

CONSTITUTION OF KENYA REVIEW COMMISSION

(CKRC)

VERBATIM REPORT OF

CONSTITUENCY PUBLIC HEARINGS

MANDERA WEST CONSTITUENCY,

BANISA HEARINGS

ON

TUESDAY, 4^H JUNE, 2002

CONSTITUENCY PUBLIC HEARINGS
MANDERA WEST CONSTITUENCY, BANISA HEARINGS
HELD ON TUESDAY, 4TH JUNE, 2002

Present

Com. Salome Muigai
Com. Dr. Musonik Arap Korir - Chair

Secretariat in Attendance

John Watibini - Programme Officer
Muhamed Fauz - Asst. Programme Officer
Carol Ndindi - Asst. Programme Officer
Martina Odhiambo - Verbatim Reporter
Mariam M. Hussein - District co-ordinator

Meeting started at 9.50 a.m. with Com. Korir on the chair.

Com. Mosonik: Ningependa kuanza mkutano na tunaanza kwa kutangaza rasmi kwamba huu ni mkutano wa Tume ya Kurekebisha Katiba. Tungependa, tukianza mkutano, tuanza na maombi. Nani anaweza kutuombea tafadhali.

Translator: (to Kiborana)

Sheikh Matker Ebrahim: Prayer (inaudible).

Com. Mosonik: Asante sana. Ningependa kwanza kuwajulisha ma Commissioner ambao wamekuja sehemu hii ya Banisa, katika Constituency ya Mandera West. Na wa kwanza -- kwa mkono wangu wa kulia, tuna Com. Salome Muigai. Na mimi ni Com. Dr. Mosonik Arap Korir. Wenzetu ambao tumekuja nao kutoka Tume ya Kurekebisha Katiba, ni kwanza Bwana John Watibini, yeye ni Programme Officer. Tena tuna Caroline Ndindi – yeye ni msaidizi was Programme Officer, vile vile na Muhamed Fauz na mkono wangu wa kushoto kuna Martina Odhiambo, ambaye kazi yake ni ku record kila kitu mnasema kuandika yote – anaitwa Verbatim Recorder.

Tumesema tumekuja kuwakuta na kukusanya maoni yenu na ningependa kuwajulisha taratibu ya hiyo kazi sasa. Kabla ya kufanya hiyo, wapi mwenyekiti wa 3 Cs? Tafadhali utujulishe majina yako na wale wengine, wenzako ambao wako hapa.

Mariam Maalim Hussein: Wote wakuje karibu. Asanteni Bwana Commissioners na wale wengine wameudhuriana na hawa, wananchi wenzangu, karibuni. Sasa mimi nitafanya introduction ya kamati ya area hii – Banisa, Mandera West.

Nitaanza na Abdullahi Male Hassan – ambaye ni C.C. Member, West. Na Alio Mahaoh Hassan – C.C., Mandera West. Isak Ali Abdi – C.C. Mandera West. Mr. Abdullahiman Abdi Noor, tapes recorder. Ebrahim Sheikh Ahmed, (inaudible) – Mandera Youth for Arid Land Society. Mohammed Hassan Wako – CBO. Na mimi pia, Mariam Maalim Hussein – ni C.C. member – Mandera West. Asanteni.

Com. Mosonik: Asante sana. Tumesema kazi ya leo, ni kazi ya kukusanya maoni yenu ama kuyasikiza. Na, hiyo tunaifanya kwa njia mbili. Ya kwanza, ni kusema maoni yako, unasema kwa mdomo kama haujaandika. Kama ni hivo, utachukua muda wa dakika kumi na hiyo ni pamoja na kutafusiri. Kwa hivo, hiyo ni kusema, ni kama dakika tano. Halafu, njia ya pili ni kama una maandiko ama umeandika memorandum. Unafupisha kusema tu yale ya muhimu kwa ajili mengine tutayasoma sisi wenyewe. Hiyo inachukua muda wa dakika tano Kwa hivo, ikiwa lazima itafusiriwe, itakuwa kama dakika mbili tatu. Tungependa kuwasikiza wote ambao wamejiandikisha, na kama mtu yeyote hachajiandikisha na angependa kutoa maoni, ajiandikishe hapo. Na ukiwa umemaliza kusema, unapitia tena hapa na kujiandikisha. Unapitia kwa Caroline Ndindi ndio ujiandikishe na kuwacha memorandum hapo kama hiko.

Tungependa kuharakisha hii kazi kwa ajili jioni jioni, tutalazimika tuondoke mapema kidogo kwa ajili ya ile ndege tulikuja nayo, lazima iondoke hapa kama saa kumi. Kwa hivo, mzee – ni nani atatafusiri? Ni wewe tu utakuwa unatafusiri? Kama tungepata mtu mwingine, ataweza kusaidia mzee. Na tungependa kama mzee ungekuwa na kakaratasi, usikize mtu aseme mpaka mwisho halafu utafusiri kwa kufubisha.

Kwa hivo sasa kuna watu wengi wamejiandikisha na wengi wamesema, wako tu hapa kusikiza hata wao maoni. Lakini wengine, watapeana maoni yao. Wa kwanza in Fatuma Alio Abdi – wa Women’s Group.

Fatuma Alio Abdi: (speaking in vernacular)

Translator: She doesn't want to speak in front of men. She first wants to hear what other people are saying, then we will come back to her.

Com. Mosonik: Okay. Tutarudia yeye.

Translator: Ooh, she is coming.

Fatuma Alio Abdi: (speaking in vernacular)

Translator: Her name is Fatuma Alio Abdi. She is greeting you. She is also greeting the audience. We were under colony for a very long time, and even now, we are not given the opportunity of giving our views even before this time. So, we had so many problems earlier and we want to give our views right now – at this this time. But we had problems of not giving views before this time.

Vile tulifaamishwa mbeleni, kuwa PC, halafu kuna DC chini ya PC na DO na ma chief -- Iko kwa ladha kama hiyo. Lakini kwa wakati huu, ni vile tulikuwa zamani tunaishi njia hiyo. We should only be under that administrative line, that is how we used to be managed in this area. We never used to have up to now, freedom of giving our views to any other person apart from the DOs, the Chiefs and the Assistant Chiefs. Up to now, we have that problem of not giving our views to any other person and presenting our problems to any other person apart from the Chiefs and all these things. And, our problems never used to be taken from this point, it used to be left here.

If you are coming to take our views, we wish that, that problem to be lifted from us and have that freedom of giving our views. Apart from the DOs and the Chiefs, to present to other bodies. So, we want that freedom of presentation of problems to other people apart from the Chiefs and the DOs.

There is some relief being given by NGOs and that is what used to happen for the last few years. So, whatever the NGOs bring to this area, there are few people who get those relief foods, and, it does not reach even the people in the reserve. So, we want that thing to be lifted, and, that there should be an equal distribution of relief food to even the local people in the reserve.

Let us say, if people here now fight or let us say something happens to them, there are only very few people who will sit here and then that person's compensation is lost and it is not taken anywhere else apart from the Chiefs and the local people around.

So, in the case of relief, the disabled also don't get that relief food. So, they suffer in the bush, and then, they are not even

given that relief food in the right way.

So, there is always a formation of women groups and those we are told always that women groups are not assisted in the right ways wanted. So, what is there, is, whatever, let us say is brought by the Government, does not reach even the women groups. It just gets lost on the way.

Com. Mosonik: Ngoja kwanza Mama. Hii ina recordiwa, unaona hii machine. Na kama tunapiga kelele haitasikika. Tafadhali usipige kelele.

Fatuma Alio Abdi: (speaking in vernacular)

Translator: We normally elect MPs and those MPs don't do anything. So, they always promise us that they will drill a borehole in this area, they will make dams and everything, but, nothing at all reaches us in this area. All the development does not come to this area. So, people who are to be elected always, when they get votes and are elected, they go to Nairobi, they don't come to this area. So, what happens is, they only come to this area when the elections are so close to be held. We should be given an opportunity to give a vote of no confidence in case an MP does not do anything for the community in this area. So, whenever they are elected, when they get the votes, they disappear into Nairobi, they don't come back for our views. Yangu ni hayo tu.

Com. Mosonik: Asante sana Mama. Na tuwe kama Mama vile amesema, tufanye mapendekezo. Sio kusema vile mambo yako saa hii kwa ajili tunayajua mambo kama hayo ama shida kama hizo. Vile tunataka ni kupendekeza vile ungetaka iwe. Madina Isak Abdi. Okay, Hussein Mohammed.

Com. Muigai: Anza na jina.

Hussein Mohammed: Jina yangu ni Hussein Mohammed. Nasalimia nyinyi nyote. Nitafupisha maneno ambayo nitasema. Kama sisi wananchi wa hapa Banisa, tangu tulipopata uhuru, bila shida, hatujaona kitu ingine hapa kwa serikali.

Serikali inaandisha ma chiefs na hiyo chief akifanya mbaya, hakuna kitu ambayo atasema juu ya huyo chief. Hiyo chiefs akiwa hata yeye (inaudible), awezi kusema maneno juu zaidi ya hayo lakini hanauwezo wa kunisaidia kufanya kazi vile ninataka.

Zamani kwa wakati ambao ulipita na mpaka hata jusi, serikali vile inatufanyia, kuna watu ambao wanapigwa na askari na hata anasikwa akiwa hai. Kuna mtu ambaye amepiwa na hako na shida mpaka sasa na serikali haijui hiyo shida yake. Sisi tuko tofauti na sehemu zingine huku Kenya. Yaani inaonekana kama sisi sheria yetu ambayo tunakuwa ruled nayo ni tofauti kuliko ile ya Kenya huko chini.

Tukiwa tunapatiwa kipande, hiyo kipande lazima tulipe pesa.

Na pia hatuna barabara vizuri kutoka Garissa mpaka hapa.

Hatuna maji ya kutosha katika hii area ya Banisa.

Kwa hivyo kama hatupati hizo maendeleo katika hii Wilaya yetu, tunafikiria sisi hapana hata watu wa Kenya kwa maana hatuna maji ambaye tumetengenezewa na hakuna kisima imetopolewa. Kwa hivyo, tunafikiria sisi hapana hata watu wa Kenya. Kwa hivyo tunataka serikali itutopolee sisi maji.

Kwa sababu wakati ni mfupi, sitasema maneno mengi. Kwa vile serikali ilisema sheria itabadilishwa na tuliambiwa tuseme ile kitu ambayo tunataka kwa sababu ile ya mbele, imetupatia amani. Kama ni ile ya zamani, hiyo inaonesha kuwa sisi hatuchapata ile kitu ambaye tunataka, haki yetu hatuchapata. Kwa hivyo, serikali iangalie ile sheria ya mbele, haifai sisi. Tunataka sheria ibadilishwe.

Pia ile ambayo tunaona tufanyiwe ni mambo ya afya – hospitali, maji na barabara.

Com. Mosonik: Ngoja tafadhali. Kuna swala kutoka kwa Commissioner.

Com. Muigai: Tunataka kuuliza maswali mbili ama tatu. Ya kwanza umetueleza kuwa watu wanapigwa na wanazikwa hata kama bado wako hai. Hao watu wanapigwa na nani?

Mohammed Hassan Ibrahim: Yaani ni Jeshi ya Kenya ndio walikuwa wanafanya hivo.

Com. Muigai: Swali lengine unasema ni kuwa watu hawana sheria moja na watu wa Kenya. Ni sheria gani zenye ungetaka kuona zikiwa hapa kwenu zenye zitawasaidia.

Mohammed Hassan Ibrahim: Sheria iwe ile ya Kenya ambaye tunatengeneza lakini tunataka tutendewe haki kama wa Kenya wengine.

Com. Mosonik: Asante. Tafadhali tumesema tuwache kelele kidogo. Na kila mtu ana haki ya kutoa maoni yake. Na ukitaka kusema, ujiandikishe tafadhali. Sasa tumusikize Mohammed Hassan wa Youth Group, ambaye ana memorandum. Hayuko? Shamsu Maalim Abdi – Women Group. Shamsu, yuko wapi? Hayuko, okay. Hussein Oka Ali. Mwengine ni Abdi Aziz (inaudible). Na ukianza, tafadhali utache jina ndio iingie kwa machine.

Mohammed Hassan Ibrahim: Jina yangu kwanza naitwa Mohammed Hassan Ibrahim. Kwa sisi – hii part na North Eastern, kama hatujaleta screening card, hatuwezi pata card.

Com. Mosonik: Wacha nieleze yeye. Kama anasema kwa kiswahili, wacha kutafusiri, tutaelewa.

Com. Muigai: Endelea tu.

Mohammed Hassan Ibrahim: Na ya pili, tunataka kupata metre-phone ya North-Eastern moja hapa (machine). We have no irrigation in this North Eastern. We want to get one.

In the past, an MP is chosen and just stays in Nairobi and work there. We now need our MPs to be coming and be with us after three months. If there is any Constitution or any duties, the Chief must sit with elder and the villagemen so that they discuss together. I think that is enough.

Com. Mosonik: You said, a chief to sit together and communicate to the people. Is that to say that the chiefs have not been doing that?

Mohammed Hassan Ibrahim: Before, if the chiefs wanted to say something, they sat alone and decide themselves and bring forth the outcome. Now, we need a situation where everything comes.

Com. Muigai: I have one more question for you that is unanswered. You have said that the chief should sit with the elders and discuss the issues. Are the elders men or women?

Mohammed Hassan Ibrahim: Yes, men, women and youth.

Com. Muigai: They are all elders? Elders include men, women and youth?

Mohammed Hassan Ibrahim: Yes.

Com. Mosonik: Asante sana. Sasa Abdul Aziz Sheikh, yuko? Hussein Huka Ali? Abdi Aziz Salat? Matker Sheikh.

Matker Sheikh: I can talk in English. I want people to listen to what I am saying. I thank wazee wote yaani wale wa Commission ambaye wamefika hapa na wazee ambao wamefika hili kutoa maoni yao. Nasema ya kwamba, tunakushukuru kwa nyinyi ma Commissioners ambao mumefika kwa ajili ya kuchukua maoni yetu. We don't want to regret, we want to say our views right now.

From 1963 up to now, we have never gotten any assistance from the Government of Kenya. We don't have any rights from the Government. Serikali ilituweka sisi vikwazo (inaudible). We never used to have freedom of speech. Lakini, kwa wakati huu, tuko na freedom of speech. There should be freedom of speech from now onwards. We need the Government to compensate us for the damages they have done to us. During the emergency time, there are so many people who were castrated and some of them are not even men, some of them were buried alive. During that emergency time, women were raped, at least by 20 to 50 people and they are unable to be productive. So, all those problems came from the Government of Kenya, not the colonial Government.

At the moment, there is this Commander-in- Chief of the Armed Forces. At the moment, the Commander-in-Chief of the Armed Forces is the President. That power should be lifted from the President and be given to another person. If the President is the Commander-in-Chief of the Armed Forces, he can even organize a 'coup' and then even take the Government as a Military Government.

At the moment, there is the multi-party system in the Government. There are so many parties in the country. We need only two or three parties in the country. So many parties will cause tribal (inaudible) and every tribe will try to form their own political party and this will lead to conflict within the country.

Parliamentary elections. If someone is between 50 – 60 years, he cannot contest Parliament, because at 60 years, his mental capacity will go down. He will have mental degradation. And so, for someone to contest for an MP's seat, he should be 28 years and above, he should have a degree or diploma,

For someone to be elected as a councillor, he should be somebody who can be able to speak Swahili and English. He should not be a Form IV. He should have an experience.

We are not all that developed at the moment and we don't have NGOs but we have CBOs. CBOs normally come under the NGOs. At the moment, what happens is that there are NGOs like Oxfam, they don't know the situation of the area. What they normally do is that, they come and dump food and it doesn't reach most of the people. So, the NGOs should follow a manner where they get an approval from the CBOs or from the grassroots.

There should be a Chief Kadhi who is a Chief Justice in Islamic Court. He should have a degree in Arabic, he should also know and be fluent in English and also have a degree in Arabic. The Kadhi should be elected.....

Abdulrahiman A. Ali (Translator): I have forgotten. It might be said by another group. Any question?

Com. Mosonik: Maswala kidogo. Ukasema kwamba President asiwe Commander-in-Chief lakini haukutueleza ni nani angesitahili kuwa Amri Jeshi Mkuu wa Majeshi kama sio Rais.

Na swali la pili (sikiza kidogo). Ulipendekeza kuwe na vyama viwili au vitatu. Kama kuna viama vingi sasa, ni zipi – two or three parties which you recommend. Kama leo ungepewa hiyo kazi ya kusema – kuwe na viama viwili, vitatu, vitakuwa ni zipi?

Com. Muigai: Ngoja. hata na mimi pia niko na maswili ama matatu kwako. Kwanza ni kuwa umesema kuwa, Mbunge akuwe na miaka ishirini na nane, mwanzo, mpaka miaka mingapi? Pia, umetueleza kuwa, NGOs lazima wapate habari kutoka grassroot ndio waweze kufikisha mshaada wao kwa kila mtu. Je, watapitisha kwenye mitambo gani? Kuna utaratibu gani kati kati ya hapo, kati ya NGOs na grassroot ndio wenye wataweza kuelewana kati kati yao.

Matker Sheikh: The Commander-in-Chief should be given to the highest in the military level. The grassroot and the NGO, there are so many CBOs registered within a locality. So, it should be liaising with the CBOs and also in the District level, through the DC and then Provincial level, through the PC.

With so many parties, it will happen in such a way that, every tribe within the country will form their own political parties and then there will be hatred. People will hate each other because they don't want the other party to be suppressed or something of that kind. So, two to three parties can unite most of the Kenyans and then they can join those particular parties, but if we have so many of people, they will be on a tribal basis and there will conflict within the country.

Com. Mosonik: Which three. There are now about many.

Matker Sheikh: But first of all, there is the party which is our mother – that is KANU now, which is existing and should be there. Secondly, DP should be there and any other one.

Com. Mosonik: Asante sana. Ali Noor Adan. Si amejiandikisha? wacha aseme.

Ali Noor Adan: I feel shy, they are overcrowding me. Ladies and Gentlemen, Salama Aleko?

Response: Aleko Musalamu.

Ali Noor Adan: From the speech by His Excellency.

Com. Muigai: Start with your name.

Ali Noor Adan: My name is Ali Noor Adan Mohammed. I am a Kenyan, I am aged 18. I was born in Kilifi District, in

Mombasa. I have gone to a school in Kilifi District. I was born in 1980, date of birth. I was born in Kilifi District on Wednesday. I was not admitted to high school due to lack of finances. Lack of fees, lack of money – that is why I am herding cattle at home. Helping the elders to look after the modern rules, social and other controllable and arable facilities of youth polytechnics. Especially side of primary schools, there is lack of chalks, school books, fees. Some people are poor – most of them are herders. A herder herds cattle one month, a duration of 365 days.

People are poor. So, we need the letters to understand and to be helped by aid groups like the UNICEF, DANIDA, UNHCR, NGOs and Government. So, we need help. When the elders receive things, they normally come here and forget us. We don't receive anything good at all. We normally receive the left-overs from the elders in (inaudible). We beg them, sometimes they cane us. So, some people are drug-abuse. Most of them when they come here, they don't talk about us having drug-abuse.

Child abuse. Some of the children have been raped as the one he was saying. Some of the children are being raped. As the one he was saying, some of them are from the borders i.e. the Ethiopian people come and (inaudible) here. So, wanaleta dawa ya kulevya hapa town here. Some of them have the business of spoiling and exploiting the children in primary schools. Some children who are in boarding, they run away at night, disturb and stone people. So, Walimu themselves don't look after their children. Shule yenyewe haingalii watoto, watoto ni wa Nyayo, watu ni watu, na watu ni umati. Sasa watu hao kama hawafuati sheria, tutakaa aje sisi wenyewe? Kati ya Waislamu, kila mtu hako na haki ya kukaa kila mahali, sehemu ya nchi. Kama uko na haki ya kukaa, wewe sio (inaudible), utapatiwa transfer, una kwenu. Hata mbwa mwenyewe na kuku wakienda town, wanarudi kwenye boma yao – manyatta ya ki Maasai. Wanarudi hapo.

Com. Mosonik: Asante sana Ali Noor Adan. Sasa tumusikize Mohammed Isak. Yuko? Anakuja. Anza na jina.

Mohammed Isak Abdi: Jina yangu ni Mohammed Isak Abdi. I am greeting you all – the public and the Commissioners. Hapa kwetu Banisa, hatuna barabara ya kutosha, yaani bara bara sio mzuri sana, inaonesha kuwa sisi tuko na shida na barabara kutoka mahali pengine ili watu wafike hapa. Serikali haijui kila wakati shida yetu lakini kwa wakati huu, wale wanakaa hapa ni wachache na ni watu ambaye wako katika low cadre ambaye hata hawawezi ku present our problems.

Sisi hapa ni wafugaji wa mali kama ngamia, ng'ombe na mbuzi na sans sana hatuelewi vile inaendelea huko kwingine na tungenda soko ipatikane hapa Banisa ili mali yetu ipate soko.

Ya pili, sisi zamani hatuwa na fursa ya kutoa maoni yetu. Shida tulikuwa nayo tangu tupate uhuru mpaka sasa, ni shida ya kutoa maoni lakini leo tunafuraia kuwa tuko na uhuru wa kupeana maoni yetu kwa serikali. Freedom of speech.

Kwa hivo sasa vile tunakaa na nyinyi, tunafikiria ile pengine tukisema maneno ile ya kawaida ama maneno ingine, tunaogopa.

Lakini, tunashtajabu hata kwa nyinyi kusema tutoe maoni yetu lakini tunafuraia sasa tunatoa maoni yetu kabisa. Vile tulitendewa mbeleni – wakati wa emergency mpaka sasa, yaani hata kutoa maoni tunaogopa kidogo lakini tutatoa ile maoni yetu ambayo tuko nayo.

Ile soko tuko nayo katika North Eastern Province ni kuelekea Wajir, Garissa, mpaka Nairobi uko lakini hatuna soko ingine hapa karibu. Kwa hivyo, tunataka serikali itukaribishie soko hapa katika Wilaya yetu, mahali ambapo tunaweza kuuza mali zetu. Ile tunaomba serikali ni kutufanyia soko kubwa hapa ama mipango ye yote vile tunaweza kusafirisha mali yetu nchi zingine za ngapo. Hata nyinyi ma Commissioner kama munakaa hapa, muliona hata gari ya kupeba nyinyi kutoka kiwanja mpaka hapa hakuna. Kwa hivyo tukitembea kutoka hapa mpaka Mandera, inatuchukua sisi muda mrefu sana na barabara in mbaya. Kwa hivyo, tunataka serikali itutengenezee sis barabara ya kudumu ili hata tunaweza kupita wakati wa mvua vizuri.

Kwa wakati huu, hata tuko na shida na kipande kwa sababu kupata kipande ni ngumu sana. Kwa hivyo, tunataka serikali atu rahisishie njia ya kupata vipande. Kuna vijana wetu wengi sana hawana vipande. Na wale watu wa vipande wakija hapa, tunalipishwa zaidi ya elfu tatu. Hiyo pesa hatujui inachukuliwa na nani. Hiyo pesa, hatujui vile inaenda, hatujui inaenda kwa mfuko gani ya serikali. Tunataka tupatiwe vipande vile watu wengine wa Kenya wanapata. Mara ingine tunalipishwa zaidi, tukiambiwa wengine wetu sio wa Kenya.

Hii sheria ambayo inabadilishwa, tunataka iwe sheria ya kutuhudumia sisi vizuri baadaye. Saa zingine mtu akishikwa, sisi hatuelewi hiyo pesa ya fine inaenda kwa njia gani. Kwa hivyo tunataka kuelewa vizuri kuwa hiyo pesa inatumika kwa njia gani.

Kwa hivyo, nitamaliza na hayo. Tunataka njia yetu itengenezwe vizuri na iwe njia ya lami kutoka hapa mpaka Mandera na mahali ingine. Sina memorandum ingine, nimemaliza hapo. Thank you very much.

Com. Muigai: Mimi nina swali moja ama mawili wako Bwana Mohammed Isak Abdi. Kwanza, umesema kuwa bado kuna uoga ulioanzishwa wakati wa emergency, munaogopa kutoa maoni yenu. Je! Kuna mambo gani yenye ungetaka yabadilishwe ili huo uoga utoke kabisa?

Na, swali la pili ni kuseme umesema, soko liletwe karibu nanyi. Nafikiri ni soko la mifugo. Ili soko likikuja karibu, unataka tu soko ije, mifugo inunuliwe na watu waende ama unataka kikundi cha watu kinachokaa hapa? Kiuzishwe vipi kwenye hii biashara ili pia musikie kuwa shida zenu zimeweza kutatuliwa?

Mohammed Isak Abdi: Katiba iandikishe vizuri kuwa sisi tunaweza kuwa na uhuru wa kuzungumza na kutoa maoni yetu bila kunyanyanzwa na wengine. Biashara ile tunataka, sisi wenyewe tufanye kikundi ili tununue mali kutoka hapa na kupeleka mahali zingine na watu wengine watoke mahali zingine, ili waweze kununua kutoka kwetu hapa. Lakini, hasa, sisi wenyewe tuko na uoga wa kupeleka huko kwa sababu hatujui njia ya biashara.

Speaker: Kuna Mzee Abdullahi Ibrahim.

Com. Mosonik: Tafadhali tumesema kelele tupunguze tafadhali.

Abdullahi Ibrahim: Jina yangu ni Abdullahi Ibrahim. Ninawasalimu nyinyi wageni ambao mumekuja hapa leo. Niko na memorandum yangu nimebeba. Sisi hapa Banisa ni Waislamu hasa. Hatuna shida kwa upande wa dini, lakini tuko na shida na upande wa serikali. Ile shida ambaye tuko upande wa serikali ni kwamba tangu serikali ilichukua mamlaka, tangu siku mpaka sasa, tuko na shida. Kwa wakati huu, kwa serikali, tulikuwa na viongozi wawili na tuko na shida na hao wote wawili. Hao watu wawili walituweka katika hali tofauti kutoka na wa Kenya wengine. Kwa vile wakati huu, sisi tuko tofauti kwa sababu tunapatiwa vipande viwili. Kenya imepakana na ma serikali nyingi. Iko Sudan, Uganda, Ethiopia. Na wale ambaye wanakaa mipaka zingine wako na kipande moja kaka wa Kenya wengine. Sisi hapa vile tunakaa Wilaya hii ama Mkoa hii tunapewa kipande ingine tofauti na wengine na hiyo kipande nyekundu ambaye tulipatiwa, ikipotea na kumalizika, hakuna mahali ingine ya kubadilisha. Kwa vile ikipote ama ikiraruka, unaogopa unasema sasa mimi si M'Kenya, nitashikwa na askari na atapotea upande wa Somalia ama Ethiopia.

Kwa wakati huu mpaka mwaka theratini tisa, ile sheria ambaye tulilindwa nayo ni mbaya na tunataka ipadilishwe kwetu. Na ikiwa itabadilishwa, tunataka hasa sheria yetu ya kiislamu iongezwe katika hii sheria inaundwa.

Tunataka shule zijengwe kwa sababu sisi hatujaelimika sana. Na wale ambao wanaenda shule, hawapiti vizuri – wanasomeshwa lakini hawapiti vizuri, na wasipopita, hawapati kazi, wanakaa hivi hivi tu nyumbani. Ikiwa tunalipishwa karo kutoka primary mpaka secondary, na hao tena tunapata watoto wanakaa tu nyumbani mpaka hiyo miaka kumi na mbili. Hiyo shida tuko nayo zaidi ni kwamba watoto wetu tunaelimisha, lakini wanakuja tena kukaa nyumbani, hawapiti mitahani vizuri.

Hapa Banisa tuko na watu ambao wako na majiraha zaidi na wanakaa nyumbani mpaka sasa hivi. Kuna wengine ambao walikuwa castrated, na sio mtu mmoja ama wawili, ni watu wengi. Kuna watu ambao wamevunjwa vunjwa. Kuna wanawake wengi ambao wamekuwa raped na wetu wengi sana zaidi ya watu ishirini, na hao wanawake wanaona vibaya mpaka saa hizi wako nyumbani na wengine wanasema watatoroka mahali ingine. Kwa hivyo, tungependa serikali itulipe kwa hiyo mambo yote. Tunataka serikali ambayo inaongonzwa na wanawake kwa sababu hawa Raisi wawili wametunyanyaza kabisa. Mimi niko na memorandum yangu na maoni yangu ni mafupi sana. Saa yangu imefika ama bado?

Mali yetu ilimalizwa wakati wa emergency na ile kitu ambayo imebaki imechukuliwa. Na ile yenye imebaki, inakuliwa na simba na fisi. Na ukijaribu kuua hii simba ama fisi, pengine utashikwa na game reservist na kuwekwa jela. Kwa hivyo, tena hatulipishi kwa ile compensation ya hiyo mali.

Sisi kwa wakati wa serikali ya Kenya kwa muda hiyo ilipita, tuliona tu watu ambaye wanatunajamia tu, kila wakati wanasema tunapatiwa shida ya kuanjamiwa tu. Na kama hauchasoma, wanachukua advantage ya kunyanyaza sisi.

Tunataka Kadhi ambaye anatumia sheria ya Kiislamu hapa area hii. Ya pili tunataka chief ambaye anachaguliwa na wananchi sio ya kuandikwa na serikali. Wale chief tuko nao hapa ni wale wametoa ongo na kuandikwa kama chief. Kwa hivyo, tunataka chief ambaye sisi tunachagua ambaye atatumia sisi kazi kama chief yetu.

Sisi kama Mkoa hii, tungependa wanawake wa dini ingine wakiwa wanakuja pande hii, wavae nguo ambaye kidogo ni ya kimila, ambaye haijioneshi mwili wake – yaani kama wale wanavaa Nairobi. Sio nguo ambaye inashika mwili.

Na tena tuko na shida moja sasa hata kwa roho yetu, maana tunafikiria tukitoa maoni zaidi, tunaogopa kushikwa nyinyi mukiondoka. Na tukishikwa, hatujui mahali pa kupeleka hiyo malalamishi yetu. Ninamalizia hapo.

Speaker: Sasa tungependa kusema kwanza kwamba kurekebisha kwa Katiba ya Kenya ni jambo ambalo limeruhusiwa na Bunge na serikali yenyewe kulingana na sheria ya Kenya. Na hiyo sheria, kuna kijitabu hiki. Sheria inaitwa Chapter 3A of the Laws of Kenya, na hiyo sheria inasema, kila mwananchi wa Kenya ana uhuru wa kutoa maoni yake kwa ajili ya kurekebisha Katiba. Na serikali yote inajua kwamba wa Kenya wana haki ya kutoa maoni yao. Wanatoa maoni yao vile wanapenda na hawawezi kuhudhiwa na mtu ye yote yule. Na kama kutakuwa na kitu kama hicho, tafuteni hata kama ni simu ama barua, kutuandikia kwa Commission ndio tujue. Lakini, ninawaakikishia kwamba hii ni kazi tunaifanya ni ya halali. Hatungekuja hapa kama hatungekuwa tunajua kwamba serikali italinda wananchi, ndio watoe maoni yao.

Sasa kuna swala kwa mzee Abdullahi Ibrahim kutoka kwa Commissioner mwenzangu.

Com. Muigai: Asante sana mzee. Tumefurahi kusikia maoni yako, umeona Kenya wakati mrefu, kwa hivyo tunashukuru sana kuwa na bahati ya kukusikiza. Pia kwanza nafurahi kuwa unataka serikali ya wanawake, uende ikawa haipigi watu sana na haiui watu sana. Lakini, maswali yangu mawili. Moja, unasema kuwa kina mama wamebwakwa, watu wamepigwa hapa. Hii kupigwa kumekuwa ni nani mwenye anafanya hii mathara kwa watu wako?

Na swali langu la pili umesema sheria ya Kiislamu iletwe katika hii Katiba. Je! Tunapokuwa na malalamishi mmoja – mtu mmoja ni Muislamu na mtu yule mwingine sio Muislamu. Basi tutatumia sheria gani?

Abdullahi Mohammed: Ile ambaye watu wamepigwa na wanawake ambaye wamepakwa ndio nitaeleza nyinyi. Wale ambao walifanya hiyo kitendo ni Jeshi la Kenya ambayo sisi tulifikiria watatulinda. Lakini badala ya kulinda sisi, wamepaka wanawake zetu na wameanza kupiga na kuua watu wetu. Ni hayo tu itakuwa inafanywa na hao watu.

Mtu akiwa mtu wa Kenya, kuna watu wengi wanakaa katika sheria. Sisi kama waislamu, kuna sheria zingine ambaye hasa ni kwa Waislamu pekee yao. Na kuna ile sheria inatungwa ambaye inajumlisha watu yote pamoja. Na hiyo sheria yote hiyo ingine ni wa Kenya lakini ile ambaye ni ya Kiislamu, ni ambaye inausu waislamu pekee yao.

Yaani, ile ingine inasema, yaani ile sheria, ikiwa ni ya Waislamu pekee yao, hasa tunafikiria kuwa mtu akiwa na dini, tungenda ile freedom of worship, ipatiwe kila mtu. Sheria ingine isiyo ya dini, inaweza kuwekwa kwa ile sheria ambayo inauzia watu wote.

Chief achaguliwe na wananchi.

Speaker: Tumsikize Mzee mwingine – Mzee Adan Tache.

Adan Tache: Jina langu ni Adan Tache Hassan. Mimi nilikuwa mfanyi kazi wa serikali na amefanya kazi wakati wa ukoloni, tena pia serikali ya Kenya. Tangu tulipata uhuru, na mimi nilikuwa mfanyi kazi wa serikali, lakini waingeleza walipoondoka, Kenya imetutendea sisi njia ambaye haijatendwa na wazungu.

Ukiangalia Mkoa huu wa North Eastern, inaonekana kama sio Mkoa wa Kenya. Ukipita Nanyuki mahali ambaye mkutano wa Isiolo na Meru, hapo zamani ilikuwa na maandishi ambaye imewekwa na wakati wa mwingileza. Inaandikishwa Northern Frontier Districts. Ha hata wakati huo, mimi sijui maana yake hiyo garama.

Na hiyo maandishi inaandikwa juu ya Board ni kuonesha ya kuwa hautangia NFD bila Basi Book, na hautatoka kutoka NFD bila basi book. Na vile ilikuwa wakati yangu ya mwisho ambaye nilikuwa nikielekea huko, hiyo mbao bado inasimama hapo. Mwishowe, hiyo mbao au board haijaondolewa. Ile tena njia ya lami kutoka Nairobi, inamalisikia hapa Isiolo. Kama Kenya ambaye sio maisha ya Kenya huko Isiolo, hatujui kwa nini hiyo lami inakwishia hapo Isiolo. Hiyo inaonesha kama sisi sio watu wa Kenya. Kwa hivyo, tungenda hiyo lami itengenezwe kutoka hiyo Isiolo mpaka hapa Mandera.

Wakati yake ya mwisho kuona hiyo bara bara ya lami ilikuwa inaishia Mwingi lakini sasa imekuja Garissa. Na hiyo njia, tunataka ikuje mpaka andera, kama North Eastern Nchi moja ya Kenya.

Ninauliza ma Commissiners kwamba hii kipanda ya Kenya, sisi tumesitahajabu. Tunalipishwa kupatikana ama namna gani?

Ikiwa watu wakiingia to North Eastern, kipande kupatiwa ni pesa. Na Sijui kama ilifanya mbaya hiyo kitu, inalipishwa pesa. North Eastern tuko ile shida ingine ya kipande mbili – moja ni ile kipande ya kawaida na ingine ni kipande ingine red. Na tukiuliza uliza watu wengine, tumesikia kuwa North Eastern tu pekee yake. Na hiyo imetuonyesha kama sisi hapana watu wa Kenya kwa kuwa na kipande mbili.

Ya tatu, saa ile tulipatiwa ile form ya kujaza majina, wengi ya watu hawakuweza kuandika kwa maana imekosekana mtu ambaye anajiandikia. Na hiyo imetendwa kwa ajili ya ukosefu wa elimu. Kwa hivyo tunataka tupatiwe elimu na tunauliza kwa nini Kenya haijaelimisha sisi tangu zamani. Tunataka tujengewe ma shule na tupate elimu ya kutosha na tunataka pia njia ya lami.

Siku ile ya emergency, tuseme Wagala huko watu walimalizwa. Karibu watu elfu moja waliuwawa huko. Watu ingine walichoma, wakawekwa petroli, wakachomwa. Kama sisi wa Kenya, tunataka kulipwa mali kwa wale watu wetu ambao walimalizwa. Mahali ingine hapa karibu, watu wengine hawakuuliwa na risasi. Vile ilifanywa, walilalizwa na kupigwa na mawe, wakamalizwa. Kama mulikuja kubabilisha sheria kwa ajili ya hiyo, tunataka serikali itulipe sisi kwa wale watu ambao wamemalizwa, na mali na kila kitu ambayo tumetendewa. Wakati ingine nilisikia kwa radio, kuwa kuna watu wengine katika Laikipia, wale wa Samburu wanaishi karibu na Laikipia, kuna jeshi ambaye inafanya practise katika hiyo Samburu area. Kuna ma booms ambaye wamewacha area hiyo. Hiyo boom ilipasuka na ikaua mali na watu. Hiyo watu ni wa Kenya na wamelipishwa pesa, waingereza ambaye wamelipa hiyo pesa.

Kwa hii upande wa Sheria, tungependa Sheria yetu ya Kiislamu itungwe katika hii Sheria. Tunataka tuandikishiwe Kadhi wa kuukumu Sheria ya Kiislamu katika Mkoa hii na sisi tufanye (inaudible) kwa ile mambo ambaye tumetendewa na serikali tena.

Katika hii area yetu hapa, mtu akishikwa na makosa, kawaida ile tuko naye, mtu anakaa kwa cell karibu mwenzi moja ama miezi mbili. Kwa maana tunaambiwa, eti Judge ajafika na anatoka kutoka Garissa ama uko Wajir. Nataka hiyo isiwe na tunataka mtu aletwe katika Koti haraka haraka hivi bila kukaa miezi mitatu katika Remand. Mtu akishikwa saa hii, upelekwe kotini haraka ili uwachwe ama ukumiwe.

Com. Muigai: Mzee ametueleza kuwa karibu Nanyuki kuna bahali yenye imeandikwa 'North Volunteer District' na kuwa mtu alikuwa anaitaji passport kuingia na kutoka. Je! bado tunaitaji passport kuingia na kutoka North Volunteer District?

Adan Tache: Hatuitaji passport. Tukiwa Kenya, tuko Wakenya. Hatutaki hii mambo ya passport ya zamani.

Speaker: Tumusikize Matker Adan.

Matker Adhi: Jina yangu ni Matker Ibrahim Osman. Nafurahi kwa nyinyi kuja hapa leo ili tutoe maoni yetu. Niko na maoni mbili na sitasema zaidi ya hayo.

Sisi Waislamu tunataka ifanyiwe katika Katiba tuwe na hiyo sheria ya Kiislamu

..... (inaudible). Sheria ya Kadhi, tuko na vitu vitatu Kadhi anafanya kwa wakati huu: hiyo ni ya kufanya marriage certificate, people na mambo ya inheritance. Kwa hivyo, zaidi ya hiyo hatuna Chief Kadhi wa kufanya hiyo Sheria. Kwa hivyo tunataka sheria zingine ambaye inaweza kutungwa katika Kadhi's court ifanye, itukubalie tufanye. Bila hiyo vitu vitatu, tukiukumu watu kwa sheria zingine za Kiislamu, tunaogopa serikali. Na kwa hivyo, tunataka sheria zingine ambaye katika Kiislamu, tukubaliwe tuhukumu watu nayo.

Katika sheria ya Kiislamu mtu akikupiga macho yako, iko kitu ambayo imeandikwa katika Sheria ya Kiislamu, makosa fulani ambaye inaweza kuhukumiwa kwa njia fulani. Lakini kwa wakati huu, mtu akikupiga macho, sisi atukubalii, hiyo mambo inapelekwa kotini. Na katika sheria yetu, mtu akiuua mtu, sheria ya Kiislamu inasema hata yeye hauwawe. Kwa hivyo, tunakuta hapa, mtu anaua mtu, tunaona kabisa ni yeye ndiye amemuua, lakini inapelekwa kotini, koti tena inawacha huyu mtu anarudi hapa na kuendelea.

Mambo ya inheritance sisi hatukubalii. Inapelekwa katika koti ya serikali. Kwa hivyo tunataka, kila mji tuandikiwe Kadhi na Kadhi ambaye anaweza kuithimu Sheria za Kiislamu zote ambaye anasema katika sheria za Kiislamu.

Mambo ya dini nimewacha hapa. Mimi nimesaliwa hapa Banisa, na nimekuwa hapa mpaka saa hizi. Na, tukiwa hapa, serikali ya ukoloni ilituwacha na ile tumekuta ni Jeshi ambaye inamaliza sisi na mali yetu. (inaudible) tumepakwa na watu wengi na kina mama wengine wako na majiraha. Kwa hivyo tunataka tulipishwe haki kwa hiyo watu. Wanauwawa, tena kidogo wanauwawa.

Tangu Kenya ilipata uhuru, sisi tulikuta tu watu wanauwawa, wengine wanapigwa na wengine wanapakwa. Kwa hivyo, tunataka hiyo sheria ipadilishwe na Sheria mpya. Ninamalizia hapo.

Com. Korir: Asante sana Mzee. Tungependa kumsikiza, amejandikisha kama Mama Maendeleo. Yeye yuko? Na Mama Sahadia Isak? Na Abdiya Makter. Hayuko? Mzee Ali Bima?

Ali Bima: (speaking in venacular)

Translator: Jina yake ingawa inaandikwa Ali Bima lakini Ali Maalim Ahmed.

Ali Maalim: (speaking in venacular)

Translator: Nyingi ilisemekana na watu ambao wamesema mbeleni. Shida ile ililetwa na watu wa emergency ilisemekana na wazee wengi. Tulipata shida kubwa sana wakati wa emergency. Imesemekana na wazee ambaye wamesema mbele yangu.

Yeye anasema, atasema ile shida ambaye tuko nayo wakati huu wa sasa. Hatuna hospitali katika hii mji. Hatuna shule mzuri

ambaye imejengewa sisi hapa. Vile mumeona, ile karatasi ambaye mulipatia watu kuandikisha majina yao, wengi wao hawawezi kuandika kwa sababu hawana elimu ya kusoma.

Kuna wale watu ambao muliita lakini hawajafika. Hao watu wote walikuwa ni wa kuogopa kusema maneno hapa mbele yenu na ni kwa sababu ya ukosefu wa elimu ndio wanaanza kuogopa na kutoroka.

Yeye anasema, sisi tunataka kama wafugaji, tujengewe shule katika miji na tufanyiwe shule ambaye inaenda na wale watu wafugaji.

Kwa wakati huu sasa, hospitali ile tuko nayo ni kama dispensary na tuko na shida. Mtu akiwa mgonjwa sana, anapelekwa Mandera. Kwa hivyo, tunataka tujengewe hospitali hapa na tupatiwe clinic ambaye inasunguka na wale watu wako mbali.

Na kwa wakati huyu hapa, ile schools ambaye tuko naye ni administration police. Ile police ingine, ni mpaka uende mpaka Lamu. Kwa hivyo tunataka tuletewe security karibu hapa Garissa.

Na ingine anasema ya kwamba, saa ingine hakuna vipande na saa ingine uwezi toka Mandere lakini tunataka tuletewe police hapa Banisa. Na wale hawana kipande, tuko na shida, saa ingine, kama hatuna kipande, hatuwezi kwenda mpaka Mandera kwa maana tunasumbuliwa sana kwa sababu ya kipande. Ikiwa hatuna kipande, tuko na msumbuko maana tunashikwa bara barani. Kwa hivyo, tunataka tupatiwe kipande. Anamalizia hapo.

Com. Korir: Asante sana Mzee. Mzee mwingine - Maalim Ali Osman.

Maalim Ali Osman: (speaking in vernacular)

Translator: Tunatoa shukrani kwa hao watu wa Parliament ambaye imekubali kuwachagua Commissioners ambao wanatengeneza Katiba mpya. Na tunashuku kwa nyinyi kuja hapa ili tuweze kuandikisha maoni yetu vizuri.

Tunajuliza wananchi ambao wanakuja hapa kutoa maoni, watoe maoni ya kutosha na ya maana. Ile sheria ya mbeleni, tulifikiria sio mzuri kwetu sana na kutoa maoni yetu ili tutengenezewe kama sheria.

Nataka kuzungumza juu ya elections. Tunataka elections itendeke kwa njia halali. Na tunataka President akichaguliwa, akae miaka tano tu na kuchaguliwe President mwingine. Tena ile ingine ambaye tunataka, President achaguliwa nyakati tofauti na wakati wa Bunge. Tunataka tupatiwe sisi kama voters uwezo wa kuitisha Mbunge, akiwa amekosea wananchi, ama akikosa kutu..... (inaudible) malalamishi.

Kwa wakati huu, President ndiye Chief Commander wa Armed Forces na tunataka hiyo post ya Chief of Armed Forces irudishwe kwa Parliament ili wachague Chief Commander of the Armed Forces. Na vile itafanywa, hiko distribution kwa ile

pesa ambaye inapatikana na serikali. Yaani, pesa ikiingia nchi, na tunataka ile ya kila Province, ipelekwe kwa Province na iletwe kwa District ili Wananchi wa huko wajue kabisa.

Na ile ingine, tunataka serikali ya majimbo (federal). Wakati wa election poll, wale presiding officers atuwekee mtu alama lakini katika alama, yule agent anasimama huko ndiye awekee hiyo alama hiyo ya presiding officer. Agents should mark for the voters instead of the presiding officers. Votes to be counted at polling stations.

Ingingine, we want free and compulsory education from nursery up to university level. During the marking of exams, we want it to be done at the Provincial level and then people from these areas should take part in marking the examination.

Ile ingine ni mambo ya ardhi. Ardhi kwanza anasema, kila watu wawe na area yao na wakae katika area zao. Yaani, atukatai watu wale wengine wakuje lakini watu wakae katika area yao ambaye wanaishi. Na ikiwa mtu akipata ukame katika area, wale watu wa area hiyo wakuje kwa kamati ya area fulani, waulize kama wanaweza kuja kufanya malisho yao katika hiyo yao. That is, they should not surpass the committees of that area or the residents of that area. They should always contact the people of that area, that they will come and graze or they request for permission to come and graze that particular area since they have drought in their own area.

If you are a resident of a certain area and you go to that area, you should treat yourself as.... You should not live in that particular area.

For one to vie for elections as a Presidential candidate, he should get 25% from eight Provinces.

..... (inaudible) citizen, how you should stay in an area. If you are a non-citizen of this country, and you are going to the country, you should stay in the country without any ID or if you become a citizen, you should stay ten years in the country. You cannot get any document as a citizen within ten years. You should stay ten years, and then you get after that. If you have stayed out of the country for over ten years, you are a citizen of this country. If you come back, you are still a citizen.

If you marry from outside the country and you come with your family, that woman should be an automatic citizen of this country.

We are pastoral communities and we need a mobile school that moves with the community to the grazing areas.

Interjection: Umesema ya kwamba mwanaume M'Kenya ameo bibi wa nje, huyo awe automatic citizen. Na kama mwanamke M'Kenya ameolewa na mwanaume wa nje?

Maalim Ali Osman: (speaking in vernacular)

Translator: That man should stay for ten years to become a citizen of this country.

Speaker: Asante sana. Ngoja tena kidogo. kuna swali ingine.

Com. Muigai: Asante sana. Ningetaka kufuatilia ilo jambo juu ya mtu mwenye ameolewa na mwanaume M'Kenya, huyu bibi anakuwa mwana Kenya mara moja na mwanaume anangoja miaka kumi. Tumekuwa tukisikia kutoka asubuhi kuwa nyinyi munalalamika sana kuwa munafanyiwa sheria tofauti na Wakenya wenzenu. Sasa, wala kubariana na sheria tofauti kwa mabibi na mabwana lakini sio sheria tofauti kwa Wasomalia na Wakenya wenzake? Hiyo ni swali moja.

Swali langu la pili, ni kuhusu vile umesema tunatakiwa kuwa na uwezo wa kuwarudisha Wabunge wenye hawatumikii Wananchi. Ningetaka utueleze, utaratibu wenye tutatumia ili kumrudisha Mbunge mwenye hatutumikii. Ungetaka tutumie mbinu gani ama utaratibu gani?

Na swali langu la tatu ni kuhusu masomo. Umesema kuwa masomo yawe ya lazima na ya bure kwa watoto kutoka masomo ya msingi mpaka masomo ya chuo kikuu. Lakini kuna watoto wengine wenye hawawezi pengine kwenda kwa chuo kikuu. Sio kila mtu mwenye kazi yake ama kifaa chake ni kwenye elimu. Sasa ikiwa ya lazima, tutafanya nini na hao watoto wenye hawawezi kwenda chuo kikuu?

Maalim Ali Osman: (speaking in vernacular)

Translator: He says that with women, actually they don't have bad intentions. If they are married, then they follow their husbands. But the male one, he might have some intentions for marrying the Kenyan woman. So, for that reason, he has to be investigated and the investigation should go on so that he can be a good citizen and then his intentions to be known as to why he has married a Kenyan woman. That is why he has said ten years to be investigated.

He says that if you are unable to go to university, then you have to look for other courses that will suit your profession. It is only those ones who are able to go to university to be given free education. But for those ones who cannot make it to university, should also be catered for, to be given either a lower college or given employment by the Government.

He says that we shall contact the Speaker and those concerned in the National Assembly so as to make that person to come to us, sit with us, so that we can also talk to him in that manner. The Speaker or anybody in the National Assembly should be contacted to call him back to our area.

Speaker: Tumusikize Hassan Hussein Omar.

Hassan Hussein Omar: (speaking in vernacular)

Translator: Jina yake ni Hassan Hussein Omar vile ilisemekana. (Actually, you know there are two languages here – Kichare, Borana and then the Somalia language. So, they insist that they also need to be translated or in Somalia but I will do it. He is talking Somalia).

Anashukuru nyinyi wageni ambaye mumetufikia sisi hapa leo ya kupatia sisi mawaida juu ya kubadilisha Katiba ya Kenya. Tangu zamani mpaka wakati huu, mwingereza kuondoka, sisi tunasikia tu Kenya imepata uhuru lakini hiyo uhuru hasa, hatuoni vizuri sana. Iko chache siku hizi lakini vile tuliona, askari ambaye wakiingia hapa, kwanza wako na uniform tofauti. Sisi kuona tu, ni kuteremuka kwa ghari na kuchapa watu na kupapasa wasichana na kufanya vitendo kama hizo.

Mimi mwenyewe sasa ni disabled na ilifanywa na askari ya Kenya. Na sio mimi peke yangu, kuna hata watu wengine wanakaa hapa ndani wako na hiyo jiraha ya jeshi la Kenya. Na vile ilisemekana asubuhi, wengine ni watu hata hawazai na hawana family kwa maana hawawezi kuwa nayo. Kwanza, tukisema ile shida yetu juu ya emergency haitamalizika hata leo, mpaka itaendelea hata wiki moja, vile tulitendewa.

Sisi sasa tunasitahajabu nyinyi kuja kwa maana tunafikiria kubadilisha Katiba ambayo tunakuja kuulizwa, bado tuko na ile uoga ya kusema eti pengine tutashikwa kesho na pengine tutatendewa vibaya.

Hapa tuko disabled watu wengi sana na isipokuwa hii mambo ya disability, tuko na shida zingine ambaye inatukabilia kama watu disabled. Kwa maana ile shida yote ambaye tulisema, sisi wa disabled tuko na shida zaidi ambaye inatufikia sisi watu disabled. Wale watu ambao wanafanya kazi ni wale watu wako na bunduki, ndio wana..... (inaudible) area hii. Hata chief hana uwezo. Ni yule mtu ambaye ako na bunduki ndiye anaweza kutawala area hii.

Na tena ile shida ambaye iko hapa katika area hii, askari akikufanya kitendo mbaya ama akikufanyia kitu fulani, hauna uwezo wowote ambaye utasema huyu mtu ndiye amenifanyia vitendo hiyo wakati Yaani, he doesn't have any identification. You cannot identify him with numbers or whatever (inaudible). They have the same uniform and actually they have that gentle heart. You cannot even differentiate from any other soldiers. So, the person who has caused that injury, you cannot differentiate him from the rest.

Anataka kwanza, askari wakiingia hapa hata akitumwa operation, awe na alama ambaye tanaweza kujua na yule mwingine. Akiwa na namba ama akiwa na jina lake, ipandikwe juu ya ile nguo yake, tujue, mtu fulani, ndiye amenitendea jambo fulani. Kwa hivyo wale watakuja, wako na uniform moja, wako na alama kadhaa, hawana alama ile ambaye inaonesha. Hao yote, hatuwezi kutafautisha yule ametukosea sisi. Kwa hivyo, tunataka, they should have some sort of identification – say his name

or number.

Katiba ile itatungwa, itakuwa Katiba ya Kenya nzima lakini kuna hata sheria ambaye tunataka – ni sheria ya Kiislamu. Kuna hata Madhehebu zingine kama Wakristo, hii sheria ya Kenya. Kama hata wengine watengeneze sawa lakini madhehebu zingine, wakitengeneza au wakiunda ile Sheria yao lakini sisi tunataka sheria yetu ya Kiislamu Iwekwe katika Katiba hii ambaye tunaunda. Yaani vile tunaona, ile sheria ya mbeleni yote, hata ya Kiislamu, ya Kenya zamani, haifai sisi kwa hiyo muda yote. Kwa maana ile ya Kiislamu, hatuna ile uhuru ya ku..... (inaudible) katika ile sheria ya Kiislamu. Na ile ya Kenya ambaye hiko, tu..... (inaudible) naye. Ile iko ni G3 na hizi bunduki zingine. Sheria ya Kiislamu tupatiwe nafasi kubwa katika Katiba ambaye inatengenezwa sasa.

Mukutunga hii Sheria ambaye tunasema, tunatake ituhudumie sawa katika Kenya kama Wakenya wengine.

Na tena anasema, wale watu ambao wametendewa vibaya, tunatakwa tulipwe. To be compensated for the injuries done to us.

Hatuna njia mzuri kutoka Garissa mpaka area hii. Kwa hivyo tunataka hiyo barabara tutengenezewe vizuri. Na Waislamu hata tukubaliwe tujiukumu naye na tupate Chief Kadhi katika Katiba ambaye munatengeneza sasa.

Sisi ni nomadic people (pastrolists). Tunataka shule ambaye ni mobile na hao wafugaji waelimishwe ili kila mtoto apate elimu.

Ile mali ambaye ilipaki kutoka emergency inakuliwa na fisi (simba) na hata mamba katika mto. Ingawa hatuna askari ya game hapa, lakini tukiua moja, tunakuta game sijui anakimbia kutoka Mandera mpaka hapa na kushika sisi. Kwa hivyo, tunataka serikali ichukue hatua ili walete watu wakulinda sisi na mali yetu na hawa wanyama wa bori. Ili tupate fursa ya kuwa na mali yasikuliwa na wanyama hawa.

Tunataka Bunge ambaye iko na disabled ambao watatuakilisha sisi watu disabled. Basi tunataka, tusitafautishwe na Wakenya wengine. Tuwe na kipande moja, bila kuwa na vipande mbili ambaye tunapatiwa kama Wakenya wengine. Baada ya kupata kipande, sisi tunalipishwa pesa na hatujui ni kwa nini. Na hata vijana wetu wote hawapatati vipande kwa maana ile pesa tunalipishwa ni nyingi na tunataka tupatiwe vipande bila malipo. Na hao watu wote, wanakaa na barua ambaye inaonesha kuwa hao ni Kenya tu lakini sio kipande. Wale ambao wamejaza form

Yeye anasema, tumeona ma Raisi Wanaume lakini tunataka safari hii, Raisi moja mwanamke ili tuone yale ambaye atatufanyia.

Speaker: Kuna maswali, tafadhali ngoja kidogo.

Com. Muigai: Asante sana Bwana Hassan Hussein Omar. Mimi ningefurahia kama ungetueleza zaidi mambo gani unataka yafanyiwe kwa ajili ya watu wenye ulemavu. Umetuambia kuwa, wakuwe na mwakilishaji katika Bunge, lakini Bunge iko Nairobi. Kwa hivyo, ningefurahi kama ungeniambia hapa karibu tu, hapa Banisa. Vitu gani ingefanyiwa kwa Katiba ndio iweze kufanya maisha ya watu wenye ulemavu hapa kuwa rahisi kidogo.

Hassan Hussein Omar: (speaking in vernacular)

Translator: Kwa maana yeye akujua kama muko na walemavu ndani ya Bunge, lakini amefurahia kwa wakati huu. Huyu mtu ametusahau hata sisi. Na tunataka huyu mtu akumbuke sisi pande hii. Kwa maana sisi (disabled) wa hapa (wale walemavu katika area hii yote), wako na shida sana na hatukujua kama kuna Bunge ya walemavu ndani ya Bunge.

Ile kwanza tunataka, sisi tutengenezewe workshop katika hii location ya Banisa. Yeye anasema, kuna walemavu wengi, wengine hawana hata ile baiskili ya kutembea nayo ama clutches ya kutembea naye. Hata wengine ambao wanafundishwa kushona, hawa jerani ya kushona naye. Kwa hivyo, tuko na shida sana kwa upande wa vifaa ya walemavu katika hii Wilaya ya Banisa.

Speaker: Asante sana. Tumusikize, nafikiri ni Makter Mohammed Sheikh.

Makter Mohammed Sheikh: (speaking in vernacular)

Translator: Makter Mohammed Sheikh. Anasema ya kuwa anafurahia kwa vile nyinyi ma Commissioners mumekuja na watu wengi ambaye ni watoto, vijana, akina mama ambao wamejitokeza, tumefurahia sana kwa nyinyi kufika hapa. Hapa, sisi tunaitwa Wakenya. Na wale watu wanaishi hapa wanaitwa Wakenya. Na zile mali na rasili mali ambaye iko nchi hii, inalindwa na serikali.

Na mbele ya sasa, sisi hatujaona serikali ya Kenya kabisa vizuri. Ile tuliona hapa ni ma Chiefs, na DO, na hata DC wakati mwingine anafika hapa. Yaani, ile tunaona ni serikali tu ambaye watu kama wale nimetaja – DO, DC na ma Chiefs, lakini ile Maendeleo ambaye wamefanya, hatujaona vizuri. Hapa sisi katika Wilaya hizi, tumepitia shida mingi sana.

Vita, ukame na ugonjwa imekuwa katika area hii sana. Vile tuliona mbeleni, yaani wakati wa emergency, jeshi inakuja, inamaliza mali na watu pamoja. Na hata ukienda mahali ingine, utaweza kupata hata mahali ile watu wameuwawa na jeshi, vile wamezikwa – hata haijazikwa mbali, mifupa yao inaweza kuonekana. Na hata wanyama pia kabisa.

Lakini Maendeleo ambaye imefanywa na serikali katika area hii ni kidogo sana, ingine hatujaona hata mpaka sasa. Kwa hivyo, tumekuja kwa ajili ya kubadilishiwa hiyo Katiba ambayo tulikuwa nayo mbeleni.

Sisi tunataka kwanza ile Katiba ambaye itahudumia vizuri sana vile tunataka. Hasa sisi ambaye tunaishi pande hii, ni wafugaji na tuko na mali kama ng'ombe, mbuzi na ngamia. Kwa wakati huu sasa hasa, hatuna soko ya kupeleka hiyo ng'ombe na ngamia na mbuzi. Hatuna soko maalum tanaweza kupeleka hizo mali. Zingine hata tunachinja hapa kwa butcheries kidogo kidogo. Saa ingine inakaa kwa hiyo butchery kwa masiku kadhaa, zinaoza. Hata ile pesa tunataka, hatupati. Kwa hivyo, sisi Wananchi wa hapa, tuko na watoto ambao tunalea na inakuwa desturi na wanakuja juu.

Ile mambo ya kipande tunalipishwa pesa kila wakati. Wengine hawapati kipande hata kama wamelipa pesa. Shule yetu haina vifaa za kutosha. Tuko na ile shule kidogo ambaye katika Division hii, haina vifaa za kutosha. Hata saa ingine, hakuna desk ya kukalia na hata vitabu.

Na ile ingine ni hali ya barabara. Hatuna barabari vizuri, ghari ikitoka kwenda Mandera huko, inakaa muda mzima kutoka hapo Mandera mpaka Banisa. Vile sasa tunafikiria sisi, hatuko kama Wakenya wengine na hatujihesabu kama Wakenya. Tunataka tutengenezewe ma barabara na vitu nyingi sana.

Mimi sasa ni kiwete na kuna viwete wengi katika area hii, na wengine hawana macho. Na hawa watu hawa mahali mzuri ya kutunza hao watu. Kwa hivyo, kwa watu disabled, tutengenezewe vitu mzuri, na kwa upande wa afya, anataka serikali itujengee ma hospitali na dawa iletwe kwa njia mingi.

Hapa Banisa, tuko na ile source ya maji ambaye tunaye ni ile ya dam ambaye muliona huko town. Hiyo ikimalizika, ile tunakimbia ni (inaudible) ambaye ni karibu kilometre arubaini na tano. Kwa hivyo, maji ikimalizika, tunakimbia mpaka Banisa, na hii maji ni deni, ikimalizika, shida ni hiyo. Kwa hivyo tunataka, tuchimbiwe maji na tutengenezewe maji ambaye ni permanent. Kwa hivyo, hatukuona mbeleni serikali ambaye ametufanyia sisi kitu permanent hasa inaweza kutuhudumia kabisa vizuri. Kwa hivyo tunataka hiyo mambo ambaye ni muhimu sana, tutengenezewe katika Wilaya hii.

Tunataka Katiba ile ambaye mutatengeneza, iwe ni Katiba ambaye inatufaa sisi wana Kenya wote kwa njia mzuri.

Sisi ni Waislamu na dini yetu ni Kiislamu. Tunataka sheria ya Kiislamu iwekwe katika hii Katiba tunatengeneza ili tujihukumu na sheria ya Kiislamu.

Com. Muigai: Nina swali moja kwako, na ni kuhusu kipande. Je! mtu kupata kipande analipishwa pesa ngapi? Kwani, imekuwa ikirudiwa rudiwa mara nyingi. Ni pesa ngapi kupata kipande?

Makter Mohammed Sheikh: (speaking in venacular)

Translator: Kama elfu mbili au tatu ndio tunachukulia kipande.

Speaker: Tutaenda sala saa hizi lakini kabla ya hapo, kuna mwanafunzi wa shule anaitwa Isak Dahir Abdi, na mwalimu Bashir Ibrahim, yuko? Huyu mwanafunzi aseme, tuchukue kama dakika tano ndio tuende sala – one hour.

Isak Dahir Abdi: I am called Isak Dahir Abdi. I am in Standard VII – Banisa Primary School. I am representing the views of school children, both boys and girls in Kenya.

My first proposal is: the Government should provide free primary education to all children in Kenya.

Secondly: secondary education is currently not affordable by majority of Kenyan parents. The Government should reduce this amount so that the poor can afford.

Number three: constant teachers' s trike has hindered learning in Kenyan schools. The Government should give better salaries to teachers.

Number four is: physical facilities should be provided by the Government in schools.

Five is: one public university should be opened in North Eastern Province.

Six: university fees is very high and only the rich can afford. The Government should reduce it so that the poor parents can afford also.

Number seven is: mobile schools should be established for pastoral communities.

Eight is: child labour. Parents who misuse their children and engage them in work should be prosecuted. Thank you.

Speaker: Thank you very much Isak. Where is Mwalimu Bashir Ibrahim, please?

Bashir Ibrahim: Thank you. I would like to present some few points on the Constitution. I will start with the Judiciary.

Speaker: Your name.

Bashir Ibrahim: Bashir Ibrahim Alio, a teacher at Banisa Primary School. I will start my points with the Judiciary – on Kadhi. For qualifications, a Kadhi must be a Muslim, he must have a degree in Islamic education or law, he should be directly elected by the wananchi of the District.

Two: Chief Kadhi should be elected by other Regional Kadhis. On the same point, I would like to say Muslim working women should be allowed to dress in Islamic attire e.g. women policeforce, nurses, air hostesses, etc.

Number three: I would like to go to Local Government – I would like to talk about Mayors and Chairmen. They should be elected directly by the wananchi and their years of service should be five years, not two years.

Now, I will go to electoral system and process. I would like to point that the 25% representation from at least five Provinces for the President to win should be maintained. On Electoral Commissioners, I would like the number to be reduced from twenty two to eight and their qualification should be at least a degree holder. To be a Commissioner, one should be a degree holder. They should be directly appointed by the Executive in Government not by President. Their duration should be five years.

My next point, I would like to talk about basic rights: It is the responsibility of the Government to give wananchi their basic rights e.g. education, security, employment, health and water. For North Eastern Province, the Government are paid to provide them with the basic rights. For example, we take one Division – we are taking mad water instead of getting clean water.

There is no public university in North Eastern Province. There is no national school in North Eastern Province. We come to security: all our animals, our forefathers and grandfathers died into war. The Government has not taken any action. For example, if we go to Eldanatha today, you will see refugees who have been displaced from Kenya soil – that is Nguthe. You will see a lot of them displaced – go to Nguthe today.

Next, I would like to talk about MPs. The salaries should be determined by a team of Commissioners. A Commission should be formed like those of Public Service to determine the salaries of MPs.

On the same point, MPs salary should be reduced to bring at least a range between other workers. For example, a soldier who is carrying a guy worth a million, is earning five thousand shillings. A teacher who is engaged in class twenty four hours is earning ten thousand shillings. So, the salaries of other public servants should also be increased and a range of the MPs should be reduced.

For the benefit of North Eastern Province, we would also like to be put in the Constitution that – a life is not bought, can be formed so that our animals can be marketed, its products to be marketed. We have a lot of animals, we have a lot of camels. We have dairy boards in Kenya, we have games here in Nairobi but we don't have a livestock board to represent the (inaudible) in North Eastern Province.

Still on basic rights, we are forgetting we have no roads in North Eastern Province. We need at least a tarmac road.

Again, Government resources should be shared equally among the eight Provinces in Kenya. We should at least be given something in our Province also.

I would also like to say that the powers of the President to be reduced. Especially, he should not be a Chancellor of universities, he should not be a Chairman of parastatal bodies, he should not be the Commander of the Armed Forces.

Again, I would like to say that we Somalis or people from North Eastern Province, we are going to see the President after he retires, for what he has done to the people of (inaudible), Wagala, etc. or otherwise, we would like them to be compensated before he leaves office. I think I will stop my points there.

Speaker: You said that the Electoral Commissioners to be reduced from twenty two to eight. Who would be the eight? What are the criterias for identifying?

Bashir Ibrahim: I would like to say that the criteria is: first they must have a degree. Two, each Province will have one representative. We have eight Provinces in Kenya, each Commissioner to come from one Province.

Com. Muigai: I have three questions for you. One is just uplifting what somebody asked you there. What about the gender division in the eight Commissioners?

Two: you have said that the women Muslims should be allowed to wear their 'Kijabu' or their clothes in the professions including when they are soldiers. What about the Muslim men? Should they also be wearing the 'kanzus' when they go to become soldiers?

And, you have also said that with the Electoral Commission, they should serve for five years. What about continuity if we had now to start today and say five years and everybody goes in the next five years. What happens to the continuity of that institution?

Bashir Ibrahim: First, I will start with the one question you asked me about the eight Commissioners. I would like to say that the eight Commissioners – there must a gender balance. At least, two women, six men. I think that is enough balancing.

Next question you asked about the dressing. I think for a man, according to the holy Koran, a man must cover himself enough up to the knees – upto the legs. But for a woman, she has to cover from the head. The only part which is supposed outside

is the face and the hands. So, we would like the Muslim women, especially the nurses, the ----- (inaudible) should be given Islamic attire because they dress very funnily.

The next question is about Commissioners. They earn a lot of money, I think the opportunity for every Kenyan is to share that cake with them. I don't see why they should hold it alone.

Com. Mosonik: Asante sana. Sasa tungependa kuondoka kidogo na kusali. Unaweza kungoja mpaka turudi, tafadhali? Na uwe wa kwanza? Tunarudi hapa saa saba na nusu sharp please. Asanteni.

AFTERNOON:

Com. Mosonik: Tungependa kuendelea. Maalim (inaudible).

Speaker: Rashid Sheikh Mohammed. Huyu ni nani? Rashid Sheikh Mohammed. Come.

Rashid Sheikh Mohammed: Mimi naitwa Rashid Sheikh Ma..... (inaudible). Na leo nimefurahi sana na wageni wetu kutoka Nairobi – kutoka Tume ya Kubadilisha Katiba.

Rashid Sheikh Mohammed: (speaking in vernacular)

Translator: Mingi ningetaka kuzungumza, imesha semwa mbeleni. Nitapitia kidogo. Sisi ni Waislamu, tungelipenda sheria iwekwe kwa mambo ya Kiislamu. Hata sio sheria mzima inahukumwa kwa Kiislamu, tunataka zingine. Hata kama ni mbili, tatu, iwe sheria ya Kiislamu ndio inahukumu sisi.

Ya pili, sisi Waislamu, hapa kuna ma Daktari. Kuna ma Daktari ambao sio Waislamu na wengine ni nurses. Nataka kuzungumzia juu ya nurses. Madaktari nurses wanasalisha akina mama wakati wanajifungua kwa hospitali. Kufuata dini ya Islamu, ni vizuri mwanamke akijifungua kwa hospitali, azalishwe na mwanamke wenzake, sio mwanaume. Sana sana katika ma hospitali yetu, wale wanasaidia kina mama wakati wanajifungua ni Wanaume. Na hiyo hapana mzuri kulingana na sheria ya Kiislamu. Tunaomba tusaidiwe, iwekwe kwa Katiba, halafu hiyo mambo ibadilishwe.

Ile ingine, mao ya DSG huko kwa District. Yaani wakati DSG wanakaa, tunataka tuongezewe ma councillors wawe members katika hiyo DSG (District Steering Group Committee), wale wa Mandera – District Headquarters.

Ile ingine, bado iko ukoloni. Kuna wengi wanakaa hapa na hawana mama au baba. Wamefukuzwa wakati wa emergency. Wazazi wao wamekufa wakati wa emergency. Wengine hata wamesoma na wamemaliza masomo, hawana kazi. Wale vijana ama wasichana ambao wamekosa wazazi wao wakati wa emergency, sasa wamemaliza masomo na hawana kazi,

tunauliza serikali iwapatie hawa kazi. Katika hali ya shida, wamesukumwa, wamesoma mpaka secondary school – wamemaliza Form IV. Hata kuendeleza masomo yao ni pesa nyingi – hawawezi kuendelea mbele. Wale ambao wamekosa wazazi wao wakati wa emergency na wamekufa ndani ya ----- (inaudible) ya serikali, sasa watoto wao wale wamepaki, tunataka wasaidiwe, wapate elimu juu au wapatiwe kazi. Hata wale wamekufa, serikali iwalipe bidhaa. Yangu ni hayo tu.

Speaker: Ningependa kuwaomba ya kwamba, yale ambaye yamesomwa ama yametajwa, tusirudie. Na kama ni lazima, uguzie tu kwa ufupi, ndio kila mtu apate kama dakika tano hivi tafadhali. Swala tafadhali.

Com. Muigai: Asante sana kwa maoni yako Rashid Sheikh Mohammed. Nina swali moja kwako. Hii unasema DSG – the District Steering Group Committee. Ni kitu gani? Mimi sielewi, nataka tu kuielewa.

Na pia, ungetaka madiwani ama councillors waongezwe kutoka namba gani kufikia gani?

Rashid Sheikh Mohammed: (speaking in venacular)

Translator: DSG ni idara ya serikali tu ndio wanakaa. Hawa ndio wanakaa, wanapanga mpango ya Maendeleo. Hata hao tu ndio wanataka kupatia sisi shida, hawa tu ndio watafikiria. Tukiwa na waakilishi, hawa tu ndio wanakaa, wanatoa maoni yao. Kwa hivyo, hatuna waakilishi uko ndani.

Hiyo tu ndio tunaomba ma councillors kama wawili au watatu tuongezewe.

Speaker: Abdia Ibrahim.

Abdiya Ibrahim: (speaking in venacular)

Translator: Yeye anasema jina ni Abdia Ibrahim. Hana baba, hana mama, anaishi na shangazi yake. Sasa niko na shida – sina uwezo, sina miguu. Naishi kwa nyumba ya mtu, sina hata kitu ya kula. Sina mwingine wa kunisaidia ila Mwenyezi Mungu. Hata kama serikali saa hii wanaweza kunibeba ama nyinyi munanichukua, mimi naweza enda na nyinyi.

Anataka sheria yetu ya Kiislamu isipadilishwe. Mimi naomba serikali ama nyinyi wale walikuja mshaada – kama munaweza kunipatia mali, nyumba ya kuishi ama munaweza kunipatia pesa, yeyote munaweza kunisaidia nayo.

Com. Muigai: Asante sana Abdia Ibrahim. Sisi ni Tume ya Kurekebisha Katiba. Yaani, tunataka kutengeneza sheria mpya. Unaona hizi sheria mpya zinaweza aje kuchukua masilai ya mtu kama wewe. Wewe ni mama, ni mwanamke, wewe ni muhamaji na wewe pia una elemavu. Sheria inaweza aje kukusaidia?

Abdiya Ibrahim: (speaking in venacular)

Translator: Yeye anasema anataka asaidiwe kwa hii mambo ya ulemavu yake, anunuliwe vifaa.

Speaker: Hassan Abdi.

Hassan Abdi: (speaking in vernacular)

Translator: Anasalimia nyinyi. Anarudisha shukrani kwa nyinyi kufika na ninaona ni vizuri kuona maoni yake inapokelewa. Maneno mengi imesemwa hapo mbeleni. Sasa, nitazungumza kidogo tu.

Mambo ya emergency, ya ma curfew, wazee mbele yangu wamepitia lakini sasa nitapitia zingine kidogo. Sisi ni Waislamu, tunataka tutumie sheria ya Kiislamu. Hapo mbeleni, mtu akisikwa, yaani akiwekwa jela, hata hapana kupaliwa kusali. Tunataka hiyo sheria iondolewe, tukubaliwe tusali wakati yeyote tunataka, hata kama mtu iko kwa jela au remand. Hata mtu akiukumiwa, asipatiwe suruali mfupi, apatiwe mavasi mzuri ya Islamu. Akubaliwe kusali wakati yeyote ya talaa. Ile kitu ya kwanza mimi nataka ibadilishwe, ni mambo ya jela. Yaani, mtu akubaliwe, afanye maombi yake ya kawaida.

Ya pili, mwanamke akifungwa jela, asinyolewe. Yaani, akubaliwe aweke nywele yake, avae vizuri – yaani, asivalishwe nguo fupi fupi. Hata yeye akubaliwe kuomba kwa Mwenyezi Mungu wakati wowote ama wakati unaitajika.

Sisi kama wakaaji wa mwaka huu – kama wa Somali, hapa mbeleni, hatuna haki. Nikizungumza kama mtu ya Mkoa huu, tunaomba tupatiwe mambo ya serikali ya majimbo.

Hapa, Mkoa hii, watu wengi ni maskini. Wengi hawawezi kwenda masomo ya secondary school. Sasa tunaomba serikali ipunguze garama ya secondary school – karo ya shule iwe kidogo.

Serikali inafanya mambo mengi. Kama ni mambo fulani ikitekelezwa, ni vizuri kama inapitia kwa Bunge – isiwe direct kwa Executive tu, iwe inapitia kwa Bunge.

Hapo mbeleni, kama Kadhi ama kama iko mambo ya emergency (yaani (inaudible) akitoa amri, inatekelezwa na askari) lakini bora kama mambo kama hiyo ikitendeka, inapitishwa kwa Bunge, halafu Bunge ipitishwe. Ni vizuri chocho inatendwa, ipitie Bunge, Bunge iidhinishwe, halafu itekelezwe. Yangu ni hayo sijui kama mutaniuliza maswali.

Com. Muigai: Msikitini, na kuna watu wenye dini tofauti. Sasa, wa Catholic wakisema wanataka habari yao iletwe kwa Katiba, wa Hindu wanataka habari yao iletwe kwa Katiba, Seventh Day Adventist wanataka habari yao iletwe kwa Katiba, Waislamu. Unaona kama ni Katiba ya nchi nzima, itaweza kuleta kila mtu dini yake kwenye Katiba?

Swali langu la pili ni juu ya Majimbo. Tumesikia pia sio kwako peke yako lakini kwa watu wengi, kuwa wangetaka serikali ya Majimbo.

Pia, mumetuambia hamna hospitali nzuri, hamna barabara, hamna university, hamna airport, hamna mambo mengi sana yenye munatumia na Wananchi wale wengine wa sehemu zingine.

Sasa tukikubaliana kuwa tutakuwa na Majimbo, na nyinyi mutafungua Jimbo lenu bila usaidizi hiyo ingine yenye munatumia kwa... Na mmesema hata soko yenu ni watu wale wengine. Sisi watu wa Nairobi ndio tunakula nyama ya mbuzi zenu. Sasa mukifunga kwa Jimbo, hii itasaidia namna gani kuleta uchumi juu kwenye hii Jimbo?

Hassan Abdi: (speaking in vernacular)

Translator: Ile ya kuwekwa kwa sheria ama Katiba ya Kenya, tunataka wakati mambo ya mahakama inatekelezwa au mambo ya hukumu inafanywa, tunataka mambo ya Islamu iwekwe ndani, halafu, katika hiyo mahakama, tuwe na Kadhi kutoka dini ya Islamu, ambaye anashilikiana katika hiyo mahakama ambaye inatekeleza hiyo mambo.

Sisi, yetu ni kutoa tu maoni. Kama inakubalika, isipokubalika, pengine watu wengi watoa maoni, lakini sisi hapa, ile uwezo hatujui, lakini tunataka tu tupeane maoni yetu vile tunataka.

Katika mahakama yeyote, tunataka Mwislamu muhakilishi.

Ukiniuliza swali ya Majimbo, sisi Kenya ni wengi. Lakini, tunaona kama tumetengwa. Ile faida iko, tunaona hatupati chochote. Tunaamini tukipatiwa Jimbo, wale Wabunge wetu ambao wako huko, na Mawaziri ambao wanatuakilisha huko, akipata share fulani, anaweza kutuletea. Lakini kama hakuna Majimbo, tunaona kama faida yote inaishia huko kwenu.

Speaker: Asante sana.

Sahokoro Ibrahim: (speaking in vernacular)

Translator: Mimi naitwa Sahokoro Ibrahim. Maoni nyingi imepita mbele yangu, sasa nitafupisha.

Kenya imepitia ukoloni ya Uingereza. Mwingereza alipoondoka, aliwacha vitu viwili. Alipoondokwa, hapa kwetu North Eastern, aliwacha kitu inaitwa emergency law. Kenya ingine naye, amewacha Maendeleo. Serikali nayo, inatekeleza tu ile amri ya colony – inaendeza ile mambo ya emergency. Tunataka hiyo mambo ipadilishwe, sasa turudi kwa upande wa Maendeleo. Ile mambo ya emergency iondolewe kabisa. Hiyo nitamaliza hapo kwa sababu leo asubuhi, wazee wengi wamezungumza juu ya mambo ya emergency.

Nitaongenza moja. Hapa tuko na shida sana. Hapa, wanyama wengi wanakuja kwa sababu ya kula hii plastic paper bags. Sasa tunataka nyinyi, tafadhali mutusaidie, mufuatilie hii viwanda za kutengeneza hii makaratasi. Hiyo iwekwe kwa Katiba ya kwamba zile viwanda zenye zinatengeza hiyo plastic paper bags – ambaye inamaliza mifugo, ifungwe.

Ile ingine ni swali. Watu wengi leo asubuhi wamesungumza juu ya barabara. Katika Kenya iko ma barabara nyingi zenye zimetengenezwa, hasa hii area yetu, iko vitu inaitwa ‘cutline’. Hiko barabara inapita hapa ndani, lakini hapana tumiwa na maghari, wanyama hapana tumia, lakini ni barabara tu imetegwa na hiko. Sasa tunataka kujua, hii barabara, maana yake ni nini? Hata ile pengine inafaa sisi kwa ki Maendeleo – ile ambaye inatumiwa na maghari ama na mifugo, hata hapana tengenezwa vizuri. Lakini kuna zingine, inategwa na ma tractor ambaye haitumiki, na hatujui maana yake, sisi kama wakaaji, hatujui maana yake. Hii ni swali.

Com. Muigai: Asante sana kwa swali lako. Sisi wenyewe tulikuwa hatuna habari ati kuna barabara hizo zenye unaziita ‘cutline’. Kwa hivyo, hatutaweza kujibu ilo swali. Na pia kueleza kuwa sisi wenyewe sio serikali. Sisi ni Tume yenye imechaguliwa tu, kuja kuzungumza na wananchi, tusikie ile Katiba yenye wangetaka. Mwana Tume mwenzangu – Arap Korir alipowaeleza asubuhi, kuwa musiogope kuwa mutashikwa muktuzungumzia. Kwani, tutazungumza na kila mtu – tutazungumza na wa Jumbe, tutazungumza na wa Bunge, tunazungumza na Police wenyewe mumeona wametuleta, leo asubuhi. Lakini, sisi hatuna jawabu hizo za kujibu, kwa nini barabara moja inatengenezwa na ingine haitengenezwi. Kwa hivo tunaomba radhi kuwa hatutaweza kujibu ilo swali.

Speaker: Tunaweza kusema kwamba, amependekeza kwamba ‘cutline’ itumiwe kama barabara.

Sahokoro Ibrahim: (speaking in venacular)

Translator: Nataka eleza tu kama kuna barabara aina hiyo hapa mahali tunaishi. Yaani, hii barabara tangu ilitengenezwa area, mpaka sasa, kuna mabadiliko katika hii hewa area yetu. Zamani tulikuwa tunapata mvua sana, huko malisho, na nyasi inamea vizuri, hiko baridi. Tangu hizo ma barabara imetengenezwa, sijui kuna nini ndani, sisi tumeona mabaliko katika hewa. Na hakuna mtu anatumia hii barabara. Yaani, yeye anasema, mimi nauliza tu, kwa sababu mimi sijui hii barabara maana yake. Yeye anasema anataka itengenezwe vizuri, iwekwe lami hili tuweze kuitumia vizuri.

Speaker: Huka Alio. Hayuko? Yuko? Hayuko. Okay, Khalif Adan.

Khalif Adan: (speaking in venacular)

Translator: Jina yake ni Khalif Adan Kuro. Mingi imekwisha semwa, nitaongeza kidogo. Nitazungumza juu ya kama sisi wakaaji wa mwaka huu, ama watu wa North Eastern, wa Somalia, nataka kuzungumza juu ya kitu moja. Nyinyi

mumefika hapa ili mpate maoni yetu ili tupate Katiba mpya. Ni mzuri tumefurahia.

Asante, tumefurahia hiyo kazi mumefikia, lakini, hapo mbeleni, serikali imetupatia njia kando. Sisi kama wakaaji wa mwaka huu ama watu wa – wa Somalia, tuko jina tofauti na wengine. Sisi tunataka tuwe kama wananchi wengine wa Kenya, tubadilishe ile majina sasa tunatumia. Yaani, mtu yeyote ama Mkenya yeyote ambaye anatoka (inaudible) Kenya, akifika upande huu kama mfanya kazi ama msafiri, anaitua Worja. Hiyo ni kumaanisha ama kuonyesha, sisi hapana wana Kenya ni Worja. Hiyo jina Worja ibadilishwe, tuitwe kama wana Kenya wengine. Tuitwe wananchi wa Kenya. Mimi nitamaalizia hapo.

Ya pili, saa zingine, serikali inajiri askari halafu wanatumwa upande huu. Askari anajiriwa kazi halafu anatoka pande hiyo, sisi hapa tunakaa, watoto wetu wamesoma, wamefika pengine mpaka Form IV ama kiasa tanaweza. Lakini, wanaishi hapa na wanakaa bila kazi. Pengine mtu fulani ametuma fulani kuajiri watu, lakini wakati wanafika hapa, hawapati kanuni yeyote. Yao ni kuja tu kununua watu ama kuuza nafasi.

Mara ingine, pengine mtu ametumwa ili aajiri askari ama watu fulani, kiasi ya watu kumi ama watu saba. Badala ya kuajiri ili kiasi rasmi ambayo alitumwa kufanya, anaajiri watu watatu, ile nafasi ingine anajasa huko kwao. Hiyo sheria ibadilishwe, kila mtu haki moja, ile nafasi tunapatiwa, tupate vizuri. Huko hakuna haki, tunataka tutendewe haki. Hata wale wawili ama watatu wanaajiriwa hapa, sana sana wanalipishwa pesa mingi. Ni kama kuuza tu ngamia au mbuzi. Mimi nitamalizia hapo.

Speaker: (inaudible)

Khalif Adan: (speaking in vernacular)

Translator: Yaani, Worja ni kuchokoza ama kutishwa. Yaani kutishwa.

Speaker: Asante sana. Tafadhali tumusikize mwalimu Hussein Adan.

Hussein Adan: My name is Hussein Adan, teacher Nkarama Primary School.

The Speaker should be in charge of the executive power during the elections.

Elections results should be announced through the media.

Incoming President should be sworn in by the Chief Justice.

Com. Mosonik: You have that in a memorandum?

Hussein Adan: Yes.

Com. Mosonik: (inaudible)

Hussein Adan: Basic rights should be given to all Kenyans i.e. education, water, health, life, respect, honour, liberty, security and employment.

Free education should be provided up to 'O' level. Regional universities should also be established especially at our North Eastern Province.

Free health services should also be provided to all Kenyans.

Chief Kadhi should be set up at northern parts of Kenya. Kadhis should be given powers and elected by Muslim society.

Unitary and Central Government should be maintained.

Powers of the President should be reduced.

Girl-child should be given basic rights i.e. inheritance, education, not also marrying against her will.

Administration line from Provincial Commissioner to the Assistant Chief should be elected.

Death penalty should be abolished and a maximum of twenty to fifteen years in jail.

Number of electoral commissioners should be reduced to eight.

Any executive holding high office should declare his or her property to avoid corruption.

In case the President has a misconduct, he should be removed by Parliament. Parliament to be given powers to control executive, resources, budgetary and armed forces. Parliament should draft an alternative state budgetary to that of the Ministry of Finance.

MPs should be a full-time occupation. They are not supposed to be part-time, they should be full-time.

A body should be set up to determine the salaries of Members of Parliament. Parliament should have the powers to override President's veto of power.

Time and date of elections should be set by the Constitution.

Screening cards should be abolished in North Eastern Province.

Friday should be declared as a public holiday like Saturday and Sunday.

Candidates who fail to seek nomination in one Party should not be allowed to switch to another Party. In case of defection or crossing the floor, as a Parliament, the seats should be declared vacant.

Working Kenyans especially Muslims should be allowed to keep beards long. Thank you.

Speaker: You said that the death penalty should be abolished. I was wondering how that relates to Islam as a Religion in the Koran.

Hussein Adan: That one, I am not relating to the Islamic sharia but I am answering some questions from these guidelines.

Speaker: (inaudible)

Hussein Adan: Yes.

Speaker: (inaudible)

Hussein Adan: Okay. Which one, the death penalty? No, the death penalty there is not in relationship with Islam which I am suggesting.

Speaker: (inaudible)

Hussein Adan: I said, as Muslim Community, Kadhi should be given powers to control most of the affairs of the Islamic society in North Eastern Province.

Speakers: What about murderers?

Hussein Adan: Murderers. Those who kill should be killed.

Com. Muigai: We have heard everywhere that we have gone, we have heard from members of SDA that we should make Saturday a Sabbath, so we don't work. You have just asked us to put Friday as a non-working day, the Christians have been able to lobby Sunday to be made a non-working day. Do you think we can be able to survive? You are a citizen, you know how long that syllabus takes to finish. Do you think we can be able to survive on a four working days in a week?

(inaudible)

Hussein Adan: I know.

Com. Muigai: (inaudible)

Hussein Adan: Okay. I think it is possible if everybody works as required out of him. Because, when you have been given the responsibility, if you know the responsibility that you are performing and you are supposed to do at your best level, I think we can do it.

Com. Muigai: (inaudible)

Hussein Adan: Yes

Com. Mosonik: (inaudible) Sunday, Saturday, the others you know, that is another possibility.

Hussein Adan: It can be also if maybe due to the time..... (inaudible) that we cannot perform our duties, we can exchange the day of working.

Speaker: Tuta harakisha please, ndio watu wengi wapate nafasi. Mariam Hussein wa Maendeleo ya Wanawake, yuko?

Mariam Hussein: I am Mrs. Mariam Maalim Hussein, representing Maendeleo ya Wanawake, Mandera West – Banisa Division.

My first point is on Constitutional summary. We should not retain the procedure of amending the law by the Parliamentarians but it should be the work of the people – the wananchi to make those amendments.

It should be limited to the current status. The public should be involved through referenda by collecting their views since they are from different sects and different regions. The referendum should be conducted by a certain commission which is non-partisan.

Citizenship: automatic citizen of Kenya is – who is born in the soil of this country by virtue of both parents. Citizenship can also be acquired through registration, naturalization, if the person can meet the law set by the Registration of Persons Act. In fact I was answering from this Constitution book.

Speaker: (inaudible)

Mariam Hussein: Yaah, for citizenship --for both, regardless of the gender, he or she is entitled to be citizen since one of the parents hails from the country, he deserves to be a citizen. He or she should defend the manner in which the citizenship is acquired since he or she is not (inaudible).

Fifth, dual citizenship should be accepted if a person does not cause any gross misconduct or sabotage within the country. (..... (inaudible) because I will give out this memorandum). Niende kwa defence and national security.

Defence and national security: they should be established by the Constitution since it is a set of organs that govern the country.

The President should not be Commander and Chief of the Armed Forces since he is holding so many high positions and committed. An independent person should be given the post or assigned, so that work is (inaudible).

The executive should not have exclusive power to declare war. It should be the MPs to decide those who have authority to rebuke the Parliamentarians. The Parliament should have the role in effecting the emergency powers.

Political Parties: they should not play other roles apart from political mobilization. The Constitution should regulate the information and management of Political Parties. The number of Parties should not be limited. It should be financed from Central Government, besides its relation with the Government. It should be financed by the public funds.

Structures and systems of Government: we should not retain Presidential system of Government, instead, the President and Prime Minister. We should have a (inaudible) where a Prime Minister is elected from majority parts and the President be elected.

The Central Government should be given the powers to (inaudible) its administration by appointing senior, the district, provincial heads and local authorities should be appointed by the locals (the legislature).

The Parliament should be a Supreme body in making laws which govern the country by collecting views from their constituents. It should not be extended but should be reduced e.g. issue of salaries increment for themselves.

The Standing Orders should not be limited. MPs should remain part-time. The same age limit should be followed e.g. to be an MP, one must be 21 years and above. President - - 35 years and above.

The commission or organs should be phased to look into salaries and benefits of MPs bearing in mind the economy of the country. The Nominated MPs should not be abolished since they can be used to represent minority groups like women and the disabled.

Women participation in Parliament should be increased. If not, elected should be given nominated seats be it MP or local authority seats.

Parliamentarians should be governed by the rules and regulations of their parties since they are from different parties and should be guided by the Constitution. Constitution to make a forum, a framework for all.

Multi-party: Multi-party representatives should be considered for all executive posts, not only one party. Only one Chamber of Parliament is (inaudible) to be used.

Judiciary: the President structure of Judiciary is not adequate. It should be extended even to divisional levels since, currently, it is only in the district level.

We need Supreme court to handle the cases against the State or other big crimes. The minimum qualification to be degree holder and above in (inaudible) law.

The Chief Kadhi should also be given other judicial work apart from only religious issues in Muslim occupying areas. Kadhi should have minimum qualifications like other

Speaker: (inaudible)

Mariam Hussein: Okay. Local Government: Mayors and Council Chairmen should be elected directly by people, not through local authority members. For a person to contest as a councillor, he or she should be a Form IV and above.

Basic rights: the Constitution provision for fundamental rights is not adequate since it does not consider so many vulnerable groups e.g. Muslims, women, disabled, among others. The following rights should be provided for in the Constitution e.g. Muslims should not be forced to work on Friday, Muslim women should not be forced to put on clothes contrary to the Islamic ways of dress, those Muslim (inaudible) long beards should not be forced to shave, Muslim Members of Parliament should be allowed to put on 'kanzus'.

The prisoners should be given a privilege to meet their spouses.

Employment should be made available for women in North Eastern Province.

Pastoralist communities are in the arid and semi-arid areas. Mobile schools for pastoralists should be established.

Interest of women is not fully granted in the Constitution since they ignore gender equality in all fields, be it employment, inheritance, dress and women corps, and education.

The interest of disability is not fully taken care of since they are handled like any other ordinary people. They should be given their rights in employment, education, etc. People with disability should be given much concern in the field of employment.

Land and property rights: the local community should be ultimate ownership of land. Government should not have compulsory power, instead, should contact the local community.

Succession and transfers of power: during the election of the President, the Speaker should be in charge of executive power. The Presidential election results should be announced through mass media e.g. radio, television, newspaper, etc.

The Constitution should not make provision for a former President in terms of security.

Welfare of pension should be given to a President with clean report. Wacha nipeane memorandum.

Com. Mosonik: (inaudible)

Speaker: Hapa kuna swala moja tafadhali.

Com. Muigai: Asante sana Mama Mariam Hussein kwa kujitahidi kutuletea memorandum iliyo ndefu na iliyo fahamika. Swali langu kwako ni hili, umesema kuwa land should be with the community. Yaani, ardhi iwe kwenye mikono ya wananchi, lakini mara nyingi hata ardhi ikiwa kwa wananchi, bado kuna mama wanabaki bila ardhi. Basi sasa nyinyi ni Maendeleo ya

Wanawake, mungetaka kupendekeza vipi ili kina mama pia waweze kupata ardhi?

Mariam Hussein: Natarajia ya kwamba tukirudisha kwa mikono ya wananchi, mbeleni tulikuwa tunapewa watu ya Local Government. Sasa tukirudi kwa community, nafikiri at least, women should be considered na wawe na haki sawa.

Speaker: Habiba Abdi Abdulrahman. Hayuko? Okay.

Habiba Abdulrahman: (speaking in venacular).

Translator: Hapo mbeleni alikuwa anaitwa mama maendeleo, na sio sasa. Hapo mbeleni, hata vijana yetu, watoto wote wamemalizwa. Wametolewa makende, wengine wamechoma. Wengine wamefungwa kwa ghari wamefutwa chini mpaka wakafa. Wamechimbwa chini, wamezikwa wakiwa hai. Kuna wengine tangu wakati huo hawazai, lakini wanachunga tu ngamia, hawana familia. Hata ingawa hivo, tumevumilia, tukasubiri, tumefunza watoto wetu, wengine wamesoma, wanaendelea vizuri.

Sisi tuko na maoni moja na wazee walisungumza hapo mbeleni. Sisi kama Waislamu, tunataka sheria yetu iwe sana sana kwa Kiislamu. Hapo mbeleni, tunafuata tu maneno ya chief, ama kama mzee mmoja kama chairman ya kamati, akituletea maoni tunafuata tu kawaida. Lakini, sasa kama sheria inabadilishwa, hatujui mabadiliko itakuwa namna gani, lakini tunangoja tu iwe mzuri.

Leo asubuhi, mimi bado ona wazee wengi wanakuja hapa, vijana tu wanakuja. Mimi sasa kama mama mzee, saa hii hata nikiitwa hapa, nataka muelewe vizuri. Sasa hapo mbeleni, sisi hakina mama, tunanyimwa sana mambo ya uridhi, kama iko mali, yaani ya kuridhi, sisi hapana patiwa nafasi. Sasa tunaomba, iwekwe kwa sheria, hata sisi tupate haki yetu. Kama ni msichana, apate haki sawa na vijana. Sisi tungependa sana kama hii sheria inakuwa kwa Kiislamu, lakini kama haiwezekani na ni ya wana Kenya wote, sisi tunataka masilahi ya wasichana na akina mama iangaliwe vizuri.

Sana sana, sisi tunawachwa nyumbani, akina mama sana sana mambo yao ni nyumbani kama wako na ma bwana. Lakini, bahati mbaya au bahati nzuri, kuna wengine wetu hatuna bwana. Hata sisi, tuwekwe kwa Katiba ili tufanye kazi vizuri katika Kenya. Kama tukisema mwanaume na mwanamke ni sawa, saa zingine mgogoro inaweza kuja lakini hata ingawa hivo, sheria iwekwe vizuri ili shida isitokee, hata mambo ya mashindano, isiwe kati kati ya bwana na bibi. Lakini, masilahi ya akina mama iangaliwe vizuri. Ni hayo tu.

Speaker: Na tunyamaze tafadhalini.

Com. Muigai: Kwanza ningetaka kusema kuwa wakati kina wazee walikuwa wakisungumza, kina mama walinyamaza wakasikiliza. Wakati wa kutengeneza Katiba, ni wakati wa kuzungumza upya juu ya heshima zetu, mmoja kwa mwingine. Wakati wazee wanasungumza, watoto na vijana wanasikiliza. Wakati kina mama wanasungumza, wazee na vijana

wanasikiliza.

Sasa ningetaka kumuuliza mama swali moja. Mama, umesema kuwa masilahi ya wasichana iangaliwe lakini ichungwe isilete mashindano kati ya wanaume na wanawake. Una maana gani kwa hayo?

Habiba Abdulrahman: (speaking in vernacular).

Translator: Sana sana hapo mbeleni, kimila, wasichana wanawekwa nyumba, wakina mama wanakuja mbele – ile mama mzee, ndiye anajua shida ya bwana na bibi. Kwa hivyo wasichana wakiwachwa mbele, hawa sana sana pengine watakuja kushindana. Kwa hivyo, ni vizuri wasichana wabaki nyuma, wakina mama wale wanajua masilaha sana, wakuje mbele, watoe maoni.

Sisi akina mama tukipatiwa haki sawa na Wanaume, na musilinge na hiyo. Tuwe tunajua mambo ya kuweka nyumbani. Ni jukumu la mama ama baba, ili tuwe na nyumba bora na watoto wa kulisha pamoja. Kwa hivyo, tusiwe na maringo ya kuaribu ndoa.

Speaker: Asante mama. Councillor Mohammed Kero Mohammed.

Cllr. Mohammed Kero: Mimi naitwa Councillor Mohammed Kero. Thereafter, speaking in vernacular.

Translator: Anarudisha shukrani kwa nyinyi wale munakuja kubadilisha Katiba. Kwa sababu muda ni mfupi, nitataja maneno mbili matatu. Kama kweli Katiba hii itabadilishwa, kitu ya kwanza sisi wakaaji wa mwaka huu, tunaomba, tupatiwe ridhaa, wale walimalizwa – watu ambao hapo mbeleni wakati wa emergency walikufa huko Wagala, area ya Wajir, hapo pande na Maligamali, tupatiwe ridhaa.

Yaani, wakati wa emergency, shida ilikuwa inatokana na military ya Kenya. Wengine wanauwawa, akina mama wanaharibiwa, lakini kwa sasa, shida imebaki kwa upande wa police. Sasa tunaomba iwekwe kwa Katiba vizuri, police wasisumbue wananchi, yaani kwa kusema ati wanaleta Bill ya bahari fulani wanasumbua maghari. Saa zingine wanauliza watu kitambulisho, halafu wanasumbua, wanabora hao pesa. Hiyo yote, ibadilishwe.

Kwa sasa, tuko na shida kwa mambo ya kupewa vitambulisho. Saa ingine mtu anaandikishwa, jina inatumwa Nairobi, lakini hakuna kitambulisho inakuja. Mtu anakaa miaka tatu, nne, kungoja tu kitambulisho. Sasa tunataka iwekwe kwa Katiba, vitambulisho tupatiwe hapo hapo. Wakati tunaajiriwa, tupatiwe. Kama sasa mambo ya kuandikishwa kwa kupiga kura, watu wanaandikishwa hapa, hapo tu wanapata tena. Tunataka tufanyiwe namna hiyo. Majina itumwe kwa computer Nairobi, lakini tupatiwe hapo. Kwa sababu kwa sasa tuko na shida sana, tangu 1997, wale hata wame apply kwa kupata vitambulisho, hawapati. Saa hii pengine mtu akitoka Banisa hii kwenda upande wa Nairobi, hata amuwezi kusafiri, kwa sababu police

wanasumbua, pengine kama kuna military moja wewe unataka kusafiri naye kama nauli, police wana kunyanganya, pengine imupatie bribe. Kwa hivyo, ni mzuri kama kitambulisho ina rahisishwa kwa kupata kwa mwananchi. Kurahisishwa kupata haraka haraka.

Sana sana, yeye anasema nikirudi upande ya councillors ama madiwani. Saa hii munaona Mbunge akichaguliwa, yeye anaenda Nairobi, afanyi kazi nyingi, anapata karibu shilingi million moja – mshaara kwa mwezi. Lakini, councillor ambaye amechaguliwa na wananchi, anakaa hapa, anajua shida ya wananchi, kila siku anawatetea, anasaidia akina mama, watoto, yeye, kwa mwisho wa mwezi hapati chochote. Anasema, ningependekeza ili mishaara ya Bunge, kiasi fulani, irudishwe, ili ma councillors naye wapate allowance vizuri. Wakati wa uchaguzi, councillor asiweke masharti mingi sana – yaani mambo ya elimu hivi, awe tu mtu ambaye anaweza kuzungumza Kiswahili vizuri, awe na tabia nzuri, awe tu mzee ambaye anaeleweka na watu vizuri. Yaani, yeyote ambaye ana tabia mzuri, awe anakubaliwa kugombea kiti ya udiwani. Kama ni Bunge, sharti ya elimu yake – awe kuanzia Form IV, awe na degree au diploma. Yangu ni hayo tu.

Speaker: Niko na swali moja kuhusu Mayor ama Chairman wa Council, achaguliwe, achaguliwe ama achaguliwe na ma councillors wenzake?

Cllr. Mohammed Kero: (speaking in vernacular)

Translator: Yeye anasema, kwa maoni yake, angependekeza Chairman ama Mayor wa County Council achaguliwe na ma councillors wenzake. Kwa sababu, yeye uwezo yake ni kidogo, na hii kuchaguliwa na wetu wengi ambaye pengine yeye baadaye hatatumikia vizuri, si mzuri. Ni ma councillors tu wachague.

Mimi sasa nikiwa councillor, pengine allowance ambaye tungefaa kupata saa hii, wakati huu, ni kama elfu tisa, lakini sipati. Sana sana sipati. Lakini, kwa sasa ningependekeza, apatiwe shilingi elfu ishirini hadi therathini.

Councillor anasema, vile anaelewa, si Mkoa hii peke yake, Kenya mzima kuna shida ya karo. Sana sana katika shule ya pili ama shule ya secondary school, kuna shida ya karo. Tunaomba hii pesa, hata kama hapana fuatiliwa kamili, ipunguzwe sana, kwa sababu wa Kenya wengi ni masikini. Wengi hawawezi kulipa hii karo. Kwa hivyo, anapendekeza iwekwe kwa Katiba, hii karo nyingi ya secondary schools, zipunguzwe.

Tungependekeza, tupatiwe share mzuri, hii pesa ambaye inatoka kutoka kwa IMF ama World Bank, inakuja kama msaada. Sisi kama watu wakaaji wa mwaka huu, hata sisi tupatiwe share yetu, tuwe tunapata haki ama tunafaidika na hiyo msaada.

Speaker: Sasa, wale wote nitawaita wakati huu, kwanza kama anaelewa Kiswahili au Kiingereza, waseme kwa lugha hizo

ndio tusichukue muda mrefu kutafusiri.

Na kitu cha pili, kila mtu aseme kwa ufupi, dakika moja. Kama ni ile maneno ya serikali kulipa, kwa ajili ya kutesa wananchi, sema, “serikali ilipe”, na uendelee na point ingine ndio tuwasikie wale watu wamebaki.

Kwanza, kuna mwalimu Abey Haji Mohammed. Tafadhali, can you show them.....

Abey Haji Mohammed: Thank you very much.

Com. Muigai: Start with your name.

Abey Haji Mohammed: My name is Abey Haji – Headteacher, Banisa. I would like to dwell on:-

First thing is on pastoralism: while at this community is actual a pastoral community, they always tend to move from place to place due to the nature of actually the land they live in. So, because of that, they always venture into other parts of neighbouring communities of Kenya, and as a result, in the past years, there has been actually tribal clashes in the neighbouring areas. So to curb that, I would like, actually, you are now the people who are writing the Constitution to put it as an Act, such that communities who are pastoralists and are neighbouring one another, should be allowed to move to areas where there is grazing available during the dry season. That should be enacted.

The other one, is, there is always this problem of cattle rustling that is taking place. Now, this cattle rustling, in the past, it has been rampant. So, to cut that, I think, it should also be enacted such that, any community that takes away animals from another community, that community should compensate the affected community. Like we have in our customs, if a person is killed by another who hail from different tribes, compensation is not done by that individual but is done by the community that he hails from. As such, if that is not done, I think the whole (inaudible) will hate the whole community. So, as a result, that might avert this problem away. So, I would like that to be enacted.

The other thing, as a pastoral community, this land of ours is actually a communal land. Now, this communal land, there is a problem which has started in the recent past. That, fencing of land – people start fencing land for themselves, and you find, they say, they claim that the (inaudible) a family land, and they fence, a huge land, actually covering almost 20kms, somebody fencing for themselves. And there has been also a problem within the livestock owners who are causing problems to these little fences land. So, I think, that should be eradicated and the land should be communal. It is fine if they maybe fence a certain area for farming, but fencing a whole area almost '20 by 20', that now is actually grabbing land. So, that should be stopped.

The other thing is, there are areas which are salt lake areas. Like we have along the river, there is the salt-lake place where these people look for (inaudible) and (inaudible) their animals. Now, it has been fenced by owners. They have no place to get (inaudible). So, those areas, along the river, which is from Galicha and then (inaudible). Those areas must be open. Then, we have another one, inter-cover which also is called (inaudible) plain which is also a salt-lake area. Those areas should be open to the community. They should not be owned by any person. That is on pastoralists.

Then I move on to the area of corruption: corruption is actually a thief that is actually ----- (inaudible) in Kenya and has almost killed the economy of this country and we are suffering, because, donors have held assistance that we have been getting. I think, this is also common with the civil servants who actually want to be given bribes in order to be paid prize for a service they are supposed to be providing.

We also have again this, the Anti-Corruption. Proposal is, we want actually Anti-Corruption groups to be set. These Anti-Corruption groups should not be toothless. What happens, we set an Anti-Corruption group which was headed by Haron Mwau but that could not function. They were stopped. So, they were toothless. But we want Anti-Corruption groups which have teeth (in the new Constitution).

I want also Religious leaders to be involved in these Anti-Corruption groups, because, all Religions do not allow caution. Like Islam, it actually curses in the sign of the prophecy which says, “that any person involved in corruption, is cursed”.

Then on the area of Local Government. I would like to think elections – to be considered on the standard of education. At least, somebody who is enlightened, can lead the community, but somebody who is..... (pardon).

Com. Mosonik: Education level.

Abey Haji Mohammed: Form IV level minimum.

Speaker: Now, do we have Sharif Dahil. Haraka haraka please.

Sharif Dahil: I am Sharif Sheikh Dahil. We Somali, when we are applying for passports, we are given extra forms. If we deserve the same rights as a Kenyan, then that form should be abolished and we should be given equal rights as Kenyans.

The other thing, the screening card given to Somalis should be abolished because we are not the only ones who are living along the borders. There are Luos, for example, Milton Obote and Peter Okilo, who is the Uganda ruler – were Luos, and Luos of Kenya were not given a screening card. So, that screening card should be abolished. The Identity card given to us, are not

given at the right time. Somebody who registered in 1996, has not gotten his Identity Card as yet. So, if we are Kenyans, let us get our rights properly.

The other thing, the education policy in Kenya advocates the use of mother-tongue as a language of instruction in lower primary school – standard I – III. Now, so far, it has been funny, three mother-tongues. The other 43 mother-tongues is not yet to be vanished in schools. So, that mother-tongue should be vanished for lower primary school so that they will get (inaudible) with their teachers.

The other thing, the councillors, the chairmen to county councils should be elected by the public, not by councillors. Also, the mayors the same, should be elected by wananchi.

The powers of the DOs and DCs should be reduced but instead chiefs to be given more powers because they are the inter-link between the wananchi and the Government.

The forced harambees should be abolished. In this sharia of ours, ‘harambee’ is collected by force, and the chiefs are ordered to bring harambee by force and he is given a card maybe some two or three days earlier. So, those (inaudible) should be eradicated and the harambee should be by will, not by force.

The natural environment should be protected by the community. The chief and the elders should enforce the law of the environment. If anyone breaks or destroys environment, the chief and the elders should take action. That is all I think.

Speaker: Asante sana. Do we have Ahmed M. Yaro (a pastoralist).

Ahmed Mohammed: Nitaongea Kiborana. (speaking in vernacular)

Translator: Jina Ahmed Mohammed Yaro, mwananchi Banisa.

Ahmed Mohammed: Nitaongea kidogo tu – machache. Asubuhi, wakati nilikuwa nimejiandikisha jina, nilisema ya kwamba ni mchungaji ya mali. Nikiongea upande ya mali, katika hii Kenya, tungependelea, au iwekwe kwa Katiba ambayo sasa inabadilishwa, ya kwamba, katika hii Kenya, au North Eastern, au Banisa, sisi bado ona ngamia inatibiwa. Ng’ombe inatibiwa, mbuzi inatibiwa, lakini bado ona hata siku moja serikali inatoa kutibu kwa ngamia. Kwa hivyo tunaomba, hiyo Katiba iwekwe, ngamia itibiwe, kwa sababu, kama sisi ni watu wa North Eastern, (inaudible) yetu, ni ngamia. Hatuna (inaudible) ingine. Katika Kenya, North Eastern, ile kitu sisi tunatumia ni mfuko, na mfuko yetu ni ngamia, mbuzi na ng’ombe.

Ya pili, nikiongea upande wa mfuko, ni kavu sana hii mji yetu. Hapa area, mvua saa yote inakuwa chache, hatuna maji. Je!

kama sisi ni wananchi wa Kenya, kwa nini kila mahali inachimbwa, na inapatikana maji, na katika North Eastern au Banisa Division, haipatikani? Hiyo ni swali nitauliza serikali, lakini si yenu. Nyinyi munasimama hata sisi pamoja. Hiyo ni swali nitauliza serikali, lakini lazima iwekwe kwa Katiba. Je! Banisa District, ndio hakuna maji katika Kenya? Au serikali ndiyo inalalia sisi? Tunaona, serikali ndio inalalia sisi.

Ya tatu, North Eastern, tuko jina ya kando. Tuko na alama ya KANU. Wafanya kazi wa serikali – Wasomali, kwa mfano nikichukua ma chiefs (inaudible), katika wafanyi kazi wa Kenya, unaona makalasinga wanafaa kilemba yao kawaida, na hawanyoi ndevu yao, kwa nini Wasomali ndevu yao inanyolewa – Waislamu?

Ya nne, kwa nini muindi anaenda na mavasi yake ya kawaida kwa ofisi ya serikali na yetu kwa nini na sisi ni Waislamu?

Wakati tunaenda kotini, kwa nini kalasinga akiingia kotini awatoi kofi yao na Waislamu wanatoa kofi yao? Maneno yangu hiyo chache tu. (speaking in venacular).

Huka Adan: (speaking in venacular)

Translator: Naitwa Huka Sheikh Adan. Narudishia nyinyi shukrani. Nimepatiwa nafasi ya kutaja shida yetu, sijui kama sisi tunaweza kusema? Nitataja mambo matatu.

Moja, nitataja mambo ya watu kumalizwa kama nyoka na mawe ambaye imetajwa hapo hawali.

Ya pili, nataka taja mambo ya wale waliumia na wale wanakufa kwa ajili ya ukosefu wa maji, sawa sawa wale hawana Bunge.

Kama nyinyi kweli ni watu wa kurekebisha Katiba, na ni kweli, mimi ningependekeza ya kuwa, kwanzia Rais mpaka assistant chiefs, waondolewe. Kwa sababu, sasa utaona mtu amekaa ofisini, anakula pesa vizuri – anapata mshaara, lakini kijana ya miaka ishirini, anakaa na njaa. Kwa sababu hiyo, ndio naomba, napendekeza, kwanzia Rais mpaka assistant chiefs wabadilishwe. Yangu ni hayo tu.

Abdulrahman Sheikh: (speaking in venacular)

Translator: Jina Sheikh Abdulrahman. Binadamu kama hapana tumia akili yake, na anategemea akili ya mwingine, kila wakati atakuwa na shida tu maishani mwake.

Hapo mbeleni (Kenya) tangu uhuru, sheria ambayo inatumika ni yenye ilitengenezwa na watu wengine, hapana sisi. Sasa, tulikuwa tunangoja mabadiliko, tumefurahia kuona mabadiliko sasa. Mimi nitataja mambo machache, lakini ninaeleza nyinyi, sisi hatuna elimu sana. Pengine hatuwezi kujibu nyinyi vizuri mambo ya hii kubadilisha Katiba.

Mapendekezo nitaanzia ni kuhusu Rais: Rais ako na madaraka mingi kama Amri Jeshi Mkuu, Mbunge, Chancellor wa universities, hii mingi ipunguzwe, zingine zipewe watu wengine. Hata amri anumia, pengine iwe pengine ya kupuliza wetu wengine ama kuelewana na watu. Sio amri tu yeye anatoa. Akiwa ana maoni, apeli kwa Bunge, Bunge ijadilie ile maoni yake. Hiyo ni maoni ya kwanza.

Tukirudi mambo ya Bunge, ama mambo ya mipaka ya constituencies ibaki vile ya zamani.

Ile ingine ni haki ya kina mama: tukirudi mambo ya Islamu, sheria ya Kiislamu, tukiangalia, mambo mingi – mwanamke na mwanaume wana haki sawa. Wakizaliwa, wazazi upenda hawa, kulisha hawa, kupatiwa mali kwa msichana na vijana sawa, kusomesha hawa wote msichana na kijana, hata kugawana mambo ya kuridhi mali, baba ama mama akifa, hiko taratibu. Hiyo yote, msichana na kijana hako na haki yake. Hata, wana haki ya kuwa na mali, kama shamba, ploti, pesa, ngamia, mbuzi, msichana na kijana wako na haki sawa. Hiyo ni mambo ya kuwa na mali. Hiyo, ukiangalia mambo mengi, hawa hawako sawa kwa Waislamu, lakini, tukirudi mambo ya kuongoza ama uongozi. Mwanamke hapana kubaliwa kuongoza. Aweze kuwa Rais, ama councillor, ama mbunge.

Huyo mtu kama Controller and Auditor-General, lazima awe mtu hiko na uhuru. Yeye hapana kuja chini na mtu yeyote. Na sharti yeye awe mtu ambaye ako na elimu vizuri, na awe na mali ya kutosha. Awe ni millionaire.

Yaani nikirudi mambo ya birth certificate: katika hizo birth certificate ya siku hizi, ukienda kwa ofisi kupatiwa birth certificate ya watoto ama mtu mzima, inaonyeshwa hapo chini, kuna maandishi inasema, “birth certificate is not a guarantee for citizenship”, kitu kama hiyo. Tunaomba, katika Katiba, iangalie hiyo ili ipadilishwe (yaani, hiyo maandishi ifutwe kabisa). Mimi nikitoa maoni yangu, napendekeza ya kwamba, ile documents mzuri ambaye mwana Kenya anafaa kupepa ni kitambulisho tu.

Sana sana, pengine saa hii utaona nikiwa na kitambulisho, barua ya kuzaliwa, hiyo ikiwa inaonesha mimi ni mwana Kenya na ninaitaji kwenda masomo au kwenda kusafiri ngambo, pengine nikitaka passport (haki ya kusafiria), mtu anakuwa na shida sana kupata hiyo, mpaka saa zingine mtu anaingia garama nyingi, hata wengine wanatumia zaidi ya shillingi elfu amusini kupata hiyo passport, na hiyo sio mzuri. Kama ni mwana Kenya, arahisishiwe kupata hiyo. Kwa hivyo, sheria ionyeshe njia ya kupata hiyo passport kwa njia rahisi.

Yeye anasema, sana sana katika huu Mkoa wetu ama mji tunaishi, sana sana (inaudible) Waislamu wengi, tunaomba sheria iwekwe vizuri, wale wanafanya kazi ya usherati, sana sana saa hii iko mambo ya AIDS. Wale wanauza mwili yao katika ma nyumba, hiyo, sheria iwachukulie hatua, ipitishwe kabisa, watu wasiuze miili yao.

Sana sana katika Kenya kuna dini nyingi, kuna nyingi tunafahamu kama Wakristo, Waislamu, Hindu, nyingi tunafahamu, lakini

kuna zingine zimeanza kujitokeza. Ile ambaye inaimiza watu wauwawe, wengine wachome, ambaye inafanya mambo mabaya mabaya. Tunaomba sheria iangalie hiyo mambo, dini kama hiyo yote ipigwe marufuku.

Saa hii kuna idhara ingine inaitwa “Game ama Wildlife”, ambao wanakaa tu, hawana kazi ingine. Lakini pengine mnyama akimaliza mali yako halafu wewe uchukue hatua, hao wanaanza kufuatilia. Sasa, tunaomba, sheria itupatie fursa ili ilipishe ridhaa, ile mnyama wetu anamaliza hapa. Hawa, watulipe ridhaa – sana sana mambo ya wildlife.

Saa hii, masingira imekwisharibiwa na watu. Sana sana, area hii, miti nyingi imekatwa. Tungeomba iwekwe kwa Katiba, tuwe na askari – guards, wale ambao wanachunga hizo miti, hata wanachunga wanyama, pengine tukiendelea kwa kiwango hii, tutakuja kuwa na shida mingi sana – miti itaisha na hata forests kupotea. Kwa hivyo, tungelipendekeza ama yeye anapendekeza, wapatiwe guards – wale askari ambao watalinda hizi mizitu.

Sisi Waislamu hapa, tunaeneza elimu mbili – ya Waislamu, na ile ya circular education, ile masomo ya kawaida ya mashule. Lakini, tungelipendekeza, katika Katiba, hata wale wanafunzi wa Koran ama wanafunzi wa dini ya Kiislamu, hao nao wapatiwe nafasi mzuri, masilahi yao iangaliwe, wapatiwe misara, hata ma imams katika misikiti, wale wanaongoza katika sala na maombi yote, hawa nao wapatiwe mishaara ili wafaidike kama walimu wengine ambao wanafunza shule ya kawaida. Hata pia wapatiwe nafasi ya kwenda college, yaani, wapatiwe institutions nzuri.

Sana sana vile ilitajwa hapo hawali, ningependekeza hata wale ambao wafanyi kazi – wale Waislamu wawakubalie kuwacha (inaudible) yao, hata sana sana kwa mavasi yao, wawe na kilemba kama huyu anavaa, hata wakati wa ramadhani, katika ile mwezi wa ramadhani ya siku therathini. Hizi masiku therathini, kila Muislamu apatiwe ruhusa ya kwenda kufunga vizuri.

Sana sana, police wanasumbua watu. Saa zingine wanakuja kwa watu, wanafuruga ma nyumba, wanaiba pesa, wanabora dhahabu. Sheria, itulinde vizuri ili wasiwe – wezi wako na sheria. Yaani, wakiwa wanafanya inspection kwa ma nyumba, wawe na barua kutoka kwa wakubwa wao au kutoka mahakama fulani.

Health services iende karibu na wananchi. Bahali kama hapa iko health centre, lakini facilities hakuna. Ningependekeza sheria iwekwe vizuri, tupate vifaa za kupima damu, kuangalia mkojo, mambo mingi sana, ili watu maisha yao – ki afya walindwe vizuri na Katiba. Ni hayo tu.

Com. Muigai: Nina swali moja kwako. Umesema kuwa, watu wenye kuuza miili yao, hiyo washikwe na wenye kununua? Kwani kwa bhang, mwenye kununua bhang na mwenye kuuza, wote wako hatarini. Lakini kwa hayo, ninataka.....

Abdulrahaman Sheikh: (speaking in venacular)

Translator: Yaani hiyo biashara yao inafungwa, hawa wote kwa upande wote – yule ananunua na yule anauza yote ni jembe moja. Lakini mzuri, serikali walinde hata ao pia wapatiwe kazi ili wasiende hiyo maovu.

Speaker: Sasa tunakaribia kufunga. Tulikuwa tumekubaliana, kila mtu dakika moja, moja. (inaudible) Isak, yuko? Dakika moja. Hayuko? Okay.

Haji Hassan Maalim: (speaking in vernacular)

Translator: Anaitwa Maalim Hassan, kwa sababu, jina moja ya mama, moja ya Haji, moja ya Koran, moja ya elimu. Kwa hivyo, anasalimia nyinyi, wageni ambao serikali ametuma kwetu kwa mapenzi ya Mungu. Siku ya leo, siku ya furaha.

Haji Hassan Maalim: Kitu ya kwanza, mabadilisho ya leo ya dini ya sheria ya Kenya – kutawala zamani, miaka kadhaa. Serikali inasema kila mtu apige nduru vile yeye anataka. Sasa mimi nataka piga nduru. Na kitu mimi ninasema, watu waandike, nyinyi usidhulumu kalamu. Andikeni kitu mimi ninasema kutoka kwa mdomo yangu, kwa sababu nyinyi ndio mutapeleka kwa serikali. Kama nyinyi hapana andika, anadhulumu nafsi yenu hapa ni mimi. Asante sana.

Na shida hii yote kama anataka kubadilisha, shida nyingi watu wanasema, kama mimi narudi reverse, hapana iko kitu. Lakini nataja moja mbili.

Shida hii yote kama anataka kubadilisha ya zamani, kutoka Rais kama committee ya manyatta abadilishwe. Kwa sababu gani, kila maneno inataka tafusiri. Mkono kama najua kufunza kuiba, hata kukata kidole, naguza guza hapa. Kwa hivyo, kama Maendeleo ya Kenya miaka kadhaa, inaonekana ni mbaya, inabadilishwa leo. Hapana wacha wale wa zamani wanaaribu maisha ya Kenya. Lazima, kutoka Rais mpaka committee ya manyatta (bula), aweke kalamu yao chini.

Taabu ingine ya pande yetu hii ya North Eastern na taabu ingine ambaye iko ndani ya Kenya, kama nyinyi watu munasema sisi hapana watu wa Kenya. Hiyo hapana, sisi watu wa Kenya. Sema tu, uhuru ya Kenya, sisi bado onja. Sisi watu ya Kenya hakika. Mama ambaye bado kuzaa mimi mimba, hapana weza sema saa hii miaka yangu sitini. Mimi hapana weza Somalia, wala Uganda, wala Tanzania, wala Ethiopia. Kenya naza mimi, mimi Mkenya. Lakini uhuru ya Kenya, sisi watu wa North Eastern, bado onja. Tunasikia tu “halufu” kwa masikio na pua. Kwa sababu, kama mtu iko njaa, kusikia mahali kunapikwa chakula, anasikia kabla bado kula, anasikia halufu ya chakula. Sisi nasikia halufu ya Kenya, lakini bado pata.

Dalili nyinyi nakuja saa hii hapa, maji nyinyi leo natumia, maji ya aina gani? Mpaka hapa, mpaka (inaudible), hakuna kisima. Mpaka hapa, mpaka Mandera hakuna kisima, katika North Eastern. Sasa hiyo ni Kenya au ni wanyama? Sisi ni wanyama ama watu?

Ingingine ya tatu, katika North Eastern, kwanza shida inaletwa na miraa. Serikali asilete miraa katika North Eastern.

Magonjwa (inaudible), wazimu, watoto wanakosa – yaani mtihani, anaanguka. Yote, bibi bwana wanakosana, kila shida, miraa inaleta katika Mandera District. Kama anataka poteza kitu yote mbaya, sheria ibadilishe miraa isiletwe pande ya North Eastern.

Ingingine, kitu inaitwa (inaudible). Sisi nachagua watu kila mara, lakini kila mtu anatumia kuanglia mfuko yake, watu wanakuja wakiwa na nja, iko ya ngaro, kila taabu, anakuja, shika shilling amsini, pigia mimi. Shida ya mtu sio shillingi amusini peke yake. Iko njaa, iko ngaro, ngamia ngaro, mbuzi, kila kitu yake yote, taabu yake, shillingi amsini, pigia mimi. Hiyo shida, serikali iangalie. Usiangalie mambo ya tajiri, tuangalie serikali, mtoto iko elimu mingi sana katika Kenya. Aangalie serikali, mtu kama anakuja, mambo ya rigging, serikali awache kwa nchi yetu. Tunataka uhuru kwa uchaguzi.

Na ingine, mwalimu ya ile (inaudible) nataja. Ile mwalimu ya madarasa. Dini kama inasema, kila dini ipate uhuru, pande ya Islamu, watu wanasema, sisi Islamu, kwa sababu ya Koran, maneno ya Mungu. Tena sheria inabadilishwa, kitabu ya Koran, maneno ya Mungu. Kama sisi hapana pita hiyo mambo ya Koran hiyo, barabara yake, sisi naingia yote moto.

Sheria yetu ya kitabu Koran. Serikali ikubalie sisi, kwa sababu sisi hapana weza kupita barabara ingine bila kitabu ya Koran. Serikali aangalie, Islamu ya Kenya, apatie fursa yake ya hukumu, mambo ya dini ya kitabu yake ya Koran Mwenyezi Mungu. Kwa sababu Mungu anasema kama wewe hapana fuata kitabu yangu hii, ataingia nyinyi moto.

Pande ya Kenya. Pande ya Kenya, serikali kama anatumia haki, watoto ambao wanaitwa ‘chokora’, anaka ndani ya Kenya – barabara yote wanalala kama maiti. Waondolewe hawa watoto, serikali iwapatie nyumba, masomo, chakula, kwa sababu haibu ya serikali yetu sisi hapana weza kuangalia.

Nyingine, serikali kama anataka kurudi kwa njia ya haki, kukaa ofisi au kusimama ndani ya barabara, mtu anakula ongo, serikali ashikwe atupwe ndani, Kadhi afungwe miaka ishirini. Kwa sababu maisha ya Kenya, watu wanaaribu na ongo. Gari inajukua ongo, licence yake inaisha bado shika, anabeba bundiki, anachukua ongo, anawacha bunduki inaingia nchi ya Kenya. Ashikwe, mtu ambaye anachukua ongo. Kwa hivyo Asanteni sana, anaonja kidogo, hiyo, lakini, hii kitu, leo nakuja hapa, hiyo ninaitwa mahali hapana nyesha mvua wakati nyingi, lakini siku mvua inanyesha, kila mtu anapata raha yake.

Leo, maneno nyinyi naleta, serikali naleta, inaangaliwa, sawa sawa mvua inanyesha. Lakini serikali iangalie upande wa North Eastern, serikali iangalie tena na tena, watu taabu yake mingi sana, kitu leo nataja watu wanasema Kenya inaua sisi, wakati ingine kati kati ya hapa, wanyama, sisi. tajiri, hakuna mtu nasema tajiri. Watoto shule, mpaka primary, mpaka university, serikali achukue katika North Eastern, alipiwe.

Andika. Basi mwisho yangu ni hayo, Asanteni sana.

Speaker: Nilimwita Hassan Abdala. Okya. Maalim Ali Osman, alisema asubuhi. Na Maalim Yusuf Maalim. Na Sheikh Rashid? Rashid yuko? Ulikuwa umejiandikisha. Abdi Adan. Okay, uje, tutapata jina.

Abdi Adan: Jina yangu ni Abdi Adan. Bila kupoteza wakati, ningependa iongenzwe katika Katiba, marupurupu ya councillors, ilipwe na serikali kuu sio Local Authorities.

Ya pili, kwa vile sisi ni watu wa kuhamahama ama watu wa kukaa na mali, muda wa kupiga kura haitoshi. Nataka Katiba iongenze muda ya kupiga kura kwa siku mbili.

Ya tatu, ile shida ambaye watu wote walikuwa wanaongea leo, sio serikali ya Kenya peke yake ililete, kwa vile serikali ya Uingereza pia, iko ndani. Sheria sasa ambaye inatumaliza watu wa North Eastern, iliwachwa na serikali ya Uingereza – wakoloni. Sasa tungependa, iwekwe katika Katiba ya kwamba, serikali ya Uingereza ipelekwe mahakama kuu, (inaudible) ya dunia. Yangu ni hayo tu.

Speaker: Mohammed Adan.

Mohammed Adan: Thank you Mr. Commissioner. My name is Mohammed Adan, and I am a teacher at Banisa Primary. My ideas are as follows and I am going to read them through:-

One, we should have a federal system of Government with each state to look after its own affairs because in this way, authority is given to the natives or the people.

Two, the states which are predominantly Muslims or Islamic like North Eastern and Coast Provinces should follow the Islamic law or sharia, whereby the Constitution is based on the Holy Koran.

Third, the Judiciary should be independent from the Government, so that they can do their work properly, hence things like the appointment of the Chief Justice and other legal officers should not be Presidential appointees.

Fourth, the Constitution should guarantee all Kenyans their basic rights like security, health, education, shelter, etc.

Fifth, we should have moral and ethical qualifications for Parliamentary candidates. For example, if somebody is known, like, for example, he has been doing bad activities or is immoral, he should not be allowed to contest, because, he cannot lead others, he will spoil them.

Number six, the Presidential tenure of office should be three terms of five years each and tenure for MPs should be two terms of five years each and should not exceed that.

Seven, only retirement, the former President must be entitled to security and welfare, but he or she should not be immune to legal process. That means that he should be answerable to the law.

Eight, miraa which is also known as herb should be added to the dangerous drugs like heroin and bhang, and its sale should be banned in Kenya, because miraa is bringing a lot of problems to Kenya. For example, it is leading to family break-ups, health problems like somebody is losing his teeth. For example, if you look at all this crowd, you might see someone without teeth and that is brought by miraa, and others become mad. For example, the way you can see some villagers here, there are mental cases, and all those problems were brought by miraa, because these (inaudible) uses some drugs together with miraa, which is giving them cancer and they develop some dangerous diseases.

Number nine, in order to curb corruption, the persons empowered should declare their wealth and how they acquired it.

Number ten, the President should not have powers to nominate or appoint commissioners or chairmen to public bodies, but this work should be vested in the Parliament.

The last one, number eleven, the Government should protect its citizens from harassment by foreign agents e.g. FPI – coming to Kenya and harassing citizens in the name of fighting terrorists. Kenyans who commit international crimes should be tried or charged in Kenya and under Kenya law and not sent to overseas or foreign lands, because that is not fair. Thank you.

Com. Mosonik: Asante sana. Na mzee mmoja ambaye anaitwa Hussein Hassan Adan, alikuwa amesema?

Hussein Hassan Adan: (speaking in vernacular)

Translator: Jina Hussein Hassan Adan. Shukrani kwa wote, nawasalimia. Yangu ni fupi, nasema tu mbili. Mengi imekwisha semwa na wale wa mbele.

Ya kwanza, nitasema maoni juu ya ukoloni. Moja nayo ni kulia, kwa shida tuliopitia. Kwa maoni yangu, sisi hata hatufai kupeana maoni hapa kwa sababu ya ile shida tumepitia. Sisi wale tumepata shida nyingi wakati wa emergency, wa ndugu zetu, akina mama, wamemalizwa, mali yetu imekwisha borwa, hatufai kutoa maoni hapa. Binadamu anafaa kupata vitu vine kutoka serikali yake.

Ya kwanza, mtu apate usalama. Ya pili, apate chakula. Ya tatu, apate masomo. Ya nne, apate haki. Nataja tu hizo machache, ni nyingi tu lakini nataja hizo nne.

Com. Mosonik: Asante sana. Abdula Ali Abdi, hayuko. Na Mohammed Hassan -- (inaudible) DDO.

Mohammed Hassan: Nafikiri mimi niko na (inaudible). I will not talk about a few things from my memorandum, because I will be leaving the memorandum.

On legislation: MPs should be diploma and above.

Local Government Authority: Local Government Authority

Com. Mosonik: Education

Mohammed Hassan: Diploma and above.

Local authorities must be able to carry out all services e.g. medical, education, water, forest, with clinical officers from the Central Government.

Electoral Commission: ECK Commissioners must not be appointed from the family or a relative of a person in Parliament.

We want (inaudible) only person must be appointed.

Courses: courses should be increased on Koran mark, not by population.

Any person contesting as a candidate for the Presidency must have 5% from five Provinces.

Basic rights. Free education for North Eastern Province because of emergency laws that was imposed on us for 39 years – from Standard I to Form IV.

Composition for all properties destroyed (..... (inaudible), Wagala and Garissa). In order to get compensated, we must get 10% of the Government budget must be given to North Eastern Province to strengthen the Government, strategic like schools, roads, hospitals and other necessary services.

Com. Muigai: I have one question for you. You have said that the constituencies should be by land-mark, not by population. We have been told that people who go to Parliament, go to Parliament to represent human beings, not acreage, not trees, not animals, that is what we were told by people where the population is higher. If we use land-marks, it means that we can have Central Province and Nairobi and Mombasa having one MP compared with North Eastern.

So, can we – now that we are making a Constitution, this is a time for reasoning together. Can we think reasonably about both and try to get from you issues that are going to help us to balance this situation.

Mohammed Hassan: The first thing, while I still learn, not my place to hear. What made us? Because from here, as for example now like the Mandera West, it is almost covering almost (inaudible) square. If someone at Thika might be serving MP, five thousand kilometers. Because of the problem we have been facing for 39 years, that is what has made our people to flee from here to Ethiopia, Somalia, because of this hardship problem that we have been facing. So, that is what made our people immoral. When we are given only 10% , then buy our budget, so we have water every way, roads tarmacked, schools facilities, you are capable like the other Kenyans, so that is what I am saying, we must have land not by population but (inaudible).

Speaker: Youth, yaani kijana moja -- Mohammed Hassan Ibrahim nafikiri. Anasema yeye ni youth. Amesema, okay. Mohammed Hassan Omar, hayuko? Nani huyo?

Bishar Maalim Mohammed: Jina yangu naitwa Bishar Maalim Mohammed. (speaking in vernacular)

Translator: Nataja mambo sita. Anasema tunataka matibabu bure. Dawa tupate bure, mambo ya afya iwe bure.

Free education upto secondary.

Yeye anasema sisi hata bado jua MP, lakini MP akichaguliwa, lazima tuesabie yeye, kufika miaka mbili, akuje, halafu tuesabu amefanya nini.

MP awe masomo yake ni Form IV juu, lakini kamani councillor, hakuna sharti ya elimu. Sisi tumewekwa mkaso, hatujasoma vizuri, wazee wetu, tunaweza wafanyi councilors.

Tunataka vijana wapatiwe vitambulisho na iwe bure.

Sana sana, sisi wakaaji wa mwaka huu Wasomali, tunatishwa na polisi. Tukikutana na polisi, ni mambo ya kupigwa tu kofi na teke. Kwa hivyo, sheria ibadilishe hiyo mambo.

Speaker: Kuna Mohammed Hassan Omar, ambaye amesema ni youth. Hayuko huyo? Na Ibrahim Sheikh, Mandera youth. Haraka Bwana.

