

**CONSTITUTION OF KENYA REVIEW COMMISSION**

**CKRC**

**VERBATIM REPORT OF**

**CONSTITUENCY PUBLIC HEARINGS, AMAGORO  
CONSTITUENCY AT MALABA TOWN COUNCIL**

**ON**

**1<sup>ST</sup> AUGUST 2002**

**CONSTITUENCY PUBLIC HEARINGS, AMAGORO CONSTITUENCY, PUBLIC HEARINGS HELD AT  
MALABA TOWN COUNCIL ON 1<sup>ST</sup> AUGUST 2002**

**Present**

Com. Pastor Zablon Ayonga  
Com. Dr Abdirizak Nonow  
Com. Mutakha Kangu

**Secretariat Staff in attendance**

Samuel Wanjohi - Programme Officer  
Hellen Namisi - Asst. programme Officer  
Grace Gitu - Verbatim recorder  
Charles Ekisa - District coordinator

**The meeting started at 10.00am with Com. Pastor Ayonga in chair.**

**Mr. Charles Angesu Ekisa:** The district Commissioner Teso the OCPD Teso chairman Teso county council, chairman Malaba Town council, the leaders other leaders of the district mama bibi na mabwana hamjambo. Nafikiria tuanze mkutano wetu kwa maombi tuweke mungu mbele yetu asubuhi ya leo. Tafadhali Reverend Lawi Emukule kama unaweza kutuwekea mbele ya mungu tafadhali tusimame.

**Rev Lawi Emukule:** Natuombe; Baba Mwenyezi Mungu muumba wa vitu vyote na hasa muumba wa mtu aliyefanana nawe na akawa na akili kama yako. Baba tuna kushukuru tunakutukuza kwa ajili ya wema wako umetupa siku hii siku nzuri katika wilaya hii ya teso na kwa jamii yote ya teso. Mungu tume kuja pamoja kukutana na Commissioners wako ambao umewatuma kwa ajili ya nchi yetu na kwa ajili yetu mungu ni wewe uliye tangulia ukandika amri kumi na katika amri kumi mungu ulijumlisha mambo yote yanayio husu mwanadamu katika dunia hii. Na kutokana na hayo amri kumi mungu ulijumlisha mambo yote yanyohusu mwanadamu kuhusu dunia hii. Na kutokana na hayo amri kumi mungu mwanadamu amejijenga na ameendelea. Na hata wakati huu tuko mbele yako kwa ajili mungu tunataka kuendelea. Tunaomba wape hawa viongozi hasa mwenyekiti akayo ongoza mkutano huu na Commissioners wengine na wasemaji wa jamii hii ya teso ili kwamba mungu yale yote tutakayo sema yawe ya manufaa kwetu na jamii itakayo kuja na hata kwa maisha yetu yote tukitakapo ishi hapa duniani.

Mungu uliyahidi ukasema chochote utakacho omba kwa imani utatupa na imani yetu ni kwamba bwana utaongoza inchi yetu na utaongoza watawala wetu na katiba hii utakao uyandika mungu itakuwa katiba itakayo leta amani na umoja katika nchi yetu ya kenya. Na tuna omba hayo tukiwa na imani utatufanyia kwa mapenzi yako. Na nina omba yote ya fike kwako bwana katika jina la yesu kristu aliye bwana wetu.

**Mr. Charles Angedu Ekisa** Hamjambo tena mimi kwa majina ninaitwa charles Angedu mimi ndio district coordinator wakati hii ya Commission najua ya kwamba tumekua tukikutana mara mingi kwa kazi hii kwanzia wakati wa elimu mpaka wa sasa. Kwa leo tuko na shughuli muhimu vile mnavyo jua kwamba Commissioners wetu wako hapa kuchukua maoni yetu kuhusiana na yale ambayo sisi kama wana Kenya tunge penda iwe au yawe katika katiba mpya tunayotaka kuunda. Na kwa sababu hiyo sisi wote tume kusanyika hapa na ninge wawomba kwa siku ya leo iwe tu ni kwa sababu ya hiyo ndio tume kusanyika hapa ili kukamilisha kazi hiyo. Ninge omba nyinyi kwamba kuna programme kidogo hapa wale ambao hawajapata tafadhali kuna mmoja wetu anapeyana programme ya siku. Na nilikuwa nataka tu kuwambia ya kwamba kutakuwa na nafsi kwa wale ambao wako tayari kutoa maoni yao. Natumai kwamba kila mmoja atapata nafsi lakini tumeonelea kwamba tungekuwa na utaratibu fulani ambayo imewekwa katika programme hii.

Tumeweka hio utaratibu katika hiyo programme na tutaifuta hivyo. Pengine tu kuanza ingekuwa vizuri tupatie wenyeji ambao ni Malaba town council wangetuanzishia programme hii. Sitaki nisome hayo yote kwa sababu yako katika mandishi, na pengine kwa kifupi tu kwa sababu tuko hapa kwa sababu ya kurekebisha katiba yetu katika wilaya teso tumesaidiana vilivyo sana katika hii kazi pamoja provincial administration yetu katika hali na mali tangu mwanzo mpaka wakati huu tuko na district Commissioner wetu hapa ametusaidia kabisa. Na vile tulivyo endesha mambo ya elimu kwa rahia civic education hiyo kazi iliendelea vizuri tuliweza kufikia watu karibu elfu kumi katika katika mikutano zetu na tunatumaini ya kwamba hiyo elimu imewaweka katika hali nzuri ya hii leo nyinyi kutoa maoni yenu vilivyo. Na ukipata nafasi tafadhali yakuja hapa mbele tafadhali uweze kuja hapa mbele ninge omba kwanza kabisa ujitambulisha useme wewe ni nani ikiwa una pengine wewe ni msimizi wa shirika fulani uweze kutaja hiyo shirika ili ijulikane waziwazi kwamba maoni yale ambayo unaenda kutoa ni pengine ni maoni ya kikundi fulani ijulikane waziwazi hivyo. Kama ni maoni ya wewe binafsi useme hivyo ni maoni binafsi. Na ninge omba kwamba tafadhali maoni haya tuweze kuweka katika ile hali ya kuwa wazi sio kuanza kupiga story kando kando sema vile wewe unafikiria ili ieleweke maramoja. Tume elewana hivyo? Ndio. Na ikiwa mmoja wetu anapeana maoni yake tafadhali tumpatie nafasi sio kwamba vile mtu amesema sio vile wewe unafikiria ni vile yeye huyo mtu anavyo fikiria. Na sisi wote kama wanakenya tupeane nafsi kila mmoja aweze kutoa yale yote yeye ako nayo kwa roho. Na sitaki kuchukua mda mwingi ninge karibisha mwenyekiti wa kamati ambayo imekua ikiendesha mambo ya urekebishaji wa katiba katika district yetu. Mnajua kwamba hiyo kamati iko na watu kumi wamekua wakienda kila pahali katika district yetu wakati hii. Tafadhali ninge patia chairman wetu wa CCC nafsi aseme neno moja ama mbili. Tafadhali karibu .

Commissioners wetu ambao ni wageni wetu wa siku, bwana district Commissioner wetu ambaye yuko pamoja nasi, wenye kiti wa Malaba town council wenye hall hii teso count council ambao tuko pamoja nao halafu viongozi wote kwa jumla ambao tuko pamoja nao alafu viongozi wote kwa jumla ambao tuko pamoja na viongozi wa kinyumbani hapa na sehemu fulani fulani alafu baba Emori Mori ambaye yuko pamoja nasi kama viongozi wa hapa. langu litakuwa jambo fupi kabisa. Kwa sababu yake siku ya leo si ya committee yetu, siku ya leo ni yenu, yaani siku ya wakaaji wa Teso district kupeana maoni yenu. Kwa hivyo kwa ufupi Commissioners langu ni kuwakaribisha hapa uwe uhuru na uwe tayari kusikiza maoni yetu, pengine maoni yetu mengine yatakuwa makali au rahisi au namna gani na ninavyojua nyinyi ni watu ambao mumejitia maoni mbali mbali katika jamuhuru yetu, we have a feeling you will accommodate everything as it will come.

Kwa hivyo kwa upande huo na kwetu sisi kama wenyeji wa nyumbani, huu ni wakati wetu ambao ni maalum kabisa, ambao ni lazima tupeane maoni yetu yote kwa sababu kesho tusije tukaseme pengine tulisahahu hii, pengine tungepeane hii kwa sababu itaingishwa kwa Sheria mabo twajua sote itatusaida kwa wakati huu na vizazi vijazo. Kwa hivyo kwa hayo mengi ambayo nimeyasema kwa sababu tunawakati uliomfupi, langu tu ni kuwashukuru kwa kuja na kwa sasa nitarudisha hii jambo kwa bwana District Commissioner wetu ambaye atakuja kuwakaribisha Commissioners wetu pamoja na wengine. Bwana District Commissioner.

**Bw. D.C:** Asante sana bwana Chairman, Commissioners, ambao mumeleka hapa leo, ma ofisa wezangu wa serikali viongozi wa tabaka mbali mbali, Hamjambo. Kazi yangu ni fupi sana, leo nikukaribisha Commissioners kuja hapa kwetu tunashukuru mumeleka nafasi ya kuja ili kuchukua maoni ya viongozi na wananchi ili kushiriki katika marekebisha ya Katiba. Langu muhimu zaidi ni kuwaomba wananchi na viongozi ambao wako hapa leo siku hii kweli ni yetu, ma Commissioners wako hapa ili tuwapatie maoni yetu lakini yangi ni kuongea kuhusu utaratibu. Mara kwa mara unakuta tunajirudia rudia sana mpaka mwisho tunakuta tunafika saa kumi na mbili na yale ambayo tumezungumza pengine ingemaliza ma saa mawili Matatu. Kwa hivyo mwezako akizungumza huna haja kurudia tena kusema mimi namuunga mkono unarudia yale amezungumza tena. hiyo huwa inamaliza wakati mwingi sana.

Kwa hivyo tafadhali tujaribu kuongea yote ambayo tuko nayo, mwingine naye aongee yake tumpatie heshima badala ya kumuambia wewe kaa, hiyo pia inapoteza wakati. Kwa hivyo tuheshimiane na tuongee yale tuliyo nayo tusirudie. Hiyo itatupatia nafasi ya kuongea mengi zaidi na kuuliza maswali baadaya kwa sababu kulingana na programme hii ni vipindi viwili. Kuna wale ambao wameandika wako na memorandum tofauti tofauti na wengine ni wale ambao watapewa maoni yao ya kibinafsi wakisimama ambao haikuandikwa. Tukichukua muda mrefu kuongea mambo ya yale maoni ambayo yameshaandikwa wale ambao wana maoni yao ya kibinafsi hawatapata nafasi. Na kama umekuja memorandum yako, tungekutazamia utupatie ile tunaita executive summary. Kama ni page kumi utosomee page mbili peke yake ambayo umeandika kando kuhusu document yote.

Commissioners hawa kazi yao ni kusoma hiyo yote kwa hivyo leo watachukua hayo maoni wataenda nayo lakini ukisema unataka usome page ishirini. Tarifa ya habari yenyewe ni dakika kumi na tano, na wewe sasa kama utaongea nusu saa na tuko wengi unafikiri tumaliza kweli leo. Kwa hivyo tafadhali kama uliandika tunaamini kuwa wewe zile page zako hamsini si ni wewe uliandika, kwa nini zikushinde kuongea kwa dakika tano? Si zako basi kwa sababu kama ulichukua kalamu na karatasi kuandika ukurasa hamsini you should be able to summarise it for us. yangu ni hiyo tu, ni kuwaomba ili tuweze kusikiza wengi zaidi kuliko kusikiza wa tatu na siku imeisha.

Commissioners mimi yangu ilikuwa ni hayo, muwe huru, be as free as possible kwa sababu it is not every day the Commissioners will get an opportunity to come down here. pengine bwana chairman kulikuwa na oversight kidogo kwa sababu hapa ni kwako nyubani lakini nitakupatia nafasi utukaribishe tena kwako zaidi lakini usilete hotuba.

**Samson Olubayi:** I don't know whether I am expected to present my memorandum. Asante sana. Waheshimiwa Commissioners ambao wako hapa nasi, District Commissioner wa Teso OCPD, chairman wa Malaba Town Council sisi wananchi kwa jumla Hamjambo. Mimi ningependa kwa niaba ya wafanyikazoi wa Malaba Toown Council, councillors na wakaaji wote wa Malaba Town Council kirasimi kabisa kuwakaribisha nyinyi nyote hapa haswa Commissioners wetu, tunajua Commissioner Mutakha hapa is not there first time they are coming here, today is their third time if I am nor wrong. Kwa hivyo ningependa kusema karibuni Malaba Town council na Malaba Town council ni karibu seshemu moja, is a quarter of Teso

district. Kwa hivyo mjisikie nyumbani na we wish that tutakaa hapa mpaka pengine kesho, karibu sana. Asante.

**Bw. D.C:** Asante Bwana Chairman. Kuna kiongozi mwingine hapa atasema mimi sipendi yeye na mimi napenda kila kiongozi. Bwana Chairman amuka tu na wewe uonekane wa county council. Huyu ni Chairman wa County Council. Sasa unajua ukipatia Town Council ukiwacha County Council wanasema “mimi najua tu” . kwa hivyo ningependa kurudisha kifaa hiki kwa coordinator ili tuendelee na taratibu yetu asanteni sana.

**Mr. Charles Angedu Ekisa :** Thank you very much District Commissioner Teso. Sasa wakati huu nitakaribisha Commissioners wetu waweze kuchukua nafasi hii kuendesha programm ya kuchukua maoni yetu. Tafadhali.

**Com Pastor Ayonga:** Kwanza nimetaka kuwashukuru nyote kwa kufika kwenu hapa leo. Na mushkuru bwana DC na viongozi ambao wametukaribisha katika hall hii na jinsi ambavyo mumefika kwa wingi naona jumba kimejaa na wengine wamesimama kule. Na kwa hivyo kwa niaba ya Commissioners ambao tuko hapa, nachukua nafasi hii kwanza kwa kuwasalamu nyinyi nyote, Hamjambo? Ningalijua lugha ya Kiteso ningewasalimu kwa Kiteso lakini nafikiri at the end of the day I would have asked na nijue wateso wakisalimiana wana salamiana aje? Mbona huyu Mutakha Kangu hata Kiteso kinamshida na amakuwa hapa mara tatu. Lakini mimi nitafanya bidii at the end of the day nitawaambia kwa heti kwa Kiteso. Sasa sisi tumefurahia tumekuwa, we have zbeen looking forward for the day that we are to come here. wengine wetu this is a first time to come here lakini tunajua tuko kati ya ndugu na dada wetu wenzetu.

Na bila kupoteza wakati nataka kwanza niwajulishe wale tulio nao. Kwanza mimi ni pastor Zablon Ayonga, ni one of the Commissioners na nitakuwa mwenye kiti wa kikao hiki cha leo. Kando mkono wangu wa kulia nina Dr. Nunow, Commissioner yeye atakuja kuwapa salamu zake ambazo zinatoka North Eastern, mnaona kule ni mwisho wa Kenya na hapa ni mwisho mwingine wa Kenya, sio? Kwa hivyo leo yeye ataleta salamu zake ni nzito kwa maana pia zimetoka mbali na nitakuja kumpa nafasi awasalamie. Na commssioner Mutakha Kangu yeye ameshakuwa akiwasalimia lakini kila wakati napata salamu zake zinakuwa mpyia kila wakati. Na leo vile tuko Teso District naye nitampa nafasi awasalamia.

Na ninao pia wafanyi kazi kutoka secretariat yetu ambao wako hapa ambao wana kazi ya muhimu sana sana. Wapi ndugu Wanjohi? Huyu mnamuona huyu Wanjohi huyu ndio mkubwa wa mambo njisi yanavyo endelea. Yeye ni Programme Officer, na Programme Officer ana mambo ambaye anaangalia. Wapi lile lijitabu lako la kuweka memorandum? Munaona folder hiyo kqwa wale ambao mna memorandum, mnaona hata imeandikwa Amagoro, maana ya Amagoro ni nini? Ni forest, okay, na sisi ina maana yake kwa lugha yangu. Sisi inamaanisha ni miguu, moja tunaita *okogoro* ikiwa mbili tunasema Amagoro. Kwa hivyo mambo yana kuwa tofauti from time to time, unajua kugha zunapitana. Kwa hivyo yeye atakuwa akifanya kazi ya kuandikisha unapo toa maneno yako, ukimaliza hapa kutuambia tutakuambia enda kule, kule unaenda kujiandikisha. Memorandum yako utai-register kule na utaweka kidole ya kuthibitisha ni yako. Halafu tuna wasichana wawili hapa, ambao pia mmoja wao anaandika na mwingine ana kuile chombo cha kushika, kanda ile ya kushika maneno, leo hakuna neno la mtu litakalopotea hata

moja, hata mkiona Bwana Mutakha haandiki au si andiki au Dr, Nunow handiki, usije ukafikiri mbaona mimi nilipokuwa nikiongea ninaona hawaandiki kitu .

Hawa watu kweli wamechukua maneno yangu? Sisi kile chombo ndicho chenye maana, hata ukikohoa leo, kikohozi chako kitachukuliwa na siku ingine ukienda kukana kwamba si wewe uliosema tunasema lakini nani huyu alikuwa anakohoa, si ni wewe kwa hivyo tuna kitu ambacho kitakunasa vizuri sana na kwa hivyo tunapokuambia ukifika hapa tunasema sema majina yako, si kwamba hatukuona jina lako latika maandishi hapa, tunataka jina lako liingie katika kile chombo kinacho nasa maneno. Kwa hivyo hawa dada wawili watanasa maneno, wataandika maneno.

Nitawapa hawa ndugu zangu nafasi wawasalimu ndipo niwaambie kiti kingine ambaco tunaenda kufanya. Kwanza pengine tungeleta zile salamu ambazo zimetoka mbali sana kwa maana pengine zinamvunja mgongo mbona azidi kuwa na mzigo. Let me make it easier for hime. Dakitari, salamia watu toka North Eastern.

**Com. Dr. Nunow:** Asante sana Commissioner Ayonga, wananchi wa Teso, salama Aleikum? Yoga? Asanteni sana. Tuna furaha sana kuwa nanyi na nafikiri kwa upnasde wa tume wa kurekebisha Katiba tunaangalia kuchukua maoni yenu kama mtu ambaye anaenda kuvuna shamba, harvesting. So vile tumekuja ku harvest views zenu tuna matumaini tuwe na pamba harvest leo, harvest ambayo ni kubwa hamna mmea moja ambao itakuwa itakosa kupeana zao. Si ndio? Asanteni.

**Com Mutakha Kangu:** Watu wa Teso Yoga? Yoga? Mzee unaona najua. Mnajua huyu mzee nilimuambia wakati tulitoka upande huu wakimbie wakaona wanataka mahali pa baridi, wakasonga huko wakaharibu lugha. Si mnajua waluyia wanaita miguu *amagulu* na hawa wanaenda huko wanasema *amagoro*. Asante. Basi siku ya leo ni yenu tutasikiza nyinyi. asante sana.

**Com Pastor Anyonga:** Nitamuuliza Commissioner Kangu aweze kutuambia taratibu, kila pahali ambapo watu wanaenda kufanye kazi wanataka wajue taratibu, wajue huu ndio mwisho , huu ndio mpaka unachotakiwa kufanya. Tumetaka atuambie taratibu njisi ambayo mungeweza kufanya ili tuwe na njia moja ya kufanya vitu, tusije tukakosea kwa maana leo si siku ya kuuliza maswali, tulipokuwa tukifanya Civic Education tuli expose our selves to questpiopns and answers. Leo tumekuja jinsi ambavyo Dr. Nunow amesema to harvest. Unapo enda ku-harvest wakati wa kulima, kupanda sasa unaenda kukata na kuweka kikapu. Sasa tunataka kuwaambia njisi ya kukata na kuweka kikapuni. Ningemuuliza ndugu Mutakha Kangu atoe yale maelezo ya taratibu njisi ambavyo tutafanya na ninaamini sisi sote tutafuata hizo taratibu kwa maana zinatusaidia kwa kufanya upesi na kufanya more efficiently.

Kitu kingine kabla sijasahahu. Nataka nyote mkumbuke kwamba hapa leo hatukuja mkutano wa siasa. Tumekuja katika jambo ambalo ni a very serious matter. Tumekuja kukusanya maneno ya maana yatakayo tusaidia kutengeneza au kurekebisha Katiba yetu ambayo ndio maisha yetu, ambayo ndio kipawa tutampa watoto wetu na wajukuu wetu na vizazi ambavyo viko mbele. Ningeomba hivi ndugu zangu na dada zangu wa Teso kwamba hakuna kupiga makofi. Mkienda kotini mnapiga makofi? Na

ikiwa mtu amaesema jambo na limekuchoma kwa roho, pia tumetaka upoe tu, hayo ni maoni yake. Mwingine atakuja aseme hata kitu unasema moyoni unasema upuzi mtupu, lakini upuzi mtupu huo ni wa nani, ni wa yule. Kwako ni upuzi kwake si upuzi. Kwa hivyo tuheshimiane vizuri na tukiheshimiana tutafanya haraka. Utaona tunakwenda haraka na kila ambaye amekuja hapa atahudumiwa vilivyo. Kwa hivyo ndugu klangu nataka kwa kifupi utoe taratibu kabla sijaanza kuita watu kutoa maoni.

**Com Mutakha Kangu:** Asante Commissioner Ayonga. Nitaenda kwa haraka, mradi wa leo ama mkutano wa leo ni wa kuchukua maoni ya watu wa Amagoro, tutakuwa na mikutano tatu, leo tuko hapa, kesho tutakuwa Alupe na Jumatatu tutakuwa Amakura. Watu wa Amagoro constituency mumeapatiwa 3 venues.

Now tukichukua maoni nyote mnajua wa Kenya walisema wanataka Katiba yenye imetoka kwa watu wenyewe. Kwa hivyo tunataka kuchukua maoni kwa kila mtu, iwe wazee, wamama, vijana, walemavu, kila mtu na kila mtu apatatiwe nafasi ya kujieleza na vile pastor amesema hakuna haja ya kukanusha yale mwezako amesema kwa kuopiga kelele, unatulia, nafasi yako ikifika taweza kusema hukubaliani na yale mwenzako alisema na wewe unasema iwe namna hii. Hivyo ndio tutaenda sawa sawa. Na sababu ingine ya muhimu ni kwamba ni ikiwa mambo imekufurahisha unapiga mikono ama haikufurahishi unapiga kelele, utaweza ku- interfere na ile recording yenye tunataka tunase sauti ya kila mtu anazungumza, ndio baadaye tukikaa kuchunguza maneno tunaweza sikiza yote yenye ilitoka teso. Kwa hivyo tuonyeshe heshima, tuionyeshe tolerance ndio kila mtu ajieleze vile anataka.

Jambo la pili ni kwamba mkutano huu ni mkutano wa Tume ya kurekebisha Katiba, si mkutano wa Bwana DC, si mkutano wa Town council chairman, ni mkutano wa Commission na kwa hivyo kila mtu ajisikie uhuru asunumze yale anataka kuzungumza bila uoga. Kwa sababu kwamba DC yuko hapa, isikufanye ufikirie nikisema hivi bwana DC ataniuliza nilikuwa nikisema nini. Huko uhuru, usiogope Bwana Chief yuko hapa ama sub chief hata naye Chief asiogope DC yuko hapa, ni mradi wa wa Kenya wote walikubaliana kuna shida vile tunaendesha maneno yetu kwa hivyo tuchunguze tujue shida yenyewe ni nini, na suluhisho ni nini. Na ikiwa unakuja na maneno na urudi nayo nyumbani kwa sababu umeogopa hautakuwa unasaidia kusuluhisha shida. Na Bwana DC na watu wa serikali wote tumekuwa tukiwasiliana nao na wamejua so they will not cause you any problem, tupatie maneno yako. Hata ukitaka kusema we don't want provincial administration, just say so kwa sababu hayo ndio maoni yako. Usiwe na uoga and DC has assured us on that.

Now jambo la tatu ni kwamba maoni tunachukua kwa sehemu tatu. Namna ya kwanza ni wale wako na maandisha, written memorandum na hawataki kuongezea ama kuzungumzia hiyo maandishi. Unakuja pole pole kama uko na maoni ya aina hiyo, unapeana pale, kuna register wataingisha jina lako, utaweka sahihi na ikiwa unataka kuenda unaenda, ikiwa unataka kukaa kusikiza wengine unakaa unasikiza unakimia, hiyo ndio sehemu ya kwanza.

Namna ya pili ni kwamba kuna wale wako na maandishi lakini wanataka kuyazungumzia ama kuyaelezea hayo maandisha. Tutawapatia nafasi utakuja hapa mbele na uweze kuelezea hayo maandishi na si kusoma yote vile amesema, nikuulika yale ya

muhimu kwa sababu mwishoe tutasoma hayo yote na tuweze kuelewa. So utapatiwa nafasi ukimaliza tena unaweka sahihi palena unapeana hayo maandishi hapo.

Namna ya tatu ni watu wenye hawana maandishi yoyote na hao ndio tunasema lazima wapate nya kuzungumza leo kwa sababu tukienda bila kuwasikiza hatutakuwa na kitu tunaenda nao na hao pia nao watakuja hapa mbele waeleze mambo yenye wanaeleze tunaandika inanaswa na mtambo wa kunasa sauti ndio itachunguzwa tujue itakuwa namna gani.

Kwa wale wako na maandishi na wanataka kuyazungumzia tunaomba ujaribu tutakupatia dakika tano ku-highlight the main issues in the memorandum. Kwa wale wenye hawana maandishi tunawapatia dakika kumi ya kuzungumza yale wako nayo. Lakini tuna discretion. Tunaweza anagalia mtu tuone huyu ni opinion leader na amebeba maneno ya watu wengi, tunaweza muongeza muda aelezee sawa sawa kwa sababu pengine anaeleza kwa niaba ya wengine na saa ingine tena mapema tunaweza ona watu hawajakuwa wengi tunaweza ongeza muda. Lakini muda ikianza kuishi inanza kufika jioni, inaweza tubidi tuanze kupunguza muda kwa sababu tunataka kusikiza kila mtu. na tena baada ya wengi kusungumza itafika kiwango uone yale ulikuwa unataka kuzungumza yamesha zungumzia, hakutakuwa na haja kila mtu akuje kurudia the same thing. Unaweza kuja to gove what has not been mentioned ama kupeana a different perspective ya yale yamezungumziwa so ndio tuweze kuenda haraka na kupatia kila mtu nafasi. So hiyo muangalie halafu you note mjue itakuwa namna gani.

Mkutano haswa unatakikana uanze saa mbili na unaisha saa kumi na mbili isipokuwa tumechelewa leo kidogo lakini tutajaribu kuenda tuone itakuwa namna gani.

Ukimaliza kuzungumza, sisi tutakuwa na swali moja ma ambili ya kufafanua yale umetuelezea na ikiwa uko na majibu utapatia, ikiwa ni jambo ulikuwa haujafikiria si lazima ujibu, unaweza kutuambia si kuwa nimefikiria but tunaweza kuuliza swali na uone itakuwa namna gani.

Na mwisho ni lugha, tulisema hii ni Katiba itatoa maoni kwa watu, watu wenyewe watengeneze kwa hivyo tukasema hatuwezi kupatia watu nafasi na tena tuwanyime kwa kusema zungumza kwa lugha fulani, kwa hivyo tunasema uko uhuru kuchagua ile lugha unataka kutumia, unajua itakuwezesha kujieleza sawa sawa. Ukitaka kuzungumza Kiingereza, ukitaka kuzungumza Kiswahili , ukitaka kuzungumza kiteso, uko na uhuru kuchagua ndio ujieleze sawa sawa. Hatutaki urudi nyumbani ukisema nilikuwa nataka kusema hili lakini lugha yenye walisema mimi sikuweza kueleza hii kwa Kiswahili. Sema tu ile lugha unataka, ikiwa ni Kiteso tutapata mtu aweze kututafsiria tuelewe unasema mambo ga/ni.

Mkiingia pale nje kuna mahali ya kuandikisha majina, orodha imewekwa hapo, tutajaribu kufuata hiyo orodha ingawaje kuna wale tutaanza nao kwa programme lakini baada ya hiyo tunarudi kwa orodha, tunafuata vile watu wamekuja, wale wametangulia tunawatangulia. Lakini tena hapo tuna discretion, tunaweza kaa hapa tuone kuna mzee anaanza kuchoka na hatutaki aende na wisdom yake nyumbani, tunaweza patia yeye nafasi turuke wengine. Pengine watoto wanataka kurudi shuleni tunaweza kuwapatia nafasi wamalize waende ama wa mama tunaona wamebaki nyumbani baada ya kutengenezea nyinyi

chakula tena wanataka watangulie huko kutengeneza, tunaweza sema tupatie wa mama priority wamalize waende. So hiyo discretion iko. Kwa hivyo hayo ndio nilikuwa nataka kuleza tuanze mkutano. Asante.

**Com Pastor Ayonga:** Asante Commissioner Mutakha. Hebu hii microphone iwekwe kule. Nadhani mumeshapata maeleze juu ya taratibu ambayo tutafuata na hebu tujaribu kufuata hiyo. ikiwa utakuja hapa mbele na nimekuambia saa yako imekwisha, tafadhali utii. Kutii ni kujali mwenzako, kila mmoja hapa amekuja atoe maoni, jinsi ambavyo Mutakha amesema hakuna mtu anataka arudi amebeba maneno yake kwenda nyumbani. Tumetaka kila mmoja aliye hapa, aliyekuja kusema na aseme na kwa hivyo tunapokuambia time yako inakwisha, ukila time ya mwingine ni kana kwamba unasema wewe sitaki useme, ni mimi tu. Kwa hivyo tusaide kwa kutii. Na ili tuweze kuset, tuweze kuset standard, hebu niite Malaba Town Council, tuone council itatu-treat namna gani. Town council ina memorandum na town council tunawapa dakika dakika tano tafadhali uketi kule nitapenda useme majina yako na useme un-represent council ndipo utumulikie kwa maneno makubwa makubwa yaliyomo katika maandishi yako.

**Cllr. Okiring' John:** Asante Bwana Commissioner. Kwanza kwa kuanza nataka kusema asante kwa kupewa nafasi hii ya kufungua mkutano huu na kwa kupeana memorandum. Majina zangu ni council Okiring' John, mwenyekiti wa hali mashauri la Baraza hili la Malaba. Nina memorandum hapa ambao kama council tulikaa, tukajadiliana tukaona ya kwamba tugawe visehemu, kuna sehemu ambao sisi kama viongozi councillors tuliandikisha hapa na kuna visehemu sisi kama councillors binafsi at individual levels tukaandikisha kwa hivyo kila mmoja wetu nafikiri ana makala yake. But here with me I just want to present what we discussed as a council collectively. Kwea hivyo bwana Commissioner ningependa kusema hapa, lakini tuliingalia sana sehemu za local authorities. Kwanza ningependa kusema kwa citizenship uraia, Bwana Commissioner tuliseme any person born by Kenyan parents or whose father is a Kenya citizen should be an automatic Kenyan citizen. Kwa hiyo nafikiri wanaweza kusikia vile nimesema na tukasema pia a Kenya citizen should be fully protected by the Constitution by having, rights freedom, health and expression and justice.

Tukaenda upande wa political parties, tukasema the new Constitution should regulate the formation of political parties to avoid the creation of tribal parties as it is in the case of today where we have over 40 political parties. Kwa hivyo tulisema ingawa kwa maelezo ya kwamba lazima tuwe na utaratibu ya ku-create political parties kwa sababu haa ukiangalia wakati wa leo kuan wengine wana parties ambazo ni za kabila, pengine mtu mmoja maybe ametoka katika kabla fulani, kwa hivyo lazima tuwe na utaratibu, Constitution wakati huu iwe na utaratibu iwe ina vipengele ambavyovinasema we should have so many parties.

Tukienda katika upande wa executive, tulisema ya kwamba the new Constitution should spell an academic qualification for a presidential candidate and preferably be a university graduate with long experience in Kenyan politics and vast experience in foreign policy and in consolation of his/her track records.

The new Constitution should do away with provincial administration but should keep provision for chiefs to oversee, kuangalia

ule utawala wa chini kabisa kwa sababu provincial administration is very colonial na hata ukiangalia wakati mwingine it has been assisting in the rigging of election kwa sababu ilikuwa inatumika kama chombo cha kuondoa wale hawako katika hiyo ofisi ya juu kuwaondoa wale ambao ni wapinzani wao even if they are very popular.

Bwana mwenye kiti tukaenda tukasema Civic Heads and chairman of local authorities should be vested with the powers to perform the duties of district officer and district Commissioners. Tukasema ya kwamba hawa viongozi, wenye kiti na mayors wape huyo uwezo ya kufanya kazi ambayo district officers, D.Os na DCs walikuwa wanafanya kwa sababu ndio watu wanaelewa kazi na mahitaji ya watu nyumbani. So they will also be accounting officers kama kuna pesa ya serikali ambao imetumwa.

Katika local authorities, tulisema ya kwamba Civic Heads, that is mayors and Chairmen of local authorities should be directly be elected by the people and should have a minimum education of "O" level and with passes in English and Kiswahili. From Experience utaona ya kwamba mtu is very popular amechaguliwa akiingia katika ...amekuwa councillor na tunapoenda katika mikutano hawezi kufuatilia utaratibu wa mikutano. It doesn't matte ukiambia yeye mambo ya orders, ukiambia yeye mambo ya agenda kwa sababu hajaenda shule hajui ni kitugani hata akitaka kusoma minutes hawezi kusoma, hata ukisema a-propose, pengine mambo ya second hajui so qwe want an educated community, leaders ambao wanaweza kuongea kama hata wakitumwa ngambo tu represent the local authorities they should be able to go there na waongee kwa sababu huko hakuna Kiswahili na Kiteso ama Kiluyia so it is English ama Kiswahili. Kwa hivyo tukaona ya kwamba kama hapo itakuwa vizuri itasaidia watu wetu kuongoza local authorities.

Tukasema mayors or chairmen of local authorities wabakie katika ofisi kwa , mayors and chairman of local authority should remain in office for all the five years civic term. In the present Constitution baada ya kila miaka elections. In fact wakati huu kama tungekuwa na elections kwa sababu sasa ya kura hatutakuwa nayo. Miaka mbili haitoshi, tungeona ya kwamba hawa watu wapewe muda huo wote wa miaka tano wakae ofisi tuone kama wanaweza kufanya kazi vizuri kwa sababu miaka mbili haiwezi kutosha.

Other civic candidates Mr. chairmen that is councillors should have a minimum education qualification of O level and kama wengine pia wawe wamepita mihani wa Kiingereza na Kiswahili. Candidates with criminal records or with socvial bad behaviour and debtors to government's institution should be banned. Tuseme wamefungwa kwa sababu ya kuiba pesa pengine ana social weakness pengine huku unasikia leo ana bibi ya fulani sijui nini, I think there should be a body, kuwe na body ambayo inaweza kuangalia na kuona ya kwamba huyu ndio inastahili kusimama kama candidate.

Bwana Commissioner tukasema powers vest with the minister of local government under Cap 265 of the local government should be abolished and local authority should be autonomous. Wakati local authorities are prisoners of the minister of local government kwa sababu hakuna kitu mnaweza kufanya. Kila kitu, approval of estimates, mnapeleka kwa minister, mkitaka

kuajili watu kazi mnapeleka kwa minister, mkitaka nini na nini lazima minister a-approve and this is hata yeye ni mtu politicians kama sisi na isitoshe utaona ya kwamba sometimes mnaweza kupeleka estimates and inakaa, inachukua in fact inachukua karibu zaidi ya mwaka moja so you will have to operate outside the area kwa sababu haijakuwa approved mnafanya kazi bila ya kujua ya kwamba it may not be approved or not. Kwa hivyo tunaona huo uwezo wa minister ipunguzwe, itolewe hata sio kupunguzwa kwa sababu a minister can just dream of a upgrading a local authority, in the dream anaamuka asubuhi anatangaza town fulanai iwe upgraded like ingine ilitangazwa juzi na ingine ilitangazwa jana. So those are random promotions, unaamka tu na kusema Malaba ipewe Municipal council hatutaki, tunasema ya kwamba there should be a body ambayo itaangalia kuona ya kwamba kama inastahili kupandishwa cheo ipandishwe cheo.

Sasa ya mwisho tunasema bwana Commissioner nominations of councillors, members of parliament should be abolished as they are a liability to the tax payers.

Na mwisho kabisa nasema councillors should get their pay from consolidated funds kwa sababu wakati huu bwana Commissioner kuna local authorities zingine for the last five years hawajaweza kulipa councillors wao mishahara. Kwa hivyo kama tunaweza pia kupewa kama Members of Parliament itakuwa vizuri na pia tuwe pensionable otherwise that is the short memorandum I have for these Commission.

**Com Pastor Ayonga:** Thank you very much ngoja kidogo. ulisema political parties tulizo nazo ni nyingi, they are more than 40 lakini haukutuambia unapendekeza zingekuwa ngapi?

**Cllr. Okiring' John:** Asante kwa swali lako, lakini tulipokaa hatukujadiliana ni ngapi lakini tulikuwa tunasema although it is not written here but tukasema anything less than ten itakuwa vizuri. Sio izidi zaidi ya kumi. Asante.

**Com Pastor Ayonga:** Unaweza kuenda kule ukajiandikishe na utuwachie memorandum yako. Next on line ni Teso County Council. Sema majina na uanze.

**Moses Emodo:** I am councilor Moses Emodo, I am 67 years old and I am the Chairman of Teso Town Council. Here Mr. chairman Commissioners, MP, DC Councillors and fellow countrymen. I am happy to welcome you to Teso district and represent the views on behalf of Teso Town Council. We have answered all the question in each article very carefully and gaudily. But Mr. Chairman before I sit down and ... I do humbly ask you to allow me just to polish a few items. Concerning the memorandum I have answered all the articles, we were able to answer all because it was necessary and I have only a few here to polish so that my people can understand.

Defense and national security; we should have a police service not a police force because ukisema force inaonekana unatumia nguvu fulani. Nataka polisi kutokana kwa hali ilivyo iwe service kwa watu ili wafanye na wananchi vizuri ku liko kuwa force

kama forces zingine ambazo zinafanya kazi kwa nguvu kwa sababu tunatakiwa tufanye kazi na polisi pamoja ili tuelewane, tutambue nani ni nani namna hiyo. kwa hivyo jina hii ya force itolewe tuwe na neno service.

Ya pili we want the police service kufanya kazi pamoja na local administration ndio maana ya PR hii relationship ya wananchi na polisi iwe sawa sawa. Kunaforces zingine kama AP, hatujui kazi yao kabisa, haijielezwa katika Katiba kwa sababu wao hawajasomea Sheria katika nchi yetu hii. Lakini pia wanaruhusiwa kwenda kukamata watu, kufanya nini hata hawajui Sheria hii ni nini. Mpaka tena inawabidi wachukuwe kwa wale ambao wanaelewa Sheria hiyo ndio sasa wachukuliwe kotini. Kwa hivyo inakuwa ngumu wao wawe tu wakifanya kazi kama ni kwa ofisi awe tu kwa ofisi na wala sio kwenda kufanya tu, kama ni kwa vita aende vita lakini si kwenda kukamata mwananchi.

Executive; tumependekeza kwamba the post of Provincial Commissioner and District Officers be abolished. Provincial Commissioner's office wote na wadogo wake hapo nchi na D.O.s wote hiyo ofisi itolewe. Hizo ofisi zimekuwa ghali mno bure, tunalia pesa ya kulipa waalimu nini na kumbe pesa inakaa hapo kwa sababu kazi wao wanafanya ni kazi District Commissioner anafanya na ma chifu, kwa hivyo ni duplication ya kazi tu ambao tunafanya hapo. tukitoa hawa pesa nyingi itakuwa inafanya kazi ya nyumbani.

Tena tuliona kwamba presidential decree hapa kenay kuna presidential decree hata Sheria zingine zimefunjwa. Unapata president anaamuka asubui anasema mara moja namna hii namna hii. Presidenyai decree isiwe Sheria, hiyo decree isiwe Sheria kwa maana imeumiza wananchi sana sana, hiyo decree. Kwa sababu anaambiwa maneno anakijaz kwa Baraza, president anatangaza leo hii haitakikani na kesho polisi wanaanza kukamata watu, hiyo si Sheria. Sasa Sheria inababaishwa tu, kwa hivyo tunasema decree is not a law.

Halafu tukasema katika chairmen, our cultural heritage from the Teso people as a community be protected in the Constitution. Sisi kama ni wa Teso, tumeteseka kama si wateso. Katika Kenya sisi tuna utamaduni wetu, kuna viti vingi ambavyo tunafanya pendine zingine zinalingana katika utamaduni wa waafrika. Zingine zinalingana, zingine hazipo, tunaona zingine zimepuuzwa. Tukianza kufanya namna hii, mtu pengine kama Coast anakuja anaanza kuchekea mtoto pengine yuko nyuma sana na haelewi sisi wateso tabia yetu ni gani. Tunataka hiyo iheshimiwe na kabla zingine kzama utamaduni yetu kama sisi unajua unapata ni mtu kutoka pengine kwa Utanalii kule akipata mtoto akinywa na calabash yake anaanza kucheka ati huyu Mteso ni wa chini sana huyu na kumbe hiyo ni tabia yetu, tumekuwa na hiyo kwa miaka mini, hatutaki hiyo ipuuzwe na mtu mgeni ambaye nakuja hapa, iheshimiwe. Kwa hivyo mila zetu kama traditional; food and drinks ziheshimiwe, also traditional traditional songs ziheshimiwe, traditional marriages and languages kwa sababu sisi tumeona kila chochote ambacho tunaweza fanya kuna Sheria pale. Kama kabla zingine, kama ni kuoja si lazima tuweke makaratasi kwa harusi, kuna sherehe ya kuoja kwa Mteso, ambayo watu wanakuja, watasidikiza msichana mpaka hapa. sasa sherehe hiyo pengine kuna kunywa na kukula ambayo sasa inakataliwa, hatuwezi kukunywa, tumeambiwa tu kwenda kwa bar, tumeambiwa ati pombe ya kienyeji ambayo inatanguliwa tangu zamani, hiyo si pombe. Hii iko commercialized kabisa ti Mteso lazima aende kwa bar na Mteso mwenyewe huyo hawezi kwenda kwa

bara, kwa sababu kama ni ulevi pombe yote inaleweshwa. Hii ya bar kama ambayo ni commercial pia hiyo itupiliwe mbali na hii pia itupiliwe mbali.

Sheria iwekwe kwamba pombe ni pombe, na kama kuna pombe kama ya kienyeji ambayo inatengenezwa na wa Teso tangu zamani, serikali ina ruhusa kuleta mtaalamu kuangalia kama hiyo pombe ni mbaya ama namna gani ili waendelee na hiyo na wale wa chini waendelee na hiyo kuliko kusema bar peke yake, bar hiyo maana pombe ya kienyeji imekatazwa. Kwa hivyo tunaomba... (interjection).

**Com Dr. Nunow:** Kwa ufupi unasema utamaduni wa kila kabila uheshimiwe na makabila ingine.

**Moses Emodo:** Yeah.

**Com Pastor Ayonga:** You have made your point, enda point ingine.

**Moses Emodo:** Ingine sasa about local authority; katika Kenya local authority haina nguvu sana. Unapata kama council, kama nimi Chairman sina ruhusa ya kuandika na kufuta mfanyi kazi. Sheria zote kwa minister, sasa unaona wewe Chairman ya nini ambao huna uwezo wa kufuta na kuandika. Kwa hivyo uwezo upewe kwa council ili mwenye kiti ama mayor awe na uwezo wa kufuta na kuandika.

Ya mwisho ni juu ya (inaudible) sisi kama Wateso tuko kwa border ya Kenya na Uganda watoto wengi wako Uganda, watoto wengi wako Kenya utapata wanawake wengi ambao ni wa Uganda wameolewa hapa na wengi wa Kenya wameolewa kule. Na kule Uganda wanawake wetu wakienda kule ni rahisi sana kukubaliwa kwamba ni wanawake wa kule hata kuandikishwa. Lakini wa Uganda wakija hapa huwa ngumu sana, kuna wanawake wamekwa wazee mpaka saa hii hawawezi kupiga kura, hawawezi kuenda Nairobi maana hawana kipande, wananyimwa mwanamke hata ni mzee. Pengine sisi tunasema hivi, mwanamke akiolewa, cheti kipatikane cha yeye kuolewa katika district yetu hata kama ni kutoka Uganda, Tanzania, apate chetu hicho. Cheti hicho pengine mda fulani ufike ndio awe sasa mwananchi. Sasa tunaomba hiyo iwekwe kwa sababu tunaumia sana katika border, watu wengi hawapigi kura kwa sababu three quarters ya wanawake ni kutoka Uganda. Kwa hivyo tunaumia na hawa hawafanyi kazi yoyote. Kwa hivyo njia ipatikane kama ambayo ninasema, barua kwanza na local iletaye barua kwa DC iandikishwe huyu ameolewa na sasa hiyo itumiwe pengine kupata kipande, na aruhusiwe kupiga kura na kazi iende. Asante. Kwa hivyo ni hayo tu nasema asante sana.

**Com Mutakha Kangu:** Barua unasema ya ndoa, itolewe na DC ama wapi na umeshasema ofisi ya DC iende, sasa nani kwa administration atatoa barua.

**Moses Emodo:** Sijasema ofisi ya DC itolewe, katika provincial administration ninasema tu Provincial Commissioner's office na

District Officer, ni DO na PC, ofisi zao na watu wake wote wao watolewe. Wakitoka Nairobi mpaka hapa iende kwa DC halafu chiefs na assistant chiefs.

**Com Dr. Nunow:** Bwana Chairman ningeopenda kufualtilia hiyo mambo ya citizenship. Kweli ni matatizo ambayo uliyataja na ulisema kwamba mume kutoka Kenya akioa mke kutoka ngambo hawezi kupatiwa shahada ya hiyo marriage halafu baada ya muda fulani aweze kupatiwa documents za mwananchi hapa. muda gani ungeona inafaa kwamba mke akiwa ameolewa nchini angeweza kupewa kitambulisho na passport.

**Moses Emodo:** Kuna utamaduni wa kuolewa, kuna mahali unachukuliwa kule na kule ndio watu wa Uganda wanajua msichana ameolewa Kenya, kuandikisha harusi, kama ni arusi, kama nikitamaduni aende kwea chief ama aende kwa DC halafu aende kwa DC halafu aandikishwe.

**Com Pastor Ayonga:** Ngoja, tafadhali nyinyi msimuingilie. Kitu ambacho Dr. Nunow amekuuliza ni muda gani? Ni mwaka mmoja, miaka mbili, miaka mi tatu, mambo hayo ya halalishwe au we have to have time factor.

**Moses Emodo:** Mimi napendekeza miaka mbili inatosha.

**Com Pastor Ayonga:** Miaka miwili, basi umejibu. Nenda ujiandikishe kule mzee na utuwachie hiyo memorandum sasa imekuwa mali yetu.

Nest ni Maendeleo ya wanawake. Mama una maadishi na una dakika tano, tunataka tu utumulikie ni nini kubwa kubwa iko hapo ndani. Kwanza useme majina yako na kikundi cha Maendeleo unachosimamia.

**Roselyn Ashabete:** Mr. Commissioner Sir, Chairman of today's meeting and all your team, may I welcome to Teso. My names are Roselyn Ashebete, I have stood for Maendeleo ya Wanawake and also Women in Teso. The memorandum I am going to read is gender sensitive and I hope I will be excused if some issues will be very touching to our brothers.

In the preamble; I am only going to highlight a few items because I have very little time, the others I will give for record.

In the preamble the new Constitution should highlight the marginalisation of vulnerable groups such as communities who live along Kenyan borders like those in Teso, women, the youth, minorities from all tribes and the aged persons and also persons with disabilities. If this one is included in the preamble it is going to be good. in the vision there should be equality of all Kenyans, of all citizens of Kenya regardless of race, ethnicity, gender, class, creed or political affiliation.

In the directive principles there should be values and these should include human dignity and equality, gender equality, and non discrimination. There should be respective for human rights. The rights of women and the child and especially the girl child. And

also there should be affirmative action to achieve this equality.

In the Constitutional Supremacy; we note that neither parliament nor the executive nor the judiciary should have any powers whatsoever to amend the Constitution of Kenya. this should be done in a referendum and these areas should include the presidential term of office, citizenship among others.

In citizenship the element of gender discrimination with regard to citizenship in the current Constitution, especially reference section 90 &91 is noted with regrets. We the women of Teso recommend as follows:-

- (1) There should be automatic citizenship to an child born in Kenya or out of Kenya to one of the Kenyan parents, be it a mother or a father.

In defense and national security; there should be equal opportunities and gender balance in employment within the armed forces.

In political parties Kenya shall be a multiparty state. The Constitution should control and regulate the formation and number of political parties in Kenya not less than two and not more than five. Every political party should allow 35% elective positions reserved for women.

Structures and system of government; the current systems of government has failed to server the social, economic and political need and aspirations of the women of Teso and Western as a whole. So the present system is over centralized and has got power and the power should be devolved thus allowing room for better participation of both women and all ethnic groups in the exercise of governance.

In the legislature; I should say through affirmative action women should occupy 50% of the nominations positions ion parliament. The personal conducts of the candidates that is a Councillor or an MP an elective post shall be vetted by an ethics committee appointed by the electoral Commission.

In the executive; the office of the executive is a Constitutional office, not the office of a clan a tribe or a set of friends.

Participatory governance; the provincial administration is a vestige of the colonial powers. It is expensive and duplicates the roles of elected local leaders. For that we recommended even the selection of the police should be done locally by the community because there is a lot of corruption and members and the public and the communities are made to pay unnecessary money for posts that should have been freely given.

**Com Pastor Ayonga:** Please we don't entertain others speaking when a person is presenting. Whether you agree or you don't agree please be quite.

**Roselyn Ashabete:** In the judiciary, the current system is corrupt, insensitive to the poor and incompetent, given the long period of time it takes to clear cases, justice delayed is justice denied. It is true of the experience of women of Teso. There is simply no justice.

The judiciary should reconceptualize to address the needs of all Kenyans in particular the poor, women the disabled, the marginalized and minors. We the women need a complete change from the present colonial and oppressive ineffective system that has denied us our rights. The Constitution should ensure there are checks and balances to ensure the independence of the judiciary and should also control and manage for the people, the smooth and effective operations of the judiciary.

In local government, other points have been said but I should say the Constitution will through affirmative action ensure 35% representation of women on all local authorities. The violence, bribery gang terrorism during election campaign should be Constitutionally outlawed and those governing the exercise be strictly controlled by the electoral Commission.

On the bill of rights; the basic rights, there should be gender equality and in deed the equality of all citizens of Kenya to be entrenched in the Constitution as a basic fundamental rights. Current areas which experience inequality include disability, ethnicity, and the change of identity cards after divorce is a factor that has really affected women because they are never done in a better way, they take very long.

To finish up, there are also issues in another smaller memorandum which the people discussed and the women came out with. About education; free education to children, about health facilities which should actually be free because most women are not able to afford the prices that are offered or the sharing systems, so many children keep on dying and then the poverty. If we help women to grow, we shall help our country to grow.

Power and decision making, women should be involved, cases of rape that is why we talked about the judiciary being a bit silent so rape cases are dealt with very mildly as if nothing has happened, family violence, men kill their women and nothing is done and yet the law is supposed to protect women, family land, when the man dies the woman is chased away, it becomes a problem so women should be protected. Family property when the man dies, the woman should be allowed to stay in the compound and not be inherited because this are days of AIDS and when you refuse they chase you away. So we want women inheritance abolished. Thank you Mr. Commissioners sir.

**Com Pastor Ayonga:** Thank you mama for your concerns. You have any questions?

**Com Mutakha Kangu:** You said that 50% of the nominated members of parliament should be women. Right now we have only 12 nominated members of parliament, 50% of that would be six, you think that is sufficient for women in the whole

country?

**Roselyn Ashabete:** I think here I am refereeing to the total number of all the MPs present. Right now there is very poor representation of women and if in any way they have to make anything, they really have to be many and they work as a group. The few are not able to represent women fully.

**Com Mutakha Kangu:** So you want 50% of the entire House.

**Roselyn Ashabete:** Yes.

**Com Mutakha Kangu:** Now what mechanisms will you want used to get these 50 % because the experience across the border in Uganda in Uganda is that they have created district seats for women so women contest in the district so you elect an MP for a constituency but you also elect a woman MP for the district. Now what mechanisms do we use in Kenya to secure these 50% for women.

**Roselyn Ashabete:** Surely Uganda has done well and we envy them. If in Kenya we will follow sets and give a directive in the new Constitution that smaller smaller areas of every constituency or even division, should have elective positions for women to represent them in the higher offices. These will help to elevate the present problems that the women are facing because if we only are able to take one woman even in a constituency, it should be able to come and listen to our problems but a man in his own capacity cannot know all the problems of a woman.

**Com Pastor Ayonga:** I thought mama that these men leave with the women.

**Roselyn Ashabete:** Yes but Commissioner they live with us, but you see they don't understand us.

**Com Pastor Ayonga:** Why don't you make it easier for them to understand?

**Com Pastor Ayonga:** We are really trying to lobby and sweet talk them so that they don't keep on oppressing us, we need to be set free.

**Com Dr. Nunow:** Madam, I would like to ask you a bit of clarification, on recruitment of people into civil service particularly you made particular reference to the security forces and you said that should be brought to the lower levels where the people are. At what level do you recommend that the recruitment into the armed forces and the police be conducted. At the location, sub location, division or the district level. Which level will you consider appropriate.?

**Roselyn Ashabete:** I would have preferred the divisional level because when we conduct it in the district and we are given very few chances it becomes hard and especially the present system where you find, I am not afraid to say there is a lot of corruption because when you have to take a child or a boy to be taken in the armed forces or in the police or an AP. They demand a lot of money from us. it is almost impossible even the boys who pass are not get this chances.

**Com Pastor Ayonga:** Thank you mama. Sasa chukua hayo makaratasi yako kule na ujiandikishe, weka kidole na wanaume jaribu sana kuelewa wanawake. Kwa maana the root ya ugumu wote ni kwa maana your understanding inakuja sijui ni slow au ni impossible. Anyway next will be Iteso Cultural Union. Kunayo representative wa Iteso Cultural union. Okay. Mzee unaweza kuketi na pia unaweza kusimama ukitaka lakini tafahali utumulikie yale makubwa makubwa kwa maana naona umetayarisha memo safai sana na ukituambia makubwa yaliomo mengine tutasoma. Five minutes.

**George Ochokora:** Jina na George Ochokora na mimi nasalamia Commissioners sana kwa kuja kuchukua maoni yetu. Kwa ajili ya umri, nina vijana wangu hapa ambao watasomehe hii memorandum.

**Com. Ayonga:** Ningalipenda utwambie yale makubwa makubwa.

**Kajuang:** Asante sana mwenyekiti, I will speak in English, I speak on behalf of our cultural union, I will request that because the memorandum as you have seen is long, that you will allow three minute presenters, I will present a piece this morning tomorrow somebody else will present another and then the third day we complete. The other person is also here Gabriel Omoto and the third person is also here.

**Com. Ayonga:** Now why have chosen to present one today, another tomorrow, another, another time?

**Kajuang:** It is the way you are moving we thought that you will refer it that way, but it seems we have few advisers on what to do.

**Com Ayonga:** What we would like you see instead of having this gaps, culture itanza kuvunjika hapo katika, ningalipenda wale wote watatu mlioma hapa, I will give each dakika tano tano, tupate hayo maneno yote. Are you going to do that. Kwa hivyo wale wengine ambao mlifikiri hamtatoa hiyo leo anza kuangalia your notes ili mjue mtatwambia nini. Na nyote watatu mtatoa maneno yenu moja akifuata mwingine.

**Kajuanga:** Thank you Mr. Chairman, our memorandum starts with the preamble and we are on the view that our new Constitution should have a preamble and should highlight as a background of our Constitution are many, but we particularly think that the preamble should indicate that our Constitution should establish strong arms of government to ensure equal opportunities for jobs and access to wealth. Still in the people a culture of respectful leaders and recognition of natural heroes

and those dedicated in the service of the nation. I would like to highlight amongst others for the preamble is that the Constitution should recognize that all Kenyans are equal partners in nation building and therefore should enjoy the national fruits equally. Our next issue is under Constitution supremacy; the Constitution should be amended in our view by if possible 95% of parliament to avoid or to guard against hasty changes for experience and ensure involvement of all political parties. And as a minority group that the Teso is, parts of the Constitution which protects particularly minority groups the vulnerable and other specified groups should not be tabled in parliament without consulting the affected.

Political parties: besides political mobilization we are of the view that those aspects political party manifestos that can be effected by parliament and accommodated could be implemented so that they do not have to wait until they come to power, you never know when. And that means that shadow cabinets should be given an opportunity and facilities to perform. We also think that, because of the principles of democracy and universal and ----- enacted in a multi-system the Constitution should regulate the formation, management and conduct of political parties. Because any other document would be inferior and would not cover all parties. The Constitution we believe should recognize only four political parties and those parties should be funded by the government proportionally. We also think that all political parties must be patriotic and loyal to the head of state as a symbol of national unity, dignity and destiny and should respect other parties manifestos because there potential principles for future government.

Structure and system of government: I am of the view that we should have a highbred system with the prime minister running the government and a ceremonial president. The president should reserve the following functions:-

Commander in Chief of the Armed Forces, ascending and signing bills, conveying honours, appointing Commissioners of inquiry, receiving and recognizing foreign dignitaries, appointing ambassadors and diplomatic representatives, relieving offenders, remitting penalties and co-features amongst the other things thus converging degrees to universities. We strong are of the view that we should have a national government and then local seers of the government. By that we actually saying that we do not agree with regionalism, majiboism as we had tried we would rather have a Central Government and then a local seers at the district level. Because for us minority we have a fear that when we have a regional government that the by-laws in the regional government may discriminate against us as we have already noted that, not all our neighbours are very happy with us. When we got our district and they were trying to define the boundaries, we suffered a lot of hatred.

On that finally, I would like to say that the elections of the president and Members of Parliament and Councillors should be on different days. Mr. Chairman allow me to touch on the Electoral System and practices one or two issues, we believe that a Member of Parliament should represent a maximum of 80,000 people so that will count to about 25,000 to 30,000 voters. We also think that the women and the youth should vie along with the other men, I am not stressing that one, because it has already been said. On defections, we are saying that elected members and parties crossing the floor of the August house should go back to the electorate if democracy and situations of the voters have to be protected. Those MPs who speak and act contrary

to their parties should be treated as defectors to control individual leaders who use the people as a ladder to their own ends.

Local administrative boundaries review should be the boundaries of constituencies' not geographical features. The Iteso urgently need another two MPs according to our population. Finally on that one, Commissioners appointed in the Electoral Commission should be regionally appointed and one Commissioner we think should be particularly be for the minority groups and each time there appointed that Commissioner should rotate amongst those minority groups. I have to obey you Mr. Chairman and stop there.

**Com. Ayonga:** Wewe ni mtu mzuri kwa maana una-obey. Now what you do, utakwenda kule ujiandikishe jina halafu utatwachia hiyo memorandum. Nataka yule mwenzako ambaye ana-memo ingine.

**Kajuang:** It is the same.

**Com. Ayonga:** Yaani ni hii moja mliogawa mara tatu. Basi sasa anza dakika zako tano. Ni wewe tena utaendelea kusoma?

**Kajuang:** Hapana mtu mwingine.

**Com. Ayonga:** Wapi huyo mtu mwingine? Na wewe uendele, kwa hivyo submission ambayo utatoa utatupa hiyo memo moja? Basi tupe copy yetu na ujiandikishe tafadhali on behalf of Iteso Cultural Union. Tafadhali mmoja wenu ajiadikishe.

**Emoto Ebu:** Mheshimiwa mwenyekiti, mimi naitwa Emoto Ebu mimi ni Mbunge wa zamani wa bunge la pili la kenya na wakati huu niko nyumbani na nimekuwa pia hapo mbeleni mayor wa kwanza wa mji wa Busia. Mheshimiwa Chairman mimi ni mahala hapa nataka kuongea juu yake. Ya kwanza local government ya pili ni land and property rights, management of natural resources, defence and national security, the executive, succession and transfer of powers and political parties. Nitaguzia quickly kwa sababu mengine yameshaanziwa na wale ambao wameongea hapo mbeleni. Kwanza mwenyekiti kuhusu local government, mheshimiwa chairman wa country council councillor ameongea lakini kuna sehemu mimi ningependa kuongeza. Ni kuhusu the power of the people to recall their councillors. It is unfair Mr. Chairman for people to vote in a councillor who just becomes dormant and you are going to tolerate him for five years. I think there should be a room to recall that mayor. It should just be like a contract, if you give somebody a contract and he starts messing up your building, you should be able to cancel the contract mid-term through. I am suggesting that there should be 40% of the voters within that area can petition and they should petition the electoral Commission. With a copy of the petition to the clerk of the council of that particular area and then the matter is investigated by the electoral Commission to establish whether allegations that have been sited are actually two and measures to be taken to remove that particular person.

There also cases Mr. Chairman when somebody becomes incapable of performing the functions of his office, for example if

somebody gets injured, he may be incapacitate, and he does not have the interest of the country at heart, he remains there until the end of the term when he is doing nothing, but he continues earning public money, I think this is unfair to our people. A will also say, the nominated councillors, our experience has shown that although originally the idea of nominating councillors was good the government wanted to get retired people with experience to come and strengthen the local authority. But what has now turned out is that you get people some of them are youth who have been political agents of some of the MPs, ending up been given position of councillor. When the person himself is incapable of standing by himself. So we do not want that kind of situation to be mis-used. We want proper people who can stand on their own legs and be called mheshimiwa. Not agents, not errand boys of MPs and that kind of thing.

**Com. Ayonga:** (inaudible)

Disabled: I would like the disabled person to be chosen to be a disabled person who can deliver, who can speak and talk about the interest of the disabled. Like the road construction in the municipality street, how are we going to construct this streets so that the disabled can also use certain parts of the streets un-interfered with from other people who are normal, that is the kind of person I would like to see. And even with the women, not just automatic that any woman, she must have something special to offer in that local authority, not just a woman and therefore we must empower women and man. I think there must be something that this woman should be able to contribute, even to toss for the welfare of the other women and the community as well.

Defense: I also concur with chairman of the country council that with the police, let us change that into a police service not a force. I will also like to see in the Constitution some guiding principles on why we have established police service, we should be written why are they there, also the defense forces, there have been cases of army people coming home for leave and they end up in fracas, beating up some wananchi and you feel unable to take him anywhere. I think that it mis-use of power, we want this people to protect us, to be in the service of the people.

Natural Resources: We would like to have equitable distribution of these natural resources. First with employment in this country, we would like fairness in employment, be it in police or army, we would like whoever is in charge of employment to know that there those 42 tribes that everybody has been talking about in this country. Those tribes the Mzungu has been talking about. When he came to this part of Africa he said there are 42 tribes here. Those people must be considered when it comes to employment. There must be a way. The idea of having a group or one family getting undue share of employment opportunity is bad, and that is why some of our leaders are scared. Instead of going home and retiring honourable somebody is scared, because he might have done injustice to other, and he fears that may be something can be done. I think we should have affair deal to everybody. On political parties I would like to say that encouragement should be given to a few political parties especially those ones with parliamentary presentation. They should be funded, especially their leaders so that they look like leaders of party. Because we are here to encourage development of democracy in this country.

**Executive:** we would like to have national executive consisting of the president and a Prime Minister. The executives have been already enumerated, but I would like to say the prime minister should have the power to appoint ministers and apportion portfolio, the power to initiate bills, those normal things that come under the leader of government. On succession and transfer of powers; there have been people, I think because of our own history who feel that immediately head of state is removed, somebody must take the office immediately because they fear if he stay they long he will eat. I think we should be organized like the Americans do, elections are held and then there is a term of three months in which the newly elected man is prepared to assume office, this idea of rushing to the high table should be discouraged, this is a problem with this country, everybody wants to eat and to get to the kitchen as fast as possible and to get everything that is there. I think that I have to contribute, I would like my next friend to come and continue with the rest of memorandum.

**Com. Ayonga:** Thank you kuna swali njoja mzee.

**Com. Kangu:** You talk about the president and the prime Minister, I would like you to tell us how this people should be recruited. How should we get the president, how should we get the prime minister?

**Emoto:** My view since we have suggested they be elected in a different date, the position of a president should be filled by kenyans with qualifications that I have already sited. But as soon as somebody is elected as president, he should resign from his party and remain a president of this country. Not a president of a party. In the case of a prime Minister, I think he should be a leader of the majority party in parliament. Those are my views.

**Con. Nonuw:** I would like to ask you something on clarification on parties being funded, if I heard you right you mentioned that parties with parliamentary representation be funded, parliamentary representations implied if a party has one Member of Parliament it is a parliamentary party and did you give a thought to the implication of that the ex-checker. For instance if we have about 20 parties, 16 of which have MP each, probably the chairman of that party, they are considered parliamentary and they become numerous, what are your thoughts if you thought about it, the implication on the consolidated funds?

**Emoto:** Fortunately enough, our situation does not have that kind of representation. We have very few parties with parliamentary representatives in Kenya, so I think of our current position. May be in that case we can then say that a party with may be 20% representation. Because we have alternative ideas, not just one party thinking they have the ----- of the Kenya problems.

**Com. Ayonga:** Ya mwisho, you do not think that we have too many parties and they should be reduced? Or would you like them continue the way there are and add one upon another?

**Emoto:** No sir, in fact, my support I was implying that those others who are not supported will die naturally so I saying that we should reduce the parties from 47 or whatever to 3 or 4, that is what I had in mind. If we give support to those who have been able to send representatives in parliament, then there serious parties, the rest will die by the road side.

**Com. Ayonga:** Thank you so much, Mzee unaweza kwenda kule ujiandikishe na pia kama una makaratasi ya kuachia, au makaratasi yako yako kwa ile? Yako taryari? You are the third and the last person kwa Iteso Cultural Union. Sema majina yako na tuendelee.

**Isaak Okula Melik:** Asante sana bwana Commissioners, mimi jina langu ni Isaak Okulao Melik ambaye ni from civil servant and now a councillor in Siaya Municipal Council. I will contribute in English because the document is in English, and I have also sections 6,7 in this document, which I will try to highlight. One to start with is citizenship: when you talk of a Kenyan you are talking of a Kenyan citizen, and who is this citizen? What we told now there is a citizen by birth, by registration, by naturalization and there are also dual citizen. We are saying here that those categories of citizenship are not the same. We look at the resources of Kenya today; sharing those resources is a problem. So the Constitution must provide for safeguarding the right citizens of a country. We know that there Kenyans who have lived here from independence, from 11<sup>th</sup> December 63 and those who were there that time their offsprings are here, and I see those are very original citizens of Kenya. They're others who are now citizens by registration and others by naturalization. Are these people the same? Should they be awarded the same rights? I am saying no, they should be different and the present ID should differentiate these citizens, who is the original citizen of this country and who are others who have come and are seating as the citizens of Kenya. We are saying these IDs should be coded so that the original citizen is safeguarded and should be protected even with the basic rights.

We are at the border here and we have said we have married women from across, we know eventually those women get registered as citizens, that is by registration and there others born outside and so forth, there should be a term, how long will these women or children who are born outside being seen as citizens. Then we have got also the children of those who are naturalized who were registered, we are proposing here, for the spouses in order to be sure that these are Kenyan citizens and they have agreed to remain here at least at a period of ten years, although some of us have talked of two years or what, but we are proposing because a citizen is an important person in Kenya and some rights offered to a citizen should also be protected, like some basic rights.

If go to some countries, I do not think any citizen there benefits all other rights, even in America, despite the black Americans be there for centuries I do not think there electable as president. So even here, those who are representing the people here, should be citizens of this country, not those who have been here for two years, three years, and they representing people as councillors or MPs or a president. I would like the original citizens to stand as president of this country, as the MPs, as councillors of this country. And if for those that have become citizens through registration or naturalization at least their third generation can stand as MPs.

My next point is on the basic rights, again this re-links to the citizenship, we have rights that are really basic, which should be recognized, they say the right to privacy should be respected so that persons and homes are not searched without individual consent, you know it is very common here that in the process of looking for those with legal liquor, your houses are searched any how, so the privacy is not there, we are also saying that the Constitution should recognize system of personal and clan traditions. And this also links to the traditional leaders like we have here the Teso cultural union. These are Teso recognized leaders. The Constitution should provide and protect these leaders because they have very important role in the society and contribute productively to the country. The Constitution should also provide for security, this has been said many times and you will find it is in these records.

The rights of the vulnerable groups: according to us we are saying these are women, this has been said, women children, disabled oppressed, unemployed, and some men are also vulnerable. You see there men also married to rich women and these men also need to be protected. So it is an all round think and then the minority group, like Teso, this has been highlighted. These are the groups we are saying vulnerable groups and the Constitution should come up clearly with what are these rights we are seeing, the rights to traditional and Christian name, right to nationality, the right to parental care, government care, recreation, education, health security, employment, movement, expression, by the way non-citizens of kenya now should live here without permits. We expect them to have permits and so with permits when they move we can differentiate them.

**Com. Ayonga:** Please if you can say your last word.

**Isaak:** We have very clever children here in the country and the right to these pupils with that potential of theirs should be protected and tacked and made to develop. There is something, which is very important, which is not in the Constitution; this is the international relations to our Constitution. I do not whether for now these conventions that are there in place in various sectors the Constitution provides for that. We have Lake Victoria, the catchment, most of the catchments is in Kenya, we do not see how that is accommodated to benefit the kenyans, and we hear of certain treaties written some centuries back and we are made to go by that, so the Constitution should look into this areas and relate with the other areas.

**Com. Ayonga:** I do not think the Constitution should look into that you should have looked into that and tell us what you want be included in the Constitution not just a hear say that there conventions that do this or that, what is your view on that kind of matter?

**Isaak:** My view is that Lake Victoria for example is a resource to both the countries of East Africa, it is not just because most of it is in Changani or Uganda, the beneficiary is Uganda and not Kenya, So the Constitution should also provide for tapping of this resource which is shared by these three countries.

**Com. Ayonga:** Thank you so much. Ngoja kidogo tutakuuliza swali.

**Com. Kangu:** I would like you to clarify a little more, you are talking about the true citizens, are you trying to draw a distinction between what you call indigenous citizens and others who acquire citizenship through other means. We want you to come up with a clear distinction who should be regarded as an indigenous citizen, a true citizen, and then on the issue of differentiating the rights, they should be entitled to you should be able to come out clearly and tell us what you think certain citizens should not be entitled to. You have given the example of America, but what do you want our position to be? And if it is a question of holding offices, is it only elective positions or are there other offices you think should not be held by unknown indigenous citizens.

**Isaac:** I am seeing the original or the real citizen of Kenya is that one who, since we are all talking of the period from independence, we have Kenyans that have lived and then we have their roots, they're there. And then we have those that after independence they become registered as Kenyans and they have gone through volitions, they have three generations, these are the citizens I am talking about, these are the original citizens of this country and their ID cards they bear should be different from what the others have, so that when it comes to issues like employment, these people should be given priority, when it comes to help. Who does not want to protect their own citizens?

**Com. Ayonga:** Now are you saying that if you are in country and you call yourself a citizen and then you are discriminated on the services rendered because you are not the original, you are not indigenous, don't you think that kind citizenship would be shaky and that when a person has been accepted as a citizen he or she should be treated like any other citizen in the country so that he or she works together with the people of that country, because the country is theirs. But when you have paper citizens, people have got different ID cards, don't you see there will be a problem?

**Isaac:** I do not see that problem.

**Com. Ayonga:** Thank you those are your views and we respect your views. Ngoja yako maswali bado.

**Com. Nunow:** thank you bwana councillor, but I would like to seek probably your contribution, with regard to the citizenship aspects. Assume that this is a naturalized citizen, and I understand you concern that he should have limited rights until such a time as to be given full rights. I would like if you have given a thought, you to tell us, how long, you said the third generation, but that is not enough, I mean for instance if a guy came and at the age of 20 and he lives to the age of 80 and he has had no children, he become naturalized at the age of 20, you would deny him those rights because he did not have first generation, second generation, so how many years would you consider appropriate for accusation of naturalized citizenship for a person enjoying equal rights as indigenous citizen?

Isaac: What we mean here is that there is that person who has been naturalized, will remain naturalized, but his children, because even the present Constitution, a Minister can deregister him as a citizen. So why should we rely on this people to dictate our destiny. So for this person who is naturalized he will remain naturalized but his child can be a true citizen.

**Com. Ayonga:** Thank you if you can fill in our form there and register and leave us anything you want to leave us with. I am through with Iteso Cultural Union. I would like to take this time to recognize the presence of Hon. Minister Kilaba who has joined us, I know Members of parliament have got lot of things here and there and bwana Kilaba tuko kwako tumekutangulia lakini tukisikia na wewe umetukaribisha tutasikia vizuri sana an pia watu wako bila shaka wanahamu ya kusikia uwasalimu. Na ukiwasalimia na pia kama una neno ambalo unataka kutuachia tutakupa nafasi, kwa hayo nafasi ni yako. Au ni kuwache kwanza umalize soda yako? Unaweza kuniambia unachotaka. Uendelee? Lakini tutakupa nafasi ya kumaliza soda yako, husije ukasema walikuja kwangu hata soda sikumaliza hao watu namna gani. Thank you very much bwana Minister. Sisi tunafuata, kwa maana haukuwepo hapa tulipoanza, tunataka ukitaka kutoa maoni yako, utasema majina yako, si kwa maana hatukujihi lakini for recording purposes, utasema mimi ni fulani fulani, hivi hivi na ninatoa memo yangu, hayo yote yataingia huko ndipo utaanza. Nadhani tutakupa wakati ufao, lakini pia utusaidie ku-save time. Asante.

**Hon. Kalaba:** Asante sana mwenyekiti wa Tume hili. Labda nitazungumza kwa Kingereza ili nipate ile trust ambayo nilikuwa nayo hapa. Na nimeambiwa wakati ni mfupi sana, nilikuwa nikitaka kuzungumza kwa wakati mrefu kidogo. But nevertheless, let Mr. Chairman with humility and big appreciation welcome you to our constituency, Amagoro and our district Teso. I know you are arriving here at the tail end of your visit in the constituency and I hope that does not mean that our views here will not receive the attention that they deserve, I expressing this concern Mr. Chairman because already we have heard from your chairman that a draft Constitution is about to be ready, and the way it is, then one will be forgiven if we assume the --- (inaudible) ----- to make us believe that we also participated, I hope that is not the case. Let me say that it is common knowledge that Kenyans are expecting to go to the general election with new Constitution and we do hope that within the next few weeks you Commission Mr. Chairman will actually tell Kenyans in very specific terms whether we are going to the next election with the new Constitution or not. Because it is there to say that the conflicting statements coming from various Commissioners have confused a lot of kenyan and the people are almost getting fed up to the extend that if by September they did not hear that you have actually completed and given a sample of the new Constitution, I think very few people would shed tears if the Commission is disbanded because we are not quite sure when actually to get the new Constitution. That is the feeling Mr. Chairman. We have argued that the new Constitution of Kenya should have a preamble. It is telling us precisely what are the visions of this nation and kenya being a God fearing nation we hope that it will a preamble in God's name and to so the diverse Kenya community should live together be in unity. To guard democracy, protect their independence and the rule of law and their beloved republic. It would be important that Kenyans values and guiding principles are incorporated in the new Constitution, they might be enforceable in law, some may not be enforceable but still it will be something that all Kenyans can subscribe.

The current Constitution Mr. Chairman has served this country well it is a good document, but problems have risen because people believe that a lot of changes and amendments have been effected in the Constitution. Mr. Chairman Constitutional changes must always take place depending on the requirement or the needs of people at any given time. In order that the amendments to the Constitution, will be something that the entire nation can be happy, then now we propose that the amendment must always go through national referendum and the referendum must achieve a 65% before any amendment to the Constitution is effected. That will ensure that various government that we want to speculate on the changes of the Constitution do not have to the opportunity to do so, until they have that massive approval by the citizens through the referendum.

Mr. Chairman on the suggestion of the citizenship, I have heard members of the Emoromoro commend about the citizenship in Kenya. As we all know citizenship of Kenya has become a joke, everybody can now buy citizenship, I think that the Constitution must tighten those loops and not allow people who just come from other places to become citizens of Kenya over night. Therefore to qualify to be a citizen and an automatic citizen one must be a native to qualify as an automatic citizen of Kenya. Then you must be a child born of Kenyan citizen, or you must be a child born from women who are married to Kenya citizen or you must be a child born of parents who themselves were native of Kenya but have since become Kenya citizens. Rights and obligations of citizens must be unconditional upon the manner in which citizenship is acquired. In other words once you are citizen then you qualify as a citizen I respect of how you become one. I think all citizens must be treated equal, that is why it is very important that the admission into the citizenship of the country must very strictly controlled and the rules of citizenship must be adhered to. Sorry I understand the microphone is not very loud on that end. In order to discourage people especially public officers from just issuing citizenship to non-citizen the Constitution should provide for the establishment of immigration laws that will make very severe punishment to those who might simply issue citizenship to people who are not qualified.

Political parties: political parties in a democracy of organized groups of people who seek to give or gain control of the government through democratic election process. This is the reason for their existence; they should therefore play a very important role in sensitizing the public on all aspects of nationalized. They should win public confidence on issues they stand for and in my view Mr. Chairman, serious political parties must demonstrate that they have the capacity to provide or lead on that ground. In the case of Kenyan, the Constitution should allow for only 3 political parties, this is my proposal, one must be the governing party, the other the official opposition party and the third party should be one that can stray one party to the other. In other words they should be the effective party that will make the major party win or lose an election. This will eliminate what I will call man's Dockers chair kind of party. Where somebody just pushes a chair in a place and there is a dog lying down there under the table and a paper and then he calls that a party. So we should legislate in the Constitution that they should only three main party the other should just be dissolved. If that is acceptable then I would recommend that the political parties are funded by the public treasury to make them continue with their political business. This arrangement will modernize politics in Kenya and eliminate political rectories and force political parties to concentrate on issue oriented politics in the interest of the people of this country. The Constitution should clearly spell out the role political parties in national life and political party should not for

example, incite the public into violence or cause a breach of peace or incite their followers to act in a manner prohibit national security, private or public individual freedom. The resulting legislation from those provision the Constitution should provide for very severe punishment, including deregistration of those political parties which are guilty.

Structure of government: with regard to structure of government, the current presidential system has served this country well and Kenya should stay in this system, so that we have a strong presidential system of government, ensures national unity, with a strong national president heading it. However, to prevent possible abuse of power by future presidents, the powers of the future president must be clearly defined, for example the president should be able to sack a government, the president should be able to appoint certain key positions etc. Some specific responsibilities in the administration should be left to the head of government. If Kenyans agree the president still remains the head of the government, then the key appointment that president makes should be approved by parliament. A new Constitution should also provide for two layers of government, the Central Government and the Local government. The Central Government responsibility should be defined to include, defense, foreign affairs and International Corporation, national planning, transport and communication etc. Whereas the rest of the powers should be devolved to the local authority.

The provinces administration should be abolished so should districts. And in their place we should elevate constituency to be areas of operations. The officers of the government that are currently working in the districts should then be transferred to work in this. The reason I make this proposals is to enable future management of public affairs to be concentrated in the local areas. The local authorities devolves down to the constituency unit, will of course be supplemented in certain areas by municipalities, by country councils etc, but this should be restructured to create competence both at the councillor level and officer level. As I said with this structure, a lot of government people civil servant now in the Central government and the provincial departments will come down to work for these people, so you already have a resource of very well trained people to continue working in this area. This will ensure that the government resources are send down to the local areas, and those people themselves should be able to determine what is it that they need and priorities for development in their own locality. And I would like to suggest that at the political level, these people will be elected, an elected person a chairman or whatever you call him will be the Chief Executive of that particular unit. In this manner the issues of areas such as this one, which is too far away from the capital always lacking resources because the resources have gone to the other people, will be limited. They will be a formula by which every constituency will be able to get its own funding and its own local people will manage those funds. I want to give an example; in parliament we decided to create road authority, and here at the constituency level we have got what we call constituency development committee, since we got money, and it is little money only 5 million shillings, we have seen a lot of road development taking place, because we ourselves we are the once to determine which road is done first and which is done next. Our roads which are being funded from Nairobi are the once you cannot see anything and this is because we are not in control and this is what I am proposing; the authority to be with the local people and give them the resources to develop their own activities.

Legislature: there is merit in creating an upper house with an appropriate name, call it the senate or the upper house or whatever you would like to call it. Its members will be elected to represent community interest and they should be elected from all communities of Kenya, which have got a population of not less than 100,000, and I think those I am told that are around 40 and therefore the senate should have about 40 members. The reason I am proposing this is that in future every community in the republic should be represented or to be sharing or to be responsible in making the laws of this country. There should be no community because of their size who should not know what is happening, only to be told that it is a law, which has been enacted, and later on discover to their rude shock that certain legislation is actually discriminatory against them. They have no say. The independence of the public service Commission, the Judicial service Commission and other service Commission, will limit the number of appointment the future president can make to a very few key positions that I mentioned before such as cabinet appointments and their deputies. Head of certain key institutions and this appointment must however, be approved by both houses of the parliament. Parliamentarians have a tendency to want to interfere with other areas of government, such as wanting the follow up in the implementation of the law that are enacted. In other words it is very tempting to cross the division between the legislature, the judiciary and the administration. Parliamentarian must therefore confine themselves to the business of simply making laws. Or they would like the public accusation of interfering in other arms of government as the know all.

There has severe public critics of the manner parliamentary remunerations have been handled, and personally I would like to think that it is wrong for any institution in the republic to have the responsibility of awarding itself, therefore I would recommend that members of the parliamentary service Commission should be prominent business people who have no vested interest at all in parliament. Serious parliamentarians have no time do to other business, the MP should therefore be required to spend all their time in parliament and constituencies. In the circumstances, there should be a provision in the new Constitution to impeach a Member of Parliament of the electorate felt abandoned by the electorate representative. This process could be through a parliamentary motion addressed to the Speaker of the National Assembly and signed by 25% of the voters who cast their votes to the Member of Parliament. I think to be fair an impeached Member of Parliament should be allowed to stand again, to make sure the other 75% agree with the 25%. The age of 18 is the legal and reasonable age of maturity for voters and this should remain so. However to protect the public from exposure to immature leadership, no one should be allowed to contest a parliamentary seat until he is aged 30 and nobody should try to become president until he is 40. Parliamentary aspirants must also be of upright moral and ethical behaviour, we should act not only on the basis of conscious and conviction but also very much taking the view of their constituency into consideration. He must also be person with basic education of at least form four level with appropriate work or leadership experience. In this circumstances there is no justification Mr. Chairman for the language test, which are included in the current legislature, I think that should be removed. Once you have established the basic educational qualification then there is no need to subject people to language examination and so on and so forth. The basic of nominating an MP or a councillor can no longer be justified, instead recently passed by the house increased parliamentary representation throughout the country will provide a fair basis for presenting various special interest. I believe closer representation will ensure that not so many people are left out of representation not to necessitate either the MP or the councillor. In the proposal to increase parliamentary presentation I propose that the local areas, the rural areas of our country

should be divided into about 20,000 voters to an elected Member of Parliament and those in town because of the ease of access to the electorate should be up to 100,000 on the question of women representation and I myself view it different and I advocate the introduction of universal education for all children and my believe is that once women are educated the same as men, men will not be pushing them around. So instead of providing for special seats for women I advocate for universal education which will ensure that women will compete fairly with the men, because presently there is a lot of desperately in education between men and women it is unfair to expect women to compete. But I want to put it in the Constitution universal education is incorporated into the Constitution. The idea of coalition government despites the principle of competitive politics among Democratic Party, it also neglect the essence of mult-party democracy. Why then have a political party structure on a competitive party policy if in the end comes together and says let us have everybody in the government, then they will be no opposition. I think it is fair that we should have a very active opposition so that the opposition keeps the government in check and ensure that government is on the land all the time. If it does not as I said the opposition is ----- --. The idea of the government of national unity can be considered by the government incase of emergency, incase of disasters and incase our country is at war with another country, that is the time we fit all the political leaders to work together, at the point there will be need for coalition government. And infact it does not have to be a coalition government, we will call it an emergency or war government and will incorporated all the other people. The country should move out of the current system and ensure that ministers are appointed on the basis of certain competence. They have to competent and I will even go as far as suggesting that the entire cabinet can be appointed from out side the parliament. In other words we have very competent qualified technocrats who are not politician and therefore who do not have the opportunity to go to parliament, but we do not utilize them and they're out there. These proposals are forcing the opportunity to be members of the cabinet and therefore very useful in running our country. Appointment of ministers must restrict to kenyans of impeccable integrity and appointment must be vetted by the public and approved by parliament. In other words if public makes some noise because you have proposed a cravat to be minister that must it and the motion must go to parliament for approval. Ministers must declare their wealth upon appointment and must stop any business activities as long as they remain ministers. They should however be paid very well to discourage them from the temptation of seeking bribes. Ministers are potential presidential candidates the qualifications for the ministers should be as that of the president because they are potential presidential candidate and therefore potential president.

I forgot to mention that when I speaking about the president that concerning the election of the president, the Constitution should spell out very clearly that the president will run with a running mate and that running mate in the event something happens to the president, if he is incapacitated the running mate automatically becomes president for the remainder of the incapacitate president. If for whatever reason the president comes back to the office, then the vice president must step back. This is important because it will ensure that whoever becomes president, from the vice president is somebody who the public have confidence in, they have actually elected him, knowing the Constitution says that incase something happens to the president that is the man who becomes their president. I think that will stop the speculation of people wondering whether so and so is competent or not, just because he has being appointed by president.

The position of deputy ministers whose responsibilities must also be defined they should be effective deputies of ministers, in other words they act for their ministers. They will be acting ministers in the absence of the ministers and that they can only be members of parliament not coming from outside as I have suggested in the case of ministers. They do not have the final authority except as acting accounting officers. I am suggesting also that the ministers should become executive, and their chief executive office ministry and accountable to parliament for all the expenditures that take place and the decision that take place in his ministry. The reason I am making this point, is because there is the confusion between the minister and the permanent secretary. The minister might issue instructions that the permanent secretary refuses and when the matter goes to parliament for review, it is the permanent secretary who answers, and it always creates a lot of difficulties between the two and therefore if we make the minister the chief executive of the ministry then he is responsible and the parliament engraves in the event of anything happening.

On the vote of confidence, in order to prevent people from introducing ----- motions of no confidence in the government, I am proposing that any vote of no confidence on the government should become effective if passed by 75% majority and so that will stop people from proposing votes of no confidence because they know it may not pass. The vital powers I propose that the president should have vital powers, he should have the powers to vital a decision by parliament which he feel is not in the interest of the country, but parliament will have the right to authorize that vital by a 90% vote in parliament. The parliament should have power under the new Constitution to impeach a president in order to prevent possible abuse of this provision, in other word prevent people coming with false accusation against the president, there should be a very clear provision in the Constitution as to what offences will constitute the suspicion offence for the president to be impeached.

In any case a 75% majority vote in parliament is necessary for the impeachment proceedings to pass. Finally on that issue, parliamentary elections should be held every five years on the date strict to be fixed by the Constitution. In other words the country should know right from now on when the elections are taking place, when parliament is being prolonged etc. This I think will be very useful and stop speculations by a lot of people and I want to say that in case that there should be not time when there is no parliament in the country. When the parliament is dissolved for the final term Members of Parliament should remain on call to deal with any emergency or any agent matter until the new parliament is sworn in.

On the presidency the new Constitution should clear the ethical qualification, which must be met by an aspiring presidential candidate. In my view candidate must meet the basic qualifications as follows:

- At least 40 years of age.
- Must be graduates of a recognized university or equivalent education exposure.
- Must have proven leadership experience, either in public or private enterprise including leadership of a political party.
- They must not have a criminal record.
- They must have a clean moral record.
- They must be members of a recognized religion.

- They must have a good ethical record and,
- They must belong to an authorized and recognized political party.

A president will serve and remain in the office for a maximum of two parliamentary terms of five years each and in order to avoid -----, a parliamentary staff begins with the swearing in of a new president and terminate after five years or earlier. In that if for whatever reason the parliament is dissolve after three years rather than five, then that Constitution will cater for the president.

**Com. Ayonga:** Minister kama unge-summarize sasa. Naona watu wako ni wengi sana, wengine wamekaa hata huko nje.

**Hon. Kulaba:** Let me make one or two points. I want to make a point on the question of land and security of minority people. I think this is important for this community. I will like to suggest that the new Constitution makes a provision that guarantees the safety, the security and property ownership of minority. The people here have got special experience of being minorities. There many brothers across the river just down here and we have had cases or history has been that of suffering because we are minorities and underprivillaged. I want to make this point because I would like the Constitution to find some means of securing the future of minorities in the country. Minorities have suffered lack of development, they have suffered lack of education, in fact they have not developed at all, simply because they did not have the opportunity or the ability to participate in the distribution of the national welfare at the countries head quarters. Because a lot or our people have not been educated enough to be able to to participate at that level and this is the key reason I am saying that it is very important that management of power is devolved right to the grass root so at least minorities can also have an opportunity to develop there own areas. Because an agreed financial package is also available for them.

Some years back with precise 1992 and 1997 through an administrative act we lost personal land to our neighbour, I am saying administrative act because the decision was made by people who were in government therefore in authority without following the correct procedures, without even bothering to ask the views of the owners of the land. We took the necessary measures to request the government to bring back those changes to the original boundaries, a Commission was set up by government, a decision was reached by the Commission that the boundary should go back to where they were, not all of them, we lost part, but the reaction we had from our neighbours was threatening infact we wanted what to do, we were threatened with elimination, with an election, infact we were being threatened to be pushed across the river the other side. I want the Constitution to provide for the security of such minorities. I would like also the Constitution to provide for defense parks, countries have defense parks; a major country can have a defense park with a weaker country.

It can have a defense park because the bigger country, which is defending the smaller country, knows that an enemy is threatening smaller country and there gets into a defense part with it and therefore that smaller country is secured. We want that provision in the Constitution for us to be able legitimately to have some defense park with our brothers across the river. So that

if we are attacked and solicited we can defend ourselves, we want that provision in the Constitution so that whatever we do in future will be a legitimate act provided under the Constitution. And in order for us to save our people we will have to do that either way but we want to be legitimized, it is an important matter that we would like to be recorded and we would like you Commission to take serious cognation of and really to provide it in the Constitution. It is related to the issued of land.

There are a number of questions here, which I cannot answer here because of time limitation, but just who alters land boundaries? Just who gives the right of ownership? How is it passed on to those people who give this right? It is therefore important that the new Constitution must give it very clearly that land right must be left to the people themselves. If there is tribal land, somebody must have tribal right for it and it is the tribe that decides what should happen to that land. We did not want to find ourselves in a situation where some administration officers do make a decision like it happened in our case. To transfer chunks of land to another area therefore create totally unnecessary conflict between our neighbours and us. I think that is an important issue that this community is very concerned about and they would like you to address it.

I had a lot of other things to say but Mr. Chairman you are pushing me, or shall I continue?

**Com. Ayonga:** Mheshimiwa, -- (inaudible)

**Hon. Kalaba:** Mr. Chairman this information I wanted to tell you, it is here, I have some other information here, but unfortunately I was not here when Emol was presenting their memorandum and I do not know how many of these issues they have covered, but if they have covered I would be satisfied.

**Com. Kangu:** Give us the document.

**Com. Ayonga:** Ni kwa maana mheshimiwa ukitaka two hours, hiyo ni kusema nikikuacha utaenda saa tisa na nusu na hao watu wako nyuma yako wafanya nini. Ningalipenda kama hii habari ya land ambayo umesema, juu ya security, na kama kuna jambo lingine related to that, kwa maana mengine kama ya governance, hiyo umeandika kule tayari na tunaweza kusoma ofisini. Maybe if there is something ambao unafikiri you really feel to say sema, lakini nikupe dakika tano tu tafadhali.

**Hon. Kalaba:** Asante sana mwenyekiti, perhaps just one thing I should say is rising from the same sediment has just said, the issue of insecurity of minority groups, the issue of denying them their rights, the issue of getting no cake at all when others are getting it. We have an issue here of contingency representation, we in the year 1985 justified to the electoral Commission that this district that time was Busia North Constituency, justified a decision into two constituencies, we were convinced that we had made a good case, we were advised by Commissioners that they were impressed with our presentation and then we did not get a representation. We still have one Member of Parliament representing the entire district. Just to give some perspective of what it is, until our boundary was altered up in the north, we were bounding with Mr. Elgon and where you are seating Mr.

Chairman is exactly between Mr. Elgon and Busia town. It is not fair that one Member of Parliament should represent our people, it is not practicable, it is not possible, it is demanding the impossible from a Member of Parliament. In 1985 we should have had a second Member of Parliament and today we will be asking for a third one. Through the sediments have explained earlier we have not yet received an additional Member of Parliament, we have 62,000 registered voters, which compared with all the other constituencies around here is an equivalent of two to three constituencies in that area. That is the reason I have proposed to you and also made that contribution in Parliament, that in the rural areas the numbers of the registered voters per Member of Parliament should be reduced to 20,000, we feel very strongly that our people are very under presented, development of our people is low, because we only have one Member of Parliament instead of three and it is something we will ask you Commission to consider the issue of Parliamentary representation in the rural areas. In other words you will help us quite a bit if you were to say the best on the information you have heard may be 20,000, or 50,000 or whatever number you want to say, is a fair number of voters to be represented by one member. Otherwise we feel here that there is deliberate effort to keep us down in development matters. I have another one I would like to have started but I am already fixed. I thank you and let me apologize for coming late, I should have been here to welcome you when you arrived, I want to say that we are very happy inspite the comments I made that "I hope you are not coming here just for a public relation exercise". I want to welcome you very much, this are very nice people and I would like you to have a very enjoyable time in the next three days you are in the constituency. I wonder whether I will ask you to go up North, I have told you that Mt. East point where you are seated equidistance between Mr. Elgon and Busia town. The people up there are asking me what happened, how are they expected to come down here because it is a long distance on the way, although you have two other stations on the North which is okay, but I would appeal for you to consider visiting the people up North which is a long way from her.

Mr. Chairman I want to thank you and I want to wish you an enjoyable stay here in Teso.

**Com. Ayonga:** Before you leave let me thank you bwana Minister for a very comprehensive report that you have given us of your views, which are very useful, I think you having had the experience in Parliament and other governments of the world, this is a very rich experience that you have shown by writing the memorandum that we are going to get from you, and you raised some questions earlier as regards to our visit here. Is this just an exercise because you have heard things from our office, they kind of ready and why have we come to Amagoro, just to keep people here and collect views which are not going to be use. I think we have an answer to that. At least we think we have an answer to that, but if someone else where thinks he has a solution to that, that is him or it is them, but as for us let Kangu in his experience also say the other side of the coin. Kangu.

**Com. Kangu:** Pastor has given me a very difficult task but I will try. May be you people know that I am one of the people who has publically differed with our Chairman on some of these things. Western province is not coming last because it is not taken seriously, but because we had to begin from somewhere and end somewhere. When I was here last I explained that very approach has its own advantages and disadvantages and I said because Western was last you will have advantage of getting more civic education, but of course of Mheshimiwa has said, there is a risk of your views not being taken seriously, but our

position is that, that is not the position, although of course statements have been made that can make Western people start worrying, recently there were statements that 80% of the views have already being analyzed and people who start worrying and of course recently there were also commends about how many Kenyans are saying they want this system and consensus has already being build and some of us said, you can not start talking about consensus until you hear all the people. You do not know what you are going to hear from the remaining part. It is not true that 80% of the views have been analyzed. The majority of the views we are receiving from Kenyans are oral, a few people give us written memorandums, but the majority of the originally Kenyans come before us and speak orally. We take notes we record verbatim, when we go back, the verbatim records are supposed to be transcribed into written documents, which then have to be analyzed. As at the time we have the last meeting about three or two weeks ago, the transcription of the oral submission was only finalizing Central province, which was the first province, we went to. So for anybody to stand up and tell Kenyans that we have analyzed 80% of the views, he can only be saying that he want to disregard those oral submissions, because whatever has been done or analyzed are the written memorandums, and done by our data analyses staff, the analysis of the data analysis staff is not going to be the final position, the Commission itself must seat down and verify that what they have given as analysis actually reflects the views we had in the field. So in my view it is wrong for anybody to tell Kenyans that we have analyzed views, infact we have not. We must finish the hearing before we can go and seat down and look through those views and then start saying on this issue, this is the direction it should go and so on.

Now on the programme of finishing and the elections, we are operating under an act of Parliament, and I have been in this hall twice and I explained to the people the procedures that are provided by the act and when we finish taking the views next week, it will require us to go back and analyze, collets those views, prepare a report, recommendations and draft bill. Then the law and this is what the Kenyans themselves augured that they want a people driven process, the law says, we must not report to the President, we must not report to Parliament, we report to people. So we publish the report and allow the Kenyan people 60 days to read through to discuss, to debate and then we come back to them at the provincial level to get there commends about what we have done. Does it reflect what they told us? And the way we have reasoned to arrive at the commendations is it what they would like to have or do they want anything changed. Once we get those commends we revise our report before we call for the National Constitutional Conference. In our estimate of time when were request for extension up to May we had allocated National Constitutional Conference one month and of course in the view of some of us, that was quite ambitious, because you people know across the country, the equivalent of our National Constitutional Conference which was the national constituency assembly, had being estimated to take three months, they ended up taking 16 months. We think therefore our estimate of one month is extremely ambitious particularly if you look at the nature of the body that will be discussing these things. 600 people, you have put Kanu people here, opposition people here, religious people here, NGOs, you can imagine akina Kibwana there, and you expect them to agree in one month. I do not know but that is the estimate we have given. And then the law says, when that body makes its decisions, if there those issues they do not agree on we come back to the people, for the people to decide by way of a referendum, they vote and there after we go to Parliament. So those are the stages that are remaining and that is why I have many times gone public to say the Chairman is misleading the country, when he talks about

a draft Constitution being ready by September or by October, he creates the impression that we will have finished our job, he does not make it clear to the public that, that is just one stage, but there still other several stages which the law provides for. Of course we have said if Parliament in its wisdom decides to amend the law and change some of these things, we will not complain because we must follow the law as it is. But if it is changed we change, but of course I have also said that even the philosophy on which this process was based is a people driven, I think an attempt to remove some of these stages will not be suggesting wisdom on the part of Parliament but infact lack of it. And if they want to portray themselves as lacking wisdom, then we cannot blame them. So that is what some of us have said, that Kenyans said we want to go through all these stages because the people must themselves decide, but if we reach a point and ironically Mheshimiwa some of your colleagues in the house who are on the forefront on this issue of people driven are the ones now who are willingly infact abusing some of us, tell us why don't you just remove some of these stages, and then you finish a draft you give it to Parliament and Parliament passes it into something else. At one meeting I asked them, what is this we are hearing, the people who generated this animal called people driven are now telling us off load the people. We cannot do that, if you want to do so, do it, and take the responsibility but we will not help you to offload the people. We even have had meetings with religious leaders and Ufungamano people and we clearly told them, you are the ones who created this animal called people driven, now you want to tell us we offload the people, we can not help you, do it yourself and take responsibility, they do not want to take responsibility, they want the Commission to be the one to be blamed, that is what has been going on. Unfortunately of course in the course of event I am very tagit on this issues, our chairman has also contributed to the confusion because in my view I still believe it and of course the relationship I had with him at the beginning it was close and I know that infact he is in a early to leave this country by the end of this year, and so while he is trying to serve his personal interest he wants to create the impression that he is trying to serve the interest of Kenyans. And have said I am not going to cheat anybody, have been very tagit with them and if we want to change the approach let us do so without passing the burn, and I asked of course when we met the MPs that many would like us to have a Constitution before election and the our Chairman has promised many times. And I told him you are making a mistake we are not in a vacuum, we have a Constitution in place under that Constitution it is the president who has power to dissolve Parliament and call for the election. When you go promising people and you have not consulted with the president, that he will wait for you, you know you are offending and he is a very important player if we offend him, because the process might not go on. Have you consulted with him and so we would want to promise a Constitution before elections, but how sure are we that when Mheshimiwa you go on recess with this man, that the president might call you back, he may decide while you were on recess that now I am calling for election, so we do not want to give false promises, my approach has been, let Kenyans know we have a problem, so that we start looking for a solution and the problem is; we would like a good Constitution following a certain procedure we have laid down. It seems to appear we cannot finish that process by the end of the year or before the end year and yet we would like to have elections by the end of the year. So how do we handle the two? You know we start looking at the options, each option will have advantages and disadvantage, then we chose the best, you may say go with the current Constitution it has advantage and disadvantages, you may say go for minimum amendments it has advantages and disadvantages. Muite has said go for an interim Constitution it has advantages and disadvantages, there is even the suggestion to extend the life of Parliament, it has advantages and disadvantages. So look at all of them and make a choice. Unfortunately

when some of us are trying to tell Kenyans we have a problem our chairman has continued to tell them we do not have problem I will deliver on time.

**Com. Kangu:** Na huyo ni mwalimu Kangu na sasa mwalimu mwenzake anataka aseme kitu.

**Com. Nunow:** Thank you bwana chairman, I think Mheshimiwa I wouldn't dwell on what my colleague has already said very clearly, that is the position we all share the Commission except the chair who feel otherwise, but the truth of the matter is exactly stated and you are familiar with us, because it is the house that put it in place, but I would like to say something on the views not being taken seriously by virtue of the timing for this province, I would like to assure you that as a Commission we have very powerful position on how to proceed and I am until the last element of an oral submission is transcribed and analyzed there will be no draft report. The reports will come back to the constituencies for the constituencies to see whether in deed there views have been taken on board. That is the whole purpose of the 60 days and at the time we are trying to start the collection of the views, we thought we could look for one of the few criteria, for visiting the provinces and we debated on that at the Commission and my colleague was there witness and we thought the most open criteria was to go alphabetically, that why we started with the Central, Coast and so on until we are finishing with Western, it was not with any other criteria other than alphabetical to ensure that at least we start from somewhere and end with somewhere. With regards to your concern of your constituency on the upper side, I think the panel is such that this province has been given a much better position in terms of venue. Most provinces we have had two venues in each constituency, that is what we had resolved, except this province where several constituency we are visiting three venues. But that is not your concern, your concern is still the fact that this part has been left out and the three venues are more less concentrated. I think that still there is a possibility of doing that, if could take the concern as soon as you can to the secretary Mr. Lumumba and we have special panel that can be constituted at very short notice and I am sure your constituency has also the possibility of being conducted first enough while we are still within Western upto Thursday next week, it is a possibility that could pick up with him, that a special panel be constituted with even two Commissioner to go to the upper side and have those people give there views because it would be unfortunate if we leave out a set of your society.

**Com. Ayonga:** Mheshimiwa ukifanya hiyo before we leave Western itafanywa kabla hatujatoka.

**Hon. Kalaba:** Thank Mr. Chairman I can assure you I will do that today.

**Com. Ayonga:** Na tena nataka kukushukuru sana na haya maneno ambayo Commissioners Kangu amesema ni ukweli mtupu, kwa hivyo confusion iko na sio hapa tu bwana Mheshimiwa, tumeenda pahali pengine tunaambiwa haya maoni yetu ambayo tumekuja hapa kweli yatafanya kazi? Nikana kwamba tunajaribu tu kuja tulalalishe watu tu, kuwafanya kitu kulifanyika ambacho hakina maana, la sisi tuko hapa, it is a very serious exercise and we want to do it with all our heart, with all our minds na kila kitu tunaomba Mwenyezi Mungu atusaidie hili kimalizike. Na nyinyi Wajumbe mtumsaidie, kwa maana mkiwa mnasikia

maneno ya mtu moja hamsikii maneno ya watu wengine hii pia inatuletea taabu, kwa maana mwenyekiti wetu anapongea inasikika kana kamba Commission imeongea, hata si sasa kulikuweco mwingine katika gazeti, kwa hivyo tuko pamoja nanyi na kazi hii tutafanya jinsi inavyotakikana. Hii Constitution hatutengenezei watu, wengine ni Constitution yetu unaona, we are all involved, ikiwa mbaya itakusumbua wewe, itanisumbua, itasumbua watoto wako, itasumbua wangu, wajukuu wako, wajukuu wangu, pia watu wengine wageni. We are not making it for sale, we are making it so that we can benefit from it kama waKenya. Natunakushukuru sana for the time you have taken with us. Sasa ukiweza kutupa hizo memo zako halafu urudi huko nataka kukubusha haukumaliza soda yako, umalize soda yako ndipo tutaendelea. Ujiandikishe kule Mheshimiwa.

Sasa natumaini kwamba nyote mmesikia mambo ambayo mheshimiwa ameguzi karibu kila kitu, ameguzi karibu kila kitu na ikiwa memorandum yao imeguzi mambo kama hayo, ingekua hata kitu kizuri ukija unasema yangu niliotaka kusema yako katika hii na nimepongeza yaliosema, uende kule ujiandikisha na uketi au utoke. Kuliko kuanza tena kurudia rudia, tumeelewana, sitaka kufanya yeyote ajisikie kwamba he or she is not important. Kitu kilicho important ni issue ambayo imezugumziwa na kama issue hiyo hiyo ndio pia na wewe umeandika, wewe tu leta hiyo issues sema majina yako hapa na toa maneno yako kule. Kwa maana toka asubuhi tumetumia wachache lakini wametoa very important issues ambazo zimeguzi nyinyi nyote. Sasa Chamber of Commerce Teso branch.

**Fredric Okademi:** I am the Chairman of Chamber of Commerce Teso branch, Mr. Fredric Okademi Papa. I would like to present a presentation from the business community, we feel that we must start with preamble, the preamble saying we the people of Kenya are conscious about our colonial past, because of injustice, in that we took up our arms to fight for independence so that every Kenyan may be equal. SO this Constitution is our expression of determination to ensure that, there is equality and justice throughout our country. In direct principles of the state policy, the policy should be to ensure there be justice, peace, love, unity and equality before the law. Constitutional supremacy: the current Constitution allow Parliament to amend the law by 65% majority votes, however, we are not satisfied with that. That should not be the case with matters concerning the bill of right and alteration of district boundaries. Like now we are threatened. In this regard we feel that Parliament can only change the law by a higher percentage, thus 75%. In citizenship it has been touched, I may not be able to repeat but I will stress on an issue that also, women our boys in Kenya marry from outside should be considered as automatic citizen on approval of marriage. That is only by church or by the office of the DC. In defense and national security, I will stress that we want this office to be established so that MPs do not tamper with them. The establishment of this office will spell out the role of this services and the powers in Parliament. The current establishment of the national security is good, but we also in addition propose the additional council of elders to be empowered to deal with certain aspects of security. Say in an area you may disagree with the policeman because you are seducing one lady and when he is not strong enough to win her, he comes harassing you in your own village. We would like anybody coming to a certain area, a sub-location or a location, must go through the chairman of the council of elders for authority to have that particular person arrested not just to go and harass. For example even an army man coming to beat anybody anyhow and you cannot take him anywhere, if you take him to the OCS, the OCS himself cannot deal with him. He feels an army man is supreme. SO the empowerment of councillor of elders is

tantamount, in fact that one replaces what we call chiefs and assistance chiefs, but we can only detain DC, PC out, DO out but they can work in the DC office.

Political Party: there is a limitation on the political parties, this is very important to have limited number of parties in the republic, currently we have over 40 parties in Kenya, most of them have not understood what their role is. So we propose that they should be limited to a manageable number thus a maximum of five parties in the country.

Legislature: the age of Parliamentary voting, every citizen 18 years and above should be eligible of electing a Member of Parliament. Parliamentary aspirant, every citizen with an ID and voting card who needs to contest as a Member of Parliament should have attained the age of 25 years and above. Presidential aspirant a man and a woman to seek for presidential election, he or she should be 50 years and above and should not be more than 65 years old. Recall of the MP by the electorate: to recall the MP for inability to perform his duties he has been assigned or elected to do, we propose that voters should be allowed to initiate the moves through a petition made by at 25% of the number of people who signed his nomination papers and at least 75% of constituency delegates of the sponsoring party. Determination of Parliament salary: a Parliamentary service Commission guided by ethical reconsideration and economic reconsideration, etc should do this.

Executive: presidential qualification the president candidate should have a minimum of university degree, tenure of office it has been said two terms, okay we concur. Judiciary: the current judiciary is not adequate, in addition we would like to propose arbitration. Land dispute, inheritance, and customary marriage, these ones should be forwarded to local council of elders, because these are very petty cases to be taken to court. This should be handled by a recognized council of elders. Age of judges: we have so many boys who have gone to the university, some of them are professors and what have you, the mandatory retirement of judges at the present is over 72 years, it is too high, we propose that the retirement of judges should be reduced to 65 years, this will pave way for many idle Kenyan employment in the Judiciary.

Local government: Yes we support this, the mayors and the chairman of the local authority be elected directly by the people, in support we are also in the proposal of the local authority association proposal. But also in addition the deputy mayor, the deputy chairman should also be the number two on elections. The minimum education of councillors should be a minimum of KCSE certificate. Recall of councillors should be like that one of the MPs, except for the councillors we go by the wards.

Electoral System and Process: defection of candidates, we have all had a lot of problems in the republic whereby a very senior man frustrating a candidate who is very popular and the choice of the wananchi, it is good to allow this people to defect to another party, to exercise his popularity. So defections should be allowed. Ya mwisho, simultaneous elections for civic and Parliamentary and presidential elections. It has been mentioned by the MP, but to me I feel it has to go in an interval of three months. Presidential first, Parliamentary second, civic respectively within an interval of three months. The elections: there should be specified date on the Constitution. Hapana kuweka watu to verbal when the elections can be like today. Presidential

elections: the president of this country should be elected by the people directly. Counting of voters must be done at the polling station and the results announced there and then. This will avoid rigging and delay of the results. Thank you very much.

**Com. Ayonga:** Sasa nenda uandikishe memo yako, ujiandikishe kule. Kenya Union for the Blind, is there a representative. Ndiyo huyu? Wewe unakwenda wapi? Sasa kitu ambacho nitataka ufanye, utasema majina yako, na hicho chama chako, halafu utauambie maneno makubwa yalio katika hiyo memorandum yako, hiyo ingine utatupa tutaenda kusoma. Sema majina.

**Alex Kalaba:** Majina yangu ni Alex Kalaba, I am the chairma Kenya Union for the Blind Teso branch. Ningependa kushukuru kwa nafasi hii kwa sababu it is long since the country got independence and people with disability have been very much marginalised. So in our memorandum we people with disability we request the Constitution to accommodate us in the following areas.

- We need fair representation; we want to be represented fairly right from the local authority to the Parliament.
- We feel elective chances should be created in every district, or if it is not possible, every community should choose one person with disability to represent the interest of persons with disability in the Parliament.
- We need to be given special seats in the local authority so that we are there to champion the rights of our fellow persons with disability.
- Finance allocations: we need in every district in this country, there should be special funds for persons with disability so that they can also improve their economic status, and they can do something minus struggling with other people seriously.
- We want to be represented in that particular fund in the district. For example the National Fund for the disabled we do not know where that money goes. Sometimes you can apply hundred times but not respond, so it beat logic where that fund is there. If the Constitution can protect members with disability on this particular issue it would be so good.

Political parties: there too much and there doing nothing constructive, according to the person with disability we prefer to have about three political parties and this three political parties before they registered, they should have a manifesto which gives clear direction how they can accommodate persons with disability to participate in their political party, minus that they should be barred from registration. That is how we can really integrate persons with disability in our country very well. Because sometimes you find people seated discussing matters pertaining disability and they do not know anything totally about disability and that is why we want to be fairly represented in that particularly area.

Persons with disability are very rich in talent and those talents are able even to generate income to this nation and even to the community. So if we are well funded, well supported, we are able to do a better thing in this country, especially drama, Music and the like. Another thing that I know most areas have been touched, I wish to appeal to the government which is to come or the current one, we should be well represented in all organs of the government. But current I see the Judiciary system has accommodated a lot of persons with disability, so it is a credit, but other arms nothing has been done so far.

Medical and education to persons with disability, our country is very rich, their children should be given free education, their wives and the rest. Then the issue of marriage, blind persons are really tortured sometime or disabled person, they not given the opportunity to exercise their marital status, when somebody wants to marry the person of his choice, there is a lot of opposition we wonder why, so if the Constitution can protect our rights, I think that can really help us. I believe the rest has been touched.

**Com. Ayonga:** Thank for what you have said, the rest we can read from your memorandum and also we do appreciate your views. Now Wanjohi unaweza kumletea kile kitabu aweke signature. Je bwana kilaba kuna swali moja unataka kuulizwa.

**Com. Nunow:** I would like to ask you on the funds for the disabled. You mentioned that those funds have not benefited the disabled because you apply every time and there is no respond, and you have not given us recommendation as to how you would want that fund conducted so that those made to benefit indeed benefit from it.

**Alex:** We as disabled persons we have felt that when the census is carried in this country we should also be counted separately, we may have the population with persons with disability right from the national level to the grass root. So that in every district, there should be allocation of the national funds to the district and three disability movement, namely blind, physically handicapped and the deaf, should be signatory in that account, including may be the DC now and the social service officer so that the members of disability movement can identify their project and then we seat there, we allocate money to specific group now.

**Com. Ayonga:** Thank you so much, unaweza kumpa kule kitabu while he is signing, kuna group inayoitwa Disabled Persons. Kuna mtu ambaye ni representative wa hao? Sasa unaweza sema majina yako kwanza.

**Delas Vincent Mudai:** Jina langu ni Delas Vincent Mudai na mimi ni representative wa Walemavu kama Katibu wa chama cha walemavu, naenda kusema machache kwa sababu mwenzangu yule ametoka saa hii amesema mengi, ingawa ningependa kuomba saa kidogo kwa maana mahali pengine pia inatakikana ku-explain.

**Com. Ayonga:** (inaudible).

**Delas:** Asante, naenda kuongea machache kuhusu walemavu. Sana sana walemavu ndio watu wako na taabu sana. The poorest people on earth are the disabled especially in Africa. Why? Because some of them use wheelchairs, walking sticks ama White cap and structures. So when employment vacancies are advertised in an area and somebody who is disabled is not able to reach there, sSo he will remain suffering. Sisi tunataka serikali itusaidie on the side of employment. Hapa kwetu kuna vacancies za kazi ambazo serikali inaleta, especially from the office of defense, unapata polisi wanakuwa –recruited, GSU, APs and other of like, lakini unapata wanawake na wanaume wale wako na physical fitness wana-recruit, walemavu wanawachwa

kado, sasa mimi nauliza kwa niaba ya walemavu ni kazi gani ndio sisi tunapewa ndio tukae kama wenzetu. Tukienda tena pia sehemu za recruiting on In-takes sana walimu na wale wa medical, wakati unaenda kwa interview, wana-ku-overlook wanasema huyu ni mlemavu kwa maana una kokotana chini, ama unatembea na crutches ama walking stick ama white cane, they overlook you unawachwa, unaambiwa, you will bring problems in the office. Tunaomba tuangaliwe kazi kama hizo sisi walemavu tupatiwe, kwa maana sisi pia tuko na ability ya kufanya kazi.

Tukiangalia tena kazi ya walemavu juu ya umasikini wa walemavu, tukiangalia kama nchi ya Libya nchi ya Libya huwa tunasikia mara kwa mara kwa runinga, na newspapers huwa wana-support wazee. Sasa sisi tungeomba Katiba mpya hii itupee sisi walemavu a monthly pay, ile ambayo wanaweza kuishi maisha mazuri, kwa maana pia watoto walemavu wako na watoto shule.

Wheelchairs: Serikali ilete wheelchairs ambazo ziko na engines ile zisilete taabu kwa maana unaweza kufika pahali hauwezi kupanda mlima, sasa ukiuliza mwenzako akuhinue kwenye mlima atakuuliza ulipe kitu kidogo. Tunaomba serikali ilete wheelchairs ambazo ziko na engine, na zisiwe na breakable or delicate materials. Tukienda kwa wale wanatumia white canes, tungeomba serikali ituletee white canes ambazo ziko computerized ile ambayo unaweza kugonga na unajua hapa ni free, hapa kuna barabara mbaya. Serikali ilete crutches ambazo ni za metal, sio wood ambayo inaweza kuvunjika wakati wowote kuna matope, pia ikuwe computerized and light.

Watu wale walemavu waajiriwe sehemu za donation, hili donation ikikuja hao ndio wanajua mbele, ndio wanaweza kujua shida za wezao walemavu, kwa maana juzi tumesikia baisekeli zimeletwa mahali fulani ambayo ilikuwa imeletwa kusaidia, lakini ikifika kwetu wanasema ulipe shilingi elfu moja ndio ujiandikishe upewe wheelchair. Sasa hapo tunaomba serikali iangalie mambo kama hayo, ya walemavu. Pia tungeomba serikali ituletee loans, kama vile waliletea maendeleo ya akina mama ya poverty eradication. Hili sisi tujukue hiyo pesa na kulipa kwa njia ya polepole.

Rehabilitation centers kwa kila district, sio mahali Fulani peke yake, na courses isiwe tailoring and shoe making, iwe computer, secretarial, telephone operation and others.

**Com. Ayonga:** Thank you so much na kushukuru, ebu toa makaratasi yako kule. Nataka kiongozi wa youth, yule anaye-represent youth aliye na memorandum, yuko wapi?

**Delas:** Tafadhali niko na barua yangu ambayo nataka ku-represent, just a minute. Sasa hii barua, when my disability become worse, I wrote a letter to the office of the president, requesting him to support me where necessary, so a respond came, unfortunately I was advised to go to the area DC which is Busia, unfortunately I was not able to climb, so unfortunately somebody somewhere who knew me, came and received me and told me he may take my letter to the DC who was not in. So for a very long time somebody stayed with my letter until a few days by God's wish, the letter came to my hands again, so my

present this letter to the DC please.

**Com. Ayonga:** Barua yako leo umebahatika DC yuko hapa, sasa wewe nenda uweke kidole huko na barua yako DC ataishugulikia. Wapi yule wa youth? Now namuita Rev. Lali Emukule. Kama hii inaweza kuletwa hapa tuone kama itafika, yes imefika.

Tafadhali tumeanza tena hebu tumsikize Reverent anapo toa maoni yake. Rverent tupe yale makubwa makubwa.

**Rev. Lali Emukule:** Kwa majina naitwa Kasisi Lali Emukule, naudumia kanisa la Anglican hapa Malaba na pia ni diwani mteule katika baraza la Malaba, kwa hivyo nashukuru kupewa nafasi hii nitoe maoni yangu machache kuhusu marekebisha kuhusu Katiba yetu ya Kenya. Nilikua nimeandika machache juu ya political parties. Lakini mengi yamesemwa na pengine mimi ningesema nimeshukuru kwa wale ambao wamesema juu ya political parties isipokuwa nilita kuongeza ya kwamba nikisoma point chache ambazo pengine nilifikiria nikisema:

- Inorder for political parties to perform those important roles a national Constitution should stipulate a few legal rights to empower them, there as follows:
  - To criticize constructively the government of the day without being accused of treason and offer alternative policies.
  - The right to hold freely public meetings with the people.
  - The right to mobilize and ----- citizen for support and membership

The Constitution should allow for the funding of political parties by state. This can be directly or indirectly; this will help to put the level of political playing field.

Nikienda mambo ya Local Government nafikiri hayo yamesemwa sana, sina point yeyote ambayo nitaweza kurudia mwenyekiti.

Constitution supremacy: a Constitution is a property of the people, it neither belongs to the government, politicians or any specialized group, but the honourable people who are stakeholders of the Constitution have a right of safeguarding this important tool of governance from being manipulated. The Constitution expresses the hopes and aspirations of the people. If it fails then it must be changes by the people after a national referendum being conducted by the Commissioners appointed by Parliament. Parliament shall have the supreme power of creating Constitutional offices e.g. office of the Ombudsman, Prime Minister, Ceremonial President and etc.

Land and property rights: And individual should have a ultimate ownership of the land, not the government or state. If the government wants land for private purpose, let the government negotiate with the landowner. The right of the government to acquire private land compulsory should be abolished but instead should be through public referendum. The state, government or local authority should only have powers and control to the use land in the town centers and along the roads only. Inheritance

and transfer of land rights should be brought to the district head quarters for DC's accessibility and settlement of land transfer cases. Survey maps to be availed near, for the example in the district headquarters. On land ownership there should be no ceiling of the number of acres to be owned by an individual, as long the accusation is legal. Restriction should be imposed to non-citizen on land ownership. First of all requesting the government to grant the individual citizenship before owning land. Land transfer procedures should be simplified allowing title deeds to be given at district headquarters. Settling land transfers within one-month period to minimize land cases. Nimesema hivyo kwa sababu mambo ya mashamba imeleta shida kwa wananchi na utapata mwananchi na unapata mwananchi ambaye hana pesa za kutembea na mambo ya shamba yake huko Nairobi, imechukuliwa na yule ambaye ana pesa na mamlaka na sasa kesi inafanyiwa Nairobi. Sasa yule atatengeneza mambo yote huko na kupata title deed huko, mambo yakirudi hapa wewe unaambiwa shamba si yako kwa sababu yule ana-title deed ya shamba, kwa hivyo mambo ya mashamba yangrudishwa kabisa yafanywe hapa nyumbani na wale watu ambayo wanajua. Sheria ilinde mambo ya mashamba na itunze mambo ya mashamba na ifanywe na watu wa karibu ambao wanaelewa hiyo ni shama ya kasisi na hiyo ni shamba ya MP, hisije ikaonekana kwamba, mtu afanya kitu ambaye hajui shamba hiko wapi, lakini anapata shamba anasema ni ya DC kwa sababu DC ni mtawala mkubwa sana.

**Com. Ayonga:** Asante you have made your point Kasisi, hebu toa ya mwisho.

**Rev. Lali:** Ya mwisho, nitauliza kama nikiwa mtu wa kanisa kwamba kila siku serikali yetu imeuliza wanakanisa, pia nikaona nasikia wale ambao wanaunganishwa na wanakanisa ni walimu na wanaambiwa kila siku kwamba ikifikwa wakati wa siasa hivi nafikiri watafute nchi yao wanaenda kukaa bila kusikia siasa inaongewa, wanaambiwa wanyamaze waubiri wenyewe wafundishe, lakini siasa sio yao, wakifanya siasa watakatwa. Kwa hivyo nilitaka kwamba serikali ijue kwamba kila mtu hako na haki ya kujitetea, kila mtu apewe haki hiyo na sio kuambiwa anyamaze. Sisi ni professional ambao Mungu ametuchagua na kazi yetu kama wanakanisa ni kuonya kusema kitu hicho ni kibaya na serikali ikitengeneze na inakuwa mzuri. Kwa hivyo pia nafikiria ya kwamba serikali katika sheria yetu, hiyo sheria ingesaidia serikali kubuni Ministry ambayo ita-run mambo ya kanisa katika Kenya yetu. Kwa sababu pia saa hii bwana mwenyekiti, kuna makanisa mengi ambayo yamejitokeza hapa Kenya, nimesikia wewe ni pastor, sijui kanisa lako ni gani, langu ni Anglican, lakini unapata kwamba makanisa mengi yamejitokeza na hapo sasa makanisa yamepoteza hiyo ladha ya yakuwa kanisa, kwa sababu ya wingi ya makanisa ambayo yamejitokeza. Kwa hivyo Constitution yetu iangalie mambo ya hayo, Wazungu wasitoke huko watuma mtu hapa, anatoa nyinyi pesa, mtu ambaye nyinyi mnamjua ni mwizi ni muuaji na kesho anaitwa pastor anaongoza watu, hiyo serikali inagalie sana, ndio tumepata madini ya kuabudu sanam na sasa kuna makanisa hapa ya kuabudu sanam na inasemekana kanisa ya kuabudu sanam ni yenu watu wakubwa na matajiri. Kwa hivyo tunagalie mambo hayo.

Bwana mwenyekiti nataka kungalia mambo ya boundaries, kwamba mambo ya mipaka imekuguzwa na Mheshimiwa na mimi nataka kurudia tu kwamba ingekuwa heri kama ile Commission ya uchaguzi ingeweza kuwa na Katiba ya kuongeza constituency, na ikiwa na Katiba, sasa hiyo Katiba ikiwa imetengenezwa ikija kwa watu, watu waulizwe kwamba hiyo constituency yao, inataka kupatiwa ingine, inatakikana kukatwa, hiyo sehemu ingine iende kwa mahali pengine ama namna gani.

Kuliko watu kusikia tu kwamba hiyo sehemu yenu imekatwa na imechuguliwa na watu wengine. Pia ningepuliza kwamba hiyo Constitution iweze kutengeneza criteria ya kuongeza constituency, hisitokee tu kwamba mtu anaambiwa ama watu wawili muende huko muangalie kama constituency inaweza kuongezwa na kwa sababu mtu ni rafiki ya wale anaenda anagawanya constituency. Kwa hivyo hayo mambo hayataleta usawa kwetu kwa mambo hayo.

**Com. Ayonga:** Sasa bwana Kasisi hilo ndilo lilikuwa la mwisho?

**Rev. Lali:** Mwisho kabisa bwana mwenyekiti.

**Com. Ayonga:** Tena iko mwisho kabisa? Sasa wacha aseme mwisho kabisa na nyinyi mnisaidie hasipokuwa na mwisho kabisa.

**Rev. Lali:** Sasa ya mwisho kabisa bwana mwenyekiti ni hili la employment. Nimesema hapa kwa Kimombo, should job seekers have a tall relative in order for him or her to be offered a job? Or be from the right party or tribe? The new Constitution should direct different ministries to advertise and gazette all existing vacancies in their respective departments. This will help attract applications from a variety of candidates. Interviews can thereafter be held if this is fully enforced. All Kenyans with the desired qualifications will have full chances to be chosen to those post. Job seekers or graduates from rich and connected families end getting jobs, while TSC and NGOs should follow the same criteria. Nimesema bwana mwenyekiti kwamba ni mzuri, kazi itangazwe kwa sababu ukienda saa hii hospitali, wale watu utapata kwa hospitali ni watoto wa madaktari, watoto wa nurses, na wale jamii yao. Ukienda kwa ofisi yako saa hii, bwana mwenyekiti.

**Rev. Lali:** Hata kama hauna ofisi lakini pengine ulikuwa na ofisi kitambo, sasa ukienda kwa ofisi mtu akiwa Mjaluo unapata mwenye kufuata ni Mjaluo, mwingine Mjaluo kwa sababu ofisi imekuwa yao. Kwa hivyo inakua ngumu, sasa ndio tunaomba kwamba Constitution iseme isaidie wale watu ambao hawana relatives kwa serikali pia wapate nafasi ya kazi. Kama hatuwezi kufanya hivyo tutaimba tutamaliza ukabila na nyinyi wakubwa ndio mnaendesha ukabila. Asante.

**Com. Ayonga:** Asante, lakini Bishop lazima ujue kwamba kazi zingine utangazwa after they have already being given, kwa hivyo kutangaza tu hakusaidii, nadhani kitu cha maana ni kwamba tuwe wazalendo, na tufanya haki regardless, kwa maana tangazo tu haisaidii, basi hebu sasa niwambie, wakati ule wa pema Commissioner Kangu alisema sisi tutakuwa tukibadilisha mitindo yetu ya kufanya kazi. Kwamba when it comes to afternoon tunaanza mtindo mwingine, maana yake siku inazidi kuyoyoma, imekuwa fupi na hebu ni kubushe wale ambao wamekuja nyuma, ambao pengine hawakupata hilo tangazo. Yeyote aliye na memorandum, anaweza ku-submit memorandum yake without saying a word, una-submit kule inaandikishwa una-sign against your memorandum. Na wale ambao wanataka kukaa mpaka jiona mnauhuru wa kukaa, lakini ikiwa mambo unayoenda kusema ni yale ambayo yamesemwa, kwa kweli hakuna faida. Tunataka wale ambao tunaita kama unakuja kusema kitu hapa, sema kile ambacho hakikusemwa, hiyo intusaidia kuliko kurudia yale ambayo yamesemwa. Sasa zile dakika tano zimekwenda

ninaanza mtindo wa dakika tatu, lakini kabla sijafanya hivyo, kuna mama ambaye anaitwa Clementina Ndege, tulisema tutaanza kufanya vitu jinsi ambavyo culture yetu ilivyo, na kama kuna mzee yeyote ambaye anajisikia hawezi kukaa mpaka jioni, kuna mzee yeyote hapa ambaye hawezi kujisikia anaweza kukaa mpaka jioni? Ninapo sema mzee, ni sabini kwenda juu, bwana Mheshimiwa wewe hapa naona una vijana kumbe hawa wazee wako unawalisha nini ambao hawaja kuwa wazee? Si inaonekana kikundi chote hiki ni cha wazee, tutakuja kuwauliza ulizaliwa nini. Lakini kwa sasa hebu tumsikie mama hapa. Mama sema majina yako, keti tu.

**Clementina Ndege:** *ekiror angi Clementina Ndege*

**Translator:** She is known by the name Clementina ndege.

**Clementina:** *Ibore niabutore eong ne abuti eong ejori akiro nuokolongo.*

**Translator:** She has come here to relate to us the past>

**Clementina:** *aji kokolongo akilongo ateran ayawuni akilong okek.*

**Translator:** According to Peterson they used to make a newly married girl seat at the door and a ceremony is performed.

**Clementina:** *itunga lu ilongete ateran ngini ejasi ajono nu emasiete.*

**Translator:** During that ceremony the people would take some local beers.

**Clementina:** *aji konye kedauni akilongo ejai akiworoworo etogoi taparachu.*

**Com. Ayonga:** Hebu tu-record maneno ya mama wengine mnyamaze, tafadhali.

**Translator:** Also that newly married girl is made to smear houses.

**Clementina:** *kidou ikoku keng eji akipuduni ikoku ngini ejai amuna ajono eji abarene ikoku ngini ejai alimokini ekiror.*

**Translator:** That newly married girl after giving birth there must be a ceremony to be performed also during which time a newly born baby's hair must be removed during the ceremony.

**Com. Ayonga:** Ngoja kidogo, kwa hivyo mama unataka aje? Kuna kitu ambacho haujatwambia na hicho ndicho tunataka.

**Clementina:** *kobunguti akiro ngunu kotakanutu kwape lemu ejatataar kemunauni apwapu.*

**Translator:** She wants all those customs to be brought back.

**Clementina:** *ibore ni eji apokolongo ikoni akiboi neni eyamakina idwe lu pesur de ajasi ejokuna lutelepai de ajasi ejokuna asokonye amojonga de aji akinapakina.*

**Translator:** Most of the customs used to be honored. Both girls and boys were honest unlike today.

**Com Pastor Ayonga:** Tafadhali, ni mama aliyekuwa anaongea na tunaelewa anataka preservation ya culture, mambo yaende jinsi yalivyo kuwa. Basi mama umefanya point. Iko ingine? Basi tafadhali mama unde kule uweke kidole. Je? kuna yule mtu wa sign, tafadhali kama anaweza kuambiwa atupe tu main points yeye ni deaf.

**Benjamin Omokola :** Basic rights in Kenya has been a matter of debate for a period of time. However there has been positive responsive towards the reinforcement of basic rights especially if it regards to second communities. The government has ablated

human rights from what I have been driving towards the rights direction although these efforts have not been felt deeply to the roots of the rural community. Many cases of social discrimination in various institutions such as education, health, employment, training, political representation, government leadership, economic capacity, communication infrastructure and social (inaudible) among others have been observed. In few of these the disabled communities is voluntarily disadvantaged in various ways and thus they are missing their rightful opportunities in contributing virtually, consciously, physically, economically, politically, socially and culturally to the development of these country along with other communities, societies, union and the rest of wananchi.

Out call therefore to the honorable Commission is to consider on self and address our dues, gratis with a view to incorporating the following proposals elevated to reinforce our social and economic stability...(interjection)

**Com Pastor Ayonga:** Tafadhali, lets give him our ears.

**Benjamin Omokola:** Education and training. Since time immemorial a disabled individual have had low defined (inaudible) basic and higher education and training opportunities at their disposal due to policies interventions, weakness in terms of aid.

- (a) Disability facilities and infrastructure.
- (b) Other location and facilitation.
- (c) Economic and social parameters of development

Following the increasing individual cases and disability in the community, community based approaches and education and training for the various disability cases should be instituted through additional facilities and cater at least divisional levels which should be simplified in mobile institution. This will eventually cater for an increasing number of disabilities and emphasize if informal education and training approaches.

Communication is the greatest effected in all cases of disability which improves a blind, deaf, and crippled. Suitable and effective facilities are special have not been adequately out in place at all levels and sectors.

In rural areas or centers especially the desolated government along roads, (inaudible) specially walking and hearing or mobility aid should be made available to all cases and disabilities as may be found necessary to enable fisher nets in communication while going about daily work.

Political representation and leadership. Due to lack of proper academic (inaudible) and physical capacities amongst (inaudible) accessibly, ably to political representation and many are the leadership opportunities have been continuously sealed off for the disabled community especially at the local levels adversity or plight of these disadvantaged groups must be highlighted

at all forums through a special representation by election, selection and nomination, and all levels to ensure their basic rights.

Health services; realizing the complications attributed to the general and health of the disabled the government through the communities based programmes should legalize, acknowledge and fully support a right to health services for a disabled child, mother and other patients at large. Establishment of special clinics including mobile health services in the rural and local levels among with fully equipped health and medical census will ensure reaching more and in crucial cases which emphasis and preventive and early treatment measures.

Economic capacity and social aspiration; any physical, mental, biological implications have always been believed down critics and in terms misfortunes. In Kenya society which is misconception, as a result, the disabled community have served a deal and isolation in many aspects regarding social and economic rights in a society.

Government intervention is called upon in collecting these abnormalities by instituting legal protection to safe guard the rights, to economic access and inheritance at the community and family levels and use of community based programmes to sensitize the common Kenyan society, recognize acknowledge, and support the plight of the less advantaged group of the community in these country. It is therefore our call that the new Constitution will enshrine above all and reach a moment in out reaching the disabled community and serving them equitably with an appropriate share of the national cake through full subdividing in health, education, technology, so as to enjoy economic and social status as tax payers in these country. Thank you. Presented by Benjamin Omokola, deaf.

**Com Pastor Ayango:** Thank you, I think you have heard even what I am telling you. Thank you so much if you can submit that. Next is Tom Nyapara. Utafutwa na Silas Esiromo na tafadhali ninaomba mzee unisaidie kwa kutoa yale ambayo hayajasemwa kabisa. Na dakika ni tatu.

**Tom Nyapara:** Asante sana mwenyekiti. Langu ni kwanza kushukuru maana ya kutupa nafasi kama hii wananchi pia kufika katika hii mambo ya Katiba, zamani ilikuwa ni Lancaster House miaka arobaini iliyopita ndipo wananchi walistaafu. Mimi ningependa tu kuongea zaidi upande wa judiciary maana yale yote ambayo tutazungumza hapo itahusu sana wananchi sawa halafu mambo machache juu ya mamlaka ya nchi . kwa mamlaka ya nchi tunasema ya kwamba nafasi ya presidential candidate ni heri awe mtu amekomaa katika umri. Awe mtu wa miaka arubaini na tano badala ya kumchagua au mwana mdogo ambaye anaweza kukaa halafu aqshindwe kufanya kazi yake. Awe mtu mwenye nguvu kufanya kazi yake, miaka ambaye ni tano ili akizidi kufanya kazi yake ata-retire kama bado ako young.

Pili ningependa kusema ya kwamba kama ni president miaka two, yaani term mbili ya miaka tano tano kama ilivyo Constitution ya sasa, hiyo itakuwa ni baraka kubwa na tutafanya kazi bila mamlalamiko yoyote.

Nikiongea habari ya provincial administration ninaona ya kwamba wakati huu, jinsi ilivyo kutoka kwa PC mpaka kuenda kwa assistant chief ni sawa isipokuwa chief katika location yake na assistant chief wawe transferable, wawe wakitolewa kutoka kwa location moja baada ya muda fulani na kwenda katika location ingine within that district, maanake akizidi kufanya hivyo katika location anaanza kukosana na watu, maanke akizidi kufanya hivyo katika location anaanza kukosana na watu. Yeye ni civil servants pia awe transferable. Sub chiefs na chiefs kama vile ma DOs na DCs walivyo.

Na nimesema ya kwamba kwa upande wa judiciary kwamba mimi wakati mwingine nimechunguza mambo kama hii nimeshaona shida iliyo kwa wananchi, ninaona ya kwamba Katiba mpya ihusishe karibu kila wilaya iwe na high court maanake kwa wakati huu sasa tunapotaka hutumwa ya high court ni sharti tuende Bungoma, Kakamega au katika sehemu zingine mbali mbali. High court iwe karibu, ili kila mmoja apate kuhusika katika mambo yake. Tunaona ya kwamba katika kila kazi ya nchi, katika kila sehemu court zote za wakati za African courts zilikuwa karibu karibu sana, tunasema (inaudible) administration katika mambo ya utawala. Katika judiciary pia tuwe karibu karibu. Maanake ni kusema hivi, ikiwezekana kama kila tarafa, iwe na court ambao itaweza kuwahudumia wananchi kwa njia iloyoyi karibu sana. Na pia ningependa kusema ya kwamba, wale wanaohusika kwa kujiingiza makesi kama hayo, tunao kama wale magistrates na high court judges, wale wanaofanya kazi ya magistrate, wakati wanapofanya retirement, wawe kama civil servants wengine isipokuwa wa retire kama sasa miaka imefika 65 hivi. Maanake ni kusema hivi kuna wengine wame retire kama wale wa siasa kidogo halafu wanaandikwa tena kukuja tena kama contract. Unaona kuna hakimu moja hapa karibu karibu tu ambaye amefanya miaka na miaka ni huyo huyo tu wanafanya reviewing of the contract. Kwa hivyo tuwe na Katiba ambayo inasema kwamba mtu huyu hakimu awache kazi yake kama amehatimu miaka kadhaa, na mimi napendekeza iwe 65 na judge of the high court kwa wakati huu wana-retire kama wana miaka 74. hii ni sawa lakini mimi kwa pendekezo langu ninasema ya kwamba wawe na miaka thelathini na tano ili awe na miaka maarifa ya kuweza kufanya makesi ya watu katika kesi kubwa.

Tunaona mwenyekiti, ninapochunguza katika mambo haya ya kuwachagua hawa, katika division tatu, Commission iwe ndio inachagua magistrates, mahakimu hata chief Kadhis, Kadhis pamoja na chief Kadhis wawe wanakuwa appointed by judicial in that Commission. Isiwe mahali pengine ambayo inaweza kufanya, maana ukienda kwa mkono ingine (inaudible).

Kwa hivyo nimeonelea mwenyekiti wa hii, nimeona ya kwamba ni heri iwe hivyo na ninasema kwamba kesi inapotelewa kotini inakaa sana. Ninaonelea kwamba Katiba iweke muda kama zile cases ionekane ya kwamba muda fulani ikichelewa kesi kotini inamalizikana kwa upesi uwezekanavyo. Sheria inasema kwamba justice delayed is justice denied. Kwa hivyo nikusema kwamba ikimalizika kama mwezi moja au miwili, civil cases zishe mara moja bila kuchelewa. Kama ni criminal cases namna hiyo pia.

Tukiingilia mambo ya murder cases, tunaona ya kwamba kuna provision of warrant ilitolewa. Mtu anapotelewa remand anakaa hapo kribu miaka tano kesi bado ijasikizwa. Baada ya kusikiza kesi utaona huyo mtu anasikiza kesi utaona huyo mtu ameshida kesi na kumbe (inaudible) kwa hivyo ikiwezekana muda upewe katika Katiba ambapo murder cases zimalizike upesi

ziwekanavyo.

Ninapenda kusema ya kwamba katika Sheria hii (inaudible) tuwe na kama ilivyo sasa na court of appeal. Yule anayekaa katika court of appeal kwa wakati huu naona ni Chief Justice, CJ anakaa klule. Katika high court anasikiza kesi. Wakati kesi ile inapokwenda katika appeal, yeye tena atafika huko ku-appeal hiyo. ikiwa alikuwa anapendelea case, ataaribu tena hiyo.

Nataka ya kwamba yeye awe katika court kuu peke yake kama ndio katika judicial. Lakini wale ma judge na wengine wawe wakisikiza na appeal inaenda mpaka kwake (inaudible) na wale wengine ambao wanakaa na yeye pamoja katika court of appeal. Kwa hivyo hiyo ndio ninapendekeza jambo kama hilo liwe namna hiyo.

Halafu kuna jambo lingine ambalo ningependa kusema ya kwamba wakati a suspect is arrested anashikwa hapa nyumbani wanampeleka hapa nyumbani, wanampeleka kwa polisi na kule polisi wana access kama ni arson case polisi anampa P3, pengine mtu aliyepiga huyu ni polisi officer na sasa tunaona ya kwamba polisi atachukua investigation anapeleka ile kitu inaenda ku-feel kwa hiyo forma anapeana kwa yule mtu ambaye yeye pia anahusika. Kwa hivyo mimi ninapendekeza mwenyekiti muweke mahali ambapo mwenye kualalamika aende kwa serikali ya leo. Apewe form ya kujaza kwamba yeye amepigwa na mimi napendekeza jina liwe medical complainant medical complainant form badala ya kusema P3 form. Maana P3 form sisi tumekuwa na shida nyingi zingine zinawekwa na polisi na kwa hivyo wakati kesi inafika kotini inakuwa shida kuvunja kesi ndivyo nasema mwenye kiti ya kwamba kuwoko ndivyo nasema mwenye kiti ya kwamba kuwe na body au health center ambapo mtu akiumia amepigwa aende kuchukua form zake kule halafu iende kama kawaida.

Ya mwisho ningependa kusema ya kwamba makesi ya Kadhi, mnaona kwamba kuna Kadhis koti pia. Kadhis court isiwe inasikiza mambo ya talaka peke yake au mambo mengine ambayo inahusu wao Waislamu peke yake, wawe wakisikiza makesi mengine maana tukisoma katika Constitution sasa, wao wanasikia makesi kama hayo na inheritance. Wapewe nafasi maana wanachaguliwa na that Commission wao pia wasikize makesi mengine (inaudible) na hii itakuwa msaada wa kama kuna mtu kama mahali pengine atakuwa anasaidiwa na hawa watu.

**Com Pastor Ayonga:** Asante. Na unaweza kutupa haya makaratasi yako na ujiandikishe kule. Sasa Silas Esiromo .

**Silas Esiromo:** Thank you chairman, my name is Silas Esiromo, I have my personal views I have covered all issues that are required to be covered but because of time I will try to comment on only few areas. First Mr. Chairman regarding the Constitutional Supremacy, this Mr. Chairman is a very important because the cases for the present review of the Constitution because as I earlier said the current Constitution has lived over 40 years and there have been up haste amendments and this is why people are concerned they want to overhaul the Constitution. As to why we are reviewing almost in total. My first suggestion is that there should be a period, when should we review the one that we are recommending now the new one. Should we have 20 years or even another 40 years? I recommend 20 years so that it coincides with the president who takes

over and we have given him 5 years the 20<sup>th</sup> year we review the Constitution.

Secondly we should make the Constitution Supreme so that any conflict or any other law the Constitution stands, it should not be found out in the Constitution that all organs of the state derived by legitimacy and their power by the Constitution. Mr. chairman a lot of institution have collapsed because they have been deriving their powers from other laws, I will an example of the cooperative Act, cooperative movement have collapsed because their main Act is the cooperative Act but these institutions, individuals have embezzled money as there has been corruption, there has been nepotism all these issues that have made institutions of our country collapse, made the economy even go down, I think it should be addressed in these new Constitution so that individual do not take advantage of these institutions.

I would like to make a comment about still the Constitutional Supremacy is that we should address the issue of discrimination, the issue of exploitation particularly as it was said early of the vulnerable groups, the oppression for the vulnerable groups. The Constitution should give freedom from ignorance, diseases and from poverty, things that have been recommended before but have not been realized. There are so many people who still don't go to school that is why it is a fond idea with universal education and if possible free education of primary school.

I also recommend that there should be if the government afford there should be free medical services. Still on that on poverty, I would like to say that for the common man they call it *Wanjiko* in Nairobi but I think here we call it *Toto* or *Asanye* the issue here is really how does he benefit .from these Constitution. In my own view is that the person here ones identity there want to be assured that they enjoy the basic rights, they have food shelter and clothing but when these are not enshrined in the Constitution you will find that the people still feel that the government is not taking care of them.

Now on the issue of citizenship I only want to say one point is that our people have been having a problem to get identity cards. I agree that at the age of 18 somebody should get a card. But here truly if you reach 18 it takes a long time before you get a card. You are referred to a chief, those of us who leave in Nairobi or towns, you will find that you go to the chief who does not know the father, does not even know the child. You forced to come home, the chief may know you, so that it takes a long time. I don't understand now with the age of a computer where my records are there and you attach the ID card of the father and the mother they should just be automatic for your daughter to get an ID.

I would recommend that really when the prove of the father's ID card is there, it should be automatic for the child to get a card without making them go to a sub chief or a chief.

But the issue of defense the only comment I would like to make is that areas in the border like in Asia they should be emphasis on defense to actually guard the people on the border because we have refugees, we have people who may be criminals or

come for other reasons they will not know so you will find that even if the security people are here, they are not provided with adequate infrastructure, the roads are not maintained it becomes difficult even for the police even to maintain the security in the border so this is an area we would like to emphasize that should emphasis to protect the border.

On the question of structures and systems of government, I recommend that we shall dub the mixed system of government where the presidential and parliamentary election with power shared between the president and the Prime Minister. Knowing very well that the issue of the president is so crucial to our country, I would recommend that through the party hierarchy, past the election of the Chairman and the Vice Chairman, they should be runners up. We should know straight away as we go for elections who is the chairman or the vice chairman and even through the party hierarchy the position of the Prime Minister to be known so that people do not see only at the president as the most important office, let it be know that this is an office that can be hared. The most important point ion the Constitution is creation on the division of powers between the legislature, the executive and the judiciary.

I want to comment Mr. Chairman on the issue the executive we want again that the public officers who abuse office, they should be held responsible and be made accountable.

Ya mwisho on the question of land, land has been a big problem. Sometimes we were told that land cases should not go to court but you still find that they are in court. People have allocated land illegally, some title deeds have been faked, you find that they should be streamlined and Mr. Chairman you will allow me, I would just like to emphasize that issue that our honourable MP said, it is difficult for an MP to represent one district, it is actually not possible. One MP one district it becomes a big problem. secondly it is the question of the vulnerable groups, we mentioned about the issue of land that the boundaries have been altered many times without the people allowed to participate in deciding which side of the land to rectify. Thank you Mr. Chairman. I have a written memorandum I will submit.

**Com Pastor Ayonga:** John Kokonyi.

**John Kokonyi:** My names are John Kokonyi, I am a senior chief. I have written my memorandum except now I would say one or two points to add. One is that I would like in our new Constitution to be included, let us include our army officers, to be given some work because all in all when we have no war, these officers are ideal. The constructions of roads, the making of bridges should be given to these officers because the government has lost a lot of money in those construction and bridge building using private constructors.

Another thing I would like to add Mr. Chairman is you see after working for the government for over 20 years, an officer who retires takes time to get his benefits or her benefits. In our construction let us include that a retired officer be given his/her dues

within a period of three months. Why should a file of an office get lost after working for the government for 25 years?

**Com Pastor Ayonga:** So why do you allow even 3 months, why cant he get his benefits as he leaves the office, because they know you are going to retire in December, why cant they prepare you things so that in December when you live, you live with everything. Some people have died without their benefits. Now tell us you last point.

**John Kokonyi:** So let the retired man be given his dues within a period of one month. We have propose Mr. Chairman that a president of the country be given five years, here let me propose that the MP, the councillors also be given only two terms to serve if elected of five years each. After that, that MP or a councillors should not contest for the a seat again.

Mr. chairman I would like to say something on trade inions, in Kenya here we have a problem as far as trade unions are concerned, I would like to propose here that we have a two term of five years each when an official of a trade union is elected. Let have that provision. That should include also KNUT and KUPE and all other union affiliated to COTU.

Lastly Mr. Chairman pi would like also to ask the Commission to at least say something on cooperatives because these are the areas where we have heard, embezzlement of funds, let's have people serving in these position for at least two terms only, after two terms, that officer goes out and other team is brought in. otherwise I have written all that. Thank you very much for now. Thank you very much.

**Com Pastor Ayonga:** Thank you Bwana Chief unaweza kutuwachia hiyo kule na ujiandikishe. Titus Isogor. Okay njoo uchukue kiti, halafu kuna George Okiring, halafu atafuatwa na Stephen Okojo. Tutafuatana in that order, dakika tatu ni zako na ktuambie yale ambayo hayajasemwa.

**Titus Isogor:** Asante Bwana mwenyekiti. Kwa majina ni Titus Isogor. Mimi nimekuwa kwa field kama Civic Education Facilitator. Nina machache hapa ya kusema.

Moja ni kuhusu wafanyikazi wa secondary, hawa watu wanaumia sana hawalipwi mshahara kwa wakati. Nataka iwekwe kwa Constitution hawa watu walipwe na serikali CBOG.

Ya pili kuna pesa ambayo inaletwa kutoka central government kwa district, pesa hii inasikia tu lakini kazi ambayo hiyo pesa imetengwa wananchi wa kawaida hawapewi nafasi ya kujua vile pesa imetumiwa na pia kama kazi pia imeisha na pesa hiyo imeisha lazima iwe accountability kwa pesa ambazo zinatoka central government ije kwa district hata kwa location.

Ingingine iwe kwa upande wa basic rights; basic rights ziwe basic rights kwa kila mwananchi si kwa watu wachache. Kwa kuwa naon aya kuwa right hii inasemwa tu kwa watu ambao wana cosine pengine ya juu lakini mwananchi wa kawaida akisema kitu

ana sumbuliwa, sema hii, kwa sababu gani unasema hii, wewe una haki ya kusema hii. Kama kuna freedom of speech, mbona mwananchi wa kawaida hapana sikizwa, lazima mwananchi wa kawaida asikizwe anapotoa maoni yake.

Ingingine inahusu sauti ya mwananchi tena, kwa kuwa upande wa uchaguzi, huyu mwananchi ndio ampinge kwa taifa lolote ambalo linatawala ijapokuwa yeye ndio anachagua kiongozi yule ambaye ataongoza yeye kwa maisha yake.

Pia kwa upande wa civil servants, wafanyi kazi wa serikali, hawa watu lazima mshahara yao tena ilipwe kwa wakati na mshahara tena ipandishwe au iongezwe kwa muda ambao Constitution imepewa katika kila idara ya serikali na promotions pia iwe hivyo hivyo, ninapendekeza iwe promotions baada ya miaka mitatu kwa trade ambayo inafuata.

Ya mwisho ninazungumza hapa juu ya strike, strikes hii ambayo huwa kwa ma shule au kwa idara fulani, Constitution pia iweke Sheria ambayo itatoa hiyo strike isiwe na vitu kama hivyo kuchafua shule au idara fulani. Na hii inatokana na ulipaji wa mshahara kidogo na hali kadhalika maisha ni ngumu. Kw/a hivyo iwe serikali ichunguze mishahara kila wakati kuepusha migomo haswa upande wa serikali. Asante sana.

**Com Pastor Ayonga:** Thank you so much. Unaweza kutoa hiyo memo yako na ujiandikishe kule. George Okiring’.

**George Okiring:** *eyalaama eong loke kicholongo nenipe kalu eboete kere ainakin eong ejor. Eong kororia enyarite George Okiringi etesoto alomuni kolocation kaloka osajai.*

**Translator:** Yeye amefurahi sana mwenyekiti kupatiwa hii nafasi ya kusema yale ambayo anataka kusema.

**George Okiring:** *Asopokona akiro nuasi eong ejori ajasi ache akiro nuka ademanari eong kokingarene kane iche nuakote eong ejori konye ajasi nuangi nu asi eong ejori ekisil lokites.*

**Translator:** Sasa yeye anataka kuongea kuhusu utamaduni ya wa Teso.

**George Okiring:** *ekisil loka iteso lo akotongo ekatiba kipiaki ngina ajei kokolongo akiro keinaki atelepata apese akoki.*

**Translator:** Sasa yeye amesema hivi, wakati wa zamani, kijana akimpatia msichana mimba,

**George Okiring:** *itilimorio ebalai kane ingisio apese ijo ngai kinakini ijo akooki?*

**Translator:** Wataamuuliza, msichana ni nani ambaye amekupatia mimba.

**George Okiring:** *kangun keika apese alimor etwani ngolo esio nama ore kec ketelepat kapese kangina itunga luka ore.*

**Translator:** Sasa huyo akitambuliwa yule ambaye alimpatia msichana huyo mimba, wazazi wa huyo msichana wataenda kwea boma ya yule kijana.

**George Okiring:** *kama ka ngunu kedoli ngina esio akingiiti kipapala etwani ngolo ketema etelepata ngolo kane mamu eong kainakiti ijo akooki kodete kane alimokini kane kemamu ijo kiinakiiti akooki kolomo apese na.*

**Translator:** Basi yule kijana akikataa ya kwamba sio yeye ambaye alimpatia yule msichana mimba, kuna ile sheria ambayo wazazi wataamua huyo kijana atapita katikati ya miguu ya huyo msichana.

**Com Pastor Ayonga:** Sasa mzee ngoja, nataka nikusaidie. Unataka utamaduni huo urudishwe ile kama kijana amempa kijana amempa msichana mimba na kama anakataa apite chini ya miguu ya msichana, hiyo ndio unataka?

**George Okiring’:** Ndio. maana wakati anataka anataka kutupa sisi mzigo mbaya.

**Com Pastor Ayonga:** Kwa hivyo apite chini ya hiyo miguu?

**George Okiring’:** *Eeh.*

**Com Pastor Ayonga:** Sawa, point ingine.

**George Okiring:** *apointi epe bobo elo.*

**Translator:** Point ingine tena

**George Okiring:** *elo*

**Translator:** Ndio hii.

**George Okiring:** *dimaarai siongo iteso aji kokolongo emanyiti loelosioto imojongo luka apese akirari kaluka etelepat.*

**Translator:** Sisi wa Teso

**George Okiring:**

**Translator:** Zamani za kale msichana, kama kijana anataka kuoia kuna wazazi wa huyo kijana wanaenda kwa boma na yule msichana halafu wazee wenyewe wasikizane waelewane.

**George Okiring:** *kiiraroi ka ngina kobongunete kodete akitene emanyiti komiarete akituk.*

**Translator:** Sasa kama wamesikizana, sasa wazazi wenyewe ndio watarudi nyuma, waelewane, watoe mali kupeleka kwa kina msichana.

**Com Pastor Ayonga:** Kwa hivyo mzee unatakaje? Unataka nini.

**George Okiring:** *akotosi siongo kinyakune akiro ngun.*

**Translator:** Sasa yeye anataka hayo maneno yarudishwe.

**Com Pastor Ayonga:** Sawa, tutarudisha utamaduni wa Kiteso. Asante sana mzee sasa ujiandikishe kule, weka kidole.

Ninataka kufanya observation hapa, nimeanza kuona watu wanaanza kutoka moja moja, na kabla hawajatoka nataka kuwasaidia kwa njia fulani ambayo inaweza kutusaidia sisi sote. Inawezekana ulitoka nyumbani na wewe haukuandika mameno

ambayo unaweza ku-submity hapa na pengine umechoka unataka kurudi, lakini una ka point fulani ambako unafikiria ungalipenda kaongezwe katika points zingine. Kuna njia ingine pia ambayo tunafanya, tanaweza kukupa karatasi ingawa ulitoka kwako haukuandika, tunaweza kukupa karatasi, keti chini, andika jina lako, andika hiyo pointi unayotaka ifanyike. Hiyo pia utakwenda bila ya kuchukua maneno na wewe. Kwa maana tunataka neno ya la kila mtu. kuna yeyote hapa ambaye angependa tumpe karatasi aandike? Mimi si kuuliza swali hilo, mimi nimeuliza yule ambaye angalipenda tumpe karatasi aandike.

Tafadhali msichana chukua one of the full scaps hapo, endelea kuinua mkono. Pita kule na rarua hiyo wapi.

**Stephen Okonjo:** Asante sana mwenye kiti. Mimi kwa majina naitwa Stephen Okonjo. Wezangu hapa wameongea mengi sana isipokuwa kuna mahali kidogo tu walibakisha, waliniwachia.

Ya kwanza ilikuwa kwa upande wa rehabilitation centers. Rehabilitation centers lazima ziletwe karibu sana. Kwa sababu gani? Kwa maana huyo mlemavu akisema aende aende aombe msaada pengine sana sana hii ya pesa atambiwa aende watengenzeze group ili waweze kupata msaada. Ma kama huyu mlemavu hajapata nini eleimu ama hajafundishwa course yoyote, anaweza je kupata pesa yenye ataenda kuform hiyo group. Hakuna mahali yenye anaweza kupata hiyo pesa. Halafu ya pili ilikuwa ni kwa upande wa msaada. Msaada inapokuja, ikikuja pengine kwa upande wa wengine peke yake ikuje kwa kila mlemavu. For example kuna hizi mabaiskeli za juzi hivi zenye walileta. Walisema pengine wanataka wale wanatambaa chini tu na hao wengine wataletewa na ni.

La tatu, walemavu lazima wawe na waakilisha ama mlemavu ambaye anakilisha wao pale juu.

**Com Pastor Ayonga:** Hebu tunyamaze tafadhali. Watu ni wengi mnaongea tunataka huyu mmoja tu ndio aongee.

**Stephen Okonjo:** La nne ni kwa upande wa michezo. Ninaulizza, kwa nini unasikia sehemu zingine kuna hizi aina fulani za michezo pengine hizi za baiskeli kukimbia na hii baiskeli. Unasikia sehemu zingine watu wameenda ngambo na upande ni kwa nini hiyo mchezo hawawezi kuleta hapa ili wote waende ngambo huko washindane pamoja.

Halafu kwa upande wa usalama, hawa watu lazima wapewe usalama wa kutosha. Kuna hizi barabara sana sana unakuta barabara imeharibika upande moja, maji iko hapo, katikati pia maji iko hapo halafu mlemazu anapita hapo katikati. Mara kwa gafa gari inatokea huko nyima. Sasa mlemavu hatapata nafasi ya kuenda kando, sasa huyu mwenye gari anakuja tu anapita anamwagilia huyu maji. Sasa mtu kama huyo hana mali ya kupata nini, sabuni na huyu mtu amemwagiliwa maji bure. Na sasa mtu kama huyo akimwagilia huyu maji, atafanyiwa nini.

Lingine ni kupitia kwa hiyo michezo itasaidia misuli ya huyu mtu isikujane kwa maana huyu mtu akikaa bure, si misuli itafungana, anaweza kufanya kazi tena kweli. Hawezi.

Halafu la mwisho ni kwa upande wa matibabu. Mwezangu tena aqiguza hapo mwanzo. Hawa watu wapewe matibabu ya bure. Asante sana mwenyekiti.

**Com pastor Ayonga:** Thank you so much. Next ni Mathew Emukure. Una dakika tatu.

**Mathew Emukure:** Thank you Mr. Chairman. I am a legal practitioner. Before I make my small points I would like to convey to the Commission the views of Stephen Emachara, he is a Councillor Teso County Council.

**Com Pastor Ayonga:** Tafadhalpi ninamsikiza mtu mmoja. Sasa tuki-record maneno yenu wote hatutajua ni lipi ambalo lilikuwa genuine.

**Mathew Emukure:** Stephen suggests that there should be a limitation on ownership of land. Large scale owners should be limited to 50 acres of land, small scale 10 acres, peasant or substance farmers 5 acres of land each.

On education; he was of the view that they should have free and compulsory education from nursery school to form four level. At universities there should be a special tax on education. Thank you Mr. Chairman.

I have prepared a fairly long memorandum Commissioners, I would like to associate my self with the views expressed by the MP of Amagoro constituency honourable Ekirapa. That: -

- (1) The Constitution should have a preamble.
- (2) The Constitution should recognize the languages of Kenya and those languages should be divided into two.
  - (a) National languages with all the spoken and written languages of Kenya.
  - (b) Official and commercial languages should be English and Kiswahili. All these to be published in English language, debate involvement to be conducted in either Kiswahili or English.

Matters to contain in the Constitution, we should recognize the common law. The law custom of any tribe in Kenya should be accepted as a common law of that tribe. The Constitution should so provide. I believe in three dealers of the democratic government.

- (a) The legislature
- (b) The executive
- (c) The judiciary.

The Constitution should be the foundation of power in any democratic government. Any law of custom in consistence with the provision of the Constitution is to that extent void. The new Constitution should retaliate but simplify the bill of rights currently in chapter five of our Constitution because protection and fundamental rights etc.

It should clearly spell out the implications of those rights and (inaudible). To enhance the implementation of those rights we should strength the human rights Commission which was enacted early this year.

The executive should comprise of the president who shall be the head of state, two vice presidents, a Prime Minister, Deputy Prime Minister which should hold another Portfolio for example a minister for finance. They should be entrenched in the Constitution, the cabinet and clear definition of the cabinet responsibility. There be a code of conduct of ministerial responsibility. Thus the presidency of great power and prestige, I propose that the presidency should be rotated by the regions of the republic of Kenya as the first step and there after a rotation among the 22 nations of Kenya.

There are certain key ministerial positions that should be entrenched in the Constitution. These are common ministries like, Ministry of Justice, Ministry of Finance and Minister responsible in International Relation. This should be clearly indicated in the Constitution. The Constitution should also provide for matters concerning internal relations that is taxation and ratification by the republic of Kenya, of international treaties and conventions and for domesticating provisions of such treaties under Kenyan law.

The Constitution should also provide for key legal officers like the ministerial positions I have identified above. These should include the offices of the attorney general and solicitor general. I propose that a social solicitor general (inaudible) director of Public prosecution (inaudible) by an independent prosecutor within the minister of justice. Together with the director of civil proceedings within the same minister. I believe that between the two directors, there would be adequate advice to the executive arm of government.

I concur with our local MP that the legislature should be bicameral, we should have an upper House and a Lower House, the Upper House should be called a senate and the Upper House to be the House of representatives. We as minorities do not subscribe with view of regional (inaudible). We believe ion the strengthening of local authority and more particularly is played by (inaudible) I believe that there should be dictation of the type of powers (inaudible).

Then we should have the provision for amendment of the Constitution and that currently provide for that majority, I think that should be retained, the only difference is there should be two thirds majority of both Houses of parliament, sitting and voting separately. On matters of finance, the current Constitution provides for all funds being lamped into the consolidated funds. I propose that we should have a public loan fund and a consolidated fund so that it is better there is better management of the public debt of (inaudible). In addition with it we should have a contingency fund for emergencies sessions. The position of Controller and Auditor General is currently enshrined in the Constitution. This is a universal practice and should continue. I

propose sir that they should be established within a Constitution as a continuous exercise or for the continuous review of the Constitution, a Constitutional Commission which is comprised of equal number of parliamentarians from the Lower and Upper Houses, together with one thirds from outside, and the other one a third will be business people and academic, people versed in business and the law.

Within the parliament itself we should have an integrity committee which will look into the conduct of ministers etc.

**Com Nunow:** Mr. Emukure, I will let you, you have a very comprehensive memorandum that is a lot of labour has gone to it we appreciate that but you cant exhaust it. But let me give you three more minutes to give a few of the salient highlights, because you have already exhausted your five minutes.

**Mathew Emukure:** Thank you sir.

I propose that the Electoral Commission should be a registrar of public or political parties and there should be a law enacted for registration of political parties away from the societies Act. Political parties is about competition and position of power. society is about welfare etc, the two should not be mixed, I propose that there should be a Public Service Complaints Commission. For the Public Service I propose that we should retain the public Service Commission but it revamped as I have suggested in these document.

Lastly we should have in the Constitution very specific provision for the protection of the republic of Kenya, the establishment of the various arms of the Armed forces, provision for the visiting forces, the police and for the CID I propose that we should have a Crime Detection and Prevention service rather than CID and for national security I propose that we should establish within the Constitution the national security agency and we should have a clear definition of what constitutes national security.

We should have within the Constitution sir, a provision for suspension of the Constitution. It is not very easily to but we are have experiences in developing countries particularly in Africa where coups have occurred etc and we are get confused in the process. I propose that there should be a provision for those in (inaudible) and what provision in the Constitution should be amended or suspended.

Lastly wee are know about the public Order Preservation of Security Act and we should have within the Constitution very specific provisions on detection of any emergency. Thank you very much for your time. There are detailed provisions in this memorandum, I hope you will find it useful. Thank you.

**Com Nunow:** Thank you very muck Bwana Emukure, we will have the entire Commission.. what happens to memorandums normally, is when they get to the headquarters, they are all typed, to promote from your typing state to our own type set into a

computer and printed out. So for instance the flock of memorandum from these place are typed together continuously if they are 200-300 pages then printed to each of the 217 Commissioners will read it, after the analysis has been done and compare that analysis with the contents. So be rest assured that nothing in that paper will go to waste. I thank you very much for your time and for your presentation. Could we kindly have it and you sign the register.

Ochoka Ambesa, are you there. Do we have Omnyiri Manasses, utakuja hapa karibu mzee, bada ya kijana ndio utazungumza.

**Ochoka Ambesa:** My names are Ochoko Ambesa and these opinions are not representing anybody. So first of all I am of the opinion that the Constitution should give clear guidelines about the cabinet, for example how many ministers should we have in our cabinet so that the issue of posts being created to reward political loyalty should not be there. One ministry should have one minister and not a case where by one ministry has four ministers.

I also wanted to talk about the independence of judiciary and the judiciary now can not be said to be independent because the Attorney General, the Chief Justice, the Court of Appeal Judges are all appointed by the same person and therefore the people here have to owe their (inaudible) to the benefactor. So a situation should be there such that these officials have to get, either to be approved or disapproved by parliament so that they can serve the public without any fear.

I also felt that any senior civil servants who is appointed today should at least get approval from parliament so that cases where corrupt officials are given post government should not arise because if you give the post you are actually supporting corruption.

Finally I wish to object what somebody said here that the period for mayors should go up to five years. We have seen cases where members of parliament have said no single words in five years in five years in parliament therefore we should not increase these period because we can have cases like these members of parliament who go there sit down and are registered as present and wait for their salaries at the end of the month. So I think the period of two years is alright so that if there is any misuse of power then the other councillors can sack. And the issue also of a chairman being able to hire and sack should not arise because if they are given these power people are likely to abuse it. I think that is all I have.

**Com Nunow:** Asante sana. Ningependa kukuuliza swali kidogo, ulisema kuhusu guidelines on the cabinets. The number and the roles be specified and each ministry to have one. Have you thought as you are thinking through these the number that you think, how many ministries should be appropriate for Kenya.

**Ochoka Ambesa:** I don't think it should be more than 15. Not more than 15.

**Com Nunow:** Thank you very much, please suggest your self. Othen Manasses.

**Manasses Omnyir:** Kwa majina naitwa Manasses Omnyir. Nazungumza kuhusu mashamba. Kuna Sheria ambayo siku hizi hufanyika kwa mashamba na ambaye si nzuri maanake mimi naweza kugawanya watoto wangu watono kwa shamba na baadaye nikifariki watoto wangu wanaamria waende kushtaki kotini. Nashangaa wanashtaki kaburi, kaburi sasa hii na niligawa watoto wangu shamba, sasa kaburi gani ambhaye wanataka kunishtaki na si kugombana na watoto wangu.

Ningelipensda wazee wa hiyo kabila au wazee wakubwa hapo waketi pamoja wahakikishe kwamba mashamba haya, mzee huyu aligawanya sawa sawa, kwa hivyo wapewe title deeds badala ya kuenda kushtaki mimi kotini tena.

Sisi ndio tunajaribu kuona kwamba hii ndio njia moja ambao watoto wanashidwa kupata title deed. Mtu mwingine anatokea huko anakuja kudanganya mashamba, kwa hivyo nashangaa, hiyo ndio nataka committee ione hiyo swali.

**Com Nunow:** Asante sana mzee Omnyini kwamba mambo ya ardhi iwe inashugulikiwa na wazee badala ya mahakam. Asante. Tafadhali jiandikishwa pale. Mama Agnes Kitui.

**Agnes Kitui:** Asante sana Chairman. Mimi kwa majina naitwa Agnes Kitui mimi nimeandika memorandum yangu juu ya mapendekezo kuhusu urekebishaji wa Katiba juu ya uraia. Kwa hivyo sitaongezea maneno ingine juu ya hii maandiko yangu.

**Com Nunow:** Asante sana mama Agnes tutapokea hiyo na utaandikisha na upige sign kwa register. Dickson Osia, njoo.

**Dickson Osia:** Majina yangu ni Dickson Osia na nilikuwa nataka nitoe maoni kuhusu mahala ambapo tunapata mara kwa mara Madera huwa wana overload njiani. Sasa nilikuwa nataka watoe Sheria ambayo itasema kwamba iwapo passenger atapatikana kwa gari yoyote ambayo iko overloaded, huyu passenger wamshike na wamuadhibu.

Jambo lingine ambalo nilikuwa nataka nitoe ni kwamba kuhusu wale ambao wana retire. Pia nilikuwa nataka niongezee point kwamba wale ambao wana retire wanapopata barua ya ku-retire wapate pia na cheque ya benefits zao za retirement. Chque iandamane na hiyo barua.

Jambo lingine ambalo nilikuwa nataka nitoe kwamba, decentarlisation of national government officers. Kusiwe kwamba ofisi zote kuu ziwe Nairobi mpaka sasa unapata tunakuwa na shida ya kuenda Nairobi. These offices should be decentarlised.

Pia nataka niongezee hoja ya kwamba tuwe na free education and compulsory, I can say from primary level.

Jambo lingine ambalo nilikuwa nataka nitoe ni kwamba presidential powers should be limited whereby you find that president

ndio anateuwa Attorney General, president ndio anateuwa Chief Justice, president ndio anateuwa Vice President and Electoral Commission yeye ndio anateuwa na other senior government posts. This powers should be vetted in parliament. hizo ndizo hoja ambazo nilikuwa nazo.

**Com Nunow:** Ulisema government offices to be decentralized, even now the government offices are in every district and may be what you mean is ministry headquarters to be decentralized. So that various ministries are in various areas.

**Dickson Osia:** Yes.

**Com Nunow:** Gamajeli EtetePade, njoo.

**Gamajeli Etete:** *Eong enara katesio. Kokiror enyarite eong Gamaleli etete Pade.*

**Translator:** Kwa majina mimi naitwa Gamajeli Etete Pade.

**Gamajeli Etete:** *akiro nu akoto eong ejori, akoto eong ejori akirot ape*

**Translator:** Yale maneno mimi nataka kuzungumza ninataka kuzungumza neno moja.

**Gamajeli Etete:** *nako kingarene ekipone lo esere ipolisi kiton iserikali.*

**Translator:** Ya kwanza, njia ambayo wanachagua polisi pamoja na askari wengine.

**Gamajeli Etete:** *komamu keraiti nenipe bon. Narai ejasi itunga iche lu epalipalito konye mamuidwe kec kepedorete adumuni apesai nu esiete ase.*

**Translator:** Mimi ningependelea ya kwamba uchaguzi kama uko wachague kufuatana na malocations. Wakichukua upande huu waende tena wachukue wengine.

Kwa mara ingine wakati wa uchaguzi, kuna mapendeleo, wanaweza kuchagua wengine kutoka kwa location moja na upande ingine kuna wengine ambao ni wa masikini hawawezi kupata hata pesa kutoa ya kulipa marupu rupe ambao inaweza kulipa wale ambao wanachagua.

**Gamajeli Etete:** *nakiyareiti lemu apolouni eong aroko eong adite abu eong kadumu serikali egwokiiti egwelete kiboro.*

**Translator:** Nilipokuwa kijana, niliona ya kwamba qserikali iklikuwa inasimamia ununusi wa chakula na vitu vingine.

**Gamajeli Etete:** *nesi abeikinata itunga akoru nika palapalani de koyari agwelari.*

**Translator:** Wakati huo serikali iliposimamia ununuzi wa bidhaa, watu masikini walikuwa hata wanapata.

**Gamajeli Etete:** *nakiuniete abala eong ebe kipokona apolori asewo nako kenya aparesidenti kodau ikaru itamono kakanyi kolomi eche.*

**Translator:** Sasa uchaguzi imekuwa mingi katika Kenya mara mingi. Yeye angependelea kwamba president akichaguliwa akae miaka kumi na tano ili mwingine achaguliwe.

**Com Nunow:** Tafadhali, asubui tulianza na kuomba kwamba kila mtu maoni yake ni yake, wewe una yako. Akili ni nywele kila mtu anazake. Asanteni.

**Gamajeli Etete:** *nache bobo toma olocation kape atiaketiakere edistrikt ekotoi iwabunge kiriana elosiete kangolo districks komamu iche kojasi neniche ipuwak.*

**Translator:** Hii ni maoni yake ya kwamba katika districts, waongeze MPs, members wa parliament wachaguliwe ili wawe sawasawa si mtu moja kubeba district moja.

**Gamajeli Etete:** *achede kesi nu kiloto ijo etwani loka palapalani ekote adumuni apesai kobank ebalai koyau apesai konye kejasi kapesai nyo kesia akilipa.*

**Translator:** Inginge ni hili, kama anataka mkopo kutoka kwa bank, my masikini akienda kwa bank kuuliza kuomba loan anaambiwa ati leta pesa, lakini yeye kama angekuwa na pesa, angeenda kuomba tena loan kutoka kwa bank.

**Com Nunow:** Sasa unataka nini.

**Gamajeli Etete:** Ningependa yule mtu naye apewe pesa kwa sababu ni masikini wainue uchumi yake.

**Gamajeli Etete:** *nakesiali abala eong ne ejasi ikisila luki judges lo ebunia etwani agwoikini eong ebe eong nes eraiti adivocate ngul kolemare nare inera aliokon mamu kejeni name kejiototore siong.*

**Translator:** Upande mwine ni kwamba kama yeye ana kesi ndani ya koti, kuna wale ambao ni advocates, wengi wao

wanasema uongo, hawa watu watolewe wasiwe huko.

**Com Nunow:** Asante sana mzee, tumepokea hayo ni muda ndio inatusukuma ungesema zaidi pengine. Tafadhali ukiandikishe. Isanyu Francis.

**Isanyu Francis:** Mimi ni Francis Isanyu, nina maoni kuhusu crops, kuna cash crops kama pamba, hii pamba tunauza na inakatwa pesa. Sisi tulitaka Katiba ingewezekana itusaidie. Iki katwa pesa kama nimechukua kama pamba yangu tuseme kama kilo mia tano, afadhali ikate hiyo pesa iweke kwa NSSF kama Shilingi mia tano hivi, hiyo ndio itusaidia kwa wakati mwingine kama ni school fees kwa watoto.

Lingine, sisi Wateso tuko na kimila zetu ambapo hatutaki mila ingine iweze kutufanyia makosa kwamba sisi Wateso hatutairi. Utaikuta wakati mwingine ukiendapahali pengine unashikwa kwa nguvu kama mimi mzee ati natairishwa, sasa hiyo Sheria iochukuliwa kabisa.

Lingine watoto wa shule; tukipeleka watoto kwa shule ikiwezekana hata serikali kama ni school fee heri waweke pesa zingine iwe ya insurance kwa mtoto kwa maana wakati mwingine wakati huu umeona vile dalili ya shule inakuwa. Itakuwa mtoto anachomeka, anafanywa nini, kama mtoto analipiwa insurance, itaifaidisha hata yule mzee vile walikuwa wakisema, mlemavu, yule mlema, kama mtoto wake hayuko huku, hiyo insurance inaweza kusaidia huyo mtoto na mzee wake.

Mwisho, ingawa ilikuwa imesemwa lakini hakumaliza, ni mambo ya title deeds. Title deeds ikiwezekane, hii mambo ya title deeds ingekuwa inaandikwa watu wawili, mimi na mke wangu kwa maana itakuwa kitu ya manufaa hata nikifa hakuna mtu anakuja kusikuma bibi yangu kwa shamba.

Nikimaliza, mambo ya barabara, unajua barabara ikilimwa labda sisi wengine tuko karibu na barabara, hiyo ni shamba tu. Unaona kama nikuongea mambo ya kutoa marrum, afadhali wa consult wazee wa kijiji hiyo au ya area hiyo, heri wajue hapo ikichimbwa itafanyiwa nini kuliko kuchibwa halafu ipate mawe, iwachwe hivyo. Ichukue sherehe ya kusema hiyo ikishachibwa ilipwe kwa kiasi ya pesa ambapo huyo mtu angepata kwa hiyo pahali walikuwa wametoa hiyo mchanga. Yangu ni hayo, asamte.

**Com Nunow:** Mama tuambie majina yako halafu utupatie mapendekezo, kwa musda mfupi kabisa.

**Christine Murunga:** Kwa majina naitwa Bi. Christine Murunga, naakilisha wale wanao virusi vya ukimwi na wale wame adhiriwa na ukimwi kwa NGO ile inaitwa SWAK.

Women widows should inherit their late husbands property without the clans hinderance. The title deed should be changed to the wives names immediately. Hilo ndilo pendekezo la kwanza waliona.

Ya pili, the benefits of the (inaudible) should be brought to the district level to enable the individual widows to have access to their husbands benefits since most widows cannot afford to travel in the national level. Hiyo imeleta matatizo sana kwa wajane kwa maana wengi hata hupata wanaume wakikufa bila kupata yale mali mume aliwacha.

Ya tatu, stigmatization; kudharauliwa should not be practiced with those infected with the Aids scourge be it on the side of insurance, employment and getting the passport issued to travel to another country. Hiyo huwa inafanyika sana kwa wale wana virusi vya ukimwi.

Rapist who believe in raping the virgins, believing that it cures them from AIDS should be executed that is wauliwe.

The manambas issue should be abolished because of the harassment to the women and children, they snatch bags from the mothers or the babies from the mothers leading to loosing the things. Asante, hayo ndio wale wanao na virusi, na wale wameadhiriwa na virusi walionelea Katiba iingize.

**Com Nunow:** Asante sana sana mama tafadhali ujiandikishe.

**Felistas Apa:** Maoni yangu ni haya.

The salaries between the highest people in Kenya or officers in Kenya and those who receive the lowest salary is too great. For example when I was a teacher you get 3,000 shillings, now what can 3,000 do in a family, you have got kids top care for, to feed, to cloth. Maoni yangu at least the lowest person should get about 10,000 shillings so that he could plan well for the families.

The poor families, we have got some very poor families, if I say especially regarding sickness, when they go to the hospital they cannot be helped and it is really ni machozi kwa sababu mtu hana, na anatakiwa atoe pesa ndio atibiwe au hata kama dawa ya Serikali iko anaambiwa enda nunua. Ata nunua na nini?

**Com. Nunow:** Unge penda nini mama?

**Felistas Apa:** Ningependa the Constitution should at least help these people.

**Com. Nunow:** By doing what?

**Felistas Apa:** -- recommending the same very poor people to get free

**Com. Nunow:** --- medical care.

**Felistas Apa:** ---- medical care.

**Com. Nunow:** -- okey, okey madam.

**Felistas Apa:** The third one is about the retired officers at home. Some of them who have been very high in positions when they get home, they suffer a lot and very soon die because of the little pay they get. I do not know what the Government ---- I should like the Government to raise the pension so that these people can also plan well for their lives.

**Com. Nunow:** Do you have any figure in mind for the minimum? Uko na figure yoyote ambae unge recommend?

**Felistas Apa:** At least eight thousand.

**Com. Nunow:** Okey. Endelea.

**Felistas Apa:** At least ----- but not below that. It is too little for those who have been used to be holding money and then the pension especially here in Teso land is very late. We receive it very late and we do not know why. If it could be generalized and the postage should be done the same in every place because we notice that in Teso land, I do not know why we are, I do not know whether we are regionalized or what? We get the pension very late in the twenties there when people have been getting in eighteen, what. We get it very late, please. Have you got it?

**Com. Nunow:** Yes.

**Felistas Apa:** That the pension should be paid in time in every place, even in Teso land.

**Com. Nunow:** --- 5<sup>th</sup> of every month, 10<sup>th</sup> of every month,-----

**Felistas Apa:** --- not 10<sup>th</sup>,

**Com. Nunow:** ---- when?

**Felistas Apa:** ---- we were told here between 20<sup>th</sup> and 25<sup>th</sup> but you get ----

**Com. Nunow:** ---- of every month.

**Felistas Apa:** ---- but we get it after the end of the month.

**Com. Nunow:** --- so do you still suggest it should be on 25<sup>th</sup>?

**Felistas Apa:** It could just be fair.

**Com. Nunow:** Okey.

**Felistas Apa:** --- that is what my heart has been sick of.

**Com. Nunow:** Thank you very much mama. Please let us have your paper and register yourself there. Mama Amatilafu.

**Flobia Amatilafu:** Kwa majina naitua Flobia Amatilafu.

**Com. Nunow:** Flobia who?

**Flobia Amatilafu:** Amatilafu.

**Com. Nunow:** Endelea.

**Flobia Amatilafu:** Shida yangu ingawa hawa wenzi wangu wamesha ongea niko kuongea kwa niaba ya wajane na mayatima hapa Teso. Hapa Wilayani Teso tuko na shida sana tena tuko wengi na usaidizi wowote hakuna. Tuko na watoto ambao wanatusumbua nyumbani sana, na ugonvi, ulevi kwa sababu hawa watoto tuliwachiliwa kama ni wadogo na tumewalea. Unaweza kupambana na usomeshe mtoto wako mpaka afike darasa la nane na usaidizi yoyote akifika huko hakuna usaidizi ambao utaweza kumsaidia nayo.

Na hawa Wabunge wetu ambao tumepeleka mbele tuseme ati watatusaidia hapa, hakuna usaidizi yoyote ambao wanatusaidia nayo hapa nyumbani. Na sijui sasa hii Katiba mpya inatuonelea namna gani hapa Teso, kwa sababu ya hawa watoto ndio tuwache kugombana nawo. Ichukuwe jukumu ile ambao inaweza kutusaidia kwa hawa watoto vijana ambao tumesha lea na wamesha kuwa wakubwa ndio wawache kukuwa waizi na walevi. Watuelimishie na wawache kuwa walevi.

Na kwamba nataka kusema hivi, hawa Kamati ya saa hii hapa Wilayani Teso, aseme atupee Ngombe au Dume ya kulima, tunaweza kujiunga kwa Sub-Location wanawake kumi au Kumi na tano na tupate Ngombe ya maziwa na tunaweza kuuza hio maziwa itusaide kwa kulea watoto wetu. Heri ndio tupate namna ya kuwaelimisha watoto ndio tuwache kugombana na watoto nyumbani. Hayo ndio maoni yangu nilikuwa napendelea.

**Com. Nunow:** Okey mama asante umesikika na tafadhali ujiandikishe pale.

**Flobia Amatilafu:** Asante.

**Com. Nunow:** Ambrose Etiang. Ambrose Etiang. Yuko? Ambrose karibia. David. David Ojakapel. Haya Ambrose una dakika tatu. Chukuwa microphone tafadhali.

**Ambrose Etiang:** Commission na Tume na wale jimu yake. Bw. Commissioner, sisi hapa Kenya tulipata uhuru mwaka wa 1963. Shida yetu ni hii. Kutoka wakati hii, ukienda hospitalini sisi masikini hatuna pesa. Unaweza kukufa. Bw. Commissioner, sisi hapa hospitali kubwa ni Bungoma. Ukifika Amagoro hapa unapelekwa Bungoma na wewe hauna pesa. Mngonjwa na ako hali ya hatari na anakufia njiani. Ni vizuri hata dispensary ya Buchulia Bw. Commissioner ipanuliwe. Vitanda ikuwe.

Bwana Commissioner sisi mpaka yetu zamani wakati tulipata uhuru hapa ilikuwa inaitwa Elgon West na hapo tulikuwa na uhuru kutoka Wamono hadi Busia. Ilikuwa yote sehemu yetu ni mmoja ya Bunge. Sasa ilipo kati kati hapo, iligawanyika, wakagawa, gawa tukabaki wachache. Bw. Commissioner, tunataka sehemu yetu hio kutoka Busia waturudishie tupate Wabunge watatu. Bw. Commissioner siku ya leo, wewe ni baba yetu, wewe ndio taa yetu. Sisi kabila ndogo hapa Kenya wanatufinya sisi. Hata kwa Mungu mtu mfupi na mrefu wote ni watu. Mungu ndio alitumba. Bw. Commissioner, inua sisi na tupate kuinuliwa. Mungu atasikia. Bw. Commissioner, kwa vile siku ya leo tuko hapa, hospitali yetu zingine hatuna magari. Tunatabika. Hata huko Angurai. Hata Akura, hatuna gari. Viziru wapatie health centre magari ya kusaidia wagonjwa kulete Buchulia na Buchulia ipanuliwe.

Bw. Commissioner, hii town ni hadi ya Malaba. Malaba ni mji ambae imepanuka na iwe Municipal ichukuwe tu town. Town ni Council. Town in Council halafu Angurai iwe County Council. Amukura iwe County Council na Chapod. Bw. Commissioner, siku ya leo vile unaona hawa watu wamekuwa hapa, hakuna siku ingine

Bw. Commissioner. Sisi Commissioner tabu yetu ni hii. Mtu tajiri akiowa mtoto wa masikini, ananyanyasha. Hata mali pia hawezi kumpatia. Anachekelea tu.

Bw. Commissioner hata uchaguzi ya police ikikuja, ni vizuri waangalie nawo hawa kabila ndogo watuwache sisi nayo. Ikiwa watu arubanne wakichukuliwa, katika sisi, sisi nawo tuchukuliwe pia.

Bw. Commissioner, hata hii Katiba wanasema sisi, Bw. Commissioner, hii mambo ya Mikowa, Bw. Commissioner sisi hatutaki.

Sisi kama mambo ikitokea Mkowa, tunataka tuweke kwa Central Government. Yaani sisi kabila ndogo, watatupambasha sisi na kufinya sisi mpaka sisi hatuweze kuonekana sasa. Tutakufa hivyo mpaka mwisho ya duni. (Laughter)

**Com. Nunow:** Asante sana. Asante sana Ambrose. Umesikika vizuri. Unataka ya umoja ya kitaifa kama ile iko. Sawa, sawa.

Tafadhali ujiandikishe pale. Julius Olekese. Julius chukuwa usukani. Patrick Okiru. Patrick yuko? Moses Epia. Councillor Obadia ame present? Councillor obadia. Okey. Endelea.

**Julius Keyo Leket:** Asante Mwenye kiti. Mimi kwa majina ni Julius Keyo Leket, warrant officer retired kutoka kwa Armed Forces. Nitachangia upande wa kuandika askari kwa sababu mimi najua shida imekuwa sana kwa upande wa kuandika. Ningepende recruitment ya wale watu wanaitwa Armed Forces, yaani watu wanabeba bunduki wawe recruited kwa Wilaya mara mmoja kwa mwaka ambao inaweka Kenya Army, Airforce, Navy, Police, Administration Police, Prison na wale watu wa Game. Iwe tu wakuje kama examination centre na recruitment ibadilishwe hii muundo wanafanya kwa sababu kupeleka watu kukimbia unakuta watu wengine wameingisha askari wawo kinyume halafu wanawacha wale watu well qualified wanawachwa nje. Tungependa examination Council ya Ministry of Education i supervise that election kwa sababu watu wa forces wenyewe wakijia kufanya selection, iko corruption mingi sana. Tumeona kwamba wale watu wanakuwa encouraged kusoma baadaye wanawachwa nje. Mimi mwenyewe vile tuliandikwa zamani, tuliandikwa tu wakati ya vita ya Shifta ambae ili encourage watu kukimbia tu bila kuwa na elimu. Elimu by then ilikuwa watu wa class eight around hapo. Lakini sasa watu wamesoma, ningependa hii mambo ya kukimbia iwachwe. Kwa sababu Wazungu wenyewe wale walitandika, awafanyi kwao hii mambo ya selectioin ya kukimbia kupelekwa mile about twenty kilometer, unakimbia unachoka huko unawacha, una despair halafu unakuja hapo unakuta labda ya Army mwingine amelete watoto wake watatu anaingisha kwa njia isio faa kwa maana yule recruiting officer labda iko na cheo ndogo, anampa order tu anasema chukuwa huyu na huyu na ninaona wale wavijana wamekuwa hapo wale wamesoma wanawachwa wote nje. Mimi kama retured officer, ningependa hio mtindo iwanchwe ili tu encourage watu kusoma. Walete tu examination ya kawaida ndani ya, wa adtervise, watu waje tu na vitu vya kuandika. Wajiandikishe namna ya examination ya Secondary schools zinafanywa na watu wengine halafu the following day inaweza kufanywa mara mbili kwa District, watu wa medical from the Ministry of Health wakuje wa examine. Hio ndio important kwa sasa, kwa kuchaguwa askari wa kukuenda kule kwa sababu wameandika watu ovio, ovio ndio unapata bunduki nyingi zimeingia kwa mikono isiofaa kwa kuandika askari ambae hawana discipline, mwingine alichukuliwa kutoka mahali na ni criminal na ana andikwa kwa Armed Forces.

Pia, tungependa hawa watu wa askari kama Administration Police hata Kenya Police wenyewe, aingekuwa ku transfer akimaliza course, anapelekwa labda Mandera kule, na yeye ametoka hapa Teso District. By then, anawacha mke wake hapa kutoka, huko hawa watu wametegwa mbali, mbali aijulikani ni nani ataleta kama disease hii ya UKIMWI sasa, imeeneza hio ugonjwa sana na labda askari huko kule North Eastern anapata huko ama West Pokot halafu anakuja hapa na bibi ni muanifu

analetea mke. Wote wanakwenda. Kwa hivyo tunapoteza ma askari kwa sababu ya kupeleka hawa mbali sana. Wale wanaandikwa hapa, wabaki hapa kwa sababu ya ukosefu ya accommodation pia. Anaweza kuenda kwake nyumbani, mtu akiwa pale. Ninaona kwamba hii commission iandike hio iwe Katiba kuliko kuleta watu tofauti. Kwa sababu niliona siku mmoja kule Kiganjo, wanasema umepelekwa wapi transfer? Kama ni Malaba ama Busia, basi wewe umejitajirika huko. Kwa hivyo hio corruption inaanzia tu kwa college au kwa recruitment, ndio inaanzia hapo. Askari wamekuwa corrupted sana. Na hio ndio waafa mengi yametokea hapa. Hayo ndio Commission mimi nataka ku present kwa upande wa recruiting of soldiers. Asante.

**Com. Nunow:** Asante sana mzee. Asante sana kwa maoni yako. Tafadhali ujiandikishe. Ejakite Orute.

**Ejakite Orute:** Mimi ni Ejakite Orute. Lakini maoni yangu nime andika kwa Kiingereza. Presidency or ---- in the past, the olden days, Presidencies were put off or ignored completely. If so, just so, if one does so, boy or girl, the only person we shall have to sit down and solve the problem and the whole problem can only be done by the Heads of the both parties or fathers in the other hand. Today, the Chairman, the present Nation has paid no attention to it. What is the result of this paying no attention to whatever spoils everything or annoys or brings bad record or records? Mr. Chairman, and also we have so-called 'Chokoras' all over the towns. You know what Chokora is. Who is the father of the Chokora? Chokoras have no fathers. Today, the first day of August, 2002, to look for the suitable tonality or bill in order to end the painful word known as Chokora. That is the end of Ejakite Orute Akitun Group Angurai.

**Com. Nunow:** Asante sana Mzee Orute. Tutapokea hio karatasi. Natumaini utatupatia. Are you going to give us the ----?

**Ejakite Oruge:** (In audible)

**Com. Nunow:** Thank you. Yes please, let us have them and we will take everything there is in that paper. Okole Mkaga Joseph. Fred Murunga. George Okwara. George Okwar, are you there.

**Speaker:** He is outside.

**Com. Nunow:** If he is outside, that is too good. Francis Osore. Samuel Obukol. Samuel Obukol. Okey then.

*Interjection:* (in audible)

**Com. Nunow:** Are you sure. You seem not to be sure. Okey, Samuel endelea.

**Com. Pastor Ayonga:** Hio jina ni yako?

**Samuel Obukol:** Kwa majina ni Samuel Obukol. Nilikuwa nimeandika memoranda na nitapeana.

**Com. Nunow:** Asante. Sema point mmoja ile ya muhimu sana kwa kitu utasema. Moja tu.

**Samuel Obukol:** Ningependelea kuzumuza juu ya kabisa ni Elimu kwa walemavu. Kwa kweli hapa Teso, tukiangalia tunaona kwamba elimu ni ya kiwango ya chini sana hasa kabisa kwa upande wa walemavu. Sababu ni kwamba wazazi wako ni wale hawajiwezi na wakati huo, huyo kijana ama msichana anakuwa na akili nzuri ya kuweza hata kuendelea kusoma lakini shida ni kwamba karo ya shule ndio inakuwa shida.

**Com. Pastor Ayonga:** Kwa hivyo unataka je?

**Samuel Obukol:** Ningependekeza

**Com. Nunow:** (interjection in audible)

**Samuel Obukol:** -- masomo ikuwe ya bure kwa upande hio.

**Com. Pastor Ayonga:** Hio umefanya point yako. Uende kule. Sasa, Obeyere Ote. Wale ambao wamesha toa karatasi yenu kule tena musije mukakaa hapa. Sema tu nimesha toa. Obeyere Ote. Stephen Ikapolok Nikisema jina mbaya, wewe ukijuwa tu Stephen ni wewe. Kuna Stephen Ikapolok Ambrose Etiang. Ambrose Etiang. Dedan Harun. Dedan Harun. Johstone Yuko wapi? Nataka tumalize haraka. Munasikia hio mvua ni baraka Mungu analeta. Na nina ambiwa hapa kwenu mvua ikinyesha si ya kucheza. Ni yenyewe. Kuna Councillor Stephen Emakar. Ameenda. Patrick Otaye. Patrick. Adal Ongude. Clare Ologe. Okey. Anne Esakina. Amepeana. Huyo ni mama. Na pia kuna Rev. Habil sijui ni Maio au ni Mayo. Naona tunaendea vizuri. Okulo Omari, Councillor. Okulo Umiri. Ninaona mkono juu. Mkono ule ni ya nini? Niambie jina lako. Wewe kuja hapa mbele. Na tena ingekuwa kitu kizuru ningeliambiwa mapema. Wewe mbona ujulili, ujutetea. Lakini sasa umefika chukuwa hio microphone usikie, sema jina lako na useme mmoja like halijasemwa kwa maana walemavu wamesha tuambia maneno yao. Wengine wameandika. Wewe ni ipi ambao wamewacha nje?

**Calisto Emojong:** Asante sana Mwenye Kiti katika siku ya leo kuja kusikiza maoni ya walemavu.

**Com. Pastor Ayonga:** Sema majina.

**Calisto Emojong:** Kwa majina naitwa Calistor Ejakaa Emojong. Mimi ni mwenye kiti ya walemavu. Ya kwanza napongeza sana mwenye kiti kwa siku ya leo. Jambo langu mwenye Kiti kwa siku ya leo, ningependa ofisi ya family help project pia

iwekwe katika Wilaya zote katika Kenya. Kwa sababu hio ofisi inasaidia watoto mayatima pamoja na wajane.

**Pili:** Walemavu ni watu wale wamesahaliwa zamani sana, kitambo. Lakini hapo awali, walikuwa wanasikika lakini walikuwa wamefinywa. Lakini ninashukuru kwa siku ya leo. Walemavu hapo awali, kwa sababu walikuwa wachache, wengine walikuwa wanapata mshahara, yaani malipo. Kufikia mahali fulani hapo, hio ikakuama mpaka hadi leo. Kama ingewezekana huo malipo, yaani huo mshahara wangerudishiwa.

**Com. Pastor Ayonga:** Ilikuwa ngapi?

**Calisto Emojong:** Unajua saa zingine unaweza kuogopa, ilikuwa kama five thousand. Lakini kama ingewezekana wangepewa ten thousand.

**Com. Pastor Ayonga:** Unafanya point yako tena ingine.

**Calisto Emojong:** La pili tena ingine, walemavu ni kama vile nimesema watu walikuwa ni watu wamesahauliwa na wana kiongozi kama ni mwenye kiti ambao ana ofisi National lakini hapa katika District, hakuna hio ofisi. Na wangependa wapatiwe nafasi kwa Parliament, watowe Members zao ambao wanaweza kushugulikia mahitaji zao wakiungana na huyo, huyo mwenye kiti ili shida zao ipate kutolewe katika njia inao faa.

**Com. Pastor Ayonga:** Asante sana.

**Calisto Emojong:** Lngine -----

**Com. Pastor Ayonga:** ---- ambalo halijasemwa.

**Calisto Emojong:** --- mwenye kiti mlemavu unajua, hana ile asio ona kama mimi, halafu mwingine ni mlemavu mguu, halafu mwingine masikio, na wote ni walemavu. Na ningomba hivi, kitu inaitua bursary, kama ingewezekana wanaweza kupewa kuanzia Primary hadi Secondary. Lakini wakati ya malipo, unapata mlemavu anapewa kidogo na kwa Secondary pesa ni mingi ambao inahitajika. Kama inawezekana, mlemavu kama mtoto yuko shule, walipe school fees zote.

**Com. Pastor Ayonga:** Thank you. Thank you.

**Calisto Emojong:** Lngine, walemavu ni -----

**Com. Pastor Ayonga:** Sasa umesahau ulikua unakwenda mbali?

**Calisto Emojong:** sija sahai Mwenye Kiti. Walemavu, si ati ni upendo wake. Pia anahitaji mama ya kumasaidia yeye katika boma. Na ningependa mwenye Kiti utupatie sheria ambao inaweza kusaidie sisi kama walemavu. Kwa sababu unapata wananchi wengine, unapata anatembelea mke wa mlemavu na kunyanganya. Je wakinyanganya mimi, nani atakaa na watoto wangu? (Laughter)

**Com. Pastor Ayonga:** Thank you.

**Calisto Emojong:** Kwa hivyo,

**Com. Pastor Ayonga:** Adhabu kali itolewe kwa mtu anaemnyanganya mlemavu bibi yake.

**Calisto Emojong:** Kwa hivyo ungetupatie masharti, yaani sheria ambae inaweza kulinda sisi.

**Com. Pastor Ayonga:** Asante sana.

**Calisto Emojong:** Jambo lingine ama inakaribia ya mwisho -----

**Com. Pastor Ayonga:** Hapana inakaribia, hebu liwe la mwisho.

**Calisto Emojong:** Sisi walemavu hatuna namna yoyote hata vile unatuona. Nkuomba kabisa, wakati ambao unarekebisha hii Katiba, walemavu sisi tuko na vikundi. Na kama munge angalia Katiba ingeangalia walemavu wanao wako na vikundi, wapatiwe kuchimbia maji. Maji ni muhimu ya maisha ya binaadamu. Hasa sisi walemavu. Wanaoneka katika tabu sana. Asanteni sana kwa hayo machache. Mungu awabariki.

**Com. Pastor Ayonga:** Asante. Ebu mpleke aweke kidole. Kuna Etieng Martin. Kuna Crescent Jakaiti. Kuna Lee Echakara. Kuna John Enaga. Major Omoi. John Ekisa. Ni wewe? Thomas Gisangisa. Stanley Ndhiwa. Elizabeth Otiya. Omonya David. Hebu kuja, dakika ni mmoja na nusu tu. Usema neno mmoja lile ambalo halijasemwa.

**Omonya David:** Mr. Chairman ---

**Com. Pastor Ayonga:** Sema majina yako.

**Omonya David:** My names are David Omonya. Mr. Chairman, Commissioner Kangu, I have four points to make. One is about the Preamble. This is what I have for the Kenyans for the Preamble. 'We the people of the Republic of Kenya hereby

guaranteed by our Constitution for the following rights'. Since, we got our independence, we said tuondoe umasikini, elimu na tuwe na ile afya mzuri.

So the Constitution should guarantee us free education up to Form IV level, that is my suggestion.

Free health for all families, economic empowerment, democracy and justice. I have something to add on Local Authorities. What I am trying to say is that the Local Authority must create markets for the farm produce.

The annual budget of the Government should budget directly to the Local Authorities and that money should be used part of it to buy the, like in Teso here we have groundnuts, we have maize and we also have other things that are not being taken care of.

What I could also add may be that my friends did not mention, is the Local Authority should be autonomous and should be delinked from the Central government so that these people directly, the money is budgeted from the Central Government directly to the Local Authority. Finally, there was the issue, sorry Mr. Chairman; I don't think people touched so much on the management and the use of the Natural Resources. I have this to add, the Executive should not be controlling the management of Natural Resources. Let us have Parliament controlling the authorization of the expenditure of the public finances and we should have 75% vote. The Controller and Auditor General should be appointed by the Parliamentarians after 85% vote. We should not allow one person to appoint the Auditor General.

**Com. Pastor Ayonga:** Hio ilikuwa imesha semwa.

**Omonya David:** okey.

**Com. Pastor Ayonga:** Na nimekuuliza tu useme kitu hakija semwa.

**Omonya David: Okey.** Let me add something about, okey, Code of Ethics for the employees. If somebody messes up a public office, he should be prosecuted and his property attached i.e. under management of National Resources. Then we should have Commissions like yours. The Constitutional Review Commission appointed by the Parliament and it should be permanent because it has a duty to do. The electoral Commission should also be permanent. Lands Commission should also be permanent. We should not have Commissions that are just appointed and scrapped on the way. With those few remarks, I say, thank you so much. Let me present my documents.

**Com. Pastor Ayonga:** Kuna Romano Kiapelep. Alikwisha toa. Kuna Alex Albert Aleu Nicodemus Papa. Nicodemus Papa. Simon Idewa. Ni wewe? Nini?

**Nicholas** Lakini nimekuja kama nimechelewa na si kupeleka jina huko.

**Com. Pastor Ayonga:** Kama hauna jina uweze kuleta.

**Nicholas:** Why?

**Com. Pastor Ayonga:** Uwezi kuleta kama nina majina ya watu hapa ambao wanalete. Sasa wewe, tungewacha watu tu wawe wanakuja bila yakuandikisha? Hiyo itakuwa order kabila gani? Calistor Emajong. Chris Enyain. Wewe ni nani: Unaenda mambo yako. Ongelei Benson. Alikuwa na memorandum. Rashid Olinga. Kuna Ebukol J. Nafikiri ameenda. Albert Ekolo. Fred Papa, Huyu tena amejandikisha. Peter Otori. John Omoi. Nathan Obelo. Nathan Obelo. Jared Etyang. Chukuwa kiti hapo. Una jambo ambalo wengine hawaja sema. Etiang, una jambo ambalo wengine hawajasema.

**Jared Etyang.** Wameguza, guza lakini kuna pahali ---

**Com. Pastor Ayonga:** --- wameguza vibaya, vibaya.

**Jared Etyang:** -- ebu guza, ehu tobowa. Neno mmoja tu. Kwanza sema majina yako.

**Jared Etyang.** Kwa majina ni Jared Etyang Otwane of P.O. Box 60, Amagoro.

**Com. Pastor Ayonga:** Haya, sema hilo neno.

**Jared Etyang Otwane:** Asante sana Bwana mkubwa. Yangu sio mingi sana.

**Com. Pastor Ayonga:** Hio mmoja mimi nataka.

**Jared Etyang Otwane:** Ni kihusu land. Teso tunataka tuwe na Land Registrar kwa sababu Kutembea Busia kila siku, unapata wazee wanakufa kama bado kumpatie mtoto yake shamba kwa sababu ya kutembea kwa njia.

**Com. Pastor Ayonga:** Haya umefanya hio point, munataka Registrars Office.

**Jared Etyang Otwane:** Ndio. Na la pili, iwe na general registration kwa Taifa nzima mara tatu ama mara tano kwa mwaka. Kwa sababu sitini na, sijui na ngapi, walifanya registration yenye ilikuwa kwa watu wote. Ilikuwa sitini na kitu. Lakini naomba tu kama inawezekana, Serikali iwezeshe ifanywe land registration baada ya miaka tano ama tatu hivi, ile general election ambao

inazunguka Taifa nzima.

**Com. Pastor Ayonga:** Okey.

**Jared Etyang Otwane:** Na la tatu, na ni la mwisho. Wazee wa vijiji, Likhurus, wapatie kitu kidogo vile.

**Com. Pastor Ayonga:** Hio ilikwisha semwa.

**Jared Etyang Otwane:** Asante. Ni hayo tu.

**Com. Pastor Ayonga:** Asante Etyang. Unaweza kwenda kule ujiandikishe. Kuna Esil Meshack Okware. Kuna Arbitrator Opidi David. Arbitrator kuna memorandum. Kuna jambo ambalo halijasemwa na unataka useme. Ebu, mmoja tu.

**Arbitrator Opidi Etyang David.** Arbitrator Opindi Etyang David, I think I will only summarise since I have a lot but you will read from here.

**Com. Pastor Ayonga:** I don't want you to summarize, I want you to tell us what is important there that has not been said.

**Arbitrator Opidi Etyang David:** Thank you very much. One, I have to say that the laws should be interpreted properly and enforced because most people they don't understand such things that is why you see problems do arise.

Secondly, I have to say that administration should not be handling cases because we have got bodies that can handle the cases especially the Courts.

Thirdly, I have to say especially what we call a Martial Court. These Martial Court, if somebody has been caught especially having a gun, without having a permit, that case should be handled in the Martial Courts not in any other Court no such thing do bring a lot of differences in this area.

I have to say now the last whereby I have to say that especially for international relationship with the country. The Country should be aware and should be put especially with the Constitution, whereby the President should not declare anything without it being discussed in Parliament or by the Members of the Commission. That one is very important and also the private sectors should be included in the Government areas whereby they should be exchanging ideas whenever they have something. You know such things will help because you will find in one place, things are not entering properly. Thank you very much for that.

**Com. Pastor Ayonga:** Asante sana Bw. Arbitrator. Una majina magumu. Lakini umetupa maoni. Sasa kuna Opere Noah.

Silvestor Zachary Alup. Sofia Odima. Idod David. Kuna ambalo unataka useme, uliseme ambalo halijasemwa.

**Idodi Davis:** Okey, thank you very much. I am Idodi Davis. Mine is just like this. An MP should have twenty-five years above and seventy years below, two terms. I know most people might not have said that.

Nomination of MPS. Nominated MPS should be scrapped because those powers have been misused.

Political Parties: All Parties to form Government i.e. coalition Government.

The next one is the DEO should head the DEB not the DC.

There should be seventeen Ministers not twenty-seven as per now. A Minister must be the professional in that post not as per now even a local villager so long as you are friend to the Head of State.

Civil Servants who retire should not be recycled as per now somebody retires tomorrow, then he is appointed to a new Ministry.

A Vice-Chancellor of a University should be a Professor.

**Com. Pastor Ayonga:** That has been said.

**Idodi Davis:** It was said, okey. Tribal spokesmen should not be there. Anybody can speak on behalf of those people, not necessarily somebody. This and delegations to the President should be banned because people who go there take gossips, wanapeleka fitina.

The current President, if found guilty of misuse of power should be brought to the Court of Law and he should be judge for the evils he has done to the citizens of Kenya.

**Com. Pastor Ayonga:** Ya mwisho.

**Idodi Davis:** One man, one job.

Now Local beer. If the local beer is not going to licenced, just like other beers, then all beers must be banned because a drunkard is a drunkard, whether you have taken the illicit brew or Tusker, the deeds of a drunkard are the same. He will mess on the way even that one who has taken Tusker.

**Com. Pastor Ayonga:** Thank you very much. You have made your point.

**Idodi Davis:** Attorney-General should be prosecuted if he does not prosecute cases brought to his table according to Act 20 now says that the Attorney-General can discontinue any cases. He can discontinue a case of his friends. So he should be prosecuted and sacked for not executing his duties properly.

**Com. Pastor Ayonga:** Thank you.

**Idodi Davis:** Then the last one to me I say there is no need creating more Constituencies because the economy does not allow. The act of creating more Constituencies should not arise because there are many Form IV's who are lying home without any jobs so those Constituencies should be given to the boys who are Form IV's, the graduates who are loitering at home without any employment. Thank you very much.

**Com. Prof. Ayonga:** Thank you. If you can submit those papers and sign your name. Si kwamba yeye ameharibu, ametoa maoni yake. Wewe utatengeneza yako. Moses Opare.

**Speaker:** (In audible)

**Com. Pastor Ayonga:** Mimi sijui. I am following the records. I have no any favouratism. I don't know anybody here.

**Speaker:** (in Audible)

**Com. Pastor Ayonga:** Just a moment gentleman. Moses Obare. Alikwisha toa memo yake? Nicholas Omario. Ni wewe?

**Speaker:** (in Audible)

**Com. Pastor Ayonga:** You are not directing me on what I am doing. Let me finish. We have an order of doing things gentleman.

**Speaker:** (in audible)

**Com. Pastor Ayonga:** Rest assured that we have a method of doing it. Wilprondo Omusi. Mathayo Korii. Are you the one? Now tell us if you have anything that has not been said. Say your name. Take the microphone please.

**Matayo Emoru Okoroe:** My names are Matayo Emoru Okoroe. I am a retired teacher, a farmer and a Civic Education Facilitator. Well, Sir, although this has been touched here and there i.e. Structures and Systems of the Government we need. Only I could add ---

**Com. Pastor Ayonga:** Matayo, I want you to be specific and to the point.

**Matayo Emoru Okoroe:** Yes. I need a Presidentian and a Parliamentary Government mixed. The structure should be Presidential and Executive, Legislature i.e. the National Assembly, the Judiciary, the Local Government Authority and also to add to it, I need Provincial Administration as it has been said from Likhuru through Assistant Chiefs, Chiefs, District Officers, District Commissioners, Provincial Commissioners. Also adding to it Permanent Secretaries up to the Minsiter and I could add as you had already said, you pointed somebody. Salary wise, on this Provincial Administrations should be from Likhurus to the top. Likhurus nowadays don't get anything. This what we call the village elders.

Well, Sir, in the organ of the President and Executive, all powers should not be vested to it. It should be shared among the concerned department e.g. Army authority, appointments of Commissions, declaration of emergency in the Country, dismissal of executives, directors, Ministers and etc. The President and Executive should be responsible for the stamping out of corruption in every department or section in the Republic of Kenya. This organ should implement laws first by the National Assembly without discrimination.

Two: -----

**Com. Pastor Ayonga:** --- but you see what you are doing, you are reading that to us. We are going to read that. I asked you -----

**Matayo Emoru Ekoroe:** --- yes.

**Com. Pastor Ayonga:** Give us a point that has not been said because we are going to read that. You are repeating over and over what has already been said and you are reading it to us. We can read too. You tell us teh main points that you want to put your emphasis on.

**Matayo Emoru Ekoroe:** Well what I wanted is only to have the Provincial and Parliamentary Government. So the other things you can read and may I add that what some people have said already to you about pension. Pension, the pensioners should be given annual increaments. Other things have been -----

**Com. Pastor Ayonga:** -- annual increaments. They also should be -----

**Matayo Emoru Ekoroe:** You can read Sir; I don't want to bore you.

**Com. Pastor Ayonga:** Thank you. Thank you so much. Now there is Francis Emotu Etiang. Ni wewe? Keti. Una dakika moja na nusu halafu kuna huyu anaitua Andrew Anthony Omuria

**Francis Ometu Etyang:** Mimi kwa majina naitua -----

**Com. Pastor Ayonga:** Andrew Omoksi Omuria. Ni wewe? Kuja hapa karibu.

**Francis Ometu Etyang:** Mimi naitua Francis Ometu Etyang. Nitaenda kuongea maoni kuhusu mwananchi ya kawaida ambao kila mtu anajua ni kama convention ya nyumba. Wananchi kama hakuna, nchi haiwezi kuwa. Lakini nasikitika sana, unakuta kwa wakati huu, mwananchi anaishi kiviake. Ni kwa sababu gani? Hawapati msaada ambae inaonekana katika Serikali. Na kuona hapo unakuta ati mwananchi ni Serikali. Na tena unakuta mwananchi ndio mtu ya chini kabisa. Wengine wameshaa shindwa kufundisha watoto na wengine wanalala mahali mbaya na wengine wanashindwa hata wakati wa kuenda hospitali unakuta anashinda kufanya garama ya hospitali.

**Com. Pastor Ayonga:** Kwa hivyo unataka je? Unapendekeza nini?

**Francis Ometu Etyang:** Mimi ningependekeza kwamba kwa vile mwananchi ndio Serikali, kuna mambo ambao Serikali ingefaa kusaidia mwananchi kama msaada, kama kufungulia account bila masharti bora huyo mtu amekuwa na miaka zaidi ya kumi na minane na amekuwa na akili ya kupata usaidizi yake ya kila siku. Ningepomba sheria iundwe ikiwa, ikiwezekana Serikali ambae inaenda kuchukuwa kukumbuka wananchi kwa kuwasaidia pesa kidogo ambae inaweza kama kuinua ukilimu, kuinua biashara ndogo, ndogo kuliko unakuta mwananchi akianza kazi yake kidogo, anakuja kuitisha ushuru.

**Com. Pastor Ayonga:** Yaani, kiti unacho taka ni mwananchi apewe loan.

**Francis Ometu Etyang:** Apewe loan bia masharti.

**Com. Pastor Ayonga:** Yakuweze kufanyia na masharti iwe kidogo.

**Francis Ometu Etyang:** Ndio.

**Com. Pastor Ayonga:** Hiyo ndio point. Inginge?

**Francis Ometu Etyang:** Halafu ya pili kwa upande wa sheria, naona hapo unakuta mambo mengine kama Attorney-General. Ingekuwa ni mtu ambao angeweza kuchaguliwa na wananchi. Ni posa aweze kufanya hio kazi bila kujali mtu ambae aliteuwa yeye kufanya kazi hio. Kwa maana akichanguliwa na mtu fulani, kwa binaadam lazimi makosa ipatikane. Anaweza kuhepa huyo mtu au anaweza kufanya kazi hio kama anaogopa. Kwa hivyo ----

**Com. Pastor Ayong:** Kwa hivyo Attorney General achaguliwe na wananchi. Hiyo ndio point.

**Francis Ometu Etyang:** Ndio.

**Com. Pastor Ayonga:** Inginge?

**Francis Ometu Etyang:** Halafu kwa upande wa usawa, unakuta sisi kama hapa Teso, tangu 1963 hatujaone usawa kamili ni kwa sababu gani? Unakuta mahali ingine vitu tofauti, tafauti zinafanyika kama msaada inapelekwa huko bila mambo mengi.

**Com. Pastor Ayonga:** Inapelekwa wapi?

**Francis Ometu Etyang:** kama sehemu ingine ya nchi lakini utakuta kama hapa hatupati hio msaada. Unakuta hapo ninasema hivyo kwa sababu, maneno ya vikundi hii, watu wamefanya kwa muuda mrefu bila kufanikiwa kwa sababu gani? Unakuta mtu anasema fungua account na ukienda kufungua account huko wakipeleka pesa kidogo, unakuta Bank inakula hizo pesa. Hio ningependa ya kwamba Bank ingetoa kiwangu fulani ya pesa bila kusema ati umechelewa wakule hio pesa. Sasa unakuta mtu, umasikini inaongezeka.

**Com. Pastor Ayonga:** Asante sana. Sasa unaweze kwenda kule ujiandikishe. Wewe ndio nani. Chukuwa microphone na tunataka utuambie lile ambalo wengine hawaja sema. Seka majina yako.

**Andrew Anthony Emuria:** Mimi naitua Andrew Anthony Emuria. Ningependa kuongea na nikuhusu appointment and nomination of staff serving Kenyans. The law must not allow anybody to be nominated or appointed. He must not have retired from any job or any office. This is to say his age allows him to rest and since Kenya has a lot of interlectuals it looks too aukward to nominate a retiree or it will mean there is no reason for Kenyans to learn.

Anybody nominated in any capacity must not be allowed to nominate to serve his personal interest. This is by having one from his strongholds or personal family friends. This is to mean it must be from a neutral ground to serve all Kenyans. I strongly believe Kenya has a lot interlectuals instead of depending on either rejects or retirees who have worked failed to serve the common man. The fact here is the nomination age once retired, rest and give others chance. Thank you.

**Com. Pastor Ayonga:** Now I am through with my list. I want to see the hands of those, there was a gentleman there, na wewe, kuja hapa mbele. Tena unaangalia nyuma? Mimi nakuwambia kuja hapa mbele. Sasa, si kwamba tungewacha mtu yoyote. Sasa natka ile point yako uliokuwa nayo. Sema majina yako halafu toa hio point yako.

**Benson Isokata Oridi:** Asante sana Commissioners. My names are Benson Isokata Oridi. Okey. Thank you. Mine, part of it has been mentioned. The point I want to emphasize here is that my view was on the current poor distribution of the Natural Resources and I identified one resource here which I feel is also contributing to the uneven distribution of the national resources of the national cake and that is duplication of the Kenyan tribes whereby some Kenyan communities or tribes take the advantage of their numbers to acquire a larger position of the National Cake at the expense of the minority main tribes like the Tesos. So I feel that the new Constitution should therefore

One: define what a main tribe in Kenya is

Two: define also what a sub-tribe is and what a minority main tribe is and in case of distribution of the National resources which are dynamic that could be political, economic, cultural and others, main tribes should be treated equally for example politically when appointing Cabinet Minister, possibly if we took the main tribes without including the sub-tribes, we could find that we have lesser tribes in Kenya than the current number, we talk of forty-two, maybe we could be having less than twenty and that Cabinet should have been spread equally, first of all to the main tribes before adding surplus to the sub-tribes. For example Teso is a main tribe but for about forty years now since independence, the community has never awarded a Cabinet Minister. While main tribes like the Luhyas are given several sub-tribes of the same community Cabinet Ministers. So I feel that we put down the main tribes besides the sub-tribes then whatever that is there, we let us consider as main tribes before we overlap to other sub-tribes. That was my point. Others are written here.

**Com. Pastor Ayonga:** Thank you so much.

**Benson Isokata Oridi:** Thank you.

**Com. Pastor Ayonga:** Sema majina yako.

**Kuita Etyang:** I am Kuita Etyang.

**Com. Pastor Ayonga:** Who:

**Kuita Etyang:** Kuita Etyang talking as a young Teso democrat. These are my views. I want a reform in the Electoral Commissioner. This idea of paying fifty-thousand and ten-thousand to the MP should not be there because it is only the rich who will rule this country. What about the poor?

Another thing I want the Constitution to outline clearly is that somebody should be paid according to the knowledge he has not according to the position that he holds in this Country. So long as you have been given an office, the Constitution should say that if you have a degree, you should be paid this amount of money.

Thirdly, I want to say that any land that is above four acres should be taxed because we have large chunks of land staying like that. The only investment that people have done is only a fence. So I think the Government should tax that land.

Another idea is the qualification for Presidency. I think it should be thirty years. We want also to produce a young President in the world like me and we want it to be below thirty years should be the maximum for the Presidency and for the MP it should be eighteen years because the lifespan of man has really reduced.

Another point is our policemen and the Army men. They are really misbehaving and the Government is not punishing these people accordingly. I think concentration camps should be introduced to punish those people who mess around. Thank you,.

**Com. Pastor Ayonga:** Thank you young man. Now I think I am through. I want to take this opportunity on behalf of the Commissioners that we have had a real good day here. Tumekuwa na maoni ambayo ni maoni ambayo ni ya maana sana, sana sana. Na pengine hii inanionyesha kamba mulipata Civic Education mzuri mno. Kwa maana Civic Education inatuonyesha pahali imefanya kazi ambako watu wamejirayarisha vilivyo. Na tumepata maoni. Nirudie kitu kile Commissioner Kangu alisema hapo mbeleni, kwamba maoni yenu hayatakuwa, kwa maana tumekuwa hapa mwisho si kwamba maoni yenu hayataingia katika maoni mengine. Yataingia. Na siku ingine ikiwa si sisi ambao tutakuja hapa kama ni wengine, mokitumiwa report, mutakuja kuona kweli lile ni letu. Kweli lile ni lietu. Kwa hivyo hakuna mtu atawanchwa nje.

Ninataka nishukuru sana District Co-ordinator kwa kazi ambae amefanya. Nataka niwashukuru sana wale 3C's kazi ambae wamefanya katika mobilization. Nataka nishukuru tena Provincial Administration na wale watu waliotowa Civic Education. Wote pamoja na nyinyi kushirikiana nawo. Mumefanya ikawa possible for us kuwa na Kikao ambaco ni cha maana sana hapa. Nili ahidi asubuki kwamba nikisema kwaheri nitasema kwa Kiteso. Unaweza kuniambia ninasema je? 'Kirarash'. Sasa unaona. Sasa nimeshinda huyu. Nimemshinda huyu. Na ningependa asubuhi tulikuwa na kasisi hapa alituomba. Kuna Kasisi mwingine hapa? Eh! Okey. Mama uje hapa mbele, uchukuwe microphone hio ili utuweke chini ya mikono ya Mungu tulimomba asubuhi atubariki na ametubariki. Kwa hivyo sasa tunataka kumshukuru. Hebu sote tuamke ili tujiweke mikononi mwa Mungu.

**Mama Felistas Etyang:** Kwa Jina la Baba, la Mwana na La Roho Mtakatifu amina. Eh! Mungu Baba mwenyezi, tunakushukuru kwa siku ya leo ambao umelete Commissioners wa Kenya kusikia maoni ya watoto wako, walio chini kabisa. Tunashukuru kwa kisikiza kwa uzuri wao, hakuna upendeleo, naweza kusema hakuna upendeleo. Kwa hivyo maoni yetu Baba yaweze kufanya kazi Kenya yetu ili Kenya ibaki na amaani. Ibaki ikiwa chini ya miliki yako. Na wanapo toka hapa, uwe nao

njiani wakielekea mahali kwingine ili waweze kukusanya maoni ya watu wengine. Uwalinde, uwajaze na ujasiri hata na hio kukuheshimu Wewe Mwenyezi ili kazi yao iwe yakupana na kweli tupate Katiba ambao italinda kila mwana Kenya, kwa mkubwa, mdogo, mchanga, mzee, kila mmoja hata yule ambao anatusimamia kama President yetu saa hii. Naomba hayo machache kwa njia ya Kristu Bwana wetu. Kwa jina la Baba, la Mwana na la Roho Mtakatifu, Amen.

**The meeting ended at 6.15.P.M**

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