

CONSTITUTION OF KENYA REVIEW COMMISSION

(CKRC)

VERBATIM REPORT OF

CONSTITUENCY PUBLIC HEARINGS

WAJIR EAST CONSTITUENCY, BARAZA PARK

ON

6TH JUNE, 2002

CONSTITUENCY PUBLIC HEARINGS, WAJIR EAST CONSTITUENCY, ON
6TH JUNE 2002 AT BARAZA PARK.

Present

- 1.Com. Isaac Lenaola
- 2.Com. Nancy Baraza
- 3.Com. Alice Yano

Secretariat Staff in Attendance

- | | | |
|------------------|---|------------------------------------|
| 1.Joash Aminga | - | Programme Officer |
| 2.George Wachira | - | Assistant Programme Officer |
| 3.Regina Obara | - | Verbatim Recorder |
| 4.Gore Abdi | - | Muslim Assistant Programme Officer |

The meeting started at 9 .00 A.M.

Com. Lenaola: Mmejua Commissioners wako hapa. Ningewaambia kwa ufupi taratibu ya kutoa maoni. Jambo la kwanza,

huu Ni mkutano ambayo ni mkutano wa haki, kwa hivyo usiogope kwamba maoni yako ni ya aina gani ama utadhurumiwa ama utasumbuliwa, toa maoni bila kuogopa. Jambo la kwanza!

Jambo la pili, zungumza lugha yeyote, iwe Kiingereza, iwe Kiswahili, iwe Kisomali.

Interjection: (*inaudible*). Sug hee basi.

Com. Lenaola: Ebu tutulie hapo nyuma, kuna kelele-- Mkutano ni mmoja, mama., tafadhali tutulie. Jambo la tatu tungependa heshima katika mukutano, mtu akiwa na maoni yake kama unayapenda ama ujapendi mpe nafasi amalize. Jambo la nne ukija kuitwa kutoka list utakuja hapa kuketi hapa karibu ha huyu Regina baada ya kutoa maoni yako utaenda pale ujiandikishe. Halafu utarudi kwenda kuketi pale ulikuwa umeketi.

Jambo la mwisho, tutaanza mukutano sasa hivi, tutaomba kufunga saa kumi. Kwa hivyo wale ambayo mtakuja hapa nitawapa kila mtu dakika tano, uwe na barua, uwe na mameno, dakika tano ili kila mtu apate nafasi ya kuzungumza. Baada ya saa kumi tutafunga twende Garissa baada ya hapo. Jambo la mwisho, tafadhali kila mtu atumie muda wake bila shida. Ukiongea mambo ya shida to pia mapendekezo, tungependa Sana mapendekezo kutoka kwenu, sio shida peke yake.

Na tafadhali tuache makelele mingi kwa sababu tunarekodi yaha maneno na tukiwa na makelele itaingia katika rekodi. Ni tamwita mtu wa kwanza Omar Ali, Omar Ali, karibu.

Interjection: Speaker: Basi Omar, tunaomba akuje aketi hapa, aseme jina yako, kwa sababu hiyo kitu inakuwa rekodedi

Interjection: Regina: Kuja uketi hapa.

Omar Ali: Nianze sio.

Interjection: Regina:(*inaudible*) ongea Kwa sauti.

Omar Ali: Bismillahi Ramani Rahim He, nikianza, nataka kwanza kueleza Commissioners ya kuwa wamekuja North Eastern Province, Ulaya ya Wajir ambayo ni tofauti kabisa na Kenya ingine. Sisi watu wa mkoa wa kasikasini mashariki, kweli atukuakilishwa wakati Katiba ya kwanza ilitengenezwa Lancaster House ambayo saa ingine minaitanga Colonial Constitution. Na kwa sababu hiyo, atukuwekwa katika hiyo katiba. Wakati wa Kenya wengine wanasema Katiba inabadilishwa or Constitution Review sisi atuna la kubadilishiwa. Ile ya kwanza haijafika kwetu, atujaona.

Mbele ya 1991 infact tulikuwa tu almost tunaishi in law of jungles. Tuliishi maisha yetu, maisha ambayo aina dhamana, Mali

hivyo hivyo, na kwa sababu hatukuakilishwa, tumenyanyaswa. Tumekuwa tukiishi kwa maisha ambaye haifayi. Katiba sasa kwetu ni kuanziwa upya, sio kubadilishiwa, we have nothing to be reviewed, we have not seen the former one, sasa ni kuanziwa upya. Ni kianza pale inaudhu watu wote wa North Eastern Province that is Citizenship, nataka kuanzia, naniseme kidogo. Sisi wananchi Kenya ina mukoa nane, sasa ingine wananchi wale wanaishi, they are automatically Kenyans. Lakini sisi watu wa North Eastern Province ambaye ni Province moja katika Kenya wana Kenya leaders wanakubali na North Eastern Province ni part ya Kenya. Lakini bado mpaka sasa hawajakubali wananchi wa North Eastern Province ni wananchi wa Kenya.

Kwa hakika ukiangalia, vile munajua wananchi wa Kenya wakiitimu umri wa miaka kumi na nane wanapatiwa kipande moja, National Identity Card and their citizenship is guaranteed, watu wa North Eastern Province, sisi tuna card ingine wanakenya wote hawana a screening card. Tukiwa na vipande yote aina maana, mpaka tutoe a screening ambaye akuna Mkenya ingine anayo, akuna wananchi wa Kenya ingine wanayo. Imetubidi sasa, sisi wazaliwa hapa, watoto wetu leo hawawezi kupatiwa ID Card mpaka mzazi ama wazazi wawe na screening card. Tunastaajabu kama sisi tunafanyiwa screening kwa sababu tukojiirani na Somalia. Kuna wananchi wa Kenya wengi jameni wanaishi katika inchi mbili. Nikitaja kidogo, mandugu zetu Masai wanaishi katika Tanzania na Kenya. Luo na Luhya wanaishi both Uganda and Kenya and they are not screened. Mandugu zetu Borana hapa wanaishi katika Ethiopia na Kenya. Sisi Wasomali wa North Eastern Province, we are screened to the last, up to now our citizenship is disputed. Because the National ID Card we are holding is not valued until we produce that red card. Wengine ata wanasema as if we are footballers who are playing ambayo anafanya kosa anaonyesha red card. Hii red card imekuwa ya kutoa katika inchi?

Interjection: Com: Baraza: Mapendekezo yako ni nini?

Omar Ali: Yangu ni, hi discriminative things to be thrown away, ifutwe kabisa hii kipande ingine ambayo wana Kenya wengine awana, na tubaki kama wananchi wa Kenya, tuwe na kipande moja na our citizenship should be just like the rest of Kenyans. Land ownership nikigusa kidogo, sisi hapa ni Trust Land na sisi ni pastoralists. Infact kwa hakika mvua ikinyesha mahali fulani hata ikikosekana katika Kenya, inyeshe kwa njirani yetu, we are forced always to shift to that place.

Since this Trust Land, the land is intructed to the County Council, ningependekeza hivi, katika town watu wawe wanapatiwa title deed kwa plot ile wanapatiwa. Lakini tukipita maili ine, kwa sababu sisi ni watu wa kuama huko na huko na huko na huko na huko pia tuishi pamoja vile tuko sasa na vile tulikuwa tangu ata mbele ya wakoloni. Mvua ikinyesha South tuhamie, watu wa South ikinyesha East ama West or North wahamie, nataka tuishi pamoja tukienda rezervuni. Lakini town watu wapatiwe Title Deeds for development sector, Ili wajijengee, waombe loan.

Yangu ya tatu, ni Pastoralists, mali sisi watu wa hapa ni watu wa kufuga. Na, infact Kenya, Kahawa imetafutiwa soko ya inje, na majani inatafutiwa. Mimi ningependekeza yakuwa Ministry itengenezwe, Pastrolists Ministry. Ministry ina concern na pastrolists ambaye inajishugulisha na kutafuta soko inje ya inchi yetu hii mahali yetu kutafutia. We are not that much desperate. Tungekuwa tumejusaidia na tumesaidia Kenya, kama tungepata soko inje ya inchi yetu hii, kwa hivyo ningependekeza Ministry

mpya itengenezwe concerning pastoralists inatutafutia market outside Kenya. Kidogo inabakia mimi Bwana.

Ningesema hivi pia, ningependekeza, wakati soko inatafutwa, vita hatutaki jameni. Hii kiwanja kubwa hii, ingekuwa decentralized hili tuwe kwa njia rahisi tusafirishe mali yetu inje like Middle East. Hatuna, we don't have a Sea here, we don't have a Railway here. Njia pekee ni kupata Airport Nikisema Leo tujengewe Airport, nitaitwa wasimu kwa sababu hata barabara hatuna, hatuwezi kujengewa Airport nataka hii Military waondolewe. Vita yetu ni ya Economics, siyo vita ya bunduki na sio ya F16. Tunataka hii kiwanja Military waondolewe iwe ya biashara, Commercial Airport.

Yangu ya mwisho, Judiciary nikirudia jameni. Sisi ni waislamu 99% in North Eastern Province, hakuna mahali ingine inafaha kuachiwa Islamic court, kama nikipendekeza hivi. Tunataka office ya Kadhi iwe promoted up na iwe size moja na District Magistrate's office badala ya kuja chini ya District's Magistrate's office, ofisi ya Kadhi tunataka iwe size moja, heshima moja na uwezo moja na District Magistrate's. Hapo, hapo ningependeza Chief magistrate to be equal rank with Chief Justice as far as I am concerned. Islamically pahali Mimi nina kuja kusema sasa, kitu kama marriage, divorce, inheritance tunataka iwachiwe Islamic court. We have got God given laws that we are following. Kwa hivyo mambo ya kuoana, kuachana na these things I am mentioning, that tunataka iwachiwe Islamic court, court ya waislamu iwachiwe.

Interjection: Bwana Commissioner kidogo.

Interjection: speaker: Elias Ahmed.

Omar Ali: Ninaandika wapi?

Interjection: Speaker 1: Mahatirii sug athi

Interjection: Speaker 2: Elias Ahmed ukisikia jina lako uje.

Interjection: Speaker: Wewe leta hii kitu.

Interjection speaker: There is no need to be followed, wewe ngoja Bwana ngoja.

Interjection speaker: Toka hapa unataka kunipiga we toka.

Interjection speaker: Wewe Ahmed ngoja wacha vita.

Interjection: (many speakers speaking at the same time)

Ahmed Mohamed: People like you whom are those disturbing us here.by force mimi nitaendelea.

Interjection: Speaker: Okay your name,

Ahmed Mohamed: Mimi naitwa Ahmed Mohamed. Umeandika.

Speaker: Endelea

Ahmed Mohamed: Okay, since last time we were faced Wagala, we have found out that North Eastern people have been treated with what we call the emergency law. Emergency uhuru, since NFD time and our President the only very important person whom we have been electing for the last 30 years or 35 years in the Constitution of Kenya has been declared a Shifta leader by the Nation.Munaandika Rashid ni Shifta and he has been the first person who has been to Lancaster House (London) and made NFD to be under Kenya.

So the whole of Somali's in this town, in Mandela and in Garissa are facing what they call injustice by fear. Armies can come and brutally handle you just the way they want, police have got their laws in their own hands do you understand because they say this is an emergency place, therefore we can extend our laws and even some are coming here to loot and to finish our pockets. To prove, you have been asking to what we call Somali verification cards. What is the purpose of Somali verification cards, while you know that there are some Somali's who are living in Kenya and you know where Somali is. So please I would like to have justice and equal justice. Thank you very much.

(Clapping)

Interjection: Speaker: Ahmed, Ahmed , kale, kale.

Com: Lenaola: Adil Sheikh Mohammed, ingia hapa.

Interjection: Speaker: Magacatha sheg, hathal. Mzee Zurab kale utafsir tafadhali translator, haa ani hor iyo gathal baan usocona.

Com: Lenaola: Tafadhali munyamase kwa maana tunarekodi hii maneno. Mukiongea sana itakuwa rekodi subra kidogo.

Interjection: speaker:. Ninkan hathakisa sifican lomamaqlo.

Comm. Lenaola: Tafadhali Mama, tafadhali.

Adil Sheikh Mohammed: Bismilahi Rahmani Rahim, Wahaan ahay Councillor ya Township Wajir.

Translator: Huyu ni Councilor wa Wajir Township.

Adil Sheikh Mohammed: Wajir ama North Eastern hadhii an kahatlo diwato weyne baathan oo umadha Kenya kale in ey haysani at motho aya nahaisata.

Translator: Amesema nikizungumuza juu ya North Eastern ama Wajir, iko shida kubwa ambayo Kenya ingine haiko.

Councillor Adil Sheikh Mohamed: sababta ietahay Mandera ila Garissa wah jiid lairahdo oo aniuhasano majirto malaha. Hakuna barabara.

Translator: Basi, Councillor amesema kwa Kiswahili, amesema North Eastern Province, upande wa barabara akuna. Ni kitu kama akuna barabara kabisa.

Interjection: speaker: sharcii badhal aya larabaa ee ogaww.

Coun Adil Sheikh: sharigaa umadha wahaweeye diwatatha anakaa nahaisato waha kamit ahh wahainuay taat kudaqthe adhunyo, holaa ayankudaqana. Holaaha ankudaqano mauhaisa wahleyirahtho suqh, suqh mahaisano. Wahanrana in aunu helno hadhii Kenya kamitnaha wahanrabna inn ainuhelno factory luguqalo holaaha.

Translator: Councillor ameongeza kusema yakuwa, North Eastern Province ni wafugaji. Upande wa sheria tunataka iwekwe, ni njia ya kutafuta market ama Kenya yenyewe ichukuwe hatua ya kujengea sisi Factory ya nyama.

Counc: Adil Sheikh : taan kale wanaxan rabna Northeastern hathan naxay wahkale ainukudaqanu oo holaa eeyihin wahkalete oo. Markasta diwatatha anagaa wey bathantahay waxan uu bahanahay dul mashruu eeh oo bereha lagafasho dul kainana dul beraath waaye. Waxanrabna inn ainu heno siithi Kenya thaa kale inn anuhelno dul ee masruc ee dhowlatha eey galise oo lagahelo bera ama lagafasho. Sababta oo eytahay wowiga Isiolo wunodow yahay dhul kass oo danan waa dul berrath inaan helno haquqtha binaadhanka mitlamit eeh oo dulka masruuc lagalio oo dhatka kafiyo ayanlenahay. Inney dhowlada eyinohagajiso oo dhowlada Kenya eey masruic ey inogaliso ayan rabna dul masruq oo beraha lagadigo.

Translator: Councillor amesema iwekwe katika sheria, Wajir district, kuna inaitwa nini?

Interjection: Speaker: Mto.

Translator: Mto moja kutoka Habasweyne mpaka Isiolo wapi, uko natoka juu. Na hiyo imekatwa katikati, maji yake kila wakati aiwezi fikia wilaya hii ya Wajir Habasweyne. Kwa hivyo nataka kurekebishwa kisheria na tupate Irrigation, njia ya kupata hiyo maji pamoja na iyo Irrigation ya kusaidia watu kuwa walimaji.

Counc: Adil Sheikh: Tankaleto anaka hadhan inuay thatka holaleytha wahaan racna mel ala meshi robka kudoco ayan raqnaa sababtaa oo eh adunyo ayan kudacana. Adunyana waxan rabana mel rob kudieni oo angagagan mamaran. Waxnrabna

mel iskofuran oo Kenya gas kale anlaqabsano ee anlehen aniga leh meshan iyo anigaa leh meshan aalehen. In aunuhelno ayna raban, marabno wahaa cnrol oo hadith eeh in aayeyelato Kenya guthehetha.

Translator: Councillor amesema tena. Upande wa ardhi, anataka iwekwe sheria ya kuwa inchi ya Kenya ni Kenya. Popote utapata ngamia yangu ama ngombe yangu, malisho na maji iwe nchi mimi na wewe iwezi kuingia na baadaye wakati Mungu anabaliki sehemu yangu na awezi kurudi. Nataka serikali iondoe, “na mi sijui hii sheria kama hiko katika law, hii sasa nafutwa”. Eiondoe mambo ya mipaka.

Interjection: Translator: Lakini nadhani, Bwana Aden hiyo. Mipaka imeanguka na koloni.

Interjection: Com: Lenaola: Hiyo sio kazi yako kusema mambo yako, translate neno kwa neno.

Counc: Adil Sheikh: Hayehh.okay.

Taankale waxan rabna hatii aniun uahay councillor township wahan rabna in anlanoqono Kenya tha kale ananalaqaibsano Sabato ehh anakaa dulkan ama magalathan malahaa tittle deed waxan rabna iin oo lahaelo Tittle Deed iyo inn eynoqoto kila wakati inaanoqoto.

Interjection: speaker: Salan kuja hapa kale.

Interjection: Com: Lenaola: Kwa English.

Interjection: Speaker: Hapana Kwa Kiswahil.

Counc: Adil Sheikh: Anakaa waxan raban Kenya kale in aunulaqabno haquqthala binaadamka.

Translator: He wants to be part and parcel of Kenya and share everything with other parts of Kenya.

Counc: Adil Sheikh Sabbta oo he camal in aunan helno Title Deed.

Translator: He says, this part of the country they are not familiar with Title Deeds, they don't get, there are not exposed to title deeds.

Interjection: Inn anuhelno tittle deed ayandhoneyna.

Translator: He recommends that they should be issued with Title Deeds.

Counc: Adil Sheikh: Waxan rabna mel suqh oo wahajirta kawnja weyne oo Wajir lethehai.

Translator: He says there is a very big International Airport in Wajir.

Counc: Adil Sheikh: Suqh holadth in dhowlatha ee inofurta ey dhowlada inofurto oo shereqi Kenya iskumit lagadigo ayan dhonayana.

Translator: He wants the government to facilitate the use of that Airport for purposes of selling livestock.

Interjection: Regina: Wacha watengeneze, ongea tu. Ongea watatengeneza.

Counc: Adil Sheikh: Mitha kale wahaan rabana anaga hadan nahai rer Wajir wahan rabna taat Islam ahh.

Translator: He says Wajir residents are Muslims by religion.

Counc: Adil Sheikh: waxan rabna hakama Isalmka in lugutara in loyelo hoog kuliko hakamatha kale.

Translator: He wants an empowerment of the Islamic justice system.

Interjection: Com: Lenaola: Tafadhalini tunyamaze, hatuwezi kusikiza kama munapiga makelele, na kama ni makelele - Mama, tafadhali Mama.

Counc: Adil Sheikh: Meeshan wahajirta oo Kenya than kale lammit een dulkena intatka laiska muqurio tatka aama laqaraca owodh iyo shercii towlathey anjirin.

Translator: He says in this part of the district there is a lot of suppression or misuse of authority by the Administration.

Counc: Adil Sheikh: Hata hathan kasoqath waagi an soodafne wahadacthe in ey dhowlatha eey disratey taat oo dattat holaley oo durkan joganin lasogarecey oo holihina waxjajaweyn.

Translator: He has been reporting an incidence where the government has, where the Administration has sent some security forces to go and harass some people in certain areas in Wajir District.

Counc: Adil Sheikh: Taa ayatha eh wa mitey Kenya kala ey nalaqawin.

Translator: He says that this is a very unique problem and is only prevalent in this part of the country.

Interjection: Com: Lenaola: Mwambia a recommend.

Interjection: Translator: Mahalaqawankara ass kudahay.

Counc: Adil Sheikh: Waxa lagaqawanlaha in awodhotha ladimo.

Translator: He recommends that their powers should be reduced accordingly to misuse power.

Counc: Adil Sheikh: Tankale policista Dhowlatha wahajirta in ey Dhadka wahlayirahtho bob ama hogan wah sharcii att guranina maleh.

Translator: He complaining of police harassment also within the town. He says they harass people without identification, and without having nametags

Counc: Adil Sheikh: Sabto ahh haquqtha in an laqabsano ayan dhoneyna ee wehena ey ahanini wah emergency ah.

Translator: He says since they are part and parcel of the Kenya Government, they expect that they should be treated like innocent, like ordinary citizens.

Translator: Last point Tii ougudhambeyse sheg.

Counc: Adil Sheikh: Hadhi anunahay dhatat Muslimim anunahay rer Wajir wahanrabna in at haquqtha laqabsano Kenya kale oo anananogonin dhat kudashii Kenya oo magaca kaah Kenya lakin dhat sharcciga Kenya kudaqmo in anakamit ehen anannoqonin. Ee wahandhoneyna dhat sharcega Kenya kudaqthe lonagartey in an noqono.

Translator: His recommendation is that he would recommend that they should be integrated into the national system and to be taken as part and parcel of the people of Kenya, they should not be segregated against others.

Comm. Lenaola: Asante sana Bwana Adan Sheikh, tumeshukuru, jiandikishe pale, Nooria Yusuf Noor. Nooria Yusuf Noor, hayuko. Abdi Ahmed, yahuko, Abdi Ahmed, yeye huko. Kimbia bwana. Come this way and please Mwalimu go to the recommendations, mwalimu, mwalimu go to the recommendations straight.

Abdi Ahmed: Mr Abdi Ahmed has just been educated, I will be speaking in English, or Kiswahili, whichever easier for me. I would like to ask and a reason to be put there that all Kenyans should be equal, regardless of their class, religion, race and colour. That one can only be achieved when there is only one identification paper for them, we should not have one that is mean't for the Somali's screening card and a Luo carrying another one without the screening card. That kind of thing should be abolished with issuance of identity cards in the districts should be continuous unlike what is happening now which is actually very seasonal and erratic. Passports should be given to all Kenyans once you have proved to be Kenyan.

The idea of asking for birth certificate of your grandfather, father should not exist, the ID should be the prove of your nationality.

I think that one should be addressed very much in the law. There should be infrastructure for all parts, for all Kenyans in the country regardless of whether one comes for the Northern Frontier District, Siaya, Nairobi, or whichever part. Islamic sharia should be used in Muslim dominated areas and Kadhi's court should be as per other Judiciary system within the country, whereby the Kadhi is half, the Magistrate level, we have court of appeal and the High court.

Muslims should be given credit facilities without interest for that demand, in their religion. That is one thing and where the

government cannot provide, they should at least suppression Islamic banks operating under the Islamic laws. Muslims have now been disadvantaged because they cannot get credit from this bank because they are running away from interest. That is another thing that should be looked into. Same should be done by the Co-operative in the country, not disadvantaging the Muslim members who are in their Co-operatives.

Terms of Members of Parliament should be limited and should not go beyond three terms. Starting with the coming general Elections, the level of education for Mp's should be either diploma or degree that is another thing. On the other hand, one other criterion that should be used for them to qualify to be, or to contest is that they should be married. We are Africans and therefore we cannot overlook that, which is another thing. Water for all must be there, whether one is in Turkana, North Eastern or Coast that is basic needs.

There should free primary and secondary education for all Kenyans. And these ones, the government has to enforce and any child that has reached that age of school going, must go, with or without the wish of the parents. That is another thing. We should have no one above the law including the President. The speeches of the President should not be taken as law. The law should not only be in books but put into practice. We should have a unitary government and the Judiciary should be free from other sectors within the framework that is working.

Political parties should be reduced to only four so as to avoid further fragmentation and tribalism, which is prevalent in the country. If the President is a Christian, the vice President should be a Muslim. The percentage of the Muslim population in the country should also be used in addressing some issues, but this does not include, division of Kenyans. That is one thing people have to know.

Comm.Lenaola: Last point, Mwalimu, and last point.

Abdi Ahmed: There should be no Trust Land and land belongs to the people and the nation should have to address that. Finally there should be no massacres that have taken place as we know it, in Wajir we have got the very infamous, Wagala Massacre, that one of Garissa, Malkamari and what is happening to members of Gonya wa Gakonya in Nairobi. That kind of beating should not exist at all costs. Thank you

Comm. Lenaola: There is a question for you.

Comm.Baraza: Thank you mwalimu. Umesema ya kwamba tusikuwe na Trust Land.

Abdi Ahmed: Yes.

Comm.Baraza: Kwamba ardhi iende kwa wanainchi wenyewe, nani atashikiria hiyo tite ama unaona namna gani?

Abdi Ahmed: The Community, should be given community Title Deeds and they should be individuals, new members who should be trusted with those Title Deeds.

Comm.Lenaola: Thank you very much mwalimu, please come this way and register. Ibrahim Adan Osman, Ibrahim Adan Osman, Councillor Sheikh Noor, CouncilLlor Sheikh Noor, Jelle Abdi Ibrahim, Jelle Abdi Ibrahim, and Oh you are here okay. Bwana Jelle, recommendations please, just recommendations direct.

Jelle Ibrahim: Thank you very much, I would prefer to use English and infact I will be very brief.

Interjection: Com: Lenaola: Your name please.

Jelle Ibrahim: My name is Jelle Abdi Ibrahim, I am an Agriculturalist. I want to start with the Somali proverb, which says that the mother worries what kills her first born even for the last-born and other children. I am saying that because we are worried the former Constitution as Somali's or the former NFD has not guaranteed our peaceful existence in this country. And so we are worried, I hope this Constitution also will not do the same and that it is going to guarantee the existence of this Community. I am saying that because, they feel they were not part and parcel of this or they we not involved with the making of the first constitution or it has not catered for their interests. I want to go to the area of Citizenship, I believe that citizenship should be acquired through birth, by birth and we should not have dual kind of citizenship.

Why I am saying that is,we should not have dual kind of citizenship is that, we are afraid that this might result being a divided loyalty between countries. Rather somebody cannot be loyal to this country and be loyal to another country. So I feel that we should not have a dual citizenship and I also think that either a Kenyan spouse, a Kenyan lady married, lets say another foreigner may be he is a British or an American or anything like that and that husband of that Kenyan lady wants to become a citizen of Kenya, then that person should denounce his citizenship of the other country. So that we can have one Kenya and admission of different individuals being taken care of.

I also believe that, somebody should be identified with an identity card, which should be sufficient anyway as a matter of recognise us as we Kenyans. But that ID card should be for everybody and not one unit of Somalia is having a screening card and another section holding another card of a certain nature and then all the cards should carry an equal weight and equal recognition. There is no need of having an ID card while it cannot protect you as a citizen.

Currently, I believe that the issue of ID cards, at least anybody can acquire a Kenyan ID card whether he is a citizen or not. Infact they are for sale, so the Constitution should have provision to prohibit and actually become very deliberate and the documents should only be got by those who are supposed to get. I want to move to political parties; I think we should have

three major political parties, based on ideologies and people should group themselves if they leaning towards the right, then they should join that party. If somebody belongs to or feel that pengine wakulia he can also go to that direction and then we should have a centralized kind of anybody who has that kind of ideology, who wants to strive between right and left should have centralized party.

If some Kenyans feel that they cannot be accommodated by that kind of arrangement of three party system, the way we have let's say Britain, then we should have a provision for may be independent candidates to also express their views. I will leave that issue of citizenship, may be I want to go to the areas of structure and system of Government.

I think we should have a Parliamentary system of government or the President becomes somehow ceremonial and then the Prime Minister is appointed from the party with the majority votes by Parliamentarians. The area of environment, I think we should use our environment in a sustainable way rather we should all protect our water catchments, we should protect our, you know areas of historic importance's. We should have a clean environment and the environment should be used in a manner that we should leave it in a better way than we found it for the future generation. Because once we misuse it is going to be irreversible, so we should use it in a better way.

The area of may be governance; I want to say that we should have a participatory system of governance where every individual Kenyan participates in the governance of the country where there is a proper representation for all persons or all the regions in the country. I am saying that because the only way to keep the country's ecosystem is that the interest of everybody should be taken care of. A group of people Kenyans feel that the are popular in rather in terms of population and they want to rule the country by themselves that is not going to work. So we do not want to fragment the country and so everybody should be given a space to breathe, so that the country becomes one and prosperous.

We should get rid of corruption, we should have a deliberate you know provision for ways of eradicating corruption. And that means that we should have a form of a citizen monitoring system where even the resources, which are allocated for a particular district or for the country, or I am talking about even the budgetary allocations all the citizens are able to monitor and see that these resources are used effectively. It is not going to be only the role of the government so we advocate for a monetary system, where even right at the district levels where NGOs other members of the society, government Ministries will even declare the kind of resources they have and the country becomes very transparent and accountable and even the resources should be used efficiently.

Comm. Lenaola: Thank you, thank you very much, last point.

Jelle Ibrahim: Last point I want to say that resources should not only be spent at the National level because they are part of the people of the government who would like to allocate resources only to their areas where they come from. So, resources

which the country is having should trickle down to the district level where rather there should be a portion allocated for Wajir, Garissa, Turkana so that we have an equal development and resources should be distributed equitably.

Comm. Lenaola: Thank Bwana Jelle. Thank you very much.

Jelle Ibrahim: Finally, I want to say on the area of basic rights, every citizen should be guaranteed the basic rights or should have the right to education, should have a right to health care, we should have a right for every citizen to be protected. Of course we have experienced, as the last Constitution has not catered for us as the people of NFD we feel that we have been marginalised; we were not socially, economically or politically integrated with the rest of Kenya

There should be a provision to integrate the people and to the system rather they should be given more appointments even their members of Parliament should have like now, you realize that NFD can only get two or one Ministers, there is nothing like that people should be employed according to their qualifications. So that they pursue their fields and join the rest of the Kenyans. Thank you very much.

Comm. Lenaola: There is a question for you.

Comm.Yano: Yes, bwana Jelle, You talked about having three political parties and know very well right now we have over 47 political parties. How will you identify the 3 political parties?

Jelle Ibrahim: I just said that parties of similar ideologies should be merged. I mean if the country says lets say now district has I know the have the liberals and the conservatives and even liberals and democrats and then even lets say they have people who run on independent as independent candidates. If the ideology of a certain parties or every party has a manifesto and I think if the ideology are similar of the manifestos then those parties should be merged. It is not a question of having parties who represent the Kikuyu or another party represents the genes of Baringo or rather we should be talking of ideologies and those thing should be clustured.

Comm: Lenaola: Thank you very much bwana Jelle please come and register, Mheshima Mohamed Abdi karibu tumeshukuru uko na sisi. Ghali Hassan Kasai.

Ghali Hassan Kasai: M agacaiga wa Ghali Hassan Kasai.

Translator: My name is Khali Hassan Kasai.

Ghali Hassan Kasai: Wahanleyahy anigaa hadhan ahay rer Wajir onaahay bilcanti rer Wajir anaga dieb weyne aya naguhasta Northeastern.

Translator: As I m part of people of Wajir and one of the mothers of Wajir we have a lot of problems in this part of Kenya

that is Wajir district.

Ghalli Hassan Kasai: Mahadahay anaga Kenya tha kale lamitmanihin in analamit ehen wahat kuogata wahanalodibey screenig card.

Translator: We are not like the rest of Kenyans and to show that we have a document, which is called sreening card, or Somali verification card, which the rest of Kenyans don't share with us.

Ghalli Hassan Kasai: Dhatatka kale oo Kenya nalamaqawan dibkas anaka rer Northeastern umbaqabna dibkas.

Translator: It is only subjected to the people of Northeastern province not the rest of Kenyans.

Ghalli Hassan Kasai: Tan kale wahawaye arurtaina hadhii ey iskulka damayan wagti kasta wahaluguhira passport ayako kenin, ID, ki abohot, hoyathot hawartoto oo miyii kudalatey oonbaqawin kibanadrki qawiin aladihi kena athanqawin wah kard ot heleisin malaha.

Translator: Even our young girls and boys those who have completed school have problems in getting ID cards they are told to come with screening cards of their fathers and mothers and unless they bring that they will not get their ID cards.

Ghalli Hassan Kasai: Anaka waqtigi Kenya alanka ey qathatey ila hata matundathi Kenya wahbo kamaqaathanin manahelno mahadacay ukoloni wahnafulo ahan umbanahay.

Translator: We have not tasted the fruit of independence all this years for the last thirty nine years.

Ghalli Hassan Kasai: Mahadacay arurtaina hathi ey garan secondary kii oo abihis shagaa haisanini misa ann tawarleheyne umakaayo secondary tarbiatha uuiskatagnanai dhowlada wah musacitha ukuqawo maleh.

Translator: Even our students who cannot go to school because of fees ther is no provision for bursaries or school fees thing like that and then just a bright girl or boy are wasted because of lack of fees and most of the people in this area are very poor.

Ghalli Hassan Kasai: Markaa wahanrabna hadanahay rer Kenya oon Kenya kamitnahay sitha ey rer Kenya kudaqaneiso ama rer kenyatha lkale ey ku dhaganeyno ama layalayo in ey dhowladha nayesho.

Translator: I want the government to treat us like the rest of Kenyans, our children being educated and we should get every right the other Kenyans are getting.

Ghalli Hassan Kasai: Wacti kasto Kenya anaga dhulkay danigta wana wadankeni anudhalane waye anaga Somali jirka ayan

kanhna moogie waligen anaga Somalia manarkin Kenya umbaa nahay dhowladha iyatha shariga hanagabadhasho.

Translator: We were left behind in for the last 39 years in terms of development, education, health and every aspect of development we would like the government to consider that and we get our share of the National cake.

Ghalli Hassan Kasai: Anaga markasta wahan kuqailana Mathahthi ainu dhorane ayan waqti kasta kuqailina haya dhahna wah nomatartin eeln Mathahthi markey hagatagan waamaaracath mell eemarayan maba laha.

Translator: we always pressing our MPS and national leaders and when they to go there our problems their views are not taken by the government and we don't get anything.

Ghalli Hassan Kasai: Waha kamit eeh jithathakaina waaragten diib ka nahaisto wat aragten Kenya caalan ketha wa kena lakini anaka badhasho sahciiga ey Norhteastern kuhaiso.

Translator: to mention a few examples the infrastructure in this part of the country is very very poor and we have always requesting improvement infrastructures and roads and others.

Ghalli Hassan Kasai: Sharciiga hataoo Kenya oo sotho Mama yalka wahba kumaqawan mamayalka gathal aya lodigey, Mama yalka in ey hormaran banrabna anaga.

Translator: In the new Constitution we would like the rights of women to be catered for.

Ghalli Hassan Kasai: Anaga miig ayan jirna holla hayna miie bey jiran waxan rabna waqti kasta gurta hadhan nahay inti kureyso oodan sharcii wah qabo wey yaryihin. Northeastern gorta waye waxan rabna waqti kasto ispiatalatha iyo wahwalbo in naloyelo oo diwadha nalogeo oo nalaogatho.

Translator: We are pastoralists and we shift from place to place in such of pasture and water, so we would like the government to address the apply of the pastrolists by carrying mobile clinics, mobile teachers and any other facilities pastrolists communities need for their daily lives.

Ghalli Hassan Kasai: Waxan dhoneneyna wacti kastawa Somali hata nahay masa wadanka Kenya anahay gurta anahay serrka lashegayo marabno, serr kama rabno Kenya guthehetha nin walbo mesha uu rabo in usodhaqana haso dhaqo.

Translator: As pastoral communities we don't recognize anything called traditional lands or boundaries we would like to be given free movemnt to any part of Kenya or any part of the district and even we would like the government to provide a provision for us looking for pasture fom neighbouring countries like Ethiopia, Somalia, Uganda and others so that we can look for pasture and water.

Ghali Hassan Kasai: Anagaa hataan nahai rer Kenya waharabna kuli gena in an islawatha daqno maramno in an qabil, qabil shegno inan kalagogno marabno dhowlada wey mahatsantai hadhii ey maoni nigaina nawarsatey.

Translator: We want Kenya to be united and we want every Kenyan to own land and property in every part of the country and Kenyans to live as one community and that to be propagated everywhere.

Com: Lenaola: Ngoja Mama kuna swali.

Translator: Sual Mama fariso.

Com: Baraza: Asante sana Ghali umesema kwamba unataka Haki ya wanawake iwekwe kwa Katiba hiko Haki gani niambie ni zipi ungependelea tuziangalie sana?

Translator: Wexey rabta inaad ishegtid wahad rabto iyo haki bilcanta waxath ath oo karabtith.

Ghali Hassan Kasai: Sikastawa waxan rabna mahayeleye bilcanta Kenya dahthetha haqooha ath hos ujira mahadacay itha arurta sokorisa, itha magalatha diistey itha wahkastawa wadhaa haga shagatha, siyasadha kuli wahanrabnabilcanta in ey ka qeib gasha.

Translator: I want the right of a woman to be considered in such a way that they should have the right of employment or to hold positions in government that is top positions or decisions making positions they also have their share in political representation that is being maybe an MP or a Minister or any other post of that nature and that is my views.

Com: Lenaola: Asante sana Mama tumeshukuru ngoja ujiandikishe. Councillor Sheikh Noor halafu Asli Aden ni wewe tena Mama Asli akowapi okay endelea.

Noor Ahmed Ali: Mimi ninatwa Noor Ahmed Ali, ningetaka kuweka maoni yangu katika Mkutano wa leo. Niaanze na mambo ya Mtu kuwa citizen, mimi ningesema kila mwanakenya ambaye amezaliwa ndani ya Kenya ama nje na mama yake na baba watakua automatically citizen na yoyote ambaye anazaliwa na parent mmoja na pia atakua Mwanakenya, na mtu akikaa mwaka kumi katika nchi hii na hajatenda shida yeyote baada ya kuomba tena akubaliwe kuwa Mwanakenya lakini sharti asiwe mtu ambaye amehamia kutoka nchi nyingine ama mtu ameingia nchi hii kama Ubalozzi. Tunataka Wakenya wote wawe na Hakii sawa usiwe ubaguzi wowote wa kidini ama kiukoo ama kirangi kwa sababu yoyote.

Tunataka sheria hii ikubali mtu kuwa na citizen mbili ya nchi mbili. Tunataka mtu ajulikane kama Mwanakenya akibebe ID card ama passport.

Kuhusu Amani, tunataka Jeshi wawe wanaweza kutumiwa ukitokea shida ambaye sio ya kawaida kama vile: wakati wa ukame, ugonjwa ama wakati nyingine shida ukitokeza ama section ya Wanakenya wakijitokeza kubeba silaha Jeshi wawe wanaweza kutumia nguvu zao ama nithamu ikisoroteka mahali Fulani ya nchi,yule ambaye anaweza kutumia uwezo ya kuwa na hiyo amri kwa Jeshi ni Raisi wa Jamhuri.

Wakiwa hali ya vita ambaye Jeshi inataka kutumika tunataka Parliament ihusishwe na tunataka Anti- Jeshi mkuu awe Raisi wa Jamhuri. Tunataka nithamu ambaye tunafuata iwe nithamu ya Bunge na isiwe mambo ingine yote tunataka vile tuko sasa hizi ifuatwe. Tunataka Prime Minister achaguliwe na chama ambaye ni wengi katika Bunge. Tunataka uwezo igawe kwa Raisi na Prime Minister na huyo Prime Minister awe naibu wawili na pia tunataka Vice President awe.

Interjection: Com: Lenaola: Point mbili ya mwisho Councillor tutasoma memorandum yake just pick two last points.

Noor Ahmed Ali: Mimi ninasema tunataka tuwe na Rais na Prime Minister na huyo Prime Minister atakuwa na wanaibu wawili na Raisi atakua na mnaibu mmoja halafu uwezo wa nje ama serekali iwe inagawiwa kati ya Prime Minister na President.

Tunataka yule ambaye anapija kura awe zaidi ya miaka kumi na nane na yule mti atasimamia Bunge ama Councillor awe mtu ambaye ni zaidi ya miaka thalagini na yule atasimamia President awe na miaka thalagini na tano. Tunataka Bunge iwe na uwezo ya vote of no confidence awe na hiyo uwezo. Serekali ikisinzia kidogo Parliament awe na uwezo wa kuvunja Bunge.

Interjection: Com: Lenaola: Last point.

Noor Ahmed Ali: Nasema.

Com: Lenaola: No nasema malizia na jambo la mwisho si kukurudia malizia jambo la mwisho.

Noor Ahmed Ali: Tunataka Raisi awe na uwezo wa kuvunja Bunge na tunataka uchaguzi wa Kenya yote iwe mara moja ikiwa ni local government, President pamoja na Bunge.

Interjection Com: Lenaola: Asante Councillor tutasoma yote kwa hivyo usijali ya kwamba hujamalizia kusoma tutasoma sisi. Kwa hivyo tunashukuru hamna swali tafadhali njoo ujiandikishe bali tumeshukuru. Asante Councillor. Mohamed Noor, Mohamed Noor.

Mohamed Noor Hussein: Im Mohamed Noor Hussein, nataka kuchangia kwa muda ya leo.

Interjection Com: Lenaola: Mohamed ngoja kidogo, ngoja kidogo kuna Mzee hapa anatusombua sana kama Huyu Mzee! Huyu ana kofia tafadhali kama utatusumbua tutakutoa hatupendi kukutoa lakini ukitusumbua tutakutoa tafadhali subra.

Mohamed Noor Hussein: Changes and inclusion in the new Constitution: languages, first I would like the Constitution to be written in English, Kiswahili and other predominant vernaculars that is Somali, kikuyu and nay other predominant ones.

Accessibility: I would like the Constitution to be available in schools and to be taught in schools from primary to secondary level and I would like it to be got in bookshops, National libraries and Museum so that the public can get it easily and can read.

Historic injustices, the Constitution should recognize historic injustices subjected to communities of Northern Kenya. To mention few of this historic injustice are, poor Dai massacre in Isiolo, Malkamare massacre in Mandera, Abdi mathowe massacre in Garissa, Wagalla massacre in Wajir, Baqalla massacre in Wajir and Diniqo massacre in Wajir.

A Constitution Commission to address such historic injustices must be formed. Commission to be appointed by the Parliament or the main role of the Commission should be to estsbilish the truth about the historic injustices suffered by pastoralists and other minorities in Northern Kenya. All the loses, disabilities to human life and properties of this in historic injustice be compensated. Personalities who were in involved in this historic injustice to taken to court because they are all known, in 1984 we know it was the PC, we know who was for security, we know the President and he all those people who were concerned about this injustice should be taken to court and all the losses should compensated.

Citizenship: I will say all the quality of life of every citizen to be addressed, quality of gender in acquiring citizenship, free movement for Trans- boundary communities that is communities who are pastoralists to be allowed to go every part of district, nation to look for pasture and they are recognized as a citizens of Kenya any where they go.

Pastarolists: pastarolists essential resources like water, pasture, security and mineral be entrenched in the new Constitution of Kenya. The Constitution should provide right of movements within the country and the neighbouring countries in such of essential resources, which we have mentioned before.

There should be a grater Constitution of provision of basic needs such as Education, health, security which may be able to move with these communities as they move from place to place.

Primary and secondary education be mandatory and free to the people of Northern Kenya, they should be educated free and it should be compulsory for children should be taken to schools compulsorily. There should be parcipation in decision-making in the government by the communities in Northern region. Homegrown special policies and legal institutions to protect the right and interest of the minorities in Kenya such as Somalis, Boranas, Garas, Oromas or and such must be in the Constitutions.

Interjection Com: Lenaola: Pick your last two points please we shall read the memorandum. Thank you.

Mohamed Noor Hussein: Then I will only say few remarks about the Judiciary Constitutional courts should be introduced

and Judicial Commission Service should appoint judiciary officers from the chief Khadthi the Judicial Commission should relate with the SUPKEM Council of Kenya Muslims. The tenure for judicial officers should be five years. Khadhis court should handle all matters related to Islam; Khadis should have degree in Islamic law. Judicial officers should have masters degree in law. The Constitution should set aside 30% of National budget for the people of North Eastern Province to compensate for the denial of their national cake for the last thirty-nine years. This briefly should stand for the next 39 years.

Interjection Com: Lenaola: Thank you.

Mohamed Noor Hussein: Ministry of tourism should be introduced to address the pride of the nomads. The Constitution should forbid the use of illegal document such as the screening card or Somali verification card. ID should be obtained at the district levels that is it should be decentralize, the Constitution should forbid the use of passport forms given to the Somalis.

Com: Lenaola: Thank you very much we shall read every single word. Asante sana umekua hauna swali kwa hivyo njoo ujiandishe hapa. Tafadhali kama una maandishi memorandum na haungependa kuzungumza si lazima uzungumze kwa maana baada ya kuzungumza, bado tutasoma barua yako kwa hivyo upeleke pale ujiandikishe kama una memorandum si lazima uzungumze tutaisoma tafadhali. Kwa hivyo kama hutaki kuzungumza peleka maandishi yako pale uandikishwe itakua na same influence kama umeongea hapa asante. Aden Galle.

Interjection speaker: Bismilahi Rahmani Rahim. Hathal fian shega.

Aden Garad: Mimi ninaitwa Aden Garad ambaye ni mkaji wa hapa wilaya wa Wajir. Kitu ya kwanza nataka kusema ni mara yangu ya kwanza katika historia ya Kenya Constitution Review ama Commissioners kukuja katika wilaya hii tangu Uhuru tuliopata. Kwa hiyo mimi ninashukuru hawa kukuja na kuuliza mambo ya maoni yetu katika Katiba. .
Ya pilli..

Com: Lenaola: Ngoja Bwana Aden ngoja kidogo, nafikiri sasa huyu Mzee ametusumbua sana Askari basi mutamsaidia aende akapoe mahali pengine tafadhali. Pole! Pole! tu pole tuheshimiane basi mumuache lakini tuheshimiane Mzee. Haya endelea Aden. Wachana naye lakini tuheshimiane, wachana naye lakini tuheshimiane. Endelea.

Aden Garad: Mimi kitu ya kwanza nataka kuongea ni--

Interjection: Com: Lenaola: Haya Asante subra, subra.

Aden Garad: Mimi kitu ya kwanza nataka kuongea ni mambo ya emergency law katika North Eastern Province. Katiba hii ya leo ya Kenya ambaye tukonayo leo katika nchi hii kuna watu kama Provincial Administration sasa wako na uwezo ya kuweka emergency katika nchi NEP vile anataka anaweza kusema leo kuna curfew katika NEP watu wasi toke kwa manyumba yawo

ana hiyo uwezo na hiko katika Katiba ni tunataka iangaliwe.

Ya pili ninaona watu wanasumbuka sana mambo ya screening card, nataka kujua hii screening card haiko kwa Katiba hii ya leo ya Kenya, haiko kwa Katiba. Kwanza Mimi nilikua nataka kujua watu wa North Eastern wajue hii screening card tunasumbuliwa nayo haiko kwa Katiba hii leo ya Kenya. Screening card tutajilaumu sisi wenyewe Wasomali haikuletwa na serekali ilikuwa imeletwa na watu wachache wasomali ambaye walikua walagai kwa interest zao ndio walikuwa wamelete screening card katika nchi hii. Kwa hivyo screening card tunataka kwa hii Katiba iondolewe.

Ya tatu Mimi ninataka kuongea mambo ya colonial border: mambo ya colonial border nafikiri mambo imekwisha zimehamishwa na Wauengereza. Maana ya kupata Uhuru wa nchi hii Mzee Kenyatta alikuwa amefungwa miaka saba kule Kapenguria, ilikuwa ni sisi kupata haki yetu katika nchi hii sasa tukisema colonial border turudishe inaonekana bado hatuja pata Uhuru. Kwa hivyo wale wanaasema wanataka colonial border hiyo mambo itupwe mbali na hatutaki kusikia mambo ya colonial border mara nyingine. Ya nne tunataka tuwe na democrasia katika nchi hii, democracy.

Ya tano nataka Commission, Constitution Review of Kenya iwe independent organ, sababu Commission ambazo ziko sasa katika nchi hii hawana Uhuru, haina Uhuru hata kidogo. Kwa hivyo tunataka Katiba wakati inabadilishwe tunataka Commission iwe na Uhuru na inajisimamia katika nchi hii, inajitawala isingiliwe na wanasiasa yeyote political party katika nchi hii. Wala Makanisa ama dini isingiliwe iwe independent Commission katika nchi hii ambaye inasimamia enyewe.

Ya sita nataka iwe freedom of press, tuwe na freedom ya press ambayo kitu ikitendeka nchi hii watu wa press wakubaliwe kuenda kila mahali ili waone kitu gani imetendeka wapewe hiyo haki ya press. Basi nafikiri mimi yangu nihiyo tu.

Com: Lenaola: Asante Bwana Aden kwa maoni yako hamna swali kwa hivyo njoo ujiandikishe tumeshukuru. Yussuf Aden, Yussuf Aden. Ali Osman, Mohamed Dabar. He wants to speak basi Mzee wangu njoo pale ukazungumze. Sema jina lako halafu toa maoni halafu kwenda nyumbani.

Abei Mohamed Yarrow: Thank you very much, Asante sana for giving me this ama wacha nizungumze Kiswahili ama hata kisomali nikitaka watu wangu wasikie maana mimi jina langu naitwa Abei Mohamed Yarrow. Baba yangu ndio ameleta hii watu wote katika Wajir hii unaona ambaye wakati walikuwa watu walikuwa wanataka kutoroka shifta Somali kuletea sisi mambo ya Katiba. ... **(Inaudible)** Husssein bata wakati alitoka badia he was my ... **(inaudible)..(Laughing)** mimi ninaambia nyinyi kitu moja , kitu moja mimi ninataka kuelewa nyinyi mambo ya Katiba. Lazima munajua tofauti ya Katiba na Matiba lazima. Watu hawo wanafikiri Katiba ni Matiba, maana ya Katiba ni Wahawaye af Somali an ithinkushegaya anaga af galett ankuhatlo toa umbakakasie kila mmoja lazima Katiba ukisikia waiin ay dhatka af kotha ey maqclan. Waxawaye Katiba maana yake waxawaye haquqtha at wadhanka kulethe sithi ata kuhelileheth iyo sithi ad uguthan laheaid iyo sharciigi at kudaqmileheth anaga wahan kornay warqathahena kuli waan dibney ninikan ahaya oo mathah eeh mamaqli. Anaga muslim

banahay gala manihin eeythan maanihin melehan socoto mamaqli. Wahanraban in sherci muslimaka khadi, khadi gana khadi huun oo rer badhii ah oo melahan sotho marabno haa. Khadi huun oo nagtadha intu kafuro oo hatana gursanayo marabno.

Interjection: Speakers: wewe Abey hii hiyo inakua tapped.

Abey Mohamed Yarrow: We don't need. Excuse me Madam I will talk in Kiswahili or Kiingereza.

Interjection: Speaker: Sifian uhalath.

Abey Mohamed Yarrow: Sisi hatutaki khadi ambaye atabadilisha Katiba kwa kuoa mnamke ya mtu anafungua Bibi ya mtu rer badhia haja soma hana degree hana diploma anafungua Bibi yako anasema ohh you are very beautiful woman I will marry you, I will marry you hatutaki.

Interjection: Speaker: Endelea ngine.

Abey Mohamed Yarrow: Just a minute ngoja idhaa athiga. Watu ya Wajir wacha mimi ninaambia nyinyi kitu moja leo ndio siku yenu ya unajua wakati America inbadilisha Katiba Philadelphia hapa leo ndio siku hili ambaye kesho usijute usiseme eti hujabadilisha Katiba iko wengine wanasema Maalim ndio anabadilisha Katiba na Yussuf Haji sisi watu ya Wajir hapana jua mambo ya Katiba Yussuf Haji na Maalim ndio wanasumbua watu akili. Sikizeni Warya maqla aniga Somali baan aahay hadha walairi Ibrahim Sio baa shaqa lugusoelia. Ngoja mimi nizungumze leo waxan raba watu wote ya Wajir si Waziri yuko hapa. Hapa inatakiwa kama sisi niwatu ya Wajir hatuwezi kubali to be..... **(inaudible)** kunyanyaswa, wajua kunyanyaswa ama kusumbuliwa akili na Wajumbe kama hawa. Hawa tumechagua hawa

Com: Lenaola: Tuheshimiane, tuheshimiane Abey, Abey tuheshimiane.

Abey Mohamed Yarrow: Kama nikuheshimiana hakuna Katiba hapa.

Com: Lenaola: Asante sana, asante, asante.

Abey Mohamed Yarrow: Kwenda na hiyo Katiba yako.

Com: Lenaola: Asante basi wewe pia nenda kiv yako Asante. Asante Abey

Abey Mohamed Yarrow: **(inaudible)**

Com: Lenaola: Sasa Abey aende alale. Hapana pole pole. Sasa nitamwita Imam Aduhab Abdullahi. Abdi Ali Bule. Ibrahim

Issack. Abass Salat. Hillow Ali.Bashir Mohamed kimbia, kimbia.

Bashir Mohamed: I will be very précised and very brief.

First I would like the Commission to travel by road:

Com: Lenaola: Endelea, enadelea akona haki ya kuzungumza lugha yoyote si lazima aongee kisomali.

Bashir Mohamed: I would like the Commission to travel by road to experience the hardship of our road network.

Two, the neglect of the region: out of two hundred and fifty four billion shillings in our national budget you can imagine how far our entitlement is less than a billion shilling for our allocations.

Three, there are no extension, people should be very careful here about extension for both the Constitution Review Commission and both the life of Parliament on expiry of your mandate that is if your mandate is to expiry by 4th of October then that should be the end because extension of your mandate will also mean an extension of Parliaments life.

Labour and livestock for both fees program at our secondary schools. I will not hesistate to say that there should be free education for secondary students but here we have enough labour where our mothers can work in schools to provide cheap lab our, manual labour that is they can work as cooks or maybe they can do jobs like watchmen or security or any of things in that way they can be able to compesate their labuor with payment of fees to the school of their kids.

Placing indigenous or local heads in the Provincial Administration and maybe in the police force. Now for the last one-year, we had a local Provincial Administrator since then I think he is a rival we had never had tribal clashes and tribal animosity between us.

Six, increment of MPs salaries this I mean he/ she shall be able to cater well for mobility to the electorate by moving from one end to another end in a way of lets say working things out for his Constituency.

Seven, appointment of the Public Service Commission and parastatal heads by the Parliament it is very hard and very sad to hear your are sacking just from the news and waking up one morning you hear Mr. So and so has been sacked it is so bad. Appointment and both sacking should be done by both Parliaments.

Lastly powers of President to be reduced or trimmed.

Com: Lenaola: Thank you very much, there is question for you but thank you for being précise.

Com: Baraza: Asante sana Bashir na you don 't want our life extended come 4th of October we talk na hii kazi yote tunafanyia wananchi wanataka mabadiliko tufanya nini tukae tu namna hiyo bila Katiba mpya.

Bashir Mohamed: Hapana hile ya election tu muendelea lakini hili ngine mutaendelea life continues and you also continue with your work but you also work out this one pertaining to elections so that we don't postpone the life of Parliament also by postponing you also attempting in postponing this other one.

Com: Baraza: so we stop on 4th .

Bashir Mohamed: On 4th you stop.

Com: Baraza: And Kenyans don't get a Constitution.

Bashir Mohamed: hapana hii election musha maliza wakati hiyo, after election mtaendelea na hile
(inaudible) hile ngine hiyo.

Com: Lenaola: Thank you so much please come and register. Khalif Abdi halafu Abdirashid Aden utamfuta.

Khalif Abdi: Kwa jina mimi naitwa Khalif Abdi Osman mimi sitaongea mengi nitasema mambo machache na mutanisamehe tafadhalini nilikuwa sikufuutila sana mambo ya Commissioner lakini mlepopitia sehemu ya Mandera milipitia Elwaq jana milikua Bute nilikua nafuutila katika idha ya kitaifa.

Jambo ambalo sitaki lingilie lingine lakini limeniudhi sana katika taarifa ya habari nilisikia watu baathi yetu walikua wakiongea mambo ya mipaka ya ukabila, hiyo I think the right thinking Kenyans must have been dissappointed with that thought of opinion. Mwaka arubaini..

Interjection: Com: Lenaola: Khalif, Khalif kila mtu ana haki ya kusema anayo penda sema yako na unayopenda utasikizwa hivo hivyo, kama huyapendi don't sema yako tu, sema yako usiongea tafadhali sema yako.

Khalif Abdi: Haya basi mimi nilipinga kwa sababu ya hayo.

Com: Lenaola: Basi pinga kwa kutoa maoni yako, haya tafadhali Asante.

Khalif Abdi: Hii maoni ya mipaka nilipinga kwa sababu kama mujuavyo tuko karne ya ishirini na moja na tunafikiria mambo ya East African cooperation hata wengine wanafikiria mbele zaidi yakua Taifa moja katika bara la African Union. Wakati tunapitia namna hii mipaka ya ukabila haina nafasi naimetipwa na wakati. Mimi maoni yangu jambo la kwanza ni hilo na ninafikiri ni sahihisho kwa wale wanafikiria other wise.

Jambo la pili, Katiba ni jambo muhimu na ninafikiri watu wengi hapa hawakuelimishwa ya kutosha kuelewa mambo ya Katiba. Kwa sababu Katiba Ya Lancaster conference mwaka wa sitini na mbili, ilikua mathumuni zake na fikira zake na Wakili waliotuwakilisha walikua wengi walikuwa na fikira ya watu wa Majimbos. Watu wa North Eastern kwa bahati mbaya hawa kuwakilishwa na ikiwa tuna nafasi ya kuwakilishwa na wakati huu na tena kwa wakati mbaya hatuelewe mambo ya Katiba nini tena ni bahati mbaya zaidi.

Kwa hivyo Bwana Commissioners nilikuwa na pendelea watu waelewe kwa sababu watu wa Province hii sikama waKenya wengine ambawo wameendelea mbele ki elimu. kwa hivyo Katiba wananchi musichukulie jambo la urahisi ni kitu ambacho inawategemea watoto wetu kama Katiba ya mbele imeweka nyinyi nje mjiweke hii ndani.

Jambo la tatu wengine wameongea mambo ya Majimbo katika Kenya, mimi ninaipinga kwa sababu ikiwa mambo ya unitary government imetuma- marginalise kwa mwaka arubaini ya utawala. Ikiwa Majimbo na sisi mambo yetu ya kiuchumu ni khafifu hatuwezi ku-survive katika Kenya ya leo. Kwa hivyo mimi na lipinga mambo ya Majimbo sana tena, kwa sababuhatuna chai hatuna kahawa, hatuna pareto hatuna mambo mengine isipokua maisha yetu yote inategemea mambo ya mifugo ambaye haina soko haina wasiojali hakuna ambaye anangalia masilahi yake.

Jambo la nne, kwa hivyo nilipinga na mtakubaliana na mimi kwamba hatuna nafasi mambo ya Majimbo musidanganywe nduguzanguni. Majimbo maana yake ni kujitawala ki Province ki uchumu, isipokua wizara ya mambo ya nje ya mambo ya kifedha na mambo ya Jeshi basi mengine yote mtajitegemea polisi itakua chini, hospitali itakua chini yenu. elimu mutajitegemea hizi zote hatuna nguvu miaka arubaini tumeachwa nyuma tena mambo ya Majimbo itatua. kwa hivyo tulipinge kabisa swali hii ya Majimbo.

Jambo la nne,

Interjection: Com: Lenaola: Na la mwisho Daktari.

Khalif Osman: La mwisho nduguzanguni wa Kenya wanavitambulisho na sisi tuna Kipande, mnajua tofauti. Kenya wanavitambulisho na sisi tuna vipande, vipande ni chanzo cha ubaguzi ni chombo la kutofautisha nyinyi. Ni chombo ambacho cha kutofautisha nyinyi na wakenya wengine. Kitu gani kimefanya wasomali wawe na kipande na wanakenya wengine wawe na wawe na vitambulisho jameni?

Interjection: Com: Lenaola: Tupeandekezea tafadhali Daktari.

Khalif Osman: Hatutaki vitaambilisho ya watu kutafautisha kwa sababu ya region kwa sababu ya ukabila kwa sababu ya dini kwa sababu ya ... tumelipinga mambo ya kitambulisho ya kisomali kukatazia sisi mambo ya vyeti ni upagaguzi ya hali ya juu kabisa na tunapinga.. Nafasi imekwisha au.

Comm.: Lenaola: Kwisha.

Khalif Osman: Hawezi kuongeza ya tano.

Interjection: Speaker: Ongeza baadaye hapana sahihi.

Comm.: Lenaola: Asante sana asante Daktari.

Khalif Osman: Okay thank you.

Comm.: Lenaola: Abdirashid Aden halafu A.A samatar utamfuata.haya utamfuata.

Abdirashid Aden: My name is Abdirashid yangu nitasema machache upande ya kwanza ni Disability. Disabled children must be given free education, medical services to eradicate poverty and poor performance of disabled in the country. Second one is.....

Comm.: Lenaola: Tafadhalini makelele kidogo kidogo tu msikize tafadhali.

Abdirashid continues: Second point is the disabled and learned people must be given free equal responsibility of leadership to various field of Administrations, employment and learning institutions.

Thirdly, the disabled persons must also be elected, nominated or appointed as MPs, Asst. Ministers and Ministers as the normal person are. Also the government must establish Departments that is concerned with disabilities of persons in Kenya and should fund the disabled peoples, organizations and associations which have been formed. Also the government should set up Non-Governmental Organizations that funds and helps the disable societies, organizations, and youth groups so as to come up with income generating activities for the disabled.

Also the government must give the disable peoples Passports in order to study oveseas and also get employment abroad. Coming to the point concerning about.nisawa haina neno on the side of district levels the government must exploit the local resources that are found within ...

Comm: Lenaola: Abdirashid ongoja kidogo tafadhalini kama ni makelele mumekuja kusikiliza mutuambue ni makelele mnasikiza .. Mbona kelele tafadhali hayo maneno tuna Ya rekodi kama ni makelele tuchukue kutoka Wajir mtuambie kwa maana hii mashini ina Rekodi na kama ni makelele tuna chukua hiko maana gani kuja hapa hamna maana kidogo tu tafadhalini

subra.

Abdirashid continues: okay other point is that equal distribution of resources to each Districts like here in Wajir we have been marginalised we do not have communication system and transport systems so we want in the district level all the district should be equal and its resources to be distributed equally.

The other point is concerned on civic education should be taught in primary, secondary and even universities. Other point is establishment of anti- corruption departments in Kenya and it should be at even locational level so that we come up with our proper management of our resources, which are being used by different partners.

Another point is concerning about exploiting the local resources e.g. water, forest, herbs and their resources within the district level especially the Wajir district we have a lot of Resources but our resources are not been exploited by the government therefore we need our local resources to be exploited as much as possible.

Another point is concerning on problems of Airports. We do not have airports and we do not have medical services and many more they are quite limited. So we need our Constitution which is just going to be received to look on especially on nomadic districts because we have been much affected in terms of educational, political and social dimensions.

Well I could also say on the Point concerning the disabled, we need department to be formed concerning the disabled in Kenya because those departments, which have been formed, have not very much assisted disabled all over the nation so we need departments are formed in the country. So far that is all I can say. Though I have...

Comm.: Lenaola: Thank you very much Abdirashid tunashukuru Sana kwa maoni yako njoo pale ujiandikishe tumeshukuru. A.A Samatar ... hayuko Asli Aden Emoy ... Hayuko Rukia Abdi Sheikh. pole pole tafadhali makalele makelele tuwache makelele. Tumsikize tu hapa nyuma kuna kelele sana kwa nini kuliko pale mbele na mnatusumbua kwa maana rekodi ina kuja kelele tu tafadhalini.

Rukia Abdi Sheikh: Mimi kwanza hakuna maneno mingi hathal baathan macawii anigawahan ahay qof masakin eeh oo magalan kunol oo weliget an arkin leheley oo Wajir kudashey.

Translator: My name is Rukia Abdi I'm one of the residents in town

Rukia Abdi: na pande hii bado ona tarbach Wajir an kudashe an jogaa.

Weligee faidha iyo manta igasogaley hata maoni wanasowatha shekaa soowatha ee suq.

Translator: I have never gone out of this town even five miles out of this town and on the other side I haven't seen tarbach I'm born in Wajir and

Rukia Abdi : Walalow hal will andaley anni.

Translator: I only have one boy.

Rukia Abdi : Will ka asaga ahay ilmihi dathaney as number one kaqatey.

Comm.: Lenaola: Hata kama hana maneno tafadhali tumsikize.

Translator: I only have one boy and he failed in his examination.

Rukia Abdi: Mel walbo an utagey qorya an ugurey galey an mela kakane an figaa ogasobihyeye.

Translator: I have educated him by selling firewood's and begging relatives and other people in Wajir that is the way I educated him.

Rukia Abdi: Diwato umbaan lasomaray ila iskulki wangarsiyey lakini manta wahaan andoho shaqa igor wanwayey.

Translator: The boy I have educated in these difficulties has no job today and he has passed.

Rukia Abdi: maalin baan qathee wilkanan Mohamed Abdi baan ukoney wah manta asaga damo oo manta ilma iaskul wahutarey maar kiin.

Translator: The other day I have approached the area MP and he has assisted us.

Rukia Abdi: maarka sitha awatheth wilka waha usobehey university oo Addis Ababa eh wanauwayeye wah an kugeyo wihiliugusaitheyni karo oo liegutarikaro anigaga makasai marka wahan akiba labadhala aniga mausochi manakasai will keyga umbaan kahatlin.

Translator: My boy has been admitted to a university in Addis Ababa Ethiopia and I want the government to

Comm: Lenaola: Tafadhali tafadhalini.

Traslator I want the government to educate my boy and I have educated him up to form four and I have no money to educate him.

Rukia Abdi :

Translator: I want the commission to tell me how my boy is to be educated right now Im here.

Comm. Lenaola: Asante sana mama Rukia njoo ujiandikishe. Mohamed Osman gosar

Tunaanza kupata shida ni kama hatulikizani tukonashida kama ni makelele tumekuja kuchukua Wajir mtuambie tufunge mukutano tuende kwa holi ya shule kwa maana nikama kelele inazidi kila dakika na tuko na mashini ya kurekodi. Munge penda makelele tuweke Wajir?

Interjection: (Chorus) hapana.

Com. Lenaola: Sasa subra kidogo mtu anyamaze dakika mbili amalize munyamaze. Hamunyamazi; aaa bwana kidogo tu.

Interjection:

Comm. Lenaola: Tume elewana tafadhalini tuiwache kelele maana kama ni kelele imechukua Wajir na jana tulikua Bute kesho tuko Garissa kelele ya Wajir mtafanya kilelele ya Wajir aah kidogo tu tafadhalini. Ama ni nani atakaye kuzungumza kisomali ili watu waelewe kisomali.

Interjection: speaker: (Somali translation) Rer Wajir ninkaan wahudahay meshan mashiin batala mashiintan maqailii baan kudhubna, war wath ebob then ninwalbo afkahaqabsatho qofkas ina lawatha daqiqo oo hadhatlayo halaamuso. So sas maisku racsanini.haaa.. Makelele baan dhuweyna haya amusa markan makelelel maladhuwayo.

Comm.: Lenaola: Nihapa nyuma kwanza haya endelea.

Mohamed Osman Gosar: Jina yangu ni Mhamed Osman Gosar mimi ni mzaliwa hapa Wajir hii Kenya hii, leo maka yangu ni hamsini na tano (55) ingawa namna hiyo nilizunguka ndani Kenya isipokua mahali pengine bado ona Kisumu, Nakuru, Eldoret, Kapsabet, Kericho, Nairobi, Mombasa nimeshafika yote barabara hii mimi sikukata kuende Somalia au Uganda au Tanzania wala moyale wala Ethiopia ingawa namna hiyo mushkila moja inanisumbua kabisa Kenya vile ambaye leo hiko down Kenya wanakaa na vile ambayo sisi tunakaa mimi saa ingine moyo yangu kushaharibika na moyo ya wananchi wote ni sawa na mimi pamoja. Kwa vile wakati ya ukoloni siku ya Krismas minaona watoto wanafurahishwa na nini na nini. Lakini tangu Kenya imepata uhuru kunyanyaswa tu hatuna furaha hata siku moja ambaye amefurahishwa na serekali hii. Sisi tunatawalwa na sheria ya kisiri ambayo hapana haiko kwa laini.

(Clapping)

Tunapelekwa sisi bushery wakati yeyote ambayo inatakikana, kwa vile sisi ameona moyo yetu ameastuka sana na hatuna tamaa ya dunia hii tuliona chungu ya kutosha, watu yetu zaidi ya elfu mia tano wamekufa kwa njia ambalo sisi hatuelewi tangu

Wagalla mpaka(**laughing**) mpaka waleo na serekali ndio wamefanya sisi sieti kusema watu wametoka kuingine ambayo wanatoka huko borana au hiyo hakuna. Hili ndege nanyanyasa sisi ni ya Kenya bunduki ile nauwaa sisi niya Kenya, Askari ile naua sisi niya Kenya siyakutoka mahali ingine watu yetu wamekulika njia bila sheria yeyote.

Interjection: Com: Lenaola: Pendekeza.

Translator: Sithaht rabto sheq as kudahai.

Mohamed Osman: Huko chini tafadhal tunataka sisi hakupata Uhuru afathali siku ya ukoloni na serekali na uliza sisi tu tukohi na usiruke mpaka Fulani, Fulani. sasa hakuna mapaka na ingawa hakuna mapaka hapa na Nairobi ni hali moja vila ambaye sisi tunatendewa. Serekali tunataka vile Kenya imepata Uhuru, Uhuru hiyo sisi tukule.

Ya mbili hata North Eastern hali yake iko mbaya sana serekali hatazami sisi na ile sheria ya kisiri sisi tunatawalwa nayo tunataka hiyo atupwe, achomwe, ya mbili hasidi akufe.

Ya tatu vile sisi tunaona watu ambayo wanakaa mbele yako na kaa wale ambayo wako kazini ama wanapata kibarua haifiki mia mbili. Tunataka makampuni zote ya serekal au ya nchi ingine zozote ambayo iko ndani ya Kenya sisi tuletewe hapa.

Ya mbili elimu yetu sisi iko chini kabisa tunataka sisi tujengewe Teachers College tunataka sisi ajengewe Wajir Medical College tunataka sisi ajengewe Wajir. kama serekali ya Kenya inaongoza sisi na njia kihalali hata Mabunge ambaye tulichagua anenda huko wanaingia huko manyumbani kama mwanamke ya harusi tu.

(Clapping)

Hata hana sauti yeyote na tumeshangaa wameharibu sisi sana. nafikiri watu hii ambayo comishina hii wamepitia Giriftu wale watu wanakaa Giriftu ni masikini ya kutosha zaidi ya elfu milioni moja ambaye wanakaa arbijehanii.... Vile wao ni masikini ya kutosha.

Hapa ukienda tauni hii mahali naitwa Huthule na Makaror maskini iko ya kutosha watu wengine hawana masikoi kwa sababu ya njaa wengine hawana macho kwa sababu ya njaa.

Tunapenda njia yote ambayo wanaishi katika Kenya watazame sisi na macho ya kulia watafadhali watembelea nchi hii wasaidie sisi kwa njia yeyote, Uhuru, hatuna Uhuru tupate katiba yetu sisi hatutaki mambo ya kusema Mjumbe Mjumbe mambo ya Mjumbe sisi hatutakiii.

Interjection: Speaker: Tunakataaa.

Comm.: Lenaola: Asante Bwana Kosar.

M.A Kosar: Ndugu zangu kama-- Munisamehe sana.

Comm: Lenaola: Maliza basi maliza.

Interjection: Speaker: Endelea, maliza.

M.A Kosar: Tafadhali.

Interjection: Waad dameisey iskadiy kabah

Comm.: Lenaola: Sema la mwisho ndugu yangu. Sema la mwisho.

M.A.Kosar: Tafadhali tunapenda serekali awache sisi kunyanyasa na mutusaidie uhuru yetu ikamilishwe kabisa mlango yote nne atufungulie sisi wazi.

Comm: Lenaola: Asante bwana Kosar tunashukuru sana hamna swali imekua clear njoo

Ujiandikishe hapa. Shale Sugow Abdille, Abdille Yarrow Ismail, ooh nani huyu Shale haya njoo mama. Shale.

Interjection: Speaker: Tumia lugha yeyote.

Shale Sugow: Kisomali tu sababu siwezi kujua kujua ingine.

Interjection: Com: Lenaola: Sema jina halafu endelea.

Shale Sugow Abdille: Mimi naitwa Shale Sugow Abdille

Translator: Im called Shale, women for peace.

Translator: Athii af Somali kuhathal.

Shale Sugow Abdille: Markaa hadhan kuhathla ani kasto oo laiyerer in

an ogen wahan kuhadlo maacanii runti dhatka , dhatka ogudhaminsan ayan kujira. Lakin

Katibatha oo Kenya manta waahan doneyna in an wahbathan siwathin. In bathan an aragney carurta nafstirkotha markii ath uso

gognesa certificate kotha aan lagu goreyenenin in ay ehen mwnakenya wahakamit ah mit an hata haisto oo sidhet jir ah.

Translator: In the new constitution hebu rudia ... sijaelewa sana. In the new constitution we want the birth certificate to show that we are Kenyans like other Kenyans, the one we are issued now does not show that we are Kenyans that is the main issue I would like to talk about.

Shale Sugow: midhetha kale wah aan kusi hadleyno majirto ini aan Kenya kamit ahano, sharciga Kenya lagu hukumao ann anagana ahano. Somali nima oon somalinima nagu adhein oona Somalia ana jiriin Kenya an kujirno Somali an ahain aya nalagu hukumaya maehee uhuru mahaisano runti.

Translator: I would like the Constitution to recognize us like Kenyans we are Somalis but Somalis of Kenyans but not Somalis of Somalia and currently the government of Kenya is treating us like Somalis from Somalia that's all I can speak.

Comm: Lenaola: Asante sana Shale tunashukuru kwa maoni yako. Abdille Yarow Ismail endlea.

Translator: Maga ahta sheg.

Abdille Yarow Ismail: Jina yango ni Abdille Yarow Ismail na jina yango ya pili naitwa Samakatalis jambo ya kwanza mimi na taka kuongea ni watoto wakati naenda form four wanaenda college nahii college transport yake imekua juu sana badala ya kusafiri mbali Wajir high inakua college.

Ya pili upande ya kazi wakati Askari naandikwa yoyote hatutaki mambo ya siasa ambaye maneno inapelekwa kwa ofisi kama mtoto ya kwanza na maaliza mihani halafu anachukuliwa ya nyuma na hiyo ni makosa kubwa sana.

Ya pili upande ya soko, soko haikuwa mzuri maendeleo yake ni mbaya majengo yake haikujengwa vizuri lazima echunguzwe mambo kama hiyo.

Ya pili tunataka maneno ya usalama mimi sina maneno mingi ya kusema.asante sana.

Comm: lenaola: Asante sana bwana Abdille umekuwa precise na maneno yako, njoo hapa ujiandikishe tafadhali ukitoa maoni yako ukimaliza kutoa hapo neende pale ukajiandikishe kama umetoa maoni mbele ya tume.chairman wa Council Abdullahi Amin.

Chairman Abdullahi Amin: Bismillahi rahmani rahim bila kupotesha wakati mimi jina yangu ni Abdullahi Amin chairman Wajir County Council. Kusema ukweli nitaharakisha kumaliza maoni yangu vile wengine walisema sisi North Eastern tukona shida kuliko Kenya mzima kwa mfano upande ya uhuru kwa mdomo tu tumepata lakini tunaweza kusema hatuja pata sababu sahii

Askari ya polisi akishika mtu anapeleka cell kwanza anapigwa adani ya cell ajabu mtu amekamatwa natiyari anangojea kotini wacha yeye hata yule analetoa chakula anpigwa.

(Clapping)

Kwa upande hiyo tunaweza kusema bado tukona ukoloni kwa mfano juzi mimi natoka hapa nikienda Nairobi wakati amefika Garissa kwa bridge polisi amengia ndani ya gari mtu moja ya down country na msomali wanakaa pamoja aliulizwa ulimsomali ambaye amekaa kwa kona ipande ya dirisha na yeye akajibu mimi nitatoa kwanza uliza huyu ako karibu yako, yule ofisa akajibu huyu ni mtu ya Kenya wewe lete.

(Clapping and cheering)

Yule msomali alisema kwani Mimi si mtu ya Kenya yule polisi alinyamaza na watu wakacheka hili polisi aliteremka kwa bassi nahajaonekana tena aliona haya hakuchukua kipande. Hiyo ni shida moja ambaye iko katika North Eastern peke yake tunataka hiyo kwanza eondolewe, hili mamabo ya kusema majensi ya North Eastern imeondolewa haijaondolewa hiko eondolewe kikamilifu tunataka iwekwe kwa katiba.

Maendeleo ingine Kenya ingine hata kama serekali hakuna pesa mingi kitu ile wanapatiwa nilami ukifika North Eastern ni maram hakuna jina ya lamii tafadhali hii jina ya maram. Maram menyewe ni kilomita kadha kilomita kumi hiyo imalizike tuaanze mambo ya lamii hiyo iwekwe kwa sheria.

(Clapping)

Kuhusu dini sisi tume sikia sisi hapa Kenya iko Waislamu Wakristo watu dini mbali mbali kama sisi Waislamu watu ya North Eastern sisi mia kwa mia sisi ni Waislamu kitu tunataka chief Kadhi akimaliza maneno ya mwislamu tumesikia iko high court ingine hatutaki hiyo high court ingine tunataka tu huyo Kadhi amalize hapo na ikwishe hapo .

(Clapping)

Sababu hili high court iko sisi hatujue yeye ni nani kama mkiristo hajue mambo ya kiislamu yeye atahukumu sisi naman gani. Kwa hivyo yeteu ya North Eastern itamalizwa na Chief Kadhi peke yake kwa waislamu wote hile nakaa Kenya na tuseme kama mimi sijarithika kwa Chief Kadhi hile hiko Wajir pasi mimi high Court yangu niya yule mkubwa peke yake sio mtu ingine ya High Court ingine, Khadhi kutoka Khadhi mpaka Khadhi.

Ya mwisho watoto ya shule hawapiti mtihani miaka kadha iliopita inapelekwa Nairobi mtoto yote ni D, D, D,D,D mpaka saa hii tumekosa mwalimu. Imesemekana mtoto ya North Eastern ni D peke yake na D haiwezi kubaliwa college kwa hivyo wajir hii hakuna walimu kusema ukweli shule ile naonekana mwalimu kumi ni nne hiyo iwekwe kwa Katiba hiyo mambo ya North Eastern ya D iko shida huko shida itolewe.

(Clapping)

Kuhusu landi itawekwa kwa mkono ya County Council Iwekwe katika mkono ya wananchi hasa wenyeji hile na kaa mahali hiyo nguvu yao.

Wajir hii tukona shida kushinda NorthEastern ingine kila mwaka mvua kubwa ikinyesha sisi watu ya Wajir tunamalizika mwaka

ya 1992, robo ya watu wamukufa ajili ya sewage na sewage serekali kama angeweka pesa hapa mahali naitwa Uasin Nyiro maji ingeletwa mpaka hapa. Saa hii nyinyi makamishna ile mlilala hapa kesho chungeni tumbo yenyu kwa sababu sisi tumezoea kufa. hiyo pia tunataka iwekwe kwa katiba hii mambo ya sewage serekali lazima ina pesa ya kutosha anaweza kuleta kwa Uasin Nyiro hapa tupate sewage kwa hiyo machache asanteni sana.

(Clapping)

Comm.: Lenaola: Asante Sana Chairman njoo hapa ujiandikishe asante sana. Amos Njeru, Mohamed Hassan. Yussuf noor. ...Yussuf Noor amekuja karibu Mzee.

Yussuf Noor: Turjuan anubahnanah magaeiga wa lairatha Yussuf noor wahajira lihthan iyo shan sano. Waxan umaleyni maalinki calanka Kenya udashe anigu dawarka an kudashe.

Translator: My name is Yussuf Noor and my age is 65 years old, the day Kenya got independence were here and we celebrated and I know the history of these country although I m not educated.

Yssuf Noor: Wahan ahan nini wadhanka wah laga warsanayo masana waya arr iyo elmi tara etahay. Sithas ey tahay wahan somarne dib.

Translator: Since Kenya got independence we have expierenced a lot of problems.

Yussuf Noor: wahan aragney anaga oo dib lakulansan gumaca nalagu tilmamayo hadhi gimaca unugudaco coshas bananaka jokto wah madamin

Translator: We have experienced a lot of killings like wildlife the way just poarchers kill wildlife.

Yussuf Noor: waxan aragney anaga oo suthii hollaha ey oo manyihin oy biyaha usucthan usha a lagureba. Ushi sithas analogutureynini oo getha gacmaha kusiwa nalaley.

Translator: We have experienced all kind of beatings and brutal killings.

Yussuf Noor: waxan aragney ayatha oo laleyahay hakasobihina guryaha afar beri afar maalin nalaleyahay baan aragney.

Translator: We have been embraced curfews for so many days; the government give instructions that nobody should come out of their houses for a week or more.

Yussuf Noor: hadhii an kaguthbo intas waxan hadha kujogna Kenya hadhi an Northeastern anahay waxah Kenya katilmaman ayan uegnahay.

Translator: We even right now after 39 years of independence we are still segregated, we are not like rest of the Kenyans we have very unique problems.

Yussuf Noor: Waxa kamit eeh otgarankartin elmaha skulla kujirin, sanatki aan so dafney mel lajogawa distriga Wajer hal unug oo baso aya lagawayeey kuli mit maskin aah iyo mit tawarley dolkey kudhaten.

Translator: Even our students at the time of examination they have all failed deliberately and they all got D-minus,E and sort of .

Yussuf Noor: Ilmaha masina macaliminta na masina.

Translator: Firi diwatatha ayatha eh sithi logabihi laha sheg , dibkas anahaista sithas aa logabihi laha deh.

Yussuf Noor: Dibkas asaga eh wahan doneyna Katiba manta eh in ey kkubadalanto elmahanaga hadii iskulka ayaga macaliminta sifican basaga ey uhelan losiyo.

Translator: Our school, we request the current Constitution to provide teachers and learnig facilities to our schools especially status of facilities and teachers.

Yussuf Noor: hadhii an kagutbo hathalka wa gagawanye mel yar ban tawan raba. Hadhii an kagutbo barabara laga bilawo Wajer iyo Madogashe hadhii ey dactho iney waxah marayo ey jirin shan biloth afar bitho wah cunto eh oo nalaimano ey jirin.

Translator: The roads are impossible during the rains so we would like the government to develop and to give budget allocations for roads in North Eastern Province.

Yussuf Noor mitha ayatha eh Kenya sodon iyo sadah sana ayu calanketha disanyeh intas MP umbakaso galayey, council ba kasogaley nin unba tagna intas maladisi waye.

Translator: Even though we are represented in Parliament and we have the Local Government, it implies the views of our leaders are not taken by the government.

Yussuf Noor: Markas an kagutbo madha ayatha ey wahajirta wadhankan Kenya dhowlatha Kenya markey imaneysey nin

Engiris layirahtho ba hukumayey.

Translator: maoni bixi athi maoni.

Yussuf Noor: Sitha tawan kabah waxan dhoneyna in barabaraha nalodiso qothobka asaga ah nalobadalo ayan ka jecelnahay.

Translator: Now Kenya is independence, so we want to taste that independent we want to get everything that other Kenyans are getting.

Yussuf Noor: Markan kagutbo waxa jirta Kenya calankehta wactigi laheley iyo wactigan dahthooha wuhuu kabihi laayahay rabsho iyo dagal. Wananchiga hasusan dhat weyna miiga dhagan.

Translator: Since independent these areas have experienced a lot of clashes a lot of tribal fighting, a lot livestock rustling, we request the government to solve that problem for once and all.

Yussuf Noor: Maxaa usabab eh arintas itha eh sabab bey rabta.

Translator: Reasons of all this problem are.

Yussuf Noor: Sabata ayatha eh wahawaye dhatka oo laisku daxsidayey oo iskudax yaceey. Oo Nin nin kale firinayo an jirin.

Translator: Hayeh waat.

Yussuf Noor: Waxan jecelnahay hadhan otheyyashi wadhanka nahay ee Hothan kudashey sitha aan nahay ee hadana an kuhadlayo afka wadhanka in ninwalbo mapakaha gacanta lagasaro.

Translator: For people not to fight or Pastoralists not to fight We want every body to be restricted to his area.

Yussuf Noor: Waxa kujirta dabad galinta wadhanak aa kujirta taa ayatha eh nin dacao iyo nin cath ba.

Translator: That will promote peace among the communities.

Yussuf Noor: Sithas bey tahay sithas ban uaragna. Mesha lairahtho Hothan hadan kudashey mapakahetha wuhuaha magalatha bartanketha.

Translator: I m in bulla hothan...

(Complains and murmuring)

Comm: lenaola: Tafadhalini nilisema hivi asubuhi ngoja, ngoja. hata kama hupendi vile anasema ongoja ukiitwa kuja sema yako tumeelewana, wacha aseme yake haongei na nyinyi anaongea na sisi tumeelewa kama hupendi vile anavyo sema ngoja nikikuita sema unataka yako tumeelewana wacha aseme yake sawa sawa haya.

Yussuf Noor: Waxa udalili eh oolagahelikara mapka adunka yalo oo Kenya uyalo hafiska pisiga aya lagahelikara in u mapkaina postatha hortehta uyahay.

Translator: That is even available in the DCs office and records and other offices. so I request that community boundaries.

Yussuf Noor: Ayatha oo eytahay aya waxan arkey mesha hothan lairahtho weheyka bilawani laleyahay afar melka aya indaha sarey wihi yeleya makasai.

Translator: Bulaa hothan is starting at for miles the way people are saying now and that are not the way it is just here in town.

Yussuf Noor: Mitha ayatha eh waxan raba sithi Katibatha loqathayo in loqatho ban rabaa.

Translator: Sogawi walashegi tas ee sogawi.

Comm.: Lenaola: Ngoja, ngoja kidogo.. Kidogo.

Speaker 1: Assalami Aleykum, mahadacay hathal kina aya laraba in laqatho oo ila Nairobi lageyo oo raiga at kuhayleysin in lagutbio ithinkana watqalineysi tapekana qaili maqathayo mahadacay. Marka amusa dhat weyne iskadiga maha rer Wajer mahatno eweynesin. Please keep quite firi tafadhal waxan ithishegaya marki inta an imaneyne isku acli manehen ama iku raaie baan ehen, sonini walabo acligisa asagamaloho, so nin walbo waxurabo makuhatlayo. Athi qalbi gatha wahad shegi lehet athi calbi gatha kuhaiso ee ninikakaley amanka sii ona amusa nin walbona tisa hakahadlo.

Speaker 2: The whole of Wajir no problem you can talk. we are all... Please you will be given you time register your name there. You will be given your time mtaongea Bwana Commissioners wako hapa mpaka jioni there is no hurry munasikia. Okay sawa sawa tumesikizana si ndio.

Yussuf Noor: Mita awatheth...

Interjection: Com: Lenaola: Halafu Bwana Yussuf Noor sasa maliza sasa ndio wenyine wapate nafasi.

Yussuf Noor: Wanakabaha wehey tahay maslahatha wananchiga ee dhat weynaha.

Translator: Amemaliza he has finished.

Yussuf Noor: Wananchiga iyo dhat weyna waa sithan shege nin walbo mapakihisa waye weondoa mapaka kila mtu mapaka kihisa hagalo

Interjection: Translator: Bes washegte.hayeh

Comm: Lenaola: Asante sana kwa maoni yako njoo jiandikishe.haya tume ... njoo, njoo pale Mzee. Dagane Ali Hussein.

Translator: Maga catha sheg maonigana gal.

Interjection: Regina: Washa hapo. Washa hapo. Ruka.

Dagane Ali Hussein: Bismillahi Rahmani Rahim, Magacaga wahalaida Dagane Ali Hussein.

Translator: Im Dagane Ali Hussein.

Dagane Ali Hussein: Waxan kaimathe bulla lairahtho Wagberi.

Translator: I m coming from Wagberi location.

Dagane Ali Hussein: Hathal keyga masibatno.

Translator: I will be brief.

Dagane Ali Hussein: Lakin seiya yar yar ban tartaraya. Melaha kamit eh wahaweeye hadan nahay Norhteastern waxajirta poliska in ey diwato weyne naguhayan dhat kaina lasocabto bila warrant laan. Dhat lagaraco jelka lageyo hadana maaragtey nalaga gorgorio qofka becisa.

Interjection: Ndio, ndio....(Clapping)

Translator: We people of North Eastern Province we have a lot of problems the police force are very brutal they arrest people anyhowly people are beaten in the cell. they are kept in the cell and even arrested without warrant arrest they are not taken to

court they are taken long time in the cells we want that to be abolished completely.

Dagane Ali Hussein: Mita kale dhatka laguelowey jelka muta lawabilot ila sadah bilot ayako kotini lageynin baa dhatka laiskadigi.

Translator: Others are placed in remand for two weeks three weeks one month, the Magistrate is away I don't know whether he is on leave, I don't know whether he is sacked, I don't know where he is people are in the custody for months and months that should stop and Magistrate should be in the district in full time.

Dagane Ali Hussein: sababta oo guwacan kutoka Kenya ey heshey uhuru 1963 bisha laba iyo tobnat eyheshey magisi ba nasaran waxayna natusi weli in ay nasarantahay oo weli nagalaqathin waxan doneyna in magisithan nagalagatho.

Translator: Since independence this area have experienced emergency that has not been removed It is still in place it should be removed and there should be no more the word called emergency in this area.

Dagane Ali Hussein : Waxa kale oo jirta inaan mahtah dhowlada ilmahaina markey skulka dameyan oo shaqa la dhonenin ilmaha hadhana an lafirineynin sartificate kotha an laegeinin oo ninki lacag leh laqoro.

(Clapping)

Translator: Our share of employment in this nation or in this country is very small. our children are loitering in town, they are not getting employment, their positions are taken Employers. We want to get our rights and our share of employment.

Dagane Ali Hussein: Marka weheyna tuseysa ninki an lacag lehen in ay banderadi Kenya ey wahba kulehen.

Translator: Anybody. ...**(Clapping)** who has no money has no place in Kenya so those who have no money are oppressed.

Dagane Ali Hussein: Mita kale oo laweysa on kudharayo waxawaye in haga afimatka ispatalka ey saraha kali ey iska disanyihin oo wah afimat layirahdo ana kuhaisanin North Eastern.

Translator: No medical facilities in this district, we have the building, we have the personels but there no facilities no drugs, no any other things that is required in the hospitals, people are dying anyhowly.

Dagane Ali Hussein: Waxan dhoneyna in nalokeno dawo iyo dactarin nagufilan oo mwanaichiga....**(Inaudible)**

Translator: We would like the government to provide us enough medicine and enough medical facilities to the people of this

area.

Dagane Ali Hussein: Waxa kale oo jirta malinti Elnino ey dacthey katika afar bilot kamil in election hata uu sifican udicin oo bar loguhagagao ey jirin. Gari an mareynin dhatki u gaja babaay oo tahan halata jitka laaligis.

Translator: During the rains roads here are impassable, during El nino we have experienced very severe problem we could not move anywhere even during the election we could not get our right of election because people could not travel even by foot every where was flooded. So we want that problem to be solved.

Dagane Ali Hussein: Waxa kale oon raba oo manta ad iyo ani maonigeyga an ujeclahay ilmahaina markey iskulka ey dameyan college kale lashegi ama oo itharad ein kastawa ley ama cafimat in wax university layirahtho oo Northeastern kadsan an jirin. Oo lodiso Northeastern university.

Translator: We want the government to **(continuation was not taped).**

Dagane Ali Hussein: Hadhana ey jirin college oo ilmahan noguacristan in nalogudiso.

Translator: Even there are no medical colleges, Teachers colleges and other colleges like Agricultural colleges in this district. So we want all those colleges to be built here so that our school leavers can go in.

Dagane Ali Hussein: **Hadana** ilmaha markey ey form four dameyan imtihankotha ladirey wax ey helan majirto. Ma Ali balafiria ma Mohamed balafiria mahayeley hos bey kujiran waxana anaga maskahtha kuhaisana in ey macalin laan ey ehen oo magaca somalitha Norhteastern kaimate lafirinayo. Kwa hivyo hiyo ndio maoni yangu machache.

(Laughing & clapping)

Translator: I believe the examination marking is discriminated, names are checked and if anybody is a Somali or coming from North Eastern Province they are failed deliberately that should stop.

Comm: Lenaola: Asante sana bwana Dagane kwa maoni yako ngoja ngoja kuna swali ngoja kuna swali.

Comm: Baraza: Asante Bwana Hussein nataka kujua tu hali ya shule hapa Wajir hali ya shule iko namna gani hiko walimu iko equipment iko laboratory hizo vitu iko?

Translator: (translating in kisomali) Wexey kuweydisey halada iskulaha meshan macallimin majiran, bugag majiran, wixii ilmaha iskulaka lagubaraye majiran.

Interjection: Speaker: Majiran.

Dagane: Bug majiro wax bug layirahtho majira oo ilmaha acristan mahayeley dhatki Daley oo masakin ah balaleyahay bugta sogata.

Translator: There are no teachers they are very few there are no books there are no laboratory facilities there no any other learning facilities everything is scarcens here.

Dagane: Macalimina majiran.

Translator: And teachers are very very few.

Comm: Lenaola: Asante sana bwana Dagane njoo ujiandikishe pale. Shariff Noor Ibrahim.

(Clapping)

Shariff Noor: Bismillahi Rahmani Rahim

Interjection: Regina: Mwambie akuambie jina yake.

Translator: Magacahta seg.

Shariff: Harambeeee Ya serekali harambee.. Harambee.. Mzee yetu juu Kenya juu Maminista eeee.

Interjection: Speaker: Wee sema Katiba Bwana.

Comm: Lenaola: Kidogo...

Shariff: Ya kwamba juulizeni miaka mimi yangu ni mia moja na nne nani hiko ya tano mimi na uliza nyinyi yote iko hapa nani anaweza kueleza mimi Wajir hii wakati na jenga na ukoloni nani anaweza kueleza mimi tarehe hii ..endelea. Sasa mimi ardhi yetu ilikua mzuri dini yetu ilikua mbili Kristian moja Islamu moja sasa dini nakua kumi hii dini natoka wapi hakuna nabii dini hakuna Nabii. Dini hapana hiko ndani ya kitabu ya Mungu dini ndio nasema Qurani ni haramu tena hao na toa. Wawe vile vile hapana endelea dunia mzuri wala hapana taka wakati na kufa ndio napata late pahali kufuli ya Mungu na hiyo mimi na kataa sasa mtu iko na kitabu yeye anaweza leta yeye anakuja nataka mimi ni Msikiti gani nataka wao naleta kitabu wao nataka nalete dini hiyo nabii yake wao nataka dini hii ya Mungu yake kama hapana hiko hiyo si dini. Hata yeye mwenyewe na jua.

Ya tatu, maneno yangu ya tatu nataka kila mtu Kiristo na Islamu naomba Mungu, Mungu moja kama kufa kama pona nijuu ya

Mungu kila kitu.

Ya pili hapana uliza sisi kitu sisi ndio wazee wakati jenga hii dunia hii hapa ndio hakuna mtu na shinda mimi miaka tena hapana uliza kitu serekali mwenyewe.

Ya tatu ndio hii maneno yangu ya mwisho, County Council mwizi naharibu dunia hata mimi miaka tano iko katika hospital Mabos yangu yote nauza. County Council ndio naharibu kazi ya serekali hapana watu ingine na serekali yetu hapana angalia eee wao nauza ardhi. Sasa mimi najenga wapi hakuna mahali ya kujenga eee

Interjection: Speaker: Sogawi, sogawi.

Comm: Lenaola: Asante Bwana Shariff asante kwa maoni yako na tafadhalini tuheshimiane, tuheshimiane kwa maoni hebu wekaa chini wacha kwanza, wacha kwanza tuheshimiane kila mtu akona haki ya kutoa maoni yake. Mheshimiwa Mohamed Abdi.

MP: Mohamed Abdi: Mimi kwa jina vile mumeambia ni Mheshimiwa Mohamed Abdi Mohamud MP Wajir East, Assistant Minister for Trade and Industry and Kanu's Economic Secretary. Mimi nitaongea Kwa lugha ya Kiswahili ili wanainchi wengi ambayo wako hapa wasikie sababu nitaongea kwa niaba yawo.

Jambo la kwanza nafikiri siku ya leo ni historia katika nchi nzima ya Kenya hasa Wajir, sababu hakuna wakati tumehifisishwa wakati Katiba yetu ilandikwa 1959/1960 wacha na kua fursa kama hii hakuna Msomali katika North Eastern Province ama Kenya kwa jumla ambeye amehusishwa katika kutengeneza Katiba.

Kwa hivyo sisi Wasomali tukona fursa ya kuongea lakini wakati tunaongea yale yana husu Katiba basi. jambo la kwanza wanainchi na tume ilie iko hapa tunajua sisi wote ya kwamba umuhimu wa katiba. Ikiwa Katiba ni dhaifu ama imeandikwa vibaya basi ujue nchi nzima kuta kuwa na shida.. Kutakua shida ya utengemano, kutakua shida ya development ama maendeleo kila kitu lakini Katiba ikiandikwa sawasawa na iandikwe kwa makini kulingana na matakwa ya Wanainchi basi hiyo nchi itaendelea. kwa hivyo mimi mapendekezo yangu nimeandika vijikitabu ambazo nimeshapeana kwa Makomishnas maoni yote yako hapa yangu tu nitasema machache mapendekezo yangu kwa muktasari. Sababu hakuna time ya kuongea yale yote yako katika kitabu.

Jambo la kwanza ambayo ni muhimu sana ambayo Katiba ingawa imeandikwa lakini haifuatiliwi ni jambo la Human Rights. Human Rights ama rights kama ile ya kuenda kila mahali popote katika Kenya, freedom of switch atie unaeweza kuongea, unaweza kuenda mahali popote duniani, unaweza kufanya chochote yako katika Katiba lakini ubaya ni ya kwamba hazitekelzwi vile inatakikana.

Jambo ile inatuhusu sisi tukiwa Wasomali sana sana sisi tukuwe Wasomali ni nafikiri wengi wame shasema hapa ya kwamba ile Katiba imeandikwa kwa mfano: watu wengi wali-complain juu ya vile wanafanya huko korokoroni na kathalika hiyo ni ukweli. watu hawa patiwi haki zao ki Katiba. Na tunashukuru serekali kuna mambo mengi imeendelewa katika sheria kupatia sisi haki yetu. Lakini mpaka sasa wengine wana bado hangover ya zamani ya kusema ni North Eastern is nothing except problems.

(Clapping)

Yani N. E. P. wafanyi kazi wa serekali ndio wameanza kupeana jina hiyo kwamba NorthEastern is nothing except problems na hiyo attitude inaoyesha ya kwamba wafanyi kazi wengi ambo wanaletwa sehemu hii si watu ambayo wameletwa kwa sababu ya transfer ya kawaida wenyine wameletwa kwa sababu ya kufanya njama huko Nairobi halafu wanaletwa area hii kama mahali ya punishment. Kwa hivyo tungependa hiyo attitude ya wafanyi kazi ya serekali ibadilike na tuwe Haki sawa na wale wengine.

(Clapping)

Siwezi kutaja mengi Zimesemekana zile haki zetu zimechukuliwa kunajisi Wanawake, askari wananajisi Wanawake, kupigwa watu ovyo ndani ya cell na mambo mengi kupiga watu na kuuwa sehemu kama Wagala na Garissa, Malkamare zilikua nyingi na wale watu hawaja pelekwa kotini mpaka wa leo. kwa hivyo hizo ndizo baadhi ya right zetu ambazo zimeingiliwa na na watu wachache. Kwa hivyo ikiwa Constitution tiyari imeandikwa kuhifadhi haki za wanainchi basi hiyo Constitution lazima ifuatwe.

Jambo la pili ambaye ni haki yetu ambaye tungependa iandikwe kiwazi wazi katika Constitution mpya ni kuwa haki ya kuwa Elimu tunataka hiyo eandikwe kabisa. Haki wakenya wote na haki ya kupata Elimu na hiyo elimu ipeyanue na serekali hiyo ni jukumu ya serekali hapana ya raiya wala NGO hiyo tunependa iandikwe kwa Katiba mimi na sema Kenya yote. Kenya yote watuwawena haki ya kupata elimu wawe na haki ya kupata afya, wawe na haki ya kupata maji na mambo mengine yote ya maendeleo kwa jumla nataka hiyo iandikwe kwa Constitution ili baadaye mtu akiwa anataka pengine haja pata hospitali ama haja pata mambo ingine kama dawa ama Elimu anaweza ku complain aseme Constitution inasema hivi kwanini mimi sijapatiwa haki yangu. Kwa hivyo hizo ni muhimu sana na emiwekwe katika Constitution. Ya tatu.

Interjection: Speaker: Makofi.

(Clapping & cheering)

Ya tatu; ikiwa Constitution yetu nihile ya kuleta umoja, munasema Constitution italetu umoja lazima tupendane, tutapendana vipi na tukae pamoja vipi ikiwa sehemu zingine imeachwa nyuma?

Interjection: Speaker: Makofi **(clapping & cheering)**

Kwa hivyo mimi sisemi NorthEastern peke yake kuna semu nyingi ya Kenya three quarter ya kenya ambaye inaitwa North Eastern Kenya pamoja sehemu nyingine ya Coast na sehemu nyingine kidogo kidogo katika Kenya zingine. Iko pocket ya sehemu zingine as ambazo hazija pata Maendeleo ya kutosha. Basi ikiwa hakuna maendeleo na zingine zimeachwa nyuma hatuwezi kuwa na umoja ya Kitaifa.

(Clapping & cheering)

Basi ikiwa namna hiyo ikiwa tunataka umoja wa Kitaifa basi lazima rasilmali ya serekali ambazo zilienda, zirudishwe sehemu ambazo ziliwachwa nyuma wakati wa ukoloni.

Interjection: Speaker: Hapo makofi.

(Clapping and cheering)

Na ninafikiri nimetaja mimi sisemi ni NorthEastern pekee, North Kenya pamoja na sehemu zingine za Coast na sehemu zingine hata Kiambu kuna mahali ingine inaitwa Karai, hee mimi hapana tetea Wajir pekee yake sehemu yote ya Kenya ambaye imeachwa nyuma ningependa iandikwe kwa Constitution ambaye ni right ya kila mtu apate ile resources ya serekali na ihakikishwe ya kwamba inafika kila kona ya Kenya mpaka Mandera eende Moyale mpaka Turkana.

(Clapping & cheering)

Basi wanainchi nafikiri pamoja na Watume na fikiri tumehili. na fikiri munasikia watu Hakuna wale wa hata kinamama wanasema hawana fees, vitabu hiyo ni kumaanisha maisha yetu ya hapa ni ya fukari kabisa. Watu maskini na fukari kabisa.

Clapping & cheering)

Watu zaidi ya 97% ya watu ya Wajir wanapatiwa famine relief 97% it is only three 3 % that have access to well 97% wanapata famine relief kutoka serekali. Kwa hivyo watu kama hawa! Wanaweza kujenga taifa namna gani? Tungependa hiyo rasimali ije hapa rasilmali kama kujenga barabara yetu kutoka Ijara ifike Garissa, Wajir mpaka na Moyale na Mandera hiyo ni haki yetu.

(Clapping & cheering)

Hiyo ni haki yetu ikiwa sisi niwana Kenya na bila shaka nyinyi wenyewe mumejionea kwamba sisi hapa Kenya ndio number 1 wale wengine wote wako number 4 sisi ndio number 1.

(Clapping & cheering)

Basi kuna hii mambo ya discrimination mimi nitaongea juu ya discrimination kidogo. Ku-discriminate hiyo kuna discrimination mingi hapa na pale ingine ililetwa na wakoloni na ingine sisi wenyewe tunafanya discrimination among ourselves hiyo discrimination kama tuseme mambo ya kupata passport mambo ya kipande na hii screening nafikiri wale watu ambao wameongea wamesema.

Basi ikiwa sisi wote Wasomali tunasema hii sreening card ni discrimination Wasomali sisi tunafanywa second class citizen je! kwa nini sisi wenyewe tunajiletea discrimination? Munajua hiyo discrimination sisi tunajiletea? Sisi wenyewe tukona shida alafu munaongea na tukona shida chungu mzima halafu munasema Fay akaye upande hii degodia inginge wakea huko Ajuran wakea mande hii sasa wenyewe tunajiletea discrimination hiyo kweli inatufaa?

Intrjection: Hapana (clapping & cheering)

Hile answer yetu ya shida yetu hapana hile discrimination ya colonial government because mukisema koloni basi wacha mzungu arudi afanye Kenya yote koloni. Sisi tusingiea mambo ya Wazungu,

(Clapping & cheering)

Hile shida sisi tukonao wacha niwaelezea ni hili shida ya hakuna maji chanzo ya watu kupigana ni kwa sababu hakuna maji, hakuna malisho ukame na shida mingi. Kama kila Constituency ama locations serekali imeweka dams, boreholes hakuna watu watahama kiingia sehemu ingine kila mtu atakaa sehemu yake. Kwa hivyo shida sihile munaita Serr hiyo sisi wenyewe tunajimaliza tunasema serekali inafanya discrimination sisi wenyewe wasomali tunamalizana.

Hiyo Mimi naona shida chanzo cha shida yetu ni hizo, kwa hivyo tunge penda tukuea na development plan ambayo inaitwa Marshal plan. Marshal plans for northern and all disadvantage areas there is a lot of Imbalanced in Development and that one is in capital Imbalance. Na ikiwa tutaendelea inbalance basi Kenya hatutakua na umoja na vita itaendelea na watoto wataendelea kuwa Shifta.

(Clapping & cheering)

Kwa hivyo wakati nilisema elimu nimaanisha hata wale vijana wamemaliza shule lazima wapate kazi sababu ikiwa hawatakosa kazi ni vile nimesema watakua wajambazi. Juzi tuu mnajua hapa hakuna vifaa shida mingi kwa shule Walimu hawako halafu juzitulikua tunaambiwa ati ni ya kwamba wale wanaenda Teachers Training College hiyo ni example ya discrimination ama kutoangalia hali ya Elimu, Director of Education anaweka sheria yake yakusema wasichana na wavulana ambao wanataka kunenda Primary Teachers Training college lazima wawe na “C” na sisi hatuwezi kubali mambo ya C tunataka D+ nahiyu tu hakuna mambo ya C .

(Clapping)

Wao wanataka hata kupata ‘C’ hatupati wezi utapeleka nil return tutoka D.E.O hiyo nitume na tunataka wasikie sawasawa hiyo maneno is very serious political issue hiyo hatuwezi kubali.

(Clapping & cheering)

Kwa hivyo mambo ya elimu tungependa kiwe na pengine serekali hiyo sasa Constitution hawezi kusema ndani,ndani lakini hiyo ingine tutaweka kinaga,naga katika Province ya kwamba tunataka ya kwamba miaka kimu na tano 15 years tunatakasehemu hili imeachwa nyuma vijana na wasichana, huko mashule tupatiwe vifaa ya kutosha tuwe na shule mzuri kila district iwe na shule inaitwa center of excellence na wajir high iwemoja yawo na Garissa tuwena mmoja, Mandera tuwena moja na chuo kikuu hasa hili inahusika na livestock development ianzwe Girifu.

(Clapping)

Basi hiyo nili kwa machache sasa wacha niingilie kidogo kidogo Bwana.. mwenye kiti sasa nitaongea kidogo,kidogo kuhusu sehemu nyingine basi kuhusu serekali. Unajua watu wengi wanataka serekali ya mfalme, serekali ya jeshi wengine wanataka serekali ya raiya sisi tunataka serekali ile hiko ilioko ya government ambaye serekali ya huko Unitary government tunataka hiyo.

Sababu ya kutaka hiyo kama serekali ni moja wale wanasema Majimbo munakumbuka hili shida ilituletea watu wakaanza kupigana mpaka wa leo hiko clashes ya land huko sehemu zingine. Basi kwa sababu ya hile shida tunataka mambo ya Majimbo tufungeni brake hasa watu ya Northern Kenya ambao hatuna development hata kidogo, Majimbo gani munaongea na

utaambiwa ujisimamie kila kitu sasa tunashindwa kulipa hata fees ya watoto utaanza kulipaaa....

(Clapping & cheering)

Mutauliza Majimbo siku hile Kenya yote development itakua sasa yote kila mahali kutoka lake Victoria mpaka Mandera development iwe namna hiyo siku hiyo ndio tutauliza bila hiyo hapana, hatukubali Unitary system of government iendelee serekali iwe tatu , mnajua iko mguu tatu. Mguu moja iwe na serekali hile naitwa executive ikae hivo hivo kuwa na hila Parliament yeyu inakaa saa hii mambo ya house of representative ikae hiitu namna hii. isipokua upande ya Parliament, baada ya Parliament kuna wengine walisema eti walewali fanya election North Eastern Province walikua 120,000 pekee yawo na huko molo peke yake kufannya election walikua 120,000 kwa hivyo kuna MP mmoja huko Bunge amependekeza ya kwamba North Eastern yote awe na Bunge mmoja, munakubali hiyo?

Interjection: Hapana ! Hapana.

MP: Huyu mtu ameongea juu ya population na sisi tunaongea juu ya ardhi kwa sababu wajir pekee ni zaidi ya Nyanza, Central na Nairobi ikiwekwa pamoja Wajir district baado ni kubwa kwa hivyo ...

(Clapping & cheering)

kwa hivyo hizo zote nilipoweka pamoja MPs wanatoka Nairobi pamoja na Central pamoja na Nyanza yote ni sixty something kwa hivyo Wajir pekee sisi tunaongea mambo ya mile ama kilometer. Tungependa sixty MPs in wajir pekee yake kama huyu amaongea hivyo.

Interjection: Kweli, kweli **(clapping & cheering)**

MP: Kama hapana tuongea kama wanakenya hiyo madharau kama hiyo, hiyo jamaa ambaye ameongea hivo hiyo madharau ndio inalete disunity katika Kenya. Mtu akianza kuongea namna hiyo tena basi atapata chamtema makundi.

(Clapping & cheering)

Kwa hivyo tungependa vile Electoral Commission inasema imeweka sheria ya kusema unaangalia population, unaangalia communication vile barabara unaangalia mambo ya ukubwa ya sehemu Fulani, hiyo tumetosheka lakini mtu akianza tu kusema akiangalia watu peke yao tu, Kenya hapana watu Kenya ni ardhi sindio?

Interjection: Kabisa **(clapping & cheering)**

MP: Hata huko Palestine na Israel wanapigana wa watu wanapigana juu ya ardhi. kwa hivyo hiyo mkataba hata Commissioner waandike kwa Katiba ya kwamba Kenya iko na ethnic groups iko makabila tofauti tofauti, hiko interest hiko sehemu ingine kubwa sehemu ingine ndogo sehemu nawachwa nyuma, kwa hivyo hi maneno ya kusema tu ati sisi tukowengi kwa, kwa Idadi hata sisi tukoshuja kwa njia nyingine siwezi kutaja.

Interjection: Speaker: Ndio **(clapping & cheering)**

MP: Kwanza mambo ya Three Arms of the government ni vile vile ilivyo tu isipokua tu upande ya executive tunge penda President awe mkubwa wa nchi na mkubwa ya serekali na awe amri jeshi hiyo ni lazima ni President pekee yake sababu ya kusema hivyo ni kwa sababu Kenya ikona makabila mingi sana, tukianza kupatia power kila mtu hapa na pale.

Interjection: Speaker: Watamalizana.

MP: Maneno itaharibika. Tuwe na kiongozi mmoja ana mamlaka hata hivyo kuwa na hile separation of powers kama ni Parliament, mimi mwenyewe ni Mbunge na tukona na mamlaka kubwa sana na isopokua saa ingine sisi wenyewe pengine hatujue. lakini serekali kuwa na ile Executive wawe nayao. Parliament Na Judiciary wote wawe they should be checks and balances, yani moja isizidi hile ingine.

Basi kuhusu Judiciary nitasema kidogo kuhusu Kiislamu, dini ya Kislamu ambaye ni msingi wetu hapa sisi tukiwa waislamu. Nahiyo tunataka tume eweke sawasawa.

Kuna hii mambo inaitwa Kadhis Court ambaye watu wenyi wenyi wametaja, Kadhis court nimuhimu natungependa ikuwe restructured. Hili mambo ya koloni zamani hiyo nafikiri iwe restructured imetengezwa zamani sana kulingana na sasa mambo mengi imebadilika Kadhis Court kwanza iwe restructured kuwe na law court kama vileilivyo other Courts ya Kadhi kuwe na High Court ya Kadhi na kuwe na Court of Appeal ya Kadhi. na hile mamlaka yawo..

(Clapping & cheering)

Na hiyo mamlaka yawo isiwe ya kufunga ndoa peke yakee hapana kuwe na ile Islamic sheria kama sisi waislamu tunataka hiyo Islamic sheria.

(Clapping & cheering)

Sasa hiyo ita apply kwa yule ambayo Muislamu hatuwezi ku force mwenyine ya hiyo sheria eendee kwa mwenyine hapana hiyo muislamu. yule muislamu halisi ndio atafuata Islamic sheria na hile qualifications itawekwa vile imasemekana. Some of this khadis niwale wazee wa zamani ambawo hawaja soma comparative religion, nataka ile khadhi ambaye amesoma Kikristo, Kihindi amesoma madini yote na pia kiislamu awe na degree wote wawe na degree moja na zaidi, mtu ambaye anaweza kujua kila dini basi baada ya hiyo.

Mimi ningependa kuongea pia kuhusu Local Government: Nafikiri Councillors wengine wameongea local government vile ilivyo katika wakati huu Local Government ndio inatakikana iwe inafanya maendeleo katika mashindano kwa hivyo, tungependa tume hili ee recommend eweke katika Constitution ya kwamba local government ipatiwe ile autonomy. Hii mambo ya waziri ya local government ku control kila kitu hapana control zingine kidogo tu awenayo mambo ya ku-dissolve na mambo ingine ya advice, lakini power ipatiwe local government Civic Level.

Kuhusu Councillor, Councillors sisi mambo ya kusema Councillors lazima wasome hiyo mtu ambaye anasema hivyo ni upuzi. Sisi

(Clapping & cheering) sisi tunataka wazee na akinamama ambayo wako na hekima wale ambawo wakona hekima. Wale ambawo wakona hekima si lazima ukipoendesha local authority lazima uwe graduate. Tungependa mtu ajue Kiswahili tu hiyo requirement ajue kiswahili na anaza kusoma na kuandika hii ingine yote atie kizungu awe form four ama nini sisi hiyo atujafika kwanza Elimu yetu Iimarishwe kote hiyo hatujafika, kwa hivyo County Council elections iwe kama zamani, kama mtu akona form four ama degree hiyo nisawasawa hiyo ni added advantage lakini isiwe lazima.

Hile ingine mambo ya Mayor ama Chairman kuwa elected by the wananchi hiyo itakuwa expensive, sisi wenyewe tukiwa MP, MP anashindwa kufanya election katika Constituency mmoja sasa Chairman akiambiwa kama huyu Chairman wetu hapa

akiambiwa Wajir district yote ndio utaenda kuchukua kura hiyo itakuwa very expensive haiwezekani, hiyo haiwezekani

(Clapping)

ma Councillors waendeleo ku elect their Chairman ama Mayor eee basi

(Clapping & cheering) hiko jambo moja nataka only two things now remaining ee Mr Chairman I m very sorry one is now eehe,

sasa nataka kuongea mambo ya Nairobi Province munisikize sawasawa, Nairobi Province tunataka Nairobi Province kwa sababu ikona Constituency nane, Nairobi ikona Constituency nane na Kenya yote ikona Constituency ngapi nane sindio? Kwa hivyo tungependa sababu Nairobi ndio headquarter na kila kitu tingependa Nairobi iwe ya watu yote. Kila Province ipawtiewe Constituency moja, kwa mfano sisi Wasomali tinataka kuchukua hile sehemu inaitwa Eastleigh.

(Clapping & cheering)

Wengine watu ya Nyanza wachukue Kibera kwa sababu kuna watu wengi ya .. yani sehemu, hiyo ni mfano tu kwa sababu iko viti nane kila Province uchukue kiti moja na iwe katika Katiba ilitulete watu yetu pamoja na tuwena umoja.

(Clapping & cheering)

Vile vile pia City Council ya Nairobi kila wakati tunasikia madiwani ni ya chama moja sasa kwani City Council niya chama moja .. vile vile tungependa hiyo city council igawanywe namna hiyo namna hiyo, engine some Councillors ziwe kutoka Eastern ingine kutoka vile nimependekeza Constituencies wards pia uwe namna hiyo ili Nairobi iwe ya kila mtu hapana ya watu moja.

Basi mwisho wanainchi na fikiri mambo ingine vile nimesema iko katika vitabu pale, yangu tu kwa niaba yenu ningependa kuwa shukuru sana sana. Tume hili kwa kukaa North Eastern Province na kukaa na sisi kwa jua na pia ningependa kurudishia nyinyi kwa utulivu kwa hivyo hii maneno musichukulie kama kitu kidogo hii ni muhimu sana katika historia yetu na tungependa muchukue tarehe hii ya leo ambaye ni ya 6th of June the year 2002 is going to be a turning point in the history of North Eastern Province and in particular Wajir district. Thank you very much God bless you.

(Clapping & cheering)

Comm.: Lenaola: Asante sana Bwana Mweheshima.

Interjection: speaker: Ngoja.

Comm: Lenaola: Mheshima ngoja hiko swali ngoja kidogo.

Comm: Baraza: Honourable Mahamud thank you for your submissions now you have talked about Marshal Plans for the whole of Northern Kenya.

Hon: Mohamud: yes.

Comm: Baraza: I think somebody else did raised the issue of Marshal Plans in Sololo or something and as a Commission said

we want you to address us in more detail on that Marshal Plan. I don't know if you get some time to work through the plan and you could bring it to us at the Commission, a detailed plan and structure or whatever it is. Let see it in more details and you can bring it to the Commission we will see how it will look like.

Comm.: Lenaola: Asante sana Bwana Mheshimiwa ilikuwa comment tumeshukuru tafadhali asante kwa maoni yako. Haya sasa ningetaka kutangaza hivi, kuna watu zaidi ya mia tatu wangependa kuzungumza ni vingumu kusikiza kila mtu siku ya leo. Wale ambawo wanajua kuandika ningewahimiza muandike maandishi yenu kwa maana maneno hapa na maandishi yatashukuliwa kwa maanane na tume kama jambo moja. Kwa hivyo kama utaona kama utafichiwa kwa maana sasa niko page number five(5) ya hii kitabu na nikona 25 kwa hivyo nikiona page 20 kuja. kwa hivo watu wale nimesema muandike memorandum yenu mkutane pale kwa maana ita somwa na tume na kuchukuliwa kwa maanane. Na nikikuita hapa tafadhali kuja utupatie mapendekezo straight point by point ilikilamtu asikizwe nimeshukuru.wacha nimuite sasa Suli Abdi Guhat na baada yake Abdi Adow Ali utamfuata.

Suli Abdi Guhat: My names are Suli Abdi Guhat and I work for a local NGO but presenting a group called Kulmie Women Group and Wajir Woman for Peace.

First my main preamble is, I want the government to overcome and reduce poverty. Protect and preserve communities as identities, nationality, religious and culture and also to respect the culture and values of every individuals.

Protect and promote vulnerable groups like woman, children, disabled and minorities. My second point is on the Constitution of Kenya, I would like all the citizen to be able to understand and write the Constitution and should be understood and should be in all ethnic languages, it should be simply and be understood by every body.

The other one is on land ownership; since we are pastoralists, we don't want land allocated to people not more than 5 acres. We also don't want to have colonial boundaries, every Kenyan should be allowed to move and settle where he or she wants.

Allocation of land should be done by not the Council but by village elders. We also want all basic needs and basic rights to be provided by the State.

On education, primary education should be free for all. Secondary education, students from vulnerable groups' especially pastoral communities should be given bursaries.

For university, Students from the Northern region should be given loan and one university should be established in the Province. Facilities and teachers.

Interjection: (clapping)

There should be enough facilities and teachers for key subjects since we now understand that Kenya's education system is changed and we have around 5 key subjects we want special teachers for this key subjects.

We also want to incorporate the Islamic education especially the line of koran and the school curriculum, and this should specifically for Muslim students.

The other one that I want to contribute is guidance and Counselling subjects should be introduced in schools since they're a lot of troubles and a lot of indiscipline schools.

Students should be able to counsel and guided by the teachers relevance to a subject on its own. We also want the Constitution to be taught in school too.

And the other very important thing is, all girls schools should be headed by female head teachers not men.

The other one on information sharing is people of the nation region should have access to audio vision information example: the television news coverage from the State especially the KBC.

(Clapping)

The other one is infrastructures all roads in the Northern region should be all weather roads and should be tarmacked especially Garissa to Mandera road.

On health quality and free health services should be provided by state to all citizens.

On law: the Kadhis Court should not be subjected to the High court of Kenya, Khadhi should be appointed by Muslim Ummas but not the President,

(Clapping)

The Islamic sharia should be used to judge all Muslims. On pastoralism every pastoralist should have access to pasture in any part of the country.

(Clapping)

Pastoralists should have a permit to access water in other neighboring countries especially for other Somalis, when you want to go and look for water and pasture in countries like Ethiopia and Somalia we are normally denied. So we want pastoralists to have permit to access water or pasture in other neighboring countries. We also want the government to compensate all people killed animals killed by wildlife or put the animals in game parks.

The other point is on the County Council; we want propose creating of District Local Council, to provide services that is independent for the President and the local government Minister.

We also want the President or the Minister not to have powers to dissolve the said council. We also want Mayors and the Chairpersons to be elected by the public and the tenure of office should be five years as a opposed the current two years.

The Chief offices in this said council should be subordinate to the elected officials. We also want sales collection to be harmonized and all livestock trades should be packed at only one central point. On marginalisation, we want all Northern Province to be recognized as part of Kenya and should get equal resources like other parts of the country.

On historical injustice we want those people to be prosecuted and those who committed injustice to be brought to book and

subjects should be compensated. They are all mentioned and I don't want to repeat them again since time is not on my side.

I also want to talk about an independent candidate, to have an independent candidate not in the existing parties like if I want to vote not from KANU or DP I should be given the chance.

Women should fund to have political parties; we also want all the nominated members of Parliament from the Northern region to be women.

(Clapping & cheering)

On independent Constituency we the women of Wajir we would like to have an independent Constituency where only women are allowed to be the candidates.

(Clapping & cheering)

On our markets we want our livestock markets to be centralised, we want to have a central market for livestock in Northern Province, we want to have livestock marketing board and also market outlet for our livestock's.

Comm.: Lenaola: Thank you Suli last point.

SULI Continues: On citizenship we want any adult Kenya female who marries a foreigner, her husband should be allowed to automatically become Kenyan citizen.

Comm.: Lenaola: thank you very much.

SULI: We also.. The last one the last one, we also want the Somali screening card to be abolished immediately and when acquiring national identity card that should not be a condition.

Comm: Lenaola: Thank you Suli wait, wait ngoja kuna swali.

Comm.: Baraza: Suli you have raised a very interesting point on having a Constituency for women, what comes to my mind is it geographical Constituency where women clasp some together or is it a woman representative is there to represent the interest of women wherever they would be in the Province?

Suli: I would specifically talked of wajir and in Wajir we have only 4 Constituency and we want to have a different Constituency where the candidates who are suppose to come in from this Constituency to only be women so women should be allowed to participate themselves and to Vie for the post whether MP or not. So from the start of an MP to a be Councillor are all to any other political party we want woman to have a different one from the existing ones now.

Comm.: Baraza: You have the intended..... *(inaudible)* that is what you are having now.

Suli: Yes exactly.

Comm.: Lenaola: Asante Sana Suli kwa maoni yako tumeshuru. nilikuwa nimemwita Baada yake Mahat Ahmed ujitayarishe.

Abdi Noor Ali: Jina langu naitwa Abdi Adow Ali, (bismillahi rahmani rahim). Nafikiri wengi watashangaa leo nikizungumza hapa sababu sisi disabled hatukua katika Katiba ya awali. Na leo nimepata fursa hii ilitujulikane yakuwa sisi ni binadhamu kama wale wengine.

Ningependa wale idara ya kushughulikia sisi kama National Funds For Disabled ambaye wanatupatia mshahara baada ya miaka mitatu watufanyie kama vile watu wazima wanapata mwezi mshahara sababu sisi ni binadhamu hatuwezi kuongoja miaka tatu. Hata wengine wanatuma maombi yawo wanakufa, kabla ya assistance kuja, Naningependa hiyo golden iwekwe maanani kabisa.

Ya pili upande ya councilors: nafikiri wamekua wengi Sana Na hakuna mshahara ya.... (*inaudible*) local authority ya kupatia mshahara, Kwa hivyo ningepanda ma councilors wapunguzwe.

Interjection: Speaker: Watapunguzwa basi.

Abdi Adow: Ya tatu vile Mheshimiwa alisema Ni ukweli tunataka mbunge moja kwa Wajir ni ukweli sababu MPs wengi wanakula mshahara mingi na serkali hakuna pesa.

(*Laughing*) kwa hivyo hiyo inaonyesha kila mtu akuwe MP halafu wengine wakufe kwa njaa, vile Mheshimiwa alisema asili mia tamanini na saba hawa chochote wanapewa relief kweli yake siku hizi hata relief hatakuna.

Abdi Adow: Sasa nataka sisi disabled tutambuliwe kama binadhamu, ya pili tuajiriwe kazi, ya tatu nataka NGOs wamekua wengi hapa siku hizi ambayo serekali hawa shughulikii, NGOs wanaleta pesa ya msaada on behalf of wananchi lakini wanatumia vile wanataka sababu serekali hawa shughulikie ukienda kwa serekali wanasema hawa shughuliki na NGO. Kumbé NGOs ndio wanachukua pesa ya maendeleo ya nchi halafu wanatumia vibaya. Nashukuru kwa kunipatia hii nafasi.

Com. Lenaola: Asante Sana Bwana Abdi Kwa maoni yako, tumeshukuru. Mahat Ahmed baada ya Mahat Ahmed nitamwita Ibrahim Elmi.

Com: Lenaola: Endelea Mwalimu.

Mahat Ahmed: Kwa jina Mimi naitwa Mahat Ahmed, Im a teacher and currently I m serving as the executive Secretary for Kenya National Union for teachers Wajir branch. I would not go into the whole detail of the memorandum as you have

prepared that is the guideline but I would just touch on the educational matters, labour issues and then the Northern region.

On the preamble we would have wished the preamble of the new Constitution to have something like this. The new Constitution should intact preamble providing the fact that all the Kenyans are created equal human beings with certain fundamental and inalienable rights among which's are the right to own life, to own property and the right of free movement and settlement in any part of the republic as full citizens of Kenya. We would like this kind of preamble.

On educational matters we would wish the new Constitution that is to come to make sure every Kenyan child should given free basic education and that should be compulsory.

The Constitution should instituted measures to check against brain drain example; academic freedom, because we cannot listen to professors like Ali Mazrui and Ngugi Wathiongo because of what you know, so we would like that kind of issue to be abolished so that we can listen to them.

To check and make sure that there is quality education in Kenya, we are proposing that teachers, tutors and lectures should all be well remunerated so that they can give quality education.

On labour issues we are suggesting that the new Constitution must put in place a first process where any Kenyan who would not be employed receives the necessary document like visas and passports without any delay.

The passports I suggest should be given all district not the matter of going to Nairobi for a passport and that process should be made accessible. Because once a Kenyan has the identity cards that is already a prove he is a Kenyan beyond doubt that so why make the passport very difficult so that these person can get employment in any other services from outside.

The State should start an employment allowance to take care of the job less Kenyans.

Workers, employers and the organizations should have the right to unionize for the defense of interest to form unions and to join them or to keep out of them.

We are further suggesting that the new Constitution should take care of strikes and lock-outs they should be permitted when they relates to labour relations and when they are not contrary to obligations to keep labour peace or to resort to reconcile.

The new Constitution should be taought in schools and be in simpler languages and should be available in public libraries and universities. The new Constitution should use the simpler language as I have already said and also written in most Kenyan languages we have 42 ethnic tribes in Kenya at least it should be written in most languages as especially in Somali.

Then for the Northern region, we are proposing that the new Constitution should correct and remove the injustices perpetrated against the people of NorthEastern Province by both Kenyatta and Moi government.

The new Constitution must review all oppressive laws and practices that continue to haunt the people of North Eastern province. Principals amongst this are the outline district acts, the Indemnity Acts and the requirement for extra identification papers for Kenyan citizens of North Eastern Province.

I'm suggesting for the pastarolists we should have dual citizenships that if I want to shift with my family to this sides of Ethiopia bordering Moyale, I should be allowed that kind of citizenship.

On the Presidency we are saying that the huge budget that is going to State House should be reduced. On Parliamentary MPs once a member is elected in Kenya, then he gets a disease which is called Nairobi syndrome, to check against that Nairobi syndrome suggesting MPs should be accountable to a Constituency Executive Committee which should come from every location and this committee should direct the member of Parliament on development matters in that Constituency.

Com: Lenaola: Thank you very much Mr.Mahat you are very clear there are no questions for you please come and register.nimeomba nimwite Fatuma Yussuf kwa maana hasikie vizuri angetaka kusema halafu aelekee Fatma. Na baada ya Fatma, Omar Oloo atamfuata Fatma.

Fatuma Yussuf: Asalamu Aleykum: my name is Fatuma Yussuf I m mobilizing and sensitizing the disabled in Wajir district.

The only few remarks I would like to give is for disabled to be given an opportunity not a charity. I could be grateful if the NGO, government and the rest of us could give them an opportunity. Charity won't assist any disabled. Other thing is disabled people has no tribe and that is what I came across. And I know in my district there are four MPs and I think there is none who give attention to the disabled. What I wonder is that these people do not have the feeling, not the voter, don't they have a voting card or what is it. What make the people of the North Eastern disabled people different from the other able bodies?

They are segregated and discriminated, I know our Somalis they can feed an animal than a disabled child that is what I know and I have seen it actually.

Pavements and ramps are well developed in Kenya towns for disabled people why? Because of best health facilities, parents, MPs and the Ministers who give them very good attention. I was very grateful last week I was in Nairobi Westlands Jaipur, but I felt somehow it because I saw Assistant Minister for Trade and tourism Mr. Mohamed Abdi requested for a wheelchair for the disabled in Wajir and I got them now but it was very unfortunate when I saw it was a wheel chair not a tricircle. Mr. Mohamed I m wondering and you know how Wajir district is but no wonder how..

Interjection: Com: Lenaola: Fatma please do not personalize the matter we would like you to give us views as the Commissioner, Mheshima came as himself please give your views to us don't have I dialogue with your MP.

Fatuma Yussuf: Okay I m sorry, I would also like a sign language to be third language after English and Kiswahili. If you go to down Kenya when you have seminars and workshops you will see an interpreter, you will see there are some who have learnt sign languages who are also interpreters for the deaf.

A braille should also be written in the print and electronics media for the blind to read also and the deaf also to watch the sign language on the news as they are also like you and want to go with the current news on what is going on in Kenya. But no wonder nothing is going on as such.

Disable girls should be given a chance especially Somali girl who are discriminated against and preference are given to the disabled boys. Why not the girls? She is your daughter, your mother, your wife to him maybe or she is or you don't think that the disabled girls are just like you people?

The other thing is during voting periods, disabled people get a lot of problems as they may be hurt in the process. So what I request you from the Commission is to give one day for the disabled to vote because it is a one day voting.

I know in my district in Wajir majority of disabled people are not given opportunity when applying for jobs. I do not know the criteria for categorizations. You will not get either a disabled girl or boy selected. I was at the recruitment of clerks by the Electoral Commission of Kenya (ECK) with 6 to 7 disabled girls and boys and none of them was selected.

A vehicle should be provided for the disabled persons and disabled persons should be elected or nominated in the elective offices.

NGOs and parastatals should give priority in all fields to the disabled.

Five interpreters should be provided for in the hospitals and at the blood donors.

I would like the MPs and the government at large to consider the disabled in North Eastern Province. Thank you.

Comm: Lenaola: Thank you very much Fatuma wait there is a question for you

Comm: Baraza: Fatuma in some place we have gone we find some of the disabled will talk about maybe an Affirmative Action for them for purpose of going to the Parliament so that they can be able to articulate and present their views, some of them have been saying instead of giving the nominated seat to anybody those seat will be maybe reserved for the disabled and other vulnerable groups what is your view on that? Do you have any view on it? Thank you.

Fatuma Yussuf: That could have been great but the wonder is! I think if disabled in my district are educated to about an average of 6 to 5 for boys and 3 to 4 for girls then atleast some seats could be reserved for the disabled whether man or a woman.

Com: Lenaola: Fatuma tumeshukuru kwa maoni yako. Ex- councilor Omar Oloo, na baada yake nitamwita Hussein Omar, Hassan Mohamed endelea Bwana Omar.

Omar Oloo: Mimi naitwa Omar Oloo Ex-councillor Wajir na mimi nimkaaji wa hapa, sasa tunakuja kuzungumza kwa tuma la kubadilisha katiba. Nafikiri kwanza tunatoa shukurani Kwa Kenya nzima hii ni siku yetu ya kwanza kukuja kuhusishwa juu ya katiba ya Kenya. Naninafikiri leo ni siku mzuri sana na hile tulikua tukitafuta Kenya ni siku kama hii.

Maoni yangu ni ya kwamba kwanza ile mimi kitu na zungumza ni Elimu, Elimu nataka serekali ipatie watoto ya North Eastern elimu ya bure bure na iandikwe katika Katiba. kwa sababu hile pesa ambayo inachukuliwa na vile watoto hapati busari na siyo sawa sawa sijue kama wanaangalia jina ama nini, hayo nimewacha juu ya Elimu hapo.

Ya pili ni ya kwamba sisi kama ni watu wa North Eastern tuko kama wengine kwa sababu ya ID card na birth certificate na screening card. Sisi tunafikiri ukienda kukata kipande wale watoto ambawo wanajulikana katika hii town lazima walete kipande ya baba yawo ya babu, mama yao, birth certificate all unalete, na sisi nafikiri katika Kenya nyinyi ndio mumetoka na kule down country! Hakuna kitu kama hiyo wewe ikiwa ni mtu wa down country unakuja kesho na unakatiwa kitambulisho na haulizwe umezaliwa wapi wala umetoka wapi. Tunataka nyinyi muandike katika katiba tunataka Kenya iwe na umoja, haki moja kama tunakua watu wa Kenya tuwe na haki moja na tuna haki mmoja. tuwe usipendwe wewe wala mimi nisipendwe tuwe na haki mmoja na iwe ipitishwe katika katiba pamoja.

Ya Tatu na zungumza juu ya sheria ya kiislamu, sheria ya kiislamu Kadhi sisi tunataka Kadhi ifanywe hakimumu mahakama kuu.

Ya nne tunataka ya kwamba mambo ya kusema majimbo sisi hatutaki Majimbo na hakuna siku tunataka Majimbo. Sababu mnaona hapa kwetu mnaona vile inavyo kaa nyinyi wenyewe ndio mnaona, kama ni down country sasa tunge kaa njee hatunge kaa chini ya kivuli. Hakuna siku tutaka mambo ya majimbo wala mambo ya kusema hapa ni kwangu ama pale ni kwangu kwa sababu wewe mwenyewe kawaida unajua Kikuyu pale wanakaa zaidi ni hapa Gatundu, Muthaiga na pahali pengine, sasa wako katika Rift Valley mpaka Mombasa mpaka hata Mandera wako kwani kuna mtu anazuia hiyo ni mfano tafadhali mambo ya kwanza tunarudisha hiyo mambo ya kusema mtu Fulani afungwe mahali Fulani hiyo katika Kenya sisi hapana. Kama sisi ni watu wa North Eastern haswa watu ya Wajir na sisi ni watu wakuhama hama sisi hapana.

Jambo la mwisho vile Mheshimiwa alisema tunataka hiyo viti nane ya Nairobi tunataka mmoja. Councillor tunataka mmoja ama mbili, tatu hile ambalo tunaweza kujiweka katika hiyo groups, tafadhali baado sijamaliza.

Mambo ya County Council imesemekana eti inatakikana mambo ya 8-4-4 mtu ambaye anaongea kingereza. Nafikiri wakati hii yule mtu ako ambaye ni clerk ama wale wanafanya kazi kama hawako wazee wale ambawo hawajasoma na wakona na bongo zaidi nafikiri hatungekua mzuri ama hakungekua County Council ingevunjika kitaambo. Na yule mtu wa kwanza kuletwa hapa

mara ya kwanza kuanza wilaya hii county council alikua haja soma. Ningependa ya kwamba kama mtu amesoma ni sawa lakini kama hajasoma isimekane hawezi kusimamia kiti.

Com: Lenaola: Asante Bwana Omar

Omar Mohamed: Mimi bado sijamaliza unataka kuniharakisha.

Com: Lenaola: Time Bwana sio wewe peke yako uko hapa tuheshimiane hata kama ulipokua Council lazima uheshimu mwenye kiti tuheshimiane, tuheshimiane wakati wako umekwisha nenda ukajiandikishe. Abdi Rahman Ali.

Abdirahman Ali: Thank you very much Bwana chairman I would be very brief also.

My names are Abdirahman Ali Hassan.

Com: Lenaola: Kina mama tafadhali munampigia Omar makofi sasa imekwisha eisha tumsikize Abdirahman.

Abdirahman continues: I have just come in to present my feelings to the Commission at my personal capacity and it will be based on pastoralists in general and the key issues that affects them which I think needs to be considered in the constitution. Maybe I will provide the very basic fact.

The pastoralists in Kenya as we know occupy over 70% of the landmarks in this country and they contribute to the production of the informal sector and the rate of 20% although I can not quote the exact percentage. But I would like to point out two crucial issues, which we really need to be considered with regards to pastoralist.

One is about land, land in all the areas we occupied are held under the states and under the custody of Local Councils as Trust Lands. The disadvantage is that there was no Security of Tenure.

The other thing is that logically any Natural resource that doesn't belong to anybody or whose ownership is not clear is exposed to manipulation and even exploitation in some instances. As a result of this, we are have lost prime pretty lands to settlements particularly in this districts, we have also lost settlement and in another areas to refugee camps, National parks, Game reserves and even the commercial agriculture.

Interjection: com: Lanaola: Abdirahman, Abdirahman we appreciate the background please make recommendation.

Abdirahman continues: I would straight away go to recommendation. One is to restore the rights of pastraral community and institutions to gain control, and access and use of their lands.

Two is increase levels of participation by pastoral community in landmarks especially in governance,as County Council that

were initially meant to provide this free marks that have not done so.

The other thing will be to establish policies that each pastoralist have a distinct land use and livelihood system. Over the years, pastoralists had a co-ordinated a framework that covers agriculture.

On education: I will not state the background but, it is very evident that is marked by low enrollment. Bwana chairman as you have said I just go to recommendation, I will move on to that straight. Education particularly for pastoralism is unique in some way; I would like to have the constitution to incorporate appropriate strategies for service delivery for such disadvantaged groups.

Free and compulsory primary education for these regions will help in improving literacy levels and break the circle of poverty. Thank you very much.

Com: Lenaola: Asante sana Bwana Abdirahman tumeshukuru, Ahmed Mohamed, Harira Aden Farah, Mwalimu Haroun wa Wajir high school. Ooh Harira karibu.halafu baada yako mwalimu wa Wajir.

Harira Farah: Assalamu Aleykum, bismilahi ramani rahim...warahmatullah wabarakat. Meshan Wajer waya an umalayna, MP iyo umatii imate kor Allah hakadigo. Waxan kufarxeyna intan oo Muslim oo noimate oo gal iyo Muslim boo leh an kufarxeyna.

Translator: My name is Harira Aden Farah and I was born in Wajir.

Harira Farah: Waxan kudashe jitka Qajaja.

Translator: She was born on the way to Qajaja...

Comm: Lenaola: Tumsikise tafadhali Mama. Tuheshimiane haya.

Harira Farah: Waxan raba mesha ila Mandera ila iyo Moyale in jitketha in sifian nalogudiso.

Translator: She wants roads from here to Mandera to be tarmacked.

Harira Farah: Waxan rabna markii MP lotagayo otataka ama counsalinta kudhi weylayihiin waxan holla kudisano iyo waxan wax kugathano kena ayey leyehiin. MP marku imatho wuxuimanaya asaga oo waxu hayo an jirin bu imanii.

Translator: She is complaining about the MPs, she said whenever they come there is too much.

Harira Farah: Waxan rabna in skulka kor nalogudiso oo macalimin bathan nalasiyo. Oo ilmaha iskulkana sifican nalogubasio oo lacagtana nalogabihio.

Translator: She talked about three issues, first she said the MPs being disturbed in the sense that everybody is asking for handout.

She talked about being given bursaries and also about roads as well.

Harira Farah: Waxan rabna jitka in nalodiso meshan ila Moyale in nalodiso.

Translator: She wants roads from here to Mandera to be tarmacked, she also wants the same Moyale roads to Garissa to be tarmacked.

Harira Farah: Anaga masakin an nahna dhat mathah nahay an maoni iskutarsano hadhi an lacag changey neyno wihii an changey karno oo maoni wihikale dhowlada u cotsanno.

Translator: She is trying her level best.

Harira Farah: Waxan rabna in ilamaha iskulka naloga bixio oo skulla bathan nalodiso oo macalimin bathan nalokeno.

Translator: She wants more schools to be built and more teachers to be recruited.

Harira Farah: Waxan rabna county council ladaho in nalaga baryareyo ban rabna.

Translator: She also wants the number of Councillors to be reduced. Councillors.

Comm: Lenaola: tafadhalini, tafadhalini tulikuja kuwasikiza sasa mnatufukuza! Mnatufukuza?

Interjection: (chorus) hapana

Comm: Lenaola: Mama Rukia mama wewe ulizungumza tafadhali, tafadhali haya endelea Mama.

Harira Farah: County Council in gurya lodiso oo dhatka suqa kuintey oo mel ey wax kugatan ey laayihin in mel suq eh oo macnaleh lodiso oo magalatha mel macna leh ey nogoto oo jitki jirin lodiso hata dhatki jiranay mel ey marayan majirto oo dhulka mel ficnaan lagasaro.

Translator: She is talking of Town Planning to be undertaken she would like more market stalls to be built she would also like the town to be surveyed and well spaced.

Harira Farah: Magalatha waxan umaleyna mel lug lasaro malaha, mel cunig hatat geysaneyso ispatalka ad mareyso malaha dulka mer lamaro malaha inyar, inyar oo hata banan moogii intakale.

Translator: She said that the town has no Town Planning, it has become difficult even to take a child to hospitals there are no roads to be used.

Interjection: Amemaliza Wadh dameysey.

Comm: Lenaola: Karibu sasa kwa vile hatu sikilizani tufunge virago zetu tuende Garissa.

Harira Farah: Waxan raba maendeleo fican in nalohagajio.

Translator: She wants development more maendeleo to be undertaken.

Harira Farah: Waxan raba will iyo gawarbo in ey MP kahathal qatan oo majibta laleyahai sifican logahal qato oo jithathka sifican lodiso oo marki jitka ladisayo wah macna lrh nalogudibo.

Translator: She is talking of the roads to be constructed well...

Comm: Lenaola: Hujamaliza sorry.

Interjection: Regina: Wacha amalize

Comm: Lenaola: Sawa wacha. Mwalimu.

Haroun Mohamed: My names are Haroun Mohamed I'm the principal of Wajir High School, I m presenting issues on behalf of the Head Association Wajir district. Thank you Commissioners I would like to go to the issues straight away because of time.

On the issues of preamble the Constitution doesn't have a preamble. It is general observation and the inclusion of the same, I would recommend it is necessary to have a preamble.

The preamble should recognize that our country is actually not a nation but a conglomerations of nations. The fact that our

country have 42 different tribes with various social, historical, cultural, political background disqualify Kenya as a Nation. The preamble should therefore clearly define and accommodate in the Constitution, the diversity of Kenyan ethnic tribes.

The Constitution should capture the national Philosophy of peace, love and unity.

On other issues I would like to talk about the structure and system of the government. I would like to mention that Unitary State of government which is practised by Central government has been unfair and it is this one which has actually led to structural marginalisation of this Province.

My recommendation is that the country should have been divided into 11 distinct regions and as followed: That, is the North Eastern region, Eastern region consisting of the three Boran district, Meru Eastern and the rest of Embu then Ukambani region, Mount Kenya region, The Nairobi area region, Western, the Lake region, Abagusi, Abakoko, are the regions that collectively form central organ incharge of collecting revenues.

The legislator I would like to recommend that there should be two Houses, the Lower House this would be Constituency based as with MPs debating issues and passing bills. They should also require two third majority on any issue debated and the subjected to approval by Upper House. then the Upper House should be district based, each district should have one Senator from each district.

The Senators should cater for district and national interests should be equivalent to the number of district in this country, like if we have 70 districts we should have 70 Senators.

The Upper House should be Supreme and should be given mandatory powers to either reject or approve what has been debated and approved by the Lower House.

The Senators should elect a Prime Minister and their Prime Minister should be deputised by two deputy Primiers, one in charge of the Parliament and the other one in charge of Civil service and Finance.

The Senators will be elected by civic leaders from their respective districts, the two deputy Prime Ministers be elected by the Central organ, the Cabinet should be formed from among the Senators and should not exceed 20, they should also conform to regions of representation.

The position of Chief Secretary must be abolished and the responsibility taken over by the deputy Premier in charge of Parliament. We suggest that at least a Muslim be considered for one of the post of deputy premiers.

The country should have a ceremonial President with no Executive powers and he should be subjected to a direct vote. The President should also garner 25% of vote cast from at least 5 Provinces out of the 8. He should be deputised by two Vice

Presidents and he is to nominate them.

Briefly on local government, we would like to have situation where the Council forms the basics of regional Administrations, the Mayor of the Council Chairman (persons) should be elected directly by the people. The current two years terms for Mayors and chairmen is not adequate and should serve for five years. The number of Councillors should be reduced to a maximum of 7 to 10 per Constituency, the casuals should not be hired under the Central Government but should come under the Regional authority and be managed by Districts Council Boards. The Chief Officers should be subordinate to elective councilors, Mayors and Chairpersons and should be appraised every five years of appointment failures to achieve positive appraisal should amount to immediately turns for our parties.

Interjection: Com: Lenaola: Mwalimu say something on education and then close.

Haroun Mohamed: Let me move to Constitutional supremacy and then education.

Interjection: Com: Lenaola: No, no one last point either education or the other as the last point.

Haroun continues: I would just talk on Constituency supremacy, the constitution should be available to 65% majority of the lower House subjected to approval of the Senate, and chapter 13 of the current Constitution has subordinated the Quran to the current Constitution. We want that to be revealed and the quran and sheria be given an independent autonomy such that to allow a situation of a State within a State in this Province.

Com: Lenaola: Thank you very much we shall read the rest we think of your views, any questions? Their are no questions please come and register. Ibrahim Mohamed.Councillar. A.A Samatar.

A.A Samatar: Mimi naitwa Abdulahi Abdille Samaratar kutoka upande wa wajir East Mansa location, ni kama miles sitini hivo upande huu.

Mimi ni vice chairman ya County Council Wajir na ninawasalimia nyinyi wote kwa jumla.

Najua mathumuni ya hapa leo ni kutoa maono kwa sheria ya mabadiliko ya katiba na kuna mafundishona maagizo ya kutoka kwa Mwenyezi Mungu kama Injil,Quran ,Zaboor na tumepatiwa risala ya na Musa, David, Jesus na Mohamed (p.b.u.h) hiyo habadiliki na nina tumaini watu watakua na kila dini na watafuata kitabu amayo wanaamini na itadhuru katika Katiba.

Vile munajua juzi, juzi ndio tulisherekea uhuru mwaka thelatini tangu tulipata uhuru mengi yamefanywa lakini mingi haijatekelezwa kwa upande wa development katika mkoa wa Kaskazini wa Mashariki.

Sasa Bwana Chairman tunategemea mambo ya mifugo 98% watu wa kutoka hapa wanategemea Mambo ya mifugo, na mambo

ya mifugo katika ukamwe ambaye mwaka ishirini na tano tuliopita mifugo yawo ilikua ilikua inamalizika..

Interjection: Com: Lenaola: Councillor, councillor pendekeza tafadhali.

A.A Samatar continues: Nitapendekeza, tunataka hii mifugo ipelekwe nje kwa export ili watu wanainchi wafaidhike.

Tunataka tuwekewe katika katiba ya kwamba livestock improvement katika mkoa wa Kaskazini Mashariki kama vile watu wanapeleka kahawa na flowers na chai hata sisi tukubaliwe tuuze mifugo yetu nje. Na tuna kiwanja ya ndege hapa na hata cargo planes wanaweza kushuka hapa na tunaweza kupeleka upande ya Western Countries ambawo wanahitaji nyama yetu.

Upande nyingine tunataka sisi tuko nyuma 10% asilimia kwa kumi mapato ya Kenya tunakiwa tutege kando ili, as a gap ambayo watu wameenda zaidi na maji itolewe kwa mifugo na mahitaji ya watu kwa uwingi na mambo ya education, health na mambo zingine.

Mapato ya Kenya 10% tunataka iwekwe kando kwa improvement ya upande ya Kaskazini Mashariki na pahali pengine ambayo imebaki nyuma kama Coast, Rift valley, Turkana na pahali pengine tungependekeza hiyo.

Vile wenzangu mbeleni walisema mbeleni kuna watu wengi wameteswa na wafanye kazi ya serekali wa upande wa security na watu hawa waletwe mbele mahakamani.

Katika sheria hiyo ikubaliwe na walipwe wale survivors wanabaki kama watoto akinamama na wengine wengine (**inaudible**) walipwe.

Upande wa Judiciary, tunataka wawe uhuru na wachukuliwe na Judicial Service Commission (**inaudible**) kulingana na ujuzi yake na elimu yake. Kama watachukuliwa kutoka chama watafuata hile discipline ambayo watatii sheria ya yule ambayo amechagua.

Tunataka independence ya Judicial system na njia ambayo inaweza kumaliza ufisadi katika Kenya, na hiyo inataka wavijana ambawo siyo directive kutoka polisi tunataka vijana ambawo hawana kazi na ni graduate, secondary school leavers wapelekwe nje nawafundishwe njia ya kumaliza ufisadi na warudishwena wapatiwe pesa marudufu ambaye hatuwezi kutuwawezi kuharibu marudufumkupatie pesa kama: 50,000 ama 100,000 kwa kupatia njia ilikukabiliana na ufisadi Kenya.

Mambo ya ardhi inakua sensitive katika Kenya mzima watu wanauana kwa sababu ya ardhi mama nauliwa mtoto wake kwa sababu ya ardhi kwa kuridhi, baba anauwawa kwa sababu ya ardhi wengine wanachomwa na bibi na Bwana. Hiyo yote tunataka ownership of land to be addressed in this constitution katika katiba.

Sijamaliza wavulana wengi unaona uso ya hapa tisini na nane ni vijana na hawana haki ya kupata kipande na wote wamemaliza shule elfu ishirini na elfu thalatini ni vijana na hawajapata fursa ya kwenda huko kufundishwa Colleges na Universities hata kwa AP, zamani kulikua na vijana wanachukuliwa na National Youth Service na kuenda kufundishwa kazi ya mkono na wakirudi wanajitegemea mambo ya carpentry na vifaa vingine. Hata kulikua na village polytechnic hapa tatu katika district na..

Interjection: Com: Lenaola: Pendekeza, ukimaliza.

A.A. Samatar continues: Na saa zote zimefungwa kwa lack of maintainance na repair zote tunataka zirudishwa katika Katiba, vijana ambayo wamewacha shule wapate ujuzi ya mkono na maarifa ya kujitegemea.

Interjection: Com: Lenaola: Asante Councillor.

A.A Samatar continues: Na badala ya kuwa appendix na kusoma uko njiani na kuharibu.

Com: Lenaola: Asante sana njoo ujiandikishe tumeshukuru.

Interjection: Chairman, Vice chairman.

Com: Lenaola: Aden Garad. Aden Garad.

Interjection: Ameongea, ama nini.

Com: Lenaola: Ndio huyu.

Interjection: Regina: Umesikia.

Aden Garat: Sawa Mimi ni Aden Garat Saani.

Interjection: Umezungumza

Interjection: Com: Lenaola: Wewe ndio nani

Aden Garat: Aden Garat.

Com: Lenaola: Saani

Aden Garat: Ahmed

Com: Lenaola: Basi endelea huyu amezungumza wewe endelea basi.

Interjection: Ngoja, ngoja.

Com: Lenaola: Umezungumza wewe, we endelea.

Interjection: Haya kijana endelea.

Aden Garat: All right, Kwa jina naitwa Aden Garat I m here by facing the community with these book, I have gone through this book and I m answering your questions through this book.

First I would like to start with the Executive Power: We need to have ... the President power should be trimmed; we need that the President powers should be reduced.

We need a country whereby the President is taken to court to answer charges of scandals.

Then have President to be the Cmmander-in chief of the Armed Forces for the security of the country. The President should elect the Cabinet and should be vetted by the Parliament for approval not where by he appoints his choice which normaly hails from his ethnic region.

The other issue is child labour, in this country it has become prevalent that child abused are not prosecuted and we propose a children's court to prosecute child abused and jail them a terms of not less than three years. We also need free Media Bill passed in Parliament where Honourable Mahmood is aware of.

As we depend on the econom8y of Kenya, we are dependants of the nation and the press should not be oppressed as it serves many people who would like to know hidden information through the reporters.

Natural Rsources, in recent past, we have seen that landslides taking place because the Natural Resources all had been medded out, people are cutting trees in places like Meru, Wajir, Rift Valley so we want to the Ministry of Environment to take up action and we want to make a legislation that anybody who cuts a tree in the new constitution should be jailed.

Opposition parties: We see the ruling Party oppress the opposition Parties and I know that in 1963 the Hon: President Moi said that Kenyan needs a firm opposition parties that can put the government in its toes and that time he belonged to the KADU Political Party whereby he was opposing the late President Jomo Kenyatta. So he should still know that today we need an opposition to correct the government.

Wife beating, we have seen that the men in the families try to be the hero of the family whereby we have seen that wife battering causes death. We want to propose that wife battery should be made illegal and culprits prosecuted.

The Kenya police, here I was in an incident live and here I'm the witness that a place called Ruaraka a GSU man shot a person and his colleague went to report the the incidence and record a statement. So want to change the constitution that there should be a Commission that is going to deal with crimes, because these are people of the same cloth and the birds of the same feathers flocks together.

The other thing is that one-day I went to answer a question by Mr. Raila Odinga, the Energy Minister. He said that by 12th of December, he will dismiss the Commission. We should not allow such things because this is the life of the people. Constitution is not something easy it is a big pot that contains the soul of the wananchi and therefore we are not going to agree on, one person to make all sink in the sea, so we want Mr. Raila to consult with the people and take votes back to parliament but because they know Kanu is the majority and they are going to pass what they want. It is we citizens, who know what we want.

The last point is judiciary, I'm coming to the point of the judiciary, in the nations we have seen that the court affairs is being discussed in the hotels. So one thing we want to know is that there should be a Commission of inquiry that deals with the corruption in the country and therefore we want corruption department to be in every district that people who are bribing others and the one who is being bribed are being taken to court and jailed. We want to know here when it comes to the poor suffers in the Judicial hands while the rich bribes his way out in the courts.

Interjection: Com: Lenaola: Thank you Aden.

Aden continues: I wanted to ask you one thing that when you go back to that place you talk with Mr. Raila that he should not dissolve the Constitution Review.

Com: Lenaola: I can assure you we shall tell him, thank you very much and please come and register thank you for your views, Hashim Mohamed.

Hashim Mohamed: Thank you very much dear commissioner I'm Mr. Hashim M Mohamed a law graduate from India, and at the moment a volunteer teacher in Wajir girls secondary School.

I'm going to talk to you like a professional lawyer and a political scientist therefore I request you to give me ample time regarding my views, regardless whether they are earlier suggested, proposed or submitted.

Com: Lenaola: Can you first request then I can tell you some you request.

Hashim Mohamed: So I m requesting you

Com: Lenaola: I m giving you 8 minutes young Lawyer we are all lawyers by the way.

Hashim Mohamed: I do know that is why I said I would talk to you like a professional colleague, thank you.

I will first begin with preamble; we do need a preamble, in the Constitution the preamble serves as prologue or as a kind of introductory to the Constitution.

The Indian Constitution has preamble and it is necessary we do the preamble and the preamble must read that the Kenya as a nation and its Constitution will be a country, which will be sovereign socialist, secular and democratic Republic. And that kind of a preamble helps even as Lawyers you do know that the preamble helps in the interpretation of statutes and the law therefore we have to go back to the preamble to decide and reach a verdict whenever there is issue in the law court that has beaten our minds.

Secondly, equality, the freedom of equality must be provided to the citizens they should be equality before the law and equal protections of the law.

Equality involves a lot of things like the current Constitution has never treated us equally instead it has treated us unequally. Discriminating practices like screening cards have been subjected to only the people of North Eastern Province unlike in other 7 provinces, that breed's inequalities and it is not good for National integration.

One of the factors that promote national integration for the purpose of prosperity and development is equal distribution of natural resources and equally. Natural resources must be equally distributed human resources must be also be done the same.

The issue of equality comes back again; people must be treated in equal footing, the people of Northe Eastern Province have suffered many attorocities one after the other,we all know that we want to compensation for the past atrocities, the indemnity Act have been repealed in the Parliament the other day, we want it to given a retrospective interpretation illegal circles. We want retrospective interpretation so that we take the government to court for all atrocities that have been committed against us in the past we don't want it to have a prospecting operation.

The freedom of expression: We must be guaranteed freedom of speech and people must be able to express themselves freely, we do not want the current prevailing situation where leaders have to seek licenses from the oppressive Provincial Administration in order to address their people We don't want that kind of a situation.

Freedom of movement: We are citizens must be treated in equal footings like the citizens of the other 7 provinces, we must be allowed to move like freely in this mighty nations we do not want the recent event that has happened in Meru to happen again where Somalis were being hunted just because they were not the residents of Meru. Freedom of movement must be a fundamental right that will be enshrined in the new constitution.

The right to life and Personal Property article 21 of the Indian constitution reads: Citizens should not be deprived of their lives or of personal property except according to the procedures that had been established by law that has not been the case here in North Eastern, people were shot and even a pilot belonging to UNISOM was killed by the mercenaries we have been put under curfews, emergencies, people were tortured to death and brutalized and that is not according to the procedures established by law we want the law, to take it scores.

Freedom of religion, people should be given the right to protest, practice and propergate the religion of the their own choice; Muslims, Budhist, Hinds, Christians, Xenoists, confucists etc.

Right to trade in the country, right to trade comes as a freedom of movement as a said, we must be given the right to trade anywhere in this country and such remoseful event like the one which took place in Meru, should not be allowed.

The other one is the kind of form of government we want, I differ with the earlier speaker on form of government we want, I propose a federal form of government with a Presidential system of governors. The federal form of government has the advantage of decentralization of powers by taking Administration closer to the people and Presidency should be the way it is we want a powerful President but not the a kind of excessive powers he has. His powers should be reduced and the kinds of powers I have in mind are:

One, the powers I want reduced area:

- (i) The progative powers.
- (ii) His powers of appointing judges without consultations in the Parliament.
- (iii) Powers of hiring and firing Senior Civil Servants are arbitrarily.
- (iv) Powers of regulating and dissolving the calendar of the Parliament, the way it is now that should be changed unprovisional and unconventional and unconstitutional.

Ablution of the oppression of the Provisional Administration, we want it to be replaced by our powerful Council and we want the Oppressive system of Provisional Administration that have been responsible for the atrocities to be abolished. We want in its place to have a powerful Councils where the representatives are elected by people and the qualifications for this elected Councils should be a minimum of academic qualification of "O" level or one year residents in the particular ward and those should be the qualifications.

The curtailment in the powers of the President I mentioned and one thing I would add on Presidency is there should be a procedure for impeaching the President and the criteria for impeaching the President should abuse of power and misconduct. In case he abuses his powers and misconduct himself in North East there should be a procedure for impeachment and a 65%.

Judicial Review, that there should be a judicial review in the constitution that refers to the powers of the judiciary to declare those unconstitutional provisions in the Constitution should be null and void and be done away with.

The institution of the Ombudsman man which prevents so much in the West that lacks totally in African democracies, the institution of Ombudsman was established in Sweden in 1809. An Ombudsman is a Parliamentary Commissioner who investigates into allegations against government presented by the citizens. We are lacking the institution of Ombudsman and that is why corruption is rampant in our country. I propose a powerful office for the office of Ombudsman.

The other one is issue of separation of powers propounded by scholar Montesque. We want the three arms of the government, the judiciary, the Executive and the Legislature each to be independent of the other while maintain a system of checks and balances. Thank you very much.

Com: Lenaola: Wakili ngoja, ngoja you will not escape our cross examinations so wait.

Hashim Mohamed: Welcome Sir.

Com: Baraza: Thank you learned junior yeah you are listening?

Hashim Mohamed: Yes.

Com: Baraza: Thank you very much-learned junior, tell me what aspects of the Indian constitution do you think we can borrow from as a Commission?

Hashim Mohamed: Thank you very much my (*inaudible*) admitted to the bar yet so the first aspect is the issue regarding equality, the Indian constitution defines equality and it says that there are two equalities that must be guaranteed to its citizens that is equality before the law and equal protection of the law.

The President and the subordinate staff or the sweeper must be all-equal before law and then there should be subjected to equal protection of the law that is one aspect we should borrow.

The other thing is the definition of personal liberty and freedom, section 21 of the Indian constitution defines personal liberty and freedom it reads and I will quote. "That citizens should be granted personal liberty and freedom and they should not be

deprived of their lives or personal properties except in accordance to and established by law therefore if our lives will be deprived we should take the matter through a judgment of the similar nature in the court not arbitrarily where we have atrocities committed against the innocent civilian of this Province that happened in the 40 years.

Interjection: Com: Lenaola: Thank you Hashim and

Hashim continues: And the other thing is that Ombudsman, the institution of the Ombudsman.

Interjection: Com: Baraza: Tell me how do you like their way of devolution of power?

Hashim continues: I like the Federal government, not when I say Federal government my former Federal type of government is different from the kind of shallow minded Majimbos like that of Sharrif Nassir and Ole Ntimama have in mind so I hope.

Com: Leneola: Thank you Hashim no you will not escape my cross-examination.

Hashim: Thank you very much.

Com: Lenaola: Council you must wait and take two questions, in Judicial review you were saying cops can have powers to review Parliamentary actions, who will then police the Judiciary? Who will Police the Judiciary?

Hashim Mohamed: When we have constitutional supremacy and not parliamentary supremacy then the judicial review will also be supreme. I hope I answered you.

Com: Lenaola: Thank you very much please come and sign nafikiri ni vizuri kuona kwamba sisi Mwakili wa zamani tukiona vijana ambawo wanatufuata kwa njia hii mzuru. Asante sana sasa ningependa kuwaita wanafunzi wanaofuata Hashim nitamwita Saddam Hussein. Saddam hayuko, okay Siad Abdi Mohamed ooo Saddam okay.

Saddam Hussein: Thank you the Kenya Review commission and also my few colleagues.

Interjection: We sema jina lako kwanza.

Saddam Hussein: My name is Sadam Hussein.

Interjection: Endelea.

Sadam Hussein: I m from Catholics school class 8 peoples are lamenting saying that it is at a later stage to hear the word

Constitution and now I wanted to ask the Constitution of Kenya Review Commission to define the word constitution. My father and my mother are just pastorolists and nomadic people. I m now about 17 years and I am in Class eight. It is shameful because I m supposed to be in university stage, college or even say even a teacher who is supposed to be a teacher, it is really now that I hear word constitution I m the only one who is hearing.

The main point I wanted to say is that the people say they want to change the constitution, we the people in North Eastern Province we have a lot of problems in education. It is embarrassing to say that majority of our people are not educated, now I wanted free education, free education means in primary there is no problem although it is having a problem lets make it minor. But in secondary when I will complete class eight, I will leave schooling and go home because of fees to py my schooling, now I wanted the Review commission to review and propose for primary and secondary education to be free.

The other one is tarmacing key roads here in North Eastern Province. We are having problems, lets say during the Elnino rains. When I came from class I missed food to eat due to lack of domestic problems who will bring food for me and those parent any my mother who is keeping the camel is at the bush and now what can I eat. It is impossible for the lorry that brings food from Nairobi to pass the roads that are impassable with food, so I want the roads to be tarmacked.

Interjection: Haya basi sawa.

Sadam Hussein: Thank you.

Com: Lenaola: Thank you Sadam, Amina Mohamed.

Amina Mohamed: My name is Amina Mohamed from Catholic primary school.

I would first like to thank the Constitution of Kenya for being here today and listen to us.

First I would like to suggest few things here in North Eastern us we want free education cause our parents are pastorolists they depend on those animals and they cannot get proper income from those animals. Here in Wajir there isn't fertile soil for growing crops it is difficult so we cannot grow crops and depend on them.

Second, we want some toilets and other few things to be built in schools, we don't have toilets in our schools so peoples help themselves outside the classes, under trees and when there is desease break out, it becomes a problem to all of us.

Interjection: Speaker: Endelea that is a point endelea.

Amina Mohamed: Thirdly we want some more banks in Wajir since this banks in Wajir they earn interest and we want the interest rates to be low.

Com: Lenaola: Thank you.

Amina Mohamed: Thank you.

Com: Lenaola: Ngoja, ngoja.

Com: Baraza: Amina mimi nataka kuuliza swali you've spoken well but I want you to tell me what you want the constitution to do for you as a girl? Is there anything you being girl this constitution to do for you?

Amina Mohamed: Me as a girl first thing is toilets in our school there aren't toilets in our schools when we go outside to help ourselves boys come there and they..

Secondly, free educations our parent cannot afford money here in Wajir it is too dry for planting crops and so we want free education.

Com: Lenaola: Thank you very much Amina please come and register. Ello Noor halafu tutafunga saa Saba kuenda kuswali halafu turudi saa nane kwa hivyo baada ya watu watatu tutakufunga tuende tukaswali na turudi saa nane kwa hivyo baado mtaketi tumalize hawo watatu.

Ello Noor: Jina langu naitwa Ello Noor Hussein Councillor Tar Bach, Mimi yangu nitafupisha na nitaanza na kipande. Kipande sisi kama wasomali sisi wanakenya wengine na taaka kipande kama Kenya ingine, mambo ya screening card wengine wenzangu walikua wanasema iwekwe katika katiba hata sio kuweka katiba sitaki kusikia leo hii kuanzia leo hii sitakii mambo ya screening card mambo ya kipande nitawacha hapo.

Income ya serekali, siku hizi Kama North Eastern Province, Eastern na sehemu nyingine ya Kenya tumbaki na wengine wanasema tunagawa pesa kwa population hiyo hapana tunataka kugawa hiyo pesa serekali kuu kwa lands na umasikini, ukosewa wa Amani mambo hiyo yote.

Pesa ya Kenya tunataka 30% ikuje nchi za ukame kama pastrolists. Pastrolists.

Amani tunaanza Amani timewacha hiyo. Amani sisi kama North Eastern mumelalamika Amani siku nyingi. Tunataka katiba hii ambaye inakuja tuwesawa na Kenya ingine.

Amani tena police man wanashika watu tufauti wasomali zile Kenya zingine. Tunataka yote kama mtu anafika miaka kumi na nane without.. Asishikwe ovyo ovyo bila kua ama kubeba bunduku na itiliwe hiyo arrest warrants bila arrest warrant kama mtu anafika miaka kumi na nane asishikwe bila arrest warrants.

Police officer wa North Eastern hawavai uniform ya Kenya ingine tunataka hiyo uniform ikae ambaye yule polisi atakosea sisi tuone number yake hapo, tajui jina yake.

Pastoralists, sisi kama pastoralists tunataka Ministry ambaye inaitwa pastoralist iundwe kwa serekali yetu ambaye ni key Ministry mpaka tupate development kama Kenya zingine.

Parliament, Parliament vile ilikua wengine wamesema na huyu appeal amepeleka kundi moja kwa Parliament. Hiyo tumepinga kata kata. Tunataka kugawa maamlaka kwa nchi urefu ya barabara ...wa ardhi. Point ya mwisho barabara ya North Eastern jumla yote tunataka iwekwe lamii serekali iweke maanani na ipatikane lamii kama Kenya ingine.

Com: Lenaola: Asante sana councillor Noor, Asante sana njoo ujiandikishe. Haji Mohamud, Haji Mohamud.

Interjection: Speaker: Hayuko.

Com: Lenaola: Halafu Siad Abdi Mohamed utamfuata.

Mohamud Ali: Mimi naitwa Mohamud Ali Ahmed. Kwa maoni yangu nitafupisha kidogo. Kwanza mimi nitaongea mambo ya kwanza development, development ya barabara wakati wa mvua sisi tunapata chakula kutoka Mogadishu na Addis Ababa ambayo ni inchi za jirani hatupati kuingine. Sababu hapa Moyale, ni karibu haiko border tunapatanga rashin.tungependa sherekali weke maanani ibadilishe hiyo sheria hiyo barabara ijengwe kwa North Eastern Province vile inawezekana. Hiyo mambo ya barabara nitawacha hapo.

Mambo ya KMC sisi niwafugaji wa ngombe hatuna kichinjio hakuna mahali ya kupeleka, tunapelekanga kwa mguu mpaka Nairobi. Tunaomba hii kiwanja ya ndege kuna kiwanja kubwa ambayo kama mfano ya International Airport hiyo iwe ya raiya ili tupate kusafirisha nyama ya ngombe nchi za nje. Tunaomba hiyo iwekwe kwa sheria.

Ya tatu, nafikiri Kenya mzima hakuna watu ambao wanapeleka choo yawo kwa ndoo, serekali ika nguvu sisi tunapeleka choo kwa ndoo na tunabeba mkononi. Kwa hivyo tunaomba serekali iweke maanani itengenezwe sewage ya kupeleka hii chafu. Hiyo pia iwekwe kwa sheria.

Mambo ya elimu, tunaomba sisi tuko chini zaidi vile mulikua mnasikia hata watu ya mbele. Tulipata watoto wa secondary juzi ‘E’ hata ‘D’ nafikiri hawaja pata E secondary mzima. Tunataka tupate college ya kuelimisha watoto wetu hapa hatuwezi kupata ‘C+’ ama ‘B’ na nikiongeza kidogo Primary mpaka Secondary iwe bure iwekwe kwa sheria isilipwe pesa raiya mzima wa Kenya siyo North Eastern peke yake.

Na naomba mambo ingine kuhusu elimu, primary wafanyi kazi wafanywe transfer kama wafanyi kazi wengine ili wasome Kisumu mtu ya Mandera na mtu ya Kisumu asome hapa. Ikiwa inawezakana tunaomba wafanyi kazi waende nchi zozote asikae

zaidi ya mwaka moja. Hiyo pia tunaomba iwekwe kwa sheria.

Jambo ya mwisho mambo ya hospitali, sisi hatuna hospitali hatuna hata daktari tunaomba tupate daktari wengi na vifaa.

Com: Lenaola: Asante sana Haji Mohamed njoo ujiandikishe hakuna swali. Wapi Siad, Siad haya. baada ya Siad nitamwita Shamsa Aden halafu tutafunga.

Siad Abdi: My name is Siad Abdi from Wajir Township Primary School and I m in class eight. There is something that I would like to say, first of all I m grateful. I am glad to hear that the Constitution Review of Kenya would visit today in Wajir. Because I didn't think that a remote area like this people like you could come.

My first point is that I would like the Constitution Review to add or to include free education on primary and secondary and if not possible secondary fees should be free.

Second point I would like to say male teachers to be increased by 95% because female teachers go for maternity leaves.

My third point is that the teachers should be provided with good teaching techniques that they should need like text books ,.....(**inaudible**) books and like. As every body knows in Kenya there is 8 Province in Kenya including North Eastern Province the other Province have their own National schools, why not us who have no single national school.

My third point is that I would like the Constitution review to say or to add up a point they should produce a lesson or a subject including the Constitution Review of Kenya so that we should know whoever is mistreating us like the police officers that we don't know what they are doing is right or not.

My last point is, I would like children's right. Children should be given their rights eg. Education.

My third point is health, as you know all the Wajir region all the Wajir hospitals are in poor condition and I think this area is not looked into by the government. I would like the Ministry of education at this point to be taken very seriously because of health education. Thank you very much.

Com: Lenaola: Thank you very much Siad. Shamsa Aden.

Shamsa Aden: Bismillahi Rahmani Rahim. Mimi naitwa Shamsa Aden kutoka maendeleo ya wanawake secretary. Hii memorandum ni ya maendeleo ya wanawake.

Interjection: Speaker: Kor uhalal.

Shamsa Aden: Zaidi ya hii. Hii ni maoni ya kina mama ambaye mimi ninasomea hapa, ni maoni ambaye tumechukua kwa kila mama na tumefupisha na tunataka sasa hii maoni iwekwe kwa Constitution ambaye sasa inaandikwa.

Hii maoni wanasema hii kitu inaitwa Constitution hawaja ona maisha yao na kusema ukweli ilikua inafichwa. So they want the Constitution to be available in English and Kiswahili and should be available in public institutions like libraries, museum and sold in bookshops. Ijulikane kitu gani iko ndani. Preamble, protection and promotion of vulnerable groups like women and children. Sijui kama hiko ndani ajili sisi hatukuona hile Constitution ambaye hiko sasa, lakini tunataka promotion and protection ya wanawake na watoto we want that way.

Because women and children are not protected they don't have any protection from the government or from individual or from men also. The bill of all discriminatory laws, tunataka itolewe all discriminatory laws like screening and all those things. Affirmative Action should be changed in Constitution to cater for the neglected groups like pastoralists, women, children and minorities.

Citizenship: National ID and passports should be only the official document for identification. Certain ethnic groups like Somalis should not be subject to other document e.g. screening card. This is a totally discriminatory unjust and unfair. No dual citizenship as it can be eventually a national Security threat. Watu ambao wako na passport mbili hiyo haitakikani kwa hii Constitution mpya. Chief Kadhi should be appointed by recognized Islamic bodies like Council of Imams. Chief Kadhi also would in terms be in liaison with the local e.g. Imams appoint their respective Kadhis. Tunataka kadhis sio kuandikwa vile inaandikwa kama serekali, tunataka Imam ama local Sheikh wachague yule ambayo amaweza kushikilia hiyo ofisi.

We want unitary systems not majimboism or Federal government, this will bring division among Kenyans. Tukusema tunataka Majimboism, North Eastern tuko na nini? We don't have anything also those thing comes from other parts of Kenya, so we want to be part and parcel of the Government like other Kenyans. Constitutions recognized by minorities and promotion of identity and self esteem such as cultural, values, customary, practice and social organizations, ndio tunataka. Hiyo tu ndio maoni ya kina mama ambayo wamenipatia niwasomea.

Com: Lenaola: Asante sana Shamsa tumeshukuru. Hamna swali njoo jiandikishe, ningeomba sasa kufunga kikao cha asubuhi tutaenda kuswali saa nane kamili sisi tutakua hapa asanteni.

M.M Dahie: Mimi naitawa M.M. Dahie mimi ni councillor kutoka Wajir East Kutile division, location yangu ni Dasheg location. Nawachangia neno hii, tume hii ambaye leo hiko hapa nataka kueleza machache ile hiko akili na bongo yangu. langu la kwanza Nafikiri mingi umesemwa hapa na bado kuna wengine watazungumza na nitasema machache kuhusu mbili, tatu.

Ya kwanza binadamu wawe sawa katika Kenya tunayoishi, tunataka ubinadamu wawe sawa.

Ya pili mambo ya boundary mambo ya mpaka haiwezekani na haitakua vile, ilivyo ni kama mfano mkikuyu, Kikuyuni ndio area ya wa Kikuyu sasa wako mpaka mwisho ya Kenya mpaka Manderu sasa ikisemekana kuna boundary tuseme watu wote watarudishwa kwao siitakua shida bwana. Kwa hivyo ningependakeza ya kwamba hiyo iwe free lands watu waende Kenya mzima popote wanaweza kuishi bila uoga, bila matatizo, bila wawe kuwa kutenda kitendo mbaya.

Yangu ya mwisho na zungumza juu ya uislamu, Kadhi ni magistrate ya waislamu na tunataka awe sawa na wengine kama Jaji ya High Court ambaye ni mtu anaweza kuhukumu kitu au kufungwa maisha kwa sababu nikisema hivyo dini ya kislamu hata sasa mahali inatumika mtu akiiba anakatwa mkono, mtu akiua mwingine anauwawa. Kwa hiyo tunataka iwe kama hiyo lakini kuenda magistrate kwa magistrate ni ingine..... **(inaudible)**.tunataka dini ihifathiwe ipewe nguvu ya sheria ya kislamu.

Langu la mwisho na ninafikiri nimesirisha na nimefupisha na ninawachia hapo.

Com: Lenaola: Asante sana Councillor umefupisha vizuri sana njoo jilandikishe pale. Sheikh.

Sheikh Abdi: My name is Sheikh Abdiwahab Osman. I want to make suggestions on behalf of religious leaders in Wajir town. The Sheikhs, Imams and my be Maalims.

The first suggestion I think was mentioned earlier it is the introduction of Islamic law to the Muslim dominated area in Kenya.

The second is the Kadhis Court; I think that one is also discussed this morning by the Assistant Minister this morning. The structure of that court must be expanded and that one I have a written document and I will give you later on. The other issue in relation to that is, we Muslims of Kenya, we want actually some Muslim development institutions to be revised such as Muslim Consultative Council which was there in Islam but we are saying now that it must have a provision in the new Constitution.

We also like actually to have in this new Constitution interest free banks and also to have Muslim Public Trustees. We also want to have a Muslim Commission to articulate all those Islamic issues and other relevant policies that adds to the development of Muslim population in Kenya so we want all those things to be included in the new Constitution.

Besides this, there are other issues, which we like actually to be considered in the new Constitution like marriage. As Muslims we want the age of girls to be married to be fixed to 15 or 16 especially puberty periods. The idea of girls setting marriage at 18 years, we are not supporting as Muslims. Then the other issue is girls circumcision. There are two types of circumcicion, one is called Pharaoh type of circumcisions and this one which Somalis prefer and the other one is known as Sunni type of girl's circumcicion and religious leaders in this town believe that the first one should be banned or abolished. The second one, which is Sunni in which we believe is safe circumcicion, should be actually accepted in the new Constitution.

Then the other issue is Parents Rights: Parents rights actually must be protected by the Constitution. Parents should be given powers to discipline their children, nowadays we also hear the corporal punishments should not be allowed in schools. There should be not corporal punishment to children in our families but I this country, it is African to discipline children under the Islamic culture although the children should not be tortured. S, the parents should be alloed to discipline their children.

The other issue we are against is the issue of gender equality. It is not that we are against it when ti comes to inheritance because of economic reasons but we believe that gender cannot be equal. And the same thing in family life; we believe that the husband must be the leader of family of the family so that those two issue we believe cannot be gender equal the rest of other stuatus is no problem. Then there is another issue, which is actually prostitution and abortion. Those two issues should be illegalized in our country.

Then there is the issue of releasing the beards, releasing the beards is a Muslim culture it should be retained in every Constitutional government including in the Army Forces that one is actually very clear.

Then there is the issue of bowing at the courtes entrance, this practice should be abolished because it is against Islamic faith. A Muslim only bows to Allah not a creature.en you are entering court we are told to go down that one is prohibited in Islam. Going down for a creature.

There other issue is bars; bars or beer drinking will not be allowed in Muslim dominated area of Kenya especially in the residential areas.

The other issue is the pornographic films and Dstv: We would not wish that our children are exposed to DSTV's, these ponographic films were brought to this town without our consulation and it is now mashrooming. Therefore we request a legislation to be drafted against pornographic materials like magazines, films, TV's and other bad literature.

The other issue is development, we actually need a Marshal Plan as earlier said by the Assistant Minister and that Marshal Plan to cater for development of infrastructure in the areas of pastoral economy, livestock marketing, meat processing factory, road tarmacking, exploring agricultural potentials of the regions, networks, land ownership and resource management. All these issues actually should be considered and should be included in the Mashall Plan which we are about to review to our people.

The other is education, education is very important and we are proposing that the 'C+' students of these regions should be given admission in the university. We believe that equal opportunity were not created for us and student in Nakuru and Wajir cannot be the same because of the environment, because of the teachers, school facilities both other students from other parts of Kenya gets good facilities, that is why they cannot be equal to us therefore 'C+' students in this region should be given work and admissions directly in the universities.

The last point is health issues, I think health issues are very important and we are proposing that women in the maternity hospitals should be attended to by women nurses only not men. That is the area of women nurses and is a domain of women not unless men nurses are called to save life.

The other issue is miraa, we are actually the consumers of miraa in the world. Hygienically and health wise miraa is dangerous for health reasons and we should ban it. We should consult experts of health authorities. I think we should borrow lessons from USA and from Tanzania where miraa is actually prohibited seriously.

Interjection: Com: Lenaola: Thank you.

Sheikh continues: Just the same as the maybe for the people of Meru we should recommend to them an source of livelihood like what! Maybe what they actually call cash crops and those people should be introduced to cash crops rather than selling or planting, importing miraa for livelihood and it is important. Thank you very much.

Com: Lenaola: Thank you Sheikh. Ngoja kidogo kuna maswali.

Com: Yano: Sheikh I think you are one of the bold people today who really came out with this issue of circumcision of girls, now I just wanted a clarifications because as a Commissioner who have been mandated to review the Constitution maybe then for the Muslim world will say they supported you as you said Sunni type of circumcision for girls and against the Somali I don't know which type, can we get to know the reasons why? That is the first question.

Interjection: Sheikh: I mentioned sorry okay continue.

Com: Yano: Second question is the issue of girl's marriage to be pegged at 15 to 16 years and not 18 years. What reasons do you have for that, knowing very well that the majority age of children is 18 years and sadly I m taking you to the third last point on education. If your girls decided maybe to persue up to university education too of course you realize that it will be quite not in order it will not tally with the age of 15 to 16 years, how do you put the two? Yes those are the three questions. Thank you.

Com: Lenaola: Please answer those ones and then take some more.

Sheikh: I welcome every question infact and may be the first one is circumcision. As I said according to Islamic teaching, in Islamic teaching maybe we have actually girls circumcision but not the one we have here in Somali culture or in Somali tradition here that one cannot be accepted. It is called Pharaoh type of circumcision. That one is to make a whole surgery to the private parts of the genital part of the female, so that one cannot be accepted the one we use the one we use currently but as alternative to that there is a good one which we think is safe and it dies not cause any problem to girls, this one is actually to cut the upper

part of clitoris and we believe it will not bring problems and it will reduce extreme sexual excitement, it will really reduce.

That is why they are endorsing that one and the religious leaders of this town so recommend the one we use I think that one is very clear and I agree with you that in Muslim country, girls circumcision might have different options and opinions as Muslim scholars and I think that question is clear.

The second one is marriage, I think marriage is a choice it self and it is basic right in itself it is something that we need, if I have maybe a girl of 15,16 years and I don't want her to go for prostitution or illegal marriage I must get her married and I m coming from poor family and I want to engage marriage and I found somebody who actually loves me then why are you not going for that marriage? We have talked about that it is actually going to interfere with the education of the girls and what, but they don't all the girls actually have access to education we have to be aware of that one.

Another thing, I do not know why mothers cannot go to schools somebody is even pregnant with legally pregnancy then if somebody is legal pregnant then somebody can go to form one or two she can school. What is prohibiting married women to go to schools when we talk about education? Nothing of course I my self I m an educator to some extent and I know that psychological that nothing is prohibiting the girls unless we are blindly following ideas that are imported from western countries, madam we don't want those ideas to be brought here we want actually something out of our culture and out of understanding about what psychology and social life.

I think that one is very clear, if you are saying that there is freedom somebody to decide she is what she chooses for her future then why not allow that young lady to set married when she is actually 15 or 16, why are you comparing her maybe up to 18 then before 18 she can go under ground and get married which is just concubinage, then actually nowadays marriage is a policy for the prevention of AIDS among the youth it is a policy really this we have to go for marriage. So that is actually why we cannot fix it to 18 and it is a basic right it is just like food whenever you are hungry you can eat food but in a legal way not in illegal way, that one is clear.

The other one is about girls education, I think girls education in Islam there is equal opportunity they can go up to PHD courses.

In Muslim nations, there is no prohibition for that whatever courses it is no matter what, so longer as it is in line with the life style of the ladies and it is not bringing problems to the lady, I think we support that idea of education but we don't have it in Kenya we don't get it here the reasons here is not that we don't take girls to school because our culture believes that girls should not be taken to schools that is not the reason especially you yourself but some of us might even believe in it but that is not the case nowadays what we are lacking is the fees itself, parents are lacking the fees but they are not discriminatinge that girls not to be taken to school as they have a right to that. I think that question is abit clear.

Com: Lenaola: Thank you Sheikh. Ngoja kidogo kuna nyingine.

Com: Baraza: I think my questions have been covered by Alice but I still want to follow you on the issue of marriage at 15, if you are talking as people of Northern Kenya you are talking of marginalisations you are talking of not having caught up with the rest of Kenyans, you are talking of Marshal Plan to put Northern Province at par with the rest of Kenya and you want to marriage of children girls at 15 and you don't see a problem with a girl who is at 15 and getting babies and you think she can make it in class we are doing a national Constitution and taking these views very very seriously, I think I don't know how I just want to...

Com: Lenaola: Maybe you can just add to that issue and you can close your remarks.

Sheikh : Okay for that I think it is very clear, marriage is a basic right and education is a basic right so when two of them collide on one another, Madam what will you do. You have to reconcile them you see, in one hand here in the left hand I actually have a very handsome man who loves me and on the other hand I want to get 'O' level or maybe a degree from Nairobi University and I don't want to miss both of the so what will I actually do? I have to struggle and keep this one in one hand the university and also the husband in another hand, there is no in the whole world a psychology which says if a mother is pregnant or has a baby maybe her work load will increase and I agree with you to some extent to that one, but if she is..... **(Inaudible)** her workload should increase.

It is a matter of planning a mother to be a student, it is a matter of planning a mother to go to class it is a matter of poor planning to say that the mothers cannot go to classes why cant they go to classes? So we have to reconcile and talk about, there is I think what they call mothers friendly school I mean what do they call yes, environment so what kind of environment if somebody is illegally having pregnant and we are talking of Marshal Plan and what, what, me I know development all these things will not be retarded if we allow girls to go to schools while they are married the Aids is actually 10 percent in this town why is it like that because there is no marriage in this society that is why the girls and boys now they have adapted actually a new culture of working underground so that kind of actually working underground is what really spreads Aids in order to avoid that marriage should be adapted as the policy of preventing Aids from these nation.

Com: Lenaola: Thank you Sheikh I think we are clear we have answered the question, please come and register. Thank you very much.

Com: Lenaola: Bellow Abdulahi. Halafu afuatwe na Abdulahi Haji Abdi.

Interjection: Regina: Sema jina lako kwanza.

Bellow Abdulahi: My name is Bellow Abdulahi and I am from Township Primary school I want to put across few points. I think North Eastern part of Kenya and its the problems are very clear and there is not need of more clarification., but as a

student I want to add some suggestions.

I want to talk about education; we as students we need free education right from Primary to Secondary. Secondly school facilities, we don't have any facilities from schools for example if you go to secondary schools in Northern part of Kenya even you cannot see any computer and if you go to other Provinces you can see more than 20 computers in each school and I think that is not fair.

Thirdly I want to talk about National school in Kenya, if we are in Northern part of Kenya we do not have a National Secondary school. So we would like National schools at least each district one national school. The other thing I want to talk about is examination cancellations. When a candidate sits for national examinations, he or she receives only Y and I do not know what it means.

Thirdly I want to talk about child rights, if we are children's or students we need our rights, schools should abolish child labour. The other point I want to talk about is creation of Muslim Courts, I think more than 95% of the population here are Muslims. For example you can see the Muslim girls who are loitering in the streets because of illegal marriages as a result of absence of Muslim courts and we have one, it will be a remedy.

On health, as we are students we have no hospitals where we can get treatment. In Northern Eastern parts of Kenya the hospitals which were there have collapsed. For example one day I got a letter from the headmaster and I went with it to the hospital when I showed that letter to the doctors, so that I get medical treatment they told me to give them bribes (TKK) before attending to me. That is my only point. Thank you.

Com: Lenaola: Thank you very much Bellow Abdullahi na njoo ujiandikishe. Abdullahi Haji Abdi afuatwe na Said Omar.

Abdullahi Haji: Bismilahi Rahmani Rahim Asomali ban kuhatlli. Ellah qer nagasi abshir. Magacaiga wa Abdullahi Haji.

Translator: I m Abdullahi Haji.

Abdullahi Haji: Horta wahan kahadlaya screening card.

Translator: I want to talk about screening card.

Abdullahi Haji: Screening card dibka uu nogeyste hadhi mel wah nalogato lahelayo oo wahan lashegayo ey run tahay ninki kene iyo dhowladi kentawa diig ban uradhsaneyna.

Translator: It is our wish to appeal to any legal system against screening cards and those who emborsed the screening card on

our community that is something that has caused many problems to the people of North Eastern.

Abdullahi Haji: Waxa jirtamarkii ey Somali so burbureysey oo dhagalatha qawilka ey kuso burbureysey aya labilawey.

Translator: Firi athi maoni bixii shekathas kabah.

Abdullahi Haji: Marka screenig card banalogayeye toban ruh oo islasocoto ayey arken nimanki oo halko u asharaf ukayeh inta kale ey qolatho eh nimanki shuftatha ah. Yatihin qola fulan screening cardkotha ba astakeyey halki ninka oo asharafka kali ba kabahay.

Translator: I m narrating a small story that during those days when the screening card was being introduced, ten people were travelling together nine were Somalis and one was from another tribe.

Abdullahi Haji: Halki kali ba kabahay sagalki kale screening ki ba astakeyey

Translator: The nine were accused because they didn't have screening cards and they were Somalis and then the only person who was coming from another community was not taken captive.

Abdullahi Haji: Maeki uu oogusahlana dibkas ayu laha.

Translator: So those are the some of the problems we've got from the screening cards.

Abdullahi Haji: Waxan raba in nalagadhayo.

Translator: I want screening cards to be abolished completely from the records of Kenya and those who have it must burn it right now.

Abdullahi Haji: Marki lakene magalatha nus ba qathatey. Mwananchi gii mwanchiga aha maeyqathathin dhat an mwananchi ehen ba qate.

Translator: Taa watshegteee ee tukale sheq. Maoni bihi.

Translator: That is the first point.

Abdullahi Haji: Taan labad khadiga.

Translator: Second point the Khadi.

Abdullahi Haji: Diinta Islamka waa in laqawiyeye oo dhawladha ey oo marki ninka uukeno tacwa khaliqa uu hukumo usan uwaregin ee hakim kale.

Translator: The Khadhi court has to be recognized like any other legal Court and its ruling has to be significant and anybody who has been judged by the Khadhi Court should not appeal against the court ruling from Kadhi's Court.

Abdullahi Haji: Taan sadahat mipaka, mipaka iyo wah ban maqlayey dhatka hortey hatley aya weheyshegen mipaka iyo wahyala ceinkas. Dhatka wuxu fahmi laayahai utawala ya Kenya iyo wakati wqa ser bey kala fahmi layihin. Utawala ya Kenya weheysameysey saxin sixiin ayey sameysey westi, south. South waha kumacag cawe section moja oo Ogaden layirahtho, west waxa kumacag cawen Fay hata Dagidi madahaii intakale waxey kumacag cawen west.

Translator: Sitheht karabta marka.

Abdullahi Haji: Waxan karaba nabat galya hadi lahelu.

Translator: The third point, as far as traditional boundaries are concerned. He said as long as we have peace in this district we don't value community boundaries we want the communities to live together those who are in the South, North, East and West we want them to live harmoniously and to propagate peace.

Abdullahi Haji: Hadhii nabad galya lawayo Nin walbo in u gowalkisa kunolatho.

Translator: If there is no peace among the communities living in all the parts of this district definitely every body is going to be subjected to their regions and no community will cross to the other because of lack of security.

Abdullahi Haji: Abaar markey jirto.

Translator: When there is drought.

Abdullahi Haji: Dhatka walala waye wa xithith xigal waye.

Translator: People living here are brothers, relatives who are coming from same community, religion, and culture.

Abdullahi Haji: Meshii marka wax leh aya laiskulanolan.

Translator: Any place, which has pasture, and water, people have to move to look for the livelihood.

Abdullahi Haji: Tas naftirketha qainun an udhajisane aya jirta.

Translator: But people must be orderly and respect the laws of the communities living there.

Abdullahi Haji: Mel chief jogo oo council jogo mathahthi baa jogta committee ey jogto wa in markas qolatha sogureso aiuemalan sithi qaununka hate halaiogatho.

Translator: When a community shifts from one section of the district to the other section they have to report to the leader of the new place they came to the elders, councillors to be accommodated they just don't have to be disorderly and go anyhow they want.

Abdullahi Haji: Marka qolatha ayatha eh waa in ey qolatha itha ehet qabariso.

Translator: Those who lived in a place before, have to receive their brothers who have shifted from other areas because of problems and they have to live harmoniously.

Lakin hadan iskaguro on westi galo on irahtho waxba kumaogi, on getki goyo, on biyihi galo.

Interjection: Com: Lenaola: Ya mwisho. La mwisho.

Translator: Pointigi oogutambeyey sheg.

Abdullahi Haji: Ki igutambeyey waxawye intas cedi sameyso oo wahlayolo oo wax kudinto waxa uhimaii dhatki masusha aha oo mesha joge aya uhirni.

Translator: If you adapt that kind of system of living together people shifting from one place to the other the way we live now, if anybody happens to be killed or to be raided in the new area he came from, then the leaders of that place has to be responsible.

Abdullahi Haji: dhatka marki uu nininwalbo mel cusub ukaimatho oo halaka tha shego.

Interjection: Translator: Waxas nagada athi sharcii balaraba moogie mweheshimiwa ban waxas karabna malarabo.

Interjection: com: Lenaola: Point ya mwisho Bwana Abdullahi Haji.

Abdullahi Haji: Hata marki lalahadhadlayey.

(Continuation was not tapped)

Com: Lenaola: Ahmed Iman. Ngoja utamfuata.

Said Omar: Assalamu Aleykum, Mimi naitwa Said Omar mimi ni councillor Wajir ward ya Wajir Bor division. Asante sana kwa hii tume kwa kufika hapa angao kulikua na kazi nyingi na shughuli nyingi vile mumepita watu kadha kutoka kwa hii district na wapatia pole kwa hile kazi nyingi mbayo mumefanya na ninawashukuru kwa kufika sisi. Jambo yangu ya kwanza ni ni juu ya kiwanja ya Army ambayo hiko kwa Army na hii kiwanja tunataka tufunguliwe hii kiwanja iwe ya wananchi.

Kwa vile hii kiwanja tukifika ndege zijae ama saa ngine biashara yetu ikifunguliwa nyama itatoka kutoka Saudi Arabia tunataka kutuma mambo mengi na hii kiwanja inaonekana sasa hakuna kiwanja nyingine katika Wajir na hii kiwanja sasa imekua ya watu binafsi kuingia hata imekua ngumu. So tungependa Kamati waangalie na iwe ya wananchi ya Wajir.

Yangu ya Pili, wakati tulikua na emergency tumepitia shida nyingi kati ya wale watu walikua na makosa wakati wa emergency tunataka wapelekwe kotini na wale watoto ambawo wamezaliwa wakati huo vile vile nataka serekali ichukue kama yatima.

Ya Tatu mkoa hii ni mkoa ambaye haina pesa na ni mkoa mbaye wakati huu nataka tumepewa kutoka kwa hii mambo ya shifta tuko kwa hali ya kawaida kama Kenya ingine. Wakati ya kugawa pesa ya serskali tunataka hii mkoa iwekwe pesa nyingi kwa sababu barabara yake bado development yake bado dam bado kila kitu bado nataka hii ipewe pesa mingi wakati wa kugawa pesa ya serekali.

Ya Nne nataka kuwakumbusha ya kwamba kwa vile sisi ni watu wachungaji na wanyama wetu hakuna mahali tuna soko nyingine nataka tufunguliwe hapa Kenya Meat Commission ilikufufuliwe na vile vile watu wa Kenya meat waje hapa na wachukue ngombe yetu.

Ya Tano nataka kuwakumbusha ya kwamba Kadhi court nataka ipelekwe kutoka hapa district mpaka High Court hiyo vile vile nataka iwekwe kwa Constitution. Kwetu hapa katika mahakama tuna judge mmoja peke nataka tuongezewe majaji kwa vile mmoja kama yuko nyumbani, mtu kama anafanya makosa ama kupigana na mtu askari wanawachukua na kuwapeleka mpaka Garissa. Kufika Garissa pengine kortini yake yeye tashinda ama ikosekane ushahidi ya kutosha wanamwabia mtu rudi hana pesa kurudi na ataka huko huko tuu. Kwa hivyo tunataka tuongezewe mtu mwingine kwa mahakama hapa.

Nafikiri habari ya Majimbo, sisi tumepinga Majimbo tangu zamani na hatutaki kabisa kitu inaitwa Majimbo. Habari ya boundary tulitaka wakati Kenya imepata Uhuru nafikiri iliandaliwa kila kitu na nataka tukae hivo hivo kama vile Kenya imepata Uhuru. Sababu nikitazama watu wengine kutoka hapa mpaka Kisumu kuna wasomali wengi kuna watu wengi hata waWajir.

Kwa Eastleigh kuna Councillor mwingine nimemuona kule Mombasa wengine wamesema tunaka kuwa boundary na watu wameenda mbali katika Kenya. So nataka tuwe na democratic ya pili, Kenya bora wewe ukifanya makosa na nitaka kila mahali iendelee. Yangu imekwisha.

Com: Lenaola: Asante sana Councillor umechukua mdaa mfupi tumeshukuru. Njoo ujiandikishe. Ahmed Iman.halafu Muhamud Abdiwahid utafuata Mzee.

Ahmed Iman: Af Somali ban kuhadli aniga.

Translator: I will speak in Kisomali.

Ahmed Iman: Asalamu Aleykum. Ahmed Iman.

Translator: I m Ahmed Iman.

Ahmed Iman: wax bathan shegi mayo.

Translator: I will say something little. We have difficulties in getting ID cards in this area so we want it to be accessible.

Ahmed Iman: Sharciga waahan raban kipanda walagu rafathi.

Ahmed Iman: Nin walbo saqaga ayu dhonaya in uhelo aya jitka ah. Midetha kale waha jira bahal libah layirahtho

Translator: We have a problem of wildlife in this district.

Ahmed Iman: weyna damey.

Translator: They kill livestock's, people.

Ahmed Iman: Waxan rabna wixi lagiguthi jire in lagugutho.

Translator: When a lion or hyena kills a man we want the government to compensate us with the right amount and we compensate in Islamic traditions, for example if a person killed by wildlife we compensate 100 camels. So if a lion kills a man we want the value of 100 camels from the government.

Ahmed Iman: Gewer hadhi ladilo in wixi lagu guthi jire lagugutho.

Translator: If she is female, 50 camels.

Ahmed Iman: Hadhii u yahayna gel ama loc in lagutho ban rabna.

Translator: If it is camel, the value should be the same eve if it is a cow, a goat all the same the value in every aspect.

Ahmed Iman: Nin hadhu nafa noctho in haqisa lasio.

Translator: If somebody becomes disabled then he should be paid the amount that is equivalent to that disability.

Ahmed Iman: Intan an shege.

Translator: That is all I have to say.

Com: Lenaola: Ahmed hamna swali nenda pale ujiandikishe. Mohamud Abdiwahid. Afuatwe na Haji Hussein.

Muhamud Abduwahid: Mimi ni Imam wa Masjid Abubakar Sadick. Watu wasinicheke mimi sijue kiswahili lakini nitavunja vunja tu Inshallah.

Rai yangu ya kwanza ni juu ya ushuru tunatoa. Kwa dini yetu haikubaliwi mtu atowe ushuru ama asimame pahali ambapo watu wanatolea ushuru. Tumeona mahali umeandikwa toa ushuru upate huduma, kwa dini inaanisha toa ushuru upate laana ya Allah.

Maoni yangu ya pili, sisi tukiwa Waislamu tunataka peace and reconcillation among muslims. Sasa wale wazee wa nchi yetu kila mtu anataka apate ngombe,ngamia kutoka wengine na nchi jirani kama Borana na kila wakati wanakua na shauri kuhusu namna ya kupata hizo. Sisi tukiwa Waislamu tungependa tupate watu ambawo wametolewa for peace development.

Ya Tatu DC ambaye tumeletewa sio mwenyeji kama wengine wanao kaa hapa, zamani kule Garissa tulikua na DC ambaye sio Mwislamu na nchi ni ya Waislamu inakuanga zaidi sana sana DC kama yule alikuja nchi hii inaletea watu shida kwa sababu two tribes wakipigana wengine wanampelekea yeye bribe na kusema leo sisi tunataka Fulani utufanyie namna hii na atakubali na tuliona 1993-1994. Na tunataka vile PC abadilishwa na hata DCs wabadilishwe na waletwe Waislamu.

Ya nne. Im contradicting kitu kimoja ambaye Sheikh Abdullahi amesema yakua Waislamu ama dini ya Kiislamu haikubali wanawake wasome na wasome nje hata haikubali msichana asafiri mahali ambaye anaweza kukaa usiku na mchana. Colleges ya wasichana Islam does not allow, this religion of ours does not accept women to go far from their fathers and mothers na tungenda hiyo ibadilishwe kwa niaba ya waislamu kwa sababu hile faidha tunapata hapo ndio nyingi kuliko hili hasara tunapata hapo. Kwa hivyo hiyo ndio maoni yangu hata kama nimetoa maoni mbaya mbaya hiyo ni rai yangu tu poleni. Asalamu Aleykum.

Com: Lenaola: Asante Muhamud hata Kiswahili yako ni safi kuliko yangu. Kuja ujiandikishe hapa. Haji Hussein halafu afuatwe na Abdishakur Sheikh.

Haji Hussein: Yangu ni kusema massacre mingi tumeingilia district hii ama madistricts ya North Eastern tunataka tulipwe fidia na serekali hii ya Kenya kwa sababu serekali ilifanya makosa hii yote. Kuna wakati nyingine Wagala na ile massacre ingine ambaye helicopter ya jeshi ilikua ikitembea juu ya mahali ilikua mwaka kumi na kitu. Hiyo nikumaanisha ya kwamba sio wale ambawo wamechukua na mahali jeshi ilikua na husika na hiyo kwa sababu sheria ya Kenya ilikuwa imesema linda mtu pamoja na mali yake, mali ilichukuliwa na wanachi walibaki masikini mpaka sasa.

Ya pili, juzi tulikua tumesikia kwa radio ya kuwa MPs wa kutoka North Eastern Province hawaendi Bunge kuongea ama kuongea na Raisi, ili watoe maendeleo na kitu kama hiyo. Wakati Raisi alikuwa katika kiwanja hii tumemuliza barabra, sewage, hospitali na hakuna kitu kimetendeka na MPs ndio waliokua wanasimama hapo nawaliongea kwa mdomo yawo wakiwa wanafanya maoni.

Nyingine hospitali, nataka tujengewe hospitali kwa sababu tuna hosapitali ya ukoloni bado na tujengewe barabara kwa sababu barabra haujachukuliwa hatua hata kidogo pahali imechukuliwa ni pahali bonde ambayo maji inalalia. Maji pia ni kathalika ingawa ni sehemu ndogo ndogo.

Mambo ya elimu kuna upaguzi, upaguzi ya kwamba kama mtoto amefaulu aende University subject hile yeye mwenyewe ameuliza hakubaliwi kufanya hiyo subject anapewa hile yeye hajapendekeza.

Nyingine nataka watoto wasome free na inatakiwa pia mwalimu wa polytechnic apewe mshahara kama walimu wengine ilitufaidike na walimu wale wanaujuzi kwa sababu polytechnic sasa imefungwa, kwa ukosefu ya walimu kwa sababu serekali

hawawapei mshahara na wananchi pia hawa na nguvu bya kuwapea mshahara.

Kwa mambo ya election kubadilishwa, Mimi nimeonelea hatua hii ya sasa hatuwezi kupata kila wakati nataka iwe uangalifu kiangalifu haswa ya husaidia sisi wananchi Katiba ikiandikwe na isiwe na na issue haraka ili iandikwe kitu ambacho hatupendi. Nataka Raisi pamoja na MPs wake pamoja na wanaibu wake vile wanakaa iwe inatupendeza mimi mwenyewe na hivo. Lakini nguvu isizidi kupendukia kiwango ile inatakiwa na inatakiwe iwe na Parliament hapana Raisi.

Ya mwisho, wale watu wanaongea juu ya mipaka, mipaka inaonekana wale wanapendelea sana mpaka wanataka kuleta watu wengine nchi ili wakae kwa nchi mahali hiyo. Kwa sababu hapa mahali mipaka ilifanywa wakati wa ukoloni watu waliondolewa mahali walikuwa waniishi na sasa wakaletwa wengine sasa wageni ndio wanakaa pale sio wale wenyeji haswa. Wale waliondolewa pale babu zao walizikwa pale, na mpaka babu ya babu walikua wanakaa pale, walizikwa waliforoshwa na nguvu ya Kizungu kwa hivyo tunataka Wazungu watulipe fidiya, kwa sababu ya kufanya sisi tumizane na kufanya mambo ya mipaka, kila wakati vita na mahali kuondolewa. Mapendokezo yangu ni hayo.

Com: Lenaola: Asante Bwana Haji Hussein njoo uijandikishe pale. Abdi Shakur, halafu afuatwe na Hussein Jelle.

Abdi Shakur: Assalmu Aleikum, My names are Abdi Shakur Sheikh and my views are different from what others have said, mine is just simply concerning an issue whereby somebody is a prisoner and he is a Muslim he is given a short trouser whereby he cannot pray and do his private duties and I therefore request the law that was enforced to be changed and Muslims should be given special clothes for their prayers and their at least.

The other thing is in the police cell even now if you go you will find a bucket where those who are in the custody do urinate in that bucket and it over flows until it speads to the floors of the cell and I as a Muslim regards urine as the most filthiest thing and therefore I cannot say prayers. Therefore such thing should be stopped in where Muslims are and should not be practiced.

The other thing is the power of the President: The power of the President at least must be reduced because it seems appointing of Ministers and Assistant Ministers is like a reward because their educational background are not based on any kind of qualifications or experience. When one has not attended even stardard one but wins on a KANU ticket, he is appointed a Minister. I think that kind of thing should also be eradicated from the constitution. Mine is only that, thank you.

Com: Lenaola: Thank you very much Abdi Shakur.Hussein Jelle afuatwe na Noor Mohamed Maalim.

Hussein Jelle Ibrahim: Kutoka Barwaqo Manyatta maneno yangu ya kwanza ni watoto wa North Eeastern. Sisi tulikua tumeanza kudhulumiwa kutoka miaka thalathini na tisa ambayo Kenya ina Uhuru. Mara tulikua akili yetu yote akili ya binadhamu yote ni ya kutoka kwa tumbo ndio binadhamu awe na akili. Tulikua tunaangamizwa na njaa sababu kama una njaa

hauna akili.

Kwa hivyo wataoto wetu munasikia kila mwaka wanaua na D, D, D, D miaka thalathini na tisa ni sababu ya shida kama hiyo. Tunataka watoto wa Kenya wengine walikua miaka thalathini na tisa kuelekea juu na sisi watu wa North Eastern tunaelekea chini. Kwa hivyo hatuko sawa. Ikiwa Katiba hii ni ya hakii na muliona hii Katiba ilikuwa sio Katiba ya haki ndio ina Constitution leo munageuza Katiba na tunataka watoto wetu kuanzia saa hii watoto waanze kusoma bure, maendeleo iwe ya bure katika North Eastern sababu wale ambawo wako katika Nairobi kama kenyatta house kama Balala house kama wapi munaona magorofa hizo, yule mwenye mtoto huyo na mwenyene nyumba hiyo yule mtoto wake na mtoto kuanzia Kenya ipate uhuru alikuwa anpewa relief ndio munasema wawe sawa na walipe pesa mmoja ya kiwango mmoja.

Hiyo ni dhulumu kwanza hatuta dhulumiwa kwa hiyo kama hii Katiba ni ya haki sisi watu wa North Eastern tupewe haki zetu. Binadamu humeza chakula kile ambacho kimepitia mdomo kupelekea tumbo inapitia koo kama hakuna koo chakula hakiwezi kufika tumboni. Kama mnaoana barabara yetu tutakua na maendeleo gani na akili gani hakuna.

Hakuna maendeleo na hatutakua na maendeleo na masomo yeyote. Tunataka hiyo barabara haki yetu ya miaka thalathini na tisa tupewe kwanzia hiyo barabara iwe lamii.

Askari yule ni ya Human Right macho yenu kile muaona munashuhudia saa hii askari huyu anasimama mbele yetu hamwezi mukajua yeye ni jeshi au yeye ni askari gani akitowa hiyo kofia. Hiyo ndio tunaita rough uniform ya kwanza hiyo ndio dalali ambayo vile tunateswa muangalie na muongeze kwa vile munaona na macho yenu hiyo ndio haki mhakikishe hiyo. Hatutaki hiyo uniform Kama hiyo tunataka mtu akiwa askari tunajua yeye ni jeshi au nambari Fulani jina Fulani Fulani avae uniform kama ya kamaya down Kenya wengine.

Hatutaki mambo ya mipaka mipaka nini hiyo ni mamabo ya wazee wa dunia ya zamani ya ukoloni hile ambaye imeturudisha nyuma hatutaki hiyo kitu inaitwa mipaka.

DC juzi ma MP wetu walikuja hapa walikua wanasema sisi bunge kumi na mbili tumekua na ummoja kwa kuondoka DC alipelekwa elfu kadha wanaamza kuhamishwa makabila wengine Wajir North. Kenya kama kuna hiyo mipaka serekali hiyo itangaze kila mmoja awe na Uhuru na awe free.

Ya Tatu sisi tukiwa watu wa North Eastern kama ni watu wachache watadhulumiwa ambayo sheria ya zamani inasema watu wachache hawana hakii, sisi kama hatuna hakii useme na watu wengi ndio wana hakii sheria andika hivyo hivyo kama wale watu hawana uwezo au wale sio kabili wengi hawana haki basi sheria aseme watu wale wanadhulumiwa na ni wale wachache ndio wapewe haki yawo. Kenya haina hakii yule mtu mwenye cheo ndio ana haki na yule masikini hana haki.

Jambo la mwisho ni kwamba tunataka katika North Eastern kuanzia mwaka huu tunataka iazazwe ikisommwa budget miaka

thalatini vile tumethulumiwa tufannywe kama wa Kenya wengine tupewa asilimia hamsini 50% ya budget ya Kenya ndio ili tufike miaka thalathini na tisa wale wame tupita ili tujaribu kuwa fikia na tuwe kama kitu kimoja.

Com: Lenaola: Asante sana Bwana Hussein njoo ukajiandikishe pale tumeshukuru maoni yako. Noor Mohamed afuatwe na Sheikh Mohamed Sirat.

Noor Mohamed: I m a teacher Wajir Integrated Program for Physically and Mentally Handicap in Wajir; I will give my opinion towards the Constitution Review today. I want to comment about having being tax payers for the last thirty eight years and in the country and we now require Marshal Plan which will at least ensure that we are now reaching certain levels with other parts of Kenya like tarmacking roads, better health facilities etc.

The consolidated funds for those 38 years of governance we should now be used to develop us. Pertaining to education, poverty has reduced our capacity and as a result, we rely on famine relief, somebody who is relaying on famine relieve cannot pay fees for Secondary school. Honestly therefore, we request that there should be a free education right from Primary to Secondary education. Bursaries for those who cannot if that will not be alternative feeding etc.

Pertaining to being pastoralist, especially in this Province that being the only activity I think we require a proper market for our animals that to earn us a living. If there are boards, coffee board like of Kenya then I think we should be given a better market outside so that this people can at least have other source of income so that they can have a better market outside so that our people can get better payment.

Raw materials from the animals we have here can enable us to have the Kenya Meat Commission in Wajir as a factory in Wajir. In additional to that we require a leather factory here in Wajir because we have the raw materials here.

I will further support a councillor hawa askari with their those uniforms those are soldiers but we cannot know whether they are bandits, Home guards or whatever and incase they rape, loot or they commit crimes their boss normally defends them and he tells you to identify them from a bunch of 200 or 600 men and this is really difficult. So this honestly they should wear uniforms, we have been told that this North Eastern is now the same as the any other part of Kenya and I don't know why this Askaris are terrorizing us here please take them back to where they are required.

I will further support the court issue the Islamic Court, if you are dissatisfied with Kadhi at the district level we have no where else to go we cannot refer the case back from the Muslim court to this other court again. So the two courts must run concurrently so that we have the High Court for Islamic upto Court of Appeal.

Pertaining to the Provincial Administrations: The chiefs, DOs, DC's these people are very powerful so I think their powers

should slightly be reduced and we need to go back to former history where we used to select chiefs.

Concerning a head teacher in integrated program for those who are disabled, blind, deaf or physically handicapped are completely sidelined in Kenya, even right from the Ministry where they come from that is Ministry of Education where the supportive staff are not paid by anybody whereas other areas they are paid and provided with other learning facilities. Even other boarding schools are given facilities but ours not given, textbooks from donors. These children require Braille text books.

As a Head teacher in mentally handicapped even teachers who have to teach in those integrated programs are not enough. Wajir integrated program for physically handicapped want teachers for all schools. So those teachers should be brought to North Eastern like any other parts of Kenya where saying disability is not inability.

The idea of banks we are Muslims I think the question of interest is unlawful haram we require banks that do not charge interest. Unaweka pesa yako kama mwaka hii ilikua milioni moja itakaa tu milioni moja, hii haramu yenu kidogo hatutaki.

Com: Lenaola: Last point Mwalimu.

Noor Mohamed: Sorry, we were also saying the government services should slightly be close to Wananchi since that we don't have a National school in the whole Province, we need one and we require one University at least in the province and incase because of so many drop outs at least income generating projects like polytechnics and other projects should be initiated in the Province because we lacked so much and Marshal Plan for North Eastern we are now aware. Thank you.

Com: Lenaola: Thank you Mwalimu asante kwa maoni yako njoo ujiandishe. Sheikh Mohamed Sirat. Afuatwe na Mohamed Abdikadir Mohamed.

Sheikh Mohamed Sirat: Bismillahi Rahmani Rahim, Macag eyga wa ha waye Sheikh Mohamed Sirat.

Translator: My name is Sheikh Mohamed Sirat.

Sheikh Mohamed: Waxan kamit ahay qulumatha musajitka.

Translator: I m one of the religious leader in this town. Imam of one of the mosques.

Sheikh Mohamed: Mahat markan Ellahey u celino katib waxan uucelineyna dhowlatha iyo dhatka kawanqawaha nokene ayan maxat ucelineyna

Translator: Thanks to God and thanks to those who are behind this arrangement.

Sheikh Mohamed: Marka kadib waxa loimathe qanunka labadhalayo nin walbona rayyi gatha aya lobahayayey.

Translator: I think the session today concerns about the change of the Constitution and everybody is here to air views.

Sheikh Mohamed: Qanunu hadhilayirahtho adunka lawo qanunu ayaka jirta.

Translator: In this world there are two of Constitution.

Sheikh Mohamed: Qanunu uu Ellayey sodhajiye.

Translator: One is religious.

Sheikh Mohamed: Iyo mit oo lasameyey.

Translator: And the other one is the one we are reviewing now which is made by man.

Sheikh Mohamed: Anaga hadhii anahay musliminta Kenya kunol.

Interjection: Translator : Waqtiga naguyar mitaarabto sheq ascatha anaguyaraneysa.

Sheikh Mohamed: Waxan doneyna qanunka samawiga eh uu Ellahey unosodajiyey in an kudacano ahandoneyna.

Translator: We the Muslims in Kenya we would like to use the Islamic type of law in Kenya.

Sheikh Mohamed: Sabata oo eytahay waxawayey qanunuka oo qof walbo sinkaro hakisa.

Translator: That is perfect and justified type of Constitution.

Sheikh Mohamed: Haqaa binadhamka ama haahatho rag ama hawen.

Translator: The Islamic gives men and women their rights even animals have their rights.

Sheikh Mohamed: Ama qof weyn xaahatho ama qof yar. Ama mathax kilahukumaye xaahatho.

Translator: The old and young. Leader or the late.

Sheikh Mohamed: Wa qanunuki Ellayey usodhajiyeey inti adhunyatha ey kadamaneyso sithas ayey ahaneysa.

Translator: The Islamic Constitution is the only Constitution that does not change with time or with circumstances as it is perfect.

Sheikh Mohamed: Wax bana an lagudhari Karin ama an lagagonikarin.

Translator: It cannot be reduced or it cannot be added.

Sheikh Mohamed: Wa qannunka kali zaman kasta oo lajogo iyo wakti kasta oolajogo kusul inti adhunyatha ey karogmeysa.

Translator: And it has scattered for every century and every age group.

Sheikh Mohamed: Hadhi anahay musliminta Kenya kunol qanuniki islamia in nalogudharo Katibathan usub oo hadha lahajina ayan dhoneyna.

Translator: So with us Muslims we request the Constitution to accommodate the Islamic Constitutions and Muslims to be ruled through the Islamic Constitutions.

Sheikh Mohamed: Mida labat.

Translator: The second one.

Sheikh Mohamed: Khalii yalka Kenya.

Translator: The khadhis in Kenya.

Sheikh Mohamed: Wa macag moogiye wah shaqo fican ey kaxayan majirto

Translator: They are only there and they are not any meaningful jobs.

Sheikh Mohamed: Setah kothob nikah, furnini iyo dahal kali bey hayan.

Translator: They only deal with three things that is, engagement, divorce and inheritance those are the three aspects of the laws they deal with.

Sheikh Mohamed: Waxan lagutalagaley qanunka cofka maishalisa oodan in u cabto aya logutalagaley.

Translator: And according to the Islamic Constitutions Kadhs are supposed to well versed, they are supposed to know the life how Islamic law cater just like any other law they are supposed to know everything not only those three types of aspects.

Sheikh Mohamed: Sitha darathed waxan dhoneyna in kadiga awodhotha la baralieye tirathothana labaraliyey.

Translator: We Muslims of Kenya we would like the Constitution to carter for more qualified Kadhi and Kadhis with expanded powers and role.

Sheikh Mohamed: Waxa kale khali in dhintisa u hor unaqtho oo shacala dhowlatheht waye ee mahadli karo an ladihin sithi ey hata yihin.

Translator: We also want the Constitution to organize for the Kadhis to be free and to be free from the government systems and they have freedom to rule and not to be threatened like any other government worker, they are not restricted and not to told abcd or practice do the law this way, no they should be free to do the way Islamic sharia does.

Sheikh Mohamed: Mita sadahad.

Translator: The third point.

Sheikh Mohamed: Waxa Ilamaka una amri haya qofka mamulkisa hayo in u elmihsa u tarbiyeyo oo wanajio.

Translator: The Islamic sharia agitates for good discipline at home, parents, mothers and fathers should bring up well-mannered children in the families.

Sheikh Mohamed: Ninki qoskisa masul kaeh in uu gawadisa ilashan karo.

Translator: Therefore we would like the Constitution to empower parents especially female children to be cartered for by their parents to be disciplined and if a lady misbehaves then the parents has the powers to discipline that lady.

Sheikh Mohamed: Mitha afarat, aqlaq hun bajirta oo hawenka jirkotha baneyyey daa ayatha eh waxan dhoneyna in zinna mathnuciyo sabata eydis wuxu kadasha zinnatha.

Translator: As Muslims we would like to be included in the Constitution that prostitution is prohibited and anybody found engaging in prostitution be dealt with according to law just like any other crime like stealing, killing or somebody who does anything bad, prostitution be a crime, a crime that is going to be dealt with within the court.

Sheikh Mohamed: waxan rabna dhadka Northeastern kunol hadhti haqotha uyahay. Anaga maheysano jitkana wat aragten diwatatha nahaisato wat aragte. in wagala iyo garis dhatka lagu guwey wa ogtihin. Anaga ququthi Kenya wali manahelin.

Translator: We people of North Eastern province we see ourselves as if we are not part of Kenya, our rights are denied to justify that we have beed subjected to so many historical injustices example; the Wagala massacre which have torched so many people in this district. About 1000 people were killed by the government forces. In terms of development we are behind and we like the Constitution to give us our right of justice, education, movement and other rights to life and the Constitution to cater for that.

Com: Lenaola: Last point jambo la mwissho Sheikh.saa ndiyo mbaya.

Translator: Tii okudhambesey sheq.

Sheikh Mohamed: Quqtha ilmahama, malin doweto waxa naloshegey in ilamaha in alaguthi Karin hatan muslimim nahay qanunu kas namaqawanayo carutena wala quthi.

Translator: Circumcision is compulsory in the Muslim community, we would like the law or the Constitution not to change that we have the right to circumcise our children and that is religious and religion we cannot change that is one. Two the decision making organs of government, the top security men and the executive part of the government we would like so many Somalis to be included. Thanks.

Com: Lenaola: Ngoja Sheikh kuna swali.

Com: Yano: Asante sana Sheikh, tangu asubuhi ninasikia hii mambo ya prostitution you don't want prostitution you don't want abortion there is AIDS all this thing are seem to be going on. Has religion failed or what has happened because religion you teach Puritanism where have we failed as a religion? Why are we having all these verses and they seem to be quite rampant what has happened?

Translator: (translating in kisomali) Wehey kuweydisey nagaha ilmaha lagasorithayo zinatha mahadacay madinti ba shgeini lag mahadacay.

Sheikh Mohamed: Tas waxa usabab eh musliminta Kenya mamul isalmi eh oo waxauhayao majiro dhowlad da free kadigtey wax awod na malihin an kurebno.

Translator: We Muslims in Kenya this government does not recognize this Islamic sheria in the Constitution and we don't have Islamic sheria in place which can prosecute somebody who has engaged in prostitution, abortion and all that kind of things so it is because of this facility not being in place that this kind of things are spreading tremendously.

Com: Lenaola: Sheikh tafadhali njoo ujiandikishe pale. Mohamed Abdikadir. Abdille Mohamed nani mbale... (*Inaudible*) basi mnajina sawa ilikuwa Abdi nilikua naita Abdi wewe endelea.

Abdi Abdille Mohamed: Mimi ninakaa hapa Wajir Central na nataka kupeana maoni yangu kuhusu Katiba. Mimi binafsi sitaki ya Majimbo ama mipaka. Nyingine sisi shida yetu ilikua tuna ..

Hata birth certificate ukishukua ni fake siyenu ya yetu ni tofauti.

Kipande nyinyi mna moja sisi tuna screening ambaye siku hizi haituasidie sisi haina register mtu akipoteza hakuna mahali yakutafuta na anambiwa kwenada lete ni fake. Kwa hivyo sisi nia yetu imekua fake.

Somalia inasemekana hakuna serekali je! Sisi situna serekali unaona askari wanapangwa hapa down Kenya askari wanazungushwa hivi mpaka number yake imeandikwa hapa na unaandika number yake kwa karatasi kidogo na unapeana na anshikwa dakika hiyo hapa hakuna. Isitoshe OCPD akitoa askari na kusema kwenda shika mtu fulani ana makosa hawawezi kumtafuta yule mtu ambaye ameingia kutoka Somalia hana kipande anashika Wanakenya wote.

Com: Lenaola: Tafadhali tuheshimiane tulisema asubuhi tuheshimiane usitaje mtu kwa jina, usimtoe kwa mfano

Interjection: Abdi Abdille: Mfano minatoa mfano.

Com: Lenaola: Toa mapendekezo.

Abdi Abdille: Askari ya Kenya hapa wanashika watu 20 na wanatafuta mtu mmoja wale kumi na watisa wengine wanalala ndani na asubuhi wanambiwa kumbe nyinyi mlikua na kipande mwende nyumbani kama sisi ni Wanakenya haki hatuwezi kubali hiyo maneno. Sababu kama watu wamekuja kazi ukikuta mtu uliza kipande wewe ni mwanakenya yeye atatoa kitambulisho wachana naye akae kwake tafuta mwingine.

Nyingine sisi plot zetu ni temporary hakuna Title Deed na Kenya kuna Title Deed mtu kama ana plot anaenda na anaweka Title Deed na anchukua pesa mingi anajenga nyumba na nyumba inajilipa hapa hatuwezi kubaliwa Title Deed pengine matajiri wakubwa ama MPs wanatoa milioni kadha ndio wapewa title deed na sisi tuataka tikubaliwe title deed na iwekwe kwa sheria.

Yangu ya mwisho ni, sisi hapa tunaishii na mifugo, ngamia, ngombe, mbuzi kule watu wa down Kenya wana shamba wanatafutiwa soko ndani ya Kenya na njee sisi hakuna mtu anatutafutia soko. Tunaletewa famine relief na mali inajaa hapa tukileta hapa inauzwa shilingi elfu tano. Kama sisi ni wanakenya tunataka nje ya ndani ya Kenya tutafutiwe mifugo yetu soko na tutetewe na kuanzia leo tarehe ya leo mwaka huu wakati huu tuwe wananchi wa Kenya wa mkoa ya nane hata hatukua mkoa wa nane Kenya ilikua mkoa saba tukisema ukweli mkoa wa nane ilikua hii na ni nusu inalalia upande moja. Kwa hivyo tusimamishe upili tuwe mkoa nane ya Kenya. Assalmu Aleykum.

Com: Lenaola: Asante sana Abdi Abdille. Akowapi Councillor Abdi Hussein.

Abdi Hussein: Mimi kwa jina naitwa Abdi Hussein Councillor wa Eldia ward nakitoa mapenedekezo yangu ya kwanza, sisi kama watu wa mkoa wa Kaskazini Mashariki tumethulumiwa wakati Katiba ya Kenya ilikua ina undwa hatukushirikishwa kwanza na sababu hiyo ndio kwanza imetufanya sisi tukose kila kitu. Mapendekezo yangu ya kwanza mimi na sema tangu tupate uhuru mpaka wa leo mamillioni ya mifugo umemalizwa na serekali ya Kenya ikiwa askari yule tumeandikiwa wa kulinda mali ya wananchi na mali zao umegeuka kwa ya kumaliza sisi. Tunataka Magala massacre, Wagala na Garissa yote Mali na watu wote tuliibiwa na serekali ya Kenya tunataka fidiya.

Ya pili tunataka kama sisi ni mkoa wa Kaskazini Mashariki kwa vile sisi tumebaki mwaka thalatini na tisa nyuma tunataka tupewe mipaka ya Kenya nusu ili tuendeele mbele kama Kenya nyingine, tuwe na barabara mzuri, tuwe na shule mzuri ili watoto wetu wasome vizuri tupewe elimu ya bure dawa ya bure tunataka tupate mipaka ya serekali na hiyo iandikwe kwa Constitution.

Kama sisi ni watu wa Kaskazini Mashariki tunataka ya kwamba hatukushirikishwa na hatuja pata matunda ya Kenya kama leo tumapata fursa ya kuongea ni kweli tuliambiwa tutowe maoni yetu tunataka mapato ya pesa ya Kenya iletwe hapa ili tujengewe nchi yetu.

Ya tatu nataka ya kwamba serekali hii tunao iwe vile ilivyo, Raisi awe hivyo, Parliament wawe na uwezo yawo hivyo. Serekali ya local government ndio wanakasoro kidogo mimi mwenyewe ni Councillor na sina uwezo kubwa kwa Council na tuanataka tuwe tumechaguliwa na wananchi tuwe na uwezo ya kusimamia Council ya kwamba Chief Ofisas wawe wanaandika wawo wenyewe na wanaajiri na tukiona mtu anaharibu kazi tunamfute hiyo pia tunataka.

Mapato ya local government haistahili kutosha ma-Councillars kwa allowance yao ningependekeza ya kwamba Councillors walipwe na Central government kama MPs kwa vile wamechaguliwa Waheshimiwa hata wawo pia.

Hii ardhi tunao sasa niya Trust Land siyo ardhi ya serekali na kwa sababu ya watu kuhama hama tunataka hiyo ardhi iwe Trust Land iwe hivyo iliwengine wasichukue.

Mambo ya Majimboism hatutaki tumekata kata kabisa kwa vile Kenya nyingine imeendelea leo ikisemekana tuwe na Majimboism sisi tutaachwa. Kwa vile wengine wametajirika wamejijengea nchi yao sisi wanaanza kusema wanataka Majimboism hiyo tumepinga kama sisi ni watu wa North Eastern.

Mambo ya mipaka, mimi nimeshangaa sana watu wanataka mipaka, mipaka ukoloni ndio wameleta ndio mnataka kudai zile shida walituletea. Mipaka yule mtu anataka aende ukoloni hii ni Kenya natumepata Uhuru, tunataka Kenya hii kila mtu aweze kutembaa vile anataka na akae mahali naotaka. Mimi nikitaka Kikuyuni ni lazima ni jenge kwa vile hiyo ndio uongo ukisikia mambo ya kusema tunataka mipaka na kujijengea mahali ambapo ni kwetu hiyo si Uhuru hiyo mimi ninapinga tunataka tukae kwa njia mzuri.

Security yetu nataka Serikali iwe na jukumu ya kwamba inalinda mali ya wananchi na maisha yawo, saa hizi hawalindi. Yule ofisa tumeandikiwa ya kwamba, maajabu ni umegeuka wafanya kazi ya Kenya wa serekali. Mimi nimesikia mimi sijasoma sana nimejuwa tu kiswahili na vile mimi ninajua serekali ni wananchi wengine wote ni wafanyi kazi ambao wameandikwa na wananchi, sasa ile sheria tunao sasa wafanya kazi ndio serekali na wananchi ndio wakilishi.

Yule mtu wewe umumajiri ambaye anatakikana akuheshimu wewe hakuheshimu na anakunyanyasa askari anakupiga, DC anakuambia toka kwa Ofisi yangu hata wewe unaweza kuambiwa toka kwa ofisi yangu na ofisi ni ya uma. Kwa hivyo tunataka serekali wasimamie wananchi kikamilifu na iwekwe katika Katiba. Kwa hayo machache asante.

Com: Lenaola: Ngoja kidogo Councillor asante kuna maswali.

Com: Baraza: Councillor asante kwa maoni yako na vile tunatengeneza Katiba mimi ninatakaa nielewe kila kitu kwa hii mkoa ndio tuende Nairobi nifikirie. Kule kwingine tulikua watu wanalia sana kwamba wasiporudisha hizo tribal boundaries ya ukoloni wawo wananyanyaswa sikujua nini lakini walikua wanasema hivyo, eti kuna watu wengine wanavamia tuu na wanaenda ndio watu wanapigana na watu wanataka hii nchi mpya tunatengeneza hawataki kupigana, hawataki hii mfurugano ambayo hiko.

Sasa sijue utatusaidia hapo namna gani wengine wanaogopa wanavamiwa na hawana njia nyingine pekee ambayo tutakua na usalama nikusema tusivamiwe na nyinyi hapa mnasema hiyo hakuna na huko wengine wakasema hata hawaombi na kusema naomba maji hapa hakuna nataka nielewe ndio nitajua nitafanya nini nirudi kule Nairobi.

Abdi Hussein: Kulingana na maoni yangu kwa sababu wawo wanasema wanataka mipaka iliwasivamiwe hiyo ni uthaifu wa serekali ndio inaleta kama tungekua na serekali inatulinda kwa kisheria hatungevamiana. Nairobi watu ni wengi hakuna kuvamiana hiyo serekali yetu ndio uthaifu na hata hile sheria kidogo tunao haitekelezi kikamilifu na security personal hawa peleki sheria vile inatakina.

Com: Baraza: Utanisamehe Councillor, wewe ni leader na unajua hii mambo lazima tuelewe vizuri ndio tusaaidiane namna gani kama wa Kenya. Mbona wengine wanalia wanavamiwa eti watu wengine hawa ombi nikuvamia tuu tutasaidia namna gani hii nchi ndio tukae vizuri? Kwa nini wale wanalia na tutasaidia namna gani?

Com: Lenaola: I think it is security.

Com: Baraza: Security no no it is over resources, over grazing, over water, I think so nataka nielewe na unisamehe.

Abdi Hussein: Hiyo pia nikisema naye inaingia uthaifu ya serekali kwa sababu ya nini? kwa sababu ya kuhama na kuingia sehemu nyingine kwa hii ardhi haina mvua nyingi Mvua ni kidogo. Hakuna development maji hakuna area ile ambapo wanakaa labda haina maji na inakua inakua lazima waende kwa sehemu nyingine na kutafuta maji ama malisho hizo zote zinakuja chini ya serekali mbaya. Hiyo ndio inaleta kulingana na maoni yangu.

Com: Lenaola: Asante sana Councillor kwa maoni yako tumeshukuru. Mohamed Abdille. Halafu mzee Mamo karibia. Tunakaribia kumaliza naningependa wale ambawo wanazungumza tafadhali uende kwa point utowe mapendokezo na uendele.

Mohamed Abdille Abdi: Magacaiga wa Mohamed Abdille Abdi.

Translator: I m Mohamed Abdi Abdille.Mimi ni mtu ya Wajir

Mohamed Abdille: Waxan kahadli mapakaha iyo ID card.

Translator: My points are two, one is about the traditional boundary that we have been talking about and the other one is National Identity card.

Mohamed Abdille: ID card dibkan aan kucabno mitlaqayasi karo maaha.

Translator: Problems of getting ID cards in this region is very difficult and I m supporting it.

Mohamed Abdille: Wajer an kudashey will keyga ana Wajer bu kudashey screening card keen baladehey.

Translator: At the age of sixty years I m in Wajir and my son here who is either 17,18,16 years who has no kipande and it is not his mistake not to have ID it is the system of government that delays the issuance of ID card and if as a parent with all legal Kenyan documents I prove this is my son but that is not valid according to the government, it is the government that is delaying the issuance of ID cards so we want that problem to be solved Constitutionally.

Mohamed Abdille: Mita kale waxawayey mipakaha.

Translator: The issue of traditional boundaries, when I was young I was a camel herder.

Mohamed Abdille:(*inaudible*) Mapaka waxan kuogahay Engiris.

Translator: This issue of traditional boundaries was introduced by colonial government. We don't want to hear traditional boundaries in Kenya because the colonial government was not fair even to make or to democratic those tribal boundaries, which they are saying this part is for a certain community were not there and they have not consulted the communities who are there and they were not justified.

Mohamed Abdille: Kenya xagetha marabno mapaka. Nin kasto meshu rabo xakunolatho.

Translator: If you are Kenyan your settle anywhere you build and grab land anywhere.

Mohamed Abdille: Waxa kale oon sheganey na wax dhamana ladoho on an haisano majirto. Xadan nahay rer Northeasten. Dhowlada weyna disha anaga wan isdilna.

Translator: We have no protection that means security among ourselves. We can kill ourselves as well as the government. Even other communities can kill us, we do not have total protection in Kenya. We would like the Consitution to protect our lives and property in the new constitution.

Interjection: Com: Lenaola: Thank you basi point ya mwisho.

Translator: Tiikugutambeysey shey.

Mohamed Abdille: Waxan shegaya rer Northeasten hadan nahay anaga maiskironini dhowladana manorono.

Translator: As the people of North Eastern Pprovince, the government system does not work for us and we does not approve it.

Mohamed Abdille: Xadhii eiy dhadkena ey kahadlayan mapaka nanaga maiskudowin.

Translator: If somebody among ourselves is talking about colonial or traditional boundaries which were made by the colonial government in which the community was not consulted and that is the source of quarrels among the communities the way they were made in the first place there was no justice or consultation among the tribal leaders or the community themselves then we

are not also fair to ourselves.

Com: Lenaola: Thank you very much Asante sana tumesikia hiyo point tumesikia. Mzee Mamo.kutoka sasa nafikiri ... endelea mzee.ngoja kidogo mzee nafikiri sivizuri kurudia mambo ambayo yamasemekana kwa hivyo kama kuna mtu ambaye anakuja sema kitu kipya halafu umalize maana tukirudia hii jambo itakuwa ni wimbo. Sema kitu kwa ufupi kwa dakika mbili.

Ibrahim Mohamed Mamo: Sasa mimi sina manene nyingine, mimi maneno yangu. Watu wanasema maneno mengi sana lakini wale wanakuja kwa sababu ya Katiba hii sheria ya Kenya ambayo inatumiwa kwa law ambaye wale Wangereze mpaka sasa wanatumia lakini sasa nyinyi mumekuja kwa sababu ya kubadilisha Katiba ile mzuri na ile mbaya mtupe.

Mimi ninasema hivi wakati wa Katiba hii serikali ya Kenya inatumia Kanu tuu tangu serekali imeundwa zamani kulikua na Kau na Kadu wakati ule serikali ya Majimbo wanaunga mambo ya KADU na KANU walienda Lancaster wote. Mzee Kenyatta amesema mimi nitaka KANU serekali moja. Na mimi ninafikiri serikali mmoja umetosha wacha hii nyingine ya Majimbo kama hiko ama hakuna sisi hatutaki.

Ya pili mambo ya religion mimi ninataja tu sisi ni Wasomali au Waislamu na mutupe ili mambo ya kusema watoto wasitahiriwe hiyo dini yetu imekata kata kata. Mtume na hatuwezi kufanywa kitu chochote juu hiyo kitu. Usiguse hiyo sisi tutatahirisha watoto vile dini yetu inasema na tunafanya ile Katiba yetu ya kislamu anbaye Kadhi yetu nahukumu hiyo! Hiyo na hiyo msiguse kabisa.

Serekali waitike katika Katiba ya Kenya waache dini yetu hapo papo, hiyo si kutharau serekali au nini hiyo ni dini inasema kila mahali na Kadhi ako kila pahali sheria ile tunatumia kwa dini ya Kislamu haswa ya kurithi mambo ya kurithi ya kusema mtu amekufa na kurithi wacha hiyo kwa Kislamu sababu khadi ndiye anafanya hiyo. Hiyo yote tunauliza isingizwe katika Katiba ya sasa hiyo tuwache nje kabisa namna ilivyo.

Sasa mimi ninasema, nyingine ndio mimi ninasema sisi hapa North Eastern hatuna Airport. Airport yetu ni moja sisi watu watu wa nchi kavu, tunashida sana hakuna barabara hakuna nini ndio sababu mimi ninasema hatutaki mambo ya Majimbo, kwa sababu kama kuna Majimbo nyinyi mnataka kuamsha sisi tu na nyinyi mna mahindi, shamba na sisi hatuna na tunataka hii Airport yetu tutumie, tujengewe factory ya meat commission halafu tutumie kiwanja hii kusafirisha mambo yetu kule na wakati hiyo ndio sisi tunaweza kusema wacha hiyo kitu. Ndio tunataka Airport hapa tutumie hii Airport.

Nyingine mimi ninashangaa sana katika Katiba ya kenya wakati wanandika na MPs na wanachaguliwa na MPs wako na sijue ni kwanini MPs wetu wote tangu miaka thalathini na tisa tuna Minister mmoja tu? Kwanini hatuwezi kuwa na Minister wawili katika Kenya na tunataka tunapewe Minister moja na tu ya Assistant Minister na sisi tuko watu wengi na tunatoshwa na Minister wawili au watatu kama Kenya ngine.

Interjection: Com: Lenaola: Jambo la mwisho. Asante.

Ibrahim Mohamed: Jambo la mwisho katika North Eastern Province kuna kita imenishangaza ni wakati kunafanywa recruitment ya Army au ya polisi katika Province mzima waandika watu kumi hiyo nini sasa wakati Kenya inaandika location mmoja watu tisini na sisi hapa wanandikwa polisi watu wawili au sita Mandera sita kule sita watu ishirini na wawili katika Province mzima bali kule down country wanaandika location mmoja watu mia tatu. Kwa hivyo angalieni hiyo. Hiyo sio haki ni kuumiza wananchi wa Kenya na mimi ninasema asanteni sana.

Com: Lenaola: Asante sana Bwana Mamo. Abdi Azizi Abdi na Abdi Azizi ukija utasema point kwa point kama Mzee Mamo anajua Mzee Mamo ni chap chap.

Abdi Azizi Abdi: Kwa jina mimi ni Abdi Aziz Abdi deputy head teacher ya Jugbaro ninge penda kuongea lugha ya English, I would just try to be very brief as much as I can. I would like to give some of my recommendation that should be personal opinion or suggestion.

The current Constitution or the old Constitution was old colonial oriented in nature and structure therefore it does not take care of the demands of the dynamic society. Remember societies are dynamic and they go with the changes therefore since colonial oriented, it does not serve the contemporary inherits and background therefore depending on the religious or its background the Constitution should serve according to the its primary background that is.

Second point is on religious issues, you remember Northern Eastern people belong to one the and same Islamic religion and in most cases Islam means through out their life span they will rely on the Islamic religion. Therefore, there should be an independent Court that is Kadhi Court which should be independent from the current Judicial Commission. It should have autonomy that is should execute its duties autonomously and detached from the current Judicial System. Because the current judiciary does not cater for the interest of communities of this region that is Northern Easter region, the Kadhi influence should be defined to the status of Chief Justice and there should be Kadhi courts all over the district from Provincial level and even International level therefore it should be an independent one. on Islamic region these days, I happened to go to one of the institution and it has happened that all the institution, especially the higher learning institution universities, colleges and all these sectors have got chances. Those people who came from the Islamic region happened to have nowhere to go.

So I see that there is a religious bias being a Muslim and we need to be treated equally in this region. Let me cite for you one examples that I have encounter recently, I happened to see one of our lecturers in the University where I am a student. The lecturer told me that there is no Islamic religion as a unit but taught as a separate comparative religion. We are therefore, taught by people who only learnt comparative religion. We therefore require Sheikhs who are competent in Islamic religion to be employed as University lecturers.

Com: Lenaola: Last point shortly.

Abdi Aziz: Okay you remember people here have been talking on the issue of operation area in North Eastern area. It is regarded as a operation area, when they say operation area, they are being treated differently from other part of the country, that is you will find that when there is a problem be it a security or any other thing which happened in the region the askari of the security men tries to take the laws into their hands and harass the people.

Interjection: Com: Lenaola: Please try to make recommendation.

Abdi Aziz: Northeastern people would proposed that operation areas should be abolished and people living area in this should be treated equally and should be allowed to vote like other Kenyans.

Com: Lenaola: Thank you Mwalimu give your memorandum please we shall read every word of it. Thank you very much, Ali Hassan Daib halafu kama kuna mtu ana memorandum tafadhali peana sasa kwa maana tutafunga kikao kwa dakika tano zijazo kwa hivyo kama kuna barua umeiandika peana pale kwa meza. Endelea Daib.

Ali Hassan Daid: A teacher by profession and I have the following point to contribute. Currently there are so many political parties in Kenya and some of them exist by name, so I suggest that we should have at least two to three political parties and must funded by the government.

The other point is, tunaambiwa kila mara ya kwamba uchumi ya nchi yetu imesoroteka. This is because of unnecessary Commissions of inquiry which do not yield any fruits and their findings are not made public. So I suggest that there should be minimal Commissions of inquiry and there findings must be made public.

There other thing is about the Kadhi and the chief Kadhi as said earlier I would like this to be elected by Muslim Uma and Muslim Scholars respectively.

My last point is, all over the world the Kenyan police are actually known for their brutality and they are even called trigger-happy police. I think in their training, they should be trained in such a way that the Mwanachi is a friend and not an enemy and they should not kill innocent people anyhow. Thank you.

Com: Lenaola: Asante sana Mwalimu for being brief peana memorandum yako tutaisoma yote. Mtu wa mwisho kwa wakati wa leo ni Ahmed Ali. Ahmed Ali.

Interjection: hayuko.

Com: Lenaola: Hayuko basi wewe ingia utakua mtu wa mwisho na umepata bahati.

Interjection: Ahmed Ali au Hussein.

Com: Lenaola: Nimesema Ahmed Ali, endelea basi sema jina utakua mtu wetu wa mwisho.

Noor Alish Deri: Bismillahi Rahmani Rahim. Mimi naitwa Noor Alish Deri. Nataka niongee Kisomali. anigi eh. Kuliginawo watsalamantihin

Com: Lenaola: Endelea Bwana, Endelea.

Translator: ngoja, ngoja okay I don't know how to translate.

Noor Alish Deri: . Ani hadhan ahay Noor dhatka wey igusehthen.wehey igujifana makasaie

Interjection: Speaker: Mwenda wazimu.

Com: Lenaola: Hiko nini mwache aseme, mwache azungumze. No the other day I was refusing him because they were saying he is mad. Anasema ... nani sema hayo Bwana.

Interjection: Endelea.

Translator: Personally I have not tasted the fruit of independence, I have not got anything in Kenya, I m not learned and the government has not catered for my needs.

Noor Alish Deri: Waxan raba dhowlada in ey shaga isiso.

Translator: I request the government of Kenya to give me employment.

Noor Alish Deri: Oo walibo Kanu ban raba in ey isiso shaqa.

Translator: I want Kanu to give me employment.

Noor Alish Deri: Dhad waxa jira iskadiga Kanu ona Kanu ehen.

Translator: There are other Parties, which are undermining Kanu, and they should not undermine Kanu.

Noor Alish Deri: Kanu hadhi lakala goyo wah isracayo majirto.

Translator: If Kanu is divided the government will fall.

Com: Lenaola: Jambo la mwisho, Noor Deri jambo la mwisho.

Noor Alish Deri: Waxan raba dhowlada Kenya in ey isacitheyso. Iyo MP yalka oo dan.

Translator: The government and the MP should assist me.

Com: Lenaola: Asante sana. Asante sana Noor. Sasa tutafunga kikao nimesema asubuhi kwamba ni vigumu kusikiza kila mtu kuna watu mia nne ambawo hatutasikiza lakini maoni tutachukua na tutaipeleka mbela na tutajaribu kuwa saidia. Nitamwita sasa Jelle Hassan atuombee halafu tutafunga mkutano. Sheikh Jelle Hassan.

Interjection: Speaker: Yuko hapa.

Interjection: Speaker: Time bado

Sheikh Jelle Hassan: Bismillahi Rahmani Rahim Al hamdu lilahi rabil calamin.

The meeting ended at 6 P.M.

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