

CONSTITUTION OF KENYA REVIEW COMMISSION

CKRC

VERBATIM REPORT OF

**CONSTITUENCY PUBLIC HEARINGS, IGEMBE CONSTITUENCY,
HELD AT MAUA GIRLS SEC. SCH. HALL**

ON

14TH MAY 2002

**CONSTITUENCY PUBLIC HEARINGS, IGEMBE CONSTITUENCY, HELD AT MAUA GIRLS SEC.
SCHOOL HALL ON 14TH MAY 2002**

Present:

1. Com. Domiziano Ratanya
2. Com. Abubakar Zein Abubakar

Secretariat Staff in Attendance

1. Roselyn Nyamato - Programme Officer
2. George N. Kariuki –Assistant P/Officer
3. Zipporah Wambua - Verbativ Recorder
4. George Kimanthi Samuel - Co-ordinator
5. Sillas Mwimbi - Chairman - C.C.C.

The meeting was started by Mr. Peter Kayathi at 9.45 am. by calling people in as well as welcoming them. The Co-ordinator called a volunteer to pray. Rev. Justus Mwenda lead the prayers.

Bwana Githiye: One, two, three, one, two, three. Wananchi wote wanaulizwa sasa tukaribu kuanza. Tukaribu kuanza. Na ni wote mkiija karibu. Karibuni, karibuni. Wananchi karibuni. Nimeona Coucillor anakuja na wazee wengine. Karibuni. Tukaribu kuanza. Ujiandikishe pale kwa mlango. Ujiandikishe ili tukuite. Karibuni. Wale wako nyuma, waje karibu tu. Ingia karibu, ingia karibu, kuja karibu viti vya mbele. Asanti naona watu wameanza kuingia, wale wako kwa gate mnaulizwa muje karibu. Leo ni siku muhimu sana kwa wananchi wa Maua, Nyambene North maanake leo ndio tunatajalia nyinyi kufanya kitu ama kutoa maoni yenu. Karibuni. Karibuni. Bwana Co-ordinator take over.

Co-ordinator: Asanti sana Bwana Githiye. Nafikiri tutaanza kwa sababu tumechelewa kidogo.

Response: Asanti, asanti sana tutaomba saa hizi, wewe ndiye utaongoza maombi. Wewe ndiye utaombesha, hakuna shida.

Co-ordinator: Kama sijaanza kusikiza maoni kutoka kwa wananchi, nafikiri ni vizuri tuanze kwa maombi. Nitamuomba mmoja wenu ajitokeze. Nafikiri kuna Ma reverend hapa, kuna ma pastors, tunaonekana tuna imani sawasawa. Kwa hivyo ni vizuri

tupate mmoja atuongoze tafadhali. Rev. Muiti.

Rev. Muiti: Tusimame ili tuweze kuomba. Natuombe, Mungu Baba, Mungu mwana, Mungu Roho mtakatifu twaja mbele za Mwenyezi Mungu Baba tukianza shughuli zetu hasa za kuangalia mambo ya katiba yetu, Mwenyezi Mungu Baba tukitoa maoni yetu kwa ajili ya Commissioners na team yao na sisi wananchi wa area hii Mwenyezi Mungu Baba ili tuendeleo kutoa maoni yetu ambae tunataka kutengeneza katiba mpya, Mwenyezi Mungu Baba ili tuendeshe nchi yetu. Twaomba Mwenyezi Mungu Baba tukianza tuanze na baraka zako hata tukifika mwisho, tufike tukikuona, twaomba kwa ajili nchi yetu hili iweze kuendelea vye. Twaomba hayo tukiamini ya kwamba unasikia maombi yetu katika jina la Yesu aliye Mkombozi wetu.

Response: Amen.

George Kimanthi: Asanteni ketini. Asanti sana Reverend. Wananchi wa Nyambene leo tuko na makamishina kama kulitangazwa wiki iliopita. Leo tumefika katika ile hatua muhimu sana. Hatua ya kupokea maoni kutoka kwa wananchi na hii ndio tulikuwa tunangojea kungojea kwa hamu sana. Mbele yetu tuko na makamishina. Lakini kwa wale ambao hatujakutana naitwa George Kimanthi. Mimi ni mshirikishi ama Co-ordinator wa Nyambene. Na leo tuko na makamishina na Programme Officer. Tuko na Com. Domiziano Ratanya, tuna Com. Zein Abubakar. Tuna Programme Officer Mr. Kariuki, Roselyn Nyamato, the other lady Helga Zipporah sorry, hawa ndio tulio nao leo kupekea maoni yenu. Pia niko na kamati yangu ambayo imekuwa ikinisaidia sana katika eneo la Igembe. Kuna Chairman hapa, Silas Muimbi, tuko na Cllr. Robert Mugana, tuko na Beatrice Mbario, tuko na Stanely Githiye wengine wako hawajafika, kwa hivyo tuko watu kumi hivi.

Kwa hivyo kama vile nilivyosema ni kwamba tuko na mengi ya kueleza makomishina tujitokeze hapa tusiwe na wasiwasi, tuko namna nyingi za kupeana maoni yenu lakini sitaingia kwa namna nitapatia Commissioner mmoja amueleze vile mtakuja hapa. Watajua wako na mizoano imeandikwa watajua vile watafanya kama kama kuna maoni ya kutoa kwa maongezi tu utaelezwa vile utafanya utafuata utaratibu huo. Kwa hivyo tutamuomba Com. Zein amueleze utaratibu mtakaoufuata. Asanteni.

Com. Abubakar Zein Abubakar: Habari ya asubuhi? Kama mshirikishi wetu alivyosema, mimi naitwa Abubakar Zein mmoja wa makamishina kutoka tume la kurekebisha katiba.

Na nifuraha kubwa kuwa nanyi leo na tumai kwamba tutakuwa na mavuno ya kutosha katika kutoa maoni ili tubadilishe katiba yetu lakini ningependa kumuoma mzee Ratanya aendeleo na programne.

Com. Domiziano Ratanya: Okay, asante sana commissioner mwenzangu Bwana Zein na wananchi wote hamjamboni?

Response: Inaudible.

Com. Domiziano Ratanya: Kwanza baada ya hio introduction mmesikia ningependa kurudia jina yangu. Ninaitwa Domiziano Ratanya. Na nimetoka hapa kwenu. Nimetoka Meru North upande wa Tigania kama wengi pengine wanajua Nchiro, nimetoka upande huo. Na leo tumekuja na Com. Zein huyu ambaye tunaye hapa. Tulikuwa na mwingine hakufika jana lakini pengine atafika lakini tunaendelea kwa sababu tulimaliza Kangeta jana na sasa tuko hapo. Kwa hivyo tungali katika Igembe Constituency na hapa tukimaliza tutaendelea Ntonyiri Constituency, na tukimaliza Ntonyiri tutakuwa na vituo viwili kama hapa na alafu tutaenda Tigania, kutoka Tigania tuelekee pahali pengine upande wa Embu.

Kwa hivyo, kwanza ningetaka kuwaeleza kwa ufupi, vile tutaendesha mpango wetu wa kusikia maoni yenu. Mnajua kwamba tulipoa hapa kulikuwa na hii inaitwa civic education.

Na hio ikakwisha, na sasa katika safari hii tunafanya kuchukua maoni kwa wananchi.

Na kabla ya kuendelea kuwaeleza ile procedure ama mpango ambao tunatumia ni tradition yetu ama mpango wetu wakati tunapoa hapa tuwatangazie wananchi ama wale ambao wameingia kwamba tumekuwa kikao cha Committee ama Constitution Review Commission kwa hivyo ningetaka sasa saa hii, wale ambao wako hapa wote mjue kwamba nimetangaza hiki kimekuwa kikao cha Commission of Kenya na kutoka sasa tutaendelea kijulikane sasa officially tumefungua hiki kama kikao cha commission ya kurekebisha katiba yetu ya Kenya.

Sasa kwa mwanzo, ningetaka kuwaeleza vile tutaendelea. Kwanza ningetaka tusikilizane kwa nyinyi wenyewe ni lugha gani ambayo tutatumia hata ingawa tumeanza kwa kingereza na kiswahili. Sasa tutumie lugha gani? Hata ingawa natumia kiswahili, tuna kingereza tuna kiswahili na tuna kimeru. Nataka mtu mmoja tu appropose. Kwa sababu ni masikizano, kwa sababu ni sisi tu tunatengeneza katika sisi wananchi.

Response: Inaudible

Speaker: Ilikuokoe wakati ingefaa sana kama tungetumia kingereza na kiswahili wale wanaweza, to avoid kimeru.

Com. Domiziano Ratanya: Pengine mmesikia nyote. Kumependekezwa Kiswahili na kingereza. Ni sawasawa? Hapo ningetaka tumalize kabisa ili tukiendelea, tuendelee kabisa. Kuna mama yule, okay wewe mzee.

Speaker: Lugha ile tunaweza kutumia ambaye mama wanaweza kuwa hapa hawaelewi na kizungu ama kiswahili lakini tukitumia kiswahili na kimeru ni mzuri.

Com. Domiziano Ratanya: Kiswahili na.....

Speaker: Na kimeru.

Com. Domiziano Ratanya: Na kimeru. Okay sasa kwa sababu tumefanya haya pahali pengine tumekuwa tunazunguka Kenya na kuna mambo kama hayo, kuna lugha ya kienyeji, kuna kiswahili na kingereza. Lugha ya kiswahili ndio ni kama lugha ambao tunatumia nyote katika Kenya hii, kama official ama national language. Kwa hivyo hakuna ubishi hapo tutatumia kiswahili. Na kingereza kama kama unumeandika memorandum yako kwa kingereza. Hatuwezi kukuambia dakika hio hio tu uwe unatraslate kimeru, kiswahili. Kwa kawaida ununasoma na nini? Na kingereza, lakini niwaambie ukiwa na memorandum hutasoma memorandum yote, tunakile tunaita highlight points. Kama ni point ya education unasema, kama ni point ya land unasema. Sikueleza yote makesi na kila kitu. Point kwa mapema kwa sababu memorandum tutachukua na uta registrar na tutakuwa nayo na itasaidia sana baadaye. Kwa hivyo, wale wana memorandum watatumia dakika tatu, dakika tatu, just to highlight.

Tutakuwa na watu karibu mia sita na hatuwezi kumaliza. Okay, lakini it will be our discretion ukiona naendelea kidogo unaweza kuwa na dakika tatu na nusu hivi, sisi tutajua. Sindio. Okay. Na ukiwa ni kuzungumza, kwa kawaida tunatumia dakika tano. Ukiwa na memorandum unazungumza na unaeleza mambo yako.

Na hio tume experience kwa sababu jana tulimaliza jioni Kangeta. Na hapa najua kufika kama saa tano kutakuwa na very many people. Sindio, ili kila mtu awe na nafasi.

Na sasa, kwa hio language kwa hivyo tumeona Kiswahili ni sawasawa, kingereza utasoma highlight yako na kingereza sawasawa, kama kuna mtu, mama ama mtu yeyote ambaye hawezi kujua kiswahili kabisa na nataka kuwa presenter, tunakubali atumie hio lugha yake na kuwa na interpreter. Lakini hao watakuwa wachache sana pengine wawili watatu. Hatutafungia mtu yeyote. Pengine hatutumesikizana. Na ile tunataka ni kuona kwamba hatupotezi wakati na tena hatutaki wale wote wameandikwa hapa, watu wameandikwa nyumbani bila kusema kitu.

We are committed ourselves by recording this, na ni lazima tukusikie hata ingawa ni dakika moja tukusikie. Kwa hivyo hatutumesikizana lakini ukiwa na memorandum hata wakati mwingine ukiwa na memorandum yako na unataka kuja upeane kwa staff yote hapa unaweza kupeana na uketi usikilize wengine. Ama upeane na uende kazi yako kwa sababu memorandum itaendelea. So there are two things with the memorandum, upeane na uzungumzie highlight point kidogo. Njia ingine ni kuwekea memorandum na uende kazi utuache na memorandum without saying anything that is also allowed. Sasa kwa hivyo hayo pengine tungeweza kuendelea haki mambo mengine. Tumesikizana? Hakuna sasa wakati wa kupoteza wakati. Sasa kulingana na list yetu, vile list, kulingana na kuti number one wale ambao walijiandikisha, kuna wengine wanasema watakuwa kama observer. Aketi tu asikilize. Yule ambaye alikuwa karibu wa kwanza, na tutatumia list tukiona ya kwamba tutaenda kando ya list sisi wenyewe tutajua tutakuwa na very good reason for doing that. Yule wa karibu wa kwanza ni Peter Kaiyanze alikuwa pengine katika hii room akiwa wa kwanza kuingia. Peter Kaiyanze hayuko karibu? Peter Kaiyanthi. Huyu atakuja baadaye. Peter hayuko naona kuna Erastus Mbaabu.

Okay. Yuko? Tuna kiti hapa ya yule ambaye anapeana maoni, ndiye mgeni mkubwa kabisa, ndio ana make constitution. That's why we have a special table. Utaanza na jina lako alafu kama una memorandum is just highlight na uchukue wakati mfupi iwezekanavyo. Okay.

Karibu Bwana Mbaabu Erastus.

Bwana Mbaabu Erastus: Bwana Chairman, na Commissioner mwenzako, taabu yangu itakuwa wakati wa dakika tano. La nitajaribu vile niwezavyo. Jina langu naitwa Erastus M'tokirmania Mbaabu na mimi ni mfanyi kazi wa serikali ambaye imestaafu. Nilistaafu katika kiwango cha Senior D.C. au Deputy Secretary, na baadaye kabisa ni kawa Chairman wa National Cereals Board sasa mimi ni mkulima. La kwanza Bwana mwenye kiti ningetaka kusema ya kwamba, na pia mimi ni Chairman wa Democratic Party Kenya ambae Secretary wangu jana alipeana karatasi yote ambayo ilikuwa imeandikwa, na mimi nikawa nitakuwa na mar machache ambayo yohusu pengine mambo ya siasa lakini mambo mengine. La kwanza Bwana mwenye kiti mimi binafsi na watu wanakenya tuko na imani na commission yenu, ikiongozwa na Prof. Ghai, na nimatumaini yetu ya kwamba mtamaliza kazi yenu amb ni kazi ya muhimu katika century hii. Kazi ya muhimu ambayo tunatarajia mtamaliza kabla ya kura kuanza. Na tunatakiya nyinyi heri.

La pili, nchi hii tumeona mambo mengi na ningetaka kusema katiba yako ihimize sana mambo ya Kenya kuwa Multi Party System sababu tumeoja one party system of government na tumesikia utamu na uchungu wake. Kwa hivyo Kenya milele na milele iwe ni ambayo inatawaliwa na vyama vya siasa vingi.

Mambo ya haki ya watu, human rights, Bwana mwenye kiti and right of expression mambo ya haki ya mtu na kutoa maoni ni ambacho yakipasa kuwe na mizizi katika nchi hii. Na pia, freedom, uhuru wa maoni, uhuru wa kuomba dini yoyote. Hatutaki wa mtoto ambaye tuseme ni mkristo anaingia shule ya Kiislamu anaambiwa sasa utanza kusoma kurani na mambo mengine, vice versa Mtoto akiingia katika shule ya wakristo aambiwe sasa wewe utanza kujifunza mambo ya Bible, tuwe na freedom ya, uhuru maombi, na uheshimiwe. Kitu ambacho ningetaja kama mikono mitatu ya utawala, ni ile mambo ya sheria, mambo ya mbunge, mambo ya nguvu ambayo raisi anaweza kuwa nayo, hio imekwenda sana na ni lazima irudishwe mahali pake. Judiciary independent. Haina mambo ya kutawaliwa na mtu yeyote, na pia parliament na pia ofisi ya rais.

Bwana mwenye kiti mambo ya rushwa yameharibu nchi yetu na ni matumaini yetu ya kwamba commission hii itachukua jambo, kitu muhimu kuona kama ni masheria yatatunzwa na nchi irudi mahali pake. Kwani ilikuwa itatusaidia sana katika nchi hii kwa sab tumeumia sana. Mambo ya utajiri wa nchi, what I would call natural resources, misitu na mashamba, Bwana mwenye kiti hivi ni vitu muhimu sana na bila vitu kama hivi binadamu sijui ataishi na namna gani. Na katiba yetu itambue mambo kama hayo. Utajiri wa ugawe sawasawa. Kitu kidogo juu ya mashamba Bwana mwenye kiti kuna watu ambao wako na mashamba makubwa sana, amb hawalimi.

Nikiazimia katiba yetu iseme watu hawa ambao hawalimi na mashamba ni makubwa, walipie hayo mashamba ambayo hawatumii k ili hio pesa ingie kwa serikali, au ialike jamaa ambao wako karibu na hawa, wapatie sehemu za kulima, lakini si mtu mmoja tu kuang

shamba kusema mpaka mtu yule ni shamba langu na halina faida kwa nchi.

Bwana mwenye kiti, utumishi wa serikali, ile furaha ya utumishi wa serikali kuwa mtu ni wa cheo fulani na nini, morale of several ser is at its slowest level ever, sababu hio ile furaha ya kuwa na cheo imekwenda chini kwa sababu hata mapromotion ambayo yanap yanapeanwa, kirushwa au kwa sababu huyu mi mtu wa kabila yangu. Armed service, wale watu wetu askari ambao wanatulinda wanalinda nchi ya Kenya, unaingia katika kundi hilo, zamani walikuwa na mambo mengi mazuri ya kuwasaidia kama hii inaitwa A wananunua vitu kwa bei ya nafuu na nini, furaha yao pia ni kama ya wafanyi kazi wa serikali wa kawaida, its so bad, its very I Maconstituency, Bwana mwenye kiti tuna maconstituency ambayo ni makubwa sana, na tungeangazimia kwenu hii maconstituen yawe kuwa na number karibu iwezekanavyo ili mbunge mmoja asiwe anakilisha watu mia mbili elfu na mwingine yuko na thelathin kitu kikingine kama hicho. Na hicho inaenda pamoja na fair elections.

Nchi hii tungetaka, Bwana mwenye kiti kuona wananchi wananafasi nzuri ya kupiga kura na wanachagua yule mtu ambaye wanaper Environment destruction Bwana mwenye kiti, tumesikia mengi sasa. Mara nyingi nchi inakatika kwa sababu mambo ya environn hayana utunzaji na watu wanakufa. Kwa hivyo ni matumaini ya wananchi wa Kenya ya kwamba nchi hii ikaangalia mambo kama h kupitia kwa kurekebishwa kwa katiba.

Kuna msemu mmoja Bwana mwenye kiti wa kingereza unaosema Power corrupts and absolute power corrupts absolutely tumeiona, wale watu wanamadarak makubwa na wana nguvu nyingi huko ndiko mambo mabaya kama rushwa yanaanzia. Kwa hi binadamu yeyote ikifika maofisi yale makubwa awe anafanya ile kazi ambayo, anafanya ya kiasi, si kuwa na nguvu nyingi almost ka Mungu. Katiba yetu ya sasa nikienda kumaliza Bwana mwenye kiti, ilitengenezwa kama ni koti ambalo lingevaliwa na Mzee Kenya It was tailored for the founder of this nation. Na wakenya walipata onyo kutoka kwa Late Ronald Ngala, akasema nyinyi tusitenger katiba ya mtu, tutengeneze katiba ya nchi, kwa sababu si marais wote ambao watakuja wanaweza kuwa kama Kenyatta. So tailored that, na matokeo yake umeyaona. Kwa hivyo katiba ambayo mnaongoza sasa na mtatengeneza tukumbuke huyo mzee Ng msemu wake. Isiwe ni katiba ya koti yakuvaliwa na mtu lakini ni katiba ya kuvalia, ni koti la kuvaliwa na nchi ya Kenya.

Kitu kidogo mambo ya institution, Bwana mwenye kiti sisi kama wameru tuna institution moja ambayo tungetaka itambuliwe kika na iwe ifanywe ya kisasa, nayo ni Njuricheke. Hiyo Njuricheke ni kama ilikuwa serikali yetu ya zamani lakini tungetaka iwe moderniz Na ijulikane wazee waNjuricheke au Njuricheke kuitwa wakati kuna taabu lakini ikuwe ikijulikana Njuricheke ya wameru iko na yao kila wakati imefanya kazi na serikali.

Health services, nyote mnajua mambo ya afya katika nchi yetu mambo ya mahospitali hio ni mbaya. Dawa hakuna. Na nafikiri sisi ka walipa kodi, katiba inakubali tulipe kodi na pia tupate services. Mambo ya District county council nikienda kumalizia Bwana mwe kiti, badala ya kuongea habari ya majimbo na mama wa majimbo na kila kitu, District County Council, na Rural Municipal Coun zipate nguvu na ziongezwe nguvu, na kupewa njia, mambo ya kodi ipanuliwe ili iweze kupata pesa ya kutumikia wananchi.

Nafikiri madiwani wamechoka sana kulaumiwa bure na hakuna pesa wanayopata. Lakini wakiruhusiwa, kama juzi juzi, tulikuwa

sales ya aina hii na hii na tulikuwa tunaona vile kazi ilikuwa ikienda, kwa hivyo local councils ziwe na nguvu na zipate pesa malitunatumaini pia madiwani wa wakati huo mambo hii ya rushwa rushwa pia hata wao itawapasa kuweka kando kama wanataka kupata heshima kutoka kwa watu. Naenda kumaliza Bwana mwenye kiti najua nimetumia wakati zaidi ya ule wako.

Kilimo katika Kenya, kila mtu akiingia katika jukuaa anasema kilimo agriculture is the backbone of this country. Mimi nikiingia katika jukuaa siwezi sema namna hio siku hizi. Kwa sababu kilimo, yes! hatuna mafuta, hatuna dhaabu, hatuna nini. Kilimo ni kitu ya muhimu sana but its no longer the backbone of this country. Why? K.C.C. iko wapi? Cashew nuts kule Mombasa ziko wapi?(Inaudible) iko wapi?

Com. Domiziano Ratanya: (Interjection). Jaribu kumaliza.

Bwana Mbaabu Erastus: Na mambo mengine mengi ambayo yalikuwa yanafanya agriculture kuwa kitu ya muhimu. Katiba ya Kenya imekuwa iwe na refradum. Tungetaka wakati viongozi wameshindwa na mambo yatupwe kwa wananchi, waamue. Sisi tuna mmea wetu ambao unaitwa miraa Bwana mwenye kiti, now I am serious I am finishing, mmea wetu amabo unatwa miraa ambao ni cash crop. Mmea wetu tunasikia uko na kafe unafanya watu kulewa lakini ukiangalia kahawa iko na kafe, chai iko na kafe, tukiangalia hata nje, nchi za kama Central America States, ni Karagwa, unajua serikali imepata pesa kutoka wapi? Kwa bhangi. Inapata pesa kutoka kwa bhangia kwa hivyo mmea huo uangaliwe.

Only two things Bwana mwenye kiti, asanti sana kwa kunihurumia. Hawa watoto wanaitwa chokora, chokora ni watoto ambao serikali isipoangalia, nchi hii itachafuka na ni watoto ambao wamezaliwa na mzazi. Ningeazimia kuwe na sheria juu ya chokoras, na watawatafutwe, kwa sababu wengi wanapotea kwa sababu ya kukosa malezi mazuri. Kukiwa na sheria namna hio itatusaidia.

La mwisho Bwana mwenye kiti ni political appointments, wakati kuna kazi za muhimu ambazo zinataka kama ni mtukufu rais, au yeyote ambaye anataka kuchagua watu wakuangalia mambo ya wananchi katika nchi hii, waangalie nje waone hata wale watu amabo si watakuambia siasa lakini watu ambao wako na jina nzuri na watu ambao they have their names to protect wapatiwe nafasi ya kuongoza nchi, kama Central America, President hachagui cabinet kutoka kwa wabunge. Ni nje huko. Kwa hivyo ikifika kitu kidogo kama uchaguzi wa wafanyikazi watu wetu wale wenye majina mazuri na wale wanawaweza kuongoza nchi hii wakumbukwe si kwa kisiasa. Bwana mwenye kiti yaani ambaye alikuwa verbal presentation sababu chama changu kilitoa maoni yake jana, na toa shukurani.

Com. Domiziano Ratanya: Thank you. Nilisahau kuwaambia kwamba after presentation, pengine tunaweza kuwa na kitu kidogo ku kuliza mkuu wa commissioner. Kwa hivyo mtu atangoja nusu dakika kama tuna chochote. Bwana Commissioner, do you have anything.....(Inaudible). Bwana Commissioner mwenzangu anasema hana chochote lakini ningetaka clarification kidogo hata ambaye unasema kuchaguliwa kwa ministers ama top officers, can you clarify that one.

Bwana Mbaabu Erastus: Nilikuwa nasema, wakati kunatokea na nafasi, ambazo za civil service pengine nje tuna instituti ambazo mingi ambazo zinasimamiwa, badala ya kusema kwa sababu babu alikuwa mbunge na hajarudi ndie atakuwa chairman wa kile. Nasema

badala ya hio kufikiriwe mkubwa angalie nchi yake ajue mzee mwingine anaitwa Jeremiah iko na jina na masomo yake anaw
kusimamia kitu kama hiki. And thats why I am comparing with America way of president he doesn't pick his cabinet from the elec
senators or contract men.

Com. Domiziano Ratanya: Asanti sana Bwana Erastus Mbaabu kwa hayo maoni yako, hata ingawa umepitisha kidogo maor
ya muhimu. So mwingine anayefuata ni huyu mwalimu anaitwa Lona. Na nilisema kama una memorandum, jaribu kufanya iwe f
dakika kama, memorandum ni dakika kama tatu kama vile tulikuwa tulikubaliana. Kwa hivyo don't go through reading y
memorandum, just give the highlights. That is my point.

Mrs. Lona Mwangi: Majina yangu ninaitwa Mrs. Lona Mwangi. Mimi ni mwalimu hapa Maua Girls, naningesema nina shuk
sana kwa kazi inayofanywa na Constitution Review. Ni kazi kubwa, kazi tunaheshimu, na kazi ambayo tunaomba itakuwa na mafan
makubwa na kuleta baraka katika nchi ya Kenya. Niko na mambo mengi ya kuzungumzia lakini nitazungumza kwa ufupi sa
Ningependa kuanzia na kile kinaitwa citizenship, ama kuwa mwanakenya. Kulingana na katiba, kuwa mwanakenya ninget
kupendekeza ni mzuri kuwa na automatic citizeship ama unakuwa mwenye Kenya kama bwana wako ni wa kenya, ama pengine we
ni mtu wa kutoka nje umeoa msichana wa Kenya. Ni mzuri kuwa na automatic citizeship kwa sababu mmoja hao watu wameoan
mizizi yake na watu wake, mababu zake wanatoka Kenya.

Jambo lingine ningependa na kuongea kuhusu, ni defence and national security, nchi yetu imefanikiwa na kuwa the Armed Forces,
Military Force, the Police Force, kuna the CID branch, hizi are weapons of machinery ama hizi defence weaspons zinawezo
kufanya hii nchi kuwa na enough security. Lakini shida moja tumekuwa nayo kubwa ni nchi yetu imekuwa na a lot of insecurity
ningependa kupendekeza commissioners ambao tuko nao ni vizuri government machinery, ama wale wanastahili kuweka security in
country for example kama the Armed Forces, kama Millitary Force mara nyingi wako dormant, hawapewi kazi ya kufanya ile inaw
kuwafanya very active and very productive. Katiba mpya itakaofanywa ni nzuri kufanya ili wawe very productive na wasiwe dorm
Watu wa Armed Forces na Millitary Forces ni watu wako na hekima ya hali ya juu sana na inaamini, katiba inastahili kuwapatia na
ya hekima hii kutumiwa vizuri. Jambo lingine ningependa kupendekeza ni ya kwamba Political Party System inastahili kuendelea.

Kenya imeachieve mengi kupitia the Political Parties System. Mara nyingi kwa mfano, nikipeana mfano wa elimu tukiwa na kama f
raising ama harambee tuite mtu wa DP ama wa party ingine isio ya Kanu wanakuja, wanatoa pesa, shule inajengwa. Nasema the M
Party System imeleta maendeleo. Na mzuri idumu.

Jambo lingine ningependa kuguzia kuhusu the right and obligations of citizens. Ningependa kuomba commissioners with us wa constitution iktakuwa imetengenezwa ama katiba, ni vizuri kila mkenya awe anapewa the right to live, ama you have a right to live, have a right of protection, you have a right of being heard, ama unafaa kusikilizwa kwa case kotini, case inasikizwa vizuri, masha wanatolewa, case inapewa ruling na ruling ambao haina ongo ama haijakuwa na, it has not been perverted. Justice is not perverted.

Na jambo lingine ningependa kupendekeza ni kila mkenya anastahili kuwa na the right of traveling. Anastahili kupewa ruhusa kutembea kutoka mahali moja mpaka pengine.

Na jambo lingine ningependa kugusia ni there should be right of promotion especially promotion on merit. Na promotion on merit imekuwa(Inaudible) ama imezuiliwa na what I am calling nepotism, watu kupewa cheo kwa sababu wamezaliwa kwa familia fulani na ukabila, tribalism, na corruption. The constitution should address such issues. Jambo lingine ningetaka kugusia kwa ufupi sikuwa ni gender equality. Katika utamaduni mwingi wa Kiafrica wa Kenya, kuna ile nitaita cultural oppression. Women are oppressed culturally. Utamaduni unafinyilia wamama sana na utamaduni huo inafinyilia wamama inastahili kuangaliwa na katiba ili wamama wasifinyiliwe. Na jambo lingine ni mama akipeana maoni yake kama nyumbani inachukuliwa kwa njia sio muhimu sana. Wamama hawapewi uongozi unaofaa.

Kuna research ilikuwa imefanywa nchi fulani ikaonekana ya kwamba mwaka wa elfu moja mia tisa na tisaini, wamama wale walikuwa viongozi wa dunia ni 4.1% hio ndio ile research ilikuwa imepeanwa na United Nations.

Kwa hivyo inaonyeshana wamama hawapendekani kabisa wawe viongozi. Ningependa kuomba katiba iangalie mambo haya kwa wamama. Kuna women abuse through rape, forced sex, kuna divorce, ama kuachana na kuvunjika kwa ndoa. Na wamama mara nyingi wamepigwa na kuvunjwa vunjwa sehemu za mwili, katiba inastahili kuangalia vile wamama wanastahili kufanywa. Na ningependa kuomba ya kwamba wamama wapewe nafasi kwa elimu, wapewe nafasi kubwa kuajiliwa kazi, katika siasa wamama wahusishwe.

Katika elimu ya health and nutrition. Maendeleo ama vile wanastahili kukuwa, wamama pia wahusishwe. Ningependa pia kuwaona wakati serikali inatengeneza vizio katika serikali wamama wakumbukwe.

Com. Domiziano Ratanya: Hebu, jaribu kumaliza. Just try to summarise.

Mrs. Lona Mwangi: Na pia ningependa kuomba resources za wamama za umbile ama vile wako ziwe improved kwa katiba mpya itakayofanywa. Ningependa kugusia machache kuhusu 8:4:4 system of education, ningependa kupendekeza kwamba wakati mnaangalia elimu, iwe modified kwa sababu ile system tuko nayo sasa ina... it has failed to address the following, ama haijaweza kuitimiza mambo haya. Approaching to learning, yaani kutofanya watu wasome, na kuondoa kutosoma, ama to eradicate illiteracy. The 8:4:4 system should be geared to eradicate, ama kung'oa illiteracy, ama kutoeza kusoma.

Jambo lingine ni this system should be made in a such a way ama hii 8:4:4 inastahili kujaribu ku address the problem of health. Ya vile watu wanaishi, social education should be there, ili itayarishe watu mentally and physically. Na hio ina, that one is lacking, that one is lacking in the 8:4:4 system of education. Ningependa pia kuomba katiba, watu wanaotengeneza katiba ama the commissioners, important to consult the old system, kuna mambo mengi hatukuangalia wakati wa kutungeneza 8:4:4 system of education na yangeku muhimu sana ya the old system, for example the form six class which was there in the old system, ilikuwa inatayarisha mwanafunzi, form six class was a class that prepared students to be mature.

To built maturity na inapea watu na wakati wakupata nafasi ya kuendelea kwa masomo kama mtu hangeweza kuendelea.

And finally, ningependa kurequest the commissioners wale wako na sisi wakati katiba ya Kenya ya kwanza ilitengenezwa, Kenya haikuwa na complexity, haikuwa na complications zile ziko sasa, kuna complexity, ama kuna complication in our society that the constitution must address, lazima katiba iangalie mambo haya, na nitayataja kwa ufupi sana, jambo la kwanza ningetaja ni nepotism, corruption, embarassment, ama kuiba pesa za wananchi, misappropriation of public fund. The problem of unemployment, shida kutopata kazi. Huge salaries paid to, a few individuals in Kenya. The problem of retrenchment and its consequences. Single parenthood, Aids victims and Ophanage and street children. Ni vizuri sana katiba ile itakayotengenezwa iweze ku address hizo shida. Na nimeshukuru sana.

Com. Domiziano Ratanya: Asanti sana tumeshukuru Lona Mwangi hata ingawa umeendelea sana umesema ya muhimu kabisa. Na ningetaka kuwakumbusha wananchi tuna watu wengi, wengi, na kila mtu tunataka aseme kitu, kwa hivyo, just try to manage time. Haitakuwa vizuri kwa watu wengine kuenda nyumbani bila, at least kusema lolote. Ukija hapa sema kwa ufupi yale ya muhimu sikurudia mengi. Kila mtu awe nafasi hapa ya kusema kitu. Kwa hivyo hapa yule mwingine anayefuata ni David Mwiragua. Karibu Bwana Mwiragua.

David Mwiragua: Thank you Mr. Chairman, my names are David Mwiragua. I come from an organization called Keoka and at the same time I am a teacher at Mbureu Secondary School and a Patron of a Law Club. We have established law clubs in schools. I have something very little to present. First, sorry, I will use English. First I would like in the Kenyan Constitution there have to be a prehumble and in the prehumble we need to simplify the need and the importance of Kenyans to feel that they hold the constitution. On that matter, we would suggest that in the constitution instead of starting with defining the country Kenya as a sovereign state we need to include a statement like we the people of Kenya do agree this and this and that. On legislative, I would like to suggest that an elected member of parliament should represent a constituency with a population size not less than ten thousand people like that, so that we can bring about some equality in representation.

We also would like to suggest that anybody being elected as a member of parliament or being nominated as a member of parliament should have at least a K.C.S.E. certificate with a minimum qualifications of a C plain or an equivalent, probably a division three in the old system.

All members of parliament should also be compelled to establish constituency offices in their constituencies. Some of them are elected and they go to Nairobi, they are never found in their constituencies. All members of parliament should declare their wealth upon election. The moment you are nominated or elected as a member of parliament, we should know what you have. So that in one year's time if you all over sudden become a millionaire we need to question where you got that wealth. Parliament should have its own established calendar. They should have a programme and know exactly parliament will run from this date to the other date, plan activities etc. etc.

The other thing is that the nominated members of parliament should ensure representation of marginal areas, communities, professional bodies, women and views, the physically impaired etc., nominated should present interest or special groups not nominating someone because he comes from this tribe or that other tribe, let our interest be represented.

The other one is that while identification is a prerequisite for registration as a voter, relevant documents other than the national identification card like the passports, driving licences, pay slips and others can be used as a means of identification. At the same time, we would like there to be live coverage of the proceedings in parliament. On the executive, we would like to suggest that the Senior Civil Servants and Parastatals Chiefs should be vetted by parliament. The president should come out with a proposal and the proposal is discussed in parliament and see what kind of a person is to be given this post. At the same time, the same person should also declare their wealth. The Senior Civil Servants too should enjoy what we call the security of tenure.

The security of tenure is the protection they are given such that they cannot be sacked by whoever appointed them, so that they work effectively.

We would also want to suggest that in Kenya we have a post of a prime minister who should be the head of the government and that person should be elected by the parliament, and in that we are saying we are incorporating the parliament and the president in a democracy, like it is practiced in France. We are also suggesting that in case of demise of president, then we should have a committee to run the government until such a time when we can elect another president.

A committee probably made up of the speaker of the national assembly, reputable retired judge, a reputable religious leader, a reputable retired diplomat, you see a committee of about five people to run the government and to organize for the election of a president.

The presidency, we are saying that the president should be elected by at least fifty one per cent of all counted votes or people who cast their votes, fifty one per cent, not the current twenty five per cent in five provinces. The president should be aged between thirty years and seventy years. He should not represent any constituency. He should be above that. He should be seen as a unifying factor. At the same time, he should be well educated and morally upright person. The president too we are suggesting should not have power

to dissolve parliament. It is the parliament that should decide when to dissolve itself in case there is need. The president too should declare his wealth upon his election.

The judiciary, an independent judiciary service commission should be given its right powers to operate with efficiency but there should not be any interferences. The chief justice and all judges of the high court should enjoy security of tenure we have it, but we should enhance it further. An office of an Ombudsman should be established so that it can take care of the welfare of the Kenyans. Legal education should be introduced in schools under mechanism sort to facilitate public legal education, because the public and the young people should be taught law so that we can produce good citizens. Ignorance is no defence. The Attorney General should ensure cases do not drag for very long time in courts(Interjection).

Com. Domiziano Ratanya: But try to summarise

David Mwiragua: Yes please. They should be hurried up. In that case, therefore, we say that there should be clear separation of powers between the three organs of the government. On local government, we are saying that the mayors and the chairman of local authorities should be elected directly by the people, not a few councillors electing their mayors or the chairman. The Councillor should have a minimum of form four education.

Cabinet: The cabinet should be a body comprising of elected members of parliament and we are suggesting that the size of parliament, the cabinet should be reduced to around eighteen cabinet members and an equivalent number of Assistant Minister not blurred one. We also said that people given cabinet posts should be professionals if it is education. A teacher, Health doctors like and not people picked from anywhere and given ministries they don't even understand.

On land, we are saying that special lands like shrine, caves, physical sceneries etc. should be conserved and maintained by government. We are also suggesting that any land ownership that exceeds about five hundred acres of land should be taxed. So probably we can also allow other people to own land.

On education; we are saying that the basic right, education is a basic right for all Kenyan children. We should provide access to education by the children and we must provide, the government should be able to provide free education to all Kenyans and make it compulsory so that anybody not taking a child to school can be prosecuted and we should have a law taking care of that.

And finally, we are saying that the higher education loan board should also consider anybody not only those students in public universities, anybody who is climbing for higher education. Thank you sir.

Com. Domiziano Ratanya: Okay, thank you very much for you now for those who have the memorandum, I think I told you we are able to read everything, all the details if you only give us your memorandum. So what you do is just highlight don't go through

reading everything we don't have that time. Now we continue the next one is the mayor came and he is going to the office he said lakini yule alifika anaitwa Ichoro. Do you have anything?

Joel Ichoro Karuge: Thank you very much. My name is Joel Ichoro Karuge. I am a councillor of Maua Central ward and mayor of the Maua Municipal Council. Mine is very few, and one is, there should be a law to guide salaries increment, and employment because the present law does not allow somebody educated to earn higher salary than the one who is not educated. For example, take a lawyer and a doctor, a lawyer is earning better than a doctor. The doctors spent more years in the University than the Law. So there should be a law to guide the salary increment and employment.

Second, kuna hii sheria ilikuwa ina govern local authorities, before local authorities have powers but today they have no power. When multi party was introduced the local authorities dropped down in terms of powers. Today the clerk can do anything even without informing the council but before council had the power to control the office and clerks were under it. Today clerks can use any amount of money without the authority of the council. So the local authorities should be given back the power of controlling the council for the offices to be run efficiently. The other one is there is a law that has not been reversed that the chairman, the mayor should be elected by the public. It is a good idea but the allowances they are earning today it cannot allow them to campaign or even to fuel a vehicle to go round the constituency or the District. For example the chairman of the county council has got eg Nyambene constituency but what he is earning cannot even fuel his vehicle even to go round one constituency. If the allowance of the chairman and the mayor will be improved then we can be elected by the public.

The other thing is that the population growth rate of Kenya is very high and this is making the theft rate also to rise eg stealing and violence, you can go to the court and be jailed for three years or four years. The government should introduce something very strong to govern those things or to control the theft case because the way we are going people can be finished because there is no law to control those people. I think with those few remarks thank you very much.

Com. Domiziano Ratanya: Okay, asanti sana kwa hayo maoni yako, Bwana Mayor. Sasa hapa kwa list yetu tuna watu ambao wanakuja kama observer, but we recognize them, tunajua wako hapa kama Kimathi, Ken wanakuwa kuangalia mwiti, kikamiti, S. M. Mwimbi, tulikuwa tumemuita Peter Kaiyathi lakini hakuwepo sijui ama ameingia? Kama hayuko twende kwa John Kobito. John Kobito alisema kwa machache vile tumesema wengine wapate nafasi. Endelea.

John Kobito: Asanti sana Mwenye kiti na watu wote ambao wanakuja kusikia hii maneno najua ni mambo muhimu. Nenda kwanza hapa wananchi wakenya mkiwa mnataka kubadilisha hii maneno, muweke vizuri maana tuna taabu kubwa sana. Ukiwa upande kwa polisi, sasa hapa au mahalli pengine. Ukiwa umekatakatwa au umenyang'anywa kitu, unaambiwa hakuna kalamu kuandika. Unaambiwa hakuna karatasi, na ni mtu ambayo anawekwa na serikali katika ofisi, watumikie wananchi. Tena ukitoka hapa

uende kwa koti, uende kotini case inawekwa kwa mwenzi, kwa mwaka mpaka unamaliza mali ile unayo, case bado kumalizika.

Ukienda upande wa land, sasa mimi ni mzee nina miaka kama kumi na tano au ishirini na tano au thelathini kwa shamba yangu nata mpaka naungoja mtoto wangu anakuja kufanya hiyo case. Na hiyo case mimi ndio nilikuwa najua habari yake.

Na unaona naza mtoto anakuwa mtu mkubwa, anaenda kudai mimi shamba, na mimi nadai na shamba ni yangu.

La tatu, tuna kitu kikingine, upande wa serikali na wa kanisa. Ukiwa kwa kanisa sasa tunajua watu wanaandikisha mambo yote kam dini na tunasikia katika Kenya iko dini ya Saitaini na dini ya kristo. Hii dini ya saitaini nani anaandikisha? Inakuja katika watu kupigana na dini ingine na haya najua mambo yake. Ni nani anaandikisha? Na tena iko watoto wengine wanazaliwa nchi ya juu tunaona wanatupua mbali na tunajua serikali ina sheria ya kulinda. Haku msichana anapata mtoto bila mvulana na huyo mvulana anato hiyo msichana na mtoto na serikali hapana fuata hii ijue taabu inaingia namna gani? Ndio watoto wanaonekana wengi wasio na pakukaa na hawezi kuhudumiwa. Hayo machache, karibuni.

Com. Domiziano Ratanya: Okay, asante sana Kobito, umejaribu kutumia saa vizuri. Sasa tuende kwa Gitiye, No, G anasema atakuja tu kusikiliza lakini kuna Ezekiah Mwambia anataka kusema mambo mawili matatu hivi. Na nilisema usiendele kuse memorandum just points and then you keep time.

Ezekiah Mwambia: Thank you Bwana Chairman and the commission. My names are Ezekiah Mwambia. Mimi nakuja h kuzungumza mambo ya michezo, mimi ni chairman wa michezo katika wilaya hii ya Meru.

Ya kwanza, ningependa serikali itoe budget kamili ambayo inaweza kuendesha michezo katika ulimwengu huu. Asa kuanzia mashii mpaka national.

Ya pili, hapa kuna maofficers ambao wanaletwa, ningependa serikali iweke sheria ya kwamba hawa maofficers lazima wategewe p ambao wanaweza kusaidia nayo watu kwa michezo.

Ya tatu, kwa District kuna sports ambazo zilitupiliwa mbali na serikali, ningependa sheria iwekwe kamilifu ambaye inaweza kuen primary schools michezo iwe ni lazima ianzie hapo, kwa sababu hata ukienda kupanda miti lazima uwe na nursery school ambae ikimea utang'oa miti yapo uende upande mahali pengine. Na tusipoanza michezo mashinani kuanzia primary schools nina hakika Ke itaanguka kimichezo. Unajua kwa michezo, kuna wale watu ambao hawajui michezo ni nini? Hapa nitasema kwa kizungu kwa sab the main importance of sporting is to enhance national unity.

Ya pili, watu ambao wako reserve hawajui michezo ina haina gani, ningependa serikali itilie maanani kwa kuja kufanya civic educa za michezo na kufanya seminars ili michezo ianzishwe kila mahali ambapo watu wako. Watu wako na talents, Bwana commissio lakini hio talent yao haijafika mareserve kwa sababu ya ukosefu wa wale watu ambao wanaweza kuja kufundisha watu maneno

michezo. Tungependa serikali iweke sheria ambayo itatumika machiefs na ma-subchiefs wanaanza competition kutoka mashinani national level.

Ya tatu, kwa kusema kweli, watu wanasema watoto, ati vijana wanatumia madawa ya kulevia, wanakunywa bangi, wanakula mi Yes, wanakula hio kwa sababu wako idle.

Ukienda katika nchi hii yote hasa katika wilaya hii ya Nyambene, mastadiums ama viwanja vya michezo vilivyotengenezwa wakati ukoloni hata wa sasa hatujawahi kutengenezwa ili watu wapate mahali pakuja kuchezea. Na tungeomba serikali kwa hio viwaweke kila aina ya michezo kama gimnasium, ili vijana waweze kukaa hapo na kucheza michezo ile itakuwako ili mizuli yao iwe afya ya kutosha. Bwana Chairman ningependa kusema ya kwanza ama ningependa serikali itilie maanani kwa sababu kila mtu anape michezo. Professionals wale wengi wanaleta pesa nyingi sana nchini Kenya, lakini kuna wengine Bwana commissioner am wanawachwa na wako na talent kwa sababu hawana na mtu wa kupromote hawa watu, serikali imeshindwa kutatua wale watu am wanaweza kusaidia Kenya na unajua Kenya, michezo nchini Kenya imeletea Kenya sifa nyingi sana na kuleta pesa za nchi za kig Kwa hivyo ningependa serikali ya Kenya ichukulie maanani sana habari ya michezo. Sio kwa wale watu ambao ni vijana walemavu, vipovu, watu wote nchini Kenya. Serikali iweke sheria ambayo itasaidia watu kufanya michezo iwe kamilifu na wakifa namna hio mimi nina hakika ya kwamba, hamtasikia kama kuna watu ambao wanaiba, ambao wanafanya maneno ambao haitakil kwa serikali ya Kenya. Kwa hayo machache ni thank you very much.

Com. Domiziano Ratanya: Asanti sana Bwana Mwambia kwa hayo na umejaribu kutumia masaa. Tunaenda kwa Da Mugambi. So be also very brief. Don't go through the memorandum just give the points.

Daniel Mugambi: Thank you the commissioners and all the people present. I will use English, I am very conversant in language.

Now, mine will be very brief and will touch on the main points. The first thing, is that I would encourage the new constitution that have a spouse of a Kenyan citizen must automatically be issued with the Kenyan citizenship. Now, the president of Kenya should constitutionally be recognised as the Commander in Chief of the Armed Forces of Kenya. The constitution should be clear that state should finance the activities of political parties. The state should also audit such finances supplied to those political parties. For matter, it is those registered political parties. The constitution should encourage a government of national unity with an executive president. The local government should be empowered to identify and implement development projects in their respective areas financed by the Central Government, that is from the State Commerce. Chief Civil Servants such as PS, the Attorney General, Auditor General, solidary general and judges should be appointed by the president and confirmed by the parliament. Parliament business should be conducted on a full day basis during all official working days not during some few hours, they must work on days because they get full monthly payment.

The president should not be a member of parliament representing any constituency, he or she should attend parliament as an ex-officio member with no rights to vote in parliament. The new constitution should provide for establishment of a Supreme Court and a Constitutional Court.

The disadvantaged and the poor members of the society should be financed by the state to have access to legal aid and service. Provincial Administration can be used to identify such individuals. The constitution should establish a domestic court to deal with domestic conflicts and problems.

Mayors and Chairmen of County Councils should be elected directly by the people. The Mayors and Council Chairmen should be elected on five years term period and not the present two years term.

The new constitution should accept posts of nominated members of parliament and councils who should purely represent disadvantaged groups such as the youth and women. The president should not have constitutional power to set views passed by parliament although he or she should have power to give assent to such views. Primary education should be free and compulsory. The constitution should spread out and protect the rights of children. The protection and security of suspects and prisoners should be spread out by the constitution. There should be a constitutional maximum limit to ownership of land. I would urge this commission to recognize miraa as a legal cash crop in Kenya just like tea, coffee, sugar cane and pyrethrum.

No person should be detained in a police custody more than twelve hours before he or she is charged before a court of law irrespective of the kind of crime such a person can be suspected to have committed. The constitution should establish the office of an Ombudsman. There should be established a ministry of justice.

The geographical demarcation of constituencies should be based on the population of such areas. The winner in an election should be determined by simple majority. The provincial for nominated Councillors should be retained but those nominated should represent disadvantaged groups in the society such as the disabled, women, youth and professional bodies. Thank you.

Com. Domiziano Ratanya: Asanti sana Daniel Mugambi. Zakayo Gichunge. Zakayo Gichunge!

Zakayo Gichunge: The commissioners and the members of the distinguished. I say thank you for welcoming to give my views. Niko na machache na sijakuja kusema yale yamesemwa maanake kuna wamekaa kwa kiti wakiitwa wanasema hayo nilikuwa nimeyamesemwa bali nitasema yangu yale najua yatanisaidia, baada ya katiba hii kutengenezwa. Niko na machache na kabla ya hayo yamekabisa majina ni Zakayo Gichunge, I am the Preacher of Maua FCK na hayo machache nitaanzia na uongozi.

Power term, vile raisi anavyostahili kuongoza nchi hii, anastahili kuchukua mda wa miaka mitano na sio zaidi na kutoka hapo mwini

akachukua mara moja kulingana na vile katiba vile itakavyoundua.

Na tukitazama upande wa corruption ndio inafanya hata huo mda uongezeke, maanake mtu anajifanya ati ako na uwezo hata wakus
raisi mtamchagua nani bali ajue ana serve people of which should be consulted na watoe maoni yao ndiposa waweze kupata kion
subavu.

Na, corruption inaingilia hata upande mwingine kama ni vile ukiwa na case yako huwezi ukasikizwa mbali wanasema huyu h
mamlaka, hana pesa, hana hata nguo nzuri kwa hivyo hastahili kuangaliwa vizuri. Ukienda pale unaambiwa hakuna kalamu, hakuna
kitu, hakuna kama hii, tunakataa hayo kulingana na katiba vile tungependa mtu asikilizwe vizuri.

Na kuna oppression by law, kunasemekana ati ni law inasema ati wewe utupwe ndani, law haisemi utupwe ndani maanake w
ulitengeneza hio katiba, inastahili kukuongoza vile ulivyoitunga. Na kuna hii ingine inaitwa tax working properly, kama ukitazama nj
mabarabara iko na mashimo mashimo, na hata zingine hazijawekwa hata lami, na tunajua hizi pesa ziko kwa serikali.

Mimi kama mtu yeyote yule ameandikwa anakatwa kitu kidogo za kutengeneza barabara na unaona mtu anamalizia barabarani viatu
hata viatu hivi imenunua kwa shida na inamalizwa na barabara. Tunataka hio tax ifanye kazi sio ati mtu akikatwa pesa zinaenda kufa
kazi kwa kukula, hatutaki hayo, constitution iangalie hayo tafadhali. Okay, kuna hii improvement of standard of living, good stand
of living, for example, tukitazama upande wa ufundi, mafundi wanafinyiliwa sana sana sana. Unaona mtu ako na nyumba analisha fan
na unaona mtu anashida kwake unanza kuijenga nyumba, unajenga nyumba lakini jioni anakupea mia mbili, utapelekea watoto
mbili? Ama utapata change yaani, nauliza hayo tafadhalli iangaliwe na katiba, maanake huyu fundi alisoma na alitumia pesa na anasta
kuwa in a good standard of living kama yule ako kwa ofisi. Maanake kuvalia ni pesa, kula ni pesa, jamii inastahili pesa kwa hi
iyangaliliwe vizuri hata hao mafundi wasihangaika wawe wakiangaliliwa na katiba.

Na kwa kusikizwa kwokwote kule utakapotoa kama ni maoni unafaa kusikizwa usisemekane ati haujasoma, usisemekane ati w
huna nguo mzuri, ati huna tai, unastahili kusikizwa kama wengine hata kama ni case ama unatoa ushuhuda wakati wowote.

Wakati wa election everything should be fair, sio kusema ati ni sisi tumeshikilia katiba na tunastahili kusema vile kura zitapigwa, No
constitution should state very well what should be done. Mengine machache ni.....

Com. Domiziano Ratanya: (Interjection). Jaribu kumaliza sasa.

Zakayo Gichunge: Yea, I am trying to minimize. Kama ni upande wa registration of groups. Wakati mnapo register ama seri
inapo register groups wanastahili kuangalia hii group inastahili kusaidia nani. Maanake unasaikia hata kuna hata waabudu shetani
wanapewa licence. Wanaenda kuabudu shetani kwa watu ama wako na shamba zao hata wakati unasikia land grabbing zinachukul
wanaenda wanapewa, that land grabbing should be stopped. Thank you very much.

Com. Domiziano Ratanya: Sasa anayefuata ni Lucy Nkatha. Lucy Nkatha Inaonekana Lucy Nkatha hayuko karibu. Anakae hapo. Mpatie microphone hapo.

Lucy Nkatha: Asanti mwenye kiti, kwa majina mimi naitwa Lucy Nkatha natoka Wilaya hii ya Maua na mimi mmoja wasaidizi wa walemavu kwa kikundu ya Methodist Hospital, ama Disability Supporter Worker.

Kwanza, ningetaka kuwajulisha ambao cv watu wako hapa kuwa hospitali hii ya Methodist tuko na hii usaidizi wa watoto walemavu ambao mtatuona kwa mtu yenu tukienda pale kwa upande. Tutaenda upande kwa upande tukiangalia jinsi vile hawa walemavu mnaowachukua huko kwenu nyumbani, vile mnawatunza. Ndio sasa huu urekebishaji huu wa katiba.

Tungetaka walemavu wawe wanachukuliwa kama watu wale wengine. Kwa sababu ile katiba ilikuweco kwanza ilikuwa inatuchukua sisi walemavu kama watu ambao hawana maana. Ama watu ambao hawawezi kujisaidia. Ndio tulianzisha huu mvumo kwa kuonyesha msembo ambao unasema disability is not inability. Kwa kumaanisha hivyo ni kusema hata kama mtu amelemaa miguu sio kumaanisha akili ni mbovu. Sio mwendawazimu, ako na akili ile inaweza kumsaidia nyumba yake ama mzazi wake nyumbani. Kwa hivyo, kwa tungetaka watoto walemavu wawe wanapewa masomo ya bure. La pili, tungetaka walemavu wawe wanapewa matibabu maalum kama mahospitali. Kwa upande mwingine, tungetaka watoto walemavu, kwa upande wa serikali makoti, wawe na watu ambao watakuwa wanahudumia walemavu kama vile watoto wahasikii vizuri hakuna yule anaweza hata mkienda kwa hii koti kama Maua saa tukipeleka mtoto yule ambae hasikii judge yule ako huko saa hii hawezi akaongea naye. Na vile itakuwa hata kama huyo mlembe hakuwa amefanya makosa itabidi afungwe kwa sababu hata haelewe ni kwa nini imemfanya afungwe. Wala hafikiri ni kwa sababu judge yeye mwenyewe hawaeleweni.

Mwingine, nitaongea juu ya watoto ambao wanaitwa chokora. Chokora ni watoto ambao wametoka mijini yetu sisi wazazi tuko hapa. Na tukiona wengi wao wanateseka, juu ya hii msembo unaoitwa divorce kwa kingereza.

Kwa hivyo yule anayechukulia jukumu ya watoto wa machokora huku, tungetaka hawa watoto wawe wanapelekwa manyumbani kwa direct, ili, na wawe wanafunzwa jinsi ya kukaa kwao manyumbani na wazazi wao wawe wakichukuliwa hatua kali ili wawe kuwalinda hao watoto, hata kama umetupa mama yake ama ume divorce naye, sio kumaanisha utadivorce mtoto. Hukuwa umetupa mtoto bali ni wewe ulimzaa kwa furaha yako.

Ingingine ni upande wa masomo, tukiangalia masomo huku wilayani sana sana hii ya Igembe, tunaona upande wa walimu hauendi vizuri kwa sababu gani? Kwa sababu ya ulevi. Kwa walimu na umalaya. Yaani nataka kumanisha kusema, saa ile mwalimu anafaa kuwa shuleni anaenda kuomba ruhusa ili aende nyumbani na anasema yeye ni mgonjwa. Na ugonjwa wake ni huu wanakuja kutabasa hapa kwa chang'aa na unamkuta huko kwa bar anastarehe huko na huko kwa ofisi alidanganyana yeye ni mgonjwa. Na akienda hospitali anaenda tunapeana pesa kidogo ili apatiwe barua ya kumaanisha yeye ni mgonjwa na bali yeye ameenda kwa furaha zake na mwazazi wa mwezi anaenda kuchukua mshahara wa bure. Hio ulagai hatutaki, ili elimu yetu ya Igembe iweze kupanda juu sababu tunaona hii ndio inakuwa last kwa country yetu ya Kenya. Ni kwa nini na tuko na walimu?

Pande ingine, ni upande wa certificate, tungetaka hii education level yetu wale watu ambao wanasoma wale wako na certificates wa peke yao ndio wanaojiriwa lakini si ati uwajiriwe kwa sababu wewe ni mtoto wa tajiri. Watoto wa matajiri hata wakiwa na E am nayeye mtoto wa maskini akiwa na A unaona ako nyumbani tu analima, ilhali yule wa tajiri ako na E ndio ako kwa ofisi. Kwa m Asante.

Com. Domiziano Ratanya: Asante sana umemaliza. Inafanya kazi. Sasa tuende kwa, yule anayefuata hapa kwa list ni P Githinji lakini huyo anakuja tu kusikiliza na kuna tena Habdi Hassan. Abdi yuko? Young Muslim Assosiation pengine. A Unamuona karibu? Pengine anakuja baadaye. Kuna Gideon Chebere. Gideon anasema ana memorandum. Kwa hivyo hutab kusoma yote. Sema machache na utupatie memorandum Bwana Gideon. Thank you.

Gideon Chebele: Asanti sana Bwana Chairman, hii ni memorandum ya Freedom Fighters. Wale ambao walilete serikal walipigana kwa ajili ya watu wa Kenya wakapata uhuru. Lakini serikali ilioko na iliopita ya Mzee Kenyatta, haikukumbuka watu ha Watu hawa walipigana wengine walitaabishwa wakaenda kufungwa Lodwa na wengine wakaenda detention na wengine jela. La hakuna chochote walichopata. Kwa upande tuseme kama tukiona wale watu walikuwa wa Army kuna compensation walipewa muingereza kwa ile kazi walifanyia. Lakini hii yetu tuliopigania uhuru, tukawa huru kama tulivyo sasa hawa freedom fig hawakukumbukwa. Serikali iwakumbuke wapatiwe ridhaa kama wengine. Wapewe compensation kama wengine wale waliopig kama wale wa Zambia ama mahali pengine.

La pili Bwana Chairman, wao watu wa freedom fighters wapewe heshima maana hawaheshimiwi kabisa na serikali ilioko. W waliokuwa wakipigania ndio walinyang'anywa mashamba yao, hawana mashamba, mambo mengine mengi hata watoto wao haw nafasi katika kazi ya serikali. Ni watu ambao walionekana ni watu wa bure kabisa hawana maana kabisa hawa watu waliopigwa uhu

Ya tatu, hawa wazee waliopigania uhuru wapewe mahali pa kukaa. Wapewe mashamba, wapewe kama tuseme kuna mahali peng kama upande wa Nyambene. Kama huko Northern Grazing Area hao ni mashamba ambao hakuna watu. Ama mahali pengine ka vile tunasema Nyayo Tea Zone. Hayo mashamba ambao haina kazi hawa wazee wapewe. Inginge Bwana Chairman, kuna hii ingi tunasema mambo ya watoto hawa wanaitwa chokora, ambao wanarandaranda mitaani wengi sana. Kulikuwa na sheria ambayo iliku inaitwa law affiliation ama kwa kimeru nenti hio irudiwe Kijana akiwa na mtoto wake amezaa na msichana amulee na ampeleke shu kama wale wengine. Wakimeru wanajua hiyo nenti walikuwa wakifanya nini. Irudiwe Bwana Chairman. Lingine ambalo lina ma sana, serikali yetu ilikuwa serikali ya umoja, hatutaki majimbo, serikali ya majimbo sio freedom fighters, hatutakubali. Tulipigania ul kwa serikali moja, kwa hiyo Bwana Chairman hatutaki hiyo.

La mwisho ni kusema asante kwa vile serikali ilileta utawala karibu na mwananchi. Yaani chief na ma subchief wakawa karibu location kama hapa kwetu zikae vile vile ilivyo. Hayo tu ndio nasema nikiwa secretary wa freedom fighter Gideon Chebele, M North. Asanti.

Com. Domiziano Ratanya: Asanti sana Bwana Gideon, hao ni maoni ya kufaa kabisa na umetumia masaa vizuri. Kwa hivyo tukiendelea, mwingine hapa ni Moses Karuma. Karuma naona hata yeye ana memorandum. Kwa hivyo ufupishe kabisa.

Moses Karuma: Asanti Bwana Commissioners, na niko na memorandum, yangu itakuwa fupi. Kwanza kabisa ningeanza naomba ni zungumze kwa kingereza.

I would like to state that when we are talking about this constitution it is not the property of the commissioners it is our property therefore we should be proud that we are going to make a constitution that is going to govern our people. Therefore, like my colleague said it should have a preamble which is stating it is our property and it shall be respected in future. I will start by saying we should have in our constitution misallocation of public resources. All civil servants should be provided with traveling allowances, loans to buy their own means and this will save the government from misuse of public vehicles like GK, and so and so forth. We should also take into consideration that when government officers are given these very expensive vehicles it is at the expense of the unemployment that we have in this country and it is not fair. One senior servant in Nairobi is consuming a lot of money when we have thousands of Kenyans who are unemployed. That should be avoided and there should be a remedy to that in our new constitution.

This country uses a lot of millions in maintaining expensive vehicles. We should emulate what other countries which are even more developed than ours, France, Japan and the others. They use very simple means of traveling like motor cycles and bicycles for senior officers. We should not pretend that we are better than them. Our Kenyan law are in very bad state and therefore, this one too makes life very expensive for Kenyans. The second point, we Kenyans should avoid the culture of begging. We have been trained to beg from the government, they ask for loans from overseas, when it comes to the national level we Kenyans are made beggars in our country we are made to beg the presidency, such that there is no project which ever takes place without the blessing of an individual. That is unfair, project should be directed according to merit because we are Kenyans and we want to feel that this is our country.

On presidency, never should we have an individual ruling this country as an individual. It should be a system where opinions of Kenyans are being sort but where an individual is given absolute power, then that becomes a small god and that is not good. Why? Because the rest of the Kenyans do not contribute positively to the development of this country. They fear and actually what we have suffered from Kenyans is fear. No technocrats clerks or experts or consultants would like to contribute positively in the welfare of this country because of fear of victimization. Therefore we have our people who have run away from this country. And that is not good. We should involve every Kenyan to develop this country and every Kenyan should feel it is part and parcel of his duty to develop this country. Therefore we should have a government that is inclusive regardless of the party. Every Kenyan who has properly schooled should be accepted for every position that there is for him to develop this country.

The judiciary, this has been compromised, our new constitution should state clearly that we should not have a collapse judiciary therefore those judges who have fallen short of public expectation should be fired and there should be a mechanism to remove them. We should not have judges here who are sentencing mothers to prison and leaving bandits, because we have cases where the bandits have been

released, because they have the money and mothers put into jail because they have no money. This is very unfair and we have been looking at it. There should be a mechanism such that we Kenyans should say no to anything evil. Today the law does not provide a common man with that kind of remedy, we only look at them doing it and we are told it is the law and that becomes the end. I look at the provincial administration(Interjection).

Com. Domiziano Ratanya: So you summarise please.

Moses Karuma: Provincial administration is just a colonial outfit. It was enacted in the 1920s by the colonialist; today we work for them. We cannot even tell the meaning of, that is the metal that they put on their head. It is unfair. We Kenyans we should know why we have these chiefs. And instead of chiefs let us have elected people who will stand to govern the people, because they will be respected by the people.

On leadership provisions, I am proposing in my memorandum that no public office should be held by a person of poor moral standing. For someone to hold any public office that person must be a man of sound family not a thug. So that you will be entrusted to lead other people's families. We should emulate those people, the Americans and others. We don't have people leading people if they are real thugs or people who are corrupt.

We have a series of them here in the line of position of leadership who have corrupted our societies, our sacco and yet they just show up and join the politics and then they corruptly become Councillors and MPs and that is very unfair. The people who should be there, there should be a criteria of getting who the leader should be.

Parliament and civic election, I am saying and suggesting that there should be equal representation by fate so that even the poor can have a chance of leading. But when we live just for the rich then it becomes a country of only the rich and the poor are sidelined. We want our parliamentary system to bear commissioners which shall have a mechanism to check its powers.

We should have the senate and at the lower house, this will prevent the MP from being notorious like they have done of late. High salaries when teachers have no pay. When people are suffering here in Kenya and yet some are being over paid. That is unfair. People should be mandated to recall the elected leaders, Bwana commissioner, they should recall their MP who does not perform. Councillor who does not perform. After the five year term we don't have to wait until five years are over. We want if that person is not performing he should be recalled and people give a chance to elect a proper leader. Here I am suggesting that all elected members should have a programme of development so that it should form basis of their campaign. They should say that after five years we should do this and this for you. If they don't do then they should go.

And lastly, there should be equitable distribution development projects according to merit, we should not have development going only to the big man or the boss influential. That is something which should be taken very seriously. And finally, the most important it is our education system, let us have the Davy's Koech commission which gave us a proper system of education. Let us withdraw the 8

system of education. It has failed and it has frustrated our youth.

Miraa is a very important cash crop for this community. It should be treated with a lot of seriousness. Nobody should call miraa a drug. Because it supports the religious sector, it supports health sector, it supports our education, it supports everything. What I am suggesting is that there should be a mechanism for administration of this business called miraa.

Land cannot go unmentioned, it is a very important thing but the current land law should be scrapped, because it has rendered many owners of the land landless. It has only given the rich the opportunity. What I am suggesting about land is that, there should be a constitutional limit on land. Those who are owning excessive land like over a hundred acres should be taxed, and be forced to pay so that that land can be developed. Those who are able to develop it well and good because those people will be improving the economy of this country. Because I have a memorandum I think the rest can be read and I am very thankful. I stand now for questions.

Com. Domiziano Ratanya: Okay, thank you very much Moses. There is something that I would like you to clarify. You had said about senate. Do you want to say senate and upper house or can you make clarification there. Is it one and the same thing?

Moses Karuma: Yes, thank you very much. By the time we took independence we had two houses, that is the senate and the National Assembly. Each one of them was set such that one of them may not have excessive powers. So we would have the senate and the National Assembly which is the Parliament.

Com. Domiziano Ratanya: I think it is clear but you had said senate and upper house.

Moses Karuma: No, sorry, senate is the upper house and then the,

Com. Domiziano Ratanya: House of the representative. Okay.

Moses Karuma: Exactly, yea. Thank you very much.

Com. Domiziano Ratanya: Okay, Bwana Moses, Jecinta Karimi is an observer but we have Paul Kirima.

Paul Kirima: Thank you Bwana chairman. My names are Paul Kirima Nturu. Yangu ni, according to custom or culture, Njuricheke should be guided by the constitution and given mandatory to solve local dispute which are not solved by the courts of law. For example like the land dispute, dowry, family affairs even caring for forest and soil erosion etc. When dispute cases are twisted in court by one party denying the facts traditionally Njuricheke administered customary oath known as kefiri to solve that dispute. In our culture and tradition, people of Igembe, Ntonyiri and Tigania and Meru at large, community use miraa as fast being to give to your in law before

marriage. Naturally, we should ask the constitution to protect it for the above community. There is a chief, to be employed as any other employee and not to be employed by the D.C. and sacks him as he wants. Chief power to be increased. Chief order to be loosed since obliged a lot of men are identified. Chiefs, hawa watu katiba ya hapo awali haikuwashughulikia kabisa. Kwa nini mamlaka yapa D.C. pekee?

Tungetaka kuwe na kamati ya kusikiza makosa aliyeyafanya kama ilivyo wafanya kazi wengine. D.C. awe na mamlaka ya kuandaa chief wake barua ya onyo, alafu anaweza kumusimamisha lakini sio kumuachisha kazi. Kwa watoto, haki ya watoto, kuna watoto wachokora, na wengine yetima wamezaliwa na walemavu.

Katiba ishughulikie hao watu. Ijue, kwa upande wa kazi, kama wamesoma wapewe kazi kama wale watu wengine, zile kazi wanawafanya, wanafaa washughulikiwe na katiba ya hivi sasa tunafanya. Kwa hayo machache asanteni na memorandum yangu hapa nitapeana.

Com. Domiziano Ratanya: Asante sana Bwana Paul kirima. Naenda kwa Joseph Muchira.

Joseph Muchira: Asanti sana, asanti sana kwa kuchukua hii nafasi. Mimi kama kawaida naitwa Joseph Muchira, na wale wanawafanya hapa Maua kama Kariuki. Kile ningetaka kulilia ni hii serikali yetu kulingana na vile tunakaa kama disabled. Tunafinyiliwa kikazi. Na tunataka serikali yetu itufanyie, ni tuwe na free licence za kazi zetu. Na ndio unaona kila mahali tunatembea katika nchi yetu ya Kenya na walemavu ambao wamesoma, wengine wako na certificates, wengine wako na grade, na hawawezi kujianzia kazi zao kwa mwanadamu hawana capital. Vile ningetaka kuomba serikali yetu na katiba yetu ya Kenya iweze kuwachukulia kama watu wale wengine na wale wawajimudu kujimudu kimaisha na waweze kuinuka kwa maana kuna wengine wako na watoto, kuna wengine wamezaa, kuna wengine wamedharauliwa kama wale wasichana wamezalia kwao, kwa wazazi wao, ambao walizaa na watu ambao wanajiweza wametupwa kwa wazazi wao. Hivi hao watu serikali iweze kuwachukua na kuwasomesha wale ambao hawajimudu, wale ambao walemavu na wale wako na kazi, wale wako na grade ambao wamesomea wapatiwe nafasi ya yakujitafutia riziki zao za kujimudu kimaisha.

Kama wakianzisha kazi zao wasijwakiwa na harrasment ya council, wawe na free licence yao. Wasije wakawa street beggars. maana tumeona wengine hawa ni street beggars. Wengine wanakuwa wanachoma mahindi ambayo sio kazi yao ile walisomea.

Kwa hivyo naomba serikali iwazidishie kazi zao na waweze kuziinua. Kulingana na vile kulikuweco hapo mbeleni, mulemavu aliyetupiliwa kama kitu ambae haina maana. Lakini siku hizi wamesoma, wako na nyumba zao, na wanataka kujiinua kimaisha kwa maana hakuna maana ya kuomba kuomba. Na kila mtu akipata nafasi yake ya kazi hakuna wakati atakuja kusumbua mzee ama mwanadamu kulingana na vile yeye anajiweza yeye mwenyewe. Kwa hivyo kwa hayo machache hata wale chokora unawaona wakirandaranda wengine ndio watakuwa wafalme wa kesho. Na ningetaka serikali hata wawachukulie kama watu ambao wanajiweza, na wawakufanya kazi kulingana na umri wao. Kwa hayo machache mimi nitamwachia hapo.

Com. Domiziano Ratanya: Asanti sana, Bwana Joseph Muchira. Muchira umemaliza. Hapa kuna na Moses Karuma na kuli hapa na Moses Karuma. Is that the same person? So we don't need to repeat. Okay. Justus Mwenda. Justus tuambie machutuasoma hio memorandum yote utatuachia tutaisoma. Lakini give the highlight.

Justus Mwenda: Asanti commissioners kwa sababu niko na memorandum hapa nimeandika nitafanya tu highlight na mimi naitwa Justus Mwenda napeana maoni kwa niamba ya Maua Sacket. Tuliangalia hio mambo ya katiba, na tukaona katiba yetu tungetakinaanzia na hii tunasema priable nikisema sisi watu wa Kenya ambao tulipigania uhuru na tukateseka, tuweze kujitawala wenye katiba hio iweze kulinda sisi wote.

Na pia tulionelea ya kwamba hii katiba, kwa sababu katiba iliopita wengi bado pata nafasi ya kuiona, hio katiba iandikwe na lugha a kila mtu anaweza kujisomea local language na pia kwa upande wa executive tungeonelea kwamba yule ambae atachaguliwa a kiongozi wa nchi yetu anaweza kuwa mama au mwanamme na pia awe ni mtu ako na nidhamu na pia asiwe anawakilisha constituyoyote. Kwa sababu yeye anawakilisha wananchi wote. Upande wa viama, kwa sababu viama viko vingi. Tulionelea viama vingi ni lakini ikiwezekana vyama vikiwa vitatu vitaweza kuendeleza nchi vizuri. Na pia mambo ya serikali, tulikataa serikali ya inaitwa Federal System. Nasema serikali ya Unitary ndio tunapenda na zile arms tatu za serikali Executive, Judiciary na Legislature hio iwe ikiendeleuingiliwa na hata katika Local Government mambo ya uchaguzi wa mayor na chairmen iwe ikifanywa na wananchi wote. Wakichaguliwa ndio waweze kuendelea kuongoza town zetu kwa njia ilio nzuri. Mambo ya uchaguzi. Tuliangalia tukaona mambo uchaguzi, uchaguzi uwe ukifanywa siku moja kama vile unaendelea na ukifanywa hivyo watu watakuwa na muda mfupi wa kuingiongozi.

Pia upande wa land, mambo ya land yamekuwa na shida kubwa, tumekaa kama upande huu zaidi ya miaka arubaine bila kupata v land titles, kwa hivyo katiba mpya iangalie mambo ya land registration iharakishwe. Na upande wa kugawanya, utajiri wetu, utajiri uwe equitably distributed kwa nchi yetu ili sote tuweze kukula hio pesa yetu kwa njia iliyo nzuri. Lakini isiangaliwe ya kwamba up gani inapendelewa, kwa hivyo kwa kifupi hayo ndio maoni yale tuliangalia lakini kwa memorandum ile niko nayo iko na mengi.

Kwa hivyo commissioners ninaamini ya kwamba katiba yetu ile itakuja itatuhudumia sote. Kwa hivyo hizo ndizo highlight. Asante sana.

Com. Domiziano Ratanya: Asanti sana Rev. Justus Mwenda. Huyo amekuwa wa kwanza pengine kuweka ile s memorandum na mambo yake amesema kweli kweli. Kwa hivyo mfuata namna hiyo. Na tutaendelea sasa kwa huyu Simon Kin observer. Naona hapa kulikuwa na Peter Kaigathi tulimuita lakini pengine kama umekuja anaweza kuendelea. Tulikuwa tumesema ni oral presentation five minutes lakini na ukiwa na memorandum ni kama dakika tatu, just briefly.

Peter Kaiyathe: Thank you Bwana Commissioner kwa kuniita. Mambo yangu ni mafupi. Kama ni mambo ya number one, citizen mtu akizaliwa katika Kenya awe citizen. My name is Peter Kaiyathe. Mimi ni mmoja wa wanakamati wa Constitution review constituency yetu. Kwa hivyo mtu akizaliwa na mtu wa Kenya bibi na bwana wa Kenya awe automatically mwananchi wa Kenya. Freedom of citizens. Ni lazima tukuwe na masomo, shelter, clothing, food. We be free from torture freedom of movement. Tuwe na nafasi ya kutembea mahali yoyote anataka katika Kenya. Na tuwe na properties. Mtu akiwa na kitu yake iwe ni yake lakini isichukuliwa mwengine kwa nguvu au kwa mambo mengine.

Freedom of religion, mtu awe ana join dini yoyote ambayo anataka. Awe na freedom hio na asitaabishwe.

Political participation, mtu akitaka kuwa wa DP, akitaka kuwa wa Kanu hio ni right yake hata kama tuko kwa familia moja mtoto w anaweza kuwa wa Kanu na mimi niwe wa DP. Kwa hivyo kuwe na freedom of participation in political parties.

Na mambo ya death. Freedom from unnecessary termination of death kama mtu amefanya makosa kama hataki auwawe asiuv Tuwe na freedom ya health care maji na employment. Watu wakiamaliza masomo waajiriwe. Kwa sababu mtu anaenda mpaka d na haawajiriwi.

Political parties, Kenya iwe na political parties nyingi ili kila mtu a join ile Political Party anataka. Lakini political party ambayo itaku watu wengi katika parliament, kiongozi wa hio party awe ndiye president wa Kenya.

Structure of government; tuwe na unitary state si ya majimbo, tuwe vile ilivyo iwe na legislature, iwe na judiciary, nakuwe na po executive. Local government the current structure iwe ikiendelea lakini mamayor na machairman wa County Council wawe wakichag na wananchi wa, mahali wanapowakilisha.

Electoral system tungetaka electoral commission iwe na nguvu ya kuendesha mambo yauchaguzi naiendele.

Land and property rights, kila mtu awe na right na kuwa na shamba lake lakini kama hatunzi hio land ikuwe tenure kama wale mashamba makubwa Rift Valley na huku kwingine na hayatumiki igawanyiwe wananchi.

Ethnic groups, sisi ni wameru katika Igembe na tungetaka culture yetu iendele. Mambo ambayo tungetaka iendele ni kama vile age hapa tuna(In Kimeru dialect). Kitu kama hicho kiendele kwa sababu watu wakiwa kwa group fulani, age set fulani heshima na wengine. Sasa hizi groups ziwe na ile sub-age sets, hiyo ni kitu kizuri kinaweka watu discipline katika watu wa Meru Hata upandue wembe. Dowry, tungetaka kuwe na dowry, iendele kama vile ilivyo. Hapa kwetu mtu anatoa, heifer, mwari, mbuzi ua dume, mbuzi tano wakati wa dowry, anatoa miraa, ananunua nguo mwanaume sasa. Kwa yule anaoa, hio iendele. Groupings, groups za wameru ambazo si vizuri zipotee kama vile(In Kimeru dialect). groups kidogo, watu wana discipline huko, ziendele.

Environment, misitu yetu ikichungwa vile ilivyokuwa ikichungwa na njuri na watu wote. Upande wa provincial administration, sio ambayo iko ni vile inatumiwa vibaya, sio mbaya kama kuwa na Assistant Chief, Chiefs, DO na PC mpaga huko juu ni system iendelee. Asanti sana Bwana Commissioner, hayo ndio nilikuwa nayo yakuongea. Thank you.

Com. Domiziano Ratanya: Asanti sana Peter. Na sasa tunaendelea kwa mwingine anafuata ni Pastor Julius Njau Kathuri.

Julius Njagi Kathuri: Asanti Bwana Commissioners. Jina langu ni Pastor Julius Njagi Kathuri. Mimi ni minister, Pastor wa kwanza la Seventh Day Adventist Church, katika Maua Region ambao tunaita District. Naniwakilisha twenty one congregations katika Maua region ama Maua District ikiwa na Wafuuzi kama elfu moja, mia nane na ishirini.

Na tulipokaa chini tuliona ya kwamba ni vizuri tujue katiba yetu iweze kuangalia mambo ya ibada kwa kila mtu, kwa sababu ibada ni kutoka kwa Mungu ama ni haki kutoka kwa Mungu, kila mtu awezekuwa anamwabudu Mungu, vile anaona inafaa. Sisi watu wa Seventh Day Adventist watu wanaoamini Bibilia. Neno la Mungu kutoka mwanzo mpaka ufunuo, kama vile Mungu amesema katika Bibilia. Na tunaamini kwamba amri zile Mungu ametupa katika Bibilia na moja wapo ni ile ilio katika kitabu cha kutoka ishirini, haya ya nane mpaka ya kumi na moja inasema ikumbuke siku ya Sabato uitakaze. Fanya kazi siku sita lakini siku ya saba ni Sabato ya Mungu wako. Kwa kuwa Mungu aliumba mbingu na nchi na vyote vinavyoonekana kwa siku sita na siku ya saba akaiweka iwe ya ibada kwa wale alioumba kulinga Bibilia. Tunaamini Yesu Kristo kama ndio mwokozi na yeye ndiye alisema ameweka Sabato kwa sababu ya mwanadamu.

Com. Domiziano Ratanya: Pastor tueleze yale ungetaka iingie kwa katiba.

Julius Njagi Kathuri: Asanti.

Com. Domiziano Ratanya: Kwa sababu wengine wetu tumesoma Bible na tumefundishwa lakini, yale unataka yaiingie kwa katiba.

Julius Njagi Kathuri: Asanti.

Com. Domiziano Ratanya: Kuhusu dini yako.

Julius Njagi Kathuri: Asanti. Asanti.

Com. Abubakar Zein Abubakar: Pastor yaani unasema unataka Sabato itengwe kama siku ya ibada.

Julius Njagi Kathuri: Yes.

Com. Abubakar Zein Abubakar: Endelea.

Julius Njagi Kathuri: Mimi nasema Sabatio itengwe kama siku ya ibada ndio nataka kusema. Alafu niseme ya kwamba handle cases nyingi za watu kuteswa katika region hii, katika mashule, watoto wa Sabato wakisukumwa kufanya kazi siku ya saba wakifanya mitihani siku ya Sabato wakifanyishwa kazi kwa nguvu siku ya Sabato, wakifanya mazoezi games siku ya Sabato, wakihuthulia fund raising, price giving, parents day, graduations katika siku ya Sabato kinyume na amli ya mwenyezi Mungu. Na kina imani yao. Tungependa ya kwamba by elections za uchaguzi ambayo ni right ya mwanakenya kuchagua yule anayetaka sifanywa siku ya Sabato. Siku ya jumamosi kulingana na Bibilia, kulingana na Kurani, kulingana na dictionary kama namna hio. Tumeona watu wakinyimwa kazi katika Public Sectors na Private Sectors kwa sababu ni wa Sabato. Wanaadimisha siku ya saba siku ya Sabato. Tumeona wengi wakiftwa kazi kwa sababu ya siku hii ya juma mosi, tungependa katiba iangalie maslahi ya hao watu. Kwa sababu wakenya.

Mambo mengine ambayo tuliangalia ni ya kwamba tungependa kila mkenya awe na right ya kutangaza, to profess or not to profess religion. To receive or not to receive religious instructions. To participate or not to participate in any form of worship. To refuse to take any oath contrary to personal convictions. To express openly personal religious beliefs or to maintain silence about such beliefs. To observe a day of worship of ones choice and not to be compeled to do any work on that day, according to ones beliefs.

Personal liberty, tungependa, we would want to see the constitution entrenched that somebody should have a right to live, should have a right to personal liberty or individual right, should have a right to express himself or herself. Protection from slavery or forced labour, protection to any degrading punishment or treatment, protection against abirtrary search over a person or entry into his premises.

Protection from deploration of private property. Freedom of thought and religion. Freedom of assembly and association, freedom from discrimination of basis of age, religion, gender, tribe etc. Fair and experienced trial by an independent court. And finally all churches to be equal infront of Kenya. Katika katiba hakuna kanisa ndogo, na kanisa kubwa. Na nimalizie nikisema ya kwamba isipokuwa kanisa ambayo inasisitisa umwagikaji wa damu, kama mungiki na zingine ambao zinapendea kuoma damu ya watu ikimwagikaji zinahubiri amani hizo ndizo zinafaa kusaidiwa. Asanti.

Com. Domiziano Ratanya: Asanti sana Pastor umemaliza. Tulimuita Habdi. Kiongozi wa Muslim hapa. Ameingia? Habdi Ratanya wewe? Okay, ni wakati wako. You have submitted the memeorandum. Asanti sana. Kwa hivyo natoa shukrani. Kwa hivyo ameweka memeorandum.

Nilianza kwa kusema ukiwa na memorandum, unaweza kuweka pale iandikishwe na hata uende ama uketi uskilize wengine, si ni uzungumzie. Kwa hivyo hio ni example moja ya Abdi. Okay, naona Mithika ni observer lakini tuna Abraham Kamuyu.

Abraham Kamuyu: Thank you Mr. Chairman. I hereby wish to submit the memorandum on behalf of the stake holders on behalf of concerning children in this District. First and foremost my names are Abraham Kamuyu Ntokirima. I am the Executive Director

Nyambene Child Ministry and I am representing all the stake holders pertaining to children issues in this District. Mr. Chairman, the holders on issues concerning the children in this District having considered comparative the provisions for children in the constitution of our sister countries of Uganda, Ethiopia, South Africa and India and having considered international trade and the provisions of international instruments, protective of children rights, key of which are dehumanating reasons conviction on the rights of the child and the African charter on the rights and welfare of the child of 1990 believing that..... (Inaudible, end of cassette 11 side) our reviewed constitution that pleases the fundamental values which would be essential for the protection of children of Kenya. In the preamble Mr. Chairman, we are suggesting that it should be include freedom participation, equality, solidarity, tolerance, respect for nature, shared responsibility, fidelity to human values and responsibility of citizens. Mr. Chairman, we further want to bring our principles to the constitution review, our first principle Mr. Chairman is distinct recognition of children in special section and the bill of rights.

The second one Mr. Chairman, is whereby we require to have in the reviewed constitution a definition of a child. That we require a clause which should show the nationality and citizens rights, whereby all Kenyans children should have the right to enable the nation to move forward from back,

Com. Domiziano Ratanya: (Interjection). Correction kidogo Kamuyu. Try to highlight don't go through your memorandum shall read it. Just sema point point kidogo. Wengine wapate nafasi.

Abraham Kamuyu: Okay, thank you Bwana Commissioner. Asanti ni nitarudia tu kidogo hapo amesema ili muweze kueleza. Nimesema maoni yetu sisi tuliangalia vile nchi kama Uganda iko mambo ya watoto, nchi kama Ethiopia na nchi kama South Africa, Africa Kusini na India vile wako na pia tukaangalia michalada ama mambo kuhusu watoto. Yale yamewekwa kama ile ya United Nations Convention on the rights of the child (CRC) of the year 1989. Na hata ile ya Africa, yaani kuna sheria imewekwa na waafrika, yaani sheria zote za Africa kuhusu watoto. Na tulipoiyangalia tukaona ni vizuri katiba yetu ile sasa inaenda kufanyiwa review iwe na preamble of our reviewed constitution for inclusion of preamble in our reviewed constitution that emplaces fundamental values which should be essential for protection of children of Kenya and which include freedom. In freedom we are talking of men and women have the right to live their lives and raise their children in dignity. Free from hunger and from the fear of violence, oppression or injustice. Participation, democratic and participatory governance, based on the will of the people be assured these rights. On equality, we are talking of no individual or community must be denied the opportunity to benefit from development. The equal rights and opportunities of children, women and men must be assured. Solidarity, national challenges must be managed in a way that distribute the cost and burden fairly in accordance with basic principles of equity and social justice. On tolerance, all persons must respect one another in all their diversity of live, culture and language. Differences within and between societies should be neither feared nor repressed but solicited as the precious asset of humanity. A culture of peace and dialogue between all societies should be enhanced.

On respect for nature, prudence must be shown in the management of all living species and natural resources. In accordance with the present of some inable development. Only in this way can the imeserable riches to aburden to us by nature be preserved and passed

to our children. On self responsibility, responsibility for managing our economic and social resources and development as well as the national peace and security must be shared among all Kenyan communities. Fidelity to human values. The recognition of and commitment of co-adeals of honesty morality,

Com. Domiziano Ratanya: Yes, Bwana nani, umebakisha dakika moja.

Abraham Kamuyu: Asanti. Then on the responsibility of citizens we recognize and appreciate the fundamental role of every Kenyan citizen in protecting the constitution upholding the rules of law and preserving our national heritage. Then, on that one Mr. Chairman, the issues concerning constitution principles, these are the areas we would want to be included whereby we require definition of a cleared definition of childhood would create clarity and acknowledgement and enforcement of children rights. Nationality and citizenship rights to name to automatic citizenship, whether born of a Kenyan female or male, parent or Kenya in Kenya or Abroad and subject to loss made in their best interest.

To know and be cared for by their parents or those entitled by law to bring them up. The reviewed constitution should provide for registration of birth as the fundamental right of every child. Dual citizenship should be incorporated in the reviewed constitution especially where parent of the child are from or are citizens of different counties.

The constitution should provide for the right and responsibilities of the citizens beyond the ordinary civil liberty. Principle four, right and basic rights, children have a right to life. Their survival and quality of life depends on their access to basic needs like nutrition, care and shelter, water, sanitation, safety and security and equitable distribution and resources.

Com. Domiziano Ratanya: Okay, try to summer up.

Abraham Kamuyu: Lastly Mr. Chairman,

Com. Domiziano Ratanya: That should be last.

Abraham Kamuyu: Thank you. We are advocating for rights to education. Every child should be entitled to free and compulsory basic education, and affordable subsequent education. Both of which should be the state responsibilities to guarantee. Mr. Chairman, I have the memorandum it is covering all the area, I will give it, but if you allow me I will just mention on the access to justice by children. Whereby Mr. Chairman we are recommending that there should be a constitutional provision recognized to superior courts for children of or under their jurisdiction and ministered by officers trained on children issues.

The reviewed constitution should provide that no civil or criminal proceeding in a court of law concerning a child should proceed in the absence of a legal practitioner for the child. On the same, the reviewed constitution should guarantee that the cost of legal services for a child to any civil or criminal proceeding should be borne by the state.

Mr. Chairman with those few remarks, we feel that our views will be taken seriously and since there is a memorandum here I will hand it to you.

Com. Zein Abubakar: Mr Kamuyu we as Commissioners are not trying to hurry you along,

Abraham Kamuyu: Sure.

Com. Zein Abubakar: What we are referring to as first generation, second generation and third generation rights, you are referring to international instruments and international treaties, we are all familiar with that. What we are saying to you is that, if you sum them up, just give us the memorandum we will act on it. Thank you.

Abraham Kamuyu: Thank you, thank you for allowing that. All these things I know you are aware of it and I really appreciate it. Thank you very much.

Com. Domiziano Ratanya: Sasa kabla ya kuenda kwa mwingine, ningetaka kuongeza hapo commissioner mwenzangu amekusudia kama unakuja tulettee points zako za muhimu zile zitaingia kwa katiba. Si kuanza, kutufundisha kama seminar. Unajua hapa hatuko seminar.

Si mafundisho, ni point unasema, point hii moja, iwe kwa constitution, kama ni sheria ya watoto hio imekuisha. Kama ni koti ya watoto hio imekwisha. Mambo kama hayo. Kwa hivyo tujaribu kutumia wakati. Kuna watu wengi sana na kama tusipotumia masaa vizuri tunawatawatu watu hawatapata nafasi ya kusema. Nafuatieni hayo ili tuende upesi upesi. Na sasa tunaenda kwa Albam anafuata ni Jacob Tuthi Joseph ameingia. Okay kama hayuko hebu tuendelee kwa nyengine. James Ntoiti yuko? Yuko? James Ntoiti hayuko? Then the other is Alamano. Ameandikwa hapa ni mwalimu. Alamano hayuko. Julia Kaunaku. Julia. Hata Julia tunaona kama hayuko. Then the next is Jacob Mukaria. Okay Mukaria endelea. Kwa ufupi sana, yale yamuhimu.

James Jacob Mukaria: Asanti sana Commissioners na wale ambao wamekuja kusikiza. Kwa majina mimi ni James Jacob Mukaria. Mimi ni mukaaji wa hapa Maua. Nina lete machache tu kuongezwa katika katiba yetu. La kwanza, kama nimesema B.Commissioners ni mambo ya uandikishaji wa societies. Ndio nataka objectives za societies ziwe zikiangaliwa kiundani kwa katiba sababu kuna zingine zinaingishwa zinaunmiza wananchi. Hasa tuseme kama vile freedom of worship ni sawa iko katika katiba inaonyesha hata societies zingine zinaongeza devil worshipers wanakuwa nafasi ya kuharibu watu wa Kenya. La pili, mwenye kiti nina kusema katika katiba yetu nchi yetu imeanza kuwa ukiwa au deserts kwa vile environment yetu haiyangaliwi vizuri. Naomba upanda miti, na ukataji wa miti uangaliwe kiundani kabisa na misitu yetu itunzwe na katiba yetu kwa sababu wakati huu hata ukiingia katika misitu tuko naye imekatwa hakuna hata kitu tunaweza kupata.

La tatu ni serikali la federal government, naonelea ya kwamba isiwe kabisa katika katiba yetu. Kwa sababu hata tukiangalia na cakes, zile zetu kwa Kenya hazifanani kwa Province, kwa District na kwa Location. Kwa hivyo tunaomba katiba iyangalie serikal iwe uniteral government, iwe moja ambayo inaweza kuwa nzuri. La nne, nchi yetu ya Kenya ni nchi nzuri ambae ingekuwa na mwingi, katiba iangalie. Vile vikundi ambao zimepatiwa kazi na serikali kama agriculture, health, veterinary, water resources na v vifanye kazi ile ambayo, which they are supposed to do. Kwa sababu hawafanyi kazi kabisa.

They have become officers, wanakuwa kwa maofisi wanangojea siku uende kufanya kazi kwa mwananchi. Kwa hivyo agriculture i nchi yetu itakuwa na utajiri mwingi na watu wawe wametajirika. Na lingine Bwana Chairman nataka kusema parastatal bodies, zile Kenya, parliament izitunze. Si kuondoka wakisema kuna sokoo huru. May I say for example hapa kwetu tulikuwa na coffee indu ambao ilifanyiwa soko huru naikafa. Na ndio ilikuwa mtu wa mgongo wa nchi yetu. Kwa hivyo tunaonelea kwamba serikali iwe nda vile vikundi ambazo zimefanya soko huru kwa sababu tunaonelea kama sasa walifanya majani chai kuwa soko huru na sasa yanaen hata there is a lot of questions inside it. Kwa hivyo katiba itunze hizo parastatal bodies zetu ziwe zikihudumu. Lingine Bwana Chairman

Com. Domiziano Ratanya: Hiyo ni ya mwiaho jaribu kumaliza.

James Jacob Mukaria: Okay. Right of citizenship, kila mwananchi awe na right ya kuishi na aishi pahali popote anapotaka, asiwe aki interfere na mambo mengine. La mwisho Bwana Chairman, ni mambo ya utajiri wa Kenya. Uangaliwe na katiba yetu sababu wengine wana mali zaidi ya vile wanapasa kukua nayo. Ukienda kwa ofisi unakuta mtu ameajiriwa, ukienda kwa mashamba ako na mashamba makubwa, ukienda kwa biashara labda ndie ako na maua town yote. Kwa hivyo katiba iweze kuchunguza ili watu wengine wako katika Kenya wawe na uhuru wa kuishi na kuona vile wanatarajia. Kwa hayo machache nasema asanti sana.

Com. Domiziano Ratanya: Okay, asanti sana Jacob. Tuende kwa Edward Kaberia. Naona hapa ameandika memorandum. hivyo atasema machache kwa hizo dakika chache atupatie memorandum. Yuko? Kama hayu, okay he is here. Edward Kaberia Edward or somebody has written Edward.

Com. Zein Abubakar: It should be Henry.

Com. Domiziano Ratanya: Henry Kiogora. Kwa hivyo tulikuwa tukitaka Edward Kaberia, Edward Kaberia not Henry. hivyo kama hayuko twende kwa Henry Kiogora.

Henry Kiogora: Thank you Mr. Chairman, yangu natoa maoni ya Kenya Football Federation ambayo ni watu wale wanahusi mambo ya mpira katika nchi hii yetu ya Kenya. Kwanza tungetaka serikali ione ya kwamba kila District ya Kenya iko na stadium ambayo iko na facilities zote zile zinahitajika ndio watoto wetu waweze kupata nafasi, na kupata pahali pazuri pakufanyia mazoezi ya

Hii stadium tungetaka iwe na football pitch, tungetaka na running track, swimming pools, specially for all in door games, volley handiball pitch, netball pitch na hizo zingine. La pili, tungetaka KFF na other sports Associations zipatiwe mandites ya kusimamia viwanja na wasiwe wakilipishwa pesa zozote wakati wanatumia. Ya tatu, tungetaka serikali na katiba ihakikishe ya kwamba kuna centre ambapo youth yetu watakuwa wana train football ambayo serikali yetu lazima isimamie. Kuhakikisha ya kwamba wale wetu wako talented in football wamefanya mazoezi kulingalina na vile inahitajika. Ya nne, tungetaka serikali yetu ama katiba ihakikishe kwamba hizo youth centers zimeandikiwa qualified coaches.

Ya tano, tungetaka serikali yetu itunze hizo viwanja vya mipira ndio watoto wetu wapate mahali pa kufanyia mazoezi. Ya sita, tungetaka serikali ama constitution iangalie na izuie unyakuzi wa stadium zetu. Ya saba, tungetaka zile viwanja zetu za primary schools ziruhusiwa kutumika na clubs za mipira zile ziko karibu nazo. Ya nane, tungetaka mechi zote ambazo zinachezwa na team yetu ya taifa zinachezwa international mechi ama local mechi zionyeshwe kwa TV zetu na serikali ya Kenya. Serikali ihakikishe ime sponsor mpaka tuonyeshe kwa TV zetu. Ya kumi, tungetaka serikali ama katiba ihakikishe kila District headquarters kuna pahali pazuri pa watu wetu pakupumua. Ya kumi na nne,

Com. Domiziano Ratanya: (Interjection). Sasa jaribu kumaliza.

Henry Kiogora: Yea. Tungetaka, masomo ya watoto wetu kuanzia Primary to Secondary level yawe free. Hio ingine tungatunze mahospitali yetu pia yawe free kwa wananchi wote. Asanteni.

Com. Domiziano Ratanya: Asanti sana Kiogora, tunaenda kwa Musa Thuimana. Is Musa around? Okay.

Musa N'toimana: ibwega ibwega

Com. Domiziano Ratanya: Sasa kama huyu anataka interpretor, Chairman, ebu etera kidoga N'toimana etera kanini kenda kama yaku tombakujaigwa bwega. Sasawa N'toimana womba nadi gweta na mbere ambiriria na kuga ritwa riaku.

Musa N'toimana: riatwa riakwa mbetagna Musa N'toimana

Translator: My name is Musa N'toimana

Musa N'toimana: nibuere ndiaria na mugambo jwa kimeru

Translator: I'll speak in Kimeru.

Response: Inaudible.

Musa N'toimana: bwana Minister babanakene bairi omwe nakuigwa kimeru giakwa akereera oongi oria nkuga.

Musa N'toimana: bwakwa buria nkwenda kuuga bwa mbere.

Translator: What I wanted to suggest or propose.

Musa Thuimana: niate katiba ya Kenya

Translator: I want to see that the constitution of Kenya.

Musa N'toimana : nitetherie kugiria antu baria nkiaya sana bachunuwa tointo twao muno tumunda.

Translator: It should create a provision of law that actually protect the poor not to be harassed or may be to have their property misused or taken away.

Musa N'toimana: sheria iria ugete ate sheria eria eandiki ndene ya gatiba ya guchuna mutu munda jawe jukanekerwa mutu ungu nkuga rutwe irekebishwe ni gatiba ii marekebisho ja jario ikita rii.

Translator: I am strongly proposing that the current law in the land issue that whereby you find there is loop hole, somebody can use that loop hole to steal your land. I am proposing that we do away with that specific part of the law in the current constitution.

Musa N'toimana: nikandiomwe wakinya baria bachununitwe miunda gachunwa na nkagamba maobisini ja maingi nikijuthingata jokaora na jukagairwa antu babainge

Translator: I am recommending this because I am a testimony of the people who their land have been grabbed and taken away and have been actually been affected by this section of the land law.

Musa N'toimana : uu nibu untu bwakwa buria nkwendete kuuga bwi bwa no. one

Translator: That is what I wanted to suggest as my number one.

Musa N'toimana : bwa jairi nimantu jaria ja ntuku iria itagwa ya mweri jwa ena ya urongo

Translator: The second thing is about the fools day on first of April.

Musa N'toimana: ntuku ihu ni ntuku ya amba na Kenya ni ya akristo

Translator: That being the fools day is the day for thieves and you should realize that Kenya is a Christian country.

Musa N'toimana: na akristo tiburongo

Translator: And we should realise that Christians are not liars.

Musa N'toimana : kwou marekebisho nijarekebishwe ntuku ihu akristo tiburongo

Translator: So let us come with a provision in law that protect Christians from such misuse of such a day.

Musa N'toimana : bwa jathatu

Translator: Number three. Endelea.

Musa N'toimana : bwa jathatu ni ee antu baria barwerere uchiathi

Translator: I am suggesting that people who fought for freedom of this country

Musa N'toimana: ndigikundine kimwe kiabo

Translator: I being one of them

Musa N'toimana : nibaterwe otheri

Translator: They were not compensated or they were not given anything.

Musa N'toimana: uchiathi bukweja antu baria bariaga na muigeretha nibo barungamerere mantu jau notu nibo bari na tuinya na bauragwa nau ithakene na kuoroangwa na kubungwa batonere gitumi.

Translator: We came to realize that people who fought for the freedom of this country is not sharing the fruits of freedom, actual fruits of freedom were taken by people who did not participate in the struggle.

Musa N'toimana : kinya aana bao batiumba kuona ithomo

Translator: Even their children, they are living in poverty, they can't get access to education.

Musa N'toimana: nanaria bari tupati twao twa tumunda nibugere ibatunyerwe

Translator: And the little pieces of land they had actually was grabbed and taken away by the rich.

Musa N'toimana : nabakaomba kuthomithiya kaana kawe gationa kinya ngugi maobisine ja thirikare

Translator: And you find even if you are able to educate your child he cannot get a job in the government office.

Musa N'toimana : kwauu mantu jau gatiba ya Kenya niraithirie mantu jau kinya bo bone niantu tu.

Translator: So I am strongly and priambly recommending that the current costitution, the costitutioin that we are changing should be taken into this issue very seriously.

Com. Domiziano Ratanya: nitare ndikuthiria N'toimana

Musa N'toimana : mantu jakwa nijau jo ja thatu nikandathira na nibwega

Translator: That one I heard and thank you so much

Com. Domiziano Ratanya:. OK nibwega muno N'toimana manto jaku tujaigwa. Twende kwa mwingine John Ng'orua. Na huyu

orua naona anamaandishi ameandika. Kuna memorandum. Ng'orua yuko? Kama hauko twendelee. Henry Kaberia.

Henry Kaberia: Asanti sana Bwana mwenye kiti. Mimi naitwa majina Henry Kaberia Mugambi. Na yangu yatakuwa mac... sana. Si mengi. La kwanza, nitaanza na uridhi wa land. Kwanza kabisa uridhi wa land unasemekana wakati ingine ni wa dollar, a... state, serikali, mtu binafsi ama jamii. Mimi kwa upande yangu naonelea wenye kula uridhi kwa shamba ama kuchukua urishi kwa sh... iwe ni first keen kwa mtu yeyoto katika jamii au nyumba, akiwa msichana ama kijana.

Kwa desturi yetu ya kimeru, mtoto wa mtu ndio uridhi ama umiliki shamba la baba yake akiaga. Akiwa kabisa hana tafadhali hi... sheria kabisa ikiwa hana mtoto yeyote, kwa jamii yao si ati ichukuliwe na serikali. Ni heri ichukuliwe na jamii wao, yaani their clan.

Upande mwingine tukirudi tu hapo hapo upande wa mashamba, ningelilia maskini kama vile mwenzetu amesema hapa ametupiliwa... yule mtu maskini kwa upande wa department ya land vibaya sana tena. Moja ningeluliza hio sheria ya land irudishwe kwa wenyeji... jamii ili waweze wakitumikia wao wenyewe, kuliko kutumikiwa na ofisi. Na pia kuna ofisi zingine ambao huharibu unatolewa mulin... unaambiwa ni sheria yaani unatolewa kwa shamba nzuri kama hii unapelekwa kwa mlima, unaambiwa ati ni sheria inafanya... Ukifuatanacho, Attorney General hung'ang'ana na wewe. Mbona huyo atumwe na serikali? Sasa tunalaumu nani? Mtu an... ametumwa na serikali ama serikali? Ningeomba hio sheria itolewe kuwakilishwa na Attorney General kabisa awe anastakiwa... mwenye kuharibu.

Ingingine ni kama upande wa medical allowances. Kuna watu hupewa pesa nyingi kuliko wengine upande wa watu wakiwa hospitali... wewe ni mfanya kazi mishahara iwe sawasawa, hasa kwa upande wa medical allowances na house allowances ziwe sawasawa, h... kusema ati mtu fulani atachukua kiasi cha juu kuliko yule mwingine. Tukirudi upande wa examination ya mbunge, tafadhali, n... ingekuwa vizuri kutoka candidate MP hadi president awe ni graduate from University strict. Kwa maana yake mimi naona uk... mbunge wengine wanaauliza wenzao maana ya maneno yaliozungumza na wenzao, kwa sababu ya kukosa kisomo cha juu. Hic... inarudisha katiba yetu nyuma na mambo mengine mengi. Upande wa administration, ningeomba serikali iwe inang'ang'ana na si... survey. Lakini wazee wapatiwe hio kazi kwa sababu hao ndio wanajua hizo case za mashamba.

Upande wa president, afanye kazi yake na achaguliwe mara mbili au two terms, ya five years. Pia kwa upande hio ningependa ku... mamlaka ingine itolewe kwa Prsident kwa sababu hufanya kitu kwa sababu yeye ni above the law. Inafaa asikuwe above the law... akuwe na kiwango cha kutenda mambo, na katiba ihakikishe kwamba president amekatazwa mambo nyengine. Tuweke sheria ka... ya America, ambayo president hana mamlaka nyingi, hakuna kutetea chama chochote hadi wakati wa uchaguzi mwingine.

Com. Domiziano Ratanya: (Interjection). Saa imekuisha Kaberia maliza

Henry Kaberia: Sawa nitamaliza. Pia naona watu hawa tunaita judiciary, kama judge, magistrate, Attorney General hao wa... mamlaka kabisa na lawyers wawe wanachaguliwa na Bar of law, lawyers badala ya kuchaguliwa na mtu binafsi maana atakuwa ni m...

mtu nasi mtu wa wananchi wa Kenya. Ikiwa sivyo mutupe makaratasi watu wawe wakichagua wenyewe. Afadhali iwe inachaguliwa kura hii ingine ya kawaida. Alafu kuna ofisi ya DC, ofisi ya land na maofisi haya mengine, watu wengine ukienda Bwana Commissioner hawakuji kwa sababu ya kazi. Mwananchi kama huyo atupiliwe mbali sana kama analeta Ukabila. Kama analetwa hapa Nyanja afanye kazi huko lakini sio mambo ya kuleta ukabila. Wengine wanatetea wenzao ati kwa sababu niwa kabila moja kwa mfano mkikuyu, anatetea mkikuyu mwenzake. Mipaka ya land ambayo ile mnauliza kwa kile kitabu kinauliza, mipaka ya land ikae kamari ilivyokuwa mbele ya uhuru? Mimi ingekuwa ni hivyo maana kila tribe inajua, ama kila kabila inajua, hata clan inajua mpaka kila kabila. Ningefurahia katiba itunze mipaka hio na itunze clans, itunze desturi ya wenyewe kwa kuwa desturi ya wenyewe ndio ina msimamizi bila kuingililiwa. Asanti.

Com. Domiziano Ratanya: Asante sana Kaberia kwa hayo umesema alafu tunaendelea haraka sana kwa Miriti. Miriti. Miriti yote Hayuko? Ni naona ya kwamba tunaendelea kuongea sana. Pengine masaa yamekuwa mabaya sana. Nawasihi kabisa msembe kwa Miriti. Si kurudia yale yamesemwa zaidi. Okay, endelea.

Miriti Ntawari: Asanti sana Bwana Chairman, yangu itakuwa machache kwa sababu yale mengine nilikuwa naye yamesemwa wengine. Kwa upande wangu, ningenelea hili kwa sheria yetu mpya. Jina naitwa Miriti Itaware. Kwa sheria yetu nimeonelea kuruhusu institutions mingi, watu wamekuwa appointed ama wamekuwa elected na watu. Lakini mtu akimaliza hio mladi yeye anaenda kuita kazi yake badala ya mali yake itawaliwe ilipe hio kitu ya wenyewe anamaliza na anakuwa appointed mahali pengine ama anakuwa kujifanyia kazi yake. Hapo ningenelea kwa sheria yetu mtu akiwa amemaliza mali ya watu mahali amechaguliwa ama amesimamiwa kazi yake itwalie na iuzwe ili wengine wawe wakiogopa kutumia mali ya watu.

Ya pili Bwana Chairman, ningenelea upande wa election, mtu kama president, amechukuliwa kama Mungu, kwa sababu hata tu wakati akisema watu wauwawe kwa Nyambene yote hakuna sheria ya kumstaki mpaka wakati ataondoka kwa hio serikali. Ningenelea akifanya makosa awe mtu wa kawaida kama sisi na astakiwe kwa court of law. Kwa sababu yule president mwingine atachaguliwa baada yake atakuwa na uoga wa kutendea watu unyama. Kwa sababu tunaweza enda tukichagua watu, tunachagua mtu na kama anatamaliza. Hapo president asiwe above the law, awe akistakiwa kama watu wengine. Ingingine Bwana

Com. Domiziano Ratanya: (Interjection). Jaribu kumaliza. Sema hio ya mwisho.

Miriti Ntawari: Thank you. Nitasema ya mwisho. Ingingine Bwana Chairman, kama hapa kwetu, ya Amwathi hapa, mashamba ilianza kupimwa 1967 na mpaka wakati huu sisi hatujapata title deed. Na hatuoni ni kama tutapata mpaka Yesu atakuja kwa sababu wa mashamba umeendelea katika Amwathi na tena imekuwa kubwa. Badala igawanywe mara tatu au mara mbili kuwe na demarcation officers wawili inakuwa moja, sasa mara unaona inapindua, mafsi wanaharibu, wanafanya mbaya mpaka hatujui tutapata title. Na hii

tungependelea sana, hio ndio imetufunyilia zaidi hapa Amwathi karibu tukufe kabisa. Asanti Bwana Chairman.

Com. Domiziano Ratanya: Okay asanti sana Miriti na na tuna Domisiano Kaithuru. Yuko? Okay.

Domisiano Kaithuru: Ni asanti sana Chairman. Na hao wengine tulionao hapa. Kuna maneno mimi nataka nirudie kidogo, yaa mtu alitaja lakini hakumaaliza. Jina naitwa Domisiano Kaithuru. Unajua kitamaduni kilipotea kila mahali kuna nchi walifika. Zamar yule mtu alikuwa alisema chokora wamezana katika dunia yote, hawawezi kuwa wadogo watakuwa wakiendelea. Kwa sababu nyuma ya miaka ishirini na kitu ilikuisha hapa kwetu wameru walikuwa wakitembea na msichana wa wenyewe. Yaani kijana akiten msichana wa wenyewe akamweka mimba, hio kijana atalazimishwa na wazee amuo msichana yule. Akikataa apelekwe kotini am kulea yule mtoto mpaka akuwe mtu mzima. Sasa, hio sheria iliondoka, ndio mnaona chokora wanajaa kila mahali town. Na hao ch ya wazee kama mimi ni vijana kwa sababu hakuna sheria yakumuzuia ati asiharibu msichana wa wenyewe.

Hio sheria ikiwekwa katika dunia ati msichana akiwekwa mimba na kijana fulani aruhusiwe kumuoa au akikataa apelekwe kot sababu hio uharibu haitakuwa kidogo. Kwa hivyo mimi naomba hio sheria ikirudiwa watoto watakuwa chokora watakuwa kidog sababu wataogopa hio sheria au wataogopa kufungwa.

Com. Domiziano Ratanya: (Interjection). Kwa hivyo umemaliza,

Domisiano Kaithuru: Haya, kuna ingine naye pahali kama, pahali pa viongozi wetu wa serikali. Tuseme kama ni mtu anaweza yaani kama mimi niseme fulani anaiba mbuzi au unaiba ng'ombe ama unaiba miraa. Hiyo mtu akachukuliwa na umati wa watu kutwagwa. Na asipelekwe kotini ili ati iamue au isikilize hiyo case ya mtu ijue kama ni mwizi au sio mwizi. Kwa hivyo inataka kama ya apigwe na umati wa watu apelekwe kotini kama ni kuchapwa viboko kwa koti yenyewe ikona makosa yako, sasa watamwathibi kwa hayo, ndio maneno inaendelea kwa hii inchi yetu na ikifanywa mzuri tunaweza kuwa na uhuru kidogo.

Com. Domiziano Ratanya: Asante sana Domisiano Kaithuru. Twende kwa Martha Mwiti. Ana akilisha Women Group. Sav mama.

Response: Inaudible.

Maritha Muiti: uni mbitagwa Maritha Muiti.

Translator: She is Maritha Muiti.

Maritha Muiti: ni dearia na Kimeru

Translator: I should speak in kimeru.

Maritha Muiti: ntemenya kuaria na ichunku na kiswahile nitemenya.

Translator: She is a women leader.

Maritha Muiti: na nontu ndimaritha muii kademutongoria wa ekuru.

Translator: I have an oath for me to be here today.

Maritha Muiti: kulingana na uu ibonete ja maingi jaria jatumete mpenda kukara nthi aa.

Translator: I have come to contribute.

Maritha Muiti: ekuru ba ntigwa kuno meru ii Kenya nibakuamerwe muno nontu nibekeri thina inyingi muno mukuru oke natigerwa intone biake.

Translator: I want to address the issue of widow women, or women whose husbands have died. We want to state, or to recommend that a provision in law is put whereby they will be protected by law by the current constitution that we are changing.

Maritha Muiti: lakini nende uni igita ria kuma uhuru bureja kuno n'tona thiina na metho ja jakwa ndirare mwekuru urari na into na nende into biria biakwa ibiagiri itonga bigantuara ati munda jakwa ijwendi imwona okwa .

Translator: The issue of land is very important, we would like to have a provision whereby land issues are being addressed, in a way that people will benefit.

Maritha Muiti: ndina majani jakwa no. mirongoiri na ithanthatu nariu turi ntiketha ndaukumirwe ni kiri mweri jwa iri miaka ino nomba ekwa ya munda mwaba uria uchuunaa umwe araukuma kuwo mweri jwe eri .

Translator: I am a tea farmer grower and the number that I operate with in this tea growing was stolen by somebody.

Maritha Muiti: uria unge bangambirete nuwe bari beri nawe naukumiri mweri jwa kenda niruo ukumire guunchuna mwanandatiigi nkeethaa.

Translator: In the same, same issue again somebody else came in my, the issue concerning my tea and still there was somebody who came and stole from me again using my number.

Maritha Muiti: majani jakwa ndaandere sixty one na niro mukuru wakwa akuire na ariu ukuwa na atigire angorerete na njuri empandere kabakurigara niatiya ndachunangerwe munda okwa.

Translator: I started growing tea from 1961 when I was left widowed by my husband and until that time my land has been stolen.

Maritha Muiti: na aana bakwa ndina bo muchiyeye antu baatana bakwa ni antu mirongo ithatu na imwe na riu chuuni into biu bakaethia biu nkubarera nabio nibobakaa amba ba kurithia thirikari thiina na nibare na gikaro kio.

Translator: Since my land was grabbed now my family, I am living in total poverty and this is actually a hardship from family point of view.

Maritha Muiti: antu auu nio atuma baria na gachokerie ange aenga na baba buigwe muthoro nijurita ngugi imbee uuni guti ndinajwo nto ibijire nikankaomba kuuga kinya majani aria mbesha butua bugatua mbesha chia majani renga thiringi ithatu kinya ichuuni ni thiringi ithatu nichio ikorewa mukethi atana bakwa.

Translator: I want to emphasize the fact that the prices that are being paid for tea are too low, so we would like to have an increase from three shillings and above.

Maritha Muiti: bukaa arimi thiringi ithatu kiegoi tumiunda ni tunini ibarimire miunda yao baraanda majani na bakuanda majani thiringi ithatu gutiboo bagaitetia na chio.

Translator: So I recommend or we are proposing that tea prices should be increased.

Com. Domiziano Ratanya: Maritha neende tukwiguwa mantu jau bure ugerie kuthiria.

Maritha Muiti: ibwega muno bwampa kanya kau na nibwega muno buthikirie ekuru banthigwa ntirarie rutere rakwa ni nik kinya muchiye wokwa ntikiraro endu aria ndararaga gutire endu bweta bwire mwene nthi ngekuru chia ntigwa ite kiraro nti onguchiugera ni ekuru bonthe nkugera na barabara antu baria barimaga barara nabo bakarima barara reenge. Nonto barithia thirika nabwe thirikari twongerani barabara ututhithiria kinya muntu najagua akejerwa nyumbani ni ngari yawe. Thankyou from mat le bwakwangariana na atoto bakwa.

Translator: Thank you so much for giving me this opportunity to speak on behalf of the widows and before I go I would like to enlighten the issue of transport means to areas that we are farming that the government should look upon it or may be in the constitution. The constitution that we are coming up with should be addressed. Thank you so much.

Com. Domiziano Ratanya: ibwega sana maritha mantu jau tujaigwa buru najakoandikwa na jakaliliwa. Sasa kuna mtu anayamwambaye Kwaru Bernard huyu ni observer na kuna mwingine, Mbaario alileta memorandum yake Mr. Muthine. Muthine yuko wapi? Kuna Mbururu, is it? Yea. If you have a memorandum please just highlight the points. I will give you three minutes. If you don't have your memorandum presenting orally, four minutes.

Muthine Ntong'onde: Asanti sana, naitwa Muthine Ntong'onde. Na mimi ni mwalimu. Ningetaka katiba ambayo inatengenezwa nyinyi ama hawa makomishona iwe inashughulikia sehemu ya vijana katika nchi hii asilimia sitini hadi sabini ni ya watu ambao ni vijana. Kwa hivyo jinzi mambo yalivyo ni kwamba serikali hii haina nafasi za kuajiri wale vijana ambao wako katika nchi hii. Ningependekeza kwamba serikali iunde viama ama mashilika kushughulikia maslahi ya vijana hawa ambao wanakuwa hawana nafasi ambazo ni za kuajiriwa na serikali ili kuwashauri jinzi ambavyo wangeweza kujisaidia wenyewe wanapotoka shule kama ni shule msingi, shule ya upili au hata vioo bali bali ambao hawajaweza kupata kazi katika serikali hii.

Pendekezo la pili ni kwamba linahusu mazingira. Kuna maeneo katika nchi hii ambayo mazingira yake mpaka yazingatiwe ama yaanga kwa maakini ndipo mikasa inapatikana na makuruko iweze kuepikika. Serikali inayo huo uwezo wakufanya utafiti katika nchi yote.

kutambua kama maeneo haya watu wahawezi kuishi huku kwa sababu inaendapo kutakuwa na mvua nyingi wanaweza kupata maama ama kuzikwa na undongo kwa sababu ya maporomoko na mambo kama hayo.

Na serikali ikiwa na washauri bali bali kupitia hata utawala kama machiefs, Mados na kadhalika itaweza kuwashauri watu kulinda mnyalio hatari katika kuishi kwa binadamu, kwa sababu jambo hilo linapaswa kuangaliwa katika katiba inayokuja.

Kwa kumaliza, ningependa mfumo wa elimu uwe ni ule ambao ulio na maana kwa wananchi. Unawaelekeza wananchi kule ama wanakoenda. Usiwe ni mfumo ambao ni wa kufundisha watu juu ya mambo bali bali alafu wananchi wanakuwa, ile elimu wanapata kule vizio hawawezi kuitumia katika maisha yoa kwa njia moja au nyingine. Kwa hivyo mfumo kama huo haupaswi kuwa pale katika Asanti sana.

Com. Domiziano Ratanya: Unapendekeza mfumo mgani?

Muthine Ntong'odu: Ningependekeza mfumo ule ule tulio nao ufanyiwe marekebisho kiasi kwamba kama ni somo la kwanza wanafunzi wanaweza kufundishwa ukulima hata vile wanavyoweza kutumia ile kilimo wakitoka shuleni iweze kuwasaidia kwa serikali haiwezi kuwajiri watu wote waliopata utaalamu wa kilimo katika nchi hii yetu ya Kenya.

Com. Domiziano Ratanya: Okay, asanti sana Bwana Muthine. Yule anayefuata ni Kirimi Shadrack. Naona huyu ni mwanafunzi ana memorandum. So don't read your memorandum just give us the points. You leave us the memorandum later which we are going to read and analyse. Just the main points and I give you just three minutes. Stick to that.

Kirimi Shadrack: Thank you very much Mr. Chairman, and the other commissioners. I will briefly go through the memorandum I have here. It is the views of the students, so on the basic rights, the education should be free for all Kenyan children, at least upto primary level. I think at this level, the students will have achieved a level of literacy which will enable them to sufficiently survive in modern society. Also, we would urge the constitution to ensure that the Davy's Koech's, that is the recommendations are implemented and also the children labour should be banned.

On the local government, the Mayor, the Councillor, Chairman should be elected directly by the people. The mayor and the chairman should only serve for five years which they can seek press mandate from their respective electorate. The Councillors should have qualifications of at least a certificate of form four or form four education or at least a O level education with the qualification of grade 10 or Division three respectively in the two systems of education. There must be also a moral and ethical qualifications for the councillor.

In judiciary, the law should be applied impartially from the highest rank of government upto the lowest social stratum, that is, if you are a leader, a president or whatever the position you are holding in the society, the law should be applied equally despite the position you hold in the society.

Also in land the people who are residing in areas that receive less than five hundred milimetres of rainfall, should receive welfare b and free education for their children. Because in agriculture is where we do deliver our daily bread and if the land is unsuitable for cultivation.

It means that you don't have that, that is, move life because you cannot meet your daily bread. Also the absentee landlord who has put their land in to any practice use or have been out of the country for more than fifteen years should be forced to relinquish ownership of the land to the government for the distribution or any other public use that may contribute the development of the economy. Also Kenya being an agriculture country, (Interjection),

Com. Domiziano Ratanya: So try to summer up. (Interjection),

Kirimi Shadrack: Yes I am in the last

Com. Domiziano Ratanya: You will give us the memorandum. Just points

Kirimi Shadrack: Kenya being an agricultural country whose backbone of economy is agriculture, should have enhance who land thus every citizen should be allowed to own at least one acre of land. That's what I have over the memorandum for the rest. Thank you.

Com. Domiziano Ratanya: Thank you very much Shadrack for actually keeping time, we shall go through your memorandum have Edward Kinyua. I think the memorandum has been submitted or you have another one. Okay, yea,. But not ten minutes, just minutes or you want one minute. Thank you very much.

Edward Kinyua: I am Edward Kinyua from Mburururi and since our memorandum has been filed here I will just speak briefly education. I would like to propose to the commissioners, Mr. Chairman that education, this system of quarter system whereby students are restricted to their own home district should be abolished. Students should be allowed to go anywhere for studies because this is only their opportunity when they are students. So Mr. Chairman, I would like to propose that this one will also enhance national intergration and will also improve languages in schools because we are coming from different areas. So we speak in English. Thank you Mr. Chairman.

Com. Domiziano Ratanya: Thank you very much Edwad Kinyua you are the best actually, you know how to keep time. Thank you very much. Wengine wafuate namna hio. Sasa tukienda kwa huyu mwingine, Kariithi, huyu ni observer lakini we recognize his presence. Moria ni observers Luka Kiamba observer, kama wako hapo waendeleo. David Kaunange ni observer, lakini tuna Ntoi

Ibore. Yuko? Kwemuntu ugwetwa uu. Okay, kama hayuko Ntoimana Ebure, tuendeleo kwa Joseph Kirema, Joseph Kirima if you
a memorandum you may present it or if you want to highlight, I will give you three minutes. Know that.

Joseph Kirema: Thank you Mr. Chairman, and the delegates who have attended to present their views to the commission. I v
like to just highlight few things that you feel they need to be represented in the new constitution Mr. Chairman, that is disability l
means that from the current constitution, from the colonial era we have not been able to do and review our constitution properly so
can be firm, fair and reliable to the generations to come.

Sir, we would like to, as the memorandum be fair we would disability bill to be recognized in the new constitution which means that
old age should be a disability. We would like to request you Mr. Chariman, through the new constitution that the government enact
by which even old people or those who have fallen into an accident of road to be considered by the government. That is all, what I v
like to say among the memorandum Sir. Thank you.

Com. Domiziano Ratanya: Or thank you very much. Sasa huyo ndio anajau memorandum ianpewa namna gani. Hio ni njia
kwa sababu tunayo na umesoma kwa ufupi. Nasema asanti Joseph. Na hapa tunaendelea kwa huyu Johnson Kainga huyu ni obs
lakini Jane from Mkombiti. Yuko? Jennifer. Kama hataki kuzungumza sawasawa nukwenda kwaria. Aria na kiswahili waremwa
Karanthi aa warie na kimeru isawa sawa gutina thiina.

Response: Inaudible.

Jennifer Mbiti: riiwa riakwa mbitagwa Jennifer Mukombiti.

Translator: My name is Jennifer Mbiti. Endelea.

Jennifer Mbiti: mbitagwa Jennifer Mukombiti wakuuma.

Translator: From Mau Central.

Jennifer Mbiti: na ni chairlady wa gikundi kia ekuru.

Translator: And I am the Chairlady of women groups. Endelea.

Jennifer Mbiti: uni buria nkwendaga kuuga ithiina iria mbonete ndene ya nyambeene haa oo.

Translator: What I wanted to suggest.

Jennifer Mbiti: mantune ja miunda nijathoki muno.

Translator: Is concerning the problems that I have seen in Nyambene District.

Jennifer Mbiti: nontu ugwe kinya ukeenda

Translator: Concerning the land issue in this place .

Jennifer Mbiti: ikogambira munda jwoku kitamaduni.

Translator: Because you find that, even if you want to follow the case of your land through the tradition way.

Jennifer Mbiti: ugeta kinya kithirine mwanka munda jaku obisi ya land gekothukia miunda ya antu.

Translator: You can go through the tradition way but if you decide to go through the land office, you find there is a lot of corruption and actually you cannot succeed.

Jennifer Mbiti: munomuno ntigwa cia akuru na ekuru.

Translator: Mostly the widowed women. Endelea.

Jennifer Mbiti: munomuno ringe uni nkauga kinya riu twambiririe kuchoa wiyathi nontu ndiomwe wa uria watoraga guikiria biakuria kithakene ntoona kiewa..

Translator: Again I would like to suggest that since we were, I was among the freedom fighters, of the freedom of this country, actually we have never been compensated neither have we ever seen any form of reward of the noble job that we did for this country.

Jennifer Mbiti: nikuuga obisi ya Raisi iraiteririe mau mau ndene ee Kenya tuewe biewa ntonto ngugi iria twaitere tutaona wagwaga tuwe antu baria bataukua kithakene nibo barina aana bao bendene ya obisi inene bagusumbura beeto.

Translator: I am strongly suggesting that in the new constitution, that we are coming up with, should have a provision that should cater for a way to compensate those people who fought for the freedom of this country, so that actually there is a way to help them because they actually they are living in a very improvise lives.

Jennifer Mbiti: na oni ndithomithia aana na thiina lakini mwana wa ntigwa ii ya mau mau atioba kuona ngue lakini wa mutumia utaria thiina niwe ukwona ngue.

Translator: You find like our children, to educate them is a hard task and you find that people who actually did not fight for freedom they are getting it on a very easy note. So we are suggesting that let us have a provision or a law in specific that it should guarantee face the welfare for us people.

Jennifer Mbiti: ibwega muno uu niu nkwendete kuua..

Translator: Thank you so much, that is what I wanted to say.

Com. Domiziano Ratanya: ibwega muno Jennifer Mukomiti mantu jaku ukuga na njira ejega na jira ya ukue. Mwingine

anafuata ni Julius Mbui Ntokiome. Yuko hapa? Ni wewe? Julius Mbiti Ntokiome. Kwa hivyo hio karatasi kuja kusoma ni kueleza mafupi, dakika hio tatu.

Julius Mbiti Ntokiome: Asanti sana Bwana mwenye kiti. Yangu ni machache tu, na number ya kwanza hapa nasema na nita kua kwa kingereza. Mayor and chairman of council to be elected direct by people, reason why, in order, he or she should be directly answerable to the people. Hio ni number moja.

Ya pili, current two years term for mayor and council chairman are not adequate, this is due to the fact that the whole system will cost a lot of time and money. This is unnecessary expenses. Number ya tatu, no reason because the central government forget some councilors when sharing the national cake. So every council need to be impartial on its own problems with donors and sponsors. The councilors should not enter into agreement by itself and to have interference when running the council.

Number ya nne, Councillors to have a Low level of education, that is, understanding both English and Kiswahili language. This is because a dignitary leader are born not educated but education is required as from standard eight to form four.

Number five, yes, the people have a right to recall their Councillor back when he or she has started misusing his or her office. The procedure is writing a memorandum which will be signed by the people who elected him direct to the minister of local government.

Number ya sita, the council are the one to determine the nomination of Councillors. This is when the finance status will allow every councilor to deal by itself.

Number ya saba, the criteria of nominating Councillors to avoid inconvenience should be done by the majority of the elected party and the question. Number ya nane, the conduct of governing the Councillors in a multi party state is chairman and the clerk.

Number ya tisa na ambayo ni ya mwisho. Nasema hivi, the president and the minister incharge of local government have no power to dissolve councils, the reasons why the electors are the ones who know them better and at the same time of power.

Com. Domiziano Ratanya: (Interjection).....(Inaudible). Nirudie hio. Okay, thank you.

Julius Mbiti Ntokiome: Nitarudia. Number ya tisa na ambayo ni ya mwisho. Nimesema hapo, the president and the minister incharge of local government have no power to dissolve councils, the reasons why; the electors are the ones who know them better and at the same time have power. Na hapo ndio nitamalizia Bwana mwenye kiti. Na, nimesema jina, I am Julius Mbiti Ntokiome.

Com. Domiziano Ratanya: Asanti sana Julius kwa hayo machache umesema. Na tutaendelea kwa mwingine, anaitwa Beth Kariuki Beth Kendi. Hayuko? Mburugu? This is Mburugu Kanata. Hata huyo hayuko. Then, Rev. Ofred Miheho. Are you there?

sawasawa. Ni wewe? Okay, no its okay, you can continue observing. Jacob Muchiri. Yea, dakika hio tatu tu, umalize.

Jacob Muchiri:

Thank you Mr. Chairman and the other commissioners, for allowing me to give a point of view concerning provisions in the new constitution. My name is Jacob Muchiri Ntokumare. My views are very few. I am highlighting on how a provision can be provided such that all the corrupt and irresponsible government officers should be highly or strictly penalized, because they are some who when they are responsible for a certain office either in an armory when I happen to fight for a woman in a bar anywhere else, they order for my killing or they can be bribed to kill somebody. There I would like a provision strictly which can deal with them and penalize them highly.

The other thing is I am an Evangelist and I would like the evangelism to be placed within all the ministries, departments and where necessary. And therefore that is why I have talked about peace, love and unity within the government ministries. The other thing is that I would like to point about the chiefs and Councillors. Their boundaries of work should remain the same, not to scrap the location to sub-locations as somebody earlier suggested because these ranks or creating job opportunities, therefore, chiefs and Councillors boundaries should remain the same like how they are.

The other thing is three provisions can be provided whereby chiefs and Councillors can be taught or educated how to safeguard the interests of their people, their citizens, because like here in Igembe the jobs opportunities are being sold. When the recruitment requires ten people, five are taken, the fifteen posts are sold. All these irregularities, I would like and suggest for a provision which can scrap these. The other thing, it is about the right of leadership or abuse of power, a provision should be provided whereby if you misuse the power you are given by the government or parastatals you get penalized. Mine was verbal and with that few, I say thank you.

Com. Abubakar Zein: Thank you very much.

Com. Domiziano Ratanya:

Asanti sana hapo umemaliza. Kome Ebrahim hayuko. Justus Mbuthia, huyu naona ni observer. Justus Mbuthia hayuko. Then number, which number? This one.. Naona kuna mtu anaitwa John Munyua, yuko? Then we have Michael Maina, Michael Maina, John Kilonzo. This one is an observer. Peter Kithera. Peter Kithera. Hayuko? Mohammed, huyu naona ni observer. Na Benson Muccheke. Benson Muccheke. We have Michael C. Maina. Okay, yes Benson Muccheke yuko? Benson Muccheke.

Okay but you won't read the memorandum and I give you three minutes to give the highlights, just points, three minutes. Okay, Benson Muccheke represented by his wife lakini utasema jina ya yule una represent na jina lako.

Margaret Nthongai.

Thank you chairman, I am Margaret Nthongai. I am reading this memorandum from a community organization where Benson is the chairman and I am the treasurer.

Treasurer: (Interjection).....Inaudible.

Margaret Nthongai: Sorry, I am Margaret Nthongai. Benson is the Chairman of this community based organization. So actually I was told to present it here although we had written it all of us. I highlight a few issues on how we thought the new constitution should be framed. First we look at the constitutional matters and we said that there are, the Constitution of Kenya Review Commission should be a constitution body enriched in the constitution and not in the statics. It should have offices at District level for collection and devaluation of constitution views where constitution amendments issues arises. We also said that the education should be free upto primary level and highly subsidized at secondary, college and universities. So we said other than teaching personel in education institutions should be a priority at all costs. District libraries should be set aside for education as a resource center to create a culture of learning for an informed Kenyan society.

We also looked at the health aspect and said that good health of a nation is important to all its citizens, therefore, citizens should have access to adequate health facilities in all areas, both public and private sectors. N.H.I.F. health insurance scheme should be available to all citizens in the country at a cheaper price.

We also said that good remuneration to be provided to medical professionals, working in rural areas to avoid concentration only in urban areas and even taking away of drugs and selling them. We said that HIV Aids is a pandemic which was declared a national disaster by the government. We said that the government should provide cheap management of drugs for the disease to reduce its related death cases, therefore, free medical facilities should be the government responsibility.

We looked at agriculture and said that, agriculture is the main stream of the Kenyan economy and livelihood of the majority of the people in our country. Therefore, there should be enough agricultural specialists, officers to give farmers advice for optimum production. We said that credit and marketing bodies should also be given attention with close supervision to maximize outputs and prices for agricultural products. That is marketing. We looked at the local government and said that the local government should operate separately from the central government, to be able to plan on their resource, make independent decisions and manage their affairs because they are closer to people than central government.

We said civic leaders should have a minimum education qualifications of form four. Mayors should be elected directly by people and should have minimum education qualifications of form four with ten years experience in public office. A period of two years should be emphasized for the term is two year, five year term. Councillors can be recalled by two thirds of voters including members of the parliament. We also looked at the non governmental organizations and said they should be regulated by the government because to some extent they create symmetry and dependance in due process of assisting communities. They should work closely with the government. We also said that nomination system rules to be specific to avoid abuse.

Otherwise nomination system to both members of parliament and Councillors should be restricted to only women, widows, mothers

communities, people with disabilities or marginalised. There are more than that but those are the few that I can highlight and I will thank you for giving us this opportunity. Thank you.

Com. Domiziano Ratanya: Okay, thank you very much, you have given the memorandum for your husband Benson. Now we move to the next one. Mwingine hapa naona ni Benjamin Mutia huyu ni observer. G. Kirema ni observer na Joel Njoro. This one was represented, the mayor. Charles Kilili. Charles Kiili kutoka kwa youth, youth group. Naona kama hayuko huyu. Silas Kumbai, Kumbai hata ana memorandum lakini simuoni hapa, hayuko pengine alileta. Silas Ngunja.Susan Ngunja. Hata Susan hayuko. Kirema! John Kirema kwa ufupi kabisa, three minutes.

John Kirema: I am John Kirema, the Co-ordinator, Catholic Churches and peace commission at the parish. I have a recommendation to point out. One, voters cards to be issued continuously together with the identity cards. Thus enhancing the process of applying for the ID prior to the voting during the election. On the same issue, counting of the votes should be done at the polling station and announced after casting.

Three, employment should be done as per the qualifications and specialization required for the post if he is a doctor he is dealing with medicine, teachers deal with teaching. Education should be free and universal upto primary level, so that our children can be able to acquire some basic knowledge.

Lastly, the constitution should clearly define boundaries between the communities. I will explain this briefly. For example, for the years headed to the Tharaka people and Igembe people have been fighting of boundaries. People do not know where the boundaries between Tharaka and Igembe. And constitution should state this to enhance people live peacefully. Thank you very much.

Com. Domiziano Ratanya: Okay, thank you very much John for keeping time. That is very good. Eustus Mauta. Kama hata Eustus Mauta ni yeye anakuja. Kwa hivyo fuata hio mfano tu usiendelee kusoma memorandum, tuambia kwa ufupi na utupatie hao maandishi.

Eustus Mauta: Thank you very much. My name is Eustus Mauta Mwenda and I come from Nyota Njema Movie Theatre which is based at Igembe South West. My points are; the president should stay in the office only for two terms each comprising of five years. The future president should be liable for court sentence. If he messes with the country economy and other public misconduct. There should be a prime minister who is an elected member of the parliament. He should be the representative of the government statement in the house. Judicial members should be chosen by a special appointed commission and they should come from the most respected Advocates. The parliament power to amend constitution should be retained by a per centage of majority votes be based on sixty five to eighty five per cent. The constitution should cater for some interest group by reserving some seats for them. The groups are the exact people with disabled people.

The civic, parliamentary and presidential election should not continue to be held simultaneously. During the elections, the government around the village preaching to the people on what they would do if they are given the votes and get the office after date for elections don't do what they promised. Therefore, there should be a way of removing them, those who do not fulfill their promises. constitution provision for fundamental right is not adequate, this is because it does not cater for employment to youth. Our constitution should guarantee the employment to the youth after training and discourage the tendency of assuming the government officers office are fake. This is what has caused poverty and deterioration of Kenyan economy. The retired officers have already acquired education to keep their lives running. To some of these, officers they cannot do any development from what they get in the second round of employment, since they have lived for so long in this world. The interest of women are fully guaranteed in the constitution. Women are even favoured by the constitution and this should not happen, we are all human being

Com. Domiziano Ratanya: (Interjection). Okay.

Eustus Mauta: Reformed due to being a unemployment state. I address that, the other group are to be given part to participate in educating people in various fields. Also the government should cater for this means for their means because it could be a type of employment to school leavers. Thank you very much Mr. Chairman.

Com. Domiziano Ratanya: Okay, asanti sana Eustus na, maoni yako ni sawasawa. Tuendee kwa huyu mwingine anayeambia Jeremiah Ntoaroth. Jeremiah Ntoaroth, alipieyana? Okay asanti sana Jeremiah. Then Rev. Ntonjira is an observer. James Ngore is an observer. Isaiah Kevia, observer. Kuna Karuti Nchembere, alikuwa observer lakini anataka kuzungumza from Kupet. Karuti Nchembere yuko around, okay. Karuti I will only give you three minutes for somebody with a memorandum. That's how we started. you won't really read the memorandum through but just highlight. Make sure that by three minutes time you have finished.

Karuti Nchembere: Thank you Mr. Chairman, I am Karuti Nchembere from Kenya Union of Primary Teachers. I am the Chairman of Meru North branch. And these are our recommendations, firstly; the constitution should have a preamble or introduction part, then on the same they should have directive principles of speech for example the constitution should have the objective principles that guide the constitution of governance and agencies of the state. And all the existence and respecting and understanding of the same constitution. Well of course it should have directive on where people should appear with the democratic ideals of governance.

Then the constitution should have that kind of supremacy, whereby the constitution should be the supreme law of other laws in the country. And then people should have powers to say how they should be governed. And also we suggest that the constitution should be available in schools and other institutions of learning in order for the people to seriously, I mean safeguard the same constitution. Then, of course it should be translated in many languages so that people can have that kind of understanding of the constitution. Then we said that, it should have some sections that should only be amended through a referendum.

For example, where we talk about the supremacy of the people. Issues concerning human rights. Political rights, all these ones constitution should be amended through a referendum and probably that referendum chosen by the parliament. Then, on the executive president's powers should be enormously reduced. It should not solely be responsible for the appointment of Senior Government Officers. This one should be done through parliament vetting it. The age limit of the president should be around in between thirty and seventy, not more than seventy and above because that is a federal state, where a person cannot think correctly.

On the issue concerning education, the quarter system of education should be abolished. That one should be abolished completely. Students should be admitted in the public universities on merits and not on the basis of where they come from. Then the president should not be the automatic Chancellor of the state universities in Kenya. That one should be abolished. Then the government should have a system of education that is acceptable by all Kenyans and not to impose a system of education on Kenyans. Then the higher education loans bond should at least consider all the students who wish to pursue higher education. On the issue of elections, state should fund all political parties and not just one political party. So all political parties that are represented in the parliament should be funded by the state. All political parties, and presidential candidates should be given equal media coverage by the state-owned media KBC. All presidential candidates must at least have a university level of education and at least or something, I mean a reasonable kind of education. All mayors and county council chairmen should have a minimum of form four level of education with a minimum qualification of a C- at least. Mayors and county council chairmen should be directly elected by the people and not by a group of Councillors.

All people wishing to contest in local authorities elections, Councillors should have a minimum of form four level of education and should not be coerced to resign from their jobs if they wish to seek parliamentary or local authority elections, they should be given a chance to try if they will, fine, they will resign. Then the president should differentiate,

Com. Domiziano Ratanya: (Interjection). Just wide up. Just one minute.

Karuti Nchembere: The president should differentiate between state functions and political parties functions. If the president is involved in a political party function, he should not involve the provincial administration and all the machinery in mobilising support for the party. There should be a very clear distinction between state functions and party functions. On the side of elections, general election should not be a secret weapon, that one should not be there, it should not be the prerogative of the president to give general election date.

So it should not be, that one left to parliament. On the national resources, all national resources should be equally distributed and not partially distributed on who support which party. So it is the will of the Kenyans, because all Kenyans are tax payers, then distribution of national resources should be equally done to all systems. All presidential and parliamentary candidates should be clear the wealth before they are elected. And then the government should be free air ways in order to have an enlightened citizenry that is in form and this one should not be only preserved for Nairobi people. Thank you, that is my memorandum on recommendation of the commission. Thank you.

Com. Domiziano Ratanya: Okay, asanti sana Karuti your memorandum is long and we are going to read it and then we go to the Gathoni is an observer. Okay, which number was that? Number nine, we go to number ten and we follow that order. Hapa makaratasi imechanganika kabisa, yea, kwa hivyo huyu naona akifuata hapa ni Hellen, lakini Hellen ni observer. Tuna Gatogu Ntoigu

Gatogu Ntoigutu: Thank you very much the constitution review of Kenya commissioners and ladies and gentlemen. My name is Gatogu Ntoigutu Ikaratho. I am from Igembe East. And I would thank this commission because of giving us the opportunity to air our views for the first time in history of Kenya and I would suggest this commission to be given enough time to fill this task of constitutional review without being pushed here and there. Let the caution be like that of America where the parliament cannot amend it at will to the ones whips. I will also like also to hear my views on the part of Njuricheke because I am a Njuricheke elder. Njuricheke omeru is the custodian of all moral and cultural values of Meru customary law. They used to see to it that the women had proper discipline. They used to determine the price of livestock, the dowry of our daughters, how one would be paid when one was killed by another. The destruction of forest, when one fell on a tree and killed by an animal, I would like the constitution to capture that one and put Njuricheke as it was before, because it was the government, governing Wameru as a whole.

Lets go to the Provincial Administration. In my views, I would like the constitution of Kenya to scrap the provincial administration and in the process of scrapping the provincial administration, let the Provincial Administration to be replaced by elected leaders such as governors to see to it that the Province is running and the Councillors to see that the locations and others are running properly and answerable to the electorate, because when we have someone who knows will be permanent here, he is likely to be corrupt and run alone the electorate.

On miraa; miraa is our cash crop in Nyambene, I would like the constitution to capture that and put it in the constitution that miraa is a cash crop and it should be listed like perishable goods such as the cabbage and so forth. It was our sign of courting the daughters of our people, that is you cannot marry here in our place not first of all sending a gitundu or miraa. Do not place so I would like that one to be put in the constitution, so that we can have a cash crop of our own and which can benefit our children and to get a proper education.

Education; let all Kenyans have access to free education. The education of today is apuralogative of the rich only. The poor are left with no alternative but to remain uneducated. Primary to secondary education, let it be guaranteed by the government as free.

Local government; Mayors and councils chairmen be elected directly by the people . The two year term is not adequate. They should

allowed to serve for five years but if one becomes corrupt, while in the office he or she should be impeached.

Com. Domiziano Ratanya: (Interjection). Bwana Gatogu Ntoigutu jaribu kumaliza.

Gatogu Ntoigutu: Thank you. He must be impeached.

Executive; the president of a country should have at least a degree qualification to qualify for the post of presidency. The president should always have two terms, each of five years. The president should not be above the law. For that will make him abuse the law.

Judiciary; the judiciary should be left alone not to be under the executive because it is likely to be exploited by the executive. Judges should not be appointed by the president, they should be appointed by the parliament, so that one can discharge his duties without fear of being sacked by a president who has not been listened to. Culture and ethnic, Kenyans are culture diversity, and we have got two main values and we shall capture the constitution and remain like that, with myself I would like to be a distinct, I would like myself because I am an njurikeche member and I am a Mumeru. I would feel that a distinctive group, because my group njurikeche council of elders is catered for in the constitution.

So we should give land ownership to the clan. The clan should then consult the government for surveying and demarcation, because the clan are the one who know the customary laws of the people and they must be advised the government, so the clan are there to make the government demarcate the land as they should be demarcated.

Land ownership should be, if the government has its own land, then they can remain with their own land. The individual man has his own land, but we would have a feeling, we would like the constitution to have a sealing of land ownership, not more than one hundred acres because others are landless in Kenya and for those few remarks I thank you Mr. Commissioner for allowing me to have these remarks read. Thank you.

Com. Domiziano Ratanya: Okay, asanti sana Gatogu. Kwa hayo maoni yako. Twendelee kwa Joshua Murungi. Joshua Murungi yuko. Huyu naona hayuko. Joseph Ngore. Joseph Ngore yuko around? Bernard Kibuae. Bernard! Ni wewe Bernard? Okay, Bernard yuko.....(Inaudible). Beatrice Bariu? Yuko, okay Beatrice, kwa hivyo Beatrice, kama kawaida ufupishe wakati.

Beatrice Bariu: The memorandum I am going to present now is prepared by Catholic Women Association from Kangeta Catholic Church, Kangeta Parish. This is on women specific issues prepared by Catholic Women. To be humble. The new constitution should capture women historical experiences in this freedom fighters, highlight role played by women in nation building. Role of women in social liberation. Develop a vision that encompasses both women and men. Capture issues of pushing economy outward eg capital flight, exporting of our resources cheaply. Citizenship, the new constitution should include equality in citizenship, should have a provision for dual citizenship for women, confirming of citizenship on foreign husbands of Kenyan women and their children.

National defence and security; the new constitution should ensure women perspective of national security influence national and defence and security. Reduce president powers eg declaring war independently, that should be a provision for constitution provision commission or council to oversee the defence and security in our country.

Structures and systems of government, the new constitution should adopt a system where power is shared between the president and prime minister. In this new constitution we should have a provision whereby if the president is a man then the prime minister should be a woman. We should also have a unitary system of government due to our ethnic differences.

Parliament; the composition of parliament should be such that one third of the members should be women and through a affirmative number to increase to fifty per cent. Out of one third, at least one disabled woman from each province ending up to eight disabled women in the parliament. The process should be election through the district representation by women alone. Also the local people should discuss nominee to the parliament before they are nominated. The new constitution should provide a right to recall MPs who are non-performing that is those MPs who go to sleep in the parliament should be recalled back and we elect new ones. Checks and balances to ensure that power sharing between parliament and executive is balanced.

Political parties, the new constitution should retain a provision for independent candidates to give women an opportunity to vie for office even if a specific party does not nominate women. Funding of parties that have a national outlook and have taken a bond gender code should be there also. It should separate government from management of political parties.

The executive; the new constitution should have a provision whereby the presidential powers to independently appoint or dismiss should be reduced and invested in a constitution office. The presidential powers should be ceremonial the tenure office for two five years should be retained. President should not be above the law. The parliament should have an independent calendar. The new constitution should have a provision to prevent manipulation of political system by an ex-president. Separation of powers and the establishment of a non partial civil service.

The judiciary, the judges should be appointed by the judicial commission. It should be such that the religious organizations and societies organization to make recommendation from judges to parliament that there should be a provision in constitution for legal aid especially for women and the poor. The constitution should be written in a simple language which everybody is able to understand. It should create an Ombudsman office to follow up on women related court cases. That there should be a provision for time limit for court cases. It should separate criminal cases from civil cases. It should establish an efficient and non corrupt judiciary and legal system. Transferring of some simple cases to paralegal experts and beyond their capacity. Judicial commission should be established to ensure that courts are efficient. The chief justice should be appointed one who has been a long serving judge with years of experience. Promote fairness in court, it should support women organization to the process. In the process of legal aid, Local government; affirmative action provision to have one council women representation direct election of mayors and chairs of the council.

Com. Domiziano Ratanya: (Interjection). Ebu jaributry to summarise.

Beatrice Bariu: Right to recall both the mayor and the chair of the council if they non performing. Commission to be put in place to look at terms of services for Councillors. Councillors to be paid from consolidated funds. Independence of councils and municipalities. Separation of powers from central government.

Gender balance in leadership; Rights of children. The new constitution should provide for rights to parenthood. Management and control of natural resources. The new constitution should put in place mechanism for resource to be managed well. Management and control of natural resources to be under private sector. Involvement of local community management of natural resources eg game parks and natural resources.

Transaction and transfer of power; There should be a provision for recognition of the president, including the care and compensation. To honour the president the new constitution should provide for the president to be prosecuted for crime he commits while in power. The president is below the law, then there should be a provision for him, to offer him security welfare etc. after retirement, that there should be a provision for president to resign if he is involved in scandals. A president who retires from office should also retire from chairmanship of his party.

Elimination of violence against women. Recognition at the highest level that violence against women is a major setback to the progress of women. Kenya should be made safe for women to live work and walk without fear of physical violence.

Both in private and public affairs. Creating or enabling legal and policy environment for the enforcement of unity measures against people who violates women including the care and compensation of victims of violence.

Com. Domiziano Ratanya: (Interjection) maliza sasa.

Beatrice Bariu: Okay. Miraa crop. Miraa should be recognized by government and protected like any other cash crop in the country. The government should seek more advice and guidance from the cultural resources and economic issues of the crop from people of Igembe and Ntonyiri because they are the only authorities of the plant. Miraa should not be clarified as a dangerous substance because it does not have devastating effects like those of alcohol, or bhang. For example let it be noted that even tea and coffee are substances that human bodies need to keep going. So people of Igembe and Ntonyiri recommends that the government should encourage research on miraa to find out what other useful substances can come out of miraa instead of blaming it wholesale. The local people also request the government to help in marketing of miraa. Airwaves, airwaves should not be controlled and localized to the state alone. It should be available to the whole country, anybody who applies for it should be given a licence on airwaves provided he is capable of maintaining it. On the printing, our currency should have a permanent photograph of our country founding father and the sceneries of our country or world photos instead of repeating the photographs of every president who comes in the office. To avoid waste of our resources. Thank you.

Com. Domiziano Ratanya: Asanti sana Beastrice isipokuwa umechukua wakati wa watu karibu ishirini. Wengine wakija wasier mbali sana. We have the next one is Phylis Munyua, is an observer. Mwingine hapa ni observer ni Julius Ntomuiti, is an observer. Kaenga Josephat. Kaenga yuko? Muriungi. Muriungi Makaba.

Muriungi Makaba: Thank you Mr. Chairman, I am Muriungi Makaba. And among the few points that I would like to propose the current constitution of the constitution which you are making, is about the rumours or kinds of propoganda. It is unbeatable fact our country is a democratic government and not an atheocratic government. And simply we have been having stories about the worship and we have seen people walking telling stories of how they made human sacrifices and yet they go away with it.

I would like the current constitution to address such people because like three months ago in Germany there was a devil worshipping was jailed for sixteen years after he confessed that he had killed his friend as a sacrifice to the devil.

Secondly, I would like to talk about the media, we want independent media and not to focuss only in Nairobi but to focuss the Kenya. For thirty nine years Kenyans have lived a life, they have been kept uninformed simply because of manipulation of media constitution should allow or provide independent media which will not be manipulated by the government. The constitution amend the current costitution allows majority of sixty five members of parliament to amend any section. In the current costitution, we have power of Kenyan citizens to have the power of amending their own constitution.

About the issue of descrimination, you have seen how our friends or brother Somlis are suffering. If you walk during the night you realise that we are most targeted by the police. Why? The reasons simply they call them refugees and yet they were born here in Kenya. So a Somali person cannot get an ID in Kenya. It is difficult, and those who get, they get it through corruption. They have a problem not only Somalis, even we, we are forced to carry, it is just like colonial times, even though we are not carrying it around our neck, we are not wearing around our necks we are forced to carry it in our pockets.

Lastly, it is about HIV aids, the government currently has made it only possible that all those persons who leave schools like girls they complete standard eight and they have no future and everything all the avenues of life are closed and where do they end up? end up on the streets. On doing what, prostitution, simply the government can try to create a system which will help our youths to realize their dreams.

About jua kali system, and 8:4:4 system and about the vision of this nation of getting industrialized by 2020. What I would like to do the brain behind jua kali system and 8:4:4 system, I would like to congratulate them but the problem is that you put the new wine in old wine skins, before these things can work in Kenya we need to be prepared about the system. About the industrialization. Jua kali system currently is doing mkarais and that things but all what we need is the government should bring the professional technology electronics and teach others electricals and all those if we can be able to get all the scrapped radios outside there and then those things recycled then the country may be we can export something. Thank you Mr. Chairman. Thank you.

Com. Abubakar Zein: Thank you very much muriungi. Ningependa kuchukua funsa hii kukumbushana tu mambo tulikubasubuhi. Kuna baadhi yenu mmekuja mmechelewa, hamkupata habari tulizokubaliana kuhusu utaratibu wa kutoa maoni hapa leo. Mamatatu ama nne muhimu kukumbushana, la kwanza mda unazidi kwenda mbele sisi tutafunga kazi tutakafika saa kumi na mbili. Kwa tunawaomba watu wanaokuja kutoa maoni yao watoe maoni yao na kwa ufasaha na harakaharaka, kwa ufupisho.

Ikiwa na memorandum umeandika, kuna njia kadhaa ya kutoa maoni yako. Unaweza kwenda pale ukatoa memorandum yako kuzungumza, kwamba sisi tunatoa hadi tutasoma memorandum zote mnazotoa. Njia ingine ya wewe kutoa maoni ni kwamba ukiwa memorandum utakuja hapa upewe dakika tatu ya kugusia maneno muhimu tu, usisome baadhi tunasoma na tunapoteza wakati mWakenya wengine, kwa sababu sisi kama makamishina tutasoma kila memorandum. Tunahitajika kisheria kusoma kila memorandum. Alafu ukiwa huna memorandum unataka kuzungumza tu unachague maoni yako uyazungumze, mambo ambayo unatoa mapendo kwetu sisi kama tume. Unataka tufanye vipi katika katiba mpya? Sababu nyingi ukizitoa, sisi tunasifahamu tueleze unataka hivi, na hivi, na hivi, na hivi mpaka mwisho. Ukiwa unazungumza mambo yametajwa na wenzako si lazima uyarudie yote, unaweza sema naunga mkono mambo yaliozungumziwa pengine ya ardhi, ya miraa na mambo mengine, ukitaja hivyo sisi tunaielewa. Mengine nakunini kwamba unapokuja hapa tu kisema, anza kwa kutaja jina lako, kwa sababu tuna record kila neno, kila neno mtu analobitunali rekodi ndio lisipotee. Yule binti aliyekaa pale kama unaweza kuwabukia mkono kazi yake yeye ni kurekodi na tape recorder. Umeona amekaa karibu na speaker pale. Ebu onyesha tape recorder hio. Tape recorder moja. Anarekodi kila neno pale. Kwa usione pengine saa ingine hatuandiki maneno unayoyazungumza ukayaona tunayapoteza, kila neno linarekodiwa.

Yule wa katikati, yule kijana kazi yake ni kuandika mambo yanaoendelea, na huyu wa huku mwisho, Bi Roslyne ndio msimamizi wa members. Sasa ningependa kualeza pia wale waliokuwa wamechelewa kwamba unaweza kutumia kiswahili, kingereza au kikutitaka kuzungumza, kutakuwa na mtu wa kutafsiri hapa. Asante. Sasa ningemuita Grace Kamami. Grace Kamami. Asante Grace.

Grace Kamami Karume: Thank you so much. I am Grace Kamami Karume Mrs. representing views of Kenya Kiwa W Group. Lakini ningetaka uniruhusu nikisoma kwa kingereza nitafusiri kidogo kwa kimeru ili wale akina mama wako hapa waweze k hapa na kitu tafadhali.

Com. Abubakar Zein: Nasema aje Grace. Sasa ukifanya hivyo unafanya kazi mbili, kwa nini usiongee na kimeru alafu mtafsiri atafsiri kwa kiswahili au kwa kingereza. Au unataka kufanya yote mawili wewe mwenyewe?

Grace Kamami Karume: Eee.

Com. Abubakar Zein: Sawa.

Grace Kamami Karume: Thank you so much. Ya kwanza, sisi tulionelea ya kwamba there should be land title. Title deed s

bear the names of both husband and wife.

Translator: nikabatuwe tuguga twonere title chia miunda chiethwe chiana mariatwa ja mwekuru and mukuru nikienda akuru b kwitaga kwenderia miunda mbaene nontu mukuru akimenya mwekuru ritwa riawe ri gi title deed nomwanka amurie ageeta kw munda jou. (Nb. Translator is the same person).

Grace Kamami Karume: Tea sold to be given to the local council.

Batuwe itwonere majani jaria ja miunda enyayo janekerwo country councils iria iriakue nabatwe niuntu nikwo tukafaidikaa niuntu ibatunekeraa bursay kinya chia aana betu na ri thirikari irungamerete majani jau tutemenyaga naria mebesha ii chietaa

Grace Kamami Karume: There should be a prime minister and the president to be sharing the powers in the government and president is a man, the prime minister should be a woman.

Itwonere ikobati kwithirwa kwina President and Primi Minister kenda muntu omwe atiethairwa powers chionthe chire chiawe kwithairwa bagesharea na turauga President akeja kwithirwa ee mukuru ee mutu murume Prime Minister etherwe ee muka.

Grace Kamami Karume: Prisoners to be given time to go for short calls and long calls.

Batuwe riria twakari gikundine kiu kietu nitwonere abungwa kinya bo ibabati kuejagwa heshima nito riria muntu abungi eragwa nie aja ndogo oau kubwa au ari kinya we ni mutu niabati kuewa heshima riawe ria aigua nakwenda kweta antu aa agaikwa naria abati gw

Grace Kamami Karume: A president who retires from the office should also retire from chairmanship of his or her party.

Translator: Itwonere President ebera gitine niabati ebere gitine gia kiana kiu niotu Gatua kwathanaga ari through the curtains kana ari nyuma ya ndirisha kwu turauga Presisent ebera niebere kuonthe kenda mawatho jebera kuo.

Grace Kamami Karume: The law should be above the parliament.

Translator: Itwonere watho ibububatikwithirwa bukiathaga parliament ti parliament ikwatha watho notu iketherwa niyo ik watho tutiomba gwitaga na njira iria yagerete.

Grace Kamami Karume: To eradicate woman genital mutilation to reduce wastage of time of girls child.

Translator: Gikundi kiu kietu nitwaroreye ntano chia ari itanagitumi kire aria betu ibabati kurekanwa nabo tunto kie ti kit kithomo nikua mwana kithomo kia kua mwana kira kiagerete kia kweta shukuru. Kuo itwonere teka irinagitumi kiri twana twet twari.

Grace Kamami Karume: Thank you so much.

Translator: Ibwega muno

Com. Abubakar Zein: Thank you Grace. Thank you. Patrick Muriuki. Is Patrick Muriuki here? Patrick Muriuki zamu yako. Hay Zacharia Mwereria. Mzee wangu karibu.

Zacharia Mwereria: Basi asanti. Yangu sio mengi ni machache, kuhusu mimi ni mzee, ni yale mimi nayaona na macho yangu a yanatendeka mbele ya macho yangu, ndio mimi naweza kuzungumzia tume hii ya katiba ili tuangalie kwa njia zozote kwa sababu s tulinyakua, serikali hii itusaidie na yetu ya Kenya. Lakini kwa wale ambao wanategemea ama wameandikwa ndani hawajui mwanan kitu gani. Mwananchi hukaliwa kila mahali popote. Pepe chochote cha mwananchi hukaliwa na wale ambao wako katika maofisi.

Ya pili, kuna law moja, sijui ama ni law ama ni sheria, sijui ilikuja kutoka kwa mbeberu ama ni kwa mkenya wakati tulinyakua uhu inakalia mwananchi kimapafu. Kuna tajiri ya kununua ndege au gari ya milioni saba au kumi na kuna mwananchi wa kawaida, huchur 'ombe moja na ikasomesha mtoto au ikafanya mambo yake yote, ya kula, kunyua inatoka kwa hio ng'ombe. Na akiwa ametoka hapa ili avuke ng'ambo ile ikakule kwa shamba lake kule au aende akauze kwa soko apate fees au apate kitu ingine, ajali ikitokea kwa gari, gari ikutane na ile ng'ombe na aue mimi mzee ndio nitalipa hio gari pahali iligongwa na hio ng'ombe je sheria hio iliwek tajiri au maskini? Hio tunaomba katiba iondoe, hiyo kwa sababu iliwekwa na tajiri ili aendelee kukanya mwananchi au mwanan kawaida kumusukuma nyuma asiende mbele. Hio tunaomba katiba ya Kenya ichunguze hio.

Ya tatu, kuna mtu kama mimi nina nguvu ama sina nguvu sana lakini, unajua kuna mwizi, kuna tajiri, kuna mlevi, kuna yeyote na kun ambae hana hatia na anapita hapa, akutane na mtu pale amuue na mimi pia niondoke hapa niende Police Station, nipige ripoti au n kwa chief au kwa subchief, kupiga ripoti, ikiwa inatoka na Assistant chief au chief huendea polisi, kufikia kotini mali hio yote mbili h mwananchi wa kawaida, hio case hutupiliwa na pesa. Yule mtu akiwa mwenye kukufa ameuwawa akiwa mtu yake hana nguvu ya ama ya utajiri na yule ameua ambaye wao wana pesa, wametoka mji wa matajiri au ana pesa yake, hio case itapotea bure. Na hi atashikwa na polisi na afungiwe lakini kesho yake utamuona akitembea kwa barabara, je na mimi nikifikiria si nitaua kama nitakuw kumi zangu au ishirini? Kwa sababu nitaenda pale na mtu awe kama panya. Au mwewe kwa sababu mwewe akipigwa juu anaan chini, anaambiwa anakula kuku yangu na mimi sio kuku nilikuwa nakula, lakini nimeuwawa na mtu na amenifanya mwewe kwa saba pesa. Hapo naomba kwa katiba ya Kenya serikali wakati wakuangalia irekebishe hio katiba hio sheria kutokana na wale a wanaosimamia hio, kwa sababu ni kuonyesha vijana au wazee kuua mtu na kutupiliwa hivyo ni makosa. Unafaa uue na wewe uadh na sheria kwa sababu mtu sio mnyama. Hio kurekebisha hio maneno inakuwa mbaya kwa sababu inalipishwa kiofisi.

Ya nne, kunaye public card ile ambayo tumeitoa tukiwa mwananchi wa kawaida wakati tulikuwa tunapima hii mashamba, wakati imefanya serikali ingie iunganishe tuwe kitu kimoja ndani ya Kenya. Serikali ya ministry hio ya land imefanya mwananchi wa kawaida maskini wa mwisho. Kwa sababu wale wazee, kwanza wazee wa rika yangu na wale wako mbele yangu huko nyuma, wale mimi na hakuna mzee anasomesha mtoto tangu land ingie hapa. Hii ni kuzunguka tu ukienda kwa land ni kama mtu anaenda kanisani, kila as umeoga unaenda kwa land. Hio ministry imefanya mali ya watu kuzika mwananchi roho, kumuua kabisa kwa sababu kunayang'any shamba ni kumuzika roho na kuua. Unakuwa kama shetani kama devil worshiper, kuua mtu. Hio land nayo katiba ya Kenya marekebisha ya katiba irekebishe hio ministry iwaachie mambo ya mashamba ya watu.

Iwaachiwe muhiriga au wazee wa Njuricheke au wazee wa kijiji au subchief au chief kwa sababu yeye ndiye anajua taabu ya mwananchi wa kawaida vile sababu ilivyo. Kwa sababu mimi nitasema mfano, hii hapa shule hii inajengwa ilijengwa zamani mimi mtoto. Mimi nilikuta kama hapa kulijengwa, kumjengwa na wazee. Imejengwa na imefanywa shule. Ilikuwa shule moja mimi nikisomesha hapa na ilikuwa inajengwa na wananchi bila kununuliwa na mtu lakini siku hizi unaweza kuona the Headmaster wa hapa shamba hapa aseme hii nitauza pale, naona mtu anajenga pale. Unatoa shamba wapi? Mimi natoa kwa shule, kwa chairman ama yeyote.

Haya, kuna Society, tunaipatia maendeleo ya kufanya muradi yetu, mashamba ile ambayo ni public land. Kuna Society wanaweza hio shamba na hawakukunua wakati walikuja kufanya hio muradi yao hapo au chochote.

Com. Abubakar Zein: (Interjection). Pendekezo lako ni mingi Bwana Zachairah.

Zacharia Mwereria: Kwa hivyo hio land serikali ituangalie na katiba ya Kenya irekebishe hayo mambo na kuonyesha mali y haiwezi kutumiwa kiofisi bila mwenyewe kujua. Tukipiga mayowe tuseme shamba imekuliwa hapa na yeyeto akiwa DO au DC au y akiwa ameandikwa tukipiga mayowe lazima serikali itusikize, tukiwa mwananchi wa kawaida. Tusinyang'anywe hio kitu alafu wa nyuma wakose mahali ya kukaa.

Com. Abubakar Zein: Mzee Zacharia wa Njuricheke asante.

Zacharia Mwereria:(Inaudible)

Com. Abubakar Zein: Mzee taja jina kwa microphone ndio turekodi.

Zacharia Mwereria: Eee!

Com. Abubakar Zein: Taja jina kwa microphone ndio turekodi. Ee hapo.

Zacharia Mwereria: Yako mengi lakini saa ndio mbaya. Nazungunza mengi. Mimi jina yangu ni Zacharia Mwereria. Cha Njuricheke, Igembe Division, Central Meru North Division.

Com. Abubakar Zein: Asanti sana mwenye kiti wa Njuricheke. Mzee Zacharia andika jina yako pale. Asanti sana. Bonface Kinyua. Bonface Kinyua? Kijana anaitwa Bonface Kinyua. Fredrick Ntongondu. Ni wewe mzee wangu. Karibu sana. U kuyafupisha mambo tupate watu wengine pia wapate fursa, mpaka sasa nimepata list ya watu, tumefikia mia tatu na thelathini.

Fredrick Ntongondu: Thank you very much, Bwana Chairman, mine is to read this information very quickly. The new constitution should uphold the principles of separation of powers among the various arms of government, and effectively limit and check the powers of the president which should be reduced. The president should be non-partisan. He should be all people of Kenya elect as the Member of Parliament and his constituency elect the MP to represent them. The reduced powers should be given to parliament that nobody should be above the law. Everyone should be subject to the law equally.

The constitution must be firmly protected from bogus amendments. In this regard the new constitution must have protective provisions to protect it from such bogus amendments. The constitution must prohibit any alteration of its basic structure and principles by parliament or any other such body without the approval of the people of Kenya. That any amendments of the constitution, must be subjected to a national referendum.

That the new constitution should be readily available to the citizens through all possible outlets such as bookshops, newsstand, libraries and higher institutions. The new constitution should review the land laws and tenure system inherited from the colonial government. All illegally acquired land should be repossessed and restored to the people. Further to that the land committee should be taken care of by the government to avoid the levy charged by them.

Miraa, as export of Meru North people, for more than a hundred years, miraa has been economic backbone of people of Meru, North. The people sell it and get money to pay fees for their children in schools and also for other domestic uses. It is the main employment of the people in the area. They are employed to pack, transport and farmers get money at their farms before it reaches the destination to consumers. It has approved to be one of the exports of Kenya world wide like coffee, tobacco, tea etc., to mention a few, it registered by the registrar of the society under the name Nyambene Miraa Trade Association covering dealers, farmers and transporters. Therefore, I ask the commission and the government to include it in the constitution like any other cash crops of Kenya. The new constitution should limit the maximum amount of land one individual or Company can own.

Com. Abubakar Zein: Bwana, bwana Fredrick! Bwana Fredrick

Fredrick Ntongondu: Yes.

Com. Abubakar Zein: Niliomba sana usisome, wewe unasoma page kwa page. Niliomba utaje tu! Sasa una dakika moja tu ya mwalimu kumalizia mambo yako.

Fredrick Ntongondu: Let the education be free and universal for all people in Kenya. The vice president should be elected directly by the people. That the new constitution must prohibit the engraving of presidential portrait on currency. The law demands the display of presidential portrait at any premises, public or otherwise should be abolished. The government should never take, own land without compensating. Non citizens should be restricted from buying the land or acquiring the land in Kenya. That the pre-independence

should be revoked. That Kenya citizens should be free to acquire land everywhere in Kenya.

Education, the 8:4:4 system of education should be scrapped because it is expensive. The Keoch's education commission report should be implemented immediately, that the new education system should seek the development of the culture of the peoples of Kenya. That free education should be extended to secondary schools and should be free without cost sharing.

Com. Abubakar Zein: (Interjection). Jambo la mwisho kabisa Bwana Fredrick. La mwisho.

Fredrick Ntongundu: Referee, spouses should continue earning pension. Three quarters not half the salary as it is given. And when one dies his wife should earn the benefits for life and not five years and children to earn five years. That the errors of Mau Mau should be remembered in the history of Kenya as freedom fighters and be rewarded.

Com. Abubakar Zein: (Interjection). Thank you.

Fredrick Ntongundu: That the nation, natural resources benefits which are national cakes should be shared equally.

Com. Abubakar Zein: Asanti sana Bwana Fredrick, asanti sana. Sisi tutaisoma yote hio memorandum na tutaimaliza. Tutaisoma hakuna neno hata neno moja tutabakisha.

Fredrick Ntongundu: Thank you.

Com. Abubakar Zein: Asanti sana. Asanti. Kithure Samuel. Samuel Kithure! Samuel! Samuel Kithure! Ningetaka kuwapa hii watoto wa Sampul primary school. Mmoja wao aje atoe memoranda yao alafu arudi shuleni. Ukifika hapa taja jina lako recording.

Florence Karegi: Thank you Mr. Chairman. My name is Florence from St. Paul Primary School.

Com. Abubakar Zein: Florence, your second name.

Florence Karegi: Florence Karegi. Electoral system and progress. Defecting MPs and Councillors from one political party to another should be banned from contesting their seats for a period of five years. Elections, minimum qualifications for candidates for parliamentary and local authorities should be O level, form four leavers. Presidential elections should be separated or held at different times for fair elections. In case of any fault example bribery, in elections should be null and void.

Basic rights, the government should make education mandatory in primary schools. The government should establish Kenyan schools

equipment schemes for catering schools. Education at higher level should be cheap and affordable to all. All university students should be given loans including parallel students, minimum wage or salaries for workers should be raised at least ten thousand shillings. It should be increased annually. Promotion from one job group to another should be automatic after a certain period of time, for example three years, especially for teachers. The constitution should guarantee all workers the right to trade union representation.

Girls and boys should be given equal opportunities to inherit properties. Child labour should be abolished and they should be given protection. Strict law should be enacted for those who abandon children. Children should be protected against sex abuse, child labour, etc. Female circumcision should be abolished in all communities. More learning institutions should be established for disabled children country wide. Marriage of school aged girls should be abolished. Corporal punishment should be abolished in all institutions of learning.

Executive; presidential powers should be limited. He should not be above the law. Appointment of Senior Civil Servants should be done by Parliament, example heads of Parastatals, Ambassadors, PS etc. Environment and natural resources, each community natural resources must be protected for example, miraa. Forest must be conserved and protected by the government.

Judiciary; it should be independent. It should not be under the executive. Judges who are involved in corruption should be dismissed from the offices. Corruption should be eradicated from all levels, for example, police, forest land etc.

Registrar, in case of death of incumbent sitting president, the speaker should take over for a period of ninety days because he is elected by all MPs. A president must have the running made during elections. Thank you.

Com. Abubakar Zein: Thank you Florence. Charles Mugambi. Charles Mugambi. Mention your name when you use the microphone please.

Charles Mugambi: Thank you the Mr. Chairman, for giving me this opportunity to air my views. I am Charles Mugambi from Youth Group. The presidential powers should be minimized. He should not appoint the parastatal heads. He should be appointed by a civil servants commission averted by the parliament. The amnesty powers should be scrapped as this encourage people in the society whereby one commits a big crime and later on he or she is corrupt the president and then he is acquitted. There should be no corporal punishment system in schools and all other institutions of learning. There should be equal opportunities for all schools and colleges.

The health services should be free and doctors and nurses serving in public hospitals should be paid well and should not be allowed to operate private clinics, so long as they are government employees. This will curb drug smuggling. The land act should be reviewed. There should be a maximum acreage of land that one can own in this country. This will discourage some people from owning vast of land at the expense of others. The affirmative action that women are seeking should not be allowed. Anyone who wants power needs to contest for it. Voter cards should be given at the same time with the IDs. They should be given to all students in form fours before leaving the school. The administration should not be involved in giving out the IDs as some go without the IDs in the name of signatures or the DOs of the schools.

chiefs. There should be a ministry of the handicapped and the less fortunate in the society. So that their problems can be easily tackled through an accessible system. The provision vision should be dealt away with, and said the county councils and municipalities empower and be autonomous. This will ease development in the country. The president should not be an MP. This will bar him from being tribalistic. The appointment of the judges and magistrates should be done by the Law Society of Kenya from lawyers with good qualifications, experience and good track of discipline.

Ministers be appointed should be given a ministry which rime with their professionals. This will enhance efficiency. There should be a coalition government whereby the parties are given posts according to the numbers of the MPs they have in the house. Before seeking a new commission, the government should implement the previous commission unless there is urgency eg investigating a murder.

We should be incorporate good cultural practices and mores of punishing the wrong doers in the society which have been proved over time as morally right and accepted by the whole community. The children rights need to be highly stressed. Children should not be allowed to work or engage in any activity that will hinder them from learning especially when they are below sixteen.

The mayors and the chairpersons of the county councils should be elected by the people and should have a minimum qualifications level. There should be a constitutional court and a higher court civic court that one than that one of the Appeal. The Khadhi court should be allowed to carry other matters apart from marriage. The election commission in Kenya should be autonomous and non partisan. Commissioners should not be appointed by the president. They should be qualified system and the job should be administered over time. Famous, the popular ones are given, and there should be qualified system who should be sworn by the Attorney General and promised to be non partisan, otherwise they will be sacked. There should be a set committee in every district to over see the same. Before parliament amends or changes law, there should be consultation from the public. Thanks.

Com. Abubakar Zein: Thank you, thank you Charles. Benjamin Maore? Benjamin Maore? Councillor Ntwara Rintari? Karibu.

Councillor Ntwara Rintari: Asanti sana Bwana Chairman. Mimi naitwa Cllr. Ntwara Rintari, Nyambene county council. Kwanza mimi nikiwa ni Councillor, kwanza nianze na mambo ya Councillor. Sisi, mimi nina experience ya kutosha kwa council. period ya tatu. Kitu kinasumbua sisi, ni Chief Officers. Huko Chief Officers tunaletewa na serikali. Huko tukiongea hivi ama vile au tukiondelea na maneno yote inahusikana na hawa hata tukipigana anapelekwa transfer. Ile kitu naomba kwa ufupi ni tuwe Councillors ndio wanamuajiri chief officers.

La pili, Councillors, council nyingi sana imeanguka, kwa upande wa pesa. Ni Councillors tuwe tunalipwa na serikali sio council.

Kitu ya tatu, sioni kuna maana gani serikali iwe inapeleka watoto college nawalipa pesa nyingi sana huko college, na mtoto anatoka haajiriwi anaenda tu nyumbani. Mimi naomba sheria hii iwekwe. Mtoto yeyote akitoka college awe anaajiriwa tayari. Lile lingine hii haja kila chama ina Councillor yake kwa council. Hakuna haja ya nominated Councillor, ya nini analetwa? Atafanya nini huko? N

chama inawakilishwa na Councillor. Nominated Councillor ni ya nini? Anaenda kula tu pesa ya council badala iwe ikafanyiwe wazi kazi, naomba huyu, nominated councillor akataliwe kabisa. Asiletwe. Ile ingine, shule ya msingi nilipitia hapo kidogo ikisemekana ati alipe kiasi fulani. Sheria iwekwe kabisa, iwe mzuri, shule ya msingi isilipwe hata kitu gani. Ili sisi wakenya watoto wote waweze kuwa kwa hayo machache asanti.

Com. Abubakar Zein: Asanti sana councillor tafadhali andika jina lako pale. Patrick Ndumba. Ndumba. Japheth Thaara. Karibu

Japheth Thaara: Asanti sana Bwana mwenye kiti. Jina langu mimi naitwa Japheth Thaara. Mimi ni mkulima. Maoni yangu, naonelea kitu kile kilimaliza wananchi ni ukimwi hata magonjwa mengine mengi sana.

Wanatokana na pombe haramu, mimi naomba serikali itakaoundwa baadaye ingilie mambo ya pombe. Mtu akipatikana na pombe kila location au sublocation, mara mbili au tatu huyo subchief mwenye kunywa pombe asimamishwe kotini. Wafungwe mwezi mmoja wafutwe kazi, hio ni ya kwanza, ile chief mwingine au Subchief ya sublocation hiyo ingine achukue hiyo mfano, atafanya kazi usi mchana kumaliza hiyo chang'aa aambie watu wake sitaki kufutwa kama sub-chief fulani, ama chief fulani, mimi naomba serikali iwekwe sheria.

Ya pili; mimi naomba serikali iyangalie upande wa rumande au wa jela. Wananchi, wengi wanakufa kutokana na magonjwa, yanatokea na rumande au jelani. Ukienda rumnde, waweza kuta mtu akiwa hapa, choo iko hapa, anakula bila kuoga mikono, naomba serikali iwekwe vizio vyo ya rumande au kila jela.

Ya tatu; ni upande wa uchaguzi, wananchi wakichagua mtu aingie kampuni fulani, wananchi waangalie waone hawafnyii kazi, tunaomba serikali itaungwa watu wakiandika memorandum kama mia moja waondoe huyo mtu mamlakani.

Ya nne; mimi naomba mtu akimaliza miaka mitano akiwa upande ule anachaguliwa asiruhusiwe kurudi tena maana yake Kenya haina akienda huko anajipatia makao. Hajui maslahi ya wengine. Tunaomba mwingine naye kule atoke mwingine aingie naye akule.

Nitaongea kitu ingine kuhusu upande wa misaada ile tunasaidiwa naye. Misaada ikiingia, watu wale wanahusika kupeana, usiku wanahusika hio gunia ikapelekwa kwao kama mtu mmoja mmoja.

Ile inaachwa ashughuliki wananchi wakiingia mtu anachukua kitu moja moja anaambiwa hiyo chakula imekwisha. Naomba watu wanaomba Mungu, ni wakanisa wawe wakipeana hiyo misaada.

Ya nne; ni upande wa watoto wanaitwa chokora, hakuna mzazi anazaa mtoto anamuita chokora. Chokora anapewa na hao watoto matajiri wanaona mtoto wa mtu au mzazi. Mzazi akiwa hana nguvu ya kusaidia huyo mtoto anachukua huyo. Yule tajiri akikutana na mtoto anasema, wacha kuzungumza na hii chokora. Ninaomba serikali ingililie wazazi hao wenye watoto. Mzazi akipatikana na mtoto akiwa hovyoyavyo, achukuliwe hatua, asimamishwe kotini ili atunze yule mtoto.

Com. Abubakar Zein: Asanti sana mzee. Jael Karuti. Jael Karuti. Ni Jael au Jadiel Jadiel karibu Bwana, karibu.

Jadiel Karuti Mwambia: Kwa jina ni Jadiel Karuti Mwambia. Kwa maoni yangu, nitaanzia na ofisi ya rais. Raisi, asiv mamlaka mengi sana. Mamlaka yawe na mpaka. Kwa kuchagua Makamu wa rais. Asichaguliwe na rais, achaguliwe na wan Ministers, ministers wachaguliwe na bunge. Na ikiwa ni raisi amechagua mawasili wapelekwe kwa parliament, parliament i debate. V debated by parliament. Business, kuwe na government control, iwe ina control biashara. Kusiwe na sheria inasimamia biashara ana wholesale na retail kwa duka moja. Unauza vyakula, unaweka vitu vya mchanganyiko. Kuwe na licence kama ni wholesale ni whol Isichanganywe vitu vya kula na vya duka. Ama awe anauza reja reja mwingine anauza wholesale. Naonelea sheria isiwe hivyo. Kuwajiriwa serikali kama ni muwajiriwa wa serikali mwanaume tuseme bibi amepewa maternity leave, hata huyo mwaume ana ha kupewa miezi tatu kukaa na jamii yake. Awe ameajiriwa kwa ofisi yoyote ile.

Local Government, Mayor should have a degree or diploma and should be elected by public. Kwa maoni yangu, ofisi ya chief it mbali. Badala yake Councillor wapewe ofisi. Mahali raia watakuwa wakienda kwa hiyo ofisi wameshughulikiwa. Assistant min should be limited. Kwa maoni yangu, Assistant Ministers wawe wawili ama mmoja, sio zaidi ya wawili. Children affairs, watoto wa haki ya kusoma na kufanyiwa yoyote ile.

Wajiriwa wa serikali, corruption, mkubwa wa serikali au muwajiriwa wa serikali, akipatikana na corruption, sio kuhamishw example DC apatikane na corruption anahamishwa kutoka Nyambene anapelekwa wilaya ingine. Hio kwa maoni yangu si haki. Huy apelekwe kotini. Koti iyangalie akipatiakana na hatia afungwe na anaachishwa kazi. Mimi akihamishwa hata huko anaenda ni wa anaenda kushughulikia na ataendelea na hio corruption.

Com. Abubakar Zein: Tumeelewa.

Jadiel Karuti Mwambia: Na mambo kidogo kwa biashara kuwe na DRO. Hapo DRO awe anashughulikia na anaangalia m ya bei. Kwa biashara wanauza vitu vile wanataka, inakuwa ni majadiliano.

Com. Abubakar Zein: Ungekuwa unamalizia sasa. Muda wako umeisha. Muda wako umeisha, ungekuwa unamalizia sasa.

Jadiel Karuti Mwambia: Ee kwa hayo machache nasema asanti.

Com. Abubakar Zein: Esther Koroi? Esther Koroi? Jacob Kinot?. Jacob Kinoti? Cllr J.M. Kiuru? Kenneth Munene? Mrs. Kaluki? Karibu madam.

Mrs. Alice Kaluki: Thank you Bwana Chairman, my names are Alice Kaluki Marambo. I have two memorandum here, and I would like to say very few points. That the new constitution should express state that the citizens, the true source of power and second it should provide, should have available for all citizens equally. Under the new constitution, there would be a clear and appropriate provision of powers between the executive, legislative and the judicial branches of government. That the new constitution will protect the rights of every person in Kenya. The new constitution will provide for an independent impartial electoral commission with adequate powers and resources to ensure free and fair elections. It should establish a true independent electoral commission with adequate powers to organise and to control and manage the elections. The new constitution should be clear that Kenya will always remain a multi party state.

With respect to nominated members of parliament, the new constitution should provide the following: nominees to come from several interested parties and it should have one third be women. Nominated MPs should not be nominated into the cabinet ministers. Nominated MPs should not be elected to occupy the space of either the speaker or the deputy speaker and he should be confirmed by sixty five per cent of the parliament. The new constitution to be translated into local languages and provided free of charge to every citizen. Insurance of a National Identity Card. Under the new constitution, every citizen shall have the right to own property, anywhere in Kenya. I think I have finished with party, I have just be given points.

Let me give points for the other memorandum, please Bwana Chairman. This is a memorandum from Maua Catholic Church. Justice and Peace Commission of which I will represent some points. The Office of the President District Officers and PCs should be scrapped. The office of the District Commissioner should be differed because all the powers of the district are vetted on him. Chief and their assistants should have a minimum of form four certificate education. Civil servants union should be formed. Once a person retires, he should not be appointed to work with the same government for example in the electoral commission, the ones who are holding the office should be retired officers.

The Ministry of Agriculture should be encouraged to revive the cash crops. It should be answerable since they do least work. Cooperative movement should be revived. The police should stop getting 'TKK' and this will reduce corruption. OCPD should be headed by the chairman of the security in the district and more power should be given to him.

The forests have been destroyed by the known personalities. The district forest officers should be incharge of provincial income. Provincial administration should stop interfering. All public holidays should get a vote from the treasury but not from the public. All politicians from different parties should have their meetings or harambees without interference with the provincial administration. Provincial boxes should be ... (End of the tape, side A), should retire and a person of(Inaudible) and the speaker should take the office when the election is called.

Once a student is enrolled in the school he or she should be recognised by the area chief or the DC. The government should fund candidates of political parties to have a fair play ground. Higher education should be free mostly in Universities. Police and military officers should be non-partisan during the elections period. It should have a space for a church representative in parliament and in civil society for example the council. This means when we are nominating, we should have, this constitution should have a space for such representatives to represent it or a church in parliament. Thank you Bwana Chairman.

Com. Abubakar Zein: Thank you very much madam. Njagi Rutere. Njagi Rutere. Tafadhali andika kwenye register madam. Michumbi. Peter Michumbi. Erastus Mutembei. Erastus Mutembei. Stanley Kinyua. Stanley! Thank you. Karibu. Tafadhali Sema highlight peke yake. Points, points, points.

Stanley Kinyua: Thank you. Thank you Mr. Chairman. My name is Stanley Kinyua Mugambi, Executive Officer the Mugambi Constituency of Kenya, Meru North District. I will represent my memorandum.

We need a premiumable in our constitution church and it should state as this, this is the constitution of United Democratic Republic of Kenya. We should retain ureteral system of government with president and prime minister but he should strengthen the local authorities. Political parties should play other roles other than the political mobilization such creating institutions, to create employment and implement the manifestos. Constitution should regulate the formation, management and conduct the political parties. We should have an independent body created by the constitution to do with the political parties. Political parties state should be financed from the public funds. Parties should be financed according to presentation in parliament. We need to have the supreme court a part from the high court, the court of appeal we should create a supreme court and we should also create a Constitution Court. Judicial Officers should be appointed by the Judicial Service Commission and the names should be vetted by the parliament. Judicial staff would be holders of degree and at least a background of law or equivalent.

Local Government, Mayors and Council Chairmen should be elected directly by the people. Mayors and Council Chairmen should serve a full term. They should have at least an O level education. People should have power to recall their Councillor by a memorandum signed by at least two third of the registered voters in any particular ward. Remuneration of Councillors should be determined by an umbrella act created by the local authorities in the whole republic.

Electoral system, presidential and parliamentary elections should be held separately. Parliamentary and local authorities should be held at the same time, that means we should start by forming the local authorities first before we go to elect the president. MPs and Councillors who defect from one party and crosses the floor should seek elections.

Civic and parliamentary elections should be held semitenously and presidential should be held later. Electoral date should be specified in the constitution. Presidential elections should be held directly. Electoral commissioners should have at least a form four level of education. We should retain the current two members of electoral commission but this one should be reflected at the district level the same you are doing in the Constitution Review Commission because currently we have the district electoral co-ordinators who are left at the mercy of the government controlling all the electoral commission in the district and they are subject manipulation.

They should have a committee of twenty two members elected by the respective political parties who should monitor the election they should also be used to recruit the electoral officials. Basic rights, the constitution should guarantee the right to live and death should be abolished. Security, water, shelter, food, education and employment should be guaranteed in the constitution as basic rights. Every body who has attained at least a form four or a O level education should be guaranteed employment and if not employed should be given a basic salary at most salary to provide for the basic needs. Therefore, I am saying employment should be treated as a basic right. The land and property right, the ownership of land should be left to the local community, in our case here we have the clan or the mwana. So, all the land should be owned by the local community. The government should have the power to compulsory acquire private land for any purposes and if it has to do so, it has to compensate people according to the value of that particular land. The local authority should have powers to control the use of land by the owners or occupants in order to discourage land being idle or in order to control the environment. Transfer and inheritance of land should be addressed to the constitution.

Nobody should own, I am saying this currently you should not own more than a hundred acres, assuming that you have ten sons, so divide a hundred by ten, everybody should have ten acres and that one should be provision in our constitution.

Cultural ethnic and regional diversity and communal rights. Ethnic and cultural diversity contribute to our natural culture and should be protected and promoted by the constitution as Njuricheke council of elders, traditional marriage, customary marriage, for instance Meru traditions.

Miraa should be recognized for it is our sacred tree which is taken to parents or to inlaws when you want to marry their daughters. We should have two national languages, ie kiswahili and English and on top we should recognize and promote the indigeneous languages.

Com. Abubakar Zein: (Interjection) Stanley you should be summarizing.

Stanley Kinyua: Yes, I am summarizing. I am saying parliament should raise the revenue and control the government expenditure through the parliament committee. Public finance should be increased through taxation and sale of shares of public parastatals.

Environment and natural resources, the state should have power to enforce law and protection of our environment, natural resources, forest and the rest.

The executive; the constitution should specify qualifications for the presidential candidate. He should be over thirty years, he should be a graduate and he should not be more than seventy years. He should not be a member of parliament and we should abolish provincial administration and place it with an elected system. APs should be retrained and absorbed in the police force. Parliament should have limited powers to control its old procedures through standing orders. Members of parliament should be full time occupation. We should

introduce moral and ethical qualifications for parliamentary candidates. People should have rights to recall their MPs by signing a memorandum signed by two thirds of total vote casted. MP should act on business conscious and constitution in the presence of opposition parties. Parliamentary service commission should determine the salary and benefits of the MPs and Councillors. We should retain the concept of nominated MPs and should be done by the parties according to their parliamentary strength. Constitution should permit for coalition government.

Com. Abubakar Zein: Thank you.

Stanley Kinyua: We should retain the system of government that demand multi party representative at both levels of government.

Com. Abubakar Zein: Thank you.

Stanley Kinyua: Thank you.

Com. Abubakar Zein: Thank you. Raphael Muriungi. Raphael. Karibu. Jaribu tu, utoe highlights za chama. Highlights tu peke yake. Sababu tume receive memorandum from your national piece and we will receive memorandum from others, just highlight tafadhali.

Raphael Muriungi: Asanti sana mwenye kiti na wananchi watukufu. Mimi naitwa Raphael Muriungi, mimi ni katibu wa chama cha DP katika Igembe na pia Nyambene District. Nitatoa tu mwangaza juu ya mambo ambayo chama kilijadiliana alafu kumbukwa yenyewe nitawacha. Utaniwia radhi mwenye kiti kwa sababu ni nia yetu kama chama hata watu ambao wanasikiliza wajue maoni yaliyokuwako nini,

Com. Abubakar Zein: Mzee wangu najua unataka kusema kimeru endelea mbele haraka unpoteza muda, unapoteza muda mwingi.

Raphael Muriungi: Asanti sana kwako. Thank you very much. The constitution should have a preamble that states the authority to manage from people and from God.

Translator: yani gatiba yetu nibaterwe kwithirwa ikugaga ati inya niekuma kwi murungu na kiri antu

Raphael Muriungi: The words of national anthem should form the basis of our national philosophy.

Translator: Miambo eria iri ndene ya rwimbo rwetu rwa taifa kinya iyonibaterwe kwithirwa irindene ya gatiba yetu.

Raphael Muriungi: The constitution should protect itself against arbitrary amendment. Requiring that any changes should be approved by seventy four per cent of the members of the parliament and a referendum.

Translator: Gatiba itibwiri kwarorangawa utheri abunge nibabwiritwe gwitekerwa akui bonthe nikenda irorwa na kinyakubwa twianchi tukorwa.

Raphael Muriungi: Constitution should state that Kenya is a democratic multi party state.

Translator: Gatiba nibwiritwe kua Kenya ni ya chiama bibingi na ikorochoka kua ya kiama kimwe ringi.

Raphael Muriungi: A member of parliament or Councillor who defect from his party should not be legible to contest the election, resulting from his defection.

Translator: Mujumbe atibati kana Councillor akija kuthama kiama kiake atibwiri kwitekerwa aromba kura iu ringi .

Raphael Muriungi: Government of national unity. To reduce the agrimony that exist among the political parties, the constitution should provide for the formation of a government of national unity formed by all parties represented in the national assembly according to their numbers.

Translator: Chiama vionthe biria biri mbunge bibwiritwe kwethrwa biri kiri thirikari mawasiri jabwiritwe kuuma chiamene biria kulingana na wingi bwaantu baria bathuri.

Raphael Muriungi: The nation of Kenya should be a unitary state that should not be recognized through majimbo.

Translator: Kenya itibwiritwe kwithrwa ili ya majimbo ibwiritwe kwithrwa ili ya nthi imwe.

Raphael Muriungi: There should be proper separation of power among the various arms of the government.

Translator: Ee mpangi mwanya chia thirikari imwe nibwiri igichiathaga kenda imwe itekethrwe iri na inya nkuruki ya enge.

Raphael Muriungi: There should be an executive president elected directly by the voters from all over the country. The president should also be elected directly by all voters in the country and running mate of the president.

Translator: President wa Kenya abwiri kuthurwa ni antu bonthe ndene ya Kenya amwe na munini oke.

Raphael Muriungi: Both the president and the vice president should not represent particular constituencies.

Translator: President na munini oke batibwiri kwithirwa bakeromera constituency kinya oreko babwiri kwithirwa be ba Kenya yote igwatene.

Raphael Muriungi: There should be a prime minister, to supervise the day today running of the operations of the government. The prime minister should be appointed from the party or coalition of the parties with the majority of MPs.

Translator: Nikubwirite kwithirwa kwina waziri mkuu wa kwolelasia manto ja thirikari ja ntuku ontuku athuri kuuma kiri kiria kiri na ajube babaingi.

Raphael Muriungi: Local authorities should be strengthened by giving more authority to the Councillors. Payment to Council should be from the consolidated fund.

Translator: Ee country council na municipal council ni bwirite kwuewa inya nkuruki ee council baiewe uwezo nkuruki na baburiwa kuuma kiri thirikari ouria ajube bariagwa kuuma mbesha cia central government..

Raphael Muriungi: Land issue. A land commission should be created to protect public land such forest and parks.

Translator: Nikubwirite kubwithiwa kiama kia kugiria ithaka bia mwingi ntuntu mitho ijukachua ni antu baigitagera bongwa iya

Raphael Muriungi: All land grabbed illegally from the public by individuals should be handed back to the government with compensation done to the state.

Translator: Na baria biiete ithaka bia thirikari nabo naibajiwe ibabwirite guchokia ithaka biu kana bakagura kuuma kiri thirikari uguri buria bwagerete.

Raphael Muriungi: The issue of title deed to the land owners should be done without causing suffering to the people.

Translator: Title deed nachio nibwirete kuewa antu batikuewa thiina tunto ithaka biria bitwire kuuma miaka imingi ibibwira kugarorewa mueyanere.

Raphael Muriungi: Water catchment areas, springs, water causes, storms etc. should be protected and should not be allocated to individuals for settlement.

Translator: Naa rui ruumaga nakwo kutibwirite kueyagwa antu jontu ithima kana njira chia rui ibibwirite gukarua.

Raphael Muriungi: Miraa should be recognized and should be protected like any other cash crop in this country. The government should seek more advice and guidance from the people of Igembe on tradition concerning miraa.

Translator: Miraa niyo nibwirite gukarua ni thirikari nonto nigentu gietu kia maana na benda kuumenya kirira kia mira bakoria ba igembe itibwirite kuitwa ndawa.

Response: Inaudible.

Raphael Muriungi: Biological diversity should be conserved through protection of indigenous trees, which are disappearing.

Translator: Miti yetu nontu withire misui, mioswa na inge nibwirite gukarua nionto nikoora.

Raphael Muriungi: The constitution should encourage cultural preservation by recognizing traditional custodian of culture such as Njuricheke.

Translator: Ikundi bietu nabiyo biria biroamera kitamanduni bibwiritwe gukarua tunto njuri ncheke nontu niyo imenyagera mitu ameru.

Raphael Muriungi: Rights of women and marginalized groups. Women and marginalised groups such as the disabled should be accorded affirmative action, at least one third of all nominated and public service appointment should be women.

Translator: Ekuru na antu baria batikweza nibabwirite kumenyerwa andikwa ba thirikari na kinya antu ba bathuri ekuru ibabwirithirwa kichunche kimwe kia bathatu kitherwa ni kuuma kiri bathatu umwe akethwa ari mwekuru.

Raphael Muriungi: The constitution should guarantee the opening of warehouse for the passage of information to all parts of the country.

Translator: Ee tumeme ni tumatirwe gutikirwa antu bakaigagwa kiinya naa tugheshagua maoni bwanya mwanya tutigatwe a kwigagwa tumeme twetu.

Raphael Muriungi: Internal security; While as Kenya has been relatively free from external aggression the same cannot be said about internal peace. The country has been robbed by politically motivated ethnic clashes over the last ten years. The increased in cattle rustling has reached alarming proportion. Removal of traders from some parts of the city and towns has been executed in a ruthless manner.

This apparent state of internal welfare should be addressed by the new constitution, such indignity should not be visited on the citizens of Kenya. This is the last point Mr. Chairman Commissioner.

Translator: Eee mantu ja uthiria ja nthiguru iji kinya Kenya itarwa na nthi inge kwithwa na ndowa inyinge gatigati getu nganikwiwa na antu baria barutaga biashari nontu matown ibakuurwa muno mantu jau gatiba nibwirite kwoleleya antu batikoragwe jakamaithene.

Com. Abubakar Zein: Thank you.

Raphael Muriungi: Thank you very much Mr. Chairman.

Translator: Ibwega muno

Com. Abubakar Zein: Asanti Bwana Secretary asanti. Uandike jina tu pale kwa.....(Inaudible) John Mugira. John M. Rev. Peter Kitheka. Samuel Kaberia. Francis Ithiri. Shadrack Kabera. Shadrack! Wewe ndiye Shadrack. Karibu.

Shadrack Kabera: Thank you very the commissioner, my name is Shadrack Kabera, coming to present the few points according

the constitution review. Mine, first is to say that according to my observations that I have seen that presidential powers in appointing judges especially in the high court judge should be streamlined and we said it should be done by the parliament commission.

Two, the quarter system in secondary education should be scrapped all because it has left bright students in a marginalized area having an access to a good school and hence having bad results in form four because of the poor schools and the country losing important people in our country.

Three; President should be elected separately from the parliamentarians. This is to avoid the confusion of voters by the parliamentarians because sometimes people are forced to vote for the people with the(Inaudible) by the parliamentarians according to the person they are.

Four; Government to make sure that citizens have an accessory to the constitution written in English and Kiswahili especially this copy should be done even through the DC's offices so that people can have an access of it, for example during the civic education, many people do not understand what is a constitution although even the educators you could ask them a question and because they don't understand what the constitution is, they were talking of the constitution that they don't know.

Five, land issue in Kenya seem to have a lot of difficulties and the government seems to have been defeated by solving the land issues. Solving the land issues and for me I propose that the council of elders in every community to be given the mandate to deal with land issues.

Six, everybody should be treated innocent in the court of law until proved guilty. Currently it is that everybody is guilty until proved innocent. And innocent people sometimes are sent in remand and later proved innocent and they are not paid for it neither by the government nor the plaintiff. And this in future it should be that innocent people remanded should be paid for the time remanded.

Eight, the elected MP in every constituency should have an office in his area of representation, whereby the members will go and see them. Currently if you want to see an MP, you have sometimes to travel to Nairobi where they are. When they are not in the house, they should be in those respective offices where we can get them and forward our grievances. Thank you.

Com. Abubakar Zein: Thank you. Thank you very much, please sign the register. Kirimi Arachi. Kirimi Arachi? Karigi Charles Karigi.

Charles Karigi: Chairman, Okay, thank you Bwana Chairman. My names are Karigi Charles and my memorandum is as follows. Directly dialogue as pertains miraa. Miraa should be gratefully considered in the second liberation because it fetches income for the Nyambene community for many centuries. Another point which I will bring here is that mayors and chairpersons must be elected directly by people because they work for people. In the local government also, Councillors must be of certain academic certificate and position that is form four level. Also, the chiefs in the side of administration, chiefs must be elected by people so as oppression should be eliminated. Another point is that, in the job distribution in the country the poor community or the poor people have been neglected in employment whether educated or not and therefore there must be one job one man policy in the country. I think because I have written this memorandum, I will produce it. Thank you very much.

Com. Abubakar Zein: Thank you very very much. Misika Rinturi. He left, Ontenu Mishi. Ontenu Mishi. Bwana Ontenu ni wazazi wote. Si yeye. Martin Rithara. Rithara Martin! Maina James. Joseph Muturia. Gilbert Mugambi. Margaret Kariimba. Karibu Margaret.

Margaret Kariimba: Thank you Mr. Chairman. I would like to say something concerning our coming government. For the past 47 years in Kenya, we have been going through things which are not under registered trade mark and the business is not available to the people. When you get somebody direct from the manufacturers, he is becoming a distributor and at the same time a retailer. He cannot understand what to do if we manage to run a business, the same case in Companies here in Kenya we rely on cash crops and in the manufacturers areas, you can get those goods are being got through backdoors and are being sold. Here, the same man, kama mkulima anakosa kitu yakumusimamia kwa sababu hapo hakuna mtu anashughulikia mali yake pale inaenda na pale inatokea. ningetaka government ishughulikie hii vitu vinauzwa ambazo hazina trade mark or registered trade mark.

At the same time, I would like to say in the coming government to have eliminated those mandated people who are not educated in the areas wanakuwa bosses and they have no know how of what they are running in that Company or anywhere else of the site. So educated people should have now the opportunity to get jobs through the office or through interviews, where they can qualify to work in such sectors. Another thing that I would like to speak about is concerning misaada ile inapeanwa. Tunaona kuna vikundi vinajitunga kama chairman, secretary na treasurer.

Hao watu wanakua wananyakua ile mali na wanakua matajiri, lakini hii kitu kama ingepeanwa kwa upande wa serikali na shule,

wanawezasaidika kwa sababu hapo watoto watapata elimu wale hawawezi kujisaidia. Na kwa hospitali pia tutakuta yule mtu h
kupata kitu kabisa hatawachwa amelala nje atapata dawa. Sasa niongeomba serikali iwe inashughulikia hio kitu kwa ndani kabisa,
na Inspectors wale wana supervise hii mambo. Tunaona tena hapa kwa land kuna pahali kama water catchment area imechukuliwa
watu wamepanda vitu hivi. So erosion inakuwa very high kwa those areas. Kama ni hivyo serikali ishughulikie pahali kama hapo,
kuna mtu anaangalia kuwasilia chief akiwa anajua hio area imetumiwa aangalie na irudishwe kwa serikali ili iwezwe kupandwa
sukumawiki au vitu zingine. Asanti sana Bwana Chairma.

Com. Abubakar Zein: Asanti sana. Muthuri Senior.Senior Muthuri! Joseph Mwenda! Garebasio Kaberia.Yes, Kaberia. Joseph I
Zakias Kaitutu. Kathure Mambea. Veronicah Kanuu. John Mwiragwa. Uko hapa John? Karibu. Use microphoe tafadhali, taja jina
ndio tuanze.

John Mwiragwa: Mimi naitwa John Kariithi Mwiragwa. Kwa kutoka pande ya Kinyaka. Serikali ningependa ichukue hatua
pande ya Nyambene watu wakikwamia usiku hatulali, iwe siku ya jua sisi tunaendaka kuombea huko tukikuwa tunatoka Jerusalem.
ni naitwa Pastor naenda kuombea Nyambene kutoka Jerusalem kama ile, na mimi ninaenda kuombea huko mstuni na ninakuta w
wengi, kuna watu wanachoma makaa kwa mstuni huyo wa serikali. Karibu na maji huko ndani mpaka kwa DC huko na mstuni wa
Ukienda kupiga hilo ripoti hakuna mtu anakusikia maneno. Ukiambia Chief hataki. Natoa hiyo kwa watoto sikulilia moyo wa
Mkenya. Na sikusema hiyo ukabila utakuwa Kenya yetu. Na tusingalie ama mtu ni Msomali, Mtanzania au Mturakana lakini
wakenya wote, tusiweke ukabila katika hii mambo. Tunataka hio hatua ichukuliwe kwa serikali kwa hio maji ndio sisi sote
tunakunywa hio maji. Watoto wasiwe wanaenda pale hekanuni ile kijiji yetu ya Nyambene ambayo inachukuwa mambo ya s
isimalizike huko. Watu wanakata miti na mashini na ukienda kupiga ripoti Chief hataki kusikia maneno yako.

Com. Abubakar Zein: Sawa tumesikia mzee.

John Mwiragwa: Ee?

Com. Abubakar Zein: Tumesikia umesema unataka serikali ilinde pale maji inatokea na msitu.

John Mwiragwa: Ee, ndio.Tunataka serikali yetu ichukue hio hatua na ichague watu wetu wakusimamia serikali kama mtu ame
mabaya, aangaliwe vizuri. Kama vile naweza chomewa nyumba leo niende kwa chief hachukui hatua yoyote.

Com. Abubakar Zein: Sawa.

John Mwiragwa: Haya, ya pili, mtu akitoka shule anakunywa hio maji, serikali ichukuwe hatua. Ya pili, tuchaguliwe mtu wetu
serikali mmoja ili ashughulikie hio mambo.

Com. Abubakar Zein: Ushasema hio John.

John Mwiragwa: Kwa hivyo nasema asanti.

Com. Abubakar Zein: Asanti sana John. Andika jina lako pale kwa register. Paul Ambuito. Paul Ambuito! Margaret Ntongai. Margaret Ntongai. Akipatikana nitampa nafasi. Douglas K. Muiga. . Douglas K. Muiga. Asemath Nyamu. Asemath Nyamu! Na tutulie kidogo hapo watu wa DP tafadhali kidogo. Mzee wangu tuko katika kikao rasmi cha Tume ya kurebisha Katiba. Kwa hivyo tuheshimiane, tufanye kazi vizuri. Reverend Mathias Murugi.

Rev. Mathews Murugi: Asanti sana Bwana Chairman, mimi sitazungumza mambo mengi, bali nitazungumza yale ambayo wananchi hawafanyiwi vizuri na kulingana na vile katiba hii yetu ilianzia, ilianzia wakati wa ukoloni.

Com. Abubakar Zein: Ungetaja jina lako ndio tuna rekodi.

Rev. Mathews Murugi: Majina yangu ni Rev. Mathews Murungi. Nataka kusema upande wa civil servant ni kama machief and assistant chief, ningepomba tume hii la kurekebisha katiba waweke sheria ambayo itawezesha chief kuchaguliwa na wananchi. Kwa sababu mtu akiuza shamba lake na aende apatiiane pesa, ajiriwe, hata yale mambo ya wananchi kwa sababu amemunua ile kitu na pesa. hivyo hio ni jambo moja Bwana Commissioner unafaa utupelekee huko, katiba iandikwe wananchi wawe wakichagua watumishi ambao wanawatumikia.

Jambo la pili, ni kuhusu transfer ya ma chief na hawa Assistant chief kama civil servant wengine ningeliomba serikali wawe wakifaa transfer waende kuhudumu mahali pengine, kwa sababu wao wakiwa ukoa wenu ulikuwa na wadui na watu wa ukoa wao zamani sa ajiriwe mahali pale na awekwe location ile watoto wako, na uridhi wako hautaamka mpaka wakati wake uishe wa kukaa kw atakumaliza kabisa. Kwa hivyo ningeliomba transfer ziweko za Ma chief kama civil servants wale wengine. Katiba iangalie hapo. J lingine, ningeliomba mambo ya ofisi ya land kwa sababu hii offisi Bwana Commissioner ina shida nyingi sana. Na ndio hata imefanya wakose amani na serikali. Kwa sababu kama vile nimesikia watu wengi wakishuhudia kuna sheria ambazo ziliwekwa na mkoloni an ni zakunyanyasa Mwafrika. Na hizo sheria zingali zinatumika hata wakati huu ambapo watu walijitawala na watu wanafaa wa uhuru wa kufanya mambo yao.

Kama sheria inabakiwa number 283 Cap. 283 ya land, hio sheria Bwana Commissioner irekebishwe kwa sababu mwananchi hana ya kulalamika, hio sheria imekatwa kabisa hata ukinyang'anywa shamba yako. Hata ukienda kwa Judicial Land upeleke mambo Commissioner waardhi hautapata nafasi yaku appeal. Kwa hivyo hio Cap 283 iyondolewe kabisa. Mambo mengine ni kuhusu sa yetu ile nasikia kwa maoni watu wanataka kuunda serikali ya majimbo. Na ningepomba katika katiba hii mpya tusiwekewe serik

majimbo. Kwa sababu tukiwekewa serikali ya majimbo, Kenya itagawanyikwa kwa makabila, kwa mambo mengine ambayo yakuweleweka, kwa sababu mtu hatapata nafasi hapa aende afanye kazi yake kama huko Nairobi bila kuwa na licence.

Kwa hivyo ningepomba serikali yetu iwe ya umoja kama vile rais wetu anavyosema na tuwe na serikali ya umoja si serikali ya majimbo. Kwa hayo machache sitaki nipoteze nafasi, na nashukuru, Bwana Chairman.

Com. Abubakar Zein: Asanti sana Reverend. Kinyua Kubai. Just hold on. Kinyua Kubai. Kinyua is not here? Leonard Ngai. Mar

Margaret: Thank you Bwana Chairman.

Com. Abubakar Zein: State your name for the recording.

Margaret Ntongai: I am Margaret, I am Margaret Ntongai representing a memorandum from the women groups, in Maua Central. These are some of the women issues which came up from the women. The women from the Maua Central groups have identified the following as the priority issues in their locality. Tumesema, women should own land and other property just like men and share the title deed especially it should bear the two names of a husband and wife. Women say that they should have access and control of resources just like men. Women should be recognized, accounted for, and compensated for their work and especially on retirement age. Women should share and enjoy all the retirement benefits like men. A law should be passed in parliament with affirmative action on harmful customs and traditional practices against women especially girls' circumcision and early marriages. There should be adequate security for women both in public and private sectors.

Provision of health facilities and policies for women. There should be equity in employment and women political participation and representation in other positions of leadership. There should be affirmative action in education especially for girls child and the disabled. Families with their children being taken for their defence duty and once agreed these families should be compensated. Women who fought for freedom during the colonial era should be recognized and compensated. Women felt that the tenure of presidency should be two terms of five years each and if the president is a man the vice should be a woman. Equal recognition of honourables like the disabled, the girls child and protection against rape and irresponsible men and even women to be accounted for children born out of premarital sexual activities.

The women viewed that the electoral process should be as the following, a third of the electoral commissioner to be women. The electoral commission should have independent electoral commission free from political influence. Employment in the electoral commission should be transparent and free from corruption and victimization. Academic qualifications, should be the highest criteria of employment. District electoral co-ordinators should be holders of degrees, from recognized universities and people of high integrity. Then they said the elections should be done on specified time and date and during the day and not at night to avoid rigging.

They said political parties should retain division of independence, candidate, to give women an equal opportunity to vie for seats even if a specified party does not nominate them. Funding of Parties, that of a national outlook and have taken on hold gender issues should be funded. Separating government from management of political parties. If the executive, traditional presidential powers to be independent. The president powers to appoint or dismiss should be reduced and invested on a constitutional office. Presidential powers should be ceremonial with no interference from judiciary or legislature. The three should run independently. The tenure of office of two five year term can be retained but a re-election may arise within the same limit if the office is insulted.

The local government, local authority should be strengthened by giving more authority to the councils to exploit regional resources and other services. Council chairpersons and municipal mayors should be elected directly by the people rather than the fellow Council members. The same tenure of two year five term should be retained. Land issues, we said a land commission should be created to protect public lands such as forest and parks from grabbing. A land grabbed illegally or acquired illegally, from the public by individuals should be handed over back to the government and a full compensation paid to the state. Long procedures of giving title deed to land owners should be avoided. People are suffering unnecessarily because of corrupt system of acquiring title deeds especially in our area.

Com. Abubakar Zein: (Interjection). Margaret, you need to summarise.

Margaret Ntongai: Yes please. The issue of land misplacement especially in Nyambene constituency should firmly be dealt with. There should be equal inheritance and succession rights to both male and female children. Children especially on lands. A girl should have an equal portion as a boy from the father. Conservation of environment should be emphasized. Families living in rural areas suffer due to lack of water, the government should look at it that every family in the rural areas has some water supply. The same with the electricity, the women were willing that they should have some access to the electricity in the rural areas. Our resources here in Nyambene especially the miraa plant should be looked at. It is our main cash crop here and our source of income. Therefore it should be recognised and protected like other cash crops in this country. The government should seek more advice and guidance on the cultural, social and the economic issue of the crop. Therefore it should be treated with the highest respect it deserves. Preservation of culture, we said that the constitution should encourage cultural preservation by recognizing traditional, custodian of cultural, culture of the Njuricheke and other social organizations. There should be a measuring regulations to encourage only the positive aspects and discard the outdated ones.

Education, we said the government should take education seriously and offer free education to secondary level, from four to six. The government should support boarding schools and equipping them with text books. They said a lot of money is spent luxuriously, on the higher sector of the government which can be used to assist the poor. Freedom of worship and the last one. We said, in Kenya freedom of worship has been abused by devil worshipping, therefore, there should be keen scrutiny of registering and licencing of religious sect and denominations. And then we said those who are worshipping the devil should be dealt with seriously with their licences revoked. Another, the last to be said.

Com. Abubakar Zein: The very last one.

Margaret Ntongai: Yes, the very last one. We said, rape of the young girls or the minor should be treated as terminal to the or life imprisonment. Especially a rape on a girl who is under ten years. And then share of the national cake in terms of leadership economic empowerment should be determined. Everybody should have an equal share.

Com. Abubakar Zein: Thank you Margaret. Thank you. Thank you very much.

Margaret Ntongai: Thank you so much.

Com. Abubakar Zein: Margaret knows how to push me minute by minute. Thank you Margaret. You need to sign the register and in the memorandum. I would like to call out possibly five, six names so I have an idea how many people I hear. Ningependa kuita m kama wanne watano ndio tujue watu wangapi wako alafu niwaite wasongee karibu. Usikilize jina tu. Unainua mkono mzee wangu sababu gani? Sema tu nakusikia. Sema.

Response: Inaudible.

Com. Abubakar Zein: Nilikuwa nasema mzee wangu sisi tunafuata list vile watu walivyokuja. Ukiwa unadharura kubwa uje u na mimi uniambie sababu yako nitaambia wananchi wakikubali utapewa fursa. Na nilisema asubuhi ikiwa kuna mama mja mzito au mzee sana au mgonjwa tutawafikiria hivyo. Sasa tumefika kwa Joseph Mithiga. Na wale wanaotaka kutoa memorandum bila kuzungum pia inaruhusiwa. Unakuja hapa unatoa memorandum bila kuzungumza.

Resposne: Inaudible

Com. Abubakar Zein: Naam. Unataka hivyo mzee?

Resposne: Inaudible

Com. Abubakar Zein: Utoe memorandum uende. Sawa kabisa. Joseph Mithiga. Hellen Kariuki! Hawako?

Hellen: Niko hapa.

Com. Abubakar Zein: Hellen uko? Haya. Hellen wewe utazungumza kwanza and Joel Gitonga uko? Joel Gitonga. Nataka kujua

nitaita watano. Joel yuko. Nipe ile ya Hellen. Hellen yuko. Mary Murea? Mary yuko. Elizabeth Koro? Ameenda. Baasi tusikizi watatu. Tuanze na Hellen alafu tuende kwa Joel, alafu tuende kwa Mary. Hellen. Madam make your presentation or you want to You want to wait. Okay. Nduku endelea. Wewe ndio ulikuwa next.

Joel Gitonga: Mimi, jina ni kama Joel Gitonga, ningetaka tu kuguzia kitu kidogo ambayo nimeona akinakaza wananji sana. U wa ma chief sana ningependa wawe wakiangaliwa sana kwa serikali, kwa maana ma chiefs watu wanakufa sana kwa chang'aa na p haramu. Ma chief wawe wakifanya hio kazi zaidi kwa maana watu watakufa wengi sana. Ingingetaka kugusa ni watoto wale a hawaendi shule sana.

Ningetaka hatua kama wazee hawapeleke watoto shule ma chiefs wawe wakusaidiana na manaifu wao kuenda moja kwa moja m mahali hao watoto wako. Kama hawapelekwi na baba zao na wachukuliwe hatua. Inginge ni upande wa serikali wawe wakitusaidia mahospitali kwa maana watu wanakufa sana kwa ajili ya magonjwa ya malaria, tuseme kama wakati mwingine nimeona nchi z wanapewa dawa ya kunusia kama maji machafu, huku kwetu pia tuwe tukipate kitu kama hio. Watu wanakufa na wanguisa na m zaidi. Asanti Bwana mwenye kiti.

Com. Abubakar Zein: Asante sana Joel. Mama Mary Murea?

Mary Murea: uniriata riakwa mbitagwa Mary Murea na

Com. Abubakar Zein: Subiri mama kidogo.

Mary Murea: mpumete Iembe South.

Speaker: etera.

Mary Murea: kiria kitumete bija aa ni kuaria aa ni gintu kimwe kana antu into biiri.

Com. Abubakar Zein: Muache aseme Kimeru tu.

Mary Murea: uniomboleleya umete mithumoni ee yakwa na igika riu nditere kithakene ndi mumaumau ugwe ndathomithagia.

Speaker: jina langu naitwa Mary murea.

Com. Abubakar Zein: Mzee wangu muache mama tafadhali.

Mary Murea: Mbitagwa Mary Murea.

Translator: My name is Mary Murea.

Mary Murea: Mpumete Kanuni Igembe South.

Translator: She is from Kanuni Igembe South.

Mary Murea: endu kiria gitumite mbijaa ni bukuria nyama bukuria nyama na mithuri mukunyuwa tutiraigwa muki njamba hii igotoma bwaria kinya gichunku. Tutiriaigwa mukigweta njamba hii igotuma bwaria kiswahili, kana muandika twari kith nintu buu twenga muchunku. Gatiba ee tukujuriria aa nuuni kangukuria aa bwana chairman na niro iromba ndarombaga riungw nkiraaga Muthungu arukera giti kyetu kia Kenya mbitagwe mwana wa mukaa omwiru chairman.

Translator: What she is proposing is that you find we people fought for the freedom of this country and actually there was no of compensation or any form of reward and she is advocating for reward for people actually who fought for freedom for this country.

Mary Murea: nariu ringi niugwe muchunku uria kwithira uni kiri gatiba hii ja ria nkaaria bwana chairman uri mwana w umete mithumone hii gatiba ikwa ndiuria attire mau mau ninaa bwajaenderie . mau mau ijakwe mauta nyoeroerwe nkunga itirameria.

Translator: We would like to have a provision. We would like to have a provision in the constitution that we are changing so people who fought for freedom of this country would be protected in a way or actually would be given a form of reward or compensation that I have talked about. And that law should actually be there so that we don't have these people who fought for freedom and they are no where these days, nobody recognises them, so we must have a law or a provision that for that matter that will recognize these people and their aim to the freedom of this country.

Mary Murea: ndengere muthungu kenda ndagwita chairman kan ndagwita bwana wambujuriria buria nkwenda. Rithi aka nthigwa sana kiri ofisin ya land guti muka ntigwa wi kathaka

Translator: You find that with the main purpose or the main issue of freedom for us to fight for freedom of this country was actually to get that fruit and since it was unfortunate we didn't get that fruit, so actually we are advocating for us to be recognized most of widowed mothers, you find that our husbands died in the struggle and we were actually left out so this is our area of concern.

Mary Murea: bochoke ringi uni ndi muntu wa michubu na murata uria ndari nawe kithakene aana baari batujuri m bautugaruka kinya na mwongo na tukauga thiri. Endue riu muthaka uku ariuga uni chai ndanyire nda tiga methane akarea mwari mukurethia kuuga ni ake benu kithakane. Ndiithiriria aana bari sana uu itu baba bagata twana twana turiatugutewa turiethira kamw Moi kana Kenyatta urotomere tuocho uchiathi.

Translator: Another important thing I would like to put across is the issue of misuse and use of our ladies. You find that they are easily used and misused by men around, so actually let us have a law or a provision for that matter that will protect these people from misuse and use.

Mary Murea:

mpenderia nteto ii kiri mwenye Kenya mau mau nijaraitirwe bwega jaria jari kithakene tukuthira tuta maguta na tutakunduwa no gachai. Na niyo akiba ekwa iria gantumi ni antu ba mau mau twona aga babwe twathomithirie turi mau jau aga bugatumenyerera.

Translator:

I have been sent specifically by people who fought for the freedom by the name Mau Mau, and that I emphasize that should put in mind that our voice is still there and let it be listened to.

Mary Murea:

jangi jaria ngakuleza iba ituandikiri macouncillar, machief ma sub chief antu bau bongwa batejele kutura baturaitirithiye rungu uria bwiruki ntu na michiye nino batwajaja.

Translator:

Another important thing is the representation of Councillors, you find they are not representing the people. We want them but unfortunately they are not carrying their office. So we are putting it in the constitution that we are coming up with. Let it be in the constitution that for example elected a Councillor you don't perform, you are non performer let us have a way to do away with you let somebody who can help us. Thank you so much.

Com. Abubakar Zein: Mwambie mama nimesema asanti sana.

Translator:

Mama ibwega muno mami

Com. Abubakar Zein: Josephat Raichena. Josephat Raichena. Mama Hellen uko tayari? Bado

Response:

.....(Inaudible).

Com. Abubakar Zein:

Okay. Cllr. Robert.

Councillor Robert:

Thank you very much Chairman. My points will be very short. I will only highlight a few points here.

Com. Abubakar Zein: Councillor,

Cllr. Robert:

Yes please.

Com. Abubakar Zein: Please give your names for the record. We are recording for proceedings.

Councillor Robert Tonjira:

Sorry, I am Councillor Robert Tonjira from Nyambene county council.

Constitution supremacy, our current constitution allows parliament to amend any part of the constitution by sixty five per cent majority votes. I propose that this procedure should be maintained and also be supported by memorandums before it is passed in the parliament.

Judiciary; judicial officers should be appointed by Judicial Service Commission, these are the Attorney General, Judges of high court, court of Appeal. The end of criminal prosecution, and director of C.I.D. I therefore propose that the constitution should provide a provision to assess balances by the executive in their operations. Kenya has become a state of crimes. Some of the crimes are spearheaded by the executives. I therefore propose that our new constitution to seriously bar the state council to determine and recommend the chance to the committal barriers. This should be determined by the Attorney General alone, because they are colluding with the accused relatives by offering bribes after which the later charge of manslaughter is finally recommended. Law should reflect seriousness according to the nature of the crime. That a cow thief is jailed for fourteen years, when found guilty of the offence. While a thief who steal millions of money, leaving the country in chaotic situation, when found guilty of the offence, is jailed for six months to three years. This is due to corruption in our court. I, therefore, propose that when this law was enacted animals were most valuable to an African native. So our new constitution should provide a provision which will address this matter considering our current economic situation by imposing a penalty of recovering the stolen money by disposing his or her assets after or immediately after the sentence is passed in the court. The current constitution has misdeceived in it, for example, they are draconian laws, like creating disturbance like causing breach of peace. This law to me has no base simply because it happens according to whom it is applied by the executive. I therefore, propose that it should be abolished because it was colonial brutality of taming an African. The new constitution, should establish a constitution court and provide a provision for children commission and honourable group commission. Kenyans do not have specific date for elections in their current constitution. The new constitution should provide a provision for elections date in order to avoid irregular elections.

Electoral commission, our new constitution should establish an electoral commission to be founded by the judicial service commission representing all political parties and honourable groups. That the constitution guarantees the right to live. Death penalty should be abolished, instead it should be replaced by life imprisonment. This is due to each tribe's character, for example, Merians have a habit of developing a high temper even after a simple quarrel. So this is why there is high death rate cases in our courts.

Land transfer, the current constitution does not specify that if any land officer is found guilty of transferring any land illegally, the penalty should be imposed on him. Instead, the blame is left to the committee, wazees. While as the committee does not do any transaction of land, their duties are ceremonial. The new constitution should provide a provision for an officer if found guilty of similar offence he or she should face a charge in the court and the same land be reversed to the owner. That colonial laws like Cap 283 laws of Kenya have given officials a chance to grab land and leave themselves with portions they call passes cards from which individuals gather acreage. I therefore propose that this Cap 283 be abolished and continue with Cap 284 laws of Kenya which is registering and adjudication without moving the land from one place to another.

Com. Abubakar Zein: (Interjection) Councillor,

Clr. Robert Tonjira: Yes, please.

Com. Abubakar Zein: ungekuwa una summarise

Cllr. Robert Tonjira: Inaudible.

Com. Abubakar Zein: Just mention the points. We will read your memorandum.

Cllr. Robert Tonjira: Another thing that I want to highlight here, is that the constitution should provide a provision or penalty for the offence of transferring a land belonging to a minor. Kenyans fought for the independence, to have an access of enjoying the fruits of the independence. This is by committing their title deeds to the Banks and getting loans. So, I therefore, propose that the long process of acquiring title deeds should be shortened so as to save the situation. Grabbing of land, grabbing of public land has become an order of the day. Some big names, the new constitution should address this problem seriously and provide a provision for it to take the culprit to court. The offence and the same been covered.

I want to recommend that we should maintain the sixty five per cent of the majority in the parliament to amend the constitution. I would like to say that, also this should appear to cooperative movement, although four per cent of our economy was realized from the private sector and parastatals. Since these parastatals and cooperative have been left alone by the government to collapse, I would propose that the law modified for the seat in the cooperative sector, should surrender his assets identification in case of embezzlement public funds, each should be sold to recover the money stolen.

Com. Abubakar Zein: The very last thing.

Cllr. Robert Tonjira: Thank you. The independent constitution, did not bar anybody from holding more than two public offices. I therefore, propose that the new constitution should provide a provision that no person should seek to be elected in more than two public offices even if he or she is qualified. That in order to elect a popular president, in a multi party system like Kenya we should retain the requirement of the twenty five per cent by the constitution in at least five provinces. I disagree with your opinion that the presidential candidate should gather fifty per cent of the total votes casted because he or she might have dominated two or three provinces and that does not make him popular although he emerges the winner.

Com. Abubakar Zein: (Interjection). Thank you. Thank you sir.

Cllr. Robert Tonjira: Before colonial rule, Merians and their cultural institutions like Njuricheke, which was determining the outcome of a case with justification ruling. I therefore propose that our new constitution should recognize Njuricheke even if the person plays the honourable court to be allowed to take his case to its cultural institution when he is not satisfied with the court ruling because Merians believe in their own owned and then the oath.

Com. Abubakar Zein: (Interjection). Thank you

Cllr. Robert Tonjira: Finally Mr. Chariman, that tea and miraa and coffee are main crops which determine the wealth and the economy of Igembe people. So I am proposing the new constitution to recognize miraa and include the crop in the act like any The general cash crop and let the crop be protected by the act from unfair criticism since Merians have chewed miraa for more than hundred years and they had not established the market for the crop. Environment,

Com. Abubakar Zein: (Interjection). No thank you. Thank you Councillor. We will read the memorandum. We will read the memorandum.

Cllr. Robert Tonjira: I'll finish Mr. Chairman.

Com. Abubakar Zein: We will read the memorandum sir.

Cllr. Robert Tonjira: Let me finish sir.

Com. Abubakar Zein: No thank you

Cllr. Robert Tonjira: Let me finish now. It is my sincere hope that the commissioners will rise a constitution for the people and the people and by the people of Kenya. Thank you.

Com. Abubakar Zein: Thank you Councillor. Let me make a point. Nimesema tena sasa hii narudia mara ya tatu, kwamba kuna mambo ambayo yashazungumziwa na watu wamezungumzia nitoe mfano tu, kwamba wanasema tahasisi ya Njuricheke, nitahas kihistoria, tunataka ipewe hadhi yake katika katiba na tahasisi hio iendelee. Kama unakubaliana na hayo, njoo useme mimi na mkono wale wanaotaka hadhi ya Njuricheke iwekwe. If you are dealing with an issue which has already been articulated, which has exhausted there is a case which is developed here. There is no need of going back and giving the whole case, just say I support the recognition of the institution or the recognition of the institution of the Njuricheke in the constitution. We understand that as commissioners, we have the capacity to take into consideration. Thank you very much councillor. Councillor asante. Councillor nasema na wewe. Asante. M Hellen yuko tayari. Mama Hellen akienda kukaa pale nataka Onesmus Mugambi, yuko hapa? Onesmsus Mugambi, hayuko! S Leonard. Sammy Leonard. Hayuko? Misheck Mtomwireria. Misheck Mtomwireria. Hayuko? C. M. Mburungu. C. M. Mburungu.

Hayuko? Alafu Festus Muriuki? Festus Muriuki. Festus pia hayuko. Ningeomba Amos Kathuri. Amos Kathuri. Uweko tayari baa mama Hellen akimaliza, tafadhali ukija kutoa mama Hellen pia highlight the points. Sawa, taja jina lako na uanze.

Hellen Kiothe Kayuki: Thank you for, can you hear? Thank you for the chance that I have been given. My names are Hellen Kiothe Kayuki and I have written land problem and since it has been spoken I had said that this must be taken care of. And since the title deed, are to be given because the land registraion they delay, giving the title due to the grabbing of the land from the poor people had also said that a son and a daughter have a right to own a land from any of their parents. The land title deeds should both have names of the husband and the wife.

Bribes in all areas should be stopped like police area cases in some education department where people seek jobs or colleges in many other offices, many people ask for 'TKK' which is toa kitu kidogo for people who are poor are oppressed. Because if they have money their children won't be employed.

Education should be free from standard one to eight. This was spoken and also said that in secondary school, it should be free.

I say that the president should be given a limited power and be respected by all his people. People have been talking of exfre fighters and also written this to say that they must be given compensation.

We should avoid child labour, where the children are less than the age of fifteen years.

Our constitution booklet to be written in simple languages and be available in all bookshops and be sold in reasonable prices for people to afford to buy. There should be organization like tea and coffee societies paying people in good payments. Our constitution should be included in the primary school syllabus and in secondary schools where the children will be taught like any other syllabus. The women should not be harassed or beaten in their homes by their husbands.

Our roads have to be approved so as to reach the farmers or the homes where people can be taken to hospitals and also they can take their crops to the market. Because most of the people may die on the way while they are trying to get to hospitals.

And youth need much care, to be given seminars jobs, because most of them complete school and they become jobless. And when they are idle, they have time to take drugs eg, bhang or chang'aa and this is dangerous. And I had talked of miraa, I also back people who use miraa is not a drug. It isn't, it is a crop which can be a cash crop and has help our people. And mostly to educate people and also use it at home as food. We need our national environment, forest could be taken care of even water because we have some people who steal timber and others divert water to other areas and leaving the owners without water. Agriculture to be improved. Where we have agricultural officers can educate the farmers more on crops, fertilizers and if give in time some give birth since where we don't get good crops or good yield. Women should have a right to control their possession while there are some husbands who don't give them the right to comment on any of the possession that they have. And this was supposed to be given to by Arithi women group, his secretary

another meeting, so we decided that I come as a member to write and give. Thank you very much.

Com. Abubakar Zein: Thank you. Thank you. Thank you very much. Now Amos Kathuri. Amos. Please you will sign the register give it to them because they would file it. Just very briefly, three minutes. Present then you will go sign the register once you are Thank you.

Resposne: Okay, I am just.....Inaudible.

Amos Kathuri Mugambi: Mr. Chairman,

Com. Abubakar Zein: Give your name for the record.

Amos Kathuri Mugambi: I will, I will.

Amos Kathuri Mugambi: Mr. Chairman, my name is Amos Kathuri Mugambi. The reason I am standing is because I am very If I seat you may not see me. So, my name is Mugambi, I am a Lawyer, born in this area but practicing in Nairobi. I took pains to do memorandum to adjourn my cases in Nairobi, many cases to come and present the paper but I am thouroughly disappointed because the attendance. And I associate this attendance, poor show with the discouragement. The commission was not properly received and not properly,

Com. Abubakar Zein: Amos, Amos,

Amos Kathuri Mugambi I will not talk about this,

Com. Abubakar Zein: Just hold, just hold on, I gave you discretion because you wanted to go somewhere.

Amos Kathuri Mugambi: I am going to Nairobi. I'll finish very fast.

Com. Abubakar Zein: Wait, wait wait, wait. Wait Amos. I am the commissioner who is sharing the session. What I am saying is first of all it is wrong to say there was poor turn out. We have had more than four hundred people here. Since you were not here morning, so you did not know how many people came.

Amos Kathuri Mugambi: I have attended many others.

Com. Abubakar Zein: I will request you sir to go directly to the memorandum and present your views before the commission.

Amos Kathuri Mugambi: I am presenting my views Mr. Chairman,. Thank you for that correction but I am saying I have elsewhere to see the attendance. I am saying I do not want to repeat what others have said in this forum, but I am only making comment in relation to, I have raised twenty points in this memorandum, I am not going to go part by part. I am only saying, sitasoma nimeandika, nitasema vile nimesema kwa ufupi. Kwanza, nasema katiba ni ile sheria tutaandika ituweke kama ile ya America miaka tatu. Hatutakuwa na wakati mwingine ya kuandika, ndio sababu nasema kama kulikuwa na civic education mzuri wangukuwa wana hapa. Wacha niendeleee.

Maoni yangu ya kuanza tubadilishe hata jina ya nchi. Nani aliita Kenya? Mimi nasema iitwe Democratic Republic of Kenya. (DRK) sababu inaitwa Kenya watu wanakuja wanabadilisha wanaaita jina ingine. Tunasema multi partism iwe kwa katiba na iwe na 'c' inasema haiwezi tolewa. Multi party.

Presidency is an institution that must be respected, must be held by a Kenyan of unquestionable integrity. We should not have a presidency that does not respect Kenyans. We are saying sisi tuwe ni mkubwa wa rais. Rais awe chini yetu kwa sababu sisi tunalimueka. Na makamu wa Rais awe anasimama karibu na Rais. Wakati election inasimamwa Rais anatuambia makamu yangu ni Rais. Tunatembea pamoja, tukishinda tunashinda pamoja. Tukikosa tunakosa zote. Sio makamu wa rais awe akiambiwa naweza toa wewe Rais. Wewe.

Com. Abubakar Zein: You've made your points, you need your running mate for president. Thank you.

Amos Kathuri Mugambi: Ingingine tunasema bunge iwe na uwezo kuliko presidency, kuliko rais. Iwe inaweka mtua wakati yetu kama a kifanya makosa. Vyama vya kisiasa viandikishwe na organization ambayo haitakuwa ya serikali, ndio ukipeleka certificate unaandikwa. Human rights. Haki za kibinadamu ile ambayo iliandikwa 1948, na United Nations, Universal Declarations of Human Rights iingizwe katika katiba yetu vile ilivyo na ikivunwa hata kidogo yule anavunja kama ni rais amevunja tunamtoa.

Alafu maneno ya mashamba, tunataka mashamba yetu kama vile mama alisema, Mama Margaret, mashamba iwe serikali nikuleta wakazi waku survey huko wanapima shamba yako vile iko na unapatiwa title deed. Hakuna maneno ya maneno mingi. Maneno ya kilimo, tunasema, tunasema miraa yetu, chakula yetu, yote itabulike katika katiba yetu. Maneno ya judiciary nimesema appointment iwe veta parliament. Hakuna kuamka siku moja na kusema Mugambi ni judge.

Mugambi aandike barua ya kusema anataka kuwa judge afanyiwe interview parliament achukuliwe halafu parliament ipeleke wewe Mugambi akuwe judge. Tunasema, taxation, hakuna maneno ya kulipa kodi kama hatutengenezewi, if we are not being provided services we should not be paying taxes, fullstop. Kama sovereignty nchi yetu iwe sio nchi, unaenda Ulaya, unaenda kutuomba misaada ni wewe ni beggar. Nchi yetu haina beggars. Tunaweza, we should respect our national sovereignty. So that we don't look like beggars.

before donors. We don't need their money. Corruption, hio ndio cancer, hio ndio cancer ile imeharibu nchi kabisa. Tunasema kuw independent anti-corruption authority, in the spirit of the old Kaca which was unfortunately outload by our courts because of corrup Ile ufisadi ndio ilifanya Kaca itolewe. Tunasema iwe ina Kaca ambayo haiwezi tolewa na koti namna hio tu. Iwe inaweza tolewa independent body ambayo imeundwa kwa sababu ya kutoa hiyo na iwe kama ile Kaca ililikuwa ya kwanza. Alafu tunasema ile Ka polisi hio itolewe immediately. Tunasema serikali ikishindwa kutupatia services we impede it, if the government cannot provide services kama serikali haiwezi kututengenezea barabara kidogo, majani yetu inaharibikia hapa chini, miraa yetu inaharibika, malori inaharibika tutoe hio serikali ama tuwe na uwezo ya kuipeleka kotini na kuilazimisha kutengeneza hio barabara. Corruption

Com. Abubakar Zein:(Inaudible)

Amos Kathuri Mugambi: Nataka kumaliza. Nikumaliza namaliza. Nimemaliza Bwana Chairman. I'll not take too much of time. Tunasema corruption hapa Igembe constituency, hio ndio ile shida kubwa kabisa. Hio ndio sababu magari ya miraa ikipitia hapa siku, kila gari ni mia moja. Na iko na magari zaidi ya mia tatu. Mia moja kila siku pale kwa barrier.

Na polisi wanaangalia na hawashikwi, polisi wengine ndio wanapatiana. DC anaangalia, kila mtu anaangalia, hata mimi nikiingia matatu nikitembea kwa matatu naona polisi akipatiwa mia. Hata haendi ile pande ya ile Insurance na road licence, ni mia. Our farmers wanapoteza shilingi elfu mia tatu kila mwenzi kwa kupatia polisi. The government is also losing revenue. So we must tamp that corruption. Na hio ndio imeharibu hata mashamba. Walianza kutengeneza maneno ya mashamba hapa 1969. It is more than four years, we don't have the title deeds. The reason is because of corruption. Mama alikuwa anaongea kimeru hapa, akatoa point karibu yote ile tunasema, lakini kwa sababu hakuwa na lugha haikutoa vizuri. Tunasema wajane wamenyang'anywa mashamba, na coalition with the from the provincial administration, from the civil servants. Infact the corruption is the second name of civil servants constituency. So we are saying, there is no civil servant here, you could have one or two. Kama wewe unakuja hapa na unau Bwana Chairman namaliza. Ya ufisadi peke yake.

Com. Abubakar Zein: Mimi nataka mapendekezo yako kwa katiba. What do you propose to be included in the constitution.

Amos Kathuri Mugambi: I have said in my representation, let me read it in English. Only that and then I go. We should create new Kenyan anti-corruption authority headed by a competent Kenyan. The director of the authority,

Com. Abubakar Zein: I have recorded that. You want an independent anti-corruption authority, that is recorded.

Amos Kathuri Mugambi: Yes.

Com. Abubakar Zein: Yes.

Amos Kathuri Mugambi: That is why I am saying ufisadi is the biggest cancer in Kenya, not in Kenya only. And I wa

emphasis that, that must be taken very seriously. It is the worst cancer but aid spectre. Thank you.

Com. Abubakar Zein: Thank you very much Bwana Amos Kathuri. Bwana Amos asanti sana, kama utaandika register kwamba umetoa maoni na u hand in. Please, thank you. Karuti Joel. Joel Karuti. Akwalo Mugambi. Akwalo Mugambi. Paul Ntoth Ntothingia, Ntothingia. Mirichi Kyalo. Hayuko? Ametoka. Stanley Ntiana. Uko hapa Stanley karibu Bwana. Kwa ufupi na.....

Stanley Ntiaro: Nitaongea dakika moja. Dakika moja tu.

Com. Abubakar Zein: Sawa

Stanley Ntiaro: Dakika moja tu. Asanti sana Bwana Chairman, kwa Commission. Inaitwa commission ya constitution ya Kenya Majina yangu ni Stanley Ntiaro. Mimi ni mfanyi biashara. Maneno nyingi imeongewa ile nilikuwa nataka kuongea, mimi naunga mkono mwenzangu alisema lazima kuwe na qualifications ya kuwa rais wa Kenya na lazima kuwe na mtu ako na kama qualifications ni age chini ya age ya miaka hamsini kama ni experience lazima awe na experience, lazima awe na kiwango cha elimu, mimi naunga mkono Ni lazima akae term mbili za kupiga kura au miaka kumi. Powers zake za president nazo naunga mkono ziwe limited. Hatutaki rais mahali fulani na aseme atafute ndugu yake ama rafiki yake ampe kiti ya executive kama chairman wa Kenya Ports Authority, Kenya Revenue Authority au viti hivi vingine, vikubwa vikubwa ili aende akafanye maslahi yake. Sisi tunataka awe limited. Mtu anachagua kuwa Chairman wa Authority kama hio awe limited na act of parliament, asiende kusahau purpose ya president kwa sababu a makosa Kenya Ports Authority, akiona makosa Central Bank anayamaza kwa sababu anaogopa master wake, yule amemuchagua Bwana Chairman, tena hii mambo ya kuchagua ministers, cabinet ministers, a cabinet minister hio ndio kitu imeharibu mbunge. sababu minister kila mtu anatafuta afanyiwe favour na president ili awe minister. Kwa hivyo hakuna kitu atatendea wananchi kizuri ili atafanya vile president atamwambia kwa sababu anataka kiti ya minister.

A ministerial post must be properly be defined and the president is not the one to appoint it, ili mbunge akiwa minister awe purp kuserve watu wake kama ni minister wa hapa, asiwe akiogopa presidency, president akisema hivi kitu hataki yeye anakifanya na haitaki. Hio nasema ingishwe kwa katiba yetu.

Hii ingine ni ya judiciary; judiciary it has become corrupt. Watu wengi wamesema hapa mambo ya judiciary. Mimi nimeunga huyu m kile chote alisema ya judiciary. A judge should be properly be appointed by the act of parliament, whereby he will be responsible, vile alisema apeane education yake, elimu yake, apeleke application achaguliwe na parliament iamue ni nani atakuwa judge. Au Society of Kenya imuchukue kwa sababu it is the Law Society which has appointed to be the advocate lawyer aingie hapo hapo judge itafutwe njia ya kumchagua awe judge au mtu yule anasimamia judiciary. Hio tunataka isichukuliwe tena na president, thats wh can see there is a lot of corruption in the judiciary ndio sababu unaona mtu barua inaandikwa kwa gazeti anapatiwa leave ya t million Kenya shillings, awadi kwa sababu alisema kitu kilisemwa kwa gazeti kwa sababu judge anaogopa nani, master wake.

hatutaki tena. Jambo lingine, na hio judge lazima a serve two terms. Sio three terms as usual. He must serve two terms so that someone else can take over and do the same job.

Kwa local Authority there is disappointment and my view in the Review Constitution I should suggest that the Local Authority should be scrapped. There should be provision where the government can sit down and do the work of local authority through the local government. I mean this that, serikali ni lazima itafute njia ile itachukua nayo revenue kutoka kwa Local Authority instead of Local Authority coming to harass people. Wanakuja kuchukua licences na ukimuuliza hio licence anachukua kwa mlango au kwa mama akibeba ndizi ni kupita wapi hakwambii.

Maanake hakuna kitu wataenda kufanya. Barabara hawatatengeneza, stima hatakulipia, hatakufanyia chochote kile. Kwa hivyo na serikali iscrapp hio kitu itafute na njia ingine ambayo itasimamia local authority kama watatafuta njia ingine ya kuchukua revenue kutoka kwa serikali, ichukuwe revenue kwa serikali sio kusema ati service fee au licence na serikali kwa upande huu mwingine wanatulipisha revenue. Nasema hatutaki revenue mara mbili hii ya council na serikali, tunataka revenue moja tu kutoka kwa serikali. Hatutaki double taxation. Kama ni council wamechagua wachukue iwe ni council, kama ni serikali wameamua kuchukua iwe ni serikali lakini isiwe na serikali mbili. Hio iwekwe kwa katiba ndani. Tuwe na serikali moja.

Voting. Voting should be secret. Na nimeonelea, wakati tunaenda kuchagua wambunge, siku ya kuchagua wabunge ni lazima tuchagua mbunge siku yake na president siku yake. Kama ni mbunge leo tuchague mbunge wetu leo leo mpaka tumalizie. Next month tuchagua mbunge tutafute yule aliyekuwa akitafuta president ni nani. Naye tuchukue siku yake yakumuchagua. Kwa sababu sisi wetu wengi wakati tunachagua kura tukitafuta mbunge wetu hakuna mtu anafikiria president anapigiwa kura hapa, anaambiwa tu piga hivi, hajui kama kura iliendelea ama ilipigwa ama kulikuwa namna gani kwa sababu akili yake iko kwa mbunge wao. The local member of parliament. Kwa hivyo siku ya kuchagua wabunge two days ni lazima kukuwe na siku ya kuchagua mbunge na kuwe na siku ya kuchagua president. Mimi naona provision iwekwe kwa constitution. Hio ingine nasema nomination of member of parliament should be scrapped. Should be scrapped completely. Members of parliament should all be elected by people. Lazima tuchaguliwe na watu. Sio kuenda kutafuta rafiki yako umwambie leo nominate mimi na watu walikukataa kwenu wakati ulikuwa ukipigiwa kura. Ku nominate mtu ni kutenda kufanya akufanyie kazi ofisini mwako. Kwa sababu unataka akuwe anafanya chochote utakacho hata ikiwa ni kitu mbaya aje. There should be no nomination.

All parties should elect their people in a parliament na watu wawe parliament elected. Education, ni lazima turudie ile education kwanza, mtoto anaenda shule kutoka nursery mpaka standard seven anafanya mtihani. Atoke standard seven mpaka form four anafanya mtihani. Atoke form four aende form six anafanya mtihani. Atoke form six aende miaka tatu University anafanya mtihani ama achukue shahada ya degree. And it is the responsibility and the obligation of the government, ni lazima serikali ichukuwe responsibility ya kusomesha watoto kutoka standard one mpaka university. Hakuna mambo ya kuenda kufanya harambee tena kwa sababu tunalipa udhuru hapa.

Com. Abubakar Zein: (Interjection). Unapendekeza elimu ya bure sawa enda mbele.

Stanley Ntiaro: Tunapendekeza elimu ya bure, elimu ya bure ni kusema serikali italipa hakuna serikali ingine au mtu mwenye atalipa.

Com. Abubakar Zein: (Interjection). Endelea.

Stanley Ntiaro: Twaweza sema elimu ya bure uliize nani atalipa! Ni serikali italipa. Serikali ilipe elimu ya bure mpaka universiti.

Mambo ya health, nimeona mmeandika mambo ya health nini. Mimi sielewi kama katiba ya sasa inaeleza watu wapatiwe matibabu ya bure. Tumekataa mambo ya cost sharing. Sindio, yes!

Com. Abubakar Zein: (Interjection). Sawa. Sawa

Stanley Ntiaro: Ni lazima health iwe ya bure.

Com. Abubakar Zein: (Interjection). Sawa endelea mbele.

Stanley Ntiaro: Matibabu tupatiwe bure kwa mwananchi katika kijiji chao.

Com. Abubakar Zein: (Interjection). Tumesikia ndugu yangu endelea mbele

Stanley Ntiaro: Hio ni lazima serikali ichukuwe hatua na iwekwe kwa constitution. Serikali ikikataa kupatia mtu matibabu ya bure, tumepokea tupeleke kotini. Mtu awe na wadhi wakupeleka hata serikali kotini.

Com. Abubakar Zein: (Interjection). Ungekuwa sasa unamalizia.

Stanley Ntiaro: Kitu moja, Security. Security, hakuna watu wako hapa wataongea wengi usijali. Niongeze moja, moja tu. Security hapa in Kenya security imekuwa mbaya zaidi, zaidi, kila mtu analalamika. Naonelea katiba yenu ingize mahali ambapo kama mtu watapatiwa bunduki kisheria ndio wananchi wapatiwe bunduki kisheria wajikinge nazo. Wale wameajiriwa na serikali ili wajichunguze wenyewe wasiwe wakauwawa na maharamia.

Com. Abubakar Zein: (Interjection). Sawa.

Stanley Ntiaro: Ya mwisho, Wacha niseme ya mwisho, ya mwisho ni citizenship. Wakati mtu anataka kuingia Kenya kujitunga kibada au fedha, tumesikia mengi sasa. Tumesikia madawa ya kulevia inaingia, tumesikia bunduki imeingia, ndio nasema citizenship

kwa katiba. Kwa katiba mpya. Ni lazima mtu akiwa ni Msomali akiwa anatoka Somalia alete vitu vyake vya Somalia mpakani wa Kenya na akae miezi mbili, kama maofisa wataenda kuvisit kwao wajue wanatoka huko huko anasema alizaliwa, ili akubaliwe kuingia Kenya. Tujue ni nani anatakikana kuwa Kenya mzuri na ni nani anatakiwa kuwa mbaya. Na hivyo ndiyo nasema citizenship iwe properly defined. It should be defined. Hio ni lazima iyangaliwe mzuri kwa, ku compare na ile iko sasa.

Com. Abubakar Zein: (Interjection). Now.

Stanley Ntiaro: Si ndio. Kwa hivyo mimi, kwa sababu umeniharakisha nitatafuta njia ingine ya ku represent my views hata kama Nairobi. Nasema hapa Igembe yale yote yamesemwa ya miraa ni hii ingine yote naunga mkono. Na sina mengine lakini nina mengi ambayo umeniharakisha na sijaridhika nitajaribu siku ingine. Asanti.

Com. Abubakar Zein: Asante sana. Ngoja, ngoja mbona una haraka. Hukuridhika mpaka unakimbia! Simuharakishe kwa kuambao ambayo asitoe maoni yake, maoni yake ni yake, lakini kama unatuambia unataka elimu ya bure huna maana yakutueleza habari ndefu. Tushaambao sisi, unataka elimu ya bure tutaandika kwamba unataka elimu ya bure, sawa.

Ayub Kitonga. Ayub Kitonga! Ayub hayuko. Sasa ningetaka kurudisha chombo cha kupasa sauti kwa Commissioner Ratanya aende.

Com. Domiziano Ratanya: Asanti sana Commissioner Zein. Sasa nitaendelea nilikuwa nimeenda break kidogo kwa kuambao ambayo ilikuwa ya muhimu na nimerudi. Okay nimesema nimerudi kwa sababu tulikuwa hapa asubuhi mpaka karibu saa saba unatumia nikaenda kwa hio shule ingine nikamuacha Commissioner mwenzangu. Now ningetaka kuwakumbusha kwamba tulikuwa tunajaribu kutumia saa ambayo tunayo kwa njia nzuri kwa sababu kila mtu ambaye ameandikwa hapa atazungumza. Kwa hivyo tunajaribu kupatiana nafasi kila mtu apate nafasi. Kwa sababu mtu mmoja akiongea mpaka achukuwe masaa yote hawa pengine mtakaa nao mnamo usiku na sijui kama mnataka tufike usiku. Mimi najua hapa wengi wametoka mbali sana hata huko Kanuni hata wapi mahali pengi. Kwa hivyo ningetaka tumalize jioni kukiwa na wakati nzuri ambao unaweza kuenda nyumbani. Ndio unaona tunaharakisha sio kukataa mambo ni kupima masaa ili kila mtu apate nafasi ya kuzungumza. Na umesikia ukiwa na memorandum, memorandum ina mambo mengi ambayo unatutasoma na yataangaliwa, kwa hivyo ni ku highlight yaani kusema points. Na ukiwa ni mambo yako ya kutoka kwa mdomo yako ambayo kichwa yako mwenyewe, hao pengine utaeleza lakini si wakati mrefu kama vile kamishina amewaambia, kama unaongea mambo yote ambayo mambo ya education, ni vizuri kusema tunataka elimu ya bure. Kama ni hospitali, tungetaka katiba iingize hospitali iwe ya bure, si kuambao vile shidano inapigwa nini, nini, nini, kwa sababu hayo yote yanapoteza wakati.

Kwa hivyo kwa hayo tutashirikiana tujaribu kumaliza kukiwa mchana tusikae mpaka usiku. Na ningetaka kumuita Gerald Kaberia. Gerald Kaberia.....(In Kimeru dialect) Timothy Kirimi. Timothy Kirimi. Okay Kirimi is not around, hayuko. Eric Thurania. Eric Thurania.....(In Kimeru dialect). Franck Kirimi. Franck Kirimi. Hata huyo hayuko. Sofia Wanja. Sofia Wanja Mugure Perinah Mugure. And then Rachel Mwendwa. Mwendwa is around? Alright. Okay. Kimathi. Keri Kimathi. Reuben Mwendwa, Dennis Munoru, is it you? No it should have been registered. But let me go through it even others are just like it. Just, yea. Dennis Munoru.

Dennis Munoru. Okay kama Dennis hayuko, Dennis yuko? Okay Silvia. Mandara Mwendwa. Mwendwa hayuko? Mercy Kendi. I
Munene. Kobia Muito? Kobia yuko karibu? Kobia una memorandum ama ni kuzungumza tu? Okay, I give you three minutes as us

Kobia Muito: Thank you Bwana Chairman. Mine will be very brief because much have been highlighted. To start with I
to propose that parliament should be given power to preach a sitting president. And the president should not be given author
provoke the parliament at will. The parliament which should be able to do that. Election date should be known in advance, for exam
we say that it should be the 29th of every December of fifth year, it should be like that so that we are able to know the election date
for the years to come. The recommendations of public accounts committee and public investigation committee should be implemen
total. The following public officers should have security of tenure, the Armed Forces Chief, the Commissioner of Police, Chief Justice
the Attorney General. This appointment should have parliament approval. Ministry that at any one time should not exceed twenty
public land grabbed should be repossessed. Government should introduce tax on all idle land, to discourage people from grabbing
which is not being used.

There should be free and compulsory primary education for three children per family. Consider government employee, technical pos
should be discouraged from holding written companies which come through the back door, to take the tenders from the government
presidential and parliamentary elections should be held at different dates. As the vice president should be elected by the people
police force training should be increased from six months to one year. Ministers should only have two official vehicles and limited s
the cost expenses which the government should carry. All police on road blocks should be withdrawn and if possible privatize
excessive passengers in vehicles should be charged, together with the owners of the vehicles. And an MP should be removed from
office if half of the registered voters in that constituency have petitioned to remove him. The government should appreciate the role p
by sacco in eradication of poverty and channel money through them, for only one lending to the citizens. Under military, authori
sacco should be put in place to over see the operations of sacco. Vote counting should be done in the polling stations to avoid ri
And that is it, Mr. Chairman.

Com. Domiziano Ratanya: Okay asanti sana Kobia kwa hayo mafupi. Na hapo sasa tutaenda kwa mtu mwingine, wengine na
observers. Julius Kiria. Endelea Julius.

Julius Kiria: Asanti Bwana Chairman. Yangu Bwana Chairman ni maoni kidogo tu na niombe kama ni home. Bwana Chairm
naomba jina langu ni Julius Kiria. Mshaelewa. Asanti. Vile mimi naomba Bwana Commissioner kwa katiba ijao au serikali ijao n
kimoja tu kiwe completely discouraged. This thing is corruption. Corruption. Maana kwa nini ya corruption ndio inafanya tuwe na
serious stealing here within.

Ya pili, tuwe na murder here and there, na mtu akihukumiwa na serikali baada ya mwaka mmoja tunamuona hapa in the community anakuwa too bothering to us. I repeat it that again this should be completely discouraged corruption. Maana bila corruption hawangijela. Bila corruption mahakama hangewahudumiwa na wameona wameua mtu.

Ya pili, ni wale kuwaweka watoto wachanga mimba. Hio katiba ijao, serikali hio pia jambo hilo liwekwe maanani. Kuna kitu instructional of forest, tree cutting, hii kitu inatokana pia na ile kitu nimesema kwanza ni corruption. Maana hakuna mtu kama Kiria nani anaweza kutoa miti kwa forest akiwa na gari imeandikwa GK. That's serious. Hakuna mtu anaweza kulima kwa maji bila authorisation mtu ambae anaitwa mtumishi wa serikali. Na hii yote inafanyika kwa ajili ya corruption.

Ingingine yafuata, ni mtu ambaye au ni kitu sijui ni kitu gani mimi nitamuita jina mbaya anaitwa land. Anafanya kila mwananchi ahangaikie, unaweza beba koti lako na kalamu hii naona hapa lakini unasikia shamba lako limeenea mpaka kule milima ile. How is it possible can that happen in the world? Hio mtu afikiriwe na huyo mkubwa wake. Ya mwisho nikimaliza, kuna mtu ambae amezaa sisi na majivuno ambayo tunajivunia wakati huu. Mtu huyu naye afikiriwe sana awekwe maanani na serikali ijao. Huyu mtu kwa jina lake anaitwa Mau Mau. Mau Mau afikiriwe sana. Bila Mau Mau hatungekuwa hapa. Bila Mau Mau hatungekuwa na chochote hapa. Waliharika wakafa na mambo yote mtaona hapa ni juu ya huyo mtu.

Kwa hivyo naomba nikimaliza mwenye kiti mtu anaitwa Mau Mau jina Mau Mau wawe hata kama ni Society wawe complicit wakiwekwa maanani. Asanti sana.

Com. Domiziano Ratanya: Asanti sana Julius Kiria. Pengine utaweka sign pale ama umeweka. Na sasa tunaendelea kwa kutoa tunamwita Murungi, John Murungi. Murungi yuko? John Murungi. Inaonekana hayuko. Wengine naona hapa ni observers. And Jennifer Ngirote. Oh yea, unaweza kutumia hapo tu mum.

Jeniffer Ngirote Imaana: Thank you very much. I am Jennifer Ngirote Imaana. My views are, no person should be above the law. Free education should serve persons up to the highest level. Sign language to be introduced in the education curriculum. Arbitration centres for disabled to be revived since they are collapsing. Educated disabled persons to be employed. Disabled persons to be exempted from tax paying. Free health services to the disabled. Equalize to all children. Manufacturers, when making vehicles, ensure that needs for the disabled are met eg by low flat pass, to assist them when boarding or alighting the vehicles. Also, the builders when building the houses they remember the disabled persons because some houses have stairs and somebody with a wheelchair cannot make it, so I would like them to build a flat place.

Parastatal bodies to be encouraged to employ the disabled by reducing the tax they pay to the government. The ones which are not employing disabled persons to ask them to pay less.

Parents who have disabled persons to favour them when sharing the land amongst other children by considering access to roads, hospitals, schools and also the land scape of the land. In the courts judges should not delay cases beyond six months. Customary laws, which discriminate the women should be abolished. Nursery school teachers to be employed by the government like other teachers. Each member of the government to do its duties independently. There should be balanced and check of powers between the judiciary, legislature and executive. People caught bribing or being bribed should be arrested so as to abolish corruption. Disabled persons to be elected as Members of Parliament, Chiefs, MPs even as president if they qualify. Thank you very much.

Com. Domiziano Ratanya: Asanti sana Jenniffer kwa hayo maoni yako, na sasa tunaendelea kwa mwingine naona wengi hata observers lakini tuna Edward Mutura. Edward Mutura is he around? Edward Mutura. Mutura is not there, I think I have finished with you also. Mwingine ni Muriuki Kiambati. Muriuki Kiambati. Muriuki Kiambati. James Ntwanyori. James. Edward. Huyu yuko hapa? Edward Mutura. Vile imeandikwa. Wewe ndio unaitwa Edward nani? Fredrick. Huyu nayeye ni Edward ameandikwa hapa, pekee tutampata huyu mwingine. James yuko hapa? James Ntwanyori. James hayuko. And Francis Mutura. Ni wewe? Okay Francis erudi na maoni yako.

Francis Mutura: Asanti sana Bwana Chairman, mimi nitaendelea na maoni yangu, ni kidogo ni machache tu si mengi. Nasema kwamba serikali yetu tukufu ile tutachagua mwaka hii iendelee na kuuchunga wanafunzi wawe wanasoma bure.

La pili, naendelea kusema hivi la kwamba serikali yetu tukufu ile tutachagua mwaka hii iendelee kuangalia wazee wale walileta uhuru hii, wale wanapigania uhuru.

Mbona wao wanakulua taabu mingi mistuni, wanakuwa wanahangaika na kufa na hata wengine watoto wao wanawaacha burudani mama, bila baba. Sasa hio iyangaliwe wale waliwachwa. Wahudumiwe na serikali yetu. Wakulima wadogo wananyanyaswa Hawana nguvu. Serikali yetu iyangalie sana ile tutachagua mwaka hii, iwapatie nafasi wachague chama chao cha kuchunga wakulima wadogo. Ya mwisho, yangu nikusema serikali yetu iwe mwananchi wa kawaida awe anahudumiwa.

Com. Domiziano Ratanya: Okay asanti sana kwa hayo maoni yako kwa ufupi Bwana Francis Mutura. Na sasa ningetaka kujua kuna mtu mwingine ana maoni yake kwa sababu tumenaliza wale tulikuwa tumeandika lakini wale wanaketi hapa si wale wali wameandikisha kama observers, lakini kama kuna yeyote anakitu kabisa angetaka kusema alafu tumalize. Ulikuwa umeandikwa? Vile unaitwa aje?

Stephen Karemu: Stephen Karemu.

Com. Domiziano Ratanya: Na mwingine ni nani? Ebu mikono juu. Mikono juu. One, two three, ni hao tu, four. Ebu weka mikono juu mikono juu tuone ni wangapi. One, two, three, four. Wapi Co-ordinator? kujeni hata hapa tu. Kujeni hapa tu. Co-ordinator ebu

Kanake ama Kimathi . Are you around Kimathi. Mwandikishe hawa, put them somewhere as they finish, you see, yea register them. hivyo tuendelee.

Stephen Karemu: My names are Stephen Karemu. Anthony Stephen Karemu. I would like to say is that in the next constitution review actually we would like those people who are concerned on the constitution review to give briefly to enable the citizens to what they are doing because most of us actually they are not aware what we are reviewing.

Otherwise we cannot change something which, we are not aware. So next actually they can give the leaflets on what we are reviewing. Thank you.

Com. Domiziano Ratanya: Okay hayo ni maoni yako. Lakini ningetaka kukujulisha kwamba tumekuwa tumeendelea wakati mradi hata tulikuwa na elimu ya kufahamisha wananchi hii inaitwa civic education. Lakini ukiendelea tu utazidi kuelewa zaidi. Asante. mwingine umeandikishwa hapa? Unaitwa je? Peter Kibira. An dikishwa hapo. Okay endelea Peter.

Peter Kibira: Thank you very much. I want to talk about gender rights. The current constitution is silent on the word child in childhood. The provisions of citizenship avoid mentioning child in the reference to matters of birth as in confirmed in the citizenship act instead refers to use the phrases like child born like person born in Kenya are not child born. This has led to many contradictions in statutory definitions of a child resulting to confusion. The basic needs of children like education, nutrition, health and medical care are not acknowledged as fundamental right of a child. There is not guarantee protection for children against harmful practices such as child labour, neglect and abuse, sexual exploitation, female genital mutilation and inhuman punishment in homes. The rights of children are uncertain in the current constitution. Citizenship by birth ought to be an automatic right for every Kenyan child but this has not been shown. Current constitution protect the rights of children so far as they constitute general man's of Kenya citizen to whom the bill refers. This is a fundamental error because the needs, responsibilities views and visions of children and adults are not sonanimous. And therefore children should be given a special place in the constitution.

The rights to life and survival development, protection and participation are all guaranteed human entitlement and must be guaranteed to all children as they are entitled to express their thoughts and opinions in schools, homes, communities and even courts. Children are exposed to many ills to which are not conducive to their well being and these are abuse, neglect, descrimination, harmful customs and practices for example FGM. Children deserve express constitutionally definition and recognition as this should create clarity in the acknowledgement and enforcement of children rights. I would therefore recommend that a separate section be introduced in the constitution in the new bill and also any decision made concerning children by individuals or by court should be guarded first and foremost by the best interest of the child. I would also want to recommend that the an independent constitutional office be established to ensure full enjoyment of rights due to all children.

On reproductive right, the productive right is a right for both men and women, that every individual has the right to decide the size

spacing of the family. And to have means and information to do so that there must be no cohesion either to have or not to have children. And some of the components of reproductive rights include developmental choice in marriage, social relations, child bearing and rights. They should enjoy the highest attainable standard of sexual and reproductive health.

The new constitution, should therefore have in place national policies and standards that prohibit any violation of reproductive rights. To end actually, as many have said that people do not know what exactly is contained in the constitution, just because it is almost contained within one area let's say Nairobi or some other parts so the citizens do not know what it is. And even when you are reviewing you do not know what is contained there.

So I would therefore recommend that the new constitution be made or be drafted in all vernacular languages ranging from Kiswahili, English and other vernaculars, to enable the wananchi to understand the constitution. And it should also be available or should be sold in bookshops or put in vantage places whereby the citizens or wananchi can be able to access them. And also actually all the human rights should be entrenched in the constitution. Thank you.

Com. Domiziano Ratanya: Okay asanti sana, huyo alikuwa Bwana Peter Kithera. Kwa hivyo tuendelee kwa mwingine. Unaitwa... You are registered there.

Moses Ginyanga: I have many points but I will not repeat them. I want just to mention a few points that I have since many have been said by people. The constitution should safeguard the contract of the promises between the people and their representatives in parliament. In case the promises are not arrived at the people should be at liberty to prosecute them in a court of law. I support my representative who has said the president should serve only two terms but this should not be a must. This should happen if he wins again after the first term. The present cost sharing in government hospitals should be abolished. Many people are dying due to lack of money.

For the parliament to achieve a higher standard of intellectual maturity, all those vying for the parliamentary seats should be graduates. There should be freedom of movement from one place to another by a Kenyan citizen within our nation. The rise of a hierarchy within the judiciary should be approved by a set of tribunals set judges to ensure that they are the right judges with the required qualifications. Any cash crop or any product that brings our country any foreign currency and employ the people of Kenya should not be banned by the government. Thank you.

Com. Domiziano Ratanya: Okay asanti sana Moses umeeleza kwa njia nzuri. Na wewe tunakuita aje? Daniel?

Response:(Inaudible)

Com. Domiziano Ratanya: Kithiungu. Enda pale utawambia.

Geogero Kiriungu: Okay, jina yangu naitwa Geogero Kithiungu. Ningekubali serikali ile itaongoza wakati ujao iyangalie m... ya power and lighting, ya sitima. Kwa sababu wananchi wale wako rural hawapatiwi sitima sana. Na iyangalie tena pahali sitima in... kama Kiambere au pengine inatoka Kindaruma watu hawa hawafaidiki. Sitima inatoka hapo lakini hawawezi kusaidika. Na saa... hapo kwa hio maji, maji hio iko katika Kindaruma inaweza kupigwa mpaka iende Mandera au iende Machakos mahali hakuna maji... sababu tunapata sitima Kenya na tuko na sementi Kenya, ile inaweza kuweka karabati ile inaweza kupeleka maji huko na sitima... maji iende Mandera ama Ukambani.

Mambo mengine ni kama, nitazungumza juu ya garbage, industry ya Kenya yote ndio inatengeneza makaratasi yote ile inajaa katik... town. Ingekubaliwa ifanye kama group moja, kama industry moja ile inaweza ku recycle kwa rural areas si Nairorbi peke yake.

Mambo mengine ni HIV Aids kwa sababu ni disaster. Serikali iongeze pesa ya kulinda hao watoto wameachwa mahatima, n... wagonjwa wako na HIV Aids wafanyiwe mpango wa kufanyiwa biologic care wanatunzwa nyumbani.

Hapo point ingine ni rural roads. Kwa barabara ile inaenda kwa mashamba yetu, inapimwa kama twenty feet upana yake lakini... wako karibu wanaweza kuacha barabara ya ten feet, kwa sababu ukiwa na gari yako huwezi pita. Hiyo sheria inastahili kuangaliwa... rural areas. Na hapo maji iwachwe kuanza kuenda kwa barabara. Sasa kama hii lami inachukuliwa na maji, yote maji in... mashambani alafu inaingia inamaliza mamilioni ya pesa ya Kenya. Ingingine ni wale wamesoma, wale wanaenda Ng'ambo hawatu... chochote. Wale wako university wanajitenga. Hawawezi kuchanganya na hawa wengine. Sasa hawa waangalie wakienda Univ... wanarudi huku kwa sababu wengine wanajenga manyumba yoa Nairobi na kuwacha kwao kukihangaika. Asanti sana kwa... machache.

Com. Domiziano Ratanya: Asanti sana Ntonjera. Na huyu rafiki yetu anaitwa Ntonjera. Enda hapo utuambie.

Mr. Ntonjera: Na shukuru kwa nafasi hii nimepata kwa sababu hii tunazungumzia hapa hatujawahi kuzungumzia tang... kuzaliwa. Kwa hivyo kwa hii katiba tunazungumzia hapa, wengine hatujaona katiba kama hio. Kwa hivyo kile ambaye tunataka, tun... tuundie katiba mpya ya kulinda sisi zaidi kulinda mwananchi wa chini kabisa ili asidhulumiwe. Tena mamlaka yote iliyo na rais ipel... kwa mbunge ilil tupate mambo mazuri. Napendekeza hii katiba isimpe mtu yeyote mamlaka kwa sababu huyo mtu akipewa hata... kufanya kazi vizuri, atakuwa anafanya kufurahisha mwenye alimuandikisha ilhali kikiwa mamlaka ni mbunge ataogopa mbun... kuheshimu kazi yake na kuifanya vile inahitajika na mwishowe mwananchi wa kawaida atafaidika. Kwa hivyo nashukuru nafa... tumepata, na tuundiwe katiba vizuri na pia wale wanaelewa zaidi ya sisi tunatoa maoni watusaidie kujua ni pahali gani tutafaidik... mahali gani sisi tutapata kusimama vizuri. Na nashukuru kwa hayo sina mengi mimi nitaachia hapo.

Com. Domiziano Ratanya: Asante sana Ntonjira, sasa kuna mtu wa mwisho. Mwisho kabisa. George Michugu. George Michug

hatatwambia hapo John, hata kwa hiyo.

George Michugu: Thank you. I would like the constitution to address the agricultural sector, particularly, the tea sector seems to be under crises currently. If you look at the management of the media factories, which we have in this country, has been given to the farmers to manage. But the government does not give the farmers clear guidelines on how to manage the tea sector, therefore I would like the constitution to define clearly what is the role of the farmer and who is suppose to manage this sector, for example, the farmers have been asked to elect directors.

These directors some of them really are not qualified to run the sector because some do not have the correct education or the correct management skills, for that matter the constitution should clearly define the minimum education qualifications for a director.

The other thing is on elections of directors, each director should be elected using secret ballot and not otherwise, because other systems are civic manipulation, and therefore, any individual with money, can manipulate and therefore interfere with management of the tea sector. The other area which I would like the constitution to address is the area of education. Currently, in Kenya, the poor people cannot access quality education, in this I mean the public schools which we have are very poor in terms of performance and therefore, its only the rich who can afford to take their children to good schools. Schools which we may call private schools. So the government should come up with a policy try to address the problem, because it is a big problem and many children are not attending school. So the government should also force the parents to take their children to school but not schools without teachers. Not school without a good curriculum. The government should come up with a good curriculum which is fit to our children because the current system of education is not fit to our children because is actually laborious. There is too much work, the students are supposed to cover and also the teachers are overburdened. Therefore, the government should come up with a better system of education and provide funds to poor parents who cannot afford school uniforms and school fees. Thank you.

Com. Domiziano Ratanya: Okay nimeshukuru sana Michugu ambaye amekuwa wa mwisho, na kabla ya hatujafunga kazi ningetaka kumuona Chairman kama yuko karibu wa hii committee ya constituency aseme machache na alafu co-ordinator na tutafunga mkutano huu. Okay.

Response: Inaudible.

Com. Domiziano Ratanya: Kama Chairman hayuko, pengine kama Secretary wa hio committee ana kitu ya kusema ana kusema, kama hakuna Co-ordinator aseme lolote, kama hana sasa tuta

Secretary: Thank you Mr. Chairman, once again my name is Beatrice Bariu. I come from Kigoi Location, I am the secretary for the three seats, the CKRC. I want to take this opportunity to thank all of you for coming and for participating from morning upto this

thank you so much even for taking that pain to learn and to know exactly what is needed. Infact this is for the sake of your country have shown a lot of responsibility and care for your country which is very important, and I hope that the Commissioners here they heard the people statements, they will go with them, they will prepare the draft and then they will follow the other procedure and will have a good constitution which will be of good use in future and which will protect our rights in all sectors. Otherwise I want to thank you very much, we have come to the end of this meeting. Thank you so much.

Com. Domiziano Ratanya: Co-ordinator unalolote la kusema?

Co-ordinator: Okay asanti sana Chairman, mimi sina mengi ya kusema ile tu ningetaka kuwakumbusha wananchi kwenda kesho tutakuwa Ntonyiri. Tutakuwa Rare Social Hall, then the following day tutakuwa Mutwata Secondary School. Na kutoka kutarudi Tigania East, itakuwa tarehe sixteen Friday.

Kwa hivyo kama kuna mtu ambaye ako na maoni, labda atapatiana anaweza tupata katika vikao hivyo. Ningeli kwamba ningikuwaambia kwamba maoni yetu commissioners wamechukua, na kutoka hapo labda tutangojea mpaka ile ripoti ndio tujue watu Igembe wamesema nini kuhusu katiba. Kwa hivyo baada ya may be miezi miwili, tutapata hio ripoti na tutarudisha kwa wananchi tujumuone kama ni ukweli maoni yatakayowekwa katika katiba kutoka Igembe yanatokana na nyinyi. Kwa hivyo, ningewashukuru kwa kujitolea kwenu sana sana Makamishina kwa kuwa nasi siku nzima, Programme Officers na hata committee members.

Jambo lingine la mwisho ni kwamba tuna providers. Civic education providers kunao hatujawalipa pesa zao zote na ningewaomba wawalipa kwa sababu nilivyowaambia tutakuwa tunalipa pesa, mwezi. Kama vile commissioners tunakuwa tunapokea pesa kila mwezi, kwa pesa zikija, nitakuwa namuita, kawaida yangu nimwandikia barua, nitamwaandikia barua nimuite na nimuonyeshe pesa ziko na mtu kuzipokea. Kwa hivyo musiwewe na shida mkisema ati hamtalipwa, najua mmefanya kazi nzuri na pesa zitalipwa wakati kadi zitakapokuwa. Otherwise asanteni sana.

Com. Domiziano Ratanya: Okay, asanti sana Bwana Co-ordinator, na sasa ningetaka kuchukua nafasi hii kuwashukuru sana kwa wananchi wa members wa committee ya Igembe constituency. Tumekuwa na nyinyi kutoka jana. Tulikuwa Kangeta tukapata kazi nzuri kabisa kwa sababu watu walikuwa wanaleta maoni mazuri, na hio ni kuonyesha ile kazi mmefanya na tukawa na amani. Hio tulifurahi sana jana hata leo, ikawa continuation na ikaendelea mzuri tukafurahi, na hata nyinyi wenyewe tumeona ile kazi mmefanya, hii team tumeona karibu four hundred, wale wameingia. Na hio ni very very good attendance.

Kwa hivyo katika Igembe constituency yote tumeona pengine tume record kama seven hundred and fifty ama karibu number kama hii hio ni record na tumefurahi sana kwa ile kazi committee imefanya, pomaja na Co-ordinator msaidizi wake, na wananchi viongozi kama Councillors wote wale wamekuwa wakisaidiana.

Asubuhi tulikuwa na DC, tulienda a courtesy call kwa DC na tukaona hata yeye anaungana sana na nyinyi kuwasaidia na kwa hivyo wao wote viongozi wote kina DC, Machiefs na kila mtu ambaye anayesaidia hii mobilization pamoja na nyinyi tungetaka kuwashukuru tunasema asanti sana.

