

CONSTITUTION OF KENYA REVIEW COMMISSION

(CKRC)

VERBATIM REPORT OF

CONSTITUENCY PUBLIC HEARINGS,

BURET CONSTITUENCY, HELD AT

ST. KIZITO SCHOOL FOR THE DEAF

ON

9TH JULY 2002

**CONSTITUENCY PUBLIC HEARINGS - BURET CONSTITUENCY, HELD AT ST. KIZITO
SCHOOL FOR THE DEAF ON 9TH JULY 2002**

PRESENT

1. Com. Ahmed Issack Hassan
2. Com. Nancy Baraza

Apology

Com. Mohammed Swazuri

SECRETARIAT IN ATTENDANCE

1. Solomon Anampiu - Programme officer
2. Nelson Ashitiva - Asst. Programme officer
3. Zipporah Wambua - Verbatim Recorder
4. Kennedy Cheruiyot - District coordinator.

The Meeting started at 9.40 am with Com. Nancy Baraza in the Chair.

Nafikiri tutaaza na kazi yetu ya leo kama kuna watu nje waingie tuanze kazi yetu. Na kuwa tunaanza na maombi tuna uliza yoyote ambaye anaweza kutuanzia kazi na maombi.

Leah Cheruiyot: Hamjambo, hamjambo tena. Sasa tuweze kusimama tukiomba Mungu awe kielelezo kwa huu mkutano

ama mafundisho na maoni yatoke kwa wananchi wema ambao wametoa kwa Mungu kwanza. Karibuni tuombe.

Asante Mungu kwa wakati wema ambao umetupatia siku ya leo. Mungu asante kwa wageni ambao wako mbele yetu, Bwana yale tutakayo nena tunayaweka mbele yako. Yale yote yatakayo toka kwa kila mmoja tukiwa pamoja hapa ata wale wako njiani, wale wanasema wakiwa nyumbani, Mungu ujue ni nini tunalilia. Mungu yale yote yanapangwa chini yanafika mbinguni. Bwana tubariki kila mmoja, tuwe na upendo, tuwe tukitoa neno la kusaidia kila mmoja kati yetu kesho. Mungu tunaomba Katiba itoke kwako na Bwana ili tuwasadie wananchi katika miaka ambayo inakuja, Bwana tuwe na upendo ninaomba hayo machache katika Jina la Yesu aliye mbinguni. Amen.

Com. Nancy Baraza: District coordinator yuko wapi? (interjection) okay. Kwanza kama hatujaanza hii kazi ningetaka kuwajulisha Makamishena ambao wamekuja kuwa nanyi leo. Mimi ninaitwa Commissioner Nancy Baraza na nitakuwa mwenyekiti wa hiki kikao na niko na mwezangu Commissioner Ahmed Issack Hassan na tunamtarajia Commissioner Dr. Mohammed Swazuri yuko njiani anakuja. Kutoka Nairobi tumekuja na maofisa ambao watatusaidia hii kazi. Tuko na Mr. Solomon Anampiu ni Programme officer atasaidiwa na Mr. Nelson Ashitiva, na verbatim recorder ni Zipporah Wambua. Tutafanya kazi yetu hivi.

Tuko na njia tatu za kupokea maoni yenu. Njia ya kwanza kama uko na Memorandum au kikaratasi ambacho umekaa ukajindikia maoni yako, utakuja nayo, ukae hapo na utupatie highlights na nitakupatia dakika tano tu. Usisome neno kwa neno utupatie tu highlights ya hiyo Memorandum sisi wenyewe tutaenda tu tusome. Njia ya pili, unaweza kuwa haujaandika lakini utakaa hapo pia nikupatie muda wako wa dakika tano, utuambie maoni yako. Na usiende kwa shida sana tuwambie mapendekezo kwa sababu shida tunazijua tupatie mapendekezo ndio tusipoteze wakati mwingi. Na njia ya tatu unaweza kuwa na hiyo Memorandum na utaki kusema chochote hiyo pia ni vizuri utajiandikisha hapo halafu utuwachie Memorandum, tutaenda tusome hiyo Memorandum vizuri sana.

Na kama mwenyekiti wa hiki kikao ningetaka kuwajulisha kwamba kulingana na sheria ambayo inahusika na kurekebisha Katiba ya Kenya huu ni mkutano alali wa Tume ya urekebisha Katiba Kenya. Na sheria ambayo inahusika na hii kazi ya kurekebisha Katiba ya Kenya inawalida nyinyi kama Wakenya kuwa na uhuru wa kusema maoni yenu bila uonga wowote. Ukuje hapa useme maneno yako usiongope hakuna mtu ambaye atakunyanyasa kwamba ulisema hiki ulipokuwa mbele ya Commission. Lakini huo uhuru usitumie kuudhi wengine don't use bad language, don't abuse people. Sema maneno yako uwe na uhuru lakini usitukane wengine. Usitumie lugha chafu.

Na pia hiyo sheria inasema unaweza kutumia lugha yoyote ambayo wewe huko comfortable nayo. Kama unaweza kuongea Kizungu sawa, kama unaweza kuongea Kiswahili hiyo ni sawa, kama unaongea Kikalenjin hiyo pia ni sawa. Utuambie tu ile lugha ambayo ungetaka na tutatafuta mtu ambaye atatutafsiria. Sasa tutaanza na kwa sababu tunatarajia watu wengi watakuja, uchukue tu hule muda wako wa dakika tano. Tunataka musikiliza kila mtu. Musa Seronei Seriro. Please come this way.

Musa Serorei: Mimi nimefurahi sana kwa sababu ya haya maneno ya Katiba ya Kenya lakini kitu ambacho mimi ninafikiria haya maneno ya Majimbo. Mimi ninataka Majimbo ile ilikuwa ya Lancaster nafikiri ni zaidi ya miaka arobaini wakati Majimbo iliwekwa huko Lancaster house. Hiyo tu ndio ninahitaji, Katiba iandikwe tuwe na Majimbo. Na Majimbo wakati waliweka kulikuwa na Wajumbe zaidi ya miaka arobaini iliyoita maanake nafikiri wengi wao wako hai na wengine wale waliweka hiyo sign maanake mimi ninaweza kukumbuka mtu mmoja anaitwa Kivilibi kutoka pande ya Keiyo. Yeye alikuwa nguo na wakati alienda Lancaster ata nafikiri wazungu walistaajabu kuona huyo mzee kwa sababu yeye alikuwa minor. Mimi sitaki kuongea sana lakini naomba nyinyi Ma-Commissioner hii barua yangu msome na mtafusiri. Hii barua mimi ninawachia nyinyi mtu mmoja asome ama namna gani?

Com. Nancy Baraza: Tutasome yote.

Musa Seronei: Mimi nataka mtu mmoja asome ni ya Majimbo tu sio ya ya siasa.

Com. Nancy Baraza: Tumesikia Majimbo kuna point ingine unataka?

Musa Seronei: Point ingine ni ninasikia watu wengine wanasema katika haya maneno ya Katiba ati anatakikana mtu ambaye ako na bibi yake ati Title Deed iandikwe pamoja na bibi lakini kweli Mufrika anaweza kuandika na unajua Muafrika anaweza kuoa wanawake wengi. Hiyo mimi ninaona kama ni ngumu.

Com. Nancy Baraza: Unataka nini?

Musa Seronei: Sasa hii Title Deed ikae na jina la bwana maanake wewe unajua Muafrika anaweza kukosana na bibi mkubwa halafu aoe bibi wa pili. Na yule bibi mdogo atakuja kuumia.

Com. Nancy Baraza: Point ingine.

Musa Seronei: Katika hii nchi yetu ya pande ya Buret kuna mali asili inaitwa Gold katika upande wa ----- ni vizuri hiyo mali mandikishe kwa sababu hiyo inaweza kuwa utajiri wa Kenya – Gold, yaani dhahabu. Hiyo ni mali iko nchi hii ambayo inachimbwa zaidi ya miaka hamsini.

Litein kulikuwa na maneno ingine ya mawe karibu miaka arobaini ndio rika ingine kama ya Chumo ndio ilikuwa inatatumia hiyo. Hizo points zangu zinatasha.

Com. Nancy Barasa: Joseph Cheruiyot Bii. I will give you five minutes Sir.

Joseph Cheruiyot Bii: I am Joseph Cheruiyot Bii. Preamble: We need a preamble and the following should feature. The sufferings of our people under colonialism. Our desire for peace and tranquility together with prosperity of our ourselves and our children. The sanctity of the Constitution and the people power to ordain and alter and form the government they deem fit. Enshrining our unity and diversity by promoting our diverse cultures and languages.

Directive principles: We need directive principles of state policy and capture the following. Government should be by consent of the people by the people. The whole purpose of government should be to serve the people to whom the government is responsible. The leaders shall always be the servants and the people the masters, human rights be treated as God given and not a gift from any person or authority. Interpreting the law and the Constitution of the court shall always adhere to. This principles must always be observed by moral values.

Constitutional supremacy: We desire the method of amending the Constitution. It should begin by both Parliament and the people must be involved whenever there is conflict, these people must be known through a referendum and under no circumstances that the will of the Parliament to supersede that of the people.

Citizenship: Children whose both parents are Kenyan citizens automatically become citizens. Upon birth of every Kenyan the office of the registrar of births and deaths must issue a certificate of birth which shall be used as evidence of registration of such a person as a citizen of Kenya. Spouses of Kenya citizens who possess rational-----must also have -----emuneration authorities or community which the Kenyan sources belong.

Structure and systems of government: The present unitary system should be discarded in favour of Federal system of government based on regions. In this regard we propose that the current provinces be converted into regions each having its own government and handling the following. Health and sanitation, agriculture, education, industry, infrastructure, police, sports and culture, living area the following area group in the central government.

Constitutional affairs: This foreign matter of monetary policy international trade.

Defense and national security, immigration citizenship, research, any are not enumerated --- shall vest with the regional government.

Our cultures and languages have almost become ----t where else foreign cultures have ---resulting into social and cultural economic an linguistic speaking. Moral decay has become the order of the day resulting in family breakup, single parenthood, HIV –AIDS, violence, threatening the entire young generation and hence threatening the society’s future.

The mastering of languages in culture in favour of the two languages English and Kiswahili which has not taken us far must be successful in economies of the world. In countries such as happened like in USA, German, Canada, Switzerland, Australia, South Africa and Nigeria are the relations. The countries have embraced cultural linguistic diversity. Yugoslavia, USSR, --- collapsed or nearly collapsed as a result of false unitarily. It is a proven fact that especially in the case of Germany, Switzerland in development best taken route.

Executive: Under the Executive the Constitution shall be as a ceremonial President who shall not be a member of any political party. And shall be the Head of State, Chief Commander of the Armed Forces. The President shall be elected by Parliament if he is an Executive. He shall be elected every five years, shall be above forty years. He shall be from different region from that of the Prime Minister. He shall be from different ethnic community from that of the Prime Minister. There shall be an Executive Prime Minister and will be the head of majority party.

Land and property rights: The ultimate ownership shall vest on the local community. Authority over the former crown land should be transferred from the Commission of land to the local community. An agreement should be made where there is a farm which is needed to be taken by the government. There should be a good and agreeable negotiation between the owner and that of the government. And should there be any need for the government to take over anybody's land there should be proper compensation taking into consideration the following: The degree of the laws of the owner economically, the importance of land in the local economy, The royalties rights of the hires of the land and the economic benefits to the government. Such land shall need to ensure that such a benefit shall also approve to the owner. To guarantee a section of the loyalties of the original owners of land to the people of the communities then. Procedural land and research shall be a regional subject. Kenyans shall have the right to own land anywhere in the republic.

Legislature: Member of Parliament and councils failing to measure up with the expectation of the electorates may be recalled if one third of the registered voters in the respective Constituencies shall present a petition to the chairman.

Com. Baraza: Can you go to your last point.

Joseph Cheruiyot: Succession and transfer: A retired President should be accorded the following security which is adequate by the Commissioner or the Director of the police.

Welfare: A retired President should be given pension --- which is necessary for servants eg Secretaries, bodyguards, drivers, cooks as the economy may permit. A retired President should be immune from legal process especially during the duration such a person may serve as President of the republic. However such immunity shall extend to the existing President with regard of impeachment which is the preserve of Parliament.

Com. Nancy Baraza: You leave the Memorandum there we shall read it. If you have a Memorandum don't read through just

highlight. I know we are going to have so many people and we don't want to leave anybody. You just highlight we shall read the Memorandum for ourselves. David Bii.

David Bii: ----- where we need to be addressed especially the Provincial Administration. We have the village elders, Assistant Chiefs and Chiefs. These people are the agents of development in those respective areas. Now we don't know their roles they are not fully defined ---I think they must be misused. So we want this people or these officers their role to be defined. We don't want to be defused the collecting harambees and the likes. Harambee are purely community agendas so whenever we have harambee the community of self help to raise that money, but not to use the chief or use the administration. So there role should be defined properly. As we are now we don't see the role of Assistant Chiefs, village elders should serve those purposes. So I think they should go home. Chiefs should be elected.

The system of the government we need. We have been in a unitary system of government for a long time. We have seen the bad and good side of it. Personally I propose if we can devolve or the powers of the central government to be devolved to regional areas. So that we can have Majimbo or Jimbo area. This one should give some security to certain areas where the their development is low which other communities may just impose or just go those areas and seek electoral position. We need certain rights to be maintained or to be safeguarded by Jimbo.

My last point is the term of the President: I think by limiting the term of President to be ten years is denying me my own rights. Because if I need the sitting President to continue on that right should be given to me and there should be no limit.

A sitting number of Parliament: if at all a Member of Parliament fails to deliver, we know there those area of development and the government is the one to bring the development. So if a sitting MP cannot deliver I think we should be given that right to recall for election and then we shall see so long with certain percentage approves it. Otherwise that is all.

Com. Nancy Baraza: Thank you. Register this way. Alfred Cherure KNUT. Leonard Bet. Joseph Ruto. Joseph Miting'. Are you coming?

Joseph Miting': Katika kerekebishu hii Katiba ningependele Majimbo iwekwe. Parliament to elect the President and should have three years term of office. MP should also have three years term of office. The Speaker also should take three year. Attorney General should also have three years term of office. Mayors should also take three years. Doctors or professors after graduation ---- they should be 46 years.

Raia: Raia wanaunia kwa upande wa polisi. Polisi wanashika watu ovyo ovyo njiani. Hii kazi ya kushika watu njiani sio nzuri. Kushika mtu ingekuwa nzuri kama wangetumia Assistant Chief or Chief.

Chief to be elected through mlolongo. Village elders should also be elected and should take nafasi ya Assistant Chief halafu Assisitant Chief aende nyumbani na sasa kutakuwa na village elder and Chief. Hivyo ndio kutakuwa kuzuri. Sasa nimemaliza maoni yangu.

Com. Nancy Baraza: Sema jina lako – I forgot, ukija uanze na jina lako.

Joseph Miting’: Jina langu ni Joseph Miting’.

Com. Nancy Baraza: You are the coordinator? Just come. Joseph Rono, are you there Sir?

Joseph Rono: My names are Joseph Rono from Buret.

Com. Nancy Baraza: Rono, you don’t read through word for word you highlight and you take five minutes.

Joseph Rono: I am from Buret disabled. We people with disabled we say in the side of education that the government of Kenya should provide free and compulsory education at all levels of learning. The government of Kenya also should provide attractive incentives to the teachers handling children with special needs in terms of salary, house allowance and commuter allowances.

Also the term of government should lower the entry points in secondary schools, colleges and universities and other institutions of learning. Also the government should ensure that 10% of vacancies available in national schools, colleges, ---- institutions and universities should be preferred to the persons with disabilities.

Health: it should be provided free, medical care to person with disability and their family for the married individuals. And the same should be given first priority during treatment. Where the government cannot provide medical care the NHIF should pay 100% of the medical bill incurred by persons with disability and their families for those who are married. They should ensure that toilets are modified to suit persons with disabilities in every hospital and public places for them to use.

Job opportunities: The government should ensure that 10% of the job opportunities are available whether in private or public sector should be preserved for persons with disability to for those who qualify for the same and application for employment should reflect the same also. Salaries of persons with disabilities should be two grades higher than the counterpart in the same service. They should not be retrenched and the retirement age should be raised to 60 years. In the side --- for person with disability free of charge should be there free of charge example wheelchairs, crutches , special shoes, braille, glasses and any other.

Financial support: The government should put resources in every district and create sources of income in every district to cater for the welfare of the disabled person from birth to old age inclusive of their families for the married ones.

Sports and games are organized and funded by the government from zonal level, international level for children with special needs and provide the necessary facilities to be used which is sporting wheelchair and others.

Accessibility and communication: The government should ensure that the architect are trained to design building that will allow the disabled to access to every corner of the house without difficulties. Including also public offices and those other institution they can be. The government should ensure that the existing schools and other public places are modified.

Creation of awareness: The government of Kenya should establish awareness and sectors through the Provincial Administration, churches and other bodies that should start from the village up to national level.

Integrity and family issue: The government should ensure that normal person impregnating the disabled female should be held responsible to make them marry them, their salaries to be chopped or properties attached to cover their needs and the needs of their children be educated and also the welfare together.

The last point is on social welfare also. The currency we are using in Kenya currently like notes and coins should have Braille printing showing the denomination amount at the back to enable vision impaired persons to read it. I think I have summarised it otherwise I have the Memorandum you can go through it.

Com. Nancy Baraza: Thank you very much, leave it with us. Sammy Kosgei. Uanze na jina lako halafu utuambie maneno yako, five minutes.

Sammy Kosgei: My names are Sammy Kosgei from the Kenya Anti Tribalism Education Programme it is an NGO. I want to start with the system of government and we are proposing that we have a Federal type of government, where we have a ceremonial President and the Executive Prime Minister. Ceremonial President should be elected directly by the people while the Prime Minister is elected by the Members of Parliament from the party with majority members.

The President should not necessarily come from a certain party he should be a party less President. And the terms should be two year term and the succession of the government should be the winning President after election should directly hand over to the incoming President. The President should have power to dissolve Parliament and also he should be the overall when it comes to signing of the government documents.

Concerning the Provincial Administration: It should be overall, I mean the policies of the Provincial Administration should be

changed they should be over all. So that right from the village elder. A village elder should a person acceptable by ther people and he needs to be elected by the wananchi. And if there is a problem if he makes any mistakes, he is supposed to be sacked by the same people immediately. Once the people have said we need this village elder to go, he has to go. And again village elder should be given salaries.

Concerning the matters of the community: The elders of that community should be strengthened such that once they have decided on something whatever they have decided will have to start unless there is an appeal. When it comes to Sub-Chief and the Chiefs, they have to be elected also by the wananchi and sacked by the same people.

Concerning other things like the policies: We have realized that the District Commissioners or the Provincial Commissioners they also misuse the other as a policy to the subordinate staff. Provincial Commissioner misuse the DCs, DCs misuse the DOs and the DOs misuse the Chiefs such that Chief when they are acting, when you ask them they say we are acting from the orders from above. So we are saying the policies should be changed – should be over all such that whatever these administrators are saying are coming from the people.

Concerning land: The ultimate ownership of land should be the community and the government should not have any power to take land from the people and any public land should not be given to the government or to the county council as it was previously because they have been found to misuse that privilege.

Concerning the Members of Parliament: Members of Parliament should be given two-five years term because there are many people who also want to become MPs.

Concerning the NGOs the government should have a provision for the NGOs so that they don't fund raise from outside.

Com. Nancy Baraza: Thank you Mr. Kosgei. Leonard Bett.

Leonard Bett: (deaf and dumb) My name is Leonard Bett. I am teacher here. And I would like to start with education. Education for the deaf needs to be free from primary to university level. Because there are no many deaf people in Kenya so the government needs to give free education.

Two, the problem with Kiswahili. It is very hard to the deaf to understand Kiswahili so the government needs to get rid of Kiswahili in schools for the deaf.

Third, deaf students who get a C- (minus) in the KCSE they need to go to university. I have finished with education.

Language: The problem with the deaf in hearing are not understanding one another so sign language of the deaf needs to be learned by the hearing because it is for easier communication.

Interpretation: In the TV we need to have an interpreter because the deaf do not understand what is happening on the TV so the government needs to have an interpreter. And different offices they need to have an interpreter also.

Representation: We need to have a deaf MP. We can't have one person to represent all the disabled people so may be the nominated MP where one has not been voted for. Okay now for working he ends up.

We need to respect the deaf, sometimes deaf people are slow in working and may be they do something wrong you need to understand and respect that because they are professional people also.

Our churches needs be free and open to the deaf, meaning they can learn to different work in different places. So the government needs to open up opportunities for deaf in all areas. If the deaf pass in that field they need to be able to work there.

Religion: The deaf should be free to participate fully in religion and the same in the family and that is all.

Com. Nancy Baraza: A question please.

Com. Issack Hassan: You said she is a teacher at the school for the deaf. Ask him whether they use the same curriculum of education with the other schools and do they get all the materials necessary for the subjects that they teach and why is Kiswahili so hard for the deaf to understand.

Leonard Bett: Okay the problem with sign language, sign language is used for English only so with Kiswahili sign language is the same we don't have different words for Kiswahili, different sign for Kiswahili and different sign for English so it is not the same. So when I say good morning which is like that – the sign is the same if I say good morning or if you say it in Kiswahili. Asubuhi and morning is the same so convey that message into two different languages morning in English and morning Kiswahili we are using sign language to make that point clear and it becomes very difficult because it is the same sign and that is there mother tongue.--- the problem is money if money is not there. The learning is boring it is the same with the teachers then we don't have enough teachers for special education is not enough.

Com. Nancy Baraza: Honourable Sang' do you want to present now? Please come over.

Hon. Kipkorir Sang': Thank you very much Commissioners. Mine is very brief. My name is Honourable Kipkorir Sang' MP for Buret Constituency in Buret district. My first point is on defense and security: There should be a body known as National

Defense Council whose chairman is the President of the country. The composition of the council should include the Chief of General Staff, Service Commanders, Commissioner of Police and the Ministers in-charge of Defense and Police and also Parliamentary Committee on Defense. The duties of the council should include;

- The promotion and discipline of senior officers
- Declaration of state of emergency

The Structure and system of government: In order to promote national unity and coherence, the unitary system of government should be retained. Local authorities should however be given more powers and responsibilities to take care of natural resources like forests, minerals and water sources among others.

The budgetary system in the country should be based on priorities of each district and the funds allocated directly to the respective districts for control and also the supervision of priority projects. This will ensure that every district has its fair share of national cake.

Legislature: Parliament should have committees of Members of Parliament vet the appointment of Ministers, Permanent Secretaries, Senior Military Officers by the Chief General of Staff and Service Commanders. Parliamentary and civic aspirants should be left to be judged by the electorate on their moral standing in the society during the election period and for the sake of stability the people should not have any right at all to recall an MP or a Councillors because after all there is not parameter for measuring performance or efficiency.

Executive: To avoid bias in the distribution of national wealth the President should not be an elected MP. However on being elected the President he should be automatically be a nominated Member of Parliament. The Provincial Administration should be retained but its role should only be that one of public relations between the government and the people. And in order to have an efficient Provincial Administration Chiefs and their Assistants should be elected by the people and they all --- to the people who elect them.

Judiciary: Besides what is already established, the judiciary system should have in place local courts based at locational or divisional level. Such courts will take care of local and minor cases based on traditions and culture which are diverse in our country.

Land and property rights: The existing land leases especially those signed before independence should be revised with the view to scrapping them altogether or having them signed with new terms. To reduce rampant landlessness in the country and to ensure that all horrible land is put into good use. There should be a ceiling to land ownership to individuals or groups. One should be determined by the Commission. Did you want me propose the ceiling? Hundred acres should be the maximum.

Local government: Mayors and council chairman should be elected directly by the people in their area of jurisdiction. The

powers and privileges of Chief officer in the council should be looked into so that;

- They are appointed and fired by the Councillors
- The councils terms are controlled by the Councillors
- That they all legacy to the councils they are serving in rather that the current situation where they owe legacy to the Minister in charge of law of government or the Permanent Secretary.

Parliamentary term for this the eight Parliament should not be tied to the Constitution making and I want to repeat what one Minister said recently that “Constitution making is a process and an election or elections are just events”. So what I am suggesting is that the present Parliamentary term should expire at the end of this year and we go for an election. Whether you Commissioners will be ready or not. Thank you very much.

Com. Nancy Baraza: Thank you. Please sign there and give us the Memorandum. Geoffrey Chumo. If you are not there Denis Koech. If you are not there Patrick Ng’eno.

Patrick Ng’eno: I am Patrick Ng’eno from Buret Constituency and these are my views. The Constitution should give us the right to pass a vote of no confidence on our MPs, Councillors and to the government of the day to counter the street mass actions.

The harassment of the citizens by the police and other security apparatus should be kept by the Constitution. Child labour should be ruled out altogether making parents and guardians more accountable for their siblings which translates to manageable family units. We should add more civil rights and other universal rights to each and every Kenyan.

Every Kenyan aged 18 years and above should be given an ID card without any extra continuative apart from the obvious one. That is parental lineage, age, birth certificate and residence. The standardization of goods and services offered to Kenyan should be strictly adhered to.

Education: I strongly advocate for free and compulsory education and to finance half of high school level for every Kenyan child.

Corruption: It should compare all corrupt division to submit and surrender all aspect access to them unprocedurally in exchange of claimancy or face the wrath of the law. Anybody who take part in this fight after the elapsement of this session should be charged automatically.

Land system: The Constitution should tap its authority on a clear and strong land system. Land should be equitably distributed among all not a case of others squatters and others having large acres of land which are laying yet held dubiously and yet financed again with loans which are not serviced.

The system of government: The composition of government the Constitution should help us to constitute a leadership which is inclusive of ideas and individual not a winner taking hold and have a clear criteria of choosing Ministers to their positions on compatibility and the accessibility as well as security of tenure.

Provincial Administration: It should divide duties of the Provincial Administration and its needs to be neutral in a tenure of any given government of the day.

On the Presidential powers: The Presidential functions unless on national holidays should not affect the day today running of the government and that of the general work force of the populace.

To rule out anybody who has bad previous records to seek any leadership in any level. Even having the slightest error which has add up to these enormous problem that we have currently and above all we may not legislate what I am saying but above all we should pray God to legislate with our hearts. Thank you.

Com. Nancy Baraza: Thank you. Please give us your Memorandum there. Geoffrey Chirchir.

Geoffrey Chirchir: Just before I continue saying my name, I would like to just ask you to add me some more time because five minutes are not enough just to say what I am saying about. I hope you have done so. (Interjection) yea thank you.

Just to frank enough before I hit the nail on top, we people with disability we are not well informed with what is going on as far as Constitution is concerned and what I have just come up with is just my imagination. It is just a rough ideas collection that I am imagining that it might be form one of the Constitution.

Towards improvement of standards of various people with various handicapped disabilities in Kenya. I have categorized them into three. That is education, training and employment.

Education: Education for all should be centralized in Kenya. There should be equal representation of disabled people in the National Assembly specifically for visually impaired, hearing impaired, physically impaired and mentally handicapped. It also should be done in all local authorities. Free education for handicapped right away from primary level to the university level. The handicapped people are minority and so it is easy to be sponsored by the government in Kenya. Educational institution for adult disabled should be set in all districts.

There must be equal distribution of schools in all districts in Kenya. Risk allowances to be made available to teachers teaching in mentally handicapped schools. Any person who is qualified after completing his or her form four education level should be

called to join Training College or University in the same year with no delay. All the normal teachers wishing to assist them eg teaching in schools should be well trained and be tested several times before employment. We ask for teachers going for special educations should be added to improve the quality of education given to various student in special schools or learning integrated programmes.

Marks to join secondary schools should be deducted to enable many students to –

Com. Nancy Baraza: Chirchir is there a way you can go for your highlights so that you don't read word for word you give us the big points. The recommendations, please I am sure you can do it Chirchir. Take your time whatever and give us the highlights.

Geoffrey Chirchir: Naweza kufanya hivyo. Kama nilivyo tanguliwa hapo awali kuwa sisi walemavu mpaka tupewe haki katika jamii tu-apprecia –tiwe kuwa tunaweza kuchagua kivyovyote. Hivyo basi ki elimu mpaka tupewe haki zetu, tupewe elimu ya bure kutoka shule za msingi mpaka chuo kuu. Isitoshe watu wenzetu amboa hawasikii ile lugha ya kuwasiliana sign language inafaa kila mtu katika nchi hii yetu ya Kenya aonyeshwe ili awe na kazi rahisi katika kufaamiana na wao. Vile vile mtu yoyote ambaye amechaguliwa katika kuongoza ama kusimamia mambo ya walemavu hapa nchi ni sharti awe amekuwa shule mahalumu ama amekuwa special schools katibu miaka mitano na juu. Vile vile watu ambao wanafutwa na wakiujumu misaada ambayo walemavu wamepewa ili waweze kujinufaisha sharti mtu huyo aadhibiwe kulingana na sheria. Isitoshe mambo ya usafiri katika umma sisi walemavu serikali mpaka itupatie tuwe na usafiri mwema tuisimame kwenye magari ya umma. Vile vile nauli mpaka serikali iende ichuguze. Isitoshe mambo –

Com. Issack Hassan: Okay Chirchir hebu nyamaza kidogo. Chirchir they are interpreting for our other Kenyans who need interpreting for our other Kenyans who need interpretation and the person interpreting speaks English so they interpret it to English before she interprets. Is there a way you can speak English because at first you started with English? Take you note and just look for the highlights don't feel bad about it. I am not curtailing you just look to highlights in English so that your brothers can understand what we are saying.

Geoffrey Chirchir: I think you can take my Memorandum.

Com. Nancy Baraza: You are annoyed?

Geoffrey Chirchir: I am not annoyed but unhappy about it. Okay if that is how you feel, but it is because now we have to get three interpretation.

Geoffrey Chirchir: I think you take my Memorandum and the person needing to get interpretation somebody can read for him somewhere.

Com. Nancy Baraza: Okay, thank you very much. We appreciate that. John Mitei, Francis Mitei. If you are not there Edward Sigei.

Edward Sigei: I wish the Constitution could have directive principles of state policy. My name is Edward Sigei I come from this area. The directive principles of state policy should have a --- the government should include the protection of property cultural and other rights.

Citizenship: There should be equal rights for spouses of Kenyan citizens this is particularly for women. Dual citizenship this one should be allowed and the government should be liberal in allowing foreigner who wish to have Kenyan citizenship to have it easily.

Parliament should have two chambers, an Upper House and a Lower House. A ceiling on the number of members of Parliament not more than two hundred and ten. And the upper house or the senate should have one fifty members. The terms for the Members of Parliament should be subject to judicial subject to Judicial Service Commission, Public Service Commission and the --- of this Commission Review. It should be two terms for Members of Parliament and the parties should have a right to expel the suspend legal members and these members should – fate.

There should be age limit from 18 anybody should be able to vie for a seat in Parliament and Parliament should vet all senior Presidential appointments including Ministers, Permanent Secretaries, head of parastatals and Commission. Parliament should also vet agreement sign by the government. The President should have the same structure, two terms for five years and any person above the age of 25 and not over 70 can go for Presidency. We should also have Special Development Boards for areas with hostile environment for the North Eastern, North West, Coast and part of Eastern.

Judiciary: We should have supreme court which may include the Chief Justice and about Judges. So the main function will be shall be to interpret the Constitution and act as an appeal court for the High Court. The appointment of the Judges should be done by the President subject to recommendation of the Judicial Service Commission, LSK and the Attorney General. Preferably this provision should be advertised. The Parliament should pass whether you should have a urban town and county councils on what criteria we should have for them.

Regarding the issue of County Councils when we have the Federal system: they may be done away with and restructuring of the boundaries have to be made.

Corruption: The innocent third party those in case of property should be removed or should be raised in case of property that has been fraudulently acquired and such person who work in – this may have to be asked to repay and imburse the government

the prices of land illegally acquired. Public land not to be fraudulently acquired should be brought back to the public domain.

Thank you.

Com. Nancy Baraza: Pastor Lang'at Collister. If he is not there, Benjamin Cheruiyot. If he is not there, Kiptamai Tiritai. Joseph Cheruiyot.

Joseph Cheruiyot: Kwa jina ninaitwa Joseph K. Cheruiyot kutoka Buret division, Buret Constituency in Buret district. Moani yangu kuhusu Katiba ambayo inaandikwa ni kuhusu vyama vya kisiasa katika nchi Kenya. Viwe na msimamo wake wa kipekee bila kuchanganyikiwa na administration. Uwezo wa wao uwe uwezo wa kutoka kwa raia na iheshimiwe kama vile raia waliwaheshimu kuwachagua kutoka Councillors, MP wa area na village elders.

Administration isiwe na uwezo wa kusumbua mtumishi wa wananchi yoyote ambaye alichaguliwa na raia kwa njia yoyote ikiwa ni kwa mikutano au kwa kazi yoyote ya kufanya kama harambee.

Mambo ya elimu: Elimu iwe free kutoka shule za msingi mpaka university na hali ya mijengo ya mashule iwe inasimamiwa na wazazi na viongozi ambao walichaguliwa na raia. Isiwe inasimamiwa na watu wa serikali kama Assistant Chief au Chief at DC au yoyote mtu wa serikali yoyote. Iwe inasimamiwa na wananchi na viongozi ambao walichaguliwa na wananchi.

Mambo ya AFC laons programme katika serikali iwe ikisambaswa katika kila district na isimamiwe na wanakamati ambao wamechaguliwa katika district hiyo. Iwe ni mali ya wananchi hao kama akiba yao katika kila district. Isiwe ikisimamiwa na serikali kuu, iwe inasimamiwa na hio district na wanakamati ambao wamechaguliwa katika district hio. Yangu ni hayo machache.

Com. Nancy Baraza: Asante sana, enda hapo ujiandikishe. Fred Cheruiyot.

Fred Cheruiyot: I am Fred Cheruiyot from Buret. I am representing the mentally handicapped children or persons. So I have the following points that there should be two national examination councils to serve for the normal candidate and persons with disability.

Mentally handicapped persons or children cannot proceed to secondary schools so the government should provide training institutions for these mentally handicapped persons. In employment the number of vacancies should be preferred for person with disabilities. The government should provide maintenance allowance for these persons with disabilities especially the mentally handicapped.

There should be risk allowance for persons handling or teaching training mentally handicapped persons. In special education

teachers normally go for two years training diploma in Kisii and some go for three months so if they train teachers. In Primary Teachers Training Colleges three months and then teach one year specialization that could be a good way to provide enough personnel in all primary schools in the country.

Special schools, Small Homes and I mean sheltering profound and severely handicapped should be provided with food and any other necessary material by the government. That is to free the parents from paying a lot of money. There should be a special scheme of service for teachers and instructors working with handicapped persons that should be reviewed after every three years. There should be a riskier in service courses for teachers, instructors working with handicapped persons to apex the required skill.

There should be specially trained officers working with the Kenya National Examination Council and the Kenya Institute of Education, those are the people who are preparing the curriculum for the welfare of the handicapped persons.

There should be specially trained civil services officers in the Ministry of Education Science and Technology from the district level to the headquarter then with the Ministry of Culture and Social Services. Thank you.

Com. Nancy Baraza: Thank you very much. You leave that Memorandum for us we shall read it. Register there. Alfred Cherure

Alfred Cherure: Thank you very much. I am Cherure Alfred a teacher representing KNUT Buret Branch. The President of this republic of Kenya should be a Kenyan by birth. The President of the republic of Kenya to be between the age of 40 and 75 years. The President of the republic of Kenya should be a graduate of form four with a minimum of C+ (plus) or division three and above. The President should not represent any Constituency in this country.

The government should provide three basic primary education for all. The Kenya Equipments Scheme which used to be there in the Ministry of education should be reintroduced. The Teachers Service Commission that is the body that employs teachers should get it budgetary allocation from the treasury direct and not through the Ministry of Education.

All political parties in Kenya contesting for election should be funded by the State on the ration of equal bases. Elections in Kenya should be conducted in two rounds, preliminary round to give civic elected leaders and Members of Parliament. Presidential election should go for a second round the first two parties to go for round two to give the President of this republic, to give a fair election of the President with a majority.

All Mayors, Chairmen of local authorities in this country should be elected by the voters within their areas of jurisdiction. This is to remove the system Councillors elect themselves and there are so many multipartises that are seen. All Mayors and

Chairmen of local authorities should have a minimum of C+ (plus) and above or division 2 and above.

Nomination of nominated Members of Parliament. These nominations should be reserved to professionals in this country. Examples bankers, educationists, doctors and dentist, architects, surveyors, researchers and trade unions. Any person who has contested for a seat should not be nominated as a Member of Parliament. Councillors being nominated to local authorities. Parties to be given first priority but they should elect professional, doctors, architects, surveyors and teachers who will render service to local authorities.

Ministers: Appointment of Ministers in Kenya. They should not be Members of Parliament. Ministers to be appointed from the civic society.

Salaries: All salaries paid to government workers be they civil servants, teachers, members of the Judiciary and so on all should be centred under one body a salaries board should be established to remove the ---- in payment of salaries.

Land issue in Kenya is very fatal. Any Kenyan owning land more than twenty acres should surrender to other members of the public who don't have land – maximum twenty acres. Thank you very much.

Com. Nancy Baraza: Thank you Mr. Cherure. Please register with us there and give us your Memorandum. We are recording and if you make noise all we shall carry from Buret will be noise. Can you imagine coming all the way from Nairobi to carry noise from Buret. So you leave them present, be quiet, if they say good points in the evening you can cerebrate the good point but here you will mess our recording. Simon Cheruiyot. Augustine Kirui, Kirui are you there?

Augustine Kirui: My name is Augustine Kirui I come from Sotik and I have been a civic leader and former Chairman of the council. I would like to seek the Constitution Review to be amended on security recently and I am on opinion that detention for errant leaders in Kenya be provided for in the new Constitution. This should apply to drug peddlers in Kenya and it should also apply to those who are engaged in robberies with violence, these people should be given life sentences for the good of the nation. Any person found to be undermining the government of the day should be detained with trial while those found traffic drugs or engaged in robberies should be detained for life.

And is the case the President should be elected by the people and term of office should be unlimited so long as the President of the day is good.

Federal system of government should be put in place in order for every region to benefit from its own resources, while the central government controls the expenditure and proper use of resources available in each region. Every region has its own natural resources like in Nyanza province there are fish and I think that is there income they can generate whatever resources

and should keep their own fish. In Rift valley we have tea and in other places like in North Eastern Province they have miraa which is also their resources. I would also say that cap 265 of the local government act be amended so that Mayors and Chairmen of the councils be elected by the people.

President should be respected by all Kenyans of good wish and anybody using abusive language against the Head of State should be made to face the law and force such like people should be charged with treason if found to be using abusive language against the President. Thank you very much.

Com. Nancy Baraza: Thank you Mr Kirui. Kuna watu labda mlitaka kupeana maoni na mnafikiria hamwezi kupeana kwa Kikalenjin. Kalenjin is good language come and speak your language we shall get an interpreter. Kuna watu nimeita majina lakini wameogopa kuja. Kuna wao? Kama unataka kuongea Kipsingis kuja uongee Kipsingis. Nimekuita wewe? Did I call you? Nani? Na ulitaka kuongea Kipsingis, haya kuja. Mama ngojea hapo. kuja, kuja Pastor. Na msipige kelele, please you are messing with our recording.

Pastor. Lang'at: *Bas olen in, komoche amwa en kipsingis, asipit ko kasak*

Com. Nancy Baraza: Pastor huji Kiswahili?

Pastor Lang'at: Ninaelewa lakini waliniomba niseme kwa lugha.

Com. Issack Hassan: (inaudible) hii sio baraza.

Pastor Lang'at: La kwanza ninashukuru Mungu kwa nafasi hii ambayo imetuwezesha mpaka tumefika hapa salama salamini. Pastor Lang'at Pollister. Ninasema ya kwamba kwa vile tumefundishwa inaonekana Katiba yetu ya Kenya haina introduction. Kwa hivyo ya kwanza introduction yaani tuseme utagulizi. Nimeonelea ya kwamba ni vizuri kushukuru Mungu kwa kila jambo kuhusiana na Katiba hii, walisahau kuweka shukrani kwa Mungu.

Shukrani kwa ulizi, walisahau kwa sababu Mungu ndiye aliwalida viongozi ambao walikuwa wakiwaongoza wa walikuwa wakipigania uhuru. Walisahau hiyo. Katiba hii ya sasa ni vizuri tuweke hayo iwe viongozi walio pigania uhuru wamefikiria na wawekwe ndani.

Utuzaji: Mungu atunze viongozi na jamii zao kuna watu ambao walipoteza maisha yao lakini katika utagulizi hao ulisahaulika na Mungu awape hekima na ufahamu ili muwe na ujasiri juu ya namna ya kuongoza. Basi huo ndio utagulizi ambao ungeandikwa hivyo.

Kuhusu hali ya uraia: Raia ni mtu ambaye amezaliwa nchi yetu huyo ni mtu ambaye anapaswa kuwa raia kabisa asili, awe na kitambuiisho kimoja. Kitambulisho ambazo tunazo ni za muhimu na vizuri tuendelea au ninakosea?

Com. Nancy Baraza: Hapana endelea

Pastor. Lang'at: Kwa upande wa ulinzi tena askari wawe na vikundi na idara vikuu vile ilivyo sasa na wawe na wakuu wa idara. Vita ikitokea askari wote wawe pamoja wakishirikiana kwa kupigana katika hiyo vita. Wabunge wajadiliane juu ya kuchagua wakuu wa majeshi halafu wana-approve kwa kusema kweli huyu inapaswa kuwa Mkuu wa Majeshi. Upande wa kisiasa: Tuwe na vyama vitatu tu. Na wabunge waongee juu ya mapato ya vyama hivyo vile watapata mshahara au mambo yote. Serikali iwe ya Mseto.

Bunge ambaye anapaswa kuchaguliwa: Wabunge wanapaswa kuwa wana umri wa miaka ishirini na tatu nakuendelea na mtu aliye na record ya tabia nzuri. Pia masomo yake awe ni wa form four na division tatu na kundelea. Bunge tena awe akijua lugha mbili Kingereza na Kiswahili. Mashamba: Shamba iwe ni ya mtu binafsi na irithiwe na watoto wake, either ni msichana au kijana.

Korti ya Mashamba: Korti ya mashamba iwe nyumbani wazee wasikilize na waamue. Asante sana.

Com. Nancy Baraza: Asante jandikishe hapo. Elijah Turgut

Elijah Turgut: I am Elijah Turgut from Muesimi community. We need preamble in our Constitution. Divide powers between geographical units that make up the state the units come together to secure common goal.

The system of government: Federalism. Each Federal unit is independent of other despite having equal standing. Both central government and Federal units have the area they operate clearly defined in the Constitution. Citizens of Federal state enjoy more opportunities than the Unitary government. In electing leaders of central government as well as leaders of Constituency states.

Land and property rights: The local community should have ultimate ownership of land. The local community should have powers to compulsorily acquire private land for use for any purpose. The local authority have the powers to control the use of land by owners or occupiers within the community. Men and women have equal access to land and this should be done by issuing him or her with the land Title deed.

Culture, ethnic and regional diversity: culture and ethnic diversity should be protected inn the Constitution by local communities.

Executive: The Presidential tenure should be fixed to two term each five years in the Constitution. The President should not be a Member of Parliament. The qualifications should be a degree holder and not less than 40 years.

Provincial Administration: It should be retained but Chiefs and their Assistant be elected by the people. Village elders be paid a small salary because they perform major role in the community.

Legislature: Parliament should select the Cabinet and their Assistants. The term of the Members of Parliament should be two terms each with five years. **Judiciary:** We should be added a tribunal court to deal with local cases in the Constitution. The rights of women should be guaranteed in the Constitution and equality and gender. The President should not be the Commander-In-Chief of the Armed Forces. The Armed Forces should run by itself by the top military officers. **Political parties:** They should be limited to not more than three parties and should be financed by the government. **Succession and transfer of power:** The Electoral Commission should be in charge of the Executive powers during the elections. The Constitution should make the provision or a former President in terms of security, welfare and other. He should be given an office and a secretary for his private use. Thank you.

Com. Nancy Baraza: Thank you, register with us there. Albert Chuma. Kulikuwa na mama hapo ako wapi? Mr. Chuma nitakuwambia ukae hapo kidogo nisikiliza mama.

Elizabeth Chepkwony: *En inguni, koabaibai amun okere ole,*

Translator: Right now I am happy.

Elizabeth Chepkwony: *Okere oleKainenyun kekuron Elizabeth Chepkwony omenye Litein.*

Translator: My names are Elizabeth Chepkwony

Elizabeth Chepkwony: *Ko ng'oliot ne ong'ololen missing ko nebo logog che tipik ak murenik ak kwonyik.*

Translator: The issues I am going to talk about are the issue of men and women

Elizabeth Chepkwony: *Ko en logog ketinye boishokyok che ripech en gaa alakini miten bonotunet en tuguk che chang'.*

Translator: With children we have our fathers at home who segregate or discriminate against our children.

Elizabeth Chepkwony: *Kikire kou tipik kotinye nyalilda kong'eten minginotet kotkoitita kikoitoo kitun kikikchin chito*

ne ituni.

Translator: Girls are suffering even up to the time of marriage they are forced to marry whoever the father decides.

Elizabeth Chepkwony: *Ko kekere kwonyik kele en kasari komonyolu kiyoiywech kou noniton. Nyolu chepto akine kochenjike chito nekere kole imuche koripon en sobenyun.*

Translator: It is now good for girls to decide on whom they want to marry

Elizabeth Chepkwony: *Ko akobo kebebertab kwonyik*

Translator: On the side of women

Elizabeth Chepkwony: *Akobo kebebertab kwonyik kekere kinyonyosonech en tuguk che chang' missing ko kou ngalek ab imbarenik nyolu ketinye akechek keomdoi ak boiyondet nyun kitambulisho.*

Translator: us women are suffering especially on the parts of land we should be sharing the title to land alongside men.

Elizabeth Chepkwony: *Amun kikere kele en murenik che chang' komotinye imanit.*

Translator: Because most men are not doing right

Elizabeth Chepkwony: *Imuche kwo akwokwalda imbaret en makenyin lakini ko chebyoset ak logog ko mongen.*

Translator: They can go and sell the land as they wish without involving the wife

Elizabeth Chepkwony: *kora ko akobo tuguk che kikonu chebo toretosiek en logog missing ko kou areaisiek chu choket chubo komosi. Kou areaisiek ab komosi komoto kinyorutoretetabuguk che kitoreten logog che seretos.*

Translator: And also things to do with matters to help our children we are not getting any assistance from our children.

Elizabeth Chepkwony: *so, kimoche keker ko kakiyay equality nebo komoswek alak kokerkeit ak komoswek chuchok, thank you very much.*

Translator: We want to see justice being done as it is being done in other areas.

Elizabeth Chepkwony: *Akobo lewenishoshek,*

Translator: About elections

Elizabeth Chepkwony: *Kikere kokikenyanyasan kwonyik kabisa!*

Translator: Women have been discriminated against

Elizabeth Chepkwony: *Nguni komokitinye kwondo agot agenge en komoswek chuchoket*

Translator: In Parliament we do not have any women from our area

Elizabeth Chepkwony: *En county council anan urban council.*

Translator: even in the County Councils or the Town Councils

Elizabeth Chepkwony: *Anan ko municipal.*

Translator: even the Municipals

Elizabeth Chepkwony: *Ko nyolu ke konech akachek ng'otutiet ne lazima komiten asikodefendeni ng'alekab kwonyik iko.*

Translator: We need a law that protects women such that we have a woman protecting other women's rights.

Elizabeth Chepkwony: *Thank you very much.*

Translator: Thank you so much.

Com. Nancy Baraza: Kongoi, enda uko uandikishe jina. Mr. Chuma.

Albert Chuma: My name is Albert Arap Chuma. I have written some points here but first of all I would like to make some comments on other things and I want to do it Kiswahili very briefly. Ningetaka kusema ya kwamba kweli tuko hapa lakini kuona katika ambacho kimeandikwa na Commission. Iisemekana ya kwamba mafundisho ya Constitution iende kabisa mpaka iingilie katika ndani ya watu. lakini mpaka wakati huu mimi nafikiri hiyo haijafanyika kwa sababu hata upande huu watu

wanauliza hawajui hata kitu ambacho kinendelea.

Jambo la pili, ningetaka kusema ya kwamba tungependa general elections ifanyike chini ya Katiba mpya. Hiyo ndio comment au observation yangu.

Albert Chumo: Coming to the Constitution I have written some points and I would like to highlight on four items otherwise I would like to read it through if I will be allowed. First of all Preamble: We the people of Kenya being humble and obedient to God our creator, need a preamble which should feature the following.

- The sufferings of our people under colonialism
- Our desire for peace and prosperity or ourselves and our children
- The sanctity of the Constitution and the peoples power of ordain order or abolish government as they did speak
- Enshrining our unity in diversity by providing our diverse culture and languages.

Structure of government: The present Unitary system should be discarded in favour of a Federal and central system of government based on regions. In this regard we propose that the current Provinces be converted into regions each having its own government handling the following areas. Health and sanitation, agriculture, education, industry, infrastructure, police, dispose and culture. Living the following areas of central government. Constitutional affairs, fiscal and monetary policy and international trade, defense, national unity in creation and citizens.

The ultimate ownership of land shall vest with the local community. Authority over the former crown land should be transferred from the Commissioner of lands to the local community from whom the land was grabbed by the British government. In this regard we as elders of the Kipsigis community, feel that the Lancaster agreement never took into account the views and feelings of the various agreed African communities. The government shall compulsorily acquire private land only after conducting successful negotiation with the willing owner. Such a proposal and receiving adequate compensation taking into consideration the following.

The decrees of laws to the owner economically. The importance of land in the local economy. The hereditary rights of the hires of such land. The importance to the government of such land the economic benefits to the lessee ensure that such benefits such also accrue to the owner. To guarantee a section of the royalties to the original owners of the land. there should be no limit in land ownership by an individual. However, before I continue I would like to caution the limiting of any land into very low – where it is uneconomical to do farming. However, once the various regions have made their own Constitution they may go into greater details on whether there should be limits or ceiling on the land ownership. Foreigner or land citizens shall not own land but may lease subject to local agreements.

Procedures for land transfer should be done by a council of elders in each district. Kenyans---

Com. Nancy Baraza: Mr. Chumo now you are reading through, just give your last highlight. We shall read the Memorandum

Albert Chumo: The other section is about succession and transfer of power: A retired President should be accorded the following by the new Constitution; security which is adequate which he or she deserve in the opinion of the Commissioner of Police or Director General of Security of Tenure. Security of tenure should be awarded.

Welfare: A retired President should be given pension and gratitude which should also include a salary for a few necessary servants for example secretaries, body guards, drivers, cooks as the economy may permit with time. A retired President should be immune from legal process especially for the duration such as a person has served as President of the republic. However, such immunity should be extended to the sitting President with regard to impeachment which is the preserve of the Parliament.

Com. Nancy Baraza: Thank you very much Mr. Chumo. Utupatie hiyo Mmorandum yako. Joseph Rugut. Mr. Rugut.

Joseph Rugut: Mimi nitazungumza Kipsigis *Amwoe en kipsigis*.

Translator: I will speak in Kipsigis

Joseph Rugut: *my name is Joseph Rugut.*

Translator: My names are Joseph Rugut

Joseph Rugut: *Koyob kipwastuiyo*

Translator: I am from Kibwasituyo

Joseph Rugut: Sub-location

Translator: Sub-location

Joseph Rugut: *Techoget location*

Translator: Techoget location.

Joseph Rugut: *Buret district.*

Translator: Buret district

Joseph Rugut: *kit neo bendekezoni ko*

Translator: What is recommend

Joseph Rugut: *Ko serkalit nebo majimbo*

Translator: is a Federal government

Joseph Rugut: *Amun*

Translator: because

Joseph Rugut: *okere ole nyolu asikoboe in majimboit aga tugul serkalit neo.*

Translator: I think that it is good every jimbo should have its own government

Joseph Rugut: *Amun kikere in amun kotko mau noton*

Translator: Because if it is not like that

Joseph Rugut: *komo boishe bik alak*

Translator: Other people will not work

Joseph Rugut: *lbure as iko boishechin alak*

Translator: they will just sit so that others work for them

Joseph Rugut: *Ko nyolu serkalitab majimbo*

Translator: Therefore a Federal system is better

Joseph Rugut: *Asikokilke chi tugul en korenyin*

Translator: so that everybody works hard wherever he is

Joseph Rugut: *Nebo oeng'*

Translator: Secondly

Joseph Rugut: *Ko ngalek ab akobo in, kirwokik,*

Translator: About Provincial Administration Chiefs

Joseph Rugut: *kokomoche kokwai raia*

Translator: The wananchi should elect them

Joseph Rugut: *Amu kikere kele pendi sait age kotko komokosipi kou ole koki mokto raia*

Translator: Because sometime they go against the wishes of the wananchi

Joseph Rugut: *Ko kimoche kolewen raia*

Translator: we want the wananchi to elect them

Joseph Rugut: *Kit age,*

Translator: Another thing

Joseph Rugut: *Kemoche kipkainik kikochi kii*

Translator: We want the village elders to be given something

Joseph Rugut: *Amu icheket cho kere koyoe kasit missing ko sir.*

Translator: because it is them who work a lot

Joseph Rugut: *ko nyolu kosich kii*

Translator: they need to get something

Joseph Rugut: *ak...kit age...*

Translator: Another thing

Joseph Rugut: *Ko akobo in lewenishet,*

Translator: About elections

Joseph Rugut: *Nyolu kelewenis kou yekonye.*

Translator: it is proper for elections to be done as it was being done before

Joseph Rugut: *Amu in.... kikere kele kotko makiyay kou notoni,*

Translator: because if we do not do like that

Joseph Rugut: *Kokokiput kit age nikimokomii*

Translator: we will be blocking something that was not there

Joseph Rugut: *Ko kolelen in kotkomobek constitution, keyoe kou yekonnye ak kotesta.*

Translator: If this process is not over we should do as we were do before

Joseph Rugut: *Kora ko bik ab Kenya kokerke tugul.*

Translator: Again Kenyans are the same

Joseph Rugut: *Chebo upinzani ak chebo serkali kemoche kerip tugul koik agenge.*

Translator: Those in the opposition and in the government should be protected on

Joseph Rugut: *Amun bik tugul kobo chito agenge.*

Translator: because all people are for one person

Joseph Rugut: *Ko akobo in lewenishet che kileweni bik, koker raia*

Translator: About election it is the citizens to see

Joseph Rugut: *Ko ngalechonito tugul, konyolu keteben raia tuguk che chang' amun raia ko che tinye tuguk.*

Translator: All those if they are citizens should be involved

Joseph Rugut: *Ko mootinye che chang', kongoi.*

Translator: I do not have much, thank you.

Com. Nancy Baraza: Nenda hapo ujiandikishe. Samuel Too. David Korir, Weldon Kosgei.

Weldon Kosgei: My name is Weldon Kosgei from Buret. Structures and systems of government: we should adopt a Federal system of government in which the Executive and the Legislative authority is split between the central government.

Legislature: Being a Member of Parliament should be a full time occupation. Changes should be made to age requirement for voting and contesting Parliamentary seats of the President. Wananchi should determine the salaries of the MPs. We should change the current multiparty system in the Legislature and one party in the Executive to a system that demand multiparty representation of -- levels government. The Parliaments power to remove the Executive through a vote of no confidence. President should not have the power to dissolve Parliament. President's tenure should be fixed two terms of five years each.

Local government: Mayors and council Chairmen should be elected directly by the people. The current two year terms for Mayors and councils Chairmen is adequate. Councils should not operate under the central government. Minimum education qualification for councillors should be there. The requirements of language test when vying for local authority seat is sufficient. We should not retain nominated Councillors. The President or the Minister in-charge of the local government should not have the power to dissolve council.

Land ownership: The local community should have ultimate ownership of land.

Cultural, ethnic and regional diversity: Constitution should provide for protection from the discrimination aspects of culture: We should have two national languages. Constitution should recognize and promote indigenous languages.

Succession and transfer of powers: The Electoral Commission should be in-charge of security powers during the Presidential elections. The Constitution should make provision for a former President in terms of welfare, security, immunity from legal process. Also Chiefs and Assistant Chiefs should be elected by wananchi. Village elders should earn salaries; this will reduce corruption for instance elders asking for bribes etc Thank you.

Com. Nancy Baraza: Asante sana. Mr. Paul Munai.

Paul Munai: *Omwochin kongoi bichu korok en bandanyuan ne kakobwakonyoko tach in ng'alek ab bik chebo Buret komukul.*

Translator: I thank the Commissioner for having taken time to come and receive views from people in Buret.

Paul Munai: *Komotinnye ng'al che chang, ng'alek tugul komiten kartasini. Ane ko a chairman nebo Buret kipsigis council of elders.*

Translator: I do not have much, everything is in my Memorandum I am the Chairman of Buret council of elders.

Paul Munai: *Ko ng'alekchuk tugul komiten kartasini koik kityo asome tume che nyoko tochote ng'alek en bik kokonyit ng'alek che kokochi bik.*

Translator: Everything is in my Memorandum but I am requesting the Commission to respect the views of the people.

Paul Munai: *Amun kikilewen icheket koik kohek ab bik che ripe kalyet en emet amun kotko mayay nemie ko kikayay Mungu emoni akopyei akokochi bororiosiek kopyei en kutuswek.*

Translator: because if they did not know when and how they were chosen to be the eyes of the people and since God created people to be divided alongside their languages or their tongues.

Paul Munai: *Ko noton kityo nguni ehek ko bik ab Buret ko komwa boishek che kemi tugul cho ndochini kole kii nekimoche ko utawala nebo majimbo.*

Translator: The People of Buret, the elders, the council in which I am chairman agreed that the best system of government should be a Federal system of government.

Paul Munai: *Ko kou noton komotinye ates ng'alek alak amu ng'alek tugul kokikesir ako kikonu boishek nekit konomu ak somok che membaek che Kipsigis council of elders.*

Translator: I cannot add anything besides what was decided by the fifty five or so members of the council in addition to what has already been written down.

Paul Munai: *Ko kityo bik che konde sein ng'alechu ko chairman, ak secretary ak treasurer amu choton che ko tononjin koker kole kakisir kouye kimwa membaek.*

Translator: The Secretary, the Treasurer and myself signed this document but it is on behalf of the others.

Paul Munai: *Ko motinye ng'al che chang' alenjinok kityo orip kalyet, orip amun noton ngomokiyochi bik kou ye moche bik, uwo kakikol boriet en emet.*

Translator: there in conclusion I ask you to take care of the peace and respect the wishes of the people.

Paul Munai: *Ko kongoi missing.*

Translator: Thank you very much.

Com. Nancy Baraza: Kongoi, kongoi bwana Chairman, tuachie hiyo karatasi hapo tutasoma vizuri sana. Alfred Chepkwony.

Alfred Chepkwony: I am Alfred Chepkwony special educator for the blind in Buret. I have a few views which are in Memorandum but I a few point here to highlight. First of all the Kenya National Examination Council should have a standing committee to review the set of examination and results of the same in accordance to prior rules government known symbol in the curriculum. May be to highlight on this more I am talking about the blind in relation to knowing symbols in examination. For example a diagram drawn, the boundaries for district, provinces or national or if it biology the blood system like the veins should have a particular thickness so that they should be able to know exactly what they are reading.

Special schools should be rated differently in the results at all levels. Sciences and Mathematics should not be a prerequisite for joining public universities for we have reasons. In fact their training should be geared at based courses, that is to say elements of law, linguistics, education, literature and any other relevant field should feature as early as possible in the child life.

The government should supply all the necessary equipment to the visually impaired instead of living it to donors. Such

equipments include Braille's, white canes, large print and the rest. The blind should be entitled to free transport this also include there sited guides.

On other disabilities: The government should provide adoptive aids relevant to specific individuals eg hearing aids, Braille, wheel chairs, gas ---, optagon and other materials.

Public offices,, institutions should be modified to suit the needs of the disabled. For example the stairs should be modified to suit the needs of the physically handicapped, corridors, telephones, toilets and bus stages. Educational assessment and resources centres should be mobile to raise awareness and fully funded to run all relevant services. A post of job placement office to be created in the district or in each district to cater of the needs of these special group of people.

Com. Nancy Baraza: Just highlight you last point, we shall read the Memorandum.

Alfred Chepkwony: NHIF to pay 100% for medical bill of people with special needs. Immunization card for children should bear a section indicating if a child has got any handicap in order to facilitate her intervention. People working with the mentally handicapped people should be fully insured by the government because some of them are dangerous.

Employing Commissions eg TSC, Public Service Commission, Judicial Services Commission and the rest should have representatives of the people with disabilities.

Last but not lease, free education for all people with disabilities in accordance with Salamanga statement. Thank you.

Com. Nancy Baraza: Joseph Ng'eno. Na kama uko na Memorandum usisome, just highlight we shall read it.

Joseph Ng'eno: I am Joseph Ng'eno from Buret district. The Chiefs and Assistant Chiefs should be elected by the people because the people knows him or her character.

The village elder should be considered to monthly payments, because they have a lot to do in the village e.g cases and small --- in the village before reaching to the Chief or Assistant chief.

Com. Nancy Baraza: Asante. Francis Ng'etich. James Namu. David Lang'at.

James Namu: I am James Namu, residing in Buret and working in Buret. I have two or three points to highlight. Constitution: We find that we are not aware or the public is not aware of what the Constitution is. So my suggestion is that the Constitution

should be available to all Kenyans so that now they can know what exactly they are talking about. Because you find that these area just legal aspects where you find that not all Kenyan are well versed with legal matters.

Administration especially the police: I suggest that the government should employ legal officers in terms of advocates in all police stations.-----because you find that some of these sections are not having a clause to the public and the public is not aware on how to interpret the law. You find that some of these cases need what we call Constitution interpretations. I also suggest that police officer should not arrest people just for mere hearsay they need to establish and give evidence and take somebody to court with proper evidence.

When we come to the Judiciary: You find that the legal officer should not be the final person in any matter relating to the legal services because he can also be an interested party. So the section highlighting or giving the powers to the legal officer or the Attorney General should be checked so that now this power is minimized. Being that we need a new Constitution and new development, I suggest that we should go to the election with a new Constitution. And also I suggest that as a Federal type of government is better instead of the unitary whereby the provision in the Constitution should be abolished and then the regional boundaries. But we should have fair and free movement to all Kenyans in terms of trade and changing of ideas.

When we come to the local resources: I suggest that the government should establish an independent body whereby that body should look on the local resources especially you find that the exploitation of local resources especially tea, coffee, pyrethrum and other resources are not properly exploited. So you find that Kenyans are suffering just because there is no independent body to look on those resources. Thank you very much.

Com. Nancy Baraza: Register with us there. David Lang'at. Geoffrey Tanui.

David lang'at: (deaf and dumb) My name is David Lang'at. I am talking about the deaf issues starting with language. We need to have a deaf Member of Parliament. There is need for an interpreter of the for the don't know what is happening they don't know the voices. The government needs to give the deaf support. May they don't have a job there is no work so they stay at home idle. The deaf have a lot of problem, may be the Chief is highlighting their plight. They no support and all the deaf are crying because there is so many problems. May be there is fight in the government they want to have an MP who is deaf to support with the interpretation and all that.

Many girls deaf girls have a problem in getting married because many men don't want to marry a deaf girl instead they choose the hearing ones. When the watch the TV there is no interpreter, the government needs to get that. Some deaf people can hear absolutely nothing they can't hear a car accident so if they can get hearing aid they will be able to hear things and that will allow to continue on with their lives.

The hearing, the blind, the deaf, they all need to be treated equally. In church the preacher is talking and the deaf they deaf they don't know anything it is hard for them to understand what the message is and it is not good, if they are hearing and they get tired and frustrated with that. so we need somebody in churches also so that they could get spiritual enlightenment that they need. I have finished.

(interjection inaudible)

The respond to the question on is a hearing man and deaf woman do sometimes get married because of lack of understanding and lack communication they are fighting may the men is moving about anyhow and that is a problem.

Com. Nancy Baraza: Thank you. Geoffrey Tanui.

Geoffrey Tanui: (deaf and dumb) My name is Geoffrey Tanui. My home is Litein right around here. There is a problem if a deaf get arrested by a police officer there is no interpreter and that is problem, they don't what is happen, may be they don't know why they are in jail and they are locked in but who is going to interpret for them? It is hard.

The deaf are being oppressed by the government, they are accusing them. We are not trying to fight the government we just want to be equal that is all. We are not trying to cause argument we just want equal aspects. There is no work at all they stay there, they work in the shamba, may be picking tea. There is a lot of problem opportunities are closed to them and for them to build themselves up is a problem. There is a separation of the hearing people are working over on this side and the deaf are working on the other side, and then may be the hearing people are gossiping and saying bad things but the deaf isn't hearing them and that why the people are doing that.

The deaf need to have an MP to represent them and their particular issues. With the TV and the newspaper there is no interpretation on the TV and it is really hard to hear all they see they see the face only and there is no voice to that so they need the interpreter so that they get the information just as anybody else gets the information. And that is all I have to say.

Com. Nancy Baraza: Thank you. Bernard Kirui.

Bernard Kirui: (deaf and dumb) My name is Bernard Kirui. I about 28 years. Please change Kericho to Kabianga.

Com. Nancy Baraza: Msipige kelele inaharibu hiyo record ata kupiga makofi inaharibu record.

Bernard Kirui: I am working in the tea factory. I finished school and then I stayed at home. There was problems at home my father was always drunk, my mother was trying to help me a bit of money. We could get clothes and shoes things like that were

problems. I am working there and I just wanted to support what my colleagues have said and my friends have said. And I just wanted to say again that the deaf are oppressed and I hope that we can do something to give an equal chance. It is difficult sometimes to find work may be one or two can get jobs that is for every one or two that is working there is the problem the rest sitting at home. I just wanted to say a few words and I have finished. Thank you very much.

Com. Issack Hassan: They don't go to colleges after they finish school?

Bernard Kirui: In my particular case I finished primary school and then I went on to a vocational school but after vocational school it was difficult for me to find work and so I stayed at home until I was able to get a job at the tea factory. Would you like clarification? (interjection) I have not seen anything like that.

Com. Nancy Baraza: Asante. Moses Mutai. Moses kama uko na Memorandum usisome una-highlight.

Moses Mutai: Asante sana. Jina langu ni Moses Mutai, mimi tulikuja ma mzee Munai na tulileta Memorandum moja na kwa hivyo nataka kuongoza kidogo halafu...

Com. Nancy Baraza: Hiyo Memorandum tumechukua.

Moses Mutai: ndio umechukua.

Com. Nancy Baraza: Unataka kusoma?

Moses Mutai: Asante tu, nafikiri ni asante.

Com. Nancy Baraza: au kuna neno ambayo unafikiria haiko hapo?

Moses Mutai: nafikiri tumezungumza juu ya hii serikali ya Majimbo na nataka kuongeza kidogo kwamba wakati tuliponyakua uhuru tulikuwa na serikali ya Majimbo lakini ikabadilishwa haraka sana na viongozi waliotangulia. Walibadilisha kuwa hii serikali ya Unitary government lakini tulipoangalia kama hiyo serikaliya Majimbo ingeendelea ingekwisha faidi mtu wa kawaida kwa vile kila Jimbo kuna mazao kama vile imesemekana hapo mbeleni na watu wengine. Kwa hivyo hatutaki watu kutoa jasho halafu wengine wanakula huko Nairobi. Tunataka ofisi zile kubwa kubwa kama ya Commissioner of lands iletwe hapa local area kama tuseme district level halafu watu wa huko wanaweza kuzungumza juu ya ardhi kwa vile wanajua zaidi kuliko watu wengine. Kitu kile ninataka kusema tu ni ofisi ya lands iwekwe kwa district halafu baada ya watu kumaliza maneno yao in the local areas the officers will come and finalise the work in the office, for example processing the Title deeds and so on. Asante sana.

Com. Nancy Baraza: Okay, thank you. Simon K Soi, akifuatiwa na Michael Koech.

Simon K. Soi: My name is Simon Kipkoech IQ. Thank you Commissioners, welcome to Buret district. We talk about demotion of Chiefs in all areas in Buret: Demoting them because of abetting illegal drinks and then they take you Kangaroo court and get bribes. They are the subjects of corruption.

Mambo ya mapenzi, ukituma msichana wako anaenda kujaziwa forms like if she wants to get employment somewhere he tells her to wait at 2.00pm mpaka kuwe usiku halafu anaenda kulala na mtoto wako somewhere if you sent your daughter.

Com. Nancy Baraza: So what do you want them to do?

Simon K. Soi: We want all raia to elect a person with good character what is called trusted from grassroots. A person who is a trusted fellow, we want a fellow to come and lead us we want a person who is qualified in education, we don't want anybody who is illiterate, with good character and behaviour. When he goes to address baraza sauti yake inasikika vizuri sana.

Constitution: All citizens to be involved in amending it. Raia ni serikali kuu. There are so many Pastors these days and we don't want them to start promoting irrelevant preaching by coming here without recommendation. Let them call a meeting with elders and others.

Police arresting people without committing any crime the government should check on that. We have too many kangaroo courts in this country and we don't want them.

HIV-AIDS: If one dies, check up should be done and results be known so that people don't go round inheriting people's wives when the husband dies. Majimbo: I support Majimbo 100%. President to be elected as before.

Com. Nancy Baraza: you are ruining our recording. Do you know what we shall carry ni mayoyo tu kuja kucheka kwenu ndio tutabeba kwa hiyo recorder and maneno yenu haitasikilizwa huko Nairobi. Itakuwa baya kuja halafu tusibebe maneno yenu na hayo ndio maneno tumekuja kuchukua. Michael Koech, Michael ni wewe?

Michael Koech: I am Michael Koech from Chebuge location. What I am proposing is a new system of government that is Federalism.

We should have free and fair education for the citizens. Free and fair health and services for the citizens.

Free and fair nationals and internationals trade for the citizens. Also insurance for the citizens and mortgage protection for the citizens.

Parliament should be limited for only four years.

Provincial Administration to be replaced by elected governors or each state. State to replace provinces. Enough security for the citizens and there properties. Chiefs Act to should be scrapped. Companies Act imposed on agricultural products should be scrapped.

There should be equal freedom of speech. There should be equal freedom of the press. There should be equal freedom for all political parties in the country. The Chiefs and Assistant chiefs should be elected and should be neutral in settling matters.

Com. Nancy Baraza: Leonard Ng'etich. Kama Leonard hayuko, Francis Ruto. Philip Bore.

Philip Bore: Asante sana kwa kupata nafasi hii ili nisema maneno ninayo kwa moyo wangu kuhusu uongozi. Kuhusu Head of State because of peace, love and unity in Kenya, President is to be given a top post that is Prime Minister followed by his successor to be Vice that is Vice President.

Education: education is nothing to poor people and we want poor people to get chances in government sections. MPs: Once elected he needs to know his whole area by appointing committee in every village so that he gets used from those people and to know the problem of school leavers.

Shamba: Kuhusu mambo ya shamba nitangawanya mara mbili. Familia yote inatakiwa kusikilizana kabla awajamuambia buyer. If one is absent land should not be sold.

Hospital: Government hospital needs to be pharmacies because they are selling medicine and majority of people here in Kenya used to survive in private hospitals.

Loans: Kuna watoto ambao wamemaliza shule na wako nyumbani na tunasikia hakuna kazi na hiyo loan inapeanwa kwa wale wanafanya kazi. Tunataka ikomeshwe ndio ipewe wale wako nyumbani na hawana kazi.

Pregnancy: Hawa watoto wetu wasichana wametaabishwa sana na watu tajiri, kwa hivyo sisi tunataka sheria itolewe ya kwamba yule atakaye toa mtoto wa mtu shule atalazimishwa amuo ama kama sio hivyo amusomeshe amalize shule. Hayo machache ndio yalikuwa kwa akili yangu. Asante sana.

Com. Nancy Baraza: Erick Cheruiyot. Msipige makele hatusikii, Erick Cheruiyot.

Erick Cheruiyot: Okay, asante Commissioners. Asante sana kwa nafasi hi nzuri nimepata ili niweze kutoa maoni yangu. I am Erick Cheruiyot from Litein location, Buret district. Mine is on the side of environment and natural resources. The environment should have a protection. It should be in the hands of the State and should be included in the Constitution of Kenya. The government should own the management and sharing of the benefits achieved. Kenyans should be enlightened through the government extension officers about the important of keeping the environment and natural resources.

Defense and national security: The Constitution should guarantee the establishment of special court and discipline under the disciplinary law for the forces, the military, police, prisons, etc. The President should be the Commander-In-Chief of the Armed Forces of Kenya. The declaration of war should be in the hand of Parliament except during emergency cases.

Directive principles of state policy: The national philosophy and guiding principles to the government of Kenya should be good governance the rule of law and democracy. The principle should be enforceable in law so that to create checks and balances on the administrative arms of government.

The Constitution should guarantee equal rights to both boys and girls getting the same equal education. Thank you.

Com. Nancy Baraza: Samuel Cheruiyot. Don't read through the Memorandum highlight and give it to us we shall read it.

Samuel Cheruiyot: My names are Samuel Cheruiyot from Buret Constituency, Litein location. I represent the SDA South Buret region. The SDA church in Buret region recommend that the Constitution of Kenya should have a preamble that give reference to God, He is the creator the sustainer, the controller of all prosperities in this country.

Natural resources should be entirely kept or be in the arms of the State so as to facilitate the use by all Kenyans. The Seventh Day Adventist church recommends that they should be given respect in their day of worship being Saturday as a God given day of worship. God made all human beings to respect and give reference to him. God is the creator who manages the entire universe and all the people should have to respect the government of God.

There should be no government that does not respect God that government shall not continue. The church recommends also that there should be a law that respect that will of the people. There is should be the right to profess and not to profess a religion in this country. The freedom of worship should be entirely kept and respected by the Constitution of Kenya. All churches should be respected in Kenya and they should be respected in the days of worship.

Kenya should be a democratic state whereby all people are being respected in various places. The government should respect

the democratic principle in this country. All the leaders who are to be elected should have moral values in all the stages. Voting should be done in a fair manner, all the people should respect their leaders. Land should be owned by the individual and all the directives should come from the local authority.

On the side of education: Free education should be awarded to all the communities in this country. Free education from nursery to standard eight, cost sharing education from secondary to the university level.

Gender equity should be respected in all stages both in the church and in the government, both in employment in private sectors and government sectors.

All parties in Kenya should be respected by the Constitution and all parties should fund itself. During election the parties should be funded by the government. Salaries of the MPs should be sated by the siting Parliament arm. There should be a referendum by the people. The government should respect the will of the people. Women are to be given special seats in the government sectors, to the Parliament they should be respected also in the churches.

Manners for increase: Kenyans should respect and be mindful of other peoples welfare. That is all.

Com. Nancy Baraza: Tupatie hiyo Memorandum. Eunice Bii. Anna Maina.

Anna Maina: *Neta kewekchini Jehova kongoi amu kakomutwech ehek tugul keitun yun ak missing ko toechu sikopit koyum ng'alechu choget.*

Translator: I am grateful to God for the visitors.

Anna Maina: *ko ane kainenyun kekuton Anna nebo arap Maina*

Translator: I am Mrs. Ann Maina

Anna Maina: *Koyob Litein Location,*

Translator: From Litein location

Anna Maina: *Kikundit ne kikuren Litein maendeleo women group*

Translator: Ffrom a group known as Litein Maendeleo Women Group

Anna Maina: *En maoni nebo group niton,*

Translator: My view

Anna Maina: *Kokomwa kole, kimoche kokerkeit murenik en parliament ak kwonyik en cheo.*

Translator: My view is that the women and men should be equal in Parliament

Anna Maina: *amun nan sait ake kekere,*

Translator: because when men are in power for instance the Ministers

Anna Maina: *ngomi murenik kotinye cheoit ot kou nekikuren minister, komokikere kwonyik che chang'*

Translator: We are not seeing Ministers

Anna Maina: *Kimoche kokerkeit ago kerke somanet any'*

Translator: We want the men and women because even in education they are the same

Anna Maina: *komwa kora kirupiniton kole en maoni nenywan, kimoche komi kwondo agange nemi parliament neteleljin komostab chebyosok*

Translator: Women also propose that there should be one woman in Parliament representing the women

Anna Maina: *Ago noton koneleweni chebyosok icheken mo nekilewenjin.*

Translator: that particular should be elected by the women only

Anna Maina: *So, ng'oliot age kora maoni nebo chebyosok chuton ko akobo imbaret en kapchi.*

Translator: Another view from the group is on land in a family

Anna Maina: *En iman betusuiechu kekere kele title deed kobo boyot ineken.*

Translator: Nowadays the Title Deed is only in the name of the husband only

Anna Maina: *Ago sait ake komakerke boisy nango mi ake ne titirirote ineken en olen ko ma kas Chebyoset ak logog.*

Translator: but sometimes some men are not fair

Anna Maina: *Ko amu noton, kokomwa kole nyolu kotinye kainet title deed nebo boiyot ak chebyoset.*

Translator: Therefore we propose that the Title deed should bear both the husband and the wife

Anna Maina: *Kokeny ng'oliot ab imbaret,*

Translator: Again on land

Anna Maina: *Mi sikik oeng'u*

Translator: when there are two parents

Anna Maina: *kokisich logog che tipik ak murenik*

Translator: they have children who are both girls and boys

Anna Maina: *Ko abokora petusyechu keutien chepto mokipyechin imbaret.*

Translator: but nowadays the girl-child is forgotten

Anna Maina: *Kokomwa kirupinton kole nyolu kepyechi logog che werik ak che tipik imbaret ko kerkeit.*

Translator: We therefore propose that even girls should also be given a chance to inherit land

Anna Maina: *Okot chepto ye kitun kongen boishak chepo kokwet kit neoe en imbaret ni kikikochi chepon kokitun.*

Translator: Even when a girl is married off, the elders in the village should know what to do with the land when she is married off

Anna Maina: *Kongoi missing.*

Translator: Thank you very much. Mrs. Maina kuja kuna swali moja.

Com. Nancy Baraza: Anna umesema chebiso waende Parliament lakini wachaguliwe na wamama unaona kila chebiso kwa district wawe na Constituency yao ndio wachaguliwe na chebiso wengine?

Anna Maina: *Nkokilewen kwo parliament, ko kokimoche komi agenge ne teleljin komostab chepyosok. Ko noton konyolu kokoleweni chebyosok noton ogot ngandan kikelewen kwo parliament.*

Translator: *Kole, kateb kole imoche district koik constituency sikolewen chebyosenywan ewendi parliament anan ikostoiyono?*

Anna Maina: *kimoche komi en district chebyoset agenge ne koleweni chebyosok ak koteljien komosindo bo parliament.*

Translator: We propose that the district be a Constituency and one woman from the district to go be chosen by women only.

Com. Nancy Baraza: Leah Torongei, Pauline Mutai. Huyo ni Leah? Nikikuita unasema niko, ndio nijue. Pauline yuko? Wewe ni Leah? Pauline njoo ukae hapo.

Leah Torongei: *olen en kasari ton ko kawech kongoi owekyi cheptalel kongoi amun nekomut toechu kotkobwa yutonkonyoko toretch en ng'alek che kikoimech ehek chebyosok.*

Translator: I thank God for the visitors.

Leah Torongei: *Kianet ke kurenon Leah Torongei.*

Translator: I am Leah Torongei

Leah Torongei: *koyob Litein Catholic church.*

Translator: I am from Litein Catholic Church Women

Leah Torongei: *Olen en nito kokikomuita chebyosok iman en kasarta ne koi en ng'alek chechang' che kikokerchi ke en gaa en korichwa chok.*

Translator: Women have persevered so much for the things they have seen in their houses and their homes

Leah Torongei: *Agenge en chuton ko ngalek ab imbaret.*

Translator: The first thing is on the issue of land

Leah Torongei: *Imbaret ko nyolu konam imbaret boiyot ak chebyoset kosirchike en title deed.*

Translator: The husband and wife should be registered in the Title as the co-owners

Leah Torongei: *amun en bahati mbaya imuche kwo boiyot,*

Translator: Because the husband may pass away

Leah Torongei: *ko koron komoche kwo chebyoset konem tugun kiyimyime.*

Translator: But the wife will have problems in acquiring to that property.

Leah Torongei: *Lakini ndo kokosirchike tuwan,kokototeto kityo komakinai ot kele komi ki age tugul.*

Translator: but if they were both registered it will not be very difficult to access the property

Leah Torongei: *Ng'oliot age ko akobo logok che mi gaa, tipik,*

Translator: Another issue is on the girls who are at home who are not married

Leah Torongei: *Kimoche kora keker kele kokipyechi tuguk che mi gaa cheptoo kokerkeit ak chebo murenik.*

Translator: They should also inherit property like men.

Leah Torongei: *missing ko imbaret*

Translator: especially land

Leah Torongei: *Amu logog ko kikisiche tugul.*

Translator: Because the children were born together

Leah Torongei: *Ng'alek ab yaani chebyosok yaani cheo anan power.*

Translator: There is also the issue of women in power

Leah Torongei: *En komostab lewenishet chebendii parliament*

Translator: in elections to Parliament

Leah Torongei: *ko nyolu kosiche akichek chepyosok en parliament*

Translator: They should also get an opportunity in Parliament

Leah Torongei: *yaani ke lewen chebyoset agenge ne wendi parliament.*

Translator: They should elect one woman to go to Parliament

Leah Torongei: *Asi yo tinye kewelnatet chebyosok en oliiep gaa*

Translator: so that when they have problems here

Leah Torongei: *Bas koite ng'alek parliament.*

Translator: their issues can reach Parliament

Leah Torongei: *Kokor kenai iman kele chebyosokiman kotinye kewelnatet neko nin.*

Translator: So that it can also be known that women have difficulties

Leah Torongei: *Ngoliot age, ko akobo kotunishet chebo logog vijana chebo kasari.*

Translator: Another proposal is on Marriage

Leah Torongei: *Nyolu, kotunishet en kap D.C*

Translator: We propose that the civil marriage

Leah Torongei: *En vijana*

Translator: for the youths

Leah Torongei: *Ko nyolu kibarasta en kap D.C kobarastayak komie*

Translator: It should be announces properly

Leah Torongei: *Yaani ki barasta en kanisoshek che ter ter*

Translator: It should even be announced in the churches

Leah Torongei: *Amune,*

Translator: because

Leah Torongei: *Yaani konget vijana ago tun Chebyosok che bo bik che tinye logog kap bik*

Translator: because now the young men are marrying other peoples wives

Leah Torongei: *Ko ngobore to komeng'ishe,*

Translator: when they are living together

Leah Torongei: *Kiutu nebo akole omoche logog ak omoche chebyosenyun*

Translator: The former husband will come and say that he wants his wife

Leah Torongei: *Konyolu keker yoniton*

Translator: We have to look at that

Leah Torongei: *Amu en kap D.C*

Translator: Because at the DC's office

Leah Torongei: *Kesire kele ndo bestos bichu*

Translator: because marriage at the DC's offices

Leah Torongei: *konyolu kepyei tuguk en gaa.*

Translator: Normally after such a marriage, the property will normally be shared when they separate

Leah Torongei: *Konyolu kepyei tuguk en gaa*

Translator: Therefore we find it difficult

Leah Torongei: *ko niton anyun, ke kere ko ui amu ye nyo kepyei tuguk ago kokwo chito ak logog ak kwondo ke lionen*

Translator: Because it is difficult for property to be shared while the wife has gone away with somebody else

Leah Toronge: Asanteni

Translator: *Kongoi missing.*

Com. Nancy Baraza: Pauline Mutai na utafuatwa na Daniel Lang'at.

Pauline Mutai: *Kainenyun kekurenon Paulina Mutai.*

Translator: I am Pauline Mutai

Pauline Mutai: *Oboo Litein.*

Translator: I am from Litein

Pauline Mutai: *Owekchini kongoi komuktoindenyon amu kakoyumech en butuniton*

Translator: I thank God because you are all here

Pauline Mutai: *Ko ng'oliot ne obwote ne kokonon Jesu Kristo ko chomiet.*

Translator: The proposal I have is for peace

Pauline Mutai: *Kokosin kap chi.*

Translator: So that families are peaceful

Pauline Mutai: *Koike kiywek kap maa somok.*

Translator: Like the three stones of the fire place

Pauline Mutai: *Amun kotko mo kotkototin somoku ko mokyomishe.*

Translator: Because if the three are not there we will not eat

Pauline Mutai: *ko kounotun kelenen kongoi missing en Jesu Kristo asitiech ng'alek kouniton*

Translator: We thank God for such a forum

Pauline Mutai: *Ko en imanit en tului ko echek en kokwotinekyok,*

Translator: Us in the villages

Pauline Mutai: *Ko tinye chi en ewunechu mut , kotinye aketugul kasinyin.*

Translator: In the Army everybody has his work or his role

Pauline Mutai: *Yeu yekoshindos eunecho kemoe kokerkeit ak meng'ishe nyon.*

Translator: The way this fingers has agreed to work together so we should also agree to work together.

Pauline Mutai: *Kap chi logog chwak , chepyoset ak boyot ak logog,ak kiptaiyat ak kirwokindet konyoljin tekisto.*

Translator: The husband, the wife and the children including the administration should work together and they would serve the purpose.

Pauline Mutai: *Ak ko koshin kondoikyok en olimbo ta.*

Translator: Our leaders should also cooperate

Pauline Mutai: *Kongoi missing.*

Translator: Thank you.

Com. Nancy Baraza: Daniel Lang'at.

Daniel Lang'at: My name is Daniel Lang'at I come from Buret division. My views are as follows. I am for the Federal system of government with regions and Commissioners as Heads of the regions. A President should not be elected. He should be a respectable person in the society.

Political parties should play the role of mobilization of the public and should be regulated and funds financed by the government and we should have three parties in the State. I am highlighting only because I have written something. Mayors should be elected. What will happen when the President is being elected. When he is elected the people to supervise should be the Commissioners of elections and taken care of until he hands over power.

Nancy Baraza: Kama wewe huko na Memorandum ulete hapa tutaisoma vizuri.

Daniel Lang'at: As a national policy is the harambee policy which is our guiding philosophy in the State we should insert harambee. Harambee has been a very good policy which has built our society for the last decade. Thank you.

Com. Nancy Baraza: Leonard Cheruiyot. Richard Lang'at. Thomas Chumo, are you Richard? Thomas Chumo. Joseph Ruto utafuatwa na Elizabeth Chepkwony.

Joseph Ruto: Thank you very much for this time I have gotten. My view are as follows. My names are Joseph Ruto. Employment: One man, one job. Gender sensitive policies should be respected at all cost. Government Ministries: Every registered party in the Parliament should be awarded a Ministry. Equality to different parties either during parties or meeting there should be no objection.

President: The President of Kenya should be a citizen by birth in Kenya. He should not be heading any other privilege of appointing Commissioner to any or electing parties, but should be elected by the House of Representative of a whole. The President should not wait to sign a bill made by the whole House of Representative, it should be passed as a law direct. The President should be 25 to 75 years. Election of President should be exactly after five years. The President of Kenya should not be a partisan to any Church but should have a liking to variety of different Christian churches.

Arrest: Our people should not be arrested anyhow without a warrant of arrest. Local authorities: Councillors should be elected within age limits of 18 years and above. Government finance: Local authorities should finance the area promptly and equally. The Ministries should merge with the Ministers and their environmental Constituencies. The three arms of the government should have equal powers. The Executive to be in its own team, the Legislature to work on its own and no dictatorship from somewhere, and also the Judiciary to follow it.

Land: The Title deed should be given to the man and if he is selling it, we need the correct procedure and consent by the whole family. Paramount chiefs and Senior chiefs should not be maintained. Thank you.

Com. Nancy Baraza: Mary Chesot. Misipige kelele.

Mary Chesot: Asante kwa watu wote waliotoka Nairobi na wasikilizaji wote wanao sikiliza sasa hivi. Siwezi kuzungumza Kiswahili sana kwa sababu kama ninazungumza pengine fikira zangu zitapote. Ninataka kuonge lugha ya mama, mother tongue.

Mary Chesot: *Mary chesot.*

Translator: My names is Mary Chesot.

Mary Chesot: *Ayobu Ng'esumin*

Translator: I come from Ng'esumin location.

Mary Chesot: *Buret district.*

Translator: Buret district

Mary Chesot: *Omwoe missing agobo majimbo.*

Translator: I will talk much about the Federal system of government.\

Mary Chesot: *okwo kere ole kisirat-ndo kiwekyinike tugul sirutik kab Jehova ,*

Translator: We should obey the writings of God.

Mary Chesot: *Kokikosir tuguchon tugul kingololon*

Translator: God has written all that

Mary Chesot: *Kokisipii kityo merendunyin.*

Translator: We are only following his commands

Mary Chesot: *Ngesire kesire merendunyin*

Translator: When we follow that, we are only following his commands

Mary Chesot: *Ke ng'olole ke ng'olole merendunyin.*

Translator: When we speak we speak in his commands.

Mary Chesot: *Amu majimbo ko kiyay Jehova kong'eten kingotoitos kutuswek*

Translator: because Majimbo is what God did when he differentiated the languages

Mary Chesot: *Amun kingokoker kole koshindos bik ,*

Translator: because when he saw that people were peaceful

Mary Chesot: *Teche koba kipsengwet kobel ke ak Jehova,*

Translator: They were building to go to heaven

Mary Chesot: *Kotoiywo kutuswek*

Translator: He differentiated the languages

Mary Chesot: *ak komech alak tugul kabilenywan*

Translator: and they leave differently

Mary Chesot: *Ak koyai kererusiek en ainosiek.*

Translator: then they created valleys and rivers

Mary Chesot: *Okere ole ndo kiyoe kou noton*

Translator: Therefore if it can be done like that

Mary Chesot: *Kou ye kiyay Jehova.*

Translator: like God did

Mary Chesot:: *kotesokse chomyet kosir ye komi.*

Translator: love will flourish

Mary Chesot: *Nyone kit neketinye amdaet kou ni.*

Translator: We will have cooperation by visiting each other

Mary Chesot: *From province to province.*

Translator: from Province to Province

Mary Chesot: *Kiyoe biashara from province to province*

Translator: We will do business from Province to Province

Mary Chesot: *Ago lole chomyet mi chi tugul konyin*

Translator: but there will be love when everybody is at his home

Mary Chesot: *Amun ini rute kot ab chito ko meweyoe matata*

Translator: because when you visit somebody's home you will not cause any fight.

Mary Chesot: *Bas next point*

Translator: My next point is this

Mary Chesot: *Chepto, tipik,*

Translator: A girl or girls

Mary Chesot: *Kemoche koik the same as the boys*

Translator: they should be the same as boys

Mary Chesot: *Kimoche kokerkeit ak murenik*

Translator: they should be the same as men

Mary Chesot: *Amun kikisiche tugul*

Translator: because they were born together

Mary Chesot: *Amun kot ke bakach tipik koranda randa*

Translator: because if the girls are left to roam about

Mary Chesot: *akochang'aa logog,*

Translator: Such that they will get many children

Mary Chesot: *Korondorondoni ak kiptoik ak kosumbuanech en Kenya.*

Translator: they will just roam around and they will become thieves in this country.

Mary Chesot: *komoche keker chi tugul sikindet ne mowo lakweng'ung ipwechi imbaret.*

Translator: Therefore every parent should ensure his or her child who has not been married should be given some property to inherit.

Mary Chesot: *Or not keker chito nebo logog kikochi en lazima.*

Translator: or the father of the children should be given the children

Mary Chesot: *Ago somesan.*

Translator: He should be given the children to feed and to educate

Mary Chesot: *Amun kian Jehova kole kituitos muren ak kwony'*

Translator: because God said that a barren woman will be united

Mary Chesot: *Another sector nomoche amwa kora.*

Translator: Another thing

Mary Chesot: *ko kocham, kokoshin kap chii mokemoche madharau ya kupigana-nekipire kwonyik.*

Translator: The families should be peaceful, we do not want wives battering

Mary Chesot: *kimoche kocham. Kikile cham mureno kwony'.*

Translator: The husbands should love their wives

Mary Chesot: *Kokasit akine it akine kwondo.*

Translator: the women should respect their husbands

Mary Chesot: *kekere kele kikosir Jehova a Katiba kotum kesir. Asante.*

Translator: God draw that as a Constitution before we people.

Com. Nancy Baraza: Mkimye, Elizabeth. Kama Elizabeth hayuko, Zipporah Chepng'eno she is deaf. Zipporah is deaf, ameenda. Francis Kerich. Kama hayuko Jonathan Kiplang'at Ngetich. Christopher Tunoi. Lazarus Chepkwony. Lazarus huko wapi?

Zipporah Chepkwony: (deaf and dumb) My name is Zipporah Chepng'eno. In the year 1998 I was in Litein and then I moved to Mumias for secondary school. I got my job working here as a typist as a secretary. Many people see me. There is a deaf girl who gets married to a man or boy she gets married and then she gets pregnant, she has the baby and then the hearing man get angry thinking that she is stupid or something like that, they can't communicate and so, he kicks her out.

The communication is hard so the man needs to go to jail or you can force the man to marry the woman so they haven't gotten married yet. So the hearing man and the deaf woman who gets married and the hearing man is going to the bar all the time. If he still feels that the sign language is very stupid so he is going abuse the girl and then kick her out. And then the woman goes home and she stay there. It is important that the woman gets a job because if the person is the problem they need to be the same as the hearing person.

Deafs are not stupid but are just the same as hearing people, they can travel, they can work in a hospital. In Kenya they are just the same. May be there is a lot of deaf children, there are giving pity to these children why give pity to the children, they need to go to school. You can't force them you see them and you feel bad for them. Many people are opposing them, may only the hearings are free to go to school and do what they want to do.

My main point is that the deaf people are not stupid, they are clever as anybody else they need to be given the opportunities just like the hearing are given. I finish, thank you very much.

Com. Nancy Baraza: Lazarus Chepkwony. S.K Kirui, Philip Kiptanui, Joel Tanui, kuja.

Joel Tanui: I am Joel Tanui from Buret. The President should be somebody between forty and seventy years. The President and his Vice President should be accorded with the same respect. And for a smooth and peaceful handing over that is somebody who is going to take over from the former President or any party that has been ruling must be the number two man.

That is if there is somebody who has enough experience because leadership is a trial is not a joke and as such we should have somebody who has enough experience and should be educated enough. We should go for elections as to used before let's say as the end of this year so that it can keep those who are preparing for the new Constitution and that turn because this is very, very sensitive and we should not do it very quickly just because we want somebody to do this. Let us go with the old Constitution and wish those coming with another Constitution the best of luck.

Regarding education: We should go back to the old system, whereby our kids in standard one should be taught seriously on hand writing, reading that is to say it should begin from known to unknown. They should first clear their mother tongue language they should know how to talk and how to write and put them into English. At the moment we have problems. They don't know you can get somebody from here who don't know how to write, why? Will even set of file, just because the Ministry has decided to remove writing as a lesson and they say it should be combined with that subject, when you have English, Mathematics, Geography we should writing, no we should go to the previous one.

Lastly, our MPs should represent people they should not represent themselves. When it comes to salaries they should not come to cater especially now please think about other people. I am sorry I have wasted a lot of time. Thank you.

Com. Nancy Baraza: Simon Sang'. Priscilla Kerit.

Priscilla Kerit: I am Priscilla Kerit, a woman leader of NCC in Buret Constituency and a woman leader for Kibwatuyo Market Women Group. At the same time I am a woman leader of traditional dance. I will talk in my mother tongue.

Priscilla Kerit: *maoni nenyuni, owendi omwoe,*

Translator: My views

Priscilla Kerit: *ong'olole akobo chebyosok*

Translator: I will talk about women

Priscilla Kerit: *Kwondob chito*

Translator: Someone's wife

Priscilla Kerit: *ak lagog*

Translator: and children

Priscilla Kerit: *Olen neta ko chepyosok iman, ko chang che seretos.*

Translator: Firstly, there are so many women who are suffering

Priscilla Kerit: *kesome chepyosok, asi kotoret serkali en toretet ne nyolu.*

Translator: We request that the government assist the women

Priscilla Kerit: *Ne angotko mitten toretet ake tugul kou loan, ke some loan –some chepyosok loan*

Translator: if there is any assistance like loans the women would like to benefit from them.

Priscilla Kerit: *Asi ko boishen en oret ne nyolu.*

Translator: so that they can also advance themselves

Priscilla Kerit: *Asi kisto en bananda nemiten en Kenya ini nyon.*

Translator: so that we can eradicate poverty

Priscilla Kerit: *Amun kit nekitokchini ke ke moche maendeleo*

Translator: because we are after development

Priscilla Kerit: *Ako kora en chepyosok ko chang che nyalildos en korikyak.*

Translator: There are so many women who are suffering in our homes

Translator: The women should help them

Priscilla Kerit: *Amun alak komuche kotun boishek ye kitita konyin ko mochomu konyin. Amun kapak logog ko seretio ak kwondo. Amun korikyok alak komuche kemong 'u alak inguni*

Translator: Some of us come out of our homes

Priscilla Kerit: *Amuche alak en ehek komo indochin korikyak komie murenik*

Translator: some of our men are not leading their home properly

Priscilla Kerit: *konyolu kokerkeit chepyosok ak murenik*

Translator: The women should be equal to men

Priscilla Kerit: *Ak kiotyo kepyechi imbarenik chepyosok asi koboishen akichek*

Translator: The woman should also inherit property like land

Priscilla Kerit: *Amun chepyosok alak imankotindo akilishak che yome komoishen en imbar.*

Translator: some women are bright enough to benefit from the intelligence on the use of land

Priscilla Kerit: *Amun imuche icheket ko nomu tuguk ago chepyoset nepirtoke en gaa agor kakonam tuguchoton kobo ko wasten.*

Translator: They could be owning the property at home

Priscilla Kerit: *Ko kor ka ko nam tuguchu kan komanda kwo ko bakach chepyoset ak logog en gaa*

Translator: but they could only be owning the property and going out living the children and the woman at home

Priscilla Kerit: *Asi koseret chepyoset en gaa koseretos logog.*

Translator: In that case the woman and the children will suffer

Priscilla Kerit: *Ago icheget ko lazimishoni iman koyaiy boishet en gaa asi kwo.*

Translator: the man would also force the woman and the children to work and then he would leave

Priscilla Kerit: *Ko ye kokomong tuguchugan koib ak kwo.Keseretie.*

Translator: But when the produce come out he will take them and go away

Priscilla Kerit: *Omoe koto muche amin chaik amin akane kou yemine.*

Translator: If I am able to plant tea and should also plant like he does

Priscilla Kerit: *Amach oboisien en oret ne nyolu oboisien.*

Translator: if I want to use it, I should also use it the way I wish

Priscilla Kerit: *Asi komaseret logog*

Translator: so that the children do not suffer

Priscilla Kerit: *Ago logog kora en sugul chechang komosomondos kotienge amun motinye uwezo chepyoset neyoe ko murenik agekomuche komanda ago bakach logog ak chepyoset si yekiwon lagog en sukul*

Translator: Many children do not go to school

Priscilla Kerit: *Logol alak en eчек en primary ko mosomondos amun rabinik che imuches keyai boishetakor kakitach boiyot,koib kwo town.*

Translator: Because the men the man take the money to the towns

Priscilla Kerit: *Koyekiwon logog kobur ak chepyoset en gaa logog.*

Translator: when the children are sent home they just stay at home

Priscilla Kerit: *Kemoche en lipanet nenyolu kotoret serkali koik ne liponi boiyot asi kotesta kityo logog en sukul kot ko*

mi rabisiek che nyolu kolipan en sukul sikik koi sikindet ne liponi asi ngo nome rabinik kongen kole inendet ni liponi asi kotesta kityo logog kotesta maendeleo.

Translator: The government should ensure that the parents pay fees so that children can continuously go to school.

Translator: Thank you.

Com. Nancy Baraza: Sammy Mathenge. Na mnapiga kelele. Dominic Mutai.

Dominic Mutai: My names are Dominic Kiptoo Mutai I came Galbatet location, Litein district. I have some proposals here but I will highlight a few. I will start with education: Education is very important because this is where life begins. Teachers should be treated equally both from technical schools, music and other sectors. These teachers should actually be treated equally and they should not be deployed to work elsewhere as of late some teachers were deployed to work in primary schools which was not up to date. If a teacher has got a degree or a diploma he should be respected until his retirement.

Paying of the school fees: Some schools are paying more and the subjects are the same, so I feel that the schools should be centralized by the government through a certain law in Parliament. impromptu examination: we really see to it that the impromptu examination in form two class such as the same way as KJSE, so that it will be added to the real examination when the course will elapse.

Ministry of Health: We see that the Ministry of Health is almost deteriorating at present because there are a lot of funds used. So some families cannot afford especially the heart surgery, heart surgery can cost up to two hundred thousand and above. So the government should do something to support this, and therefore if anything should be done should be made free for the people to afford.

Imports and Exports of goods: There should be equal economic fluctuations or export and imports should be made the same that is to serve with the fluctuations of economic. That is prices coming down or we say fluctuation of prices. Remember that communities in Kenya are not the same.

Com. Nancy Baraza: Give us your proposals.

Domic Mutai: Yes I propose. I said there should be control of prices of some commodities.

Unemployment: Expatriates should not overtake or should not exceed the employments of students.

Industries: In Kenya I prefer that industries should be issued with a law in Parliament to recruit at least a quarter of the

employees hailing around that industry.

Recruitment in Military: I prefer that centralizing on recruitment in all aspect this is because we find that this recruitment is not up to date.

Liberalization: I think this liberalization is not up to date for now because some communities in Kenya are not having the products for example the Luo's and the Maasai are pastoralist on their own. So liberalization cannot do much with other communities so I don't think this is good.

Cabinet Ministers again should not be allowed to loan much set because it will create poverty to poor people. Thank you.

Com. Nancy Baraza: Thank you. Edwin Kimeto and you will be followed by Mr. Richard Sang'.

Edwin Kimeto: Thank you very much. I am Edwin Kimeto. I have made some proposals and I do hope we shall have prayers that these proposals are accepted at the National Constitutional Conference. Before I make some remarks I want to say that we need a workable Constitution. A Constitution that will ensure peace and tranquility in this country.

A Constitution that will regulate distribution of resource equally in all the regions. We may have a wonderful Constitution but if we put it on the shelves it will be useless. So what has been lacking in the past is implementation and we want to emphasis my points have emphasized on implementation of the Constitution.

I have a written preamble and this preamble, stresses the need for the Constitution to maintain human rights. This preamble also demand the need for good governance. This preamble also tries to eliminate vices like poverty, diseases, ignorance, tribalism and corruption. I have said it in the directive principles of the State that the rule of law should be respected in order to promote the welfare of the people.

Executive: I have proposed that someone to be elected as the President of this nation should have attained 45 years of age and there should be no debate about this where we have young turks or this and that, no age limit. I have also proposed that a person elected as President of this nation should not hold positions. I have also proposed that the President may be impeached by Parliament only if the accusation against him or her has been certified, ratified by a Constitutional court.

I propose that the President shall only nominate appointee of government positions like ambassadors, parastatals and so forth. This name should be vetted by Parliament and they will be approved for onward transmission to the same President who will appoint them. I also propose that someone who is going to be elected as President should have upright morals and ethical qualifications. Preferably certified by a Council of church leaders. This is also applicable to a Member of Parliament.

I propose that a Member of Parliament should provide a detailed work schedule to the Speaker of the National Assembly. And

this should be done periodically so that people do not appear in Parliament on technical grounds, where they go there for only one minute and they say they have appeared. The Speaker should be provided with a detailed work schedule.

Com. Nancy Baraza: Your last point, I have so many people in my list

Edwin Kimeto: Yes you will allow me to go through. I am proposing that the Constitution should protect Parliament it should have its own timetable as regard to dissolutions breaking for recess.

Political parties: A political party shall be registered only if command 25% of following in five provinces so to mean therefore if a party is not popular it should be deregistered.

Commissions: I propose that we have Remuneration Commission which will fix salaries for all public servants including Members of Parliament. We don't want to have a situation where Members of Parliament favour themselves. It should be done by remuneration Commission.

Finally, I propose that there should be a national Policy Implementation Commission which should be responsible for the implementation of all government policies. Earlier on I said we should not have a Commission in the shelves. What has been passed in Parliament should be implemented.

I also propose that we have a Cultural Commission which will protect useful cultures in our society. Thank you very much.

Com. Nancy Baraza: David Kurugat.

Edwin Kimeto: And before I leave Madam Commissioner, I want to say that in the previous Commission like Akiwumi Commission that Commission was unfair to the Kipsigis community because we were accused as people who started the tribal clashes. We want that Commission to be withdrawn because it will be detrimental to this community in future. We were provoked, we were only fighting back. Thank you very much.

Com. Nancy Baraza: Thank you very much. The report was never out we don't know what it says, but all I can say whoever killed God know who killed so that one we leave it to God. David Kurugat.

Richard Sang': Thank you Madam. My proposals are as follows. The Commissions of inquiry which are appointed by the President to perform important duties in society should have their finding released. Because in the past we have seen some Commissions formed and their results are not released. I am saying that their finding should be released within three months after completing their work. Their findings should be debated by the the general public and Parliament to find out how such

finding can be implemented. If their results are not released, then the person who appointed them should be made to meet the cost of financing that Commission.

A retiree from either the private sector or the public sector should not be reappointed to any post in Kenya or outside Kenya. Public policies should be delinked from National functions because all members of different parties attend such functions and so there should be no party politics when there are national functions. About civil servants should be appointed by Public Service Commission of Kenya, all civil servants including Permanent Secretaries all of them should be appointed by the Public Service Commission of Kenya and the applicants for the posts should be subjected to interviews and appointment, be based on competence and professionalism.

The President should be under the law because he or she is a human being and cause capable to injustice to other people. The age bracket for any politician in Kenya should be between 30 years and 70 years. They should have a retirement age. All the village headmen who are popularly known as the village elders should be given allowance and should be uniformed in recognition and appreciation of their work. The traditional system of land inheritance should be recognized by the courts of law. Traditional courts should also be recognized by other courts of the law. The tracks of land one can own should be a maximum of ten acres and the price of the land should be affordable so that we have no squatters in their own country.

Teachers should be appointed and supervised by Teachers Service Commission. The President should be sworn in within three days from the time he or she was declared the winner of the election. The Vice President should be appointed within seven days from the time President was sworn in. The Ministers should also be appointed within these seven days from the time the President was sworn in. The President who suffers from an incurable disease should resign from office because his or her health can affect the State functions.

The academic qualification for civil leaders should be form four with passes in languages. The number of political parties in Kenya should be a maximum of ten so that they can become effective in controlling the government business. The creation of administrative area should be done by the relevant Ministries and approved by Parliament. Political candidates who are seeking for various posts should not resign from their current occupation. They should resign after winning the elections and if they don't win the elections, then they should retain their occupation.

Com. Nancy Baraza: Can you summarise?

Richard Sang: Yes I will summarise. Human Rights Commission should be established in Kenya and should have all branches at all levels of administration. Appointment of officers to any post should not be based on gender issue but professionalism and competence. All the political parties must have their election according to their own Constitution and if they fail to do so then they should be registered because they are denying democracy to all its members. All workers be it civil

servants, private sector workers, farmers and business men should have trade unions to advocate for their rights.

Workers of the same profession should be under one Trade Union.

Com. Nancy Baraza: Give your last point. (Interjection) no we shall read that Memorandum

Richard Sang’: Okay, --- and security guard to be protected. No security officer in Kenya should escape illegal orders to arrest, torture or intimidate or retain a person without any cause. Peaceful demonstration should be allowed to take place without any interference of any kind. Death penalty should be scrapped because we have every right to life, God gave us that right to live and there should be no death penalty.

Com. Nancy Baraza: We shall read every that you have left. David Cherugat.

David Cherugat: Kwa jina mimi ninatiwa David Kurugat. I have highlight very few points concerning this Commission. We should adopt a Federal system of government because you will find even courts have already made the Federal government by basing the Luo’s in Nyanza Province, Kikuyu’s in Central, Wasomali na Waswahili. We should also have a Councillor from the native I mean from the area, we should not have a Kikuyu standing in Buret as a Councillor or an MP we should have people from that area. Provincial Administration should be scrapped completely and replaced with the elected leaders for example Chairmen, Councillors, etc.

Executive powers also should be shared because the present Executive powers has been abused by whoever is leading. General elections must be held this year because if we held election using the old Constitution, how shall we entrench the new Constitution now we are working on. So we should wait for the new Constitution this year, we should wait. (interjection) The elections will be postphoned. Hii Constitution itakuwa nini sasa? Having worked for it for may one year or two years. That is all.

Com. Nancy Baraza: Thank you. Paul Ng’etich.

Paul Ng’etich: My name is Paul Ng’etich. There should be a preamble in the new Constitution.

Directive principles of state policy to be included. Constitution should be supreme. We need a Federal system of government. The community to administer land ownership. MPs to be recalled by people. We need a supreme court and less Tribunal Courts. President to be recalled. Counting of votes to be done at the polling station. All cultures to be recognised. Thank you.

Com. Nancy Baraza: if people do like that then we shall finish. Father Richard Soi. Charles Bett. Is that Charles Bett?

Charles Bett: *kainenyun kekurenon Charles Bett.*

Translator: I am Charles Bett

Charles Bett: *Omeng'unen Kapsagure.*

Translator: I leave at Kapsaberu in Buret

Charles Bett: *En yu ong'ololen bik che motinye uwezo.*

Translator: I am talking about the disabled

Charles Bett: *Amun bik che motinye uwezo kemoche kenai ole soptoo,ko bik che bonodos soit kosir ot bik alan cheu chechu che boishe.*

Translator: They are poorer than those who walk.

Charles Bett: *En yoton kemoche keker yoniton kotoretech serkalit konai olesopto bichoto en komostab gaa kou ng'alek ab amu motinye uwezo.*

Translator: they want the government to help them

Charles Bett: *Kemoche sikoker kotoretech en ng'alek ab sukulishek che mokiliponi rabinik*

Translator: We want to that the government helps us in school fees and others

Charles Bett: *Ak kolipanuech ng'alek ab NHIF*

Translator: To pay for us NHIF

Charles Bett: *Ak transporting.*

Translator: Even in transport, to transport us because we are unable

Charles Bett: *Ak ngalek ab courses.*

Translator: to provide us with training

Charles Bett: *Mi bik kora che motinye imbarenik*

Translator: The government should know that some of the disabled people don't have farms

Charles Bett: *Ak keker kora kou kokikochi rabinik che imuche konamen biashara.*

Translator: so that the government can provide us with loans that we can use for business

Charles Bett: *Awendi ng'alek ab bunge. Ko en ng'alek ab bunge ke moche kolewen bik ng'alek ab president ak vice president.*

Translator: We want the President and the Vice President to be elected by the people.

Charles Bett: *Kou PS ak councilors*

Translator: Like the PS to be elected by the people and Councillors

Charles Bett: *En bik che momucheke ketindoi miniters oeng kityo nyolu kitaketes alak*

Translator: On the side of disabled we have only two Ministers we should have more Ministers

Charles Bett: *Ago nyolu kora komong'unen chamait age tugul minister nebo disabled.*

Translator: Every party should have a Minister for the disabled.

Charles Bett: *Chito nikisir serkali konyolu kobois kenyishek forty years kityo.*

Translator: Anybody who has been employed by the government should work for forty years only

Charles Bett: *Kaatar.*

Translator: I have finished.

Com. Nancy Baraza: Robert Mongesoi: Huyo ni Roobert? Utafuatiwa na Edwin Kosgei. Edwin huyo utafuatiwa yule mzee na Charles Rotich pia ujutayarishie.

Robert Mongesoi: *kainenyun ko Robert Mongesoi.*

Translator: My name is Robert Mongesoi

Robert Mongesoi: *Ko kit no mwoe en yu olen kongoi en okwen tugul che kaobwn yu.*

Translator: But I am saying I thank you all those who have come here.

Robert Mongesoi: *Ak en bichu toechu kobwone,*

Translator: including the visitors who have come

Robert Mongesoi: *Oboisiwech komie en kit ne kimwoe*

Translator: Work for us properly in what we say

Robert Mongesoi: *amun en iman ke mwoe kele kimoche majimbo.*

Translator: We say that we want Federal government

Robert Mongesoi: *KO ngemoche majimbo ko in nebo chi age tugul kotindo en kebebertanyin.*

Translator: As we say that we want Federal government we know that everybody has got his own side

Robert Mongesoi: *Konoton, kemuche kemwa ehek kinyon ne kimwoe ko mo mi chi ne wendi kop chi ak kwo ko ser*

Translator: we say that because we know that nobody can go to someone's house and then try to cause trouble there

Robert Mongesoi: *Kso ngunon any' kit no mwoe ko ni, tun en lewenishet ne kilewenishe ko in, kot kole boyot chito kiyon inoni*

Translator: In the forth coming election, mzee atatupatia sisi mtu akisema – he will say that elect this person.

Robert Mongesoi: *Amun kikakimut inendet kibokelenji Kenyataa nenyon chichi neyobu ng'alek ab serkali tugul, kobunu chichi.*

Translator: Because the elders took mzee to the first President and showed him

Robert Mongesoi: *Ko nguni, any' ko inendet ne tun nyo komwoweche kole kaayan inoni.*

Translator: So he will be the one to come and show us somebody to elect

Robert Mongesoi: *Uu mootindoi ngalek che chang'*

Translator: I have nothing I have no more word to say. Thank you

Edwin Kosgei: To the Commissioners. My name is Edwin Kosgei. I wish to present the views of Kipsamai clan in the district. Government: In the new Constitution, Federal government should be introduced and the present government be done away with. In the new Constitution, a post of the Prime Minister should be created.

Elections should be done every five years for the two Houses, Upper House, Lower House and the Local Authority. The voters should be allowed to elect the Chairman and the Mayors of the Local Authority.

Land issues: land issues are very sensitive and our views are that the land issue should be upon the local community and not the Commissioner of Land in Nairobi where he sits and only gives out the Title Deeds to people who might not have the land. Settlement schemes: Those who have been settled in one area should not be settled again in another are a living the landless people without the land.

Marriages: Some laws should be enacted to see that a husband and wife should become a husband and wife either in the DCs office, the church or the customary law. Those couples or the man and wife living in a house without marrying one another those are cohabiting. After the marriage there is always divorce when there is disagreement between the two, that should be left to the community to decide what to do. But when they have been allowed to divorce one another they can be allowed to remarry in side of succession or inheritance. Both children the sons of v the unmarried girls should inherit the properties of the deceased of the late father.

Education: There should be free education from nursery to form four level. Those are our views. Thank you very much Commissioners.

Com. Nancy Baraza: Charles Rotich. Robert Rono. Sammy Keichei.

Sammy Keichei: Thank you very much Commissioners. I am Sammy Keichei from Litein location. I have four points to make. Traditional marriages: Kipsigis traditional marriages to be legalized by the government and marriage certificate issued.

Traditional regalia: Kipsigis traditional regalia to be preserved and realized e.g. those bows, arrows, spears, shield extra.

Pay and allowances: Allowances to be paid to the following; primary school committees, village elders. Elections or nominations: Nominated Councillors to be a person of high calibre and having a qualification of above “O” level certificate and preferably a professional. Thank you very much.

Com. Nancy Baraza: Paul Cheriro, kuja hapa.

Paul Cheriro: *kotum ang'alal, angalia mimi kwanza*

Translator: Before I talk look at me first

Paul Cheriro: *ko in ochomegee tugul*

Translator: The proposal I talk on was compiled by the Chairman of elders.

Paul Cheriro: *yes, ng'alek che kaatar kotum ot ang'alal katar chairman.*

Translator: All the words were deliberated on by the Chairman we are the people who are in-charge of the progress here.

Paul Cheriro: *ko in ko ng'alek cho ng'olole ko choto mo o ngolole ngalek alak tugul ko katar chairmanamu eche che kemi ketech kipsigis.*

Translator: Those who are compiled the documents in Buret Kipsigis are 53 elders

Com. Nancy Baraza: Do you have Memorandu. Titasome hiyo.

Translator: He wants to say one word.

Paul Cheriro: Kila mtu anasema KANU na mimi nasema.

Translator: Oh yes imekwisha asante sana. Anasema asante

Com. Nancy Baraza: Jonathan Too. Elizabeth Rotich.

Elizabeth Rotich: Nitasema kwa Kipsigis

Com. Nancy Baraza: Sema kwa Kiswahili ndio tuende haraka

Elizabeth Rotich: *En kainenyun kekurenon Elizabeth Rotich.*

Translator: I am Elizabeth Rotich

Elizabeth Rotich: *Olen kit agenge ne omoche amwa kityo omoche amwa ole kikisomesan logog*

Translator: We have educated our children

Elizabeth Rotich: *kototun kotar*

Translator: until they finish the education

Elizabeth Rotich: *Kototun kotar ogot en university.*

Translator: even at the university level

Elizabeth Rotich: *Koit gaa lakwet any'*

Translator: They come home

Elizabeth Rotich: *konyo kole nenowo owo som kasit.*

Translator: They look for employment

Elizabeth Rotich: *Kole kokisire bik ra en ofis. Kwo lakwet korkoit gaa kolnjon kakitortan owo taban yon.*

Translator: They come back and say they requested for employment but they were pushed around

Elizabeth Rotich: *Kole kokilenjon konu kii kiten.*

Translator: They say they were requested to give something “toa kitu kidogo”

Elizabeth Rotich: *Kemoche kenai kele asikisomesan logog ago bore nyo ko sir kasisiek ko mo siche komoseretos che bik che ter ter chemomu che kokon kioton kiten?*

Translator: It is a pity because after finishing the education and the poor man has educated the children and they will not be able to give “kitu kidogo”

Elizabeth Rotich: *ko amun kiroborchike kot koit yoton komotonyokosich kasit kwam bananda lakwet ko chorso.*

Translator: I have struggled with my poverty to educate him up to the university level afterwards they become poor because of non employment

Elizabeth Rotich: *Kochorse amun kiasomesan ako me mi kii netokomii gaa netonyokotoretenge amo tako sich kasit.*

Translator: They become thieves in the society

Elizabeth Rotich: *Ako mootinye kiikan kitten*

Translator: The parents have nothing

Elizabeth Rotich: *Kesome kele sikoker yoton serkalit kora sikokerkeit bik tugul.*

Translator: The government should take care of employment in the country

Elizabeth Rotich: *Kongoi missing.*

Translator: Thank you very much.

Com. Nancy Baraza: Jiandikishe hapo. Abraham Rotich. Gilbert Rotich atatufuatiwa na Simon Ng’eno, Mr Ng’eno are you anywhere there? Sit near there.

Gilbert Rotich: My names area Gilbert Rotich. My views are as follows. The new Constitution should have a preamble. The Constitution should empower the people. The system of government structure should be changed because it was colonial in nature.

There should be devolution of power from central government to local authority and unitary government is good. People should elect a Mayor. The powers of the President should be trimmed. The President should not be above the law.

The Constitution should recognize the role of civil society. There should be a vote of no confidence against a Member of Parliament who is named in any corrupt activity. Judiciary should be independent. The nomination of Members of Parliament should be retained for minority. Physically disabled who may not be represented in Parliament. Appointment of public servants should be vetted by Parliament.

Electoral Commission should be independent and members of the Commission should be appointed by the Parliament. Decentralise the Industrial Courts and be subject to an appeal. Members of the Judiciary should be elected by LSK. Thanks.

Simon Ng'eno: My names are Simon Ng'eno representing CJVC. My proposals are as follows. Natural resources should be protected by people or communities living around and should benefit the locality. The community should be given ultimate land ownership.

The Constitution should guarantee free education for physically disabled and orphans from poor families. The Bill of Rights should not be limited by Act of Parliament. The Constitution should monitor the growth of sect and other religious grouping which can jeopardize the security of the citizens. In the new Constitution, there should be an office of an Ombudsman, complain office entrenched into the Constitution. There should be independent body dealing with corruption – corrupt cases. Farmers should be given economic power. Importation of second hand products from outside should be banned so that our local factories prosper. In our new Constitution there should be a provision in our Constitution that deals with national disasters and acts of terrorism. There should be civic education for all the Kenyan people. Thank you very much.

Com. Nancy Baraza: Andrew Cherorei. Sarah Kongindo. William Sang'. Sarah siuitike.

Sarah Konginda: *kikurenon Sarah Konginda*

Translator: I am called Sarah Konginda

Sarah Konginda: *En yu ko in kimoche sikeker kele kesom serkali kele amunee sikotunisiechi lagog chema bwa sikichwak asikopit konyo ko bourionji kotunisinyuan.*

Translator: here we want to tell the government why marry children who have not come with their parents so that they can keep consent to their marriage.

Sarah Konginda: *Amun en yu kekere kele mi koimutik che kokoimech ehek sikik.*

Translator: Because here we see that are some problems that give us difficulties

Sarah Konginda: *Amun bwone bik en yu kiplemechonik kotononji lakwet tab chito.*

Translator: Because the liars come with the children who are getting married and then they make mistake there.

Sarah Konginda: *Ago noton ko lembeita.Komoche koboishen chito imanit.*

Translator: So we need the government to make the parents come and witness the marriage in the office of the DO or DC.

Sarah Konginda: *Amun kiyoton ko ne konu koimutiet en kapchi.*

Translator: so these children should not bring the family problem by marrying outside and later on they break away

Sarah Konginda: *Ago bute kap chi.Olen kou noton, kongoi missing.*

Translator: Ni asante tu, I wanted to say that only.

Com. Nancy Baraza: Na ninataka kuomba tu-break tu dakika kidogo sijui mtasema haje? Itakuwa sasa.

Audience: Sawa

Com. Nancy Baraza: aa nyinyi wazuri. Wewe mzee we ni nani? Yes please Mr. Sang', after Mr. Sang tutaenda tu dakika ishirini halafu turudi.

William Sang': Thank you very much. I am William Sang' from Nyesumini in Buret. We need a preamble in the new Constitution.

Respect for human rights and the rule of law, unity and diversity, equality, equity of all Kenyans by setting the Constitutional Commission. Citizenship: Those who belong to Kenya are citizens automatically.

System of government: We should adopt a Federal government in which the Executive and Legislative authority is split between the central government and the regions.

Legislature: The Electoral Commission the terms of service and the functions of Parliament. MPs should be in Parliament full time. MPs should be 30 years old and above. Moral ethical qualification should be introduced for Parliamentary candidate. The Electoral Commission should determine the salaries of MPs. State policies: We need a Constitution with a statement capturing the national philosophy and guiding principles.

Executive: The Presidential candidate should have a qualification of a degree graduate and should be forty years and above. Can be fixed to two terms of five year each. Local government: Mayors and Chairmen should be elected by the people directly. There should be a minimum educational qualification for Councillors depending on one's leadership for now, there are so many educated Councillors but they are corrupt.

Electoral system: Secret ballot should be retained. Political Parties: There should be only four political parties in the country. Land and property rights: The local community should have ultimate ownership of land. Natural resources: Local communities should own, protect and manage the environment and natural resources in the region. Thank you.

Com. Nancy Baraza: Tuchukue tu mama moja halafu tuende. Ruth Korir kuja. Na Margrate Boo. Alice Ruto kuja ukalie hapo.

Ruth Korir: *Ruth korir*

Translator: Ruth Korir

Ruth Korir: *Ayobu groupit ne kikuren chepkorken women group nebo chemoiben location.*

Translator: From chepkorken Women Group of chemoiben location.

Ruth Korir: *Omwochini Jehova kongoi amun kosibotik chuto bo ng'etutik.*

Translation: I am thanking God because of the Constitutional affairs.

Ruth Korir: *Ng'otutichuto kobunu bukut ne tilil bukunoton ko nebo mut nemwoe ago bo ne kibwoten ng'otutik.*

Translation: This Constitution comes from the Holy Bible namely Deuteronomy

Ruth Korir: *Ng'alek cho mwoe en yu ko ng'alek che tuten amun akoitoi memorandum sikopit ke soman.*

Translator: What I am saying here is in short, because I am going to give out the memorandum so that it can be read.

Ruth Korir: *Imbaret ko nyolu ko boi kap chii, tuwan boiyot ak chepyoset ak lagog ko ndoe boiyot.*

Translator: The land should be owned by the mother and the father and the father as the head.

Ruth Korir: *ng'alek ab tumin konyolu kenai kele o somanet kosir tuguchon tugul*

Translator: Traditional customs like circumcision

Ruth Korir: *Kole tumdo ko nyolu konai bik kole o somanet kosir nonito.*

Translator: People should know that traditional customs education is better than all that

Ruth Korir: *Nyolu keker somanet kosir nonito, koet somanet missing.*

Translator: We should value the education better than our traditional customs

Ruth Korir: *Ng'alek ab lewenishoshek okere ole lewenishoshek alak tugul ko nyolu ko mi chebyoso asi kopit koip boishonik che nyoljin kee, che tinyeke ak chepyosok.*

Translator: We told the elections officials that there should be a mother, who will represent all the other mothers

Ruth Korir: *Ng'alek ab majimbo konyolu ko u nonito amun sikonekitit boishet en bik ak komuch komoutien bik in kosibutikyak che kipo keny.*

Translator: We felt that Federal government is good so that the work or the jobs that can be done will be near to the people.

Ruth Korir: *Ng'alek ab kirwokutik ko nyolu kinam en gaa kobois kiptainik ak keker kele nyolji ak ichek kosich leleko sikomuch koyay boishet neo nebo kokwet.*

Translator: Anything to do with administration, the village elders should be given something as incentive so that they can boost their work in the village.

Ruth Korir: *Ng'alek ab imanit en chito en kosip ke ak Kenya kotoku kole mobiishe noto komie amun chang kiplembekonik chemo chematiny kikoik bik cheyech koboishen lembeita.*

Translator: In our country, we have so many people who are appointed jobs but they are using lies to achieve their ends.

Ruth Korir: *toku ko momiten imanit en yoton en boishonk che chang'.*

Translator: In various fields there is no truth people don't talk the truth.

Ruth Korir: *Nyolildos bik che mi ng'ony en banandab tuguk ak chenyoroten ago bo noniton amun ago bo noniton amun mo boishe imanit.*

Translator: because the truth is not working there are very many people who are suffering from poverty, lack of food, diseases and so on because there is no truth.

Ruth Korir: *Kimwochini Jehova en kondoichu, kongoi missing.*

Translator: We are telling you thank a lot because of you leaders from the Commission.

Ruth Korir: *kongoi.*

Translator: Asante sana.

Com. Nancy Baraza: Wewe ni nani? Alice kuja halafu tuende break halafu turudi.

Alice Ruto: *Neta o wekchini Jehova kongoi en ripsenyin*

Translator: First, I am thanking God

Alice Ruto: *Kainenyun ke kurenon Alice Ruto.*

Translator: My name is Alice Ruto

Alice Ruto: *oyubu location chemelee*

Translator: From chemelee location

Alice Ruto: *Buret district,*

Translator: Buret district;

Alice Ruto: *Ng'oliot ne ko ng'etini*

Translator: What I am standing for

Alice Ruto: *ong'ete ago bo lagog.*

Translator: is for the children

Alice Ruto: *che tipik*

Translator: The girls

Alice Ruto: *Amuche asomesan.*

Translator: I can educate them

Alice Ruto: *Kochun chito kokatar sukul*

Translator: And a man comes when they have finished school

Alice Ruto: *kotum kosich kasit kole amutin o tunin.*

Translator: Before that girl gets the job he tells her that he will marry her

Alice Ruto: *kong'al ko u noton ko che two kobagach.*

Translator: He cheats and then after getting pregnant he leaves

Alice Ruto: *kokosich lakwet. Konyolu, kokosome kipitisan konam chito lakwenyin ago rip amun kiorip nenyun kong'eten ming'inotet kotasomesan ak ane.*

Translator: She is asking so that the one who make the girl get pregnant, the man forced to take this born child and take care of that child.

Alice Ruto: *Chebyosok alak, komotindo moning 'otoik*

Translator: Some mothers have no husbands

Alice Ruto: *kisomesan lakwet ko imbaret yoton*

Translator: To educate a child that is the land

Alice Ruto: *Bik alak ko ming 'in imbaret.*

Translator: Some people have some small land

Alice Ruto: *Opwechini nee cheptoo ago mis werik gaa ogo ki soman*

Translator: There are sons and girls and I have nothing to offer to the girl who is pregnant

Alice Ruto: *Nyolu konam chichi milenyin asi kong 'et chepto kocheng imbaret asi makipyei nebo gaa.*

Translator: The person who has made the girl pregnant should take her so that they can get their own land somewhere else

Alice Ruto: *Kongoi missing.*

Translator: Asante sana.

Com. Nancy Baraza: Haya muende kidogo halafu sana nanne na nusu mkuje. Edwin Kimeto. Helena Koech.

Helena Koech: *Kongoi missing en saishochu*

Translator: Thank you for these hours

Helena Koech: *Ane kekurennon Hellena nebo arap Koech.*

Translator: I am Helena Koech

Helena Koech: *Omenye Litein yuton malo.*

Translator: I leave near Litein

Helena Koech: *Ng'oliot ne koibu ko ni*

Translator: And what I present is this

Helena Koech: *Kitinye koimutik en lagog*

Translator: We have names with our children

Helena Koech: *Ago kiborchinike kele en muren ne ikochin moet lakwet tab chito*

Translator: And we are against any man who only makes our girls pregnant.

Helena Koech: *konyolu korip lakwanoton is.*

Translator: That man should look after that child

Helena Koech: *Ko kisome any kora en kobwotutikyuk okere ole to nyolu kikochi akichek tipik ng'otut.*

Translator: In my thoughts I think girls should be given rules

Helena Koech: *Amu yeker tipik akichek kole koke ong'ioten murenik*

Translator: If the girls see that there is problem with men

Helena Koech: *Komuche korich mestonok che chang en oret en lagog okot chekotore sukul murenik asikopit ko imak monyor boishonik amun kewelutionoton*

Translator: They can prepare to trap the men because of that problem

Helena Koech: *Amun ye kakotar lakwani sukul ago kanyo korich mestet lakwani ko mara koingen kokose totun chichi ko lakini kokomokomoche chichi kou noton koyom or koker kole nyolu obun ireu ko ye kakoyayak kou noton ko si kilazimishan chichi asi kometo boishet kotom agot koterktage kosich kasit kosich koimutiet koluan ago bo noton.*

Translator: So the trapping of young men by girls to make them pregnant will be a problem

Helena Koech: *Kisome any kora en ng'etutichoton che obo tese ko tokikochi aki chek tipik , ngatut konai komie korip laini nywan mot koi che riche mestonok. Kongoi missing.*

Translator: For the rules that can be prepared and we beg this so that the girls should also be given stern warning about how to behave. Asante – Thank you.

Com. Nancy Baraza: Enda hapo ujiandikishe. Lucina Marisin

Lucina Marisin: *Lucina Marisin*

Translator: I am Lucina Marisin

Lucina Marisin: *Ko koimutiet nokere en yu agane en Kenya ni nyon (Innaudible)*

Translator: The problem I am seeing in our Kenya is bribery

Lucina Marisin: *Nan kenam chito nekatiech mestet iman ne kekere ile konyoljin any iman kowal kirwokyi, kimuti kou nebo maiwek anan ne ko kolis kokal ingo*

Translator: Sometimes a man is arrested and should go to court, the one who has committed a crime.

Lucina Marisin: *Kai ile kochunu amit ole kowendi ko ni kobo maiwek kimuti*

Translator: When a person is arrested because of having involved with illicit drinks and taken to the police station at times we find that instead of being taken to court he is released to come home

Lucina Marisin: *Nebo oeng,*

Translator: Number two

Lucina Marisin: *Ko ngi mut age kotko it ko lakwa ne kalel is nekalel ingele kobir ingo anan ka chor tany anan ka lian*

, kebo kebir

Translator: When a child who has stolen a cow or done a mistake he is taken to be bitten

Lucina Marisin: *Kobo kebir amokiruokyi koron ibore iipe chaik iipichini boyondeng'ung anan lakwe ng'ung ne ko kinam kelenjin kosindan chela, kosindan au kosindan kotar au kenyit. Olen ko ng'alek chu che ko tinye ko chon kongoi missing.*

Translator: when the culprit is taken to prison sometimes he is killed there and no reason can be given

Com. Nancy Baraza: Joseph Sigei. Joana Kiptur, mnapiga kelele. Wewe ni nani? Joseph Sigei.

John Sigei: *Kino moche*

Translator: What I want

John Sigei: *Kino moche ko koaker lagog chechang che kokoturge en sukul*

Translator: I have seen very many children who have dropped out of school

John Sigei: *Kongeten che torote anan che mi form three*

Translator: Who are finishing schools or in form three

John Sigei: *Anan form four, ko.... I am John Sigei from ng'esumin sub location.*

Translator: I am John Sigei

John Sigei: *ko kwoker kwo moche en yun kong'et koweek rabishek kong'eten form one akoi form four, olekotururchi, olekotururunen koen serkali ko kaikai kotokotes in, lipanetab fees kotkoit term three. Mi lagog che koregistan gee ago koror chi fees, mi... che kororchi fees, kiregistan gee alak, alak ko kikiwon komo registan geeamun mi barak school fees. Mi kamatik butote chaik, kibarua ko moyo me kii.*

Translator: There are children who are roaming and who have registered in school but then they fail to continue because they lack school fees

John Sigei: *Ago ko kimoche ketar en tamit niton school fees. Kemoche koswa serkali kotes kotko it term three*

Translator: The government should pay for these fees

John sigei: *komie kekere kotoretech serkali amun mo oekote bichu mi lagog che mi gaa ko kamatik ko butote chaik ko yoe kibarua momuche ot koalji ingoroik amomuche kolipan school fees , omomi chi ne toreti.*

Translator: So the government has done well to award bursaries but should increase the bursaries so as to help these children.

Com. Nancy Baraza: Okay can you go to the next point?

John Sigei: *Mi lagog che chang' ingunon yoit sait taman ak oeng' che ruiyote keterusiek en town ireu kobo bik cheteteren (interrupted) komie ko ker serkali ngolindononitet.*

Translator: For the children who are in the streets around here are for the people who are poor So the government should find ways and means to accomodate them somewhere better

John sigei: John Sigei: So thank you very much indeed.

Translator: Okay. ‘

Com. Nancy Baraza: John Kimeto utafuatwa na Joseph Birir. Is Birir there?

John Kimeto: *Olen in, kainenyun ko Johana Kimeto ayobu komastab kapyangek*

Translator: My name is John Kimeto I am from Kabiangek

John Kimeto: *Oleen in maoni nenyun nebo taa omoche ocher koyob komostab bunge*

Translator: My first decision is on Parliament

John Kimeto: *Omoche en bunge kotonon bunge ko bunge ineken akotonon bunge koi ineken komomii in, komostake ne kanyoko lalianen komostanyuan.*

Translator: I want Parliament to be independent

John Kimeto: *Omoche kora en bunge yoton, ko bunge kolewen icheket in, judge neo ne tononjin ng'atutik*

Translator: The Parliament should appoint a Judge who is in charge of Judiciary

John Kimeto: *Ko en komostab askarik,nyolu kora ko lewen bunge neo nebo jeshi.*

Translator: On the Armed Forces the Parliament should elect the head of the Armed

John Kimeto: *Akomoche kora kelewen president, ko president ko koteben ng'echeretab president ineken.*

Translator: I want the election of the President to be independent

John Kimeto: *Komoyob ngecheret ab MP*

Translator: So that he is not a Member of Parliament

John Kimeto: *Ko en komostab sipitalisiek,*

Translator: On the side of hospital

John Kimeto: *kemoche kindewech kerichék koyam yoton*

Translator: We want the hospitals to be equipped with enough medicine

John Kimeto: *Okityo kinde ng'otutiet ne ngotko momi keriche,konyolu komwa komostab tililindo kole koba ano kerichék.Anan ma kial kerichék anan mo mi kerichék-koba ano che kokyam.*

Translator: And a rule be put in force so that those who are in charge, can be answerable when the medicine is not there

John Kimeto: *Komostab kotini omoche kora kotonon kotini omotienge komosta ak tugul*

Translator: The Courts should stand by itself without being partisan on any side

John Kimeto: *ago omoche kora en kotini, komo polisiot neibe kesisi choton koba kotini.*

Translator: With the Court policemen should not take the cases to the courts

John Kimeto: *Amun ndo moche oip kesit ab polis iot ne mara koyoywo makosa ko moite kotini amun inendet neipe kotini moyoni koba ko sitagan ke.*

Translator: Because if I am taking the case of a policeman who mistook me he cannot go and accuse himself.

John Kimeto: *Ko en komostab kiruokik, kirwokindet ne ming'in ak kirwokindet neo,*

Translator: Chiefs and Assistant chiefs

John Kimeto: *Omoche kekonech kelewen koik ehek che leweni en kenyishek mut.*

Translator: The community should elect them every five years

John Kimeto: *En komostab ortinuek,*

Translator: On the side of the roads

John Kimeto: *Omoche in keyai oratinwek en komosta neyobu chaik amun miten yoton –kitile kodi koyob komastab ole yobo chaik anan bandek, kemoche kechob oratinwek en yoton kosir kwo kechob oratinweken ole momi tuguk che keipen kebach oratinuek che mi tuguk che keipe komoite tuguk ole kobendi.*

Translator: The roads where the plantation of tea, maize and so on should be done because the money from plantation is deducted.

John Kimeto: *Nebo let kora omoche che kakiyan koik ng'atutik kobur ogot en kenyishek bokol kosir kebir o bir kiraka kila kila kenyit age tugul kokokibir kiraka.*

Translator: The Constitution that is ready should stay for hundred years or so instead of punching it every now and then

Joseph Birir: *Kikurenon Joseph Birir*

Translator: Joseph Arap Birir

Joseph Birir: *Nemeng'unen kapyangek*

Translator: From Kabiangek

Joseph Birir: *awekchini Jehova kongoi en boishet ne kokotuiyech kibagenge.*

Translator: I am thanking God because we have met because of his power

Joseph Birir: *Kit ne okere ole omioni, kimiondosi chitugul kosipke ak ng'atutik chebo serkali nebo Kenya.*

Translator: What he is seeing that is a problem in the government is this

Joseph Birir: *En mionoton, omuchi owo komosta nebo kerichek ak ye kaitite ole nebo serkali, kelenjon ui olishen en yon ui yon, ui yon.*

Translator: Because I go to the government hospital and I find there is no medicine

Com. Nancy Baraza: Muambie aseme ni nini angetaka? Ni matibabu? Angetaka nini?

Joseph Birir: *Kimoche koripwech kondoi , viongozi ne ko kinde yoton*

Translator: The leaders should take care of the medicine there so that they can find medicine

Joseph Birir: *Nebo oeng kora ketindoi boishonik chok cheu cheko konango betyo ago mondoo en serkali.*

Translator: Sometimes we don't get payment for milk so we need the government to look into that

Joseph Birir: *Mi kou imbarenik, mi bik che motinye imbarenik inguni imuche kotinye chito ekarit omoyome koboishen.*

Translator: There are many people who have no land Some have got as small as one acre and they cannot feed the children from that

Joseph Birir: *Mi loan che kito kekonu kikochin chito ne terter kele kolong'unenge komokomii ra*

Translator: There used be loans for poor people but it is no longer there

Joseph Birir: *Ak komosta nebo sukul kou komosta nekikitesenda en sukul kekere rain ko mokomi kitabusiek momi*

kiaketugul en sukul keker ke mi buch.

Translator: On education the government used to equip schools with books and very many things but these days there are no such equipments.

Joseph Birir: *Ko noton ko sobet ne moche chito amun kotko mosoman lakwet omokisop en tuguchon tugul kaamwa komokimuche kesop*

Translator: Without all those things a human being cannot live properly.

Joseph Birir: *Asante sana.*

Translator: Asante sana.

Com. Nancy Baraza: Vile wakati unaenda nitawapatia dakika tatu, tatu. Omar Lang'at. Three minutes. Kama unaweza kuongea Kizungu au Kiswahili it will save time unless you can't then we can translate.

Omar Lang'at: My name is Omar Lang'at I represent the Supreme Council in Buret district. Nitasema kwa Kiswahili. Maoni yangu ni kuhusika na mambo ya Kadhis court. Ningependelea Kadhi's Court ibaki vile ilikuweco na pia ofisi ya Kadhi iwe imekuwa established katika every district. Upande wa health: Traditional medicine iwe imehalilishwa kama zile dawa zingine za kisasa. Federal Government: I propose Federal system to replace central or unitary ambayo tuko nayo wakati huu. I propose tuwe na Prime Minister and ceremonial President. Thank you.

Com. Nancy Baraza: Thomas Lang'at. Elizabeth Lang'at. Jacob Thambai. John Korir, Elijah Bore, John Kiproono Kiruim, Dominic Kosgei, Martin Onyeero, Kimtau Soi, Emma Ng'eno. John Letei, Ezekiel Korosi. Jacon Cheruiyot, Lucy Njeri, Frankline Bor, Livingstone Soi ufuatiwe na Daniel Mutai.

Livingstone Soi: Listen to my Memorandum fro Constitution reforms and Constitutional amendment. I am Livingstone Soi from Buret district. My suggestion I want the seats in the Constitution to be amended that, even the prisoner to benefit because they are holding national ID card, an elector's card and if they are not serving a death sentence then they should be allowed to participate as voters during the national general election. Also those who are hospitalised and they have this ID and electors cards should also be given an opportunity to have their representative in Parliament.

The Commission of enquiry into the new Constitution to be given enough time to listen to our views until they complete all the 210 Consitutencies which we have in Kenya. Which means they need 210 days, which is about 7months. And because they are not working during weekends, then you will see that they need almost a year for their work to be completed and no

Constituency should be left out. And these inquiries should not be done in phases it should be done once and for all and you know after their findings, they are going to compile their findings and then take them to Parliament for approval.

Third, the current Constitution of Kenya says that when a President dies his Vice President takes over as acting President automatically. I want this for 90 days to be changed such that when a President dies, the Attorney General or the Speaker of Parliament can act as acting President for 90 days then general election. You know the Attorney General or the Speaker are very neutral in Kenyas politics.

I want suggest that the land NativeTribunal Act be nullified by this Commission and in this place a Supreme Court be established to listen to land cases which need certain nullification. Because the Native Act was introduced during colonial time and then it died and then it wan reintroduced by President Moi. I want to tie the fifteenth time so that a Supreme Court finalised the land issues which need certain nullification. Because the elders....

Com. Nancy Baraza: I understand ---

Livingstone Soi: Yea and I have this Memorandum. The next point is that as refers to possession in land ownership it should be honoured if it is over twelve years. If you have been interrupted it is a continuous occupation of land and nobody is interering with you for twelve years then you are automatically declared the owner. And if the other one is who is having a title then land grabber should be taken to court for a sentence.

If there is a land which has been in dispute for years and the land has been cautioned in a land registry then the land grabber should not take you as a tress passer. So I need the police force to do the investigation before arresting criminal as suspects.

In a Juducial proceedings in a civil suit involving a two party case ----- then there should be no fomal prove. The trial Judge should take it as a final statement following the application. Thank you.

Com. Nancy Baraza: Thank you. Please sign there. Daniel Mutai. Elijah Mobei, Priscilla Chepkwony. Priscilla wewe ujaongea? Chepkwony kuja.

Priscilla Chepkwony: *Ane kekurenon Priscilla Chepwony*

Translator: Priscilla Chepkwony

Priscilla Chepkwony: *Omemnng'unen Litein ireu St. Mark*

Translator: From Litein.

Priscilla Chepkwony: *ko cho mwoe omwoe akobo echek en korikyok ketinye mosiket neo koimutik che yechen akobo*

Translator: In our homes mothers have got heavy responsibilities about farms

Priscilla Chepkwony: *Iwendi iman imbar ko boiyot ko momuche kwo mbaret ago kibute ak lagog echeken ko ye kokomong rabisiek komach boiyot ineken kora.*

Translator: Men are not involved in farm activities and yet he is the one who receives

Priscilla Chepkwony: *Bas ye kakonam boiyot ineken, ko momi kit no lokwinen lagog ingoroik amun ye kako manda ko kokwo ak rabisichotet: ko rabisiechu ye kake num koib ineken k oin ye twoe koseretos lagog cheloken ingoroik. Moche lagog che lochen amun kobute ko cho ko millet neo ago bolotet ne momi kaliet. Ko non, konoton ne kokiipu agechek kelenen ke toret ke sikepyei kwenet koip akine tuten kong'etich lagog akiche k si kolagen ingoroik. Ago somanen kora lagog.*

Translator: Family assets should be protected for all the family members

Priscilla Chepkwony: *Ko nebo oeng ko ngenome rabisiechuton en ole kakebe en factory koimech koleneen ibuu baruet en kirwokindet amun kokimoche boiyot ko boiyondonikan ko mongen imbar oko koo but chaichukan aneken agor komoche ireu koetenan komotoche rabisiechu kolenen ni kimoche cdhito nebo kainet.*

Translator: She is requesting that ownership of tea should be streamlined so that each member, mother or father will be able to earn from their produce she is requesting that ownership of tea should be streamlined

so that each member mother or father will be able to earn from their produce

Priscilla chepkwony: *Ko nebo let, nebo oeng, omwoe ole mi koimutik yon chebo lagog kora, chengo woo kele kisir kasit lagog che kikotar sukul, kemoche rabisiek komomii mokitindoi alak rabisiek kosiren in kikoito asikesir lakwanoton en kasit.*

Translator: She is complaining that after the children finish their education and they want employment people who are expected to employ them demand bribes.

Priscilla Chepkwony: *Ko nebo somok, ko ng'alek ab kiwotet. Ko ngosirke bik ab kokwet, chitab kiwotet ak nerubeke,*

konome koboishen rabishek chito ago mut chito kotkoit kotini kotomo kong'alalen kirwogindet. Noto ko Makosa.

Translator: She is talking about land dispute that they should be settled at the village level **(Kipsigis)** Thank you.

Com. Nancy Baraza: Dakika Mbili, mbili ndio tumalize kuna watu mia tano hapa wanataka kuongea. Elijah Maritim, Joseph Lang'at, Bethuel Mbarisora, Chebore Toronge, David Lang'at, Festus Bett, Gideon Koech. Wewe ni nani? Festus Bett, kuja. Wapi Gideon Koech.

Festus Bett: Kwa majina ninaitwa Festus Bett. Maoni yangu ni kama yafuatayo. Mimi ninataka serikali ya Majimbo kwa maana yale mataifa yale na serikali ya Majimbo kama Germany na Afrika Kusini yameendelea kimaendeleo. Kwa sababu serikali iko karibu. Mimi ninataka Waziri Mkuu na Rais wa sherehe yaani ceremonial President. Rais lazima achaguliwe akiwa na miaka arubaini na tano na kuendelea bila kivani.

Nina-support wazee wa zamani badala ya Chief kwa sababu chief siku hizi anauliza TKK na kupata wasichana ukimwi. Tuokoe wasichana watu.

Rais akiwa ame-retire lazima achungwe kwake na mali yake. Na tena kama Rais ame-retire hawezi kuukumiwa kwa chochote katika ofisi yake kwa muda aliokaa ofisini mwake.

Mwisho, mvulana akidunga msichana mimba lazima amuo kwa sababu alikuwa anapenda akifanya hivyo. Kama ningependa angefanya hivyo. Na msichana vile vile akipata mimba lazima atafutie mtoto shamba kwa sababu hiyo ni masomo yake. Muda umewadia ningetoa mengi.

Com. Nancy Baraza: Tutasoma tuachie hapo tutasoma. Joseph Biroi.

Joseph Biroi: Kwanza mimi ninasema ni asante kwa kufika hapa.

Com. Nancy Baraza: Mmesikia tutabeba tu kelele tupeleke Nairobi, hamutaona maoni yenu mahali popote itakuwa tu ni kelele.

Joseph Biroi: Ni vizuri niseme lugha ya mama

Com. Nancy Baraza: Sema Kiswahili.

Joseph Biroi: Sijui sana. Jina langu ninaitwa Joseph Biroi. Ninaishi pande inaitwa Kabitoni location. Wanawake wale wanaolewa bila baba yao kujua na pengine mwingine ni huko Bomet anakuja pande hii anasema bado ajaolewa ni vizuri kupea wazee wa mitaa ni vizuri wapate barua kutoka kwa watoto hao. Halafu ujue kama ako bado kuolewa na ni vizuri kupatiwa permit ya kolewa nyumbani kama ya arusi. Kwa sababu mtoto anazaliwa nyumbani na anapatiwa birth certificate kutoka kwa chief. Ni vizuri wazee wa mitaa wapatiwe cheo kama watu wanataka kuoaa nyumbani wawapatia barua ili wawe na nafasi ya kuoaa mtoto wa mwingine.

Kwa sababu siku hizi watu wanaowana, wanawake wanasema bado hawajaolewa na pengine Mkikuyu amekwisha muoa, Maragoli amekwisha oa na anakuja nyumbani na anasema bado. Ni vizuri wapatie watu wa nyumbani *moche kikochi in boishek kap kok inguvu. Amun icheket che toreti lagog ab bik asi mowechowech bik.*

Translator: They have got heavy responsibilities.

Joseph Biroi: *ko kamwa kwony age kole kiseretosi en kemoche imbarenik komokioni kounoton bik alak amunee, kwondo ko nyorton gaa-komongen ole komoche otun anan komoche imbaret.*

Translator: he is defending that Title deed should be only on the husband not the wife.

Joseph Biroi: *ago ngunon kokorokochi kainet kele nebo arap anum. Kou kwondonyun inguni kebore Esther nebo arap(not clear)Moche kocham chito kole kou en joint account nikupenda yangu hapana kwa nguvu, kwa wanawake ulikua unataka shamba au uolewe.*

Translator: He wants –

Joseph Biroi: *Omoche kikochi kwondo ng'echeret en tumto nebo kipgaa*

Com. Nancy Baraza: Mnapiga kelele mnaharibu haya maneno yenu mtalahumu nani?

Translator: He wants female circumcision to be recognized legally.

Com. Nancy Baraza: Ako wapi? Wewe ni Mr. Biroi. Sheria ilishapitishwa Bunge , sheria ya kulinda watoto wasichana ukitahirisha yule mtoto msichana na ushikwe utanyogwa. Kuna sheria sasa. Walipitisha miezi sasa mitano au Hirary Sigei, Paul Soi, Jonathan Kirui, Selina Chemutai.

Selina Chemutai: *Kainet kekuron Selina Chemutai ne chome Jesu.*

Translator: I am Selina Chemutai ambaye anapenda Yesu.

Selina Chemutai: *owekyini kongoi cheptaleel amun kokochoomwech ke nyorun betut ne u ni.*

Translator: I thank God because he has allowed us to meet this day

Selina Chemutai: *Ng'oliot no tindoi no moche amwa ko inoni*

Translator: And what I have to say is this

Selina Chemutai: *Miten bik, che tindo ng'alek che yechen*

Translator: There are people who have big words

Selina Chemutai: *Lakini ng'oliot ne otindoi kityo ko amwa akobo komosta nebo councilors*

Translator: But what I want to say is for Councillors.

Selina Chemutai: *En councillors komi iman che tinye boishonik*

Translator: For Councillors there are those who have work

Selina Chemutai: *Ako mi che kekuren nominated*

Translator: and there are those who are nominated

Selina Chemutai: *Ago en ane,*

Translator: But me

Selina Chemutai: *okere ole monyolu kele mi che kekuren nominated*

Translator: I see that there should be no nominated Councillors

Selina Chemutai: *nyolu koik councillor ne councillor iman*

Translator: There should be a Councillors who is the true Councillor

Selina Chemutai: *Ago kora komosta age*

Translator: But on the other hand

Selina Chemutai: *komosta nebo ministers*

Translator: There are nominated Ministers

Selina Chemutai: *En ministaek kora komi kora ng'alek che kekuren nominated ministers*

Translator: There are nominated Ministers

Selina Chemutai: *Ko en yon ke moche minister ne minister inendet*

Translator: so nominated Ministers should not be Ministers

Selina Chemutai: *Ng'otutik che mi,*

Translator: The Consitution or the laws that are

Selina Chemutai: *No tindoï anendet*

Translator: that I have

Selina Chemutai: *Kemoche chito ne noton inendet.*

Translator: A person alone should be the one not the attached to other things

Selina Chemutai: *Ng'oliot age kora konamge ak sipitalisiek*

Translator: Another issue which touches the hospital

Selina Chemutai: *Ko en ehek ko miten chemoiondos*

Translator: With us there are people who are sick

Selina Chemutai: *Ogo en korikyok kap chii*

Translator: when somebody is in the hospital he should be told that you are suffering from this disease.

Selina Chemutai: *Omoche chito ne kakomian en sipitali kemwochi kele omin miondo neu inoni kou miondo nebo Ukimwi*

Translator: Like the disease of HIV –AIDS

Selina Chemutai: *Konyolu kemwochi chebo asi konai ole ripto ke*

Translator: the owner should be informed so that they know how they can look after themselves

Selina Chemutai: *Agot en olombo kokwet*

Translator: Living around the village

Selina Chemutai: *Ngoliot age*

Translator: Another word

Selina Chemutai: *Nokesunen*

Translator: That I am going to finish with

Selina Chemutai: *Ko ng'atutik yebwa*

Translator: The new laws

Selina Chemutai: *Ko moche kechomyo kou ole chomech Cheptolel indet*

Translator: people should love one another as God loves us

Selina Chemutai: *Oke konyit president agenge nekitekisi*

Translator: And we respect the only one President whom we respect.

Selina Chemutai: *Osi kwo taa emenyon*

Translator: So that our country will go ahead

Selina Chemutai: *Kongoi.*

Translator: Asante.

Com. Nancy Baraza: (interjection) ulisema nini? Joane Ng'eno, Philip Kiptoo.

Philip Kiptoo: Thank you Commissioners. Let me start with the fundamental rights. The people of Kenya are religious by nature and natural practices like they observe Christmas, Good Friday and Easter holiday and others. This should be upheld and cherished. Also with the privatization of KBC we wish to request this Commission to ensure that there ample time for Christian programmes during the above holidays.

The Constitution of Kenya should protect the freedom of worship by ensuring that practise such as devil worship and offering of human sacrifices are prohibited.

Education: In our country education is very important such that each time the budget exceeds other Ministries we would like the management of schools be strengthened by defining the roles of the PTA the BOG and the initiators of such schools. The above people roles seem to overlap with the one administering such duties.

Election on President: The winning President should get at least 25% of the votes in five out of eight Provinces but the number

of votes casted should be 50% for the winning Presidential candidate. If not, then the winning President or candidate with the highest number of votes casted will be allowed to form a coalition government to satisfy the 50% votes casted.

Environment: The Ministry of Environment and Natural Resources should be strengthened in order to protect the country's forest, rivers, springs and others.

Provincial Administration: Employment of Chiefs and their Assistants be done as it was in the 70's where the relevant communities would elect a person of high and moral integrity from qualified applicants in the same office.

Land ownership: All public institution located land should have their own Title Deed registered under that institution. In our schools or in the high schools we request that the employment of chaplains be the same as that of the military and other institutions that is, we request that Chaplains in public schools or in secondary schools be employed by the TSC. Asante,

Com. Nancy Baraza: Leave you Memorandum there we shall read it. Rossa Chepkugei. Paul Towet. Daniel Sengenei, Nathan Kerol, Weldon Turugat, Jane Kipkosngei, Dickson Lang'at, Simon Kirui, Benjamin Maina. We don't have your time just come, sit there. Kaa hapa utuambie maneno yako. John Sigei. Esther Koech ufuatiwe na Joseph Rotich.

Esther Koech: *Olen ane kukerenon Esther Koech kirupit ab kapkittony women group*

Translator: Esther Koech

Esther Koech: *Ngoliot nekomoche amwa ko akobo sipitali*

Translator: I want to say something about hospital

Esther Koech: *Amune, moche kesome kele kinyitwek kerichek sipitalisiek chebo dispensary oko ityo keripweh daktariiek asi maalda kerichek.*

Translator: We are begging medicine to accessed in the hospital by the government and take care of the hospital staff not for then to sell the medicine

Esther Koech: *Ng'iliot ab oeng ko asikarik che miten oret ko yoe kasisyek oeng'. Oe kasinyin ne tun toche en tikitit oko oe kasit ab barabara kora koreben bik rabinik ak motiny' kanyi karishek, ko lazima kora kot kwo karit ko nyitatbik ago kakwamen rabinik.*

Translation: Second issue is about the traffic police, they are doing two jobs they are employed by the government and they get something on the road that is “kitu kidogo”

Esther Koech: *Ng’oliot ab somok, ko ng’alek ab tipik kyok*

Translator: The third is on our girls

Esther Koech: *Tipikyok kesome kitun amu mokitinye imbarenik che kimuche kebutyin.*

Translator: we are begging for our girls to be married because we don’t have farms to give them

Esther Koech: *Kou ye kimwa akine komuktoindet kole chekaoyan en ng’weny oyoni en kipsengwet kesome kele kituni tipikyok amun saitake osereti imbaret roruon tuguk, asi kopit ataitai kokeny kopit oputyi imbaret kebononie tuwan mara kotowendi yekaikai*

Translator: Because the Lord said our children will be married they should actually be married so that they ease our problem

Esther Koech: *Ng’oliot age nebo agwan kikere ecek kele mokilong’u ke missing nge bore ketech ogot canteen kitikin nemi bii sikioldoi sabunit kochun serkali ana county council komoche kikochi Ng’olion asi kopakta canteenishe choldo sabunit komatkoreben akolenjin konu lecence en elibusiek somok ago komotinye choto.*

Translator: we see that we are not actually advancing in business the county council staff go there and ask for something small and if they have fewer goods inside the markets may be they can give them as gifts. So that they can remain poor.

Esther Koech: *Ng’oliot age nebo mut koni, ongen ole en imbarenikyok ongen ole metinyun ko boyot an ko a katit chepyoso ko katit. Kingen kele nenyon tuwan imbaret. Kimoche kikimit kityo kele ngo aldo boyot imbaret kokose chepyoset . Ago ndo kinyoru chepyoset ne ter kondo sign imbaret ago kama ko chepyosenyin,koba tuwan ko.*

Translator: the head of the house is the man and woman is the neck and therefore they should be in charge of the Title Deed. So if the old man and another woman who is not married can sell the land they can be arrested together. Ya mwisho.

Esther Koech: *Kirwokindet ko nyolu kowekto ngalek koba kokwet asi kong’alalen boishek. Ok kirwokik kora ko nyolu kolewen kokwet kirwokindet.*

Translator: The Chief or the Assistant Chief should just refer the wards to the local communities elders so that it can be

discussed there.

Esther Koech: *Lagog, chesomoni ko lazima ye kakosoman lakwet ke tepen kelenjin, ngoro kii kitikin ako mo non kityo kingen kele mokoitu toretet nebo bursary sukul. Imuche konyo toretet ne kobunu serkali ninyon ago moribot kotko it sukul asi kosomanen lagog chabanandos. Imuche kora konyo ko bunji bik chemokorek.*

Translator: the bursary should aim at poor people but not rich men

Esther Koech: *Ng'oliot age omoche okesunen majimbo nyolu ketindoi majimbo en emenyon en mengishet lakini en boishoshek ko oldatugul ke boishoten*

Translator: We should have Federal government locally but with business people should go round all the public.

Esther Koech: *---Kit no kesunen ko nyolu kikochi ng'atutik bik che nome maiwek asi kopit komototokuwech maiwek en oret ak kikochi rabinik.*

Com. Nancy Baraza: Niko na swali kaa hapo nikuulize. Alisema haje?---

Translator: Those people who confiscate the illicit drinks should be dealt with because they are just

Esther Koech: *Kole kiweku maiywek kila en oret mo nyolu kewek maiywek ko bwa reserve kokeny. Yekakenam chito kwo ak ng'otutik kyik chebo maiwek asikopit koto kotililit emet.*

Translator: The illicit drinks once arrested should be taken completely

Com. Nancy Baraza: Niko na swali kaa hapo. Ulisema kwamba unataka wasichana waolewe kwa sababu huna mashamba ya kuwapatia?

Esther Koech: Ndio

Com. Nancy: Uko na shamba ya vijana? Vijana unawapatia, kuna shamba ya vijana?

Esther Koech: *Marich en murenik kepyechi tipik ko marigit any soiti kong'et bananda kora. Yaani saet kityo kitun tamanan konyor ye kaikai.*

Translator: It is their prayer, that girls should be married fast to ease the problem.

Com. Nancy Baraza: My question was do you have land for boys? That was my question very simple.

Esther Koech: *Momi kora, ming'in*

Com. Nancy Baraza: And why are forcing them to marry off so that they ease the problem.

Esther Koech: *Nikitun, nikitun tipik.*

Com. Nancy Baraza: Christopher Cheruiyot, Christopher, Richard Ng'eno, Joseph Korosi, Kipg'etich Korir, David Koech, Vincent Ng'etich, Majanga Tom. Majanga kuja.

Majanga Tom: Thank you. My name is Majanga Tom and I am a teacher. I will add in my short note so I will be very brief. The Kenyan Constitution should have a preamble which should touch on how that document becomes our Constitution. How the Constitution becomes a Kenyan Constitution and then section 47 of the Constitution which deals with the Constitution itself should be renewed so as to delink the process of review or formation of a Constitution from the election. The reviewed Constitution should only be presented for adoption to Parliament when it is ready.

Election: They should be held on schedule after five years as usual and if need be then we can only look at the minimal election law so that we allow for a fair election. Otherwise for the Constitution itself, it should only be presented when it is ready. At the same time regarding that very Constitution after it has been implemented, we need a standing Commission so as to look into the formed Act because apparently the problem we have come from the Acts that are normally derived from the Constitution.

So may be a standing committee on the Constitution can look at the Act once formed, to see whether the Acts are in line with the Constitution rather than waiting for the courts to come in when the Act has been in existence for a very long time.

Regarding the Constitution itself I propose that it be translated to all the Kenyans languages so that there is accessibility by all and it should also be taught in schools, actually a unit in itself. The History and Government does not really have it in the syllabus. Section 5 and 6 of the Constitution should be reviewed so that the age of the person contesting for President is not actually lowered. I propose it is lowered to 30 years because someone who has gone to Parliament twice may at the age of 20 in my opinion is qualified to become a President.

Lastly, section 14 particularly part 1 and 2, I propose that part be reviewed so that if a party feels aggrieved by a sitting President, he can seek Judicial redress in court. And if the President is found wrong he can be fined or the same can be grounds for impeachment but should not just be free whereby you cannot really seek redress making the President appear to be above

the law. Thank you so much.

Com. Nancy Baraza: Give us the Memorandum we shall read it. Christopher Chepkwony.

Christopher Chepkwony: Kwa majina mimi ni Christopher Chepkwony. Mapendekezo yangu ni life of Parliament must be five years citing examples of in the games and World cups. That should not be negotiable. Nominated MPs and Councillors those posts should be scrapped. He works for his masters whom we don't know where he is. Salaries for Parliamentarians should be decided by the employer who is me who is here now.

Prisoners should be allowed or must be allowed to visit their spouses to avoid AIDS.

The post of the Chiefs and Assistant chiefs and Administration kwa jumla, they have been used by the government to frustrate ordinary people, collected money and I am paying tax why he should come again and ask me for the money? What is kind of money is this? Why he coming to me I am a paying taxman.

The President and the Prime Minister: The President should be a ceremonial man only and I siting an example the President of this country, he has been going round the state universities graduating people for about one month wasting time, wasting money of the public.

Forest: There should be afforestation should continue as when the colonial people where there. Why are people claiming for land and when he dies he is given four by six and he has seven acres?

Lastly, the Arms of the government: They should be separate, the Judiciary should be independent, the Parliament should be independent and the Legislature should be independent. Thank you very much.

Com. Nancy Baraza: Samuel Mosore. Councillor Joel Ngenyi. Norman Kirui.

Norman Kirui: Okay, these are my views concerning the Constitution. The Parliament should be separate. We should have the MPs being different, should not appoint an MP to be a Minister at the same time he chairing meetings. We should have MPs being different. We should have Senate in this country, something that is permanent and then we have the House of Representatives.

We should also have a Federal government in Kenya. Because we have countries like Germany, USA, South Africa, they are very successful and yet they are having this kind of government.

Also environment should be protected, the Ministry of Environment and Natural Resources should be given power to reinforce rules. We have for example around this area the water catchment areas has been destroyed, the matchets here, the people are training them away and they are planting trees like eucalyptus, they ar planting all kinds of thing there. So you find that the water has reduced in this place, we find that around four months ago we had some floods occurring in the lower part around Nyanza because of the destruction of the environment that has been occurring, yet it is the same, same government that is destroying these forests. They are not protecting the forests and yet they are the ones who are arresting people. You find that most of these people in the government own these companies that are destroying forests.

The issues of land: People should not possess more than may 50 acres of land because you find that somebody having around ten thousand acres while we have people who are living in slums, who are landless. And then again Kenyans should declare their wealth. The MPs should be looked into because if you trace any person who is rich in Kenya today, you will find that at one time or another he was a DO, he was a DC or he was a Minister somewhere. So Kenyans should declare their wealth.

We also have education sector: We have the mushrooming up of many so called academies in all the learning institutions yet we find that sometimes we have in some places especially in big towns we have a bar, we have a multi storey houses with a bar in the ground floor and then up there the last two storeys, we find there are classes or lessons going on so you can guess what usually take place. So government should look into this.

The DC also should not be given power to chair Land Boards or liquor licencing boards because we find a DC, a DC can grab land or he can license his own bars. The Constitution should not also be doctored up because we are giving views but you see there when is reaches there it doctored and our views are not presented.

The powers of the President should be trimmed, we should not have President who is a Vice- Chancellor, he is Commander-in-Chief of Armed Forces, I don't know he is what, he has very many positions. The President should only be a ceremonial President and not to have many positions. Thank you.

Com. Nancy Baraza: Thank you. Richard Sang'. Sang' ooh you had presented. (Interjection inaudible) No you are not going to do that. Thank you. Joseph Siyoni, Zakayo Kimeto.

Zakayo Kimeto: My names are Zakayo Kimeto. I have the following proposals concerning the new Constitution. On the President: The President should be elected democratically and he should be a person with experience and who should have been in government positions or a leadership positions in the past.

The MPs should also be elected the same way and should have the following qualifications. They must have relevant qualifications academically but they should be having basic degree.

For the President I am sorry I forgot to say that he should have a minimum of 'O' level certificate. The MPs should have also the same but the Ministers should have the basic degree and should be in the relevant profession such that we should have a person in the Ministry of Health being a doctor.

Religion: All Kenyans should be given freedom of worship and this should be respected by the Constitution so long as they have the place in their relevant documents like the Bible or the Quran. So that they should not be harassed in any way in the health facilities, in the schools or in the courts of law.

Education: All Kenyans should be given free education especially in the primary school and the university I stress that.

Health: Kenyans should enjoy these facilities such that they should not be paying very high bills of their medical facilities, they should be given free.

Lastly, is on land: There should be an adjustment on the policy of the ownership of land such that the Title Deed should be given for small plots that are less than an acre. Those that are outside the municipal and City Council. This is because the land is not increasing but it is decreasing especially when we come to sharing so it should have Title Deeds. Thank you.

Com. Nancy Baraza: Benjamin Soi. Three minutes.

Benjamin Soi: Thank you. I have the following points to make. One about the Presidency: On the side of the President or any ruler in Kenya should be above the law. Also the President and the Vice President should be above forty years.

Parliament: No Member of Parliament should be illiterate or semi literate. All those who have never seen the inside of a classroom should not be in Parliament.

On the Constitution which is now being reviewed: I suggest that after it has been completed the citizens of this country should have access to it before it is enacted in Parliament.

Charles Nteletei: My name is Charles Nteletei from Litein. My first point is on Village elders. I think village elder should be co-opted as an institutions of hierarchy of administration. And a village elder is actually a representative of the President in the grassroot. He stands like a PC, he does and performs a lot of duties for the society through arbitration, holding reconciliation between quarrelling parties in a village.

Some of the dispute which could flare up to higher positions or some of which could end at the death of some people. But if the

village elder do it without pay, and without force and he has no time because he can be woken up at night and he does not refuse he goes there to arbitrate. So I am requesting for payment for village elders.

Holding positions: I feel in our society where we have a very high rate of unemployment. There should not be one man or one woman who hold two posts or more posts. Why should you be a member of this, Councillor here, Councillor there when we have a lot of jobless people on the streets?

Com. Nancy Baraza: Say your last point.

Charles Nteletei: Madam I will do it. Property ownership: Here in the Kipsigis community is not regarded as such. The whole compound belongs although some people may not agree with me, belongs to the man. This question of ownership I think if I go out there with a thousand shillings or one million shillings I can buy a piece of land without consulting my wife or children. Why should I be restrained from selling it by the same people wife or children. So I think it is the husband who should own a prerogative to the land ownership. Unless if my wife is a teacher and I am a teacher and she buys land there, okay that is hers.

Com. Nancy Baraza: Give us your last point.

Charles Nteletei: My last point, I will make it this question of culture. If God wishes could we please ban these foreign cultures. We have been influenced with foreign cultures and I know amidst groups to this question of homosexuals should be banned.

Com. Nancy Baraza: Thank you we get it. Please give us the Memorandum. Niko na watu wengi sana. sana please.

Charles Nteletei: Thank you Madam.

Com. Nancy Baraza: Augustine Kiboi, Esther Ng'eno, Josiah Arap Kirui.

Josiah Arap Kirui: Actually Madam I don't wish to spend much of your time. I am Josiah Arap Kirui. I have prepared quite a lengthy Memorandum but I would like to make it very brief. One thing is this: We need a Federal government in this country and secondly, the current Constitution does not subscribe to in our preamble collectively or exclusively. And so we need in the preamble sovereignties, socialized, democratic, republic, justice, liberty, equality and fraternity. This should be entrenched in the definition of the kind of society which we shall have built in the Constitution. Because without outlining these objectives, we may not be able to meet any as we go by defining each item in the objectives. Also we need to clarify that we need a liberal democracy because many countries have several types of democracies and I think ours is a tribal democracy. We need to have

liberal democracy where we subscribe to social justice, we subscribe to other items that will require our man to have employment, to have education and have all the rights in the society including freedom of expression, association and religious worship.

I would like then to go first and appraise you on the needs for the President. I know I wouldn't like to dwell much on anything but I am going briefly and I will submit right on. Like in United States and other countries like India, we need a President who is non Executive, who should not at any time declare anything except emergency. We can give him the powers to prorogue Parliament as well when he needs but we will not give him powers to do much more than being a non-Executive President.

So that should be the point, he should have two terms of five years each only as in other countries like United States and then that should be enough. The minimum age should be about 35 as it is today, we have no quarell with that and his salary should be determined by the people. I don't see the reason why Parliamentarian should tailor their won salaries to their own selfs and the President also exclusive of the people who sent him there. Let me make one thing paramount that Parliament belongs to the people. And if it belongs to the people therefore the people will define terms of those people who sent him in Parliament.

Com. Nancy Baraza: You last point.

Josiah Arap Kirui: My last point. Corruption is rampant in government. To have no power on the Constitutional changes in Parliament because there is a lot of corruption. We need to rigidity a lot more rigidity and reduce flexibility of changing this Constitution which we are making because it is our. So that we raise the right to alter the Constitution by Parliamentarians from 65% to 80% or prefer a referendum. So that we people who make the Constitution define how it should be changed. Would like that to be the last one? Okay I will jump –I wanted to talk on the Judiciary but....

Com. Nancy Baraza: One word on the Juduciary

Josiah Arap Kirui: On the Judiciary I think the Judiciary should be brought down to a lower level so that we have Judicial process in divisions and even in locations. If we do this then more access to justice will be developed in the country. And with that say I would like to add one thing on Judiciary. There is "Njurincheke" in Meru country they have not been included by the colonial government in their defination of the apparatus they use in administering their country.

We also have in this country certain processes which are done clans like the compensation for killing a person. These things are done by clans without resort to the courts of law although somebody has murderd somebody he will go to courts, he will be imprisoned for life or he will be killed, he will be executed but the people at home will have to collect livestock and say they are paying for the blood. One clan pays the other, we would like that entrenched in the Consitution and we would also other aspects of our cultural heritage to be entrenched in the Constitution. With that said Madam, thank you very much.

Com. Nancy Baraza: Thank you. Give us the Memorandum. Joel Kosgei. Josiah Loptai. Councillor Amos Birir, Pastor Edwin Bii, Kiprono Mutai, Simon Chumo.

Pastor Edwin Bii: I am Pastor Edwin Bii and my proposals are as follows. It has been mentioned several times and I still repeat that we need a Federal government which will operate systematically from the grassroots level that is community unit to the national.

All implemented documents regarding the community let us say in Parliament there is no awareness within the community of which there should be a feedback.

Judiciary: It has been mentioned several times the laws has been made and not implemented. People are very careless and I know which relation is messing about so the government should look into. Mostly when we go to “proponal” advocate, these advocate, which are called private they are like the traditional medical doctors. Misusing the people and the property he can support somebody until you find that at last when there is no money he jumps to the other one. So the government should look into this. It is a problem within the society. Again we have some cases as we have mentioned as I supported that one of Kalenjini paying punishment of somebody of kills somebody and he has been charged so that is double judgement. One side should be taken into.

Land: There was a question which said that, who is the owner of the land? the land belongs to the community unit that is to say, clan and within that clan, they had their parasites which mean children so therefore they leave into that, and even the land which say that if a somebody of a family dies and he doesn't have his family that land should be returned to the clan not to County Council as it is in the laws of Kenya. The land should be returned to the clan of that society. We leave in groups.

The other thing is the President when issuing about life of President I will say that the President should be elected. It is normally in two terms of five years but it is wonderful if the President is fulfilling his duties why not call him life President that will depends when he will stand if he is defeated well and good. Otherwise we are rejecting important people we could use them in society.

Com. Nancy Baraza: Your last point.

Pastor Edwin Bii: My last point is freedom of movement. We are now touching on the East Africa. If we say there is freedom of movement and we are all black I don't know how we shall live because somebody can comfortably stay in Litein here for years while he is wanted in Burundi. So there should be a control and that will help also to avoid the street children. Thank you.

Com. Nancy Baraza: Thank you, Father Soi.

Father Soi: I am Father Soi from the Catholic Diocese of Kericho Child and Peace Commission and also CRECO. I have written some of it in Kiswahili. Serikali yetu haitakuwa ya Majimbo kwa sababu Majimbo kwa watu wetu ni kiondoa makabila mengine, tunajua hii in 1992 there was tribal clashes. So introducing Majimbo of our people concerning Majimbo is to chase people other people who are not of their own ethnic group.

Tena tunataka kufanya kazi na makabila yote bila ubaguzi. Kwa sehemu zingine ambazo hazina mali ya kutosha kwa hivyo badala kuwa na Majimbo tuwe na sheria ambayo tuna uwezo kubwa na mali yetu lakini pia tuchagie kwenye treasury ya serikali ilituweze kuwa na pesa ya kuazisha miradi kama kujenga barabara.

Serikali yetu isiwe na Provincial Administration kwa sababu hiyo ilikuwa ni juhudi ya wakoloni kutunyanyasa na hata sasa viongozi wanatumia binu hiyo kunyanyasa raia. Kwa hivyo Provincial Administration iondolewe kabisa. Tunataka nguvu ya Katiba iwe kwa wananchi yaani badaya ya kuwa na DO, DC na Chiefs extra tuwe na elected members.

The role of the MPs: He should get ideas from the people she represents like church leaders should not be left out, youth and Muslims leaders ama other opinion leaders set to present ideas in Parliament. President: The President should be elected for two terms and he should be a ceremonial President. Representing us with international matters and to advises us on natinal issues. I differ with some of the people. We are living in a complex society he should be a university graduate or related academic status. He should also be above 25 not 30, there are some youths who are capable of leading. The President should not be above the law. Should not be appointing civil servants and that should be the role of the Parliament.

Mahakama: People conficted with crimes should be charged immediately. Cells should remain for hardcore criminals only. Pathetic crimes should be dealt with at the village level. Na tena katika cells the police should not be the one taking care of the prisoner and these people who are in the cells because they threaten the people. So there should be a protection of prisoners so that to that those people can be reformed. Policemen cannot reform the prisoner we have learned it in our country.

Finance: Clear records should be shown on the taxes collected from the people. Even church leaders also should get allowancea from the government why not? Because the are not exempted from taxation. All citizens in Kenya who are non-employed also should benefit, should get an allowance from the central government. You know is only because corruption of that we have in Kenya that this is not possible otherwise some people will reason that where will the government get all these to give church leaders, to give to the retirees and those who do not have jobs. Is only because we have a lot of corruption in Kenya that is why we can feel that way. Otherwise people should get allowances even if they are not employed because they are doing something to the government.

On media: There should be freedom to start the radio, television stations for churches and other organizations.

Com. Nancy Baraza: Please finish.

Father Soi: Thank you very much. The final one there should be provision on the Constitution to protect rights that is the fundamental rights chapter 5 of our current Constitution. Provision on the Constitution about changing the Constitution by the people. Thank you.

Com. Nancy Baraza: Na Father you register there. Martin Koech.

Martin Koech: Kwa sababu sielewi Kiswahili jambo langu la kwanza la kusema ni kusema hivi. Mimi ninaitwa Martin Arap Koech. Nimekuwa na kazi katika nyumbani kwangu ikasemekana tuwe na sheria moja katika kipande cha shamba langu ingawa ni kidogo ati tuwe na --- na mama. (Interjection) mama? Hata kama kuku au jogoo hawezi kulalia mayai mpaka yanakuwa watoto changa. Mama ako na shughuli yake na mimi nina shughuli yangu. Jina la kila mtoto anajua ni jina la baba ambaye ni mimi na hili shamba ni langu. Ni mpaka tuwe na watu wawili jamani? Huwezi kutumikia tajiri mmoja mtu mmoja.

President: Awe chini ya sheria. Village elders wawe na mishahara.

Com. Issack Hassan: Asante. Joseph Lang'at, Joshua Mutai, Gilbert Lang'at, Richard K. Mitei, Joseia Soi, David Serem. wewe ni nani?

Joseia Soi: Mimi ni Joseia Soi and my points which I suggested are: Local government Chairmen and Mayors should elected by the people not to be elected by Councillors. Councils should be controlled or should stop collecting a lot of money from the people because they use too much money doing nothing for the people.

In our hospitals instead of curing diseases they don't have medicine. We say Kenya is a peaceful country yet people die in hospitals because they don't get medicines so they is no peace. Education: We should have free education for all children from standard one to the Universities.

Nominating Councillors and MPs should be a stopped or abolished. Judiciary should be independent not to be dictated by other people. Electoral Commission should be independent too.

People should not have many job while there are many jobless people. Thank you very much for this opportunity.

Com. Issack Hassan: Thank you very much Soi. David Serem, Fred Ngeroa, Paul Rono, Joel Kipkorir.

Joel Kipkorir: Yangu ni kuhusu Bunge kwanza. Bunge inafaa huru. Rais asiwe na uwezo juu ya Bunge.

Com. Issack Hassan: tafadhali tujaribu kunyamaza kidogo tunakaribia kumaliza sasa. Kwa hivyo tujaribu kunyamaza ndio tuweze ku-record haya maneno.

Translator: *Kaikai kokisom kele osisigee si maba kekas bolet en Nairobi uu machang saishek chito no nge tinye kii imuite mo ko ng'olole chito dakika mingi. Ko yange nam kora.*

Joel Kipkoris: *Dispensaries chekitindoi motokeip ke boishen koik binafsi. En ngalek chemi en bunge.....(interrupted)*

Com. Nancy Baraza: Hiary Kirui, Charles Chumo. Samsom Koros. Joshua Kamoi. Wewe ni nani? Samson Koros.

Samson Koros: Mimi ni Samson Koros kutoka Chemosot. Kile kitu kile mimi nitasema ni mambo ya lands. Lands saa hizi inatakiwa kuwa sub-divided nyumbani. Surveyors wakati kule wanaitwa kugawa shamba kama acre kumi hivi inakuwa mtu ni lazima auze kama acre moja ndio aweze kulipa. Tunataka pesa za kulipa kwa surveyors iwe reduced ndio kila mtu apate Title Deed. Tene title inatakiwe iwe kwa ofisi ya Chief na itakuwa karibu na nyumbani.

Appointing of Ministers: President anatakiwa ku-appoint Ministers relevant to their Minister sio ku-appoint mtu ile hakusomea. Hayo yanatosha.

Com. Nancy Baraza: Asante, Joshua. Wewe ni Joshua nani? Okay

Joshua Kamoi: I am Joshua Kamoing. Kuna sheria moja ile ambayo inahusu mashamba. Ile inaitwa advanced possession. Hiyo advanced possession imesumbua watu sana na inasumbua family society. Na family society pengine kama baba ananza kulewa na watoto wanataka kurithi hilo shamba sasa watu wanaaza cases bila kujanza family succession na habitat succession. Na hayo mambo habitat succession na family succession mawakili wanadai pesa. Ingefaa committee ya kuhusu haya mambo ya kortini ya kuangalia watu ambao ni wa family succession au family society. Kwa sababu kuna forgery ambayo watu hongana wanakuja wanachukua ng'ombe, livestock ambazo zilikuwa ni ya baba badala ya kugawa wengine wanaonga Chief nayo.

Com. Nancy Baraza: Unataka haje? Tupatie mapendekezo.

Joshua Koros: Pendekezo langu ni elder kupewa mtu ambaye anajua sheria halafu arekebishe haya mambo ya sheria ya family succession.

Tena kuna hii sub-tax ya serikali. hiyo tax kuna tax ya aina nyingi ya kuhusu serikali kama hii sub-tax na expenditure tax na national tax na zile zingine. Hiyo yote haina committee watu ambao ni wa serikali wanapata kuchukua pesa za watu na kuleta

confusion na mpaka ya watu productivity inaenda chini kwa sababu kuleta pesa na kumwaga katika Bunge.

Com. Nancy Baraza: Tupatie mapedekezo.

Joshua Kamoing: Kwa hivyo kungewakwa committee ya watu ambao wanahusu productivity halafu iletwe nyumbani watu wazee waongea kwanza kabla ijaingia kwa foreign exchange. Foreign exchange isifanywe ni watu ambao ni directors au representatives vizuri kuleta mpaka kwa committee ya nyumbani ni ipendekeze hiyo sub-tax vile utafanyiwa. Thank you.

Com. Nancy Baraza: Silvester Tunye, Samuel Tanui.

Samuel Tanui: Thank you very much. I am Samuel Tanui for the KNUT. There should be preamble in our Constitution saying that the Constitution is to be changed by the people, justice of all and God help us.

There should be two parties only in the country. Unmarried ladies to get family shares and surrender them once married.

Federal system of government to be introduced. Land to be owned by the community. Investment to be done within the country. Adults propaganda character assassination, and night meeting be abolished when campaigning for votes. Religious night meetings be abolished. Pastors be first trained before doing their duties.

MPs and other leaders when they are not able to lead there should be a vote of no confidence immediately. Present ideologies to continue that is capitalism and socialism.

People to declare their wealth and once one is unable he/ she should be confiscated to revive the economy.

Non-governmental organizations be allowed to engage in development projects. Thank you.

Com. Nancy Baraza: Thank you Samuel. William Soi, David Kiptoo Sigei, Bones Kowogan, Elijah Birir.

Elijah Birir: Thank you very much. My name is Elijah Birir. I don't know what to say now because this thing had been repeated. So my topic is on Majimbo. I wish to ask you Commissioner, why these people who were in 1963 in Lancters House not included? eg Taita Towet and Martin Shikuku? Why?

Chiefs' election and Assistant Chiefs these must be done by queing in the areas where the Chief is wanted. Also the Assistant chief must remain in that area or sub-location and the Chief must be transferred to the near by like others eg like Head masters or teachers, those must be transferred. Let the Assistant chief be permanent.

Education: Head of schools should be posted to a school and then teachers who are in that school just make a preliminary vote so that we get the head master of that school. Well may there is head master or a centurion headmaster in that school yet he is saying he is doing well so he should be rotated.

Marriage: Nilikuwa hapa na nikasikia marriage, this marriage must eb done in tribal bases. Not to wear the ring kama mimi ninataka kuoati kwa sababu European wanaweka hiki kidole, we have got a natural plant that normally Kipsigis used. So it was not a sin if we can use that plant.

Langu la mwisho ni County Councils we have shops in the area belonging to County Councils so we used to be paying rents daily every year, every year, why not forfeit it to us. Those shops are only existing in rural area yet they brought “Chamunanda” second hands clothes they have got also these industrial good like Kimbo so they are just selling around my shop outside. Why can I get rent for paying that plot. So that one should be given to owners.

Illicit pombe kwa nini serikali wanapendelea Tusker, whiskey ambayo inatoka nchi ingine why not local drinks or they can even rule out we don't have any in Kenya. Why allow tusker and yet this money may for one person or another country. Why not allow our drinks. Thank you.

Com. Nancy Baraza: Thank you. Phillip Sigei. Minapiga kelele na msitulahumu tukienda huko tufungue hii recorder na hakuna maneno. Msilahumu mtu, hatujakuwa mahali pengine watu wanapiga kelele hapa na mtaharibu views zenu, sio zetu ni zenu tunachukua. Philip Sigei.

Philip Sigei: *Bas ngalek cho ng'ololen kong'alek ab presidency, Kenya ko a republic.....*

Com. Nancy Baraza: umebakia na dakika moja, I tell you strictly one minute remaining.

Philip Sigei: I want to speak in the language that I understand

Com. Nancy Baraza: One minute

Phillip Sigei: *Kenya ko republic*

Translator: Kenya is the republic

Philip Sigei: *Ago en republic ini ton ko makisir en constitution kele boundary ko ano*

Translator: The Kenya Constitution has not stated the boundaries

Philip Sigei: *Ke moche en constitution kele boundary nebo Kenya koboch yekile ok yekile.*

Translator: The new Constitution should define the proper boundary

Philip Sigei: *Kimoche kora en president nebo Kenya chito ne some bounotetab Kenya Kemoche kotinye kenyishek artam*

Translator: The person aspiring to be the President should have attained 40 years

Philip Sigei: *Ago somanat*

Translator: Should be properly educated

Philip Sigei: *Ago popular*

Translator: and should be popular

Philip Sigei: *Ago ne chome bik inei.*

Translator: should be liked by the people

Philip Sigei: *Yetwo, kemoche ndomukokse keweel en constitution kosom chito, mo kosom chito kwo parliamet si koik president kimoche kosom kityo kasitab president koteb parlament*

Translator: He is proposing that the President should seek for votes as the President not first as the MP

Philip Sigei: *Nebo oeng, ye kakotar ko president ne kakosom, koker kora kole en kuraishe che kosich kotko moitos ak age ko kuraishek che chang' mo kuraishek che tuten.*

Translator: The winning President should have more votes

Philip Sigei: *Amun kou oin kot ko sich age kuraisik taman, kosich age sisit kosich age kuraisik tisap, Ko ngot ko osoo nikobo taman, kotoku kele os chono oeng'u omun cho kosich taman ak mut amun ndandan ko opposeni ko chang bik che koyesyo chi choton.*

Translator: What he is saying is if a winning President takes eight then there is a second person who get eight the third person gets seven. He is arguing about seven plus eight means that they don't want that person.

Philip Sigei: *Imbarenik che ninam chumbek kou kapchain kou ono ole mi chaik tugul, kokikoip buch kemoche ketrenchen en constitution kikomboandechi imbarenik olon to komoche koboishen amun bo emoni mbarenik ng'ung' unyat.*

Translator: The plantations like tea estates, the first owners the wazungu settlers, they took those farms freely and now that we are independent, the locals within the district should utilize those farms.

Philip Sigei: *Okeliponji rabinik tugul county council*

Translator: The shares should go to the County Council

Philip Sigei: *kebwan ng'alek ab culture. Ko culture kemoche kikochi every tribe in Kenya en constitution koboishen culture nenwan.*

Translator: The respective cultures of different tribes of Kenya should be respected

Philip Sigei: *Akesirinei en constitution kibor kele ingoboishen alak tugul culture nenwan*

Translator: The Constitution should specify particular cultures of a particular tribe

Philip Sigei: *Kou kora ng'alek ab keseet-marriage, mokiyo ni en keseet kotko kесе kipsigisiek en kesenyuan ko keso ak kikochi baruet certificate, lakini en marriage act komwoe kole yon ko kokeso chito ko kесе agoi tun ko besio meet ko ye kokobesio meet, ko tinye rights kotunis anan kitun ko en kipsigis komokituni chito nekakome, nikameen monin' otiot. Mwoe act kole kituni ko moe kisto kiyoton.*

Translator: Marriage

Philip Sigei: *Komoche kisto kiyoton*

Translator: The traditional marriage should be recognized

Philip Sigei: *En marriage act ko mwoe kole kimuche kitun kwondo ya kame moning'otiot kimoche kisto, mo kituni mochomdo kipsigis.*

Translator: The marriage says if a husband dies, the lady can be remarried but our tradition does not allow that so they should harmonise

Philip Sigei: *Tebie kwonyoton kipkoi kobunjin gayoton bunjin chito nebo ak oret.*

Translator: That lady after loosing the husband should stay in that family

Philip Sigei: *Ko noton ne kimoche kotebi en culture nenyon.*

Translator: the Act is saying she may remarry

Philip Sigei: *Mokichomdoi kora*

Translator: Our traditions say she belongs to that home so that why I want to preserve our culture as long as she was not divorced and so many other things

Com. Nancy Baraza: She is a human being ---

Philip Sigei: This there is a way of inheriting her – the brother. Okay *kingen ole tepto kwonyoton.Aya ng'oliot nebo let,chon kokimoe ngalek ab imbarenik chon kobo tipik ak nee,ko en kipsigis yon kokebokokwech ngalek ab culture kebongoni echeken.*

Translator: About land ownership if the Kipsigis cultures have been allowed then the local people, each local people in different places will be know how to handle land cases.

Philip Sigei:*Section 47 nebo constitution konyolu kistopen koma kere section 3. Yaani section 3 komwoe kole constitution ne koke chob ko mo ketwoitwoe lakini ago welel kole section 47, kole kere. Yaani imuche konem parliament, so kokaikai kisto. Kipsigis did you here that one?*

Com. Nancy Baraza: No say it in English

Philip Sigei: I said section 3 of the current Constitution of Kenya says the Constitution of Kenya will remain supreme but subject to section 47 which Parliament can alter the Constitution. What I am trying to say now is section 47 should be

repealed not to make section 3 redundant.

Com. Nancy Baraza: Thank you. Go and register. David Cheruiyot, please don't read your Memorandum just highlight three minutes.

David Cheruiyot: My names are David Kipkorir Cheruiyot. My proposals are as follows. Farmers be tax free and agriculture be boosted which is the backbone of our country and industries related to it be tax freed to compete favourable with other industries. In other words there should be freedom of every industry we should not have taxes on imported sugar because the increases the prices of sugar which is consumed by the local wananchi. So there should be equal competition. So what the government should do is to lower the taxes for the industries of our country so as to compete favourably with industries from outside.

Commissions: There should be an Education Commission to review education systems. The people to review should be users those are the students and the pupils. And then the other people to review should be participants those are the parents and the government and the other people review should be teachers and educationists. That is the teachers and education officers and so forth. In the current situation, we have the government only reviewing education without taking into consideration the welfare of the parents who have paying the school fees, who are buying the books and so forth.

And then the public office, anybody occupying or due to occupy should declare his or her wealth. Misuse of office to allow follow up and the culprit be charged, dismissed and charged afterwards. Anybody who misuses public funds to be followed afterward and his property be attached to refund the money stolen when he was in office. The President included, the President is a person and if he steals as a person, the office is different from that person who was doing the stealing.

Land be owned by the community from which the land is from or was taken like the case of the tea estate, it belonged to the Kipsigis then was taken by the whites. The land should be returned back to the community before outsiders are given a chance to buy. So the community should be given the chance to utilize a chance or to buy and enjoy any profits from these resources.

The community dictates natural resources. Of late we have people clearing forest without taking into consideration the importance of these forest. So the community should be involved in clearing of the forest, the tea estates included. Of late we have seen the tea estate they are clearing the forest and planting tea without consulting the community. They should be checked.

Political parties be limited to only two, three or four for national unity. Reason is to avoid tribal parties.

Constitution be amended by 75% by a referendum for every MP who represents the 75% of people from his or her Constituency. Constitution be Supreme and avoid clashing Acts eg the freedom of expression and association which conflicts with the Chiefs Acts which requires that you must have a license. Inheritance: Girls to be included in inheriting whatever the family has. Mayors and Council officers be elected.

Regional system of government or Federal government with a House of Representative or the Senate be included in our Constitution. Presidential powers be trimmed. Judiciary be independent not appointed by the President but by representatives. Simple majority adopted after 25% from at least 25 provinces in case of a Coalition government to garner for second and third an fourth popular parties or peoples interest.

MPs salaries be decided by elected delegates from every district. County Council to serve rather than be served i.e no license since whoever buys, pay indirect taxes and there should be no taxes. May it be abolished since the employees are paying indirectly by buying the goods like the mobiles the whatever they are paying the taxes, why should they be charged double.

Com. Nancy Baraza: Your last point.

David Cheruiyot: NSSF, NHIF be optional not compulsory. NHIF and NSSF are compulsory in our case, those are insurances they should be optional. Taxes be reduced for coming up industries to trigger industrialization in other words they should be zero rated.

Finally, journalism be checked to report true and verified information rather than acting on rumours and in case a journalist reports wrong information they should be charged and compensation be paid highly. Thank you very much.

Com. Nancy Baraza: Thank you. Clement Victor and Shadrack Ng'eno come forward.

Com. Issack Hassan: Tell us your name, your school and your class for the record.

Clement Victor: Okay. My names are Victor Clement. There is no need for me to sit because I am too young some people there will not be able to see me. My names are Victor Clement from Litein High School. I am in form three. To the Constitution Review my views are as follows; Multipartism should be discouraged because it is based on tribalism hence brings hatred among Kenyan.

Lack of cooperation leading to rivalry and violence among Members of Parliament. This encourages ethnic clashes at the expense of the ruling party, the others feel inferior hence, there is unfairness. The concept among Kenyans are that once one is in power, it influences him to engage in corruption. Money used to rent these multparties could be invested in more critical demands eg caring for street children.

Land ownership: The ultimate owner of the land should be the community. According to creation, God gave land to the people to till the land. This is due to such things that in case somebody dies and leaves his land, the community will be able to allocate the land to the lady in the society. In case there is misuse of land as it is the case in the current Kenya, you find that people are owning may be a thousand of acres of land yet there are some people who are not owning any. And those who own large farms are just leaving them idle, hence the production is not very high.

Disputes arising in the community, the community members are in a better position to solve it unlike being taken to such higher places whereby you find that corruption is very rampant rampart in Courts and other things. So there is no fairness in this Court. So I think the community should be dealing with such things.

Interraction on the community with its members. It enables clear supervision management practices, hence encauranging high production. Land ownership will be fair according to the traditional African society cultures, where by the son or the children will inherit the land. This will lessen the disputes, which might arise.

Election of MPs: The following should be considered, learned people should be elected for MPs may be with university degrees in laws and politics such things, should be of good conduct. They should be accepted by Wananchi. Minister should be chosen according to their professions eg a Minister of Science and Technology should be learned with high honours. You find that there are some Ministers who are relevant. A Minister who has degree in education and appointed to the Ministry of Health. So I wonder how this can work.

Age: Age should be at least 30 to 45 years because they should retire early to give other young people who are ambitious to have these positions. Thank you.

Shadrack Ng'eno: Thank you very much. My name is Shadrack Ng'eno from Litein High School and I am in form three. My views as far as the Constitution is concerned is that: You find that Kenya is a Multiparty State and having many parties in fact now there have fourty four parties. So it is my suggestion that we should have only two parties in Kenya like other countries USA and other Western countries.

There should be a board governing elections and parties so that those have political ambitions, will have to be interviewed by this board. The one whose points are very important and relevant to the common wananchi and will help wananchi to be tool

to fight for President. These will help to reduce the government expense because in each party we have their Chairman, Secretary, Treasurer and other official and all these have to be faithful.

We should also have a Federal government rather than the unitary government because by having the Federal government the government will be close to the wananchi and they keep views as far as the state is concerned.

Natural Resources like forests, this one should not be left in the hands of wananchi because some wananchi might decide to over exploit these resources take for example forest. If the forest will be over exploited then these will bring disaster in this country. For example drought, this will in return lead to famine.

Education: it should be free and compulsory after all Kenya is such a target that by the age of 15 to 20 years everybody should be learned. So it should be free up to the form four level. This will help the parents who are poor and can't afford to get school fees. The President should be below the law so that in case the President is involved in any scandal, he or she will have to appear in court just like any other mwananchi. This will prevent the misuse of powers by the President and the highly placed officials. Thank you very much.

Com. Nancy Baraza: Thank you Shadrack go and sign there. Sign there and give us your Memorandum; you know you are making history. People will read about you hundred years down the line. Mathew Miting', Geoffrey Chepkwony, Victor Kosgei, Joel Sigei, Charles Kerir, Paul Kirui.

Paul Kirui: Madam Commissioner mimi ninaomba niseme kwa lugha mbili ikiwezekana. Uenda nikachanganyikiwa iwapo nitatumia lugha moja. Jambo langu la kwanza linahusu the Consitutional supremacy: Ningependa kusema kwamba Constitution ya Kenya isibadilishwe na Parliament ila tu iwapo watapata kura sabini na tano kwa mia. Na baada ya hapo ifanywe referendum kuangilia Kama wananchi watapenda na referendun hiyo iwe ikiangaliwa chini ya uongozi wa umoja wa mataifa UN, Common Wealth na Kenya religious groups. Alternatively iwapo tutaweza kupata ama itatokea watu million moja ambao wangependa kubadilisha Katiba irudiwe yale ambayo nimetaja hapo awali kwamba sabini na tano kwa mia katika Bunge waangalie na kama watapenda wafanye referendum.

Pili, ni kuhusu political parties: Kenya kwa sasa tuko na vyam vingi sana ba aingekuwa bora kaam tungeendelea tu na vyama vingine ambavyo havina maana. Na hili vyama kuwa registered ingekuwa bora kama wangukuwa na ofisi katika Jimbo katika kila nchi ndipo waweze kuwa registered. Na baada ya kuwa registered hawawezi kupewa msaada kutoka kwa serikali kwa kuwa wanafanyia kazi wananchi wa Kenya hata kama hawakushinda.

Legislature yaani Bunge: Nchi hii ningependa iwe na Bunge kama ilivyo kwa sasa na Wabunge hao wawe wamechaguliwa na

wananchi na wengine wawe wamekuwa appointed Members of Parliament na wengine wawe automatic Members of Parliament. Ninamaanisha hapo kwamba automatic kwamba ni professional kama wa Labour ama COTU ama kama wa wakubwa au madaktari wawe na mtu mmoja katika Bunge ambao watawaakilisha.

Jambo lingine ambalo Parliament litafanya ni kuangalia kwamba zile appointments zimefanywa na pengine na ofisi ya Rais iwe vetted kama security officers of defense. Na Parliament pia iwe na uwezo wa Ku-appoint Chief Justice na Speaker, Electoral Commissioner, Public Service Commissioner, Commissions Chairman, Commissioner of Labour sijui kama yuko kwa sasa-iwepo, Governor wa Central Bank.

Bunge pia I-appoint National Wages Remuneration Commission ili iweze kuangalia remuneration ya wafanyi kazi wote katika nchi hii – nafikiri hii itakuwa chini ya Ministry of Planning and Development – Parliament iwe na calender yake isiweze kufunguliwa au kuvunjwa bila kufuata sheria ama amri zao za Bunge, iendelee mpaka mwisho bila kusumbuliwa na kusimamishwa au kuondolewa na Rais.

Member wa Parliament awe na miaka arubaini na tano hadi sabini na elimu yake isiwe chini ya kidato cha nne au Kenya National Examinations Council – ‘O’ Level. Electorate watu wenyewe wawe na uwezo wa kuondoa Mbunge wao iwapo ameshindwa kufanya kazi au ametoka chama kimoja kuingia katika chama kingine. Appointed Members of Parliament wawe wanatoka kwa watu ambao hawakuweza kupata nafasi wakati wa kupiga kura.

Legislature: should remain in the Multi-Party where the winner forms the government. The Parliament should be able to impeach the President so as to be able to get the powers to the people.

Executive: The Executive, which in this case is the President, should have qualifications of a graduate of a recognized university of good mental health, aged between 45 to 70. A President shall not serve more than two terms of five years each. The Presidential powers shall not exceed those of Parliament and the Parliament should be able to impeach the President in a manner almost the same as that of the US. The President shall cease to be an MP and relinquish his party office as soon as he is sworn in as the President. The Provincial Commissioner Administration shall function under Prime Minister and not the President.

On education: Free education to all the children from standard one upto university level because these are products of this country not for parents but for the country. Thank you Madam Commissioner.

Com. Nancy Baraza: Thank you very much. Please leave with us your Memorandum there. Sign there and leave the Memorandum. David Sigei, Samuel Kirui, Benjamin Chepkwony, Zacharia Rugut, Richard Rono. Kabla hatujafunja tanataka District kuja u-introduce Members of the 3 CCC. (Interjection inaudible) I called those names you are in and I don't go back.

Com. Issack Hassan: Do you have a written document? Then why don't you sign the register it there?

Com. Nancy Baraza: And I will take just the two of you. Come here two minutes and then the young one----

Translator: *Bichon itinye kit ne kokesir, ikoite kityo kwo yun.* Those who have written Memorandum can just register directly.

Com. Nancy Baraza: You just highlight and give to us we shall read it.

Benjamin Cheruiyot tesot: Thank you. My name is Benjamin Cheruiyot tesot. The Federal government is desirable for being democratic and comfortable, enjoyed by everyone without fear. It is good link between the central government and regional government. All the duties and powers of the President should be surrendered to the regional government rather than to give all problems to the President until he is exhausted without completing other duties and his performances.

Because in many cases unlike other matters uncompleted have been pending and finished since we achieved our independence in 1963. The examples of Federal government are; Germany, India, USA, Australia, and South Africa. The said government are progressing well without any obstacles and we can't see the reason why we should not practise these type of government. Some parties in Kenya usually urge the IMF to refuse Kenya Aid because they lack unity and love for their people. In Kenya having Majimbo will make the people in their respective regions as the (inaudible)

Com. Nancy Baraza: Mr. Cheruiyot tesot I am talking to you. Unajua sisi tumesoma hayo mambo tuko na degree na ingine sasa tuambie tu unataka Majimbo. Sisi tunajua hiyo ingine halafu uende kwa point ingine.

Benjamin Cheruiyot tesot: All right let me stress for the retired President: Constitution to provide for a former President in terms security, welfare, immunity from legal process and other. The retired previous President should be highly respected and honoured after heavy duties and services which he had performed. He should be given enough security welfare and immunity from illegal processes and he should be sort of advised for this long experience. He should not be disturbed in anyway but he should be well guarded.

Com. Nancy Baraza: Thank you. Peleka hapo tutaisoma vizuri Sana. Tell us your name Sir and those of you with Memorandum just bring them here we shall read them. Don't feel bad you haven't spoken just give it to us we shall read them.

John Kiprono Kirui: My John Kiprono Kirui from Chagem location Majimbo government. The Presidential powers be

reduced. The powers of the President of visit other countries regularly be reduced because it will bring poverty in the country. The Permenent Secretary powers be reduced so that the MP have power to represent his people.

Chiefs should be elected by the people. The village elders should be given some money because they work for people in a goodway. The people's culture be respected like us Kipsigis in the past we had the culture of our society. The Councillors should not give out plots without the consent of the wananchi, as in our location Chemosot, they are doing it even now without the consent of the wananchi.

Com. Nancy Baraza: Thank you very much. Coordinator. Na wewe nilikupatia nafasi mzee si wewe mwenyewe ulikataa nafasi. Dakika moja you go dancing there I will tell you to sit again. Don't dance just go there and talk.

Benjamin Maina: *MI ng'oliot agenge, agenge kityo agenge no mwoe ko ni, mwochin bichu kwo kecheng' kalian kit anyo keker land certificate ago imbarret ab chito ago mi certificate go komoche koib bichu. Kole mi certificate ngo mi chito ne tindo en go,*

Translator: If there is anyone who has a land certificate in the house

Benjamin Maina: *Kiibunen ano?*

Translator: why did he get that certificate if he has it in the house

Benjamim Maina: Mambo ya hospitali, kuna itilafu na itilafu kutoka hospitali huko,

Com. Nancy Baraza: Unataka hospitali iwe bure

Benjamin Kirui: Mortuary iwache kulipwa

Com.Nancy Baraza: Sawa sawa nitaenda niwaambie mpaka hiyo kitu watoe. Asante

Kennedy Cheruiyot: *Uwon kake it mwisho, bichon tindo memorandum oibun ak okoite ke registeren en yon kake tar tuiyoni.* Ko kotom ketore, or finally I will introduce to our Constituency Committee Member who are present at this time some of our committee members are busy organizing for the venue we have tomorrow in Loret they are not here. But those who are here please come forward so that I may introduce you to this gathering. Please come forward. Constituency Committee Member who are around please. This is Pastor Philip Kitur he is the Chairman of Buret Constituency Constitutional Committee. Here we have Joseph Tanui he is a member. Mrs Leah Cheruiyot is another member and Mrs Alice Koros

another member. I am Kennedy Cheruiyot I am also a member. Other members of the Constituency committee are busy preparing for the next venue for tomorrow in Roret, they are not present. They are Ismaeil Chesimet, Mr. Joseph Rono, I think those are the only ones. Councillor Joseph Moi was not present today. Thank so much.

Com. Nancy Baraza: Asante sana Bwana coordinator na sasa nikusema kwamba tumefika mwisho wa hii kazi yetu hapa leo. Tumeshukuru sana kwa kuja kwenu kwa wingi na kutupatia maoni yenu. Nashukuru tena mmekua watu wakarimu tumewasikiliza na tutachukua haya maneno yenu na yale mengine ya Wakenya ambao tumekuwa na tumebakia na Western Province tukimaliza tutapeleka maoni ya kila Mkenya huko Nairobi tufanye analysis halafu tutatoa report. Tutatoa Constituency report yunu hapa ya Buret italetwa nyinyi wenyewe muone kama maneno yenu yameandikwa hapo.

Lakini kile ningetaka kuwaeleza ni kwamba, nyinyi haya ni maoni lakini tunapelekea wataalamu ambao watachunguza na views za wengine Wakenya wenzetu halafu wafanye compromise ambayo watafanya ndio watoe Constitution. Na hiyo draft pia tutawaletea wenyewe muone halafu ndio turundishe ipelekwe kwa National Conference. Na isipoona neno lako hapo ni kwa sababu hatuwezi kuweka kila neno. Itakuwa kwa Constitutional language itakuwa imeunganishwa na views zingine.

Lakini tutafanya kile tutaweza kuona kwamba views ya watu wa Buret zimeingizwa hapo. Na ili product au hiyo document – hiyo Constitution ambayo tutatengeneza, ni Constitution ambayo itawawezesha Wakenya kuishi vile wanapenda lakini kuishi kama familia moja ya nchi hii ya Kenya. Sasa ukiangalia na ukose kuona neno lako usiseme au amesahau ni kwa sababu tumeangalia maneno mengi kutoka kwa kila mwananchi. Tumeona ni njia gani Wakenya wanaweza kuishi na kwa hayo machache ninawashukuru tena na ningevaliza kama kuna mtu anaweza kutuomba.

Kennedy Cheruiyot: *Kisome Leah konyokondoiywech en saet...ee* Pastor Kitur kuja utuongoze kwa maombi.

Pastor Philip Kitur: Kabla ya hayo tunasema asante Madam na brother kwa kuvumilia sana mpaka wakati huu. Tunajua ya kwamba --- *Ong'etiet anyun ke saa.*

Tusimame na tuombe: Baba Mwenyezi Mungu tunashukuru kwa wakati huu, tumesema maneno yetu ambayo tunataka kuweka katika Katiba yetu. Mwenyezi Mungu yote inatoka kwako na hata hekima inatoka kwako. Tunashukuru kwa Madam na brother huyu ambao wamefanya kazi hii kazi kutoka asubuhi, Bwana wawezeshe wapatie nguvu, hata kesho tutakapokuwa huko Loret uwape nguvu Mwenyezi Mungu. Uwe pamoja nasi hata tutakapo ondoka nje, ili uwe pamoja nasi kwa maana nimeomba katika jina la Yesu aliye Mwokozi wetu. Asanteni sana.

Meeting ended at 5.40 p.m.

