidi. Then the library should be brought to rural areas for learning to go up. Child employment should be prohibited if the child is below 18 years. I think I have finished.

Com. Asiyu: What is your name?

Julius Langat: I am Langat Julius.

Com. Pastor Ayonga: Haya unaweza kuenda kule ukajiandikishe. Now let me remind you what I had said earlier in the morning, you have been listening the whole day and you know certain points have been made severally, I would request you not to keep on repeating the same same thing. If your points have been made, simply say what I wanted to say has already been said. Because repetition does not really make any difference and I want you to be brief and follow that kind of party. Next, come say your name and go ahead. You I thought you sat according to the names that were called. Say your names.

Kipkorir Langat: Thank you Mr. Commissioner. My name is Kipkotir Langat. For today I know the Commission has been so busy but we have to tell them what we have in our minds. For today actually the government officials should be accountable for what actually they have to spend, as far as actually their financial needs are concerned.

Secondly, affirmative action should be there, bill of rights, check and balances as far as actually the legislature, executive and the judiciary is concerned. Fourthly, civil liberties, freedom of speech and the rights of fair trial. Fifth, farmer's(inaudible) as far as the farmers are concerned, the farmers should be given the rights to import and to export. The government actually should not come in actually to import fertilizers, they should not import sugar without the concern of the farmers. Sixth, equality of result. We should be told when and where. Seventh, physical policy.

Com. Asiyo: The last point.

Kipkorir Langat: The last point was equality of results, as far as the government issues are concerned. The government should be telling the wananchi what to do. Wananchi also should be there actually to advise the government. It should not be the government to advise the wananchi, both of them should come in.

Com. Pastor Ayonga: How do you involve wananchi? Watu wote wa hapa Kipkelion wanaenda ku-advise serikali?

Kipkorir Langat: Yes Sir.

Com. Pastor Ayonga: Wanaendaje, wanaenda kama jinzi leo umekuja?

Kipkorir Langat: Wawili watatu watatauliwa.

Com. Asiyo: This is a mechanism.

Kipkorir Langat: Yes, wawili watatu watateuliwa kueleza wananchi kenye wanataka kufanya, kama ni maneno ya maziwa, kama ni ya mahindi....

Com. Asiyo: Nani atawachagua?

Kipkorir Langat: Tuko sisi wanachi.

Com. Asiyo: Kuna farmers, kuna wakulima, na huyu mtu si mkulima

Kipkorir Langat: Tuna cooperatives actually, watatuma wawili watatu.

Com. Pastor Ayonga: Lakini si hiyo wangepanya kutoka kwa cooperative yao, through cooperative.

Kipkorir Langat: Ikitoka cooperative, pengine haita fika pale tunataka.

Com. Pastor Ayonga: Okey hayo ni maoni yako endelea.

Kipkorir Langat: Physical Policy, revenue sharing and limited government where actually the Executive should not be given powers to exercise on jailing individualizing the common man. I think we are together, even the judiciary should actually be followed up.

Com. Pastor Ayonga: Sema point ya mwisho.

Kipkorir Langat: Point ya mwisho ni ya kwamba, even the rehabilitation centre should go to the prison kama mtu amemaliza kidato cha nne, lazima aelimishwe mpaka apate degree kama yuko ndani huko. Sio kuachiliwa akitoka nje hana namna ya kufanya.

Com. Pastor Ayonga:(inaudible) sema majina yako.

Patrick Langat: Kwa majina ninaitwa Patrick Langat.

Com. Pastor Ayonga: Endelea Patrick.

Patrick Langat: Asante sana. Nikiongea ya kwanza kabisa ninaongea chini ya umbrella ya majimbo. Hivi basi ninapendekeza majimbo kama serikali ambayo ingefuata baada ya hii. upande wa President, ninapendekeza President ambaye awezi akawa na constituency lakini ako na party. President huyu huyu tunaweza kumchagua kwa safari moja. Sisi wote kama wana Kenya tunachagua President mmoja kwa wakati Fulani. Baada ya hapo tutakuwa na wakati wa wabunge na Macouncillors. President huyu ninapendekeza ya kwamba, aweze kuwa na wazee arobaini na mbili kutoka kwa makabila zote za Kenya plus moja ambaye atawakilisha makabila zile zingine kama wahindi, waarabu na kadhalika katika meza yake pakiwa na shida. Kwa mfano kukiwa na vita, hawa wazee wanaweza wakakuwa ni Councillors kwa President pamoja na wale wakuu wa majeshi, wasifanye kosa kabla jambo halijapitiwa kwa undani zaidi.

Sehemu nyingine, upande wa mawaziri, President apate kuchagua mawaziri ambao watakuwa professionals katika ministry zao.

Sio waziri ambaye amesoma udaktari akawa ni waziri wa sehemu ya barabara. Tupate waziri ambaye atakuwa ni daktari au ni ministry ya health. Awe ni yule wa engineering aende kwa kazi hiyo hiyo, itatupa urahisishaji wa matumishi wa pesa za uma kwa njia inayofaa kwa undani zaidi. Sehemu nyingine ni pesa. Napendelea tupate pesa ambayo itakuwa na national look miaka zijazo, tunaweza tukapata kwamba pesa zisiwe za kuwa na kichwa cha mkubwa wa nchi hii, iwe na kitu cha historia inayofaa, ambayo itaweza kuwa ni monument, au kitu ambacho kitahusu wakenya wote jumla ikiwa ni historia ya watoto wetu kwa miaka zijazo. Kwa mfano tuwe na simba au Mt. Kenya.

Com. Pastor Ayonga: Hiyo ni maandishi ambayo tutatumia. Na kwa hivyo tutasoma. You have made your points very clearly, kwa hivyoili tuwape wengine nafasi pia. Utuwachie hayo maandishi usiende nayo.

Anthony Rotich: Mr. Commissioner na wasikilizaji wengine, nilikuwa nimeandika memorandum, lakini ilinibidi kubadilisha, kufanya marekebisha hapa na pale, kwa hivyo yangu kwa leo itatoka mdomo, na nita tuma memorandum baadaye. My name is Antony Rotich. A civic education provider from Kelmanet Kenya, an NGO. First of all I would like to say that the the Constitution of Kenya, since we want a new Constitution, it should have that new look, that will not be easily violated, amended, played around with or in any other way changed.

The new Constitution should also reflect a new country and so I suggest that the new country Kenya should be the federal republic of Kenya. By implication, that means the type of government I am recommending that it should be the future government of this land is a federal government, a participatory government and a government that the people have a big say on. In that respect, the national assembly should be a two chamber house, the upper house and the house of the representatives and the President whose powers will be mainly ceremonial to look after the Constitution to open and close Parliament, to receive state guests, should be the head of state and should be the custodian of the Constitution.

Having said that the name of this country, should be changed with the new Constitution, to read the federal republic of Kenya, it means therefore the ceremonial President will be the head of state and then there will be a prime minister who will be the head of government and leader of government business. At that level the affairs of state taken care of by that central government where there is a prime minister and a President, more or less with the example of India taking the queue from India, that should take care the finances of this land, it should take care of the defence of this country, it should take care of international relations, it should also take care of other functions besides the social services like schools, health and other services which should be taken care of by another level of government, that is the regional government.

In the regional government we propose that there should be a regional assembly comprising members from all the districts of that region and preferably from every administrative division, from every district in that region. Then regional assembly is responsible absolutely and totally for the government and governance of one federal state, which is by its own rights autonomous in everything except defence and those other departments I mentioned earlier. In this respect, there will appear to

be a sharing of powers of governance, between the central government and the people themselves at their own level. In that respect also we shall be exercising what we call participatory governance, whereby even if I don't participate individually I have sent a person closer to me to a regional assembly of my region.

Ya mwisho ni kwamba, there are people on this land who don't know whether they are independent or not, those are marginalized people. The marginalized people should also maybe feel or maybe made to feel that they belong in this land. Those are people like the Ogiek, the Dorobo whose land is being apportioned yesterday, today and tomorrow, and yet they are not considered. Also people like the Galai who are sent to us many years ago, brought back, then they are sent to middle of nowhere where they have no neighbour, when they want to be happy they shout, wanapiga nduru, pole sana. So their state of affairs should be looked into by the Constitution so that they can even be compensated for their exile and their being exiled since 1934, and others also.

Finally, land ownership, the Commissioners allow me to clear with that one. Like the PS this year which were lived many years ago by a stranger, a foreigner, we would like the new Constitution to find out whether it is still legal for somebody to leave my own land to his brother and still remain legal in an independent Kenya. If not perhaps even if they make a profit, if they make a hundred million profit, and they take fifty million, the fifty million comes to the local authority that will still be a profit. But none the less they should pack their things and go. Thank you very much.

Com. Asiyu: Where did you take the defense and security of this nation?

Anthony Rotich: National defence and security, is with the central government, but the internal security is the affair of a federal state.

Audience: (clapping)

Com. Pastor Ayonga: Thank you Bwana Antony Rotich. Now let me remind students, I want to remind you that this is not a political rally, we are not clapping here, we are as in a court room, we are doing a serious business here, and we don't want to hear of any clap. Thank you.

Korir Ezra: My names are Korir Ezra and I should present my view as follows; I would like the government to retrench civil servants right to install private sectors in line with the sectors they are working in the government. for example, if a person is a doctor or a nurse, he should not install a private hospital, in that this will hinder concentration in the government work. Another example is that there are some doctors or pharmacists, who are doing chemist jobs and yet they are doing work in the government. This also will hinder corruption in the government. another thing is that a Commission should be set to ensure that the right students those who are fast, have been allocated the money allocated by the government to enhance their education.

That Commission should be set from the local authorities and not from the top government. Thank you.

Com. Pastor Ayonga: Thank you very much.(inaudible) sema majina yako.

Zakaria Cheruiyot: Jina langu ni Zakaria Kipngeny Cheruiyot. Natoka sehemu ya Kimolofit farm, Kipkelion. Mwalimu ambaye amestaafu. Ningependa kutoa mapendekezo manne, lakini kwanza niruhusu nitoe fikira. Wakenya wanachunguza upya Katiba wakati miaka arobaini hivi tangu tulipo jinyakulia uhuru. Miaka arobaini ni muda mrefu sana. Watu wa rika yangu na wale wa umri zaidi ya wangu, wameona mazuri na mabaya. Na mapendekezo yangu nimeyaandika wakati nilipokuwa ninatafakari juu ya mambo hayo. Mapendekezo yangu, kwanza, afisa yeyote wa serikali anayefuja mali ya uma, asimamishwe kazi na afikishwe kortini na kushitakiwa.

Com. Pastor Ayonga: Na hayo mali ambayo amekula?

Zakaria Cheruiyot: Mali ambayo ameshapora irudishwe. Pili, yule mtu anayependa kuwa chief, awe amefika umri wa arobaini, nifanye thelatini na tano. Ujenzi wa barabara ipewe uzito kama ule unaopewa afya. Iwe ni jukumu la serikali kama vile afya inavyosimamiwa na serikali, isisimamishwe ama kuusishwa na siasa. Nne, kuna magazeti Fulani yanayoharibu akili na fikira za wanafunzi, zile zinazoitwa kwa lugha ya kimombo, pornographic literature. Zipigwe marufuku. Ya mwisho, inahusu yule anayelitwa Ombudsman lakini mwingine ameshatoa pendekezo hili kwa hivyo sitaku kurudia. Asanteni sana.

Com. Pastor Ayonga: Asante mwalimu, ingawa maneno mengi hayakufanyika wakati wako, unajua tunajenga taifa la kesho, enda ujiandikishe, na hawa ma dot.com wako hapa ndio tunatengenezea Katiba mpya. Wamekwisha ile list. Henry Soi, kama uko unasema niko.....(inaudible) Zacharia aliongea, Stephen Lagoso, KipKosgei Kirui, ni wewe mzee, kuja basi, Richard Tanui, si uliongea, basi kuja hapo. Mzee apatiwe mtu.

Kipkosgei Kirui: *Kainet ko Kipkosgei arap Kirui.*

Translator: Jina langu ni Kipkosgei Arap Kirui.

Kipkosgei Kirui: *Kenyisiek che amiten emoni amiten kenyisiek tisaini.*

Translator: I am 90 years old.

Kipkosgei Kirui: *Ko kit ne amache, amache kobur emet kou keny*

Translator: I want this land of ours to be as useful as it used to be.

Kipkosgei Kirui: *Amun en keny ko kimakobutokse emet ago kikosyindos bik.*

Translator: Hapo zamani nchi hii, watu walikuwa na masikizano na nchi ilikuwa na amani ya kudumu.

Kipkosgei Kirui: *Ko ngunon oterkten emet kobar kion*

Translator: We are appealing to you to ensure that the coming Constitution peaceful

Kipkosgei Kirui: *amun indoibure emet kou keny ko mamiten ng'ala.*

Translator: Because if you do that it will be the right thing to do.

Kipkosgei Kirui: *Ko kit ne miten ko en okwek kiptainik che omi, oteregte emet en mieindo ak kokaschin bik.*

Translator: We as elders are asking you as leader of today to ensure that there will be this in whatever you are doing now.

Kipkosgei Kirui: *Amun inomite emoni ane boiyot ingunon, a boiyob kok ako kiaterekte emet ak ang'alalchini bik.*

Translator: I would like to emphasize the importance of a village elder, a role I played for many years, and a role which everyone knows is very very important but much neglected.

Kipkosgei Kirui: *Ko kit ne kimoche boisie, ogerech boisie ak oger inne mieni ogere kakiyosegitu amakinoe kele kerech ng'o.*

Translator: Therefore tengenezeni Katiba ambayo kwa sababu itawatunza ninyi lakini twataka pia itutunze sisi wazee wakati tungaliko.

Kipkosgei Kirui: *Amun inan kewonchi bik en olin kotko ngeityini serkali ko ngo kasindanan agochi serkali.*

Translator: Kila mtu anajua kazi ya village elder, kama tunafanya kazi yetu kwa grassroot, tunafanya kazi ambayo inajulikana na mambo yakifika juu yametengenezwa sawasawa.

Kipkosgei Kirui: *Ko kit ne kimoche ko noton. Kimoche kosyinet kokosyin ngweny ko kobur komie.*

Translator: We want understanding between all the tribes of Kenya so that there will be this always.

Kipkosgei Kirui: *Ko mamiten ng'alek che amwae. Yegas kokosyindos bik ko mamite matatiso age tugul.*

Translator: Sasa sina mengine ninataka tu Katiba yenye kuleta masikizano na watu.

Com. Pastor Ayonga: Hebu mwambie angojee kidogo.

Translator: *Kole kany korok.*

Com. Pastor Ayonga: Mzee asante sana kwa maoni yako na sisi kama Commission tunataka maisha mema na siku nyinyi Mungu akubariki mpaka na wewe usikie uonje Katiba mpya.

Translator: *Kole boisiechu, komisionaek, koboiboitu inne en ng'alek che kemwa ago soun asi kobit ibur kototen kotiker ak iboiboenchi serkalit ne ibu Katiba ne leel.*

Kipkosgei Kirui: *Ko ng'olyot any ne kararan ko baibai agot agine Mungu.*

Translator: And be assured that if you produce a good Constitution even God will be so happy.

Com. Pastor Ayonga: Thank you so much, thank you. Sema majina yako.

Richard Tonui: Kwa majina ni Richard Tonui kutoka tarafa ya Londiani. Mapendekezo yangu ni kama yafuatayo. Kwanza kabisa ni utangulizi, preamble. Sisi tungependa utangulizi useme hivi, 'haki, ukweli na undugu ndio nguvu zetu wakenya' kwa sababu tunaona haki ikituongoza kwa kila jambo na ukweli, na undugu ambao tukiwa nao itaweza kujenga taifa moja tabiti.

Com. Pastor Ayonga: Na tena pointi ingine hiyo tumesikia ni preamble.

Richard Tonui: Ya pili ni kwamba inahusu wale watu ambao wanastaaifu kutoka kwa serikali ama wale wanalazimishwa pia kutokana na hali ya kifedha. Tungependa kusema ya kwamba, wale watu ambao tayari wanahudumia serikali, wanahitajika kulipwa malipo yao ya uzeeni, miezi tatu kabla ya siku yao kutimizwa.

Com. Pastor Ayonga: Okey you have made your point.

Richard Tonui: Na kama sio hivyo basi waweze kupewa pesa yaani mshahara, waendeleo kupata mshahara mpaka siku ile watapewa na serikali mahitaji yao. Ingingine ni kuhusu upande wa kifo cha Rais, kukitokea na kifo ama tukio lolote lenye litamthuru Rais, ningependa kusema ya kwamba, tungetaka yule mtu mwenye atashikilia kwa wakati huo, iwe ni speaker wa bunge, na aweze kuitisha uchaguzi baada ya miezi tatu. Na yeye mwenyewe ambaye amekuwa akishikilia kama kiongozi wa nchi ambaye ni speaker, asiweze pia kuwa ni mmoja ya wale ambao wanahitaji kuwa Rais.

Ingingine ningependa kusema ni, ilituweze kuhakikisha ya kwamba watoto wote wa Kenya wamepata elimu ya kutosha, elimu iwe ya bure na tena ningependa kusema ya kwamba, shule zote ziko wakati huu ziweze kutoka nurseri mpaka secondary ikisimamiwa na mwalimu mmoja, ilituweze kukaba ile hali ya watoto wengi kupotelea mitaani bila kufika shule ya upili.

Com. Pastor. Ayonga: Asante haya maandishi utatupa sisi tutaenda kusoma. La mwisho.

Richard Tonui: Mwisho ndugu yangu. Hakikisha ya kwamba katika shule zetu zote, lazima zile vitu ambazo watoto wetu wanataka kusoma, zithimishwe na wakuu wote wa elimu na pia hata zaidi wasomi. Ni asante sana.

Com. Pastor. Ayonga: Asante. Kwa hivyo utatupatia hayo maandishi na uende kule ukajiandikishe. Sasa ninauliza hivi, kuna yeyote hapa katika ninyi hao ambao mmekeki, ambaye hajaongea na jina lake lilikuwa hapa, aliitwa pengine alikuwa ametoka, na ambaye pointi yake haijasemwa? Kama unapointi ambayo haikusemwa yako, hebu uje hapa mbele. Na watu wote wanakungojea wasikie pointi ambayo haijasemwa, keti hapo. Hawa ambao mmekuja hapa mbele, majina yako hapa na mimi? Ngoja ngoja,

Speaker: Yangu iko na pointi yangu ambayo imesemwa.

Com. Pastor. Ayonga: Asante sana. Tunataka wanaosema haki kama yule pointi yake imesemwa. Imeendelea inamaanisha nini? imesemwa asante.

Speaker: Mimi ninaunga mkono yale Antony alisema na mimi ni namba 132.

Com. Pastor. Ayonga: Asante sana 132. yale ambayo Antony alisema, unaunga mkono. Asante sana mzee. Sasa ninyi hawa mlio mbele, ninadakika ishirini tu, ambazo zitatufikisha saa kumi na moja, na ikifika saa kumi na moja itakuwa lazima nifunge. Kwa hivyo ninataka kuwauliza hivi, ninampa kila mmoja wenu dakika moja moja, Dr. Ruto. Anza na yale makubwa mengine tutasoma.

Dr. Ruto Sammy: Thank you. Commissioner Asiyo, Bwana Ayunga, Bwana Abubakar, secretaries Oluoch and company, I would to expand on what Antony Tanui said concerning.....

Com. Pastor. Ayonga: Ungeanza na majina yako.

Dr. Ruto Sammy: Dr. Sammy Ruto. Kenyatta university. Mimi ni mwalimu. I would like to add on something that Antony said regarding the powers of the top, the structure at the top. We should have the presidency, Vice President and the post of a Prime Minister, I would to add two deputy Prime Ministers, one in charge of government business and the other one in charge of Local Government, so that we can have a link between the central government and the Local Government.

On political parties, there should be a limit to political parties. The limiting factor should be the percentage of people or members that a political party should have nationally. They should have national outlook preferably 30%, I am suggesting 30% support nationally. Any party that has 30% should be registered. Now leaders both President, down to ministers and Councillors should have a moral and ethical code to follow and that should be strictly adhered to.

The President should not be a Member of Parliament together with his vice. We should strengthen Local Authorities. Individual

labouralism as a philosophy that is guiding us today, emphasizes the role of the individual. By emphasizing local authorities, we are pushing strength to the individual communities to develop themselves. I would like to mention something on land. Land is something that continues to generate conflict among Kenyans and I am saying, that land elianation should be the duty and responsibility of Local Authorities. It shouldn't be the responsibility of central government. Thank you very much. I will leave the written memorandum with you.

Com. Pastor. Ayonga: Thank you mwalimu kwa kutuambia mazuri. Ujiandikishe kule. Sasa ninaanza ile laini yangu. Mara moja tu sema lile ambalo halijasemwa, haya jina kwanza, sema hili hali halijasemwa.

Willy Koech: Jina langu ni Willy Koech kutoka Kedowa division. Mengi yamesemwa nitaongeza tu moja moja. Ningependa anticorruption unit to be set to deal with corruption. Ningependa ingine, hizi makabila zingine ambazo zinatoka Sudan kama Nubis, wale wanatoka Rwanda kama Tutsis na Hutus, wawe restricted, wasiingie tu Kenya na kujiandikisha na Somalis from Somalia. Kuwe na condition ambaye wasijiandikishe kuwa raia wa Kenya.

Com. Zein Abubakar: How about Somalis from, Masaais from Tanzania, Luhyas from Uganda, Luos from Tanzania.

Com. Pastor. Ayonga: Wafanywe aje?

Willy Koech: But those ones are also in Kenya.

Com. Zein Abubakar: This is why I am telling you border communities in Somalia and Sudan, but I am saying there are other border communities but

Com. Pastor. Ayonga: Anasema kuna Wakenya wanaoishi Uganda, wako Kenya, kuna Masaai Kenya, Masaai Tanzania, Waluo Kenya Waluo Tanzania, hau wafanyiwe.....(inaudible)

Willy Koech: Hakuna Wakenya wako Sudan. Wanubi hawako.

Com. Zein Abubakar: Wasomali ambao si Wakenya ni Wasomali, na wewe unasema uankuja Kenya unajifanya mkenya. Mimi ninakuambia kuna Masaai pia Watanzania.

Willy Koech: Wako hata Wakalenjin wako.

Com. Zein Abubakar: Haya si Wakenya.

Willy Koech: Wakipsigis hata wako Tanzania.

Com. Zein Abubakar: Hao wakija huku?

Willy Koech: Wataruhusiwa wakuje.

Com. Asiyu: Na wale Wanandi ambao wako Sudan?

Willy Koech: Hakuna Wanandi ambao wako Sudan, wote walitoka huko.

Com. Pastor. Ayonga: Any way we are not debating hayo ni mawazo yako. Wakenya wengine wana nafasi ya kusema yao.

Willy Koech: Ya mwisho ningetaka kusema ya kwamba kuwe na regions kumi. Rift Valley igawanywe iwe mara mbili na North Eastern.

Com. Pastor. Ayonga: Hiyo imesha semwa.

Willy Koech: Nawatakia mema.

Com. Pastor. Ayonga: Hebu pita kwenda pande ile ujiandikishe. Na wewe mzee tuambie ambalo halijasemwa.

Richard Bii: Kwa jina langu ninaitwa Richard Bii. Power lazima ipatiwe President ili aongoze watu. Hata tukiwa equal nani atakuwa mkubwa wa mwingine, power ipewe President. Ya pili, nilikuwa nina-reduce mambo ya President lakini nimempa power. Sasa ya pili, mambo ya uchaguzi ikuwe MP au Councillors si mambo ya kielimu. Vile mimi ninataka ichaguliwe vile watu wanataka.

Com. Pastor. Ayonga: Okey hiyo ni democracy.

Richard Bii: Ya tatu, mambo ya mashamba, sio kunyanganywa eti eka mia moja, mia mbili namna hii, shamba kama wewe uko na eka mia moja au ishirini au kadhaa, lazima hiyo ni yako si lazima eti isimekane mpaka igawiwe mtu wa squatters na nini na nini. Hiyo ni yako na tunataka serikali ichungie watu mali zao.

Com. Pastor. Ayonga: Asante sana mzee na hiyo imeshasemwa umeweka nguvu, serikali itaona hilo jambo.

Richard Bii: Boundaries lazima ziwepo kwa kuwa hata ndugu yako nyumbani, tuko na boundaries, hata hewani boundaries,

kwa maji boundaries, lazima boundary ziwepo.

Com. Pastor. Ayonga: Asante sana na hiyo imeshasemwa boundary zitunzwe. Asante uende ujiandikishe. Mwingine. Jina na sema ile pointi haijasemwa tu.

Stanley Cheruiyot: My names are Cheruiyot Stanley from Kedowa. This are my proposals, the proposal of Kenya Constitution Review. The Constitutions of a country is the most important document to the people of the particular country. It is true that the tremendous level of missions and Commissions have been committed by the government officials due to lack of cheques and balances.

Com. Pastor. Ayonga: Bwana Cheruiyot, hii si unaenda kutupa, kwa hivyo tuambie points kubwa zilizomo hapo sisi tutaenda kusoma.

Stanley Cheruiyot: Then support the government then, this is an organ which deals with the affairs of the public day to day. It should be headed by the prime minister and three other prime ministers. National Assembly; the MPs are the people's representatives, consequently there should be proportional representation in the house. This practice is all over the world. About boundaries has been said. I am supporting that the boundaries should be maintained.

Com. Pastor. Ayonga: Tuambie ile ijasemwa.

Stanley Cheruiyot: About Local Authorities. The creation of a country, locational wards, councils should be established. The chairmen and mayors of the councils to be elected in the current system. Whereby mayor and a chairman is being elected by the people.

Com. Pastor. Ayonga: Hiyo wimbo tumeimba toka jana.

Stanley Cheruiyot: Should be elected by his colleagues in the house. So the rest I think has been said.

Com. Pastor. Ayonga: Thank you. Utupe hayo makaratasi. Next, tafadhali usitusomee tuambie kitu kiko hapo ambacho hawajasema.

Amuel Getet: My name is Samuel Getet and I come from Monius Kipkelion constituency. Members of Parliament should be from O-level and above the standard of education.

Com. Pastor. Ayonga: Hiyo imesha semwa.

Amuel Getet: Thank you. Succession and transfers of power. All Kenyans supporting him to be participated elected their representatives. The next thing is environment and natural resources. This should be under the authority of the Local Council.

Com. Pastor. Ayonga: Hiyo imeshasemwa tayari.

Amuel Getet: Elections should be carried out under the new Constitution. Education; the central government should facilitated the form and standard of education in the country and O-level e.g. primary, secondary and university. Political parties; we should have only two political parties as opposed to many tribalism.

Com. Pastor. Ayonga: Hiyo imesha semwa.

Amuel Getet: Health; the health of its citizens should be the concern of the government and should be at the affordable cost.

Com. Pastor. Ayonga: Ndio wameongeza hata wakasema free medical services. Thank you so much.

Amuel Getet: Thank you. Poverty eradication. All Kenyans of working age should(inaudible) to employ all able to produce per poverty eradication in the country. Asante.

Com. Pastor. Ayonga: Asante sana. Tafadhali utupe hayo makaratasi na ujiandikishe kule.

Pastor Michael: My name is Pastor Michael Tanui. I support what most of our colleagues have said regarding federal government, but I want to emphasis one point here, because I am a spiritual leader.

Com. Pastor. Ayonga: Hebu sema hiyo.

Pastor Michael: I just wanted to say in Kenya just to avoid a codeless society. We want to imprint in every sector yaani to have approved in our court of arms, God fearing nation. Kenya should be a God fearing nation, that is it, because right now we are almost importing foreign culture.

Com. Pastor. Ayonga: Hebu tuambie yale unayotaka Pastor.

Pastor Michael: What I want to say is that, we have had philosophies like nyayo, even harambee..

Com. Pastor. Ayonga: Wewe tupe ile philosophy unayotaka.

Pastor Michael: What we want is to implace in our system of government where even in(inaudible) and court of arms, we trust in God.

Com. Pastor. Ayonga: Okey we trust in God. Okey point ingine.

Pastor Michael: That is the most important point. Another thing about the mode of elections, because I don't want to repeat most of what has been said, votes be counted there and there to avoid corruption.

Com. Pastor. Ayonga: Hiyo imeshasemwa tayari, katika poling stations....

Pastor Michael: I just wanted to thank God for bringing you here so that we can say much.

Com. Pastor. Ayonga: Thank you and pray for the process. Mama mboga karibu ujachuna, sema like ambalo hawajasema.

Elizabeth Keset: Jina langu ni Elizabeth Keset kutona Momonia. Langu ni mambo ya kuona. Mwanaume hatutaki wanaume waoe bila sign ya assistant chief mzee wa mtaa wazazi. For example, wanaume wetu sanasana Waafrika, wakienda kufanya kazi, akipigwa transfer Mombasa kuna Hadija, uko Kisumu kuna Anyango, kila mahali. Kwa hivyo, mzee bahati mbaya akikufa, kila mtu anakuja kusema mimi ni bibi yake na nimeumia nyumbani. Kwa hivyo hatutaki wazee kuoia bila mama kujulishwa. Hata vijana wetu.

Com. Pastor. Ayonga: Asante. Lakini ulisema kwamba bila sahihi ya chief, sasa si chief yuko Kisumu huko, huyo mzee wako atamwendea chief aweke sahihi?

Elizabeth Keset: Mahali anatoka ndio apewe sehi, kama ni Kipsigis anapewa kutoka Kipsigis aseme huyu anafaa kuoia kwa sababu tumetaabika sana wakina mama.

Com. Pastor. Ayonga: Kuja uweke kidole kule, hiyo tabu itachukuliwa.

Elizabeth Keset: Vijana tena wasioe bila ruhusa ya wazazi.

Com. Pastor. Ayonga: Na wakifanya hivyo nini ifanywe? Ukipata kijana wako ameo, hukumpa ruhusa.

Elizabeth Keset: Tunataka kuwapa ruhusa kwa sababu vijana wetu wakitoka, wameenda nje nje kusoma, na unajua love is blind, wanaeza kuleta ile hata mama amecheka, saa ile anajua ako na watoto tena anamfukuza. Kesi hii iangaliwe.

Com. Pastor. Ayonga: Asante mama. Hebu kwenda huko uweke kidole, hawa vijana wataangaliwa sana. Wasiwe wanasumbua watu. Wewe wacha. Sema majina.

Cllr. Philip: Majina ni Councillor Philip Arap Kilel kutoka Chesinende.

Com. Pastor. Ayonga: Ndio Councillor.

Cllr. Philip: Nafikiri na naunga mkono ambrella moja ya federal government, hiyo ni ya majimbo. Kitu ambacho nilikuwa ninataka kutaja ni land ownership. Mambo ya land ownership, imeonekana ni kitu ambacho kitasumbua watu wote kwa Kenya. Title deeds ambazo zinapewa, mtu anayo title deed kwa miaka tisaini na tisa na ikikwisha, kama wazee wakikwisha, huyo mwingine anaweza pindua hiyo shamba iwe yake, kwa hivyo iwe title deed iwe forever kwa hiyo family. Hapana 99 years.

Ya pili, ni representations kwa Councillors na machiefs na wengine. Kuna ma Councillors ambao wana-represent watu mia sita na kuna mwingine ana-represent watu elfu kumi. Kwa hivyo lazima iwe equal, development iwe rahisi. Hiyo tu ndio nilikuwa ninataka kusema. Asante.

Com. Pastor. Ayonga: Thank you so much Councillor. Mnaona Councillor anasema yale ambayo yalikuwa hayajasemwa, kwa hivyo msituambie maneno tuliyoambiwa kutoka asubuhi. Na hiyo ni ndefu hata inatugofisha kukuona nayo, tuambie yale ambayo yako hapa. Sema majina.

Paul Rono: Naitwa Paul Rono. Kutoka Kimugu location. Yale yote tulikuwa tumeandika yamesemwa lakini nitaruka na kusema yale hayajasemwa. Kwanza kwa upande wa preamble.

Com. Pastor. Ayonga: Mbona watu wanazidi kuongezeka hapa, nitafunga saa kumi na moja. Nilikuwa nimefunga na ikifika saa kumi na moja on the dot I close this meeting. Umekuja umechelewa? Ulikuwa wapi? Tafadhali uendelee.

Paul Rono: Kwanza nitataja kuhusu preamble, yaani utangulizi, lazima uonyeshe historia tuliyopitia iliyombaya kabisa ya ukoloni, ambayo ilitufuruga sana. Kwa hivyo nimeandika haza itasomwa baadaye, kwa hivyo ionyeshe kwamba tunataka kurekebisha mambo mabaya yaliyotendwa katika wakati wa ukoloni.

Com. Pastor. Ayonga: Hiyo point preamble imeshasemwa na umeongeza nguvu.

Paul Rono: Pili, upande wa principles ya state policy, tuonyeshe kwamba wakenya wengi wanatakiwa wawekewe uzalendo.

Kwa vile wakenya wengi hawana uzalendo yaani patriotism. Kwa hivyo iwekwe katika policy ya Kenya kwamba, uzalendo iwe moja wapo ya vitu vya maana sana, hata kutoka utotoni na shule.

Com. Pastor. Ayonga: Ile ya mwisho.

Paul Rono: Kwa upande wa judiciary, tungependekeza ya kwamba, korti za Kiafrica zianzishwe, yaani African customary law courts, ili kushughulika na mambo ya arusi za kinyumbani, divorce na succession ya mashamba na mali. Halafu kwa upande wa Local Authority, nimependekeza kwamba kuanzisha Local Authority Council boards ambazo zitachunga kazi ya kina Councillors, kwa vile hakuna kikundi ambacho kinachunga Macouncillors. Boards ambazo zitatoka kwa wananchi, halafu mwisho ningependa kuguzia neno la federalism, kwamba wengi wamesema majimbo na federalism, lakini ijulikane kwamba, ikiwa federalism itaanzishwa haimanishi watu ambao hawatoki community hapa wafukuzwe, hiyo haimanishi hivo. Federalism inamaanisha ya kwamba, wale ambao wanaishi ndani wawe incorporated, wakubaliwe ndani. Okey watu wasiogope federalism kwamba ni kufukuza wengine.

Com. Pastor. Ayonga: Bwana Paul Rono, you have made you points.

Paul Rono: Mwisho ni kuhusu lugha rasmi ya Kenya iwe Kiswahili, na hizi lugha zingine za kigeni kama Kingereza, Kifaransa, ziwe lugha za kibiashara na uhusiano wa kigeni. Asante.

Com. Pastor. Ayonga: Ngoja.

Com. Asiyu: Nataka kukuuliza swali moja fupi sana, je Paul, ungependekeza kwamba juu ya African customary court, hivi juzi serikali imeweka family court, je ingefaa hizo courts ndizo ziletwe kila mahali katika districts maana itakuwa ni kama ku-duplicate kazi ya mambo ya familia?

Paul Rono: Family court sana inahusisha vita vya kinyumbani, lakini.

Com. Asiyu: Hata marriage na kila kitu iko.

Paul Rono: Kwa hivyo ipanuliwe nitaunga mkono, ikiwa itapanuliwa kuhusisha inheritance, succession na marriage na divorce.

Com. Pastor. Ayonga: Ndio, sawa Paul hebu tupe hayo maandishi. Tunataka yale ambayo hayajasemwa.

Cllr. Joseph Sang: Kwa majina ni Councillor Joseph Sang kutoka Kedawa. Jambo ambalo ningetaka kusema hapa ni kwamba, mambo ya lease of land, tunajua kwamba tuna huu mtindo tunasema mashamba yanakuwa leased for more than ten

years, tunataka kusema kwamba, ikiwa hiyo itakuwa inaendelea, wale wakaaji wa area hiyo wawe wanafaidika up to 30% kwa mapato ya hiyo campuni. Jambo lingine, ni mambo ya election. Kama tuseme kama Councillor amechaguliwa au MP amechaguliwa, hakuna haja tukiwa katikati tuseme, we recall ama tunaitisha uchaguzi, itakuwa waste of public funds. Ni jukumu tu la mwenye anachagua, aone kwamba huyu ndiye anafaa na ni final anakaa hapo five years. Ingingine ni kwamba, chairman na mayor wawe wanachaguliwa awe executive chairman ama mayor. Na hicho kifungo cha vote of no confidence iwe iko na iwe empowered to Councillors, halafu itakuwa inacheck huyo Executive chairman ama mayo. Qualification ni lazima awe ni form four and above.

La mwisho ni kwamba, chairman asikuwe ana-represent ward yote ama President.

Com. Pastor. Ayonga: Okay thank you very much. Hebu utoe hayo maandishi. Nimebakisha mzee mmoja yule mwenye fimbo.

Solomon Mutai: Kwa jina mimi ninaitwa Solomon Mutai. Pendekezo langu ni ya kwamba mambo ya biashara, small traders and large traders lazima ikuwe sawa. Kusikuwe na upendeleo kwa wakubwa wa biashara. Lazima wadogo wapewe hata jukumu la kufanya biashara, na zingine zimesemwa mambo ya majimbo na land imesemwa.

Com. Pastor. Ayonga: Asante. Mzee mwenye fimbo.

Sungura Ruto: *Kikurenon Sungura Ruto.*

Translator: Naitwa Sungula Ruto.

Sungura Ruto: *Ko kikemech Kipkelion ini*

Translator: Tumeishi Kipkelion hapa,

Sungula Ruta: *ko kibutenech chumbek korik*

Translator: na wazungu walivunja nyumba zetu,

Sungula Ruta: *ak korebenech nego*

Translator: wakachukua mbuzi zetu,

Sungula Ruta: *asikobit ketebi kou niton.*

Translator: hadi tukakaa hivi hivi.

Sungula Ruta: *Kimi Kipkelionini*

Translator: We are just in this town,

Sungula Ruta: *ketinye taabu*

Translator: with a lot of problems,

Sungula Ruta: *nebo imbarenik*

Translator: ya mashamba,

Sungula Ruta: *kitinye lagok*

Translator: tuna watoto,

Sungula Ruta: *ago tinye taabu lagok.*

Translator: ambao wako na shida nyingi,

Sungula Ruta: *tinye kiptoinik taabu, lagok che kikosigis lagokwak en gaa ago macham kotokotun weri. Ko kakitinye imbarenik, kitinye nyalilda.*

Translator: hata tuna shida za wasichana ambao wako single mothers na hawana pa kuenda.

Com. Pastor. Ayonga: Sasa tunataka mzee atuambie anataka mambo yafanywe namna gani, hizo shida tunajua.

Translator: *Imoche any kelyoi?*

Sungula Ruta: *Kimoche kebutwech imbare.*

Translator: Tunataka tupatiwe mashamba kwa sababu sisi hatuna shamba.

Com. Pastor. Ayonga: Tena nini ingine.

Translator: *Ne age?*

Sungula Ruta: *Mami ng'olyot age tugul, kole kingoyosit boiyot ko tinye murenik anywan ko...*

Translator: Hakuna neno lingine ijapokuwa, kama mimi mzee sasa nikiwa mzee namna hii na vijana wane.

Sungula Ruta: *Ko bichoton ang'wan ko kile boiyot amache agochi tuga, kokochin aeng' kotebi aeng'u?*

Translator: Na kama mzee kama mimi sasa nina vijana wane, nikipeana ngo'mbe kwa wawili, wengine wawili wabaki, je hiyo

ni haki kweli? Sisi tumebaki tupatiwe yetu.

Sungula Ruta: *Ko ngemi ireyu nguni kekosoti kelenen ainon kokikochi imbaret lagok kokikochi imbaret boisie, kokikochi imbaret chepyosok..*

Translator: Tunasikia tukiwa hapa sasa kwamba, mashamba yanapeanwa pale, na wanapeana pale kwa vijana, kwa wazee, kwa kina mama, na sisi je?

Com. Pastor. Ayonga: Asante sana Mzee.

Sungula Ruta: *Kilyan ine Kipkelionini si makibutwech imbaret.*

Translator: Kipkelion iko namna gani?

Translator: *Kokile Kongoi*

Sungula Ruta: *Kongoi missing.*

Com. Pastor. Ayonga: Kongoi missing mzee. Wewe ni clan gani?

Translator: *I or ano?*

Sungura Ruto: *Kapsergoin*

Translator: He is from Kapsirgoin clan.

Com. Pastor. Ayonga: Je, una memorandum? You have a single point? Come make your point in one minute. Sema majina kwanza.

Bernard Siele: Kwa majina ninaitwa Bernard Siele wa NYC. I have this point that, the new Constitution should provide for the formation of national youth council, to deal with the affairs of the youth. Another point the last point is that the new Constitution should provide for the creation of employment offices in every constituency, so that that will be forwarding the names of those people who want to be employed in every constituency.

Com. Pastor. Ayonga: Na haya maneno umeandika yako hapo?

Bernard Siele: Yote ambayo nilikuwa nimeandika yamesemwa.

Com. Pastor. Ayonga: Ndio lakini si yako hapo? Sasa Bwana Bernard uweke uende kule ujiandikishe, na hiyo weka sahihi

umpe yule a-record. Thank you so much. Ni kianza kuachia kila mtu leo aseme pointi moja, mama mmoja tu. Wewe umesema pointi moja, na uiseme.

Rebecca Cheruiyot: Kwa majina, mimi ni Rebecca Cheruiyot, mwalimu. Pointi moja yenye nilitaka kusema ni kuwa maternity leave kwa walking mothers or walking women be extended from 60 working days to 120, to ensure good health of the mother and the baby. Hiyo tu.

Com. Pastor. Ayonga: Ngoja.

Com. Zein Abubakar: Rebecca, tumependekezewa mahali kwingine tulikokwenda, kwamba kama mama anapewa maternity leave, na bwana yake apewe kama nusu mwezi awe na yeye wakati huo, naye apate paternity leave.

Rebecca Cheruiyot: Hata hiyo nitaunga mkono, kwa sababu mama anahitaji mzee pia kumuona.

Audience: (laughter)

Com. Asiyu: Kuna watu wengine, macompany zingine, wanaona kama ni miezi nne vile umesema, ni heri uende(inaudible) kama mwanaume, hiyo ni kusema wanawake wengi watapoteza kazi,(inaudible)

Rebecca Cheruiyot: Uwezi kufukuzwa kwa ninety, sawa basi ninaweza kupunguza by 30, nilikuwa ninafikiria pengine tukiweka kama sheria, wamama hawawezi kuvutwa.

Com. Pastor. Ayonga: Tumefunga na mawazo ya mama ambayo yanasema wapate ruhusa ya kupumzika wakisha tuletwa mtu katika ulimwengu, na wanaume wapate wiki mbili ile ya kuja kutengeneza mchuzi ambao mama atakuwa akinywa akipumzika - starehe - si iko ule mchuzi, ambayo inawekwa na ile dawa ya miti ya kienyeji? Basi mama mambo yako ni mazuri. Now ladies and gentlemen, ninataka kuleta mkutano huu kwa mwisho. Kwanza, ninataka kuwashukuru sana watu wa Kipkelion, ningalipenda zaidi kuona wale wa magazeti hapa, na wale wapiga picha waone kwamba Kipkelion imevunja record. Saa za mchana, tumekuwa na watu wamejaa mpaka huko, in spite of the rain that came - watu wamejaa na tumeendelea mpaka dakika ya mwisho, na imekuwa kazi ngumu kwetu kujaribu kuwaambia, "sasa hapa muachie hapo, muachie hapo", ilikusudi tupate kila mtu aseme kitu.

Kwa niaba ya Macommissioner wenzangu hapa, ninataka kuwashukuru sana sana kwa utulivu na jinsi ambavyo mmetoa maoni, ambayo ni very mature, hata nimeona wengine wamepigwa makofi - sijui kama kesho wataenda kuchaguliwa kuwa Macouncillor, au MP. Na pia, kuna kitu kingine tumejifunza. Unajua sisi tukienda pahali tunajua hapa hakuna civic education,

maoni watu hawa wamekuwa wakitupa, ni yale tu mwingine amesikia mwingine akisema hivi na yeye anasimama aseme. Lakini tumeona kazi ya civic education hapa Kipkelion ilifanywa sawa sawa. Kwa hivyo yeyote who was involved katika civic education, tumeona matunda yake katika kazi yake. Hiyo isitoshe, kuna District Co-ordinator, inaonyesha District Co-ordinator amefanya kazi. Huyu amekuwa akikimbia juu chini, na hawa ma 3Cs wake, wameshirikiana, hata wanaenda wakipata accident wanaamka na kuelekea - no compensation no nothing. Tunashukuru sana sana. Hiyo pia isitoshe, nataka kushukuru Provincial Administration ambayo imeshirikiana, ninaona ambavyo jinsi mambo yamefanywa na pia, Council yenu hapa kwa kuturuhusu kutumia - sisi ndio watu wa kwanza nafikiri, kutumia hapa. Siku ingine tutakuja tutapata pengine pamefunikwa, lakini all the same, kwa facility hii ambayo tumetumia, niliona asubuhi gari imeleta viti na mipango ikafanywa hapa tunashukuru sana kwa mambo ambayo mmetufanyia, kwa kufanya this exercise success.

Nawashukuru nyote kabisa kabisa, wazee wamekuja hapa wenye miaka tisini na wametoa maoni na their minds are still clear, and they have made an appeal - yule mzee alifanya appeal ambayo inataka nyote mkienda muwe mnakumbuka. Neno lake kuu katika yote aliyosema, ni peace - amani. Anataka hata siku atatoka Kenya, awache Kenya ikiwa nini, na amani, na mambo yote tufanye na amani, na tumekuwa na amani hapa, kwa hivyo amani hiyo ninaidumu. Kuna Pastor yeyote ambaye angetufungia au mama yeyote hapa ambaye angetufungia. Mama kuja mbele. Tulimuomba Mungu atupe mkutano mzuri, na baada ya kuwa na mkutano mzuri ni heri tumshukuru na pia Mungu aweze kutulinda sote tunaporudi miji yetu na pahali pa kazi zetu. Mama utuombe.

Prayer(Emily): Hebu tuombe; Tutoeni kofia halafu tuombe. Ee Mungu aliye mbinguni, barikia Commissioners ambao wako mbele yetu hapa, asante Mungu kwa kazi ambayo ilikuwa hapa tangu saa mbili hadi saa hii Mungu. Asante Mungu kwa kazi ambayo imefanywa mpaka saa hizi tunaibakisha ikielekea kuisha, ni asante Mungu. Asante kwa wote ambao wako hapa, viongozi, ma headmasters na viongozi hata wa kanisa. Mungu uwabariki. Mungu, unajua vile wataelekea safari yao, ili kesho tena waende kwa majadiliano mengine kwa maoni ya Katiba. Katiba hii Mungu, ufanye vyema ili itoke vizuri kwa vile wewe ndiye unatuongoza, unatulinda kwa amani, umoja na upendo. Mungu unajua kila mtu saa hii vile atatoka hapa, afike nyumbani kwake salama salimini, kwa jina la Yesu Mwokozi wetu. Amen.

Audience: Amen.

Com. Pastor. Ayonga: Asante na muende nyumbani salama.