

CONSTITUTION OF KENYA REVIEW COMMISSION

(CKRC)

VERBATIM REPORT OF

**CONSTITUENCY PUBLIC HEARINGS, NITHI
CONSTITUENCY, HELD AT CHOGORIA SECONDARY
SCHOOL**

ON

14TH MAY 2002

**CONSTITUENCY PUBLIC HEARINGS, NITHI CONSTITUENCY, HELD AT CHOGORIA
SECONDARY SCHOOL, ON 14th May, 2002**

Present:

1. Com. Abdirizak Arale Nunow
2. Com. Salome Muigai
3. Com. Isaac Lenaola

Secretariat In attendance

- | | |
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| 1. Solomon Anampio | - Programme Officer |
| 2. Mary Kamau | - Ass. Programme Officer |
| 3. Patricia Mwangi | - Verbatim Recorder |

The meeting started at 9.30 a.m. with a word of prayer from Rev. Mundia and with Com. Abdirizak Nunow in the chair.

Com. Abdirizak Nunow: Kabila tujaanzia kabisa nafikiri ningependa kumuliza Rev. atuombea kisha ndiyo tuendelea na sherehe ya siku ya leo.

Rev. Mundia: Hebu Tuombe; Bwana tunakushukuru tunainua jina Kwa wema wako, asante Kwa vile Bwana kwa vile Bwana umekuwa na sisi. Na asante Baba Kwa kutuleta pamoja kikao hiki. Tunajikabithi mikononi mwako ili Baba utuongoze. Nakushukuru Kwa sababu kuleta makomeshonas na asante Kwa kikao hiki. Tunakuomba tukiendelea na hii exercise, we pray that you may guide us inspire and direct us. As we are gathered to hear the views, Lord we pray that you help us and give us that ear of reasoning and getting from you tunajiweka mikononi mwako, ee Bwana utuongoze na utubariki katika Kristo yesu tunaomba na tuamini, Amen. Asante.

Com. Abdirizak Nunow: Asante Rev, ningependa kuajulisha wana Tume na wengine kutoka Tume ya kurekebisha Katiba, kisha nitamuomba Co-coordinator ya Ulaya hii atujulishie wa kamati ambao wako katika Constituency we are living, Constituency committee members. Nitaanza na wana Tume kwa mkononi wa kulia wangu ni, Bi- Salome Muigai ambaye ni Commissioner, na upande wa kushoto, nina Isaac Lenaola ambaye pia ni Commissioner. Na watu kutoka secretariat Commission ambao tuko nao kwani Commission ina wana Tume na ina wafanyi kazi ya idara mbali mbali ambao wanawezesha kazi ya Tume kufanyika ni Solomon Anampio ambaye ni Programme Officer, Mary Kamau, ambaye anachukuwa maandishi na Mrs. Patricia Mwangi. Na sasa nitauliza Co-ordinator, atujulishie wana kamati kisha tianza nieleze utaratibu wa kuchukuwa maoni yenu na tianza sherehe ya leo.

George Kimani Kamundi: Asante Bwana kiti nataka kuchukuwa fursa hii niwajulishie wana kamati ambao tunafanya na hao kazi, katika kamati ile ambayo inaongoza mambo haya kurekebisha Katiba katika Constituency yetu ya Nithi.

Nitaanza na wale ambao wako hapa tuko na Bwana Chairman wa Committee yetu tafadhali simama kidogo anaitwa Councillor Mhendi, Councilor Mhendi pia ni Vice chairman wa County Council ya Merison. Asante Bwana Councillor. Tuko pia na Rev. Mundia, Mundia anatoka katika kanisa ya P.C.E.A naye ndiye Moderator wa P.C.E.A church katika hospital ya Chogoria na tena yeye anatoka katika upande wa N.C.C.K, sababu tuko na mwingine ambaye anatoka upande wa Catholic Church, asante Rev. Tuko pia na mama Lucy Kagendo Murithi asante Lucy. Lucy anatoka upande wa kina mama katika kikundi kile kinaitwa Maendeleo ya Wanawake. Tuko pia na muakilishi wa vijana ambaye pia ni mwanamke naona ajafika lakini atakuwa na sisi yeye anaitwa Kageni, tuko pia na mwanamke mwingine anaitwa Milicent Mugambi anatoka kanisa la Catholic, tuko na M.D wetu wa Nithi ambaye atakuwa na sisi siku ya leo, na mimi pia ni member wa hiyo kamati. Tuko pia mwakilishi mmoja kutoka division ya namang'ombe kwa sababu najua iko mbali kidogo anaitwa Joseph Mutindi tulikuwa naye jana tunatajia ata leo atajiunga na sisi, na nani mwingine bwana Chairman (inaudible) tuko namna hiyo, hiyo ndio kamati ambayo tunafanya nayo kazi. Asanteni Shukurani karibuni katika kikao hiki. Thank you. Kwa majina mini naitwa George Kimani Kamundi (inaudible) Thank you.

Com. Abdirizak Nunow: Asante bwana Coordinator na sasa ningependa kuonyesha utaratibu wa kutoa maoni, kama utakuwa na maandishi ambao ungependa kupeana utapewa dakika tano ya kufafanua yale ungependa kufafanua katika hiyo maandishi. Na baada ya kumaliza utapeana maandishi yako pale kwa hiyo kona kwa Bwana Anampio, na pia unandikisha register kule kwamba umepeana na umezungumza.

Kama una maandishi yeyote ambayo unataka kuzungumza tu, basi utazungumza kwa mda ya dakika kumi mda isio sidi dakika kumi. Na baada ya kumaliza, utaenda pale pale tena uandikishe kwa register kabla haujarudi kuketi. Na kama una maandishi na hautaki kuzungumza unataka tu kupeana hiyo maandishi ambayo naamini imefafanuliwa ya kutosha basi unapeleka maandisho hiyo kwa Bwana Anampio na una sign hiyo register kwamba umepeana memorandum, tumelewana siyo? Na basi bila kupotesha wakati, ningependa nimuite mtu wa kwanza ambaye ni Muchiri Mwongera ambaye amejiandikisha kwamba ataongea bila maandishi aje mbele azungumze.

Ningependa kuwajulisha ya kwamba, munaweza zingumuzia kwa lugha yeyote. Kwa lugha yeyote ambaye utaridhika naye na ambaye, unajua utajitambua na utazungumuza na kujieleza zaidi tunakubalia yeyote iwe Kiswahili iwe Kingereza iwe Kimeru iwe ingine ambaye unataka kuzungumuzia kwani, tutapata mtu wa kutasiri kila lugha. Asante.

Muchiri Mwongera: Mbere ya kwaria ndiinda kuejana ountu na gitumi kia buu, ndiinda kurita maoni Muchiri Mwongera agenda ithatu indi nimbitikirue oo agenda mpejane gitumi kiayo. Gitumi kia agenda ino nkwenda kuandikithia mbere number one, unchunku butiakinya nthii ino, Gikuu, Embu, Meru, Gikambaa twaruaga na muti jumwe.

Translator: The agenda that I want to put across is that before the European came to this land, the Kikuyu, Embu and Meru used to fight using one stick.

Muchiri Mwongera: One, riu aa tuuri bukeeja gwakwa mwana nimwinge shukuru ukambira nkabunenkerera mwari ino tiamba gwikia mwana akathome ntirakunenkerera mbia.

Translator: Now here we are and you come to my home, my child has been sent out of school and you ask me to give you my heifer so that my child can go back to school.

Muchiri Mwongera: Ndarikia gukunenkerera kambijje mbitie mbeba ciakwa kiri gwe, nirio ukamburia mbeba ukinenkerera mushairi waku nuu, twandikanire kuu, sub area aario riu mbia ciakwa ikanaura ntintu baria baguthethia ni baaria betite na mbia.

Translator: When I give you my heifer and I come for my money, you ask me who was there, who was the witness when I was giving you the money. Because these people who are taking our heifers, are the ones responsible with our money.

Muchiri Mwongera: Nikio riuu kenda mauntu mau moothe mathira riu kiinya katiba ikithondekwa nthenge, riria muma jwatwire guku twaringaga Gikuu, Meru, Embu, Gikamba nirio ria turagia urongo bouu, katiba ikithondekwa muma iandikwe iri ya mbere ya gutoria miriga ina, Gikuu, Meru, Embu na Gikamba.

Translator: For us to eradicate lies and theft, long time ago there was nothing in the communities of Kamba, Meru, Embu and Kikuyu so when we are writing this Constitution let us put oathing in the Constitution so that we can eradicate stealing and lies.

Muchiri Mwongera: Number two, riu ndiana agenda ya number two, nika twatangazirwa muchemano riu tunkiinja ruuji na chief wa Moroge atwira mbia cia antu baria ndoani ya mungeretha niciukite nitwite tukaiandikithie. Nii nkinyu officine guku.

Translator: Now my second agenda is that recently when we were having a meeting about water, organized by the Chief of Moroge location, he told us that the money for compensation for those who were fighting the white man has come and they should go and register themselves for compensation.

Muchiri Mwongera: Tukuandikithia, oo muntu akiugaga kuria aari tauni nkiugaga ndaari India oomuntu akiugaga okura aari, twerwa form cietu nicitumitwe Nairobi. Nithingataga mantu officine ya D.O Chuka na mwanka riu guti mbia ndoona.

Translator: After registration inkling our ID numbers, we were told that our forms had been sent to Nairobi. I have

been following the matter at the D.Os office at Chuka, but up this day, I haven't seen even a single cent from that compensation.

Muchiri Mwangera: Number three, Meru ii ciama cia mau mau ninthondeke nyingi indi tiantu ba mbushi baaaria baari mbushine bakuthondeka nii antu bangi bakuithondekera. Nandii gankuria atiri, niuntu ni ba mbushi babwite kuthondeka nibo bari na katiba iuu, oo muntu othondekete kiama kiawe neere thirikari mbushi iria aari kiama kiawe gitikirue kuthie na mbere. Akaaga nikiringwe marufuku ni thirikari.

Translator: My second agenda is that in Meru , there are people who have come up with organizations which resemble the Mau Mau organization that was fighting for independence but most of those people were not in the bush when we were fighting for independence. I would like the government to make a follow up so that it can trace whether those people were in the bush or not . If they were not, then their organization should be registered because they are mis-using the Mau Mau organization.

Muchiri Mwangera: Number four, tukuuma kithaka na tukinerwa mbia cienu ikwija ndii nama Meru na Embu gitigintu twona ethirwa gaciikitwe ntikumanya, kethirwa niciejire Meru na Embu guti gintu twona.

Translator: After getting out of the bush, we were told that our money is out but the Meru and Embu didi not get anything, we need to be told whether that money was released or not because we didn't get anything at Embu and Meru people. I am through I don't have anything else to say.

Com. Abdirizak Nunow: Thank you very much, asante Mzee tafadhali mpeleke ajiandikishe kule. Wilson Kaburu, tueleza jina yako halafu endelea na kutoa maoni yako.

Wilson Kaburu: Asante mwenyi kiti hii yote nitatoa, nitatoa na lugha ya Kiswahili. Kwa hivyo mimi nawakilisha kanisa ya Church of God. Na yale maoni nimekusanya -----

Com. Abdirizak Nunow: Jina lingine;

Wilson Kaburu: Wilson Kaburu. Yale maoni tulikusanya kutoka kwa washirika wa kanisa ni kama yafuatoyo nilituma na ya kusema hapa mbele yenu. Kuna jambo inahusiana na maneno ya land succession, hiyo land succession kuridhi inakuwa gharama kwa wale ambao wanaendelea kutafuta shamba, tena ukiwa mudhaifu wa kifedha hiyo land succession ama hiyo shamba, uwezi ukaipata. Unaweza kuandikisha mwaka kama huu na hiyo kesi inakaa miaka mingi kwa hivyo tunaonelea hivi hii land succession, ama land (inaudible) land succession, iwe transferred iyendelea kwa Provincial Administration kama kwa D.Os and D.Cs sababu hiyo itawezesha kila mtu kupata shamba ya baba yake bila matatizo

yeyote.

Jambo la pili, kuna kitu kinaitwa Human Rights, yaani mtu kuwa na jukumu lake. Mwanadamu vile tunaelewa, tunaelewa mtu yeyote alizaliwa katika Kenya, ana uhuru na kuwa na pahali pa kuishi kwa hivyo kila mtu katika Kenya kwa sababu ni mzaliwa wa Kenya, inamupasa kuwa ana shamba la kufanya kazi kufanyia kazi. Kwa sababu hakuna ambaye aliumbwa kuja kukaa katika hali ya hunger. Tukaonelea kila binadamu ambaye anaishi katika Kenya, sio mwanadamu Kenya citizen awe na mahali pa kuishi.

Kuna kitu kingine kinaitwa land cases makesi ya mashamba, kesi ya mashamba ikiwa wewe mudhaifu wa kifedha, hiyo cases uwezi ukaipeleka mbele bali tukaonelea kama wazee wangekubaliwa hiyo iyandikishwe ipelekwe land cases kwa wazee kama itawezakani lakini itolewe kwa mahakama na wakili wote wanyang'anywe powers zote zinausikina na hiyo land Cases.

Kuna kitu kimoja kinaitwa yaani mwanamke na mwanaume kuwa na nguvu ama kuweza kuishi pamoja. Mwanamke na mwanaume kuwa na uwezo wa kinguvu ama utawala kipamoja. Hiyo tulionelea ya kwamba tangu mwanzio, mungu alitumba binadamu kila mwanadamu alipewa jukumu lake, mwanamke akapewa jukumu lake na mwanaume akapewa jukumu lake. Na ikawa namna hii, lazima mwanaume awe ndiye kiongozi wa nyumba au kiongozi wa mamlaka ya nyumbani na mwanamke lazima awe mzaidizi.

Kwa hivyo tukaonelea hakuna uwezo wowote au tutafuata kinyume na bibilia yaani mwanamke awe na utawala kama mwanaume kwa hivyo tukaonelea mwanamke lazima awe mdogo wa mwanaume kwa kila jambo, jambo linaonekenana ata kwa bibilia kama Ephesians 5 verses 22 inasema hayo, na first Timothy 2 verses 22 inasema kama hayo. Asante mwenyi kiti.

Com. Abdirizak Nunow: Asante Bwana Kaburu subiri kidogo tuone kame ina maswali.

Com Salome Muigai: Asante sana Bwana Kaburi mimi nina maswali mawali kwanza hiyo swali inasema kesi za mashamba ziendi kwa wazee, ningetaka kujua kama wazee ni wa kiume ama ni wa kike. Na pili ningetaka kuliza swali juu ya usawa wa gensia yaani gender equality umesema kuwa Ephesians imesema ni lazima mwanamke awe chini ya mwanaume na ni kweli kabisa lakini mwanzo wa Ephesians inasema, submit one to each other even as you submit to Jesus Christ. Umesoma hapo ndio mwanzo wa hiyo habari kabila tujakuja kwa main love ya wife and as "Christ has loved you"-----and as Christ brought the church bila lawama na urembo na kila kitu, hiyo ndiyo unaquote? Mwanzio wake unanza submit one to each other even as you submit to Christ kwa hivyo hapo ndio hiyo sheria yenye imetupa wajibu wetu inanza hapo kusema na hata bible ina expect equality on that basis submit one to the other even as you submit to the Lord.

Wilson Kaburu: Sasa (inaudible) umeniuliza kama maneno ya land cases kama ni wazee wakina mama ama wakiume, nasema maneno (inaudible) na makesi ya shamba hiyo inatakiwa jukumu tuu ya wanaume peke yao wanawake hawana jukumu la kutekeleza kuhusiana na mashamba kwa sababu ameolewa tena ajuwe pahali mwanzo ya mashamba hiyo alipo, lakini wanaume hao, ndio anajua chanzio na kuongoza shamba hiyo.

Upande ile ingine kama hii ya wanawake na wanaume ukiangalia kwa kinaganaga, sisi tunaendelea kufuata maneno ya watu wa inje, mwafrica lazima awe na sheria zake. Mzungu lazima awa na sheria zake, sisi wafrica kama Kenyans hata kutoka mwanzio, vile tulikuwa mwanamke alikuwa chini ya mwanaume. Kama bibilia inasema hivyo, wakati Adam aliumbwa na hawa akaumbwa yule alikosea ni mwanamke. Kwa hivyo, jukumu la yule mtu ambaye anatakiwa awe kiongozi wa nyumba kama vile biblia inasema kichwa cha nyumba ni mwanaume na kichwa cha mwanaume ni Yesu Kristo na kichwa cha mwanamke ni mwanaume hiyo ni lazima tuifuata. Tusipoifuata hiyo, tutakuwa tumeifunja sheria na tutakuwa tumeifunja maneno ya bibilia na hiyo sheria hata tukiandika haitakaa, lazima iwe itakuwa na kitu kingine ya kuwa na utengano.

Pili, unaweza kuwa wewe mwanamke unaishi hiyo nyumba haitakaa kamwe kwa sababu wewe una uwezo wako na mimi nina uwezo wangu. Wewe ukitoka kwa urembo usiku, unakuja na wengine kufungulia na mambo hayo, kwa hivyo hiyo itakuwa italeti divorce karibu sana kwa sababu hakuna ambaye anaweza kushika mwingini kwa hivyo ma bwana wawili hawawezi wakakaa katika mahali pamoja. Asante.

Com. Abdirizak Nunow: Asante bwana Wilson kama unataka kutuachia hayo maandishi utampelekea bwana Anampio na uandikishe kwa register. Sasa ningependa kumuita

Lawrence Bundi: Kwa majina mimi naitwa Lawrence Bundi. Asante mwenyi kiti. Mimi nitaanza na nyumbani. Nyumbani kila mtu ana uwezo wa kusimamia ile vitu iko na sio mzee pekee yake, hata kama mzee ndiyo kichwa. Mtoto anaweza kuona vitu inaribia hata akiwa ni mmoja apewe nafasi ya kusema vile anaona, ikiwa ni mwanamke anaona, apewe nafasi ya kusema vile anaona ili hiyo mali isichanganyike na watu uko nje.

Na kama ni mambo ya shamba kila mtoto wa nyumba awe sawa na wengine na kuna watoto wengine tuseme ni wa kina dada wako nyumbani hapo, hawa watoto vijana wa nyumba hiyo, wanataka yule mzee achukuwa hawa watoto akae chini waongee juu ya watoto hawa. Wakiwa hawana baba wajuwe watafanya nini. Wakiwa wako na baba zao, wapeleke kwa baba zao na huyo mtu kama ni mtu anakata, muchukulie sheria sababu hiyo, ndiyo kitu inafanya watoto wengi na pia watoto matima wenye baba na mama.

Ya pili ni serikali: Serikali yetu inatakiwa iwe serikali haina uongo sababu ile kitu ilioko mzee akiwa nyumbani, akiwa muongo hata watoto wa wenyewe wanazidi kukuwa waongo. Kwa mfano kuna shamba tulipewa huko Isiolo nilikuwa

na miaka kumi na nne na tukapewa number zake, tulipewa enzi ya Mzee Kenyatta, tukapewa na hayati angaine ile mpaka sasa hatujachukuwa hiyo shamba, ni number tu tunaishi naye sasa kila mtu anachukuwa watu wake anakwenda kukaa huko halafu inakuwa vita.

Ya tatu nitaongea juu umaa: Mali ya Umaa, kama ni Kahawa kama ni Majani chai, Maziwa na hiyo vitu yote inapitia kwa Society hiyo, vitu naona vizuri iwe ikisimamiwa na serikali na serikali iwe ikichukuwa kiwango, iwe yenyewe inasema. Halafu mali hiyo ingine ya untaxed, wakati halafu, hiyo pesa iwe ikilipwa kama hii ya Majani Chai. Mkulima anagawia kutoka juu halafu analetewa mali yake ikiwa sawa, sababu ikitoka ikishagawiwa hapa, watu wanakuja wakikatakata halafu ikifika inafika kitu kidogo. Kwa hivyo, ichukuliwe na hii njia ya Majani Chai ili kutoka juu mtu analetewa mali yake kufika hapa chini sasa sisi wote tuwe sawa. Serikali mali itakatia ikatie zao, na ikingiza zao, na ingize zetu halafu tuwe sawa.

La nne ni wabunge wetu wale tunachaguwa. Wabunge tunawachaguwa waende wa katutete lakini sana sana hatutetei hawo ndio walijitetea. Wakati wanajitetea mishahara yao, hawaulizi yule aliyemchaguwa anamtetea nawe. Kahawa inateremuka na maziwa inateremuka huko anangangana. Na kila kitu inanguka lakini yeye anatetea tuu mishahara yake. Sisi hakuna kitu halafu apate pesa huko aje aninunue na hiyo pesa ni mwingize tena sababu anakuta mimi ni masikini.

Sasa kama kwa mfano; yeye anasema apewa pension kwa miaka kumi, tangu lini hata enzi ya mzungu mtu wa miaka kumi anapewa pension? Isipokuwa aulize hata hao wengine wanandikwa wakimalize miaka kumi wanapewa pension, sasa hao wanapeana pension na yeye anatangulia pale siyo kuandikwa hata hiyo miaka kumi inaweza kumaliza ikiwa watu wake hawampendi na hizo pesa wanawaonga naye. Sasa hiyo pension yake siolewi mzuri.

Hiyo ingine naomba tuheshimiane sisi kibinaadamu, kila binadamu aonekane ni mtu na ana utu akisema kitu anasikiza mzee. Unaweza kumukazia awe na mambo mazuri ya kukusaidia kwa hivyo hata kama ni Raisi, akiondoka kwa kiti mwingine aingie yule ataingia aheshimu yule alikuweco mbeleni, na hiyo mambo aliachia, ayafanye vile yule alikuwa amesema atafanya ili awe anamchukulia ni mtu kama yeye siyo kumudharau. Sina mengine ya kusema.

Com. Abdirizak Nunow: Asante Bwana Bundi tafadhali andikisha pale na sasa na mwita.

Phares Nyaga Murithi: Jina yangu ninaitwa Phares Nyaga Murithi. Yangu inahusika na sheria ambayo ningependa iwekwe katika sheria za Kenya kuhusiana na Cash crops yaani mapato ya wananchi.

Na hii mapato ya wananchi ni kutoka kupanda, na kuyatunza, kuyauza, kuwalipa na kulipa wananchi ambao wanahusika. Siko cash crops aina mingi kulingana na areas ambazo watu wanaishi. Tuko na Kahawa, tuko na sukari, tuko na sisal watu kutegemea cash crops, zaidi ya watu 90% kwa Kenya, wanategemea cash crops, hawategemei kuandikwa kazi kwa sababu hakuna kazi wengine wanategemea biashara, wananchi wengi ni wale ambao wanategemea

cash crops hapo ndipo ningependa sheria iwekwe kamili ya kutunza hizo serikali isimamie ili iweze kuwalipa vizuri kulingana na haki yao. Na wakati serikali itasimamia cash crops kama hizo kuna machini ambazo zimejengwa kama ya kushaga Kahawa au Sisal au machine zingine, ambazo hufilisika wakati wananchi wanashindwa kuzitumia. Serikali inaweza kujenga factory ya hizo hizo wakati wanasimamia cash crops, wanajenga hizo ma-factory ambazo zinaribika halafu, wafanyi mkataba na walimaji hawo wakulima wanahusika ile watakuwa wakiwalipa ile kazi ambayo serikali imewafanyia kuwasaidia factories, kufanya employment na wakati mkataba na walimaji watakuwa wakiwalipa namna gani halafu baadaye hizo machini zitakuwa zikibakia wakulima.

Kwa hivyo, hapa ningependa sheria kama hiyo iwekwe na hiyo itasaidia au italinda wananchi vilivyo kwa sababu wananchi wanaitaji ulinzi wa serikali au usaidizi sababu wakati wanachiwa, wanambiwa hiyo imekuwa ni juu yenu wanaraharibika wengine wanafanya wengine kuwanyanyasa, mambo inaribika, wananchi wawezi kujisaidia na iko ambayo inasimamia. Serikali haiwezi kusimama kando kuona wananchi wakitabika ni sawa sawa na kama vita ikingia, serikali wanapigana halafu wanasaidia nchi au njaa. Hata hiyo Cash crops, iwekwe katika kiwango kama hicho ambacho ni kama kiwango kinahitajika zaidi na ichukuliwe kama ni kitu mhimu.

Hapo nimemaliza tena sasa tuje katika sheria ambazo zinahusu ardhi. Sheria zinahusu ardhi ambazo ziko na zimewekwa, kutumiwa vibaya na wale ma-officer wanahusika. Sheria za ardhi ziko lakini zingependa zirekebishwe kwa sababu kutumiwa vibaya kama vile zimeandikwa zitumiwe, wazitumia kwa njia ingine. Kwa mfano, hivi viwanja vya public watu wanasikia wengine wanasikia vimeshaenda, vimeshaenda, hivi viwanja ni vyawapi? Si vya watu hawa wanauza watu wenyewe walitoa heka zao wakaweka kando ili wafaidike kwa hizo public land? Wengine waliweka mahali ya Ng'ombe, mahali ya makambi ya Chief, mahali ya shule, mahali ya kila kitu lakini kushanga ni kusikia watu fulani wamekwisha tumia hivi wakazibalisha, wakaziweka kwa njia ingine ambayo siyo kamili ambayo ilikuwa imetengwa, ilikuwa imetengewa shule. ilikuwa imetengewa kiwanja ingine ya watu kusaidia na hiyo ni machine za kufanya kazi na hizi viwanja si ati kutoka wapi, ni mahali ya watu mashamba yao walifanyiwa percentage cash wakakatwa kama wewe ukakatwa shamba yako weka moja, mwingine akakatwa nusu, mwingini akakatwa zikawekwa mahali halafu ikae itazaidia watu kwa maitaji yao wale wanahusika. Sasa kusikia hizo zimechukuliwa, hiyo sheria iwekwe ya kuzuia mambo kama hayo yasifanyike kabisa kwa sababu hiyo ni wizi, kuiba watu mali yao.

Mambo yanayohusu kesi za mashamba; sheria ambayo ilikuwa ikitumika hapo mbele kidogo wakati kesi zilikuwa zikifanyika za mashamba, ilikuwa inaitwa customary law. Hata wakati unapata summons za kwenda shambani kuzikilizwa kesi yako unambiwa you must present yourself in person according to the Native law and Custom. Sasa hizo Customary Law ziwekewe sheria, ya kuzitunza ziwe zimewekwa ndani ya sheria ya Kenya ambazo zinaweza kuhusika kutatua matatizo mengi kwa mfano, Successions au familia wanapigania shamba badala ya kwenda kotini kumaliza miaka kumi ishirini, wakitumia pesa uko kwenda mawakili hii mambo itatuliwe na wazee according to the Customary Law. Na hiyo maneno inakusha pamoja hakuna shida.

Mambo ingine ni mambo inahusu elimu, sisi zote tukiwa wazazi tunajitahidi kutafuta pesa kidogo tu au kuuza mbuzi kuuza nini kuuza ng'ombe hata kuuza ardhi kusomesha watoto. Sasa tunasomesha watoto wanamaliza kama kwa mfano kidato cha nne, form four sasa kupata training inakuwa ni shida na mtoto amepita, unakaa na yeye nyumbani. Kupata training unasikia wengine wanazungumza mambo ya hongo ati mpaka wahongani ili aweze kupata training? Unasikia wengine wanasema hakuna kazi hakuna training na bado unaona ziko.

Hata hizo training wakienda, wakimaliza hakuna kazi wanarudi nyumbani tu na pengine uliua shamba. Sasa hapo, sheria iwekwe ya kuangalia juu ya elimu, watoto wakimaliza mashule na wapi serikali inaweza kusaidia namna gani badala ya kuridi nyumbani kutatiza mzazi. Asante.

Com. Salome Muigai: Asante sana kwa maoni yako mimi nataka kukuliza swali juu ya Customary Law, ama ile sheria ya Customary is what hiyo sheria ya mila. Sasa mimi nataka kukuliza juu ya hii sheria ya kimila na uhusiano kati ya wanawake na wanaume kwani mara mingi kama mzungumza aliyehapa mbeleni alitueleza kwa kimila wanawake wakisungumzia habari ya mashamba na hawakukuwa na mashamba, pia tumeulizwa pia tumeambia na watu walemavu kila pahali penye tumeenda kuwa sheria ya kimila haikuwanzishisha hata kuridhi ya mashamba pengine hata mtu akiwa na ulemavu na ndiyo mtoto wa kwanza wa familia wakati mwingine alirukiwa na uridhi wake wakapatia yule mwingine mwenye aliyonekana kame ndiye anaweza kumazaidia yaani yeye mwenyewe hakuonekana kama mtu mwenye angejisaidia mwenyewe.

Kwa hivyo, sasa nataka utueleza hii sheria ya kimila, itakuwa vile ilivyokuwa mbeleni tuendelea kubaguwa wenye walibaguliwa ama hii sheria unaiona itahusisha kila mtu aje; kwani mzungumzaji wa pili ametueleza pia kila mtu apate haki zake Human Right za kila mwanadamu sasa wewe utahusisha aje hii na Customary Law?

Phares Nyaga Murithi: Bwana Commissioner nitakujibu. Hata hapo mbeleni hakuwa na ubaguzi kona yake kila hata ni kama ni mwanamke alikuwa na haki yake inategemea vile hiyo mambo ya mtu anayehusika, inakuja kwa mfano anaweza kuwa ni msichana anakaa na baba yake bado kuolewa, iko sheria ya Customary Law ya kumalinda. Anaweza kuwa ni bibi ya mtu wamekosana na bwana yake iko Customary Law ya kumalinda, Customary haisemi ufukuze mwanamke kama ni kimeru huwezi kubaliwa ufukuze mwanamke, unambiwa wazee wanakuja wapima ardhi wanasema huyu akae hapo na wewe ukitaka kununua mwingine mwingine uowe.

Haifanyiki hivyo, lakini inategemea kwa sababu wanawake wengi huolewa kwa mfano wanaweza kuolewa kikuyu, au ukambani au maasai au mahali pengine, anakuja kwangu sasa mimi ndiyo namulinda na mali yangu na ameingia kwa hiyo ukoo sasa yeye atakuwa part and parcel wa hao na hakuna shida ambayo anaweza kupata hati kwa sababu ni mwanamke. Hakuna sheria ya Customary laws ambayo inaudhi mwanamke hakuna.

Com. Abdirizika Nunow: Okay; Bwana Murithi nafikiri umefamika tafadhali andikisha pale katika hiyo meza. Phares Murithi. Bwana Murithi una maandishi kwa hivyo tunakupua dakika tano ufafanue yale muhimu zaidi ambayo ungependa kujulisha watu.

Phares Nyaga Murithi: Okay, asante sana kwa majina ninaitwa Phares Murithi kutoka location ya Ganga, yangu ni machache. Na kwanza ningeanzia na mimi kama kijana nitaongea kama vijana ni vizuri sasa vijana wakilisha katika Commission zote kuanzia mashinani mpaka ngazi ya kitaifa. Kwa mfano youth should be well represented by youth starting from the grassroot for example in our areas where we are, have some organizations, for example our area is coffee growing zone, and we have Union, we have Coffee factories so youth should be represented from the factories to the Unions up to the Board because us youths we are left out, there are scarcity of jobs, we have no jobs and so I think we better be represented. We are also farmers and also we are helping our parents in trying to eradicate poverty so I think also youth should have a chance to become leaders in these areas.

The second view is about Leadership from the grassroots. Every chief, should be elected by the public because those people within that locality they know who is capable and who is a good leader, who also has been leading a group of people. But in some cases, we have a Chief we do not know the criteria used in electing him. We know of Chiefs who are illiterate and as such, we get inadequate leadership from the grassroot.

The second point: these Civic leaders, our Civic leaders, Councillors and MPs at least there should be a minimum qualification of these people. At least a Councillor should have at least should be a form four leaver. Because we have cases whereby some Councillors cannot present their views because of illiteracy. The option is for the councilors to be educated and possess a minimum in qualifications of leadership

The other aspect is the educational /sector in this country. The qualified graduates do not get employment due to corruption within the ministry of education. Unlike Nigeria, professors in Kenya are few because they are little chances of graduates becoming professors.

Also the powers of the President; the powers of the President should be reduced because like in Kenya, we have been having a very rough time because there are some people who are above the law and I think only God should be above the law. So the powers of the President or any other leader should be. I don't have much to say. Thank you.

Com. Abdirizak Nunow: Thank you; Please hold on questions from Commissioners.

Com. Salome Muigai: Thank you very much Bwana Phares Murithi on behalf of the Youth, I have one question you would like representation in societies and the Co-operatives and these are formed by the owners of land, how do we

manage to get the Youth to be represented yet there are farmers I agreed they are source of labour but they don't own the land, how we make this a Constitution issue?

Phares Murithi: I think you are saying Commissioner, a question also, are you saying us the Youth we don't own land or? I have not got it.

Com. Salome Muigai: I thought when a Co-operative like for Coffee is formed is formed by the owners of that land so I am wondering, if the Youth do not own land how can the Constitution demand that they be represented in Co-operatives that is made by land owners, for example I am just using that as an example you may have thought more about this. I am just looking, trying to put your thought because you have thought more deeply about this than probably we have so I just want to share, you to share your thought with us.

Phares Murithi: My thoughts are that, the Boards such like KPCU and Coffee, should ratify laws that stipulate, that the youth are represented in such Boards given that our fathers are members of such Boards.

Com. Lenaola: Bwana Murithi I have one question about education, you made no specific recommendation regarding education, what is your proposal or recommendation about education? You talked about the problem that we cannot all become Professors, so what do you recommend what should happen?

Phares Murithi: My Contribution on education is that the Ministry of education should assist those people willing to pursue higher education.

Com. Abdirizak Nunow: Okay, Bwana Murithi Thank please, register there and leave us with your memorandum. Gerald Njage. Na tafadhali mpeane mapendekezo, hadithi nyingi itachukuwa muda wako na utakuwa umemaliza kama ujatoa pendekozo. Ukiuliza kitu, toa pendekozo kisha enda kwa next one usikae kwa point moja, ambaye muda wako wote itachukuliwa.

Gerald Njage: Kwa majina naitwa Gerald Njage. Maoni yangu ni kuhusu utawala wa Administration. Mimi ningependa Administration yetu sana sana hapa chini to be scrapped. Maana yake, sioni haja yao maana yake, unasikia ati Administration ndiyo inalinda sheria ati hao ndio wanatetea sheria zetu, na ndio wanalinda wananchi hakuna kulinda mwananchi kwa sababu hata ukipigwa, unaona unaenda kwa police na hakuna uzaidizi wa Administration mimi naona hakuna kazi yao.

Na ingine kuna ingine nataka kutoa nataka kutoa kuhusu uongozi yaani kwa hakikisha juu uko kama President. Powers of the President, ndizo nyingi sana ndiyo unaona kazi nyingi zinakuwa na mtu mmoja sana sana wengine hawana

kazi nasikia mwingine kama ni President, ako na kiti cha Vice Chancellor, ndiye nani ndiye ako na viti nyingi sana hiyo tungeomba Katiba iyandikwe ati President's powers should be reduced.

Ingingine ni kuhusu Parliament. Parliament itoe nguvu kabisa iziwe ndio zinaongoza na zinatekeleza mambo yote siyo kiti moja itengenezwe na President peke yake. Ingingine ningeomba iyandikwe ni kuhusu Judiciary. Judiciary iko corrupt ndiyo unaona kuna ma kesi inaendelea hapa hii ya mashamba tunasema ndiyo unaona na kesi yetu ikienda, wanapatiwa pesa na kesi inakatwa vile haitakikani hiyo iyandikwe.

Ingingine ni kuhusu mwananchi. Kwa Katiba iliandikwa kusema, mwananchi wa serikali wa Kenya citizen na anafaa awe akijua mambo ya Katiba yake, ndiyo unaona inatuleta hapa taabu sana wengine hata kuelewa Katiba ni nini hawaielewi. Ingingine ningetaka kuzungumzia ni kuhusu ma Concillors.

Ma Councilors wetu wawe na elimu ya kuanzia form four na kwenda mbele, hiyo iyandikwe kwa Katiba. Ingingine ningetaka kuomba hii Katiba ikabadilishwa na kumalizika, iyandikwe kwa lugha ambayo inaweza eleweka na kila mtu maana yake hii kama hii ya sasa vile meandikwa watu wengi hawawezi wakaielewa maana yake imeandikwa na kisheria. Na ingine ni hii inasema kila mtu abebe kitambulisho hiyo naona inazaidia wananchi sana maana hata ukiwa ni kitambulisho unakuta askari anakuliza wapi kitambulisho na ikiwa haujabeba hiyo unastakiwa, hiyo inafaa ifafanuliwe kabisa na iandikwe ati uwe na kitambulisho lakini siyo kitambulisho kila wakati unataka na kitambulisho.

Ingingine ni hii ya watu wanasiasa kama ma Councillors na MPs na hata President. Iyandikwe ati ukipatikana wakati wa campaign, wakati uchaguzi unakaribia ati unapeana pesa uwe disqualified kwa hiyo uchaguzi na usisimama kwa hiyo viti, zaidi ya miaka kumi. Ingingine ni kuhusu elimu. Elimu yetu sasa inashinda mwananchi sana maana yake uwezi hata ukasomisha mtoto wa standard one hadi standard eight, kwa hivyo ningeomba iyandikwa kwa Katiba tukuwe na free education in Primary na uko Secondary tukuwe na ile system yeyote ya zamani hiyo system ya zamani ya mtoto kwenda shule kutoka standard one hadi seven na mwaka ile ya form four na anaenda University na form four, five and six. Ni hayo tu nimemaliza.

Com. Lenaola: Ulitoa pendekezo juu ya mahakama, ulisema nini juu ya mahakama.

Gerald Njage: Mahakama yetu inakuwa na uhusiano sana ukuwe na ile Judiciary ambaye ikichaguliwa haitakuwa tofauti sana, ikiwe na team ambaye itakuwa ikiwachunguza ili ukiwa na corruption, washikwe na wasitakiwe.

Com. Abdirizak Nunow: Asante, asante Bwana Nyage kwa pendekezo zako tafadhali ujiandikishe kule. Lawrence Kimathi Njue. Lawrence una dakika kumi.

Lawrence Kimathi Njue: Wana Commisioners na wananchi -----(inaudible)-----

Com. Abdirizak Nunow: (inaudible) kama una maandishi una dakika tano. Tafadhali you better highlight usisoma----- better highlight kwa sababu usisema kila neno ambayo liko katika hiyo memorandum.

Lawrence Kamathi: Kwa majina ni Lawrence Kimathi I am representing the CBO known us Media Development Support Group. Okay (inaudible). On the Constitutional proposals it should have a preamble. A clear and understanding preamble indicating that the Constitution belongs to the people of Kenya and Kenya, is a multiparty Democratic state. On the kind of the government, prefer a unitary system of the Government with President, as the Head of State and Vice president as his running mate. Also with a Prime Minister, as the head of Governement as well as Chief Executive with Deputy Prime Minister elected by the Parliament.

Also, we should have the provision for the government of National Unity. The Executive powers like the three Arms of the government which entails the separation of powers between Executive, Judiciary and Legislature, should check the powers of the Executive. On the elections, the Constitution should retain the two- five year term for a sitting president but should provide an extention of the term only if the country or the World is at war. The Presidential election should be separated from the Parliamentary and Civic elections, The Presidential candidate must garner at least 50% of the total vote casted and failure to whicha re-run of the first two presidential Candidates (inaudible) within three months. And the Electoral Commission must be independent and members have the Security of Tenure. The Constitution should provide for aspirants vying to be independent candidates. No Electoral Leader, should be above the law, and the Constitution should provide for an Election timetable.

On the Local Authority, the Constitution should provide for the devolution of local services from the central Government to the Local Authorities. The Provincial Administration should be overhauled and there should be no intergration to the Local Authorities or if not so, an elected and administration system should be in place from the location to the Province. The natural resource and wealth within the local Authorities be used in financing education and the other social amenities within that region. There are others, the Constitution should empower equality to all citizens. Social Justice and equitable development and outlaw discriminated policies and practices.

The Constitution should provide for the government to protect our environment and conserve the Natural Resources like trees forests. The new Constitution should empower the government to protect the girchild from malpractices such as Feminine Genital Mutilations (FGM), early marriages and child labour as prohibited in the U.N charter.

The new Constitution should provide for legalizing abortion. The Constitution Review should be elected through a National referendum. That the new Constitution should oblige the government to provide enough security for citizens and outlaw the existence of Secret armies or military groups. Thank you very much.

Com. Salome Muigai: Thank you very much Lawrence. I have a few questions for you.

one you talked about abortion I did quite hear that and the other one is, you have talked about devolution of power from the Central Government to the Local Government, are you satisfied with the Local Government as it is today, to be able to be a custodian towards those powers? And my third question is that on Separation of election of the President, the Councilors and the MPs, can give you us some thought on the time set on when these happen?

Lawrence Kimathi: Maybe start with the some of the Presidential elections I prefer if we start with Civic and Parliamentary, then from there you can have the Presidential elections afterward maybe after additional of time. On the legalising of abortions, I think this one is already happening but it is happening secretly. I prefer it to be legalized so that we cannot have many cases of deaths. We have cases where abortion is killing and it is actually done in secret. And the other one is what?

Com. Salome Muigai: The other question is that you talked about devolution of powers to the Local Government, my question was whether you are satisfied with the Local Government such as they are now to be able to be a custodians for this or the other?

Lawrence Kimathi: I will prefer the Mayor to be elected by the people so that he can be responsible and ---- I think that is the best method so that he can be or she can be a custodian of those resources if anything happens on the contrary, he/she cannot be elected again.

Com. Abdirizak Nunow: Asante Bwana Njage, tafadhali tupatie memorandum and ujiandikishe pale. Lloyd Kinyua? Bwana Kinyua nitakupa dakika tano pia utupatie ufafanuzi.

Lloyd Kinyua: My name Lloyd Kinyua from Chogoria hospital, I am presenting something, which I have written, so I will just highlight some of the points. On National Social Insurance Fund, we need the fund to cater for all an employed, so that we are seen to caring for people especially where diseases like Malaria, HIV\ Aids, perhaps where malnutrition is concerned. We need also to care of the ward in this country, maybe by establishing some fund or some homes where they can be taken care of because at times, we have some who have nobody to care for and they cant work to earn their living.

And V.A.T should not be charged in the Mission Hospitals when they are trying to acquire drugs and some facilities, given that they take care of 40% of the population of Kenya. We need also to decentralize N.H.I.F claims, so that we don't have to have a lot of problems and delays when we are going to Nairobi.

The appointment of the Ministers or important posts in our government, let us say, for instance in the Ministry of Health,

need to be vetted by Parliament so that we can have people who are actually are qualified to make decisions. Hospitals, which are National, should be assistance by the government, civil doctors of Personnel, since they are serving people who have paid their taxes to the government. We also like to recommend that the government does not spend our foreign debts more than they are spending on health.

On youth and education we are saying we have so much idle labour resource in this country that the government should be seen to be tackling, maybe by way of providing the National Youth Service and then these young people, can be used to do some work in the community which we found not being done. In Kenya, we are saying there are a lot of idle people and there is a lot of work, we can try to tap that. Free primary education we are calling for that, and also if possible in secondary we need to improve the audit in schools maybe by using private organizations to help, guidance and Counselling, should be a must in our schools we should go to that extent.

We should harmonize the salaries of teachers, with also Civil Servants to avoid strike from teachers. I have some points on corruption we should tolerate corruption. I have put the point there you will read. On the Constitution we are saying you de-link the Constitution from the election, we should have the Constitution that goes in line with U.N charter of Human Rights. Translate this Constitution just like the bible. The bibles get translated into all the possible organized languages. And then we have some general points like that, no Public Servants should be allowed to determine his salary or benefits including MPs, use another independent body to do that.

Allow Kenyans experts to help to determine the destiny of Kenya and not to follow the Western experts blindly. I am recommending that the Executive, the Judiciary and the Legislature should be, should have the independence restored so that none is actually depending on the other.

And then finally, the cost of acquiring land from parents, that is inheritance is poverty inducing. We would like a process that helps people, to inherit land from their parents or guardians without leaving them poorer than they were. Thank you very much.

Com. Abdirizak Nunow: Thank Bwana Lloyd Kinyua, we have questions,

Com. Salome Muigai: Thank you very much Mr Kinyua I have one point of clarification from you. You said that we shall follow U. N Human Rights Charter and then you said that we should not follow the Westerns blindly that can be seen as contradictory, I am sure it isn't meant to be such, please could you clarify that because it has got very serious implications on some of our customary laws especially as when we are talking about the Human Right.

Lloyd Kinyua: Of course in the Charters whenever we sign what we agree with but when it comes to the basics our country, for instance if it were borrowing, nobody says you should borrow more than you can afford to pay. With U.N

Charter you know what you have signed and agreed that you follow and we know of course that there are other practices which determines the future, the destiny of our country which do not necessary depend on the U.N Charter.

Com. Abdirizak Nunow: Okay asante, Bwana kinyua tafadhali jilandikisha utuachia memorandum . Dorothy Kainda?
Dorothy,

Dorothy Kainda: Majina ni Dorothy Kainda. Langu la kwanza nitanza na women (wanawake) kusema kwamba, sisi wanawake tunafaa kupatiwa (inaudible) kubwa uko katika serikali na pahali popote. Na kwa sababu kuolewe siyo kusema utakuwa upewe kiti au kuwa mtu mbaya kupewa kiti hiyo, italingana na tabia ya mtu. Kwa hivyo ati ukika nyumbani unaweza kuwa mtu mbaya, kwa hivyo tukipewa kiti kama wanaume, hata sisi tafadhali kwa sababu tutasadia jamaa zetu kwa kazi nyingi.

Kwa maana nimeunga mkono hata wanawake kupata viti. Ingingine ni social groups it should be allocated to the Social Department and then be given to Social Groups; diocese zile zinaendesha kazi ya projects zao. Kwa sababu, tunaona zikipatiwa kwa Councils zile groups zao hazipati labda shule kama hii inajengwa, na iko na pesa ndiyo tu inapewa lakini zile groups za vijana na wazee, ziko ndogo ndogo hazitapata faida kwa hivyo hizo pesa ni vizuri ziwe kwa department of Social Services iwe inatumia vikundi vya watu.

Also, wafanyikazi wafanyiwe mambo mazuri wakati wanafanya kazi zao kwa sababu ukiwaona siku nyingi sana wafanyikazi wakifanya kazi, hata mshara yao hawalipi vizuri hata kufunza hawafunzi vizuri. For example kama Walimu, Nurses na watu wengine. Kwa hivyo wakifunzia vizuri itakuwa waki-present hiyo tunaita strike ya kila wakati. Na mengine ni mambo kama ile ya Parliament. Tunasikia kila wakati nomination ya Wabunge inafanyiwa pahali pamoja tu na kuna District ingine kuna mshindo mmoja na wakati huo Mjumbe hawezi kuchaguliwa kutoka uko anachaguliwa pale, pale kuna mwana chama mwingine. Kwa hivyo hiyo nomination isiwe ikifanyiwa na wajumbe wa Parliament, ili wawe wakiwa na macho ya kuona kila pahali inakuwa represented in nomination bila kulalia mambo ya chama ama mambo ya kitu chochote.

Ingingine ni orphans au orphans, widows and disabled. Tunaona kwa wakati mwingi sana hawa watu wachungwi vizuri kama tumedhania kama ni hii pesa, ya disabled inaweza kupewa wale wanawake, waume zao wamefariki na hawana watu wakiwasadia. Hii pesa haitumiwi vizuri kwa sababu it is not given direct imepewa kwa watu wale watakwenda wakugawa na tena wataitumia hiyo pesa hata haitafika kwa wale watu wanatakiwa kama bursari, na ile Hospital Fund, Mbeleni tulikua watu wanalipiwa huko, wale watu maskini hawana pesa lakini siku hizi imepotea. MP's duties, should be entirely on public siyo hati kuchagua wabunge, tunaona wale hawakumbuki sisi wanakaa uko tu sa ingine hata mishara yao ndiyo wanajiongezea hawana haja na watoto wa shule, hawana haja na wale watu waliowachagua, wanafanya kazi yao, na zile pesa ya bunge badala ya kusaidia nchi yetu, tunaka tukichagua mtu, arudi hapa atufanyia,

mkutono kama anatumfanyia mbeleni na atueleza anafanya kazi gani.

Hasa kama si hivyo tungeomba tukubaliwe kumuondoa wakati wowote. Inginge nitaongea ya women divorces au wanawake wale wanaachwa na mabwana yao, au wanataka kuondoka kwa mabwana yao, kwa kimila yetu ya zamani kulikuwa na kimila yetu ya zamani kulikuwa na kiwango ya miaka ya mwanamke ile anaweza kukubaliwa kurudi kwao nyumbani kama ni mwanamke ana watoto au ni mwanamke asiye mzee, hiyo kama anataka kwenda wazee wangemkubalia lakini kama sasa mwanamke wa miaka sitini au hamsini unaona, tu bwana anang'ang'ana kumtia divorce aowe mwanamke hiyo iwekwe kama sheria kama hamtaki ampatie shamba yake huko huko tu akae na bibi yake yule anataka.

Inginge ni ile nomination ya hao watu wa National Constituency Conference hao watu six hundred and twenty seven. Tukiangalia huko tunajua tu hatukuona kwa karatasi lakini tunajua tu hiyo inachuguliwa wale watu wameandikwa peke yake na wale watu wameacha wale Wabunge wale wazee wengine lakini ukiangilia hapa kwa risafu hakuna kuchaguliwa kwa wananchi wenyewe yaani wataendelea na uambie atoe mtu wao ataenda kuwatetea kwa hiyo, hata kama Katiba itapitiswa ipitise na watu wa ofisi tu, tunafikiri haingeweza kuwa nzuri kwa sababu hawajui taabu yeyeto ya hapa hata mbunge akienda huko ajue tunataka mtu mwingine huwa tunaita a local person kutoka kwa watu.

Inginge ni ile tunaita Crown (forest) sa ingine inasumbua watu sana kwa sababu, sheria yake haikuwekwa vizuri imeakwa na njia ya kukatakata, kwa sababu, unaona huko upande mwingine kama Crown forest, watu wanazuia kuingia na wengine wanakubaliwa kukatakata miti sasa tunataka huko kwa crown forest watu wapewe sehemu moja huko sheria itolewe ya watu kupewe sehemu moja ile watakuwa wakitumia na kulima na tena wawe wakipanda ile tunaita forest belt, kama ni laini ya kuzunguka forest ya miti na wazuie wengine kuingilia wengine. Ni hayo tu.

Com. Abdirizak Nunow: Subiri kidogo,

Com. Salome Muigai: Asante sana mama Dorothy Kainda, we ndiyo mzungumzaji wetu wa kwanza mama tungetaka kufikiria tutapata wengine. Mimi nina swali moja kwako. Umesema wakina mama wakiwe wakipatiwa viti kwenye Organization, mimi ningetaka wewe kwanza kama ungetusaidia kutueleza Organization zipi zenye unazungumzia habari yake na pia ungetaka kiasi gani cha viti kwenye hizo Organization kuwekewa kina mama? Swali langu la pili, ni kuhusu wajane, watoto yatima na watu wasiyo jiweza. Umesema kuwa pesa zinayokuja kwa usaidizi wake haziji umezungumzia hata habari ya pesa kama bursaries, Je, ungetaka kiwango kipi cha pesa kiwekewe watoto wakima, watoto wasiyojiweza na kina mama yatima ili, tukiwekwa kwa Katiba tuweke pendekezo lenye linaweza kitumiliza ama kutekeleza. Asante.

Dorothy Kainda: Nafikiri ya kwanza nitaongea viti ya vya kina mama tusema ---- iwe Organization kama Parliament,

hii ingine kama chama hiki cha Commission na vile vyama vya juu juu, kwa sababu hata tunachagua wanawake kwa sababu ile tunaona kwa watu ishirini ukiangalia hata ni wanawake wanne tu hata wanawake hawawezi kujitetea kwa sababu hawana watu wengi wakuwasaidia. Itangaliwa, halafu tunaona hiyo mambo imeanguka chini ya wanawake bile kufaidika. Inge ni kama hizi Universities. Universities wale wakuu wa Universities, hawachukuwi wanawake wenge na sisi tunajua tuko na wanawake tuko na Professors wengi sana, wale wamesoma lakini tunasikia ni wanaume tu.

Inge ni kama hii tunafanya ya Embassy, hata wanawake wanaweza kuwa wakipatiwa viti katika Embassy, siyo mwanamke mmoja tu kwa wanaume arubaini. Ya pili hiyo-----

Com. Salome Muigai: (inaudible)

Dorothy Kainda: Tungepatiwa kama 20%.-----lingine ningengea watoto wa orphans na mama zao na hawo wa bursaries wengine, tungetaka kwa sababu hii nchi imekuwa na umasikini sana kama hicho kiwango tunaweza kuweka kamalivu kama 20% hiyo ni ya hawo watu tu, ingetosha kwa sababu pesa na nyingi na tukigawia inaonekana kila mtoto atafaidika hata mama hata mzee.

Com. Linaola: Mama Dorothy jambo moja tu, kwamba National Conference ulikuwa na wasiwasi kwamba pengine haitakuwa na watu wakutoka grass roots ujuwe kwamba katika kila Ulaya tuko na delegates watatu, na mmoja lazima awe na mama pia 25% ya Conference itakuwa makanisa ya kina kina mama, walemavu, itakuwa watu kila aina wakenya si wazima peke yao kwa hivyo, tutajaribu kuona kwamba kila mkenya anakuwa represented katika National delegates Conference kwa hivyo usikuwe na wasiwasi kama pengine tutuwafungia wananchi kutoka grassroot.

Com Abdirizak Nunow: Asante mama tafadhali andikisha pale, ningependa kuwakaribisha wanafunzi ambaye wamejuunga na sisi, mnakaribishwa katika hiki kikao na kama mnataka kupeana maoni yenu, mtakuwa uhuru kufanya hivyo either mtakilishwa na mtu mmoja ama wawili, ama mkiwa binafsi. Na kila mtu yeyote ambaye anazungumza akiona sisi wana Tume tuna---maswali ambaye tunauliza ni ya ufafanizi kitu ambacho hatukuelewa vizuri, lakini ukiona ni kuna uhoji una uhuru hiyo swali siwezi kujibu sawa sawa msiende mnalazimika kujibu swali kama ujafikiria hiyo swali ama haujisikii kujibu unasema. Mutembei Dennis.

Mutembei Dennis: Majina yangu na Mutembei Dennis. Nimekuja hapa kuakilisha utume ile nimeleta hapa sana ni hii ya U Rais; inaitwa kuwa “above the law”. Sasa nasema hiyo madaraka ikatwe kidogo iteremke chini kidogo. Kwa sababu, unakuta mambo ingine watu wanauzia kiti ya serikali above the law, anakuja kusema hakuna na hakuna kuridishiwa pesa. Ukianalia kama upande wa Rift valley siku ingine hapa, waliuzia mtu (inaudible) wakakata, “above the law” wakapitia pale wakasema hii yote hakuna hakuna kuridishiwa pesa na hakuna kitu sasa hiyo tunasema iangaliwe vizuri iko namna gani hiyo?

Na ingine unangalia hapa Mtunga kwa mawe hapa; D.C anakuja anasema hao watu waende nyumbani hakuna kuchonga mawe, lakini ajui waende wapi sasa hawa watu wataemda alafu watachonga usiku kwa sababu hawana mahali pa kwenda. Sina mengine mengi ni hayo tu.

Com. Abdirizak Nunow: Okay, andikisha pale, tafadhali andikisha pale tujue kwamba umetoa maoni. Stephen Maranja.

Stephen Maranja: Commissioners, Mimi naitwa Stephen Maranja nakuja hapa kuwakilisha National Alliance of Kenya. Na yale ambayo mimi ningetaka kusema ingawa ni machache kabisa na subject kidogo. Hii yale yanaoleta nchi katika matata ya uaji na ambaye ndiyo kini ya mambo yaliyo fanya kama matokeo ya Mau Mau na yale mengine mapigano yanotokea huku Nairobi ya watoto wakipigana, kwa sababu pia ni nyuma ya haki hayo yote, ni good Electoral System, ambayo wakati wowote uchaguwa wawe nyingi au wakikubalia watu wa weusi wapeana kura.

Tulipoingia katika serikali yetu uhuru, ilitukubali tuwe tukipiga kura lakini hakutuwezesha kupata uchaguzi ule wa haki, kwa sababu kama hatatugawana ni kama mpira tunacheza ana yule Captain, wa goli ingine ndiyo tu amekuwa referee wa mpira kwa hivyo ataishi huko milele bila kuondolewa maana yake kila goli itakuwa upande wake. Na sasa mapendekezo yangu ni ile inaitwa Electoral Commission lazima iwe uhuru, independence na hiyo inakilisha vyama vyote ambavyo vinataka kura.. Ma-officer wale wanafanya uchaguzi, hawa kila siku wanapatikana wakiiba kura wakileta masanduku ingine mapya.

Hawa wote wasichaguliwe na chama chochote ama wawe katika Serikali yeyote ya chama fulani wawe ni ma-officer ambao ni independent ambayo wanaweza kupendekeza na vyama vingine vyote vya siasa.

Security ambayo inawekwa pale katika uchaguzi. Police wanatupigapiga kila wakati na sasa masanduku mapya yanaletwa. Police hupiga watu (iaudible) wanaribu wanaribu na wakati huo tumegundua kwamba, hiyo ndiyo wakati wanaleta na masanduku mengine. Ballot papers hizo nazo Bwana Commissioners, zifanywe ziandikwe zichapishwe kulingina na ile hesabu ya watu. Maana yake tumeona wengine wameleta kura ambazo zi kweli, walikuwa wamejiandikisha kura nyingi kuliko vile watu walivyo. Na sasa utaona wamenipatia Kura yenyewe ukitasama hapa utaona chama Fulani na chama fulani kuna mazao inakuwa nyingi.

Bwana Commissioners mimi, napendelea pia uchaguzi uwe ikifanywa pale pale katika mahali pale pa ni pale pa sisi ambayo watu wanapigia kura, hesabu ifanywe pale pale halafu result ipelekwe kule katika Constitution Headquarters Maana yake wakati tunapeleka masanduku kule chama fulani ama watu fulani wanabalisha masanduku na kuleta yale hawaleti yale yaliokuwa imepewa kura, wanaleta masanduku mengine na kwa hivyo hiyo ibadilishwe.

Na tena nimesema juu ya Raisi Nchi hii inaitaji Rahisi, ambaye ni Ceremonial, ni ceremonial President ambaye atakuwa tu akisimamia nchi hii wakati serikali yenyewe itakuwa mikoloni na Prime Minister, ambaye atakuwa ni yule

kiongozi wa chama kikubwa katika Parliament, na hiyo iwe tu ndiyo njia yake ya kumchagua Prime Minister, akiwa na wajumbe wengi katika Parliament, huyo ndiye atakuwa Prime Minister. Serikali ile inahitajika kwa sababu watu wanapigania viti kwa kila wakati ya kutaka kukuwa ma-Raisi kila mtu anataka kuwa Raisi serikali iwe inaitwa Coalition Government, ambayo si ya chama ambazo kuna watu, kuna wajumbe zaidi ya 20%; chama kile kikibaliwe kuingia katika government ama wachague Minister wa Cabinet.

Hapa kuna mambo zingine ni Judiciary Commission, hii inaonekana hii iko tu imetetezi kwa chama kile kinachotawala. Na kila wakati kesi zetu zote upendelea tu upande wa chama kile kinacho tawala, na kufanya hivyo tunataka tuwe na independent Judicial Commission, ambaye inachaguliwa na Parliament. Na hiyo department hii ingine uwezo wa Judicial department wawe umewekwa na ma-officer wale wakutumia nguvu yao kulingana na vile Judicial Commission na si vile serikali inasema

Law makers ni hawa watu wa Parliament mimi napendelea kabisa kwamba sheria iwe ikitengenezwa na Bunge ambalo limechaguliwa na lisifanyiwe bunge ama serikali isingilie mambo ya (inaudible) ama kuwatawala kama watoto maskini. Ingingine ni hii mambo nasikia tunasikia inaitwa corruption. Nchi hii ya Kenya inasemekana ndiyo number three duniani ama two kwa mambo ya corruption. Watu hawa ikiwa tunataka tuwe huru, ni lazima maoini ya Parliament yawe yakifuatwa na njia ya kuimaliza haya ni kuondoa wale wote corrupted na kuwapeleka katika mahakama.

Education: Hii mwenendo ya hii system ya 8.4.4 hii ni hasara tupu katika nchi hii ile serikali ilikata mwenendo ule hata ingiwa walikuwa wakiona kama hasara ni vile naitwa Koech Commission, iwe ikipendelea sana na watu wengi. Lakini serikali ikaikata ikarudisha tuu mwenendo wa 8.4.4 ambayo tunajua kwamba hakuna faida yeyote iko pale, isipokuwa kusaidia wachache ama makabila fulani ambaye yalikuwa nyuma.

Economic reform: Tunapendelea na ninapendekeza ya kwamba hayo mapendekezo ama conditions zinawekwa na IMF should be fulfilled ili tuweze hiyo misaada iweze kuletwa na nchi zingine.

Com. Abdirizak Nunow: Bwana Maranja dakika moja maliza-----

Stephen Maranja: Hayo ndiyo mambo mimi nilikuwa nataka kuleta na hata ingawa hivyo nasema Katiba hii naona watu wamependekeza wale watu siyo ati wajiweza lakini sasa na sheria ya serikali na watu wa siasa ndiyo wangeweza kuambiwa waleta maoni yao. Asanteni sana.

Com. Abdirizak Nunow: Asante sana Mzee Maranja tafadhali tupatie mandishi yako na uta-sign register pale. Daniel Mburua? Daniel. Bwana Mburua una dakika tano kwa sababu una maandishi pia.

Daniel Mburia: Jina langu naitwa Daniel Kinyua Mburia. Mimi natao maoni yangu kutoka sehemu mbali mbali za serikali yetu ya Kenya kuwakilisha Jumia yote ya Meru. (inadible) The current Constitution should continue to allow government to amend a few parts of the Constitution and the majority vote of 75%. The majority of the previous 65% of the majority vote. This system part of the Constitution should allow improvement of the members of the public through a referendum and the Constitution Commission should recommend the members to be elected.

Those sensitive parts of the Constitution should prioritize election procedure, the powers of the President and the Executive, the Legislature, the Judiciary and the office of the Attorney General.

Ya pili ni work of the judicial independence: Currently, the present Constitution does not guarantee Judicial independence this is due to the President holding powers to appoint or to dismiss the Judges of the High Court and also the Court of Appeal. It also unfair to appoint or to dismiss the members of the Judicial Service Commission, this is automatic that as a result the President is above the law in the republic thus, the body of the Judiciary must be independent to executing as many powers when executing his duties.

Ya tatu the President powers is too much. It is also the President powers that appoint and dismiss members of the Public Service Commission. Whose duties include to appoint, to dismiss or to transfer from offices all the government senior offices that execute their duties. Other government exercise in higher government offices for example, the Ambassadors, the high Commissioners, the Attorney General, the Government State Governors, PCs DCs extra the majority of them currently belong to one ethnic tribe, and as a result as the President carry all these powers on his shoulders.

Supervision of Elections: Electoral Commissioners, Returning officers during the election, Administration Officers right from top to bottom the Police Force, all are under the directive of the President thus result in the riging of election.

All Electoral Expenditures, Electoral petitions and squabbles related of the public funds. The disciplined forces the military forces, Police forces and treason all must be established by the Constitution (through the code of discipline for all the members of the security forces well high ranking Senior Government Officers. These KANU members should be appointed from every branch of sub security forces this retired officers appoint such branches of the security forces.. The President should cease to be the Commander- in- Chief of the Armed Forces. The wananchi of this republic do not entertain original government, as this entails and encourages tribal barriers in the country which later may result in tribal clashes and and other National conflicts.

The President as in the past, insisted the Commander of Commissions to investigate several serious cases emanating from public insecurity. Some of these Commissions have come out with recommendation, which have gone through the parliament, and then they have received Presidential assent. An example is the Commission, which investigated the

existence of devil worshipping in the Country. The Professor Mbithi Commission of 1980's which came out with a lot of recommendations on the situation of the retired Prisoners in Kenya, all of these has been banned up to now.

Com. Abdirizak Nunow: Please summarize-----

Daniel Mburia: Na hiyo, These are some of the Commissions that have been Constituted by the President. Some of them are coming with a lot of recommendations at the advantage of the wananchi, and these recommendations were brought forward and presented to the Parliament, and Parliament passed them and received presidential assent. Now Christian marriages should be given first priority, by the country's Constitution, the next one should be the Traditional Marriage and then the rest will come later after that.

Mwananchi of Kenya should be given powers by the given Constitution to be free to brew traditional liquor without being harrassed by the Police or the Administration. When wananchi are practicing like traditional liquor their customs brews in their ceremonial activities they should not be harassed by security officers lest they resort to liquors which are also expensive to afford due to the economy of the country. Young people, young me and male Adults who Marry off young girls should be restrained by the Constitution considering that the young girls are prone to getting unwanted children which they cannot look after.

The Constitution of Kenya should provide for the compulsory and free education to both primary and secondary education. Our Kenyans Constitution provision does not guarantee adequate age to all citizens.

The state should adequqte take care and protection to marginalize and vulnerable groups like; widows, orphans and the disabled.

Com. Abdirizak Nunow: That is your last point Mzee Mburia tutasoma hiyo maandishi yako kila laini yote itaingia kwa Computer kasha, Tume itasomwa yote kwa hivyo usione ujamaliza.

Danniel Mburia: Ni seme moja ----one

Com. Abdirizak: Umechukuwa dakika nane tafadhali hawa watu wote wanangoja kusungumza, utanisamehe, utanisamehe sitaweza, dakika tano nilikuwa nikusimamisha kwa hiyo tafadhali naomba usimamishi yako usibiri maswali.

Com. Salome Muigai: Asante sana, Bwana Daniel Mburie swali langu ni kuhusu marriages you said that Christian marriages should be given the first priority but in our country with the Muslim, with Christian with Hindus, do you mean just with the Christian marriages or do you mean religious marriages that just a point of clarification. And my next point is what do you mean by priority?

Com. Abdirizak Nunow: Just a moment hold on, just a moment you better take the questions together and answer ones, I hope you will remember those asked by Com. Salome. I have as well clarification myself you said the President should not be the Commander- in- Chief of Armed Forces who should be? Who in your opinion should be in-charge of armed forces?

Daniel Mburia: The Commander- in- Chief of the Armed Forces must be someone who has been elected or appointed by the government. Marriages as I said the Christian Marriages should be given the first priority this means that the Muslim Marriages too, should be given priority in the new Constitution ambazo the the Parliament, should not interfere with that part of the Constitution.

Com. Abdirizak Nunow: Thank you very much Bwana Mburia, tafadhali utuachia maandishi na utu-sign register pale. May I call Michael Mundia? Micheal yuko, Mutunga Mugambi, Stephen Muriuki? Stephen unataka kusema? Unataka kusema haya njoo.

Stephen Muriuki: Kwa majini yangu ni Stephen Muriuki. Na mambo yangu si mengi sana ni mambo ----sitaongea sana, nitaongea kuhusu mambo ya Kahawa ukulima wa Kahawa. Kwa sababu sisi wakulima wa Kahawa, tumeshanga sana kwa kusikia ati tukisoma magazeti ama maradio tunasikia wale watu serikali inashugulikia ni wafanyi kazi sisi tunataka tufikirie sana kwa maana hiyo mmea imetusaidia sana hata kugharimia masomo na hospitali. Lakini kwa wakati huu tumeshindwa sana hata---nitaongea juu ya kijana ama mimi ni mtu umri wa miaka huu, mimi nashanga sana kwa kuona ati ukipeleka mtoto shule unauza shamba na hii shamba uligawiwa na Mzazi amezeeka, sasa serikali inatushanga sana serikali ya siku hizi imekuwa ya wafanyi kazi afikirie ya kawaida.

Con. Nunow: Pendekeza unataka nini?

Stephen Muriuki: Ningependa hii serikali iwe inafikiria sana mkulima kwa sababu ndiyo numberi one tumeshanga hata kuona mmea wa Kahawa, vile tulikuwa tunasikia ndiyo inaleta pesa nyingi hapa Kenya lakini siku hizi, ati mashirika yetu analia sana. Tunaomba ata serikali ingilie kwa kazi haya mashirika yetu kama ni yale madeni tunahesabiwa hayo madeni tusamehewe kwa hivyo tunaomba serikali ushirika yetu isiuzwe.

Na hata tukiongea upande wa shule sisi ni wazazi na tumeshinda sana na kulipa karo na hii ni nchi huru sasa tungetaka serikali ifikirie mambo yetu sana.

Com. Abdirizak Nunow: Umesema nini kwa elimu?

Stephen Muriuki: Kwa elimu ningependa hiyo mmea ikiwa ni sawa ya Kahawa, tutaenda kusomesha watoto kwa maana sisi ni wazazi na hata nikiongea upande wa nikiunga mkono hapa niongea na Mwalimu Maranja, Stephen Maranja

upande wa elimu tuwe na Standard one mpaka daraza la saba na tuwe na form five kidato cha tano na form six ningependekeza hiyo. Na upande mwingine ni upande wa tusema kama hapa Chogoria, tuko na urban.Urban Council, hatuoni ni nini faida yake kwetu, hawo hata wakati wa kuajiri watu hawaiti watu interview tunaona tu mtu akiajiri mtu wake.

Com. Abdirizak Nunow: Ugependa nini?

Stephen Muriuki: Ningependa wawe wakitangaza interview na upande mwingine hatuoni mambo wanatusaidia (inaudible) huko upande wa reserve wa kuingia ni taabu barabara ziko huko zimearibika sana na ilie pesa tunaona wakitukata kwa Majani na kwa Kahawa wangetuletea sisi wakaaji wa huko tutengeneza hiyo barabara kwa majembe tupate hiyo pesa. Kwa sababu, tuko na taabu sasa ningependekeza hiyo barabara ya serikali iwe ikipatiwa wakaaji wa sehemu hiyo, wawe wakitengeneza kwa majembe. Na nikimaliza ningependa hii nini ya Electoral, wilaya hii ya Nithi, ni kubwa igawanywe mara mbili iwe na wakilishi wawili bungeni na yule mwingine wa Tharaka sasa hiyo, maneno ningetilia mkazo sana na mmjulisha mkubwa wenu Bwana Samwuel Kivuitu afikirie mambo hayo inaonekana tukiwa na wakilishi wawili bungeni. Kwa hayo machache sina mengi yangu ni hiyo tu.

Com. Salome Muigai: Asante Bwana Stephen Muriuki, yangu nimaelezo kidogo kuwa hili ni Tume la ---- ya marekebisha ya Katiba chini ya wenye kiti ya Yashi Pal Ghai na siyo ya Kivuitu lakini malalamishi yako pia yamefika asante.

Stephen Muriuki: Sasa imebaki kitu kimoja, kuna hiyo mambo ya Kahawa nilikuwa naanza kuzungumza mbeleni nilikuwa nataka nimependekeza vile aliongea hapa wanaitwa Fundi, niko siku hizi ina account kwa banki tunapewa pesa na account, hata nikitumiwa pesa zangu kutoka Ungereza itakuja kwa account yangu.Sasa serikali ilitajwa na Rais mwenyewe, watu wakiletewa pesa zao kutoka huko Nairobi kama vile ya Majini Chai, yaani niwe nikipata pay slip huko nyumbani, kama vile ile ya Majani chai kwa hivyo, mimi ningependa serikali ifanye namna hiyo kwa sababu wakora ni wengi sijui ni wakora ama ni wale wanataka hizi pesa ndivyo tunashindwa hata na kulea watoto wetu kwa hivyo ifikirie hiyo sana.

Com. Abdirizak Nunow: Asante Bwana Muriuki tafadhali andikisha pale kwa hiyo meza naona wanafunzi wengine wajiunga nasi tunawakaribisha nitawapa nafasi ya kutoa maoni yenu baadaye kidogo. Gilbert kubai? -----Gilbert Kubai ambaye kutoka hapo Medicine herbal. Kwa hivyo, yeyewe na subiri wanafunzi naomba mjitayarisha na muone nani atawawakilisha. Wale kwanza kisha nyinyi mue na mzungumzaji mmoja ama wawili kwa niaba yenu. Wanafunzi wale wameketi nyuma pia vile nilivyoaleza mbeleni hivyo mtajitairisha na muone nani atawawakilisha pengine mvulana mmoja na msichana mmoja ili watoe maoni kwa niaba ya wengine.

Gilbert Kubai: Majina yangu naitwa Gilbert Mugendi Kubai kutoka Wakari Herbal Services. Sana sana mimi ningependa kuongea kuhusu mambo ya dawa na kwa I would like to present my views on Herbal Medicine which in Kenya we have seen that most of our people have not taken it seriously. Because we have medicine that has been allocated in various Ministries and we don't where it should go because we understand that most of the things that we are doing in Kenya for example, when it comes to matters pertaining herbal Medicine it has not been centralized to one particular Ministry.

We note that when somebody wants to register to be a herbalist or rather to be herbal physician, he has to go to various Ministries for example Ministry of health, Ministry of Culture and Social services and also Ministry of Research and Technology. We would like our views to be heard so that it should be centralized to one Ministry. Countries like India where herbal medicine is recognized within health sector, Kenya should do likewise

The other thing is forestry and Natural Resources: In another point you have not told us what the government is taking to protect our forests. The new constitution should out law forest plunderers so that we maintain getting herbal medicine from our trees in the forest. The Government through the ministry of Natural Resources should educate the Public on the need to plant Medicinal trees to enable us herbalists treat people with local medicines which were used years ago.

The other thing is the President: The President should not be above the law. So we request the Review Commission of Kenya to review the presidential and parliamentary or Civic elections so that wananchi have a common timetable. We should also have a Prime Minister in Kenya like other countries as Israel; we have got the Prime Minister. We have seen that these countries are developing more than we because the president of Kenya is above everything. We should have the post of Prime Minister to be in charge of the Government.

The Local Government: Some of the Civic Leaders in our Councils are not learned and we need our Civic leaders to be literate. The level of education for Councillors should be at least a form four. In Kenya official languages are Kiswahili and English, and then we elect a councillors who are not even able to talk in English or Kiswahili.

The Parliament: We are saying that we have got very corrupt MPs and the country of Kenya is not taking precaution against them. The new Constitution should enact laws that Prosecutes MPs who are corrupt. MPs are engaged in corruption and we would like the new Constitution to move a law which will recall Corrupt MPs from Parliament and their seats declared vacant for other upright leaders to occupy. The MPs should also be a graduate like America where Legislators who sit in the senate are professionals. We would like the New Constitution Review Commission to make laws that would revamp the Ministry of education so that our elected leaders and every Kenyan are educated like previous years when education was free and Mandatory.

The other thing is health: We have got very many Generic Medicine coming in Kenya today. The New Constitution should make provisions for hospitals to have the best medicines for treatment of patients. The Generic medicines that are flooding Kenyan Pharmaceuticals should be abolished to ensure that the patients in our hospitals get the best treatment

Lastly the Electoral Commission of Kenya: Parliament should have the mandate to vet and appoint members of the Electoral Commission of Kenya and not the President because of the temptation of the President to appoint his own people to the Commission. This will result in Nepotism. , Thank you.

Com. Abdirizak Nunow: Thank you very much bwana Kubai-----questions-----

Com. Salome Muigai: Thank you very much Mr Kubai for your views. I have one or two questions for you one is on recalling our MPs can please just to share with us some methodology how do we go about doing that? The methods to use when recalling an MP you have said that an MP is found guilty of certain mis-conduct he or she should be recalled .Do you have any thought on the methodology that we could use to do this that one of the questions. The next question is that you have told us that patients should be given a chance to define the kind of medicines that they would want to have, how do we do this because change of medicine is a very technical skills and many people do not have the knowledge they do not have the skills so how do you want the Constitution to put this so that the participation of the patient can both skilled and knowledgeable?

Gilbert Kubai: The speaker of the National assembly should declare the seats of MPs who have been given votes of no Confidence by their electorates due to misconduct or corruption. On matters pertaining the Medicine we have come to realize that most of our people are not taking the medicine --- The Medicinal Board within the Ministry of Health , should draw policies regarding the procurement and prescription of medicines to the patients including medicinal education.

Com. Abdirizak Nunow: Asante Bwana Kubai, tafadhali jilandikishe pale. Na ningetaka kumutambua Bwana Mheshimiwa Ndiwiga karibu Mheshimiwa. Nitamuita Councillor Nyaga Ndegwa na baada ya Councillor Ndegwa wanafunzi ambaye wameketi nyuma zamahani sikujua ni shule gani, mtapata nafasi baada ya Councillor Ndegwa.

(interjection -----Kyeni)

Com. Abdirizak Nunow: Okay nambia ni Kyeni Secondary school na Chogoria boys karibuni, Kyeni will follow after Councillor Ndegwa tafadhali.

Councillor Nyaga Ndegwa: Jina langu ni Councillor Nyaga Ndegwa wa Ganga location. Kwanza kabisa ningengea

mambo ya elimu. Ningeomba the new Constitution kuwa na compulsory education from standard one to standard seven yaani tuwe na form one mpaka form four na tuwe na ile education ya zamani form five na six zirudi tena nasema hivi kwa nini, because hawa watoto wetu wakimaliza form four wanakuwa wachanga sana. Wakienda University wengine wakitoka wanakuwa tu ni watoto, so let us have form five and form six again.

Another thing (inaudible) compulsory education inaonekana kama una pesa wewe mtoto wako hatasoma. Education is too expensive for poor people kwa hivyo ningeomba iwe compulsory kwa watoto wetu wote wa Kenya. Number three ID cards kitambulisho iwe inapeanwa free, you cant buy your citizenship wewe ni mtu wa Kenya na unanunua kitambulisho na mtu wa Kenya kwa hivyo unanunua citizenship yako ya Kenya .Hiyo kitambulisho iwe free kwa mtu akifikisha ile miaka ya kawaida eighteen. Number hiyo ingine Councillors wanachaguliwa kama MPs, so I wanted the Councillors, so allowances for Councillors itoke kwa consolidated Fund bali MP yake inatoka, sisi wote tumechaguliwa na wananchi na tunashugulikia wananchi sisi wote. Chiefs, wawe watu special wasiwe kwa team ya Civil Servant. Wawe ni watu wanachaguliwa na watu wawe mtu amesoma vizuri, naye ni mtu ameanza miaka 45 na aendelea mpaka 70. Chief, kwa nini? Hawa Chief tumechukuwa siku hizi ni watoto hata wawezi kujua mambo ya kizamani. Hawawezi kukata makasi vizuri so Mzee kidogo from 45 and aendelea kama vile Judge anaendelea mpaka 75 ama Professor naye Chief awe anaendelea namna hiyo.

Police: police ni watu wanafanya kazi mzuri sana lakini wamekuwa humiliated na serikali. Police Officer for instance anakaa kwa room moja na mwenzake Police wa sita, mini nimeoa niko na wasichana wakubwa kijana anatoka Kinganjo anaenda kwa hiyo nyumba yangu, ni niko na wasichana wakubwa huko, sasa ningeomba, Police awe na nyumba self contained iwachwe kila Off akitoka Kiganjo anakuta nyumba yake iko tayari, a self contained house. Wengine wanaenda unakuta mwingine anapika, anatoka, mwingine anapika anapika wanangojeana Kwa kupika chakula. So mtu awe na nyumba yake for private reasons.

Voting : Tukipiga kura wakati tunapiga kura kama hii ni kituo moja ya kupigia kura, tukitoka hapo tuwe tunajua ni nani ame-win tufanye counting hapo hapo, hapo tuende nazo tukijua ni nani. Wazee kama nimeona hapo nyuma wazee kitu cha first kwenda juu Constitution ingizee wazee kwa scheme fulani .Mzee wa 65 kwenda juu serikali itakayo iwe inatunza wazee kama ni elfu moja mzee anapewa elfu every month from 65 upwards waangalie sana hao wazee.

Tukienda kwa uchaguzi zile pesa zinatumiwa kwa uchaguzi ni pesa za trick. Ile pesa zipatiwe one party. Kama DP inachagua Councillor wa DP, KANU inachagua Councillor wa KANU na hiyo area ina translate kuwa watu wawili kama hiyo hapana kupewe receipt ya elfu ishirini wandikiwa wa Ford Kenya na Ford People watoe elfu ishirini.

Asante kuwalisha watu wa Kenya. Do you have a question to ask me? I have finished.

Com. Abdirizak Nunow: Tunaomba urudie last statement.

Councillor Nyaga Ndegwa: Nimesema hii ya elections. Elections kama hapa tunakuwa na Councillor wawili wa Ford Kenya na Ford People na kuna mmoja wa KANU tusi-sponsor wa KANU peke yake tusi-sponsor wote. Na ya mwisho tukienda uchaguzi ningepomba hii Commission tuchaguwana na Constitution mpya siyo mzee. The question now.

Com. Lenaola: Councillor mambo ya ma-Chief ulisema wakuwe na masomo wasome mpaka wapi okay sema hivyo.

Councillor Ndegwa: Uko na swali Lingine?Form Four.

Com. Lenaola: Kwisha.

Councillor Nyaga: Uko na swali lingine, niko na swali nataka kumuliza swali.I have a question I want to ask you.

Com. Abdirizak Nunow: Bwana Councilor leo ni siku ya maoni siyo siku ya swali kwa hivyo sisi yetu ni kuzikiza na kuchukuwa yale umesema ----- ndiyo nakuambia leo hatukukuja kujibu swali lolote , leo ni siku yenu sikiza kabisa na tunachukuwa maoni yenu swali tunakuuliza ufafanuzi ili point yako iende nyumbani vizuri. Tafadhali utanisamehe tuelewane leo si siku yetu ya kuliza maswali na kujibu, ni siku yako ya kuzungumza na kujibu maswali ili ieleweke.=------(interjection) . Wanafunzi wa Kyeni mko tayari. Kyeni Secondary school representative. Tunataka kuwasikiza wavulana na wasichana, msichana gani atawakilisha mmoja wawili. Haya -----

Joseph Mwangi: (kyeni Sec.School) Okay thank you very much for giving me this opportunity to tell you our views Education: There should be free education so that as students we become knowledgeable to face the challenges of the future.

The second Point that of teachers salary: The issue of teacher's salary should be looked into because we fear that as form four students, teachers strike will harm our studies sine we shall not be taught. We appeal to the Government to increase teacher's salaries-.

On the issue concerning bursaries. The constitution should look into the issue of bursaries which are channeled to our schools. .

The other issue is that the Government should create job opportunities to students who drop out of school after form four and also those completing colleges. The post of chief secretary should be restored. Another point is that students should get ID cards while they are in schools. All the students who have attained eighteen years and above, should get ID cards and not to go out and start struggling to get ID cards there. On the cases of hospitals, we propose that the Constitution

should put in place free medical attention and abolish the cost sharing system. The constitution should the office of ombudsman to abitate on cases like arbitrary taxation. The other point is that during Presidential Elections, the second Candidate having submitted his/her name for Presidency should be appointed Vice-President

. Thank you very much.

Com. Abdirizak Nunow: Asante sana Joseph. Okay thank you very much please register your name.

Pauline Kedi (kyeni Sec. School): My names are Pauline Kedi, from Kyeni Secondary School. What I would like to say is that in order to streamline the University in-take, I would like the Constitution to balance the grading system for University entry so that both boys and girls are selected with equal points irrespective of gender. Another point is about the government. The constitution of Kenya should ensure that the Government pays teacher's salary in arrears so that they concentrate on teaching us. The principal for schools should not be authorized to look for business to their schools but the Ministry of Education should cater for that, not even Auditors. The President should not be the commander in chief of the armed forces

Com. Salome Muigai: Thank you very much Pauline did you say that you would like points for both girls and boys to be equal at the university ? So you don't want affirmative action for the girls? Did you know why it was put? No, Okey maybe that there is a general feeling that both boys and girls your right that you are taught the same things but when girls leave school they have more work to do before they can do their home work than the boys, sometimes they are are sent to fetch water , to collect firewood, to help their mothers and the boys had less work so that they had more time to do their work and these are the kind of suggestions that brought about the affirmative action. Do you agree with that, do girls do work more than boys?

Pauline Kedi: Yes,

Com. Salome Muigai: Okay.

Com. Abdirizak Nunow: Okay Pauline, Thank you very much, Pauline please register over there ----- . Chogoria boys?

David Nyaga: Thank you very much. My names are David Nyaga from Chogoria boys I am representing our students. I will give our recommendation and suggestions on discipline in schools. We recommend that the government should form a National Disciplinary Committee that will deal with matters of indispine including heads of Institutions of Higher Learning.

Okay with handling criminal cases in schools: We propose that education rules should be adhered to in schools to facilitate substainability of displine and best results in National Examinations. The Board of Governors and School Heads should complement to instill displine in schools. Administration in Schools. We propose that a school head and other

academic Institution should be appointed on merit but not on political or religious connections.

Academic: The government should introduce form three and four Mocks examinations. The Government should extend cost sharing in schools to adequately provide text books and other school equipment schemes. The Public Universities should admit qualified students without gender discrimination. All schools should be given adequate teachers with relevant subjects. Any Ministerial appointment must be relevant to his/her job in reference to education and professionalism.

Appointment of Parliament officials should be done on merit by the Public Service Commission.

Religious freedom in Kenya should be checked by state to outlaw Devil Worshiping, and Cults like Mungiki.

Chogoria students propose that elections and its date should be computerized and on election days, candidates who win elections be printed out using computers to enhance accountability and transparency.

The Judiciary should be independent and the three arms of the Government should maintain checks and balances in their operations. Human Rights Violation should be illegal.

Thank you.

Com. Abdirizak Nunow: Thank you very much David , Thank you very much, please leave the with memorandum and register over there . Do we have any other students from either the two schools who wants to speak? Another lady from that schools other than Pauline? Well also add on to what she said , a lady preferably (inaudible) but he has spoken

Joseph Mwangi: We request our Law Club Patron who is here to present her views on our behalf.

Justice Njeru (patron) : Thank you very much. I am Mrs. Justice Njeru from Kyeni Secondary School and the Patron of the new Laws Club and the group that come with a law club form the school. Now we have other proposals that we wish to be included in the present Constitution. Now my point is that I want to encourage national intergration within employment sector. After completing school, one should not be posted in his/her home area to eliminate ethnic bias.

The other point that Doctors should be compelled to reveal HIV/AIDS status of the spouses. Matatu drivers also should be compeled to possess a minimum qualification of D+ in KCSE to minimize road accidents.

The appointments of the Judicial Officers should be vetted by the Law Society of Kenya, Parliament and religious Leaders. The Speaker of the National Assembly should be non-partisan.

The elections oof President and Parliamentary candidates should be separated.

Presidential appointment should be vetted by the Parliament. The cabinet Ministers should be elected by parliament and other posts like; Attorney General, Chief Justice, Auditor-General, Governor of Central Bank, Police Commissioner, The Head of Civil Service and other Parastatal Heads.

The other point is that the Cabinet Ministers should be limited to fifteen and each have one permanent Secretary.

The other point is that the winning President must garner more than 50% of the vote casts. In the event that Presidential Candidates tie, the run-off should be in place.

Universities should have lectures appointed by the president with assistance from the vice chancellor. All Senior Civil Servants should be appointed after the interview from the Public Service Commissioner.

Finally, the President ought to resign if the Country's economy deteriorates.

Thank you.

Com. Abdirizak Nunow: Thank you very much Mwalimu Njeru wait for questions please or clarifications.

Com. Salome Muigai: Thank you very much Mwalimu Njeru. I want say did you said that there should be a Prime Minister in- charge of government? What I don't understand is that why are we holding the President accountable for the performance of economic performance when we have a head of Government who is somebody else?.

Mwalimu Njeru: In actual Actual sense, the powers should be devolved between the prime minister and the president. The Prime Minister should appoint the Cabinet Ministers but the President should make other appointments ceremonial

Com. Salome Muigai: So the head of government who has actually driving the performance of the public sector of this country has more accountability of the performance of the economy according to you?

Mwalimu Njeru: Yes.

Com. Abdirizak Nunow: Okay. Thank you very much Mrs Njeru, we appreciate if you left your memorandum with us we are going to consider it as your opinion. Lawrence Muthiga is a Councillor can I help you? Then Councillor Mugambi be ready. Kefa Mugambi.

Councillor Kefa Mugambi: Kwa majina mimi naitwa John Kalonzo Kinampiu. Ya kwanza ningependelea Chief wawe wakienda transfer sababu wanandikwa wanakaa mahali moja miaka mingi na hakuna mahali wanaenda hakuna hata transfer. Inginge Councillor awe akilipwa na serikali sababu tunajua Councillors ndiyo wa pili kutoka kwa MP na wakati tunalipa Councillors na ile pesa ya kusanya kwa area yao hawapati mushara kwa sababu siku hizi watu wanakosa kulipa license kwa njia mzuri;

Ya tatu, Ministers wawe wakichaguliwa na MP wenyewe siyo President sababu hawo ndio wanajuana President ajui vile anakaa. Inginge Chiefs wawe wanachaguliwa na wananchi hao wananchi ndio wanajua mwingine mzuri siyo DC sababu ---tuseme anatoka mahali kama ubaluya anakuja hapa Nithi South, hakuna kuchagua Chief wa (inaudible).

Ya mwisho, President awe asiwe juu ya sheria awe ni awachiliwe kwa mambo mengine. Kwa hivyo tunaonelea

kwamba ---Hiyo ndiyo maoni nilikuwa nayo ya kurekebisha Katiba.

Com. Abdirizak Nunow: Kuna maswali Councillor subiri kidogo.

Com. Salome Muigai: Asante Bwana Diwani mimi nina swali moja kwako unasema wananchi wachagua Chief halafu ukasema Chief aende transfer kwa hivyo location hii ukimchagua Chief wake itampelekaji transfer kwa wale na hawo wengine siyo mtu mwenye angechagua ni kama kusema MP ya Nithi apelekwa transfer aende makueni .

Councillor Kefa: Kama sijaende kuwachagua, kama ajachaguliwa ndiyo yuko sasa?

Com. Abdirizak Nunow: Kwa hivyo unasema uchaguzi wa Chief ikifanywa ukae kule umechaguliwa. Lakini kabla ya hiyo wewe unaweza kutapea transfer imeleweka. Tafadhali jilandikishe pale. Councillor Mugambi Kefa:

Councillor Mugambi Kefa: Kwa jina mimi naitwa Councillor Kefa Mugambi. Na mimi ni Chairman kwa County Council. Kwanza mimi nataka kuchukuwa hii nafasi nikaribishe nyinyi Commissioners hapa Chogoria mjisikia mmekaribishwa. Kwa maoni, mimi nitasema kuhusu President. Inaonekana President wa Kenya siku hizi ako na powers nyingi sana. Kama last week tulishinda kwa barabara tukimungoja. Mbeleni tulikuwa tunapanda maua sasa tumenza kupanga watoto kwa barabara anapita tu bila kusalimia watu. Kwa hivyo tunaka kusema next President wakitangulia wakati anataka kutambelea watu kama vile alisema anaenda Meru akitangazia watu awe anaenda Meru hata ni kama helicopita anguke Meru aongea na hawo watu wa Meru badala ya kusema ataenda na barabara halafu wakosi kukutana na watu.

Ingingine ni hiyo ya President vile amekuwa ni Commander- in -Chief, ni Chancellor kila kitu hata mkulima number one tunataka kusema hiyo aachiwe kiti ya President peke yake hii ingine iwe vetted na MP kama ni Minister anataka kuchagua MP wanaketi wanachagua Minister kulingana na education.

Ile ingine nitasema ni hii ya Local Government. Sisi tukiwa Chairman na Mayors of County Council, we are ceremonial hakuna kitu tunaandika tunaka maneno yote tunatengenezewa halafu sisi tunaweka kidole sisi tunasema ni sawa. Tunataka kusema sasa hii Katiba itapitishwa Councillor ama Chairman wa Council na Mayors wawe na say, hata kama ni pesa inataka kulipwa watu na Chairman ama Mayors aone hiyo kazi haikufanyika vizuri tayari anatakiwa akatae hata kusaini hiyo cheque lakini kwa sasa hiyo ifanyiki.

Ingingine ni kuhusu Chief and Assistant Chiefs: Wakati Chief anandikwa, tunandikiwa Chief ambaye ama Assistant Chief ambaye hata amri ya eighteen kulingana na vile sijui familia yao iko na pesa, waka-influence Administration ambayo mpaka akandikwa. Sasa tunataka hii Katiba ikibadilishwa Chief na Assistant Chiefs wawe wanachaguliwa na wananchi

kwa sababu Chief akiandikwa kama vile sasa awe ameandikwa na twenty years kama anafikisha 65 years akiwa pengine familia ingine asikizani naye hizo ma-familia itakuwa inangamia, kwa miaka hiyo yote na kama atakuwa anachaguliwa itasemekana kama ni miaka tano anachuguliwa, anakalia kiti halafu after five years mwingine anachaguliwa.

Ile ingine nitasema ni kuhusu General Election: General election saa ingine Kenya tunachaguana wakati wowote inakuwa ni secret weapon ya president. Kwa sasa tunataka Katiba ikibadilishwa badala iwe secret weapon ya President iwe ni open. Tuseme sasa tukifanya uchaguzi December tuseme for example, December 26th tuseme after five years the next December 26th ndiyo tutafanya the next election. Kwa hivyo after every election tuwe tukijua the next election itatendeka after five years the same date.

Ile ingine nitasema ni kuhusu kuchaguliwa wa MP, President na Councillors. Wakati tunachagua kwa miaka tatu inatuletea shida sana. Ningeomba wakati huu Katiba ikibadilishwa election ya kwanza iwe ni ya MPs na Councillors, after three months iwe ni ya President peke yake ili hiyo votes, ziwe zinahesabiwa vizuri na hatutakuwa na rigging.

Ingingine ni kuhusu bei ya Kahawa: Wakati pesa ya Kahawa inaletwa tunaambiwa sijui stabex ama dollar ifafanuliwa kabisa na iwe pesa ya Kahawa iwe inalipwa kama pesa ya Majani. Majani Chai inalipwa every month watu wanapata kitu ya kuchuna majani Chai lakini pesa ya Kahawa tukivuna season kama hii sasa tutangoja mwaka moja na hatujui kama tutalipwa ama haitalipwa.

Kwa hivyo hiyo ingine ni primary education: Tuko na street boys wengi sana na street girls wengi sana. Tunataka hiyo Katiba, tupendekeze kama ni primary from class one to class eight iwe ni primary school ni lazima. Kama uko na mtoto ni lazima usomeshe from class one to class eight, na iwe wakati unasomesha hakuna karo unaitishwa hiyo iwe inasimamiwa na serikali sababu hakuna mtu ambaye ni Kenyan ambaye alipi pesa ya serikali tunalipa kodi na njia mingi hata yule mtu amekunywa chai asubuhi amelipa kodi, hiyo kulipa kodi kwetu tuwe tukisaidiwa na kulipiwa watoto wa primary karo.

Ingingine ningetaka kusema na nitasema hii imeshangaza sana ni kuhusu MPs: Inaonekana MPs wetu wanalipwa pesa nyingi sana. You cannot imagine an MP get five hundred thousand and I am here, being paid five hundred or one thousand. Hiyo difference ni kubwa sana kwa hivyo, hata vile walimu wanasema watagoma I support them because kama MP mmoja analipwa five hundred thousand and a teacher gets only three thousand, five thousand ingetakikana MP wawe wakilipwa kama ni mia moja hiyo mia ingine nne igaiwe walimu na wale wako na mishara ya chini.

Ingingine ni kuhusu kugawa mashamba: Mbeleni tulikuwa tunagawia wanaume mashamba peke yake. Ningetaka kupendekeza wakati huu hii Katiba ikipitishwa pia wanawake wawe wakigaiwa mashamba na tunasema yule mwanamke ambaye hajaolewa, anahitaji agaiwe shamba equal to a man. Kwa hivyo, kama ni mashamba iwe inagaiwa boys and

girls ukizaa mtoto huwezi kuwa ati ni application ulisema uzae mtoto, ili ulirudi umugawiye shamba na ukatae kugawiya a girl shamba.

Kwa hivyo mimi ningesama ile ingine ambayo inaletea mzee shida sana ni kuhusu hii Succession . Succession wakati mzee anakufa nyumbani hiyo Succession, inakuwa ni sisi tunaambiwa twende tusitaki kifo, hiyo kifo tumeshindwa kusitaki kwa sababu imekuwa very expensive. Pia kugawa shamba, I mean hiyo Succession, wakati ambayo inapeanwa tuwe tunachukuwa kwa Chief, familia inaenda kwa Chief inaongea inasema inagawa hiyo shamba namna gani sababu sasa Succession inasikia over seventy thousand na pengine yule mzee amekufa ni maskini ameacha ma- jami maskini saa ingine sasa inawalazimisha kuuza hiyo shamba ili waweze kufanya Succession.

Nafikiri hiyo ingine ni kulingana na vile Councillors tumefinyua sana na MPs. Ningetaka kusema tuko na Association ambayo inaitwa ALGAK. Wakati tunachagua Chairman wa ALGAK ana represent Councils. Kwa hivyo tunataka kusema wakati wa Nominations badala wa kuletewa Minister from anywhere huyo Chairman wetu ambaye atakuwa wa ALGAK awe akichaguliwa ama awe nominated MP ama kama anataka Parliament itaona ametimu vizuri, achaguliwe Minister wa Local Government.

Ingingine ni kuhusu Vote Registration: Hii Vote Registration, haikuangi na maana sana kwa mtu ambaye ana Kitambulisho. Ingetakiwa kama mtu ako na kitambulisho akubaliwe awe anapiga vote kwa hivyo tunasema kama serikali inaona ni necessary watu wachukuwe vote wakati unapewa kitambulisho siku hiyo unapewa kitambulisho siku ya kwanza unapewa kitambulisho pamoja na voting card, ili uweze kufanya kazi vizuri. Asante.

Com. Abdirizak Nunow: Thank you very much bwana Councilor Mugambi subiri kidogo tujue kama kuna maswali ya kujibu

Com. Salome Muigai: Asante sana bwana Duwani , asante sana kutukaribisha katika kikao hiki. Swali langu ni moja umesema kuwa wasichana na wavulana wapate uridhi wa uridhi kutoka kwa baba. Lakini ukisema msichana mwenye ajaolewa apate uridhi sawa na kijana na je yule mwenye ameolewa unasemaje habari yake?

Councilor Mugambi: Nilikuwa nikisema yule msichana ambaye hajaolewa apewe shamba equal na yule kijana ambaye amebaki kwa nyumba. Kwa hivyo, nafikiri sikusema wale ambao wameolewa kwa hivyo wa claim shares. Nilikuwa nikisema yule ambaye kwa bati mbaya sasa msichana. Hata pia ningependa hata wasichana kama wangependa kuo wawe wakioa wakiwa kwa baba zao, sababu iko freedom ya kila mtu kupata kitambulisho hata wengine wanaoa halafu wanaenda kutafutiliwa mabwana zao manyumba pahali kwa hivyo hata wasichana wakitaka kuo wanaume unategemea uwezo. Asante.

Com. Abdirizak Nunow: Bwana Mugambi tafadhali andikisha pale. Tuandikishie pale. Ningependa kumuita Irene Mbiru? Mama Irene Mbiru.

Irene Mbiru: My names are Irene Mbiru. Thank you for giving me this chance. My first point is marriage. We as women, would want the government to recognize Africa ritual marriage, first then customary after which the Courts can arbitrate in cases of marital conflict..

Then the other point is government: For our country to be a good country we would want a democratic government. We require a Government which is elected by the public, a government of people and a government which promotes freedom for civic Society and uphold Human Rights.

For the Constitution to be amended, we propose that a referendum to be conducted and people's views taken into account

In our country we would want a leader with the following qualities:

A coordinator, a motivator, a planner and an Administrator.

The other point is the Human Rights: We would want to have our Human Rights manifested in economic, Social and cultural set-up.

All Civil Servants especially teachers, should get a decent salaries. The Government should pay teachers a decent salaries. The Government should pay teachers salary and any increment due to them to enable them improve the education standards in education. We propose for free education

The other point is corruption: Our country has been declared as the third Country where corruption is rampant all over the World. We propose that the Government eliminate corruption and we request the Review Commission to enact Laws to eradicate corruption in our Country. Thank you.

Com. Abdirizak Nunow: Thank you very much Madam we have heard a lot about primary education being free, we have not heard about pre-primary and many places especially in the Urban Centers a child cannot to go to primary if they have not gone to pre-primary, so when you talk about primary schools being free is it inclusive of pre-primary or just primary?

Irene Mbiru: It is inclusive.

Com. Abdirizak Nunow: Asante mama tafadhali jiandikishe pale kwa hiyo meza na utuachie maandishi yako.

Ningependa kumuita Pastor Magana, Pastor Magana?

Pastor Jamleck Ogendo: My name is Pastor Jamleck Ogendo Maganda I am in charge of one thousand SDA Members in Meru South Constituency, with a congregation which includes Chuka Town , Kangundo, Kanwa, Kamaindi, Karaa, Chogoria , Kihandwa, Mueria, Cheromi and (inaudible) and Kanoro. Now as citizens of the Re-public of Kenya we are asking by the word of God for the constitution to do for Kenya & us The following:-

Enable Kenyans Pay taxes to the Government without Coercion, respect their country and pray for the country and also to be God fearing.

Seventh Day Adventists Students should not be obliged to attend classes, sit for exams to, participate in games, manual work or other schools functions on Saturdays which is our Sabbath day for progress.

The second point is that, the minority groups should be assisted by the government by providing basic human needs.

The government should guarantee job opportunities from the Public and Private sector to the unemployed youth.

Also, the government must give religious freedom to our Churches especially the SDA and that is our inalienable right from God. The SDA students in schools, Colleges and other institutions should not be obliged to work or study on Saturdays.

On elections : Any Elections should not be held on Saturdays, or on weekends. By elections should not be being conducted on weekends .

Thet job opportunities:

We as members of the SDA Church, we recommend to the constitution that Female Genital Mutilation (FGM), should be abolished. Thank you Mr Chairman.

Com. Abdirizak Nunow: Thank you very much Pastor a few questions from-----

Com.Lenaola: Pastor, I have not understood you right but you said that you should have the right to any kind of worship, un-limited kind of worship or I have not understood you right?

Pastor Jamleck: What I meant is that you know we worship according to our culture and conviction, anyone should be free to worship according to his will.

Com. Abdirizak Nunow: Asante sana Pastor tafadhali jiandikisha pale na utawachie memorandum pale. Asante. E. Ngige? What is the other name? E. Ngige Rare? Alright.

Japhet Ngige Thara: Asante sana Commissioners. I am going to talk about Presidency. We would like a Constitution to have a Presidential elections and the Vice President as his running mate to be held at different periods opposed to councillor and MPs. During the elections the votes cast must be counted at the polling stations. The Constitution should uphold National Unity and Eliminate the concept of tribalism in its preamble.

Catchment areas: As we are writing a new constitution, it should stress that catchment areas be protected from deafforestation.

Agricultural products: The Government should ensure that small scale and large farmers are assisted to have free market policies when selling their produce which includes competitive prices.. The law also must be provided to protect and safeguard cooperative societies from being mismanaged by corrupt leaders.

On Religious Organizations, the registrar of Societies should limit registration of religious organizations that turn-out to be unlawful sects.

Thank you very much.

Com. Abdirizak Nunow: Thank you very much Bwana Ngige . Asante sana umeleweka vizuri tafadhali jiandikisha kwenye register pale. Na sasa nitamualika Mheshimiwa aje atusemeshe. Mheshimiwa.

Hon. Ndwiga: Once again Mr. Chairman , let me take this opportunity to welcome you in Nithi at this part of Chogoria in other words, you are still in Nithi so feel most welcome. Mr Chairman mine is not here to contribute because I think this Constitution does not belong to me but to you people. After all after you have gathered views from the whole country it will come to parliament for us to discuss, isn't it?

So I want my constituents to give as many views as possible just as you have done ya kwamba yule anafikiria anaweza sema na kimombo (kimeru) iwe Kiswahili ama Kizungu(kimeru) any language ile unaweza. Kwa hivyo, ndiye upeana maoni yake kabisa ile ya ndani.

Bwana Commissioner, as a Chairman, I must lament again ya kwamba, the Civic education as you can see unlike Chuka where there were many people really, I think it has not been very effective. But I hope at the end of the day you will give us a new Constitution because my feelings are that we should go into the next General Election with a new Constitution. Ya kwamba, uchaguzi utakao kuja, tuende na Constitution ile inatengeneza na nyinyi wanaume na wanawake sababu

gani, wacha nikuambie kitu kimoja msipo fanya hivyo, mkikubali tuende kwa General Election yule mtu atakalia hiyo kiti ya President hiyo ninasikia mnalia sana ako na powers, powers, powers akisha kalia with old Constitution, huyo atakalia however will be nakuambia hatakubali ichenjiwe sababu hakuna mtu hataki powers. Hakuna mtu hataki powers. So my views are that Bwana Commissioners, mjaribu iwezekanavyo, mlete hii Constitution as fast as possible so that tuende kwa new election with a new Constitution.

I am saying this kwa sababu (inaudible) Mr Commissioner, my views are that even the representation of an MP like me here should not be more than hundred people not more than hundred people. For example this area which I represent have over three hundred people and above. The people of Chogoria too, would like a representation which would allow them to have their own sons and daughters as MPs.

So ningeomba tuende in the new Constitution election with a new Constitution so that have another Constituency in this place. Constituency ingine tupate ingine pande hii. Ama hamtaki hivyo wananchi.kimeru) So ningeomba tuende in the new Constitution in the new election so that you people you can have somebody here----- . Ukweli. Sitaongea saidi ya hiyo nimeongea hata Kimeru na ni mzuri. I hope you will forgive me Mr Chairman but those are my views and as I have said I am going to leave you so that you people you can feel not intimidated ndiyo mkija hapa mtu aongee yale anataka hata kuhusu, MPs kuhusu President kuhusu nani bila kuogopa chochote. Kwa hayo machache Commisssoner, I wish to stop there. Thank you.

Com. Abdirizak Nunow: Thank you very much Mheshimiwa kwa hayo maoni na mawaidha. Na sasa tutaendelea mpaka sasaba kisha nitahirisha hii kikao hadi saa nane. Na nitamuita Leonard Mwirita? Leonard.

Leonard Twaritha: Jina langu ni Leonard Twaritha Muthoni. Mimi ni Chairman wa (inaudible) katika (inaudible) wa kusimamia hii mambo ya Katiba. Hata wewe nakukaribisha kwa sababu hapa ni kwangu karibu, na uone kama uko nyumbani. Ile mimi yangu -----ya kwanza ni kuchagua ma-Councilor. Kuchagua ma-Councilor iwe siku iwe tofauti katika orodha spesheli. Ya pili kuchagua siku kama tulimchagua akiwa na makosa asiyendeshe mda wa mwezi moja kama akiwa na makosa niambia tuchaguwe mwingine.

Ya nne ni mambo ya kuhusu mambo ya Sub-Chief. Sub-Chief sisi tunataka wandike kwa sababu wana mambo makubwa sana wale wanatufanyia.

Ya tano ni mambo ya misitu. Misitu kama tunapiga report tunasema misitu inaharibiwa mazingira sisi tukiwa wazee wa wenye misitu hiyo inakaa mda mrefu sana ile kitu tunataka tukipiga report iwe ikichukuwa kwa mda wa mwezi moja na kama hiyo mtu anasimamia msitu anakuwa na mambo mbaya na asiwambia ati hiyo mambo tutangalia. Kwa hivyo

machache yangu imekwisha.

Com. Abdirizak Nunow: Asante sana mzee Twaritha-----

Com. Lenaola: Mzee ningepanda kusema ilie njia ya nchuri Ncheke ungesema tuawache vile iko sasa ama tufanye kisheria?

Leonard Twaritha: ifanyiwe tu sheria kwa sisi tunaweza fanya kama watu wenye wanafanya clearance.

Com. Salome Muigai: Mzee mimi nina swali juu ya uhusishaji wakina mama kwenye governance kwa utawala siyo kwa Nciri ncheke. Nataka kuliza ati tutawahusiaji wakina mama kwenye utawala-----

Leonard Twaritha: (inaudible) hapana kusikia vile mumesema.

Com. Salome Muigai : Nikulize kwa kikuyu pengine kikuyu yangu ni mzuri kuliko kikuyu saidi ya kiswahili. (talking in kikuyu) Unaweza kuzingumza kwa kiswahili ndiyo tusikia zote.

Leonard Twaritha: Kwa sababu sasa wakati tuliambiwa tuje tufanye Katiba tumechukuwa wale wanaitwa vijana tumewachukuwa wa kike kwanza tuwe tukifanya kazi kwa hii Commission kwa sababu wawe wakiambia wale watu wengine na utawaona tuko nao hapa. Kwa hivyo tunasikiliza hawo wanawake kwa hiyo (inaudible).

Com. Abdirizak Nunow: Asante sana mzee tafadhali nende kule kwenye hiyo meza utandikishia hiyo register na utuwanchie maandishi ambayo ulifanya. Naivasha? Kama hayuku Jemine Mbae?

Jemine Mbae: Asante sana. Kwa majina ni Jemine Mbae na haya ndiyo ningependa yawe mapendekezo yangu. Nitaisoma kwa lugha ya Kingereza.

A maximum of three political parties be allowed in the Constitution. This should have a free Constitution with clear rules on the election dates and they should have a National calendar book. Assessment to this can be done through an independent judiciary. Election of the President, Deputy President and Members of Parliament should be done that the same election day. Any candidate should not use Public Money or resources when campaigning for civic Parliamentary posts.

The President and Deputy President should not belong to any Political Party. The Presidential candidate votes should have a majority vote of 75% on every votes cast. When contesting the presidential seat winning candidate should

become the President and the second becomes the Deputy President.

Among the aspirants of Presidential seat, if the winning got 75% of votes cast, the Deputy President should be the number two in terms of successive votes.

Any Mp or Minister who fails to deliver services to his constituents, a vote of no confidence should be passed on him so that his/her place declared vacant.

Ministers should serve for two terms of five years in office. The Attorney General, Auditor General and the Permanent Secretary for the Cabinet, Chief of the General staff, Police Commissioner and all Parastatal heads should be elected by the Parliament. Any amendment in the Constitution should be done through a National referendum with a percentage vote of 75%.

The issues of land should be checked through an independent Judiciary as any Kenyan is free to own land anywhere in the country. Any land allocation since independence should be reviewed to ensure that all Kenyans own equitable and qualitable land. That is all I have.

Com. Abdirizak Nunow: Thank you very much Jemine.

Com. Salome Muigai: Jemine you have introduced to us the role of Deputy President rather than Vice President as we understand it. Could you share with us the reasons why and two I also wanted to ask with this appointments where you want 75% agreement in Parliament what happens when you are not able to raise these 75% votes?

Com. Lenaola: Did I hear say that the Cabinet could be made up of the Members of Parliament or outside Parliament?

Jemine Mbae: In the first question I will say that where possible this cannot be achieved in the first voting that is 75% votes, a run-off can be for two winning candidates. And any candidate wins in this run-off then becomes the President it doesn't matter whether he gets 75% or not.

Com. Salome Muigai: I am sorry 75% I am talking about appointments for the Attorney General and all these other Constitutional offices. That is why I am asking supposing we are not able to get any one candidate that is supported by 75% of the Parliamentarian?

Jemine Mbae: Again I think a run-off (inaudible) and the winning candidate becomes the ones to take the office.

This could be Members of Parliament because it will be done by the Parliamentarian it could be party of the members or (inaudible).

Com. Lenaola: Is that the question you asked about the role of Deputy President as opposed to a Vice President?

Jemine: This idea was that deputy President should be number two of the Presidential aspirant and who should be authorized to hold the presidential office for the time being in case of the President falls Vacant.

Com. Abdirizak Nunow: Okay. Thank you Bwana Mbae please give us your memorandum and register over there. Nimewajulishwa ya kwamba pengine tutaendelea mpaka saa saba na nusu kisha tujitarishe kwa mda wa saa majo turudi saa nane unusu. Na kwa hiyo nitamuita Benson Mwiti? Benson Mwiti.

Benson Mwiti : Thank you so much Commissioners for giving this chance to present my views regarding the new Constitution that we are about to write. My names are Benson Mwiti Bore representing NCCNCA in Meru South Assembly.

My first point that I wanted to highlight is on devolution of power where we should seek devolution of Executive powers from the Central Government down to the Local Government where majority belongs.

I will go to the Local Authorities: The Local Authorities should utilize local available resources at their disposal to develop their areas. On the same, we should have the issue of separation of powers so that the three arms of the Government which are Judiciary, the Executive and Legislature are independent and checks and balance are put in place. We should have in our Nature Assembly the Concept of Bicameral chamber Houses which includes the upper House and Lower House (Senate) Like in Britain the House should have District representatives just like after independence.

The President should be a Ceremonial President. The Head of Government should be the prime Minister. The Election of the Prime Minister should not be direct. The prime Minister position should be elected within the winning party from the Lower House.

The prime Minister should be mandated to appoint Cabinet Ministers and criteria to be adopted to have such from corporate and private sector with Parliament as a vetting body. This will curb the idea of having mediocre ministers who are unable to deliver to wainici's expectations.

Therefore I suggest that we scrap all the Provincial Administration and we can have chiefs from the local community and chairmen of County Councils to represent the Community since the offices of offices of Do's and Dcs are a duplication of

duties.

The Fifth point is on Political Parties: I suggest that all Political Parties and aspirants to the National Assembly should be all funded from the Consolidated fund so as to have a fair and a common playing ground for all

The sixth point that we I propose that Kenya should adopt a welfare system of Governance like France to Cater for the Welfare of Senior Citizens or retirees.

Then point number seven that I had was on amendments. Any amendments to the constitution should be done through a referendum. All Kenyans must be

The eighth point that I had was on the elected leaders. Currently many people are complaining of their elected leaders especially leaders in the local authorities and also the Members of Parliament. We propose that our representative should be reached if they fail to deliver services to their electorates. We also propose for the office of the ombudsman where the electorates can present their grievances especially within Provinces. With recalling such unperforming leaders, a suitable alternative person can replace him

The last point that I wanted to give is on affirmative action. Compared to other African countries our country is far much behind as far as marginalized groups are concerned. And when I am talking of affirmative action I think I am not confining myself to women only. Children and people with disabilities have been marginalized in our Country. The youth, women and children have been looked upon by the constitution. We supported the affirmative action especially the children's act but Countries like Uganda, the women are empowered to contribute to country's national building. Kenya should put a new legislation on affirmative action in our. With these remarks, thank you Commissioners

Com. Abdirizka Nunow: Thank you very much Bwana Muite any questions---

Com. Salome Muigai: Thank you very much Mr Muite I am surprised maybe I didn't get you right when you said that the President should be ceremonial that he should be the Commander in- Chief of Armed Forces that is (inaudible) not a ceremony that is a very serious responsibility so I wanted to know what you thought about it. The last one is one the Affirmative Action. Do you have any figures of representation maybe for youth, the people with disabilities, the women and what level of governors would you like to see them represented?

Mwiti: Okay thank you so much. On the issue of President what I wanted to mean is that if you look at some of the African countries that we have, because the Head of State is a unifying factor in that country. And when we give the responsibility of Armed forces to someone who is not acting as a unifying factor he may compromise the country and as a result overthrow the government just like a country of Nigeria.

On Affirmative Action I think when you talk of Affirmative Action it should represent at all levels of governance that is from the village grassroot level upto areas of Organizations that are like the Co-operative societies. Then when you come to local authorities, also should have plots for these people. And I suggest that especially in the higher level of governance like the National Assembly a third of the seats should be reserved for women, a third should be reserved for youth and also a third should be reserved for people with disabilities.

Com. Salome Muigai: Three thirds make a whole Parliament so-----you thought at now? You have given us a third for women , a third for youth and third for people with disability and a third for ? for the children.

Mwiti: I have not mention the children---

Com. Salome muigai: So a third for women, a third for youth and third for people with disabilities---

Mwiti: Then the other one for men because men have been always been taking the greatest share of this land.

Com. Salome Muigai: So we are removing them now? A third for youth where are men and women

Mwiti: You can put it this way Commissioner you can talk of Affirmative Action coming from especially those extreme cases of marginalized groups and these are especially the women and people with disabilities. We can now hold on for the youth so that the youth are growing and later when they become adults, they too may be considered.

Com. Abdirizak Nunow: Alright thank you very much Bwana Mwiti tafadhali tuandikishie pale na utuachie maandishi ambayo umetayarisha. Kuna mlemavu yeyote any disabled? Kuna Mlemavu? Mtu asiyekiweza kunao Ok. Ramara Timothy? Ramara Timothy? Na baada ya Ramara Timothy tutakuwa na Mwalimu Gitonga Gaison are there? Ok ----

Ramara Timothy: Okay. Thank you so much . My names are Ramara Timothy and I am the Chairman (inaudible) . I have a few views concerning our new Constitution and I am going to air them.

First of all I am going to speak about the kind of President I would like to have. He or she should be a very young person to be in step with a country which is moving very fast

The education level of a president, He should garner 26% of the vote cast. If there are no winner in Presidential elections, the two Contestants should go for a run off.

He should have have a good record in youth leadership circles that prior to examination. And also he should declare his

wealth that he or she possess Prior to nomination.

He should serve for only two terms of five years each and he should have made a running who will be his assistant as vice-president upon winning an election. Members of Parliament. He should be a Kenyan citizen by birth. He should be between 25 and 60 years of age. His education should be diploma or above. He should have a good record in management of public affairs prior to nomination and he should declare his wealth prior to nomination.

Parliament: It should comprise both elected and nominated MPs it should have at least 20% women it should have at least 10% new members .

Functions or responsibilities is to approve Executive public appointment like Police, Senior Police Officers heads of Parastatals etc.

Also it should determine its own calendar. It should have powers to set up Commissions to look into matters of National importance .

It should not determine allowances and salaries of its members like the current increment in MP's salaries and allowances that should be another Committee set that should be looking into such matters.

It should determine limit and numbers of Ministries and then they should approve all Government expenditure.

The Cabinet: It should be approved by Parliament 20% of members should be women and 5% of members should be youth for example, the Ministry of Sports should be headed by a youth because it is not the old men or women who are mostly involved in sports it is the youth. Ministers should work collectively but independently.

People and Public participation: The Constitution should ensure that the participation of the citizen in the country affairs should be guaranteed at all levels eg. In elections and also in budget preparation.

Civic education should be continuous process at all levels through the media , through the education system and also through the churches. You see that public need their right and obligations as far as their affairs in the country are concerned.

Committees, Panels and Commissions should be set in such a way that all are represented irrespective of sex, age or physical disability.

And also during demonstrations and Security, the government should provide enough security to ensure protection of life

and property because demonstrations and Security are part of participations by the public to express their views.

Culture and marriage: These one should be put in place to curb retrogressive traditions eg, Female Genital Mutilation, and wife inheritance against the widows concept. Our African marriage should be safeguarded so that we do not copy Western Cultures.

Also measures to prohibit pornographic literatures from the west and also locally should be discouraged.

Concerning the education: Free and compulsory pre-primary and primary education should be guaranteed. And also poor bright students should be catered for by the government to ensure they don't waste away. The education system should be flexible and change with the times to avoid the wastage of time resources and network.

Natural resources: They should be protected eg water catchment areas, also forest and also citizens should be accorded maximum protection against wildlife e.g elephants same cases They destroy our crops and the Government should compensate such farmers who are victimized by wildlife should be catastrophe for example deaths caused by wildlife.

Elections: The Electoral Commission should ensure that the General Election free from violence and fair The Electoral commission should be independent and should be in office for a term of ten years. The Parliamentary Elections should precede that of Presidential elections that's the end . Thank you.

Com. Abdirizak Nunow: Thank you very much Bwana Timothy. Maswali.

Com. Lenaola: Thank you Timothy for the views. What is the age of those you are calling the youth?

Timothy : The youth are those people between 18 and 35years.

Com. Adirizak Nunow: Thank you very much, please leave us with memorandum and register Gitonga?

Gitonga Gibson: My name is Gitonga Gibson. I am a teacher by profession and a head teacher of (inaudible) secondary school. Thank you Chairman I have a few matters which I would like to present to the Commission.

Number one is about land: You know land is quite a contentious matter in this country. Fight for independence was about land. The problem we have today is that some people have acquired very large plots of land but remains undeveloped. Now my suggestion is that such of idle lands should be reposed by state and given to land or be put for public utility.

Now we have a big problem with the public land being grabbed and being allocated to private developers. In the Constitution we would like that kind of land should be protected against grabbing or allocation to private users. All private land should be protected by the new constitution and made illegal for disposal to private developers.

I will also like to address the issue of environment . Now the environment is an important issue in the whole world. I remember there was a decade that was dedicated to the environment. But in this country the issue of environment has been neglected particularly in the recent past so that there is limited discussions protecting the natural environment. The issue of the forest being allocated and being excised not new to us. So I would like when the new Constitution is drafted down the environment issue to be taken care of. In the recent past, we witnessed landslides which claimed several lives as a result of environment degradation

Then I will turn to Governance: Now let the three Arms of State that is the Legislature, the Executive and the Judiciary be set in such way that they function by the principle of Separation of Powers. The three Arms of the Government should be subjected to the principle of checks and balances so that each works independently from the other but on complementary systems. There should be mechanism to outlaw nepotism and tribalism in appointment of senior Government officers like the police Commissioner, chief of the general staff, Ambassadors and those positions should be vetted by Parliament .

The constitution should be put not to allow the President to belong to any Political Party or Constituency.

Presidential candidate should have a running mate who should eventually become a Deputy President. Ladies and gentlemen let the President not elect Vice President.

Now I will just elaborate on what the role of the Deputy President is. This is somebody who can practically deputise the President without having to worry about the President's authority. When the President is out of the vice President should be in-charge. When the country decided as a country on official duties for Deputy President should actually believe he is in charge.

Now if the President is incapacitated in any way the Deputy President should be Constitutionally allowed to take charge of the Country

The Deputy Ministers or Assistant Ministers should be allowed to attend Cabinet Meetings in case the Minister in charge is not available due to circumstances

Now for election of the President, he must garner at least 61% of the total votes cast failure to which there should be a run off election for the two both contesters. Civil Servants should be de-linked from politics in order to ensure stability irrespective of the government changes.

Com. Abdirizak Nunow: Please summarize.

Gitonga: The East African Political intergration: We propose that before our Country Kenya enters into East African consultations and ratify ecomic and Political treaties, the Kenyan Populace should be consulted through be Consulted through referendum. Countries like Nigeria and the European Countries normally seeks its citizens opiricin on International Cooperation with other states. I had other issues issue to raise but I would end, Thank you.

Com. Abdirizak Nunow: Thank you very much Mr Gitonga we will read everything you have written in that memorandum, every single word wil be on and the computer and will be read. by all the Commissioners not only ourselves and all questions.

Com. Abdirizak Nunow: Okay . Thank you very much Mwalimu please leave us your memorandum and sign the register and that will bring us to the end of this session. Kikao hiki cha asubuhi tutafungia hapa na majaliyo tutarudi saa nane na nusu na tutaendelea.

Tuta -jaribu ku-restrict wengine kwa madakika matano. Ikiwa hauna mandishi usisidishе dakika kumi pia ili watu wengine pia wapate nafasi ya kuzungumza. Joel Makabwa? Joel-----

Joel Makabwa? Joel----Ok aliyemfuata ni E.K Mbogori.

Joel Mukubwa: Jina yangu ni Joel Mukubwa kutoka hapa Chogoria. Type of democracy. We Kenyans we want a democractic type of Government that will have a ceremonial president with a prime Minister.

Democracy sample: We want to copy from democracies of India , philipines where the mechanisms for impeaching the President and the prime Minister are in place and effective.

The President: Must be a Ceremonial President and the minimum qualification for presidential candidate should be a degree in any of the displines.

The minimum age shall be 45 years and a maximum age of 60. Note, we don't want an Executive President .

Terms of office for the President: The President will only be allowed by the constitution for two terms of five years only and never again. Note. The President shall not be Chancellor of the Universities nor the Commander- in- Chief of the Armed forces.

Vice President : He shall be elected by the people and he shall have Security of Tenure in office. He shall be a lawyer or have a university Master degree and above in any displine

Age must from be 45 years and 70 years maximum.

Prime Minister: Must first be elected MP with a bove a Masters degree in any displine and preferably a PHD and his

age must be from 45 years to 70.

The Judiciary : This must be independent from the government and also answerable to Parliamentary Commission.

Chief justice and Judges to be appointed by Parliamentary Commission. Chief Justice to have a PHD in law.

The Army to be under the Ministry of Defence.

Police to be under the Ministry of Home Affairs

The Attorney General to be under Parliamentary Commission and to be independent on the Executive.

Independent Council: To be chosen and empowered the same as in the United states of America. We have learnt about that person during Clintons trial. And it was good idea.

KASA: This body shall be under Parliamentary Commission. and shall be free from genital human mutilation. It shall be headed by an independent Judge and empowered to recover stolen Public Properties and resources.

(inaudible) Chief Executive Officers to be holders of MBA degree in business and above this should be under Parliamentary Commission . Auditor General : To be under Parliamentary Commission and the holder should possess Bachelors of commerce degree. A President should be impeached and his Ministers like U.S.A style. Members of Parliament:

- a) Minimum qualifications to be a bachelors degree in any disipline
- b) No criminal record

Motor Vehicles: Tainted Car Windows should be illegalised Government Vehicles bought to civilians must change their GK number plates to civilians. Some of the bought GK vehicles are allowed to operate on roads for over twenty years before registration is charged

- a) The Presidential candidate must declare his wealth at nomination level.
- b) All Senior Public Servant and Parastatal heads must declare their wealth before appointment.

Com. Abdirizak Nunow: Please summarize a more minute.

Joel Mukubwa: Yes, thank you. Political Parties should be limited.

Universities : We want our Universities to be independent and headed by a Vice- Chancellor as in Western Countries.

Parliament: Parliament should be authorized to scrutinize and vet any government appointments

We needs upper House and lower and lower systems of governance. We need an ombudsman.

Capital punishment must continue and stay for hundred years.

The Media: We want a completely free media .

(inaudible) Commission : This must be independent from the Executive and the answerable to Parliament.

Com. Abdirizak Nunow: Mr. Makobwa we will read that paper and since I gave you an extra four minutes over and

above the five ----- I have no alternative I have to stop you. Thank you very much for your views just a moment for your clarification on questions.

Com. Abdirizak Nunow: Thank you very much for your views. I would like your clarification on the Central Government, you have just talked about a National President a National President in that office so could you tell us a little bit about the modalities and operations of a Central Government?

Joel Makubwa: I as a Kenyan, I want you to empower you this Commission to sort the problems because you are a specialist in Constitution making. We Kenyans, we want you to do the major duties about that. We have given you the powers.

Com. Salome Muigai: I have just one more question, who are the members of the Upper House, whom would you like to see as members of the Upper House?

Joel Makobwa: This question is not clear to me what do you want to know.

Com. Salome Muigai: You said we should introduced the Upper House as it were during the times of independence we know that the Lower House is the house of Representatives that people that we elect, who are the going to be the members of the Upper House or the Senate that you would like to see being introduced?

Joel Makobwa: I will suggest we copy the organization of the Lancaster House Systems.

Com. Abdirizak Nunow: Thank you very much Mzee Mukubwa, we have received your views. We will read your memorandum with the entire Commissioners not only us so if you could register with that gentleman over there and leave the memorandum with us. Thank you very much. Mr Mbogori? Mr. Mbogori you also have a memorandum please restrict yourself for five minutes just highlight the key issues because we will read everything you have in that paper.

Elpha kubai Mbogori : Thank you Mr. Chairman. My names are Elphas Kubai Mbogori. I am representing Kenya Farmers National Union, Meru South branch and katika (inaudible) group. This view are to be considered in the process of Constitutional Review.

Preamble: The Kenyans Constitution do not have preamble stating why the Constitution is being enacted. We should want to have a Constitution with a preamble similar to that of U.S or South African. We need a Constitution which have guiding principles.

President : The President is the Chief Executive of Government and is also Head of our State and the Commander-in-Chief of the Armed Forces and furthermore he is immune from Prosecution to all criminal cases committed while in

office.

Mr Chairman or Mr Commissioner, we suggest that such powers be reduced. We suggest that nominated MPs should be nominated by their own political parties. A clause in the constitution should allow for an independent candidature.

Majority vote: To be elected as President, a candidate must have the highest number of votes cast and must also have at least 75% of votes casted in all Provinces. Mr. Chairman, this will guarantee the Kenyans of a good qualified leader.

Vice President: The Vice President should be appointed by the President with a assistance from the Cabinet Ministers and then the Cabinet should finally appoint Assistant Ministers and Permanent Secretaries.

Parliament Supremacy: The present Constitution should allow Parliament to amend parts of the Constitution by 65% majority in order to minimize or maintain the proposed Constitution.

Attorney General: The Attorney General should be appointed by the Parliament. We have heard cases where one cannot be prosecuted because leave to prosecute is not received from the Attorney General. How do you wait for leave to prosecute a person? Who has been caught red handed let that cases be decided by the court and the Professional. The prosecution statutes from the Attorney General Chambers should be amended. Parliament : All members are Parliament elected should not be allowed to defect

Constituency election. All defectors should be allowed grace period to change partiesw of his /her choice

State Budget: The Minister responsible for finance always read the budget to Parliament. We propose that the annual budget read in Parliament should give parliament priority to debate on budgetary implications and every commodity increament of such things like beer, petrol etc

Defence and National Security: Under certain Constitution provision, all Armed forces are under the responsibility of the President . Such powers should be shared to other people so that we give the President time to think about the overall government functions and adhere to the policies and implement Parliament decisions

Political Parties: Several political parties do not address national issues affecting the Country. We propose for the limitations of political parties in Kenya and the government should strictly limit the numbers of political parties. Also, vote rigging should be made illegal especially those buying votes from voters.

Structure and system of government: I propose that Presidential powers should be reduced.

Com. Abdirizak Nunow: Please summarize, say the last point.

Elpas Kubai: Yes, the government can make a legislation to a amend the constitutioin only after a referendum is done

The parliament should not have unlimited powers to control its own procedure through standing orders, it should be guided by the Constitution and due to the huge amount of money salaries and allowances given to the Members of Parliament, their duties as MPs, should be reflected within the National Assembly

Com. Abdurizak Nunow: Thank you very much . Thank you because if you did what I said you would have been able to mention most of the points that is why we are saying don't read but just highlight and pick the issues so we will read that papers anyway, we will read it ourselves in every detail possible and the whole will be put into the computer. So thank you very much just hold on whether there are questions of clarification. Yes, there are no questions that may appear but we will read that paper please leave it with us, with Mr. Anampio and register and sign the register for us. Gitonga , Nathan Gitonga.

Fredric Gitonga: Commissioners, majina yangu ni Fredric, Fred Gitonga na mimi ni Councillor wa Chogoria County Council.

Mimi ningetaka kuzungumza juu ya pension ya farmers . Kusema ukweli serikali inatakiwa introduce pension ya farmers, yeyote mkulima ana mateso mengi sana sababu yeye ndiye analima kila kitu. Kahawa, Majani chai viwe, na vitu vingine hata mahindi lakini yeye atafika mahali miaka kama 65 hawezi kulima nguvu yake imeisha. Yeye apate kitu ya kupeleka nyumbani kama wale wameandikwa kwa Ministries.

Kwa hivyo, Serikali hii, inatakiwa sasa tukifanya Constitution igaiwe ifanye vile huyu mkulima anaweza kuwa akipewa pension kama wale wengine walikuwa wakifanya kazi ya serikali maana yake hata hawo wakulima wamecontribute kwa economic ya sasa nchi yetu.

2)Mimi nikiwa Councillor basi nataka kuzungumza mambo ya mshahara ya Councillors. Hii Constitution sasa ikitengenezwa, Councillors wawe wakilipwa kutoka kwa Mkuu wa serikali kuliko vile wanapewa collection ile Council inafanya kila siku maana yake wana-councillors wakichelewa maana yake hata ikiwa ni kidogo sana hawaitawai kusaidia kwa Harambee kwa mambo ile kala, kala inawasumbuwa and kutaka watu wao kusimamia. Kwa hivyo serikali Consitution sasa inataka iangalia mambo ya allowances ya Councilors wawe wakilipwa kutoka kwa Mkuu wa serikali.

3) Employment ya Workers wa Council: Employment ya wafanyi kazi wa Council wanatakiwa pia waandikwe kama Ministries zingine zote maana yake hawa pia wanakaa tuu kama wa-Councillors tena hata akitoka kazini wakimaliza miaka yao hawapati allowance, Kwa hivyo, ningefikiria hawa wawe pia wape marupurupu wafanyi kazi wa Council wawe kama wa serikali kama Ministry of Education, labour, namna hiyo wawe wakipewa Pension na mshahara yote kutoka kwa hiyo Potfolio.

4) Sasa hapa mimi ningetaka kuzungumzia mambo ya watoto wale wako kwa street. Kuna watoto wengi sana kwa street ambaye hawana mababa zao. Hawa watoto pia wanakuwa chokora kutafuta chakula kwa mapipa. Hii inaletwa

kwa sababu mama akipata mtoto hana baba na aonyeshi baba maana hata akisema baba ni fulani hakuna sheria na hakuna leo ya kuwezesha (inaudible) awe akichunga huyu mtoto na kumlea na kumuelimisha. Kwa hivyo, nafikiria -----tukifanya Constitution whereby kila mtoto akija hapa awe na baba na mama si vile tu. Ukileta mtoto baba yake au mzee. Mtoto akipeleka anajua lugha ya mama anasema majina ya mama hakuna mama alizaa mtoto peke yake walizaa wakiwa wawili. Kwa hivyo Constitution sasa ikitengenezwa iangalia hiyo mambo (inaudible) hawezi kupata mtoto mama hawezi kupata mtoto bila Bwana kwa hivyo mtoto awe na jina awe na baba na mama na wewe ueke pale mpaka baba awe anashugulika na mambo ya huyo mtoto.

5) Masomo: Nataka tu kuzungumza mambo ya elimu. Mimi ningefikiria kwa hii Constitution mpya sheria itatungwa kwa kuhakikisha ya kwamba sisi (inaudible) ata serikali ya Kenya ni lazima ifundishe mtoto mpaka form four na ikisha fanya hivyo, huyo mtoto apewe (inaudible) ya kwanza kutoka. Serikali inataka iangalia (inaudible) kama ya masomo kubwa kubwa maana yake wamechukuwa wanatumia hiyo pesa kukesha huyu mtoto (inaudible) wamtafutie kazi si kumpeleka mtoto shule hivi halafu anaenda nyumba anakuwa mbaya wa wale number kwa hivyo serikali lazima hawo watu wote wa serikali lazima waweke vitu in place ili kuchunga hawo watoto.

Pamoja na free education there should be free medical: Medical lazima ipewe watu wote kwa hii nchi maana yake wale watu wanakuwa wagonjwa wengi sana ni wale watu wamezeeka kutoka miaka ya 60 na wakati huu mtu hata alikuwa anafanya kazi hana scheme ya mu-cover kwa hivyo serikali naye iweke mkono hapa ya kuchunga hawa watu na Medical free.

7) Election: Ningetaka Constitution ikitenganaza sasa election serikali iwe ikipatia wale masikini wale wanataka kusimamisha sababu, kuna watu wengi sana wanaeweza kulisimamia Parliament Councils na kila pahali lakini hawana pesa ya kujisaidia aweza kujiandikisha kupiga----- kanderi ana kila kwa hivyo serikali isikuwa iandikisha Constitution in such way -----MPs wakuwa nominated na Councillor moja ama MP hakuna kusimama. Serikali inapewa pesa ya kumsaidia na hiyo mambo yote ya campaign. Asante sana.

Com. Abdirizak Nunow: Asante sana Bwana Duwani maswali.

Com. Salome Muigai: Asante sana Bwana Duwani umesema habari ya watoto wenye wanarandaranda mjini hivi ni kuwa baba wao hawahusishi na kuwekewa jukumu ya kuweza kuangalia watoto. Shida ile kubwa yenye ilikuwa na hiyo sheria wakati ilikuwako ni vile kumtambulisha hiyo kuwa ndiye mababa wa huyo mtoto. tunamuona mama wa mtoto akibeba mtoto kabila ajazaliwa unafikiria tutatafuta mbinu, zipi za kuweza kukubaliana kuwa huyu ndiye baba wa mtoto ili asiweza kusema yeye siye?

Gitonga: Asante sana Bwana Commissioner. Kuna njia mingi ya kutengeneza hii maneno. Kwanza, kama baba wa mtoto anakata na mama, anajua ni ukweli kuna njia mbili ya hospital ya kwangalia damu na kwakikisha huyu mtoto anafanana na baba yake.

Com. Abdirizak Nunow: Asante sana Duwani Gitonga tafadhali jiandikishe pale na u-sign register. Ann Mary Wanja. Na baada ya Ann tutakuwana Mrs. Florence Idoji. Mrs. Idoji. Okay kama yuko ajitairishe. Lucy Kayoto. Lucy ? Uko wapi. Okay jiatairishe baada ya Ann okay endelea.

Ann Mary Wanja: Okay asante sana Bwana Commissioner kwa majina ninaitwa Mrs. Ann Mary Wanja Jeremy nafanya na maendeleo ya wanawake. Hizi ni women views na kama wanawake tunaona tuko na shida sana. We have said that women should have equal right especially on the employment. Let us say if there is an interview of the Chief and Assistant Chief, after the result we see that all the ones who are selected are men.

The Right to own the property involving the Title Deeds . Infact now we bought the three land and Title Deeds belongs to my husband. So we need also to be involved in the property such as Title Deeds.

Right to be protected against men. Women should also have the right not to be inherited that is to eliminate wife inheritance because of HIV/AIDS disease. Women have the right also to say no to Female Genital Mutilation and this should be made into Law.

The Law should provide for a right of expression and movement. The right not to be discriminated against especially on sex, race or tribe. The right to life and liberty and violence against women should be abolished. Education should be equal to both girls and boys. There should be free primary education. Any man who impregnates a disabled woman law should force the man to care for the child. And those few remarks I say thanks.

Com. Abdirizak Nunow: Thank you very much Mary wait for a question. There is a question just a moment.

Com. Salome Muigai: Thank you very much Mary I would like to ask you a question on the right to own property. You have talked about being involved in Title Deeds what is your proposal what would you like to see the Constitution put in place.

Ann Mary Wanja: I would like the Constitution that women have their right to have the Title Deeds and not only the Title Deeds but also to own the property let Women be given the rights for the consent to sell land.

Com. Abdirizak Nunow: Thank you very much could please register and leave with us what you have written. Lucy? After Lucy do we have Diana Wanjohi---- so that you follow after she finishes.

Lucy Kahato: I am Lucy Kahato and I am a student at Rubato Teachers College. My views are like this. First and foremost when it comes to women contesting for maybe Parliamentary seats it becomes difficult for women to campaign and compete fairly and win. I therefore propose for an affirmative action. I also propose that the affiliation act be

reinstated to force men who makes girls pregnant takes the full responsibility.

The other issue is for the new constitution of Kenya to uphold human rights to all its citizens. The other issue is on the issuance of Kenyan passports to women. We propose that the new constitution make a law to enable women get access to Kenyan passport without necessarily seeking consent through their husbands or fathers.

Lastly I would propose to the commissioners that a law should be enacted in our constitution to allow women own or inherit property from their fathers. That is all I have.

Com. Abdirizak Nunow: Thank you very much Lucy just hold on for clarification.

Com. Salome Muigai: Lucy thank you very much. I would like to maybe ask you whether there is any issues that you would like to deal with being young, because the youth have their own problems and being a woman so you are dealing with problems of being a youth and you are dealing with issues of being a woman are there some special issues that you would like to highlight because we have not heard very much of the voice of the young woman.

Lucy: Okay Problems are there first and foremost because as women we are not supposed to be out spoken. As a young woman no one would like to take our views seriously.

Com. Abdirizak Nunow: Thank you very much. Please register yourself there. Diana Wanjohi:

Diana Wanjohi: Okay, I honor the house I am Diana Wanjohi. First I would like to talk about the government. I would like to propose that the President should not be the chancellor of public universities and he should not appoint ministers. The Ministers should be elected freely by the people or by the citizens of this country but not President. But the President should be only be given the power to be the Commander- in- Chief of the Armed Forces.

Declaration of Emergency: the president should not declare state of emergency but the parliament.

Political Parties: The Political Parties on this country are very many and this should be reduced. And the opposition political parties should be funded from public funds. These political parties should mobilize people about civic education. The political parties should be limited to three or four. The money utilized by the political parties should come from the consolidated funds. Qualities of a Kenyan to be a Head of State. He should be a person of a high integrity and morality Characters:

He should also be at least of fifty years but not more than 70 years.

He should also be a Kenyan citizen by birth so if a Mzungu marries a Kenyan woman and they bear a child that child shall not have a right to be given any office in this country.

Okay , in terms of remuneration.: I may humbly request the government to fulfil their promises. As you know that late 1997, the government said that the teachers salaries were to be increased but up to day nothing has happened. So I ask the government to be fulfilling their promises and increase salaries for teachers as the economic standard is very high nowadays. Thank you.

Com. Abdirizak Nunow: Thank you very much just a moment.

Com. Salome Muigai: Thank you very much Diana what did you said about the President who should not be allowed to be a President.

Diana Wanjohi: The President should only be given power to be Commander in Chief of the Armed forces.

Com. Salome Muigai: Yes, I am saying whom did you say should not be allowed to be a President. A child born of who?

Diana Wanjohi: A child in Kenya, let us say for instance a woman bears a child with a Mzungu ----

Com. Salome Muigai: A Kenyan woman---

Diana Wanjohi: Yes a Kenyan woman

Com. Salome Muigai: Okay supposing a Kenyan man bore a child with a Mzungu woman can that child become a Mzungu ---- can that child become a President.

Diana Wanjohi: Okay so long as the woman or the man is registered as a Kenyan citizen that is the only way if he can be given the Presidential powers.

Com. Salome Muigai: Okay. I am looking at the point of castation here. If you (inaudible) brother and sister and you get marry Mzungus can his child become a President.

Diana Wanjohi: If I am a Kenyan woman?

Com. Salome Muigai: No, if you are both Kenyans and you get married to a Mzungu you're your child become a President?

Diana Wanjohi: No

Com. Abdirizak Nunow: Thank you very much Diana please go over there register yourself and leave us your memorandum. Linet Njeru?

Linet Njeru: My names are Linet Njeru and I am here representing Muthambis small home on the disabled. Now, I feel that there should be equal job opportunities for the disabled since we all know that disabilities is not inability.

2) In schools; we would like the cut-off points in marks to be lowered to enabled the disabled students and those who are bright to get admitted in National Schools like Alliance among others.

3) We would like the government to offer back free wheelchairs and other materials used by those with disabilities to make them cheaper or to enabled the disabled persons purchase these materials easily.

When we come to buildings we would like those building used by the disabled if they are storey be fitted with lifts so that these people can move with ease.

The disabled are generally neglected by the public relatives and even some parents. There should be a law guarding this so that incase a child or a person who is disabled is neglected by maybe a parent, this person can be charged for neglect. Also, we would like the government to give financial support to the disabled persons because if there is any, that they get is very little and some of the disabled students who would like to continue with their education need financial support may be in inform of loans so that they can start businesses.

There should be also be seminars and training for members of the public in general and those people who caring for these disabled persons especially the children so that them. Priority should be given to teachers who should be trained and more teachers should be trained in special education to enable them cater for this children with special needs. Thank you.

Com. Abdirizak Nunow: Thank you very much Linet ----You have a question---

Com. Salome Muigai: Linet thank you very much for your contributions towards this topic and for being sensible to the children. Is it just the marks that probably will stop them going or will there been other things that need to be done to the schools in order to be able to cater for these children that is one question. The other question I want to ask is that are there a gender dimension disabilities are boys as equally disadvantaged as the girls or are there some special issues that girls with disabilities have to deal with than boys as a teacher?. I am just asking for your opinion.

Linet Njeru: Thank you. For question number one I was talking (inaudible) in general on the material that these people with disabilities need so they should be made in such a way that these children can learn with ease not only marks. So question number two I don't think there is such major difference but in this case I represent the school I that has only boys, so I have not stayed with girls with disabilities. I may not be able to answer this question as you would like.

Com. Abdirizak Nunow: Okay , thank you very much Linet if you can please register up there and leave us the memorandum you have brought and thank you. Rev. Michael Mundia: You have memorandum Rev. please if you can (inaudible) to five minutes -----

Rev. Michael Mundia : I am Rev. Micheal Mundia representing Chogoria Presbytery Propose that the new Constitution should ensure that democratic principles and good governance is practised. The Constitution should have a preamble to state Kenyans Historical destiny and this will include the need for a unitary government. The new constitution should advocate for Heroes day. Our new constitution should be supreme and no one should be above it. This will enable our Nation to be cohesive. We should have a limited number of political parties at least to three. The political parties should be Financed by the Central Government and Religious and tribal Parties without national outlook shouldn't be registered.

All Kenyans must acknowledge the rule of law irrespective of status or creed.

The interest and their Assistants should be appointed by the President.

For the appointment of the Attorney General, he should be an MP and a person of Moral Standing without criminal records. He should have a good education and be of 35 to 75 years of age.

On Executive: The President should have a university degree and should have an exposure on International and National issues. He should be 45 to 75 years of age. He should get 50% of votes cast during the general elections.

The vice-President should be Presidential running mate who should also be elected by voters. The presidential appointees should be vetted by parliament.

When the office of the President is vacant due to death of the incumbent president or due to physical infirmity, the speaker of the National assembly should take over as Head of State on an interim period not exceeding two terms. The speaker ought not to be having a desire to become or succeed the president.

The Central Government should be below the Central government for monitoring. The Local government should have autonomy to work independently.

The powers of the Town Clerk and other senior local authority should be scrapped

The electoral system should allow for Election monitors for 5 years.

The Educational level of a councilor should be a person with secondary education, for MP, past secondary Diploma and President atleast first degree. Any defector should be disqualified from future contesting for political seat for 10 years

Com. Abdirizak Nunow: Summarize please

Rev: Yes I am finishing .

Lastly Kenya should uphold human rights in Bill that is freedom of movement, speech, religion and of rights access to information. Thank you.

Com. Abdirizak Nunow: Thank you very much Rev. questions.

Com. Salome Muigai: Thank you very much Rev. I have got three questions for you. The first one is on the last thing you just said which are the issues of National importance that should go to referendum? I hope in your write up to us. The second one, is the role of the Vice President. You have said that incase of any demise to the President then we should have interim President, who is the Speaker, then why do you see the role of the Vice President who is going you have suggested should be a running mate for the President and should be directly voted in by the citizens of this country. Last is a question on the Heros, day, who are the heros the men or the women? Because the hero has got a gender dimension.

Rev. Micheal: About National referendum we are saying any amendment to the Constitution, people must be consulted and their views taken into consideration. Many a times motion are taken to parliament which are subjective only to benefit the people who tabled it to the expense of the public.

On the demise of the incumbent president, the current constitution allows for the Vice-President to act on an interim basis. I would propose that could lead to vice president influencing the out-come of the presidency. So the speaker of parliament may by law become president in an acting capacity before another president is elected.

Although we are sensitive to the gender issue but names of those people who fought for our independence both women and men must be recognized not just Kenyatta, but on that day a memorial than narrowing it to individuals.

Com. Abdirizak Nunow: Thank you very much Rev. please leave with us your memorandum through Bwana Anampio and register the register register in the register. Amos Musa? After Amos we have Calpeter are there? Calpeters , if Calpeters is not there Alphonse Muriungi? Alphonse you will be after Amos.

Amos Musa : Thank you Commissioners for allowing this afternoon to share my views with you. There are some disaster areas in Kenya already identified like that river in Trans Nzoia, like Mutongo like Muli and elsewhere like Malawa these areas should be classified as disaster zones and people moved from these areas and be settled in disaster

free areas. All the time, years after years, we are told that we should be ready to move out our families who are in these areas they should be moved away from these and be settled in other areas.

Education system : We should buy a leaf from Germany whereby the mother of key teachers of a child is parent. A curriculum should be developed in Kenya, such that the children are grouped series. Each class has its own groups eg. Class one to four with a teacher and five to seven. These will cluster bright children who needs assistance and those indisciplined ones. These various groups should be selected to different schools as in Germany. Those indisciplined ones should be taken to approved schools for rehabilitation courses. This will eliminate students riots and calamities in our schools.

There should be a ministerial watchdog to various departments to monitor on expenditure and tendering system. If for example a country imports sugar from Egypt which will affect the sale of Kenyan sugar, the watchdog should prosecute that ministry and its personnel.

The street children issue should be addressed and a system where by abled families should take care of the street children by being distributed to them in accordance with their means.

Kenya do not need a donor since Kenyans are rich and hard workers if only given incentives and our taxes used properly, our economy will be better.

Roads: Kenyans road are in a pathetic conditions. What am I saying there is a road here is Meru that was built in 1992, this is from main town to the Nuubu Market. It was built by Kyeni construction This road has lasted for 30 years without what we call potholes. What I am saying here is that Kenyans Constructors and those who are in the Ministry of public works should verify someone who can build such roads, a road that can last for thirty years without potholes but when we comes to taxes collections and other things we are very poor at accountability.

We end up embezzling our fund and this what the new constitution should put to an end that end to get better services.

The other thing that we need to reduce is the number of government Ministries we are having. The more they are the more expensive they become. The most we should have is only fifteen and the fifteen only Thank you very much.

Com. Abdirizak Nunow: Thank you very much Amos Musa hold on where there are questions----- there are no questions so please register up there. Mr Muriungi, and after you we will have a student Mary Makena jitairishe.

Alphonse Muriungi: My names are Alphonse Muriungi and I wish to submit my recommendation to this Commission for consideration in the Constitution making process.

My first is point that any Kenyans citizens who has held an office of the President of Kenya for the two mandatory terms

of five years each and as a retired, should never be allowed to go in any Political Party office. This I mean, they should not be allowed maybe to be a Chairman, Secretary -Treasurer or Secretary General for any Political Parties because this person is likely to influence the government of a country.

My second point is that Parliamentary candidate or anybody who is wishing to stand as a Parliamentarian should be at least 25 years and should be a University graduate this is a person who should also be Presidential candidate. Because many a times we have uneducated legislators, we recommend that all MPs and the President must be a graduate.

All councillors should have a minimum education level of O-Level. The President of Kenya should be between the ages of 35 and 70 years otherwise a person with more than 20 years is likely to mislead this Nation. The President should not be above the law and can be impeached and removed from office for mis-conduct that is maybe for the reason due to corruption, mismanagement of public resources and so on and if removed he should stand trial in a Court of law.

All nominated MPs posts and councilors should be abolished since it has been known that they only serve the interest of those who nominated them not the public

Political Parties should be limited to about four because having many Political Party in this country will create room for clanism, tribalism, regionalism and so forth.

In every election, be it for a councillor or an Mp every aspirant must get a vote score of at least 51% of the votes cast.

Parliament should vet the appointments of public officers in senior offices.

The electorates should be empowered to recall their local MPs if they don't deliver. There should be an office of an ombudsman to cater for public grievances.

Com. Abdirizak Nunow: Please summarize.

Alphonse Muriungu: Thank you. Any Parliamentary, Presidential or civic candidate must garner atleast 21% of votes cast. Presidential elections should be conducted separately from electoral colleges.

Parliament should retain the powers to authorize the raising and appropriation of public fund. Parliament should have full responsibility to censure the conduct of diplomatic officers.

But Mayor and Chairman of local government authorities should be directly elected by the people. The President or the Ministers in-charge of local government should have not powers to dissolve Councils. During the election of the President, the Chief Justice should be incharge of Presidential powers.

My last point Bwana Commissioners is that issues of Pensioners.

When Civil Servants salaries are increased, pensioners salaries should also be increased, because at present you will find

some Pensioners who have very little pay because they retired many many years ago. Thank you.

Com. Abdirizak Nunow: Thank you very much Bwana Muriungi just hold on.

Okay thank you there are no question please register there. Mary? Mary Makena.

Mary Makena : Thank you. I am from Chogoria Girls Boarding and I am going to present the views from the girls to the Consitution Review Commission.

First I would propose free education form primary to university. This will encourage children to learn, will parent's burden off fees paying

Secondly child labour be abolished to facilitate many children to get the education and also eliminate opportunistic diseases brought about by child labour.

The law should punish irresponsible parents who do not take care of their children

We also like to ask the government to stop first circumcison for young girls because this will affect the girls future and also the girls future maybe cut short or the girl maybe die due to this Genital Mutilation exercise

The government should outlaw marriages to young girls.

Youth marriage as it were, discourages young girl from further

So I also encourage the government to prosecute young girls from being married off to Adults. views that will be a (inaudible) to both a child and also the adult. Thank you.

Com. Abdirizak Nunow: Thank you so much Mary. Thank you so much please sit down.

Com. Salome Muigai: Thank you very much those were very well thought out contribution from the girls I have a question on the child labour. What kind of a child labour are you talking about , are you talking when you have to make your bedding school or you have a cup of tea at home are you saying when your parents go to the garden you should not accompanying them or what do you mean by a child labour are you talking about labour have you to go and be employed and bring money home. What would you please share with us when the girls who were talking about child labour what they had in mind so that also we can hear as Commissioners but also the parents that are here they can also hear what the girls think.

Mary Makena: Child labour concerns the children who have no jobs or not employed elsewhere but and they take advantage of the child. These child employers for example make s child carry a load of stones at very cheap pay. Sometimes it our parents who arranges for this type of job. In anycase it our parents who should perform this kind of work

Com. Abdirizak Nunow: Thank you very----- Thank you if you can pass over there and register sign the register. Could we have Elias Muturi?

Elias Muturi: My name is Elias Muturi I am a member of the Youth Support Group from Muthambi. I am representing the people with disability. Okay the Madam who was actually said what I was coming to highlight but I would like to clarify few things.

I just got the accident in 1989, when I was young and later I became disabled. So what I want to say is that anyone can become a disabled. I would like to propose that our government in special cases come to the assistance of the disabled people. In matters of Education the Government should prioritise the extra- curriculum of the disabled groups so that we are not shunned by the society. We appeal to the ministry in charge of sports to boost the morale of the disabled people by giving award and making it possible to access T.Vs and other medial promotions.

We therefore, feel we can also play in Japan and have generous records which will elate our hearts at the airport reception and money will be given to us. So, we request for an organization which will be in charge of the children sports.

We also propose to the Motor Vehicle Manufacturers that they could design their buses such that they have one door for the disabled persons to access with his/ her wheelchair. This apply to storey houses within our cities.

As disabled group we are intelligently capable of attaining grades like As, Bs, and B+'s to enable us get admission in Universities to study Medicine or Law. But when after completion of the courses, we are discriminated against in for opportunities.

We appeal to the Government to have the disabled persons as a priority to get Jobs first, before able people first because they have the physical ability to do other menial Jobs.

We also propose to the Government to have a ministry that deals with people with disability. This will assist those who went through College and other tertiary institutions to get back-up through that ministry to enable the disabled persons get a business start off from the villages.

Otherwise those are the few issues that I would like to say.

Com. Abdirizak Nunow: Thank you very much.

Com. Salome Muigai: Thank you very much Elias for your issues. I just wanted to ask you whether you have seen any special issues that affect a person who is young and disabled because the youth have come here and given us their

problems and views so when one is young and when is having disability what are the issues that they have to deal with, what are the challenges.

Two do you also think that there are some gender dimensions on disability or a young woman with disability having to put with this same problem that a young man with the same disability like you have to deal with?

Elias Muturi: Like I was saying when you are boarding a vehicle, you realize a lady, when you are carrying a lady to a matatu is not the same as when you are carrying a man because a lady will not like to be touched aimlessly, will not like utamukilia mahali hataki kushikiliwa lakini kijana hata ukinishika mahali popote uniweke kwa gari ----- but a lady ungemshika mahali asikia no (inaudible) . So those are the problem that actually especially the girls face because you need to to carry her from the wheelchair to vehicle umushike mahali hataki kushika labda umkunje umkunje nguo she is not comfortable. So on sports also us young, we enjoy seeing ourselves playing games in the TVs, as when people play football. We think even ourselves if we have a game like that and we play and people see us in the Television as youth, we can feel comfortable and accepted. So I would like the government be concerned especially on that oursports that we can give the society the best and we feel appreciated.

Com. Abdirizak Nunow: Asante sana Elias please register yourself there . (inaudible). Councillor Nyaga Muigwa?

Councilor Nyaga Muigwa: Majina yangu naitwa Councilor Nyaga Muigwa wa Chogoria Town Council finance Chairman.

Yangu nitasema haraka haraka kidogo ili niweze kuwapa wengine nafasi.

Katiba ya Kenya lazima iwe na Title Preamble iwe ni Katiba ambayo inaonyesha ni watu wa Democratic Republic of Kenya, na isiwe ina badilishwa badilishwa, bila the concept of the people.

Ya pili nitaenda haraka ni hii ingine nina mazozi ya Nyayo Tea Zone . Serikali au President yeyote au mtu yeyote akubaliwe kuwa na mashamba katika nchi. Serikali haifanyi biashara, ni watu wanafanya kazi halafu wanachukuwa thugs.

Kwa hivyo mimi I propose that katika kwa Commission hii, Nyayo Tea Zone igawanyiwe wananchi kwa kule iko, au ipewe councils ili Councils, ziwe zikipata mapato ya kuendesha miradi yake katika mahali ambapo wanafanya kazi.

Ya tatu Harambee. Hiyo msemu ukome kabisa. Kama unaoa mtu kama wewe uko wewe ukioa bibi uwezi kuwa ukiita watu wawe wakikujengea nyumba. Serikali wakati wanajiriwa watu pesa ya kujenga ziwe zikitoka kwa national budget.

The money should be consolidated in the National budget so this money they can be able to cater for buidings the

roads, for the people, si kwa wakati anajiria Assistant Chief au Chief tunafanya Harambee tumekata hiyo itoke sasa.

Hiyo ingine arid and semi-arid areas . Mambo ya aids kupelekea watu ambao wako katika mahali pakavu misaada hiyo ikome serikali iwekea watu wao maji na kuwapelekea mbegu ambazo zinaweza kusitaimili ukame kwa sababu tukiendelea namna hii ni kama kufuga ng'ombe kwa zero grazing hawa watu wa Turkana au Samburu wapewe maji.

Kitu kingine ya tatu, nitaenda kwa Councils. A candidate who wants to contest a seat in the any Council, should have a minimum qualification of "O" level na hiyo ikiitwa "O" level, nataka kueleza hapo kidogo, ikiwa ni --- tukisema awe form four nitanguka standard eight mara moja nakuja naregister form four ninanguka halafu ninaingia kule. Na I wont be productive because today kuna hii kitu ambacho kinawekwa hapa mbele yangu kinaitwa dot-com-----sijui mnaitwa dot-com kama hauna ujuzi wa sciences and anything from the school you wont be able to produce anything for the people, so we need people who can --- are productive for the progress of the country.

Mayors: Mayors and Chairmen of the Councils. They should be elected by the Councillors who have been elected by the people why because these people if we are unable to remove one President it may be difficulty to remove or impeach the Mayor or Councillors because they will act as a dictator . They will depend on powers from above and outside there halafu ataishi pale kuangamisha Councillors kuangamisha wafanyi kazi kuangamisha watu wale walikuwa wamemchagua lakini naweza kusema naweza kupendekeza hiyo kama atachaguliwa na wananchi hiyo Katiba ya leo ambayo tunajaribu kurekebesha iwepo kame hiyo haitakuwepo huyu mtu achaguliwa na Councillors hapa ndani kwa sababu akileta nyoko nyoko tunaondoa tunaweka mwingine.

Health: Hapana juu ya Councils sheria za Councils, Councils nyingi zinashindwa kuendelea mbele kwa sababu ya sheria ambazo ziko katika section 265 of the laws of Kenya hizo sheria lazima zibadiliswe ili Councils ziwe na powers kwa sababu councillors have no powers of the employees of the Council you are only there kama bunduki wakati unasikia Concillor au Chairman wa Council unafikiria ni mtu mkubwa si mtu mkubwa he does not sign any document, he does not do anything, ni kama bunduki isiyo na risasi, kubeba bunduki tuu na huwezi kupiga risasi.

Hiyo ingine upande huwo pension ya Councilors iwepo kwa sababu hakuna MP, an MP is elected and after one term, he qualifies for pension therefore , every elections are equal, kwa hivyo, Councillor ni mtu amechaguliwa na watu pia hata yeye apewe pension kutoka 1992 wakati wale Councillor, MPs walipewa tu hiyo kitu.

Health: Medical services to wananchi should be given to all people freely.

And the money should come from the tax. Afadhali tutoe kodi kubwa halafu watu wetu wawe na afya mzuri.

Education: Hiyo---- from pre-primary to secondary to form four level iwe free. Na kiongozi ambaye ajui chochote asiingilie mambo ya elimu. Elimu --- the system of education should be directed by the peoplel who are clearly qualified

ambayo wanajua mambo ya elimu si mtu wa standard four au standard five anakuja kusema hii iwe namna hii namna hiyo.

Nitaendelea haraka. Armed Forces: Kutoka police kutoka hawo wote, ndiyo kikosi ambacho kina it is too corrupt tungependa waongezewe mushahara na kuwe na mambo iangaliwe checking tuone kama huu corruption inaweza kutoka.

Kuna ---- the government has three bodies, there is Paliarment, there is Judiciary na hiyo legislature, they should be separated kila moja iwe independent from the other one so that kama Judge awe akitoa ukumu ambayo inahistahili si kuwekwa kotini halafu unarudi nyumbani.

Moja pake yake.

National wealth : It should be distributed equally and it should be tabled in the Parliament so that hatutaki kusikia upande mmoja kama ni wa opposition uwe umeachwa nyuma kwa sababu si wa serikali na mimi natoa Kodi. National wealth should be distributed equally to all corners of Kenya and the Armed Forces also should be recruited on merit si kuchukuwa watu wa upande mmoja. Jeshi iwe na ya watu kama ni police kama ni kila kitu ili tuwe na security ya kutosha.

Com. Abdirizak Nunow: Asante sana Bwana Councillor ngoja kidogo tujue kama kuna maswali. Bwana Councillor tumesikia hayo yale haujasema tutaisoma katika mandishi yako. Kwa hiyo nimekusimamisha usubiri maswali.

Com. Salome Muigai: Swali langu ni kuhusu yenye umesema watu waliokatika Nyanza ya pali penye hapakuwi chakula wasipatiwe chakula ili wapelekewe maji na wapelekewe mbegu vyenye zinawesa kuota kule kwao. Wengi wao hata si wakulima kazi yao ni ya ufungaji basi hizo mbegu watapelekewaji nao wana maisha yao yenye ni siyo ya ukulima mbali ni ya ufungaji?

Councilor Nyaga: Kwanza maji----- they were given piped water and later given seeds. They were educated on how to grow seeds. I maintain that such assistance should continue

Com. Abdirizak Nunow: Thank you very much bwana CouncilLlor Nyaga, tafadhali tupatia maandishi pale na usaini register tutaisoma yote. Ningependa kumuita Pauline Mukami? Pauline? Pauline Mukami. Okay, Dorizi Wanja ? Dorizi Wanja ? Kemeni Kenyua, najaribu kutafuta madada zetu wakina mama na siwaoni. Kama hawako , Caroline yuko ? Caroline Mburu.

Caroline Mburu: I am Caroline Mburu from Presbyterian Teachers college.

The Youth: One of the most problems the youth are facing is the Un-employment. I would recommend the government to adopt the policy of one man one job policy

The Political Parties in Kenya: I would recommend the Constitution to provide security for all Political parties in Kenya:

Not for one Political Party. When any Political Party holds a rally, maximum security must be provided for.

Funding of the Political Parties, it is the duty of the Parliament to fund all Political Parties from the Consolidated Fund without discrimination.

The number of Political Parties: I would recommend Political Parties to be five.

The role of the Parliament: I would recommend that the role of the Parliament should not to change the Constitution. We propose that if Parliament would like to change the constitution, referendum must be carried out.

The powers of the President: We should allow the three bodies of the government to be independent. The Judiciary, the Legislature and the Executive. In the Judiciary, we should not have the President having the powers of appointing the Judges, Chief Justice and the Attorney General. We should have Court Commission which vets Judges and ensures their security of Tenure in office.

Education in Kenya: We should have free primary education and the school equipment schemes provided.

The Powers of the President: The president should only have the office of being the Commander-of-the Armed Forces and not the power to dissolve the Parliament which should be the prerogative of Parliament..

Com. Abdirizak Nunow: Thank you very much Caroline, any question--- Okay thank you please register yourself there jandikisha pale. Eliaphus Ndiga, Mutojabari Mutorachi yuko? Geoffrey Kimathi ? J.G Muranga? Shem Rekenda? Nicholas Mukumu ? after Nicholas we will have Oswa Njeru yuko? Oswal Njeru ameanda.

Nicholas Mukumu : My names are Nicholas Mukumu Njagi and here Commissioners have our views that I would like present to the CKRC .

First and foremost I would like also add my views about the life of the Commission (CKRC). The extension of life of Parliament should not be tied to the CKRC schedule because the Commission is dealing with a significant task of making a comprehensive Constitution which requires adequate time.

I propose that the CKRC should be delink from the extension of Parliament so that they complete the Constitution making without Political manipulation like the former IPPG confrontation

Presidential powers: Therefore I do also propose that the Powers of the president should be reduced and President should not be above the law and must be answerable to the citizens.

Education: There must a system discussed and agreed by all like the one that we currently have which is on experimental basis for almost sixteen years. The system of education that I am talking about must be discussed and agreed by

Professionals.

Land: When I am talking of land I am referring to successions, sub-divisions and Land Boards. This is the most contentious issue for every corner of Kenya. And may I base my arguments now mostly on the successions which is a board issue. Most Kenyans have no or less rights accrued from inheritance and successions of Parental land. This is applicable to married girls and unmarried ones. I propose that the Government put a legislation on that

Also there is this issues or this called Kenya Gazettee, Kenya Gazettee, I propose should be accessible to all citizens. I propose that the Kenya Gazette should be serialized within the media pull-out So that Every Kenyan get access to it. should be followed along side the other great media this will enable access to many Kenyans unlike this time around when it is almost selectively distributed.

Presidential, Parliament and Civic Education: I do propose that Parliament should have its work calendar the commencing of debate and the expiry of Parliament. After the expiry of Parliament no Minister should be allowed in using any government facility ie vehicles and offices.

The President should also surrender all the government vehicles unlike this time when the Head of State misuses this facilities, for this reason, I mean the Head of States when he is in the campaign he doesn't campaign as a candidate but campaign as the Head of State.

Country Currency: I do propose that currency Kenya should contain portrait of the founding Father or National Resources.

Judiciary : I propose that offenders be prosecuted in accordance with Judicial statutes. There should be no one who is exempted from being prosecuted Law irrespective of status.

Government and Cabinets: The Government officers and Cabinet Ministers should be on merit and not on Nepotism.

Com. Abdirizak Nunow: Thank you very much Nicholas, ---any question. Okay, there are no questions. Please go over there and sign the register and leave us the memorandum you have written. Peter Nkonge, after Peter we will have Sammy Munguki. Sammy are there, if Sammy is not there, let me have (inaudible) Kithinji M'ikiara.

Peter Nkonge: Yes, Thanks Commissioner. Mine is for the President. My name is Peter Kirimi Nkonge:

For Presidency: All Presidential appointees should be vetted and approved by the Parliament. If the President act not according to the wishes of the people he should be liable for impeachment. Parliamentary standing orders should be involved to impeach the conduct of the president

The Presidential Candidates should be aged between 30 to and 60 years.

Ministries: The Government should not Have more than fifteen Ministries. Any Ministry directive should be endorsed by Parliament. Any Provincial Administrator up the level of DC and PC's directives should be approved by the Security Council

Education: The school equipment scheme from primary school to University should be provided for. All Board of Governors appointed to the school must be legible on condition that his/her son is a resident scholar in that school and all private teachers should not teach at public schools.

Law offences: All capital offences should be determined within 18 months failure to which they be withdrawn by state offences. Offences like being disorderly and incitements should be withdrawn from law statutes

The government should take care of all medical expenses of disabled people and mentally handicapped, Doctors working at public hospitals should not be allowed to own private clinic.

Business: The government should not be allowed to own other business e.g the Nyayo Tea Zones and the Nyayo Bus Co-operation.

Also the councils should not be allowed to own land. The Chairman of the Council should be voted directly by voters.

Constituencies: All Constituencies should be reviewed to contain about thirty to forty thousand votes.

Political: Anyone who defects from his party should be barred from contesting for a period of ten years. That's all and I hope you are not just rubber-stamp the Constitution exercise.

Com. Abdirizak Nunow: Thank you very much Mr. Kirimi. Okay, Asante sana tafadhali peleka maandishi pale na utuandikia register. Kithinji?

Kithinji M'ikiara: Majina ni Kithinji M'ikiara.

Jambo la kwanza ningetaka kuambia hii kamati ni kwamba, jambo ya kwanza serikali au sheria ifikirie Kenya ni ya vyama vingi siyo ya chama kimoja na vyama hivi vingine vile kinetawala wawe sawa

Jambo la pili, President: hakuna mtu atakaye kuwa juu ya sheria na katika uchaguzi, uchaguzi wa President ufanywe tofauti na wa Parliament na wa Councils. Na vile vile, katika uchaguzi wa President, uchaguzi wakati wowote ukifanywa, kura ziyesabiwe katika vituo vya kura.

Jambo la tatu, wajumbe au President mini ninasema mtu awe anajuwa anaelewa Kiswahili na Kizungu sababu kuna wengine wanajua Kiswahili na Kizungu wanaelewa sana lakini walikosa pesa ya kuwelimisha hadi university na anaweza kuwa anasema hata kama nistandard eight anaweza kuwa anasema Kiswahili au Kizungu kizuri kushinda yule yuko university.

Katika sector ya Ukulima, wanachama wakubaliwe kutengeneza sheria si kuletewa sheria zimetengenezwa ili kulinda masilahi yao.

Katika wizara ya Elimu vile vile. Wananchi kutoka standard one hadi standard eight sababu wananchi wanatoa kodi hiyo iwe free, free kabisa si kuwa kuna vitu ambavyo ataitiswa ukiwa free wanambiwa sisi hamtatoa lakini vitabu mutatoa wawe free kabisa vitabu walimu wapewe choka za kuandika ili kuzuia hawa watoto wanaorandaranda. Au wengine watakosa pesa za vitabu sasa hawatasoma iwe free katika hili wafika standard eight.

Na katika wizara ya Utalii, mwananchi ambaye atawuawa na wanyama hawa afikiwiwe zaidi kushinda vile kama serikali

ya sasa inafikiwa wanyama badala ya kufikiria wananchi walioteswa. Hiyo sheria ibadilishwe ---- na malipo ya yule anayeteswa na wanyama iarakishwe zaidi iwezekanavyo.

Chief Justice Hawa wasichaguliwe na mtu mmoja sababu wakichaguliwa na mtu mmoja watafanya vile wanataka wafanyiwe Commission iwe kuna Commission ni ya watu wengi na hii Commission, ijumuishwe mwananchi wa kawaida na wajumbe na hata wale wamesoma sababu kama sasa ikipewa wale wamesoma peke yake hiyo ----- mwananchi wa kawaida hakuna na maoni yake haitapatikana huko.

Auditor – General: Asichaguliwe na mtu mmoja.

Na Chief, asichaguliwe na mtu mmoja achaguliwe na kamati, kamati ichaguliwe ya kuwachagua.

Na hiyo na katika wizara hii ya elimu, Board of Governors awe ni mtu ambaye an awatoto shuleni si kuchagua mtu aliyestafu miaka kumi, halafu yeye anashugulikia njia, inaonekana shule, karo inakuwa zaidi juu zaidi sababu yule anayosimamia hata ajui inatolewa namna gani.

Na hapo na katika wizara ya kilimo, wizara ya kilimo ichukuliwe kama wizara ya kilimo, wizara ichukuliwe kama wizara yenye nguvu zaidi na mwananchi asikizwe zaidi. Ni hayo tu.

Com. Abdirizak Nunow: Asante Mzee Kithinji . Hamna maswali tafadhali nenda pale utuandikie register , Asante. Ephantus Albert Nkonge?

Ephantus Albert Nkonge: Thank you Commissioners for allowing me to share with you thoughts on Constitution Review. I am Ephantus Nkonge. I will give views on behalf of Chogoria girls staff.

The President should not have exclusive powers to declare state of emergency or war but this should be the prerogative of parliament

Political Parties: The Constitution should outlaw tribal organizations which are turned to be political parties.

The Presidential system of government should remain as it is and be elective as it is but the Presidential powers should be limited to the following areas: Appointment of Chief of the General staff, Head of Civil service, Permanent Secretaries, Attorney General / Chief Justice, High Court Judges Parastatal Heads, Ambassadors , Vice Chancellors

All these appointments should be vetted by Parliament . Parliament should be seen to be supreme in this land.

The President should cease to be the Chancellor of public universities so that he or she can concentrate on government issues. This makes us de- link academic from politics, let the Vice Chancellor be Chancellors of their own universities.

The Constitution should specify the qualifications of the President in the following areas.

- a) Educational level: That is he or she should be a university graduate so he can command respect from citizens.
- b) Age: From 35 years and experience up to 75 years to avoid senility.
- c) Family line: He or she should be married and living with his family.

The President should be removed from the office for any misconduct while in office in cases like

Violation of the Constitution, corruptions, embezzlement of state funds and this should be done after impeachment through Parliament.

The President should not dissolve the Parliament. Parliament should have dissolve its own calendar for dissolving itself to avoid political manipulation during election. Mayor and County Chairman should be elected by the people directly to avoid corruption and Political appointments and this will do to serve the people effectively. A Councillor should have an educational qualifications of at least D+ or division four at "O" level. This will make him or her more effective and command respect from his citizens. He or she should be knowledgeable.

The Constitution should provide for utilization of the vast land that is lying idle all over the country this will help the landless improve on food production and increase the per-capita and income of the population.

Constitution should provide for the street children, they keep through the following :-

Creation of rehabilitational homes, repatriation, registration on responsible parenting and education through family set-up.

The Constitution should provide for a Coalition, government to ensure that, majority of the citizens are represented in the Government and also minimize corruption and nepotism.

Election Boundaries: This should be drawn on the basis of population, to fairly represent the citizens and facilitate developments

Women should have the rights inherit their deceased spouses properties.

Unemployment Citizens Welfare: The Constitution should put mechanism to cater for unemployed school leavers in accordance to their level of education. The Government must therefore create Jobs for school leavers.

The Constitution should empower Citizens to utilize levies taxed from their produce to improve the welfare of the society.

The Constitution should allow and promote professionalism. This should be done through total recognition of professionals in all fields especially through proper remunerations.

This should be done and should be very clear in the constitution to avoid unnecessary industrial disputes e.g professionals like Doctors, lawyers and teachers should have their schemes of service very well defined in the Constitution and endorsed as their services are paramount in this republic All Professionals, should retire at more or less at 65 years.

Thank you.

Com. Abdiriza Nunow: Thank you very much Mwalimu for those views (inaudible) my colleague have the questions---- just one questions for clarification.

Com. Salome Muigai: Thank you very much Mwalimu kwa maoni hayo mimi nataka kukuliza kuwa umesema, baba akifa bila kujiandikia will mkewe apate kumuridhi je kuna what is the status of the ownership of land while he is a life between him and his wife?

Elphantus Nkonge: At the moment the powers of such I mean--- it is we men who have the Title our women don't have, I am saying who has a Title is me if I die I am sure she will struggle to get that Title. There will be a struggle, I am saying let the Constitution be very clear here.

Why should she struggle when in the Church we are put we are one let the Constitution declare that we are one, so that we become equal.

Com. Salome Muigai: Mwalimu (inaudible) because you are a Mwalimu like me so you sometimes understand one question is not enough. You see, if you are one why does she have to wait for the half to die in order to acquire the Title?

Ephantus Nkonge: Let it be very clear here. It is not me to wait for my death to get the Title but let the Constitution stipulate that both of us are registered under one Title. Not land Title only but other properties in our home.

Com. Abdirizak Nunow: Thank you very much mwalimu please get over there and leave us your memorandum and sign the registration for us. Thank you. Geoffrey Kihachi? If Geoffrey is not there, let me have Hosea Muriungi. David Njeru? Henry Murungu.

Henry Murungu: My names are Henry Mutege Murungu Councillor from location Mara Location Meru South District. Mine is actually a few points and I will be a little bit fast.

Elections or the Electoral area: They need to be proportionate that is, we need a Constituency or an electoral area that is equal to the other with same number of people. Today, you can see areas where you have a thousand people as a Constituence while others three thousands people.

and other The area MPs and Councillors should be recalled if they fail to deliver as under performance by their electorate.

The president should be impeached and also removed from office if if unable to perform state duties.

The Local Government should be empowered to retain the revenue at every locality eg Minerals, Forests etc for infrustructral development.

The three Arms of the Government: Executive, Legislative and Judiciary should be independent.

Political Parties should be reduced to Ten unlike today when there are 40.

Education should be funded by the Government. The Constitution should spell it clearly that as from Primary Level to standard Eight, the public should pay fees but from secondary to University, it should be made free to enable bright students acquire University education

Development: The development projects should be for each ministries to take full responsibility unlike many Harambees we are bothered with.

Co-operative Societies: This is a scope of farmers because of agriculture . In actual fact, the Constitution need to be clear about funding agricultural sector measures and also should be put in place to ensure that those people who are elected or those who are proposed as leaders of Co- Operative are those people with clean records, qualified good performers but not those people who only like to be elected so that they go and embezzle the farmers money.

The Constitution should legalise the co-operative Societies to streamline its operations efficiently.

Citizenship: In actual fact, the Constitution should be very clear about all citizens as long as one is a Kenyan citizens should be allowed to work , live, own property anywhere in the republic of Kenya.

Street Children: And this is an issue that has not been taken care of by our Government Surely Kenya has vast land that can be partitioned for rehabilitation Centres of these Children so that amenities like water, schools ,and farms can be accessed to where they are repatriated.

Health: We propose that Kenya and the new constitution should access free medical care.

Com. Abdirizak Nunow: Summarize please

Henry: I am finishing sir.

Resolution of Parliament: Whenever Parliament is dissolved, even the President should cease to be the Head of state and the speaker if the National Assembly should act. All other Ministries should be taken care of by the permanent secretaries. That is what I had Bwana Commissioner.

Com. Abdirizak Nunow: Thank you very much. Hold on .

Com. Salome Muigai: You talked about the Electoral area being equal, and under the consideration of the population, we also know that there are areas where the population is too scanty, so thinly populated for example here a councilor can meet his people in this ward in about an hour there maybe another ward like Mandera who needs three days especially this kind of weather in order to meet the people in his ward because of the extension of the area, Geographical area , how do we balance this because those people were Kenyans and the people here are Kenyans how do we deal come up with a Constitution that is balanced on catering for all its citizens?

Henry: Actually, it should not be with that disparity like when you have an area where you have a hundred thousand and another are with three thousand you have an MP this one is an MP you see the burden and especially today when everybody is running after an MP or a Councillors for handouts.

Com. Salome Muigai: In four hours he can meet all his people also but I have another MP who have to travel five hundred miles (kilometers) or three hundred kilometers to meet all his Constituents that has got certain implications on access.

Henry: I think this is catered for in the mileage allowances to see his all his Constituents depending on how far or how big it is .

Com. Abdirizak Nunow: Okay, thank you Mr. Henry please register there, sign the register for us . Lidia Phares?

Lidia Phares: I am Lydia Phares, and I am a housewife. Giving views I am on the side of education.

The parents who were educating their Children out of coffee farming cannot afford to pay fees for their children's education because the coffee sector has collapse. I appeal to the Government to aid these children who are unable either to complete their studies due ti poverty or due to the fact that they have balancesof fees in arrearsbefore they get school certificates.

If the school Administrators give such students certificates, they are likely to get employment

The other issue is on the the side of Administration: The side of administration, I propose chiefs and Assistant chiefs should be elected by the people since they belong to the community who knows them better. The reason for electing chiefs and their assistants is that, they cannot solicit money from people especially those youth who would like to get ID for fear of being recalled.

Those are my views. Thank you.

Com. Lenaola: What are the proposals about the Identity card we should get them from free or we should pay for them. What is your proposals regarding ID?

Lydia : They should get free ID cards. People should not pay for ID cards.

Com. Abdirizak Nunow: Asante sana mama tafadhali ujiandikishe pale. Nixon Mugambi? After Nixon we will have Joseph Miliki Musa,Yuko? Julius Gitonga? John Wangata? Okay endelea.

Nixon Mugambi: I will start by saying we would like the government----- My names are Nixon Mugambi Rucha, Youth Leader, Democratic Party.

Government of National Unity: There should be the President, the Prime Minister and Vice President.

The President : Should a Kenyan citizen at least form four level of education. I would like to comment on this because I have heard so many people talks of graduates. At least in leadership, we talk of parents we don't have talk of academic issues or education. So when you say one must be a graduate, to lead this nation, it shows we shall leave the most talented people outside not because education background or because their parents should not afford it .

So I believe that on a certain level we are now in Kenya we need to have more effort at least for around thirty years for us to be in a state to say now we should be led by a person who has a degree or extra. So I believe especially when it comes to the local places you will find that the most hardworking people are people who are not educated. Let me say for example; we have been struggling for the Constitutional change and we give people who are learned but today we learn about how they are manipulated, they own no principles.

Therefore, we think there is an error in our education system.

The president should be a registered voter and he should serve for a period of Two-Five terms each.

The president should not belong to any political party. The president should have a running mate. yaani kutokuwa na— kama kura ya maoni. Kutakubaliwa wale wote wanataka kugombea viti vya uraisi, halafu wale watakaochukuwa number ya kwanza na ya pili waende kama mmoja wao ndiye atakuwa Raisi. And ni lazima wao watumie 50% of registered voters hiyo atashinda.

The former President shall hand over the government after 21 days. And the swearing in ceremony shall be done in public. Yaani watu wataitwa kama ni uhuru park watu wote wakuje wakubalie wa-witness that the President has been sworn to lead them.

The Office of the Prime Minister: He shall be appointed by Parliament, he shall head the Government. He or she must have a degree and good conduct of service. He must declare his wealth before being appointed. Service records should also be in merit yaani the Cv's should be adequate, vile amefanya kazi and they way he has been performing his profession.

The Vice President: He should be elected through the votes. He should, be a running mate wakiwa na President kwa hivyo watapigiwa kura wote wawili.

Lakini hizo dakika zimekuwa ndogo sana so I think I should proceed.

Separation of power: There must be separation of powers from Executive, Judiciary and Parliamentary.

Judiciary: The Judicial commission shall be appointed and approved by Parliament.

They shall elect their Chairman as Commissioners. He shall appoint judges and legal affairs of the Court. There shall be a Superior Court, Court of Appeal, High Court and law Court. Appointed Judges should be taken to the Parliament for approval.

Electoral Commission: There shall be 12 Commissioners including the Chairman. The 12 shall have powers to vote for their Chairman. All the names of Commissioners should be forwarded to Parliament for approval.

Local Government: There shall be elections ----- the democracy must be given to the people by giving Local Government authority to exercise powers to be autonomous.

The Chairman and the Mayors should be elected as voters. The Local government should be centralized as the basic place for the government.

Education: The government must make sure that all Kenyans have a right of education. Free education from primary schools to university in case of no job, the government should at least make payments for every Kenyan who has no job.

National Resources: All resources entitled to State should not be given or developed without the approval of the Parliament. The reason is that resources should benefit the local community.

Parliamentary: The Parliament should have a Parliamentary commission to deal with elections dates and time tables.

Speaker and Chairman.

The Republic of Kenya shall be under the Speaker at the time of election.

There shall be three quarters members who shall vote of any amendment or any other major acts of Parliament to be repeated.

The Parliament should have no powers to amend the Constitution without referendum. I think that is all.

Com. Abdirizak Nunow: Thank you bwana Nixon, please sign the register for us and let us have your memorandum. We will read in detail and enter it in the computer because it is part of the record of the views received by the Commission.

Ikirimi? If Kirimi is not there, Philip Kaburia? Philip Kaburia. Okay Philip continue

Philip Kaburia: Thank you Chairman and the Commissioners. My views as I am going to say, I am Philip Kaburia. To my understanding, our National Parliament has not been as effective as expected since 1975. There are several things which have been dictated to the Parliament by the President or the Ministers and we would like our Parliament to be given the mandate or the powers that are there as per the Constitution so that democracy could thrive.

We propose that our Parliament become supreme and enact laws that are respected by all unlike laws that have not been effective especially Teacher's salaries, service charge and the 8-4-4 system of education.

So let our Parliament be given enough power to work. Another issue is about the repeated Chief's Act. The Chief's Act was not bad at all, but the chiefs abused it. So, we recommend that new constitution should amend the chief's Act so that the chiefs should not act beyond their powers

Another issue is on our Education System. Our Education system have been affected very many times. For examples basis of the new primary approach, the new mathematics, the 8.4.4 system. All these changes have not been bad but they should have been taken to Parliament for debate to confirm their merits and demerits.

I would like another issue about our agriculture sector: This country is suffering so much economically because of the way their agriculture sector is conducted. I would say let the government have a Commission of enquiry soon after every General Election so that our agricultural sector would be more productive and enable this country to earn more foreign exchange. Thank you.

Com. Abdirizak Nunow: Thank you very much Bwana Kaburia , there are no questions. Please sign our register over there. Dancan ----- John Kairu? Kaburu Alex? Patrick Nyaga will follow are you? Patrick Nyaga. Charles Riungu, Charles baada ya huyu ni wewe.

Kaburu Alex Mutembei: I am Kaburia Alex Mutembei.

First I would like to propos for one man, one job policy.

Chief: From the Chief upto president level, election should be votes.

Any child beginning with five years and above should be included in the father's Tittle Deed. Education should be free. I would stop there I have nothing else.

Com. Abdirizak Nunow: Just hold on . Mr. Muli

Muli: You said the sons should be included in the title deeds or all the children.

Kaburu: If you have the sons and daughters so the entire family should be included in the Title Deeds.

Muli : You said from five years. From the age of five.

Kaburu: From the age of five years.

Com. Salome Muigai: (inaudible)

Com. Abdirizak Nunow: Thank you, Kaburu register yourself there. Charles Iriungu.

Charles Iriungu: My names is Charles Iriungu. Here my first point is;

Election of a President: He should be 35 years of age and should and serve the republic up to 65 years.

The office of the Auditor- General and Controllor- General should have Security of Tenures

Judiciary should be independent.

There should be only two political parties in Kenya, and these parties should be funded by the government.

The President and the MPs should serve in office for two terms only. The president should be impeached.

Com. Abdirizak Nunow: Thank you very much Mr, Riungu , hold on for questions.

Com. Salome Muigai: I have one question. Why would you want the President to serve for only one term?

Charles Riungu: (inaudible) to do the team work

Com. Salome Muigai: (inaudible) wanted men to give them a chance to do the same work.

Charles Riungu: Also women should be given terms to serve.

Com. Abdirizak Nunow: Okay, Thank you very much Mr. Riungu. Please register. Sign the register over there. Do we have Charles Muriungu? If we don't have Charles Muriungi then we have Wilson----- Charles, Charles Muriungi. Okay, Charles you can sit but hold on . Wilson Kamau ? Okay you will follow him. Charles continue.

Charles Muriungi: Majina yangu ni Charles Muriungi; yangu si mengi sana ya kuchangia hapa mimi vile nataka , nataka serikali ifanye ---- yangu ya kwanza ni watoto wasipigwe mashuleni, hiyo ni ya kwanza, ya pili wasiwe wakipigwa nyumbani na waume zao. Wasiwe wakipigwa nyumbani na wanaume wao ovyo ovyo.

Ya ZTatu mimi nataka kama ni President ama Raisi asiwe anafuatilia mambo mengi sana ama asiwe ni kama ---- awe ni President peke yake lakini ni mtu wa kuwa awe kama anasimamia viu vikuu asiwe ndiyo mkuu wa chuo kikuu.

Mambo ya Nne , President asiwe ndiye Amri Jeshi Mkuu hiyo inachukuliwa iwe Mkuu wa majeshi.

Ya Tano ni kutoka daraza la kwanza mpaka la nane iwe, wazazi walipi pesa zozote.

Ya Sita, watu waachiliwe kazi kama wale wanamaliza viu vikuu kwa sababu wanaka manyumbani wao wapatiwi kazi ma- colleges hata hawo wapatiwe kazi.. Ni hayo tuu.

Com. Abdirizak Nunow: Asante sana Charles, hamna maswali tafadhali andikisha pale. **Wilson Kamau** . Na atafuatwa na Hamfrey Mugambi are there? Karibia. Endelea.

Wilson Kamau: Thank you Commissioners. My names are Wilson Kamau of Chogoria

My first point is the infrastructure: The government should be entirely responsible for improving infrastructure especially through Co-operative cess got from the areas. For example revenues received from Nyayo Tea Zones should be used to improve roads within the Tea Belt's.

Health: There should be free health for all.

Doctors , Clinical Officers , Nurses and other Medical staff working in government or public hospitals should be discouraged and outlawed from operating private hospitals and this has led to stealing of the government medicine, instruments loss of labour.

FGM: FGM should not be outlawed but the government should put in a mechanism that will protect those who are opposed also to a male-cut.

Provincial Administration: the Administration Police should be de-linked from the Provincial Administration to ward off public fears that chiefs and their assistants are intimidating wananchi

Police Force: The Police should be retrained after every five years. This will create public freshness within the force.

Defectors: A Member of Parliament or a Councilor who defect from the party that sponsor him or her should be banned from contesting the preceding by- election as this will discourage them hence the government will not meet unnecessary expenses to finance by election.

Boundaries: The government should not create political boundaries in favour of getting political mileage over others parties.

The National Identity card should be abolished and instead replaced with passports. I think that is all I have.

Com. Abdirizak Nunow: Thank you very much Wilson Kamau, you have a memorandum. Please let us have your memorandum over there and sign the register . Hamfrey Joshua- you also have a memorandum, you will indicate memorandum. Oral ? alright please take the list possible when you come , so that others can also speak you are left with twenty more minutes.

Antony Mugambi : My names are Antony Mugambi from Meru South East forum. My views towards Kenya

Constitution are that Commissioners should be given more time to reach each and every group of people. The Civic Education Providers should be facilitated with enough finance to stimulate discussion among people and to create awareness to the Constitution process.

In a new Constitution making we need a Preamble where the citizens should be made supreme. The constitution should stress the need for every citizen to obey the law irrespective of status in life.

Citizens: There should be no discrimination between youth , women and men after all we are all Kenyans.

Land and Ownership: It should be guaranteed for every Kenyans irrespective of gender

On Education: Primary education should be free and compulsory because education is the backbone of development in the country.

Mine is over.

Com. Abdirizak Nunow: Thank you very much Hamfrey Mugambi hold on. Okay, please will you register yourself there . Jonhson Kinyua? Jonhson Kinyua. Okay Councilor Silas Mugendi. And after the Councilor will have Munene Muthiri. After Munene Muthuri, we will have P.N. Mungambi Komonyo. Okay in that order. Councilor Silas Mugambi.

Councillor Silas Mugendi: Kwa majina Councillor Silas Mugendi, Natoka Meru South Constituency Constitution Committee. We ast and made recommendations which would be adopted by the new constitution as follws:

The office of Legislative council he created to offer legal advice and the appointed officer should advice the legialature on matters of legislative drafting of parliamentary Bills.

Parliament should appoint the Electoral Commission. The presidential elections should be held at different periods with parliamentary and civic elections.

The new constitution should have an independent Judiciary. There should be a Human Rights Courts.

The new constitution should have an independent Judiciary. There should be a Human Rights Courts.

The new Constitution should uphold and implement the unversal daclaration of Human Rights Charter of 1948 and all its statutes.

The Public Officers holding Constitutional Offices should be guaranteed Security of Tenure to promote professionalism and impartiality.

The Police Commissioners and other appointment to the force must be approved by the Parliament.

All loans and monies banked in foreign countries should be returned to the country. The president should be impeached together with MPs and cabinet Ministers

Com. Abdirizak Nunow: Thank you very much Bwana Silas. Tafadhali mpatie memorandum pia wewe ni mwana

kamati wa three CCCs wa Nithi Constituency. You are the next.

Munene Thuni: My names are Munene Thuni. These my short proposition to the Commission.

Com. Abdirizak Nunow: (inaudible)

Munene Thuni: The new Constitution must be having a preamble so that we clearly known why the Constitution is being enacted.

Com. Abdirizak Nunow: Munene please kidogo umejaribu kusoma haraka sana (inaudible) ile nakuambia chukua point then you ----- and then highlight-----

a) **Munene Thuni:**

On supremacy of the Constitution it is good that the Constitution remain supreme above each and every law such that any law it is not consistence with the Constitution, the constitution should prevail and any the other law.

Any amendments of the Constitution: Parliament should be denied the power to amend any part of the Constitution. Any amendment to the constitution should have majority votes of 65% increased to 75% in Parliament

There should never be powers to declare state of emergency without parliament's approval.

I propose political parties should not be reduced but registration exercise should spell its national outlook by opening branches all over the district.

Com. Abdirizak Nunow: Asante sant Munene tutasome hiyo maandishi umebakisho yeto---- ukiyasome yote ama usisome kabisa itaingia hali moja. Tafadhali tupatie pale and sign, register pale. baada ya Ian tutakuwa na mtu wa mwisho Oswald Njeru.

Ian Mugambi: Thank you the Commissioners. My names are Ian Mugambi Kamunyi from Chogoria complex. I have a few areas which I think they should be rectified in the Constitution that is the new Constitution that is to be reviewed.

We need to see a situation where there is rule of law. Also we do not want provincial administration to get involved with general elections. Votes should be counted at the polling stations and we also want to see transparent boxes being used at the polling station.

Another thing I wish to be included in the new constitution is the revamping of tea farmers and farming by the government. We would like to see various infrastructural developments within Tea and coffee zones since such cash crops earns Kenya foreign exchange.

We would also wish to appeal to the Government to pay farmers their produce promptly.

We would like the mayors and the chairmen of County Councils being elected directly by the people

We also require the marginalised groups like the disabled and worker to be reserved some seats in parliament. We also propose that the registration of voters should be a continuous exercise and not to be tied to the General elections. We also like the three arms of the Government to be independent to allow checks and balances.

We also want the President to be elected by 50% of the total votes cast.

We also want Political Parties to be funded from the consolidated Fund. In Education, we wish to see promotions of teachers done on merit. Thank you.

Com. Abdurizak Nunow: Thank you very much Bwana Mugambi Bwana Oswald. Please take three minutes, say the key points those that are really burning.

Oswald Karani Njeri: I have a quarrel with the law on property. My names are Oswald Karani Njeru, I am a teacher. A lot has been said about land because there is a lot of ambiguity in the law of land and people don't know what to do. For example, we don't know the role of the Chief, the role of the DC, the role of the Council of elders, the role of the wife and the children when it comes to land transactions. So I am saying all the various laws pertaining to land, should be put together in a Constitution provision that will clear the problem we are facing in land.

I would like to suggest that the Constitution Review these review should not be linked with the life of the present Parliament. They should not be associated because their roles are different from the other. So whether this Commission will have finished their work or not then the present Parliament should end where it should have ended.

Appointment of cabinet Ministers : I am suggesting that once an elected MP is appointed to the Cabinet, he should relinquish his Constituency posts. Let the Constituency have an opportunity to elect another representative and let leave the person who has been appointed to the Cabinet to serve the nation so that he doesn't have his alliance to a single constituency.

I would like to propose that there be a mandatory pension scheme for all seen citizens for this Nation for people who --- may not have an opportunity to work. This scheme may include the disabled and the unemployed.

Now the funds for this kind of a pension should be contributed by people who are working so it should be made mandatory by those people who are working to contribute towards a fund which will cater for the aged, the disabled and the widows for that matter so it should be a scheme for everybody.

Appointment of Commissions, I mean formation of Commission. We have so many Commissions coming on after the other and we never get the results benefits of some them. So I am suggesting that if there is need to Constitute a Commission then it should be done through the High Court. Let it be open in such a way that competent people apply and make it to be possible also to hold them responsible or whatever they are going to do in that Commission such that if they do not achieve what it was Constituted for then they should be asked to pay back to the government money spent

on such Commissions.

By this I am suggesting that let every Commission be meant to understand that they will do their functions and even after they have made their recommendations, they have a duty to follow up. They have a duty to follow what they have proposed so that incase there is nothing coming out of a Commission then the members should pay back the public money spent on them. Thank Bwana Chairman.

Com. Abdirizak Nunow: Thank you very much Mwalimu Njeru kwa hayo maoni tafadhali andikisha pale and utuwachie maandishi yako kwani ni muhimu na yote twaichukuwa.

Na hiyo inatuleta Bwana --- this gentleman who came came, he will excuse last he refuses us because we are in a dinning hall, the kids have to use this facilities please bear with us and let us have your memorandum and you sign. Because you are keeping the kids out of their Hall. Please thank you. Hiyo inatufikisha mwisho wa kikao hiki cha leo, nawashukuru nyote kwa uvumilivu, na kwa kutoa maoni yenu nitaliza mtu mmoja kati yenu atuombe, tufunge sherehe na maomba kwani tulifungua na maombi --- utuombe tafadhali. Let us stand let us pray.

Our Dear Heavenly Father we are before you this evening , Lord for taking care us throughout the day, and you have brought us to this far end. God we want to thank you for giving the Commissioners some good time to conduct this business of collecting views from the citizens and Lord the whole exercise has gone on smoothly but Lord we know it is due to your presence that was with us and that you have anabled us to have the whole exercise going on well. Lord even as they leave, provide them with your journey mercies wherever they are going. Let them reach their destination safely and Lord even as Lord may you help us to get to our homes safely, and Lord let whatever the deliberations that you have meant for this day Lord be put into practice so that this nation can change for the good of us all. So we pray this believing and trusting in Jesus Name. Amen.

Meeting ended at 6.00 p.m.

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