

**CONSTITUTION OF KENYA REVIEW COMMISSION**

**(CKRC)**

**VERBATIM REPORT OF**

**CONSTITUENCY PUBLIC HEARINGS,**

**MT ELGON CONSTITUENCY HELD AT CHEPTAIS HIGH SCHOOL**

**ON**

**SATURDAY, 3<sup>RD</sup> AUGUST 2002**

**CONSTITUENCY PUBLIC HEARINGS, MT. ELGON CONSTITUENCY, HELD AT CHEPTAIS HIGH  
SCHOOL, ON 3<sup>RD</sup> AUGUST 2002**

**Commissioners Present:**

Mosonik Arap Korir

Zein Abubakar

**Secretariat in attendance:**

Hassan Mohammed - Programme Officer

Joyce Wamuciii - Assistant Programme Officer

Marion Nekesa - Verbatim Recorder.

The meeting started at 11.am with Commissioner Mosonik in chair.

**Mr. Murugulu:** Commissioner mwenye kiti, Commissioner mwenzake, wafanyi kazi wa Commission na wananchi hamjambo. Kabla hatujaanza nitaomba Bwana Chebwei auombei.

**Chebwei:** Na tuombe: (prayer in Islamic)

**Mr. Murugulu:** Asante kwa maombi pengine nitachukuwa nafasii hii kuwajulisha wanakamati pengine mutajijulisha wenyewe.

**Robison Kimyatasi:** Bwana Commissioner, Chairman mimi ninaitwa Robison Kimyatasi mwenye kiti ya kamati ya wilaya asante.

**Hesbon Kundu:** Wana Commissioners, Co-ordinator wananchi watukufu mimi ni Bwana Hesbon Kundu mwana kamati wa

Commission wa Mt. Elgon asante.

**Mr Murugulu:** Mimi mwenyewe ni Bwana Bramwel Murugulu ambaye ni Co-ordinator wa hii Constitutional Review wa hii Mlima ya Elgon, kabla sijarudisha nafasi hii kwa mwenye kiti kwa sababu tumepoteza wakati mwingi tuingojea ma-Commissioner ningependa kusema wana kamati wengine wako nje kidogo pengine mambo ya transportation wengine wangali kwa njia zaidi ya hiyo wananchi walikuwa wanatarajia Bwana mwenye kiti tuombe pengine hii ingefanywa huku town. Hawangeweza kuja mapema nafikiri wangali hapo kwa town saa hii saa wanakuja baadaye pengine utashangaa kwa nini watu hwako hapo wengi lakini baadaye watakuja.

Lingine ningependa kusema wananchi kwamba hii ni nafasi yenu ambayo mumepelewa leo kutoa maoni na muko na uhuru kusema mambo yote na tena kama ujafurahia mambo mwenzangu amesema tafadhali vumilia na umusikize na ungoje nafasi itakapofika wewe ujieleze vile unaweza kusema kwa sababu hata kama uko kotini huwezi kuamua kotini ulete watu kotini wapige kelele hata judge aweze kusikia maneno ambayo utawema. Sasa kwa hivyo, kwa sababu tuko tunaunda Katiba ya Kenya, ujieleze vile ungependa uongeze na ma-Commissioner watachukuwa maneno yenu ninamini kabisa maneno yatachukuliwa maanani.

Kwa sababu wengi mko wageni hapa Cheptais kuna nyumba ingine ile ya mhimu kuna moja upande ile kuna ingine hapo kwa gate na hiyo ya chini ni ya wanafunzi sasa utajua hapa na kwa sababu town iko mbali kuna mambo yote iko nje muko tayari kutoa maoni yenu sasa kwa hivyo mimi sitapotesha wakati mwingi isipokuwa mdomo ni yenu kwa furaha na mujeeleze vile mutataki Bwana Commissioner nitarudisha hii kipindi kwako ingawa kuna msichana wa office anaitwa Ann Kip amka kidogo wakuangalie huyo ndiyo anasimamia office ya Kwapsokwony ambaye pia documentation center.

Committee mmoja ameingia anaitwa Bwana Kabera hebu simama tukwangalie sasa Bwana mwenye kiti utaendelea na mambo yako. Bwana mwenye kiti muonyeshe Commission na wananchi.

**Com. Mosonik:** Okay asante sana Bwana District Co-ordinator kwanza kabla ya kuendelea nitatangaza rasimi kwamba tuko kwa kikao rasimi ya Tume ya kurekebisha Katiba ya Kenya halafu niwajulishe wa kwanza Commissioner mwenzangu ambaye ameketi hapa nami yeye ni Commissioner Abubakar pengine wasikie sauti yako tuu.

**Com. Zein:** Habari mimi nina furaha kubwa kuwa nanyi hivi leo.

**Com. Mosonik:** Tulikuwa na Commissioner mwingine siku ile tulikuwa Kapsokwony, Commissioner Isaac Lenaola lakini amelazimika arudi Nairobi kufanya kazi ingine kwa hivyo tutakuwa wawili leo. Tena ningependa kuwajulisha kwa wafanya kazi wenzetu kutoka hukio Tume.

**Com. Mosonik:** Okay, pengine nianze tena kwa kuwajulisha- wafanyi kazi wa Tume ya kurekebisha Katiba ambao wako hapa leo nilisema kwamba Commissioner ambaye yuko nami ni Commissioner Abubakari Zein aliwazambia nikasema tungekuwa na Commissioner mwingine Isaac Lenaola ambaye alikuwa nasi Kwapsokwony lakini amelazimika arudi Nairobi. Isaac Lenaola ; Mimi ni Commissioner Mosonik Arap Korir wafanyi kazi wenzetu ambao wako na sisi hapa wa kwanza ni yule Hassan Mohamed ametoka nje kidogo , programme Officer wa pili ni naibu wake Joyce Wamucii halafu watatu wa kunasaa sauti ni Marion Nekesa upande ule mwingine. Tukisema tuliarisha kikao mpaka leo kwa sababu ambazo nyinyio wenyewe mnajua na tukasema tunataraji kwamba watu wote wa sehemu watafika wakijua kwamba kikao ni leo.

Nilisema kwamba utaratibu wetu wa kufanya kazi, watu wanajiandikisha wakingia kwa form tutafuata orodha ya majina vile iko kwa form hii ingawa wakati mwingine tutaruka jina moja mbili ili kuwawezesha tuseme kwa mfano wanafunzi waseme na kurudi daraza na kadhalika.

Na mtajiandikisha mkingia halafu unakuja na kuketi hapa mbele ya hiyo microphone nitakuwa nimetaja jina lakini utarudia na kurudia ni kwa sababu ya kuweza kunasa maoni yako pamoja na jina lako.

Kuna njia tatu za kupeana maoni ya kwanza ni kwamba unaweza na maandiko umeandikia haya maoni kwa memorandum ukiwa umeandikia kwa memorandum, hatutaraji kwamba utayasoma memorandum kwa ajili sisi wenyewe tutasoma memorandum tukirudi Nairobi.

Unaweza kupeana memorandum kuandikisha kwa Programme officer na ukitaka kutoka.

Cha pili ni kwamba unaweza kusema machache kuhusu memorandum hasa kusema mapendekezo.

Njia ingine ni kuwa tena umeandikia lakini haiko kwa memorandum utatupea yale mandiko yako lakini itahitajika ufafunue ndiyo ieleweke, lakini njia ya mwisho ni kwamba maoni yako ujayandikia au unataka tu kusema kwa mdomo ama zungumzo ikiwa ni hivyo tunakupea mpaka dakika kumi tunaomba kabisa kwamba yawe ni mapendekezo ukisema kitu usingilie sana maneneo mingi kufatilia kuhusu jambo lile kwa ajili sisi wote kama wakenya tunajua shida nyingi lakini kitu cha muhimu ni kwamba, ukitaja shida ni utaje mapendekezo yako ungefanya je ungependa nini ifanywe?

Lugha tutazitumia lugha rasmi ni mbili kingereza na kiswahili tungependa sana watu wote ambao wanazijua hizo lugha mbili wazitumie lakini ikiwa kuna shida ya lugha tunaweza kuuliza Distict Co-ordinator hapa atuiipatie interpreters hasa wa lugha gani please. Kisaboat, Kibukusu na kiteso lakini kama unajua kiswahili na kingereza sema na hiyo lugha.

Tena tumesema ukitoa maoni iwe ni maoni kuhusu maswala na maswali ya kulekebisha katiba hatutaki majina ya watu watajwe tunataka mapendekezo kuhusu maswala na maswali. Tene mtu akitoa maoni yake tusikie kwa makini kwa ajili kwanza inanaswa yale yote yanasemwa kwa recorder na tukipiga kelele itaharibu.

Lakini kitu cha pili ni kwamba kila mtu ana haki kuwa na maoni ingawa ukubaliane na maoni ya mwingine unjue kwamba kama una maoni tofauti utaweza kuyasema yako wakati wako ukifika na tunapenda sana kusema hata kama unapenda maoni ya mtu sana ama huku upendi kabisa hataki ile macheko ama makofi kwa ajili hayo yote umeharibu ku-record maoni hapa.

Tena ukiwa unatoa maoni mwisho mwisho ama katikati tubaweza kuuliza maswali sisi wawili kama ma-commissioner ya

kufafanua kuuliza hatutakuulewa. Vile, ulisema hapa na kama una jibu utajibu kama ujafikiria siyo lazima ujibu kama unajibu yaani hujui useme sijui jibu la swali lenu lakini wewe utakua umetoa maoni yako na tutayaheshimu maoni yako.

Okay nafikiri nimeyasema yote tuanze sasa na mtu wa kwanza kabisa dakika tano au kumi kwaajili hana memorandum Doctor MM .Ngeiywa please.

**MM. Ngeiywa:** Asante sana Bwana Commissioner mwenye Kiti Commissioner mwenzake na wananchi hamjabo. Mimi naitwa Mr. Ngeiywa na nimefika hapa ili nitoe maoni yangu ya Commissioner ya Katiba ya Kenya. Kwanza kabisa swali la kwanza ni njia ya Commissionstumeona ya kwamba hapa Kenya commissions nyingi ya kwaangalia mambo mengi na mwishowe labda hizo mambo hiyo recommendation zao hazitumiki wala hayafanywi public. Tungetaka Katiba ya leo ionyeshe kabisa ya kwamba commission ikifanya kazi maswali na recommendation yao zifanywe wazi wananchi wanjue na ikiwa implemented kama inawezekana kwa kuweka mkasa pale. Commissions ziwe vetted na parliament ili wakitaka kufanya commission yeyote Parliament ndiyo wana-debate wanaona kama kuna haja, ikiwa kuna haja, ndiyo wafanya na hiyo proceedings yake recommendation zao zifanywe public.

Ningependa katiba I-recommend ya kwama commission ya kurekebisha katiba kama hii iwe continuous yaani iwe permanent isipokuwa inaweza kuwa based in Nairobi ma-commissioners wakae Nairobi mu-maintain channels ya wananchi kupitisha maoni yao kwa kuwa na ma-office hapa District tuwe na mawasiliano njia ambayo wananchi wanaweza kuwafikishia maoni yao mbila nyinyi kutembea na kutumia ghalama kubwa ya transport na accommodation na kitu kama lakini ikuwe a continuous process pengine kuweselesha hii zaidi kwa Mbunge ili iwekwe bidii katiba mpya ikifanyika, Commissioners mtakuwa first time mkijua kuna mambo ambaye ni consitutional ambaye inasumbua mambo ya either utawala ama mambo kadha wa kadha na mtakuwa na representative member kutoka kwa commissioner kwa Parliament ambaye utakuwa akirudisha maoni kwa ma-Commissioner wenzangu kule headquarter ya commission.

Kwa hivyo recommendation iwe ya commission ningepomba kama Katiba ingesema commission zote ziwekwe na Parliament isemekana maswala yao discussions, recommendation zikuwe public this particular time iwe ya kuendelea.

Ningependa pia kusema lugha ya mbunge lugha ya sheria ni ngumu sana kwa wananchi wetu kuelewa hata ya mambo yenye sisi tunasema sasa hivi tungependa constitution iseme itafikiria ama iandikwe kwa lugha ya Rahisi na iwe asante kwa public ikiwezekana wa-set recommendation centers kwa District mahali watu wanaweza enda wakaangalie mabo ya constitution yetu ni nini kwa sababu (inudible) came up wengi wetu hata hatunjui nimesoma Acts chache sana sababu kupata constitution yenyewe siyo rahisi na ukipata ligha ambayo iko ndani pale wengine tunaelewa ndiyo lakini siyo watu wote wanaelewa hiyo lugha ingewezekana iyandikwe kwa lugha Rahisi na iwe available kwa documentation centers ambayo itakuwa ni hii commission yeney inaweza kufanya kwa kila District open kwa public, Public wanaweza kuingia ndani wakaitumia hiyo Office.

Kitu ya pili yenye mimi ningeluzia ni hali ya usalama na kazi ya police.tungetaka katiba ingewezekana iseme police vile iko

organized kwa sasa hivi na vile wanafanya kazi wangukuwa disbanded na police wote wapelekwe barracks waingie kwa National Security Force.

Security ya wananchi iangaliwe na local security team ambayo wachukuliwe kutoka kwa local let us say District level watoke pahali hapo na wapewe training zaidi kuliko vile wanavyo pewa sasa hivi sababu wananchi tunajua ya kwamba, police ndio wameeneza mambo ya corruption sana na wanatumia mamlaka yao mala nyingi kwa kunyanyasa wananchi badala ya kuhudumia wananchi ama kusaidia wananchi .

So tungetaka katiba irecommend ama isema yakwamba hatutaki police vile wakio sasa hii ili tuwe security system na national ambao wanakaa kwa barracks kwa sababu wananchi hawana shida na watu wa army ikitokea neno ndiyo wale watu wanaitwa kwenda kusaidia yaani kama kuna fujo ama forojo lakini mambo ya security ya kawaida iyangaliwe na local security set ups hata kama ni mambo ya security kama ya mtu wa securicor Kenya, ya makampuni wale pengine wangukuwa wanaajiri watu ambao wamehitimu wawe hata na pengine na siraha ya kujikinga nayo kama kuna wakora ama kitu kama hiyo lakini police vile ilikuwa na command moja yenye iko, mimi ninaonelea sio nzuri ingekuwa disbanded kwa kuwa redeployed wapelekwe pengine kwa army barracks wenye wamequalify wanaend nyumbani

Kitu ingine ambayo nitachangia nikuhusu hiyo corruption na tutasema hiyo ugonjwa kubwa hapa Kenya tumeelewa imerudisha maedeleo nyuma na inaonekana sisi wakenya tumeedesha corruption kwa sababu hata vile uchaguzi itakuja tutachaguwa wale watu ambao wanapesa ambao wanaweza kutupatia kitu kwa sababu wana pesa bila kuliza walipataje ingekuwa inawezekana watu wote wa Kenya wawe waki-declare mali zao kila mwaka ama baada ya muda ambayo inawezekana appropriate ili mtu akipata mali kwa njia ya haraka sana na haonekani akifanya bidii ya hiyo mali atakuwa anapata hizo mali kwa ulaghai ama kwa njia Fulani na isikuwe hao ambao walipata mali hivyo ndiyo tunawatakanga tena kuwapatia viti vya uongozi na kitu kama hiyo inapatia wengine hata watoto wanataka tamaa nipate mali ndiyo ninunue uongozi ama ndiyo nipeana – nipate kuchaguliwa na pengine watu wanapata hiyo tamaa ya kufanya ufizadi na kitu kama hiyo ili wapate ya ndiyo aonekane ni mtu Fulani ili apate nafasi ya uongozi ya wala hii na hii

Kwa hivyo watu wange-declare mali yao ndiyo wajulikane wana mali gani kwa sababu wengine wanapata mali zao kwa kuvivi lakini ukitoka tu mali huna chochote baada ya muda mfupi ama mda gani una mali nyingi wewe utakuwa unatafuta uongozi lakini watu wengine wanaangalia na Fulani ni muongozi kwa sababu ana pesa ama ana mali gani na kumbuka kufanya kazi pale ni mzuri kwa sababu unaweza kupata kitu ili nitumie kwa kununua nafsi.

Kitu ingine ningependa kuchangia pia ni wafanyi kazi tunajua watu wanafanya kazi wakifikiri wapate mamishahara ya kutumia kwa mahitaji Fulani na saa zingine kazi ni tofauti kuna kazi ya serikali kazi za kibinafsi za kampuni na hiyo na watu saa zingine wanaweza kuwa wanafanyishwa kazi kidogo ingewezekana watu wote wafanye kazi ya kutosha.

Na ningetaka Katiba iseme Trade Union ikuwe ikubandike kwa lengo zote Kwa sababu kuna watu Fulani ambaye wanasemekana watakikane kuwa Na Trade Union sababu au pengine wako profession yao ni management ama sijui mara nyingi kuna kunyanyasana. Ingewesakana wafanyi kazi wote wafanye kazi na mshahara yao katika ma – kampuni, Parastatals

na serikari lakini baada lakini baada ya kuangalia hivyo ukiona desperate kwa equivalent positions watu wa Civil Service na pengine Parastatal Fulani iko kubwa ingewezeke watu wote awapate mshahara usawa kulingana na kuhitimu kwao na kazi ambaye wanafanya ili ipatie watu tamaa ya kufanya kazi mtu afanye kazi anayependa sababu anjua huko ndiyo atapata uzima wake na asikuwa na tamaa ya kubadilisha kazi kwa sababu kuna pesa nyingi upande ingine pesa iwe equivalent CV yako inakwambia hata uende wapi pesa yako ni ina-range kwanzia hapa mpaka pale lakini mwingine anatoka mahali una mshara kiazi Fulani ukienda kwa kazi wanaofanya penginewasiweke bidii sana.

**Com.Mosonik:** Utangoja kidogo basi.

Com.Zein: Daktari if you could just unifafanulie kwamba unaposema wafanyi kazi wawe na haki ya kuunda vyama vya kuwakilisha Trade Union that is the right to organize to trade Union na unasema kwamba hata amangement wawe na haki ta kujiona trade any understanding is that the management is part of the ownership of the company that is why we are not allowed to join kuwa member wa union because then the wanadi masalaha kwa campuni if you allow the management could you also the Chief Executive office for instance also to be a member of the union and then in terms of salaries just a small clarification you are assaying people of the same categories or level siyo kwamba yaani Daktari alipwe sawa sawa na mfagiaji that is not what you are saying. Okay.

**MM.Ngeiywa:** Asante kwa hayo maswali, swali la kwanza nilikuwa pengine kwa ma-campuni ambaye management ndiyo wenye campuni hapo ingekuwa ---- Kwa parastatal ama mashirika ya serikari. Kuna job group Fulani ambayo wanasema kwanzia nyingi pia ni kama management na wale nyinyi isiyo management nina mfano wa university kuna mambo ambayo inahusu walimu wa university kama sisi ambayetukitaka kusema iwakilishe wanasema nyinyi hamna ruhusa wa kukaa kama awafanyi na hamtetei haki zenu kwa sababu nyinyi hiyo ndiyo sababu.

Ya pili sikusema ati kila mtu anafanya kazi apate mshahara iwe sawa nataka mshahara iwe sawa kwa kila level na either unafamua kazi apate mshahara iwe sawa nataka mshahara sawa kwa kila level na either unafanya serikali ama unafanya ma-campuni ama unafanya kwa parastatal hyo ilikuwa swala langu.

**Com. Mosonik:** Lakini unjua kwamba kawaida it is the people in the private who paid more than the government sector because the government cannot pay to weaken the private sector to reduce salaries so that they are the same.

**MM Ngiywa:** No, mimi singefikiria hivyo kwasababu private sector imeweka mshahara ya kuwa –attract manpower inataka manpower inweza kutoa results serikali pia wakiongeza mishahara uta-attract wale watu ambao watatoa majibu kwa serikali na kama kuna majibu ni enterprise hii serikali pia ni kitu ambaye tusifanye tu kwa sababu ya kufanaya tufanye kitu yenye majibu kwa hivyo seriakali imeasure sector.

**Com. Mosonik:** Asante sana jiandikishe tafadhali upande ule mwingine. Mr. Ben Chesebe.

**Ben Chesebe:** Asante sana Commssioners kwa kupata nafasi hii kwanza kabisa ningependa kusema kuwa –

**Com.Mosonik:** Jina lako kwanza

**Ben Chesebe:** Jina langu ni Ben Chesebe na mimi ni retire officer nilikuwa Chief na ni mwenyeji kwa area. Ningependa kusema kwanza hivi vile imeandikwa ya kwamba nina memorandum nafikiri sina memorandum ningependa ieleweke akwa sababu ---nataka inongoze kwa yale ningesema.

Mimi ningependa sana kuchangia mambo ya mashamba land and property kulingana na maoni yangu ninaona ya kuwa mashamba yote kwa sababu mashamba ni mali ya wanainchi na mashamba yamewekwa kulingana na communities kwa ndiyo wangukuwa wenyeji ambao wanaweza kumiliki mashamba kwa sababu wale watu binafsi ni wale watu ambao wanatengeneza community ndiyo mashamba ni yao.

Ili niende pengine haraka ningetaja sehemu pengine ya transfers ya mashamba kulingana na sisi hapa mila ya kiafrica wengi sana mashamba siku hizi tumesema lazima pia hata wasichana wapewe mashamba lakini katika maoni yangu binafsi ninona kama kulingana na mila za kiafrica hailingani hivyo.

Ni wanaume tu ndiyo wangepewa mashamba kwa sababu gani nasema hivyo kwa sababu wanawake wakishaolewa wanazaa watu wa ukoo ingine wawezi kuzaa (inaudible)

Nikirudi nataka kuongea juu ya independent duties. Hiyo ningependa sana ku-stress kwamba katika constitution hii mpya tungekuwako na provision kwamba zile duties ambazo zilikuwako wakati wa ukoloni hata wakati ya British imperial East Africa and company zingine covered kwa hii Constitution ili kwamba watu ambao pengine territory zao zilipeanwa kwa communities zinginekwa bahati mbaya na wazungu wakati huo kwa sababu tulitawaliwa na wazungu na wakaja wakaribu namna yetu ya kuishi. Wakaleta system yao na watu wengine wakapeanwa territory za watu wengine.

**Com.Mosonik:** Najua umesema colonial duties what do you want. Ninauliza unajua unafanya pendekeza basi sema straight.

**Ben Chisebe:** Hapa ndiyo ninasema nataka Constitution – cover kwamba zile pre-independent duties zikuwe re-visited halafu wale

**Com.Mosonik:** Ku re-visit ni kufanya nini?

**Ben.Chisebe:** Yaani zichunguze tena mahali hiyo ilikuwa ni watu gani.



**Com.Zein:** Yaani mzee wangu unataka haki zilizonyanyazwa wakati wa mkoloni warudishie wenyewe.

**Ben.Chisebe:** Yes.

**Com.Zein:** Si ungesema hivyo.

**Ben.Chisebe:** Sawa sawa, asante sana kwa kunisaidia hilo (inaudible)

**Com.Zein:** Sema kwa microphone ingine maana yake (inaudible)

**Ben.Chesebe:** Ndiyo,pengine ninge----

**Com.Mosonik:** Ujarudia sema vile ulitaka kusema.

**Ben. Chesebe:** Ndiyo,nilikuwa ninasema kwamba zile duties ambazo za zamani kulingana na area ambazo colonial government walipeana kwa watu wengine zingekuwa ingayangaliwa ili zilirudi kuchunguzwa zirudishe kwa wale wenyewe.

Na pengine mukiniruhusu nitasaidia example moja, example ambayo inaweza kusidia hapa ni kwamba katika sisi community ya sabaoti tulikuwa na kitu moja ambayo ilitokea mwaka wa 1885 tulipigana na majirani wetu na baada ya vita kali in 1886 tukakaa pamoja tukazikizana na tukandika traty na tukaweka mpaka na hiyo mpaka ilikuwa signed 1890 na vyongozi wa makabila zote za kiluya na wasabaot that was 1890 lakini tangu hapo wakati wazungu walipokuja waka-disregard hiyo boundary mpaka sasa hiyo boundary haziexist kwa hivyo tunaona kitu kama hiyo ingechunguzwa tena.

Ingingine tuna shida ingine tena tulipwewa Commission ambayo ilichunguzwa shida zetu hapa kwa malakisi location hiyo malakisi location ilikuwa ni kubwa sana na tulikuwa tunatawaliwa pamoja na wabukuzu katika location moja sabaoti wakasema tunataka nasi tupate location yetu kweli Commission ilikuja 1964 wakati wa governor Mac-donald na ikachunguza ikapatikana kuwa location hii ilikuwa na sub-location kumi ba moja na sisi tukapewa sub-location sita ikaitwa North Malakisi Location

Na bahati mbaya wakati wakati wa kura ile ilikuwa ya mgogo tufikiria tutapiga kura ya mgogo kulingana na watu wa North Malakisi wenyewe lakini watu wakatoka Bungoma bahati mbaya tena hiyo kiti ikachukuliwa na watu wengine kwa hivyo kutoka 1965 mpaka 1987 hiyo location ya North malakisi ilikuwa chini ya Mt.Elgon Division lakini baadaye tukashangazwa hiyo location ikapelekwa katika Bungoma District kwa hiyo baada sisi tunadhani kwamba hiyo sehemu ambayo tulipewa –1964 ingerudishwa katika sehemu yetu ya Mt. Elgon.

Mwisho katika sehemu hiyo ningependa kutaja yakuwa ikiwa sisi tumefaulu kupata zile territory zetu na ziunganishwepamoja tungependa hiyo sehemu ya Mt.Elgon na sehemu zile ambazo zitapatikana zote ziende Rift valley Province tutawaliwa katika Rift

valley province kwa sababu ni Community tu ya Kalenjin ambayo inaitwa sabaot ndiyo iko western lakini wenzetu wote wako Rift valley wako Nandi, Kipsigisi

**Com.Mosonik:** Pia tunaajua or the other Kalenjin groups--- umesema mt .elgon iwe chini ya rift valley kwa ajili watu wa Mt. Elgon ni wa kalenjini wengine wote walo Rift valley hiyo tunaelewa.

**Ben.Chesebe:** Basi jambo lingine pia ambayo ningependa kuchangia ni mambo ya province Administration. Katika maoni yangu ninaona hivi ningependa wabaki na wawe answerable kwa District Commissioner wakikishiethis Commissioner pia ikae hii mambo ya ma D.O hawana kazi ma D.O wangetolewa na wawe wakisaidia tu kwa office ya DC.

Provinces, city regions na to – adapt regional system tunatakla uwatawala ya regional system halafu regional siyo ---na governors na hao governors watachaguliwa na ile chama ambayo unaunda serikali ili kwamba provinces ziendelee kuhudumu kwa njia hiyo wakisaidiwa na regional assemblies.

Mimi nasa-suggest kwamba hii AP force na police na force iwe merged iwe kitu kimoja halafu iwe policed na iwe jeshi ni jeshi security katika eternal security katika Kenya halafu iwe answerable kwa regional Administration kwa sababu police force imekuwa corrupt hata imepotesha sifa kwa hivyo ikipotesha na ichanganyi na hii nafikiri kazi yake itakuwa mzuri sana.

Pengine langu la mwisho kwa sababu mimi ni retiree ningependa kusema kitu ya retirees. Commissioners nimeonelea ya kwamba kundi la retirees government servant pia ingefikiwa iwe kikundi kimoja ambayo imekuwa marginalize na hivyo iko tu kama walemafu kwa sababu unajua ukisha ondolewa kwa kazi ni ngumu sana na sisi tunasisitika kwa sababu wale pengine walikuwa na kazi nzuri wanakufa haraka sana.

**Com.Mosonik:** Sasa ifanywe nini ifanywe nini?

**Ben.Chesebu:** Na sasa nilitaka provision iwekwe katika Constitution wawe katika wapewe rights Vulnerable groups.

**Com.Mosonik:** Now which rights are those of vulnerable groups.

**Ben.Chesebu:** Yaani wa kuwa kama walemafu.

**Com.Mosonik:** Wafanyiwe nini wawe more neglected ama nini ujapendeza.?

**Com.Zein:** Basi mzee wangu walemafu wanafanyiwa nini?

**Ben.Chesebe:** Kwanza nilitaka wawe ----kama ni watu wamekuwa marginalized halafu kitu aningependekeza ni kwamba wakati serikali inapo review salaries ya wafanyi kazi waridhi pia na hii pension kwa sababu ukichunguza sasa mtu---

**Com.Mosonik:** Sasa umesema moja,review,pension then there is salary review nini ingine?

**Ben.Chesebe:** Lingine ninaona hao watu wameretire wengi wao bado wana nguvu wangukuwa wakifikiria kwa kazi za contract basis hata ukiona yule ---ana nguvu can be requalified aende fanye kazi kwa sababu bado ana nguvu na pia wawe wakikuwa considered kama parastarals au participation kwa hizi general Commissions ili wao pia wapate nguvu after they have few years to live.

La Mwisho pale ningependa pia ku-suggest ya kuwa katika Constitution iweke kwamba hata wale wazee ambao wako over 70 years pia wangukuwa treated like the retirees pia wapewe kitu kutoka kwa serikali kwa sababu ni wachachw sana na hao ndiyo source ya maneno yote kwa hivyo tungependa wakuwa treated kama wa Kenya iya-dopt hiyo system kwamba anybody ambaye yuko miaka ya 70 angelindwa na serikali apewe kitu Fulani.

**Com. Mosonik:** Asante tumeelewa na hiyo ilikuwa ya mwisho.

**Ben Chesebe:** Bas nafikiria kwa machache ningesema hayo

**Com. Mosonik:** Basi ujiandikishe ngoja kwanza kuna swali.

**Com. Zein:** Mzee unaposema ya kwamba ma-governor wa Majimbo wachuguliwa na ruling part maana yake ni kama sasa ilivyo P.C kwa mfano tuseme wewe uko kwenye Jimbo ambalo halikuchaguwa chama hicho sijui kama unanielewa.

**Ben. Chisebe:** Sawa

**Com. Zein:** Halafu unasema chama hicho kikuchagulie wewe ambaye ulichagua governor,

**Ben Chesebe:** Kwa sababu kama chama kimeshinda kiwe na uwezo.

**Com.Zein:** Let me ask you a different way. Je, ufikirii kutakuwa mugongano wa usimamizi wa serilkali ikiwa kuna serikali ya jimbo unavyosema wewe regional assemblies ambayo ni ya chama kinginena governor wa chama kingine.

**Ben Chesebe:** Mimi ninasema hivi governor ataendesha mambo ya administration lakini Chairmana wa regional assemblies ndiyo atakuwa kwa interest ya masilai ya area hiyo lakini governor atakuwa ni (inaudible)

**Com.Zein:** Administration maana ni nini atasisimamia afya atasisimamia usalama atasisimamia kutosha kodi?

**Ben Chesebe:** Yes

**Ben Chesebe:** Lazima zinyangaywa madarakayake,lazima ile madara ya kodi na nini irudi kwa jimbo.

**Com. Zein:** Irudi kwa?

**Ben Chesebe:** Kwa jimbo

**Com Zein:** Sasa yeye ndiyo governor wa jimbo, nasema katika kukagawanya haya mamlaka uone kutakuwa kuna kugongana kw vihwa kat ya governor ambaye amechaguliwa na serikali na serikali ya mkoa, kama unielewi ni usemi tu una kitu.

**Ben Chesebe:** Pengine sijakuelewa.

**Com.Mosonik:** Hiyo ni kusema huyo governor atakuwa kama P.C. tu wakati huu kwa ajili P.C anateuliwa kutoka Nairobi na serikali ya chama ile imeshinda kitaifa.

**Ben Chesebe:** Hiyo sawa

**Com Mononik:** Au awe kama P.C. lakini asiitwe P.C. Asante.Asante sana sasa tutaenda mbio zaidi Mr. Sammy Chemuyei.

**Sammy Chemuyei:** Bwana Commissioner sir ninawashukuru nitaomba kwamba nitapeana memorandum baadaye kwa niaba ya kikundi ya wazee kwa sababu mwenye kiti wao hajafika na liniambia asipokuja mapema nipeana kwa niaba yao. Halafu mimi nitatoa mawazo yangu machache tu ya kibinafsi.

**Com Mosonik:** Sema jina.

**Sammy Chemuyei:** Mimi naitwa Bwana sammy Chemuyei na mimi ni staff kwa career banker Central Bank. I am also a political aspirant. Yangu ni macheche tu nitaanza na retirement kwa sasa katiba inasema watu wasitaafu wakifika miaka 55 mimi ninaonelea kwamba huo mda uongezwe kwa sababu mpaka miaka kama sitini.

La pili ni kwamba masaomo kwamba serikali ingefanya juhudi ili masomo iweze kuongezwa siyo iwe ya mzingi pekee yake lakini iende mpaka kidato cha nne upili ili watu kusaidia serikali igarimia ili watu wengi wapate kuwa na kufahama sijui kama nchi yetu itajengeka yaani wawe na watu wakielimu ambaye inaweza kufahamu mabo mingi ambao unaweza kusoma na

kuelewa ndiyo waweze ku-participate kwa development.

**Com Mosonik:** it is not clear what you are saying.

**Sammy Chemuyei:** I am saying that the government to facilitate for education up to form four, free education.

**Com. Mosonik:** Just say straight like that okay.

**Sammy Chemuyei:** Yes, also kwamba we would like to see a system of government that devolve power to the District level that is to the local councils so the decisions of management of local resources are managed at the community level like the forest and others they maybe managed by the communities that are that level.

We would also like kama ingewezekana democracy to be defined not the way it is currently so that if it is currently presumes that the majority carries the day but in multy tribal society we would like the word democracy to take care of the aspirations and needs of the indigeneous minority groups so that it can harmonize for this and minority groups would also feel catered for that is also that Afirmative Action for the minority be put in places so that the oppressed and the privileged can be represented in various level that what I want to contribute for now.

**Com. Mosonoki:** Which levels are those?

**Sammy Chemuyei:** My name?

**Com. Mosonoki:** No you said so that they are represented in various level

**Sammy chemuyei:** At legislative levls and at various administrative levels.

**Com. Mosonik:** Okay thank you parliament and administration.thank you for now when you are ready you will tell the programme officer and then you can come and present the other memorandum when you will be ready you can present-ama now

**Sammy chemuyei:** Wherever.

**Com.Mosonik:** You do it now and we will give you five minutes exactly. You are just presenting there oh, that is very good please proceed. Okay Asante sana.Mr.Christopher sudi.

**Christopher sudi:** Commissioner chairman and other commissioner, the secretaries, the audiences I am called Christopher wanyama sudi retired teacher. Hii kazi inaitwa mwalimu. Ireside at chepkube.

My presentation to the honourable commission is that first state policy. Our policies meanwhile should freedom democracy and enforceable law. Here in Kenya---

Nataka sasa tuondoe kabisa mambo ya colonial orders kama---ya kikoloni kama order kutoka juu ati mkumbwa amesema halafu wadogo wana --obey bila kusema neno that is not freedom we want freedom to be really freedom democracy and laws which can work in the country.

Here Mr. Chairman our constitution should be supreme in the country and should not be made by any person in the office.

In other words no one should amend the constitution secretly. Katiba yetu ikiwa inataka kukuwa amended iwe na 75% majority vote. If note referendum should be conducted to amend theonstitute. A referendum will involve wananchi wenyewe kujua ni kitu gani wanataka wageuze katiba yao na hii referendum inaweza kuwa conducted by Electoral Commission and perhaps judicial department it should be free.

Mr. Chairman, I would also like to talk about citizenship in Kenya. If everyone understand please that unless you own a kipande you are not a Kenyan that is wrong in our new constitution please we wish to avoid this kipande for that anyone born in Kenya is automatically acitizen of Kenya.

**Com. Mosonik:**How do you know they were born in Kenya and supposing foreigners also get children here like refugees from the sudan.

**Christopher Wanyama:** I am coming to that Mr. Commission. Directly is that anyone who wishes to acquire a citizenship in Kenya they apply and considered by a commissioner which should be Established.

**Com. Zein:** Mzee how- do you distinguish a Kenyan from a non Kenya say some Ugandans have come to Kenya or Tanzania how do you know this is a Kenyan and this a Tanzanian what would you use to show that I am akenyan therefore I should benefits all the full rights of a Kenyan.

**Christopher Sudi:** Mr. Commissioner sir, by way of identifying one could be at abirth if someone is born in the Kenya hospitalor at home has to register why should he carry a kipande again that registration alone is enough to identify someone.

**Com. Zein:** certificate should be used for identifying.

**Christopher Sudi:** Birth certificate could be used that is enough. And perhaps add to that we may allow in our constitution that

employer have their own identities for the other employees.

**Com. Mosonik:** how about employers who recruit wafanye kazi kutoka ngambo so many companies do that all the time.

**Christopher sudi:** (inaudible)

**Com. Zein:** Is a Kenyan entitled for ----

**Christopher:** Yes that was my next point. I said that my child born in Kenya is automatically a Kenyan now that registration card that registration certificate would enable him to attain a traveling card to travel out like a passport that passport would help him to live the country and so our administration also would check on those in-coming foreigners because they would have to prove that they are Kenyans or not Kenyans.

**Com. Mosonik:** Why didn't you like the ID and you preferred the passport what is the point you are making about the ID.

**Christopher Sudi:** the commissioner the ID look very colonial and police have used that part of the ID kunyanyasa wananchi kwa sabsbu pengine moja yake amepoteza ama nini sasa ananyanyaswa lakini tukiwa na uhuru kwamba tusiwe na kile kipande isipokuwa mtu mtu akiwa na haja Fulani kubwa ndiyo ata-produce ile certificate yake ya registration and birth.

**Com. Mosonik:** But you know when you are ni yule ni yule akiwa amefika miaka 40?

**Christopher:** that one I cannot answer

**Com. Mosonoik:** Okay endelea ----

**Christopher Sudi:** mine was to abolish kipande otherwise we shall give allowance for you to discuss and find another way of avoinding kipande but establishing way of identification.

**Com Zein:** Mzee, tukijita jina lingine utakasirika wewe, najua kwa sababu ya kumbuka maonevu ya wakoloni na ile siasa ya kuvalisah shingoni watu wanavalisha na- kipande ndiyo utmbee hiyo inakukasirisha wewe. Na unasema kwamba kulingana na historia ndefu ya kukpigania uhuru tusikubali kuendelea na mambo ya wakoloni lakini je ukawa kuna njia ya kujitambulisha bila kuitwa kipande na ni njia mzuri na ambayo police hawatakusumbua hiyo pia utaki.

**Christopher:** Hiyo ni mimi ndiyo nakubali.

**Com. Zein:** Haya sawa.

**Christopher:** Hiyo umesema Commissioner sawa.

Presidency: Mr. Chairman our president must be elected and this one must be a Kenyan by birth not by certificate not be just state of acquiring paper citizenship. He should be aged above 50 and not above 75 years please.

For president should have good education at least form four and he should have good reputation.

He or she must be married.

The President Mr. Chairman our constitution should allow him to be in office not more than three terms of five years.

Presidential expenditure should be strictly controlled otherwise we don't want a president carrying so much money to foreign countries without control of the cheque so that money should be limited but he also be limited but he also enjoy the freedom of allowances and salaries perhaps and retirement benefits.

Mr. Chairman I will come to structure and systems of governance here my first proceeding is that we avoid Provincial boundaries we avoid complete Provinces and produce Commissions. Next to that we shall have District Secretaries not Commissioners. If District Secretaries would be subject to mayor or Chairman who are elected by the people so that the District secretary should not make command to the people but the chairman or mayors would be responsible because they will be carrying the maoni ya wananchi wenyewe otherwise District secretaries for perhaps Commissioner, they dictate that one we don't the police and freedom. Then we come to the Chairman and Mayors of the District will elect and have their own elected members and then accounts to which they will choose defence and security unit we also have public health unit, we also have roads and communication but all controlled by the Chairman. Then under the chairman of the District we have locational secretaries here Mr. Chairman I am trying to avoid district Commissioner and chiefs that why I said secretaries. The secretary of that location will be responsible if the chairman of the location, the chairman has more sauti kubwa awe na sauti kubwa to be heard more than the secretaries otherwise the secretaries will be dictating what people don't want.

The same Chairman Mr. Chairman sir, will also establish their local defence unit, their local courts perhaps to enable to reduce musongamano katika court kubwa kubwa.

Then we also will have secretaries here Mr. Chairman I am avoiding the word Sub-Chiefs, or assistant Chiefs to be removed totally and we have area secretary who are elected and stated who is also responsible to the Chairman or Chairman women of the village here they also have their unit cover certain cases minor cases like drunkenness, like common fighting, like family disputes instead of carrying them to the court matters and leave people living in peace only for serious matters then it can be carried to the court.

**Com. Mosonik:** Ummemeliza?

**Christopher:** Nafikiri Bwana nimemaliza hapo.



**Con Mosonik:** Asante na utaniwachia hayo maandiko yangu. Mr. Patrick Chepkechi

**Patrick Chepkechiri:** Asante sana mwenye kiti wa commissioner mimi kama vile umesema naitwa Patrick Chepkechiri na ningeungana na wenzangu ili hata nami nipeane mawazo yangu juu ya katiba. Na I think I will start from the permeable and I am looking at the vision I want the constitution to state in the permeable especially part of the vision to unite the people of Kenya and foster National diversity and among the others. I would also like to have the following experiences that the people of Kenya belong to one country, one Nation, and be united in diversity.

The right of minority indigeneous communities be addressed.

They are saying in adequate in distribution of national resources be equitably distributed and as the human right and social liberties be respected.

The basic rights and I want to talk on them especially the small tribes, the small marginalized tribes that their basic rights should be considered, they should be protected in the constitution and I am taking about the rights of land and land for example we are saying that all the land as colleagues said that was taken over by the colonial be reverted back to the community and if not so then they should be compensated.

Jambo la pili, ni kwamba kwa sababu ya watu kuwa pengine tribes ndogo tungependa tuseme ya kwamba kuna mambo mengine kama vile tunaposema kama elimu itiliwe mkaso kwa sababu hatuonekani mbele ya wale makabila makubwa na tunaweza kuendelea kudidimikampaka mwisho hatutakuwa na haki zetu kwa hivyo, tunasema ya kwamba katika mambo ya elimu hata sana katika ile entries ya kwenda university wale ambao wako disadvantaged kama sisi waangaliwe na wapewe pengine ile ambao tunaweza sema qualification isiwe kama ya wengine ambao at least wako advantaged.

Jambo lingine ambalo ningelisemani kwamba kulingana na rights ya wasabaot tungeuliza commissioner kwambawangeiangalia vile mipaka ambayo ilikuwa imeorganiziwa wakati ule mwingine wa ukoloni ili waiangalie na warekebishe ili waitengeneze na hata na sisi tupate zile sehemu tulikuwa nazo na tunahamiswa kama mwenzangu aliposema ya kwamba twende katika Rift Valley kwa sababu wasabaot si kwamba wenyewe tumegawa mara mbili kuna wengine wako Trans Nzoia and Rift Valley na sisi wengine tuko Western na bado tuko wasabaot tunahitaji tukuwe kitu kimoja.

Na ningependa pia niseme jambo kuhusu ili rights ambayo nilikuwa nimesema kwa wakati huu kwa sababu najua ya kwamba baada ya hii najua ya kwamba pengine leo ni mwisho ama western Province ni mwisho kuchukua maoni tungependa tuseme ya kwamba kwa sababu sisi tu watu wadogo, wachache tungependa tuseme ya kwamba mnapo toka hapa tujue kwamba wakati munaenda kwa referendum mnachukua watatu tunasema ya kwamba katika mt. Elgon wawe wasabaot kwa sababu ya kwamba tunajua watu wengine tunaishi nao hapa wanawezakuwa na watu wengine represented somewhere.

Jambo ambalo ninaweza kuongezea juu yake ni kuhusu culture nataka kusema ya kwamba utamaduni wetu umetusaindia kama wafrica tumekuwa tukiishi katika heshima.

**Com. Mosonik:** kw ahivyo---

**Patrick:** kwa hivyo wakati ambapo Mzungu alipoingia tunaona ya kwamba tunaanza kuiga ile mfano ya mzungu, kwa hivyo mimi ninahitaji ya kwamba utamaduni wetu ufatwe na iwekwe katika katiba kama mwafrika.

**Com. Mosonik:** Unamaliza

**Patrick Chepkechiri:** Another thing ni kwamba sisi tungependa ya kwamba katika nchi yetu ambayo tunakaa tungependa zile forestry resources na vitu vingine ambavyo viko ndani yake kama ni wild animals view vitu ambavyo vinatawaliwa na wenyeji na tungependa ya kwamba ipelekwe kwa local council ili hata nao wafaidike nayo

Mwisho kabisa jambo ambalo ningelisitiza ni kwamba ingekuwa ni vizuri office ama your office ibaki katika ma –Districts kama vile wenzangu alipokuwa anasema kwa sababu tunapoangalia mambo ya katiba kuna mambo mengine tunaweza kuyasema na mengine pengine tuyafikirie baadaye ili tukifanya consultation ama documentation kwa offices katika District tukija pengine tujue mambo mengine kama tolipo tumeambiwa kwamba tinaweza kuipata katika hapo. Nafikiri mimi sina mengi ni hayo. Nasema ya kwamva asante.

**Com. Mosonik:** Jiandikishe tafadhali. Mr. Sephania Chebusi

Sephania chebusi: I am Mr. Sephania Chebusi thank you Mr.Chairman for today sitting I want also to propose my views to this Commission today.

The first one is the aspect of traditional values and virtues. Here I am saying during this process of modernization our moral values have really disintegrated in the Kenyan society in respect that Kenyan should have a national identity not only in the language they talk but also in their mode of dressing. Therefore, I suggest that we should adopt the maasai mode of dressing so that whoever you are they will just be able to identify that this one is a Kenyan okay bora tu unatembea pale watajua huytu ni Mkenya kulingana na vile amavaa kwa mfano tukiona the Nigerians kwa video you will just know that this one is a Nigerian lakini sisi hapa Kenya hatuna kitu kama hiyo kwa hivyo, nilikuwa nafikiri we should have a natiuonal identity of dressing.

The sabaot have been a marginalized community because of that they should be given the priveledges and priority that go along with that.

One of this priorities is that all employees in this District should be paid hardshipallowance because of the area the top graphical area it is taking.

I will also want to make a rejoinder over the other speaker over the university admission that whereas other Kenyans wamewekewa juu pale watu wa sabaot community wanaweza kureducewa so that we can also be able to move at the

samepace with the other Kenyans.

Another thing is that we should also have a special seat in parliament because being a marginalized society we can not be able to come up unless we also have people who present our views in the Honourable House.

I also want to propose that library services should be there at District and Divisional levels where law books should be made available to the members of the public.

I would also propose that the offices of the constitutional review be in the Districts and should be made library accessible and maybe the government can add some more books so that the wananchi can be able to know the law books so that you cannot go to court and be charged that ignorance has no defence you can be able to know from there.

I also want to propose under that that this commission should be permanent and it should be under the office of the ombudsman and therefore being that Parliamentary power of amending the constitution should be removed and this should be the solely body that deal with the constitution of Kenya.

The Sabaot had a district role played by the council of elders I strongly feel that the government should recognize their offices because they will be dealing with cases before any case is taken to court and whenever the case has been taken to court this council of elders will go to court in case of appeal or proceeding and they will be able to present their views in that respect

I feel that the mwananchi who are poor will be in the position to be heard because the right of the minority are not heard kama wewe ni tajiri unaenda tu na kupeana pesa unanunua na hapa hata kama ulikuwa na ukweli wako ukweli itapotea but if these elders are there, I think the issue of corruption will be reduced.

I also want to talk about the conservation of the environment. We said that the government should also give an elaborate plan because for example the future of our forestry and the animals that are there they not being catered for and therefore in that respect I say that the law courts should have the strength to monitor for example Mt. Elgon has a forestry, if the government can assist in strengthening the locals can work in that they can be able to be paid some money and it will be a source of job opportunity and also the forest being diverged with a lot of resources and others will get herbal medicine from those forest and this increase the revenue that come to the government and also the animals will be able to be especially the endangered one will be able to taken care of and it will be for our future generation.

There should be equitable distribution of National material. For example, our Districts has the potential in agriculture, but we do not have good roads, electricity and even hospitals and even good schools and therefore, I am proposing that the government should allocate parts for the same so that we can also be on the same level with other Kenyans.

The Sabaot had their own defined boundary just way my earlier speakers have talked. And I feel that this same boundary

should be followed so that we also have a place in Kenya just like the way other communities have in Kenya.

Then lastly, I wanted to say that for one to be elected to be a Councilors he has to be a form four holders and maybe and above.

Chairman to the County Council and Mayors should be elected by the Electorate directly and not as the current system because if he is elected by majority, then he would be able to perform.

Then for one to vie for President he should be the degree holder and above and age between and years in that respect therefore the presidential powers should be reduced especially this ideas of the Preaident being above the law he always messes with economy but because he is in the office he will be able to do the way you want because you always feel that he is above the law.

Then I was also saying that the Electorate should have powers to recall powers back their MP after two years when he is not performing to the expectation of the electorate that took him there, and in that respect, I also want to make a rejoinder that a Minister who want to be appointed to the Ministry, must be a professional in that Ministry otherwise, this idea of Kenyan government just seeking somebody to head a ministry where he doesn't have the knowledge over will mess the whole Ministry. Therefore thank you Chairman to the Commission.

**Com. Mosonik:** (inaudible) there is some questions here.

**Com. Zein:** Could you tell me what the Sabaot Council was called?

**Sephania Chebusi:** Was called Kwokwechi.

**Com. Mosonik:** Now secondly, this is another question, you said the sabaot should have or youn said reserved seating in government or something like that so I thought that you have an MP right now?

**Saphenia Chebusi:** Yet this is what I was meaning I was saying that because when we look at ourselves that is the sabaot we are a marginalized community, a minority and because we have what we would like for example we only have one MP a sabaot who is looking at the right of all the sabaot from this far end example we only have one MP a sabaot who is looking at the right of all the sabaot from this end to Trans-Nzoia but if we had especial seat these people could be able to assist us.

**Com. Zein:** Is it principle only for the sabaot or is it principle for all Kenyan communities because can I just mention a number of Kenyan communities who have given up views maybe you were not familiar with them have you heard of the Dashnack, the malakote, kwata, rugiki yes you have heard of about rugiki and there are many other communities the delemolo and the molo they are about between five hundred and six hundred members of the community so all these are mention don't have a single

MP you have one so I am the principle you are giving that they should be seats for small marginalized community is it only for the sabaot or for all samll marginalized community.

**Sephania Chebusi:** Yes, I would say it is for all the marginalized community but in that respect I would still come back to the sabaot because we are the marginalized.

**Com. Mosonik:** Okay asante sana. Fredrick Cheloti.

**Fredrick Cheptoti:** My names are Fredrick Cheptoti I am a resident of Mt. Elgon I would like to make my the following proposals to this Constitution review Commission on the Constotution itself I want to propose the constitution should be its own regulator and should be self implementing. I am saying so that sections of our Constitution today are drawn to abuse for example the public order act says that people have the freedom to association but you see it also goes to say safe when there is security safe and in that way it has been a bused when there is no security its cited that people should not associate because to any type of abuse by any leader.

I also want to agree with persons who said that the Constitution review Commission should be made permanent my point is that they should be even permanent and they should carry on civic education on Constitutional matters and issues. This process of civic education on Constitution matters or issues will make the public aware of the Constitutional matters and therefore own the Constitution they will say this is our Constitution otherwise as for now the Constitution of Kenya is a bit foreign to most of Kenyans.

I also want to say 'that the Constitution should set its own time frame before the next review is done I suggest fifteen years after fifteenth year, there should be another review I am saying fifteen years because its enough time for whatever have been put in the Constitution to be implemented and tested but if it is takes to long if there are any mistakes it will take to long because they are corrected .

I also to say the Constitution court should be set to deal with Constitutional court should be set to deal with Constitutional issues, that are being heard within the ordinary courts and we don't have proper results or good results. I also want to propose that the Constitutional review team should be fairly representative of the Kenyan community but professional qualification should take precedent what I mean here is that we should go for experts Constitutional affairs.

My second contribution is on Judiciary. The current system of Judiciary is in efficient because it is overloaded and I real propose the following to be entrenched in the Constitution

As I said there should be Constitutional courts.

There should be a court of justice so that anybody have a case against the government as for violation of basic rights is concerned, then that court should deal with such issues.

We should have also have a tribunal court and I propose that every District should have this courts so that such cases the daily cases about our tradition should be addressed by elders because current for example a case on dowry is taken to court which should be handled by the elders and finished there.

Such cases says traditional cases about our tradition should be addressed by elders because currently for example a case on dowry is taken to court when it should be handled by the elders and finished there.

I also want to say that appointment of High court Judges should be approved by parliament should not be left solely to the president.

I also want to propose that appointment of the Attorney General should also be approved by parliament so that we don't have a political Attorney General we should have a professional Attorney General.

On corruption, I want to agree with the what has been said about corruption because it is a vice which is eating into our community as a Kenya but I want to say that the people should be made the watchdogs so and the investigating body on corruption should take public information seriously and confidentially in that case a lot of information on corruption can reach the investigating body and can be dealt with quite efficiently.

I want to contribute also on saying if somebody wants to contest for our parliament seat or any other seat in a by election or general election and I want to touch on people employed in the Civil service.

Currently anybody who wishes to contest so supposed to resign and by this way very competent leaders are locked out the Constitution should state that if somebody has a chance to vie for an elective post he should be given or she should be given unpaid leave of at least three months and not more than six months during the period of elections and if the person loses in the general election or in that election his job security should be guaranteed.

And then towards the end I want to contribute on the president. Because we would like I personally propose a federal system of government and the president should just be meant a ceremonial figurehead he should be a sign of unity in the country. And powers of the president should be distributed to the following areas.

He should be subject to the Prime Minister, the parliament, to the Judiciary and to the ombudsman office this way we shall have a very efficient system of government and justice would be seen to be done.

Maybe the last thing on my contribution is on security I want to propose that in the Constitution areas which are in the borders of other countries especially areas of the forests or national parks. I want to say that there should be proper security mechanism so that the people who live in those areas are not made security zone in Kenya today people are first killed first before the security team comes to the rescue.

**Com.Mosonik:** You made the point that you are secured orders and that was the last point.

**Fredric Cheptoto:** And one of the marginalization I want to say that if there are any form of small tribes having been marginalized by big tribes, the Constitution should provide for preference allocation of the development to this communities. Thank you very much.

**Com.Mosonik:** Just sit there please for a minute.

**Com.Zein:** I want to ask you question on resignation of Civil servants. So a number of principles is that provision is where the Constitution to protect the community against abuse of the office against the personal interest taking over public office for instance you are saying to us that DC here can go on three months and campaign they will be campaigning on equal footing at DC on leave will have the same campaigning for the person as a teacher or that what you said.

**Fredric Cheptoto:** Yes.

**Com. Zein:** Secondly if that DC loses re-election would they have the respect of the community? This also goes on for the police boss for the Judge you know the Judge who will be ministering justice will be rejected by the people at the polling station or the judge who the Chief campaigner of his opponent who won is brought that Judge would that Judge be fair after that?

**Com.Monosonik:** I have an additional question supposing everybody resign the Chief, the assistant Chief, the D.O the DC the PC to go and contest not resigns but takes leave for three months who run the system.

**Fredrik Cheptoti:** I want to believe that there is going to be control system over such mechanism to work I am not saying that the system should be free and should be brought to abuse if there is a such case for example isolated case of a Judge saying contesting with an aspirant and he loses if a case is taken to Judge that person has the right to say he cannot attend to my case because of this.

**Com.Zein:** The Chief is allowed to go on leave and run for election.

**Fredrik Cheptotis:** Alright if in the case of a Chief I think I should be categorical now, I should be categorical and say there are certain offices which should not be allowed for example the one you have mention.

**Com.Zein:** The DC the police boss.

**Fredrik Cheptoto:** Okay but I want to set one example in Kenya we have a PC who contested and he lost and was made a PC.

**Com.Zein:** I am not talking about arbarations of situations so I am telling you the principle behind why they are not allowed to run.

**Fredric Cheptoto:** But I am also saying if the PC was able to minister to wherever he doing then it is possible that the mechanism can work. Thank very much.

**Com. Mosonik:** Can you register first place. Nancy Ngeiywa.

**Nancy Ngiywa:** Thank you Mr. Chairman my names are Nancy Cherotich Ngeiywa na mapendekezo yangu ni kwamba Bunge isirusiwe kubadili Katiba (inaudible) badala yake tuwe na permanent Commission ya kurekebisha Katiba na iwe na independent na waakati tunatokea haja ya Katiba kuhakikishwa ama kurekebisha wachukuwe maoni kutoka kwa wananchi kisha wapeleke Katiba Parliament na ipitishwe uko.

Pia ninapendekesha kwamba serikali iweke special security katika wilaya ambazo zinapakana na nchi jirani kwa sababu unaweza kuta kama sehemu kama hii hatuna polling station ni lazima uende mpaka Chesikaki na hiyo siyo vizuri kwa vile tukipata shida kutoka kwa nchi jirani basi madhara mingi yatakuwa yamekwisha tokea.

Pia mimi napendekeza Majimbo na ningependa powers zote ziende katika Districts kwa sababu powers zikienda katika region bado kuna makabila ambayo yatakuwa marginalized kama sisi hata tukipelekwa kwa North Rift tungali tungali tutakwa ni wachache na tunaweza kuwa marginalized.

Pia ninapendekeza kwamba kusiwe na districts ambayo ina Constituency moja bali tuwe Constituency zaidi ya moja kwa sababu ninamini kwamba tukiwa na kwa mfano hapa Elgon Constituencies mbili Wabunge watajitahidi kufanya maendeleo ili area yao ipate kuendelea na wazidi kuendelea kwenda mbele na kutakuwa na health completion.

Nilikuwa nimependekeza wakati ule mwingine kwamba kuwe na court katika kila District lakini naonelea ya kwamba ziwe mbili na isiyo moja kwa vile hata tukitoa kama hapa Mt. Elgon court kule Kwapsokony wate wa Cheptais wangali watakuwa na shida kwa sababu ya mwendo mrefu.

Na wakati huo huo kabla court hayaijajengwa ninapendekeza kwamba kuwe na mobile court katika District kabla ya court ingine ijajengwa na ikiwa haiwezekani basi ninapendekeza kwamba sheria I mean Constitution iseme wasi wasi kuwa wasitakiwa basi watapelekwa katika court ambayo iko karibu na hiyo District na hiyo Headquarters wala wasipite court ingine kwenda ingine ambayo ni ya mbali.



Pia ninapendekeza kwamba sheria za kikoloni zitupiliwe mbali kama zile trespass kwa sehemu rail, forest hapa Mt. Elgon hiyo forest ilikatisika sana kwa sababu kuna forest hapa na ni ya ajabu kwamba ukipatikana kwa forest hata kama ulikuwa haja ndogo utashikwa.

Pia ninapendekeza kwamba ma-officer wa kukaribiana na visa vya Ufizadi wawe katika District ili waweze kupokea report kutoka kwa wananchi kwa muda mfupi and aweze kufanya uchunguzi kwa sababu wako mbali sana hata hatujui kule wako na kwa hivyo mara nyingi mtu anaona ufizadi ukiendelea lakini ujui utapeleka wapi masitaka.

Na vile vile hao ma-officer wa ufizadi wa-elimishe raia kwamba hawapasi kutoaa hongo na mambo kama hayo.

Pia ninapendekeza kwamba mtu yeyote ambaye anaona msichana wa miaka kumi na nane adhibiwe vikali kwa sababu mtu ambaye ako chini ya miaka kumi na nane angali ni mdogo sanaa na hawezi kufanya uamuzi wa maana kea maisha yake kwa hivyo mtu kama huyu anapasa kuadhibiwa.

Pia ninapendekeza kwamba Districts mpya zore ziwe recognized na Constitution ili siju moja mtu asiamke na kusema kwamba anatupilia mbali District fulani fulani.

Na ikiwa serikali itawai kuona haja ya kufanya retrenchment mimi napendekeza kwamba wapeleke jambo hilo katika bunge na kujadiliwa kabla hayajafanywa.

Pia ninapendekeza kwamba serikali irihusu watu ku-staff kwa kupenda kwa miaka 40 na ile ya miaka 55 ambayo ni yaa lazima ibaki hivyo hivyo.

Ninapendekeza pia kwamba officer yeyote wa Judiciary awe anayefanya kaazi inahusiana na kesi za kotini akiumia ama wakati anafanya kaazi yake compensation na ikiwa atawawa kwa sababu ya kazi yake familia yake ilipwe.

Pia ninapendekeza kwamba mwanamume anapofariki na alikuwa naaa concubine ama Mistress huyo asikubaliwe kuridhi mali kwa sababu hata ninamini kwamba wanume wale ambao wana concubine wakiulizwa kama wanataka hao concubine waridhi mali yai sidhani kama wengi watasema ndiyo, ndiyo tu ni kwa sababu ya fun yao.

Pia ninapendekeza kwamba Rais wa nchi yetu anapoelekea kustafu asuwe akipendekeza mtu kwa wananchi bali awachie wa Kenya nafasi ya kuchagua mtu ambaye wanataka awasimamie.

Ninapendekeza pia keamba Constitution itupilie mbali Harambee

**Com.Mosonik:** Now may be my colleague has a question but I would like to ask you too. You said you devolve to the Districts also (inaudible) marginalized but supposing there is a small group within a District one large District with one dominant (tribe).

**Com.Zein:** Put it another way Madam there is no any unit you will think of in Kenya where you will have purity of ethnic nature

and they will always be someone who has come visited so how do you deal with that because if you do with a District for instance take Mt.Elgon for instance there is some minority there is some minority Teso community not true.

**(interjection,** they are there

**Com.Zein:** And Bukusu

**(interjection)** yes

**Com.Zein:** So take Bungoma there is a minority sabat communiy in Bungoma if the reason you are giving is just but the minority even in the District there will be a minority so how

**Nancy Ngeiyuwa:** Kwa sababu tulikuwa tumependekeza kwamba ma-Districts zitolewe kulingana na kabila ninaonelea kwamba baado ibaaki hivyo na hiyo kikundi kidogo kama sasa kwa mfano Wateso ambao wako Elgon pia wako kule Teso District kwa hvyo wakiona kwamba uko wanafinyiliwa sana wanaweza enda uko Teso District.

**Com.Zein:** Wacha niwe na hakika kuhusu unalosama kwetu nathani hili kuwa ujalisema hivi sasa unsema kwamba wilya ziundwe kufuatia mipaka ya kikabila hivyo ndiyo wafukuzwe gani wawachwe na kuna wilaya ambazo kuna makabila mawili matata gani ndiyo wafukuzwe gani wawacwe na kuna makabila mengine yako wilaya au ingawanywe mare mbili.

**Nancy Ngeiywa:** Sisemi kwamba kunaa kabila ambayo itafukuzwa mbali ikiwa watajiona kwamba wanafinywa sana katika hiyo wilaya basi (inaudible)

**Com.Zein:** (inaudible) si baadaye katika kuunda wilaya

**Nancy Ngeiywa:** Mimi naunga mkono iwe ni kwa kabila.

**Com.Zein:** Sawa.

**Com.Mosonik:** Na hakuna kitu tunayiweza kuifanya ndiyo wasijisikie wanafinywa. Unasema wakijisikia wamefinyika waende?

**Nancy Ngeiywa:** Natural inaona kama haakuna vile inaweza fanyikaa kwa vile yule ambayo anaongoza laazima atake-take haki yaa watu wake kuliko wale wengine.

Kunayo laakini sasa kama kutafanya District kulingana na makabila basi wale wachache basi wale wachache ambao wako katikaa District ninajua kwamba wanaweza kuhisi wanafinywa sana lakini sasa sijafikiria juu ya Wasabaot.

**Com.Zein:** Ngoja nikupe mfano dada, District ninayotaka mimi kwetu Mombasa wamekuja watu wa Mombasa kwa hivyo mali kama Mombasa watu watimuliwe wote.

**Nancy Ngeiywa:** Si watimuliwe wakijisikia wanaulizwa watimue.

**Com.Mosonik:** Ya mwisho ulipendekeza yaa kwamba sheria za kikiloni ni kama kukanyagaa trespass iondolewe likini ukasema hata kuingiaa musutuni pengine uenda haja ndogo usisumbuliwe lakini kama ulienda kukata miti nayo huku tutajuaje kama ni hajaa ndogo ama ni Kubwa.

**Nancy Ngeiywa:** Mimi ninaonelea kwambaa mtu akipatikana akiwa anafanya hatia kwa sheria kama vile kukata miti ama kuchoma makaa ambaona sheria basi mtu anaweza kuhadhibiwa lakini ikiwa tu ametikana kule na akasema labda alikuwa anaenda haja ndogo na ujampata na evidence yeyote ya kuonyesha kwamba alikuwa anafanya makosa kwa sheria basi achiliwe na hakuna mtu kutusumbua.

**Com Mosonik:** Na kama alikuwa anaenda kuwinda wanyama lakini akajificha

**Nancy Ngeiywa:** Pia hivyo ni hatia lakini kama hajapatikan na hiyo evidence basi yeye ako uhuru until akuwe proved guilty.

**Com, Mosonik:** asante sana ujiandikishe tafadhali. Tunaendelea tafadhali harakisha sasa Soyeiti Samburumo.

**Soyeiti Samburumo:** Kekurenou Soyeiti Samburuno

**Translator:** Yeye anaitwa Soyeit

**Soyeit Samburuno:** Anii koroninteet nyibo ap Council Mt. Elgon.

**Translator:** Yeye ni mwandishi wa Councils of elders Mt Elgon.

**Soyeit Samburuno:** Kememuch kubwa yu kuyu woo Mt. Eelgon.

**Translator:** Na hawangeweza kufika hapa kwa sababu Mt.Elgon ni kubwa na hawangeweza kufika hapa.

**Soyeit Samburumo:** Ntekakabwa yutuyu ntekazotoywek kwaa chu

**Translator:** Kama wangukuja hapaa mawazo Yao ni hayo yafuatayo.

**Soyeit Samburemo:** Kang'ana boyik amu mbarek

**Translator:** Wazee waliongea juu ya mashamba.

**Soyeit Samburumu:** Kamwa kini koret nyime kuhitek onto ku cheptais.

**Translator:** wanasema kwamba nchi ambayo tutakuwa ndani hasa hata Cheptaisi.

**Soyeit Samburumu:** Kukonee bitonin

**Translator:** Kutoka ng'ambo ile.

**Soyeit Samburumu:** boyik chibo keny kumwa kiini koroni kuyo mite Chepatais

**Translator:** Anasema kwamba wazee wa zamani walisema nchi hii vile ilivyo as per hapa cheptai.

**Soyeit Samburumu:** Boye sabaot

**Translator:** Ni ya wasabaot

**Soyeit Samburumu:** Mite tutuk chiboru kini boye Sabaot

**Translator:** Kuna vitu ambayo vinaonyesha ni ya Sabaot.

**Soyeit Samburumu:** Mite anyoshok

**Translator:** Mito Kuna mito

**Soyeit Samburumu:** Anyet ap Malakisi

**Translator:** Malakisi River

**Soyeit Samburumu:** Akoy Kitale

**Translator:** Mpaka uko Kitale

**Soyei Samburumu:** Akoy Bungoma

**Translator:** Mpaka uko Bungoma

**Soyeit Samburumu:** Akoy kekuree anyet kiboromo Kitale

**Translator:** Mpaka mto inaitwa kiboromo huko Kitalle.

**Soyeit Samburumu:** Acha, kekuree Nzoia

**Tranlator:** Oh Nzoiaa river sorry.

**Soyeit samburumu:** Nyenyak Koronoo

**Translator:** Hiyo ni nchi yetu.

**Soyeit Samburumu:** Mwoyee boyik kini

**Translator:** Wazee wanasema hivi

**Soyeit Samburumu:** Munee chitap koreet tinye mono koronet

**Translator:** Kwa nini mwenye nchi hana nchi.

**Soyeit Samburumu:** Ketebe kikwano koret nyibo sabaot

**Translator:** Wanauliza nchi ya wasabaot ilienda wapi?

**Soyeit Samburumu:** yoongete Commissioners omwowe ch rant

**Translator:** Kama nyinyi Commissioners mnajua leo mtatuambia

**Soyeit Samburumu:** Mwye sabaot kini

**Translator:** Wazee wanasema hivi.

**Soyeit Samburumu:** Kibwek nekok chakek masikini

**Translator:** watoto wao wote wamekuwa masikini.

**Soyeit Samburumu:** Motinye koret

**Translator:** Hawana nchi.

**Soyeit Samburumu:** Mebele kiyibe nekok sukuru

**Translator:** Na wapeleki watoto shuleni

**Soyeit Samburumu:** Kuyi motinye koreet

**Translator:** Kwa sababu hawana nchi yao.

**Soyeit Samburumu:** Ingete kini nyikonomonene koret ku chumbinteet

**Translator:** Wakati mzungu alipofika alikuta musabaot akicheza ili wimbo wake. Naa alikuwa anajitawala.

**Soyeit Sumburumu:** Akitinye ng'arakweek

**Translator:** Na alikuwa na furaha.

**Soyeit Sumburumu:** Kunyitinyi masikini akichito nyiunoiene.

**Translator:** Kwa hivi sasa ni masikini na ni mtu anaunia

**Soyeit Sumburumu:** tebe kini katokane baraka ako mwenye kiya ng'okusto nyonyo.

**Translator:** Wanaulizaa hivi kutoka mbingu mpaka chini walifanya dhambi gani.

**Soyeit Sumburumu:** Kamwa boyik kiini

**Translator:** Wazee walima hivi.

**Soyeit Sumburumu:** Kumwa kini kabwa rant Commissioners kumwochi kini

**Translator:** Wakasema hivi leo wale Commissioners wemekuja wambia hivi.

**Soyeit Sumburumu:** A tinye koroni bikap kubo

**Translator:** Hii nchi iko na wenyewe

**Soyeit Sumburumu:** Nkubetee historia kimwa chumbek kini sabot kukabilet nyikibubot

**Translator:** Kulingana na historia wazungu walisema wasabaot ni kabila ambayo inapotea.

**Soyeit Sumburumu:** Kunyoo kebuchinee yeyiintet kungoi

**Translator:** Kwa hivyo tutamushukuru mungu

**Soyeit Sumburumu:** Tekemiite

**Translator:** Tungali tuko

**Soyeit Sumburumu:** Kemwochi chikizote kini kikebontio kini tekemiite

**Translator:** Tuambie wale walio kuwa wanawaza kwamba tutapotea tungali

**Soyeit Sumburumu:** Akeyoche

**Translator:** Na tunadai

**Soyeit Sumburumu:** Kemeche koret nyachek kuyo kimiite

**Translator:** Tunataka nchi yetu vile ilikuwa

**Soyeit Sumbuurmu:** Chomunye yootee kongeti kini bwoni bikae kubo

**Translator:** Wale ambao wanaishi pale wajua wenyewe wanakuja

**Soyeit Sumburumu:** Kinom chumbek besinok kekuree uhuru chmpensation

**Translator:** Wazungu wwalitoa pesa wakati uhuru inaitwa compensation

**Soyeit Sumburumu:** Manatene kibanoo pesinok chuto

**Translator:** Sijui pesa hiyo ilienda wapi?

**Soyeit Sumburumu:** Keyote pesinok ako tengek

**Translator:** Tudani hiyo pesa na tunadani mchanga.

**Soyeit Sumburumu:** Mwonye kini yokumokonech koroni tukun kuyo kinite

**Translator:** Na wamesema kama hamutatupitia hii nchi yetu vile ilikuwa

**Soyeit Sumburumu:** Kinom chumbuk munguruk,kunyoo mekinomie angachek ako nguruk

**Translator:** Amesema wazungu walinyanganywa kwa nguvu hata na sisi tutanyanganywa na nguvu.

**Soyeit Sumburumu:** Takuk tukun kimwa

**Translator:** kila kitu walisema

**Soyeit Sumburumu:** Kinyechi chumbek sabaot kazit nyiwoo misiin.

**Translator:** Anasema kwamba wazungu walifanyishwa kazi wasabaot zaidi.

**Soyeit Sumburumu:** Boriet ap korongoro ako maina kibo kenyishok chotoo

**Translator:** Vita ya Korongoro na Mainaa walienda kwa vita ili ilikuwa ya dunia wakati ule.

**Soyeit Sumburumu:** Kibaa boriet nyibokurook ako nibo ayenig,

**Translator:** Walienda kwa first world war naa wakaenda kwa second world war.

**Soyeit Sumburumu:** Na wengi wamekufa

**Soyeit Samburumu:** Mwoyee kini chikimeyoo mu boriet nyibokurook ako ayengkelipaan,

**Translator:** Walisema hivi katiba mpya ibudi kwamba wale walikufa vita vya kwanza naa vya pili walipwe.

**Soyeit Samburumu:** Keyoche boyik chikimechi bitonini, ujeremani ama wotekee kiwok kowook kemuchi yutuyu.

**Translator:** Amedai kwamba wale wazee ambao walikufa nga'mbo ile ama popote yaani mifupa yao yarudishe hapa yaazikwe hapa.

**Soyeit Samburumu:** Kamwa boyik kini minono chito minonoo chito nyichemee.

**Translator:** Kwamba wale elders walisema wamegundua kwamba hakuna mtu yeyote anawapenda.

**Soyeit Samburumu:** Akoy kikeyoku chiket teyech discriminated.

**Translator:** Mpakaa tumekuwa wale ambao wako discriminated.

**Soyeit Samburumu:** Kesome.

**Translator:** Tunaomba.

**Soyeit Samburumu:** Chikabwa rant konom maoin chachek chibo katiba kemeche kekoochi unube katiba.

**Translator:** wale ambao wamekuja leo kuchukuwa maoni yetu kuhusu katiba tunataka hiyo katika isemwe.

**Soyeit Samburumu:** Tunuuk tukun

**Translator:** Viti vyote.

**Soyeit Samburumu:** Ng'ochorok chimoke kyee kikochi kazinok

**Translator:** Viti vya uchaguzi ambao watu wanachaguliwa na --- watu wapewe kaazi

**Soyeit Samburumu:** Ntekakinkonye ngichek sabaot

**Translator:** Angetendelea wasabaot pia wapewe

**Soyeit Samburumu:** Kikusaman mebele tinye kazinok

**Translator:** Wamesoma hawana kazi

**Soyeit Samburumu:** Mwontinye directors,ata Ambassadors,momite chito mbkenye

**Translator:** Hawana Directors, hata Ambassadors hata mmoja hakuna watu wote.

**Soyeit Samburumu:** Kimwa kini kabilanik,sanaa sabaot kiyoku marginalized.

**Translator:** walisema kwamba yale maakabila sana sana sabaot wale walikuwa marginalized

**Soyeit Samburumu:** Sokite misin

**Translator:** Wanaumia sanaa.



**Soyeit Samburumu:** Sukunok chiboni kekoni katibet ngichek ng'aacherek

**Translator:** Kwamba siku sijazo katiba ibuni kwamba wao pia wapewe kiti

**Soyeit Samburumu:** Ili kwamba maoni yao iakilishwe vilivyo.

**Translator:** (inaudible)

**Soyeit Samburumu:** Tunataka tuongea chini ya mwamba ya coast

**Soyeit Samburumu:** Kikumeyo dabaotak misin

**Translator:** Wasabaot wamekufa sana

**Soyeit Samburumu:** Onoo chepyul arit keyuue

**Translator:** ----Uko ni chubiuku ndani anapeleke---

**Soyeit Samburumu:** Nekit kitale, kiyile kimilili

**Translator:** Karibu kitale anapelekwa kimilili.

**Soyeit Samburumu:** Yokebuntoo onoo, bikaap onoto kumwoye kini chikibene koruk.

**Translator:** Akifika uko wale wa kazi huko wanasema huyu ndiyo aliona choma manyumb.

**Soyeit Samburumu:** Tambo kekeze ng'anech chachek kimwoye kerat kenyishok taman

**Translator:** Kabila mambo yetu kuzikizwa wanasema atafungwa miaka kumi.

**Soyeit Samburumu:** Kutoune roat

**Translator:** Kutoka leo

**Soyeit Samburumu:** Asome kenganene kutiitaab sabawoot mu kotini

**Translator:** Na amesema kule kotini sana sana iwe kwa sabaot.

**Soyeit Samburumu:** Amwoye kunyoto kunyu kyakas chiito mu kimeran kikeraat bere keteabee mebere ingetchiito kungalaal

**Translator:** Nilishuhudia nilikuwa kimilili mtu alifungwa kwa sababu hakukuwa na yule mtu ana --- translate

**Soyeit Samburumu:** Kimenget chiito kiswahili, bere kerebee kkini kiyey kinyoto, koyene kini woonyooto

**Translator:** Walisema tutakutana baada ya miaka kummi

**Soyeit Samburumu:** Kinyooto nyaa mwoye memhechtsos keyeyee kisenook kusiitaab sabawoot.

**Translator:** Ndiyo nasema kesi zote zifanya kwa lugh ya kisabaaot.

**Soyeit Samburumu:** Kiemeche ngichek sikaareek chutuchu ketinyekei, kikwamech ngicheek chooto misin.

**Translator:** Anasema hata askari wametumiza sana.

**Soyeit Samburumu:** Kuuyo hakamwoy chiitake

**Translator:** Munenaji mmoja wa kwanzaa alisema

**Soyeit Samburumu:** Kemeche sikagureek tukuni kiruruito

**Translator:** Tunataka askari wote wapeleke

**Soyeit Sumburumu:** Kikwer serikali woni kekwere, wokuribe wono bo mpaka, seme kwame buunik

**Translator:** Wapewe wao mapatano ili wachunge tu wale wahaligu kutoka ng'ambo fulani.

**Soyeit Samburumu:** Natenee sikareek choo ruboote biiko cho yye mayeek

**Translator:** Na wale askari kazi yao kufuata wale wanakunywa pombe.

**Soyeit Samburumu:** Se kurene chebiosok choo metinye kwoonik, metiniye surook, kumwochine kini koonu siling tiptim.

**Translator:** Anashika kinaa mama masikini ambao wanakuliza shilingi ishirini.

**Soyeit Samburumu:** Aayee kunyoor cheek rubiaanik chi kwechire serikalini.

**Translator:** Na wanalipwa na serikali.

**Soyeit Samburumu:** Mwoye boyiik meptemeche, motokime korooni.

**Translator:** Wazee wamesema wasionekane hapa Mt.Elgon.

**Soyeit Samburumu:** Mekekway biiko chi cheechaachek chiribe wono bo kaa, kuribe amani

**Translator:** Atu tutafute home guard siyo wao kutuchunga si walle wengine wa (inaudible)

**Soyeit Samburumu:** Kiitake nyi komwooy boisyook

**Translator:** Kingine walisema ni

**Soyeit Samburumu:** Kimwooy kini kikebakakta korooni nyaachek

**Translator:** Kwamba nchi hii yaa wa sabaot iliwachwa nyuma

**Soyeit Samburumu:** mokitiriye barbariinaak

**Translator:** Hakuna umeme

**Soyeit Samburumu:** Komyooy kini yoo wo kyoechuntoosi akoo koreer ake

**Translator:** tufikie nchi ingine au area zingine

**Soyeit Samburumu:** Kemeche keyewech ngacheek chooto, keyeyweech barbaariit nyoto bo sichthit.

**Translator:** Tunataka hata tuwe na barabara moja ya lami.

**Soyeit Samburumu:** Kekekoneech barbaariit kiliomitaarik bokolwookik ayeeng'

**Translator:** Watupatie barabara kilometers ngapi --- watupatie kilometer mia mbili.

**Soyeit Samburumu:** Nto tukuuk chu wau elektrisiti

**Translator:** Na vitu kama sitima

**Soyeit Samburumu:** Kemeche kubunte rorokoshook tukum kutowune chepkube, kucho ngachi, kunangita kuwo woonin bo kobsiro

**Translator:** Itokea kila mahali kwanzia chepkube mpaaka kule guu kobsiro

**Soyeit Samburumu:** Kuunyu tukuuk chooto chikikunyoor biiko tukun mbu koroonitinyi

**Translator:** Kila mahali Kenyaa hii yote wamepata

**Soyeit Samburumu:** Kayey kirine mokunyoru acheek

**Translator:** Kwa nini ni sisi.

**Soyeit Samburumu:** Komwa boik

**Translator:** Wazee walisema

**Soyeit Samburumu:** Chiifi nyo kakuyek president nyibe korooni

**Translator:** Yule atakatekuwa president wa nchi hii

**Soyeit Samburumu:** Yo kikonyoor biiko chekuuk ngachareet

**Translator:** Kama watu wako walipata

**Soyeit Samburuma:** Mokumeche ngacharaano kuketyikey kotoo subaak

**Translator:** Ipitie Kwa makabila mengine

**Soyeit Samburumu:** Ntoo kakukeita kenyishook wono bo konom

**Translator:** Kama miaka hamsini imepita

**Soyeit Samburuma:** Yokokoitinye nguruuk kuketying key mebere wango

**Translator:** Kama mnanguvu irudi uko lakini isirudi haraka.

**Soyeit Samburuma:** Kemeche Constitution ini kesire roat

**Translator:** Hii katiba tunandikaa

**Soyeit Samburuma:** Keweche kutitaab sabawoot

**Translator:** Ikiwezekana sisi wa sabaot tugeuze iwe kwa kisabaot.

**Soyeit Samburuma:** Okwai akweek biiko chi mo kuweech

**Translator:** Wanasema nyinyi wenyewe mutachaguaa wale watu watatugeuzia.

**Soyeit Samburuma:** Seke somaneacheek

**Translator:** Ili sisi tuwe tukisoma.

**Soyeit Samburuma:** Nyibe reet

**Translator:** Ya mwisho

**Soyeit Samburuma:** Kumwa boyiik kiini kito nyikekure mbareet

**Translator:** wazee wamesema kitu kinaitwa shamba

**Soyeit Samburuma:** Mo kyoltooy

**Translator:** Hawauzi

**Soyeit Samburuma:** Nteree kibesentooy buuch

**Translator:** Nikukodesha tu

**Soyeit Sambaruma:** Kuuyu mi boyiikaanake chi wanda mbereerek nengyi nyenintoos neekook akooy roat kuruji

**Translator:** Na wazee wazamani waliuza mashamba sasa watoto wanaumia

**Soyeit Samburuma:** Komyo boisyook kinni mbareet ake tukun kobuur boyiikaab areet a koobosentoo mbareet

**Translator:** Kwamba mambo ya mashamba wazee wa ukoo wakae naa wakitaka kukodesha shamba wafanyi hivyo lakini si—

**Soyeit Samburuma:** Yo kakuwoyekitu nekook

**Translator:** sile watoto wako wa umri.

**Soyeit Samburuma:** Kuket reeng'wa

**Translator:** Wanaweza kurudisha shamba yao

**Soyeit Sambaruma:** Yo wunyi mi kuskusyeet

**Translator:** Kama kuna upungufu

**Soyeit Samburumu:** Toko besento subak

**Translaator:** wanaweza kupeana tena

**Soyeit Samburuma:** Unyi chitaake tuun nyoo ibure, m ebere ibure kumwoye kinikaawan mbareet

**Translator:** Mtu yeyote aliye hapa kama ulinunua ujue ujanunua.

**Soyeit Samburuma:** Komwoy baoisyok cho kokungete ishonuteek

**Translator:** Wale wazee ambao wameng'atuka kikazi

**Soyeit Samburuma:** Kani kingeete kasiit amana kikochi rubiakniite akooy kunyi, sookitoos.

**Translator:** Wanasema mpaka leo tangu wang'atuke wanaumia

**Soyeit Samburuma:** Mwoye kini kemeche besyee kumwooy nganechu kesire raat kini yo kekoning berweet nyo iroote kaa.

**Translator:** Wanasema Katiba iseme kwamba siku ile unapewa barua ya ku- retire

**Soyeit Samburuma:** Kekoning'bosyoonoto mukukung'uung

**Translator:** Pesa yako upewe pale pale

**Soyeit Samburuma:** Si we aamate woni imechtooy

**Translator:** Uwende ukukle vile unataka

**Soyeit Samburuma:** Meka inyng ngiit kini meyene

**Translator:** Utaona vile utatumia

**Soyeit Samburuma:** Ntenee mi sakiteet kunyitinyi nyi woo misiri

**Translator:** Sa hii watu wanaumia sana

**Soyeit Samburuma:** Nyi be nootuut

**Translator:** Ya mwisho

**Soyeit Samburuma:** Chitaab ng'achareet

**Translator:** Mwenye kiti

**Soyeit Samburuma:** kokumwowch kini wookooni kiibo UN

**Translator:** Unambiwa kwamba hii ya forest ni ya United Nations

**Soyeit Samburuma:** Mo wunyo

**Translator:** Si hivyo

**Soyeit Samburuma:** Uemeche wookoni kebayta acheek sobowootok

**Translator:** Sisi ni watu wa Mt. Wlgon wasabaoti nataka tuitawale wenyewe.

**Soyeit Samburuma:** Mbune chiitaab nyancha yo kowo nyancha.

**Translator:** Kwa nini mtu wa Nyaza akienda Nyaza

**Soyeit Samburuma:** Kuweeti ankonom burburiet mbonibo nyaaancha mebere ketebee

**Translator:** Anaenda tu anaenda kutoa samaki naaa kuuza na aulizwi

**Soyeit Samburuma:** Nto kowoo sobowotinttet kwo woonini bo wook akunanu burang'ut akuchekwaam kerema angekweer kimeria

**Translator:** Na hii musabaot anashitaki Kimilili.

**Soyeit Samburuma:** Kiyooto nyi kamwooye kini kikirunruyeech acheek sobowook

**Translator:** Amesema hiyo ndiyo sababu moja.

**Soyeit samburuma:** Kemeche kebayta wookoni, kyaam woni kemechtoy

**Translator:** Tunataka tutawae sisi wenyewe na tukule vile tunataka.

**Soyeit samburuma:** Yo kakemway kini kyam taman kechaan akuke, keyay kenyooto

**Translator:** Tukisema tukule kumi tupande moja ni sawa.

**Soyeit samburuma:** Yo kakemeche kyaam tukun kyaam

**Translator:** Tukitaka tumalize yote hiyo uwezo yetu.

**Soyeit samburuma:** Nte keng'omeche ngacheek kingete kini mochoktoos kerib snag'ta nyeyo.

**Translator:** Hata sisi tuko na akili tutachunga hii forest yetu.

**Soyeit samburuma:** Kinyi chiitaab ngachareet kamway chi chongech,chooto chibo boyiishook,mang'aate yooto.

**Translator:**Mwenye kiti nimesema hayo kwa niaba wazee na nitamalizia hapo nitakwama hapo asante.

**Com.Mosonoki:** Asante sana bwana soyeit samburuma kwa kuyatoa hayo maoni kwa niaba ya wazee nimpa yeye mda mrefu kwa ajili alikuwa anesema kwa niaba ya wazee na kwa ajili wazee wanasema sidhani kuna watu wengine wengi wana maoni tofauti na ya wazee,kama munakubaliana na maoni ya wazee{kisabaot}yaani ndiyo iwer fupi ukitaka kuongeza ongeza kidogo ndiyo watu wengi wapate nifasi ya kusema kwa ajili kuna watu karibu mia mbili wamejiandikisha hapa {kisabaoti} asante sana kwa hivyo sasa Cliophes Ngeiywa dakika tano please.

**Cliophas Ngeiywa:** Commissioner sir, on stage is Cliophas Ngeiywa I would like to put the following proposals to the constitution review commission of Kenya.

Education: I would like the constitution to include in the constitution that 85% from one intake policy should be abolished and make it open to allow free interaction of all Kenya let students go to the place that they wish and take their education from such place.

Secondly we would like the constitution to allow that every districts should established at least two model national schools one for girls and one for boys so that all the resources can be put in that particular place then we develop the leading culture in each district.

Thirdly I would like to propose in the constitution that when it come to school heads position should be filled on merit only after competitive interviews let those follows with high education made scores so they can have better results for our children.

When it comes for contesting of parliamentary seats, we would like teachers also to be allowed to participate in the election let the teachers who is interested to vie for parliamentary seats be given at least three months leave so that he can contest let us not

be barred from contesting for the gender election.

Lastly I would like to propose that every district should be given a room to allow----to elect their own representative. Youth are the majority every District but they are not representative they are being shadowed by politicians, they act as youth wingers at the end of it some can be killed because they are protecting threat politicians, let the youth elect their own representative the same goes to women who are the majority very poor they have no representation let every District have a women MP representative and also the disabled. Thank you very much.

**Com. Mosonik:** Just a question for you.

**Com. Zein:** You are recommending that quota system in the intake of a secondary education be abolished let me get you keenly you may help me. You are saying that a child here in mt. Elgon should compete for intake in secondary school with a child in Nairobi.

**Cleophas:** Yes.

**Com. Zein:** so that if a child in Nairobi has more points we should give priority more to the children from all other parts of the country to come to secondary schools in mount Elgon.

**Cleophas:** that is for free interaction.

**Com. Zein:** Yes, so you are saying that if there are many children who have higher grades in other parts of the country we should be able to come and take the classes take up the schools system here and then children here if they don't qualify that is okay.

**Cleophas:** We go by merit:

**Com. Zein:** By merit okay, that is all I wanted to find out.

**Com. Mosonik:** haya naona vile cleophas alikuwa amefanya haraka nirudie kusema (kisabaot) so the next person is Geoffrey Masudi.

**Geoffrey Masudi:** Asante sana commissioner nami nina macheche nitachukuwa wakati mfupi. Ningependa kupendekeza kwa



hii tume majina yaung ni Geoffrey Masudi nina haya machache kupendekeza kwa hii Tume ya kurekebisha Katiba.

Kwanza ni kuhusu elimu ningependa serikali iwekwe ketika Katiba kwamba serikali igarimie masomo ya mzingi kwa sababu kwa sasa watu wengi wanakabwa na umasikini mwingi so lazima wagharimie elimu ya mzingi kikamilivu.

Ya pili ingewekwa kwa Katiba kwamba serikali iweze kudhamini wale wanafunzi ambao wanajiunga katika vyuo mbali mbali kama vyuo vya elimu vya afya ili wapate kupewa loans ambayo wanaweza kulipa wakati wamekamilisha hiyo mafunzo yao mpaka university kwa sababu hali ya umasikini katika nchi ya Kenya iko juu.

Ningependa pia kutaja juu ya uwajiri ukiangalia vile imesemekana hapa na watu wengi kwamba the marginalized communities hawajapata nafasi katika sehemu mbali mbali ya serikali.

**Com. Mosonik:** pendekeza tu unataka ifanywe nini?

**Geoffrey Masudi:** ningependa serikali itoe quota proportional quota ya National employment kama security – na kadhalika ili marginalized minority group pia wapate kujumuika na wengine na hizo wajiri zingine ziwekwe katika local government.

Pia katika appointments ningependa kupendekeza kwamba vile wenzangu wamesema kwamba marginalized minority group wapate kupewa appointments mbele ya hayo ili hizo appointments ziwe genuine lazima ziwe vetted na parliament ili watu ambao wanastahili wapate kupata.

Pia katika economic activities kuna sehemu mbali mbali.

**Com. Mosonik:** sijui ni masikio yangu ama kuna watu wanasema please tusikize yeye.

**Geoffrey Masudi:** kuna sehemu mbali mbali na kila sehemu ina economic activities zake mbalimbali kwa mfano Mt. Elgon hapa economic activity yetu ni ukulima kwa hivyo katika Katiba ningependekeza kwama kila sehemu kulingana na maligadi yake ipewe industry processing industries ili vitu vyao vipate kuwa processed katika hiyo sehemu na labda pia itatoa nafasi ya kazi kwa wakaazi wa kule.

Kwa ambatana na hivyo vile wenzangu wamesema hiyo pia ni lazima itaenda pamoja na mambo ya stima ipewe kila sehemu and moreso rural electrification.

Ningependa pia ya kwamba kusema kama vile wenzangu wamesema hizo powers za president zigawanyike zipewe sehemu mbali mbali kama vile mwenzangu alisema zingine zipewe parliament ya ku-dissolve parliament nakadhalika.

Ningependa tu kumalizia kwa kusema kwa local government Mayor and the chairman lazima wachaguliwe na wananchi kwa sababu tukiacha councilors wenyewe--- okay na kwa hivyo na wakichaguliwa wadumu kwa miaka mitano kama chairman kama kutakuwa na dosari labda wanaweza kuitwa kwa referendum. Na fikiria hayo ni maoni yangu kwa hii tume ya kurekebisha katiba.

**Com. Mosonik:** Asante. Mosonik Masudi Arapto.

**Arapto Masudi:** Mimi ni Arapto Masudi napendekeza maneno tatu tu. Maneno ya kwanza ni uzee kitu ya pili ni crown ile tuko nayo leo kwa---ambao wako na crown warekebishe hiyo crown ile vitu ilivyo ndani watoe ndani simba watoa ndani kila kitu na waweke mama na mzee na vijana chini msichana na kijana hiyo yangu ya kwanza hiyo ndiyo itakuwa crown ya Kenya.

Ya pili kitu mimi nataka ni unyanyazaji, Bwana commissioner niliomba plot kama ni muslim na nikapewa kwa usalama kutoka council kuingia katikati nikaona walaghai wengine wakakuja ati sijui nini ati nyinyi sijui watu wa wapi ati wa-islamu ni kitu gani mpaka leo bado nanyanyaswa na serikali yote wanaona na macho.

**Com. Mosonik:** Ulipewa na council ni nani sasa akunyanyasa namna hiyo.

**Arapto Masudi:** watu wengine wakaja wakavamia hiyo ploti halafu nikaenda kwa D.O, D.O anasema niende kwa police, police ako na askari sasa nikifika D.O anasema rudi kwa inspector nikasumbuliwa mpaka sa hii hata document yote niko hapa nayo hiyo ndiyo niliona nqa nikasema na muslim yule wa hapa Kenya alienda Iraca siku gani akafanya----- uko ndiyo akarudi hapa Kenya ndiyo sitaki unyanyazaji hiyo ndiyo kitu yangu nimekataa.

Ya tatu ni wazee kama sisi yuko mtu hapa anaitwa Jemova asimame Maasai yuko wapi yuko mtu tena anaitwa Maasai kwa nini mali ya asili ile iko nchi hii yote wajengea hii watu wazee manyumba, manyumba zinawangukia manyumba zinafanya nini na wanangali tu watu namna hii – mpaka mzee anakufa. Yangu ndiyo hayo commissioner wazee nao waoneo kama ni wazee walizaa watu. Wapi kijana yule alizaa wazee wengine, yuko kijana yule alizaa mzee. Yangu ndiyo hiyo fupi. Kuna chairman wangu uko atakuja na memorandum yako ile ya kuhusu muslimu.

**Com. Mosonik:** Asante sana tumekushukuru. Kuna wanafunzi wawili wa Cheptais High School Kemiro Kiptoo na Benjamin Bota. Waje wawili mbele hapa wapi Benjamin tumusikize kwanza Kimei utaje shule yako jina shule umri na darasa halafu msemi kwa ufupi.

**Kemiro Kiptoo:** Honorable guest of honor I am called Kemiro Kiptoo from Cheptais Boys High School age 16 years I am in form two.

Personally I have seen that we have to recognize our own affairs unless we recognize our own affairs you will find that Kenya as a whole we should be ruined. First and foremost I will talk about the poverty in the country you find that we have very many street children and handicapped people in the country.

Now we should have rehabilitation centers for street children and (school) for handicapped for them.

Finally other people are possessing a lot of land you find that in other areas men are processing millions or hundred thousand acres of land and yet we have these street children in the town and even handicapped if the government have a responsibility of giving out the land and retaining the land why can't the government now go and retain the land for these street children and those who were handicapped?

What I would like is the government should take an action to retain the land that are being possessed and give a room for all those who are street children and handicapped.

Another thing is the resource in the government you find that other areas have ability of producing a lot of resources now when you see Mt.Elgon you find that we as the Kenyan, we have ability to produce many things to plant like agricultural fords but the most thing that is ruining us is transportation and communication network you find that in this Mt.Elgon we have no good transport network you find that in this mount. Elgon we have no good transport network we have poor network and transport.

**Com. Mosonik:** what would you like to be done.

**Kemiro Kiptoo:** so I would like the government to equalize the development if it is to give out the ability for the government to equalize the distribution of resources then it has to give even Mt. Elton the tamacked roads and communication network so that they can also benefit from it.

The other issue is about Majimbo me personal I would like to tell you that I don't want that issue of Majimbo you find that other communities or other provinces have more than two ort three tribes and now if Majimbo will be there you find that those

Provinces that are having many tribes other tribes you know Majimbo talks of own rule and if its own rule then the majority of that region will have to make their own rules and if they make their own rules then they will not allow those who are few in that community to use the resources available region.

**Com. Mosonik:** Exuse me kuna kelele na inasikia.

**Kemiro Kiptoo:** I would like the government to put in clear that no way shall Majimbo develop the country.

Another thing is the model schools . I have come up with an idea that in each Districts we shall have almost at least four schools that two for girls and two for boys.

I say this because

**Com. Mosonik:** No no you have said it because they are modern schools.

**Kemiro. Kiptoo:** Then the Constituency you find that in the Parliament we have the act says that we should have more than two Constituencies now mine is to say let us also hold two for more than two constituencies in our Districts because you find that Mt. Elgon we have only one Constituency please give us two.

Another one I would like now to conclude by saying that we Mt. Elgon we should arise and shine unless we arise we are going to be ruined. Thank you.

**Com. Mosonik:** Thank you very much Kemiro, ngoja kidogo

**Com. Zein:** On one hand you were talking about we Mt. Elgon on another hautaki majimbo uone haya mambo yanakilashi.

**Kemiro:** No I am talking

**Com. Zein:** Mara unasema sisi watu wa Mt. Elgon tupewe kiti kingine sisi watu wa Mt.Elgon tufanyiwe hivi, kwa nini watu wa

Mt. Elton si useme kila mtu afanyiwe hivyo.

**Kemiro Kiptoo:** Now you know I have talked of Majimbo because we are in Kenya

**Com. Zein:** Kwani unasema ati unasema ati sisi watu wa Mt. Elton.

**Kemiro Kiptoo:** You know I am telling the Mt. Elton to arise

**Com. Zein:** To arise from what.

**Kemiro Kiptoo:** then I said we should all arise in Kenya na shine.

**Com Mosonik:** Okay Benjamini:

**Benjamin Bota:** Chairman wa constitution review and all the head of department here concerning the constitution review.

**Com. Mosonik:** Can you say your name, class, age and school.

**Benjamin Bota:** My name is Benjamini Bota from Cheptais High School I am in form four and also my age is 18 years.

Concerning Constitution Review we have proposed to disclose the land of Mt. Elgon, which is just lying idle, the resources available could be used to create employment for an employed people and also provide schools that can be used to uphold the standard of education in the District i.e. computer is not available due to lack of power. Lack of power in Mt. Elgon we are saying that it reduces the name of the education because there is no computer other courses need computer course.

Also Mt. Elgon have rivers which are permanent e.g. terrain in --- around kipsiro division can be continued with other small rivers to create a strong water fall which can be tapped to generate electricity. Also on the electricity to add on above we request the government to equalize the distribution of resources especially --- we see that in Mt. Elgon we have got no industry so we ask the government to equalize these resources if the industries will be there, there will be (inaudible) the people will be employed while it will reduce the un-employment.

Also standard of education is low because of lack of many things especially in the course of secondary. Beside that other students are not acquiring their sufficient education due to heavy payment of fees to the government should step in and assist the

community in agricultural sector e.g. the cash crop farming like coffee, maize by giving the subsidy and charging low interest on loans buying the products at a fair price so that it can enable the community to (inaudible) good thing for the children and this one will help the community at all to pay the fee so all we that if the payment of fees (inaudible) the community will not have will not feel the heaviness of payment of duty if the government step and assist them.

Also I will wind up but sincerely requesting the government to consider this keenly otherwise our country may remain undeveloped.

**Com. Mosonik:** Asante sana Benjamin can you register --- now ile speed yetu ya Cleophas sasa tutamzikiza Mr. Korong Abdalla.

**Koprong Abdalla:** I am Kiprong Abdalla Chairman from Supreme Council of Kenya Muslims Mt. Elgon I am giving this proposal on behalf of Kenya Muslims. Our visitors today we would like to point out the following that the Muslims from Mt Elgon are surprised that such an important document like the constitution is being done in a hurried way.

We thought the document is such important which would take time even year because we are trying to avoid loopholes that can lead to frequent government fall yaani serikali zikufunzika because of somebody somewhere having discovered a loop[ hole in the constitution.

We would also like to propose that there should be sufficient time for this constitution review because it will be permanent.

We also want to point out the following that in the election let us have electoral process be there because there have been a lot of rigging right from nomination for example you find people in part B going to vote in nomination in part C after seeing that there is somebody population then—in part B and they are in part C they will go and vote out that popular person and yet they don't belong to the party.

After voting out the popular person they do not come back to their party they thought they have passed chances are that this popular person will go to their part and will be picked or if you will not be picked they will pick a more popular person than this one who has been picked out I don't know if I am making it clear so we propose that nomination should be done the same day the same time for all parties. Or nomination to be done just like voting we do it secretly secret ballot it will be costly yes, but we shall get the right people so that is why what we propose.

We also propose that we should have a maximum number of parties. We don't know the manifesto says of the other parties but we feel most of the parties could be having the same manifesto about three maximum of three it can be even, we propose that the Constitution review should the rules this manifesto and they merge let them merged then we have maximum of three parties to avoid this big number that are stated—in tribal like.

We are also surprised recently as the Muslim committee Mt Elgon that our previous Constitution has not created been having the

permeable we propose that the constitution should have the permeable we propose that the constitution should have the permeable. (inaudible) we can say the people of the republic of Kenya guided by our passed experience and data amendments and should be guided by God something like that is actually stated here you will read it, so that God also should remain supreme it is a long permeable that I have written here.

Personal law we were shocked the other day when we learnt that the personal law has been in the next constitution should have it clear kwani watu wabatishe tu kwamba it is saying this it is saying let it be clear on personal law. For example as we can simply say that person who----- (inaudible) specific category of the entire community in this case for example the Muslim, the Christian the Hindus and tradition we are okay to have the Kadhi discovered that the kadhi has been given all the three parts to play marriage, divorce and inheritance. We propose that an expanded Kadhi's court be originated and apparent jurisdiction also headed by the chief Kadhi in the district.

We also propose the Kadhi should also be a holder of degree either in Islamic area na awe pia na masomo ya law ya kisasa so that we have them in every District.

**Citizenship:** we Muslim are sometime in difficulties in getting our ID because of the names even Christian there are some who can call themselves Joel Alan yo find out that they have been left out. Okay we are not opposed to namic but what we are trying to say is that when people are getting an ID from Standard one mtoto amekuwa akichukia some names then when it comes to ID they tell him to use another name may be the father has -----why can we right all the names of the parent in the forms so we propose that either the government introduces the education and ---- where names should be given they should think how to use the names to avoid thses changes unapata mtoto anaitwa Abdalla---- when you get the ID ---- then when you go for employment unapata shida ----or else jina la baba linabaki kwa forms.

We as muslims of Mt. Elgon just like any other muslims we find it very hard to get Loans for our business and so on because of these interests we propose that some organization of some banks ---free banking our muslim's heads---- so that we are also catered for. The return of general laws some taxes and charity we also have some workshop ya kislamu commissioner we propose that we should have a workshop commission within the National Jurisdiction with the majority of----respected Muslim leaders no other law should have the power to relocate any properties in charge of the working commission. The frame work of the management of the administration of work properties be outlined by the constitution

Foreign policy we have been discussed when they are some problems in other countries we are sometimes we are being referred the names by the names or your names yaani because of other issues in other country we feel such a thing should not happen.

**Com.Mosonik:** No it is not clear to me you just said.

**Com Zein:** You are saying that Muslims would not like to be profile or to be superior type because of other Muslim in other places what they do or don't do.

**Abdalla:** Yes,

**Com.Mosonik:** So let me request whenever you make a proposal make it as clearly as possible

**Abdalla Kiprong:** So in education we find that our Muslims have been left behind because of the proper association system with Missionary teacher and the so we propose that our girls in various schools should wear their gown as our religions stipulates because this is the one of the reasons to hide ---- because they feel they out place.

We also propose that in the teaching of IRE in schools be done a Muslim who is very ---with the IRE not not a person of the another religion who can teach them wrong things and then they end up discarding the religion.

We also propose that they should be free and compulsory university education in Pre – primary and premaary.

**Land:** The majority of land occupied by muslims --- and controlled area either they have not been registered or sometimes they have been allocated to other people kwa njia ambaaayo haieleweki so we propose that they should be in aposition of sealing of the minimum of acreage of land of an individual less say a hundred acreass because some people are habing million of areas let us say a hundred that is the sealing. Registration of land should be done without discrimination.

**Employment:** Employment should be open it should be advertise and may be listed shortlisteds being made public to avoid some people maybe some families gettind employment for example Mr. Commissioner you will one day learn that when somebody dies and there is some announcement they will say so and so has died his father is a Lecture in Nairobi his sister is an Engineer Nairobi university his other sister is in Europe this is where the whole line up really why cany we find ways of avoiding such things when they are people who qualified like our friend who has been taling some of them are educated and they are left out so me personal I don't listen to this announcement of death they tend to give your God impression so somebody somewhere has assisted people to be where they are and they are the people who block others s oemployment should be made public shortlisting should be made public and then one who qualified should be made public.

**The Electoral System:** WE are prosing that president election be done in six years parliament four year civic every three years. This will promote peace.

**Land:**



**Com.Mosonik:** You know you talked about land you said---

**Kiprong Abdalla:** We propose that those known to be poor and living below the poverty line be given the priority in the enjoyment of public social amenities.

In the distribution of public fund resources such land priorities should be to those who have nothing followed by those have ---before the consideration of any other group.

The Constitution also should recognize the right of the poor those who have been bribed kutisha mambo yote they should have some rights nime-summarize.

Law sometimes when we attend and listen to our courts you can laugh. When we are in school I don't know what has when you were studying atleast there is a case that you can refer but it is ever mention in this case we are trying to say that there should be some case reference on some case before you arrive at the ruling.

**Com.Zein:** No but I have a question,

**Kiprong Abdalla:** I said they are not here

**Com.Zein:** Yes, I have a question for you sir, concerning the work Commission you said for the benefit of the other Commissioners the of Commission is a Commission which will be in charge of all that is trusted to the community this days there is conflict in the work of Commission somebody has a complaint who should handle that the Kadhi or the normal courts?

**Kiprong Abdalla:** We have already proposed that we should have under penalty court is the kadhis court.

**Com.Zein:** Then secondly there is currently the system is such that the Muslim have work or trustees in being admitted by provincial Administration and some Muslims have complained that some of their properties communities schools have been acquired illegally by other parties what would happen to property like that.

**Abdalla:** We have suggested that scholars of Muslims should handle it very good Muslims of suitable ground Commissioners.

**Com.Zein:** No I am saying there is administration of the work ----- and some people have complained that some of the property has been illegal acquired what should happen to that property.

**Abdalla:** It should be administration by the work Commission or being supervised by the Chief Kadhi.

**Com. Mosonik:** Asante Sana. Wewe usiende tutataka kujua maneno ya Commissioner ---- sasa Mr.Kirong Abdalla alikuwa anasema kwa niaba ya (inaudible) Mt.Elgon as a Chairman naye alikuwa na memorandum kama ile ya wazee ndiyo amechukuwa mda kidogo sasa sisi wengine tumejiandikisha wengi kama individual na tutataka individual a-behave like an individual to be very quick and at the point so that everybody get a chance tumekubaliana asant. Sasa tumusikilize Zipora Magazi is it Magazi Ziporah hayuko, Alice Kimateki.

**Alice Kimateki:** Kwa majina naitwa Alice Kimateki ninafuraha tele kupata nafasi hii kwa kuweza kuongea na kuunda Constitution ya Kenya tumeona ya kwamba Kenya imekoma kisiasa na nitagusia tu sehemu ya politics parties yaani mahali pa siasa.

The Consitution shall bann any part that is tribal oriented one man shows kind of parties the new Constitution should have strict rules of paart membership. If one defects from another should be looked upon.

About Executive juu ya uchaguzi kama tunataka tuwe contesting on presidency mimi ningependekeza hivi a person who should contest for president ship should be qualified person na lazima ni mtu ni mtu ambaye amesoma ana degree.

He must be years and above years below 75 years ni wakati wa umri huyu mtu huyu atakuwa amekoma kwa kimaozo na ni mtu anaweza kuendeleza kenya yetu.

He must be a kenyan citizen ni birth and he is able to trace his famillies in Kenya ni lazima mtu ambaye lazima awe ati ni mcha Mungu he should be un-alcoholic and he fears God mtu ambaye lazima atungulize Mbunge kwanza na sli mtu mlevi. Utawezaje kuendeleza gari kama wewe ni mtu ambaye unaonja kitu kidogo lazima awe mtu ambaye ni mwaminifu kwa Mungu.

The President shall be the head of the state but not of the government he should be having ceremonial powers.

In the side of Provincial Administration nami ningependekeza ya kwamba in Peovincial Administration tungepigga kura kwa wale Chiefs yule elder nani lazima wawe nimtu ambaye amesoma kwa sababu kama vile elder ni mtu anajua waaatu wake katika kijiji na ni lazima ni mtu ambaye amesoma ili kwa sababu ya maendeleo ya kijiji lazima.

**Com. Mosonik:** Amesoma mpaka kiwango----

**Alice:** Wa form four lazima ni mtu ambaye amesoma mpaka form four. Hiyo ndiyo maoni yangu katika Consitution ya leo asante.

**Com. Mosonik:** Ngoja kwanza, okay nikulize ulisema vyama viwe vitatu

**Alice:** Ndiyo

**Com. Mosonik:** Vipi vipi

**Alice:** vyama viwe vitatu zile tunaona ya kwamba ni popular ambayo tunaona ya kwamba siyo tribal siyo amabazo hazina ukabila katika serikali kwa sababu wakati commission inapokaa inaona ya kwamba.

**Com. Zein:** (inaudible)

**Alice:** Yes, hizo zote.

**Com. Mosonik:** Hesbon kund. Okay thank you ben Kibeti

**Ben Kibeti:** I am Ben Kibeti mwenye kiti na nina machache ya kuchangia. Ben Kibeti is my name na nina machache ya kuchangia juu ya muondo ya serikali.

Kwa maoni yangu natasema ya kwamba napendekeza katika katiba ambayotunachangia leo tuwe na serikali ya majimbo na katika serikali ambayo ya majimbo tuwe na kiongozi wa nchi ambayo atakuwa na Raisi na kiongozi wa serikali ambayo atakuwa ni waziri mkuu.

Na katika serikali ya majimbo kumi na manne katika serikali yetu ambaye atakuwa na Mamlaka na itaongozwa na itaongoza na governor. Kila jimbo itakuwa na unga lake.

Na katika mapendekezo majimbo yatakuwa kama yafuatavyo Mt. Elgon region iwe na wilaya sita, Western region iwe na wilaya tano, North Rift wilaya, Central Rift wilaya nane, South Rift wilaya tano North Nyanza wilaya saba, Northern region wilaya tano, Eastern region wilaya sita, South Coast wilaya tano, North Coast wilaya tatu, Mt. Kenya wilaya sita Central wilaya nne halafu Nairobi number nne.

Nikiendelea kuna kuchangia sehemuingine ambayoni basic rights haki za kimizingi ni kwamba elimu ya msingi itolewe bure na iwe ni lazima ili kila Mkenya ambaye anastahili elimu aipate.

Kwa upande wa elimu ya juu ni kwamba ni mashauri ya mikopo ambaye inawashugulikia elimu ya vyuo vikuu napendekeza ya kwamba iwape wanafunzi wote sawa walio katika vyuo vya umana vyuo vya watu banafsi na pia wale wanenda ng'ambo wapate mikopo hiyona wale wengine ambao wanaingia katika vyuo vya katika especially colleges wafaidike.

Nikitoka hapa sehemu yangu ya mwisho ambaye ni ya uridhi napendekeza ya kwamba baada ya uchaguzi Raisi mpya ambaye aningia achukue ushukani baada ya siku ishirini na moja kama Raisi na yule anyeondoka naye apewe heshima na ambaye

ataipata iwe hivi usalama kama kiongozi ambaye ataongoza nchi masilahi yake yatunzwe yaani yake na jamii yake halafu katika katiba tuwe na sheria sehemuambaye inasema ya kwamba ashitakiwa kwa sababu akishitakiwa ama adhulumiwe mambo machafu yanaweza kutokea ama wafuasi wake kama alikuwa ni mtu mzito apinge serikali wale wafuasi wake watafanye fujo na nchi itachafuka. Haya ndiyo mapendekezo yangu.

**Com. Mosonik:** Asante ya kwanza tukulize urudie tena kidogo ukasema 14 regions Mt. Elgon six, Western five, North Rift eight, South Rift five, North Nyanza four, South Nyaanza four, South Nyanza sven, Northern region five na-

**Ben:** Eastern region six

**Com. Mosonik:** Eastern six yes, South Coast

**Ben:** South Coast six

**Com. Mosonik:** North Coast three kuna ingine imebeki

**Ben:** Mt. Kenya six

**Com. Mosonik:** Mt Kenya six

**Ben:** Central four and then Nairobi.

**Com. Mosonik:** Mt. Kenya

**Ben:** Mt. Kenya six

**Com. Mosonik:** Central four and then Nairobi as one. Now let me just ask you which is Northern region and Eastern region.

**Ben:** Northern region, under Northern region I have put Marsabit, Moyale, Isiolo, Garrisa and Wajir.

**Com. Mosonik:** And Eastern region is where?

**Ben:** Eastern region I have put Machakos, Makueni, Kitui, Mwingi, Embu, Mbere.

**Com. Mosonik:** Okay it is clear now would you please kindly submit that information to us. One last time what are the criteria

for dividing these regions into those District.

**Ben:** I feel that the way I have put these are the people who will be able to live peacefully without disturbing one another. (inaudible) they have lived together peacefully and they have been intermarried.

**Com. Mosonik:** so are creating new Districts

**Ben:** No there will be one new District that is Loitokitok another new one is that Tras Nzoia will die and then will shall have name that is (inaudible)

**Com. Mosonik:** So it is a re-drawing of the boundaries based on people who can live together peacefully.

**Ben:** Why don't I add something more on local government. I feel that Councillors (inaudible) have problems the councillors should be people who are literate up to form four education ---. And then the chairman at 'O' level that is the Mayor and the Chairman should be elected by the public so that he gets the efficient people. Thank you.

**Com. Mosonik:** Asante sana. Henry Chesori tafadhali you will just be very brief.

**Henry Chesori:** Thank you Commissioner my names you have already pronounced I am Henry Chesori the Head of this school and the Chairman heads Association secondary schools Mt. Elgon.

I will not repeat but where I repeat is just probably just to emphasis. Jambo la kwanza kama mwalimu mimi ningependekeza ya kwamba ile system ya zamani ile tulikuwa tunaita 7423 na mimi ilikuwa hivyo if it can be reverted back to it na kuna sababu moja ni kwamba tumekuwa na high enrolment increase in population generally na kwa kila kiwango there is always assesment yule ambaye anafunzu kujiunga na darasa la kwanza that is form tula ambaye atafunzu kujiunga na 'A' levels na yule ambaye atafunzu kujiunga na vyuo vikuu there is always what we call trimming at every stage.

Secondly, the system will also favor age where mature persons would always be seen joining say of public universities when they are actually mature unlike now currently I think quite a number of students who are in public universities if I am not wrong to use the word are under age that is why you see a quite a number of funny behaviour in our public universities.

Another reason I wanted to pick but the second part of it on education sir is that I want to conquer with my colleague a speaker who presented or who proposed that we remove the so called 85% what used to call quota system when I am using the word quota system 15% will go for form one selection say for example this is a provincial school we only select two students from another neighbouring Districts my reasons are that we remove this 85% one is that there will be that freedom for our children to

join any of the existing Provincial schools within the republic or within the Province itself.

The 85% seems to be targeting and it is affecting young Districts I want to put an example of Mt. Elgon say Teso we have children who qualify from Elgon to join schools of their choice yet they merited because of that limit that the good school a school which is good say in Bungoma District will only end up choosing say two of our best students from the Districts schools to accommodate those who cannot merit to join some of the top Provincial schools but my proposals sir is this, ikiwa hiyo quota itabaki kwa hii Constitution mimi ningeonelea ya kwamba then even the admission to the public universities they should have that there must also be a quote for Elgon there must be also a quota for Bungoma and so fourth to accommodate.

My second point is that I am just trying to reinforce on what somebody else mention about Natural resources. Our community hoping that they will enlighten to understand what we refer to when we talk of natural resources. I am looking at the forest does it benefit our people we would like it to be adopted in our new constitution because everybody has mentioned that lazima wale watu ambao wanakaa kwa hiyo sehemu kama Mt. Elgon we have Elgon forest zamani tulo na traditional ya watu kwenda kutafuta asali watu kwenda kutafuta chumvi ya ng'ombe na hapa sasa umesema kwamba kuna ile mambo manitwa tresspeaa I wish the penalty of this resource iwe ni watu wetu ikiwa tukiongojea juu ya maji maji inatoka mlima Elgon ikiingia say for example Nyanza inakuwa converted into electricity na ikirudishwa Elgon watu wetu wanakuwa charged (inudible) ile sasa mimi ninge propose ni kwamba the only thing ambayo tutashare ni limit we shall share the sunshine wacha tutumie pamoja mwangaza yaani jua halafu na hewa lakini ikija kwa natural resources kama maji kama forest wacha tuwachie wenyeji because we are the source and it comes from our region.

Political, natal ni join wale ambao wamesema ya kwamba the aspiring candidates for the position of the councilorship the MPs we must consider the level of education. Kwa sababu ninasema wengi wametaja ya kwamba form four level

**Com. Mosonik:** Just say yours please MPs

**Henry:** MP----- but I am saying there must be a level that is why tukisema form four. na je ni kwa sababu gani nimesema ya kwamba chairman wa County Council ukiingia sehemu nyingi inaonekana level ya education iko chini na (inaudible)

**Com. Zein:** the qualification which you feel is right.

**Henry:** I have supported form four be the lowest qualification.

Teaching force just like the one of the speakers presented about wale ambao wanafanya kazi mimi ningeitikia ya kwamba nimesoma education act, kuwajiri waalimu until we talk of the-----

Mimi ninge propose hivi kama tukiangalia sheria ambayo iko kwa parastatal na Baking heads of secondary schools should not be unionisable we should be given a managerial rate level so that when there is rangle between the union and the employer the

school is running under the head of that institution otherwise we always join the others on the streets when there are rangels.

**Discipline:** I am proposing again like others have said elsewhere after listening to radio and so fourth presentation that corporal punishment should be brought back in our institutions *nidhamu ilianjia wazazi na ni wazazi wenyewe ndiyo walianjisha* we cannot stick the force from outside less look at what we have to do and then I am also suggesting that the Boards of governors must be given more powers when it comes to discipline. Recommendation to the director for a student to be expelled is not enough because you will wait for ages. Thank you sir.

**Com. Mosonik:** Asante-----

**Com. Zein:** I am going to advise the headmaster and the chair of the teachers association concerning corporal punishment you said we need to retain that in our schools for the purpose of discipline

**Henry:** Yes

**Com Zein:** How do you guard against abuse because we have situations where even children are killed in the process of being disciplined. How do you guard against abuse because I would just get some ideas from you.

In reference to the 85% you have talked about District schools and then on very light note in relation to the natural resources those who live next to sea should they charge disposal charge for the water which is coming down.

**Henry:** infact I will answer that one straight by saying they can charge but must also first of all we are the first to charge because we are the source. *Lazima tuwe wa kwanza halafu* you have asked me about 85% or here you wanted to know about the District schools.

**Com. Zein:** (inaudible) if understood correctly

**Henry:** You are very right sir that District schools we come back to the District and conduct our selection at the District Headquarters. There is no 58% at the District level but I am saying is the provincial schools have what we call 85 limited and then 15% from outside (inaudible)

**Com. Zein:** you are saying under the District level should not open the competition to the rights of the public.

**Henry:** I am saying you are right because you challenged one of my colleagues and what I wanted to say was how do we accommodate those who cannot so I am also encouraging that the District school can still take care-----

**Com. Zein:** (inaudible) and open it up to merit at the Provincial level.

When I think that is the thing because we have also to compete

**Henry:** (inaudible) then finally you had asked about was it corporal punishment I agree that there is that misuse of that care and there is always a law and when you talk of the abuse child we have also laws which govern or which cater for that lets have the two co-exist together if I did wrong to have over-exegerated my ---then I have to face the law. Thank you.

**Com. Mosonik:** Asante sana. Eric Sakiti atafuata na Nelson Mendeyi yuko you will come next. So can you make it very brief Bwana----

**Eric Sakiti:** It is right I think Mr. Chairman already some of the things I am going to say have been said, I am Eric Sakiti. Already some of the things I want to say have been said but let me say something concerning citizenship. That I propose that a child whose both parents are Kenya citizens shall be an automatic citizen.

A person shall be a Kenyan citizen but such a person shall be bann from getting involved in things like electing position like Councillor and Mp and such a citizen should not be employed in sensitive insitution such as Defence.

No spouse of Kenyan citizen regardless of gender shall be an automatic citizen but may aquire such status through registration. Personal ID cards it is now shall remain but citizenship through registration shall hold a different ID to be design.

Then lastly I would like to say something concerning defence and Nationals Security btu the defence forces such as police, military, prison it should be established through Constitution and then secondly military courts established to deal with discipline in the armed forces.

The President should be the commancer in Chief of the armed forces

The Executive shold not have exclusive power to declare war such decision should be reached after a comprehension discussion by MPs.

The President should however be allowed by the constitution to use extra power in cases of emergencies or disaster. Thank you.

**Com. Zein:** I am sorry I have a question for you. In your proposal Eric you have two sets of citizens and some enjoy less right than others you are saying that if you are born to a Kenyan parent or you are citizen by registration you shall not seek any elective position for instance for example that a proposal you are making now the children of this person and their leanige will



never run for election after ten thousand years sixty thousand years and just want a hundred or two hundred they will be able to become?

**Eric Sakiti:** Yes, after staying for sometimes I think they will have---

**Com Zein:** what is sometime

**Eric Sakiti:** say twenty years or so

**Com. Zein:** Twenty years

**Eric Sakiti:** Thank you

**Com. Mosonik:** May I just hold one last one have thought upon about dual citizenship?

**Eric Sakiti:** Yes, I have thought about it.

**Com. Mosonik:** Though I had said that it should not be allowed according to how I feel.

**Com. Mosonik:** Yes, kwa ajili kumekuwa na mapendekezo kuwa raia kwa zaidi ya nchi moja. Unafikiria hayo

**Eric :** Yes, it should not be allowed

**Com. Mosonik:** Nelson Mandeyi,

**Nelson Mandeyi:** Mwenye kiti Asante sana kunipatia ruhusa hii ili niweze kuongea mbele. Jina langu ni Nelson Mandeyi Kiboi. Na jambo moja ningependa kusema watu wamepitia kwa hivyo nitabadilisha musemo wangu nitasema ingine. Kwa hivyo kiti ambacho nataka niseme ni juuu ya boudaries ya Constituencies na ward na pia hata political boundaries.

Commissioner hapa mimi nalamika juu ya katiba ambayo imekuwa sasa hivi hayijaweza kulinda haki ya mipaka ya District na pia Constituency kwa nini niseme hivyo.

**Com. Mosonik:** Ndiyo unatakiwa upendekeza go to the point directly.

**Nelson Mendeyi:** Ndiyo kwa hivyo ningependekeza kwamba Katiba ambayo itapitishwa saa iweze kulinda mipaka za wilaya

na mipaka za Consitutency kwa nini niseme hivyo tumekuwa katika mugogogano katika sehemu hii upande wa kazikazini kwa sababu kuna jamii wa sabaot katika sehemu hiyo ambao walikuwa katika Mt. Elgon na ni sehemu ambayo ninatoka inaitwa formerly ilikuwa inaitwa North Malakishi hii sehemu ilikuwa katika Mt. Elgon na wakati siasa inaingia wakaitoa sehemu fulani wakapitia jumbe fulani kutoka Bungoma wakatoa tena sehemu fulani wakapatia mjumbe mwingine kutoka teso ambayo ni Busia halafu Mt. Elgon tu wakbaki kama administrators.

Halafu wale wajumbe wa Teso na wa Bungoma waka-claim ile political part ya Mt. Elgon ingie katika sehemu yao na tumekuwa na furugu kwa miaka mingi ambapo hata wakati huu haijakuwa na uamuzi M-Commissioners wameingia karibu mara nne mara tatu lakini hatujapata suluhisho isipopatikana baado tunakuwa na hiyo furugu lakini ikiwa hii katiba ambayo sasa inatengenezwa hivi itaweza hivi itaweza kuamua na kuweka suluhisho then tutafurahi.

**Com. Mosonik:** Hii ni mipaka ya mwaka gani?

**Nelson:** Hii ni mipaka imeanza tangu 1963 mpaka 1967 tukiwa na chief wa mwisho ambaye aliweza kunyakuwa sub-locations mbili na kuirudisha Bungoma na kuwa tight nayo hakukubali tena kurudisha katika mt. Elgon kwa hivyo napendekeza ya kwamba hizo locations ambayo ilikuwa sub-location wakati ule ilikuwa sub locations mbili lakini sasa hivi imekuwa kubwa mpaka imekuwa location mbili na sub location moja.

Kwa hivyo ningependekeza hiyo sehemu irudishe katika mt Elgon ili kuweka na amani ya kudumu katika sehemu hiyo. Tena sehemu hiyo ni historical kwa wasabaot kwa sababu history zote zimenjia huko hata vile wakoloni waliingia katika sehemu hiyo utawala ulianza na hao hata nina identities ambayo niko nayo ilikuwa ya wakoloni ambayo walianchia wakina babu.

**Com. Mosonik:** Tumelewa hiyo tafadhali. Kama ungekuwa na photocopy, yes, endelea please.

**Nelson:** Kwa hivyo vitu zimekuwa neglected na Commissioners ambao tumewapa kwa sababu hatujapatia uamuzi wa kweli kwa hivyo bado tunadai sehemu hiyo irudi katika Mt. Elgon ili tuweze kuwa na amani.

**Com. Mosonik:** Ngoja

**Com. Monosik:** Unajua mzee wangu ni vizuri sisi tuelewe haya vizuri ndiyo tukifanyia kazi tuwe tunaelewa. Ya kwanze ningependa kujua hivi sehemu hizo sasa wenyeji wake wengi ni wa kutoka Mt. Elgon au ni wa kutoka sehemu hizo?

**Nelson:** Sehemu hizo ni watu walifamia kutoka Teso kutoka Bungoma wakakalia katika sehemu lakini sasa watu wa ....

**Com. Zein:** Mimi sikuliza nyingi jamani, mimi sikuwauliza wananchi waliohudhuria ikiwa unataka kujibu swali hilo ngoja nafasi yako uje ujibu yeye mzee kasema mimi namuliza yeye. Kwa hivyo nikikwambia kwamba ikiwa tutapendekeza suluhisho

kwamba ipige kura kwa hao waatu katika hiyo location wapige kura munataka kubaki hapa au kwenda huku haitasaidia. Sijui kama unanielewa.

**Nelson:** Nimekuelewa.

**Com. Zein:** Hiyo tuseme chukuwa location moja tukikwambia suluhisho lake iwe ipige kura na hao wakazi wa hapa waulize nyinyi munataka kwenda Mt.Elgon au munataka kubaki hapa mulipo hiyo itakuwa ni suluhisho.

**Nelson:** Hebu Commissioner nikujibu kwamba kitu cha mtu ni chake.

**Com. Zein:** Unajua tusigombane mzee wangu siyo ati ninasema nataka kukunyang'nya mimi nitaka kukuekewa sijui kama unanifahamu mimi nataka kuelewa hii habari ndiyo nielewe kwa vizuri kama sasa nimekuelewa kidogo zaidi ni kwamba unasema hiyo ardhi ilichukuliwa na wakaja wengine kutoka sehemu zingine wakakalia hivyo ndiyo unavyo niambi. Sawa. Wewe unataka hiyo ardhi irudishwe tu Mt.Elgon au wakaazi hao wafukuzwe.

**Nelson:** Hiyo hatuwezi kufukuza mtu kwa sababu sisi ni watu wa upendo tunataka wakae lakini iwe administered at Mt.Elgon.

**Com. Mosonik:** Asante sana. Hebson Kuundu.

**Hebson Kuundu:** Asante sana mwenye kiti Commissioner, Commissioner mwenzake wana kamati na wananchi watuku na jina yangu vile wamesema ni Hebson Kuundu ningependa kutoa maoni yangu kwa Tume ya marekebisha ya Katiba sasa nitaanza na machache yale yamuunga mkono na wenzangu kwa sababu nimekuja nitaanza na chapter one ya ile Constitution ya zamani.

On political parties mapendekezo yangu ni kuunga yule aliyesema tuwe na idadi ya political parties ziwe tatu. We need only three political parties in this country.

Kwa kuongoza kwa hiyo tuwe na mamlaka ya katiba isiyoweza kubadilisha – vitengele fulani vya katiba vyenye haviwezi kubadilisha na bunge peke yake kama kwa mfano mda wa bunge usiwe temberred na labda wa bunge peke yake ibadilishwe mda wa Raisi.

Ningependa niongea machache juu ya appointment of the President mengi yameongewa.

Presidential appointments kuwe na chache zenye ameachia uwezo na nyingi ziwe vetted by parliament so zile ataachiwa uwezo mimi napendekeza ni ku-appoint Chief Justice, chief of general staff, Commission of police, State house controller na Minister zingine zote zile..... Katiba ya sasa ziwekwe kwa mamlaka ya bunge.

Nikitoka pale nitaenda kwa labda Executive na nitaonge juu ya urais pia. Tunaka mtu aliyeelimika kuongeza nchi hii tumpe labda minimum education ya university degree. Huyu mtu apewe umri kati ya miaka 45 na 60 naonelea kwamba umri huo unatosha kwa huyu mtu kuongeza nchi. Labda achaguliwa na political party yake lakini ningependekeza asiwe mbunge.

Mwisho siyo mwisho kabisa ningependa niongee juu ya sacret land kuna maeneo kama zile mzee mmoja amesema hapa yanayo milikuwa na community. Maeneyo yaliyo sacret na tungependa iwekwe kwa katiba ya sasa na iheshimike. Hasa utamaduni wa watu tukija hapa utapata watu kama wana maeneo yao yenye wanafanyie sheria mahali kabila ya kutairisha watoto wao kama kule mtoni that land should be reserved for the community iwe sacred land mtu aki-temper nayo ashitakiwe.

**Com. Mosonik:** Tupea mifano ya area hizo.

**Hesbon:** Area hiyo sisi hapa tuna sehemu za mito zenye huo tunapaka watoto udogo inaitw ..... na bure inatakikana watu special people to visit the place na kuwe na watu wa eneo na kabila hilo kulinda mali yao mahali hapo.

Mwisho ningeingoa juu ya elimu mimi ni mwalimu ni kwamba napendekeza kuhusu elimu kwamba watoto wa primary wapewe free education nafikiri kuna maparty – manifestos yenye ameongea juu ya free education but they are not implemented tunataka hiyo party manifesto iwe tied by the Constitution kwamba chama kinacho tawala ile manifesto yard iwe implemented haraka. Wasije wakatumia manifesto kuwa wanainchi kuwapigia kura kwamba shall provide free education na hali hawapeani kwa hivyo mimi napendekeza kwamba any ruling party that will be the power be it party manifesto should be compiled by the Constitution to provide necessities that have promised that constitution. Asante.

**Com. Zein:** You are using the free education as an example of that point you are demanding for free education plus that parties which make promises and commitment through the manifestos should be compelled to implement the manifesto.

**Hesbon:** I am using it as an example at the same time suggesting that it should be compelled to implement their manifestos.

**Com. Zein:** Apart from the party is being compelled to implement the manifestos you are saying that some parties promise this or that or that including free education and their manifestos therefore they should be compelled by the Constitution to implement the manifesto. I am asking you are you using the education just as an example or are you making specific proposal on the education plus or minus?

**Hesbon:** I am making it plus.

Mwisho hapa ningeingoa juu ya Tume ya uchaguzi iliongewa hapa ningeingoa maneno machache hapo appointment ya wale ma commissioners mimi nafikiria wale Commissioners wawe appointed na political parties proportionally kama vile jinsi nyinyi

Commissioners wa hii Commission mulikuwa nimechaguliwa na parties.

Kuongezea kwa hiyo uchaguzi wenyewe mime ningependekeza kwamba uchaguzi tupige kukinzia na civic election kutoka kwa civic twende kwa Parliamentary na tumalizie na Presidential hii itatuzulia yule mtu kuwa katika office kuu.. Uchaguzi wa hap chini. Nafikiri mwisho ninge-propose ile majority rule on top of 25% ya Provinces tuwe na majority by however will be declared the winner awe na 51% country wide nafikiri kwa hiyo machache nitasema asante.

**Com.Monosik:** (inaudible)

**Hesbon:** We get the run of them.

**Com. Monosik:** Utaje jina.

**Salimu Taraja:** Salimu Taraja. Kwanza watu wasio waslimu wamefaa mavazi siyo yao ya kislamu kama kofia na kadhhalika.

**Com. Monosik:** Excuse me ngoja kwanza Mr. Nelson Mendeyi tuna ile budge yako please?

**Salimu Taraja:** Asitakiwa.

**Com. Monosik:** Asitakiwa na afanyiwe nini akishitakiwa akifungwa apewe warning ama afungwe?

**Salimu Taraja:** Afungwe.

**Com. Monosik:** Miaka mingapi upendekeze?

**Salimu Taraja:** Ningependekeza, miaka mitano. Na hizo mavazi wanaenda kwenye pombe bali siyo hao ni waislam.

Ingingine ninaomba Tume ya merekebisho ya katiba ya kwamba mtu akipatikana na hiyo kofia nimesema.

**Com. Monosik:** Kama ni hiyo tumelewa kabisa sema kitu kingine.

**Salimu Taraja:** Kuna hizi tena tangu ile mambo ilitokea America mambo ya Osama kwa nini tumetusiwa zaidi kufuatana na hiyo mambo.

**Com. Monosik:** Kwa hivyo ifanywe nini?

**Salimu Taraja:** Tunaitwa wauwaji, tunaitwa wauwaji na bado ile mambo ilifanyika ni America siyo hapa Kenya kwa nini tuingizwe kwa jina siyo mzuri ya kwamba sisi ni wauwaji.

**Com. Monosik:** Kwa hivyo ungesema ifanywe nini?

**Salimu Taraja:** Huyu mtu akipatikana asitakiwe sababu kwaribia mtu jina.

**Com. Monosik:** Tumesikiza tafadhali.

**Salimu Taraja:** Kuna ingine ya kwamba wana siasa. Wanasiasa wakingia katika shule wakiwa na Harambee au mazungumzo yeyote kufuatana na shule wazungumze kufatana na mambo ya shule wasingize ile siasa yao kwa mashule. Hiyo siasa inaribu watoto kwa sababu mpaka mtoto ataika pengine mazungumzo ya yule na ataharibu shule nafikiria ni hayo tu.

**Com. Monosik:** Asante sana. Kenedy Kibeti utafuata na George. Walukhu yuko okey utamfuata.

**Keneth Kibeti:** Kwa majina ni Kenedy Kibeti na ningependa kutoa maoni yangu kwa Tume ya kurekebisha katiba hivi leo. Ningependekeza kuwa miaka kumi na nane ili mtu aweze kufuzu kuwa mpigaji kura ibaki lakini wale ambao wana birth certificate ambayo inaonyesha kwamba wametimisha miaka kumi na nane waruhusiwe pia kujianjindikisha kuwa wapiga kura kwa sababu serikali inadhamini birth certificate kwa hivyo pia itumie katika uchaguzi.

Pia wakati wa kujiandikisha yule ambaye anajiandikisha akiwa na birth certificated awe apigwe picha na achukuliwe alama ya kidole ili kuonyesha kuwa atashiriki katika upigaji wa kura.

Ningependa kupendekeza pia kuwa Mbunge yeyote ama mtu yeyote ambaye angetaka kupigania kiti ya Mbunge lazima tume iweze kuundwa ili kuchunguza tabia yao tabia yao wakati walikuwa shule mahali walisomea kama ni university wachunguze na vile vile office ambayo wamekuwa mwisho ichunguzwe. Baada ya kuchunguzwa wakapewa certificate ambayo inaitwa certificate of conduct hii itaweza kutusaidia tusiwe na wabunge ambao wanasusha ghasia kila mahali kuna wabunge ambao hivi sasa wana jeshi la wazee na majeshi mengine kwa sababa tabia yao haikuchunguzwa kwa hivyo napendekeza kwamba Tume iweze kuundwa ili kuchunguza tabia ya wale ambao wanataka kugombea viti hivyo halafu wapewe kibali kuwa wanaweza kupita mutihani huo.

Ningependekeza pia kuwa viti vya uteuzi katika bunge viweze kupewa watu maalumu kama vile wanawake, vijana na wasiowezaa. Mbali na hayo pia ningependekeza kuwa iwapo kiti cha kuwakilisha wanawake ikaweza kubaliwa mwanamke ambaye atakumbaliwa kuteuliwa lazima awe na bwana. Na pia adhibitishwe kwa kupeana married certificate iwapo mme amekufa awe na death certificate. Mwanamke yeyote ambaye hatateuliwa iwapo hatakuwa na mume kwa sababu wanawake ambao wameachana na waume wao wameangaisha Kenya hii sana.

Ningependa vile vile kusema kuwa katika kurekebisha wa katiba yule ambaye atawania kiti cha uraise awe kabla ya kuteuliwa awe amekalisha eneo la ubunge kwa miaka mitano iliyopita hii itakuwa ni kama experience kwa hivyo wale ambao hawatakuwa wameshikilia viti katika ubunge hawataweza kukubaliwa kushiriki katika kuwania kiti cha uraisi.

Mwisho katika maoni yangu ya kilo, napendekeza kuwa Provincial Administration iweze kubaki lakini wapewe jukumu ya kuelimisha wananchi kuhusu Katiba ya nchi hii hiyo kuwa wananchi wote waweze kupata elimu juu ya katiba, katiba imekuwa ikirekebishwa kila mara lakini wananchi wamekuwa wakibaki bila kujua nini inaendelea katika nchi yao kwa hivyo wapewe jukumu ya kuweza kuelimisha wananchi kila wakati katika eneo zao za wawakilishaji. Ni hayo tu.

**Com. Monosik:** Asante George Walukhu halafu atafatwa na Stephen Nge..... na Stanley wewe yuko.

**George Walukhu:** Thank you Mr. Chairman for granting me this opportunity to air my view as pertain the Constitution. As you have heard my names are George Walukhu, about human rights (inaudible) here we are going to talk on Constitution.

Mr. Chairman allow me to make a few observation before i go ahead pick issues. Actually we are here to amend our Constitution because historically it was found that the current constitution we are having was the right through the wrong means that means never participated otherwise it was done by just a few of us and it was done away not in Kenya that is Lancaster, for some of you who have got that history you know what i am saying. And that is why we are here now to put our own constitution at the right place by involving ourselves however I regret to make this observation that whereas, we are supposed to be here to give our view after this Constitution during the preparation periods before we had to give out views not many of us have been able to be equipped with the necessary materials for the relevant knowledge as pertains to the Constitution Review and therefore most people are still languishing in darkness and they may not even know what their Constitution is all about otherwise allow me to go ahead by saying, on the side of the governance the type of government we have does not have the boundary and their demarcation are not quite clear. I would therefore, ask that it be spelt clearly in our present Constitution that the Executive, the Judiciary and the Legislature be divided or be separated and that each become independent to have equal powers.

Also along the same line may I propose that we have to retain the unitary kind of government. Let me if i am not for Majimbo whereby we shall have this government being elected free and far elections according to the lay down rules by the electoral (inaudible) and for that matter i would also like to observe immediately that for us to have free and fair election we ought to have an electoral college that has been put up not by a single party not by single individual. Like currently maybe the President has got the powers to appoint the Chairman of the Electoral Commissioner i think that is a plot that one should be amended immediately.

I would also propose that in our present Constitutional Review we should be able to address this element of human rights. That is fundamental human rights should be incorporated within our Constitution. This will gather for the honourable group and I am

sure it will go to a larger or little extend to gather also for the marginalized like has been expressed here by many speakers before.

And i am sure it will also gather for the gender issue because many a times we have heard our women in the society sideline or discriminated against co-gender basis i think when it comes to human rights we do not (inaudible) and if it is gathered in the Constitution i think that Constitution will live to be a living Constitution not at late one.

**Com. Monosik:** Try to summarize.

**George Walukhu:** On corruption like it has been already been mention i would suggest that we have to have the role of the ombudsman coming in whereby

**Com. Mosonik:** We have understood ombudsman go to the next point.

**George Walukhu:** We have also on the side leadership where we have satisfaction where we have had under performance we have to have this vote of no confidence being exercised by the citizen if the President under perform if the MP under perform they have to be recalled he has to be revoked.

I would also strongly suggest that in future any amendments and anything to do with the Review of the present Constitution to be done in the same system by the people now by the parliament not by a few sects in the society in the name of leaders for all the goverment that protect our own Constitution.

I would also quickly mention something to do with our (inaudible) and i will come to our region here Mt.Elgon whereby i would site one simple example to represent others actually we are farmers and our income are very poor deriving from say coffee being one of our major cash crop because the marketing system is very poor many a times farmers have been sideline during

**Com. Monosik:** What do you mean?

**George Walukhu:** So I would suggest that farmers be involved at every stage of this produce and marketing of their crops so that we don't have this element of grabbing and all this because we are very poor representative in the co-operations.

**Com. Monosik:** That must be the last point.

**George Walukhu:** No, may you allow me just to say something about land

**Com. Monosik:** It was your last point

**George Walukhu:** No, no it wasn't land

**Com. Monosik:** Excuse me I am the Chairman it was your last point and then unless you want to request for one more.



**George Walukhu:** Okay please just one minute I request one.....

**Com. Monosik:** Maliza.

**George Walukhu:** Land tenure system I would like to observe that our system here in Kenya land system is very poor and in most cases we are having landlessness because of corruption but otherwise we have a lot of land that is lying all the way even after Kenya got independent this land which has been taken over from the colonial Master would never be distributed or settle.

**Com. Monosik:** What do you want to do with it?

**George Walukhu:** So i would suggest that the government addresses the issue or the issue to be addressed in the Constitution that the landless should be given land and that those who are ..... to be sized like the earliest speaker said unless to a size of about three acres that should be the minimum or maximum Chairman.

**Com. Monosik:** ----- No you submit the memorandum we shall read it thank you very much. Stanley Tumbo, and please be brief and to the point.

**Stanley Tumbo:** Now Mr. Commissioners and the audience my proposals are the following i am Stanley Tumbo.

The first one in on border benefits: I am proposing being the community or being a region bordering the neighbouring country I am proposing that the revenue collection in terms of duty be directed a certain fraction of what is collected to be directed to community members in the region and i am proposing that three quarters of whatever is collecting and source of revenue to be directed to the community.

Then on the environmental conservation more has been said about it but i want to propose that the depletion that had already been done to natural resources in this region be compensated and those who are concerned in depleting particular the forestry zone be responsible in compesating. Well i cannot five the technical moderlity on how it should compesate but ----- organization may assist so that this region or say may earn some benefits.

Then on education i want to propose that anytime education system is to be changed rightful procedures should be followed like first and foremost our piloting or experimental to take over the education system should be followed so that full blast implementation is enacted, it should have undergone those procedure and in this respect therefore i am proposing that the recent Commission of education should be implemented and not (hurried) the way it is at the moment.

On education still I want to propose that on BOG (Board of Governors) of schools and school communities i am suggesting

that they should disregard any political member to be part of the management and politician like the MPs should not be Board Chairman.

In collection to that i would also want to propose that head of education should not have political (liking) to a political leader institution for education should be free from political activities.

On parliamentary or political aspirant presidential parliament civic i am proposing that aspirant should be vetted particularly on corruption so that they will corruption free.

On Provincial Administration i am proposing that the village elders to be recognized and his daily term of service be established and the remunerations attached to them may a certain fraction of what the (governments collects in revenue) because they play quite a big role in the society.

Then on taxation

**Com. Monosik:** I want you to finish.

**Stanley Tumbo:** May i comment something on food security that the goverment should come up with mechanical so that food can be secured in the country .... of the time where languishing farmers the bag of maize maybe at four hundred shillings will really create a situation that will make farmers to be discouraged and they might be a problem with food security in the country so i am proposing that the farmers should be protected by the goverment.

Lasstly,on Taxation: Taxation rate should be reviewed so that the country members are not heavily taxed so that they are free from and budget that they have and the ..... the goverment should give in view of the taxation should be considerable for our members.

Thank you.

**Com. Monosik:** That is okay, Councilor J. K. Chesumbet.

**J. K. Chesumbet.:** Mimi ni Councilor J. K. Chesumbet asante sana mwenye kiti wa katiba mimi nitazungumza juu ya mazingara na mali ya asili.

Ninasema hivyo kwa sababu mimi ni councillor ambaye mkaaji wa hap Mt.Elgon na nina shinda hiyo kabisa wananchi wanatusumbua. Mwenye kiti pendekezo langu wakaaji wote ambao wanakaa ama katika Kenya pendekezo langu lenye wanakaa karibu na misitu wangemiliki rasilimali ambayo iko karibu na wao.

Jambo la pili, wale wakaaji wa pale wangepaidika na hiyo misuti faida ya kwanza watoto wao ambao wanaadikwa kama forest guards watoke karibu na wakaaji wa pale hata forester atoke karibu na pale ile ile shinda ambayo iko pale anajua kwa sababu alikuwa amekaa na watu wale.

Jambo la tatu, hii misitu imilikiwe na County Council ili hat wanapoandika wale watu foresters na forest guards wapitie katika County Council ili tuwe na uwezo wa kuajiri wale watu ili manufaa iwe na hao wenyewe kwa sababu ninasema hivyo kwa sababu hawa wakaaji wa pale hawajafaidika na hii misitu yao unapata forester kama hujui anatoka mbali ama forester.

**Com. Monosik:** Tumelewa hiyo.

**J. K. Chesumbet:** Wananchi wa pale karibu wawe na uwezo kama ni kupanda mimea kwa sababu kuna mali pengine mungu alifanya msitu lakini hakuweka mali pengine labda miti. Una mahalui pengine ambayo haina miti wananchi wa hapa karibu wasiliana na Council na wapande mimea zao kule kama cabbages, mahindi ili wakileta sokoni hata council inaweza ikafaidika kwa sababu ya wakaaji wa pale wakileta mboga sokoni.

Jambo la tano, hii mambo ya mito na pango na wanyama ambao wako kule itawafaidi wale wakaaji pale kwa sababu kama watalii wakija kule wanalipwa kupitia katika County Council mimi nafikiri ikiwa hivyo Council zetu ama council yetu inaweza kufaidika na watu wetu ambao wameandikwa pale wanaweza wakapata mshahara.

Jambo la sita, mali ya asili zisimamiwe na zilindwe kwa njia ya ushirika ya wananchi na serikali za mitaa.

Jambo la saba, ambayo labda ningeguzia kidogo mimi ni Councilor lakini nashindwa sana wakati tunapopigwa tunapigiwa kura na shindwa na wabunge wakiwa Parliament wanajiongezea mshahara lakini tulichaguliwa na hao siku moja na tungependa nasi kama wao wanakula elfu million nasi angalau tuwe karibu mia mbili hamsini hivi.

**Com. Monosik:** Hiyo mnataka mjiongezee hata nyinyi?

**Chesumbet:** Yes.

**Com. Monosik:** Na mtapata wapi hizo pesa?

**Chesumbet:** Si mali Wabunge wanapata nasi tupate pale.

**Com. Monosik:** Yaani hiyo nikuliza pesa hizo zitoke Central Government ama Local Authority?

**Chesumbet:** Central Government.

**Com. Monosik:** Yes ndiyo nilitaka useme.

**Chesumbet:** Kwa sababu tukiwa na ..... anakula pesa kutoka kwa Silver Government tukashindwa mbona sisi tunakuwa hivi na ile hivi Bwana Commissioner tuna shinda nyingi sisi ambao tuko hapa chini tuna handle mambo mengi sana MP anakaa Nairobi almost one month haji nyumbani lakini mimi niko na hao watu lakini kitu ya kuwalisha na kulishia hawa mwingine anagonjeka kwa malaria anakuja kwangu kwa Councillor tuna kazi nyingi sana hata wewe ili Commissioner umekuja hapa umekuwa na mimi hakuna .....

**Com. Monosik:** Lakini MP wenu alikuwa Kapsokwony?

**Chesumbet:** Okay labda jambo lingine ambayo ningependa niongeze mambo ya NGOs mimi naona mambo ya NGOs ipitie katika County Council kwa sababu ikipita ati inakuja kwa DC sisi ambayo tunazungumza na watu tuko local hapa kabisa mambo mengine DC anaweza akapokea watu wa NGOs lakini sasa sisi watu wa County Council hatujui tunaenda kuambia unajuaje NGOs. Fulani wamekuja na wamepitia kwa DC wewe labda ujajua ambayo ningependekeza wakifika kwa DC wawe direct to County Council ili sisi tukuje hapa na watu wetu wafaidike na wale NGOs.

**Com. Monosik:** Nina hakika umemaliza tumeelewa hiyo?

**Chesumbet:** Jambo labda la kumaliza hii mambo ya kuna mwingine alisema ya kwamba mwingine akiaribu wa msichana wa miaka kumi na nane adhibiwe na mimi ningependekeza hivi kuna kijana naya anasoma na labda msichan amemaliza shule na huyu kijana wangu ako form three na kuna msichana ambaye amemaliza akimuaribu hiyo nayo adabu .....

**Com. Monosik:** Na adabu gani usema?

**Chesumbet:** Asitakiwe ama alipe kwa sababu nami nilikuwa nikilipa pesa karo ya mtoto akimuaribu na amuangaishe labda tumstaki na afungwe na kijana wangu arudi na msichana aingie ndani.

**Com. Monosik:** Asante sana. Councillor Simon Ngeiywa sitai.

**Simon Ngeiywa:** Bwana Commissioner na wasikilizaji kwa siku ya leo kwa Tume ya marekebisho mimi ni Councillor Simon Ngeiywa site ningependa tu kusema ya kwamba kwa siku ya leo kwa marekebisho ni kwamba nguvu ya District ipunguzwe na ije kwa wananchi kwa mfano serikali inapopeana pesa ya maendeleo hiyo pesa kamati ya District ambayo inasimamiwa na wananchi wa sehemu wenyewe wagawe hizo pesa kulingana na ma-distributions ambao hao wenyewe wanatoka kusema hivyo kila Division ipate pesa zake kwa mfano, kama ni shilingi milioni tatu kila Division igawanywe na hizo pesa zifanye maendeleo kupitia kwa wananchi.

Jambo lingine Bwana Commissioner Sir ningependa ya kwamba hii marekebisho tupate Senior Chief awe kwa Division kwa sababu yeye kama Senior Chief na muzalendo wa sehemu hiyo yeye anajua mambo mengi yanayo husu Division ikewa na chini ma - Chiefs wengine kwa hivyo ningependa Commission ya siku ya leo nipendekeze lakini siyo ati Mt. Elgon peke yake lakini katika jamhuri yote ya Kenya.

Na jambo lingine Bwana Commissioner Sir kuna watu ambao wanafanya kazi kabisa kabisa na mwananchi hao ni wakazi tungependa hawa nao ikiwezekana katika Jamhuri ya Kenya wapewe mshahara ili hao ndiyo macho ya serikali kwa jumla tungependa kwa marekebisho siku ya leo hawa wasaidiwe vilivyo.

Na Bwana Commissioner Sir ningependa ya kwamba kwa siku ya leo wananchi vile Mungu aliumba aliwapa kila mwananchi awe na culture yake na ningependa ya kwamba kila mzalendo awe na culture yake kwa mfano sisi watu wa Mt. Elgon tulikuwa na culture na hii ilikuwa na kutairisha wasichana, wavulana na humo ndani kulikuwako na sheria ya kwamba kama ungekuwa umetairiwa ungeweza kwenda na msichana ambaye hajatiriwa hii nayo ilikuwa na sheria naye msichana ambaye alikuwa ametairiwa alikuwa anapewa sheria ya aina hiyo na mahali ambapo tulikuwa tunaenda alikuwa anaheshimiwa kwa hivyo Bwana Commissioner Sir nasema ya kwamba mwananchi apewe uhuru wake.

Na kulingana tena Bwana Commissioner ninavyozungumza kuna marekebisho pengine ningependa kuguzia. Kuna watu ningependa kwamba wale watu wamemiliki mashamba zaidi ya hekari elfu kume tuwe na marekebisho ya kwamba kila mmoja yule atakuwa na hekari nyingi zaidi ziwe ni hekari mia moja na zingine ziende kwa wananchi ambao wanataabika barabarani, tusiwe na watu ambo tayari wanajinyakulia unakuta kwa mfano leo Trans Nzioa hapa mtu kuna mwananchi halisi anafanya kazi kubwa ana mishahara zaidi ya karibu milioni moja na anazidi tena kupewa shamba hekari ya elfu kumi hiyo tunaona ni shinda sana ningeaona ya kwamba mwananchi halisi angaliwe vilivyo.

Na jambo lingine Bwana Commissioner tungependa kwa mfano siku ya leo we ni Commissioner umekuja kusimamia mambo ya marekebisho ya Katiba na hii uheshimiwe kamili kazi yako unapofanya. Umefanya kisheria vile umechaguliwa kwa nini Ma - Commissioners wengine ambao wanatuma hapa kwa mfano ilikuwa mwaka jana Magovya Commissioner mtu wa sheria amefanya kazi yake amemaliza ametoa majibu yake tena ati anapelekwa kotini ati hakufanya kazi mzuri hiyo tunaona ya kwamba jambo kama hili Commissioner yeyote ambaye ametumwa aheshimiwe kwa kazi yake kikamilivu.

Kwa upande wa Judiciary ningependa ya kwamba mtu yeyote Judge achaguliwe kama ametimiza miaka 45 awe Judge kwa court kuu ya Kenya na kuendelea kwa sababu ninavyosema hivyo yeye ni mtu ambaye amekoma na kimasomo na awe kwenye masomo ya hali ya juu ili wanapohudumia wananchi anahudumia bila kuwa na wasiwasi.

Bwana Commissioner Sir, kwa jumla ningependa tu kuguzia tena ya kwamba mwananchi halisi sisi wote tunapokaa hapa katika Kenya mzima unalipa kodi kupitia kwa ununuzi wa bidhaa. Tungepata wazee katika umri wa miaka 65 kuendelea mbele serikali

iwakumbuke iwapatie marupurupu kidogo kama mshahara nao hata wakipewe shilingi elfu tatu, nne naye atajisikia mzuri mahali popote alipo kama mwananchi halisi.

Bwana Commissioner, ningependa marekebisha ya masomo hapo awali kuliweko na masomo, mitihani mwanafunzi akienda standard one alikuwa anasoma kufika standard four anafanyiwa mutihani ya ukaguzi ili aruhusiwe aende standard five. Standard eight anafanya mutihani ingine akipita mutihani yake anaenda form one, form four, kutoka pale form five, form six ndiyo aende University. Lakini kwa wakati huu mwanafunzi anatoka standard one, mpaka standard eight tunaona ya kwamba masomo hayo imerudisha sana wanafunzi wetu unakuta mtoto amesoma mpaka form four hata hajui kuongea kingereza.

**Com. Monosik:** Kwa hivyo turudie ile system ya zamani ya CEE halafu

**Simon:** Halafu KAPE yaani Kenya Primary Education.

**Com.Monosik:** Halafu KGC

**Simon:** Na School Certificate halafu A level University hiyo ndiyo maoni nilikuwa nayo kwa upande wa masomo, kwa hivyo asante sana Bwana Commissioner.

**Com.Monosik:** Asante sana kwa maoni yake nakushukuru ujiandikishe tafadhali. Sasa nitampa mwenzangu hapa anasaidie kuendesha hii kazi ile ningeomba ni kwamba sasa tufupishe na tuongee speed ndiyo kila mtu apate nafasi ya kusema.

**Com. Zein:** Asante sana mwenye kiti Doctor Monosik Arap Korir ningeomba nione kwa ishara ya mikono watu ambao wamefika hapa ili kutoa maoni yao na mpaka sasa hawajapata fursa ya kutoa maoni yao. Hawa ni watu wengi au ni kidogo hao. Sawa kulingana na saa nilionayio mimi nasema sasa ni saa tisa na dakika kumi na tatu na munasikia ngurumo za radhi na mvua imeanza kutoa rasha rasha uko nje kuna manyunyu kidogo sasa ngoja tuende taratibu . mimi nataka tuelewane kwanza tukisha elewana halafu nianze, Chairman amenipa fursa kusema fupisha mda endesha mbio lakini nataka tuelewane. Sasa tumpe mtu dakika ngapi?

(interjection, Tano)

**Com. Zein:** Zilizokuwa zikitumika ni tano,tatu tatu, sawa halafu mimi najua ku-time niachie kazi hiyo mimi halafu, je! munapa mimi ruhusa mtu akiwa anatoka kwenye like ya mapendekezo anatupa story au hadithi ndefu, ndefu, nimrudishe kwenye line kidogo ni sawa.

(interjection ----- inaudible)

**Com. Zein:** Mzee ndiyo na Chair sasa unajua nikipewa madaraka kidogo na mimi nikae nayo kidogo tu si mengi ndiyo nilikuwa nakwenda huku -- huyu bwana. Kuna mtu yeyote ambaye ana jambo ambalo halijasemwa hapa ainue mkono, watu wako bado yenye mambo ambayo yajasemwa sasa ukija hapa uanze na yale ambayo haijasemwa na yale yaliosema sema mimi naunga mkono lile lile kama unaongezea ongezea kidogo sawa, sasa sisi huwa tunalipa haki na mamlaka ya kutoka kwenye form kidogo kama alivyosema mwenye kiti na kuwaita watu waliokuja wako mbele ili kuwapa fursa nao wasema tunataka kuwaita wanafunzi kidogo. Abrahamu Soteni. Abrahamu, na nikita mtu pia hii tukubaliane mtu asema niko au ainue mkono nikiita mara ya pili niende kwa jina linalofuatia ni sawa hiyo? Abrahamu wewe na Moses na Hilary Ibrahim na Hilary mnatoa mawazo pamoja au kila mtu na yake?

**Abraham:** Tulitakiwa kuto pamoja lakini wameondoka.

**Com. Zein:** Kwa hivyo wewe ndiyo utakae toa maoni kwa niaba yao?

**Abraham:** Yes.

**Com. Zein:** Asante sana Bwana Abraham, tafadhali utaje jina lako halafu tuendele. Halafu wazee wanaozungumza huko nyuma ili nisiwe na shinda tena kupoteza wakati kuwelezea hivi tuwe kimya kabisa kile cha mtungi ---- silence. Haya sasa kuna ukimya huo taja jina uendele una dakika tano kwanzia sasa dakika tatu kwanzia sasa.

**Abraham Samken:** My names are Abraham Samken i present the following suggestion to the Review commission. So i propose that the age for the electorate be reduced to 16 years.

Secondly, i propose that appointment of nominated Councillors and MPs never be done by single personalities that the body formed by the party.

I also propose that the Constitution to be written to identify the minority and put them in written and the communities be given the following priorities:-

The Ministry for the minor communities be created and a Minister for the same to come from the minority communities and appointment of these Ministers to revolve within the minority communities likewise to be given a nominated MP and Permanent Secretary of the office.

Likely the minority tribes be given some director office so that during appointment of any directorate the minority communities should be catered.

Likely counting of the votes during general elections i propose for transparency be done in every polling station and be

announced in every polling stations.

I also propose that the Vice President in the country never be appointed by a single personality but the members of Parliament that form up the government.

I also propose that all fund raising in the country be under high court and be managed by its accountability and the high court be mandated by the Constitution to prosecute any offence in related to fund raising.

I also propose that for the development of the country no citizen in the country should be allowed to own foreign account those owning foreign account be forced to own the accounts within the country.

I also propose that the Traffic Polioe they withdrawn from the other police departments and be made an independent body under the high court.

Ya mwisho i propose that the Majimbo kind of Constitution be brought with ten regions under governor with the following regions: - Western with usual Districts apart from Mt. Elgon, North Rift region include: Mt Elgon, Trans Nzoia, Koibatek, Uasin Gishu, Nandi, Keiyo and Marakwet and the headquarter be situated in the Eldoret. I do propose that a region be called South Rift created to comprise of ----- Bomet, Kericho and Baringo. Likely a central region with the usual Districts Eastern region be created with also the same Districts, Coastal region be created with the same Districts. North Eastern the same bu Nairobi region be created to include apart from the usual Nairobi to include Kajiado Districts.

Likely a Nyanza region be created headquarter in Kisumu and lastly Central Rift be created to include: - Narok, Kajiado, Turkana na Nyawira Districts. Thank you.

**Com. Zein:** Sasa namuita Mbisai Naibei.

**Mbisai Naibei:** Ma- Commissioner Sir, I am Mbisai Naibei I am a teacher by profession I am also the Chairman of the heads Association primary schools.

**Com. Zein:** Ngoja subiri kidogo. Ndugu zangu pale nyuma munaozungumza nyinyi munaozungumza hapa nyinyi wawili mtanyamaza au mtoke nje kidogo. Mtanyamaza sawa.

**Mbisai Naibei:** Thank you very much. I want to make the following proposals to this commission and first i want to mention something many people have not mentioned in the education and that is the kind of education we have in Kenya currently is not well defined because if we look at we have the basic education that primary, secondary and may be the universities but i want to propose that the early child hood education na programme which has actually which is supposed to form the basis for the children is really ignored so i want to propose



**Com. Zein:** (inaudible) sasa ndiyo unataka kutoa proposal

**Mbisai Naibei:** Yes, i want to propose straight away now that the teachers to be deployed by the goverment and be paid those teachin the (inaudible)

I want to say that with the local authority the DDC for sometimes now we know that the members are the heads of the Department. I propose that members of the DDC should be the members of the community where that District is.

I want tht Constitution also to enshrine the recalling of an MP or even Councillor incase he fails to perform his duties as required.

I want to say that for the Commissions i want to propose any commission which is set up the view should be respected because we have had so many commissions whose findings have never come up to publicly.

I also want to say that on transition now that we are moving towards election i want to propose that during the transition period we have somebody acting as a President so that we don't the same President -----

I want to propose that the election is to be structured we don't have ----- at the same time. That is the much i have to propose.

**Com. Zein:** ---- Proposal pekee yake unachukuwa dakika zilizo --- asante sana. Jiandikishe huko. Sasa namuita Willy Songi Maasai. Hayuko, haya Meshak Chemos Karibu mzee.

**Meshak Chemosi:** Kwa jina ni Meshak Chemosi Ngei. Asante Commissioner kutembelea sisi kuchukuwa maoni yetu. Mimi mwenyewe niko hapa nikiwa na musabaot Mt. Elgon mimi nataka zile watu wa Kenya 42 tupendane. Kwa sababu sasa nikiona mimi Milima huu katika District yetu ya Mt. Elgpon hapana tambuliwa kwa hivyo hii --- ya sabaot itambuliwe. Na mtu akiishi hapa yeye asomeshe watoto wake na pata shule waishe kama wandi.

**Com. Zein:** Ngoja mzee ikiwa nyinyi mnazungumza hara ya memorandum yenu mzee what is it that you have not understood i said that if you want to discuss anything the Chairman also said the same thing sisemi na wewe nasema wale wanaokupigia kelele nasema ili tu si unaona tunapoteza wakati sasa mimi naanza kusema maneno haya ili tuheshimu mzee akizungumza maneno yake na yeye atatuheshimu tuwe kimya ukataka kuzungumza na mwenzako utoke pale nje mukimaliza mrudi ndani, au si sawa hivyo endelea mzee

(interjection ---- sawa)

**Meshak Chemosi:** Kwa sababu nasema hivyo mambo ya kusema --- ndiyo inaletanga mataba kila siku. Katika njia kila kabila ---- na Mt. Elgon yetu pia halafu itambuliwe ndiyo ----

Ya pili sisi sasa Katiba hii tunayofanya ni sheria inaweza chukuwa miaka ile ya Kenyatta alienda kufanyia ng'ambo sasa sisi tunafanyia Kenya yenyewe kamila ya mtu ifuatwe sawasawa kitamaduni.

Mimi zamani natairisha mwanamume na msichana

Na ya tatu nataka wasichana waoleke kwa ukoo wao hapana kutangatanga kwa kabila yao. Kwa sababu ya kuoana ovyo ovyo inaleta ugonjwa ya ukimwi kwa hivyo sisi tunataka Afrika tukae pamoja na tuishi katika ---- vile Kenyatta alisema kwa hivyo sisi katika mlima huu mambo ya forest sisi tulifukuzwa na wazungu

Tunataka elfu mbili na ishirini hakuna forestry na watangilia kuishi forestry ni yangu.

Mzungu alitoka tumefukuza yeye tutune sheria tupate miti kwa mto na mahali ---- tambarare tuishi;

Ya mwisho tulisikia radio mkisema mtakuja na tumepiga asante watu wapendane na kuishi pamoja asante.

**Com. Zein:** Swali ya kwanza mzee kusema wnawake wanatangulia is wanatanganga na wanaume kama Sheria ikiwekwea wanwake na wanume pia wawekwewe Sheria kama hiyo.

**Meshak:** Sisi zamani tulikuwa tunapeleka pesa na tobacco unataka msichana hapana kutoroka kwa njiani.

**Com. Zein:** Swali la pili mzee wangu msichan wa kisabaot akitaka kuolewa na mtu ambaye si musabaot unasema tusikubali hiyo? Lakini hii mzee tunandika Katiba katiba ya taifa nzima si Katiba ya Msabaot peke yake ni Katiba ya Kenya mzima-----

**Meshak:** Andika sisi wasabaot wa Mt. Elgon tumekataa-----

**Com. Zein:** Swali ya mwisho mzee wangu ikiwa kuna mwanamke wa kisabaot hataki kufanyiwa tohara unasema afanyiwe kwa lazima

**Meshak:** Ndiyo

**Com. Zein:** Sawa basi ujiandikishe pale mzee asante sana. Morice Kisei, Joseph Wabudiele, Com .R. Wasilwa, JK Kiptaman karibu mzee sasa saa ile anaenda kuka wacha mimi niite watu kama watano ndiyo mjue nani anamfuata mwenzake sawa keti pale kidogo ndugu yangu usubiri. Kipchanga B Obicho, hayuko Kimtai Stephen wewe ndiyo utafuata, Solo Maingara, Alfred Sonib, Cheptai Jonathan haya sawa mutafatana kwa list namna hiyo na mukizongea karibu karibu muwe baada ya mmoja tusipoteze wakati wa kutoka nyumba mbali usongee karibu karibu anza kijana.

**J. K. Kipmam:** Bwana Chairman here with me I have an agreement --- in the 1890 okay my pronoun are Joseph Kipteng Kipkamu. Okay with me I have an agreement which was made by the Imperial British East African in the year 1890 which

claimed that Bungoma District was divided into two parts and in the office there was a governor called (inaudible) Jackson the southern part of that boundary was meant for the (inaudible) which are my brothers which are brothers and then the Northern part of the sabaot and I am sabaot. So I want you sir to recognize that point and make it ----- officially that is my proposal.

**Com. Zein:** (inaudible)

**J.K. Kipkam:** Yes, you are right, okay next to that agreement was adopted in the year 1892 which reads as follows kay I have made a point let me go the next step. So let me start from there

Dear Sir

**Com. Zein:** Wachane kwanza nyinyi ndiyo Chairman -----

**J. K Kipkam:** Okay I have find it. Settled yaani mambo ya majimbo, mambo ya majimbo iko hivi USA that is America, Canada, Germany ----

**Com. Zein:** (inaudible) ----- unatakaje wewe?

**J. K Kipkam:** Okay hiyo sasa ndiyo federalism ambayo mimi nataka nayo Kenya iwe kama hiyo. Okay point yangu tu moja, I want our country Kenya that is to adopt this sytem of federalism government. Ya mwisho in Trans Nzioa god gave us that land others said that (inaudible)

**Com. Zein:** (inaudible) wewe niambie lingine basi tusema this was our land nataka wengine ----- sema hivyo usisema ukianza kuniuliza mambo ya Mungu tutaenda mbali sana sema utakaje ----you are ---- wewe unataka mimi nifanye nini au katiba.

**J. K.Kipmam:** Nataka Katiba iundwe kwa njia ya namna hii kwanza ardhi irudi kwa musabaot halafu number mbili ---- iwe ya sabaot vile ilikuwa zamani.

**Com. Zein:** (inaudible)

**J. K. Kipkam:** Yes, iko kwa hii kakitu ambayo nilikuwa nakusomea.

**Com. Zein:** hiyo nisha andika kwa hivyo -----

**J. K. Kipkam:** Iko nyingi lakini nita – present kwa

**Com. Zein:** If you have a written memorandum just give us the highlight we will read and process each and every memorandum. Asante sana Bwana Joseph

**J. K. Kipkam:** Hata asante na wewe pia

**Com. Zein:** Joseph (inaudible)

**J. K.Kipkam:** Kama ukitaka unaenda na hii gazettee.

**Com.Zein:** (inaudible) Next person.

**Stephen Kimutai:** Kwa hivyo kwa jina ni Stephen Kimutai na nina mapendekezo yafuatayo kwa Tume ya marekebisho. Kwanza ni katika office ya Raisi kwamba Rais asiwe mbunge

Ya pili ni kwamba Rais pamoja na watumishi wengine wakuu serikalini wasiwe na mali yeyote bali waweze kupewa maitaji yao na serikali ambao wameandik maana yake ni kusema ya kwamba wasijiongezea mali kwa ajili ya uwezo walionayo bila maitaji yao yote wapewe na serikali iliwandika.

Lingine ni kwamba tuwe na vyongozi wa ngazi mbili tuwe na vyongozi wa kitaifa na pia tume na vyongozi wa makabili. Nadhani ukinipa mda nitaweza kueleza hiyo kwamba vyongozi hao wa kitaifa watakuwa wanangalia masilahi ya taifa nzima na vyongozi wa makabali kwa sababu tunajua Kenya imeundwa na makabali 42 hivyo tukiwa na kiongozi wa kila kabila atakuwa anatatea kabila.

**Com. Zein:** (inaudible)

**Stephen kimutai:** Kwa hivyo wakiwa mia moja itakuwa sawa kwa sababu -----

Lingine ni kuhusiana na mali ya asili nadhani limesemwa ya kwa watu wa eneo Fulani wakiwa na mali ya asili wapewe jukumu la kutunza hiyo mali linastajabisha kwamba haya nitaendelea.

**Com. Zein:** Wewe unataka rasilimali na mali ya asili ndiyo -----

**Stephen Kimutei:** Asante, lingine ni kwamba kunapoitwa uchaguzi wale watu wanaoshilia kazi katika serikali wapewe mda wa kuweza kufanya campaign bile kwambiwa ya kwamba wasitaafu kwanza.

Lingine ni kuhusiana na campaign kwamba yeyote yule anangang'ania kiti chochote ili campaign iwe nzuri mali yake yote iweze kuonyesha ili asitumie mali yake kuwanyanyaza wengine.

Jambo lingine ni kuhusiana na vyama kwamba tuwe na vyama vimili chama kingine kikitawala kingine ni cha upinzana tuwe vyama viwili tu.

Lingine ni kuhusiana na Judiciary kwamba mtu ama kabila Fulani iwe na court yake ya kitamaduni kabila ya kesi hasijafikia mahakamu makuu ziweze kupitia hapo kwanza.

Lingine ni kwamba utamaduni wa kila kabila katika taifa letu liweze kuheshimiwa. Kwa sababu kuna

**Com. Zein:** (inaudible)

**Stephen Kimutai:** Lingine ni kuhusiana na haki ya mtoto msichana na mvulana kwamba tusingitize kwamba tusingitize kuhusu girl child pia tusingitize ndani boy child kwa sababu boy child will determine extinguish in future.

**Com. Zein:** Nimekuambia ya mwisho dakika tatu zimekwisha --- sasa si lazima ili uende pale ujiandikish utuwachie hiyo memorandum. Hapa munapata mobile phone--- network siyo mobile gani basi huyo mwenyewe kancell ambaye kila mtu akizungumza kwenye microphone akisikia inafanya tiriri ---- ina maana kwamba unaingilia --- ukiwa na simu yako zima tadhali

it is interferrin with our ----- mtu alikuwa akimfuatia nani ndugu wangu taja jina.

Asante sana mimi ni Alfred Sinoty

**Com. Zein:** ----- Alfred Soniti wewe unakuja baada ya Maingara. Mangara, Alfred halafu Cheptei. (inaudible)

**Mangara Saulo:** Kwa majina naitwa Saulo Magera yabgu ni kama ya fuatayo.

Ningependa Constitution Chiefs na Assist Chiefs wapate transfer

**Com. Zein:** Unajua kwa nini najua hiyo tumeambiwa mambo haya Kenya mzima unasema akianza kuchukia mtu atumuchukia kwa milele kama itakuwa hawezi kuwa transferred.

**Mangara Saulo:** Ningependa buzaa ikubaliwe

**Com. Zein:** Hii buzaa peke yake au pombe yeyote ya kienyeji.

**Mangara:** Buzaa tu changa hapana lakini buzaa ikubaliwe. 8 – 4 – 4 system ipigwee marafuku

**Com Zein:** Uwezi ---ipigwe marufuku. Nisema

**Mangara:** Hapana kwa Katiba hii ambayo ninaunda hii.

**Com. Zein:** Tutoa 8-4-4 system

**Mangara:** Tuweke ile ya zamani..

**Com. Zein:** Ya zamani ipi ile ya ukoloni au ya?

**Managara:** Kama CPE

Number nne ile jambo soko uhuru kitendo ipigwe marufuku.

National Cereals and Produce Board chini ya ministry of Agriculture ningependa ifufuwe irudi hali yake ya zamani vile ilikuwa inanunua mazoa ya ukulima kwa sababu wakulima wanatabika sana. Ni hayo tu.

**Com. Zein:** Asante sana ende pale ujiandikishe na karatasi utuachie. (inaudible) endelea Alfred.

**Alfred Soniti:** Asante sana Bwana Commissioner mimi ni Alfred Soniti napendekeza katika defence kwa upande wa serikali wizara ya misuti ambayo tunapata ma-forestry guards, forestry guards chain of command haiko sambamba kwa vile uwezo pata mtu ako na CPI yaani coprol nini mpaka rank hawani kuteuwa watu ma buregeti ya --- kuja katika hiyo wizara naona kama siyo mzuri kwa sababu wange –promote wale wako katika field wawe waburigeti mpya na wavai uniform --- na ma-foresters wawe kwa full uniform not in civilian mapendekeza yangu inaendelea hivyo.

Kuna hizi mabuduki nafikiri munaona katika nchi kwamba inaitwa a 303 kitu kama hicho hizi mabunduki zilikuwa za wakolonial airudishe kwa nchi kwa yule watchman apewe lakini mabunduki za serikali ziwe za kisiasa napendekeza

**Com. Zein:** kwa all uniform forces or for only.

**Alfred Soniti:** All uniform forces katika widhara ya misitu wawe na mabunduki ya kisasa na hii bunduki moja ambayo inatumiwa na forest guards irudishwe.

Misitu isiwe ya United Nation ili hali Kenya hii sisi wenyewe ndiyo tuko naonelea kwamba misitu pia iwe katika office ya rais isije ikatawaliwa na nchi za nje.

Maoni ingine ni hii circumsision yaani utahirishaji maoni ni hii msabaot msichana akitairishwa mwanamuma mjaluo pia atairiwa. Hiyo ni maoni.

**Com. Zein:** kuna uhusiano gani kati ya mwanamke msabaot na mjaluo.

**Alfred Soniti:** sababu ni hili kwa serikali ya sasa tunaona ni kama vinatoa vikwazo kwamba wasichana wasitairiwe maoni yangu ni hivi wasichana watairiwe kwa wasabaot na huyu wako hawatatahiriwa twende reverse waluo pia watairiwe wanaume

**Copm. Zein:** ---unavyosema wewe ndugu ikifanywa lazima kikatiba Kenya kwamba wanaume wote watairiwe basi nilazima wanawake watairi

**Alfred Soniti:** iwe hivyi nasema hivyi.

Katika serikali ya Kenya mtu anafungwa kifungo ya maisha wengine kumi na at least huyu mtu alikuwa na watoto wawili tu a alikuwa ndiyo ameo bibi natoa hoja hii pendekezo kwamba kule kwa prison dormitory zijengwe ---afungwe na lakini pia atembelewe huko akiwa na mumeo ili mipango za mboma zitengenezwe pale.

Nomination of Councillors na member of Parliament ningeona iwe hivi kwa vile anajibika na serikali wa- nominate civil servant not mtu kutoka tu nyumbani kienyeji awe councilor elected.

Ya mwisho nafatilia mshahara ya hii wanaume wenye wanachaguliwa ama wanawake yaani wameenda local council ama member of parliament. One third every month irudi kwa mwanchi kwa vile alichagua kwa mulolongo hakuenda interview.

Nafikiri ni hayo.

Asante.

**Com. Zein:** Asante sana uende pale ujiandikishe-----

**Jonathan Kiptee:** mimi ni Jonathan Kiptee napendekeaza mambo yafuatayo ya kwanza kila wilaya iwe na barabara ya lami.

Shirika ya watangazaji wa Kenya mbali ya umaa itangeza katika lugha ya makabila zote Kenya iwe ndogo ama kubwa.

Naunga mkono kwanza yale wenzangu wamesema kwamba----- natural resources zitumiwe na watu wa hapa.

Kitamaduni zetu ama za watu wengine ziheshimiwe zizingiliwe na watu wengine kutoka nje.

Wajiri iwe decentralized mpaka katika kiwango cha location ama sub location ili watu wote wapate kiwango cha kuajiriwa.

Katika uwajiri pia watu walipiwe kufatana na kiwango lakini unakuja kulipa sawa sawa hiyo siyo mzuri.

(inaudible) watu wapandishe cheo bila---

Rais wa Kenya awe ametumikia serikali kabila ya kuingia katika siasa awe mutumishi wa umma kwanza

**Com. Zein:** Kwa mda gani?

**Jonathan Kiptee:** Kwa muda wa kama miaka kumi awe amekuwa ---kwa mda miaka kumi. Huduma matibabu iwe decentralize mpaka kiwango cha sub-location ili watu wapate huduma haraka.

Tume hiyo ya marekebisho ya Katiba ijumuishe ikiwezakana makabila zote za Kenya ili munnpotembea munaweza mambo mengine bile tashushi. Hayo ndiyo yangu.

**Com. Zein:** Asante sana uende pale ujisndikishe utupatie memoradum yako. Sasa nataka kuita majina ya watu wengine kama watano hivi. Francis Ngeiywa, nilisema nitakuwa mara mbili. Halafu hapa nimeandikwa si jina la mtu oh liko jina la mtu Ezra Cherop, Mwenzako K Chumbe on behalf of the SDA church munataka kutoa nyinyi wote wawili au mmoja atuzungumza on behalf of the church. Njoo ukae hapo unipe mda kidogo niite watu majina. Martin Chepchin. Kiboi .K. William, Sichei Chepkurui uko, zakayo Kudoyo Zakayo Kudoyo zakayo yuko, ukoo Zakayo hili jina lako la kwanza ni mimi Ku--- Zakayo nani Zakayo Kururui, Festo Kisiero haya sawa mutaenda kwa kufatana namna hiyo tunanza na mwkilishi wa SDA church atataja jina lake.

**Ezra Cherop:** Mr. Chairman I am Ezra Cherop representing SDA church which have a membership of 14 thousands in this Division and having 31 churches. Maybe I would be brief because --- limited. Don't mind Chairman if I go to story because I will use my three minutes.

**Com. Zein:** (inaudible)

**Ezra Cherop:** we are addressing the freedom of worship and religious liberty. To begin with we want to congratulate the present system of constitution ---- it remains however some sections should be included because we feel this section has been violated and therefore we feel that some section should be included----- if a leader will violate that freedom of worship or religious liberty then he should be fined and be jailed or interdicted.

**Com. Zein:** A leader for any-----

**Ezra cerop:** yes, because we face persecution from leaders.

**Com. Zein:** (inaudible) I am asking

**Ezra Cherop:** Anybody, yes any person. Why am I saying so

**Com. Zein:** You know why.

**Ezra Cherop:** I think others we have written and is the area we are using that it should be added. Because it look like yesterday papers Assistant Minister was telling.

**Com. Zein:** (inaudible)

**Ezra Cherop:** kitu kingine ni education Act. ---- violated and we feel that something should be done the way we have (inaudible) up there.

**Com. Zein:** (inaudible)

**Ezra Cherop:** Yes, that is it I think others want to talk we haven't written.

**Com Zein:** (inaudible) ndugu yangu usirudi uko na memorandum utupe.

**Martine Chepchechiri:** Majina yangu Martine Chepchechir. Ya kwanza nitaongelea recruitment of the army recruitment ifanywe through draw wandika viti vya yes or no halafu ikorogwe na watu wachaguwa mbele ya watu wote na wajua nani ndiye anandikwa hapo hapo



**Com. Zein:** (inaudible)

**Martin Chepchechiri:** Baada ya kupima hiyo afya kuwaweka hapo watu kama mia mbili Vyeo vya wanajeshi iwanjie Constable siyo mambo ya kuchagua mtu kama----

And then another one mtu baada ya kufanya kazi ingine tena kwa sababu kuna vijana wengi wanaihitaji kazi.

Prisoners to have government monitors to defend them from torture na hao wakishi kwa prison uko wakichunguza hao tangu Monday mpaka Friday.

Land and property those people from Trans Nzoia and Uasin Gishu those Turkana I do defend them if they have stayed there for almost five years and above to be a share in those large scale farmer.

Another one Mt. Elgon Constituency enlargement and sabaot to be the contestants and we need to have four Constituencies to (inaudible) we want that area to be called Elgon not Trans Nzoia because (inaudible) is near there.

Tunataka news reporters to be in every Division so that people to have freedom to present their views when there is something wrong.

About the Administration DO, DC and PC to be given security only (inaudible) to be given and not these Administration police to be arresting the buzaa people we want the regular police to be involved in that action.

We want to increase local brews e.g. buzaa to be allowed to men because they have no money to buy this artificial beer.

**Com. Zein:** Miaka mingapi ndiye mtu anaitwa old?

**Martine Chepchechir:** Forestry of Mt. Elgon we want this forestry to benefit this from when recruiting officers wild line and forestry guards they should only come from those areas which poses forestry and the wild animals only.

**Com. Zein:** (inaudible)

**Martine Chepchechir:** And then kifungo cha maisha kiweko badala ya mtu kunyongwa napendekeza hiyo. Halafu mahari ipeanwe kwa virgin ladies only na wale wamezunguka wasipewe mahari wasipeana kwao.

Vijana waruhusiwe wandikwe katika nchi za kigeni kijeshi kwa sababu hakuna kazi Kenya. Ukimwi ipimwe kwa lazima kwa sababu kuna wale wanambukiza watu ugonjwa hiyo makusudi.

Land settlement to be landless people only not those ---- thank you

**Com. Zein:** When Martine you are proposing that Kenyans waruhusiwe ku-serve kwa majeshi ya nchi zingine nchi hizo na zizitakii hivyo nchi hizo zikuwa na ugomvi na Kenya itakuwaje?

**Martine Chepchechiri:** Sana vijana wafanye je na hawana kitu cha kufanya.

**Com. Zein:** Nani alikuwa anafuatia?

**Kiboi William:** Mr. Commissioner sir .... Dakika tano au nne kidogo kwa maana I am presenting the views of people in kipsiro old mens.

I am not getting you sir.

**Com. Zein:** (inaudible)

**Kiboi William:** As I am begging the chance I thought maybe I might be considered when I say .....

Watu wa huko wazee wakubwa walizungumzia mambo kuhusu shamba na hiyo ndiyo ilikuwa tatizo kubwa kabisa ambayo ulima kwamba tangu wakoloni wakujee walipata huyo musabaot akishi katika ile shamba la Tonzia na wakati walienda badala ya hao kupewa mashamba wenye waliweza kuchukuwa mashamba hayo ni wazungu weuzi wenye sura nyeusi ni ile nyeusi lakikini huyu ambaye hangestahili kupata hiyo shamba yake hakupewa.

Wakatoa mfano kwamba katika ili wakati ambapo walikuwa wanafanya mpaka yao kuna vitu amba-walifanya hii ambao wanasema oath ambayo walikuwa ikaonekana kwamba hawa kweli mashamba yao yalichukuliwa na wakaomba kwamba ikiwa serikali ama commissioner ambaye ameteuliwa kuchunguza mambo ya mashamba kama watu ---- huko ndani hiyo kiwapo yenyewe walikula bado itafata ma huenda bado shida iko kwa maana watasema

**Com. Zein:** (inaudible) tufanye nini wazee walisema tufanye nini?

**Kiboi William:** wamesema mashamba yao warudishiwe na wale ambao wamemiliki hiyo shamba kinyume cha Sheria lazima pia nao lazima kuna mahali ambapo walitoka kwa sababu wenzetu ambao jirani tunaishi nao hii shamba si yao pia lazima warudi mahali pao.

Wakasema tena ili mtu asimame katika uongozi Fulani either councilor ama MP nini awe mtu ambaye ametoka lakini mtu mwingine kama siyo msabaot atoke kando na asimame hapa akitaka huo uongozi basi bila shaka hawako tayari kuunga huyo. Nitaingia kwa judiciary laini wakasema mambo ya court zinangaisha watu wengi wamekufa.

**Com.zein:** (inaudible) Hiyo ni story wewe unataka tufanye nini kuhusu mahakama?

**Kiboi william:** Mahakama tujengewe mbili, tatu katika wilaya yetu. Halafu masikari pia ambao watakuwa wanafanya kazi pale wandikwe hapa waandikwe na wawe ni wasabaot ambao wanakaa wapi huko

Tungeingia mambo kwa maana hii economic issue inaaonekana Mt. Elgon is bordering Uganda wakaomba kwamba wafunguliwe custom hapa Lwakhakha ya kupita Lwakhakha hapa kwa biashara na piain the northern side pia --- bordering

Uganda wafunguliwe tena moja kupita njia ya (inaudible) ---because hiyo inaweza kuwa short cut ambao pia wabaweza kupanda na ng'ombe yao wakienda kuuza na mambo zingine.

Tukakuju mambo ya utamaduni. Wakasema ati kimera na kisu inafua wakasema kwa kimilia yao lazima waendelea kutahiri wasichana mpaka Mungu akuje. Hiyo ndiyo walisema.

**Com. Zein:** (inaudible)

**Kiboi William:** Wakasema tene kihusu mambo ya President uchaguzi wakasema hao wenyewe watachagua kiongozi kwa maana wajashindwa lakini yule ambaye kiongozi ambaye ako kwa uongozi anasema ati tuchague huyu hao watachagua yao mwenyewe kwa maana waliona Kenya ya watu nchi ya Kenya inamilikiwa na wakenya wengi na hakuna maana uongozi utoke kwa wakabila moja peke yake ambapo bado ukoloni wakoloni walipiga ama walitaabisha watu wote na baada ya kurudi tukaimba wimbo wa taifa tukisherehekea tu.

**Com. Zein:** Wewe unataka uongozi uwe katika makabila yote.

**Kiboi:** Yeyote yule ambaye atachaguliwa ana watu wengi na mkenya huyu atakuwa kiongozi lakini siyo mwingine kutuchagulia tufuate huyu.

Tukaingia mambo ya hizi natural environment yetu tukaona viti kama kwanza tukaingia hiyo available natural resources that we have forestry and other things tukaonekana kwamba wakati mwingi, napendekeza kwamba forest yote iwe shini yetu ambayo tunakaa huko

**Com. Zein:** Forestry moja ama---

**Kiboi:** Hii yetu ambayo tunachunga kama ngombe yetu hiyo lazima tunapendekeza iwe chini ya uongozi wetu.

Halafu kwa kuongeza tena wakasema mbunge ambaye atasimama akitaka uongozi katika mlima wetu lazima awe ambaye ni degree holder or Diploma.

And then a Councilor should be a form four person with a mini grade of D+ and above. I think ni hayo tu ndiyo nilipewa.

**Com. Zein:** (inaudible) sawasawa uende pale ujiandikishe na kama una memorandum utoe.

Sichei Hamfrey Kipkuri: My names are Sichei Hamfrey i would propose that no Kenyan citizen should have two jobs at a go. The manabas should be paid of vehicle they fill not by the percentage of what they have collected so that the struggle for the big some of money is minimized.

Urban planners should be taken to this new Districts so that they can locate the best place for the Districts Headquarters and nto just anyhow.

The money collected by a certain county council should just be left there in that particular country council that is to develop that county council.

(interjection) inaudible)

**Suchei:** no a bigger fraction of that money.

Another one is the president should not be the commander in chief of the armed forces.

A person who is qualified and have a long serving experience.

The Chancellor of any university should be a degree holder.

I also propose that to avoid rigging there should be transparency ballot boxes.

On corruption I would propose that there should be transparency they should make the public to the awareness of the public that this and this is the sum which is supposed to be paid to a certain group so that people know what exactly is going on.

I would also propose that the salary for the MP is too high and therefore it should be reduced by 50%.

About development in the District I would propose that the development of the District be under the mayor and not the DC that is all I have.

**Com. Zein:** Go and sign our register and if you have a memorandum leave it with us. Zakayo.

**Zakayo Kirui:** Jina langu Zakayo Kirui mimi nataka niongelea mambo manne tu jambo la kwanza hivi society juu ya factory serikali ipendekeza itangaze malipo ya wananchi siyo kuja kuficha pesa na makahawa ili uza mapema hiyo ni jambo la kwanza.

La pili Chairman wa factory iandikishwe na wananchi tangu nyumbani siyo kufatilia pale pesa hiyo iwe ikitoka katika serikali siyo kuja kuingia kwa bengi ya binafsi.

Naongea juu ya security police. Mamlaka ishushwe ili asinyanyashwe mwananchi kwa hongo. Bila kuteremsha uwezo wake hongo katika Kenya haikwishi.

Jambo la nne nitasema ya kwamba sehemu za mpaka hii askari wasiwekwe kwa sababu wanayanyaza jirani yetu.

**Com. Zein:** Yaani unasema wewe mipaka yetu iwacwe free watu na kuingia vile wanataka si kwa sababu nakwambia hivyo ndiyo unataka wewe.

**Zakayo Kirui:** Yes.

Jambo la tano inaongelea juu ya mastudies ya Mt. Elgon. Serikali yetu kwa kuhusu --- ijengwe hospital sehemu kwa sababu za Chepkube.

Jambo la saba Mt. Elgon imesauliwa na serikali kwa kuwa jina tu Mt.Elgon District lakini kwa matendo hakuna

**Com. Zein:** (inaudible)

**Zakayo Kirui:** mimi napendekeza ya kwamba Kenya wakingia Katiba wakumbuke Mt.Elgon.

Jambo la mwisho,mtu yeyote kama anataka kuwa kujiandikisha wamupigie kura huwa anatoka nyumbani huwa anaishi nyumba siyo kuishi Nairobi na kutoka Nairobi na kuingia kutoka kura na hamjui taabu ya nyumbani.

**Com. Zein:** Munataka Rais akae kabisa au (inaudible)

**Zakayo kirui:** huwa mtu ambaye akifanya kazi

**Com. Zein:** (inaudible)

**Zakayo Kirui:** Huwa akitoka naamini ni hayo tu.

**Com. Zein:** Asante sana. Festos Kishero endelea mzee wangu.

**Festo Kishero:** Bwana Commissioner sir mimi ni Festo Kishero.Jambo langu ni juu ya biashara. Sisi hapa Mt. Elgon watu ni wakulima sana tunapanda nyanya hata katika Western Province Mt Elgon ama Cheptais ndiyo inaongoza. Sasa hata kahawa na mboga. Sasa tatizo letu kwa upande wa biashara wana biashara hawana nguvu ya kuendelea biashara. Ukitaka kuomba loan wanakuangalia halafu ikiwa utakubaliwa unapewa pesa kidogo sana.

**Com. Zein:** Kwa hivyo unatakaje.

**Festo Kishero:** Afadhali sisi nasi tuombe loan tupewe ma-elfu fulani wengine wanapewa ma-million nasi tupewe ma-million ama mamia fulani nfiyo twendeshe biashara.

Sasa wakulima sisi ama wanabiashara matajiri wanatoka nje wanabeba pesa ya Cheptais zote au Mt. Elgon.

Ingingine kwa upande wa utawala ingawa wengi wamegusia sana. Kwa upande wa utawalaupande wa location ambayo iligauliwa uko chini wasabaot wananyanyaswa sana.

**Com. Zein:** Kwa hivyo unatakaje?

**Festo Kishero:** wakiomba kazi hawawezi kupewa. Hebu na serikali ikumbuke wasabaot ambao wako kwa upande ya chini ya hiyo wakumbukwe juzi tulipewa Chiefs na tulinyanyaswa wakakataa hata amesimamishwa kwa sababu ati ni msabaot.

Chini upande wa—katika location Lwandanyi tulikuwa na location tatu Lwandanyi,Namubira, Sangara hizolocatrion zote tatu

hivi ilikuwa nchi ya kisabaot sasa tumegawanya makabila zingine ndizo zinatawala lakini. Nataka hiyo nchi irudishwe Mt. Elgon na tunaishi kwa amani.

Hakuna ingine.

**Com. Zein:** Asante sana andika jibna lako hapa. Sasa nitaita majina mengine matano lakini wa kwanza akiitwa aje akae hapa. Jackson likurama hayuko, Moses Kapras Maasai Joseph, Abdul Azizi ukae pale, Benson N.P Kania, Chepkecho Chinjo, Pius Maranda, we mzee ni nani, hii imeandikwa Pius Box yako ni ngapi huyu ni box 449. Hayuko, David maheto Winersa Mzee, Mophat Mabishwa, Willfred Boyo, uko, kuna mtu ametia sign tu ni Jonathan Box yako ngapi hata ukiona mzee hapa sisi hatuwezi kuwa hebu muonyeshe huyu programme Officer kama ni wewe umeandika hebu muonyeshe, Moses Chepkoi, Mungame Noa, Kitui jina lako la pili ni nani Partrick, P.K. Ngaina ameondoka, Harrison Kishero. Wacha tuenze na hao halafu tuone tutafika wapi. Tunaanza na wewe Abdul Azizi.

**Abdul Azizi:** Asante sana Bwana Commissioner nafikiri Kenya ilipata uhuru 1963,

**Com. Zein:** Anza na jina lako.

**Abdul Azizi:** Mimi ninaitwa Abdul Azizi Sirare. Kenya ilipata uhuru 1963 na ma province—nane hii ni pendekezo langu upande wa president iwe ina rotate province zote siyo wasema ati Province moja rotation wazunguke rotation President.

**Com. Zein:** (inaudible)

**Abdul Azizi:** Sawa, la pili mamlaka ya President ipungushwe kwa sababu asi-nominate mtu na kusema huyu ndiye anatosha hii kazi wananchi wenyewe wamue

La tatu nguvu ya raia ndio huwa wanachagua hao

La nne serikali iwekwe maanani kwa wakulima wa kahawa wa mahindi na kadhalika.

La tanoserikali hata mkulima akienda kuomba loan wasioweke sana vikwazo na kwa nini serikali inapenda kuomba jasho ya mkulima anapeleka kahawa na ananyamaza nayo

**Com. Zein:** unatakaje mzee?

**Abdul Azizi:** nataka kama mkulima naye anataka loan iwe rahisi kupata, mazao yake nayo ikipelekwa iwe rahisi inatoka kwa mkulima zinaenda uko kwa njia rahisi. Kulipa iwe wiki mbili ikichukuliwa.

La sita kabilazote zitambuliwe kama WanKenya

Na la mwisho makabila wengine wasidhulumu wengine kwa sababu wengine ni wachache na hao ni wengi. asante sana.

**Com. Zein:** sasa uende pale ujiandikize kama umetoa maoni ni kweli anayefatia ni JonathanLuganda Makasia.

**Jonathan makasia Luganda:** Asante sana bwana Commissioner, kufika sehemu hii na njia ni Jonathan Luganda Makasi.

Kwa upande wa land mimi napendekeza serikali na jamii wewe binafsi mimi napendekeza mashamba iwe kwa jamii siyo mtu binafsi kwasababu ya nini mtu binafsi

**Com. Zein:** (inaudible)

**Jonathan Makasia:** Ndiyo

**Com. Zein:** Kwa hivyo title ikitolewa itolewe kwa community nani artasimamia?

**Jonathan Luganda:** Wazee yaani ukoo.

**Com. Zein:** Sawa

**Jonathan Makasi:** Siyo kwa mtu binafsi siyo kwa serikali

**Com. Zein:** (inaudible)

**Jonathan Makasi:** Ardhi hiyo kama ikop ndani ya jamii – kwa sababu

**Com. Zein:** (inaudible) utasema ichukuliwe

**Jonathan Makasi:** Ichukuliwe na jamii isimamiwe na jamii bila mtu binafsi kwa sababu akiwa binafsi atauza hiyo shamba ieshe na watoto watapata wapi.

Lingine kitamaduni mtoto akisha tahiriwa kisu ile ambayo imetahiri isiyende tena kwa mwingine kwa sababu ya ugonjwa.

Neno lingine mimi napendekeza hapa location yetu ya Namuhirana Lwandanyi irudi upande wa Mt. Elgon ati Chief pia ambaye alikuwa amechaguliwa kutawala kule afanyi kazi amesimamishwa sijui nini na tangu mbele au nyuma Mubukusu alikuwa anatawala hakuna maneni Muteso atatwala hakuna maneno.

**Com. Zein:** Usha toa pendekezo mzee ama uko kwa siasa

**Jonathan Makasia:** Asante sana. Sasa mimi napendekeza ma-location hizo zirudi Mt. Elgon na lingine kuna moja nilienda na watoto kutoka hapa--- kwenda Bungoma kuchaguliwa lakini mimi mwenyewe nilienda na hao kufika kule wanakata watoto wa kutoka sehemu wqansema nyinyi watoto wa Mt. Elgon mimi mwenyewe natoa na macho namna hii mimi nikasema haowatoto tunatoka---na mimi ningependekeza watoto wa---waende Mt. Elgon kazi ikipatikana waende wapi Mt. Elgon District hiyo ni pendekezo.

Sitaenda maneno mengi lingine kwa nini District ya Mt. Elgon ijakuwa gazetted mimi napendekeza iwe gazzeted na mpaka ionekane kikamilivu.

Nakifiri hata hiyo imetosh.

**Com. Zein:** Asante sana mzee uende pale ujiandikishe, sasa namuita Partrick Kirui. (inaudible) ulikuwa unataka kusema muulize kama anataka kusema sawa kongoi----endelea Partrick.

**Partrick Kirui:** mimi ni Patrick ningependa kupendekeza hii kuhusu service delivery to the public kwanza ninaunga wenzangu wale walisema ya kwamba tuwe na office ya Ombudsman ambayo inatakikana iwe na machinery at all levels ana in all departments na iwe indipendent kutoka kwa arms of government ili iweze kufanya kazi vizuri.

Ya pili marriage na domestic violence napendekeza hivi tusiwe na forced marriages.

Pili ningependekeza kwamba role ya wazizi katika marriage iwe tu advisory.

Lingine ni wakati mvulana na msichana wanapooana inatakikana katika Constitution iwe stipulated vizuri roles kwa sababu tuko katika era ya gender equity tujuwe baba atafanya nini mama atafanya nini ili hata siku moja kama watawachana iwe rahisi kugawa vitu kama mali na vitu kama hivyo bila kuleta shida yeyote wasi-tupulate vizuri sources of income nma incase watawachana wawachane kwa njia gani.

Halafu lingine kuhusu marriage life ni kwamba inatakikana pia tuwe na cord of conduct so that wa can actually know so that the partners can have discipline.

And then on marriage and violence i want to say this kwamba instead of dowry the parents to new couple should contribute to the new couple and not necessarily pat dowry that could be a way of supressing them further

Ya tatu kuhusu hali ya kielimu katika nchi hii ningependa kusema hivi kwamba kama bursary scholarships iwe wapi ikiwezekana iwe wazi ikiwezekana katika kila tarafa na itangazwe adharani.

Jambo lingine Ni kwamba serikali iweze kutoa pesa za kugaramia masomo katika shule za msingi Na hata katika shule za early



childhood zile za nursery Na walimu Ili ata watoto wanatoka familia ya maskini waweze kuwa Na nafasi nzuri ya kusoma.

Kitu ingine pia Ni kwamba wale wafanye kazi WA serikali Kwa sasa wapatiwe automatic scholarship waende kusoma ama Kama siyo hivyo wapatiwe loan na higher education loans board ili waweze kupata ujuzi zaidi na waendeshe talanda zao. Pendekezo lingine Ni kuhusu court Kenyan courts. Ningepende nipendekeze ivi kwamba tuwe Na commission Fulani ambaye inaendelea katika court.

Halafu jambo lingine kuhusu court ni kwamba wale wa ndugu zetu ambaye hawajiweze katika njia moja ya kusainia justice for justice to be done in this country I would propose that the government can have some lawyers these are government lawyers who can help the court so that all the criminals --- iwe kwamba proved beyond doubt-----

Halafu la mwisho Ni kwamba baada ya kuchukua maoni kutoka Kwa ----ningigependekeza kwamba bunge ati Kama itafanya madaliko katika this draft isisfanye mabadiliko makubwa.

Halafu kumaliza ningependekeza kwamba katika Kenya pengine baada ya miaka tano kuisha tuwe Na National referendum ya kukagua Na kupatia nchi yetu muelekea mpya ill Kama kuna makosa iweze kurekebisha kupitia Kwa referedu.

**Com. Zein:** Asante Sana, ---Mimi nitaita majima ya watu wengine watano wote tayari. Robert M. Kingwa, Ernest N Ruaraba yuko, J M Tukweny, Enos Chemumba, Ni wewe mzee umepata bahati kuwa umeruka watu wengine wawili. Ngotol C. Bavati. Shabatani Jamaes uko? John Muyeki wewe ndiyo John. Cheptoti Moses, watu wanakimbia mvua Kwa hivyo lazima tufanye haraka kila mtu apate fursa ya kuzungumza.

Councilor ashahema. Eric Magasi uko karibu usikaae mbali hivyo songea karibu.

Henry Cheseto, Jackson Kibirenge songea karibu, John Rono, Patrick Chebonya karibu njoo karibu mzee. Chivati Hilary, Wickliff Mukuna Cherop ni wewe mzee, Cherop hayuko, Jemini Kimtai, Korofia Wefafa, Masika Mang'oli, uwe karibu, Eliud N. A. Kae, Makasi George thank you, haya tuendelee na hao.

**Enos Chemumba:** Mwenyewe kiti WA Tume yetu hii urekabishaji WA katiba pamoja Na ma- commissioner wako Mimi kwa jina naitwa Enos Chemumba mkaasi wa Mt. Elgon hasa nyumbani ni Chebukube. Mimi mapendekezo yangu Ni haya hasa ngazi ya juu ningelipenda yule kiongozi atakaye cukua watu Kwa urais awe mtu amekuwa katika bunge Kwa muda WA miaka kumi kwa sababu atakuwa ana ujuzi kamili.

La pili mamlaka ya Rais Ili wenzangu walinena mamlaka yagawanywe mamlaka mengine yawe chini ya prime minister mamlaka mengine yagaiwe serikali za wilaya.

Pendekezo lingine Ni kwa bunge ingawa mtu anafanya kazi Nairobi awe mtu ambaye anakuwa akitembelea watu wake

nyumbani ajenge nyumbani na kuonyesha kazi mhimu ili watu wajua kazi zake na elimu watakaye wapatia watu wake. Na hii najua itafanyika Kwa vile hatuwezi kukataa watu Kama yuko Nairobi tuseme Kwa sababu amekaa Nairobi hatuwezi kumchagua lakini tunaka mtu kiongozi yule mwenye mfano bora.

Pendekezo lingine Ni kwamba kuna mzee alitaja alikuwa anajita Kwa majini Mr. Mendey hiimambo ya Borth na South Malakisi mimi nikiwa mmoja wa wazee amabo tulikuwa tunajadiliana kutatua maneno ya kugawa the former malakisi location kwa ma-location mawili tulipopata. North Malakisi serikali ya Kenya wakati wa hayati Mzee Kenyatta iliteuwa Tume ya kuja kuchunguza matakwa kwa sababu hii Commission ilikuwa Bukusu Balako Commission wakati huo sisi tulikuwa tunaitwa Balabu na ikachunguza mpaka ikapendekeza ya kwamba kwa sababu ya wasabaot wapewe location location sasa ndiyo location hii ilikuwa inaitwa North Malakisi baadaye kwa sababu ya political ethnical groups kwa sababu mtu aliyechukuwa (inaudible) ya Chief alikuja akawa Mubulusu basi wasabaot wakasema ni sisi ndiye tuliomba kazi basi iligaiwa tena mara pila kwa sababu ya peace,justice na harmony huyu Chief wetu aliyekuwa wa kwanza ingawa hakuwa na chuki na mtu alipewa kutawala location ya chini ya South Malakisi iligawanywa tene mara ya pili bila Commission kutumwa lakini ilikuwa chini chini ya provincial Administration--- tulikubaliana huyu Chief alikuwa anapeleka report zake Kapsokwony kwa District Headquater meanwhile kitu ningelipendekeza kwa sababu hatujui nini ilikuwa ikisababisha (inaudible) karibu mufuragono uje kwa sababu kutolewa maana ya close administration now before hivyo tulistukia tu kwa haraka hiyo location imesikumwa tena kwenda Bungoma Districts na hapo tulikuwa tumepewa District ya Mt. Elgon na hiyo napendekeza ya kwamba ingawa mimi niko Cheptais bado naita North Malakisi location kwa sababu Cheptaisi location ya chini kwa sababu commission ndiyo ilitumwa hiyo location itawaliwe Mt. Elgon .

Okay pamoja Na hayo Chairman sasa wazee WA hapa ili waburudike baada ya kazi ni kwa vivywaji vyao vya kizamani sasa ninapendekeza ya kwamba iwe legalized buzaa pombe ya kienyeji iwe legalized na watu wakunywe kutoka sanane mpaka hata sa kumi na mbili basi—

**Com. Zein:** (inaudible) baado unasema buzaa tena unasema pombe ya kienyeji ziko aina nyingi.

**Enos Cheumba:** Basi Ni buzaa andika pale buzaa. Now ninapendekeza kwamba bwana chairman ya kwamba wasichana hata haya mambo ya kusema ukimwi wasichana waondolewe katika mabaa ili hata wawe vijana wa kiume wanaotafuta kazi hata akiajiriwa na mtu itakuwa afdhali kwa sababu atakuwa antafuta riziki lakini wasichana naoendekeza ya kwamba tafadhali Katiba hii inaporekebiswa ianze---hawa wasichana wasimamishwe.

**Com. Zein:** wewe unasema hutaki wanawake WA aina yeyote wapate kazi bar?

**Enos Cheumba:** Kwa bar Asante. Lingine Bwana Chairman Ni kwamba ingawa sikuwa Na akili yeyote.

**Com. Zein:** Unajua mzee wangu umechukua mda –karibu ya wengine tayari.

**Enos Cheumba:** Ninapendekeza ya kwamba Mt. Elgon Districts bila ya ukabila tangu mwaka WA 1967 tulikuwa srare house na hayati Kenyatta alimpa uwezo huyu Raisi wetu wa sasa ninapendekeza ya kwamba vile ilikuwa imeamuliwa na raisi ya wa kwanza mt. Elgon Districts iwe amalagameted na Rift Valley.

**Com.Zein:** Basi ungesema hivyo mzee

**Enos Chemumba:** Isipokuwa si kujua na copy sa na kili ningelikuwachia Bwana Chairman siko kwa bahati lakini ninaweza kukufatisha kama itawezekana kwa sababu nina nakili nyingi sana karibu kumi.

**Com. Zein:** Unaweza kupatia District co-ordinator bora isipite Wednesday tutakuwa tumefunga kazi.

**Enos Chemumba:** Asante. Thank you Mr.Chairman.

**Com.Zein:** Ernest Nakiboi

**Ernest Nakibori:** Asante Sana Kwa majini naitwa Ernest Nakiboi Rwaraba. Pendekezo langu la kwanza Ni upande WA Raisi napendekeza ya kwamba Raisi asiwe mbunge ila atolewe tu kama President aende akifanya compaign

Jambo lingine Ni president awe Na Minister Prime Minister Na huyu Prime Minister achunguliwe Na wanabunge.

Napendekeza katika office ya mkuu WA sheria asiwe mwenye kukaa katika Bunge Ili awe mtu WA kuwa Kama Advisor tu na kuwe na Minister wa sheria.

Napendekeza ya kwamba mashamba yote katika Kenya iwe Na land registration amaa iliwa ikifanyika pahali ya miaka kumi kwa sababu tuko na watu wengi ambao mashamba yao walifariki na wajafanya succession.

**Com.Zein:** Unatakaje mzee: Nataka iwe ikiendelea na kufanywa baada ya miaka kumi. Ernest Nakiboli: Napendekeza hivi tuwe na sheria ile ambayo italinda mwananchi hakifanya kazi anashikwa anaonyesha kitambulisho chake anapelekwa mahakamani instead wangeandika hiyo hiyo kitambulisho chake halafu askari waende wamstaki yeye koti itoe faini halafu yeye aende alipe alipe tripe kuwekwa katika Rumandii.

**Com.Zein:** Wewe unataka mtu anayestikiwa apewe bondi?

**Ernest Nakiboli:** Apewe bondi immediately akionyesha kitambulisho chake.

Ninapendekeza hivi tuko Na watu ambao wako Na vitambulisho lakini passport pekee kwenda ng'ambo ata Kwa watoto wao Ni vigumu Sana ---- kutokea Kwa District level.

Napendekeza hivi tuwe Na mayor ambaye watapigiwa Kura Na katika chini kabisa tuwe Na baraza la wazee Ili baraza ambalo litachunguza mienendo ya kuwajiri watoto katika nchi hii Kwa sababu tuko Na corruption nyingi.

Ninapendekeza watu Kwa upande WA elimu ya zamani irudi ya standard four, eight, form two form four six halafu DC badala ya kuitwa DC aitwe secretary wa mayor.

Ya mwisho ninapendekeza hapa Mt.Elgon tuwe Na Constituency hata tatu. Thank you.

**Com.Zein:** Sawa mzee, Asante Sana Kwa maoni yako sasa namuita J.N. Takwinyi karibu mzee Kama unaefanya maoni yako Kwa ufupi.

**Jestimo N Takwinyi:** Mimi ninaitwaa Jestimo N. Takwinyi.

Presidency: Ningependelea presidency irotate among the existing office.

The president should serve for two terms of five years.

There should be a Prime Minister who should be incharge of the partu that has formed the government.

I also propose that the Provincial office should be abolished because it is just duplication of work done in the District. It should be abolished completely

**Com. Zein:** Nani anafanya hiyo kazi?

**Takwinyi:** The District level even the heads of department that is what I am saying.

Jambo lingine ni kwamba these worship days should be kept holy na napendekeza kwa sababu kuna wakati moja D.O alifutwa kazi siyo kwa sababu alikosa lakini kwa sababu alienda kanisani wakati alitaka mahali pengine ni kama leo haingefaa sanaa hii kikao leo kwa sababu kuna wengi ambao wangependa walete mapendekezo lakini kwa sababu siku ya leo wengi walienda kanisani basi maoni----

Jambo la Iwandanyi Na ---- imetajwa Na nataka kuzizitisa kwamba hiyo isiluhisho upesi kwa sababu matatizo yatatoka ambayo itarudia sisi wenyewe kwa hivyo hizo locations mbili sije hapa mara moja kabila ya uchaguzi kufanya. Na kuandamana Na hiyo Chief ambaye alisimamisha Kwa sababu anaitwa Kirui arudishwe Kwa office upesi la si hivyo matatizo yatakuwa mengi na itakuwa vita.

**Com.Zein:** Mzee mambo mawili usifanye, la kwanza usitaje majina ya watu tulisema hatutumiaaaa majina ya watu ikiwa unazungumzia principal unasema kama Chief aliondolewa arudishe lakini ukianza kutaja majina ya watu unatakoka katika midhamu ya kutoa maoni.

Basi jambo lingine ni kuhusu our currency our currency wakati head of state mwingine anaingia picha yake inpigwa kwa pesa.

Sioni maana sana so long as you have the embelem. Nataka hiyo embelem ya zile za simba tu zibaki ndiyo ninasema.

Basi upande wawafanyi kazi sioni haja wakati bunge wanajiongezea pesa nyingi na wafanyi kazi wengine wanaomba waongezewe na wajanyia ---- nataka malilio yao ifanye upesi kwa sababu----

**Com.Zein:** Sababu kila mtu anaa shida----

**Takwinyi:** Tataka kwamba kwa mfano walimu waongezea mshahara. Sioni sababu a cook for the president anapewa a hundred thousand na a graduate teacher anapewa eight thousand sasa hiyo haifai kabisa.

Basi jambo lingine Ni kwamba elimu. Kweli elimu sa hii ingawaje nasema kwamba iko free lakini haiko kwa sababu kuna malipo ambayo inatakiwa kwa ma-shule kwa hivyo ninataka iwe completely free no hidden other levis namnaa gani iwe completely free so that we attain our goal of having literate

**Com.Zein:** La mwisho ni kwamba kuna wafanyi kazi ambao walikuwa retrenched un-noticed naa ilikuwa jambo ambaye kabisa kwa sababu haikuwa makosa yao na hawakulipwa napendekezaa ya kwamba hao walipwe marupu marupu ambayo waliambiwa kwamba watapewaelfu mia mbili lakini hiyo pesa elfu miaa mbili imekwama zaidi ya hapo ikiwa mtu alikuwa retrenched na imebakia miaka mbili au tatu au nne alipwe hizi miaka ambayo alikuwa amebakisha nafikiri hayo ndiyo maoni yangu.

**Com.Zein:** Kwa sasa Asante Sana jambo moja tu mimi kukwarifu kwamba sisi kama Tume tumekuwa hatuweki mikutaano yetu Jumamosi walaa Jumapili mkutano wa kipekee kwa sababu nyinyi kama wilaya mulituomba tuhairishe mkutano tulikuwa tumepanga siku ile ---- na sisi tukasikiza maoni yenu naa tukatilia maanani.

**Takwinyi:** Lakini mumengeweka Jumatatu au jumanne

**Com.Zein:** Kwa sababu siku hizo zingine zote tuna kazi mali kuingine. A sante sana. Eric Magasi karibu bwana.

**Eric Magasi:** This is the memorandum of Toroso High school.

**Com.Zein:** That is memorandum Na Kwa vile una memorandum tuguzie the important things

**Eric Magazi:** I want to give only recommendation. I am Eric Magaazi.

(Inaudible) provision in the Constitution to vote out leaders who fail to meet the expectation of the electorate in terms of this struggle.

The electoral Commission of Kenya should be empowered to deal with election violent without reporting to various arms of government e.g. the Legislature.

The government should settle the landless.

The MP should be provided with offices in their Consituencies for consulting with their----

The government should give pension to unemployed this will enable them to finance their projects.

There should be free primary education to help the poor.

We need a specific number of political parties say three this will give a strong and executive position to act on the access of seating government with this in mind we can safely recommend that these political parties be funded by the government.

Sharing of one Ministry by some Ministries should be abolished this will reduce the government expenditure. I think that is all.

**Com.Zein:** A sante Sana we will revise and concise with—urudi hapa ujiandikishe Na urupatie hiyo memorandum tunaitaji ili tuisome. Asante Sana Sana namuita Jackson Kiberenge halafu John Orono awe tayari. John Rono hayuko.

Jackon Kiberenge: Mwenye kiti wa Tume wakalishi wote na secretariat majina yangu ni Jackson Manguti Kiberenge former Councillor Mt.Elgon country council nina yafuatayo ya kunena. Kwa ajili ya ukosefu ya mashamba kwa watu wengi katika mlima Elgon na ile msitu imewekwa chini ya umoja wa mataifa ningependekeza ya kwamba president wa mt. Elgon waruhusiwe kuuza naji ikuwe cash crop hii ni kwa ajili hatuna namna ingine ya kujiendeleza

Pili ni kwamba Lwandanyi na Namubira location ambayo ilikuwa zamani katikaa North Malakasi location under gazettee notice number 5098 dated 31 December under the chairmanship yaa Constitution ya Mr.Franal ---members Warube,Kisera --- asecretary I recommend that hiyo eneo iwe katika ya wa sabaot na kwa hivyo instahili kuwa mt. Elgon District not Bungoma.

Katika customery law napendekeza ya kwamba kutairiwa kwa wanaume wasichana iendele kwa ajili lakini wamama mtanionea radhi kidogo ni kitu inaitwa clitori imekuwa kama acceleraator kwa kuongeza speed kwa mwili damu ya binadamu imekuwa bitiso ya kuleta ukimwi na sisi kamaa jamii ya wakalenjini tulikuwa tunapunguza hiyo kufanyia thining kidogo ili hata mkiwa katika safari ya kwenda kulinda hata ukimaliza miezi tatu utakuta situation under control.

**Com.Zein:** Councillor Kwa vile wewe wajua watu wengi councillor niangalia kwa vile watu walizungumzia hiyo maneno bila kkuleta hizo details na wewe ndiyo umeleta hizo details sina haki isipokuwa kukuliza swali.

Sasa hioyo Ni iliumbwa Na mungu Kwa mwanamke wewe una haki gani kumunyanganya mwanamke sehemu ilyoumbwa na Mungu.kama unasema ni raha rahaa ile unayo mwanamke inakuhusu nini wewe.

**Jackon Kiberenge:** Moja sehemu hiyo kweli ilipeanwa Na mungu na vitu vyote vimeumbwa na Mungu at I pamoja na maisha ambayo hiyo kitu imeiletea haatari.

Kitu nitaongezea ni kwamba katika minority tribe tupewe double voting powers kura mojakura mbili kwa mtu mmojaa ili tusibishe katika speed ya population katika dunia twendelea tuu kuzaana pole pole tukiamini ya kwamba hatutashindwa sana tukipewa double voting power.

Mwisho nitamalizaaa Kwa kutoa shukurani kupitia katika kamati ya marekebisho ya katiba Kwa mtukufu Raisi Moi kuipandisha cheo soko la cheptais kupata town council kwa niamba ya wananchi wote wa hapa tunasena shukurani kwa Raisi.

Com.Zein: Hiyo siasa Councillor lakini tunashukuru kwa maoni yako ende ujiandikishe pale. Mwanasiasa siku zote atakuwa mwenye siasa. Sasa Patrick Chebonyo karibu atafuatia na Masika mangoli na George---Endelea

**Patric Chebonyo:** Jina langu Ni Patrick Chebonyi Oranda. Kutokana na maoni yangu kwa kurekebisha wa katiba ningependa katiba ibuniwe ambayo ina-protect mwananchi kwa invention ya vitu ili mwananchi akiwa na uwezo wa kuunda bunduki auzia serikali bila sisi kupotesha pesa ya kwenda nje na watu wana ujuzi ya kuunnda bunduki vitu vya nchi. Hatuchukuliwa hatua ingine ya kusema nataka kutumia kwa kwa njia mbaya hapana ili tusipotesha pesa kwa kununua vitu vingi.

Jambo la pili ningependa kupongeza wazee ambao wamesema manene ya kuburudika kidogo nimesema sasa sheria ibuniwe ya kufarahisha watu wote kwa ulevi wana kura pia sisi nao tukunywe buzaa.

Buzaa ifunguliwe na halafu na mtoto wa buzaa chang'aa pia aruhusiwe --- na chang'aa hapana weka twenda mama unwacha mtoto.

Chang'aa ni mtoto wa buzaa kwa hivyo wenda pamoja.

Jambo lingine ni kwamba ningaliaa kwa upande wa wazee kwa kuwalipa mshahara

**Com.Zein:** Kwanzia miaka mingapi.

**Kibengenge:** Miaka ile nitasema ya kustaafu nilisikia juzi walipunguza yaa kustafu na fugure ya 45 kwa hivyo unapofikisha 45 hata tukisema unastafu kwa miaka 30 hapo ndiyo uzee imeenza wawe wakilipwa – kwa serikali.

Jambo lingine Ni linayo husu walimu wamekuwa wakilia nyongesa ya mshahara na mimi kusha angalia nataka sheria ibuniwe kwa mbaka mwalimu unapostaafu hiyo ndiyo mwisho ya malipo hakuna ile malipo ya kwenda tena nyumba kidogo kidogo.

**Com.Zein:** (inaudible)

**Kiberenge:** Kwani ninaelewe mwalimu anakula shahara baada ya kustaafu

**Com.Zein:** Mwalimu si atasema pia mimi ni mzee nilipwe ile ya mzee

**Kiberenge:** Basi ndiyo nataka ile ya walimu ikuwe divided iliitoshe na wazee wenzao wenye wamekuwa nyumbani.

**Com.zein:** (inaudible)

Na anasema Kama vile wazee wemesema hii mambo ya source ile ya income ya kutoka kwa natural resources unaona kama sisi Elgon entry ya Tourism inatoka Trans nzoia kwa hivyo nataka tuwangalia entry hii lazima natural resources iko angalia entry yake ilinge Districts na Jamii ambayo inaishi hapo.

Jambo la mwisho Ni kusema sisi iko naa wanyama hapa Na tuna matatizo mengi—kahawa pembe ya ndovu na kutengeneza mbao ili tupate mapato.

**Com.Zein:** Mambo ya kusema upewe haki ya kuuza pembe ya ndovu ina maana kwanza utapewa haki ya kuwinda.

**Chebonyo:** Kuwinda Na kuchunga forestry.

**Com.Zein:** Yule mzee ndiye atawawa.Haya asante uende pale ujiandikishe tafadhali.

**Masika Mangoli:** My names are Masika Mangoli police officer from the nearest (inaudible) My proposal are as follows. The Constitution of Kenya to specify the total number and specific names of all ministries to be in the Kenya government. For better administration planning and national development the current Constitution does 'nt show how many ministries we have and which department lies under which ministries.

The Constitution to specify that only one Minister will in charge of one ministry in the government of Kenya the current Constitution allows one minister to head several ministries or several.

**Com.Zein:** (inaudible) what is there now we know what is there.

**Masika Mangoli:** Powers of the president of the republic of Kenya to be reduced for better administration.

Powers degrade of abolish offices in the republic of Kenya or appoint or dominate such appointments of such persons not to base the president to face in the Chairman of the republic service Commission.

After having – advisory committee the president of the republic of Kenya Ministers Provincial Districts, Divisional, Locational and Sublocation even village elders are – departmental heads to have advisory committees which they have after resolution from their respect advisory committees.

The Constitution of Kenya to state that the republic of Kenya will be divided into the provinces then provinces to Districts then Districts to Division, Division to location to Sublocation then down to villages we don't have such in our current Constitution which state that in our republic of Kenya we will only be sub-divide into Constituencies.



**Com.Zein:** (inaudible)

**Masika Mangoli:** The Constitution of Kenya to read that there shall be an any police office member in the parliament. The Attorney General to be represented and other (inaudible) by public prosecutors and any police officer are performing prosecution or invitation duty.

There should be laid down rules for someone to qualify to be appointed as the Commission of police should be independent to work without directive from other authorities or bodies.

The (inadible) by the Commissioner of police to be removed from the office as forced him not to perform-----

**Com.Zein:** (inadible)

**Masika Mangoli:** Advisory Committee resolution

**Com.Zein:** inaudible

**Masika Mangoli:** The Commission of the police to be removed only after resolution by advisory committee.

**Com.Zein:** Who appoint the (inadible)

**Masika Mangoli:** To be the Chairman of the public service Commission not the president and currently is appointed by the president.

Qualification to be the Commission of police I have given a few proposal

One should be a member of the Kenyan police at the time of his appointment.

One should have attained the rank of a senior --- inaudible of police

One should be at least a form four leaver academically and be fluent in English and Kiswahili.

One should have remarkable good reputation likewise there must qualification for appointed Commission for economy development of the public of Kenya.

The President of the republic of Kenya shouldn't contest to be a member of parliament of ---for equal administration and a special services at the present.

The exact land human right citizenship ----- general section in the current Commission should be scraped from the Constitution that are due to make.

To home guard other acts or to form their own act.

The Constitution should state the full meaning of the following words

Armed forces to mean that all groups of the government that were supplied with arms for their services and to include Kenya army that is infantry Kenya navy Kenya airport police force prison services, administration police, Game rangers and forestry guard and discipline forces to mean all armed forces, National Youth services and any other which members to work under some board of regulation for Districts.

Consolidated fund to mean total of all venue aid and this --- the purpose of the government of Kenya and it will be the source of all payment.

**Com.Zein:** (inaudible)

**Masika :** The Constitution to state that all employees of the government who have worked for --- period of 20 years for the government outside their home Provinces to be automatically transferred to home Provinces to be automatically working outside their home Provinces.

Last one is the Vice president to be elected by the national not to be appointed by the president.

**Com.Zein:** Just a small question for you.

**Com.Mosonik:** you did not tell us who appoints the Chairman of the republic service Commission.

**Masika:** Current Constitution is the president who appoints the Chairman of the public service Commission.

**Com.Zein:** No, even in the new Constitution that you want.

**Masika:** We want the president to appoint the Chairman of service Commission but the president not to appoint others.

**Com.Zein:** My question is when you said that we should have one definition for armed forces then I assume you are also proposing to have one body to be charge of the armed forces in another words should there be an armed forces or should armed forces follow under the public services Commission.

**Masika:** They should be under the register service Commission.

**Com.Zein:** Please sign and register I gave him a little more time because he was the first uniform who has given views today.

Thank you very much. George Makasi.

**George Makasi:** Mimi ni mwalimu Gerge Makasi tena tena nafanya na Kenya National union of Teachers Mt.Elgon branch. Commissioner I gave to talk about the education in this country we have the system on the ground now that from standard one up to standard eight there is inaudible to a secondary where we are being given the grade to go to secondary when they attain that grade sir you find that the end of the year the once who have had the same grade they have qualified to go form one they are told there are no vacancies I want to ask the government that they must get prepared to accommodation any student who has qualified that is (inaudible) again in form four and university. Sir I want to add on that that after college after form four and qualify to go to college and you are trained as a teacher you are have merited to go to college when you come out of the college the government must employ that person that because they have acyually spent money to train that student.

Mr. Chairman sir. I would also want to add that after unicersity like any other country that they must get prepared to observe all the students who qualify with their degrees to be given the jobs. This has happen Mr, Chairman the government has not given a clear picture inaudible we at least have Ccommission being the employer of the teacher and yet is produced by the ministry of education so the system here does not want because the organ of the ministry.

**Com.Zein:** (inadible) you have already made a proposal----

**George Makasi** After college any other and infact even medical where the (inaudible) as this country is concern.

I want also to join other that those Districts with one Constituency please Mr. Chairman to be given another Constituency especially mt. Elgon, Teso and nay other Districts in this country.

Mr. Chairman I want to agreed myself on the issues of a profession here we have rivers and at the end of about ten years to come or twenty we are going to have alla dry rivers we will want to have a clear specific policy as that nobody disturbs the ploughing or digging up to the hill of the river they must give about ten meters from the rivers so that we conserve our waters.

Mr.Cahirman we realise that at one given luo will wake up in the morning and find that Lake Victoria alla the Luos will inaudible I would want also to realized that the important of Mt.Elgon In nay other forest in this country sir Mr.Commission like Mt.Elgon should be given attention where we can keep natural forest animal stating and we want to have a tourist attraction and that is where we can benefit if the United Nation they are taking over the responsibility of Natural resource this is when er are making – to utilize the foresty I don't want to bore you very I want to thank for being with us.

**Com.Zein:** Thank you very much just hold on we have a question for you.

**Com.Mosonik:** I just wanted to say in old Trans Mara is a District how many Constituency are there.

**Com.Zein:** If we got you correctly you said any District which has less than which has one Constituency should be given more.

**George:** Should be given more for easy administration.

**Com.Zein:** No you said all especially Mt.Elgon.

**George Makasi:** I also mention a bout Teso,Mt.Elgon.

**Com.Zein:** Sasa mimi niite list ya watu wa mwisho watakaotufungua kikao chetu kuja ujiandikishe mzee wangu. Exuce me mr George please come amd register and yourself.

Is Ezra Cherop, you have already spoken,memo kosgei kaa kwa kiti wewe,Mises Chesenyi wa Box 87 Cheptais. Moses. Halafu Peter B. Chemistiti kaa karibu kaa hapa karibu, Wickliff Marug, halafu Patricia Matego, haya sasa nauliza hii ndiyo kawaida yetu sisi watu wa Tume kurekebisha Katiba usema jee kuna mtu yeyote ambaye yuko hapa alikuja mkenya yuko maaoni yaake na haaakupewa fursa ya kusungumza na anataka kuzungumza kutoa maoni yake yuko ni wewe mzee ni wewe kijana yuko mwingine yeyote hakuna. Mzee, Bwana Gerge tafadhali kaa hapa upande hii ingine. Mzee kuja ukae karibu na huyu hapa,haya kijana kuja hao ndio wamesema walikuwa kwa list na wanataka kuzungumza hakuna mkenya mwingine anataka maoni hao wakimaliza tutakuwa tumefunga kikao na nyinyi mumeshuhudia ya kwamba hakuna mkenya yeyote amezuia kuzungumza siyo sasa utoe jina na uendelea . Na Hassan just hold on please pass this to these two gentlemen so they can writee their names.

**Memo Kosgei:** Mwenye kiti kwa majina naitwa Memo Kosgei ninaa mapendekezo yafuatayo, ya kwanza ni kuhusu political parties in our country ningelipendekeza tu the ruling party ile ingine.

La pili ningelipendekeza 4% annual increament of civil servant stroke teachers ile ya four percent iwekwe ifike fifteen percent.

Pendekezo la tatu ningelipenda Tume iundwe ya kuchunguza mishahara ya wafanyi kazi wote kwa nini niseme hivyo utapata ya kwamba pengine askari

**Com.Zein:** Hiyo tunaelewa Tume ichunguza mwenye mishahara ya wakenya wote.

**Memo Kosgei:** Ningependa pia kuunga mwenzangu mwenye ametoka hapa ya kuwa forestry iwe under United Nations na Siyo office ya Rais.

La kuongezea katika Tume yetu hii napendekeza nobody to be above the law we must be answerable tot he law all of us.

Pendekezo lingine ni kuhusu prioners be treated fairly mambo ya torture corporal punishment itolewe.

Pendekezo lingine ni kuhusu office ya Raisi ningelisema hivi kwa mkenya kuchagulia kuwa Raisi lazima amemaliza three terms as parliament hiyo ni fifteeb years and of course must have held a ministrial post for at least five years or ten years ili awe na experience yaa kutosha lakini nakataa anybody nominated to vie for president kwa sababu he has no grass root support for inaudible.

Katika kuajiri wafanyi kazi nina pendekezo moja napendekeza ya kwamba tusiajiri wale watu wasio Kenya muafaka kwa ministry of Defence yeyote atakaye ajiriwa kwa askari lazima awe mkenya kamili.

**Com.Zein:** (inaudible)

**Memo Kosgei:** Kuna wengine kwa jili ya kwao katika serikali (inaudible) in the ministry of Defence tukirudi nyuma kule katika the year 1982 coup maskari wengine hawakukuwa wa Kenya kamili kwa hivyo ningelipenda tu.

**Com.Zein:** No but maana yake wakenya kamili maana yake nini.

**Memo Kosgei:** Wale walizaliwa Kenya mwenye amezaliwa Kenya hata kama wazazi pengine walikuwa mganda ni musomali lakini amezaliwaa Kenyaa amelelewa Kenya basi anatakiwa ajiriwa Kenya kama askari but not somebody from other country. Ni hayo tu.

**Com.Zein:** Asante sana for being practise please come and sign our register na give us the memorandum. Peter .B. Chestiti, utaje jina na uzanze mara moja.

Peter.Chestiti.Mimi majina ni Peter Chestiti mini ningependa kutoa mapendekezo yangu ya kwanza ni kujiunga na wenzangu ambao wametoa pendekezo lao la kwanza Headquater ya mt. Ingetolewa kutoka Kapskwany na iletwe had Kopsiro kwa sababu watu wa kutoka Cheptais wanaumia kwenda Kapsokwany kwa sababu nyuma president alikuwa tena gharama zaidi.

Ya pili elimu ya sheria ifundishwe katika shule za mzingi hadi secondary na kustaki kotini.

Ya nne churches wahusike katika kufanya uchunguzi badala ya kuwachia ndiyo wapewe reprot.

Ya tano mishahara ya wabunge ipunguzwe na wafanyi kazi wengine wenye wanapata mishahara minono ili ,matuili matumizi ya pesa ya serikali irudi chini.

Halafu ya sita police itolewa barabarani hao ndiyo wanao promote hongo.

Halafu ya mwisho ni kwa Tume ya mitihani ili tupunguze wizi katika mashule ya secondary na sehemu zingine ningependekeza Tume ya mitihani iwe special committee yenye inadili na examination siyo kutumia walimu ya secondary school fulani fulani.

Halafu ya mwisho ni ya walimu Tume. Kwa mfano ile tume ili Tume ili ilikuwa ya Koech Tume iliteuliwa serikali ikatumia pesa

nyingi halafu baada ya hiyo Tume kuleta report wakakata hiyo report napendekeza serikali wawe wakifanya uchunguzi kabila kuteua Tume. Ni hayo tu asanteni.

**Com. Zein:** A sante sana tafadhali uje ujiandikishe hapa na uache memorandum sassa namuita Jafeth Chesebe mzee utaje jina uendelea kutoa maoni.

**Jafeth Makasi Chesebe:** Kwa majina uni Jafeth Chesebe Makasi. Tume hii nashukuru vile imekuja ya kupata maoni yetu sisi Raia kwa ajili ya kazi ya serikali au shida za sisi serikali iangalia katika katiba hii ikiwa tumekuwa katika katiba ambayo imepita huende mahali fulani tumebaki wana shida fulani ambayo haikurekebisha huende kwa madayi yetu kwa mda mrefu.

Maoni yangu napendekeza hivi, imtajwa mambo fulani kama sehemu zaa chini za utawala tangu mzee hayaiti Kenyatta mpaka sasaa haijarekebisha vite tunavyoitaji ningependa sehemu hiyo irudi kaatika Mt. Elgon na ingine ni juu ya shida za manyumbani sisi kama wazee au mimi kama ni mzee huenda nategemea kahawa na kwa maana kahawa ndiyo inayo nipa nikaishi kidogo kwa sababu ya matumizi yake lakini kulipwa ni kazi nyngi huenda ninaenda katika kilometer tano ama sita lakini kwa kazi ngumu kwa uchunguzi na kazi za mashamba wakati ninapoochukua kahawaaa yangu kwa society nina shida pengine ninasema kwamba huenda Katiba yetu hii ambayo inayotengenezwaa nitaona shida zaa nyumbani za watu wanaolemewa katika mambo fulani fulani.

Pia tunaona mahali ambapo tuna ulemavu zaidi ni upande wa ugonjwa katika hospitalini tunapokwenda hospitalini huenda tunapata matangazo ya kwamba manapo kwenda katika shida za ugonjwa ya sasaa hakuna malipo lakini ukifika hospitalini unadaiwa pesa basi ningependa hapo irekebisha huenda ninapokwenda mimi kama mzee ama mtoto apate watu inaudible kusaidida

**Com. Zein:** (inaudible)

**Jafeth Makasi:** Nataka nitibiwe

**Com. Zein:** Bila malipo?

**Jafeth Makasi:** Bila kwa sababu matangazo nilisikia ikitangazwa hata wengine wakapigwaa faini. Na pia manyumbani kuna wamama wazalishaji watoto wanaoitwa wakungaa hakuna msaada yeyote ambayo wanapewa jinzi hospital inapolipwa kwa nini wasiangalia serikali serilali ya nyumbani kutokea chini.

**Com. Zein:** Wewe unapendekeza wakunga walipwe wanavyolipa – (inadible) hospital sema hivyo basi

**Jafeth Makasi:** Ningependa wakunga nao walipwe.

Mambo mengine ambao naongeza Ni Ili ambayo uhuru WA kuwabudu. Uhuru WA kuwabudu Kama siku ya keo Adventist huenda wanapata mambo Fulani wana watoto wao wanao soma shule Fulani wanasema wanapewa kazi siku ambayo haitakiwa kam siku ya Sabato ya Leo wanafanya kazi kule ambapo mtoto akijitetea akisema Mimi singependa kufanya kazi

**Com.Zein:** Kwa hivyo mzee unapendekeza kuwanjia ijuma jioni mpaka Jumamosi jioni Sabato iheshimiwe.

**Jafeth Makasi:** Kutokea Ijumaa jioni mpaka Jumamosi jioni iheshimiwe na kwa watoto wanasoma katika mashule mbali mbali wanaotakiwa wangependa kazi siku ya Sabato.

Ninalo maliza ni kwamba tuna shida ambayo inatukumba sisi kama wazee ambayo tungeangaliwa na serikali ya nyumbani nikijitetea katika Tume kama hii kwamba tunapokuwa na upunguvu fulani tukitaka nasi mahitaji fulani au kama capital ya kufanyaa mahali biashara kidogo kidogo tukubaliwe maana hapo mimi siwezi kushika jembe na kwenda shambani ambayo ningependa kufanyia hapo karibu mlangoni ama sokonii hapo karibu capital nipewe ninapaomba. Asante Ni hayo.

**Com.Zein:** A sante Sana mzee uende ujiandikishe pale mzungumzaji wetu WA mwisho Leo atakuwa Daniel Charo.

**Daniel Charo:** Asante Sana

**Com.Zein:** inaudible unaitwa nani David Simiyu.

**Daniel Charo:** A sante Sana Kwa hii Tume Kwa kupendekeza mambo mbali mbali kushikana katika hii nchi ya jamuhuri ya Kenya Mimi mwenyewe Ni Daniel Charo. Ningependekeza hasa Kama upande WA president atakaye tawala asiwe juu ya mamlak.

Jambo la pili nitaingia kwa upande ya electrical Commission mambo ya Electrical Commission igawanyishe mambo kwa upande za maeneo katika jamuhuri kote nchini kufuatana wingi wa wananchi ama kwa udogo.

**Com.Zein:** Daniel wewe unazungumzia Tume ya uchaguzi?

**Daniel Charo:** Hapo ninazungumzia hivyo maana yake unapata

**Com.Zein:** Mimi ninakuliza Tume ya uchaguzi sawa.

**Daniel Charo:** Ndivyo. Jambo la tatu nitazungumzia kwa upande ya wengine wenye walikuwa wanasema ya kwamba mambo ya tohari nini mambo ya pombe hapo mimi nitapendekeza ya kwamba pombe iwe yenye iko recommended na wale wana health.

Jambo lingine nitapendekeza kwa upande wa mambo ya kuona kuolewa indelea katika nchini kwa sababu yake tuko intermarrying

**Com.Zein:** Wewe unataka marriages ziendelee.?

**Daniel Charo:** Indelea, Siyo within the community.

**Com.Zein:** Daniel you are proposing that harusi mtu afanye vile anataka kabila hii anataka kuoa hii Ni sawa,

**Daniel Charo:** Ni sawa, Ni hayo tu

**Com.Zein:** Kama Ni hayo tu Asante tu. Wa mwisho sasa atakuwa David Simiyu.

**David Simiyu:** Jina langu naitwa David Simiyu kwanza napendekeza hivi upande ea electoral unit, Constituencies zile ambazo ziko na more than 40 thousand people zigagwanye mara mbili.

Presidential candidates awe above 40 years siyo 35

Amendment of the Constitution ifanywe na wananchi wale siyo wabunge.

Tunarudi kwa mambo ya inherit tree, mimi nikiwa na dada yangu ama mtoto wangu wa kike ambaye hakufanikiwa kupata mume akaolea kule kwingine awe na haki yaa kupewa ardhi

**Com.Zein:** Ngoja nikueleze unsema haki ya kuridhi ya mwanamke ambaye haakuolewa?

**David Simiyu:** Sawa. Halafu mambo ya vyama tungependa tuwe na vyamaa vitatu ambavyo vina miongozo ya kitaifa siyo chama ambayo kinakuwa cha Elgon cha Bungoma cha kikabila hivyo tunavikataa.

Elimu iwe Ni bure kwanzia nursery mpaka university. Sasa hivi tumeongea kuhusu ushirikiano wa Africa Mashariki na hata ikitaka kwenda Uganda nitaka Tanzania niwe na uhuru waa kwenda na kuishi Africa Mashariki na hata ikiwezekana sasa juzi tumeanza mambo ya umoja wa Umoja wa Africa niwe na uhuru wa kwenda Africa Nzima

**Com.Zein:** Maana yake nini Kwa sababu maana yake?

**David Simiyu:** yule anayetaka kusafiri apewe passport na aende mahali anapotaka.

Uhusiano wetu tusiwe nisionekane mimi ni bukusu mimi ni musabaot nini tuwe wote ni wa Kenya tusiwe na ubagusi na (inaudible) tuwe na usawa wa mihashara mimi kama nina Division ya tatu nikiwa askari nilipwe kama mwalimu ambaye ni wa Division wa tatu ama C- minus C pain ujalishe mimi ni mwalimu, askari ama nini huo usawa uwepo.



Upande huo huo ukisha jirani uwe askari inaudible baada ya miaka ya mitatu huyu akipaaandishwa kwenda grade ingine iwe inapanda hivyo hivyo Kwa wanachi wote bila ubaguzi wowote Kama ilivyo wakati huu. Yako mengine sitaki kupoteza wakati wenu. Okey sawa nimeshukuru.

**Com.Zein:** (inadible)

**Com.Mosonik:** Umependekeza kwamba wanawake waridhi ardhi Kama hawakufanikiwa kuolewa Ni wakifika umri gani ndiyo utajua kwamba hawajafanikiwa kuolewa?

**David Simiyu:** Mimi naonelea hivi mwanamke kushindwa kuolewa kulingana na watalamu wanaosemaa ukishafika menoposi ni kwamba hautaolewa hautazaa mtoto so ukishafika wakati huo na haukulewa upewe ardhi

**Com.Zein:** Wewe unazungumza mambo mawili tofauti kutokuzaa na kutokuelewa ni mambo mawili fofauti mtu wa miaka wa mia moja anaweza kuelewa swali ni hili pengine niligeuze kidogo ukasema huyu dada ajaolewa kwa hivyo tumpe shamba akipewa shamba asema huyu inaudible anaonekana mzuri aje amuo shamba atakaa nalo atakaa na shamba Akiwa hajaolewa atapewa shamba halafu akisha pata shamba akiolewa ni sawa.

**David Simiyu:** Sasa kilicho Ni kwamba hivi

**Com.Zein:** Ujanielewa Mimi umenielewa?

**David Simiyu:** Nimekuelewa vizuri

**Com.Zein:** Nasema kulingana Na mashariti yako kwamba wanawake wote siyo wote watapewa ardhi sasa muo, ua kwamba huyu hajaolewa nitampa ardhi akisha apata ardhi aolewe mtamunyanganya ile aridhi.

**David Simiyu:** Hatuwezi kumunyanganya hiyo sasa labda nitarekebisha hapo kidogo kwamba mtoto wangu Ni mtoto wandu nikisha amua kumpa ardhi sheria iniruhusu kumpa ardhi awe wa kike amaa au kuime tusibague nashukuru.

**Com.Zein:** A sante Sana tafadhali uje ujandikishe hapa huyu ndiyo alikuwa mzungumzaaji wetu WAs mwishop ningependa kumpa fursa mwenye kiti wetu wa kikao hiki Doctor Mosonik Arap Korir Atufungie kikao.

**Com.Mosonik:** Wananchi, wenzetu wa Mt. Elgon Constituency sehemu hii ya Cheptaisi kufika hapo tumemlika kikomo cha kikao chetu rasimi cha Tuem ya kurekebisha Katiba tumefurahia kikao cha mkaja kwa wingi wengi wakajandikisha siyo wengi sana wakapata nafasi ya kusema lakini tuna imani kwamba wale walisema kwa niaba ya wengine.

Tunasoma leo tuliulizwa kwa ajili hatukukuja tuseme kama Jumatatu lakini mumelezwa ya kwamba kazi yetu bado inaendelea katika katika Mkoa huu wa Magharibi Jumatatu sisi kwa hii panel yetu tutakuwa Webuye halafu tena Jumanne Jumatano tutamalizia malava Constituency halafu tarehe nane yaani alhamisi wiki ijayo tutafanya mkutano wa Ma-Commissioner wote ambao wamekuwa wa group nane sehemu tofauti tutakutana sisi wote Kakamega ili kwa vikao No jana leo ni especial Amagoro, Vihaga, Butukaa, Kimilili, Kandui, Malava, Shinyalo na Butere tumegagwanyika kwa group nane.

Tukimaliza halamisi wiki ijao kwa huu Magharibi tutarudi Nairobi ili tuanze kuandika report zenu za kwanza za report ya constituency yenu tutandika na ikiwa tumemaliza kuandika tutawatumia report kuhusu kikao cha leo ili muangalia musome musome kama kweli tuiandika yale muliyasema mlifanya yale tumeandika. Tena tutandika report ya kitaifa yaani kulinganisha maoni za raia wote wa Kenya kutoka Constituencies mia mbili na kumi inaitwa Constituency report number tutawatumia kwa Constituency yenu halafu report yaa kitaifawatumia.

Na inatakiwa wakati huo huo tuandike sasa katiba mpya tunasema Katiba ile Katiba iliyorekebishwa kulingana na hayo maoni na mtakuwa mnawezaa kulinganisha maoni yenu kama vile yatakuwa yameandikwa kwa report maoni ya wakenyaa wengine kupita kwa hiyo report ya kitaifa halafu kujiuliza lakini je hawana Tume wenyewe wakapendekeza katiba mpya ya aina gani. Je hii Katiba mpya inalingana na maaoni yetu kwa hii Constituency yetu na ya wakenya wengine wa Constituencies mia mbili ingine na tisa.

Mda ya kuangaalia ama kuyasoma ama kuchapisha kwa sheria kulingana na sheria sasa wakati huu inatakiwa iwe siku sitini miezi miwili Wakenya wapate nafasi ya kusoma hizo hizo report mbili yaa Constituencies yao na kitaifa na kuangalia Katiba mpya na kujadiliana kwa Constituency kupigia kura wale wawakirishi wao wataenda wa mkutano ya kitaifa mmoja ni Mjumbe MP na wengine wa tatu wa kutoka District mmoja ambaye lazima awe ni mama na wawili na wengine.

Wakati huo ndiyo mtapewaa magizo hao wajumbe wenu ambao ni wakilishi wenu wataenda kwa mkutano wa kitaifa onatakiwa baada ya hapo turudi kwa miji mikuu ya mikoa hapa ni Kakamega ikuwe mmeasoma report hizo na Katiba hiyo mpya mkiona kuna makosa makubwa ama mna maoni ingine yeyote mungetakaa kuyataja mtatume wawakilishi wenu waje kwa mkutano hiyo ya provincial hearing Kakamega area hii yenu halafu baada ya hapo tutakutana kwa mkutano mkuu

Wa taifa ambapo kutakuwa na watu kama mia sita na ishirini hivi kutoka pembe zote za Kenya MPs wote watakuwa hapa wakilishi wa Districts vile tumesema na vyama vya siasa na kadhalika. Ndiyo hao watu kama mia sita ishirini hivi ndio wanatakiwa wajadiliana na kukubaliana kuhusu Katiba mpya kwa kubaliana kwa kauli moja kwa census ama wakimbishana kuhusu maswali ya kikatiba kwa wingi ya watu inaitwa two thirds kwa kingereza yaani tuseme watu mia nne kati ya hao mia sita kupiga kura na kadhalika kwa hivyo wakati huu mkipata hiyo nafasi ya siku sitini inatakiwa tena mjue watu wa sehemu zingine za Kenya wanasema namna gani kwa ajili maoni yenu vile mmeyapendekeza sasa baada ya hapo ikiwa kutakuwa na

maazikizano muswada atenda Bunge lakini ikiwa tutakuwa na kutafautiana kwa maswala ua kikatiba itatakiwa kwamba tufanya kura ya maoni kama uchagusi mkuu lakini --- ni kupigia kura maswala, ya Kikatiba je ardhi irudi kwa wentewe ama ipatiwe watu wa kutoka mbali hiyo inaweza kuwa ni swala moja, jekuwe na unatawala wa Majimbo au ya Nairobi kitu kama hivyo hivyo itafanya kwa mda wa kama miezi miwili baada ya hapo tunarekebisha Katiba kulingana na matokeo ya kura ya maoni tumpea Mkuu wa sheria Attorney General achapishe wiki mbili ili muangalia kama yale maoni vile pigia kura kwa referendum kwa kuraa ya maoni yameingishwa kwa Katiba Mpya halafu ipelekwe Bunge hiyo tuwe na Katiba mpya ya Kenya tumealewana.

Kwa hivyo hatujamaliza nanyi tutarudi nyinyi tumefurahia vile kamati ya sehemu hii imefanya kazi tukiwatumia report hizo na Katiba hiyo mpya ya mutaendelea kujadiliana na kufanya kazi pamoja na kamati yenu. Nafikiri nimemaliza hapo sijui una kiti cha kuongeza. Kwa hivyo tutasema asamte sana ma tumeandika muliona tukiandika tunandika hapaa sisi ma- Commissioner staff wetu Joyce anandika na yote inanaswa kwa hiyo tape yote hii tumeachukuwa na mutahakikisha tuliwatumia report kwamba kweli tulichakuwa yenu kutoka hapa na kueleza kwa Tume kwa hivyo nisema a sante sana na nikulize District Co-ordinator wenu ambaye amefanya kazi mzuri Mr.Bramwel Murungu achukuwa Microphone.

**Bramwel Muruguru:** A sante Commissioner mwenzake wananchi nimefurahi sana kwa sababu siku ua leo imefaulu vile ile ya Kapsokwony ilifaulu.

Hapa awali ilikuwa ngumu sana sikujua hata kama nitamaliza ilifika mahali fulani ambapo wakati tumekuwa na shida ya venues ikakuwa moto zaidi ikakuwa moto huku chini kwanza upande wa chini ndiyo ilikuwa moto kwa sababu nililamiwa hapa na paleningependa nipongeze wananchi kwa sababu tumefaulu siku ya kei kwa hivyo mambo ya Commission ijakwisha hapa vile mumepeana maoni vile mmeambiwa na Commission mwenye kiti ni kwamba, tumeanza tutakuwa na wakati ambapo maoni yenu yaturudishia kwenu mtaingalia kama kuna maneno ya ambayo mulitoa na haikufika huko mutapewa nafasi ya kwenda Kakamega muende mujieleze lakini ile ningeomba nyingi ni kwamba wakati ambapo maoni yenu itarudishwa tusilizane vizuri vile tunavyopenda kwa sababu sitaki niwachowe ningependa kuambia Commissioners kwamba mumesikaili picha pengime iko Nairobi ni upendo kwa hivyo ningependa kupatia Bwana mwenye kiti atoe vote of thanks. Na mwisho aite mtu mmoja atuombea ana tufunge mukutano wetu. Bwana Kimajasi.

**Kimajaazi:** Mwenye kiti, Commissioner, Dakitari Mosonik, ningependa kutaja hiyo majina mwisho mwisho Bwana Abubakar nafikiri that is the name programme office mdogo wako mnasa sauti finally Bwana Chairman hii ndiyo Mt.Elgon shida imekuwa ni kwamba mukiwa pia Nairobi kuna watu wana-demonize Mt.Elgon, Mt.Elgon is very peaceful Districts shida ili iko Mlima ni kwamba kuna remote control watu wanataka kumua maneno ya Mt. Elgon kwa umbali lakini sisi hapa tunaishi hapa tunaishi vizuri.

Na nyinyi mumejiona wenyewe kama tulikuwa na heka heka kula kapsokwony ni kwa sababu tulikuwa na mpango ya safari ya president kuja Mlima yetu lakini tumekuwa pamoja na tumeshukuru kwanza mwenye kiti yule tulipewa ametufanya tuko

nyumbani hat tunaona wewe next time nyinyi wawili mrudi hapa kwa sababu – inaudible Sijui ni Nekesa anatoka wapi Sijui ni karibu ni mtoto wa nyumbani kwa sababu jina inaringi hapa kwa hivyo mimi kama mwenye tumejaribu kadiri tuwezavyo lakini Bwana Chairman ukirudi Nairobi Co-ordinator akiwambia kwamba tumefanya kazi kwa kujinyima tumeshugulika mulima Elgon ni ngumu ngumu kutembea infact they should have treated Mt.Elgon especially with specially allowances sikuona kitu kama hiyo kwa hivyo nafiri utapeleka hiyo message tumejaribu.

Katika Mt.Elgon tuko as were makabila matatu wale wanakaa lakini wengine pia wako ambao wanfaya biashara Ni Wasabaot, Wabukusu na Wateso naa wamekubali kuishi pamoja shida

There is political manipulation kwa wale ambao wanataka labda viti fulani they want to build along those lines lakini sisi tuko pamoja na ile maoni leo labda jina ndiyo ingetafutisha hakuna kitu ambao ingeleta ile tafauti mulisikia mkiwa Nairobi sisi, we are peace loving people wakati tulianza Mt.Elgon was the last District to get the Co-ordinator kwa sababu walichagua huyu wakataka leo wakaleta mwingine hata juzi kile kitu ilinisumbua mimi kama mwenye kiti there was to be special panel for a special center for special issues ila hatukujua ndiyo mulisikia sa ingine makelele kwa magazine hata ukiuliza Mjumbe, ukiuliza mimi kama mwenye kiti sijui ukiuliza Co-ordinator ajui what are these special issues to be discussed in a special center by a special panel hii ujumbe mkiwapelekea professor labda hiyo ndiyo ilikuwa inatusumbua otherwise there was nothing.

Ile nitasema Ni kwamba muende murudi Na mutembea hapa tumpe nyinyi nyanya, vitungu iko nyingi na mukitoka musuwe na haraka tuwe pamoja. A sante. Ningeomba Bwana Nunjo tupatie a word of prayer.

**Nunjo:** Basi tunyenyekea Kwa maombi. Baba mwenyezi Mungu uishie mbinguni tunakushukuru siku ya leo jinzi umetujalia neema zako hii imekuwa ni siku ya pekee ya watu wako kutoa maoni lakini ungeweza ungependa watawaliwe wote ambao walitoa Baba wabariki na yote ambayo imesemwa yale ambayo unaona ni masuri iweze kufanya kazi hatuwezi kusahau Ma-Commissioner ambao walikuwa na kazi ngumu wabariki wajalie neema za barabarani na kazi yote ambayo iko mbele yao wajalie wakamilishe bariki nchi hii tuweze kuwa na amani ni iweze kuwa na sheria ambayo itaweza kutukuza wewe tunapotawanyika shule hii ambayo kazi imefanyika uibariki kwa njia pekee na utukumbuke wote na utujazie yale ambayo hatujauliza tumeomba kwa jina la Yesu aliye mwombezi wetu.Amen.



