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## 1. DISTRICT CONTEXT

Nyatike Constituency is a constituency in Migori District. Migori District is one of 12 districts of the Nyanza Province of Kenya.

### 1.1. Demographic Characteristics

District Population by Sex	Male	Female	Total
	247,131	267,766	514,897
Total District Population Aged 18 years & Below	145,282	146,893	292,155
Total District Population Aged Above 18 years	101,849	120,893	222,742
Population Density (persons/Km <sup>2</sup> )	257		

### 1.2. Socio-Economic Profile

Migori District:

- Is one of the least densely populated districts in the province, being ranked 8<sup>th</sup> of the 12 districts;
- Has one of the highest primary school enrolment rates in the province, at 76.1%, being ranked 4<sup>th</sup> in the province and 24 nationally;
- Has one of the least secondary school enrolment rates in the province at 15.4%, being ranked 9<sup>th</sup> in the province and 43<sup>rd</sup> nationally;
- Experiences the following main diseases: diarrhoea diseases, Malaria, sexually transmitted infections, intestinal worms, and typhoid;
- Has a 14.5% malnourishment rate of children under 5 years of age, being ranked 4<sup>th</sup> of 42 of the nationally ranked districts;
- Has a life expectancy of 45.7 years being ranked 41 of the 45 nationally ranked districts;
- Has an absolute poverty level of 57.63% being ranked 29<sup>th</sup> of 46 nationally ranked districts;
- Has a 41.12% food poverty level being ranked 15<sup>th</sup> of 42 nationally ranked districts;
- Has a monthly mean income of Ksh. 3,909;
- Has a 11.36% unemployment rate;
- Has 18.60% of its residents accessing clean drinking water; and
- 41.40% of its residents having safe sanitation.

Migori district has 4 constituencies: Rongo, Mogori, Uriri, and Nyatike Constituencies. The district's 4 MPs, each cover on average an area of 501 Km<sup>2</sup> to reach 128,724 constituents. This is an opposition stronghold. In the 1997 general elections, NDP won all the parliamentary seats. It won Rongo, Migori, Uriri, and Nyatike constituencies with 66.67%, 64.10%, 77.86%, and 71.88% valid votes respectively.

## 2. CONSTITUENCY PROFILE

Nyatike Constituency is comprised is of 12 locations of Migori District.

## 2.1. Demographic Characteristics

Constituency Population	Total	Area per Km <sup>2</sup>	Density (persons/Km <sup>2</sup> )
	110,285	675.00	163.4

## 2.2. Socio-Economic Profile

The main economic activity is small-scale fishing.

## 2.3. Electioneering and Political Information

This is an opposition stronghold. In the 1992 and 1997 general elections, NDP won with 71.88% and 71.88% valid votes. In 1992, there was a by-election due to the 1992 elected candidate defecting to KANU; the seat was won by FORD-K with 66.24% valid votes. In 2002, the National Rainbow Coalition won the seat.

## 2.4. 1992 General Election Results

1992 TOTAL REGISTERED VOTERS			36,788
CANDIDATE	PARTY	VOTES	% VALID VOTES
Tom Otieno Onyango	FORD-K	19,351	71.88
Zablon Owigo Olang'	KANU	6,327	23.50
David Adundo Oyao	PICK	1,163	4.32
Jacob Ouma Orem	SDP	79	0.29
Total Valid Votes		26,920	100.00
Rejected Votes		140	
Total Votes Cast		27,060	
% Turnout		73.96	
% Rejected/Cast		0.52	

## 2.5. 1995 By-Election

1992 TOTAL REGISTERED VOTERS			36,788
CANDIDATE	PARTY	VOTES	% VALID VOTES
Tom Onyango	FORD-K	6,113	66.24
Ochola Ogur	KANU	3,116	33.76
Total Valid Votes		9,229	100.00
Total Votes Cast		9,229	

% Turnout	32.18
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## 2.6. 1997 General Election Results

<b>TOTAL REGISTERED VOTERS</b>			<b>36,589</b>
<b>CANDIDATE</b>	<b>PARTY</b>	<b>VOTES</b>	<b>% VALID VOTES</b>
<b>Tom Otieno Onyango</b>	<b>NDP</b>	19,351	71.88
Zablon Owingo Olang'	KANU	6,327	23.50
David Adundo Oyao	PICK	1,163	4.32
Jacob Ouma Orem	SDP	79	0.29
Total Valid Votes		26,920	100.00
Rejected Votes		140	
Total Votes Cast		27,060	
% Turnout		73.96	
% Rejected/Cast		0.52	

## 2.7. Main Problems

- Acute water shortage;
- A deteriorating fishing industry; and
- Poor roads.

## 3. CONSTITUTION MAKING/REVIEW PROCESS

### 3.1. Constituency Constitutional Forums (CCFs)

#### 3.1.1. Philosophy

The Constituency Constitutional Forum (CCF) plays a very significant role in the review of the constitution. It is designated as one of the organs 'through which the review process shall be conducted' - (sec. 4(1) of the Constitution of Kenya Review Act, Cap.3A). The importance attached to the CCF arises from the recognition of the need to involve the people fully in the review of the constitution. Only through such participation of the public will the new constitution reflect the preferences, hopes and aspirations of the people. It would also increase people's knowledge of constitutional issues, and facilitate their familiarity with the provisions of the new constitution. Additionally, the process, enhances the legitimacy of the constitution among Kenyans and their sense of ownership over it. In these ways the proper implementation and safeguarding of the constitution will be facilitated.

#### 3.1.2. Composition and Establishment

The 1997 Review Act had provided for district forums 'to mobilize communities at the local level

for the purpose of civic education in preparation for the Commission's work and to perform such other duties as the Commission may assign' - (sec. 12A (6)). The District Forums were to consist of members elected to represent locations, religious organizations, and the disabled, in addition to MPs and members of every local authority in the district. The Act contained several provisions prescribing minimum qualifications for membership and regulating the operations of the District Forums.

The Select Committee of the National Assembly, which reviewed the Act in early 2000, decided to replace the District Forums with Constituency Forums to get views 'directly from the people in the constituency without necessarily going through the rigours of an election to determine the members of the forum'. It thought that this would provide for a more popular form of participation. It recommended on the simplification of the forum to avoid elections. The Select Committee envisaged the constituency forum as an 'open forum with no specific structures', which should be 'flexible and easy to manage'. Its opinion was that the 'existing leadership comprising Members of Parliament, councilors, community based organizations, religious groups and individuals should be able to present views and opinions directly from the grassroots' ( *The Report of the Parliamentary Select Committee Reviewing the Constitution of Kenya Review Act, 1997*, April 2000). It removed the regulatory powers of the Commission over the forum, its role being confined to the 'facilitation' of the forum. It also changed the function of the forum from the facilitation of civic education to also include facilitation and the collection of the views of the public on proposals to alter the constitution.

In view of the limited role of the CKRC in the establishment of the CCF's, the CKRC prepared and gazetted Guidelines for the operationalization of the constituency constitutional forums. The Guidelines stipulated that all the residents of a constituency would constitute the CCF. The CCF is described as one of the organs 'through which the review process shall be conducted' - (sec.4(1)). The CCF was thus one of the principal ways in which the views of the public were to be obtained.

In order to coordinate and facilitate the activities of the CCF, a Constituency Constitutional Committee (CCC) was to be established. The Guidelines proposed its membership to consist of 10 persons, of which three would be ex-officio: the local MP, the chair of the County Council in which the constituency is located, and the District Coordinator. The Guidelines stated that the membership would be as broad and representative of the people of the constituency as possible and recommended that at least a third of the committee should be women.

### **3.1.3. Functions of CCF**

- Facilitation of collection of the views of the public at the constituency level on proposals to alter the constitution; and
- Debate and discussion of the views of the members of the public on proposals to alter the constitution.

In performance of these functions, the CKRC was required to visit all constituencies (Sec.18 (1)(a)).

### **3.1.4. Functions of CCC**

- The functions of the CCC were mainly facilitative and advisory, the primary aim being to enhance the effective participation in the ownership of the constitution review process by the people at the constituency level;
- The CCC was also mandated to promote, facilitate and monitor civic education at the constituency level in collaboration with the District Coordinator and civic education providers;
- Additionally, the CCC had to ensure that the constituency had access to all information relevant to the review process in coordination with District Documentation centers; and
- Finally, the CCC was also mandated with the task of dissemination of the report of the CKRC. It was to be assisted in this by the District Coordinator, who was also its accounting officer, in relation to funds that were made available to it by CKRC.

It is important to emphasize that the Guidelines were advisory, and the local community was free to modify them to suit local circumstances. For example, the size of the CCC could be increased when and if adequate representation and diversity required it.

#### **3.1.5. Date of Commencement of Work**

The Constituency Constitutional Forum (CCF) was to run for an initial period commencing November 2001 up to September 2002. Accordingly, each Constituency Constitutional Committee (CCC) should have been constituted at the very latest by the end of November 2001. The Constituency Constitutional Forum was to be operational by that time.

### **3.2. District Coordinators**

#### **3.2.1. Mandate/Terms of Reference**

- Be the local grass root representative;
- Perform the generalization activities in the district;
- Be in charge of the documentation center/s in the district, facilitate its/their respective management, ensuring they are stocked and are easily accessible to the public and also organize their safety and security;
- Gathering any relevant local information and materials for the purpose of constitution making;
- Facilitate the identification, classification and organization of the physical and electronic retrieval and dissemination of information and materials for constitution making;
- Supply such information needed by local constituency forums and committees;
- Liaise with other documentation centers nearby and others for information;
- In collaboration with constituency committees, identify and arrange venues for public hearing whenever the CKRC visits the constituencies in their area;
- Facilitate regular meetings of the constituency committees and involve local people as much as possible in discussing constitutional issues;
- Source and identify other key personnel that the CKRC may wish to consult or engage in its work;
- Identify and arrange for simultaneous local translations, sign language users, procurement and hiring of public address systems, transport and communication facilities for CKRC's meetings in the district;

- Monitor the implementation of civic education by civic education providers in the district;
- Facilitate the formation of constituency committees with guidance and assistance of CKRC; and
- Perform any other tasks as directed by CKRC.

### 3.2.2. Criteria for Appointment

- Diversity in the composition, taking into account ethnicity, age, religion and professional or occupational background; and
- Appointees had at least attained Kenya Certificate of Secondary Education or its equivalent.

## 4. CONSTITUENCY PUBLIC HEARINGS

### 4.1. Logistical Details

#### 4.1.1. Date and Number of Days for Public Hearings

- Date(s): 18<sup>th</sup> and 19<sup>th</sup> June 2002
- Total Number of Days:

#### 4.1.2. Venue

- Number of Venues: 2
- Venue(s):
  - Wath Onger Dispensary
  - Sori Secondary School

#### 4.1.3. Panels

- Commissioners
  - 1.Com. Abubakar Zein Abubakar - Chairing
  - 2.Com. Hon. Mrs. Phoebe Asiyo
  - 3.Com. Bishop. Bernard Njoroge
- Secretariat
  - 1.Evelyn Oballa - Programme Officer
  - 2.Yvonne Masinde - Asst. Programme Officer
  - 3.Vivian Muli - Verbatim Recorder

### 4.2. Attendance Details

Category	Details	Number
<b>Number of People Who Presented</b>		135
<b>Sex</b>	Male	131
	Female	4
	Not Stated	0
<b>Presenter Type</b>	Individual	124
	Institutions	10
	Not Stated	1

Category	Details	Number
<b>Educational Background</b>	Primary Level	33
	Secondary/High School Level	68
	College	9
	University	14
	None	10
	Not Stated	1
	Other (Adult Education/Vernacular/Madrassa/Informal Education)	0
<b>Form of Presentation</b>	Memoranda	1
	Oral	107
	Written	4
	Oral + Memoranda	1
	Oral + Written	22
	Not Stated	0

#### 4.3. Concerns and Recommendations

The following are the recommendations made by the presenters in Nyatike. The recommendations were collated around 43 areas of concern, from the Preamble to National integrity/identity. Only areas where recommendations were made in the constituency are covered. The numbers in parentheses represent the number of times the recommendation (bulleted) was made, either orally or through written memoranda. Each count on a specific recommendation was picked from an individual, a group or an organization. Where a presenter made different recommendations on the same area of concern, each recommendation was counted separately. Where no number appears in parentheses, the recommendation was made only once.

##### 4.3.1. PREAMBLE

- There should be a preamble in the constitution (4)
- The preamble should express the national philosophy of Kenyans
- The preamble should emphasize the need for national unity in Kenya



#### 4.3.2. **DIRECTIVE PRINCIPLES OF STATE POLICY**

- The constitution should provide for statements capturing national philosophy.
- The constitution should provide for the separation of the three arms of the government
- The constitution should provide that Kenya be a welfare state
- The constitution should provide that Kenya shall always be a multiparty state
- The constitution should provide that the law shall apply in a non-discriminatory manner to all Kenyans

#### 4.3.3. **CONSTITUTIONAL SUPREMACY**

- The constitution should provide that a constitutional amendment shall only be through a public referendum with 80% votes.
- The constitution should retain the 65% majority vote requirement to amend the constitution (2).
- The constitution should provide parliament with power to amend the constitution.
- The constitution should provide parliament with unlimited power to amend the constitution.
- The constitution should provide that a constitutional amendment shall only be through a public referendum (4).

#### 4.3.4. **CITIZENSHIP.**

- The constitution should confer to all persons born of Kenyan parents automatic citizenship.
- The constitution should confer to all persons born in Kenya (2).
- The constitution should confer automatic citizenship to all persons legally married to a Kenyan citizen irrespective of gender (2).
- The constitution should confer to all persons born of at least one Kenyan parent automatic citizenship.
- The constitution should provide that all citizens are free to join any political party.
- The constitution should provide for dual citizenship.
- The constitution should NOT provide for dual citizenship (3).
- Registration of ID's should be decentralized (2).
- People should be able to access the national ID regardless of age.
- All youths should be given ID's on attaining 18 years (2).
- The national ID should be used as proof of citizenship (3).
- Age limit for attaining an ID should be 15 years.
- The constitution should provide that all children born in Kenya are given valid Ids, passports and birth certificates at birth

#### 4.3.5. **DEFENCE AND NATIONAL SECURITY**

- The court martial shall be used to discipline the armed forces.
- The constitution should provide that defense recruits be between 18 and 40 years
- The constitution should provide that GSU shall not participate in times of civil disobedience
- The constitution should provide for a naval base at lake Victoria and property laws for lake guards
- The constitution should provide for a code of conduct for defense recruits.
- The constitution should provide that the president shall be the Commander in Chief of the armed forces (3).
- The constitution should provide that the president shall NOT be the Commander in Chief of the armed forces (2).
- The constitution should provide that the prime minister shall be the Commander in Chief of the armed forces.
- The executive should have the power to declare war.
- The constitution should not permit the use of extraordinary powers during emergencies (2).
- The president should have the power to invoke emergency powers.
- The parliament should have the power to invoke emergency powers.

#### 4.3.6. **POLITICAL PARTIES.**

- Political parties should mobilize people towards development projects in their constitution (2).
- The government should stop deregistration of political parties.
- The constitution should regulate the formation, management and conduct off political parties (3).
- The constitution should provide that all political parties with less than 10 MPs be de-registered
- The constitution should limit the number of political parties in the country to 3 (3).
- The constitution should limit the number of political parties in the country to 4 (2).
- The constitution should limit the number of political parties in the country to 5 (2).
- The constitution should limit the number of political parties in the country to 2.
- The constitution should NOT limit the number of political parties in the country.
- The constitution should provide that political parties are funded by the government from public coffers (4).
- The constitution should provide that political parties are NOT funded from public coffers (3).
- The constitution should make provision for formulating the criteria and modalities of financing parliamentary political parties.
- There should be no condition on the financing of the political parties.
- The party should not have party affliction.
- The constitution should provide that the ruling party does not harass opposition parties.
- The constitution should provide that the president shall not belong to any political party

#### 4.3.7. **STRUCTURES AND SYSTEMS OF GOVERNMENT.**

- The constitution should retain the presidential system of government (6).
- The constitution should provide for a parliamentary system of government (7).
- The prime minister should be from the majority party, and should be the head of the government.
- The prime minister should appoint the ministers.
- The prime minister should be the head of government.
- The constitution should provide for creation of a prime ministers post (2).
- The prime ministers should hold executive powers.
- There should be a ceremonial president (3).
- The constitution should allow the formation of a hybrid system of government.
- The constitution should provide that the president shares his power with the prime minister
- The constitution should provide for unitary system of government
- The constitution should not provide for a federal system of government (22).
- The constitution should provide for a devolution of power from the central government to the local government
- The constitution should provide for devolution of power to the lower levels of government (2).
- The constitution should provide that vice president be elected by the people (4).
- The constitution should provide that the constitution should provide that the Vice-president be elected by voters.
- The constitution should provide that the Vice-president be a running mate of the President.
- The constitution should provide that vice president be elected by the parliament.
- The VP should be elected with a term of office.
- The AG should be appointed by parliament.

#### 4.3.8. **THE LEGISLATURE**

- The constitution should provide that Members of parliament vet all presidential appointments including cabinet ministers.
- The constitution should provide that Members of parliament vet all appointments of senior public servants, head of public service, AG, CJ, ministers, permanent secretaries, PC, ambassadors, parastatal heads, electoral commissioners etc.
- The constitution should provide that Members of parliament decide on the number of ministries
- The constitution should limit the powers of Parliament
- The constitution should provide for parliamentary supremacy
- The constitution should expand the functions of Parliament
- The constitution should give more functions of Parliament to act as a watchdog of parliament.
- Parliament should appoint the AG, CJ, senior government officers and electoral commissioners.
- Parliament should have unlimited control of its procedures through having its own timetable (4).
- The constitution should give Parliament power to control its own calendar.
- The constitution should provide that parliamentary sessions be held every day.
- Being an MP should be a full time occupation (2).

- Being an MP should be a part time occupation.
- The constitution should provide that all aspiring MPs be between 35-75 years
- The constitution should provide that all aspiring MPs be below 55 years of age
- The constitution should provide that all aspiring MP's should have a minimum age of 21 years.
- The constitution should provide that all aspiring MP's should have a minimum age of 30 years.
- The constitution should provide that all aspiring presidential candidates be below 70 years of age.
- The constitution should provide that all aspiring presidential candidates be between 40-70 years.
- The constitution should provide that all aspiring presidential candidates should have a minimum age of 40 years.
- The constitution should provide that all aspiring presidential candidates should have a minimum age of 35 years.
- The constitution should provide that all aspiring presidential candidates be between 35-70 years.
- The constitution should provide that all aspiring presidential candidates be between 45-75 years.
- The constitution should provide that all aspiring presidential candidates should have a minimum age of 50 years.
- The constitution should provide that the president be below 60 years.
- The constitution should provide that the president retires at 70 years
- The constitution should provide that MPs be at least graduates (3)
- The constitution should provide that MPs be at least O level graduates
- The language tests for MP's are sufficient.
- The language tests for MP's should be more elaborate.
- MP's should be fluent in English and Kiswahili.
- The constitution should provide for a code of conduct for MPs.
- There should be moral and ethical qualifications for the MP's.
- The constitution should give voters the mandate to recall non-performing members of parliament (10).
- MP's should act according to the wishes of the people (2).
- The constitution should debar parliament from legislating their own remuneration.
- The constitution should provide that salaries of Members of parliament be reduced (4).
- The constitution should provide that salaries of Members of parliament should be determined by the public and a few MP's.
- The constitution should provide that salaries of Members of parliament should be determined by the economic experts and lawyers.
- The constitution should provide that salaries of Members of parliament should be determined by the public through PSC.
- The constitution should provide that salaries of Members of parliament should be determined by a commission.
- The constitution should provide that salaries of Members of parliament should be determined by the public service commission.
- The constitution should provide that salaries of Members of parliament should be determined by the public.
- MP's and ministers should be pensionable.

- The constitution should debar the nomination of members of parliament
- The constitution should provide for nomination of the disabled in parliament
- The constitution should bar the nomination of members of parliament (3)
- Nominated MP's should NOT be unsuccessful contestants in elections (2).
- ½ of the nominated MP's should be women.
- Each party should nominate a woman to parliament
- The constitution should provide for more participation of women in parliament
- Every district should have at least one woman in parliament.
- Measures should be put in place to increase participation of women in parliament.
- The constitution should provide that Members of parliament hold regular barazas in their constituencies
- The constitution should provide for a coalition government (5).
- The constitution should provide for government of national unity
- The constitution should NOT provide for a coalition government.
- Retain the multi party system.
- The constitution should provide for a bicameral parliamentary system (2).
- There should be more than one chamber of parliament.
- There should be a chamber of parliament in every region (2).
- Parliament should have the power to remove the president from office through a vote of no confidence (6).
- The constitution should give parliament the power to impeach the president.
- The president should have the power to veto legislation passed by parliament (2).
- The president should NOT have the power to veto legislation passed by parliament.
- Parliament should have the power to override presidential veto.
- President should not have the power to dissolve parliament.
- President should have the power to dissolve parliament (3).
- MP's should have constituency offices (2).

#### 4.3.9. **THE EXECUTIVE**

- The constitution should provide that the president be of sound mind and be medically fit
- The constitution should provide that the president be a Kenyan citizen and a registered voter.
- The constitution should provide that the president be at least a graduate (2).
- The constitution should specify the qualifications of a president.
- The constitution should provide that the president have a degree, married and high moral standards.
- The constitution should provide that the president serve for only 2 terms, each 5 years (7).
- The constitution should provide that the president serves for 2 terms of 6 years each.
- The constitution should provide that the president serves for 3 terms of 5 years each.
- The constitution should provide that the president serves for 2 terms of 4 years each.
- The president should appoint the cabinet ministers and the army general.
- The constitution should provide that the president shall not be above the law (6).
- The constitution should limit the powers of the president (2).
- The constitution should debar the president from being chancellor of public universities.
- The constitution should not provide for the immunity of the President.
- The constitution should provide that the president be subject to the law.
- The constitution should debar the president from appointing ministers and senior

government officials.

- The constitution should provide that the president be an MP.
- The constitution should provide that the president shall NOT be an MP (8).
- The constitution should provide for the re-enactment of the chiefs act
- The constitution should provide for the training of the chiefs and assistants chiefs in psychology, sociology and public relations
- The constitution should provide that chiefs and DCs be answerable to the president
- The constitution should provide that chiefs be transferable
- The constitution should provide that the provincial administration be scrapped
- The constitution should abolish the provincial administration structure of government.
- The constitution should not allow for women to be elected as chiefs or assistant chiefs
- The constitution should provide that chiefs and assistant chiefs be elected
- The constitution should provide that chiefs shall be transferable
- The constitution should provide for a state governor to replace provincial commissioner.
- Provincial administration should be scrapped.
- Chiefs should have their secretaries employed by the government.
- Provincial administration should be retained.
- Provincial administration should be elective.
- The village and clan elders should be paid by the government.
- Chiefs and their assistants should be empowered to arrest and impose fines.
- The size of government should only accommodate 15 ministers.

#### 4.3.10. **THE JUDICIARY.**

- The constitution should provide that the chief justice should be appointed by the court of appeal judges
- 
- The judiciary should be overhauled to return credibility and public confidence to this otherwise disgraced institution.
- The constitution should provide for an increase in the efficiency of the judiciary
- The current judicial structure is adequate.
- Judiciary should be restructured such that there is efficiency in delivery of justice especially in murder cases, which should not exceed 1 year (4).
- The constitution should provide for the independence of the judiciary.
- The constitution should provide for improvement in performance of courts
- The constitution should abolish the position of advocates in the judicial system
- The constitution should provide that chief's barazas try suspects before they can be taken to court
- The constitution should provide that courts operate seven days in a week.
- The constitution should provide that courts operate through out the week.
- The constitution should provide for a supreme court.
- The constitution should provide for a permanent constitutional court (2).
- The constitution should provide that high court judges be approved by parliament
- The constitution should provide that the judicial commission should be appointed by parliament
- The constitution should approve the appointment of the attorney general and chief justice
- The CJ should be elected by all the registered lawyers of Kenya.
- The CJ should be appointed by the president and he should not appoint the rest of the



judicial officers.

- The constitution should provide that the judicial commission should appoint the judicial officers.
- The constitution should provide that the parliament should appoint the judicial officers.
- The CJ should hold a masters degree in law and should have a clean record.
- There should be security of tenure for judicial officers.
- All Kenyans should have access to courts.
- The constitution should provide that those arrested for petty offences should not be put in police cells for more than one week.
- The constitution should provide for a decentralization of courts
- There should be a provision for judicial review of laws made by legislature.
- Land disputes should be handled by the clan elders (2).
- The constitution should make a provision for council of elders to be paid by the government or local authority council (2).

#### **4.3.11. LOCAL GOVERNMENT**

- The constitution should provide that councilors and mayors of local authorities are elected by the people.
- The constitution should provide that chairmen of county councils be elected by councilors.
- The constitution should provide that Mayors and councilors be elected
- The constitution should provide that Mayors and council chairmen be elected by the people (8).
- The current two-year term for the mayors and councilors is adequate (2).
- The constitution should provide for a devolution of power from the central government to the local government
- The constitution should provide that local authority shall be under the federal government and not the central government.
- The constitution should provide that local authority shall NOT be under the central government (2).
- Councils should be empowered to manage the affairs of the local authority over the chiefs.
- The constitution should provide that all local authority officials have at least secondary school education (12).
- Language tests for MP's should be more elaborate.
- Councilors should be fluent in English.
- Councilors should be free of any criminal record.
- There should be moral and ethical qualifications for councilors.
- People should have a right to recall their councilors.
- The constitution should provide that councilors be paid by the central government (4).
- The constitution should provide that councilors be paid from the consolidated fund
- Parliament should determine the remuneration of councilors.
- Nominated councilors should be members of DDC.
- The nominated councilors should NOT be unsuccessful contestants in elections.
- Do away with the concept of nominated councilors.
- The minister for local government should have the power to dissolve the local councilors.

#### **4.3.12. THE ELECTORAL SYSTEM AND PROCESS**

- Kenya should retain the representative form of government.
- The simple majority rule should be maintained.
- The constitution should provide that in a presidential election, the winning candidate must get at least 50% of the votes cast
- The constitution should provide that in a presidential election, the winning candidate must get at least 51% of the votes cast
- Any person who loses in an election should not be allowed to contest in another party.
- The constitution should provide that anybody who defects from one political party does not join another until after five months
- The constitution should debar defections across political parties
- The constitution should provide that anybody who defects from a political party is prohibited during elections.
- There should be a by election if a councilor or an MP defects to another party.
- The 25% representation should be retained.
- There should be seats reserved for the disabled persons, women, minority groups etc.
- Kenyan boundaries of every province should be re-defined.
- Constituencies and civic wards should be demarcated according to the population.
- There should be more constituencies in Kenya.
- Constitution should provide for further demarcation of constituencies to ensure adequate representations.
- The constituencies should be subdivided but retain the wards.
- The constitution should provide for the subdivision of constituencies which are too big
- The constitution should provide for a separation of parliamentary, civic and presidential elections (4).
- The constitution should provide that ballot boxes be transparent.
- The constitution should provide that the voting process be computerized
- The constitution should provide that registered voters be free to vote at any polling station
- The constitution should allow for passports, IDS and birth certificates to be used in voting
- The constitution should ensure for free and fair elections
- Voter registration should be a continuous process.
- Ballot boxes should be put in places where its convenient for the disabled and the elderly, disabled should have a right to be represented by the guardian during the elections.
- All Kenyans who attain the age 18 years and above should be able to vote.
- The constitution should provide for a ceiling of election expenditures
- The constitution should provide that the date for general election be made known to the public (4).
- President should be elected by the delegates.
- President should be elected directly by the people (5).
- The 2002 elections should be held under the current constitution.
- The 2002 elections should not be pegged on the constitutional review.
- The electoral commissioners should be well educated.
- The president should appoint the members of the electoral commission (2).
- Parliament should appoint the members of the electoral commission
- The constitution should provide that electoral commissioners be elected by parliament
- The constitution should provide for the autonomy of the electoral commission of Kenya
- The constitution should provide for the autonomy of the electoral commissioners should have security of tenure.



- The constitution should provide that the ECK be funded by the exchequer.
- The constitution should provide that counting of votes be done at polling stations (2).

#### 4.3.13. **BASIC RIGHTS**

- The Kenya Bill of Rights should incorporate all fundamental human rights.
- The basic rights have not adequately been provided for in the constitution.
- The constitution should protect all rights and liberties of individuals.
- There should be freedom of assembly, worship, association, expression and movement.
- The constitution should limit freedom of worship to worship for SDAs by declaring Saturday a holy day
- The constitution should limit freedom of worship to worship of God alone
- The constitution should abolish the death penalty (2).
- The constitution should retain the death penalty.
- The constitution should protect the basic rights of food, healthcare, water, employment, security and education (3).
- The constitution should provide for free medical care, housing, water, employment, medical care and pensions payable to the retired people.
- There should be free medical care (4).
- There should be free education (2).
- The constitution should provide for children to be taught religion to improve morals.
- The constitution should provide for free low cost housing for all Kenyans.
- The government should provide food for the citizens.
- The constitution should guarantee provision of relief food for drought stricken areas
- The constitution should provide for free government training institutions
- The constitution should give judges the sole mandate to review salaries
- The constitution should provide for employment to be based on people's interest and not age.
- Teachers of the lakeshore should be paid hardship strains.
- The constitution should make provision for one-man one job.
- The constitution should peg the retirement age at 65 years (2).
- The constitution should peg the retirement age at 60 years.
- The constitution should increase the retirement age.
- The government should provide employment for graduates.
- The constitution should provide that all workers in hardship areas be given hardship allowances
- The constitution should provide that retirees be paid their duties immediately
- The constitution should ensure that pensioners receive their money in lump sum.
- The government should begin a social welfare scheme.
- The government should give the poor some allowance.
- Those that are 55 and above should be pensionable.
- The government should give sustenance allowance for all people.
- The constitution should provide for free and compulsory education (2).
- The constitution should provide for free and compulsory primary education (14).
- The constitution should provide for free and compulsory university education (2).
- The constitution should provide for free and compulsory secondary education (2).
- The constitution should provide for free and compulsory education up to standard seven.
- The constitution should provide that civic education and the constitution are included in

the school syllabus

- The constitution should provide for the constitution to be translated into all vernacular languages and Kiswahili for all Kenyans to understand
- The constitution should provide that reports of all commissions of inquiry be made public within 6 months
- The new constitution should provide that Kenyans should have access to information in the hands of the state (2).
- Debate in parliament should be live in all media stations.
- The constitution should provide freedom for all workers to have trade union representations
- The labor movement and trade unions should be divorced from government and protected against state entrenchment to endure sufficient independent in the protection of workers interests.

#### 4.3.14. **THE RIGHTS OF VULNERABLE GROUPS**

- The constitution should address the issues of women adequately.
- The constitution should protect the rights of women.
- The constitution should provide for more schools for the disabled
- The constitution should guarantee free education opportunities for the disabled
- The constitution should guarantee free health services for the disabled.
- Sign language should be made available in all public places including the banks, the disabled should elect the disabled leaders at both local and parliamentary elections
- The disabled should not be discriminated against.
- The vulnerable groups should be budgeted for.
- The constitution should provide for orphans to obtain school bursaries.
- The constitution should provide for government rehabilitation and education of street children.
- The constitution should debar girls from inheriting property
- The constitution should provide illegitimate children with full rights
- The government should protect and provide for all children in Kenya.
- The girl child should be given the right to education like the boy child.
- The young persons act and the African charter and the UN Convention should be incorporated.
- There should be no corporal punishment.
- The constitution should provide for old women to be taken care off
- The constitution should provide for free medical check up for AIDS patients.
- The constitution should provide for the rights of the orphans (2).
- The constitution should provide for affirmative action in favour of widows and orphans
- The constitution should provide for affirmative action for the disabled
- The constitution should allow for affirmative action in favour of women
- The constitution should provide for affirmative action in favour of the disabled
- The constitution should guarantee that suspects are compensated for unlawful confinement
- The constitution should provide for prisoners to be allowed to meet their spouses
- The rights of prisoners should be incorporated in the constitution
- The constitution should do away with remanding of criminals.

#### 4.3.15. **LAND AND PROPERTY RIGHTS**

- Land should be owned by the individual.
- Land should belong to the family.
- All title deeds issued to illegally acquired land should be nullified.
- Children of both sexes should have a right to inherit property.
- Girls should not inherit their ancestral land.
- Girls should inherit land from their fathers.
- The constitution should provide that land issues be handled by clan elders
- The constitution should provide that title deeds be issued to enable land owners to access credit
- The constitution should prohibit grabbing of public land and prosecute any land grabber
- Land issues shall be handled by clans and family members (2)
- There should be a ceiling on land ownership
- The constitution should provide that subdivision of land be free
- Land boards shall be decentralized to the lowest levels to ensure citizens can obtain land title deeds easily.
- The issuance of land title deeds should be decentralized to the divisional level.
- Land transfer should be done free of charge (2).
- The land transfer procedure should be eased by being less expensive especially in accessing land title deeds.
- Men and women should have equal ownership of land (3).
- Title deeds should bear the names of both husband and wife.
- All Kenyans should be provided with land.

#### 4.3.16. **CULTURAL, ETHNIC AND REGIONAL DIVERSITY AND COMMUNAL RIGHTS**

- The constitution should promote and protect cultural and ethnic diversity (2).
- The constitution should provide that village elders replace chiefs and be given uniforms
- The constitution should provide that wife inheritance be scrapped
- The constitution should provide that wife inheritance be made mandatory
- The constitution should provide that AIDS tests be done before wife inheritance
- The constitution should provide that women are not forced to marry to replace their dead sisters
- The constitution should provide for the remuneration of clan elders
- The constitution should abolish tribalism
- Forced early marriages should be stopped.
- Relatives of dead husbands should not be allowed to take all the property he left behind.

#### 4.3.17. **MANAGEMENT AND USE OF NATIONAL RESOURCES**

- The executive should account for finances given to respective ministries.
- Parliament should retain the power to authorize the raising and appropriation of public funds.
- Other forms of raising funds are industrialization around the Lake, irrigation projects and cotton plantation.
- The constitution should provide for equality in distribution of national resources (3).
- Taxes from a certain area should be used to develop the area.
- 75% of benefit of resources from a particular area should be remitted to the central

government the rest be used to develop the area.

- Government should apportion part of the revenue to develop the place of origin (4).
- 75% of benefit of resources from a particular area should be used to develop the area.
- The auditor should be independent.
- The auditor general should be reporting to parliament.
- The auditor general should give quarterly reports to parliament concerning the use of public finances.
- The auditor general should be appointed by parliament.
- Parliament should control the government expenditure.
- Civil servants should be well paid.
- The constitution should guarantee that all citizens above 50 years be pensionable
- The constitution should guarantee that teachers and nurses are remunerated well for their services to enhance the quality of their services
- The constitution should provide that all employment be based on merit
- The constitution should provide that pension is paid immediately one leaves office
- The constitution should provide that nominated members of parliament do not hold ministerial posts
- Cabinet ministers should be experts in different fields and should not be MP's (5).
- All government retirees should not be appointed as parastatal heads.
- The constitution should provide a code of conduct for the President
- The constitution should debar civil servants from running businesses when in office
- The constitution should provide every civil servant declares his wealth
- The constitution should provide that the president declares his wealth.

#### 4.3.18. **ENVIRONMENT AND NATURAL RESOURCES**

- The constitution should provide for protection of water catchment areas
- The constitution should provide that perpetrators of soil erosion be jailed
- The constitution should provide for irrigation farming in marginal areas
- The constitution should provide for environmental education at all levels of education
- The constitution should provide for strong anti-pollution measures
- The constitution should provide that farmers be compensated for damage on crops by wildlife
- The constitution should provide for a review of miners act to allow miners to use minerals obtained
- Environmental issues should be made compulsory at all levels of education
- The government should enforce environmental protection terms by imposing heavy penalties heavy penalties on environmental polluters.
- A government body should fight corruption as a degradation of forests.
- The government should put in place measures to protect the environment (2).
- Natural resources should be owned by the local authority.
- Local people should protect the natural resources.
- The constitution should provide that communities be given first preference in benefiting from local natural resources.

#### 4.3.19. **PARTICIPATORY GOVERNANCE**

- The NGO's and the civil society should participate in governance.

- The government should create awareness on their objectives and project goals to the community that they are attending to and let them be signatories to the financial accounts of the project.
- The government should stop deregistration of NGO's.
- The constitution should provide for representation of the disabled in parliament
- The constitution should provide for women to be made president.
- Women should be given a chance in governance.
- The constitution should provide for equal presentation of men and women in land boards
- Persons with disabilities should be given a chance in governance.
- The youth should be given a chance in governance.
- The elderly should be given a chance in governance.

#### 4.3.20. **INTERNATIONAL RELATIONS**

- Agreement on the use of Lake Victoria should be reviewed and the people around Lake Victoria should be allowed to use the water for irrigation purposes.
- Laws made by the international bodies should have immediate effect in Kenyan laws.

#### 4.3.21. **CONSTITUTIONAL COMMISSIONS, INSTITUTIONS AND OFFICES**

- The constitution should provide for a special commission to look into the behavior and performance of the defense and security system.
- The constitution should provide for a special commission to look into the performance of the judicial system in the country
- The constitution should provide for a special commission to look into the problem of corruption in the country
- The constitution should provide for an office of Ombudsman with branches at the local level
- The constitution should provide for a special human rights commission
- The constitution should provide for a special gender commission.
- The constitution should provide for a special anti-corruption commission (3).
- The constitution should provide for a special lands commission.
- The constitution should provide for an independent truth and reconciliation commission to promote national reconciliation for healing harmonies existence political hatred brought about by a decondent political dictatorship.
- The constitution should provide for a special environmental commission
- The constitution should provide for a special commission to look into the welfare of orphans and the disabled
- The ministry of justice and peace should be established.

#### 4.3.22. **SUCCESSION AND TRANSFER OF POWER**

- The constitution should provide that during the transition period, presidential powers rest with an interim government
- The constitution should provide that during the transition period, presidential powers rest with the chief justice
- The constitution should provide that during the transition period, presidential powers rest

with the Attorney General

- The constitution should provide that during the transition period, presidential powers rest with the speaker (4).
- The constitution should provide that during the transition period, presidential powers rest with the chief of general staff.
- The incoming president should assume office 3 months after the elections.
- The president should be sworn in by the AG.
- The president should be sworn in by the chief justice.
- The former president should be given security.
- The former president should be given welfare.
- The former president should be given immunity from legal process.

#### 4.3.23. **WOMEN'S RIGHTS**

- The constitution should consider the needs of women.
- The constitution should debar women from inheriting ancestral land
- The constitution should provide for strict penalties harassment and marriage of underage girls
- The constitution should provide for non-discrimination of women in inheritance matters (11).
- The constitution should provide for women to get title deeds to obtain loans
- The constitution should provide for women to be allocated land before they are married
- Medical tests should be a requirement for the people who wish to marry.
- The constitution should provide that both first and second marriages should be vetted by the government.
- The constitution should introduce compulsory marriage age bracket.
- The constitution should provide for men to cater for their illegitimate children.
- Fathers should ensure child support and maintenance (3).
- The constitution should protect women from domestic violence (2).

#### 4.3.24. **NATIONAL ECONOMIC**

##### ***Domestic Trade Issues***

- The government should give incentives to attract domestic trade.
- The constitution should provide for price controls to protect retailers
- The constitution should provide that the Kenya bureau of standards regulates the standard of products available in the market
- The constitution should ban importation of locally produced goods
- The constitution should provide only allow foreign firms which have local partnership

##### ***Economic Liberalization***

- All public co-operations should be privatized.
- The government should ensure price controls on all consumer products to protect against hoarding and hiking of prices (2).
- All government owned industries and companies should be privatized.

##### ***Industrialization***

- The constitution should establish processing factories along Lake Victoria.



### ***Poverty Reduction***

- The government should put in place measures to reduce poverty in Kenya.
- Kenya should fight poverty with new strategies.

### ***Physical, Economic and Social Infrastructure***

- The constitution should ensure that the roads are in good conditions to ease movement so as to avert emergency crisis.
- The constitution should provide that taxes be utilized to develop and maintain infrastructure

## **NATIONAL OTHER**

### ***HIV Aids***

- HIV Aids tests should be a requirement for every couple intending to get married.
- Government should ensure funds are allocated for Aids treatment and management rather than disbursing a lot of funds to AIDS awareness.
- Uphold the custom on wife inheritance.

### ***Public Safety & Security***

- The citizens should be authorized to bear arms for self-defense.
- Police should be well trained and should work for the public security.
- The national youth service should be engaged in active roles in protecting the public.
- The police should issue a warrant of arrest.
- The constitution should protect citizens from police harassment.
- When the police take accident victims to hospitals they should ensure people have been taken home and not forgotten in the hospitals.
- The constitution should debar the police from harassing and torturing innocent civilians
- The constitution should debar police from torturing prisoners

### ***Corruption***

- The constitution should put a mechanism to curb corruption (3).
- All people convicted of corruption involving public finances or property should be made to return what they stole.
- The constitution should provide that public officers convicted of corruption be also made to repay the full amount of monies embezzled.

## **4.3.25. SECTORAL**

### ***Agriculture***

- The constitution should recognize centrality and vitality of the agricultural sector in our economy.
- The sugar Act 2001 should be implemented.
- The government should use water from Lake Victoria to irrigate the arid lands of the Lake region (7).
- The government should support the agricultural sector.
- The government should give free seeds to farmers.
- The constitution should provide that lake Victoria be used as a source of irrigation water for local residents
- The constitution should provide that farmers be paid directly for their agricultural produce.
- The constitution should subsidize all farmers with free seeds

- The constitution should guarantee for efficiency of extension officers
- The constitution should provide that KCC be rehabilitated to benefit farmers
- The constitution should provide that farmers take full control of cooperative societies
- The constitution should provide that the government develops arid areas
- The constitution should provide that the government should provide loans to farmers.
- The constitution should provide for cotton ginneries to be established in cotton growing areas
- The constitution should provide that the Nile treaty be renegotiated to allow use of lake Victoria waters

### ***Manufacturing***

- The constitution should ensure that factories are constructed at the regions from where the raw materials are found.
- The government should expand the factories and industries in a policy and decentralization to create more employment.

### ***Education***

- The 8.4.4 system of education should be replaced.
- The local council should provide primary education and secondary education should be made cheaper.
- Civic education should be made compulsory in the education system and the constitution should be taught in schools.
- The teaching of brail and sign language should be included in the education curriculum.
- The government should support the private schools.
- A university for the disabled should be established.
- There should be cost sharing in secondary and university levels of education (2).
- The 7.4.2.3 system of education should be reintroduced (5).
- Nursery school teachers should be paid by the government.
- The schools equipments scheme should be reintroduced
- Women teachers should have relievers who should do their work while out on maternity leave.
- Nursery education should be directly under the ministry of education, primary education should be made compulsory for all; computer studies should be made compulsory at schools.
- Primary school budget should be made as for university, which should stand at 150 million.
- The government should ensure that students are provided with textbooks.
- The education system should be tailored to allow people to be self-reliant.
- The government should provide primary schools equipment and stationeries.
- Exam fees for primary schools should be abolished.
- University education should be made affordable and meals should be free.
- Education should be very adequate for upward morality in the social structure.
- The government should make training of teachers free.
- The government should provide school equipment for nurseries.
- The constitution should guarantee that more teachers are employed in primary schools
- The constitution should provide for the autonomy of public universities
- The constitution should provide for a revision of the teachers service commission Act
- The constitution should provide for a review of the education system in order to make



training relevant for the requirements of the job market

- The constitution should provide for a review of the education system to revert to the old system
- The constitution should ensure that that education equipment are equally distributed to all public schools
- The constitution should provide that the board of governors control running of public schools
- The constitution should provide that parents teachers associations rather than board of governors control the running of public schools
- The constitution should provide that sporting activities in primary schools be promoted.
- The constitution should provide that more funds be allocated to basic than to higher education

### ***Public Finance (fiscal policy)***

- Harambee funds for public institutions should be stopped.
- The constitution should provide for a reduction of taxes by 40%
- The constitution should provide that the budget is approved by the public rather than by parliament
- The constitution should guarantee that tax revenue is used to develop local areas

### ***Monetary Policy***

- The new constitution should establish and protect the banking system by incorporating Dondes Bill into the constitution.
- The constitution should provide that the national currency/legal tender has a permanent face.

### ***Health***

- The cost sharing policy in health services should be abolished (2).
- Government doctors and nurses should not be allowed to run private clinics.
- The government should manage the health care system in the country.
- Traditional medicine should be integrated within the hospital system.
- Herbalists should be integrated into medical practice.
- The constitution should guarantee that traditional medicine be integrated with modern medicine
- The constitution should debar doctors and nurses in public hospitals from running private clinics
- The constitution should provide for the equipping of public hospitals
- The constitution should provide that community health is taught to all

### ***Information Technology***

- The media should not be abused, it should inform issues.

### ***Small Enterprise Development***

- The government should provide finance help for the people to start small businesses.
- The government should provide finance help the women to start small businesses.
- The constitution should promote and protect the Jua Kali sector.

### ***Transport & Communication***

- The government should improve the transport system in Nyatike.
- The constitution should abolish the position of traffic policemen

### ***Fishing Issues***

- The constitution should develop mechanism through which Lake region people benefit from its resources.
- The constitution should ban fishing by use of brooders (2).
- The constitution should protect and promote fishing by the Lake region (2).
- The returns from trade in fish should be used to develop Nyatike.
- Government should give increments to the fishery industry.
- Government should give incentives and credit facilities to the fish farmers.
- The constitution should provide abolish the role of middlemen in fishing
- The constitution should provide for fish processing plants near the lake
- The constitution should provide for rural electrification to preserve preservation of fish
- The constitution should provide that proceeds from fish exports be used to develop the local area
- The constitution should provide that the government establishes fish factories and also assists in fish exports
- The constitution should provide for fishing boards to address the problems of fishermen
- The constitution should provide for broad guidelines for the management of the fishing industry.
- The constitution should guarantee that the government provides fishing facilities to fishermen
- The constitution should guarantee that the government issues fishing licenses to fishermen without discrimination

### ***Mineral Exploration & excavation***

- The constitution should provide gold miners with loans to carry out small scale mining

### ***Parks & Wildlife Services***

- Government should pay the victims of wildlife (2).

## **4.3.26. LEGAL SYSTEMS**

### ***Customary Law***

- The government should enshrine customary laws of various societies or communities.

### ***Statutory Law***

- Detention without trial should be outlawed.
- Those who impregnate girls should be punished.
- Rapists should be jailed for not less than 20 years.
- The constitution should put in strict penalties on rapists such as life imprisonment.
- The constitution should provide for strict penalties such as 20 year jail term for rape
- The constitution should provide for strict penalties such as life imprisonment for rape
- The constitution should legalize local brews
- The constitution should provide that traditional liquor be legalized

### ***Bills***

- The Bill of children's rights should be implemented.

#### 4.3.27. **GENERAL & CROSSCUTTING THEMES**

##### ***Gender Equity***

- The principle of gender equity should be entrenched in the constitution (2).

##### ***Economic/Social Justice***

- The constitution should put in place mechanisms to curb economic sabotage, economic fraud and other economic crimes.

**Appendix 1:       Members of the Constituency Constitutional  
Committee**

- |                           |          |
|---------------------------|----------|
| 1. Hon. Tom Onyango       | MP       |
| 2. Joseph O. Oguttu       | DC       |
| 3. Maurice Junga Warega   | Chairman |
| 4. John O. Mango          |          |
| 5. Maurice Agwanda Atieno |          |
| 6. Lilian Adhiambo        |          |
| 7. Mary Goreti Apiyo      |          |
| 8. Mrs. Dorothy Oguda     |          |
| 9. Lucas Ogwenyo Yara     |          |
| 10. John Osala Khotuody   |          |

**Appendix 2: Persons presenting memoranda and/or making oral submissions.**

1	0001OMNNY	Johnson Okello	CBO	Written	Nyatike Divison Disabled Com
2	0004OMNNY	Mark Odoyo	CBO	Oral - Public he	Nyamache Youth Group
3	0005OMNNY	Nashon K'Odiwa	CBO	Written	Vision Youth Group
4	0008OMNNY	Otieno George	CBO	Written	Lake Region Development Prog
5	0002OMNNY	Ouma O. Oluoch.	CBO	Written	Village Elders Kiasa Sub Loc
6	0006OMNNY	Simons Orondo	CBO	Written	Isumba Women Group
7	0046IMNNY	Alfred O Owino	Individual	Oral - Public he	
8	0088IMNNY	Alilason Oloo	Individual	Oral - Public he	
9	0038IMNNY	Alois Kadwa	Individual	Oral - Public he	
10	0006IMNNY	Amara G. Odongo	Individual	Written	
11	0087IMNNY	Andrekus Odero	Individual	Oral - Public he	
12	0067IMNNY	Andrew Ojunga	Individual	Oral - Public he	
13	0007IMNNY	Benson A Ogur	Individual	Written	
14	0020IMNNY	Bishop Otieno	Individual	Written	
15	0090IMNNY	Boaz Mboya	Individual	Oral - Public he	
16	0031IMNNY	Charles Ogutu	Individual	Oral - Public he	
17	0009IMNNY	Cllr. David Okello	Individual	Written	
18	0055IMNNY	Cllr. David Okelo	Individual	Oral - Public he	
19	0027IMNNY	Cllr. John O Mango	Individual	Oral - Public he	
20	0037IMNNY	Cyprian Akatch	Individual	Oral - Public he	
21	0094IMNNY	Dan Alela	Individual	Oral - Public he	
22	0016IMNNY	David O Ogada	Individual	Written	
23	0060IMNNY	David Adendi	Individual	Oral - Public he	
24	0100IMNNY	David Orata	Individual	Oral - Public he	
25	0112IMNNY	Dickson Auma	Individual	Oral - Public he	
26	0127IMNNY	Dickson Ondhiwa	Individual	Oral - Public he	
27	0001IMNNY	Dorothy Oguda	Individual	Written	
28	0105IMNNY	Duncan Ndiro	Individual	Oral - Public he	
29	0048IMNNY	Edward O Elisha	Individual	Oral - Public he	
30	0120IMNNY	Elias Oguda	Individual	Oral - Public he	
31	0035IMNNY	Elijah Asiago	Individual	Oral - Public he	
32	0064IMNNY	Elphas Mbewa	Individual	Oral - Public he	
33	0026IMNNY	Elphas Ndege	Individual	Oral - Public he	
34	0072IMNNY	Elphas Okongo	Individual	Oral - Public he	
35	0097IMNNY	Equator Oure	Individual	Oral - Public he	
36	0125IMNNY	Erastus Odoyo	Individual	Oral - Public he	
37	0092IMNNY	Ernest Ohanya	Individual	Oral - Public he	
38	0126IMNNY	Ernest Oracho	Individual	Oral - Public he	
39	0084IMNNY	Ezra O Dickson	Individual	Oral - Public he	
40	0068IMNNY	Francis Magather	Individual	Oral - Public he	
41	0013IMNNY	Francis Yara	Individual	Written	
42	0008IMNNY	George Open	Individual	Written	
43	0086IMNNY	Gilbert Penena Aono	Individual	Oral - Public he	
44	0099IMNNY	Harrison Obuoyo	Individual	Oral - Public he	
45	0017IMNNY	Harrison Onyando	Individual	Written	
46	0091IMNNY	Herman Ochuodho	Individual	Oral - Public he	
47	0089IMNNY	Hesbon Ouko	Individual	Oral - Public he	
48	0058IMNNY	Hezron Odek	Individual	Oral - Public he	
49	0054IMNNY	Isaya Jakech	Individual	Oral - Public he	
50	0044IMNNY	Jackson O Okoth	Individual	Oral - Public he	
51	0116IMNNY	Jackton Owour	Individual	Oral - Public he	
52	0003IMNNY	Jacob Mola	Individual	Written	
53	0080IMNNY	Jad Johnson Ologi	Individual	Oral - Public he	

54	0078IMNNY	James Kotuody	Individual	Oral - Public he	
55	0077IMNNY	James S Otumba	Individual	Oral - Public he	
56	0128IMNNY	Jane A Osanga	Individual	Oral - Public he	
57	0109IMNNY	Jasper Osogo	Individual	Oral - Public he	
58	0075IMNNY	Joel Oloo Ndire	Individual	Oral - Public he	
59	0117IMNNY	Johannes Nyauchi	Individual	Oral - Public he	
60	0050IMNNY	Johannes Oyaro	Individual	Oral - Public he	
61	0074IMNNY	John Aloo	Individual	Oral - Public he	
62	0095IMNNY	John Awino	Individual	Oral - Public he	
63	0123IMNNY	John O Nyabur	Individual	Oral - Public he	
64	0062IMNNY	John O Otenga	Individual	Oral - Public he	
65	0069IMNNY	John Otieno	Individual	Oral - Public he	
66	0106IMNNY	John Otieno	Individual	Oral - Public he	
67	0039IMNNY	John S Asimba	Individual	Oral - Public he	
68	0101IMNNY	Johnson Obuoyo	Individual	Oral - Public he	
69	0047IMNNY	Joseph Kwaka	Individual	Oral - Public he	
70	0051IMNNY	Joseph Mola	Individual	Oral - Public he	
71	0093IMNNY	Joseph Ngao	Individual	Oral - Public he	
72	0061IMNNY	Joseph O Lago	Individual	Oral - Public he	
73	0070IMNNY	Joseph Ojowi	Individual	Oral - Public he	
74	0019IMNNY	Joseph Owino Kaserah	Individual	Written	
75	0124IMNNY	Joseph Tiany Nyaloo	Individual	Oral - Public he	
76	0049IMNNY	Joshua Ouma	Individual	Oral - Public he	
77	0036IMNNY	Josphat O Olum	Individual	Oral - Public he	
78	0111IMNNY	Kennedy Nyang'wecha	Individual	Oral - Public he	
79	0018IMNNY	Lawrence O Otieno	Individual	Written	
80	0118IMNNY	Lawrence Ododa	Individual	Oral - Public he	
81	0122IMNNY	Lawrence Otieno	Individual	Oral - Public he	
82	0004IMNNY	Margaret Ogur	Individual	Written	
83	0029IMNNY	Margret Ogur	Individual	Oral - Public he	
84	0043IMNNY	Mark Odhiambo	Individual	Oral - Public he	
85	0030IMNNY	Mark Odoyo	Individual	Oral - Public he	
86	0081IMNNY	Maurice Atieno	Individual	Oral - Public he	
87	0034IMNNY	Maurice Marera	Individual	Oral - Public he	
88	0071IMNNY	Maurice O Olem	Individual	Oral - Public he	
89	0108IMNNY	Maurice Ogola	Individual	Oral - Public he	
90	0014IMNNY	Maurice Warega	Individual	Written	
91	0103IMNNY	Meshack Konje	Individual	Oral - Public he	
92	0057IMNNY	Mola	Individual	Oral - Public he	
93	0121IMNNY	Moses Okoth	Individual	Oral - Public he	
94	0076IMNNY	Nelson Achar	Individual	Oral - Public he	
95	0066IMNNY	Nelson Ochieng	Individual	Oral - Public he	
96	0015IMNNY	Ochieng Nasser	Individual	Memorandum	
97	0056IMNNY	Onduso D Ouko	Individual	Oral - Public he	
98	0024IMNNY	Ouma O Oluoch	Individual	Oral - Public he	
99	0040IMNNY	Paul N Otieno	Individual	Oral - Public he	
100	0107IMNNY	Paul Okaka	Individual	Oral - Public he	
101	0065IMNNY	Paul Olemo	Individual	Oral - Public he	
102	0041IMNNY	Paulo Marera	Individual	Oral - Public he	
103	0129IMNNY	Peris Ogutu	Individual	Oral - Public he	
104	0025IMNNY	Peter Muga	Individual	Oral - Public he	
105	0053IMNNY	Peter O Nyong'o	Individual	Oral - Public he	
106	0113IMNNY	Peter O Odero	Individual	Oral - Public he	
107	0023IMNNY	Peter Obosi	Individual	Oral - Public he	
108	0079IMNNY	Peter Obosi	Individual	Oral - Public he	
109	0096IMNNY	Philemon Omondi	Individual	Oral - Public he	

110	0085IMNNY	Phillip Gor Nyaimbo	Individual	Oral - Public he	
111	0073IMNNY	Phillip N Oyier	Individual	Oral - Public he	
112	0011IMNNY	Polycarp O Ologi	Individual	Memorandum	
113	0114IMNNY	Ramalus Ngao	Individual	Oral - Public he	
114	0115IMNNY	Raphael Odundo	Individual	Oral - Public he	
115	0110IMNNY	Raphael Ojiwa	Individual	Oral - Public he	
116	0005IMNNY	Richard M. Ogiro	Individual	Written	
117	0042IMNNY	Richard Otieno	Individual	Oral - Public he	
118	0032IMNNY	Rtd. Major Silas Opiyo	Individual	Oral - Public he	
119	0102IMNNY	Samson Arwa	Individual	Oral - Public he	
120	0083IMNNY	Samson O Majiwa	Individual	Oral - Public he	
121	0028IMNNY	Samuel K'Onungh	Individual	Oral - Public he	
122	0045IMNNY	Samuel O Amollo	Individual	Oral - Public he	
123	0022IMNNY	Samuel O Ogenga	Individual	Oral - Public he	
124	0082IMNNY	Samuel Odero	Individual	Oral - Public he	
125	0052IMNNY	Shadrack Odhiambo	Individual	Oral - Public he	
126	0059IMNNY	Silas Saronge	Individual	Oral - Public he	
127	0010IMNNY	Silas Saronge	Individual	Written	
128	0033IMNNY	Silferus Saveiga	Individual	Oral - Public he	
129	0021IMNNY	Simon Awidhi	Individual	Oral - Public he	
130	0119IMNNY	Simon Ochola	Individual	Oral - Public he	
131	0012IMNNY	Stephen H. Kichonge	Individual	Written	
132	0098IMNNY	Tom Ouko	Individual	Oral - Public he	
133	0063IMNNY	William Odhiambo	Individual	Oral - Public he	
134	0104IMNNY	Willison Oswago	Individual	Oral - Public he	
135	0002IMNNY	Zakayo O. Kerario	Individual	Written	
136	0007OMNNY	John Okeyo	NGO	Written	Rural Lake Region
137	0003OMNNY	Jackson Siso	Other Institutions	Written	Agenga Secondary School



### Appendix 3: Persons Attending Constituency Hearings

No	Name	Address:	No	Name:	Address:
1	Joel Oloo Ndire	P.O. Box 174, Karungu	25	Boas Mboya	P.O. Box 22, Karungu
2	Nelson Okoth Acha	P.O. Box 50, Karungu	26	Zedekia Odiyo	P.O. Box 125, Karungu
3	James Samwel otumb	P.O. Box 51, Karungu	27	Samwel Ogutu	P.O. Box 51, Karungu
4	Vitalis O. Byulu	P.O. Box 20, Karungu	28	Jackton Owuor	P.O. Box 12, Karungu
5	John o. Kotuodi	P.O. Box 92, Ndhiwa	29	Sospeter Odiwa	P.O. Box 105, Karungu
6	Joseph O. Oguttu	P.O. Box 964, Migori	30	Ondiwa Nashason	P.O. Box 29, Karungu
7	Lucas O. Yara	P.O. Box 20, Gunga	31	John Amisi	P.O. Box 29, Karungu
8	Peter Obosi	P.O. Box 56, Otho	32	Ogada Omondi	P.O. Box 29, Karungu
9	Johnson Ologi	P.O. Box 47, Karungu	33	Okello Jack	P.O. Box 29, Karungu
10	Maurice A. Atieno	P.O. Box 77, Karungu	34	Harrison Ochieng'	P.O. Box 29, Karungu
11	Francis P. X. Yara	P.O. Box 40322, Nairobi	35	Joash Mwambo	P.O. Box 29, Karungu
12	Samwel O. Simwa	P.O. Box 50, Karungu	36	Roseline Midenga	P.O. Box 29, Karungu
13	Maurice J. Warega	P.O. Box 85, Macader	37	Susan Magani	P.O. Box 29, Karungu
14	Samson O. Majiwa	P.O.Box 47, Karungu	38	Hezman Ochuodho	P.O. Box 20, Karungu
15	Ezra O. Dickson	P.O. Box 51, Karungu	39	Heznest Oanya	P.O. Box 3, Karungu
16	Joshua O. Owaja	P.O. Box 77, Karungu	40	Joseph Otieno	P.O. Box 47, Karungu
17	Philip Gor Nyaimbo	P.O. Box 22, Karungu	41	Olang'o Julias	P.O. Box 160, Karungu
18	Gilbert Aoro	P.O. Box 3, Karungu	42	Esakiel Msungu	P.O. Box 112, Karungu
19	Andrecus Ogege	P.O. Box 51, Karungu	43	Onsino Wiva	P.O. Box 29, Karungu
20	Elphas Yongo	P.O. Box 65, Karungu	44	John Awino	P.O. Box 47, Karungu
21	Oganda David	P.O. Box 29, Karungu	45	Silvarus Owidhi	P.O. Box 69, Karungu
22	Ochieng Nassa	P.O. Box 29, Karungu	46	Filmon Omindi	P.O. Box 94, Karungu
23	Ali Lason Oloo	P.O. Box 20, Karungu	47	Quetar Oure	P.O. Box 103, Karungu
24	Hezbon Ouko	P.O. Box 22, Karungu	48	Tom Codo	P.O. Box 77, Karungu
49	Charles Masanga	P.O. Box 50, Karungu	73	Paul Okaka	P.O. Box 50, Karungu
50	Richard Obonyo	P.O. Box 60, Karungu	74	Oyando Harrison	P.O. Box 33, Karungu
51	Harrison Odiwa	P.O. Box 65, Karungu	75	Odero Johnson	P.O. Box 21, Karungu
52	David O. Orata	P.O. Box 46, Karungu	76	Maurice Ogalo	P.O. Box 60, Karungu
53	Janes Wao	P.O. Box 36, Karungu	77	Philip Okong'o	P.O. Box 106, Karungu
54	Johnson Obuyo	P.O. Box 36, Karungu	78	Jaspheir Osogo	P.O. Box 108, Karungu
55	Samson Arwa	P.O. Box 14, Karungu	79	Samwel Onyango	P.O. Box 130, Karungu
56	Meshack Konje	P.O. Box 33, Karungu	80	Peter Ochieng'	P.O. Box 120, Karungu
57	Dismas Ater	P.O. Box 13, Karungu	81	Ochieng Aluoch	P.O. Box 47, Karungu
58	Kennedy Odhiambo	P.O. Box 47, Karungu	82	Raphaeal Ojiwa	P.O. Box 178, Karungu
59	Mark Obia	P.O. Box 29, Karungu	83	Jackton A. Nyagilo	P.O. Box 139, Karungu
60	Jeremia Juma	P.O. Box 47, Karungu	84	Aloice Ndiege	P.O. Box 65, Karungu
61	Wilson Osuago	P.O. Box 50, Karungu	85	Francies Owuor	P.O. Box 51, Karungu
62	Paul Opiyo	P.O. Box 29, Karungu	86	Ken Nyangwecha	P.O. Box 46, Karungu
63	Dan Alila	P.O. Box 141, Karungu	87	James M. Omino	P.O. Box 36, Karungu
64	Samson Orondo	P.O. Box 2, Muhuru	88	Dickson Otieno	P.O. Box 69, Karungu
65	Symonds Orondo	P.O. Box 2, Muhuru, Bay	89	Peter O. Odero	P.O. Box 51, Karungu
66	Maricus Nyadimo	P.O. Box 27, Karungu	90	Romanus Ngau	P.O. Box 69, Karungu



67	Dancan Ndiro	P.O. Box 13, Karungu	91	Mark A. Wambogo	P.O. Box 51, Karungu
68	Vicktar Soti	P.O. Box 18, Karungu	92	Joseph Otieno	P.O. Box 51, Karungu
69	Elly Owuoti	P.O. Box 29, Karungu	93	Lawrence Ododa	P.O. Box 117, Karungu
70	Rael Odundo	P.O. Box 94, Karungu	94	Michael Kokeno	P.O. Box 60, Karungu
71	Isaack Bungu	P.O. Box 94, Karungu	95	John Okeyo	P.O. Box 77, Karungu
72	John Otieno	P.O. Box 153, Karungu	96	Symon Ochola	P.O. Box 77, Karungu
97	Elias Oguda	P.O. Box 77, Karungu	121	Peter Nyambori India	P.O.Box 80, Otoch Rakuom
98	Moses Okoth	P.O. Box 77, Karungu	122	Moses Nsioje	P.O. Box 23, Karungu
99	Samson O. Ngao	P.O.Box 161, Karungu	123	John O. Ogira	P.O. Box 8, Karungu
100	John O. Yara	P.O. Box 20, Karungu	124	Martin Ojwang O.	P.O. Macalder
101	Peter Magolo	P.O. Box 20, Karungu	125	Johnson Onjunju	P.O. Box 8, Nyatike
102	Dominick Kasera	P.O. Box 82, Karungu	126	Mary Otieno	P.O. Box 41, Macalder
103	Lawrence O. Otieno	P.O. Box 29, Karungu	127	Jacob Molla	P.O. Box 5, Suna Mirogi
104	John Ogola Nyabuon	P.O. Box 81, Karungu	128	Peter Muga	P.O. Box 8, Karungu
105	Joseph Tiany Nyalo	P.O. Box 50, Karungu	129	E.N. Makalwanga	P.O. Box 46, Karungu
106	Robinson Odari	P.O. Box 12, Karungu	130	Cllr. John O. Mango	P.O. Box 985, Karungu
107	Rasto Odoyo	P.O. Box 15, Karungu	131	Konunga Samwel	P.O. Box 10, Nyatike
108	Erest Oracho	P.O. Box 12, Karungu	132	Richard Ogur	P.O. Box 607, Nyatike
109	Dickson Ondiwa	P.O. Box 51, Karungu	133	Margaret Ogur	P.O. Box 607, Nyatike
110	Odhiambo Otieno George	P.O. Box 64, Nyatike	134	Jacob Onuga Adendi	P.O. Box 27, Nyatike
111	Joseph O. Oguttu	P.O. Box 964, Suna	135	Albert Onuko	PP.O. Box 29, Nyatike
112	Symon Awidhi	P.O. Box 8, Otoch Rakuom	136	Silvanus Ochungo	P.O. Box 55, Nyatike
113	Samwel Obonyo Ogengo	P.O. Box 27, Otoch Rakuom	137	Charles Ogutu	P.O. Box 612, Nyatike
114	John O. Khotuody	P.O. Box 92, Ndhiwa	138	Major Sila Aranga	P.O. Box 29, Nyatike
115	Lukas O. Yara	P.O. Box 20, Gunga School	139	Silferious Ongoro	EAST KADEM
116	Peter Obosi Okota	P.O. Box 56, Otho	140	Maurice Marera	P.O. Box 504, Suna Migori
117	Dorothy A. Oguda	P.O. Box 866, Suna	141	Elijah Asiago	P.O. Box 62, Nyatike
118	Ouma Olare Oluoch	P.O. Box 007, Suna	142	Johson Miluo	P.O.Box 91,Othoch Rakuom
119	Jackson Siso Kolweya	P.O. Box 62, Macalder	143	Cyprian Otuodi	P.O. Box 62, Nyatike
120	Zakayo Opiyo Kerario	P.O. Box 73, Mohuru	144	Aloys Kdiwa	Wangel Longo Primay Sch.
145	John Asimba	P.O. Box 54, Kinaye Sch.	169	Cllr. David Okelo	P.O.Box 384, Suna
146	Richard Ogiro	P.O.Box 1,Otoch Rakuom	170	Pancracius Okanga	P.O. Box 8, Wang'eLong'o
147	Paul Nyitambe Otieno	P.O.Box 1,Otoch Rakuom	171	Onduso Dickson	P.O.Box 23, Macalder
148	Amara George	P.O.Box 1,Otoch Rakuom	172	Snr. Asst Chief Odek	P.O.Box 86, Macalder

149	Alex Ochieng	P.O. Box 29, OTHO	173	Silas S. Ngoje	P.O. Box 62, Macalder
150	Stephen Herenga	P.O. Box 31, Muhuru	174	David Adendi	P.O. Box 23, Muhuru
151	Paulo Inda Marera	P.O. Box 8, OTHO	175	Joseph Lago	P.O.Box 62, macalder
152	John Otieno kagose	P.O. Box 26, OTHO	176	John O. Otenga	P.O. Box 29, Otho
153	Dio Nyarasi	P.O. Box 38, Ong'er	177	Ezra Omolo	P.O.Box 94, OTHO
154	Mark O. Ochungo	P.O. Box 55, OTHO	178	William O. Abiero	P.O. Box 44, OTHO
155	Jackson Oyugi Okoth	P.O. Box 84, OTHO	179	Elfas Mbewa	P.O. Box 46, OTHO
156	Samuel Owino Amolo	P.O. Box 8, OTHO	180	Martin Ogwari Oyier	P.O.Box 26, Ageng'a
157	Alfred Oteko Ownio	P.O. Box 86, OTHO	181	Paul Amara Olimo	P.O. Box 82, TULU
158	Joseph Kwaka	P.O. AGENG'A	182	Nelson Ochieng'	P.O. Box 8, OTHO
	Edward Ochieng'				
159	Elisha	P.O. Box 38, Nyatike	183	Andrew Ojung'a	P.O. Box 23, Macalder
160	Benson Abich Ogur	P.O. Box 46, OTHO	184	Okeyo Magather	P.O. Box 50, Nyatike
161	George Opon	P.O.Box 8, Nyatike	185	George Kinyaga	P.O. Box 23, Karungu
					P.O. Box 520, Nyandema
162	Joshua Ouma	P.O. Box 41, Nyatike	186	Joseph Ojowi	
163	Cllr. Janes A. Oyaro	P.O. Box 31, Muhuru	187	Maurice O. Olem	P.O.Box 82, OTHO
					P.O. Box 320, Nyandago
164	Joseph Mola	P.O. Luanda Karungu	188	Elphas Ariri	
165	Odhiambo Ochieng'	P.O. Box 86, Nyatike	189	Philip N. Oyier	P.O. Box 44, OTHO
166	Joseph Anyuor	P.O. Box 64, Ageng'a	190	Polycrp o. Ologi	P.O. Box 10, Macalder
167	Peter Ouma Nyong'o	P.O. Box 27, OTHO	191	Dickson Ooko	None
168	Isaiah Jakech	P.O. LUALA RABUOR	192	John Aloo	None