

CONSTITUTION OF KENYA REVIEW COMMISSION

CKRC

VERBATIM REPORT OF

CONSTITUENCY PUBLIC HEARINGS,

**SABOTI CONSTITUENCY, HELD AT KITALE TOWN MUSEUM
HALL**

ON

1ST JULY 2002

CONSTITUENCY PUBLIC HEARINGS – SABOTI CONSTITUENCY KITALE TOWN – MUSEUM HALL ON
1ST JULY 2002

COMMISSIONERS PRESENT

1. Com. Prof.Wanjiku Kabira
2. Com. Ida Salim
3. Com.Abdirizak Nunow

SECRETARIAT STAFF PRESENT

1. Irene Marsit - Programm Officer
2. Geoffrey Silas Ass.Programm Officer
3. Josephine Ndungu Verbatim recorder

The meeting started at 9.00 am.

Com. Nunow: Ningependa kumuuliza Co-ordinator Mr. Satia amuombe mtu mmoja atufungulie kwa maombi.

Speaker: Tusimame na tuombe baba mwenyezi Mungu tunakushukuru kwa sababu ya kuwezesha Katiba yetu na watu

Trans-nzoia kwa jumla kuwa pomaja nasi tunataka kuwaaombea viongozi ambavyo wanaweza kusimamia kwa jumla mambo ya hayo, wale watakaotoa huduma Mungu ukawahifadhi ili kumpa hekima na marifa kwa ajili ya jambo hili, jambo hili si la mtu mmoja, bali ni la jumla katika nchi mzima, tunaharibu nguvu na mamlaka, na uwezo wa giza, mambo yasiyofaa mambo ya mwanadamu na fikira za mwanadamu tunaziharibu katika jina la Yesu Kristo tunawachia mkono wa neema na fadhili, ukaweza kutebea katika nchi yetu ya Trans-nzoia tukaweze kupewa haki ile ambayo tuko nayo katika moyoni mwetu asanti Mungu wetu, watumishi wako watakopokwenda kukaa pamoja, na hata kujadiliana, na hata kuandika mjadala huu, Mungu wetu utakuwa pamoja nao, walinde na ukawazingire hebu baba tunaomba kwa ajili ya magari wanayotumia, e baba ukuwapake mafuta wakati wanakaa katika jambo hili, ili leo hii hawalipendelie na wengi wanalipendelea kwa ajili ya kulinda kila mwananchi wa kawaida, tunakushukuru na tunakuamini kwa ajili ya neno hili. Baba kuwa pamoja nasi utuongoze utulinde katika jina la Yesu Kristo aliye Bwana na mwokozi, tunaomba na kuamini. Amen.

Com.Nunow: Na sasa, kabla sijawaeleza taratibu ya mkutano, ningependa kumuuliza Co-ordinator tena Mr. Satia atujulisha wana kamati wa Constituency hii ya Saboti ambao wako nasi leo.

Mr.Satia: Karibuni, Asante sana Commissioner katika kazi hii, tumekuwa na kamati katika kila eneo la uakilishi bungeni na hawa tu ni badhi ya wale wana kamati. Nikianzia upande wa kushoto ni Bi Mary Nyambane, kisha anafuatwa na bwana Peter Ongara halafu Bwana Wilfred Ngunyi ambaye ni mwenye kiti wa group ya Saboti, kisha anafuatwa na Bwana John Buteli muakilishi kwanza kule, Nancy Iyandi, anafuatia mwakirishi upande wa kwanza, na Mr. Gerald Jage ambaye pia ni muakilishi upande wa Saboti wa kwanza. Wanakamati wengine tumewaweka kazini kule kwingine, wengine wako Cherangani kwa sababu tuna mkutano wa karibu wa upande ule mwingine. Pia kati yetu, tunaye Co-rdinator wa kutoka Mt.Elgon District ambaye ningependa pia asimame mmtazame. Bwana Bramwel Murgor, kwa hivyo hawa ndio tumekuwa tukifanya kazi nao, asanteni. Na hatua itakayo fuata nitawarudisha kwa Commissioner, ili atujulisha ma Commissioners wenzake, na wale wote ambao wametoka Nairobi nao. Bwana Commissioners, karibuni sana katika Wilaya hii ya Trans-nzoia karibu.

Com.Nunow: Asante Bwana Satia, na sasa ningependa kuwajulisha ma Commissioner wenzangu, ambao wametoka kutoka tume ya kurekebisha Katiba na mkono wangu wa kulia nina Professor Ahmed Ida Salim na kwa mkono wangu wa kushoto nina Professor Kabira Wanjiku, nami ninaitwa Abdirizak Nunow. Tuna furaha sote kuwa nanyi leo. Pamoja nasi tuna wafanyi wa tume ambao wametoka kutoka makao makuu ya Tume, Nairobi wakiwa ni Irene Marsit ambaye ametoka kidogo, na wenzake Josephine na Geoffrey. Josephine ndio yule na Geoffrey ndie yule. Hawa ndio wasaidizi ambao wanafanya kazi ya kuandika yale mtayazungumza na kunasa kwa sauti yeyote ambayo itazungumzwa kwa siku ya leo. Baada ya hayo ningependa kuwaeleza utaratibu ambao mtahitajika kutoa maoni yenu. Kwanza unaweza kutoa maoni yenu kwa njia moja au njia tatu, moja ya kwanza, waweza kutoa maoni kwa kuandika kwa kupeana maandishi, memorandum, ukiwa umeandika memorandum, unaweza toa hiyo memorandum na uiweke kwa register, na utakuwa umetoa maoni yako. Ya pili utaweza kuja hapa mbele ya tume, uzungumze, utazungumza kwa mda usiozidi dakika tano, na useme yale muhimu sana, ungependa kusema. Hiyo ni ukiwa huna memorandum, pia unaweza kuwa memorandum na useme ungependa kutoa highlights, ya hii memorandum na hizi

highlights pia tutakupa dakika tano uweze kutoa hiyo highlights. Kwa hivyo either way ni memorandum ambayo isiwe kuzungumza hapa mbele ya tume utakuwa na ma dakida matano kila mtu ambaye pengine lenu kuendelea kwa mchana, tunaweza kuzipunguza, kutegemea idadi ya watu.

Kwa hivyo tumia dakika zako tano, usianze na hadithi, uende moja kwa moja kwa points, na utoe. Kwa sababu ukitaja shinda mingi ni ajili ya shinda na kasoro ya Katiba ya wakati huu ambayo tume imeiundwa. Kama hakukua na shinda yoyote, hakungekuwa na sababu yeyote kutengeneza tume, ama kurekebisha Katiba kwa hivyo hiyo tarehe inajulikana, shinda yote inajulikana, pengine kutaja, unaweza taja, lakini usimalizie wakati wako. Uende kwa points, yale mapendekezo ungependa kupeana tume ambayo ungependa kuona yakiingizwa kwa Katiba mpya. Na hizo njia tatu ndio tutaweza kutumia. Utaratibu ingine ambao tungependa mjue ni lugha, kila mtu ako huru kutoa maoni yake katika kila lugha apendayo. Kwa hivyo usijiangamize kuzungumzia lugha ukidhania kwamba lazima uzungumze kwa kiswahili ama kiingereza, unaweza kuzungumza kwa lugha yoyote, na tume itapata mtu wa kutafisiri hiyo lugha. Tungependa pia tuwe na nidhamu kama mtu anazungumza ana haki yake ya kuzungumza kama anataja mambo ambayo wewe hupendi tafadhali usimpigie kelele, wala usihuzunike. Kila mtu ana haki yake ya kusema chochote kile angependa, kwa hivyo utasikiza na utangoja wakati wako, tumeelewana?

La mwisho ukisha maliza kuzungumza, kutoa maoni yako, utaenda pale utaje jina na details zako kwa register, na kama una maadishi utakuwa unapeana pale pia, halafu utaondoka uketi. Na bila kupoteza wakati nimekumbushwa ukija, ukipewa nafasi uje mbele kuzungumza na nafikiri, utakuja mbele uketi pale, na kabla hujaanza kutoa maoni yako, utaanza majina yako kwa sababu ya kunaswa kwa sauti ili miezi mingi badaye, itajulikana ni nani amesema hayo. Utaanza na majina yako kamili kisha uendele kutoa maoni yako, sawa, sawa. Bila kupoteza wakati, ningependa kumuita Raphael Wanyonyi tafadhali, na ajitayarisha Rev. Moses Maina.

Raphael Wanyonyi: Asante sana Bwana Commissioner, mimi kwa majina ni Raphael Wanyonyi Jacob, kutoka division ya Kimilili, kwanza namshukuru kiongozi wetu kwa uongozi wake ambao ametuongoza kwa miaka ishirini na nne. Na kuhusu Katiba, maoni yangu ninaonelea ya kwamba katika Kenya, tuko huru lakini viongozi wetu wa Kanu, na wa upinzani ndio wanatatiza hii Katiba kufuatana na kwamba hatuwezi kujua sisi kama raia kwa sababu gani wanafanya namna hiyo. Kwa sababu hao wanao funga, funga, Katiba na wanafichana kwa (inaudible) wa Raisi, na Raisi analaumiwa na hao wamenyamaza tu. Mimi ninapendekeza ya kwamba kura ifanyike mwaka huu, chini ya Katiba mpya. Pili kuhusu Trans-nzoia, mashamba ambayo yako Trans-nzoia kama ya ADC, na ya forest, ikiwa inagawiwa, igawiwe kwa kabila zote kuliko kupeana kwa kabila moja peke yake. Kwa sababu sisi wana Kenya tuko wa ndugu ni damu moja. (inaudible) hatutaki mambo ya kurushana kwa matatu, nini nini hapana, tukae kwa imani. Mungu aibariki nchi yetu ya Kenya, tukae kwa amani. Asanteni.

Com.Nunow: Rev. Moses Maina. Bwana Wanyonyi tafadhali andikisha.

Rev.Moses Maina: Asante mwenye kiti, na hata tume ya kurekebisha Katiba ya Kenya. Jina langu ni Rev. Moses Maina,

mchungaji na nina makanisa Saboti na hata hapa Trans-nzoia. Jambo la kwanza ningeweza kuona kwa ajili ya Katiba nikajiuliza Katiba ni nini? Katiba ni sheria ambapo inaweka watu kuwa na muongozo. Muongozo ni nini? Kuwa na wajibu wa kuogopa kile na kufanya hiki. Hii ndio maana yake Katiba, na nilishangaa ya kwamba mlipo chagua, watu wengi walisema kwamba na heri Katiba iliopita katika muongozo huu. Na tunahitaji tuone ile vipengere vya mambo yale yalikuwa yanaharibika katika Katiba ya kwanza. Kwa hivyo tunahitaji nyinyi mpewe mda wa kutosha, ili muweze kusajili maoni ya wananchi, ili aanzishe kama Katiba mpya kama tutapiga kura mpya, tutapiga katika Katiba ilioko. Jambo la kwanza mupate muda wa kutosha.

Jambo la pili, ni ya kwamba mara nyingi sana, ninasikia serikali juu ya vyama visivyo sajiliwa, na makanisa yanaondoka mengi, mengi, na kuanza mambo yao na kuanza hata kushusha akili ya wananchi. Kwa nini haiwezi kukomesha jambo hili? Kama kitu hakijasajiliwa, hakijakuwa tayari lazima kikomeshwe.

La pili ni upande wa usafi, mtu anaanza kula za ndizi na kutupa maganda na mwisho unaweza hata mtu anaweza kukanyaga na kuteleza na hata anaweza kuanguka, na mtu anaweza kuumia hii nidhamu iwe ya kutosha, kama sheria inatolewa ya nidhamu mtu,... nilikuwa America nakoana kwamba hata karatasi ya sweet utaweza kushtakiwa kwa nini Katiba yetu haiwezi kuingiza vit, ili mtu anakua hapa, hapa tu kufanya jambo lolote anaweza kufanya. Kitu cha mwisho ni vyombo vile vya ndani ya magari ya abiria, vyombo vimewekwa music ile inapiga kelele ya kutosha mwingine pengine masikio yake ni mbaya, anaweza kuumizwa na hayo mambo, mwingine hapendelei zile nyimbo zinaimbwa mahali pale. Kama kuna radio peke yake, inatosha watu kusikia mambo gani yanatendeka katika nchi yetu. Lakini vyombo vya magari na watu vyombo ndani ya magari na music isiyo faa ndani ya magari ya abiria la, aweke ndani ya gari lake. Kwa hivyo kwa haya machache, ninamheshimu na kusema ni asante kwa ajili ya kunipa nafasi hii. Mungu awabariki.

Com.Nunow: Asante Rev. tafadhali jiadikishe na upeane memorandum kama matayarisho. Ferdinand Wafula, atakayefuata ni Pastor Stephen Mutumbwao

Ferdinand Wafula: Kwanza ningelipenda kushukuru Mungu kwa sababu ya nafasi hii ni nafasi moja in lifetime, na pia ningelipenda kushukuru serikali yetu ya Kenya kwa sababu ya kubuni kamati ya kuchukua maoni kuhusu kuandika upya Katiba yetu ya Kenya. Kwa majina naitwa Ferdinand Wafula, ni Ford Kenya going secretary Trans-nzoia.

Jambo la kwanza ambalo ningelipenda kutoa mapendekezo yetu kama chama, ni kuhusu the Presidency. Wadhifa wa Rais, wadhifa wa rais or the Presidency is a symbol of unity peace and stability in any country. Na wadhifa huu ni lazima kitu cha kwanza uheshimiwe na taifa, na kama wadhifa wa maana pia yule ambaye ana occupy that office ni lazima pia awe mtu madilifu mtu wa hekima, mtu ambaye ni wa watu.

Na pendekezo letu la kwanza, in my summary ni kwamba baada ya uchaguzi na rais kuchaguliwa, Ford Kenya tunapendekeza ya kwamba once that person is elected in that office, he should cease first to be the MP of his own area. Constituency yake

sasa ni Kenya. Jambo la pili he should cease to be the chairman of his own party. Kwa sababu anaenda kupigania masilahi ya wananchi, si sehemu ya ubunge anakotoka, wala chama kile ambacho kilicho m-sponsor ili achaguliwe kama rais.

Jambo la tatu, katika hali ya kuchagua Ministers, Permanent Secretaries, and other parastatal heads, ni lazima pendekezo zitoke katika ofisi ya Prime Minister halafu zipitie katika bunge ziwe vetted kama wale watu ambao wanataka kuchagua kama mawaziri, mawaziri wadogo, au ma chairmen wa parastatals ni watu ambao wanaheshima au hapana. Nikitoka kwa the Presidency, ningependa kuzungumzia pia kidogo kuhusu land. Land is our national heritage in Kenya and is one of the most sensitive issues in this country. Na ningelipenda kusema ya kwamba, udongo au land is the most, is something that has been misused by the successive Governments that has been there in this country. Kwa sababu hakuna sheria Kenya inayosimamia udongo, au hali ya makazi since watu wake wanastahili kukaa. Ninasema hivyo kwa sababu kuna watu ambao wamezaliwa bila mashamba leave alone the squatters, kuna mtu amezaliwa lakini hana shamba. Hakuna sheria inayo msimamia huyu mtu. Kuna wale watu waliokuwa wafanyi kazi ambao tunaita squatters, pia hakuna sheria inayo msimamia huyu mtu. Na kuna wale watu ambao wamekuwa displaced, kwa sababu ya maybe because of natural disasters, au kwa sababu ya vita vya ukabila. Pia hawa watu hakuna sheria inayo wasimamia huyu mtu ambaye amezaliwa bila shamba na nikisema hakuna sheria, ni kwa sababu wale watu ambao tayari wanamashamba, wanaendelea kuwa na mashamba kwa uwezo wa fedha zao, na huyu mtu ambaye hana shamba anatupwa kando, na wale ambao tunaita squatters, wale watu ambao huwa walikuwa katika yale mashamba tayari, mtu akisha nunua ile shamba, hao wanatupwa nje na huyu mtu mmoja anakunja ku occupy that land na hawo watu wangali wanashida mpaka leo. Kwa hivyo kuwe na sheria ambayo itailazimiza serikali kuwapa kazi watu wasio na mashamba. Wale watu ambao wamekuwa displaced because of the natural maybe disasters, ndio watu ambao wamekuwa displaced because of the tribal clashes na watu wengine wasio na mashamba wapewe mashamba. Na kwa mwito huo ningelipenda kusema ya kwamba, ukija katika mashamba kama ya KARI, mashamba kama ya prison hapa Kitale na kwingine, wale watu walio na mashamba, ndio wameendelea kupewa mashamba na wale wasio na mashamba wameendelea kukosa mashamba. Kwa hivyo hakuna sheria inayo mlida mtu asio na shamba Kenya.

Mwisho ningelipenda kuzungumzia habari ya uchaguzi wa Municipalities, Local authorities. Kama chama, tungelipenda kuona local authorities, ambazo zina nguvu na uwezo wa kifedha, kuendeleza mambo yao. Na Local Authorities ningelipenda kupendekeza ya kwamba ziwe autonomous, ziwe ambazo zinajisimamia zenyewe. Wale watu ambao tunachagua kama ma councilors au Mayor, au county council chairman, hawa watu wachaguliwe moja kwa moja. Na katika hali ya kuchaguliwa kwao, watu kama Mayor, au County Council Chairman hawa watu, wawe watu ambao wana elimu ya kutosha, elimu ambayo itawawezesha kushika hizo nyadhifa kwa uangalifu na kwa uadhilifu. Pia ningelipenda kusema ya kwamba kumekuwa pendekezo ya kwamba wale watu wa degree wale watu wa "O" level na "A," lakini katika mapendekezo yetu tungelisema ya kwamba, kuna watu ambao labda niwa masomo ya CPE lakini wameshikira nyadhifa mbali, mbali, katika Parastatals mbali, mbali na wameendelea na kazi zao vizuri. For example kumekuwa na chiefs ambao wamefanya kazi yao vizuri, kumekuwa na head teachers ambao wamefanya kazi yao vizuri, kunakuwa na ma chairmen wa Co-operative societies ambao wamefanya kazi zao vizuri, na watu hawa wakisha apply kuwa candidates, ni lazima wawe considered. Kwa hivyo kwa hayo machache

ningelipenda kusema ya kwamba asante kwa nafasi hii ambaye nimepata kuongoea haya na kwa sababu mengi tumeyaandika katika memoradum hii, Mungu awabariki na awatende mambo mazuri. Asante.

Com.Nunow: Asante sana Bwana Wafula tafadhali utatuachia memoradum na ujiandikishe kwa register, Pastor Stephen.

Pastor Stephen: Asante sana Bwana Commissioner, ambapo nimekaa kwa mda mrefu nikihitaji ufike Mungu ni mwema kwa kukuleta mahali hapa. Majina yangu ni Mhubiri Stephen Mugungwa, saduku la Posta ni 23 Kitale. Basi mimi ningesema ya kwamba katika nafasi hii ambayo Bwana ametujalia kupata, mimi nasema Wilaya ya Trans-nzoia tunataka amani, hatutaki chuki na uadui kwa sababu Mungu anapendezwa na watu ambao

wanakaa kwa usalama. Na ningependa kusema ya kwamba katika maoni yangu, kama mhubiri ndani ya Trans-zoia tumekaa na watu kutoka mashinani, tumeona kuna makabila mengi hapa bwana Commissioner na vile kama wako, katika makabila mengi, Bwana Commissioner tumeona kabisa kuna mvutano, wanavutana huyu anasema Trans-nzoia ni yangu huyu anasema si yangu. Na kwa hivyo ningependa kutoa maoni haya ya kwamba, ni vizuri kwa sababu Mungu anataka ukweli wa mambo. Tafadhali utafutwe ukweli kabisa katika Trans-nzoia ya kwamba, ilikuwa ni ya nani, ili kwamba wasivutane kwa sababu inapowekwa katika nafasi ya kuwekwa ku pailiwa ama kuwekwa siku baada ya nyingine nyuma itakuja leta shinda. Sioni ni vizuri kama itapatikana ya kwamba Trans-nzoia kabisa ilikuwa ni ya nani ili watu wa Mungu waishi kwa amani.

Jambo la pili ni hii, katika nafasi baada ya kupatikana ya kwamba ni ya nani, tafadhali uongozi urejeshwe kwa yule ambaye anapatikana ni yake ili isije tena ikaleta mafurugo ama mavutano. Kwa sababu ni vizuri kama mambo itasemwa kwa ukweli ili watu wa Mungu wakae kwa amani. Na wale ambao watakuwa katika nafasi hii kwa sababu ni wengi, hakuna mtu atatoka Trans-nzoia abaki na hii nafasi yake ambayo amenunua kwa sababu yeye pia ni mwanadamu katika dunia hii, na kwa hivyo ninaomba ya kwamba yeyote atakaye kuwa amepata yake abaki ndani ya Trans-nzoia na mali yake. Nitaendelea kusema pia ya kwamba katika Trans-nzoia hii Bwana Commissioner watu hawa kabisa, wamekaa katika nafasi bali, bali, kuna wale wana mashamba makubwa, na kuna wale ambao wako na mashamba madogo, ni vizuri kama haya mashamba yangepunguzwa, kwa sababu ya kupeana nafasi kwa wengine mpaka kiwango mmoja abaki na ekari kumi, halafu mwingine achukue nafasi nyingine.

Bwana Commissioner nitaruka kidogo niende kwa upande wa nafasi ya ubunge. Katika nafasi ya bunge mimi nina mawazo haya, nina mawazo ya kwamba, kiongozi yeyote ambaye ataingia katika Parliament hii tu Bwana Commissioner asiwe mtu mlevi, asiwe mlevi, asiwe na qualification yeyote ambaye itamruhusu katika nafasi kuwa mlevi aingie mahali pale. Ningependa kusema ya kwamba kwa sababu uongozi Bwana Commissioner inatokana na Mungu, ningependa kusema kwa sababu wengine walisoma katika kiwango ya chini kwa sababu ya kutokua na ile mali ya kuweza kumsukuma aende juu ningependekeza hivi, kuanzia darasa la nane hadi University wapewe nafasi kwa nafasi ya kuongoza, na kwa kuongeza mahali pale pia Bwana Commissioner, ni kwamba katika nafasi hii ya wale ambao watakuwa wamechaguliwa, wazee ama baraza ya jamii yeyote ili, wapewe nafasi ya kuwa councilors ya watu wale kwa sababu majukumu ya watu yanatokana na maongozo ya wazee pale nyumbani, na watakuwa wanawatuma wakienda pale mbungeni. So bBwana Commissioner ningependa kusema, wale ambao watakuwa wanaruhusiwa kwenda katika nafasi ya bunge, ningependa kupendekeza hii, wawe miaka 40, na zaidi kwa sababu

tunaona kabisa, hiyo ndiyo kiwango ambayo mtu anaweza kuongoza katika nafasi mzuri. Bwana Commissioner, ningependa kuendelea mahali pale kusema ya kwamba, katika nafasi ya neno la Mungu watu katika nafasi yao, wakuwe katika nafasi ama tuseme ya kwamba aridhi ya jamii, ibaki kwa mikono ya wale wanaokaa mahali pale, isiwe katika nafasi ingine ile shule itakuja. Kwa mali ya asili, kwa mali ya asili bwana Commissioner, ningependa kusema ingegawika mara mbili, sehemu kama 75% ibaki katika jamii ya mahali pale, na 25% iende katika serikali kuu, ili kila jambo iende katika nafasi nzuri.

Nitakuja kwa tabia katika nafasi ya wanadamu ndani ya Kenya yetu Bwana Commissioner, ningependekeza hivi, ningependekeza ya kwamba kuna shida kwa sababu ya wa mama, naomba kidogo, kuna shinda ambayo tunaona watoto wanazaliwa ovyo, ovyo ni kwa sababu hakuna nafasi ambayo tumepeana kama kitu ya kuweza kuwazuia. Sasa mimi napendekeza hivi, mama atakaye patikana na mtoto asiye kuwa na mzazi aadhibiwe. Na yeyote yule atakeye kuwa katika nafasi hiyo ni kwa upande wa msichana na mama apatikana na mtoto ambaye hana baba, aadhibiwe. Kwa sababu yeye ameleta shida katika serikali yetu. Na lingine ni kwamba, yeyote ambaye hatakuwa na nguo ya kuheshimiwa, tumekuwa na shida kama wahubiri kwa mavazi ya kuweza kuwahubiria watu. Tunawahubiria na kwa sababu hakuna kitu ambacho kwa sababu tunapata (inaudible) ile ambayo inafanana na neno la Mungu tunataka neno la Mungu ifanane na Katiba yetu katika mwaka huu. Na katika nafasi hii watu ambao watakuwa hawana katika nafasi ya kuvaa nguo ambayo haina heshima lazima waadhibiwe ili wakae kwa nafasi mzuri. Kwa kumalizia ni kwamba, Katiba ya Kenya ningesema ya kwamba iongezwe muda kwa sababu ile ya kwanza tuliharakisha, mpaka tukafika kwa nafasi ya kuingia katika makosa. So Katiba yako iongezwe muda mpaka kesho ndio kura ipigwe na pia Katiba yenyewe ibaki kwa nafasi ya kurekebisha Katiba zetu mpaka wakati itafikia utimilifu wa mambo. Na Bwana akubariki, Bwana Commissioner.

Com.Nunow: I think if you speak do not keep it too close to the mouth, it cannot, so just if you get the opportunity to speak, uiweke kando kidogo uweze kusikika vizuri, ukikaribisha sana, hutaweza kusikika vizuri. Batholomeo tafadhalini Batholemeo Murunga. Subiri kidogo mzee, keti subiri kidogo. Endelea,

Bathaloremeo Murunga: Nawashukuru ma officer wa Tume yetu tukufu ya Kenya na wananchi waliokuja hapa, kutoa maoni yao. Mimi jina langu naitwa Batholomeo Munoko Murunga na kulingana na kazi ambazo mnafanyia raia, wameniita majina ambapo najulikana kama “sura mbaya, roho safi” au “Mzee Mombasa.” Tume yetu tukufu mimi nikitaja jina langu namna hivyo, kwanza nitajaribu kuzungumzia juu ya maoni haya ambapo sio yangu, ni kikundi cha wazee hukumbuka ambapo bila shaka, mtaniunga mkono kwamba, kwa kila kabila kuna kundi la wazee na mimi nimetoa utaratibu huu wa kutoa haya maoni kupitia kwa wazee hukumbuka wa Trans-nzoia upande wa Kimilili division. Kundi hili, nitajaribu kuzungumza point tatu kwa sababu nilikaa makini la kwanza ndio nilioharifiwa vizuri, nizungumze mbele ya Tume. Wana washukuru sana hawa wazee, Tume vile mlivyo fanya na utaalumu wenu, mkatoa kitabu cha Katiba wao wamefuata utaratibu kwa kila page wanachukua maoni fulani wanaandika na memorandum yao, wakaandika kwa pamoja mimi nafanya kusoma lakini kuna chairman ambapo atakabidhi mkubwa wa Commission ile memorandum baada ya mimi kutaja maneno fulani, fulani, ambapo ningependa wananchi wajue hawa wazee wanafikiria nini.

Nitasema maoni yao kwanza kwanza salamu zao. Na mimi nitafanya introduction kidogo vile walivyo andika hapa. Kundi hili maalum nila wazee hukumbuka huwa ni muhimu sana kwa kila kabila katika nchi yetu huru. Kundi hili la wazee hukumbuka nila jamii ya wabukusu wanasaindia sana serikali yetu tukufu wakati wanapopatanisha ma chief na wananchi katika kesi utamaduni na mashamba na mawaidha yao, inachangia sana katika uhusiano baina ya vyama vya serikali yetu tukufu, it should be chama cha serikali yetu tukufu. Sheria moja wapo ambapo wazee hawa wanawapa vijana hasa watoto wetu. Wanaambia watoto wafuate amri za mwenyezi Mungu waziheshimu, halafu, shida ya pili waheshimu sheria za serikali yetu tukufu, halafu waheshimu sheria za ukoo.

Utaratibu wa hawa wazee hiyo mta file namna hivyo kuna njia maalum ambapo wameelimisha wale watoto kwa jamii ya wabukusu. Na kundi hili linasaidia kuleta jamii karibu na serikali yoyote ile. Wameweka historia ya kuelimisha jamii yao kuwa karibu na Serikali tangu ukoloni serikali ya Kenyatta, serikali ya Moi na ile itakayo kuja kesho. Tume mnisaidie. Asante sana, nitahighlight kidogo point tatu tu peke yake asante sana mheshimiwa tunapenda kurekebisha namna hiyo. Ni katika kile kitabu chetu cha Katiba tumechukua kama page 16, na 14, nitataja kitu kidogo, ikiwa mna vile vitabu mtajibu maswali mawili tu matatu hapo halafu wakati wangu uwe mzuri.

Mojawapo ya yale majibu ambayo nataka kuzungumzia, tunaingia kutoka page katika ile kitabu page no.7, nitazungumzia kuhusu utaratibu kwanza nitawaeleza hawa wamejibu kwamba, wamependekeza kwamba vyama vya kisiasa viwe vitatu. Na vikiwa vitatu, vitawaruhusu wananchi kuwa Rais kuchagua chama gani ambayo vitaendelea kutawala serikali au kama kutakuwako na muungano itakuwa na rahisi kwa serikali ambayo kufanya hiyo. Halafu wakasema kwamba, wa kapependekeza kwamba, utaratibu mzuri kwa kugharamia vyama vya kisiasa, ni kuhakikisha kila chama kipewe pesa sawa na kingine, na serikali yetu tukufu, ile itakuwa inapunguza mgawanyiko wa wananchi wakati wa uchaguzi. Tume yetu tukufu tumebahatika pia kufuata utaratibu ambapo ninaendelea hapa karibu na meza kwamba, tumeandika memorandum yetu kwa heshima ya kikudi cha wazee hukumbuka. Tumeandika vizuri na mimi nitaomba Tume yetu Bwana chairman wetu hakuweko lakini vice chairman ana karatasi atamkabidhi mkubwa wa Tume Yetu tukufu halafu itakuwa mzee wetu, Bwana Nyakuli anampa Tume yetu ile karatasi ambavyo wazee wameandika. Asenteni sana mwenyezi Mungu anadumishe.

Com.Nunow: Asanti mzee ningemuita tena Brooks Cherol, ajitayarishe Isiah Karichol

Brook Cherol: Thank you Commissioners for giving me this opportunity to represent my views. My first presentation, I am Brooks Stephen Cherol, I am an Engineer by profession I reside in this town. My first view was on the Presidential term. I concur with the already proposed period of two terms. But I would also to add to say should the President come out of office by some death or disability and his term has not expired and we elected person in the middle towards the end of his term, that individual should be eligible to stand in the next two terms, and I would put the ruling and say at 50% of the term of the President who is deceased the occupant should be eligible for the next two terms. I would also like to touch on the period a

person can be elected to be a member of Parliament. I am of the opinion that this country needs a wealth of idea and experience, and that can only be achieved by having different people within different periods. I would like to put the ceiling and also two or three terms for a Member of Parliament, and the reason I have is an example for example, a Constituency and I am saying this in good faith, like Baringo Central, if a man was born in 1950, by 55 he had a representative whom you know, that person has grown, he has gone to school, he has also had an education, he has worked and he has retired and it is the same person who is still represented. I feel that such an extension of the real long period is not very healthy for democracy. So the period for MP also should be set to about at most three terms. Those two positions should have an adequate academic qualification of about form four and some experienced or of University level, because sorry is the time up? So academic qualification is very important in leadership of the future and it is important that we have a person of such responsible position to be well educated and with some good experience.

Once we have put the person as the President, if we happen to put a wrong person in that position, five years is a very long period for a person to do significant damage. So they should be serious provision to provide for impeachment by the Legislature or any other board this Constitution might see as necessary. Then if the crimes will be convicted it should only go as far as removing him from office by the Legislature, but there after crimina charges can be preferred against him by the Judiciary. The Constitution should empower the Legislature, to pass legislation to deal with such.

Security of office, for members of the Judiciary, I believe it is very important that a man who is a Chief Justice or an Attorney General should be well protected by the Constitution, so that it does not come under the influence of the authorities, yaani the Executive branch of government, and I feel that this Constitution will not have done justice to Kenya if it does not provide for the security of office of member of the Judiciary, because if they do not Justice will be perverted and we have seen it.

Appointments also, a President should only nominate a person either, the member of the Judiciary or parastatal or other important organs, but the individual should be vetted in by Parliament, and other interest groups, and if he achieves the 2/3 majority in the Parliament, is when he can be appointed. Appointment, our Constitution I would say, kindly, has corrupt from the beginning because it allowed one man to chose anybody to any position without any vetting, very serious misfortune indeed.

Let me come to the sensitive issue of the resources of the land. A lot of bitterness in this country has come because allocation of the resources of the land was done arbitrary, there were no guidelines. Big pieces of land for example in the independent Kenya, should have seen who occupied what position, when and of course other people would not be totally be excluded, but the indigenus would have actually been seen and allocated an appropriate potion, that would have eliminated the bitterness that existed today, as you have seen from wherever you have been. We have also got to control the resources of this land like water resources, forests. There is always a feeling that the person who has got a big land, should sub-divide it into smaller ones, but there is also another danger, very small pieces of the land, Kenya is 88% idle, semi-arid, its only 12% which is arable.

If we continue allowing sub-division of land, to an extreme that you have got points all the agricultural land will just turn out to

be cluster of homesteads and grave yards in this country. Trans-nzoia is vastly becoming that and it will be a (inaudible) When you hear the Ministry of Agriculture proclaiming a land policy it should proclaim the policy which can be implemented and land must be dated. I believe some division of land, below 10 acres, is just going to be an economic.

There is a wailing of two huts, if you are an MP, you should not be a Minister. If you have been appointed a Minister you should surrender your position in the Legislature. Mr. Commissioners, I will stop there but I will give out this memorandum. Thank you very much.

Com.Nunow: If we do that, half three quarters of you will not get a chance to speak. So we need to give everybody an opportunity to say if not all those points, some of his points, rather than having a few of you, present majority of you being time bad in the evening. So we are in the spirit of fairness because I have 100 people registered already and we will try as much as possible and more are registering, we will try as much as possible to give everybody opportunity to speak. That will show that I am following the list for the time being. Could you just put that chair that side? Just go to the point directly and we will take them down. Please could we have silence and could I again appeal to everybody to switch off their mobile because that is going to interfere with recording.

Isiah Kapsaly Kalichol: Asante sana Commissioners, mimi kwa majina ni Isiah Kapsaly Kalicho, kwanza kabisa kabla sijanza ningependa kwa wale ambao hawajui Trans-Nzoia ni ya nani kama vile ilikuwa imezungumzwa na Pastor, ningependa kusema ya kwamba sisi wengine ambao tumekuwa Trans-nzoia kwa muda mrefu sana, Trans-nzoia ni ya wa Sabaot pamoja na wacherengani. Mipaka yetu upande wa mashiriki tunapakana na Cherengani na wa pokot, upande kusini tulikuwa tunapakana na wa maasai wa Uasin Gishu, upande wa Magharibi tulikuwa tunapakana Wanga, chini ya chief Wat Murunga wakati wa second World War,

Intejction Com.Nunow: I told you listen we are going to have order excuse me I said from the beginning can we have silence, can we have silence, we will continue when you decide we have to keep order. Endelea, we either follow order or we do not, I said from the beginning every body is entitled to his views, if you think the views that are raised are against your own when you get your chance, please say your views that opposes whatever is said. We do not want murmurs, we do not want whispering, we do not want applauding even. Let people speak their mind its actually the Commission to sort it out, so do not take it personal, do not think that what is being said is going into the Constitution directly, so please lets have order let people present their views if you are opposed please say yours when you get the chance. Thank you continue please.

Isaih: Asante sana Commissioners, ningependa kusema kwamba, vile ilikuwa imegusiwa na Pastor kuhusu mwenye Trans-nzoia, ningependa kusema hivi, Trans-nzoia ni nchi ya wa Sabowat pamoja na cherengani, kabla wazungu kuja wa sabaot walikuwa hapa Trans-nzoia wakiwa na kivyayo the Kesis Arap Kebei tukipakana na wa pokot upande wa Mashiriki chini ya chief yao ambao ambayo ilikuw inaitwa Loberemoi. Upande wa cherengani, chief yao alikuwa anaitwa Cheptepol.

Upande wa Uasin Gishu, chief wao alikuwa anaitwa Ole Sunguni. Upande wa Wanga tulikuwa tunapakana na chief wao Murunga, na upande ule mwingine wa Western hiyo ilikuwa sasa ni upande wa Uganda ambayo wanaishi Wagisu. Kwa hivyo hiyo ndiyo kusema Trans-nzoia ni wa sabaot na historia iko na kila kitu iko kwa hivyo kama wengine wale wana claim Trans nzoia wanaweza kusema chief wao alikuwa ni nani kabla Muzungu na wanaweza sema anything. Asante sana.

Katika kitu ambayo inaniguza sana, wana Tume ni kuhusu uwakirishi kwa kabila madogo, madogo. Tangu tupate uhuru sasa ni miaka 39 kati ya hizo miaka wa wa Sabaot wamewahi kuwakilishwa kwa miaka 7 peke yake. Mnamo mwaka 63, mpaka 64 tuliwakilishwa na nominated senator ambaye alikuwa anaitwa Jepteget, kuanzia mwaka wa 65 mpaka mwaka wa 92, hatukukuwa na uwakalishi miaka 27 hiyo. Halafu kuanzia mwaka wa 92, mpaka mwaka wa 97, ndio tukapata nomination ya Bwana Moiben hiyo ni miaka 7, hii miaka ingine yote hatuna uakirishi wowote. Shinda yetu ilitokana kama Wasabaot ni kwamba kuanzia mwaka wa 65 mpaka mwaka wa 92, wakati hatuna uakirishi, makabila mengine, ambayo walikuwa Trans-Nzoia walitumia hiyo nafasi kwa kunyakua aridhi ya wa saboit. Hiyo ilifanyika yani kuna labours, ambayo wazungu walikuwa wametoa katika nchi ya Uganda kuanza kuwasaidia kazi, lakini wakati tulipata uhuru hawa labourers hakurudishwa kwao, wakabakia hapa na ndio wakati ule hakuna mwakilishi wengine wakati wao, wakanjaa mpaka wamekuwa wengi kuwa sasa wa saboit wana kukoromesha kusema kweli Wasabaot walikuwa hawana uamuzi, na waamuwe freedom sasa kila kitu wakakaliwa kabisa na hawa watu, na hawa hawakuwa watu wa Kenya, mimi sina ugomvi na wale wa Kenya kamili wale watu wa Kenya, hawa watu vile wamekunja kuwa watu wa Kenya kwa njia ambayo sijui ilikuwa namna gani. Kwa hivyo uakilishi kwa Sabaot tungetaka tuwe na mwakirishi, akiwa amechaguliwa ama awe amekuwa nominated Wasabaot tunalia tuwe na uakilishi wakati wowote katika Parliament.

Kwa mambo ya aridhi. Waheshimiwa Mungu aliumba ndunia na watu, na akakweka kila mtu mpaka na anasema ya kwamba mtu akiharibu mpaka ambaye iliwekwa na ma babu zao. Na sielewi kwa nini ikisemekana tu mambo ya shamba, inafaa tu ni shamba Trans-nzoia, na watu wengine wako na makwao. Mheshimiwa tungependekeza hivi, ikiwa hawa watu ambao walikuwa wametawala Uganda, kama serikali inaona ni ngumu kuwarudisha Uganda, hawa watu wawe mizigo wa taifa. Kama wako elfu 100 na District zile tuko nazo ni 50, tugawane kwa kila District ikachukuwe 2,000 halafu Wa sabaot wapate uhuru waweze kujitawala na kuamua mambo yao kama makabila mengine katika Kenya. Sababu tangu tupate uhuru wa saboit hawajakuwa free na kuamua mambo yao katika aridhi ya ma babu zao. Mpaka leo hii baada ya kuchaguliwa upande wa uakirishi yule mmoja ambaye alipata accident alichaguliwa waziri bwana Cheptigit 1964, hivi 63, 64 akapata accident ambayo hata hatujui ilikuwa namna gani, hatukupata uakilishi mpaka 1992 wakachaguliwa. Bwana Moiben, Moiben akapewa tu term moja. Kumaliza term moja kumaliza term moja hiyo, tukafungiwa brake tena hatuna uakalishi hata sasa, na mambo yetu unasikia kipelele, kipalale, mambo imeharibika na hakuna uakilishi. Kwa hivyo,

Interjection Com.Nunow: Sema point yako ya mwisho, point yako ya mwisho useme.

Isiaih: Point yangu ya mwisho, tungependa wa Sabaot wapewe aridhi ya serikali ile bado iko kwa mikono ya serikali. Na pia

serikali inunue private land wa settle Wa Sabaot wale bado kupata. Na wafuate wasiwawache kwa kuchagua wa saboit wale walikuwa wamefukuzwa na wazungu wakaenda nje, wakati wanarudi wanasema hata wao ni foreigners na wangali ni watu walitoka hapa, sasa wanataka watoke wapi, walienda huko, kwa hivyo tunaomba Katiba hii ingalie hiyo maneno wale watu walikuwa wamefukuzwa na wazungu wakaenda wa sehemu mbali, mbali, wakirudi wachwe warudi nyumbani na wao waangaliwe tabu zao na zianganaliwe na serikali.

Ningependa tuwe na serikali ya majimbo na ningependa Wa Sabaot wale wako Western Province warudishwe katika Rift Valley waweze kuwa na ndugu zao katika Rift Valley. Asante sana.

Com.Nunow: Elizabeth Muigai, Elizabeth Muigai, na ajitayarishe baada ya Elizabeth

Elizabeth Muigai: Commissioners, my names are Rose Obonyo from Catholic Justice and Peace Women programme.

Interjection Com.Nunow: Excuse me, I called out Elizabeth Muigai you said a different name.

Elizabeth: She registered on my behalf. Yes my names are Rose Obonyo from Catholic Justice and Peace women's program. Today before you we present a sixth memorandum for the women of Trans-nzoia and the sixth memorandum are:

- 1) Cultural obstacles and women,
- 2) Property rights and women
- 3) Rights of a child
- 4) Electoral process and women
- 5) Leadership and women
- 6) Citizenship

This memorandum, was edited by women representatives which a District Delegate Conference of 300 delegates was held at St.Phillip Catholic church, to examine correct and amend the draft memorandum to produce this final copy. The following made contributions:

- a) Catholic Justice and Peace Commission Kitale
- b) NCCK through regional Director Mr. Masengeli
- c) Muslims,
- d) Organizations of disable persons
- e) 3Cs members and other women

This document reflects the real view of the grassroots women in Trans-nzoia District. We asked that, Commissioners and the public treat our submission with respect and openness, therefore I call upon Madam Tekra to give out our views. Thank you Commissioners.

Interjection Com.Nunow: Madam you have three minutes to give those views give the main highlights.

Tekra Otuodi: Point number one, we propose that the Constitution should give women

Interjection Com.Nunow: your name first, your name first.

Tekra Otuodi: My names are Tekra Otuodi from the Justice and Peace Commission Kitale Dioces. We propose that the Constitution should give women the rights to ownership of land because this land, because this land is the principal resident and source of income of the family today. Especially here in Trans-nzoia which is a farming zone. We also propose that women should also inherit land in regardless of culture, tradition customs, and history. In this case my brother will also benefit from the land owned by his wife. We also propose that women should have a right to buy land without their male relative consent.

2. Rights of the child. Men who make girls pregnant should be forced to maintain the mother and the child and protect the mother's den. It is unfair that schools girls are penalized while the boys go unpunished. Teachers should be interdicted however, the Constitution should state for how long and this should be the same for chiefs, civil servants, etc. Thus the re-introduction of the affiliation act. There has been an out cry of cases where children are used as labourers, for example domestic farm servants in the plough farms in Naivasha. Cleaning of maize here in Trans-nzoia. Child labour should be declared a criminal offence we refer this to the children act part two, section 10 of the new act. Exposure of children to immorality. The Constitution should set up a harsh penalty for those who export and import children young girls for their source of income.

The Constitution should set up, the government should set up Institutions for street children in this case, we are of great fear about the male chokoras who are now grown up and may threaten the lives of women by raping, or even snatching belongings. However, they are meandering all over our streets especially here in Kitale.

3. Leadership and women, women are accounts 52% of the population and yet their percentage in leadership is less than 10% we therefore propose a 30% of leadership of women starting with our inaudible civic and Parliamentary leaders among the others. We also propose that the entry point for girls to Universities be less by 2 points, we are aware that there has been a 1% less but we propose to be 2.
4. Bill of rights: Religious freedom should be guaranteed in the Constitution but basic standards of practice and behaviour must be agreed upon and defined in the Constitution. We propose that like all rights, they should not interfere with the religion with the rights of the other and the security of the country, e.g the Mungiki group and devil worshippers.
5. Citizenship: A child born of the Kenyan parent, on Kenya soil should automatically become a Kenyan citizen. A passport and birth certificates should be got free.
6. Cultural obstacles: Outlaw repugnant customery practices in contravention of human rights such as FGM, and early

forced marriages. The Constitution, should take a law regarding these practices, such widow inheritance. We therefore thank you the Constitution to listen to women programm document. Thank you.

Com.Nunow: Thank you hand them in, thank you. Justina.

Mrs.Justina: Thank you very much Commissiners, I was one of those who were complaining that the male came in very early and they overshadowed us so I am glad sister Miriam there notices. Now we have come here to look at ways and means of how to be governed

Interjection: Com.Nunow: Can we have your names please on the record

Mrs.Justina: My names are Mrs. Justina Siti, a Parliamentary aspirant for 1997 and even this year if the elections will be there 2002 if it will be there, and even if it means, 2003 I will be there Saboti Constituency. Now in 1963, and subsequently in 1992, the Constitution was made and revised by men alone. The immediate outcome of this has been dramatic and the male dominate in political class while suggesting some opportunities for genuine democratic opening have instead created governing structures that are domineering, partronising and insensitive to women. For that matter, I have a few areas, but I want maybe to note, that women participation in the Legislative and local authorities the state, property and land rights which have been touched by the churches and Peace Commission. The bill of rights, governance and decision making local governance, public finance, succession and transfer of power, citizenship and election. On the side of women's participation in Legislative and authorities, I have made some recommendations, that we should entrench, the principal of affirmative action by repealing section 33, of the Constitution. Recommendation number 2, ensure access to resources for the marginalized groups and women. When I talk about the marginalized groups I mean the physically hand capped, the youth who are also marginalized and so forth.

On the issue of the state, I have also made recommendation here, that there should be checks and balances to make the holder of the position of the President at least to balance and not to be authoritarian because too much powers are invested in him. Therefore my recommendations here are: separation of powers of various organs of the state that each one of them should be autonomous, I said earlier we should have checks and balances. Eliminate all forms of discrimination of gender in recruitment, appointment and training. When I talk about the training even very soon or what is there on, we have the armed forces, we want to see 50% positions in every District going to our girls 50% to our boys. So, that one I feel it will be proper representation. Property and land rights have been mentioned by the Peace and Justice, but I would also to make observations here, that in the Kenyan context, women have always been traditionally considered as men's property, and have remained under the care or their male guardians either the father the brother, or the husband at all times. Therefore, women have had no rights to own resources, for that matter I have some recommendations here:

- That we instutionalize a land Commission in the Constitution that has equal representation of women and men.

- Recognize the convention again of all sorts of discrimination against women in the Constitution.
- Every Kenyan both of women and men to have equal access to land and other resources.
- Recognize and protect inheritance rights of widows, widowers girls with disabilities and orphans.
- The Constitution, should clearly provide the protection of forests and all natural resources.

On the bill of rights, I have some recommendations too:

- That there should be equal access of resources,.
- Guarantee security and equal protection by the law to both men and women.
- Recognize the diverse groups that constitute Kenya in all aspects. Although the bell has rung, women are very few here, so you give just a bit of a minute to finish this.

Governance and decision making: My recommendations are, the Constitution should provide for a third of the total number of representation being women in the Cabinet in the Judicial, in the civil service disciplined forces and every where.

The gender Commission should be established as a Constitutional offices. I also recommend here that the Constitution should include, institutional mechanism, for the advancement of women such as the gender Commission:

Local Government: My recommendation here is that, there is need to vest powers in the Local Government so that they become autonomous. Also mechanism for accountability and transparency to be put in place in the local government. Create the structure that will enable democratic participation of all communities in the affairs of any District. We do not want any incitement.

Interjection Com.Nunow: Please give your last two points, the last two points.

Justina: We have succession and transfer of power. Here I recommend that every Presidential aspirant should have a running mate who is of opposite sex. That is what I want, and like Presidential election there should be direct election for Vice President and also the President and the Vice President should be above Parliamentary politics. They should not contest for Parliamentary seat. I am not looking for one. The office of the Vice President should be given more powers, not as President or a Vice President without Port folio.

Under citizenship I will not repeat because it has been mentioned in the Peace and Justice. My last comment now is on election, on the election I would like the Electoral Commission of Kenya to be very neutral and also to have proper representation for men and women. Recommendations here, review of the electoral system should be done to allow a system that is more accommodating to women and other marginalized groups. Nomination for Parliamentary and local authorities,

should reflect 50, 50 representation and whenever a person is nominated that person should have contested a Parliamentary seat. For that matter I think I have finished but land.

Interjection Com.Nunow: Sorry I will hold you, I will hold, sorry no I said two point and that's it I am not going to disregard, we will read that paper.

Justina: Thank you I wide up by saying that the elections for Parliamentary and Presidential should be separated. Thank you very much.

Com. Nunow: Thank you we will read every word in that memorandum. Patrick Makosi

Patrick Makosi: Asante sana Commissioners kwa kunipa nafasi hii. Nawashukuru na kitu cha kwanza ambacho nitaanza nacho. Niko hapa kama mwenyeji sio kama mjakazi ya kwanza, iko hivi kwa usalama hapa Kitale siwezi kuita Trans-nzoia maana yake sielewi maana ya Trans-nzoia. Sijui kama wewe umeelewa maana yake. Lakini mimi sielewi maana ya Trans-nzoia najua Kitale ama Kataris. Kuna mambo hapa ambayo inatakiwa kila mmoja wetu aweke maskio yake tayari na ajue hii Katiba imekuja kwa sababu ya nani, hii Katiba imekuja kwa sababu ya Mungu mwenyewe, vile mimi nanavyo ona. Mungu anataka tuwe kama vile yeye mwenyewe anataka tuwe. Na sasa itakuwa hivi, Sabaoti na Kwanza Constituency, ziwe za Wa Sabaot kwa sababu hawa ndio Mungu aliwapa sehemu hii. Na kama kuna malalamiko yoyote, nenda ukamuulize Mungu wako mahali ambapo wewe unahitajika. Kama kuna watu wale ambao wameteseka kwa kufuatana na huruma. Watu wa huruma zaidi ni wa Sabaot na kumbe kama na huruma zaidi ndio kupotea. Wazungu walipoingia hapa walituhangaisha kwa miaka 70, msikie na baada ya wazungu kuondoka waafrika kushika usukani tumeteseka kwa miaka 38 kufikia sasa hivi. Miaka yote ni miaka 108 na hali katika nchi hii ya Kenya, jamii yeyote kati ya makabila 42 ambao wamesha umia kama Wasabaot. Nitawachia mafungu katika Bibilia neno la Mungu halafu ndio mjue ya kwamba Katiba, hii, imeenda sambamba na neno la Mungu ya kwanza ni mwanzo 11:8, matendo ya mitume 17:6 kubuku la Torati 27:17 halafu kubukubu la Torati 32:8 hadi 9. Tafadhali mtakuwa na uchungu bila kujua uchungu wako unatoka wapi, nenda katika neno la Mungu na utajua nafasi yako iko wapi. Na kutoka leo kuendelea mbele kwa sababu ya kuwa na moyo mzuri, moyo huu umetuletea taabu zaidi. Kwa hivyo kile kitu ambacho kwa upande wa usalama, kazi yote zirudishwe kwa wenyeji katika miji. Kuanzia kwa mfagiaji hadi yule wa juu.

Raslimali: Raslimali ya sehemu iende kwa wenyeji 75% abaki kwa wenyeji, 25% kama ilivyopendekezwa na mwenzangu iende katika serikali kuu. Kwa sababu ni mali ya asili. Na kama kufanya kazi tuko makabila 42 hapa Kenya, na tukiongeza moja ile ya wa El-molo, kutoka kule Turkana, tutakuwa 43. Kati ya hawa makabila yote, kwa sababu Nairobi ndiyo itakuwa head quarter ya makabila 43, kila jamii ya makabila hawa wapate kazi kule headquarter.

Uraia. Mtu akitafuta uraia, serikali na ijue mahali itampeleka, kwa sababu kila mtu hapa Kenya yuko na sehemu yake ambaye

alipewa na Mungu. Kwa hivyo hata wewe ukija hapa kwangu Kitale, uniombe utatuma maombi ili upate kukubaliwa. Na ukikataliwa, usione vibaya kwa sababu si yako.

Watoto wa mitaani: serikali imechukua nafasi ile ambayo kwa mimi naona kama hainipendezi. Watoto wa mitaani walipatikanaje? Watoto wa mitaani walipatikana kwa sababu ya serikali kusema wanawatengea mahali pa kukaa. Tangu zamani hatujawahi kuona watoto wanao zurura mitaani. Watoto hawa, hawakurushwa kutoka Mbinguni. Na hata kama walirushwa kutoka Mbinguni ni nani aliwarusha hapa chini? Watoto hawa wana wazazi, tukienda kwa uchunguzi zaidi watoto hawa wazazi wao wako, na kwa sababu wameona kwamba serikali inawasaidia, mtu anaona tu atupe mtoto kule ili apate msaada. Watoto hawa wawe mayatima, alizaliwa si kwa yule baba ambaye amekufa peke yake bali ana jamii, jamii wahusike, jamii wahusike.

Interjection Com.Nunow: Taja point yako ya mwisho mzee, ya mwisho kabisa kabisa.

Patrick: Ya mwisho waja nizungumze juu ya wanafunzi, wasomo. Masomo au shule zetu. Masomo, shule zote ziwe sawa hapa Kenya, hatutaki shule zingine ati ziko bora kuliko zingine. Hatutaki maneno ya kusema National, Provincial, na District halafu mitihani inaibiwa kwa wale ambao wanasema shule zao ni bora. Shule zote ziwe sawa, asante sana.

Com.Nunow: Asante sana tafadhali jiadikishe pale. George Omondi

George Omondi: Asante sana Bwana Commissioners, mimi kwanza ningeshukuru sana Katiba, kwa sababu yenu kuja kusikiza maoni. Nafikiri sisi walemavu Katiba imeanza kuharibikia nyumbani kwa sababu hata nyumbani kumeharibika. Kabla, wacha niende kwa haraka kwa sababu sitaki nigongewe kengele pale, na mimi pia kwanza nasema mimi ni mwana siasa kidogo, ndio kwa sababu ninawakilisha walemavu katika Wilaya hii, nina walemavu karibu 560. Nashukuru Mungu kwa kunipa hili jambo. Pia ningependa kuongea kwa habari ya wabunge kwa sababu tumepata shida sana sisi walemavu kufuata wabunge wenzetu kwa sababu kupata mbunge ni tabu sana, mbunge akikuona anafikiri unataka kumuomba labda una shida ya kinyumbani, na tungependa Katiba itengenezwe ili mlemavu kila Constituency tuwe na mlemavu yule anawakilisha ile sehemu, ili sisi tupate mwakilishi wetu. Hiyo ni point ya kwanza Bwana Commissioner nafikiri you note it is very important.

Point ya pili, ningependa kwa sababu elimu ndio kifunguo ya maisha ya kila jamii, nikiwa mlemavu au mtu wa kawaida, ningependa watoto walemavu wapewe elimu bure mpaka chuo kikuu ili wapate kuwa kama wale watu wengine. Kuongezea tena sio kusema ati tunapenda vitu ya free sana, pia tungependa serikali itengenze Katiba kwa sababu tunaona vile watoto wabunge wa sasa wanapewa medical allowance. Sisi nasi tungepewa medical allowance free, ili tukienda District tupate hata kupata aspirin bila kulipa pesa. Kwa sababu tunashindwa hata kupata aspirin kwa sababu ya Katiba ya sasa kwa sababu ya cost sharing, ili tupate maisha kama wale wengine.

La tatu, Bwana Commissioner, nikienda kwa haraka haraka kwa sababu ninaogopa sitaki kengele, ningependa building zile zinatengenezwa sasa imekuwa ni siasa vibaya sana kweli sisi walemavu kupand building kama ile ingine iko KRA ngorofa kama sita kwa magoti inakuwa ni shida sana. Tutengenezewe njia ya maalum ya kuhusika kama walemavu. Kama nchi za ngambo ninaona tuna zile ma lift zile zina special sits for the disabled hata zile magali za kubeba ma chairwheel nafikiri Bwana Commissioner kama umepata kutembea nchi za ngambo kama Americani utaona walemavu pale, wanaendelea kwa njia mzuri kwa upande wa building, ili tupate easy communication, hata nafikiri hiyo ndio imeleta shinda sans kwa ajili, unaona mlemavu atafika kwa ofisi ili tusiajiriwe kwa upande wa kazi.

Upande wa kuajiri hapo nimeguzia kidogo. Ningependa kila ofisi ikiwa ama ushirika uajiri walemavu kulingana na elimu yao. Ningeshangaa sana Commissioiner ningependa hata ningeonona mlemavu mmoja mwenzetu akiwa katika team yako Commissioner, ningefurahi sana ili sheria ikuwe governed ili nione ya kwamba kila sehemu tuwe na walemavu wale wanawakirishwa. Tafadhali Commissioner sio kukuingilia lakini kuomba ili wakati mwingine tuone tuko kwa usawa.

Point ya tano, sisi walemavu wengi tunapalekwa kwa rehabilitation centres na tunaanzisha biashara kulingana na mpango wa serikali na tunapewa vitu kama sherehani. Sasa tungeomba sheria itengenezwe vile tunaweza pata soft loans na interest kidogo kama 55% ili tuweze kuendesha biashara zetu.

Point ya sita Bwana Commissioner, tungependa serikali isaidie walemavu. Kweli imesaidia kwa nafasi ile inaweza na pia tuna shinda sana kwa upande wa mashamba, tunaona watu wakienda kwa mambo ya shamba, ni wale watu wa miguu peke yao wanatangulia mbele, nashukuru sana Bwana Commssioner hata wewe uko ofisi yako leo umetuweka sisi walemavu kuwa mbele. Hata kama ni mashamba tutafanyiwa tu mbele, tutashukuru sana tuwekwe kwa hali kama kugawa mashamba nasi tuwe kwa line ya mbele na tuwe considered. Kweli hata Nyayo amefanya mambo makubwa sana kutuweka sisi mbele kwa sababu tumeona mfano mzuri kutoka kwako Bwana Commissioner.

Point ya number saba, discrimination; tumekuwa discriminated sana, wakati tunaanza ushirika yetu kama walamavu katika District hii tulikuwa na shida nyingi sana hata tulikuwa tunapata walemavu wengine wakifichwa kwa mapango, lakini sasa wamekuwa ni watu wazuri hata sasa wanashona viatu street, hata Wilaya yetu hii nafikiri, unaweza wasikilizaji unaweza kutuambia hakuna mlemavu anomba katika Wilaya hii. Tulikuwa na shida kubwa sana nashukuru Mungu na President kutupa vitu kama tools za kutengeneza viatu, na vitu vingine. Sasa tungependa ya kwamba discrimination iwe na sheria ya guide disabled, ili tusikuwe discriminated tuwe tufichwe kwa pango ama mahali fulani, ili tujulikane kama watu wa kawaida.

Bwana Commissioner, mimi biashara yangu hasa ni mtu ya ku-import scrabbes kutoka nji za kama Uganda, na kuleta hapa, ninapata shinda sana. Ningependa sheria itusaidie ili tuweze ku-import free bila duty, kwa sababu imekuwa ni vigumu sana kuna vitu tunanua vitu kidogo, unaletewa duty kumbwa na tunashindwa kujimudu, na sisi pia tunataka kuwa kama watu wengine, kwa sababu hatutaki tukae kwa verander nikuje niombe wewe Commissionier shilling kumi ni mbaya sana. Ni vizuri

ujitete ili niwe kama watu wengine. Bwana Commissioner ningesema ni asante sana kama unaweza kutusaidia kwa upande huo.

Na kumalizia point mwisho ningeomba free licences kama tuseme Local Government, yani tupewe remission kwa njia ingine ili tupate kuuza vitu yetu bila kusubuliwa ingawanje sasa tunaomba omba tu lakini tunashukuru kama Municipality hii, yali ma askari wanasukuma sukuma, tupewe nafasi hata pale Nairobi city square tuuze vitu vyetu kidogo, sweets nini, ili tuonekane kama watu wengine asante bwana Commissioner. Wajamaa hakuna makofi

Com.Nunow: bwana Omondi tafadhali jiadikishe pale may be you would be happy to know that two of the Commissioners are actually disabled, so you might be happy that two of the Commissioners are disabled and therefore the disabled are fully represented in the Commission, and one of them is actually the first Vice Chair. The person who immediately takes over in the even of the Chairman being unable to chair the sessions. In addition to that there are two vice chairs, there are other two chairs, we have three chairs to the Commission. The first Vice Chair is a disabled actually Dr.Ombaka. Mr.Lokwalo utatupa majina yako kamili halafu uendelee na kutoa mapendekezo.

Mr.David Lokwaro: Thank you so much the Commissioners, my names are David Epur Lokwaro.I am speaking on behalf of persons with disabilities and there are colleagues of mine who are also, we totally agree and support the spirit the ideas and the contact we now hold the persons bill 2000, which is yet to be enacted in Parliament.

We recommend that this bill be infused into a new Constution and affirmative action be taken to fully implement its context. The new Constitution should mandate that all Kenyans money bought coins and paper money have tack tite marks, so that even blind persons can be able to distinguish and differetiate one from another. Currently the paper notes especially are not distinguishable to blind people.

Other than the new Constitution we recommend that 11 seats be reserved for persons with disabilities out of those 11 seats, one should be for a disabled woman preservedly, one for each of the Provinces, with exception of Nairobi because of its population 2, and Rift Valley because of this size also 2. In addition the disabled persons should be allowed to vie for any Constituency seats, found in the country instead of having seats reserved for them. Again I say the new Constitution should mandate the retirement age for the disabled persons be extended by upto 5 if he can still perform. This is because most people due to their disability, cannot do much in terms the money making activities immediately after retirement, they start spending their pensions to sustain their daily living and shortly after that, their accounts are drained and poverty strikes you again. Those people will time to plan for their future if the retirement age is extended.

2. We also say that their should be a preamble in the Constitution and this preamble should reflect and express the spirit of the Kenyan people, and this spirit of the Kenyan people have several elements that mix it up, like religiousness

Sovereignty belongingness and patriotism liberty, democratic and participation civilization, civilization, mutual social health progressive corporate effort, traditional wisdom diplomacy and consensus economic, political practice defence of the national cost, nation and Constitution. These ideas should run through the Constitution. We suggest that the Constitution should continue to guarantee the essential liberties like freedom of speech, thinking press association expression etc. and these freedom should not be limited as long as:

1. They do not infringe or interfere with the right of others.
2. They do not threaten the dignity and the security of the state.
3. They do not amount defamatory of character and the dignity of others.

We suggest that there should be what we call the traditional wisdom, that should be allowed to function in the country, right from the village to the local and even the local and the central government should have the right to establish the councils of elders if need be:

We propose that the idea of referendum or websites be enshrined in the Constitution. The validity of any referendum should be determined by 75% in favour. We are also saying that we prefer the Presidential system rather than the Parliamentary. The President should be elected for a two, five year term. The election of the President should be validated by 2/3 majority invoked, 2/3 majority vote in favour. In addition there should be a backup wing of at least 5 Provinces. This Provincial backup wing is necessary to present any deliberate block voting on tribal lines.

Lastly the Presidential candidate should be required to declare his or her wealth. He should be of good personal character without any passed criminal record be it political, economic or of social nature, and he should be somebody who can communicate adequately in English or Kiswahili.

Com.Nunow: Thank you very much Mr. Lokwaro, please assist him to register. Omoke are you speaking on behalf of disabled person please let us after you give us your names, the groups on which behalf you intend to speak and then proceed.

Henry Omoke: My name is Henry Amoke, I am talking on behalf of Kenya Union of the blind, Trans-nzoia branch.

Extinguished Commissioner, distinguished participant, people with disability ladies and gentlemen, the Kenya Union of the blind, Trans-nzoia branch, has followed keenly the debate on the Constitutional reforms. We wish to express our most sincere gratitude for being accorded opportunity to present our views. As you know 1999 population census results, people with disability is 4.2 million. These people should not be left without any programme for them. So we are supposed to look aboard the specific areas, that we require the Constitution to address about the following the plight of the blind people or disability. So disability via Constitution, we note with concern that the current Constitution has no single positive clause in reference to people with disability. Section 70 and 82 of the Kenya Constitution which outlaw discrimination on the basis of race tribe, places of

origin etc, has not reference to disability as a basis for discrimination. In fact the in capacity mentioned is not relevant to a person with disability, but refers to an non disabled person when by bad luck he becomes disabled. This is because a person with disability were not presented during the formation of the supreme law of the land. We recommend that people with disability be represented in the Constituency Assembly that will come up with the new Constitution.

Representation and consultation: We recommend that the Kenya Constitution should provide affirmative action in respect to representation of minority groups in particular people with disability, as a special group at all level where decisions are made. Also we recommend that the disabled people be elect in their disabled leaders, at those Parliamentary and at local level. We also recommend that disability be enshrined in the Constitution and discrimination against persons with disability are outlawed. We also recommend that opportunity be provided for people with disability to be represented and to participate fully in the reform process as this will help in articulating their potential needs and thus make their lives better than is the case now.

Cap. 26, be therefore expanded to include people with disability in all policy making organs eg. the laws the Kenya Law Reforms, the Public Service Commission, Teachers Service Commission. Specifically it is of our concern to ask that people with disability have been excluded even participating in the on going Constituency committee. Section 12, one, 2 stroke (inaudible) provide the removal of the President on ground of in capacity. We consider this unfair, in that the definition of the in capacity is not provided. We recommend that the grounds for removal from office should be inability to perform rather than mere incapacitation. Section 16 and 17 empowers the President to remove the Vice President or Minister at his own discretion on the ground of disability. We recommend that ground for removal should be inability to perform effectively rather than mere occurrence. Section 33, roman figure 3, of the Constitution provide for nomination Member of National Assembly but does not provide for representation of people with disability. We recommend that this section be amended to make provision for nomination of person with disability to represent their interest in the National Assembly. Section 34 deny people with disability a chance to be elected as Member of Parliament. We recommend that this section be expanded to include braille, sign language and other forms of communication used by the disabled.

Voting is a form of exercising one's right to be represented. We recommend that issue related to the placement of voting box, the access of booths and halls and the ability of the elderly and people with disability be considered in the Constitution.

Then we talk about the bill of rights. Section 71 safeguard the rights for life, however this intervene when abortion due to modern technology when it is detected that the baby is disabled. The disabled are killed for no fault of their, since they cannot run during (inaudible). We recommend a life at whatever stage is precious. Then we so many section 73 provides protection against slavery and forced labour. The disabled are intimidated and denied this right. Most disabled people are made to work for long hour and sometimes denied food even by their own families. They are also paid less when they are in paid employment like house help. This section should outlaw such exploitation of the disabled, we recommend that the family employee or others who force the disabled to work for them, be criminalized. Lastly that is other statues, lets look about the right of education.

We recommend that education for children with disability be incorporated in the Constitution and be made free and compulsory at all school levels. The students with disability who complete “O” level be given extra or bonus marks to join University.

The rights to health services are (inaudible) also should be addressed by the Constitution that to the social culture, and economic rights should also be addressed by the Constitution.

Interjection Com.Nunow: Thank you very much please we will have your memorandum. Kipsisei Kibet, Mr.Amoke please hand in your memorandum and register, sign the register that you gave your views. Mr. Sabet proceeds.

Kipsisei Sabet: My name is Kipsisei Sabet, and our grand parents were displaced from Trans-nzoia between 1908 and 1932. 1914 was the worst year for the Sabaots in Trans-nzoia because we were chased out of here and we lost all this land. So the first thing I want to say today is, I have a memorandum here which is 120 pages, but I want to pick the key points. The first one deals with the universal declaration on the rights of indigenous people. I am recommending to the Commission sir, Prof.Idha Salim, Kabira that, that being incorporated into our Kenyan Constitution. The universal declaration on the rights of indigenous people has articles, those articles must be part of the new Constitution.

I want to go to another section on the government and this one is, sitting here on behalf of the indigenous Sabaot who have been marginalized in Trans-nzoia by the large groups we say we want federal type of system. We want to be part of North Rift regional states. Secondly, we want Trans-nzoia, Kitale to be the headquarter of the Sabaot in Trans-nzoia and Mt.Elgon. On that I am recommending your Commissioner sir, that a boundary review Commission be set to determine the traditional Sabaot boundaries. Our headquarter is Kitale and we want parts of Kimilili, we want parts of Chwele and we want parts of Malikisi to move to become part of the Sabaot territory, that one must remain.

Secondly I want your Commissioner sir, you have to know that Sabaot were displaced we have diaspora Sabaots who are in Congo, we have diaspora Sabaot in Sudan and we have diaspora Sabaot in Busoga. We want the law on citizenship to make sure that there are allowed to come back. We want the law of return for those of you who do not know, the Israel have the law of return, we want the law of return to apply to the Sabaots who are displaced from Trans-nzoia.

Secondly on the law of return, when the Sabaots return to Trans-nzoia they must be compensated. We want land compensation, we do not care we do not know how the government will get lands, but we want Sabaot to be compensated, even if it takes a 100 years, we shall be compensated in Trans-nzoia and that one must be very clear to those once of you, who do not know that Sabaot are indigenous to this land. I just want to summarize a few things:

- 1) There is a lot of corruption in Trans-nzoia and Bungoma, we want the correct spelling of names. The Electoral Commission must spell our names correctly. Kimilili must be spelt Kimelili correctly Trans-nzoia must be abolished, this

is called Chepkelio District, and we are saying Bungoma is Pongom District ie. Pongom District one of the dialects of the Sabaots, and Bongom parts of Bongom must move to Trans-nzoia, and I have said there are several sections dealing with the UN universal declarations. They are 1,2,3,4,5 there are 6 articles, those articles must be incorporated. One of the articles deals with compensation of land for indigenous groups.

- 2) The second part of that is we are asking that dual citizenship, we have Sabaot who are in Uganda, in Sudan everywhere we want dual citizenship to apply to those Sabaots who are displaced from this place. We are saying we want a Chamber that has two systems, we want the upper chamber and the lower chamber the senate, and we are asking for proportionate representation. Commissioner sir, the Sabaot are minorities, for how long are we waiting in order to get representation, we want proportionate representation, in Kitale in Trans-nzoia we want not less than two representatives, in Bungoma town we are asking for not less than two representatives, and in Mt. Elgon we are asking for two more Constituencies and this one is our right and we are saying the new Constitution must incorporate that. The last part of it, is we have indigenous customary laws applying to natural resources. We want to make this one very clear that Sabaots have a right to control all the natural resources in Trans-nzoia and Mt. Elgon. This one we shall not compromise and it must be incorporated into the law. People have exploited the resources at the expense of Sabaots and we are time is now that Constitution must protect and must give the rights to the Sabaots. Thank you very much.

Com.Nunow: Just hold on please,

Com.Prof.Wanjiku: Mr Sabet, you are proposing a house the situation that I wanted to know the composition of the second chamber the two you are proposing, may be that is one question, then the other one is you are suggesting that Sabaot be part of the North Rift region what are the other regions?

Sabet: Your Commissioner madam, let me start with your second question. I am recommending to the Commission that we have a minimum of 11 regional states in Kenya. I am recommending that, we have a minimum of 11 regional states in Kenya.

Secondly the criteria for regional states must be based on one language, we want to be close to our Kalenjin brothers in the Rift Valley. That is one of the criteria.

We are saying the states must manage their own resources, we want federal type of Ministries to remain under the Central government. But Ministries such Ministry of Land which has been misused must come under the regional state. We want to be able to have a big say on how Trans-nzoia is divided. People come from everywhere dividing Trans-nzoia, Sabaot are not involved we have to have a say on who is owning what in Trans-nzoia, and we are saying that very clearly and it must be in our Constitution.

Then I want to answer the first question the senate must have at least a bigger majority of minorities. Minorities here include smaller tribes like Saboit small tribes like the Miji-Kendas, smaller tribes like the Swahilis smaller tribes like the El-molos, smaller tribe like the Suba we want them to be majority in the senate. We also want to have special interest groups like women, women must be included under this section, we also want to have special groups like disabled, so that they have a say in this country. The senate will act as a break so that, not the Parliamentarians, just passing laws, at the expense of minorities in this country.

Interjection Com.Nunow: Thank you very much I think it is clear please let us have your memorandum and you can sign the register that indeed you give your views. Every word in a memorandum that presented will be put in Computer even the comas, and every Commissioner not only three of us, will get the opportunity to read them and consider them for inclusion to the Constitution, so you should not feel if you have not presented all the materials in the paper that some of it, may have been left out, not really. Dr.Njenga. can we have silence, we are not in a market, we are here for a serious business lets discharge it. Please continue

Dr.Samuel Njenga: Commissioners, ladies and gentlemen my names are Dr.Samuel Chege Njenga, I am a medical practioner, practicing medicine here in Kitale and at the same time, I am the chairman of the fellowship of Christian union associates in Kitale, and the documents I am about to present to the Commission today has been prepared by the fellowship of Christian union, that is refered Often and Focus Kitale Associates, and Focus brings together Christians professional who have graduated from a mid level and University colleges. For the first three months, about 20 members of this fellowship have taken time to look at our current Constitution, materials that have been provided by the CKRC, and also as Christians we have had time to look at what the Bible sayas about food governance.

In our memorandum, we have touched on the Executive, we have touched on Parliament, Electoral Commission, the Judiciary, the bill of rights, citizenship, public finance public service, land, other public resources among other things. We have written our remmendations in this document here and it's a long document and so that I may give other also to present, I will not go into the details in the document and would like just to present it to the Commission for your consideration.

Com.Nunow: I think that is the spirit in which those who have memorandums should follow because every word of it will be read those who are orally speaking probably needs to give their views. At this point probably those who have memorandams and would like to present them not necessary orally, but by submission can go ahead as others are speaking and go ahead and present them to the program officer and put in the register so that those are indeed also views received by this Commission. Kipkemoi Motenyeyi.

Kipkemoi Motenyeyi: Bwana Commissioner jina langu ni Kipkemboi Matonyen Bwana Commissioner ninaona sana shida kuu kati ya makubwa makuu na wale wadogo. Kwanza tulianza wakati tulipata uhuru mwaka wa 63, ndio wakapitisha sheria ya

kwamba, kila mtu ako na uhuru wa kuishi mahali popote katika Kenya. Lakini hawakujali ya kwamba mbali hapo wanaenda ni wapi. Kwa sababu waliona wenyewe ni viongozi wa serikali wakati huo ndio ilikuwa njia ingine ya kusema makabila yetu ambaye sisi tunaongoza muende mkavamie mashamba na mali ma town za wale ambaye bado wana lala katika huko mashambani. Na hiyo sheria ya kusema ya kwamba kila kabila lazima aishi mahali popote katika Kenya iondolewe kabisa. Na bado sana Bwana Commissioner, wanaendelea na campaign na zao tena kabisa wanatumia magazetini wako kwa sababu hawa ni wengi katika makanisani wako, wanatumia kama trumpets, wako katika Non-Government-Organizations wako, kwa sababu wako na elimu kwa sababu wamepata kazi hizi. Katika ma judge, Law Society of Kenya wamo ndani, katika ma Parliament wengi ndio wanapitisha, hata saa hizi bwana Commissioner vile nyinyi mnachukua views za watu, nafikiria mkienda hata Mombasa mnaweza pata ma kabila hizo wanapeana views, mkikuja hapa Kitale wako naye, mkienda huko Western Province wako mkienda pahali yote katika Kenya wako.

Sasa hata nyinyi mnaenda kwa mawazo yako kwa sababu watapatian 80% na mawazo na hawo ni makabila hiyo, lakini sisi wenyeji wengine ambaye sisi hata makabila hata hawajafika hata hapa Nakuru, wengine hata hawajafika Nairobi, ndio mnaona mnaweza ku-base mawazo yenu kwa sababu mtasema karibu 80% wamesema hivi, na hivi ndio mna conclude hivi, sasa Bwana Commissioner ile njia ningesema, ile mngetumia ya haki, mngefanya hivyo, mngefanya hivi, for example, tukienda Rift Valley, ni makabila gani tunataka maoni yao. Halafu muone makabila ambazo ziko katika Rift Valley mnaona maasai, Kalenjin na Turkana peke yake, hata hao makabila zingine hakuna haja ya kutoa maoni hapa.

Sasa Bwana Commissioner, ama vile ile njia mnafanya mnataka kutumia ni kama ni unajua tunayo makabila 42, na hayo ni maoni ya kila kabila ni 3% peke yake, ndio tungependelea. Lakini kuhusu kutoa hofu na pengine mapigano ambao zinaweza tokea wakati mwingine Bwana Commissioner, tungependelea hivi serikali ya majimbo. Na kila jimbo ipatiwe uwezo mwenyenji wa hiyo sehemu, achukuwe mamlaka na uongozi ya rahisi. Kama umepatikana katika lile jimbo ambalo sio lako, usikate kura na usigobanizwe, usichukue wadhifa wa kugombania kiti chochote katika lile jimbo. Hilo ni pendekezo langu Bwana Commissioner.

Com.Nunow: Tafadhali jilandikishe pale Gregory Ngeiwa. Tafadhalini, tafadhalini tusikizane, kiwango mnapiga kelele, ma dakika ya mtu mmoja inapotea. Na siku hatuwezi ku extend ikifika saa ya kufunga tutafunga, hata mkiwa wote imejaa hii hall. Kwa hivyo tafadhali muangalie masirahi yenu pia. Endelea.

Gregory Ngeiwa: Asanti sana Bwana Commissioner, majina naitwa Bwana Gregory Ngeiwa. Bwana Commissioners, Kwa majina naitwa, Bwana Gregory Ngeiywa, na nayasema nashukuru Mungu kwa nafasi hii, mambo ya Katiba yetu ya Kenya.

Bwana Commissioner ile kitu ya maana zaidi sana, na kitu ya shida sana ni mchanga, ni maneno ya land. Ya kwanza Bwana Commissioner, the former whites who came and displaced us here, what I am saying is this, all Kenyans who were displaced from their land indigeonous Kenya what you think of your land, let them be compensated. Let the Constitution guarantee

compensation of all Kenyans who are displaced from their land, and particularly here I am talking about the Elgon Maasai who are the Sabaoths who are the most hard hit in Kenya. That past everywhere in East Africa, that is a fact, myself I come from this part of Kapenguria and it is documented we have moved in early 30s and we are there.

Thirdly Bwana Commissioner, we know the Constitution made a mistake let us correct the mistakes. The first Kenyatta government should have returned the land to the owners first. Replacement has been from white settlers to black settlers, so that system should not be there. Let the government again politely in a good way re-distribute the land again to the owner for the sake of justice and for survival. I have had some people say no, we do not have talk about that, it is tribalism no, we are tribes that is a fact. There is nothing we can do about it. So it is there and we decide we are talking about if we put it aside it will never die and people will continue living miserably. We do not want to reach a state of hopelessness, we do not want to reach state of ready to die and die with many innocent people, we want things to work comfortably and smoothly. I am saying this, because I know I am a Sabaoth, I know it. Bwana Commissioners the question of how we govern ourselves will come later on, let us solve the land issue first. Then we shall go to others. How we govern ourselves is later on, this is a question of willing seller, willing buyer is not a very good thing for the minority who have low economic power. I wish we go to the federal system and we have different tribes, we become one in diverse communities in Kenya, and let like each other, we do not want hatred for sure Sabaoths in Kitale or Bungoma look at us in a very funny way because they know it is their land. but they would like to extinguish us if possible so that they can take over everything, in court we will refuse, and God has refused. Israels are back in Jerusalem, so nothing will stop that kind of thing for people to remain in (inaudible).

For the question electoralation, we require representation which is we have proportional for those people who are minority so that they are also represented. We have people Okiek, we have people like El-molos who have problems they cannot get even a councilor, let them be represented. They have right to where they are, not (inaudible). For a President let the President be a popular one for all Kenyans at least from 5 Provinces 25% he should garner that. So survival so that we can stay well. Otherwise I feel my time is over I have a small document-which I will give out. Thank you very much Bwana Commissioner for giving me this chance. But I say, I repeat you will never wipe out a community, so the Sabaoths will continue existing.

Com.Nunow: Thank you. James Luvai:

James Luvai: Honourable Commissioners I am James Nathan Luvai, a retired teacher now a small scale farmer, member of Land Control Board Trans-nzoia. I am going to give headline only and then I shall present the memorandum. Commissioners,

- 1) No Kenyan should be above the law, if you make Luvai above the law I am a human being I have weaknesses I can make blunders. So no Kenyan should be above the law. In future after this government any President who breaks the law should be impeached. Any President who will break the law, should be impeached, ashtakiwe.
- 2) Conflict of interest. Mr Chairman I served as a colonial civil servant I also served in the present government. Mr. Chairman corruption is there at a very large scale through a conflict of interests. Kwa mfano, huwezi kumpa PC tender

ya ku-supply maharagwe kwa prisons, Bwana Chairman, huwezi kumpa bibi ya Minister tender ya ku-supply water meters in city council. Bwana Commissioners Nzoia sugar Company na Mumias zimeoza kwa sababu ya conflict of interests. Kwa sababu watu wakubwa wanachukua tenders ya ku-supply things and they never supply them, but they are paid.

3) Presidential functions should divided into three parts. Presidential functions should be put, should be placed into three parts:

- I. The President will go out as a private person. He will receive government security, but he should use his own money.
- II. His party functions, party function the party will have to finance his trips
- III. Public functions, when is the public function a President should keep to the public affairs, he should not get into party affairs. I am giving my memorandam and I want to keep time I am conscious of time. Asante sana.

Com.Nunow: Thank you, Audience much as you might be happy with some presentation we are not in a political rally, we are in a Constitution making venue, please lets keep our sovereignty and minimize clapping and cheering becasud that take time and that disorientates the speaker. Dickson Rotich,

Dickson Rotich: Bwana Commissioner mimi naitwa Dickson Kipkemoi Rotich, mimi nimsemaji wa jamii ya Sengwer. Bwana Commissioner kuhusu mambo ya uchaguzi wa Kenya. Katiba ifafunuwe wazi siku ya uchaguzi wa Kenya na ijulikane baada ama kabla ya miaka mitano kufika. Ili kila mtu anajua mwaka fulani, tarehe fulani, uchaguzi utafanyika, kuliko huu ambao unafanywa kisiri na inafanywa mtu anafanya kama mali yake hayo maneno yarekebishwe.

Pia Bunge: Wakati huu kuna msemu unasemekana bunge iahirishwe mpaka mwaka ujao. Maoni yangu ni kwamba, ikifika mwezi wa kumi na mbili, yaani baada ya miaka tano kwisha bunge hiyo ivunjwe. Halafu hapo speaker achukue nafasi asimamie na tume yako iendelee na Katiba mpaka siku itakapokuwa tayari, kuliko wale ambaro walichaguliwa na muda wao unakwisha wanataka kupora mali ya wananchi bila idhini.

Jambo lingine, katika sehemu kama Trans-nzoia kwa mfano, jamii ya Sengwer, ina sehemu yao katika Trans-nzoia hii, ina aridhi yao katika Trans-nzoia hii. Kabla mukoloni kufika, jamii ya Sengwer walikuwa wa kiishi katika Trans-nzoia na jambo la ajabu, mzungu aliwasukuma hawo, mpaka wametawanyika, na ninapendekeza kwamba wakati wa uchaguzi, mkuu ambayo unakuja jamii ya Sengwer kwa Katiba hii itengewe Constituency yao, katika Trans-nzoia. Jambo lingine, uteuzi wa madiwani unapofanyika katika Trans-nzoia, ningependa kitu cha kwanza, jamii ya Sengwer wafikiriwe kwa uteuzi, wapewe sehemu ya katika Katiba, ili pia wawakilishwe katika Municipality ama county council.

Jambo lingine, ni kuhusu mambo ya wakulima KFA, KFA hiyo shirika ilikuwa hapo zamani. Hilo shirika lifufuliwe na serikali ama watu wale ambao wanauwezo sana, wasijaribu kuingilia kwani, saa hii wakulima wanasubuka hawana namna kwa sababu

ya kuingiliwa na watu ambao wana uwezo.

Jambo lingine pia kwa sababu masaa inakwisha Bwana Commissioner, katika sehemu hii ya Trans-nzoia, watu wamedai ilikuwa ni yao. Ningependekeza kwamba Tume, iteuliwe, ya kubainisha sehemu gani ilikuwa, ya nani ili ile sehemu haiwezi kurudi kwa hizo jamii, serikali ilipe ridhaa wale ambao wamepoteza sehemu yao. Kwa ufupi nimemaliza kwa kusema asante.

Com.Nunow: Please sign he register Mr. Rotich, Johnson Maina on behalf of the disabled,

Simon Maina: Asante sana Bwana Commissioner, kwa majina ninaitwa Simon Maina mimi ni mkaazi wa Kitale niko na hapa miaka 32, tangu nikopointia hapa. Mimi ningetaka hivi, katika uchaguzi, ambao.

Interjectin Com.Nunow: excuse me, are you Simon or Johnson.

Simon: Simon Maina.

Com.Ninow: I want a Maina that comes from Kitale Municipality the disabled self help group.

Johnson Maina: Asante sana mwenye kiti wa Tume ya Katiba. Kwa majina najulikana kama Johnson Maina mzungu. Naongea hivi kulingana na walemavu wa Trans-Nzoia na hasa Kitale Municipality. Walemavu wa Kitale self help group, wamechukua nafasi hii kuishukuru serikali yetu kwa kuisaidia na vifaa vya kazi, lakini shingo upande. Unapewa Cherahani bila material, sijui itashona nini.

Ya pili tungependa serikali na Katiba hii iweke kama sheria kwamba mtoto wa mlemavu asomeshe bure. Baada ya huyo mtoto kusomeshe, naye apewe kazi katika serikali hii. Hiyo itakuwa sasa ni kuinua maisha ya huyo mlemavu. Jambo lingine, serikali isaidie mlemavu na makao kama shamba, katika Trans-nzoia. Na kwambia hakuna siku mlemavu ambaye anatambaa kama mtoto mdogo, kununua shamba.

Jambo lingine, serikali katika Municipal yetu hii isilipishe licence kwa wale walemavu wako hapa wakifanya biashara zao. Ukipata mlemavu mama anauza mandizi ama mboga kwa hiyo basis Municipality inakata shilling ishirini. Jee utakuwa umesaidia? Asipoliwa baiskeli na mandizi kwa ofisi. Kwa kumaliza kuna rehema house iliyo anzishwa na Rais mwenyewe, na hiyo imekuwa kama kiboko kwa mlemavu, kuenda kupata huo msaada kutoka pale ni matanga, mlemavu anauziwa baiskeli 30,000, hiyo wheelchair mnaona tunajikokota nayo, 30,000 na mtu wa kawaida anauziwa baiskeli 3,000, itakuwa umesaidia? Kwa hayo yote naomba kwamba iwe kama sheria katika Katiba yetu hii, mlemavi awe na nafasi Bungeni mke na mme, ofisini, mke na mme ili atajua ukweli na shida ya mlemavu. Kwa hayo machache tunataka mabadiliko yawekwe hayo yote katika hii Katiba. Asanteni.

Com. Nunow: Asanti sana tafadhali jiadikishe pale kwamba umetoa maoni, Morrise Juma. Baada ya Morris ajitayarisha Jonah Maiyo.

Morris Juma: Kwa jina ninaitwa Morris Juma Mwaruri. Mimi ni mkaazi wa Trans-nzoia hapa. Location ya Kinyoro, division ya Sabaot. Ninaongea kwa upande wa waalimu napendekeza kweli hawa wadugu zetu ambao wanatusaidia watoto, wana kazi mzito sana. Kwa upande wa mishahara yao, wanapenda kuwasumbua, kuwarudisha nyuma wana waagiza watalipa lakini hawawalipi. Kwa upande mwingine ninapendekeza ili tuna wanyama wetu hapa ambao wametengewa mashamba, wanapotengewa kuna kama ndovu, wanapokuwa wazee wengine wanakufa na pembe hizo zinazwa ma million ya pesa. Badala ya hizo pesa zipeleka watu hospitali, kusaidia wananchi kwa kuwa wananchi ni maskini zaidi, badala ya hizo sifunge pengo ambayo inasumbuwa wananchi kwa upande wa hospitali, hospitali zimekuwa pesa juu zaidi ambaye mwananchi maskini hawezi kutoa pesa, kama ambaye inaweza kuwasaidia. Lakini kuona hivyo, ndovu hata wanyama ambao wanawekwa kwa buga, Watalii wanatoka nje, wanaleta hapa misaada zikipatiwa hata ndio hizo, badala ya hata watoto wetu wapate pesa hizo, wasilipe pesa bei ya shule inakuwa juu zaidi inavunja wananchi maskini. Sasa umaskini ni shinda zaidi hata mwenye anashughulika zaidi hata kuelimisha mtoto wake, asonge hata juu badala ya hata apate kazi, mzazi huko kila kitu kinaporomoka bomani, hata kila kitu anauza hata kondoo, kusomesha huyu mtoto na huyu mtoto amekuwa kama boda, boda, amesoma juu lakini hata hana chochote ambayo anaweza pata kusaidia watu wake.

Kwa upande mwingine watu wengine wamelala barabarani, hata kwa manyumba hizi za kukomboa. Anashida zaidi hana shamba, mtu wake anapokufa, anaumia sana hata hakuna chochote hawana mahali popote, pa kusaidiwa kuweka mtu wake. Tunaomba serikali yetu iwasaidie watu mashamba, ili hata kama acre moja mbili pake yake, ili nao wapate kufaidika kama watu wengine.

Interjection Com. Nunow: Asanti mda wako umekwisha.

Morris: Tena pombe hii ambayo mzazi anasubuka na hata anatengeneza kidogo ili apate kuuza na kununulia mtoto hata kitabu police wanasumbua watu kweli, kweli.

Com.Nunow: Jonah Maiyo, Jonah Maiyo. Baada ya Jonah ni James Muruu.

Jonah Maiyo: Asante sana Commissioners na wale wakaazi wa Kitale, na ni asante kwa kuhudhuria kwa wingi sana hata nimefurahi, sababu naona nyuso sawa, sawa. Maoni yangu kwa Commissioners, siendi mbali natoa maoni tu, kwa sababu wengi wamesema, lakini yangu ni kulenga Katiba yetu ya Kenya. Ningesema Katiba yetu ya Kenya, tukiona ile Katiba ya zamani, waliandika ya kwamba the republic of Kenya, lakini tunataka the Republic of people of Kenya.

Ya pili, mambo ya President office ya President igawanywe iwe na Prime Minister, iwe na President na Vice President wawili.

Na Prime Minister na deputy Prime Minister. Tukielekea nguvu za President yaani Presidential power, iondolewe. Na katika hapa, kuna Judiciary iwe na uhuru isiingiliwe na mtu, iwe na Independence. The public service Commission iwe independence ili waandike Public Service Commission kulingana na ujuzi wao. Mtu asipelekwe kwa idara fulani bila ujuzi.

Controller and Auditor General awe na nguvu yani yule mporaji akikamatwa asiende huko kupiga magoti kwa President ili iondolewe kama vile walivyo sasa, wawe na nguvu kupeleka mtu kortini. Halafu Parliament iwe nguvu ya kazi, wakisha pitisha uwe ni sheria, yule amechaguliwa aendelee, na kazi ya kutunga sheria sisi hapa peke yake.

Mambo ya masomo ya 8-4-4 ikae hivyo, hivyo lakini mtoto kutoka primary na secondary school waanze form one kuwekwa utaratibu wa kuingia University, kama vile walikuwa wangepanya form five, kwa sababu imeleta form four, kwa mitihani, imetuangusha katika Kenya kwa sababu mtoto hajui anapewe masomo mengi lakini akifika form three anambiwa wewe chagua utaenda University, ataenda namna gani na hajui ni gani, giti gani kwa nini mtoto asiwekwe form one, aanze subject kama vile ya form five, ili akielekea kupenya mitihani ya form four atakuwa amechua amesoma, nini na nini katika University ili ataenda kusoma University ili tusitoe tena University wale wanaenda kufanyia ukora huko na kupewa certificate ya bure, na watoto wa wale wasiojiweza waliwachwa kwa sababu ya yule mwenye pesa.

Ya mwisho ni shamba lakini si ya mwisho. Kwa shamba, iondolewe utaratibu wote wa land Arjudication land sijui nini ingine na hii yote iondolewe, ibaki sheria moja tu. Mambo ya leasehold na nini yote katika Trans-nzoia, wewe usinifukuze, unajua wewe mkaazi mzuri tunataka Trans-nzoia tukae mzuri.

Interjection Com. Nunow: Tafadhali, tafadhali tuheshimiane, tulimuweka huko ili akuambie mda ikifika na pia huo mda tunangalia, kwa hivyo akikupigia sio yeye anakupigia kwa kupenda kwake, useme point ya mwisho tafadhali.

Jonah: Sasa mimi nasema waja niendelee sasa, mashamba na wakulima waangaliwe na wizara ya Agriculture na wachunge fertilizer na mbegu hata hii KBS, wachunguze vitu vya wakulima mazao ya wakulima na pia wakulima wapewe nafasi kuuza vitu vyao nje, nje, kwa jia ya utaratibu, si kuja kudanganywa na kupelekwa na Cereal Board na wapi, wakulima wawe na uwezo wa kuuza vitu yao hata kutoka nje katika republic of Kenya.

Ya mwisho ni ya kwamba wa kristo, waangalie Bibilia sana wasije wakiingiza siasa, wanawake pia wale wameolewe mimi nasema saa hii, nikiwa hapa mzee yule mwanamke ameolewa aheshimu bwana wake. Tunataka kwa ofisi ya serikali tu akifanya kazi jioni akirudi ajuwe bwana yuko. Kwa sababu hii imeleta matatizo kwa watoto wetu kwa sababu mama anafikiria anataka kuchukua kila kitu, kila kitu halafu sasa katika Bibilia inasema mwanamke ako chini ya mzee, na mzee ako chini ya serikali sasa kwa nini mama anataka kuwa juu ya mzee halafu tugawanye mali sasa tunaelekeza watoto wetu wapi kwa sheria? Lazima tuelekeze watoto kwa sheria ya kusema mama aheshimu mzee na kazi yake achunge mzee wake. Ya mwisho wazee, wazee waangaliwe nchi ingine wazee wakiwa miaka 75 wanapewa nafasi kukaa katika wengine wanaumia kama yule amesema hapa

saa hii, ameumia lakini sasa apewe, wazee kama hana mtu wakumchungwa bona walemavu wanachungwa na wazee kwanini akiwa hana mali yoyote kwa nini serikali haiwezi kuchungwa tunataka wazee wachungwe. Asante sana.

Com.Nunow: tafadhali, hatuwezi kuendelea namna hii, hii sio heshima na siwezi kuendelea namna hii, ukiambiwa umalize time zako zimekwisha, tunataka uheshimu na usimamie hapo, kama utaweka microphone kwa mdomo kwa sababu unapiga kelele atasikia, haitakusaidia na haitasaidia mtu yeyote, na hatuwezi kuendelea namna hiyo nawambia. Kama mnataka tuweke nidhamu ingine ya kushika mtu mkono na kuondolea, tutafanya hivyo, lakini hiyo ni mbaya, tuwe na heshima ukiambiwa time yako imekwisha time yako, imekwisha. James Muruu.

James Muruu: Asante sana ninafurahia sana, jina langu ni James Muruu Ekital, hasa nimekaaa Trans-nzoia karibu miaka 23. sasa siwezi sema mengi kwa sababu inakubukwa tu pahali akilala vile ninakaa hivi ninakubuka pahali ya kulala jioni, kwa sababu hakuna shamba hakuna pahali a kulala, mtu anakaa sijui tu kwa barabara tu. Ninakaa kwa barabara hapa tu, sina pahali pa kulala, nikitoka tunaend kibarua asubuhi kwa watu kupalilia lakini vile ninakuja hapa ninakumbuka pahali pa kulala jioni. Mtu ni maskini tu pahali watu wanaita squatters halafu ndio wa kwanza ma squatter hawo, maanake sina pahali pa kukaa. Ndio mimi sasa sina mengi yangu yaishia hapo.

Com.Nunow: Tafadhali James andikisha pale jiadikishe pale, Ebonyo Enyaman, baada ya Ebonyo, Lochamin Ebenyo pia ajitayarishe.

Ebenyo Enyaman: Asante ndugu wangu, mtume wa sheria na wananchi. Asante (inaudible) jina langu Ebenyo Enyaman. Kila kitu abacho kimenileta hapa unajua sana, sana, wale watu ambao wanaumia zaidi kwa hapa Kenya, E-Turkana, ndio wanaumia zaidi. Maana yake sina shamba, sina mahali pa kukaa ile kitu ambayo kinaumiza sisi ni hiyo. Kwa sababu hata akikaa kwa shamba ya mtu mtoto wangu akifa, hakuna pahali ya kuzikwa, bibi yangu kama akifa, hakuna pahali pa kupeleka kwa Municipal. Hivyo ndio unaumiza wa Turkana zaidi, mtume wa sheria. Kama madadiliko ya sheria, inakuja sababu ya hiyo sheria ndio ninasema wa Turkana wanaumia zaidi kwa serikali hii. Unaona hapa wa Sabaot wanatetea upande wa Wasabaot wajua nini wanaona shida yao, ndani ya maisha yao, lakini sana, sana, mtume wa sheria, pande ya wa Turkana zaidi kuwapa Kenya hii. Sina mengi ya kusoma, nishukrani kwa Mungu, Mungu akubariki.

Com.Nunow: Asanti: Lochomin, ajitayarishe James Kaptipin.

Lochamin Ebenyo: Kwa jina ni hiyo Lochomin Ebenyo. Kwa hivyo hakuna zaidi ya kusema, kile kitu nitasema ni hivi, nataka sheria ile itatuendesha mbele katika Kenya. Sheria ile iliyotuendesha iliyotuendesha kutoka Kenya, kutoka wakati wa Kenyatta ile sheria alikuwa anasema tufuate, iko wapi hiyo, sheria hiyo iko wapi? Kwa kusema kweli tunachagua kweli wako? Hakuna kitu wanafanya, akija anafanya kwake tu peke yake, lakini kwa sisi, ni watu ambao tunaumia wale unaweza sema wako Kenya, kura kupigwa inakanyagwa kweli. Lakini hakuna kazi ile anafanya, sisi wale watu tunafanya mimi hakuna mtu ninachagua,

akasema hii, na hii, sisi tu wenyewe, wenyewe sisi wenye kuharibu sisi wenye kujenga, kwa maana hakuna ile tutasema, ningetaka leo kukuambia wewe, utuangalie sisi vile sisi wa Turkana tuko hapa. Kwa hivyo watoto wataweza kusoma kwa upande wa ukulima kwa jembe, watoto kama wako kama tano au sita na wote wanasoma, tutafanya namna gani, tutawasaidia namna gani, vile sisi tuko namna hii., chabulia kura ikija tuko pamoja, sisi wenyewe, sisi tunaharibu nchi yetu kwa masomi kwa kufanya nini, sisi wenyewe, hakuna mtu anatoka Tanzania, sisi wenyewe. Wenyewe sisi wenyewe tukae pamoja sawa, kwa hivyo yangu ni hayo. Mungu awabariki.

Com.Nunow: Asantr sana tafadhali jiadikishe. James, Kapipin

James Kapipini: Asanti Commissioner, kwa nafasi hii kwa jina naitwa James Kapari basi kuna mambo matatu nitagusia, kuhusu Katiba hii. Mimi ninatoka katika jamii ya Sengwer Cherengani. Kuhusu ardhi, sehemu hii ya Trans-nzoia wakati wa koloni walipofika, walikuta jamii wawili, hawa ni Sabaot na Sengwer Cherengani. Na hawa walikuwa wanajua mipaka zao ,basi Bwana Commissioner, hawa jamii wanajua wa koloni wa gapi walinyakuwa sehemu ya ardhi ya wa Sabaot na wa jamii na wazungu wagapi walinyakua sehemu ya jamii ya Sengwer Cherengani. Na vile tulivyopata uhuru, hawa jamii wawili hawajafaidika, katika sehemu zao ambao wakoloni waliwanyang'anya. Basi tungetaka Katiba iweze kuangalia hawa kwa sababu iliwasahau. Lingine ni kuhusu mambo ya ubunge, katika sehemu hii, ambayo ilikuwa ya jamii ya Sabaot ama Cherengani ipate kuangaliwa, kwa sababu utakuta hawa hawajafaidika hata kidogo, tangu uhuru mpaka wakati wa leo. Kwa mfano utakuta Constituency ingine ya Cherangani Constitutuency, lakini hiyo Constitutuency haiwasaidii hawa jamii wa Sengwer Cherengani. Basi ningependelea Bwana Commissioner Katiba iweze kuangalia hawa, jamii yote ipate uakilishi katika bunge ya Kenya.

Basi la mwisho ni kuhusu muda wa Tume. Ninaomba Bwana Commissioner, mpewe muda wa kutosha kwa sababu hii ni maisha ya jamii wa Kenya. Kwa sababu ukikatiziwa muda, isipotengenezwa Katiba ya kusaidia jamii yote, basi Katiba hii hatutafaidika. Asante sana.

Com.Wanjiku: Keba Balua yuko,

Keba Balua: Commissioners jina langu ni Keba Balua, nataka kuzungumzia au kupendekeza juu ya mipaka ya nchi ya Kenya. Mipaka hii ya nchi ya Kenya, imechangia wananchi kutoka katika nchi jirani kuingia nchini humu na kunyakuwa udongo wa nchi wanaingia na silaha na kufanya wananchi kuwa na uoga. Nataka pia kusema, police, GSU, wanakasoro, zinafunza hawa officers kutokuwa na imani na wananchi wa kawaida. Wanatoka huko wakiwa na tabia za majivuno na kuweza kutishia wananchi mala, kwa mala wanapokuwa katika utekelezaji wa kazi zao.

Nataka kusema juu ya mashamba, mashamba nchini Kenya itoke katika ofisi zifuatazo, katika ofisi ya Rais mashamba yatoke huko, katika ofisi ya PC, mashamba yatoke huko, pia kusiwe na Commission of land. Badala yake mashamba yote yale katika

ofisi ya PC, na Location ya chief itekeleze wajibu huo.

Jambo lingine ninataka kusema juu ya sheria ilioko ya urithi wa mali kutoka kwa wazazi. Kushtaki kaburi ndipo uweze kuchukua shamba hili la mzazi linamatatizo makubwa, kwa hivyo mambo ya kushtaki kaburi la baba ndipo uwe mrithi yaondolowe na mambo haya yachiwe familia na location ya chief.

Jambo lingine nataka kusema ni kwamba, katika Katiba yetu ya sasa, itengeneze idara ya kubambana na ufisidi nchini. Ufisadi umezidi na kila mmoja angiambo ofisi anaananza kupanga jinsi atanyakuwa mali ya nchi au mali ya wananchi kwa ujanga mbali, mbali, kwa hivyo ufisadi umezidi sana. Nataka pia kupendekeza ya kuwa Katiba ya sasa ikumbuke wazee wa mitaa na itengeneze budget kwa ajili ya hawa wazee.

La mwisho, maskini na watu walio viwete na viziwi, na watu wa namna ile nyingi, serikali iweze kuwaangalia na iweze hata kuweza kuwapatia marupurupu ya kila wakati maana nao imekuwa mzigo kwa wale ambao wanawatunza.

Com.Wanjiku: Thank you very much, Wesir Mukoya,

Wetir Mukhoya: Mimi mwenyewe naitwa Wehir Mukhoya mkaazi wa Trans-nzoia. Na maoni yangu vile ninapendekeza maoni, tulikuja kwa maoni sisi hatukuja kwa siasa, siasa iko baadaye. Miaka yangu naona ndio nilileta uhuru, wacha nipendekeze yale ninayo machache na mafupi. Mapendekezo yangu ya kwanza machief wachaguliwe kwa mlolongo, raia waende kwa mlolongo. Kuongezea hiyo ya wapili, wanawake wanaolewa na watu, ng'ombe kumi na tatu na mbuzi tatu. Mila ya watu ni mwaafrika yoyote kupendekeza, kuongezea yale unaona mwanamke anakushtaki kortini ati munawachana na hawo watoto tulizaa na hawa, hiyo kuwe mkazo.

Ingingine wanasema ya kwamba kuficha mambo ya wazee, siku hizi Kenya iko huru, wazee wacha nitoboe sisi wazee kitu ambao wanasema sisi wazee wakongwe kama sisi namna hii namna hii tunataka pombe ya mrija, ya mrija ya kurengekha. Sio Chang'aa mtu asifiche Nairobi, Kenya mzima tunaona mrija iko hiyo ikubaliwe. Na mwaka huu, tunaona mwaka huu tunatahirisha watoto. Kutahirisha watoto kuna watu ambao watatahirisha wana kisu kwetu. Tuliona siku hiyo wakitahirisha mtoto hakukuwa na ugonjwa, mwenye anatahirisha mtoto anachukua licence kwa serikali ati lete sheria ya kutahirisha mtoto, hiyo ikomeshwe.

Jambo lingine naona watu wengine wanateua, mnaishi hapa Kitale, Kitale kuna sehemu yake, na mimi mwenyewe vile ninaona, mtu anakamatwa anawekwa ndani ya rumande, wakati ya kortini kuja kuona mtu wako na chakula askari wanapewa pesa ndio mtu akubaliwe kuona mtu wake. Kweli tabia hiyo Kenya watu wako huru kweli? Hiyo ikataliwe, tunaona na macho, kama hutakuwa na pesa hutaona mtu wako kwa chakula.

Ingingine naongezea mtu akichaguliwa akienda kwa bunge akienda kwa bunge wanananchi wa Kenya, akienda kwa Bunge,

katikati ya kama anaongoza vizuri aendelee kwa hiyo miaka, kama hapana endelea vizuri raia wapige kura waweke mwingine huyo akae nyumbani. Kitu ingine mambo ya Rais wa Kenya, Rais wa Kenya achague wazee ambao corner yote wale wanamshauri, ajue wazee wako kwa corner Kenya. Sitaki kuwachoza nataka kuwa mahali ingine, ingine, nasikia kengere nina heshimu wazee kama nyinyi. Yangu ni hayo tu.

Com.Nunow: Mark Kisenbe, ajitayarishe Sylvester Wanyama,

Mark Kisenbe: Commissioners ladies and gentlemen I have a paper here majina ni Mark Kisenbe. The paper consists of fundamental points to consider when reviewing the the Constituion of Kenya. The Commissioner the Constitution needs to have a preamble to cater for the aims and objectives of the Constitution. Under the directive principles of state policy, this paper Mr. Commissioner, recommends that the new Constitution should contain a preamble and a directive principles of state policy stating how power should be exercised for instance the head of state, Legislature, Executive and Judiciary wing. In the system here must be having the state control. I will only highlight on the points that I have on the paper and present it as a memorandum.

I also talked about the Constitutional Supremacy. I have concentrated my efforts on the citizenship of this country, because I feel, the citizenship of this country it's a fundamental factor of a state. Every person who having been born in Kenya, shall become a citizen of Kenya. That which pertains the statutory instrumental 1963, and the gazetted paper of 105, of the order that chapter one should be adopted. I only exempt the dual and women citizenship here. It is properly detailed in that section Mr. Commissioner.

The defence and National security, the paper has examined a number of details here. Under defence and national security Mr. Commissioner, the armed forces, air force, navy, should be established by the President as an institution enshrined in the Constitution. Internal security should have an appropriate Ministry which will deal with internal affairs.

Under political parties Mr. Commissioner, we are suggesting or I am suggesting this that we have in all democratic fairness all parties belong to one camp with single objective, that is the struggle for power. Look at the situation in Kenya today, now any party in Kenya does not have an ideology, so we are suggesting this one, that any party will run its own affairs.

Under the structures and systems of the government, we have suggested a number of the government that will assisted but empasize on the establishment of unitary system of government.

Under Executive, we have examined a number of factors to be considered, especially the office of the President the office of Prime Minister, and the office of the MP in the Parliament and the life of the Parliament.

Under Judiciary Mr. Commissioner, we have looked at the number of the courts, on top we need to have the Supreme Constitutional court and below it will have the Juvenile dealing with the status of children in the country.

Finally now Mr. Commissioner we have proposed that we include or we create a new Province, that is North Rift Province, consisting of the following Districts, ie. Keiyo, Marakwet, Turkana, Trans-nzoia, Nandi consisting of a new Province in this paper. I have left the owner Mr. Commissioner, to present this as a memorandum to the Commission. Thank you very much.

Com.Nunow: Thank you very much Mr. Kisembe for those views and the memorandum Sylevester Wanyama, after Sylevester Councilor Muliro jitayarishe.

Sylevester Wanyama: Dear Commissioners, my names are Sylvester Wanyama and I am speaking on behalf of Trans-nzoia self sponsored University students and we have outlined in our paper, we have looked at two issues one of which is the structure and systems of government.

Interjection Com. Nunow: Mr. Wanyama just a minute. Please settle down first because you are obstructing and destructing at the same time. If you have settled we can continue.

Wanyama: We have noted that in heteretenious society like Kenya, unitary system of government just do not work. We have noted that highly Centralized Unitary government constrict liberty, reduce freedom all round, and create speeds environment for sleazy operations, and embezzbement corruption, graft, sound, arrogancy, incompetent leaders in government and many other evils. It is in the right of this observations that a federal system is proposed for Kenya in this treatise. As a way out of tyranny and instead to extend democracy to all. We have therefore proposed that the levels of our federated republic of Kenya should be under a very basic level called the village council and then rise up the county authority which will be a coup of associated village councils, it is the local government of an area occupied by a sub-tribe. An autonomous state this is a group of associated county authorities thus the government of the entire tribe and there after we shall at the apex, the federated publics of Kenya. The federal republic appears to be a stable a state where, powers of the government are so effectively decentralized to other bases, thus to the Constituency states. Our beloved Kenya has some very large tribes like Abaluhya, Kikuyu, Luo Miji-kenda, kalenjin Maasai kamba etc. Each of which occupies a large and defined territory, federation we are sure, would provide for and contain their different peculiarities, then best power sharing with the village councils, county authorities, and the state should give the two political stability in Kenya, which will be difficult to disturb. The entire Provincial Administration system, from the Provincial Commissioner down to the assistant chief, should be replaced with elected representatives of the people, through regular, free and fair elections held at intervals of every two years.

We concurr with the structurer arrangements and organizations of the village councils county authorities, urban councils and Municipalities and Constituency states as outlined by P.H. Okondo in his book, "a commentary on the Constitution of Kenya of

Our argument for the creation of tribes states are, tribes states provides checks and balances which are very difficult to disturb as I have pointed out. Tribes are the foundation of nationalism, it must be understood that to belong to a tribe, is not a negotion of Nationalism but the confirmation of the same. Federation means equal opportunity for all tribes, our proposal should not be equated with tribalism or taken as calculated designs to improve the lot, of any one tribe over the others. On the contrary we propose here to improve the lot of all the tribes nations contemporaneously. Mr. Commissioner sir, we have come a long way for 39 years and we have tried to build up a unitary system of government and this has resulted into tribal clashes, the continued projection into national life of the undesirable tribal balancing at the national level. That is why we hear issues of Kamatusa, we hear issues of Gema, we hear issues Saboit etc. The un ending struggle by each tribe to capture the Presidency for its own economic benefit. The resultants continous rows in the population, government arrogancy and growing degradation of the economy.

Lastly Mr. Commissioner sir, we have also talked about land and property rights, just a minute please, and we have said that land should belong to respective states. Therefore the highest registry of the land should be at the autonomous state level, and therefore there should be no land available for Presidential allocations. Lastly Mr. Commissioner sir, the landowners right to sell or to develop must be un hampered, the Government or local authorities may acquire for austensible specific public purposes only, provided it is fully compensated for to the owner. Kenyans should own land within their specific states.

We again strongly propose that the Constitution should provide for a cealing and land owned by an individual say at most 50 acres, and we have also proposed the creation of the seat of the Prime Minister, a deputy Prime Minister then we have proposed the President and two Vice Presidents. Thank you Commissioners.

Com. Nunow: Thank you Councilor Muliro, Josephine Simiyu.

Josephine Simiyu: Commissioners, Ladies and Gentlemen my names are Josephine Kadogo Simiyu and I have come here to present my personal views, as Kenyan acitizen and a worker in this country.

My views will be on the public service. The new Constitution should state clearly that the public servants are servants of the people, but not Masters of the people as it is in the old Constitution. Let a DC be a servant of the people, but not a Master of the people where people where pay homages and sent delegations to get favours. The Public Service Commission should be appointed by the head of the government but should have the approval of Parliament, to avoid anomalies. The Constitution should guarantee civil servants the right to form association and unions to protect and promote their interest. The union must be protected, so that they do not experience the interference and manipulation that has characterized the central organization of the trade unions COTU. The leadership of such unions should be open to all people i.e. to say men and women and disabled

persons. The public servant should work anywhere in the republic as it has been, but I propose that some form of consultation and dialogues, take place before transfers of the same. The rights to retire on time, and with immediate benefits should be guaranteed in the Constitution.

Retrenchment must be done in orderly just and way and after getting the Parliament approval. People should not be retrenched and they end up dying before getting any benefit because of the urgency with which they are issued the letters.

When the Public servant retires at the age of 55, years they should not be allowed to return to government employment in a new capacity, eg. paramount chiefs, when you retire you go away and enjoy your benefits, then let the new qualified blood take over. This one will reduce the unemployment of our young people. Let them also enjoy their retirements and also allow and stay at home as consultants, but not to draw money again from the treasury. Thank you.

Com. Nunow: Thank you very much Josephine, please register yourself Mary Imuria, is Mary there, Barasa, Makhanu,

Barasa Makhanu: *Asante Commissioner, Khushughuli nicho khushugulika chino khuombakhe sibala, nitaongea Kibukusu tu, babukusu, nga nekhumenya mu-Trans-Nzoia muno,*

Interjection Com.Nunow: Excuse me just a moment, gentleman excuse me, excuse me, you what is the problem? We deal with our responsibility yours is to come and bring views, please do not have heart for yourselves, okay, we do not want anybody's excitement hear, we said in the morning anybody is free to speak any language and the translation is the Commission's responsibilities, is that clear? Lets just relax continue please.

Barasa: *Asante Commissioner Khukhwicha khukhwimelela khu mukanda kwo khwicha na khuandikisia, ne kamasina kase bananga bali Baraza Makhanu Namwinguli.*

Translator: Thank you very much Commissioners for you coming here, to listen to us. My names are Barasa Namwinguli.

Barasa: *Salwa musibala sia Sayuni mu Trans-Nzoia muno.*

Translator: I was born in the land of Zayuni in Trans-nzoia.

Barasa: *Nga nesalwa vikuka ne vikuka byaolela muno.*

Translator: As I was born our ancestors and their ancestors, were right from here.

Barasa: *Nibyo khuuka, kumwaka kwa elfu moja na mia nane samanini na tatu, basungu ne bakhaira mu Trans-Nzoia*

...

Translator: What surprises me in the year 1883, when the Europeans were killing us, in Trans-nzoia here,

Barasa: *Kumwaka kwa elfu moja na mia nane tisaini na tano, ne becha khaira ... muchingo chiefwe cha Trans-Nzoia chino bakhairira mu sikulu sia Chetambe.*

Translator: In 1895, when the Europeans came here to take over our residents in the port of Chetambe they were killed their.

Barasa: *Kwaba ne chingoba munalamanjalal, nende sirikwa nende mulwendebe.*

Translator: We had ports here in Majelala, in Sirikwa and in Endebbes.

Barasa: *Nende Ndalwa nende mungo mwa kitalia muno.*

Translator: Ndale and in this home of Kitalia.

Barasa: *Basungu bano bama khwicha, kumwaka kwa elfu moja na mia tisa mbili, ne becha khukhutibaicha ne bakhuonakaka.*

Translator: In 1902 when the Europeans came here to divide us and spoil us.

Barasa: *Bama khukhuonakaka khubela khwaba nende omwami wefwe mumia, khukhwama sibala sie emwalo eino ne khucha mpaka Naivasha.*

Translator: They spoiled us because we had our leader Mumias, from this land upto Naivasha.

Barasa: *Ne Mumia niye waba oruka sibala sino, ne khukhwama emwalo ebuko nende emwalo.*

Translator: Mumia was the leader of this land from the East and the West.

Barasa: *Kumwaka kwa ishirini na sita, ne bakhurakho, khukhurakho flu, ne khukhulasimisha basungu ne banywa chikhafu chie kamabele kefwe.*

Translator: In 1926, we were forced to cut some certificates called blue and the Europeans forced us to give our animals and extract the milk from our animals.

Interjection Com. Nunow: Could we hear what his recommendations are, pendekezo.

Barasa: *Mbendekeza ndi kumpaka kwe kamajimbo kataru, khwenya Sano, nend Kirinyaga nende Mfano khukhwama Mombasa nende Nairobi nende Sano Musayuni.*

Translator: That he is recommending federation, three federations i.e. the Coast region, the Central region and the Western region.

Barasa: *Ne khulondekhana ne bukekke bwe buibwami, nio balanga bali omwandiki omukhulu wa angaki, nende olondelakho khubwami omukhongo, abe Mombasa, no wa akarikari abe Sano, ne President abe akarikari we Kirinyaga, namwe mujimbo liosi liosi linyolekhane.*

Translator: so he is proposing the leaders, the senior most leaders should be central and then another leader in the Coast another one from the Western region.

Barasa: *Ne bubwami bwene obwo, sekhwenya bubwami bwe khu..ba –advocate mubarusie khu mikunda.*

Translator: that those leaders should not have the power to distribute land.

Barasa: *Mulekehe basakhulu be engo nende babami be engo.*

Translator: it should be left to the local leaders in the villages, and the regions.

Barasa: *Ne liokhuuka sana, nga bajirane balomile bali sibala khucha wae ne waena, so khumali sikila bebatisie barie ta.*

Translator: although surprising some people were trying to say that other communities must leave it does not understand, where those communities should go.

Barasa: *Ne sikulu sino sia masaba nisio.*

Translator: that this mountain is Mount Masaba.

Barasa: *Ne masaba ino, yabadalisha eriri nende omusungu bali Argo, kumwaka kwa hamsini, -elfu moja mia nane nahamsini, Argo na saveya sibala sino.*

Translator: that there was an European called Argoi in 1850, who changed the named from Masaba to another name I do not know.

Barasa: *Nga nekachenja Victoria nende Brodrick falls, nende kai...*

Translator: Just like the Europeans were changed Lake Victoria the Fredrick falls and what have you.

Barasa: *nande Mt. Elgon, nende Thompson falls*

Translator: that this Mt.Elgon and Thompston falls were the creation of Europeans.

Barasa: *Khubela omusungu wa khukalukhasia. Asante.*

Translator: Thank you.

Com.Nunow: Thank you Christopher Mughasia. Christopher Mughasia five minutes p please

Christopher Mughasia: Asante sana Commissioner kupata nafasi hii, jina langu ni Christopher Mutasia kutoka Kinyoro. Na hili ndio pendekezo ambalo ilitolewa na ma squatter katika location hiyo. Ya kwanza, mashamba makubwa yapunguzwe ili mtu anaye miliki acre za chini, iwe ekari kumi. Na mashamba ya matajari makubwa, makubwa, yapunguzwe na wasio na makao waweze kupata.

Ya pili majina ya watu, wenye wamepewa mashamba iwe computerized, ili isaidie kuwatabua wale wanaopata mashamba hapa, na pale. Kuna matajiri wengine ambao wanapata mashamba ukienda Uasin Gishu yeye yuko, ukija Trans-nzoia, yeye yuko, kwa hivyo ikiwa itakuwa computerized na mtu awe na shamba tu sehemu moja katika nchi hii, itawezesha wengi kupata mashamba.

Sheria ya urithi wa ardhi, ya marehemu iondolewe kortini na irudishwe kwa kamati ya vijiji ya kiendeshwa na ukoo. Kwa sababu mambo ya advocate na kwa wale wa mama wajane huwa ni shida sana, kusafiri Nairobi ama wapi. Kwa hivyo ikiwa kwa vijiji, itawezesha wao kuweza kupata nafasi. Uwezo wa ugawaji wa ardhi uondolewe kwa ofisi ya raisi, na mashamba yarudi kwa kamati maalum ambayo itachaguliwa na wananchi katika sehemu hiyo hiyo, hiyo shamba iko.

Kamati isiwe inachaguliwa kutoka District nyingine kuenda kupeana ugawaji wa mashamba katika District nyingine, hapana, iwe tu ni katika sehemu hiyo katika location hiyo, mahali hapo, hapo, hiyo ardhi imepatikana.

La mwisho, ma squatters tuwe na uakilishi, tuwe na mwakilishi mmoja katika nchi nzima ya Kenya kwa kuwakilisha masirahi ya ma squatter katika idara ya serikali. Tunaona ya kwamba wale watu wasio na makao wameweza kujukuliwa tu kama machokora katika street. Wanapopeana maombi yao ya kupata mashamba, hayo yanakuwa covered na matijiri wenye mifuko minono, na hii inazidisha umaskini katika nchi yetu hii, na ndio sababu mnaona kila mala tuko na tatizo ya mashamba, lakini mashamba yako, utaratibu ukifuatwa kila mtu atakaa vizuri hatutaomba, omba misaada kutoka ng'ambo. Asanteni kunisikiza.

Com Nunow: Asante sana, Simon Musamia, after Simon ajitayarisha Enock nyukuli.

Simon Musamia: Asante sana Bwana Commissioner mbele yenu ni W. W. Musamali nikiakilisha jama ja Fanu African National Union, yani, Zayuni African National Union. Hiki ni chama ambacho kilikuwa cha babu zetu tangu awali, walipoingia wakitoka misri mwaka 1470. Waliingia katika mlima Zayuni, na walipofika katika mlima zayuni, Bwana Commissioner tungelipenda kupendekeza leo kwamba nchi hiyo yetu ya zayuni irudishwe na mipaka zake zote, kwa sababu ilimilikiwa kutoka Jinja hadi Naivasha. Na wale watawala, na wale watawala ambao walitawala alikuwa ni (inaudible) akiwa wa kwanza hadi wa 32, akiwa Mumias wa Nabongo na aliondelewa ofisi tarehe 12 mwezi 11, ikiwa 1926 wambebelul wakibadilisha nchi yetu, na walipo badilisha nchi yetu bwana Commissioner ilikuwa na tarehe moja mwezi wa nne mwaka 1902, hiyo ilikiwa na siku ya ujanja, kwa hivyo mfahamu kabisa nchi ilinyakuliwa lajambavu.

Bwana Commissioner ningelipenda kuendelea nikikwambia kwamba mashamba yetu, ambayo yako ndani ya Trans-nzoia ni mashamba ambayo tungelitaka ya milikiwe na jamii yenyewe ya wa Bukusu. Hii tamaa, bwana Commissioner ningelipenda kukwambia ukweli kwamba kutokea mwaka 1932, wakati alipoulizwa kutoa maoni yake na Commissioner aliye chair hiyo Commissioner alikuwa Minister (inaudible) na alipoulizwa kutoa maoni yake, son of Masaba alionyesha kabisa ya kwamba, mfalme Mumia aliwatawala kutoka Jinja hadi Naivasha na alikuwa na vikosi maalum ambapo mtu asije kutudanganya sisi ikiwa hajasoma historia vizuri, arudi katika chuo kikuu na achukuwe mamlaka ya kusoma vizuri.

Bwana Commissioner ningelipenda kuendelea kwa haraka tu kuhusia juu ya squatters. Mambo ya kuwa squatters sisi tulikuwa settlers wa Trans-nzoia tokea hapo awali, na tulipokuwa settlers mtu ambaye alileta ndio tuitwe squatters alikuwa na mkoloni ama mbeberu. Na wakati alipoingia, alipambana nasi huko Lubeka, shebabe na Marale Sengeri mpaka Naivasha huko kwa (inaudible). Wakati huo wote, tulipigana hizo vita na tulipopigana tuliwashinda vita, tukaua wazungu 42, walikuwa 58 tu ndio walinusurika na waloporudi kule kwa king George, aliwatuma warudi tena tupigane nao na tulipambana vilivyro, kama askari wetu na interior walifany kazi ya kuweza kufanya mambo ikakuwa mbaya huko mahali panaitwa Ruboka na Chitambe, ndio mbukusu akaimba wimbo (kiluhya dialect.....) ningependa Bwana Commissioner, uchukuwe kabisa na

ufahamu kwamba hapa tuko na mlima wetu wa Zayuni, ambao kila mmoja atauona vizuri ha huyu ni mlima ambao tuko hapa, hapa karibu na ambapo sisi sasa wabukusu tukirudi kwa desturi zetu, wametufungia kupeleka maombi yetu katika mlima huo, na pendekezo ni kwamba, waondoe kabisa wajibu wa kutufungia kupeleka maombi katika mlima huo, ili tufanye maombi ambayo yalikuwa yakifanywa na babu zetu ili hali zetu za msambura ziendele kumiliki na kuhakikisha upepari ulitoka katika nchi yetu.

Bwana Commissioner, ningelipenda pia kupendekeza mamlaka ambayo Rais Moi ako nayo yashushwe ili juu ya haya yote yeye asisimamie mashamba kwa sababu juu ya mashamba imetuadhili sisi hasa wa Trans-nzoia kwa sababu vivo vya viongozi wetu kama Maside Muliro, George Katil hata Mayor Shitachi wamekufa na wale watu ambao wamekuwa wakiwaua, wamepewa ardhi kama zawadi pade hii, acre 1,500 na zaidi. Ningelipenda kupendekeza tena hivi, Bwana Commissioner, kwamba sisi kama wabukusu tuko na desturi yetu ambao huwa tunafanya wakati watoto wanaona, wakati watoto wanatahiri, ni hili inaruhusu tuwe tunatumia tembo yetu ya busaa, kwa hivyo wote wakubaliane nasi kwamba busaa itakuwa ni pombe ya desturi.

Bwana Commissioner nikimaliza, ningelipenda serikali ambayo tunachukua sasa, ili kuwe katika Katiba hii mpya, iepuke damu. Ikifanya kazi yake, ifanye ikijua ya kwamba bila binadamu ama bila mwananchi hakuna serikali. Bwana Commissioner ukichukua number ZA yani Nzoia peke yake ukichukua neno Nzoia uchukue halafu ubadirishe, uchukuwe Z, A, I, O, utapata inasoma Zayoni kwa hivyo nchi hii ni yetu na hatutaki hata nchi ya jimbo letu, moja ipotelee nje. Asante sana Bwana Commissioner.

Com.Nunow: Enock Nyakuli, Enock Nyakuli ajitayarishe Nyongesa Iadi.

Enock Nyakuli: Asante sana Commissioner, mimi ni Enock Nyakuli wazee hukumbuka.

Interjection Com. Nunow: Can we have silence, please if you have any business to discuss, you will do this process a lot of justice by going out, finish and then come back.

Enock Nyakuli: Mimi Enock Nyakuli, kutoka Kimilili wazee hukumbuka. Mambo yangu ni mengi, lakini mara ya kwanza, tumetoa mapendekezo yetu, na mambo yetu ambayo tumeyaandika tumepeana. Kwa hivyo mimi sitakuwa na mambo mengi zaidi isipokuwa ndani ya karatasi yetu, tunataka utawala wa ma-chief urudi kwa raia wawe ndio wanachagua, si kwa ajili ya kupitia kwa interview. Hiyo mambo inasumbua sana. Neno lingine kama mbunge tumemchagua kwenda bunge na kama hahudhulii na kuleta report nyumbani mikutano, atolewe tuchaguwe mtu mwingine maana hana faida na sisi.

Neno lingine, kama Councilor, tumemchagua councilor, ameenda kazi na yeye hahudhuria mikutano na kuleta report nyumbani tunataka arudi kama raia hata tuchague mtu mwingine aende aakarishie nchi yetu. Maana kuna shida sana upande wa viongozi

wetu, tunawachagua hakuna kitu ambao wanaweza kutufanyia.

Mambo ingine kama upande wa rasimali ya area hapo au mashamba, mashama ya area hapo, inatakikana irudi kwa county council, na county council iwe na wazee wa hapo, hapo ndio wajue wale ambao wako na shida maana squatter inapatikana kwa ajili watu wengine wanatoka mbali wanachukua mashamba, na wenyenji wanakosa mashamba, ndio tuko na shida ya ma squatters. Neno kwa ajili ya Trans-nzoia vile wengine wameongea, kuna mambo iko, tunataka wale ambao wanasema nchi ni yetu, tupatiwe nafasi halafu tutoe kila mtu atoe sababu yake, halafu tujue nchi ni ya nini. Maana wengine kwa sababu wengine wanasema tulifukuzwa tukaenda Uganda, tukaenda wapi, ndio tumerudi mlikuwa huko wapi, sasa ni miaka idadi wakati tulipata uhuru ni miaka mingi wewe ulikuwa wapi mpaka wakati wa sasa? Ndio wanasema nchi hii ni nchi yangu, nchi yako kwa njia gani? Kwa njia gani, tunataka tujue, tukae na tuulizane, tutoe sababu ya kutosha ikiwa ni nchi yenu tujue, kama ni nchi yetu tujue, lakini unajua hii nchi yetu hii Trans-nzoia na nchi ya wa Bukusu, asante.

Com.Nunow: Nyongesa endelea.

Nyongesa Iadi: Asante sana mimi naitwa Nyongesa Iadi, nikiwa mkaazi wa hapa Trans-nzoia, ni mwenyeji wa Trans-nzoia, na vile wengine wamesema kama ni Mungu, Mungu anajua niko hapa na sababu gani. Mimi ningependa kupendekeza kwamba Provincial Administration iwe scrapped na badala yake, tuwe na strong Local Government, ambayo itakuwa na Elected representatives, Mayor ama County Council Chairman, awe mtu yule anachaguliwa directly na watu wa area hiyo. Na awe mtu ambaye ana kiwango kizuri cha elimu. Siyo degree, lakini awe mtu ambaye anaweza kuthibitisha kwamba anaweza kusimamia mashirika, yaani ako na Administrative capacity ama managerial capability ya hali ya juu. Atatoa CV yake kwa nominating authority, na hiyo CV lazima watu wa area wajue yeye ana uwezo gani wa kufanya kazi.

Kazi ya police katika mpangilio huo itakuwa chini ya hiyo authority. Mayors, ili tupate ma Mayor ama chairman wale walio na elimu nzuri watapewa mshahara mzuri ili kazi hiyo iheshimiwe. Mshahara uwe kama ule wa ma MPs wabunge. Chiefs na ma sub-chief wawe wachaguliwe na wananchi. Ma chief officers wa Local authority wachaguliwe na Local Authority, lakini public service Commission ithibitisha. Mayor lazima awe na official residence. Kama hapa Kitale, kuwe na nyumba ambayo itakuwa ya mkuu wa area hii na aishi hapo. Hapana mtu kutoka area fulani anaishi huko, lazima apewe authority na residence, na ofisi ya Mayor itapeana hiyo uzito, wa mtu kuwa amechaguliwa mahali pale na akatoka kwakwe aende aishi kwa hiyo residence.

Minister wachaguliwe kutoka kwa ma Professionals, wasiwe wajumbe katika bunge. President asiwe Member wa Parliament, achaguliwe direct na wananchi na awe na running mate wake. Parliamentary na Presidential elections ziwe tofauti na zile za local government. Local government election ziwe tofauti ili, wananchi waweze kuchuguzwa wanachagua nani katika Local Authority.

Jambo lingine ningependa kupendekeza ni kwamba harambee, official harambee ziwe abolished. Development ya hii country ya

hii nchi lazima itoke kwa ushuru, from taxation. Kwa sababu mambo ya ma harambee ndio imeleta ufisadi mkubwa. Pesa zile zinachangwa kwa harambee hatujui zinatoka wapi, ni za wizi. Leaders wote, ukitaka kuchaguliwa kiti chochote, lazima useme mali yako umetoa wapi, ili tuchague watu wale wako na nidhamu hapana wezi waje kuwa viongozi wetu, asanteni sana.

Com.Nunow: Asanti Rev. Nelson Cheleget. Atakeyefuatwa na Stephen Tedet.

Rev.Nelson Cheleget: Mimi ni Rev. Nelson Cheleget, nina mambo machache sana, kwanza point la kwanza mila na desturi ya kila kabila iwekwe ndani ya Katiba vizuri. Na jambo lapili wa Sabaot na Sengwer warudishiwe mashamba yao, walionyanywa na serikali ya ukoloni zamani.

Jambo la tatu, Trans-nzoia kwa jina la Cosmopolitan, ziondolowe kabisa, jina hilo huleta ufisadi na unyakuzi wa ardhi. Hiyo iondolowe kabisa, iwe tu Kitale.

Point la nne, Land Control Board, ifanyiwe na wazee wa nyumbani. Wazee ndio wanaofahamu vizuri sana ya kwamba nani asiye na shamba, ni nani ni mwenyeji wa hapa. Kuliko mtu kutoka nchi ya mbali na anakuwa mwenyeji wa kugawa yale mashamba.

Jambo la tano, Katiba ihakikishe kila kabila ndogo inawakilishwa bungeni. Imekwisha wakilishwa bungeni. Katiba iwekwe kila kabila ndogo makabila haya 42,iwe ya kwamba imekwa imewakilishwa bungeni.

Jambo la sita serikali ya majimbo ianzishwe ili maendeleo ya karibu yafikie wananchi. Na Na point ingine la saba tangu multi-party system, tuliona mambo mapya sana wakati wa multi-party system jinsi watu wa Kenya wanavyotaka kuishi. Tumeona kila kabila ndogo ama kubwa walitaka kutambuliwa kwa nchi yao. Kwa hivyo mipaka itambuliwe vizuri kufuatana na kitabu cha Mungu inasema katika Deutronomy 33 kuanzia 7 na 8 hiyo mipaka iwekwe vizuri kabisa. Na uongozi pia na kila kabila na pia Bungoma na Wangoma kwa sababu wale ni nchi ile watambuliwe vizuri kikatiba iwekwe ndani ya Katiba, Bungoma, kwa sababu Bungoma ni wangoma hiyo iwekwe vizuri kila mmoja anajua, sio mambo ya kusingizia, iwekwe vizuri katika Katiba ya kwamba nchi ni ya wa Sabaot.

Na jambo la nane Mt.Elgon District ingizwe katika Rift Valley ije katika hii Rift Valley ingizwe mlima wa Elgon ije Rift Valley Mt.Elgon District. Na jambo la mwisho chief wa kwanza wa hapa Kitale Bana Kitale Arap Kesis, iwe tunadai serikali kuweka account ya rubies 3,000, na hivyo anastahili ajengwe ijengwe hospitali kwa niaba ya jina lake. Na pia shule ua ufundi kwa jina la heshima la chief Arap Kesis, na ni hayo tu ambayo ninasema. Thank you Commission.

Com.Nunow: Asanti sana Rev. tafadhali jiandikishe pale kwamba umetoa maoni, Stephen Tedet.

Stephen Tedet: Asante sana Bwana Commissioner, maoni yangu ni kitu kidogo sana lakini mimi naomba wewe usikie kwa makini. Majina ni Stephe Tedet. Ya kwanza ndio hii ukweli unahimiza watu wengine kwa nini mtu asikubali ukweli wa kitu. Kitu mimi ninasema anahimiza ukweli ndio huu kwa kusema Trans-nzoia ni ya nani kila mtu anasema ni yangu. Na ile kitu utaleta Trans-nzoia kuwa kama Rwanda, hiyo ni haki, na tena mkirundi nyumbani ama mkirudi Nairobi ama huko, mjue nyuma iko tabia kwa nini ndio hii chunguza ama rudi tena halafu itakuwa wazee kutoka kila kabila. Halafu tuendelee pole, pole tujue Trans-nzoia, ukweli uko upande wa nani.

Kitu ingine sisi hapa Trans-nzoia tunaumia watu wa National Park wako hapa, forests iko hapa na hakuna kazi ya kutusaidia sisi katika Trans-nzoia, ama sisi wenye tuko karibu na National Parks. Na watalii wanakuja kila mara ama kila miaka, miaka hii yote na hiyo pesa zuna kwenda kujenga mashule ya nje. Na sisi tunaumia hatuna barabara, hatuna mashule, hatuna ma hospitali hatuna vitu vingine vyo vyote. Watoto wetu wanakalia mawe na sisi tunalinda miti mbao, mbao inakwenda Webuye na sisi hapa hatuna Factory yeyote ingelikuwa zile mbao zingetusaia.

Kuna kitu ingine hapa Trans-nzoia, jina la Trans-nzoia lilikuja na mzungu, na mzungu alisahau jina yake ya kurudisha, sisi tunataka hilo jina la Trans-nzoia liondolewe bali. Sasa hakuna haja ya kusema kueleza nini hii ni nafasi yangu. Trans-nzoia ilikuwa watu karibu mbili, Sengwer, Saboit upande ule ni watu wa Pokot, ndio walikuwa wanatawala, na Gajoni upande ule tena. Uhuru wa Kenya tangu mwaka wa 63, Sabaot hawajui uhuru ni nini na wengine wanasema at Sabaot walikwenda wapi, walikwenda wapi walingweda lini Uganda, nani alikuwa anaishi na mzungu, na mzungu alikuwa mkali yuko na bunduki yake na nani ndio alikuwa anaishi na mzungu, na mzungu. Through learning wakati mzungu alikuja chai ya kwanza ama maziwa ya kwanza yalikuwa ya Msabaot. Kwa ndume ya ukulima ulikuwa ya wa Sabaot zilikuwa iko wapi hizo kabila zingine. Ng'ombe zote zilikuwa hapa zilikuwa za Sabaot na hao waliokoa ng'ombe kuenda Uganda, na wengine wanakwenda Narok, wengine wanakwenda Tanzania na akirudi anasema ni mgeni, mgeni wa wapi, tutaongea na tutapata ukweli, na ukweli utabaki na ukweli wake.

Com.Nunow: Asanti sana tafadhali jiadikishe, Godwin Oganya, of St. Joseph Boys Kitale.

Godwin Oganya: My name is Godwin Oganya from St.Joseph's Boys Kitale representing the students from that school. I am going to read it in English.

On Education the government should provide free education for all children upto the age of 16 years, to reduce the number of street children. It should be compulsory for parents or guardians, to take their children to school. The government should also ensure all street children are taken to school.

A (inaudible) should be put in place to cater for the educational needs of children. The Local authority should build and locate schools in their respective areas. They should provide modern laboratory equipment. This is to prevent movement of students

upto far areas in such of schools with better facilities. Those incharge of the Local authority in a given area should have at least a post secondary education. The government should provide milk to cater for nutritional needs of children.

Technical subjects should neither be scrapped in Primary nor in secondary, this has helped a great deal in the jua kali sector of scrapping out means people will not be creative enough.

On the side of discipline legal notice number 56 of March 2001, outlaws canning of students in schools replacing it with guarding and counseling. This has had advance effect increasing unrest in schools. The government should deploy professional guiding and counselling personnels to schools and also look for a way of involving parents in their children's discipline.

Stern actions should be taken against on children involved in drug abuse. The government should allow free tests to anyone suspected to have taken drugs under the supervision as a counsellor. Education Minister should be in full control of education. He should be responsible for safety of students in schools. He should ensure competent people run the schools.

On environmental conservations every citizen has a right to live in a clean environment. Any one found throwing litter anyhowly should be punished. Owners whose vehicles emit a lot of smoke and noise should be penalized for polluting the environment. Factories should not litter harmful gases to the atmosphere or chemicals to water bodies, to conserve the marine life and for a clean environment. For every tree cut down, we should ensure that at least two should be planted for a healthy environment and it should be put in the Constitution. Thank you very much.

Com.Nunow: Excuse me Godwin, please you can go back to the mic, give us your age and form the class.

Godwin. I am Godwin Onganya from St. Joseph's Boys High school Kitale I am 18 years of age and in form four.

Com.Nunow: Florence Nangila, Joseph, Ngaruiya

Joseph Ngaruiya: Asante sana Bwana Commissioner na wananchi kwa siku hii ya maoni. Mimi jina langu ni Joseph Ngaruiya natoa maoni kwa niaba yangu. Kwa habari za barabara, na uchukuzi ningelipendekeza, serikali ya Kenya iondolee mbali habari ya kupeana contractors lakini itumie Ministry ya public works kutengeneza barabara zetu na kurekebisha kwa sababu itagharimu fedha kidogo na uchumi wa nchi hautaidhinisha sana. Hivyo, hivyo ningelitaka pia Engineers wale watakuwa wakipitisha barabara, ambazo hazijajengwa vizuri, waweze kuwekwa ndani kuanzia chini ya mwaka mmoja na wasiweze kufanya tena katika nchi hii yetu. Na pia kama magali yataweza kupata accident kwa sababu ya mashimo, itakuwa ni kwa sababu serikali imeshindwa kutekeleza wajibu wake, itaweza kugharimia wale ambao wameumia na kutengeneza magari hayo.

Upande wa afya ya wananchi, ningelitaka ya kwamba wana nchi waweze kupewa huduma ya matibabu bure pasipo cost

sharing. Na kusiwe na habari ya kwamba kuna madawa ambayo ni ya bei ghali, wananchi waweze kugharimia la sivyo, serikali ichukue jukumu lote la madawa na matibabu. Na kama kuna matibabu ambayo inaitwa special treatment, inatakikana kupelekwa katika nchi za nje, hivyo serikali iweze kugharimia matibabu hayo kwa wananchi wa Kenya. Na kama madaktari watachalia mgonjwa kwa kumpa labda madawa yaliyoisha mda ama kutowatibu kwa njia inayofaa, daktari huyo awekwe ndani, na asifanye tena kazi katika nchi hii yetu, kwa sababu afya ya wananchi wetu lazima iangaliwe vizuri.

Katika ofisi za serikali public offices tungeitaka ya kwamba masaa yao ya kazi yaweze kuangaliwa vizuri sana. Kama ni saa mbili, saa mbili kamili wawe wemeingia katika ofisini na wa hudumie wananchi. Kuna wakati mwingine kunahitajika form kujazwa katika ofisi za Serikali, badala yake hao ma officer wanafanya kazi ya serikali, kuamba wananchi waweze kujijazia, hatutaki namna hiyo waweze kuuliza wananchi maswali na wenyewe waweze kuwajazia kwa sababu wanalipwa kazi hiyo.

Upande wa elimu tungeitaka elimu iwe bure, iwe ya bure free primary education. Na katika upande wa secondary school, tungelitaka ya kwamba wale ambao hawana fedha za kuweza kutosha kulipa, waweze kupea bursary na iwapo mtoto wa tajiri anaweza kulipiwa bursary kinyume cha sheria, yule tajiri aweze kulipia wanafunzi maskini wa nne na iwe ni sheria hivyo.

Na upande wa kilimo tungelitaka ya kwamba serikali iweze kuondolea ushuru, kwa bidhaa zote za kilimo na kama kunaweza tokea habari ya janga kama vile ukame, serikali iweze kuwapa wakulima mbegu, fertilizer na wawape pesa za kuweza kulima pasipo kutozwa chochote. Ni hayo tu Bwana Commissioner

Com.Nunow: Asante sana tafadhali jiadikishe Morris Wangus, karibu.

Morris Wangus: Commissioners ambao mmekuja siku ya leo nimeshangaa sana leo ni siku ya Njonjo Commission ama na Constitutional Review, kwa sababu wenzangu wanakuja hapa wanaongea juu ya mashamba na mipaka lakini leo nikuongea juu Kenya inatakiwa iwe namna gani. Fine majina yangu ni Morris Wangus Makhoha, nakaa hapa Kitale na nitaongea tu kwa mambo machache, I shall be very brief.

Kitu cha kwanza Mungu ama vile sisi tulizaliwa Kenya hii, ama duniani hakuna mtu alituma barua kwa mwenyezi Mungu ya kusema mpaka nizaliwe mkalenjin Mluhya, mkikuyu ama nini, tulijipata Kenya and we should co exist as one people in this country. Let me just come to my point straight, wacha nije kwa mambo ya Constitution na mambo sheria.

Vested in the Presidency, appointment of the Parastatal chiefs, are you getting me right Mr. Commissioners, appointments of Parastatal Chiefs, should not be vested in the Presidency and I have a reason to say why. Ama nitarudisha (inaudible) viongozi wa mashirika ya serikali, viongozi ma MD, wasiwe wakichaguliwa na Rais, nikikana na haya, ni hivi. Tuko na Public Service Commission kazi yake ni nini? Makamu huyu kwa sababu Rais ataangalia rafiki yake aseme Moiben ni rafiki yangu sana yeye asimamie several brooke board. Moiben hatafanya kazi ya raia, atafanya kazi in the interest of somebody who appointed him,

of which as a result cereals and produce board itaangukaa na wakulima wanaumia.

Number mbili, hayo lazima tuko na parastatal nyingi KFA, wale wanasimamia wanachaguliwa na Raisi. Hatutaki kitu, hawa watu wanasimamia wachaguliwe na Raisi, wachuguliwe na panel under the supervision of Public Service Commission. Hata niko na wasi, wasi kwa sababu wale watu mnasimamia Commission Chairman Yash Pal Ghai alichaguliwa na Rais, I do not know whether you are doing the right thing. We are afraid tunaongea tu, lakini hatujui.

Number tatu Bwana Commissioner hizo powers itolewe kwa Rais kabisa irudi kwa Public Service Commission, Public Service Commission uchukuwe watu fulani ndio wana check hawa watu, ni nani anafaa kuwa kwa KFA, ni nani anafaa kuwa Kenya Seed, na nini anafaa kuwa kwa Cereal Board, na nani anafaa kuwa wapi, na wapi, ili Kenya iendelee vizuri.

Number nne, suspension of Parliament or any Council in Kenya if it is under the powers of the President to do it? Bado mimi nasema hivi

Interjection Com.Nunow: Please give us your recommendations.

Morris: Basi mimi nasema namna hii, kwa sababu Rais pia ni mjumbe, hana ruhusa ya ku suspend Parliament, anenda any council suspend anaenda wapi ana spend tunataka tuwe na special nini ikiwa council yoyote inafanya makosa ama nini tuwe na special forces ndio inakaa chini ku-suspend na uki-suspend especially hapa Kitale tuko na problem sana. Ma councilors hawa walikuwa suspended under which law. Was it after which Commission, was it a directive ama ilikuwa nini. Sasa kwa hayo machache, nataka tuangalie kwa hayo mambo, tuchukue mambo fulani, fulani ati tuweke kwa mtu mmoja na kusumbua mambo.

Com.Nunow: Namuita Wekesa. Wekesa, Ekenga. Imeandikwa vibaya kwa hivyo Wekesa K. Box number 1971, what is your box number? What is your box number sir? Now that is not you. Stephen Makali kwa sababu kila mtu anaambiwa ajijazie form wengine wanaandika jinsi ambavyo haitasomeka, Stephen Makali.

Stephen Makali: My names are Stephen Makari so I just wish to give my personal views, how I want to admit that most of the views have been given by other people. But I want to re-emphasize the fact that in our next Constitution, there should be democratic principles. I want to propose that never should there be the example that was proposing in Mlorongo. All voting election should be done by secret ballot. I also want to propose that there should be unity, and stability principles and that never should we be having situations where people come to claim, individual or tribal issues, those ones do not instill unity and stability. We want to live in a united environment, whereby everybody should have a right or merit, to own what he may own.

On economic principles, I want to propose there should be an institution to curb economic blunder, something like for example

the office the Audit and Controller General should be independent. Tenure of office must be independent, such that these people must do their work properly and with independence, and appointment must be on merit.

I also want to propose, gender issues in our new Constitution, that languages for example which discriminates against people who are vulnerable like women and what have you, should be taken care of in our new Constitution.

Human rights: I want to propose that certain human rights should curb discriminative tendencies because we normally see that when people claim, for example people claim that this is our region and whatever, at the end of the day, there are things like tribal clashes, and these once here sometimes have caused people to suffer a great deal. So in our new Constitution, there should be entrenched institutions which curb such kind of tribal discrimination.

On foreign policy we want to emphasize on the fact that, we should only be having people dealing with Kenyans. Our foreign policy such as sometimes our boundaries some people have sneaked in, some people from across Uganda have sneaked in and at the moment he comes in here, they claim citizenship and begin causing trouble.

On government and systems, Mr. Commissioner sir I wish to propose that in this country we should cease calling people squatters, you know somebody who has squate, like if we are sitting in this room the way we have sat like, if there was somebody who was squatting here, he cannot sit as long as now, so calling people or “Chokoras” or destitutes in this country 39 years after independent, that one is very discriminative and very dehumanizing. Such a people squatters, or chokoras and what have you in this country, there are enough resources, and they should be taken care of through whatever means social welfare and what have you.

Also finally, I wish to propose that anybody working anywhere or doing anything should not be given a right to appraise his own payment. For example the way the members of Parliament were trying to appraise their own salary, that one in our new Constitution should be curbed so that we should use a body which will give such kind of appraisal. I wish to say more Commissioner, but because of time, I wish to thank you again.

Com.Nunow: Thank you very much please register yourself, Councilor Muliro.

Councilor Muliro: Commissioners my name is Mwashu Muliro Councilor Mwashu Muliro, Cherangani. I wish to say I do not have much, I will not bore you, and I wish to say that what we want and what we must have in our country Kenya, by all means is Peace, is Love, is Unity we have to live together as we are old people and all tribes. Unless we do that, it will be a reputation of the same all things day in, day out on or year in, and year out. Let us have that Peace, let us have that love, let us still have that unity. Also it does not mean that democracy is to undermine what the majority has to undermine the minority.

We have to also safeguard the (inaudible) through majority against the minority. I think those views are enough, I think as for

me that is enough to digest, because we have to think through that. Thank you very much.

Com.Nunow: Councilor, you will be brought the register no its okay, let the register go there. Peter Wanyonyi.

Peter Wanyonyi: Jina langu mwenyewe naitwa Peter Wanyonyi Yakaa, kutoka katika Kitengee area, Kitale:

Maoni yangu, ningependelea ofisi ya Rais ipunguziwe uwezo maana hiyo ofisi ina kazi nyingi sana. Zimekusanyika ndani yake kabisa. Wizara nyingi zimekusanyika ndani yake hata imekuwa na uzito, hata inataka kuvujika, na kuanguka chini. Hizo wizara zingine, zapatiwe mawaziri na ziwe katika nchi zikitumiwa na mawaziri kwa uwezo wao.

Halafu number mbile, upande wa elimu shule za upili ada ama fees, ipunguzwe. Maana hii fees huwa ingine inakuwa nzito sana hata kwa wazazi. Inapandishwa mchana na usiku, ambao wazazi wengine maskini hawewezi kujimudu na ni ma elfu ya pesa. Hata katika vyo vikuu, hizi pesa ni nyingi sana, kwa wazazi wale maskini.

Upande wa vitabu, za shule za msingi text books, hivi vinanunuliwa kila mwaka,wazazi wananunua vitabu hivi kila mwaka, na hivi vitabu, zinatakikana vipewe mda wa miaka mitano, ndivyo viwe expired halafu ndio wazazi wanunue vitabu vingine. Maana hasa hii wizara ya Markit Singh hii sasa imekuwa kama ni biashara tu hata havina maana.

Tatu, ningependelea wizara ya Katiba, idhinishwe iwe wizara maalum katika serikalini. Maana hii ni wizara ambayo inatakikana iwe katika serikali, sio Parastatal, ama namna hivi ilivyo, na ichapishe vitabu vya Katiba ambavyo wananchi wa kawaida wanaweza kusoma na kuelewa Katiba ya nchi yao.

Mkuu wa Sheria achaguliwe na raia, asichaguliwe na President na awe mtu ambaye amesomea hiyo sheria ya kazi yake. Mkuu wa elimu, Makamu wa Rais, pia chaguliwe na raia.

Maskini wengi hawana mashamba, uhai mashamba mengine yana lala bure. Bunge kutuka mishahara minono na hali nchi haina fedha za kutosha inakuwa bankrupt, katika bunge ikaihirishwa kwa mda jee, namna gani na hii bunge ijao itafanya kazi yake namna gani? Maana hii bunge ijayo ya nane itaadhiriwa kwa maana imeingia, haitafanya kazi yake vizuri, maana huu muda wake umekwisha.

Watu walioiba pesa za nchi hii na kuweka nchi ya nje, hizo pesa zirudishwe ili ziimarisha uchumi wa nchi hii.

Com. Wanjiku Kabira: Asante sana David Wamalwa, David Wamalwa, hayuko Wekesa Rosakia.

Wekesa Rosakia: my names are Wekesa Rosakia I am resident of Kiminini Location, and I am here on behalf of those

residents. The hounarable Mr. Chairman and Commissioners of the CKRC, ladies and genlemen. The honourable Mr. Chairman, Commissioners and Ladies and gentlmen, we the residents of Kiminini Location, Kiminini Division of Trans-nzoia District are most privileged to present our views before your most distinguished commission today. We will present it with very special emphasies, on the chief's authority act. Sir following the prolonged struggle for democracy by the Kenyan people, which came ahead in 1997, the inter parties, Parliamentary groups IPPG introduced certain changes to the Constitution and ordinary laws of the republic of Kenya, meant to impact on the rights of all Kenyans, Kiminini residents inclusive. Unfortunately all changes by and large have never been implemented by the Provincial Administration either because the chief had intentionally failed to do so, or the public is not aware of the content of such changes and it does not insist on their implementation. Sir it is as a result of this, very sharp prevailing situation that we the down trodden residents of Kiminini location wish to submit our views as here under:

Proposala amendements about the chiefs. That the chief's authority act be scrapped altogether reviewed and be remained simply as the chief's act. The term authority be removed. The chief should be elected directly by residents of their respective areas of the jurisdiction. Being eligible for re-election after every five years. That incase the government maintains the current trend, then chiefs must be transferred to serve all over the republic like all other civil servants, after at most three years in a particular location. That chiefs who do not deliver qualified services to the residents must not be transferred to other stations, but should still should simply be removed from office. That corrupt chiefs or all those who recruit private armies masquerading as vigilantes in effect harassing residents, and breaking the law with impunity, must be punished accordingly. Those uniforms should not make them appear more equal than any other Kenyan. Mr. Chairman, we have enumerated about 16 amendments to the Constitution regarding the chiefs, but since I will represent this I wish to go to another amendement which we propose to save time.

My personnal views Mr. Chairman, is about the President. I suggest that the national President, head of state, be elected by an overall majority. In the even of the combined vote, of the losers exceeding that of the winner, then a re-run be conducted between the first. The minimum age, for the Presidential candidate be specified in the reviewed Constitution and the age limit, i.e the maximum age of a serving President also be identified. To live office even if he is still popular to avoid having a senile President in office.

The President to serve a maximum of two terms, the President to serve a maximum of two terms of five years each, but must be re-elected through the ballot and not by sycophanoy public opinion. He must not be an elected MP for a particular Constituency. Thank you very much.

Com.Wanjiku Kabira: Thank you very much Mr. Wekesa please sign your name in our register. Benjimin Kitiyo

Benjamini Kitiyo: Asanti sana Commissioners nafikiri ya kwanza aina ya serikali ile sisi tunataka katika Jamuhuri ya Kenya,

kwa sababu hiyo lazima tuweke kwa Constitution ile pia sisi, kwa jina ni Benjamin Kitiyo. Serikali ile sisi tunataka ni ile ya federal Government maana kwa lugha ya kiswahili ni majimbo. Kwa sababu hiyo itakuwa karibu na watu. Kila mahali kutakuwa na jimbo, na watu wengi watafanya karibu nyumbani, na hawatashughulika kwenda kule Nairobi.

Ya pili ni maneno ya land. Land question hata nyinyi Commissioners wenyewe mme witness mnaona watu badala ya kuzungumza hii na ile mpaka kwa land question. Sisi tunaishi hapa Trans-nzoia na tulikuwa tukiishi zamani sisi ni watu Wasabot wamesema mengi juu yake. Nafikiri nyinyi Commissioners mtakuwa na kazi nyingi kwenda kukaa chini na mwaangalie, sababu kama hii Commission itafanya kazi yake bila kuchunguza vizuri, inaweza kuharibu ile sheria au Katiba, Katiba inaweza kuharibika, sababu kila mahali watu wanalia land ilichukuliwa wakati wa wa koloni, na sasa wenyewe wamerudi hatuwezi kusema kwamba kama vile wengine wanasema ati kabila ingine waende, hiyo ni lugha ovyo. Kenya itakuwa namna gani? Watu wakawe lakini sisi tunata utawala, tunataka kuwa na MPs, tunataka kuwa na councilors, tunataka kuwa na chiefs, lakini watu wanakaa kwa mashamba kama vile wako, kwa sababu tukisema watu waondoke hiyo ni lugha sisi hatuelewi, sababu hata sisi tumekaa kwa nchi za watu wengine. Tulikuwa tumekaa huko vizuri, ingawa nchi ya mtu ni mtu na tena itakuwa kwa nchi za bali kama Uganda, Tanzania sasa tumerudi, tunajua watu lazima pamoja, lakini mahali watu wanamenyana, mahali clashes zinatokea, ni utawala peke yake, si yale maneno walisema ni Multi-party hiyo siyo, ni utawala. Kila jamii inataka wawe na watawala wao, ndio hata uliona kijana moja alisema, watu wa Commission wangeenda kwa watu, kwa groups sio mahali watu wanakutana kabila mingi, wengine wanasema hiyo, wengine wanasema hiyo, wengine wanasema hiyo, hata sasa hata anapoteza hata Commissioner's kichwa sisi wa Saboit tunataka kutawala hapa Transo-nzoia na tuweke jina.

Trans-nzoia yenyewe sisi wenyewe tunaita Koing, unaona hiyo jina ya Elgon, hiyo jina El, hiyo ni Kimaasai na huko mbele ni Scory, sasa ilikuwa ni mlima wa Scory, ndio ulisema El Koing, sasa kwa shauri ya miaka mingi ya kubadilika, badilika, watu wakasema Elgon, hiyo GON hata hakuna maana, pengine mkiongeza pengine W, El Koing pengine itakuwa mzuri, sababu ni mlima wa Scory, Koing ndio wenyeji. Sasa watu wengine hawajui kwamba hiyo Elgon ilikuwa ni Mzungu aliyekuja 1883, ndio aliuliza wa maasai upande wa Uasin Gishu. Ile ni milima ya nani, ndio wa maasai wakasema ile ni El Koing maana ile ni mlima wa Koing, ndio hata andika namna hiyo. Halafu ili watu wa Kenya wawe pamoja, kwa sababu tunataka, tunataka tukae pamoja na tufanye kazi pamoja, tugawanye vitu sawa, sawa. Tugawanye vitu vyetu viwe sawa kila kabila iwe na kila kitu, wajumbe, sawa, watu hawa wa kutawala hawa, utaona hata hii maneno ya kufutana na kufuta, hakuna kufutana hii imeletwa na hii kitu kidogo, kidogo kama hiyo.

Halafu serikali kwa sababu ni ya majimbo, lazima wachunguze mishahara ya watu, mnaona hata police wanachukua pesa ya watu njiani, wengine wanagoma, hatutaki maneno ya kugoma, lazima serikali ijue ni kitu gani wanafanya kwa watu wake. Si watu kulalamika, tulilalamika wakati wa wazungu, na sasa tulalamike hasa kwa nani. Lazima serikali ijue mtu aliye na watoto apate pesa kiasi fulani, sio elfu tano na mwingine yuko kule million moja.

Halafu vitu vingine President achaguliwe na party, party fulani ichaguwe President wa kutoka nje sio kwa bunge. Halafu yeye vile, vile, achaguwe Ministers kutoka nje, asichaguwe watu wa bunge, wabunge wawe wa unge, wa Ministers watoke kwa watu wale, wamefanya hapo zamani. Wawe experienced personnel, si wale wanachagua mbunge, kumbe yeye ni Minister, aweze kukaa vizuri.

Halafu vitu vingine kama AIDs, huyu mgonjwa wa AIDs sasa anatakiwa pengine hata Commisison waweke sheria, kama mtu anashika mwenyise kwa anamuambukiza rape, na anamabukiza yeye na AIDs lazima ashitakiwe kunyongwa kwa sababu amemuua.

Halafu maneno ya mimba ya wasichana wa shule, lazima wasichana wachunguzwe na hata hawa watu wafungwe, kwa sababu watoto wa shule siku hizi wanapata mimba hapa na pale, hakuna sheria, ndio hata wameleta ma chokora kwa barabara hapa. Asanti sana.

Com.Wanjiku: Asante Bwana, thank you very much bwana Kitiyo, na tunamuita Morris Kimogut.

Morris Kimogut: Basi Commissioners, mimi ni Morris Kurui Kimangut kwa majina na mimi nina machache ya kusema. Kwanza kabisa ningependa kusema ya kwamba, sisi tungependa tuende katika uchaguzi katika Katiba mpya. Kwa sababu nyinyi wenyewe ni wataalam wa mambo ya Katiba, mimi sitaki kusema ya kwamba pengine tufanye mwaka huu ama mwaka gani? Ni nyinyi wataalamu ndio mtakao sema, Katiba hii tutaimaliza lini? Na tutaifanya lini hata kama kwenda mwaka mmoja zaidi, ama miezi mitatu ama gapi si shida, shida tunataka Katiba ambayo inafaa wananchi wa Kenya.

Jambo la pili ambalo ningependa kusema, ni kwamba the Constitution of Kenya, the new Constitution should recognize the natives and their land. Kwa sababu hapa, ndio kumekuwa na matatizo, kwa sababu hata mmeona kama, the earlier Constitution kama inge-recognize natives and the native land hii problem ambayo mnaiona hapa, haingekuweko, lakini kwa sababu hai ku-recognize ndio shida hizi ziko na tumaini ya kwamba katika nyakati zingine this problem will not be there, and it is coming to an end today and for ever, it should not be there. Kwa hivyo utaona ya kwamba ninataka tuwe na natives, to recognize wao, kwa sababu ya nini? Kwa sababu hii ita-avoid grabbing, watu wanatoka sehemu mbali, mbali wanaenda Trans-nzoia ambayo haijulikani mtu wake, wana grabbe pengine nani anajua nyakati zingine they have people ambao wanataka power kutoka nje wanaweza kuja ku convince hata jamii fulani na kusema ya kwamba, citizenship yenu ni ya nchi fulani. Lakini nyinyi watu wa Kenya mtajitetea namna gani mtasema iko kwa Katiba, kama haki ya natives fulani iko kwa Katiba mtajitetea namna gani?

Ya mwisho ni kwamba hiyo italetu uhusiano bora kati ya makabila, tutajua ya kwamba mimi niko hapo, huyo ni upande ule, mwingine Nyanza, tutaheshimiana. Na hatutakuwa na mapigano ya kikabila, yatakwisha kabisa. Jambo la kufuatia ni kwamba tungependa tupate katika Trans-nzoia hii tungependa pia jamii ya ki Sabaot wapate representation katika Parliament na civic

wards, kwa sababu siasa ni kitu moja kigumu na hatari na inatakikana kila jamii iangaliwe unoana county kubwa katika Uganda, ina watu wachache sana, 17,00 voters, lakini serikali ya Uganda ilipotambua ya kwamba walikuwa tu jamii fulani ambao hawakuwa represented katika Parliament they were granted hiyo Parliamentary, privilege katika nchi kwa hivyo mimi naona ya kwamba kila makabila hasa katika Trans-nzoia hii yapewe nafasi after all we are Kenyans hakuna mtu ambaye ni wa nje. Kwa hivyo hata makabila yote yakipewa representation sioni shida yoyote, na jambo lingine la mwisho kwa sababu mnipigia kengere nataka niondoke sasa, nataka niseme hivi Commission hii haijakuwa fair kama wale wengine wamezungumza, na nitasema hivi kwa sababu mnaweza je kuchukua Commissioner kwenda kuwa chairperson katika sehemu ambayo kuwa chairperson kwa makabila ambayo wanazozana, hiyo inawezekana namna gani kwani Commissioner hawako wengi? Kwa hivyo mimi naona kama hiyo it is not very fair, kwa hivyo asanteni sana, na Mungu awabariki,

Com.Wanjiku: Excuse me Bwana Morris we did not understand your last point, what are you saying?

Morris: I said it is very unfair for this Commission to allocate duties, a Commissioner in an area where that Commissioner comes from, and they have conflicts with their brothers and sisters there, we should have a Commissioner from elsewhere, why particularly that group? Whom we are conflicting that is my complain. So, this Commission has not been fair at all to that effect,

Com.Wanjiku: I wanted to explain that which among is it among us,?

Morris:Not here but it wa in Endebbes area. Thank you very much.

Com.Wanjiku: Thank you, we take your complain. Can we have Nicholas Ngwanamu,

Nicholas Ngwanamu: Mimi kwa majina naitwa Nicholas Bwanamu Mungwana,nimekuja mbele yenu kuleta memorandum ya Kitale Jua Kali Artisans Association. Na nitaanza na yafuatayo, ndiyo niongeze yangu mbili kulingana na vile moyo wangu uko.

1. wana jua kali wamenituma on economy section. Jua Kali artisan request the Constitution Review to amend the law that will enable the economical mind to reach us in the country Kenya. so that taxation through licence to be controlled and loan interest to be low than that of KIE, which brings higher repayment to Jua Kali sector.
2. A law to be put in place to protect Jua Kali artisans from an warranted harassment usually planned by disatisfied well connected clients e.g on licences which is higher, which is on higher rate which they even do not harass Indians, but only on Jua Kali workers.
3. Inginge, a law to be amended in order distribution chain of raw materials used in Jua Kali sector is not controlled by only Indians from

Interjection Com.Wanjiku: can we listen to Mr.Bwanamwa please? Please let us give him a chance.

Bwanamwa: Tungelipenda sheria iwe hapo, itengenezwe isaidie wana wa Jua Kali Kenya nzima kwa ajili kuna watu ambao wanaingiza bidhaa hapa Kenya na tena wanasarisha tena wanauza na tena wanafanya hawking, hao hawaguswi kuhusiana na licence hata kidogo. Na wana Jua Kali wakijaribu kufanya kazi yao ya kutengeneza vitu vya ukarabati iwe kitu wauze, wanakuwa harassed na middlemen. Sheria itengenezwe isaidie hao, kwa sababu hiyo ndiyo njia moja ya kurudisha chini poverty

Halafu lingine upande wa economiy, the co-operative act to be changed and include also the law that can govern Jua Kalians to make up their co-operative. Kwa sababu ile law iko saa hizi, upande wa coperative inatawala chini sisi hatupati loan vile inatakikana.

Lingine upande wa economic tena tukienda kwa soko ya COMESA tuko na shida kuna mtu anaitwa middle man, ambaye kazi yake anakuja kutembea katika Jua Kali na ananua ile vitu imetengenezwa ambaye anapeleka kwa COMESA na anajigamba yeye ndiye ametengeneza kama kuna donors wale wanataka kusaidia ki kundi fulani inatengeneza vitu vizuri, unakuta huyo mtu wa middle ndio anapata vita vya Jua Kali kwa niamba ya Jua Kali na wale entrepreneurs wenyewe wanawachwa nje. Sasa mtusaidie law itusaide ili serikali ikifika mahali itusaidie sisi wenyewe tuwe tuna market huyovitu.

Kwa upande wa social kuishi watu wa Jua Kali, tungependa sheria itengenezwe watu wenye wanapanda miti kwa boma zao, sub-chief wanatu harass kwa upande kama wanataka kukata mti mmoja utengeneze kama jikoni, unataka kutengeneza labda kuni ya mama, unaona anataka ati permit. Maneno ya permit kwa upande ya miti ya individuals, hiyo iondolewe iwe tu kwa upande wa public in a forest.

Politica, upande wa Presidential powers, sisi watu wa Jua Kali tumesema irudishwe chini. Na upande wa Cattle rustlers, tunaomba mtu mwenye anapatikana na ng'ombe, serikali iweke sheria ng'ombe mmoja awe anafungwa miaka kumi na viboko ishirini, ili waogope kwa sababu hiyo ndio chakula moja ya watu wenye wanafanya kazi chini, chini.

Upande wa mama, yaani culture tutaomba serikali iweke sheria, isaidie watu wenye wanakuja kesho.

Interjection Com.Wanjiku: hiyo ndiyo ya mwisho?

Bwanamwa: Kwa sababu tuko na mavazi mengine ambayo zina wreck wanaume fikira zao na kufika mahali zinazalisha kitu inatwa ukimwi. Wa mama wapewe sheria ya ku dress in public kwa sababu wakati wanakuja mbele yako, wanavaa vizuri lakini ukitoka hapa nje tufanye home work mpaka line moja turudi, utashangaa vile wana tembelea kamisi badala ya nguo.

La mwisho tungeliomba kama kuna mashamba yanapeanwa, watu wa Jua Kali wapate plots, kila soko yote katika Kenya nzima ili azalishe kazi ndio poverty iishe.

Com.Wanjiku: Thank you very much Mr.Nicholas. Robinson Ngegu, I do not know if I am pronouncing it properly. Robinson so you will give us your name.

Robinson C. Ngeiywa: Mimi ni Bwana Robinson C. Ngeiywa, Nashukuru Tume hii kwa nafasi hii ambaye nimepewa, nina mambo kama manne hivi ambayo ninaka kuongea kwa ufupi.

Jambo la kwanza ni haki za watoto. Haki za watoto hapa nchini mara nyingi zimeguzwa maana ungeweza kuona watoto wa umri kati ya miaka nane mpaka miaka kumi hapo, wanafanyishwa kazi nzito, na waajiri wao pasipo kujali umri wao. So mimi ningelipendekeza kwamba hatua zichukuliwe kwa yule yeyote ambaye ataweza kutumikisha watoto wa kadiri miaka hiyo, kazi ya utumwa. Sheria iangaliwe vizuri inayo under watoto.

Jambo la pili kuhusu watoto hapa tuna watoto ambao ni mayatima, hawa watoto mara nyingi hawajapewa pia kusikia huru kama watoto wengine, maana mara mingi wao ndio wanatumiana kama watumwa ama kuajiriwa katika kuchunga ng'ombe au kwa njia zingine kufanya kazi katika nyumba kama maids. So ningependa serikali, au Tume hii ichukue nafasi hii na itunge sheria inayo weza kuwalinda watoto hawa, na hawa pia wajisikie kama watoto wengine. Wapewe haki sawa na watoto wengine. Mashule pia yaanizushwe na hawa watu wa council ya kuweza kutunza watoto mayatima, ili kwamba watoto hawa pia waweze kuona maisha mema baadaye.

Jambo lingine kuhusiana na wanawake, nitazungumza mambo mawili au matatu mahala hapa. Kumekuwa na msongamano wa wanawake karibu kila town na masoko, ambayo imelea shinda nyingi sana na kuna mambo ambayo yameudhi, hasa sisi kama wachungaji. Mambo ya prostitution yamekuwa juu sana. Unakwenda kuona kwamba wanawake hawa ukiuliza mume wako ako wapi? Hayuko lakini wamepangisha manyumba, na hii imeleta kusabazwa kwa ukimwi. So tunahitaji jambo hili liangaliwe kwa makini sana, kwa maan hata watoto wa umri wa miaka 12, 14, wamepotelea katika manyumba hiyo, za hawa wanawake, ambayo ni kinyume. Tunaka kwamba sheria iudwe kila mwanamke asiruhusiwe kupangisha nyumba kwenye soko bila mume.

Jambo lingine nataka kuongea kuhusu wanawake. Wanawake pia wapewe uhuru wao kama mwanamke. Mwanamke apewe uhuru wake kama mama, aheshimiwe na apewe haki zake. Kuna sehemu zingine wanawake wanagadamizwa, wanawake wanajuliwa kama kwamba si watu, lazima pia sheria itungwe ya kuweza kuwalinda wa mama, wengine wanadanganywa kwa muda kidogo na wanafukuzwa tena, halafu hawa wamezaa yeye watoto na hakuna mtu wa kutunza hawa watoto,

Interjection Com.Wanjiku: your last point Robinson

Robinson: Neno langu la mwisho ni kuhusiana na national dressing. Inahatajika pia kama taifa tuwe na national dressing, mavazi rasmi kwa wanawake, na pia ili kusudi kwa wazee pia, na hata wasichana au vijana, maana mavazi haya ambayo tunayaona sasa imechangia sana kwa mambo ya rape case. Wengine wanavaa kama kwamba wako uchi, na wanatembea na hii inavutia ina attract waume kiasi ya kutenda maovi, kwa hivyo ni vizuri sana waangalie mambo ya national dressing, hiyo itaweza kuleta discipline mzuri.

Mwisho ninaomba, kuna jambi moja tu ambayo ningetaka kuongea, mambo ya Police, force. Police force haijafanya kazi yake kwa njia iliyo nzuri maana wametumia mbinu mbali, mbali, za ku harass wananchi, na sheria ya Kenya inasema Police ni mtu wa kulinda amani. Lakini wamekiuka ile sheria na kugandamiza mwana nchi. Ndio tunaomba kwamba police wawe na nidhamu, na pia wanapoenda kukamata mtu lazima wapitie kwa mzee wa mtaa ili kwamba wafikie yule mtu wanayetaka akiwa na arrest warrant. Asante sana.

Com. Wanjiku Kabira: Asante sana Bwana Robinson, Bwana Robinson lakini kabla ya kuenda nikuulize swali tafadhali. Ningetaka kuuliza kwa sababu hawa wanawake wako kwa town, wako engaged na prostitution si kuna wanaume what are we going to do with those men? Kwa sababu huwezi kufanya prostitution peke yako.

Robinson: Nitasema kidogo, nitafafanua hapo kidogo ni kwa sababu ya kengele kunipigia ndio sababu ni sahau kutengeneza mahali hapo. Pia kuna wanaume wahuni pia ambayo mara mingi wamehusika kuvuja nyumba za watu wengine na pia wameendelea kuwapachika watoto wasichana mimba, na kisha kuwaachia mizigo, kwa upande wangu, ninaona kwamba sheria iwekwe ambayo kwamba ikiwa atampachika mtoto wa mtu mimba, au mwanafunzi, ni sharti alipe baba yake mahali, na kisha amchukue awe mke wake, kwa maana amemharibia ubikira wake, na pia akipatikana kama ameharibu nyumba ya mtu, lazima yeye alipe kama desturi ya sisi kama maasai, kama ungepatikana kwa mke wa mtu kama huyo mtu alilipa mali ng'ombe 30, ungelipa ng'ombe 30 na huyo mtu anabaki na mke wake, ili iwe adhabu kwake.

Com. Wanjiku: Asanti sana. Samson Ngoka, Samson go ahead.

Samson Ereka: Majina yangu naitwa Samson Ereka, mimi kwanza ningependa niseme kitu kulingana na mawazo yangu kwa upande wa haki ya msingi ya masomo. Nataka niseme hiyo kwa sababu tumekuwa tukidanganywa kila mara. Mwaka wa 1997, walitangaza hakuna malipo kwa watoto kwa shule za msingi, baada ya huo uchaguzi kuisha, malipo yaliendelea kama kawaida. Mwaka huu tumetangaziwa kwamba hakuna malipo kwa shule za msingi lakini nina hakika baada ya huu uchaguzi malipoyatakuwa kama kawaida, nimeona ya kwamba hakuna sheria ambayo imewekwa ya kudumu kwa hivyo mawazo yangu ni hivi, sheria iwekwe kwamba watoto wa shule za msingi wasome bure.

La pili kuhusu mali ya asili, kulingana na umri wangu vile nimetazama na kulingana na vile nimeona, nimeona ya kwamba kuna

wenyeji wanaumia, nikitoea mfano hapa Trans-nzoia nimeona, misitu nimeona National Park, nimeshuhudia na macho yangu miti ikikatwa ikielekea mahali pengine, na yule mtu ambaye alikuwa akiumia akichunga wanyama wasiharibu miti, wakipalilia, hakuna chochote, wamefaidikia. Kwa hivyo mawazo yangu nasema hivi, matoleo yeyote inapotolewa, kwa ajili ya national game ama miti kwisha kutolewa kusafirishwa, lazima mapato wagawie wenyeji wa hapo.

Lingine ni kuhusu makao, na kulingana na mawazo yangu na kufikiria kwangu, nimeona ya kwamba wakati Katiba ilipowekwa, wakaweka sheria ambayo iko Kenya hii, kwa Katiba ambayo iko sasa, inasema kwamba kila mtu anastahili kuishi popote katika Kenya. Niliona walipoandika, walipoandika ile Katiba, waliona ni vizuri sana. Lakini nimeona ya kwamba kulingana na mawazo yangu vile iliandikwa, haingiani na Kenya yote, inalenga tu mahali pamoja, nimeshuhudia Uasin Gishu, ukienda huko utaishi, ukija Trans-nzoia ukipata shamba, utaishi lakini nimekuwa kule Turkana sijawahi ona mtu yeyote akiishi huko. Nimeona ukambani sijawahi pitia Wafula kama amemiliki shamba huko. Na ukienda Kirinyaga sijawahi una Gema akiridhi huko imekuaje District hizi peke yake. Kwa hivyo nataka hiyo sheria iondolewe na mahali pake iwekwe sheria ya kila mkenya aheshimu, mipaka ile ya ma babu zetu wa zamani.

Basi nikimalizia nataka sheria ambaye inarenga watu ambao wanaleta mambo ya corruption, tumeshangaa mtu tunatangaziwa kwa radio mtu amekula mali yetu ya raia, ma milioni ya pesa na mpaka saa hizi, yeye bado anaendelea tu na kazi yake hajastakiwa hajafungwa bado anaendelea so tunataka sheria iwekwe ya mtu akipatikana amenyanyasa mali ya umma na afungwe. Asante.

Com.Wanjiku: Thank you very much Tony Korir, hayuko Tony Korir hayuko Damiano Odhiambo. Damiano Odhiambo.

Damiano Odhiambo: Asante sana Commissioner pamoja na wananchi ambao wamekuja kutoa maoni yao juu ya hii Commission yenu. Jina langu ninaitwa Damiano Odhiambo, mimi niko na maoni yangu mimi mwenyewe. Katika Trans-nzoia hapa, nilingia mwaka wa 54, wakati nilipo wacha shule. Na jambo ambalo nimekuja kusema hapa kwamba mbele yenu kwa sababu mmesema kushinda mimi, nyinyi ni watalamu mna ujuzi wa kila aina.

Jambo la kwanza ambalo ningeomba serikali yetu ambayo sasa imewatuma nyinyi hapa kwamba, watayarisha Katiba mpya ambayo kuna sheria ya kulinda nchi pamoja na wananchi wake. Jambo ambalo linanipa uchungu katika nchi yetu hii, ni hili. Sheria ilioko katika Katiba ndio ambayo itamlinda sasa, na hii sheria pia inalinda ma kampuni ambayo inaajili watoto wetu, na nikiangalia board katika Kenya ambayo ni ya Kitale hapa hakuna. Nikiangalia KCC ambayo ilikuwa inaandika wasichana, wetu hakuna. Na kuna sheria ambaye inarida hizi ma board zote. Ndio ningeuliza nyinyi Commissioner katika hii Katiba ambayo mnaitengeneza mpya muweke maanani zile sheria za kuweka nani katika hizo board ili isiwe tena aibu ambayo tunaiona wakati huu. Ni aibu kwa serikali, ni aibu. Ikiwa watoto wetu hawana kazi, board ilikuwa hapa imebeba watu wengi, siku hizi haikuna, KCC ilikuwa imebeba watu wengi, siku hizi hakuna. Nikirudi katika upande wa Kenya, katika Kenya, Mungu alitweka makabila 42. Na haya katika makabila 42 Mungu alijua kwamba haya makabila wataishi katika Kenya

wakiwa kitu kimoja. Kwa hivyo ni heli wawe wakijua kwamba Mungu anawapenda, ili waishi katika Kenya kama kabila moja ambalo ni kabila 42, Mungu amewaweka kama vidole hivi vitano, lakini wanafanya kazi pamoja. Tafadhali mfanye kazi pamoja kama vile Mungu ametupa Kenya.

Nikiwacha upande wangu wa maoni yangu juu ya watoto wetu. Serikali yetu wakati walipokuwa wakisema kwamba watoto watakua wakisoma bure, pale shule ya msingi wakati huu tunao watoto nyumbani, hawaendi shuleni, kwa sababu kuna pesa ambazo zinatakiwa shuleni na hali serikali yetu, ambayo inatushinda ilisema kwamba watoto watasoma bure, kweli hii tunaelekea wapi, huu ni upendo ambao Mungu alisema? Mungu awabariki.

Com.Wanjiku: Thank you asante mzee Damiano, thank you very much. Erick Korot

Erick Kolot: Majina yangu ni Erick Chesiro Korot. Ningependekeza maoni haya katika Tume ili kwanza, Katiba ni lazima iandikwe katika lugha ambayo naweza kueleweka na mwananchi wa kawaida.

Jambo la pili, democracia. Democracia Kenya ni ya watu wengi, lakini watu wachache Kabila ndogo linaumia, kwa nini niseme hivyo. Uchaguzi ambao tunaambiwa ya kwamba majority votes lakini minority votes lakini minority votes wanakosa kuwa na mwakilishi wao katika bunge. Ningependekeza hivi, kabila ndogo katika Kenya ni lazima wapatiwe special seats na Constituencies inaweza kuongezwa. Jambo la kufuata ni ya kwamba, wewe kama mgombea kiti wa bunge, ni lazima uende bunge katika muda wa three terms. Ikipita hapo ikizidi hapo, wewe u retire uachie wengine.

Jambo la kufuata ni Presidential powers iweze kupunguzwa. La kufuata pia ni ya kwamba mawaziri ambayo wanachaguliwa katika mawizara mbali, mbali wawe na taaluma. Jambo pia la kufuata ni ya kwamba jinsi ambavyo tulipigania uhuru, tulipigania uhuru kutoa upumbavu, umaskini na magonjwa. Lakini kufikia sasa ni mwaka wa 40 tangu tumepata uhuru tunaona umaskini bado upo, magojwa yapo, na ujinga umezidi. Pendekezo langu ni hili; Umasikini kwa sababu umezidi kwa watu wengi, serikali ingeona jinsi ya kusaidia hawo watu kuwapatia pesa kidogo, kidogo ya kuweza kufanya biashara hapa na pale.

Kuhusu ujinga, ningependekeza ya kwamba watoto wote, wasome bure, iwe ni shule ya msingi, shule ya upili wasome bure. Kwa sababu Kenya ni nchi tajiri tukiweza kukaa vizuri, tunaweza kufunza watoto bure. Upande wa magonjwa, magojwa pia yawe bure matibabu tupatiwe bure let us enjoy the privileges of our country because we fought for independence. Na pia la kufuata Bwana Commissioner ni ya kwamba Tume nyingi sana zimekuwa zingibuniwa lakini hatuoni matunda yake, hatujui pia ya Ghai itavuna matunda? Ni hayo tu Mungu awabariki, asanteni.

Com.Wanjiku: Thank you very much, thank you bwana Erick. Nicholas Kiboi, Nicholas Kiboi hayuko akiwa hayuko tutamuita William Khaemba.

William Khaemba: Mimi ni William Khaemba Sikenga. Mimi ni mkaazi wa Trans-nzoia nimekwisha kuwa mzee hapa, leo watu wanakuja na maneno mengi sijui wanataka kubomoa, sijui wanataka tufanye nini? Mimi naleta maoni yangu Kenya wakati tuliopata uhuru tukafanya Katiba ile ilikwisha tulikuwa watu karibu million 7, namna hii ndio tukaelekea karibu 9. Na mashamba yalikuwa mengi kwa sababu mzungu alikuwa anahama wengi wanataka wanataka mashamba yao, lakini yaliuzwa. Na kama walinunua wewe utatoa mtu huyu? Mpe pesa. Kitu ambayo kiko atika Katiba ya leo mimi nilikuwako kwa ile Katiba inahusika hii, nilikuwa ndani, mimi nafikiria namna hii, watu ni wengi wamekwisha kuwa wengi, na watu wengine tusikumbuke hapa Kitale peke yake, Trans-nzoia, tukumbuke Kenya mzima. Watu wengine wana mashamba zaidi ya acre 60, mtu mmoja anafungia kuku, nyoka inatembea ndani na mwingine anatembea bure hana hata kidogo hata mahali pa kulala. Mimi nafikiria bunge la tisa ambalo linakuja jipya lile, liende likae libadulushe mkondo, lifanye mtu akiwa anataka kubakia na shamba lake, ikiwa ni acre zaidi abaki na acre 500 ingine wapatie maskini. Kwa sababu squatter, Mzungu alienda na akawacha watu, bado wanaoitwa squatters wako hapo, tuwaita squatter mpaka miak gapi? Hii tutakuwa tunaenda mbele au tunarudi nyuma. Ni lazima muweke hiyo kwa Katiba, ambayo nyinyi mnaandika. Mambo yale wanasema ninasikia watu wanasema Katiba mambo ya miti. Unajua wakati mzungu alikuwa anaenda, aliwacha miti nchi hii mingi sana, lakini watu wakaja wakakata miti hiyo wakamaliza, mvua ikakosekana. Kwa hivyo sheria iwekwe iwe kwa Katiba ile, watu wasikate miti bure. Kwa sababu miti ukikosekana, tutakosa muva na njaa itakuwa Kenya.

Mambo ya President, tukiwa tunataka tuwe na President lazima President awe na mamlaka. Kwa sababu niseme hiyo, nchi ya Africa inafikia mahali fulani watu wenyewe wanakosa ukweli wanaharibu serikali. Kwa hivyo President awe na uwezo akichagua Prime Minister achaguwe na mawaziri wake. Uwezo huo usitoke, President abaki nao. Kwa hivyo kwa sababu saa ni mbaya, mimi nasema namna hii, bwana Commissioner kama muko hapa, watu wamekwisha zungunza maneno ya wajumbe, mjumbe akienda sisi tulipiga kura, wacha yeye akule atatoka atarudi, ndio tuangalie maneno yake lakini bure tusizungumze.

Mimi ninasema namna hii Katiba ya mashamba tu mashamba hiyo irekebishwe mwe nayo muweke kwa kifungu, iwe kifungu number fulani, na iwe inasaidia maskini, ugonjwa wa ukimwi, weka ndani kwa sababu ugonjwa huu umekwishamaliza watu. Kwa hivyo mwenye kengele amepiga lazima nimheshimu. Kwa hivyo hapo, mimi nimefikia hapo, asante.

Com.Wanjiku: Asante Bwana Khaemba, Honourable, honourable Moiben,

Hon.Samuel Kisilo Moiben: Thank you very much Commissioners, yangu ni mafupi ningetaka kuanza hivi, katika Kenya Katiba ieleze kwamba mtu ambaye anataka kiti ya siasa iwe ni ya councilor, Parliamentary ama u President aende three terms. Majina yangu ni Samuel Kisoro Moiben. Parliamentary hata kama mtu ni kama malaika, three terms aende nyumbani, councilor hata kama ni mzuri namna gani, three terms. Na niseme hivi watu wamesema mengi mambo ya gender. Kweli mimi ni mzee niko na miaka 55, ukitakata kuachana na bibi yako achaguliwe kuwa councillor, utatafuta bibi mwingine. It is experienced because I do not know what happens Commissioners with all due respect madam, our gender, the weaker sex as soon as they are made bosses, they mistake for freedom the other way round, and they begin misbehaving. So kweli tunapenda nyinyi sana

wa mama na tunataka kusema kwamba tuheshimiane hata ndio nimesimama sababu ki mila yangu inaruhusu wanaume wasimame wakiongea, wamama ndio wanakaa, sababu anaweza kuwa na mzigo. Tukiendelea Commissioners, kweli katika Kenya, tuna makabila mengi sana, mimi nilihesabu ni karibu 70, kusema makabila ni 42 ni uongo makabila ni 70 napendekeza kwamba, Bunge la Kenya ligawiwe mara mbili, upper house iwe ndio kila kabila katika Kenya iwe na mtu wao mmoja, kila kabila whether kubwa, ndogo, iwe na mtu mmoja kule wa kusikia mambo yao, sababu niwaambie unaweza kosa meno yote kwa mdomo na unaishi, lakini ukikosa ulimi, umekufa. Kwa hivyo tunataka kabisa ulimi ufanye kazi. Kama huu mkatano tunatumia sana ulimi, na baadaye tutamia meno jioni siyo, kwa hivyo nafasi ya utawala huenda sambamba, na ulimi, tutukuze Mungu kufanya haki kwa kila kabila. Tukija chini tunasema kwamba maneno ya umaskini, nina pendekeza kwamba, mtu aliye maskini kabisa katika Kenya awe na aridhi acre kumi, anayeweza kuwa na zaidi lakini isipite 300 sababu ikipita 300 ananza kuwa na pembe.

Masomo ya primary mpaka secondary yawe free, katika Kenya. Lngine ambayo napendekeza ni kwamba ugonjwa kwa kweli watu wote wanakufa sana hii maneno ya cost sharing kwa hospitali haina maana hata kidogo. Sababu hizo pesa mara nyingi zinaimbiwa. Hata unaweza soma kwa gazette kesi ya Kenyatta ni nani director yuko ndani, ma millions anashtakiwa sababu hiyo premature case siwezi sema mengi. Hiyo ni mfano tu lakini chini, chini huko cost sharing ipigwe marufuku, watu wapate dawa free. Nikiendelea ningesema kwamba katika nchi yetu jirani ya Uganda ni nusu ya Kenya na watu wa Uganda, ni watu million 15, sisi tuko millions 30 lakini Commissioners, Uganda iko na MPs 300 sisi kwa hilo ujue tuko na tambia mbaya tuko na 210, ningependekeza kwamba Kenya inaweza kuwa na MPs bila wasi, wasi, katika lower house ili watoto wa watu wapate kazi, 400 we can afford 400 MPs na kila kabila inafanya kazi yake, ili tusiwe na wasi wasi.

Nikimalizia Commissioners, ni kwamba napendekeza serikali ya majimbo. Majimbo ili kwamba hizi Wilaya mipaka yao itolewe, ibaki tu ya Province. Ili Province hasa kama Rift Valley iwe ni states 3, North Rift state, Central State, na Maasai state huko chini, halafu ingine sasa kama Western ni Western state, Nyanza namna hiyo, ili kwamba hawa councilors, kunaweza kuwa na Mayor hapa na Local authority lakini ya county council iwe ma District nne wachaguwe chairman wao, ambayo anaitwa Administrative secretary. Hii maneno ya authorities sana sana kama ambaye tunayo sasa, ni wizi mtupu. Pese za LATF wanakula pesa za LATF hata haoni hata pipes, wanakula pesa za maji, na ningependekeza maji hata kama ni ya Municipality, yachukuliwe na wizara, Ministry of water, ifanye Kenya nzima mambo ya maji na tena Ministry of Agriculture, na Ministry of forestry wapande miti barabara zote za Kenya na ndizi wakitumia mabusu ili watu wa Kenya wakitembea na miguu wanakula na kuna kivuli. Nikimalizia Commissioners, tunawashukuru sana tunawaomba nyinyi sana, mfanye haki kwa watu wa Kenya hii, maneno ya extremism mtu mwingine kuwa extreme kwa makabila ingine, Mungu atuumba sisi wote, aliuumba kabila kubwa na kabila ndogo, heri tufanye haki, "kikulacho kinguoni mwako" aliyekuwa anashtaki marehemu Kenyatta alikuwa ni mkikuyu unajua Macharia, aliyepiga risasi Yitzak Rabin ni myahudi, aliyemsaliti yesu ni Judas, tufanye haki. Asanteni sana Commissioners.

Com. Wanjiku: Asante sana, tafadhali mheshimiwa, Martin Musambi.

Martin Musambi: Asante Bwana Commissioners kitu ambacho naenda kuongea, kwa maoni yangu inahusu vitu ambavyo sitaki kusahau, wanawake na wanaume, haki ya mtoto, majina naitwa Martin Musambi mkaazi wa Kitale hapa.

Tatu utamaduni, nitaanzia kwa watoto na lazima mtoto apewe haki ya kutosha, Tume inasema ya kwamba mtoto lazima ahakikishwe kwamba anasoma, anakula vizuri, anakunywa vizuri analala vizuri, anavaa vizuri. Na upande mwingine tumemkosea, tumewakosea watoto hawa tumewanyima haki moja, mtoto anavyoenda shuleni, ananyimwa kiboko, na mtoto asipochapwa kiboko huyo mtoto hatarekebika, mtoto lazima ahukumike hata Bibilia inatuezeza ya kwamba mtoto usimnyime kiboko, mara ya kwanza, hapo awali zamani watoto walikuwa wananidhamu, wenye nidhamu kwa wazazi, walikuwa na nidhamu kwa wazee, walikuwa na nidhamu kwa serikali hata na waalimu, lakini saa hizi watoto wamemea pembe, kwa sababu unapojaribu kumchapa kiboko anasema si walitangaza sisi watoto tuko na haki kwa sababu hatuwezi kupewa kiboko. President alichapwa kiboko, waziri alichapwa kiboko, baba alichapwa kiboko, hata mwalimu alichapwa kiboko, hata Commissioner walichapwa kiboko, kwa hivyo saa hizi, inatakikana mtoto achapwe kulingana na nidhamu si tuwachape kwa kimakosa, lazima mtoto huyu asipochapwa kwa kiboko, kuna wengine wamemema pembe wanafanya kazi chaos, kuna wengine wanafuta sigara, kuna wengine wanakunywa pombea kwa sababu hawataki kiboko, wako tu na nidhamu ya kusema mimi nikichapwa kiboko huyu mwalimu atashatakiwa, hata mzazi akimkuta baba wewe unanda wapi? Anasema wewe wacha mzee, kwa sababu hawana nidhamu.

Uzao wa wanawake nao, na wanaume kulingana na Bibilia inasema ya kwamba na nilazima mwanamke awe chini ya mume wake. Mwanamke akiwa na masomo ya kutosha ni lazima aajiliwe, mwanamke anatakikana afanye kokote anakohitaji kama anaweza, lakini tukisema ya kwamba mwanamke awe sawa na mwanamume, hiyo italeti mafarakano na heshima haitakuwako. Kulingana na sheria ya Bibi inasema ya kwamba, uwezo wa mwanadamu uko kwa mwanamume sio mwanamke, na lakini sisi hata wanaume, lazima tuwapende wake zetu, kulingana na bibilia vile inavyosema. Tusiangalie maneno ya ngambo peke yake, na nilazima tungalie mambo ya Africa. Unapoangalia sana vitu vingi tunangalia huko, kwa uingereza peke yake lakini huko hatuungalii. Nasema hivyo tukiwa na usawa ndani ya nyumba, mwanamke huta mkosoa, ukimkosoa anasema hata mimi naenda, kwa sababu mwanamke huyu atasema hata wewe ukitaka hata mimi naweza kwenda nipatiwe urdhi kwa sababu hana nidhamu, na hiyo haitakuwa na heshima, pili heshima haitakuwako na talaka itapatikana, ukahaba utapatikana.

La mwisho lazima mavazi iwe ya kupendeza ya kisawasa, ya nidhamu, si vilei mwanamke anatembea, anatembea uchi, askari akiwa kwa uniform anatakikan aende kwa field, sasa inaonekana ya kwamba, mwanamke akitembea hivyo anajulisha wanaume ya kwamba yeye ako huru kukabiliana na mwanamume. Asante.

Com.Wanjiku: Asante sana, can we plead with you please to keep quite, and when you are walking out ujaribu kukimia kwa sababu tunataka kusikiza kila neno la kila mtu, na tunafanya recording na tunaona kama recording iko hapa, na it is only recording only the noise. So I think let us try to be careful asenteni huyo alikwa Harun Keboi, Harun Keboi halafu atafuatwa na

Harun Kemboi: Asante, Mr. Commissioner sir, it is my high chance to have reached today Lancaster house. Mr. Commissioner, my name is Harun Kemboi Khaemba. Mimi ni Mluhya, na nilizaliwa kwa ADC ya Olgadongo, baba yangu anaishi ADC, mimi pia nimekuja kuishi ADC. Sasa maoni yangu leo ni wakati nilipokuja hapa mara ya kwanza milioni watu wakila mori wakisema nchi yetu, nchi yetu. Na nimefikia kiwango ambapo ningependelea, niseme hivi, nitarudi mpka kwa wazazi wangu, niwaulize ikiwa kweli hii nchi ni ya wanyewe, inabidi turudishwe sisi wengine tunaweza kubali twende, kuliko tuuane.

La pili lazima tuheshimu utamaduni wa kila kabila kwa sababu watu wengi wamesungumzia ya kwamba, sisi tuko na nchi yetu sasa hapa tunaishi kwa nchi yetu tunanyanyaswa kwa nchi yetu, I am sorry to say so. Nimeona councilor Muliro amezungumza hapa kama mama mkongwe and she is a Kenyan by citizen lakini, yeye anatoka South Afrika. Yeye anaweza kuwa anaelewa zaidi, yeye anaweza kuwa anaelewa the deepness anaweza kuwa anaelewa zaidi kuliko mimi. Sasa maoni yangu ni haya, ikiwa ni haki Commissioner ya kwamba sisi tulitoka Uganda, turudishwe, kuanzia leo.

Ya pili kuhusu, nitazungumzia kuhusu Judiciary. On the side of Judiciary madam, ama Commissioner, ningependelea all courts, all judges kwanza, itengenezwe huko nyubani kabla ya kufishwa kwa kortini. Ya mwisho mzee Commissioner. Wacha nitoke basi.

Com. Wanjiku: Excuse me tutamuuliza mtu akiwa anazungumza asitumie majina ya watu, si ndiyo, so let us not mention people's names peana tu pendekezo lako, lakini usitumie majina ya watu. Asante Joseph Chemaswet, Joseph ako? Hayuko kwa hivyo Joseph Chemaswet hayuko. Noah Bet.

Noah Bet: Wana Commissioner, na wazungumzaji wote, imekuwa masikitiko kwangu maana nimeona Sabaot na wa Bukusu peke yao wakizungumza na sisi ni waakirishi wa kabila zingine kama wa nandi, na nimeona

Interjection Com. Wanjiku: Tafadhali mumuache, wakati ni wake.

Noah: Maana ni mtu wa pili maoni yangu ni hivi sioni vibaya yale maoni nyinyi mmetoa vile imesemwa tumenyanyaswa, hakuna kunyanyaswa, sisi ambao tulikuja, hatukuja kulazimishwa, maoni yangu ni hivi, Rift Valley ikae mara tatu, iwe North Rift, South Rift na Central. Na serikali ikae kama vile tulikuwa tunakaa yani kama PC atakuwa kama kawaida. La pili kwa jina inaunga pamoja, tuweke Kitale, iwe na Kitale sio maneno mbaya. Iwe jina la kale na itakuwa Kitale ya kila mtu si Kitale ya Sabaot peke yake. Kama yako mashamba tutapatia waSabaot hakuna ubaya wazee, kama bado yako mashamba yetu sisi tuwapatie. Ya mwisho Kenya tuwe watu wa kuzaa watoto kama tano, mwisho, iwe sheria. Maana nimeona Kenya tutakuwa squatter maisha na maisha maana yake mtu huzaa watoto kumi kesho anasema hakuna shamba, kwa hivyo naomba kwa

kuweka sheria, mtu akizaa watoto 1-5 iwe ya mwisho na hiyo ni yangu sina maneno mengine.

Com.Wanjiku. Asante sana, they are so excited what do we do? Can we plead with you again, to keep quiet so that we can have a better recording. Tafadhali asante, Ben Kiso, Ben Kiso, wewe ndio Ben.

Ben Kisos: Kanyenuuani kekureno kamache ng'alale ng'ale kaab walemanik.

Translator: For you Commissioners angetenda kuzungumzia mambo ya walemavu.

Ben Kisos: Kasate kule kunyor ngichek walemanikboichoisiet kuchakee ng'way akoe

Translator: angetendekeza kwamba walemavu pia wapate uongozi, wapate kupewa nafasi ya kuongoza kuanzia chini mpaka juu.

Ben Kisos: Kito ake kokochi kunyor serikali walemanik lawyer ambu kila District nyi jongine.

Translator: Walemavu mara nyingi huwa wanasahuliwa na watu wengine kwamba sio watu, kwa hivyo angetendekeza pia wapewe lawyers kwa kila District at least ya ku represent ama kusimamia wa walemavu.

Ben Kisos: Kito ake nyateshine lekokaab walemanik kenyaru mbo tibik sikyinee chito nyi mzima lekwet aki moti yoo. Kunyo keuundan sheria chiribo

Translator: amesema mara nyingi, kuna wasichana walemavu na watu wengine huwa wanawapatia mimba na kuwaacha hapo, kwa hivyo anasema hiyo sheria itengenezwe ya kuchunga hawa walemavu.

Ben Kisos: Kaamache ang'alale ng'alekaab kamutusijiet

Translator: Anataka kuzungumzia mambo ya kuoa.

Ben Kisos: Miite biiko alake chi mute lekokaab angukwat.

Translator: kuna watu wengi sana wanaoa wasichana wa watu wengine na kuwachia hapo baada ya kuwapatia mzigo.

Ben Kisos: Meche sheria keecha nyikaaram nyimuche kirib biiko.

Translator: Kwa hivyo sheria lazima iundwe ya kuwadhibu hawa watu.

Ben Kisos: Ng'alekaab kaleksiet imuche kolachekei koruk miatya nto niyo katiny chitake muchasta ngeraat chiito mochoktoos kekas kule kelach kei chitiito kunee

Translator: Ile amesema mavazi sana wanawake wanavaa vazi lile baya halafu baadae mume anaweza kumrape ama kumnyemelea halafu tena baadaye yule mtu ambaye amenyemelea kwa sababu ya mavazi mabaya huyo mtu anashikwa na kumbe chanzo ni yule mtu ambaye amevaa vibaya.

Ben Kisos: Yemekei kule korko ake tukui nyi mii Kenya kunyor santenyi.

Translator: amesema kila mke ambaye ako Kenya apate mume. Asante.

Interjection Com.Wanjiku: Kila mke apate mume

Translator: amesema ya Commissioners, kila mwanamke ambaye yuko Kenya apate mume ama bwana.

Com.Wanjiku: Wycliffe Barasaza. Wycliffe Baraza.

Wycliffe Baraza: Kwa majina yangu naitwa Wycliffe Baraza, ni mkaazi wa Trans-nzoia. Mimi nataka tu kuongea maneno mawili, matatu hivi. Tangu uhuru tumeweza kuwa tukisema kwamba tutaondoa umaskini, lakini hadi sasa bado tunaita umaskini mimi napendekeza jambo moja, utapata familia moja katika Kenya mwisho wa mwezi haiwezi kupata hata shilingi moja, na utapata famili nyingine mwisho wa mwezi, inapata shilingi 200,000. Hivyo inaendelea kuweka ile gap ya maskini na tajiri, hiyo gap haiwezi kuisha. Ningelipendekeza hivi, sheria iundwe kwamba, wewe ukiwa unafanya kazi fulani na wewe labda ni Executive katika ile kazi, familia yako iwe ni moja tu, haijapatikana ikifanya hiyo. Kwa sababu iwapo wewe utakuwa mkuu wa jeshi ama labda tuseme wewe ni mkuu wa shirika fulani, utapata mwanamke wako anasimamia shirika hilo labda sehemu nyingine. Mwana mtoto wako, pia atakuwa katika like shirika yaani nyinyi peke yenu mmezaliwa kupata kazi katika lile shirika, ili hali watu wengine wote wamesoma.

Hivyo sheria iwekwe, sheria iwekwe kwamba kazi ikiwa ni moja, labda mtu kutoka familia hiyo iwe ni watu wawiwili, wakizidi watu wawili wasizidi watu wawili kufanya katika lile shirika. Pia iwe kwamba iwekwe sheria kwamba, kazi inapotokea ama familia hiyo inapopata ujira wake mwisho wa mwezi, familia hii ingine nayo pia ipate ujira, iwe kwamba, wewe vile unapata huyo anapata. Upande wa pili, ni upande wa jeshi, mimi napendekeza hivi, askari wetu ama jeshi letu haswa linapata mshahara bila kazi. Napendekeza iwe ni sheria ya kwamba kazi kama za ujenzi wa barabara, kazi kama kutengeneza ma hospitali badala ya kuleta watalaam na serikali kuwapa contract waje wafanye hiyo kazi, jeshi letu, lichukue mamlaka ifanye kazi, pesa zibaki katika taifa lenyewe.

Kwa kumalizia upande wa silaha, ningelipendekeza sheria iweke sheria katika silaha iwe ni kwamba, jeshi peke yake inaruhusiwa kukuguzwa bunduki. Bunduki iwe ni sheria kwamba mtu mwingine yeyote asije akapatikana na bunduki hata akiwa ni Minister, bunduki iwe ni kwa yule mtu ambaye ni mtaalamu wa bunduki na awe ni mwana jeshi. Sababu hata hawa hii mabunduki kupatikana kioyo ovyo, inafanya uhalifu wa bunduki unazidi kuwa mwingi, hivyo hayo ni yangu machache.

Com.Wanjiku: Asanti sana Bwana Baraza. Gabriel Mangoli,

Gabriel Mangori: Kabla sijasema kitu, nitaomba Mungu anisaidie niseme maneno ya kuweza kujenga Kenya yetu maana mimi ni mzee. Asante kwa majina ni Gabriel Mangoli.

Kitu cha kwanza sitasema maneno mengi nitasema kama mimi ni mwenyewe. Kitu cha kwanza, ma-officer wale mmekuja, ninataka mkipenda ikiwa ni haki serikali ya Kenya imewatuma nyinyi kuja kutembelea hawa wananchi, kuchukua maoni, nikiwemo mimi. Nina wasihi kwa unyenyekevu kwa heshima yenu, chukueni hili jina squatter litoke Kenya. Jina squatter litoke Kenya, shida nyingi Bwana Commissioner ama ma-officer wale mmekuja, ugonjwa mwingi, hata mnasema ukimwi umekuja nini imekuja mama akikosa shamba, na mtu apatikane wa ukimwi atakosa kupata hiyo ukimwi wananchi. Mimi sitakusumbua kwa maneno mingi hata hutaona nikipigiwa kelele. Ninaomba tu kwa unyenyekevu kama ni haki serikali yetu ya Kenya ambayo inongozwa na mzee Moi imewatuma, tafadhali squatter, jina hili litoke kabisa. Wakati mimi nilizaliwa hapa labda wengine wanakudanganya, mimi nilizaliwa hapa, hata baba yangu alikuwa Magistrate, zamani walikuwa wanasema President zamani, nilizaliwa hapa, na sitaki kujisifu, mimi ninaonge kwa watu wa Kenya hapana kabila ya Kenya ya ukoo hapana, nasema kwa watu wa Kenya nzima hata Mombasa kitu squatter itoke. So ninaomba kwa unyenyekevu jina squatter ikitoka watu wapewe mashamba, na isiwe style hii inafanywa, shamba linapopatikana, linapatikana na ma-officer wa serikali wanasema shamba limepatikana tayari hilo shamba linauzwa. Jee Commissioneer tutasema nini mnataka tufanye nini? au umaskini ule serikali inasema inataka kupunguza umaskini, itafanya njia gani? Kitu tu mimi ninasema wananchi wapewe mashamba na isiwe ati squatter au nini hata nikisema hivi matajiri wale walipata ndio bado wanaendelea, asante sana.

Com.Wanjiku: Asant sana Bwana Gabriel Mr. Richard Situma, Richard hayuko, Eliud Nabiba.

Eliud Nabimba: My names are Eliud Nabimba I would like to present my own opinion as follows:

1. In the new Constitution, there must be a maximum number of political parties in Kenya, I propose two.
2. There be put an age limit and the term limit for Members of Parliament and councilor, I propose seventy years and three terms respectively.
3. The President must be above party and Constituency politics and should have also three terms of service, five years to remain as one term.
4. Councilors should have at least a basic minimum education level of form four, with D+ and so to the Mayors and

chairman of local authorities.

5. Mayor should be elected by voters directly for them to appoint deputies and chairmen of the respective committees and so to the chairmen.
6. Duties of an MP should be stipulated in the law and the outline of their work, be known to the voters to avoid confusion.
7. There should be a maximum possession of land in terms of hectares. I propose a 100 hectares of land.
8. Industrial court should have branches in all Provinces, if not in all Districts.
9. Special seats in Parliament should be preserved to worker i.e Unionisable women, youth and disabled. I propose five in Parliament and at least one or two in all Local authorities and all those be made Ministers to be led by them.
10. There must be an industrial court of appeal, Chief Justice be appointed by Parliament and him or her to appoint Judges of High Court and courts of appeal. Judges of the Industrial court must be approved by Parliament.
11. The number of Ministries be determined by Parliament and not the President. Thank you very much.

Com.Nunow: Thank you, please you could register yourself, then we Joseph Wasilwa, ajitayarishe Lazaros Wangwe.

Joseph Wasilwa: Basi ni mimi ma Commissioner wote na wananchi wa Trans-nzoia, langu ni kwamba mimi ni Joseph W.Wasilwa. Kwa ajili ya Trans-nzoia, ya kwamba wa koloni wametajwa wa koloni walisukuma watu kwenda mbali, makosa hiyo ilifanywa na wa koloni na serikali ilikuwako ya Kenyatta, huenda labda tuhitaji maktaba yao tujuwe ukweli uko wapi, kuna mzee mmoja amesema pale ya kwamba tukae chini kwa amani, sisi na wa Sabaot tumeoana hawo ni wajomba, nini na nini hatutaki lolote lile la hasira, kwa sababu hasira huaa na haibebi, kwa hivyo tunahitaji ya kwamba labda kama makosa ilifanywa na watu wa mbele hatujui kwa sababu wengine walisema ya kwamba hawakukuwa na viongozi. Kwa hivyo wacha itengenezwe kwa sababu hii sheria iko. Yangu sina mengi.

Com.Nunow: Asante sana Wangwe Lazarus ajitayarishe John Kapkwon.

Lazaros Wangwe: Mimi kwa majina na Lazarus Wangwe, niko na machache sana ya kusema, la kwanza ni la kuhusu mashamba. Hapa Trans-nzoia pendekezo langu ni mtu aruhusiwe kukaa pahali popote kufuatana na uwezo wake na aishi na enough protection kutoka kwa serikali.

Kuhusu elimu ningependekeza ya kwamba, wale walemavu wote, wapewe free education upto University level if possible. Electoral Commission ningependekeza, ipeane kwa President, terms mbili na kwa Parliamentary seat pia iwe terms mbili, na civic terms tatu. Na pendekezo lingine linakuja, kufuatana kuongezea tu kwa maoni yangu, napendekeza ya kwamba hapa Kenya watoto wapewe elimu ambayo itahusisha elementary law, ili watoto wakue wakijua mabaya na mazuri kufuatana na the rule of law. Zaidi ya hayo kufuatana na maoni yangu, mimi naona Kenya ni tajiri sana, lakini pesa nyingi inawekwa nje, na ninapendekeza pesa zote hata zikiwa za President ziwe banked hapa nchini.

Nikimalizia ningependekeza kwa Provincial Administration, kwa sababu tunataka watu waishi na roho njema kila pahali, Provincial Administration, Chiefs na assistant chiefs na hata mkasa, wao wachaguliwe na raia asanteni.

Com.Nunow: John Kapkwon, Miriam Nabuja ajitayarishe.

John Kapkwon: Commissioners jina langu ni John Kapkwon Mjapara, nina machache I will start from Presidency. Mimi nina maoni kwamba,

1. The President should not be an MP. He should be elected directly by the majority of Kenyans.
2. Appointments as regard the Cabine, the Cabinet kwanza iwe very small
3. It should be on merit sababu, I have not been very impressed as regards some of the appointments unatoa mtu pengine mtu wa form four na sababu ameenda Bunge you take him to be the Minister of health, what does he know about health? Mimi naonelea ya kwamba there Ministries which need people who have the qualification, kama Ministry of health you must have a Doctor, kama ni Ministry of Industry you must have an Engeneer something like that,
4. Vikijua within the local area, all the resources sema kama ma forest, game parks, maji, should benefit the local people by literal say, 50% should go to the development of the locas.
5. Kitu ingine we have also the problem of the currency, sema pesa ya Kenya. From the beginning we had mpaka Independence tukapata pesa, na tukaweka kichwa ya mzee Kenyatta when he went tumekuwa na current President kichwa yake iko kwa notes, so when he goes this year or next year, mimi ninajua ya kwamba ku print hiyo pesa it takes a lot of foreign currency. Mimi ningenelea we put either map ya Kenya, na crown iwe juu ya pesa yetu, so that whichever comes hiyo noti inaendelea always.
6. Kitu ingine mimi, ninaonelea pia once you are touched as corrupt in one way or the other mimi naona kama katika nchi za nje, when somebody is touched kwamba he has committed an offence somewhere, he has to resign, because I have seen of recent now you find somebody has very big case in court he has embezzled several millions of shillings but anaendelea kukuwa Minister, anaendelea kuwa Director, hiyo mimi naonelea that is abuse of powers, asanteni.

Com.Nunow: Asante sana, tafadhali wale wanajitayarisha kutoa maoni muweke point zenu at least point tatu nne straight you to those points because we have reduced the time from five minutes to three minutes and three minutes you can say upto to 10 points if you are well organized, so that we cover as many people as we can. If Miriam Nabuja is not there, I can see her then Julius Laibich

Julius Laibich: Thank you Mr. Commissioners, Ladies and Gentlemen, I only have few points I want to present, my names are Julius Shedick Laibich.

Leadership: There should be a federal system of government, this will bring fair sharing of leadership. Yani ningependa tuwe na serikali ya majimbo ili tuwe na usawa katika mamlaka, kwa mfano hapa kama Municipality council, despite the fact that this District belongs to so many wanaishi watu wengi, lakini other tribes has no representatives in the Municipality council with that of county council. So there should be a Majimbo system of government.

There should be a President and his powers will be as follows. Raisi atakuwa na mamlaka kama ifuatavyo. Kwa sababu ya muda, wacha niende tu kwa major point kwa sababu nitapresent hii karatasi, itabaki hapa. There should be a Prime Minister and his Vice. There will be a governor from every region who will be elected by the native people of that region.

Interjection Com.Nunow: Tafadhali usi-transalate just present your views in whichever language you chose.

Julius: There should be boundaries of every tribe, every Kenyan can live anywhere and own land and wealth that will be protected by the government. If a person wants leadership, he can go back to his native home and ask for leadership there. I would say that, that are not allowed to ask for seats at other people's native homes.

Short people should not be discriminated during armed forces recruitment. All civil servants should be transferred anywhere country wide i.e, the MPs and the officials not decide their own salaries. Administrators from village elders to chiefs to be elected by the people and all be getting salaries. Retired officers should be not be re-appointed to any post.

Interjection Com.Nunow: Thank you we can have that memorandum and we will read every work there. Please obey the instructions, because if everybody disobeys it we will have cumulative effect and many will be left out. So thank you very much for your views so please hand in the memorandum. Seluk Josephat.

Seluk Josephat: Asante sana Bwana Commissioner, kwa majina naitwa Josephat Seluk na maoni yangu ni ya kibanafsi na pia ni maoni ambayo inaweza kusaidia wa Kenya kwa jumla. Ningependekeza, ya kwamba, atika elimu katika Katiba ya zamani ambayo tunaomba Katiba ya sasa ambayo inaenda kuundwa iwe elimu ambaye inaenda wanaenda kuuda Katiba, iwe elimu ambayo inaangalia kila sehemu. Ninaposema hivyo, ninasema kwa kushangaa kidogo kwa sababu mzungu alipokuja, alisema ya kwamba analeta elimu na pia analeta kuondoa umaskini pamoja na hata kuondoa magonjwa. Lakini ukiangalia mambo haya kwa upande mwingine katika nchini Kenya, unaona ni upande ingine unashindwa kama kuna sheria iko inaendelea mbona hiyo isianganalie kufanya follow up na kuangalia ya kwamba kuna wengine ambao hawajapata elimu, iwasaidie wale ambao wamewachwa, sasa naona ya kwamba sheria hiyo ikazwe kwa sababu kuna wale ambao hawaendelei kusoma, lakini sheria iko bona serikali haingalii?

Interjection Com.Nunow: tafadhali usiulize maswali, tupe mabendekezo kile ungependa kuiona katika Katiba mpya.

Seluk: Pia tungependa kuona ya kwamba kuwe na sheria ya kuaangalia wale ambao ni maskini na wale ambao ni matajiri, kwa sababu ukingalia matajiri na maskini unaona kuna ubinafsi saa zingine, na hio ubinafsi, pengine ile kitu ingeweza kuondoa ni ile sheria ambayo inaweza kufuatilia mambo ya tajiri na maskini kwa sababu, tajari anaendelea kuwa tajiri anaendelea kuwa tajari lakini maskini anaendelea kuwa maskini.

Lingine ningependa kuona ya kwamba hata pia heshima ingekuweko ningependelea Katiba hii, ione ya kwamba kila upande uheshimiwe kwa sababu wanajua vile walivyo. Upande wa mashamba, ningeaona ya kwamba serikali wanajua mambo mengi na wanapona watu wanaongea juu ya mashamba, wangejaribu kuona ya kwamba dawa ni hii, kwa sababu ukiangalia katika maandiko matakatifu ya Biblia inasema aombaye hupewa, na kama watu wameomba kwa haki, na kuna wale ambao labda pengine wamenyanganya, mashamba pasipokuwa na haki, basi Katiba ambayo inaenda kuundwa iweze kuangalia mahali pale.

Com.Nunow: Asante tafadhali jiadikishe pale, Wafula, Wafula njoo, John Makete, uko, jitayarishe, afuatwe na Enock Kiboi, endelea mzee.

John Wafula: Maoni yangu, nimesikia mengi, lakini nitawaelezea kidogo ndio niongezee jambo lingine. Jina ni John Wafula, ndio mimi. Kuna wenzangu waliongea mambo ya udongo, au ya mashamba. Mashamba nitaongozea yangu, hapa kweli sisi tulipigana na mzungu tangu amekuja kule Webuye kwa Chetambe, tulipigana na mzungu tulikataza mzungu asiingie katika Kenya, tukapigane naye. Kumalizika hapo, nimekuja kwa ufupi, tuliishi hapa, hapa imekuwa kabla ya kupigana na mzungu alikuwa hapo mtu anaitwa Kitale na Bidale ndio ikaitwa nani Kitale. Hapo mbeleni mtu alikuwako Nadebe ndiyo akaitwa nini, Endebes hiyo jina ni yetu Korongoro ni jina yetu, kwa hivyo sisi tulikuwako mwanzo mpaka leo ndio mnaona wanasema hawa watu wanakuja kuomba sisi mashamba. Ndio sisi hatukatai, vita ya mbili tulipigana na mzungu mwaka wa 43, mtu aliagiza hiyo vita ya kusema huyu mtu tulipigana naye mbeleni, tulizuia yeye kuingia Kenya, sasa tunapigana vita ya kufukuza yeye aende wapi ng'ambo, hata kila mtu anashuhudia mtu anaitwa Elijah Masinde, na Joash Walimoli, walianzisha tena hiyo vita 43, kuanzisha hiyo vita halafu mzungu anasema tutaua hawa watu tumalize, walishikwa 48 wakaenda, Kenyatta akarudia akasema lazima hawa wafanye nini waende tukasaidiane na wa kikuyu wazungu wakaenda. Wakatuachia udongo, sasa wengine ambao wanakuja juzi wanasema sasa huu udongo tuwagawe tu lakini wasiseme watufukuze sisi hiyo ni taabu au ni kitu kibaya.

Neno langu la pili, awe Commissioner uangalie hapo, watu wale ambao wanaweza gawia wengine mashamba wale walipigana, na mzungu kuja na kufukuza mzungu nasema asante kwa hiyo.

Neno la pili nasema watoto wa Kenya, kutoka std one mpaka University wapate masomo ya bure kwa sababu hawa watoto ni watoto, wa Kenya, ili umoja wa mataifa mkisomesha hawa watoto kweli wataona Kenya wanaendelea vizuri wazee wapate kupumua vizuri, wa kule vizuri bila kusukumwa na watoto, sasa Bwana kengele ninasema asanti sana, sitaki kupita hapo, nashukuru kwa nyinyi wote, asante.

Com.Nunow: Asante Maket Suma yuko, Tom Makete Suma yuko? Enock Kiboi, Enock are you there? Utafuatwa na Amos Buchedich. Just a minute, mzee keti tafadhali keti.zungunza tu

Enock Kimatete: Mimi naongea juu ya Trans-nzoia, Trans-nzoia hii watu wenye wako leo, wale wabukusu katika ma District ingine yote hii, tunayekuwa kati kati yao wao, kuna mkutano kama wa leo uko huko kwao. Jina Enock Kimatete, kwa hivyo wale tunayekaa leo hapa kuna District hizi zingine zote tunafuatana naye mkutano ingine inakaa kutafuta mashamba kwa District hizi zingine kama leo hapa Kitale? Tunaona tunakaa Kitale hii tunyanyaswa, ma chief wenye wako, ma sorovea na wale ma advocate wanatuingolia kwa sababu mtu anaenda kufuta shamba yake, hawa watu wananyanganya. Kwa hivyo ma District zingine zote zile tunakuwa nayo jirani wako na mkutano kama wa leo, yenye kutafuta huko mashamba, au ni hapa Kitale? Hayo ndio mimi naona ningependekeza kwa mkubwa wetu kama amekuja hapa, aone ni sababu gani na hii tangu tulikuwa na wazungu, wazungu walienda shamba tunakaa tunanyanyaswa, tunanyanyaswa, na sisi ni wabukusu tu peke yao, hakuna watu wengine wako na mashamba hii jirani wetu, hawako huko wako hapa peke yake. Yangu nafikiri ni hayo tu.

Com.Nunow: Mzee asanti tafadhali utajiadikisha hapa, Enock Kiboi.

Enock Kiboi: Commissioners wote wa Katiba walioko hapa, siku ya leo, jina langu ni Enock Kiboi. Commissioners wote walioko hapa siku ya leo kwanza narudisha shukrani kwa nyinyi kuja hapa siku ya leo kwa grassroot level, kuchukua maoni ya wananchi juu ya Katiba.

Mimi kitu cha kwanza ningesema uchaguzi wa President, terms ya office ziwe mbili. Uwezo uwe vile ulivyo sasa na mambo ya kusema tulate viti kama Waziri mkuu, hiyo haifanyi kazi kwa njia nzuri kwa sababu tulionelea nchi yetu ya jirani ya Uganda, hapo mapema walipata hicho kiti cha Wizara mkuu Bwana Kabaka sir Edward alikuwa President na Obote akakuwa Waziri Mkuu, alipata nafasi hiyo kupidua serikali, kwa hivyo tunataka President ambaye yuko na powers kamili. Nikija upande wa shamba, wakati wa koloni walipokuja nchi hii, walinyakua aridhi ya jamii fulani katika Kenya hii, na jamii imebaki kuwa wengi wao wamebaki kuwa squatters hadi wa leo. Na kwa sababu ardhi ni kitu ambacho kilikuwa kinatagemeo na wazee wetu wa zamani, it source of relief lazima waone ya kwamba jamii ambayo ilikuwa imenyakuliwa aridhi yao, sababu haikuuza, serikali wapewe hawa mashamba haza kama ni waSabaot. Hiyo ikiwa jamii moja katika nchi hii ya Kenya ambayo ilipoteza mashamba kwa wingi sana.

Jambo la mwisho ni corruption, mambo ya corruption idala kama ya Katiba iundwe kamili iwe idala ya kuchunga Katiba ifanye kazi kwa sababu tunaona immediate baada ya uhuru, Rais Kenyatta, na Jaramogi Oginga, walipitana yule ataunda KPU kwa sababu Katiba haikufuatwa, haikufanya kazi kikamilifu, corruption ilizidi katika nchi, na hiyo mzee akaunda chama cha KPU kupinga tena serikali na alikuwa Makamu wa kwanza kwa hivyo, corruption lazima iwe idara ya ku deal na corruption. Siku hizi kuandika watoto ni pesa, wewe uhongane ndio mtoto wako anaandikwa kwa kazi, wewe ni mkenya unahongana mtoto wako ana makosa gani ndio uhongane. Asante sana.

Com.Nunow: Asanti sana mzee Enock tafadhali jiadikishe, Amos Bushedich, Councilor Kobasi.

Amos Bushedich: Asante sana Commissioner majina yangu ni Amos Bushedich Balinga, ninayo machache ambayo ningependa kupendekeza. La kwanza ningependekeza uchaguzi mkuu ufananyike chini ya Katiba mpya. Jambo la pili ninapendekeza sehemu ambazo wamezitaja kuwakilisha bunge, hizi sehemu tisaini za uakilishi bungeni ziongezwe sababu tunaona tulipewa juzi chiefs, assistant chiefs Administration ikawa karibu na wananchi, kwa hivyo tukiongeza hizo Constituencies huduma itakuwa karibu ya wabunge.

La tatu, jina Trans-nzoia limekuwa jina la daraja kila mtu anarukia, anarukia anaenda tuna head quarters ya Trans-nzoia ni Kitale wapindue hilo jina Trans-nzoia liwe Kitale. Jambo la tano kwa sababu boma haiwezi kaa bila baba, President lazima awe na mamlaka yote, kushika ufunguo wa silaha ya taifa.

Jambo la sita tunaonelea serikali ya majimbo, huduma itakuwa karibu na wananchi. Jambo la saba, tulihitaji vyama vingi, sioni haja ya mtu kusema nataka chama kimoja ama viwili, hata ikifika 1,000 no problem utaenda mahali unataka, chama unachotaka. Jambo la nane, kiongozi ni lazima aheshimiwe, community yoyote kama ana kiongozi wao amechaguliwa, ni lazima sheria iundwe ya kuchunga yeye kwa sababu jamii inamtegemea.

Jambo la tisa, ninaona watu wanauliza mambo ya mashamba, Commissioner ya Njonjo imekuwa juzi tungeomba Commission iulize Njonjo iharakishe kwa sababu ni mambo ya mashamba, watengeneze hiyo Katiba ya mashamba.

Jambo la kumi, tunaona watoto wetu wanasoma wanaenda college, wanaenda Nairobi, wanaenda Kaimosi, wanaenda wapi, tungeomba shule St.Joseph High School wapinduwe iwe Teachers Training college Trans-nzoia hii.

La mwisho, wabunge wawe siku tano wakifanya kazi kwa bunge, hawa wanakula pesa mingi na hawaoni watu. Siku hizi zingine wanafanya nini? Kwa haya machache asante.

Com.Nunow: Asanti sana tafadhali jiadikishe, Councilor Kotasi, yuko Councilor?

Morris Nangole: My names are Morris Nangole, Chairman Nzoia County Council. As a Council we have the following recommendations to present to you:

We start with the executive, we should have an Executive President and then we have Prime Minister who will form a Cabinet.

Parliament, there should be some Parliamentary committees with powers which can overlook Commissions like the A-G the

Attorney General, and the Auditor General, and even supervise look after the Electoral Commission. We also said that the AG should be autonomous should be completely free from influence from the office of the President, the Election, Electoral Commission also should be very very free, to make decisions which are bidding, they should not be dictated by any higher authority.

We came down to land, we are saying that land is a very burning issue in the country, there should be a minimum number of acreage given to the people, and the minimum meaning if need be, at least five acres. Maximum should not exceed 300 acres, I think 300 is economical enough for those who are able and five acres would also be economical enough for those who have no land. We also mention something about the local government, we are saying the land act, it should be overhauled, the leaseholds, freeholds and so many other things talking about land, and the ordinary man, I am sure we do not even understand it, hatuelewi ni nini hii. Kwa hivyo simplify language, land act should be reviewed and properly written to satisfy the wananchi in general.

Also we touched on Local Government, I have heard a lot of talk about wananchi being suppressed or something like that, we are saying if we want, wananchi to survive, if you want the government the people feels, that they are in their country and the government is there we must bring back the authority to the local government. Decentralize the powers, it should be from bottom to top, but I think as per now it is from top to bottom. We have a feeling that if we decentralize the powers, bring back the powers to the people, at locals then we shall manage, create a good government for our people. The Sabaoit will be represented, Bukusus will be represented, the Kikuyu will be represented the 42 tribes will be represented at local level. In that way we think we form a better government for our people.

We also mentioned something about the powers of the DC, the administration, should be in a way scrapped it is needless to have the DCs, if we strengthen the Local Authority, then we will need police, we need health Department, we need education and all that, we will decentralize everything and then the Local Government should be supervising all these activities in the District. We are also saying that, the Chairmen should be elected by the public, we do not want where 10 people are electing a chairman every time and then we want a cross section of people, the Sengwer should elect their chairman, the Saboit, the Luhyas all over the whole country will have a say on their chairman, and like that, it will be a democratic way of doing the elections and I am sure will get good leaders. Also we are insisting on educational standards, we are saying a chairman of a county council should be a well informed person with good records, truck records behind, asiwe tu mtu wa kuokota huko, na huko halafu anakuja kuharibu a council, or a Municipal council, so we need those, and the minimum education we said, should be at least "O" level school certificate, "O" level.

We also touched on the issue of Judiciary, I think I have mentioned that, it should be very very, autonomous. Something about the office of the President, at the moment we tend to think there are a lot of sycophants people who are always surrounding the President and it has become a very expensive, you when the President comes to Kitale we have the big people the Ministers, in

Nairobi who are always with him coming with him hear. Then all the Provincial king is coming and you know like that we are spending a lot of money, it's a lot of millions of shillings, when a President comes to Kitale, for example I guess it should not be less than 20-30 million shillings, and I think that is a lot of money. Why don't we reduce that by saying, if the President is coming to Kitale, let him meet the people of Kitale only he can come with the team of 5, 6 Ministers, but then it is the people of Kitale. In most cases we have been denied a chance to get access to our President, or even, to we do not want that scene to continue in future.

Finally I have a document here and I think I will live it with you I am sorry the bell has gone and I would have talked much more, but with that I say thank you very much.

Com.Nunow: Thank you Bwana Chairman for your views, we will be happy to receive the memorandum and we will take everything there is. Alfred Bela, John Wafula Simon Chwele, to be followed Patrick Wambura,

Simon Twele: Mbele yenu kwa majina naitwa Simon Twele, Kwa hivyo nina mambo mawili, matatu ama manne, nitaongea juu yake.

Kwanza ni uraia, wakenya wote makabila 42, wawe raia wa Kenya bila pingamizi yoyote.

La pili ni kwamba uraia mwingine wa Kenya, ufuatwe na Katiba kwa utaratibu unao kubalika kama msichana wa nchi jirani kuolewa nchini, apewe uraia. Pia mgeni mwingine yeyote, achunguzwe kabla hajaandikishwa kuwa raia wa Kenya. Raia wa Kenya, Katiba ipitishwe ya kwamba ana haki ya kufuata sheria zote za nchi na pia kupata haki yake kwa usawa kama kuendesha biashara, ukulima na kupata elimu. Haki ya raia yeyote wa Kenya, na majukumu yake yategemee namna yalivyo patikana pale. Wa Kenya wawe na kitambulisho cha uraia wa Kenya pekee kinajoonyesha mahali anapoishi.

Ulinzi na usalama wa taifa: Mamlaka ya Rais kuwa Mkuu wa Majeshi yaondolowe, na badala yake Katiba iruhusu Mkuu wa majeshi awe amiri mkuu wa majeshi. Vikosi vyote vya majeshi viwe chini ya amiri mkuu wa na waziri wa ulinzi. Na usalam wa taifa uwe chini ya Rais wa nchi.

Utaratibu wa kudumisha nidhamu kati ya majeshi ni kwamba mwana jeshi yeyote asitembee na silaha baada ya kazi, na akiwa kazini asitishwe raia yeyote, na silaha hiyo pia asitumie silaha hiyo kwa kufanya uhalifu wowote.

Tume za kikatiba, tunahitaji tume za kikatiba, taasisi na ofisi nazo ni hizi. Katiba ipitishwe kuwa Tume iweko ya ma squatter. Tume ya ugawaji wa ardhi na tume ya uufisadi. Tume ya uchaguzi na tume ya haki za kibinadamu, na tume ya kushughulikia majanga bali, bali nchini. Asante kwa hayo.

Com.Nunow: Asante sana, tafadhali ukipigiwa kengele jaribu kutafuta point yako muhimu ya mwisho na useme ili baada ya

kengele usijukue zaidi ya nkuta ishirini hivi, ukitaja point la mwisho, usingoje mpaka ushikiwe microphone. Patrick Wambura, Joseph Njoroe,ajitayarishe Webwaye, Webwaye.

Joseph Njoroge: Asante sana ma Commissioners na wananchi waliofika hapa, yangu nitaenda kwa point direct. Kwanza tungependa kuanzia kwa mamlaka ya juu yaani ya Rais, Rais tungependekeza achaguliwe na wananchi ikiwa kwa kura peke yake, asichanganywe na councilors na wabunge, hiyo nikusema kwamba achaguliwe na kura zote za wa Kenya apate 50% ya kura zote. Pia Mayor achaguliwe moja kwa moja na wananchi katika Municipal, ili aweze kuwahudumia wa kazi ipasavyo. Pia ma chief na manaibu wao wachaguliwe moja kwa moja kwa sababu ndio pia nao waweza kuwahudumia wananchi ipasavyo, wasiwahudumie wananchi kikabila. Nikiongezea tena kidogo hata hawa wazee wa mitaa, wazee wa mitaa pia wachaguliwe na wananchi moja kwa moja, ili waache kula kuku za wananchi, ni hayo tu asantenti sana.

Com.Nunow: Asante sana Bwana Njoroge, jiaadikishe tafadhali. Wabwayi Wabwayi karibu mzee, twambie majina kisha utupe mapendekezo.

Wabwaye Webwayi: Asante viongozi ambaye Mungu aliwachagua hivi leo. Mimi nafulahi leo Mungu amechagua siku hii ya kupaka mafuta watu wake ambayo walikuwa wamekauka. Wabwayi Webwayi, mimi hapa ninikuja hapa kuona leo ni mpya, Mungu amechagua leo Kenya mpya, si Kenya ile zamani. Na jina Kenya lilikuja kwa ufisadi ndio mnaliona linaitwa Kenya, sababu ufisadi au ukora ndio ulifanya nchi ikageuka ambayo mnazungumzia haya. Sababu yake ni hivi nimesikia mengi ambayo wanasema ni kama uhalifu wa maneno. Si Mungu alijenga hivyo, neno lifuatalo ambayo linafanya mimi kusema hivyo, kuna ukora, hauishi katika Kenya kufuatana na viongozi ndio walijenga huu ukora. Mimi ni mkubusu nilizaliwa hapa Trans-nzoia mwaka wa 15, yale ambayo niliona ni yale ninasema na yale ambayo, niliambiwa na baba nisema, na yale ambayo na babu nisema leo ni siku ya kujenga, leo ni siku ya kuona (inaudible)wa mtu. Mimi hapa ninauliza, wewe ukileta mwanamke wako, awe wako Mungu amekupatia, tena kesho yake unafanya mwanamke wako huyo kuwa hotel? Hii nchi ambayo sisi tumekaa hapa Trans-nzoia, hapa Kitale ni mali si hivyo,

Interjection Com.Nunow: Mzee tafadhali badala ya kutupatia hadithi, tupatie mapendekezo umetumia time muda zako ikiwa unazungumzia historia, tupatie mapendekezo kile ungependa kuiona katika Katiba mpya tafadhali, kwa sababu tafadhali

Wabwiye: hiyo ndio mimi ninaenda kulenga.

Com.Nunow: tafadhali lenga hiyo nitakupatia dakika mbili zaidi, endelea

Wabwiye: na ikiwa hii maneno ambayo tunazungumza, tunazungumza kutoka kwa sheria kwa history, hii maneno ambayo tunazungumza inatokana kwa history kwa hivyo mimi nitasema pendekezo na history pamoja sababu yake ni hivi, mubukusu kutoka mwaka 1885 alipigana vita kwa nchi ya Kenya East Africa, alikuwa mkubusu, makabila ambayo mnasema 42 hii

ilikuwa wapi? Na mkubusu peke yake ndio alipigana. 1895 tena vita ilishuka Mbukusu akapigana hiyo vita, peke yake kwa Kenya, East Africa makabila 42 yalikuwa wapi? Mwaka wa 48 mbukusu alipigana vita Msabwa na makabila hayo 42 yalilikuwa wapi? Mwaka wa 63, waKalenjini washtaki wa Bukusu kwa CNC, CNC ikapeleka case kwa bunge, bunge ikapeleka kwa Bruce Mackenzie hiyi case ilifanyika na wa Bukusu, nani alikuwa 42 hawo walikuwa wapi? Sasa wakati huu kusema mkubusu hawezi kuzungumza sababu akizungumza, sisi hatutakunywa humu hotel, tunataka mtufunike sisi tusiwe wenye nchi, sasa yule ambaye anasema nchi hii ni yake, atambue sababu yake na mimi nitambue sababu yangu mbele ya watu wa Mungu, na mbele ya viongozi wa Kenya.

Com.Nunow: Asante sana mzee tafadhali jilandikishe pale, Mary Nasimiyu, tafadhali, tafadhali, tukimie tusikize.

Mary Nasimiyu: Majina ninaitwa Mary Nasimiyu Wanyonyi, mkaazi wa hapa Kitale na mzaliwaji wa hapa. Yangu ni mawili, matatu hivi kwa sababu sisi ndio tulizaliwa hapa Trans-nzoia. Nimeona watu wanaongea upande wa mipaka sana na upande wa ukabila, sisi ndio wale tulizaliwa hapa, tunahangaikia hapa, hatuna makao tunakaa kama wa mama hapa, wazazi wetu walikufa wakatuacha hapa, na sisi kweli hatuna makao hapa hata kidogo hapa Trans-nzoia. Sasa ninashindwa mtu akitoka mbali anaanza kulia mambo ya mipaka, mambo ya mashamba, na sisi wenyewe tumefanyia ADC kazi, ukifanyia ADC kazi hakuna mshahara, wanakwambia kama unataka mshahara chukua chakula, na chakula tutasomesha watoto namna gani? Kama wamekupatia mahindi debe moja, unaweza kuuza halafu upeleke mtoto wako shule? Watoto wetu wanahangaika sana, hawana masomo wanafanyia watu kazi na mbali sisi wenyewe hatujiwezi. Sasa sisi tunaomba Katiba ya saa hii ingangalie wa mama kama sisi kweli sisi wa mama tunahangaika sana, hapa Trans-nzoia. Unakuta mtu anashamba kubwa sana lakini una mfanyia kazi anataka akunyanyase na bali uko na watoto. Jee watoto wa wamama kama sisi, watasoma ama hapana tunataka Katiba ituangalie mambo kama haya. Yangu ni haya na Mungu awabariki.

Com. Nunow: Asante tafadhali ujilandikishe, Ubio Alfonse, Alfonse Obiyo Christinos Mwasombe, who is this, Obiyo utafuatwa na Chrispinos Mwasombe.

Moses: My names are Moses Kimaiyo Bito,

Com.Nunow: I did not call you I am sorry, please keep down the Mice, we are not doing some funny games here, if I call you your names then you come, otherwise we will not have any order is Chrispinose Mwasombe here, Peter Wafula are there? Buduki Koness. Ajitayarishe Fred Kwanusu.

Bunduki Koness: Mwenyekiti, tunakukaribisha hapa kwetu, nina maneno mawili tu ambaye ningependa tu kuongeza kwa yale ambayo watu wameweza kusema. Jina langu ni Bunduki Koness, kitu ambacho ningependa kuzungumzia yani juu ya election au uchaguzi, uchaguzi ni lazima mtu ambaye anaishi mahali hapo, achaguliwe yani mwenyeji indigenious people must be elected from a place, especially hii ni ku minimize wale watu ambaye ni wachache kunyanyaswa. Haya mambo ya kusema ya kwamba

ni wingi wa watu ni lazima ndiye atakaye kwenda Parliament au awe kiongozi, sehemu ambayo kama Trans-nzoia haiwezi kutumika vizuri, kwa sababu wenyeji wanaumia. Kwa hivyo napendekeza hivi, lazima iwepo electoral college ambapo, delegates au wajube wanahuzika. Hatusemi wenyeji wa area hapo, wawe na watu delagate ishirini na wahamiaji wote au immigrants, wawe na wajumbe tano. Ili waende electrol college wachague mjumbe ambaye ataakilisha hao wa indeginous people. Lakini kama sheria inaruhusu au serikali kuruhusu immigrants kutawala wale watu wengine, kwa sababu ni wachache, ni haramu. Hatuko fair kwa sababu watu wengine wamefunga mahali pao sawa sawa na wanawakilisha watu wao sawa, sawa, kwa nini tunaumiza watu wengine? Kwa hivyo sheria itungwe vizuri, kwa sababu itatusaidia, hatutaki matatizo Kenya kwa sababu tumeona mfano, kama Cambodia au wapi, hatutaki yaje Kenya hapa kwetu, tuishi vizuri.

Kitu cha pili, nazungumza juu ya citizenship, uraia, Katiba yetu ambaye tunafanyia sasa marekebisho, inaongea juu ya mtu ambaye anatoka nje anataka uraia wa Kenya, lakini haizungumzi kuhusu watu ambao waliondolewa kutoka Trans-nzoia kama wa Sabaot ambao wako nje huko vile watakuja, mwaka wa 1990, wa Sabaot walikusanyika kule Busia wengi sana wakitaka kuingia ndani, lakini walikatazwa kwa sababu ya kwamba walikuwa wengi kule. Walakini, tulijua ya kwamba sheria or Katiba hajia include hao watu ambayo wako nne. Ningependa hii Katiba ambayo sasa mnaitunga kuingiza hawo watu wetu ambaye uko nje warudi hapa Kenya. Inasemekana hata katika historia, ya kwamba wa wayahudi walikuja Ethiopia mwaka wa 1200 BC, wakati Yesu hajazaliwa, lakini juzi, wamerudi kwao sisi wa sabaot kama watu wengine hawapendi tunataka watu wetu wa sabaot warudi Kitale. Asante.

Com.Nunow: Asanti sana, tafadhali jiadikishe, Fred Kwarusu, tafadhali tusikizane, Fred Kwarusu, kama Fred hayuko Elim Orot, ajitayarishe Kalebe Ebuye.

Elimon Orot: Asante sana Commissioner kwa jina naitwa Elimon Erot, mkaazi wa Kitale, hii ni sub-Trans-nzoia kwa sababu Trans-nzoia ni jina lilikuja juzi. Mapendekezo ambayo nataka kupendekeza ama kuuliza, wa mama 42, katika jamuhuri ya Kenya wa mama 42 nyinyi wa Kenya bado mko hapa, itamburike ama isitamburike. Ninapendekeza ya kwamba kila mama atamburike kwa boma yake, ambaye hata hapa mahali mimi ninazungumzia kama ma Turkana, ninatambua hapa niko kwa mama yangu anaitwa msabaot. Kwa sababu ukweli humaanga kama nyoka. Ninasema namna hiyo kwa sababu mimi saa hii kama nateremkwa na wa Kenya wenzangu katika Kainuk mimi siwezi kukubalika wengine wakisema huko ati mimi huko Kainuk ni kwetu, nitakubali kweli? Basi mimi nitakatia hiyo hapo.

Bwana Commissioner, kwa kumiliki ardhi katika jamuhuri yetu, population yetu imezidi kwa sababu ya corruption, imezidi kwa sababu ya corruption, mimi nitaomba, tume hii iangalie vizuri, ingalie kwa sababu sisi robo tatu kama wa Kenya, yote hatuna mali pa kulala kweli kabisa. Na hapo ndio mimi nitaomba, tume hii hata kama ni kurudia kuhesabu wa Kenya, wale ambayo kabisa wako ndani halisi, kweli haiwezi kuwa kama milioni 20, itakuwa saa ingine million 15, wale wanakaa kwa ardhi kabisa.

Kwa upande wa elimu, mimi nitapendekeza hivi, kutoka std one mpaka form four, serikali yetu ya Kenya itusaidie, uwe free

kabisa. Nikimaliza mapendekezo yangu, upande wa ugonjwa, ugonjwa unazidi kwa sababu ya nini? Dawa zetu kwa Jamuhuri ya Kenya inaenda kwa ma Chemists lakini District mahali ma Dakatari wako hazitufikii kabisa, haitufikii sisi. Kwa hivyo mimi ningependekeza dawa kwa Jamuhuri ya Kenya akipita imulikwe na serikali itusimamie, ili ugonjwa uwe mbali na sisi. Kwa hivyo mimi namalizia hapo, kwa ufupi hivyo sitaki story mingi.

Com.Nunow: Asante Bwan Erot, Caleb Ebuye,

Caleb Ebuye: Asante sana Commissioner kwa kunialika hapa pendekezo yangu iko hivi.

Interjection Com.Nunow: Majina tafadhali.

Caleb Ebuye: Kwa jina ni Caleb Ebuye, ningependekeza hivi, kwanza ningependa serikali iangalie mambo ya prisoners, watu huwa wanashikwa na wanawekwa pamoja na watu wenye wabaya sana na wale wenye hawajafanya makosa makubwa, wanawekwa kwa cell moja, wanawekwa pahali moja na hiyo si vizuri, watu wachunguzwe na makosa kidogo mtu apewe bond akae nyumbani aende kortini, kuliko kuwekwa ndani ati amekunywa pombe au nini, hiyo si vizuri. Na mama mwenye mtoto hatafikani awekwe kwa cell na mtoto, kwa sababu mtoto hana hatia, mtoto anaumia bure na hajafanya lolote.

Ya pili, MPs ningependekeza MP akiwa elected asifike katikati a defect, kwa sababu yeye analeta hasara kwa serikali.

Ya tatu mtu mwenye civil servant wa serikali hatafikani afanye kazi ingine ya private, afanye kazi yake yenye ameandikwa na serikali.

Ya nne voting, voting ifanywe kwa vituo vya kwenye wanapigia kura, na hesabu ifanyiwe huko, isibebwe kupelekwa mahali pengine. Na Mayor awe elected na raia, na kwa upande wa wakulima, ningependekeza serikali isaidie mkulima ajenge nchi hii impe loan, kwa sababu economy ya Kenya imeanguka kwa sababu wakulima wamerudi chini. Kuna middlemen wenye wameingilia inputs ya wakulima hawa inputs inafika Mombasa kama mbolea, wakulima wenyewe wa import vitu kwa mpango fulani na vitu hivi vije kwa bei ya chini na itakuwa vizuri. Na tena tuwe na market nzuri ya vitu vya wakulima.

Na ya mwisho, ningemba serikali ifikirie compensation ya clashe victims asanti.

Com.Nunow: Asante tafadhali ujiandikishe, Elijah Muraya, Elijah Muraya, ajitayarishe Councilor Kauka Pius,

Elijah Muraya: Honourable Mr.Commissioners, ladies and gentlemen

Interjection Com.Nunow: tafadhalini subiri kidogo,

Elijah Muraya: Mr. Commissioners ladies and gentlemen before you is Mr. Muraya presenting his views according to how the Revision of view should look or should be like. This is how I feel the coming should be:

- President should be rotational Province to Province.
- President should serve two terms in the office
- President should not be above the law.
- Should not appoint judges, Vice council of Universities, armed forces and should not be the leader armed forces of armies.
- Judiciary should be separated from other organs of government eg. Executive Legislature.
- Constitution should be a separated body and an independent body from the political parties.
- Any political party should be free to hold its rallies without police interference.
- That policemen should be there to ensure security because Kenya is a democratic one everybody should be free and fair.
- Industrialization should be in every Province.
- By election should be held anytime when an MP is doing unproductive.
- Land title deeds should be transferred from the President of the office to the District Commissioner.

Thank you.

Com.Nunow: Thank you Muraya, please register yourself there. Councilor Pius, Paul Wahome, Fred Wafula, Dickson Okemo, John Fundi, Namathe Moloto, Hendrick Wanyonyi watu wamechoka, Patrick Kisielo, Patrick Lel, Lazarus Chepjo, Councilor David Wekesa yuko? Esidoli Odila uko Bernard Sidoli ajitayarishe na Henry Okumu.

Esidoli Odila: Asanti sana I want to go straight to the points because of time.

Interjection Com.Nunow: your names please.

Esidoli Odila: Esidoli Odila vile umeita, sawa sawa

1. I am talking about the Constitution, Constitution yenyewe nina propose ya kwamba of a copy of the Kenyan Constitution, is available to the reach of every citizen of Kenya and his cost catered for by the government budget.
2. The Constitution must be translated into Kiswahili and English and if possible to the other mother tongue of the likes of the Wanjiku's, Atieno's and the Bukusu's ulikuwa unasikia hapa.
3. The Constitution of Kenya should be taught to Secondary, colleges and Universities as a mandatory subject, to avoid the ignorance that has blinded our graduates school leavers, Liguloo officers and so many of the like. The government should assist any person who does not want to be a Kenyan or citizen of the alternative, I hope you will get it right.

Vile nimesema ya pili the office of the President, education University graduate.

4. Candidature all Presidential candidates should not vie for Parliament seats, therefore if they are 20 in Kenya, we only except one candidate to go to Parliament, the rest should rest at home.
5. Their term a President should serve for a maximum of 3 terms please, 5 years times 3 terms. I have my reason you will get me. As a titled resident who has maintained his three mandatory terms, can only contest again after resting for another 10 consecutive years.
6. The President should never be above the law, but should be given certain prerogatives as usual to protect his office and duties.
7. Ministers and the Cabinets. An MP should be given to head a Ministry by profession, he has to qualify. The winning President should chose from only the winning party, the Ministers and the assistants.
8. Corruption, any Minister, civil servant who is involved in corruption should never continue holding that office. The government should reduce the cost as much as possible and therefore they are necessary of many numbers in the Ministry should be avoided, if there is no need. A person should only be nominated to Parliament, or county council once and for all.
9. Parliamentarians should also be subjected to a specified period of tenure, I propose a Parliamentary Candidate or Parliament as many times as possible should be four maximum. Ukienda bunge mara nne, ama kwa county council mara nne imetoshia, usigombe tena. Land wamesema, education please, just education. I propose that we should only have two categories of schools ownership government and church sponsored, anything to do with the individuals sponsoring schools and what have you, no. Education should be put compulsory to every Kenyan child that was said.
10. The government should be discouraged in the Constitution any educational activity, e.g sports, examination, coaching taking place during weekends, this has been proved to conflict so much with the spiritual rights of the parties involved especially for the Seventh day Adventis members be it, teachers, students or even in the officer in the office, they should not be entitled or subjected to work on Saturdays and Sundays. Thank you.
11. Excuse me I want to say something about marriage, dowry whereby I said dowry should not be as per the communities wish but as per the four parents and their children agreemen. In conclusion, there is much to be done in the new Constitution and therefore I propose that the Commission should ask for more time to finish this work and never to harass us as I am seeing now. I wish also to recommend that if it is a must, then lets have necessary reforms before, the election, then we continue with preparing the Constitution, thank you very much.

Com. Nunow: Thank you please hand in the memorandum we will be glad to receive the recommendations their. Bernard Simiyu, Henry Okumu, Cherop Kablaus, Cherop, Peter Simiyu, Simon Kipsengut, Simon Kipsengut, ni wewe.

Simon Kipsengut: My names are Simon Kipsengut I am here to represent my few recommendations that I have done. On the side of the elections mimi ningependa kuunga ya kwamba, Rais achaguliwe mara tatu, vipindi vitatu. Na parties zote ziwe mbili sio zaidi ya 47 ambavyo tuko nazo sasa.

Ningependa pia kwa sababu tumeguzia mambo ya utajiri na mambo ingine, hata maskini nao waangaliwe zaidi inapofikia kipindi yao, nao wahusishwe ndani ya bunge ili waangalie mambo ya matajiri zaidi. Nikiguzia mambo ya resources, tumeguzia mambo ya misitu na mambo kadhalika, lakini ningependekeza ya kwamba, resources yeyote kama pembe za ndovu ikipatikana kule Mombasa na sehemu zingine ambazo hazipatikani amba ngozi ya chui isichomwe, hizo ziuuzwe na warudishie wenyeji, ili waandeleze maendeleo yao katika sehemu hiyo, kujenga shule na mambo mengine.

Jambo lingine hili jambo la Bukusu na Sabaot, nimeona ya kwamba, hii Tume tunawaomba sana tunawasilihi ya kwamba muingalie sana kwa makini, kwa sababu itaturudisha miaka za sitini na tatu, na miaka za ishirini na mbili watu kuangaliana jicho mbaya kama paka na panya, na hii itakuwa ni hatari sana kwa maisha, jamii ambao wameoana pamoja. Kwa hivyo ninaomba ya kwamba, hii tume kwa ujuziri wenu muona ya kwamba mmehusisha Sabaot na muwatengee sehemu yao, kwa vile hata wanyama nao, wanazotengea m buga, ambapo haitakutana n binadamu ovyo, ovyo, kwa hivyo naona ya kwamba mzingire kabisa ili hawa jamii wakuwe pamoja.

La mwisho, tuwe na majimbo ili pengine mambo ya hapa, tuangalie kamili. Kwa haya machache asanteni.

Com.Nunow: Asante sana, tafadhali jiadikishe Kitui Chemwalim, atafuatwa na Gedion Wanyonyi

Kitui Diwa Chemwalil: Basi mini kwa majina ni Kitui Diwa Chemwalil kama vile umesema. Yangu ni machache sana shabaha moja ndio hii, Wilaya ambazo zimepatikana Kenya moja, moja, MP moja, moja, ningependa Commission ielezee Commission kwamba waongoze MPs kuwa wawili au zaidi, kwa wilaya moja, moja.

Basi neno lingine tena ni mambo ya wild life, watu wetu hawajafaidika milima hii, kwa upande wa wild life sababu kuna pesa nyingi watalii wamekuja nazo na wenyeji wa sehemu hiyo hawafaidiki, kwa hivyo tungetaka hivi: 40% ibaki kwa wilaya ya kusaidia community ya sehemu, 60% iende kwa serikali.

Basi nikiendelea, President Powers za President tungetaka iwe reduced na tuwe na makamu wa Rais na tuwe na Waziri mkuu kwa Kenya na makamu wa Rais wa kwanza na Makamu wa Rais wa pili. Ili kusudi tamaa ya kabila kubwa kutaka kungengana kwa u President ishuke ngazi kidogo.

Basi nikiendelea ni kwamba tungetaka Mt.Elgon District iwe shifted to Rift Valley mahali Kalenjin wenzao wako. Nikiendelea tena ni kwamba, tungetaka serikali ya majimbo ili kusudi huduma iwe karibu na wananchi ndipo, indigenious wapate utawala, hata kama election ya chiefs itakuwako kwa mlolongo kama itakuwa ni indigenious ndio watachagua, sisi hatuna wasi wasi. Neno lingine tena sheria moja ambayo unasema, mtu yeyote aishi popote katika Kenya, mtu aishi popote pa Kenya, hiyo sheria ndio italeti taabu sana, hiyo sheria iondolewe ili watu wengine wajue nyumbani. Sababu niseme hivyo in 1932, kuna watu

wenye walitoka Uganda sehemu ya Budadili, walikuja na zururu kuja kusaidia mzungu kungoa miti na hawa sasa ndio wanajiita wenyeji, na sisi wenyeji tuko. Mt. Elgon District inamaanisha ni wa Sabaot, tunajua maana yake. Tungetaka Trans-nzoia iitwe Kiptale District or Kitale District, ni hayo tu na mbarikiwe na hayo.

Com.Nunow: Jiadikishe, jiadikishe tafadhali, Gedion Wanyonyi.

Gedion Wanyonyi:

Interjection Com.Nunow: tafadhali tunyamaze, tafadhali tunyamaze mda unaendelea, tusipoteze madakika yeyote.

Gedion Wanyonyi: Mimi naomba Commission isaidie sisi wazee maana kuna vijana ambao wanaenda kuchukua mtoto wa shule msichana ako kwa shule anampa mimba, anawachia mzazi mzigo, akisha mpa mimba uzaidizi hakuna, kwa hivyo kama iko sheria inaweza wazee sisi kushitaki vijana kama hawa, inaweza kutusaidia sisi, hilo ni neno langu la kwanza.

Neno langu la pili, sasa Kenya iko uhuru kwa miaka 40, ninaomba Commissioner iandike kama mwananchi wa Kenya amefungwa jela, miaka 5 kuanza mwaka moja miaka mitano, apewe ruhusa kila mwezi, kila mwaka anapewa ruhusa mwezi mmoja aende nyumbani halafu arudi kwa jela.

Neno la tatu, mimi ninawaomba wale wajamaa wamesungumza hapa kwa maneno mengi wakisema mambo ya mashamba, wale watu wanakaa Trans-nzoia hawa mashamba hakupewa zawadi, ila walinunua, na kama walinunua yule anadai mashamba Trans-nzoia arudi kwa yule aliyeuza ampe pesa, lakini hapana walionunua. Maana wananchi walinunua mashamba na serikali ilitangaza watu wanunue mashamba na wakanunua, kama ilikuwa yako enda dai yule aliyeuza akupe pesa zako, lakini hii wananchi wa Kenya tunataka tuwe kitu kimoja, wakati tulipigania uhuru tulikuwa tunasema Kenya moja hata wakati Kenyatta alikuwa anapigania uhuru hakusema kikuyu peke yake, wananchi wa Kenya na tukafaulu, tukapata uhuru, k wa hivyo mwananchi wa Kenya anataka akae pale anatakikana, kama umekuwa maskini, hata ukipewa Trans-nzoia mzima utakuwa maskini. Kwa hivyo nyinyi wenyewe rudi mfikirie, watu hawakupewa zawadi, kuna wengine wamepewa zawadi, lakini wengi wao wamenunua na pesa zao na wa wakienda kuambia mtu alinunua shilling fulani rudishia yeye hatarudisha. Kwa hivyo naomba Kenya moja. Yangu ni hayo tu.

Com.Nunow: Asante sana mzee tafadhali jiadikishe hapa. Jacob Njuguna, its your turn Johnson Maasai atamfuata. Johnson B. Maasai.

Jacob Njuguna: Asante sana Commissioner hii ya Tume ya kurekibisha Katiba. Majina yangu ni Jacob Njuguna Nguru, ni mfanyi biashara hapa mjini Kitale. Na maoni yangu ya kwanza ni kuhusu uongozi. Ningependekeza ya kwamba Rais asiwe juu ya sheria na pia asiwe na kazi nyingine tofauti na hiyo ya uraisi, na asiwe na kazi nyingine zaidi ya hiyo ya uraisi ili kupatia wa

Kenya wengine, kupata nafasi ya kazi. Mtu yeyote asifanye kazi zaidi ya mbili katika nchi hii.

Point mbili ni kuhusu biashara na viwanda. Watengenezaji wa bidhaa aina yoyote ile, wasiruhusiwe kamwe kuuza bidhaa kwa bei ya rejareja, na kuweko sheria kwa sababu ya kumlinda yule mtu ambaye anauza kwa bei ya reja, reja.

Ya tatu ni kuhusu ushuru: Mkenya yeyote kila mkenya analipa ushuru nani sawa, ushuru huo, uangaliwe na utafutiwe directors kulingana na sehemu inakotolewa ili kusaidia wa Kenya wanao utoa na kusimamisha uchumi wa nchi yetu.

Kuhusu uajiri: Kuhusu uajiri mkenya yeyote ana haki ya kufanya kazi kulingana na elimu yake katika nchi hii. Sheria iandikwe kupunguza miaka ya kufanya kazi, yaani ku retire, ili kupatia wa Kenya wengine nafasi hiyo, na mtu akisha retire, asiajiriwe tena, bali na ajiendeshe na biashara au ukulima, ili kupatia wa Kenya wenye elimu na ujuzi kama huo kuweza kufurahia matunda ya elimu yao, na pia nchi yao.

Kuhusu ufisadi: Kiongozi yeyote kwanza kuanzia mashinani hadi ngazi ya juu, yani ile ngazi ya juu kabisa kama u Rais akipatikana ana ufisadi, afutwe kazi na afungwe jela kuanzia kifungo kisichp pungua miaka mitano. Kila mkenya, kila mkenya yani awe na haki ya kulinda mali ya nchi yake.

Intejerjection Com.Nunow: Asante sana Njuguna, tafadhali jiadikishe pale kwamba umeteoa maoni, tafadhali kwa sababu imepita saa kumi tayari na kufikia saa kumi mbili tutafunga hiki kikao, kwa hivyo kila mtu ambaye nitampa nafasi sasa kwa sababu nina watu wengi sana, ataje point tatu, kwa sababu dakika mbili point tatu ama nne hizo ma dakika haikuruhusu, depending on kama utaingia story ama utasema direct. Na preferably wale walikuwa hapa kama mmesikiza watu wakitoa maoni kama jambo limetajwa, kwa sababu baadaye itakuwa ni Constituency ya Saboti maoni yao, tafadhali taja zile point hazikutanjwa ili points zote ziweze kuchukuliwa badala ya kurudia kwa sababu kurudia, utakuwa unapoteza time zaidi, kwani pengine kuna wengine wako na point mpya, kama point zote zimetajwa na nikikuita usema yale ungesema yote yametajwa, madhumuni ni kwamba watu wengi wa Saboti waweze kutoa maoni tumeelewana? Johnson P. Maasai, Geshora John, John Gishora, Alfred Kimwet, Alfred Kimwet, tafadhali itika kama uko Maasai, William Masaya uko? Ajitayarisha Robinson Makokha, Dr. Nicholas Wambugu, na Thomas Kingatia in that order.

Mos Maasai Kiprut: Asante sana Bwana Commissioners jina langu naitwa Mosi Maasai Kiprut. Nashukuru sana siku ya leo, na ningependa kuwashukuru wa Sabawot kwa sababu wamehuzishwa kwa urekebishaji wa Katiba mwaka huu wa 2000 na sio kama vile Katiba ya kwanza ilivyofanywa. Kwa hivyo point zangu ni mengi lakini nataka ku-summarize kwa namna hii:

Sabaots are privileged today to give their own views to the Commissioners. Our brothers who are in Zaire, Sudan, Uganda, Malawi, Tanzania, and so on to be asked to come back and I hope this Constitution will be durable for over 100 years.

We need Federal system of government, and in Mt.Elgon we would like to have 3 Constituencies and 3 political parties, in the country. It is we to say what we want, how to be governed and how to be settled but nobody else. Mt. Elgon under we would like to have Mt.Elgon to be under Rift Valley and our resources belong to the government and the beneficiaries are the Sababots or the natives. We need an industrious society, any public servant and any pay roll person, in Kenya not to have more than 5 acres of land. Mt.Elgon be extended right from Luhaha boarder to Sonu in the other side.

On the side

Interjection Com.Nunow: Asante sana tafadhali tupatie ma karatasi yale umeandika, William Masava,

William Masava: Asante sana Commissioners, mini kwa majin ninaitwa Pastor William Masava. Nina mapendekezo machache ambayo ningependa tuweze kuyaorodhesha katika Katiba mpya.

Nitaanza na freedom of worship, uhuru wa kuabudu ningependekeza kwamba katika mpya tuweze kuwa na uhuru wa kuabudu kwa sababu kuna watu ambayo wanaabudu katika siku ya ijumaa hawo ni waisilamu na kuna wa kristo ambao wanaabudu katika siku ya Jumamosi, wa Adventist au wa Sabato, na kuna wengine ambayo wanaabudu katika siku ya Jumapili kwa hivyo ningependa katika Constitution mpya waweze kuangaliwa rights zao equally.

Sehemu ya pili ni kwamba kuna wale ambao ni minority, katika worship ambayo ningependa kutaja ya kwamba wale wa Adventist na wa Sabato, unapata kwamba katika Katiba ambayo iko sasa wengi wananyanyaswa kwa sababu unapata kwamba siku hiyo ya kuabudu ambayo ni siku ya Jumamosi, unapata kwamba wengi wao wanafanya kazi, wengine wanalazimishwa kuenda shuleni kama wanafunzi, na kama waalimu hivi wanalazimishwa kuenda kufundisha, badala ya kupewa uhuru wa kuweza kuabudu kulingana na maadiko matakatifu. Halafu tena utapata kwamba tuna state functions katika siku hiyo ya kuabudu,hiyo siku ya Sabato katika Bibilia unapata kwamba kuna state functions ambazo zinafanyika na unapata kwamba kuna Ministers ambao wako katika imani hiyo sasa wananyimwa furusa yao ya kumwabudu Mungu wao, kulingana na imani yao. Na mengine nimeyaandika nikifikiri nitawapa. Asanteni.

Com.Nunow: Asanti sana Pastor, kwa hayo nimemuita Robinson Makokha, Robinson Makokha, hayuko, tafadhali kama uko itika hata kama uko nyuma ili tukusubiri ukija. Dr.Nicholas Wambugu, Daktari atafuatwa na Thomas Kinyasia.

Dr.Nicholas Wambugu: Thank you Mr. Chairman for giving me this opportunity mine is in brief. One point, My name is Dr.Nicholas Wambugu I am an Engineer I am a retired educationist from the highest Institution in Kenya and I live in Cherangani Division. Mine is very brief:

1. Life of a person is very difficult to cater for because it is a function of many valuables you cannot satisfy a human being

in life. If you own Kenyatta Avenue buildings or Koinange street he will need the whole of Nairobi to be his or again to take the whole Kenya will be his then he buy London and even Europe, therefore there are three variables which are very important and some people have elaborated a little bit.

I. Health

II. Education

III. Employment.

Those are three valuables which are important to a human being, and therefore healthy should be free in Kenya.

2. Education also should be free. Employment further should be catered for by the government but to do this, because the current economy of Kenya has been destroyed because of what we call merit, and what I mean in merit in education when you adequate B equal C or equal B or equal A, and you know A is number one B is two C is three and D is four. You take D you leave C and B and A, 2, empty C, or too (inaudible) you made him a police you made him a Jeshi an army man and you live someone who had a C or a B in this republic that is why the economy is down, because the people who are running the economy for the last 15 years in Kenya, are the people who have gone through back doors in employment. Even in pain however to do this we should utilize our natural and human resources development adequately, without advocating those funny marks, therefore I would like therefore the responsibilities of education from std one from kindergaten to form four and in middle level education to be under local government authority. When we come to what we call the University education, that should be from Central government and it should exactly be free so our national resources our human resources should be used to cater for those three variables, healthy, education, unemployment because to employ it is how you can eat. Today I pray to God myself, even yourself whoever is here not to be sick if you are sick and you do not have money, you are in Kaburi.
3. If you have children today and you do not have money they cannot go to school. I have even found in some areas where people had resources like coffee and tea they are outside. Employment alone you are employed to eat, therefore my time is very limited. Finally I will say the last point childhood care, no children should be left in a home alone under the age of 12 and that should be incorporated in law. That is why you find some children in houses they get burned in houses and they have nobody to assist. I have seen in England if a child is under 12 years, you can live the child alone in the house if they are not yet 12 years old.
4. Only the final one if you may allow.

Interjection Com. Nunow: We got that point daktari we have got it, we have got it, please lets have your memorandum we will take the issues really, Thomas Kingatia, Luhya council of elders.

Thomas Kingatia: Honourable Commissioners ladies and gentlemen, at this juncture, I do not want to take more time, except that some few points that perhaps I should pick up. I am speaking on behalf of the Trans-nzoia Luhya elders council, I am the Chairman. The position that we have been looking at this new Constitution is that, we would like our Constitution to be well

planned, because it is the document that is going to look after this nation. We know very well that our Constitution has just been played about with and we are very grateful that now we are able to talk a bit about our Constitution. We have made the document here of which we have highlighted quite a number of things, we have many points

Interjection Com.Nunow: tafadhali tunyamaze, tafadhalini, kama wewe ungependa nafasi iharibiwe hiyo litakuwa ni jambo lakini hatuwezi kuruhusu mtu asikose kusikika kwa sababu watu wanazungumza. Tafadhalini.

Thomas: Commissioner sir I would like to point up the point of parties. In Kenya we have 48 parties, we would like we have recommended that we have four parties with an individual independent party, that makes it five.

We have also talked about liberalization, liberalization should be free. This becoming free has brought us a big problem should be controlled because now we are having so many foreigners like in Kitale, that it has been taken over by foreigners and the indigenous people of the country do not have it.

The next other point that is very also to be noted in our Constitution is about the Provincial Administration, we would like to do away with the PCs and DOs, these people have no work at all with the republic. We would like Chiefs to be taken over so that they are elected also by the people themselves and the public and not just to be appointed as they will not give good service to the people.

Na Judicial in the Parliament, we would like the Parliament to have select committee. This select committees will appoint Judicial Commissions will also point out public service Commission, will also appoint out say, ECK Electoral Commission and also this selection will also select the Commission for the Review of the Constitution. Thank you Commissioner.

Com.Nunow: Thank you very much mzee for being precise we will be happy to receive your memorandum. John Simiyu, please hand it over, John Simiyu, Kennedy Buya, are you there Kennedy, Emmanuel Lilei, Emmanuel Lilei, David Simiyu? David Simiyu, hakuna tutapata yule yuko. Eliud Wafula, Eliud Wafula nilisema tafadhali itika sema tu uko. John Kaluhana, uko? Mzuri sana Stanley Anazai, endelea.

Eliud Wafula: Mimi kwa majina naitwa Eliud Wafula ni mkaaji wa hapa Trans-nzoia. Ningependa kuzungumzia upande wa watoto chokora, yaani street children. Ningependa serikali ya Kenya iunde Katiba ya kuchunguza hawa watoto kwa sababu, watoto wengi wamesabaa katika town, na tungependa serikali iangalie kabisa, kwa sababu ndoa nyingi zimefinjika, na zimechangia upande wa hawa watoto kupatikana katika towns. Kwa hivyo ningependa serikali ichunguze haswa haya manyumba nyingi kuvujika pia imechangia halafu tena clashes ambazo zilifanyika 1992, 91, zilichangia pia upande wa chokora. Kwa hivyo upande mwingine ambao ningependa kungusia ni upande wa hospitali. Kwa upande wa hospitali ningependa wale ma daktari ambao wanafanya kazi huko hawangekubaliwa kumiliki chemisits kwa sababu hawa watu wana miliki Chemistry pia

wanamiliki ma clinics na nafikiri dawa nyingi zinaingia huko. Kwa upande mwingine ningependa kuzungumza tena ni kuhusu upande wa wanafunzi. Nafikiri wakati nilikuwa ninasoma, kulikuwa na sheria ambayo inasema mwanafunzi asiruhusiwe kuingia kwa bar au kwa Disco ukiwa na umri wa chini ya miaka 18. Siki hizi mimi ninaona wanafunzi wengi wanaingia katika disco hata katika ma bar. Na tungependa hiyo mambo ichungzwe, kama Katiba inaweza undwa na kuweza kurekebisha hapo. Watoto wengi sana hasa wakifunga shule wanaingia kwa ma bar na mad disco.

Jambo lingine ambaye ningeweza kuzungumzia ni kuhusu ninasikia wa mama wakizungumza mambo ya kufanya usherati iwe illegalized. Hiyo mambo ya usherati ningependa iwe abolished kwa sababu ndio inaleta nyumba nyingi zinavujika. Hasa hiyo biashara isiwewe, na imeleta usambashaji wa ukimwi kwa sababu watu wengi, kwa sababu wa ukosevu wa kazi, kwa sababu hajaolewa anaanzisha hiyo biashara na anaenda katika miji. Haswa wanafunzi wengi pia wana drop katika secondary schools, katika primary na wanajiingiza kwa usherati, na hiyo inakuwa kama mapato yao. Kwa hivyo serikali ingeunda sheria ya kuweza kulinda hiyo sababu hiyo imechangia sana ukimwi sana katika miji zetu za Kenya. Ni hayo Commissioner kwa haya machache, nawashukuru.

Com.Nunow: Asante Bwana Wafula tafadhali jiadikishe hapo kwamba umetoa maoni. Kaluhani John Stanley Anzae. Endelea.

John Khaluhana: My name is John Khaluhana. On behalf of the Salvation Army youth group, Sir I beg that you allow me to view their issues

- I. Though the government of Kenya allows freedom of worship it feels that, that freedom should be minimized so as to stop the registration of devil worshippers here in the Country.
- II. If there is any land allocation anywhere in Kenya, I think that land allocation should be allocated to the young generation instead of repeatedly to the old people.
- III. Also I beg that male here in Kenya should also form their groups because you will find we have got women organization, we have got children Organizations but men have got no Organization to represent them so that even if they are victimized by their women at home, they have got no voice.
- IV. I also beg that, counting of votes should be done at Electoral centres other than being transported.
- V. Presidential elections should be held separately, on separate days, due to time I say thank you very much to have listened to me.

Com.Nunow: Please register yourself, Miriam Grace Nabuja,

Miriam Grace Nabuja: Thank you our honourable Commissioner, I am Miriam Grace Nabuja, going to give individual opinion and I have tried to leave out what was given by others. I thank you for the opportunity that was gender issues, I may

just give my recommendations that in future while you are registering let us have a ladies, list men's list and call them concurrently we would have gone home much earlier. Thank you.

On land's issue, settlement should be balanced by gender, when we talk about that, very many men have been given land they ended up selling when we have children who are widows and they have been settled they are still landless. The issue of squatters should be gotten rid of by the government once and for all why should wild animals have Game reserves and Game Parks, when a Kenyan is called a squatter. Land given to the landless should never be sold, whoever tries to sell it, it should be withdrawn from him subsequently and be given to the landless, because some people are just making riches out of nothing.

Political issues, e.g each district I propose, should set aside 30% of the Constituency vacancies in the form of Constituency and what for women and not that women should be given the 30% free, but women should be able to compete among themselves, so that they have a woman who is popular to represent them. Also as far as the political tourists are concerned, we have seen men moving from one party to another. These men should be left to stay for three years before they contest on any party in any future campaigns, because they are misleading the grassroots.

So we have matters that concern education, my opinion is there should be free education from Primary level to the Secondary level day scholars, for boarder or boardings let them pay, so that every child should have an opportunity to go to school. I also recommend that the government should provide facilities to all schools equally

We cannot talk of a school doing very well, when the government has never, never employed the nursery school teachers, it's a burden to parents besides the feeding programme. So they should make sure they also employ nursery school teachers the way they have employed primary and secondary teachers.

On employment, I have the opinion that the old guards who retire should go home and rest so that they create job opportunities for the youth, because many of our youth have no jobs and also the segregative kind of measures whereby in the army they may talk about five, five 5 inches high to qualify, how about these once who have been born naturally short and they are capable of defending our country.

On street archins, these are children who are found in the streets, I happened to have gone to Kampala, the richest city in East Africa, there are no street archins, but here we are harbouring them.

Bernadict Mogaka: kwa hivyo mambo ya natural reserves zitengenezwe rights zao, iwe under directive principles, for example swampy areas, matajiri walinunua mashamba kutok kwa mokoloni wa kiwa hawakuuziwa swampy areas, lakini sisi wale tunakuja kwa sababu hatuna lingine, tunanunua hata hiyo swampy areas, which means, lands sheria itengenezwe ili haya mashamba yaweze kulindwa, na nitapeana haya makaratasi for more information Thanks.

Com.Nunow: Asante sana kwa kutii amri ya muda Abin Makhoha, Micheal Njoroge ajitayarishe.

Abin Makokha: Kwa jina ni Abin Makokha ninaishi Kiminini division, pendekezo langu ni kusema wa Kenya kabila 42, mjue kwamba sisi tangu tunyakue huu uhuru, tulinyakuwa kwa wazungu na sisi wenyewe tukachukua. Tunataka tuheshimiane tuwe na heshima, heshima kwanza ichukuliwe Bwana commissioner, ninapendekeza hivi, sisi Trans-nzoia ambao kabila ambayo tunaishi Trans-nzoia sisi watu wengine tusiwe na doto ya kusema tuna shamba yetu, ni ya serikali shamba ni ya Mungu, sisi ambao tunaishi katika mashamba, tutakufa tutayawacha. Kwa hivyo pendekezo langu nasema hivi sisi wazee ambao tumeonekana wazee, tuna nywele nyeupe tunafaa tuzungumze mbele ya watoto wetu neno ambayo inaweza pendeza sisi sio tuzungumze neno ya matusi kuonyesha watoto wetu matusi, hiyo si mzuri.

Neno la pili mashamba ya Trans-nzoia, tumeishi miaka 30 na kitu hatujapata title deed, tunataka tupate title deed, mtu akae kwa shamba akijua shamba ni lake. Sio kukaa kama mtu ambaye umeandikwa.

Neno la tatu, nasema hivi, wanawake wetu ambao tumeoa na watoto wetu ambao tumewazaa, hatutaki wavae long mbele yetu, hatutaki wavae long mbele yetu, wasichana na wanawake wakiwa pamoja. Commissioner Ghai mtusaidie sana.

Neno la mne tunasema hivi sisi Trans-nzoia ambao tumeishi tangu tuwe watoto mpaka saa hii ni miaka 68 nikiwa hapa Trans-nzoia, huu ni udongo wangu ambao nitazikwa na pia mtoto wangu, pia mjukuu mtu mwingine asije akumbuke ati ana udongo wake hapa Trans-nzoia, jinsi sisi tuliingia Trans-nzoia tulinunua, huu udongo si kupewa bure, Bwana Commissioner hayo maneno, sisi watu wa Kenya, hatutaki ukabila, hatutaki ukabila kabisa.

Tena ukiwa wewe ni mkenya, ni wewe unataka kubagua wenzako, hatakiwi kukaa hapa, wewe ni mkenya wa namna gani? Nikienda kumalizia sisi, watu wa Trans-nzoia kabila 42, mtu anafaa akae popote apendapo, popote ambapo unataka uenda kukaa, ununue udongo, utaenda ununue katika nchi yetu ya Kenya, kwa hivyo nikienda kumalizia,

Interjection Com.Nunow: Bwana Makhoha siwezi kukuruhusu kumalizia umepigiwa mara nyingi tafadhali jiadikishe tumepata mawazo yako. Micheal Njoroge ajitarishe Micheal Wafula.

Micheal Njoroge: Bwana Commissioners, wenzangu wote ninafuraha kwa sababu ya kupata nafasi hii ili nipate kuzungumza, jina ni Micheal Njoroge na nina kaa katika Timbora location zaidi ya miaka 50, na kwa hivyo kuhusu Katiba mpya, ningetaka kusema ya kwamba jambo hili liwekwe katika Katiba mpya ya hongo, katika Kenya hiyo imeleta kurudi nyuma kwetu. Kusema kweli zaidi ukienda kortini, hakuna ukweli utao weza kupatikana huko kwa sababu ukiwa huna kitu na unasema ukweli, ukweli huo hausikiki hata kidogo kwa sababu sina pesa. Kuhusu pia hata mashamba vile, vile, hongo ndio inaendelea na jambo hilo Katiba mpya ningetaka iwekwe, na iwekwe mtu akifanya hivyo akipatikana atafanywa namna ashitakiwe na

hukumu itolewe kali, hiyo ya kwanza.

Ya pili Commissioner ningesema Katiba hii, ambao tulikuwa tunaendelea nayo ya Kenya zaidi hata kwa upande wa sisi raia, tungeweza kupatiwa ili tupate kurekebisha hii mpya tukiilinganisha. Sasa hakuna kitu chochote tunacho, isipokuwa sasa ni akili tunatumia kwa sababu hatulinganishi na jambo lolote.

Hii ingine ni kuhusu viwanda kubomolewa katika mijini. Jambo hilo pia ina vuja wanachama moyo, wa mama na mwingine ni maskini hana chochote, anategemea kile ambacho anataka, unaona kiwanda chake kime bomolewa hata mali iliyokuwako imetawaliwa na anabaki bila chochote, jambo hilo Commissioner ningeomba pia lipate kupewa nafasi ili mtu apate nafasi ya kujitayarisha ikiwa itabomolewa.

Langu la mwisho ni loan, loan ya wakulima wadogo, ikiwa huna security pia pia ni vizuri ufikiriwe, ili kwamba ikiwa unatakiwa ujulikane mapato yani ruhusa upewe na chief wako yule ambaye anakujua, ili upate hiyo loan ili upate kuendelea. Kwa sababu bila hiyo hakika utazidi kuwa maskini. Asante sana kwa sababu mengi ninayo lakini sina wakati.

Com.Nunow: Asanti bwana Njoroge tafadhali ujiadikishe. Micheal Wafula, Kennedy Kipketel, hakuna Charles ongezo, na ajitayarisha Lucy Okumu, Lucy yuko? Joshua Mangeni, Julius Chirchir, Chalres Muturi in that order. Endelea.

Charles Ongeso: Thank you very much hounarable Commissioner my name is Charles Ongeso. I want mainly to touch on the issue of Legislature particulary on the powers that should be vested in the Legislature, as far as vetting some appointments is concerned. First and fore most we would wish that the power to make the senior appointment such of Attorney General Chief Justice, Permanent Secretaries and Senior Civil Servants, Police Commissioner the Chief of General Staff, Ministers Head of Civil Service, the Auditor General, Registrar of Societies, Chief Executives of the States, statutory bodies, that is the Parastatal bodies, Ambassadors and High Commissioners and the like not be vetted by the President. He shall make such appointments but shall be vetted by the Members of Parliament so that such offices are not abused as it were today. It will also include the Governor of Central Bank of Kenya, registrar of motor vehicles, Commissioner of Excise and Duty, managing Trustee of N.S.S.F, recently we went to survey situation where one was removed from the job and it appeared very unnecessary.

Besides that we would like a system whereby or in future, Constitutional changes, or amendements would require at least three quarters of MPs brought in power and not 2 thirds, so that they are in force, that will mean that even if it means buying a few Members of Parliament it will take those people who are keen on buying a lot of maybe money and time to convince them all, so from two thirds amending any Constitution like we have today, we are talking about extending the life of Parliament in future is should be three quarters and not two thirds. Besides that the MPs should consult with their Constituencies in other words, there should be a refurendum where polls the views expressed in Parliament, the voting that take into Parliament will be those views that have come from the Members of Parliament for debate and enactment.

Also there should be equitable distribution of national wealth and opportunities, no man or woman should have more than one public office at the same period. Today we have a situation whereby there are so many youths who do not have jobs, and some people are hanging on so many jobs, some of them are even past 55 years old the mandatory retirement age and they are holding more even more than three positions at the expense of young Kenyans, such a thing should stop.

Administration Public Universities, the University should be independent today, we believe that even the appointment of the Vice Chancellors should be guided by the statutes of individual Universities, and no one man or woman again should have the power to appoint the VCs, because we have seen instead of serving at the interest of the Universities, they are still serving the interest of the appointing bodies and that one should stop immediately so that politics do not run our Universities but they should be run on profession ethics of the Universities.

Lastly honourable Commissioners, we have seen situations whereby there are some Kenyans who have been jailed or long confined yet names that have been discovered that they were not strong at all, I would wish that in future such people be compensated. Somebody is put in jail for 20 years when they come out, they do not know where the home is, and then you through them into the streets that is purely injustice. So in future the laws should be put it, so that people are wrongfully jailed be compensated for wrongful confinement. Thank you very much.

Com.Nunow: Thank you Bwana Ongeso tafadhali ujadikishe. Lucy Okumu hayuko Joshua Mangeni, Julius Chirchir, Charles Muturi, Charles Muturi, Lukas Mabonga, Lukas Mabonga, Fred Kubai, endelea.

Julius Chirchir: Commissioners, thank you very much I (inaudible) pleasure this evening to support some views which some of my people have said. One of them being

Interjection Com.Nunow: anza na majina tafadhali, anza na majina. Kwa sababu ina recordiwa.

Julius: My names are Julius Chirchir first one is terms of office for President and also sitting MPs and even Chiefs in my opinion they should have two terms only respectively. MPs salaries increment, in my opinion we Kenyans we have adequately resources and there is no reason why they should increase their salaries to that amount. Constituencies,

Interjection Com.Idha Salim: what is your proposal about that.

Julius: Salaries, Maoni yangu ni ya kwamba hawa watu bado kutoshana na hiyo ingekuwa ile walikuwa wanatumia zamani the current one. Constituencies I feel that for other tribes to benefit or for other large areas, Constituencies should be increased if need be, to cover some areas which are not covered upto now.

The education system, a child from nursery school to secondary school may find that a child is not capable of doing something in a certain stage, so the education (inaudible) should be done to individual on merits. I am not very keen on that but I feel that choices should be made to enable students to go at their own levels.

Land issue, original people or citizens, who have been their, should be given the rights when seats of Parliament, seats and that. Last one, Bwana Commissioner.

Interjection Com.Nunow: Thank you very much if you insist because of time please register yourself, please register yourself. Please register yourself, Kipsang Ngisire, Kipsang is not there, do we have Andrew Nyanumba, Andrew Nyanumba, James Ngunjiri, Peter Wangwe,

Peter Wangwe: Mimi naitwa Bwana Wangwe Mbuka maoni ni haya. Rais wa Kenya awe na International degree kuanzia tarehe 29 December mwaka huu ndio asimame. Rais wa Kenya ni lazima awe chini ya sheria, Rais wa Kenya na lazima aende vipindi viwili. Rais wa Kenya ni lazima awe na ekari 200 sio 1,000. Mjumbe wa Kenya lazima awe na acre kama ni zaidi ni acre 50. Kwa kawaida kama mimi ni Buka niwe na acre 20.

Ma chief wote ma PC out, Chief badala ya Chief Councilor wa area anatosha. PC county council chairman anatosha. DC, county council chairman anatosha, PC nae awe akitolewa kwa maan mishahara inakulwa free. Mishahara ya PC iende kwa Wizara ya elimu ama health. Mimi nimesema ya kwamba Luhya land hapa nitaenda straight kwa Luhya land. Foreigners wamekuwa hapa foregners kutoka Uganda wana claim Luhya land. Luhya land ni kutoka Jinja, Naivasha, Lodwar hii yote ni wa Luhya, Western, kwa hivyo as in 1978, baada ya Kenyatta kufa, hii Lodwar walikuwa wanaenda Kakamega baada ya Kenyatta kufa wakapatia Rift Valley, kwa hivyo tunaomba sheria iundwe mipaka yetu irudi kutoka kwa Lodwar mpaka Bungoma na Jinja na hata Museveni awachie nchi yetu irudi.

Gender system mwanamke asivae tight kama huyu, nataka avae kama huyo. Gender system mwanamke asivae long, long niya wanaume. Gender system kama wanataka tulingane kama hawa, nao wakubali kutoa ng'ombe kwa sisi, ndio sisi tuwapikie hawa ugali, kama hawawezi kutoa ng'ombe kwa sisi wakae vile, vile ilikuwa maneno ya Beijing ni ng'ambo si hapa.

Pia pombe ya beer iteremshwe bei ili mimi nisiede kwa chang'aa niende kunywa kama wewe. Wazee wapewe natives beer angalia kwa hiyo picha hapo, wakae namna hiyo ndio wanatoa mashauri mazuri kwa wazee kama sisi. Kwa hivyo kwa hayo machache ninasema thank you very much.

Com.Nunow: Asante sana Ali Wamalwa, Ali Wamalwa, Nangole M. alimaliza ama alienda tu, Sale Muhando, Albert Were, Peninah Kilande inaonekana mtapata nafasi ya kuzungumza Julius Wala, Julius njoo, na Julius Too yuko, Julius Too karibia,

wewe ndio utamfuata.

Julius Wala: Asante sana kwa kunipatia hiyo nafasi, jina ni Julius Wala, a retired banker although I do not look like one. Pengine ningeliza tu tafadhali siwajui nyinyi ningejua majina yenu pengine ma Commissioners.

Interjection Com.Nunow: sorry!

Julius: ningelipenda kujua majina yenu kwa vile nimeambiwa

Interjection Com.Nunow: Pole tafadhali mzungumzaji umekuja kama umechelewa tulitaja majina zetu asubuhi kwa hivyo endelea.

Julius: sawa sawa kwa vile niliambiwa kuna Pro.Yash Pal Ghai hapa, ndio ningetaka kujua pengine ni nani. Mimi point yangu ni moja mimi niko tofauti na wengine hii shinda ya kubadirisha Constitution tabu sio Constitution, taabu ni attitude, hata tukitengene za Constitution inatakikana namna gani mkenya asipobadilisha attitude yake, hakuna kufaulu pahali popote, kwa hivyo ni attitude ya mwananchi sio Constitution.

Com.Nunow: Asante sana kwa hayo, Webukhul Omar, nilikuwa nimekuita Too Julius njoo tafadhali Webukhul Omar ajitayarisha kama yuko ama Wycliff Oben, twambie majina zako kisha uendelea mapendekezo.

Julius Kimeli Too: Majina yangu kamili ni Julius Kimeli Too, and I will start right off. We would the Constitution to state that the people have the ultimate power in the country. The people are the sovereign in Kenya and no law or authority including even the Constitution is above the people.

The Supremacy of the Constitution: The people are the supreme power and the will of the people is expressed through the Constitution, i.e. the basis of democracy is the rule of the law, in other words, this means that the law is applied consistently and that all citizens are equal by the law.

The Constitution must be accessible to the people, i.e to be taught in schools disseminated through the media and discussed in citizens meetings through out the country, so that everyone becomes familiar with it.

We need a specific provision to enable any citizen or group to sue on any matter relating to the Constitution. Elected President should be the President of Kenya, not for the party he or she was selected and two terms at most. No benefits for retired President who steal holds post of office, in the party he was elected in. Any Kenyan has a right to live or develop anywhere in the country of Kenya.

About Elections, the electoral Commission should be independent to act under its own Constitution and its law, and date of election should be fixed and we request that elections to take place after every five years.

About MPs should have fixed salaries and allowances not just to increase their allowances as they wish. About the party groups, should be given freedom or to give views and all meetings without being disturbed or harassed. Thank you very much

Com.Nunow: Thank you Bwana Too, please let us have your memorandum Wycliffe Oben, Diwa Lomoiyo, Hassan Waijala, Isaack Obada, Joseph Soita, Hon. Kisielo, Chirchir Abungu, Susan Naliaka,

Susan Naliaka: Officer ma Commissioner,

Interjection Com.Nunow: Tupatie majina Susan

Susan Naliaka: Susan Naliaka Msonge, ningelipenda Commission ijukulie hatua kwa bei inayofaa kwa wakulima kwa shilling 3,000 kwa ngunia moja, ili hao wakulima wawe na faida kwa ajili ya ukulima wao. Kwa sababu kuna wakulima ambao hupata shinda watoto wanapoenda shule wanapata shida kubwa, huwa wanauza mahindi kwa bei ya chini kwa shilling 400 hata kama mwaka huu, watoto wengi wamekosa kwenda shule kwa sababu ya mahindi kukosa bei.

La pili ma chief wanastihili wachaguliwe kwa miaka mitano kama wabunge. Kwa sababu chief huchukua muda mrefu, hukaa katika kazi yao na huku kuna watoto wengi ambao wanafaa kuchukua hiyo kazi.

La tatu, bunge yastahili kufungwa ili wabunge wasio kuwa na kazi na nidhamu katika mitaa au makwao, waweze kuchagua wabunge wengine. Wabunge wafaa wachaguliwe kwa kila kabila maana kuna kabila ndogo wanashida nyingi, wabunge hawachaguliwi katika kabila zao. Yastahili Katiba hii ichukue jukumu kali kuchunguza kina mama ambao hawana nidhamu katika kazi kule bungeni, maana kuna wa mama wengi wanatupa aibu sana wanapofika kule mbungeni huaacha waume zao nyumbani na kuchukua waume wengine kule kazini. Sasa yafaa hii Katiba ichunguze kabla haijachagua mwanamke kulee bungeni ichunguze mienendo yake pamoja na nidhamu na waandikishe pamoja na mume wake, ili akiwa bungeni ajulikane kwamba yeye ni mke wa mume fulani.

Com.Nunow: Asante sana tafadhali jilandikishe, Ezekiel Maroma baada ya Ezekiel ajitayarishe Patrick Soita, na William Ndiema.

Ezekiel Maroma: Kwa jina ni Ezekiel Maroma, Commissioners ladies and gentlemen, naenda kwa pointe to haraka haraka sababu saa imekwisha, kitu cha kwanza ambayo pengine tunaendelea zaidi na ambao ni maisha yetu zaidi, katika Kenya hatuna food policy, ambao ni kwa maana ya kwamba hata wakulima ambao tunalima mahindi hapa Kitale, tumekuwa kama ghasia,

sababu unalima mahindi miingi pengine mingi ikifika hakuna bei. Kwa hivyo tunaomba serikali ifanye au Katiba itengenezwe ya kusema ya kwamba, mkulima awe guaranteed kwa mimea ambayo anaweza kulima katika Kenya, sababu iwe hata ikiwa ya kwamba tangu hapo zamani hata wakati wa ukoloni tulikuwa na mipango ilikuwako, mkulima alikuwa anapewa bei ya mwaka ya mahindi ambayo ni ya mwaka ujao, halafu analima. Hahata sasa katika serikali yetu una store nyingi kabisa ambao zinaweza kuweka mahindi hata miaka saba. Kwa hivyo maneno hii ya kuleta at soko huru mimi ninaona ya kwamba, kwa mkulima haina maana sababu kitu ingefanyiwa soko huru, ni bidhaa zile ambazo zinatengenezwa na industry, hiyo ni point number one. Halafu ingine kwa ajili ya haraka, hii tulizungumza maneno ya kuwa kukosa mashamba, lakini kuna wakati mwingine vile, vile wengine tumekuwa ya kwamba tumepata mashamba lakini, tunauza tena yote, na tunakuwa destitute, kwa hivyo hiyo katika sheria ya land, mimi nafikiri inataka itengenezwe ijulikane ya kwamba kama mtu amewachiwa shamba kama ni mtoto au mama au ni vijana, wataweza kuuza halafu tena wabaki tupu. Ili isije ikasemwa ya kwamba tunalia shamba saa yote, lakini mashamba tulikuwa nayo, kwa hivyo hiyo ni makosa inakuwa tunapata yote.

Kitu ingine ambayo kwa mwananchi ambao anasubuka katika area hii ya Trans-nzoia nina maliza haraka, moja ni ile county council hata hapa Trans-nzoia wanatoa watu kodi ya mashamba, kila mwaka wanadai pesa na hatujui hiyo ni sheria ya nini, na kama iko katika Local Government, muende muibadilishe katika hiyo. Halafu na vile, vile, mimi nasema maneno ya grabbers na corruption, inataka katika Katiba kama inatengenezwe, mtengeneze mtu yule anapatikana ana grab na pengine amepata mali ya utajiri kwa corruption hiyo mali yote inakamatwa, inauzwa yote, inarudishwa kwa raia au kwa serikali.

Com.Nunow: Asante sana tafadhali ujadikishe Patrick Soita, William Diema, Monica Odongo, Christopher Ndegwa, Nathan Nasiome, Rebecca Ofisi, Robert Okemwa now I will follow the list it's the most orderly way of doing. Robert Okemwa, Francis Masika, Clement Simiyu, Sila Boit, Peter Oluoch Sila njoo, Peter Oluoch hayuko? Daniel Songok, endelea Sila Boit.

Sila Boit: Jina langu ni Sila Kimaiyo Boit ningependa tu kutoa pendekezo mbili au tatu katika sheria. Kwanza ningependa kuzungumza juu ya pensioners. Pensioners, ningependekeza kwamba mtu aki-retire apewe benefits yake within a certain period, wakati huu mtu ataweza kwenda two year, three years wengine hata wanaweza kufa bila kupata pension. So we should specify the period when somebody retires he should get benefits within a certain period.

Interjection Com.Nunow: How long do you recommend

Sila Boit: It should be within five months.

Ningependekeza kwamba Local Authorities wapewe uwezo kabisa ya kufanya development katika Districts. Wapewe pesa na uwezo huo.

Jambo la tatu, ningependa wabunge wapewe mishahara ya kutosha, sababu kazi yao ni kali zaidi. Jambo la pili wakipewa

mishahara nyingi councilors pia wawe na quarter, wapate quarter ile mishahara ya wabunge. Kwa hayo machache ningesema asante sana.

Com.Nunow: Asanti sana tafadhali ujadikishe, Peter Njoroge Gatua, Yator Kiputum, Fredrick Seiwe, yuko, Fredrick Sewe endelea. Majina halafu upendekeze.

Fredrick Sewe: My name is Fredrick Sewe, Sewe, I am taking this chance to propose I am going to talk on the Presidency first of all. My proposal is that, I want the President to stay with power, because having a President without power, is like having a house without the controller, everything will huldababo. Secondly the President in his duties, should have executive council and governing council to help him do his duties. On the appointment of Parastatal chiefs, it should be done through the Parliament, as this will so clearly tongible example when the Commission of Kenya Review Commission was being appointed they applied and then the application was presented before the Parliament then the qualifications were analysed. Then presented to the President to select the person who is capable. So in appointment of the parastatal heads, that one I still would it to stay the way the Commissions were appointed.

I am coming on the point of DC and Administration, well this one should not be done away with because there will no linkage or there will no way, the government is going to collect and correct information and desiminate and to see what they can do because, politicians are not reliable, they can be giving a negative impact to the government depending on the political party they belong to.

Thirdly I am going to talk on employment, where the problem with our country is that we are thinking only land problem. We should look on industrial investment, because even if there is an industry in an area, this one will automatically create employment. Our educationist or the learned people in factory alone, will provide for lawyers, will provide for engineers, mechanical and consumers even in transportation. I have got one again. Also decentralization of industries, I would like the industries to be built where the resources are available, I do not have much to say because the time is getting out. Asante sana.

Com.Nunow: Those who have memoranda because its as good as speaking if you mention one or two points in that memorandum or you do not at all, infact its going to be the same, so you the choice but what I want to do, excuse me! I am going to follow the list still, but what I am going to do, if I call you I want you to mention two points, if they are 50 you mention two and that will mean a minute per person, because we will close at six oclock sharp we have 45 minutes I would like to hear at least 45 people before I close is that clear? So please listen to your name and give two key points that you feel are very burning. Patrick Busedich, he is not there, Francis Uhuru, if you are there itika, Beatrice Nesonga, John Yego, Councilor Matui, Councilor Matui Stephen Ndiema, Roda Cheptai, Martin Muli, I am going not looking up if you do not itika I will not know that you are there, Francis Keya, Dickson Okema, Philemon Kosgei, Boaz Owuor oka, Boaza Oloo is your turn.

Boaz Owuor: I would only like to emphasize one point which has not been said properly this is a Member of Parliament should be allowed to contest the seat as an independent, I was trying to suggest that the Constitution now, should recommend that it can have independent candidates, as MP. Reason yangu, he should be popular that will state the popularity of somebody in an area, that one should also try to avoid corrupting chairmen of the party which had happened in 1997,

Intejction Com.Idha Salim: Mr. Owuor if you explain too much you will not have time to other points.

Owuor: No I have only two the rest have been said I am not going to read the others. The other one I wanted to say, was about land ownership. I think we have recommended a few things, but to me I think the highest acreage one should have in Kenya should be 100 acres, and the rest given to wananchi. Thank you very much.

Com.Nunow: Thank you very much Bwana Owuor, I would like to see that spirit, two points that you feel are really core to your presentation. Peter Sikulu, Rev.John Mutani, Onganya Godwin, this was a student who presented, Monicah Odongo is not there, Lawrence Keshali, Raphantile Dema, Johnson Echeterem, Edward Shitada, Geoffrey Wekesa, Zakaria Rufus, Phillip Magut, Vincent Wakoli, David Mwale, Diema Kigai, Moses Chemoi, Jackson Wangwe, Jacob Dado, Cosma Kinywa

Jackson Wangwe Kada: Jackson Wangwe Kanda, two points I say Presidential powers should be treamed and should have two terms in the office, also appointments of civil servants should be approved by Parliament. Thank you.

Com.Nunow: Asante sana Jackson for that spirit, Ernest Matete, Jeremiah Nyatich John Kiboi, Gabriel Oliema, Moses Simba, Samuel Maina, is Samuel Maina there, Okay Moses endelea.

Moses Simba: Asanteni sana Commissioner point yangu ya kwanza naonelea ya kwamba wa bunge na

Interjection Com.Nunow: Moses twambie jina lako.

Moses Odhiambo Simba: Majina yangu ni Moses Odhiambo Simba, Point yangu ya kwanza tangu Kenya tupate Uhuru, tumedanganywa sana na wabunge na ma councilors, kwa hivyo naonelea ya kwamba mishahara yao ikatwe 30%, ya councilor inaenda kwa wards, kila mwaka mjumbe anakuja wanatembea wanajua ni shida gani watu wa area hiyo walikuwa nayo wakachague yeye ili wasaidiwe. Ikifika mwisho wa mwaka, mjumbe pia mshahara wake ile 30% ilikatwa, President anatembea anaenda round atajua ni shida gani watu wa hiyo Constituency walikuwa nayo, wasaidiwe itengenezwe.

Intejction Com.Nunow: Next point

Odhiambo: Next point mavazi ya wamama inatakikana ibadilishwe tujue huyu ni mama huyu ni msichana, kwa sababu mambo

ya ukimwi, serikali inatangaza kila mara, lakini tumechanganyikiwa, huwezi kujua nani ni nani, hiyo ndio point yangu.

Com.Nunow: Asante sana, Kennedy Murei, Joshua Korir, Joshua, majina halafu point mbili.

Joshua Korir: Jina langu ni Joshua Korir, na nikichangia maoni yangu niaona ya kwamba budget ya mwaka huu kulikuwa na shida ya kusema msaada hatupati kutoka nje, na sasa kwa hivyo hiyo budget ilipatikana ikiwa na shida sana. Kwa sasa mimi ninaonelea yale mashamba ambayo halimwi, kuanzia acre ishirini na kwendelea, hiyo itoshwe kodi, halafu isaidie katika kujaza pengo mahali ambapo inatakikana, badala ya kuiyanzisha hivi iende iombe iombe mkopo kutoka nje na hali kadhalika kuna ushuru wa mashamba kutozwa. Halafu Commissioner wa land, na Minister for natural resources mamlaka yao yapunguzwe kwa sababu hawa wamekuwa uwezo zaidi ya kupeana aridhi kwa mtu yeyote, na hiyo ndio inasapapisha land grabbing hawa watu, wako busy feeding their stomachs, only hawafikirii kufanya kazi zingine kwa sababu ya hiyo. Na MPP Director pia naye amekuwa katika hali ya ufisadi mtu mwingine akitaka kujiadikisha pale ile awe pia asomee katika hiyo taaluma, anakatazwa kwa sababu yeye anahitaji hongo, huyo Director anakaa hapo kwa mda wa miaka mingi sana sijui ni kwa nini shirika la ufisadi halijachukuliwa huyo mtu hatua ya kumfikisha mahakamani na pia director wa Kenya Power, amekaa hapo zaidi ya miaka kumi si mwingine aingie pale afanye hiyo kazi. Hivyo ndio kitu ile nimeonelea.

Com.Nunow: Thank you please hand in that memorandum we will take it in, sorry thank you hand in and sign the register as well. Do we have Samuel Rutto, Duncan Wafula, Do we have Tom Bito Mdogo, SO Waseka, Waseka its your turn, give us your name and the two key points you want to give us.

Samson Otieno Waseka: My names ae Samson Otieno Waseka, mimi nimekuja hapa ku-represent Matatu Owners Association, na nitagusa mambo ya Insurance Act, na Auctioneer act. Utakuta kwamba Bwana Commissioner mtu mwenye matatu akikata Insurance na gar ije ipate accident unakuja unapata kwamba anapelekwa kortini, akisha pelekwa kortini judgement ikikatwa kule kortini unakuta kwamba wanakuja wanasubua mwenye matatu kwa sababu watu wa Insurance hawajalipa the claimant, kwa hivyo sisi kama wenye matatu, tungependekeza hivi, tungetaka kwamba judgement ikifanywa kule kortini na wakute kwamba hii ni gari yenye ilipata accident ilikuwa na insurance ni lazima badala ya kuja kusumbua mwenye gari, waende moja, kwa moja mpaka kwa insurance company waende wachukue pesa kule, badala ya kusumbwa mwenye gari. Na ikizidi sana, utakuta kwamba, wewe mwenye gari wanakuja wanakushika wanakupeleka kwa civil jail, kwa sababu hujalipa pesa, na wewe umekata insurance kabisa, na yule mwenye hajakata insurance ndie anatakikana afuatwe, halafu la second point ni mambo ya auctioneers act. Katika hii mambo ya Auctioneers act, unakuta kwamba wakija kufanya proclamation, ya seven days, wengine wanafanya ukola yao hawezi kuleta makaratasi ya kufanya ploclamation unakuja unstuliwa tu kwamba vitu vyako vinashikwa, kwa hivyo lazima hiyo sheria ya auctioneers act ichunguzwe kabisa, iwekwe kabisa na ni hayo tu. Asanteni sana.

Com.Nunow: Thank you very much please register yourself Waseka register yourself, Sergen Mabenge, Masengele, senior.

Sergent Masengele: Hounourable Commissioners, and members

Interjection Com.Nunow: Majina tafadhali,

Sergent Masengele: Honourable Commissioners and members Sergent Reuben Masengeli Chairman National council of churches of Kenya Trans-nzoia.

1. All allocation of lands, property should be gender balanced.
2. All scholarship that comes to the country from overseas should be given on merit preferably targeting the poor people.
3. General Elections should take place this year under the new Constitution as the Chairman Pro.Ghai is aware of.
4. All persons in Kenya should have manageable land, a new law to look into big lands owned by individuals or properties. They create the management of the public offices, so that files cannot go missing.
5. All schools to be under guidance of the churches to avoid strikes. All parents single or married, should be able to look after their children to avoid street families. A good law for all farmers to market their farm produce, and control the farm inputs.
6. Law to be regulated to give loans to all eligible Kenyans and not to some brothers or some families in particular.
7. Civic education to be taught to all Kenyans and this should be carried on by the government not to wait during the election year only.
8. Two terms of five years for the Presidential or President of the country. I am saying that there are so many Commissions in Kenya which have given no fruits, I personally recommend the Commission Review Commission to be permanent in the country. Other Commissions are not helpful to us Kenyans, they can be one or two more under this particular one, but the one we can recognize that can do important work for Kenyans is the only Constitutional review which can take care of Kenyans. Thank you very much.

Com.Nunow: Thank you, you realize I have been soft on you because of your wider Constituency. Please register yourself.
Mary Nyambane, Mary tunakusubiri, halafu Nancy ajitayarishe, Nancy Iyandi

Mary Nyambane: Thank you sir, I have the following proposals to make,

Interjection Com.Nunow: your name please

Mary Nyambane: My names are Mary Nyambane. The bill of rights: All Kenyans should have the right to information and I recommenda that the Kenya gazette should be sold in all urban areas. I also propose that all Kenyan families should have a

copy of the Constitution free of charge. I also recommend that funds set aside for Constituency, and ward development be made public through at least three local dailies, and the public be given chance to verify development project undertaken.

I also want to make proposals on the electoral process, independent candidate should be allowed to vie for all the seats. Upper age limit should be 60 years, candidates should also declare their wealth, as a qualification for vying for seats.

Political parties involved in violence before during or after election, should be barred from sending candidates in that particular Constituency, for at least two terms. The electoral Commission should be given the mandate to prosecute such parties. Elections dates should be known to the electorates, and I propose the first Wednesday every five years.

Affirmative action should be there for women and I am proposing 30% of all the MPs be women.

Lastly rapists and defilers should be punished by castration or life imprisonment, thank you.

Com.Nunow: Thank you Iyadi Nancy, please give us the two key points, or rather give us the four key points in that order, just give us four because there are a few ladies who have spoken today.

Nancy Iyadi: I am Nancy Iyadi, I propose anybody in employment civil servants, teachers, or maybe parastatals, should be promoted to the next grade after every five years, and it should be automatic without favoursim. Women by the virtue of their status, they spend a lot on sanitary towels, I propose that they are made cheap and if possible tax free. Women employed should be have their pay as you earn reduced for that purpose.

I propose a President being a father of the nation should fulfil his promise incase of anything said by him for example teacher's salary increment, he should be faithful and stick to his words as a father, so that we can be loyal to him and have faith in him as a President.

On retirement I propose, they should streamline the processing of the benefits of retirees or the deceased, because moving from here to Nairobi is difficult again they should give education on how the procedure on how it is processed, because you can reach there they tell go to the chiefs, go back, you know making unnecessary trips, if possible let it be decentralized.

Traffic: I propose that there should be no touts, the Public Service vehicles to carry the number required and we should take an example of Uganda. On rural development, I propose that people in power should not channel for example, electricity to their homes living the people around their very miserable, it portrays a very bad reflection in any case they should develop the whole area.

Members of Parliament or people in power, should develop a listening skill because they end up chasing wananchi instead of providing services, because they are in power.

Com.Nunow: Thank you, thank you Nancy please let us have your memorandum we will take every word there is. Let us have it please James Sifuna, James please give us the key points.

James Sifuna: Asante sana Bwana mwenyekiti, mimi kwa majina ni James Baraza Sifuna, ni mwalimu mstaafu. Point yangu ya kwanza ninaingia kwa upande wa land policies. Land policy tukiangalia kwa wakati huu Bwana mwenye kiti, tukiwacha ile kama ilivyo, miaka ijayo watoto wetu hawatakuwa na chakula, tuwe na control, mtu akiwa na 50 acres iwe 50 acres kwa family wasingawe hiyo shamba, ili families hizo zijenge pahali moja kwa boma moja na hiyo shamba itakuwa productive. Mtu akipewa shamba na serikali, sio faida yeye kuuza ile shamba, akishindwa arudishie serikali impe mtu mwingine.

Tukienda upande wa President, hakuna maana kusema wewe ni driver na uwe na usiwe na mamlaka. President awe na mamlaka ya kutosha, ili alinde usalama wa Kenya. Kwa upande wa Provincial Administration, mimi naona Bwana mwenyekiti tuwe tu na DCs, hatuwezi kuwa na ma Province halafu watu wa Central wanasema turudi Rift Valley hii PCs hakuna kazi, DC awe na county council na Municipal council report straight tusiwe na mtu mwingine katikati.

Kwa upande wa Commission Review, mimi naona ma Commission ni mengi, lakini kwa sababu nyinyi ndio mnauda, ile sheria hii Commission Review ingekuwa Permanent. Mambo ikitokea bunge inakuwa refered kwa experts, who are you people, hii itakuwa mzuri. Tukienda kwa retirement na dates, hakuna maana ku train mtu na arudi akae nyumbani, waalimu wengi wame retire, na kuna waalimu wengi, wako hapa wengine wengi wamekufa, mbona tuwe na sheria kwamba tuki traine a given year, tunajua mwaka huo waalimu fulani wataenda tuta train, kufikia mwako huo wale ambao wamekuwa trained wanaingia kazini, kuliko watu kuwa trained wana kaa wengine wana retire, wengine wanakufa, mansema bade zingine kuna mwalimu mmoja nafikiri ningesema mengi kwa sababu wengine wako. Asante sana na tuendelee hivyo. Thank you very much.

Com.Nunow: Asanti bwana Sifuna, asanti tafadhali ujiandikishe kwamba umetoa maoni, nitamuita Joseph, Irugulu ama Guruguru, yuko na Wanyonyi Martin, Kagwa Murilo, Ebrahim Lingolio, Kagwa Muliro, tafadhali itika, Ebrahim Lingolin, unamfuata.

Kagwa Muliro: My names are Kagwa Muliro and first and foremost I am going to talk about the Kenyan hospitals.

Interjection Com.Nunow: Please put the mic away kidogo we hear, you.

Kagwa: I am going to talk about the Kenyan hospital, this is the computer era I think it's safe whereby all hospitals in Kenya should be computerized and be inter-linked in such a manner that any Kenyan, any Kenyan citizen in any parts of this country

can be able to pop into any hospital and be given free treatment, in such a manner simply because so many Kenyans are dying due to the way our public hospitals are. Then I am going to talk I am also going to talk about the library i.e in Kenya this new Constitution should ensure that in each and every town and in each and every area we should have libraries in order to fight illiteracy, for all that I say thank you.

Com.Nunow: Thank you very much for being precise and keeping the two points Ephraim Lingolin, tafadhali karibia, ajitayarishe Protus Sawenya.

Abraham Elingoli: Thank you my names are Abraham Elingoli, Majina yangu ni Ebrahim Elingoli. Langu la kwanza, chama kinachotawala kisitumie mali ya uma kufanya campaign, halafu pili Rais akienda mahali asitembee na msafara mrefu halafu mawaziri wake wafanye kazi kwa ofisi wasitembee nayeye wakienda ng'ambo wakienda wapi.

Tatu Rais akisafiri kuenda mahali, mawaziri wabaki ofisini wafanye kazi wasiende naye kila mara, wakifuatana naye. Halafu tuwe na siku ya kusherehekea kwa wale wote waliopigania uhuru, kuna watu kama Dedan Kimathi, kina Raila Odinga, tusiwe na Moi day na Kenyatta day peke yake, yangu ni hayo.

Com.Nunow: Asante sana, tafadhali ujiandikishe, Protus Owenya, Protus Owenya, Enock Ebuye, Prince Chamungu,ajitayarishe, Wycliffe Kapketwi, na Mark Okech, endelea.

Prince Chamungu: Kwa majina mimi naitwa Prince Chamungu, mali ya Mungu. Kitu ambayo ningependa tu niguzie ni kwamba nina propose government ya majimbo. Bila hiyo hii Constitution itakuwa temporary. Na kitu ambacho ningependa tena guzie ni kwamba watu wengine wanafikiri tukileta majimbo wengine watafukuzwa, hapana jimbo ama federal government na ya economy peke yake, Jimbo letu ambalo tutaleta sasa litawezesha watu wa jimbo hilo, waende waombe msaada wenyewe, na hii hatutaka majimbo unajua majimbo iko in two categories. Tuna majimbo where the federals are for the central government, and tuna majimbo, where the central government is for the federalists, therefore, kitu ambayo tunataka tu, ni federal governments to be independent so that they will just be asking aid from abroad, so that they will fit to central government. Hakuna mtu atafukuzwa kwa jimbo yeyote na ninawahakikishia nyinyi wale wakaaji wa hapa, hakuna mtu atafukuza mtu kwa jimbo ambayo tunaenda kuleta, na tutaleta.

Pili kwa upande wa Presidency, mtu atasimama kuwa President ama candidate wa President ikiwa ame qualify kuchaguliwa kwa jimbo lake. Sitasema mengi sana ningependa tu nimalizie kwa upande wa jina la Sabaot ya watu wa eneo hii nina piga marufuku leo mbele yenu Commissioners, hatujiita tena Sabaot, tutajiita Elgon maasai. Kwa niaba ya watu wa Mt.Elgon wote, nimepiga marufuku jina la Sabawot tutaita Elgon maasai, na mwaandike sawa, sawa na ninatakuwa tayari kama itapelekwa kwa bunge niitwe huko, niende niwahakikishie hawa, kwa maana katika Lancaster house wakati 63, watu walienda huko, na hatukuwa na jina ya Sabawot.

Intejction Com.Nunow: Asante sana, asante sana, mzee asante, asante, tusikizane, nilisema point mbili, umetaja tatu na bado unasema ya pili, tafadhali tuelewane, hatuwezai kubishana. Nani Mark Oketch kidogo kwanza Wycliffe Kepketi uko Oketch endelea.

Mark Oketch: Thank you, I will start by the Parliament term MPs have the right to extend their term as long as they want, so long as they will not claim any salary any allowances, any benefit, beyond their Parliament term of five years.

On the sugar act, Kenyans have suffered so much in the hands of the unscrupulous Sugar Industries, who claim that the importation of Sugar is denying them the market while they are not able to control their own prices. In my view, sugar industry should be liberalized and by the removal of all the tariffs and the obstacles created thereby. The sugar farmers should appeal to the government or the law the act to be amended to reduce and bring down all the charges, all the taxes imposed on the fertilizers and the seeds, that make it appear expensive. I will go fast enough, on the street boys, I suggest that all the street boys be rounded up, be taken to the NYS, be trained and are given the option to specialize in any field that would give them a better future.

Com.Nunow: Thank you very much, please let us have your memorandum we will take every word there in, so if what you are saying is in that paper, you have nothing to worry about. Thank you please, thank you.

Mark: Thank you I will be obedient, meanwhile I appeal to the Commissioners, we were denied the Constitutional of the land we would have gone through it, if we were given better opinion I also feel that people of Trans-nzoi or office of Kitale town, have been ambushed time wise, because we need at least two days, for us to present adequately otherwise thank you.

Com.Nunow: Thank you we have taken need of that, Peter Wainaina,

Peter Wainaina: Thank you sir, I would like to talk about dynamism, Peter Wainaina. Now I want to talk about dynamism. Since in every community, changes are inevitable, therefore in Kenya you find that the Commission that is doing the act of changing the Constitution, the Constitution should be in a way that, it will be able to cater for the changes that will there, in coming years, such that, we will not have, the repeated Constitution changes, being done. So the Constitution should be made to cater for the changes, that will be some years to come, like the one that was made in the US that has stayed for so long.

About corruption, I think it is very ridiculous for a person who has stolen one bag of maize to be taken to jail, and a person who has stolen a million Kenya shillings not to be taken to jail, merely because that person is an MP, or that person has powers in the government, so I think the law should be taken in a way that it is able to cater for all that happens in Kenya. Thank you.

Com.Nunow: Thank you very much, Steve Onuke, Wainaina please register yourself, Steve Onuke is there, ajitayarishe Moses Bito na Daniel Tuum in that order.

Stephen Bonuke: My names are Steve Bonuke, I would like to give the following suggestions to the Constitution, that as Kenyans we are not all enjoying the right of voting. I will explain, I am an SDA by faith, and in most cases, voting has been occurring in this country on Saturdays, so it denies us the right to vote, because we are worshipping on that day.

Second point, I would wish that we establish a fund, whereby all political parties, are equally financed for elections, this will avoid the situation whereby the ruling party uses the National coffes to oil its own campaign machinery while the opposing parties are left to fend for themselves. I also suggest that Parliament should be given the powers of appointing the following:

- The speaker
- The Chief Justice
- Attorney General
- The Auditor General
- Solicitor General
- Electoral Commission chairperson

Interjection Com.Nunow: Thank you very much, thank you Bonuke please hand in the memorandum we will read it. Moses Bito,

Moses Bito: My name is Moses Bito I propose the following:

1. That head talk be criminalized, in the Constitution of Kenya,
2. A Constitutional court be set up to take care of Constitutional matters which arise after Constitutional making has gotten finished.
3. Presidential powers be reduced in the form of the creation of Ministries, appoitment of Ministers, and assistant Ministers, and other duties.
4. Politial parties and its operations, the political net work of it and political ideologies be worked be set by the Constituion.
5. All leadership position should be contested by people who meet certain educational qualities.
6. We should have a value system in our Constitution whereby all people that for one time or the other have gone against this value systems should never be given any responsibility

Inerjection Com.Nunow: Thank you very much. Thank we are not listening that, please let us have it if its written. Daniel

Tuum, Nathaniel or they have written badly

Nathaniel Tuum: Thank you and welcome to Kitale Commissioners, very difficult to deal with all Constitutional issues in a few minutes, but let me say that the Constitutional making really require careful looking and this is why we feel our views are very important. I will deal with over all structure that I see is important in the systems of government and that is that I feel there is need to devolve power, from the center to the local areas, and so I am advocating a federal system of Government, because it has worked in many countries, in Switzerland, in America, its more or else a federal system of government.

I am also suggesting that an office of President be established, President with powers to appoint the Ministers, powers to appoint the armed forces, powers to declare wars, powers to actually hold the state together, in other words the (inaudible) will be done in the name of the President, and all the major decisions which I do want to go into details here, which will be in my paper, are taken care of. I am also looking at a position of Prime Minister, a Prime Minister will be the head of government who will be elected by the party that has the majority in Parliament. The Prime Minister should be Executive and should run all the matters of the government on a day to day basis, and should be assisted by two deputies, one to be incharge of foreign affairs and defence and the other to be incharge of finance and government enterprises and of course Administrative duties could be allocated according the pressures.

On the Executive of course on the Executive I am looking a fixed 15 Ministries, so that Constitutionally we provide for a fixed 15 Ministries. This will cut on a lot of expenditure, it will also restrict any holder of office as President or Prime Minister from creating any Ministries, but departments of governments could be at the descretion of these officials.

The Legislature should be in two forms, one is the senate and the house or represenatatives. The duties of these two house, should be clearly defined basically and broadly and speaking knowing that there is not much time, as follows:

- House of representatives to be elected from a Constituency and those to go to senate, to be elected from Districts and the senate to have descretional powers to return the bills, to the house of represenatatives where they feel the bills are not in harmony, with the over all spirit of the country.
- The federal system should also be structured in such a way that, there is the Provincial Administrative systems and the governor, or Prime Minister, Provincial Prime Minister should be the head of the jimbo.

Interjection Com.Nunow: Mr. Tuum give us the last two points please, we will read the paper

Nathaniel: The Central government and should have specific duties which I have named in my paper, and the regional government should also give specific duties, that I have mentioned, in my paper.

I also suggest that from the Judicial point of view, we should have a Supreme court and courts of appeal, then the High court and the ordinary courts. This hierarchy of the courts system is very important and I have given the details in my paper that I will submit which gives the duties of each of those places. Ministry of Justice should be created, to be headed by the Minister of Justice and Constitutional affairs, I have also given duties for this Ministry. The Attorney General's office should be a civil service job and should not be in Parliament. The details of my presentation ladies and gentlemen, members of the Electoral Commission are contained in my paper, which is here by being presented. Thank you.

Com.Nunow: Thank you very much please sign the register, Mr. Tuum you may sign the register to indicate that you indeed gave your views before the Commission. Thank you, anybody else who is here and who had registered that they will give their views? Ni wagapi come here, come on this line, mama kuja mbele, we will give you one minute each of you because the time is up. Wazee tafadhali njooni hapa.

Beatrice Chesori: Asante sana kunipa hii nafasi, mimi Beatrice Chesori, maoni yangu ni kuhusu serikali, governance. Governance tuko na three bodies, state, Judiciary na Parliament, na propose ya kwamba yote iwe na mamlaka sawa.

Electoral Commission and elections, electoral commission iwe body yake binafsi, bila kuwa interfered na mtu yeyote. Elections ya President, we siku moja, siyo siku moja President, councilors and MPs, na Presidential candidates not to be MPs, to be registered as Presidential candidates na wakae wawangojee kura yao kufika. Na pia, kwa upande wa watoto, shule wawe na masomo ile free Primary education. Na wa mama pia tuwe na sherehe ya kuwa defend against violence.

Com.Nunow: Thank you Beatrice please sign the register here, Its only you sorry! I said you come and sit there, so give the mic to this guy. The four of you so you are number three, you are number four, who was the number five no, no, there was no hand here, who was number five nani ametoka kule nyuma, you did not raise your hand. When I was asking nani amebaki atoe maoni haujainua mkono mzee, no I will not have all these. Let me know now how many are here to give their views now, because I will take only five, how many are there? Can you take your numbers, take the first number, I will call you by those numbers proceed.

Patrick Alila: Asanti sana mwenyekiti maoni yangu nitaenda kwa haraka, jina langu ni Patrick Alila, uridhi wa aridhi ya marehemu mzazi, ningependa Katiba

Interjection Com. Nunow: utupatie point mbili peke yake.

Patrick Alila: Katika Katiba wazee wa ukoo, na wazee wa mitaa wa shughurikie maneno ya mashamba. Maneno ya kushtaki kaburi, itolewe mahakamani hiyo ni gharama. Jambo langu la mwisho ni kuhusu madereva, vyeti vya udereva, madereva wote,

anapohitimu akapata cheti. Judge anachukua pesa ananiwacha bure mtoto hawezi kusoma chari serikali Katiba iondoe makesi ya mashamba kortini irudishe kwa wazee. Ya pili uchaguzi wa Rais uwe ni siku moja, bila kudanganya na mawaziri bila, kudanganya na mwingine iwe ni siku moja.

Com.Nunow: Thank you please register yourself number three.

Daniel Rono: Asante sana mwenyekiti

Interjection Com.Nunow: majina

Daniel: Majina ni Daniel Rono kutoka Sirisia farm, Box number 1362. Maoni yangu bwana Chairman ni ya kwamba tunahitaji Federal government. Federal government imefanya kazi na iko kwa serikali tofauti Europa, na nikiongeza juu yake ni ya kwamba wakati tulipoteza federalism, tulikuja tukaingia katika government ambay haikuwa ikiangilwa kiasi ya kwamba, corruption iliingia kwa maan wafanyi kazi wa serikali hakuna mtu alikuwa anaingilia, Permanent Secretary mmoja alikwa akitazama Wizara moja kutoka Nairobi na zile fedha ambayo zilikuwa zimepeanwa na Serikali, hazikufikia wananchi, kwa hivyo tunataka cross check na wananchi ambao wako karibu.

Ya pili kuna kitu moja inaitwa Administration police, Administration police act, hawa askari hatukujua kwa nini walibuniwa, wameendelea kupiga wananchi risasi wengine wameua ovyo, ovyo, hatujui kazi yao ni nini. Hapo mbeleni ilikuwa inaitwa tribal police officers. Walikuwa wakiandikwa na DC, ambaye alikuwa mkoloni. Kwa hivyo ningeonelea ya kwamba waondolewe na wapelekwe ndani ya police force ili wafanye kazi ambaye ni ya maana kuliko kuchunga District Commissioner. Ya tatu ni ya kwamba

Interjection. Com.Nunow: Please your time is up, harakisha hiyo point ya mwisho.

Daniel: Unemployment imekuwa imezidi kwa hivyo ningeonelea ya kwamba, iangaliwe vijana ambawo wamemaliza form fours watafutiwe kazi. Asanti sana.

Com.Nunow: Number four, yes mzee endelea.

Joseph Thuku: Jina ni Joseph Thuku, Joseph Thuku anasema namna hii, tuko na taabu ya mashamba, Katiba ile tunaunda sasa, ilihusu mashamba yarudi kwa wazee, mashamba yaondolewe kortini. Judge hajui mambo ya mashamba, Wakili hajui maneno ya mashamba ile sisi kitu tunatupa sana raia ni kupeleka pesa yetu kortini, judge anachukua pesa bure.

Wabunge, kila mtu akubaliwe na Katiba, alichaguliwa na watu kwa nini anapingwa asiende kutembelea watu wake na ni

mbunge na ni sisi tulimchagua, kama sisi tukiona ni mbaya, tunaweza kusema ni mbaya, na tumwambie Serikali, huyo ni mbaya mfukuzeni lakini Katiba ikubalie waziri atembelee watu wake, ndio walimchagua kwa hivyo tunasema turudishe siasa kwa pahali ya mashamba. Title deeds ziko Nairobi na Kitale, mtu ambaye hana pesa, kama mama ni mkongwe anaweza kwenda kuleta title Nairobi na Kitale iko office, kwa hivyo Katiba ituruhusu kila kitu yote ya Kitale ikuje Kitale.

Com.Nunow: Asante Bwana Thuku tafadhali ujiandikishe pale, number tano, majina na pendekezo mbili tafadhali.

Joseph Jwenge: Kwa majina mimi naitwa Joseph Jwenge na nitatumia tu dakika moja, Jwenge, Joseph Jwenge. Kwanza na pendekeza vikosi vya usalam Jeshi, Police na wote ambao wanahusika na mambo ya usalama, kwa mafundisho yao kuweko na mafudisho ya Katiba wajue Katiba ya nchi, maana yake tutazuia mambo ya mapinduzi na kadhalika.

Jambo la pili, usajali wa dini ama makanisa uchunguzwe kwa udani kabisa, kuzuia hali ya watu kutokuabudu njia tofauti, halafu kabla ya kuvujwa kwa bunge, kuwe na civic education, kwa miezi miwili. Then naomba serikali ambayo itakuwako, the government of the day, Katiba ilazimishe, itenge kiasi kikubwa cha budget yake, kwa matibabu, kwa chakula na kwa elimu.

Com. Nunow: Thank you please register yourself, number ya sita.

Benson Makhoha: Kwa majina naitwa Benson Makhoha mimi nimkaazi katika mji huu wa Kitale mfanyi biashara. Huwa nafanya biashara katika soko moja katika Kitale, hii na nimekutana na shida mbali, mbali, kwa sababu mimi hununua na kuuza na mara nyingine nimekutana na matukio, naweza nunua vitu labda vya wizi na vile waliweka soko huru mimi sijui ni vya wizi, wakati naendelea hivyo, watu wanatokea ama kikudi kinatokea kwamba hii vitu ni vya wizi huyu, amekuuzia vitu vya wizi wewe na yeye twende mbele. Tukifika mbele mimi ninanyanyaswa hata kuliko yule mwenye ameniuzia. Kwa hivyo mimi ningeliomba si kwangu tu na hata wale wenye labda wamekubw ana na matukio kama haya, hicho kipengele, ama kifungu hicho kitolewe ili mimi wakati tumenda mbele na yule mwenye ameniuzia niende niwe kama shahidi, na hivyo ninafikiria itakuwa mzuri kuliko mimi ninanyanyazwe kuliko yeye mwenye ameniuzia hiyo vitu.

La pili nikiwa msimamizi wa wafanyi biashara hapa Kitale, ama soko moja hapa Kitale, ninaomba hivi serikali ama katika Katiba yetu mpya tungewe wafanyi biasharah wadogo kiasi cha pesa fulani, ili wapate kufanya biashara, nao wafurahie matunda ambayo kila mara wanatwambia, tulipigania uhuru tule matunda. Ninaomba iwe hivyo.

Com.Nunow: Thank you very much na mtu wa mwisho mzee.

Enos W. Wahisi: Asanti sana Commissioner mimi jina langu ni Enos W.Wahisi, wa Bravo Security services Kitale. Maoni yangu nina haraka, haraka. Maoni yangu ya kwanza, wananchi wote kwa jumla, Kenya nzima, tuchangie shilingi kumi, kumi kila mwananchi ili tugaramie elimu ya watoto wetu kutoka nursery mpaka University. Na tukiendelea na kuchanga hivyo, hivyo,

