

CONSTITUTION OF KENYA REVIEW COMMISSION

CKRC

VERBATIM REPORT OF

CONSTITUENCY PUBLIC HEARINGS,

KEIYO SOUTH CONSTITUENCY HELD AT

FLUORSPAR JUNIOR CANTEEN

ON

4TH JULY 2002

CONSTITUTION OF KENYA REVIEW COMMISSION

CONSTITUENCY PUBLIC HEARINGS HELD AT FLOURSPAR JUNIOR CANTEEN
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Commissioners Present

1. Com. Salome Muigai
2. Com. Riunga Raiji
3. Com. Domiziano Ratanya

Secretariat Staff in Attendance:

1. John Watibini - Programme Officer
2. Lynne Sigei - Ass.Programme Officer
3. Grace Gitu - Verbatim Recorder
4. Francis Kigen - District Co-ordinator

The meeting started at 10.25 a.m with a word of prayer

Com. Salome Muigai: Tafadhali Karibuni ili tuanze mkutano wetu. Hamjambo mabibi na mabwana!

Audience: Hatujambo!

Com.Salome Muigai: Wakaaji wa kikao cha Bunge cha Keiyo South, Keiyo ya Kusini ningetaka kuwakaribisha kwenye kikao hiki na kukitangaza kuwa hiki ni kakao rasmi cha Tume ya marekebisho ya Katiba, na pia ni kakao cha dharura. Kabla hatujanza shughulai zetu za leo, ningetaka kumkaribisha Pastor Julius Kilwa ili atufungulie hiki kikao kwa maombi, Pastor Kirwa.

Pastor Kirwa: Wageni wote ambao mmefika hapa mashuhuri, na Minister wetu nataka niwasalimu wote katika jina la Yesu Bwana asifiwe. Nashukuru bwana kwa siku ya leo, mnajua kwamba bwana Mungu mwenyewe alianza amri kumi katika mlima wa Sinai. Na alikuwa na taratibu yake kwa hivyo hii tukifanya, ni Mungu alianza si sisi lakini sisi n kufuata maagizo ya Mungu katika sheria zake kumi ambazoo alimpa Musa. Kwa hivyo nataka kuwakaribisha tunapofanya kazi hii tutii mfalme wetu na tufanye kwa mapenzi yake Mungu. Kwa hivyo nawasihii tutoe kofia ukiwa na kofia halafu tuombe:

Baba wetu wa mbinguni muumba Mbingu na nchi na vitu vyote vinavyo onekana na visivyo onekana, tumekuja hapa katika kikao hiki cha Bunge ya District yetu hii. Mungu tunakuhitaji kwa sababu wewe ni Mungu uliye anza katika ufalme wako wa Mbinguni. Na tunahijati ufalme wako wa Mbinguni ushuke mahali hapa, na mapenzi yako yatende, na mapenzi yako yafanyike kwa wakubwa, kwa wadogo na sisi sote tufanye kwa upendo na Mungu uweze kuwa kiongozi wetu. Maana tunahitaji nchi yetu iwe nchi ya manufaa na nchi inayo kupa manufaa na hata nchi ingine.

Tunakushukuru kwa viongozi wetu ambao wamefika mahali hapa, tunakushukuru kwa magali ambao umeweza kuwalinda na kuhifadhi, tumeshukuru kwa wale watahikilia programme, tunashukuru kwa wale wataongea, na kila mmoja aseme matakwa yako mwenyezi Mungu na jinsi Kenya yetu itakavyokuwa. Tazama Katiba hii bwana tunahitaji uwepo wako bwana, tunahitaji mafuta yako, tunakemea mamlaka ya shetani ishindwe katika jina la Yesu, na hii mamlaka yako ipate nafasi, utubariki na kilele cha mkutano huu tuone utukufu wako, na ni katika jina la Yesu Kristo aliye mwokozi wetu. Karibuni.

Com. Salome Muigai: Asante sana bwana Kasisi kwa kutuomba. Sasa ningetaka kuwajulisha wanatume waliofika hapa leo. Kwa upande wangu wa kushoto, ni bwana Domiziano Ratanya, na kwa upande wangu wa kulia ni bwana Riunga Raiji. Nami jina langu ni Salome Wairimu Muigai, na nitakuwa ndio mwenyekiti wa kikao hiki cha leo. Pia kutoka ofisini zetu, tumekuja na wafanyi kazi wetu wa kutoka ofisini kwanza tuna bwana John Watibini, yuko hapo nyuma na anasaidia kwa usajili wa majina ya watu, pia tuna Lynne Sigei mwenye anasidia kwa kuchukua maneno yenu mnapozungumza, na mwisho tuna Grace Gitu mwenye pia anasaidia kwa kunasa maneno yenu yenye mtazungumza moja kwa moja kwa kanda za tape. Pia tuna ma driver wetu wenye wametuleta hapa kwenu, mnajua huku ni mbali kabisa kuteremka, tunawashukuru kwa kazi nzuri waliofanya ya tutufikisha hapa. Ningetaka pia kuchukua hii nafasi ya kumshukuru Mbunge wa hapa Minister bwana Biwot, asanti kwa kuwa pamoja nasi na pia viongozi wote wa hapa.

Sasa ningetaka kuwaeleza utaratibu tutaksofuata kwa kikao cha leo, kwanza ningezungumzia juu ya lugha. Sisi kwa Tume tunatumia lugha ya Kiswahili na ya kiingereza ndio lugha zetu mbili rasimi. Lakini wewe kama mzungumzaji, unaweza kutumia moja ya hizo lugha lakini ukihitaji kuzungumza lugha ya mama ama ya baba, utujulishe ili tutafute mtu mwenye ataweza kututafsiria, lakini una uhuru wa kufanya hivo.

Kuna njia tatu tunaweza kufuata kupeana maoni, moja ni ukija ukiwa wewe mwenyewe huna maandishi yeyote unataka kuyazungumzia Tume, unaweza kutuzungumzia kwa dakika tano, nasi tutachukua tutaandika vile unasema na tutanasa. Unaweza pia kuwa una memorandum ama una maandishi, ukiwa unataka tu kutwachia hiyo memorandum, utakunja utatueleza una memorandum tuta register hiyo memorandum, yako halafu utaenda. Au unaweza kuwa pia una memorandum ama una maandishi, ukiwa unataka tu kutuwachia hiyo memorandum, utakuja utatueleza una memorandum, tuta register hiyo memorandum yako halafu utaenda uketi. Au unaweza kuwa una memorandum lakini unataka kuangazia maneno muhimu yaliyo katika memorandum yako, hiyo pia tutakupa dakika tano uangazie hiyo memorandum. Kwani memorandum itakuja kwetu sisi Wanatume na tutaisoma neno kwa neno, kikomo kwa kikomo mpaka tuelewe vile unavyo sema. Lakini tukikubalisha kila mtu asome memorandum yake leo, tuwasikiza watu watatu au wanne na tutakuwa hatujafanya ukweli kuhusu watu wa kikao cha Bunge cha Keiyo ya Kusini.

Kwa hivyo ukija na memorandum tafadhali angazia kwa dakika tano maneno yale muhimu kwa hiyo memorandum yako halafu utupatie hiyo memorandum sisi twende tusome wenyewe. Mmeona tukiandikisha majina, kuna sababu mbili zenye zinafanya tuandikishe haya majina. Ya kwanza, ni kutujulisha record ya watu wenye tuliwasiliana nao sehemu hii ya kikao cha Bunge, hiyo ndio sababu ya kwanza ya kuandikisha hayo majina. Kila mtu mwenye anakuja anandikishwa jina lake. Sababu ya pili nikutuwezesha kutengeneza orodha ya vile watu watakavyo zungumza. Kwa hivyo mtu aliyekuja kwanza atazungumza kwanza, halafu mtu wa pili, halafu mtu wa tatu. Lakini kuna pahali pengine tunafika, tunaona hatutafuata huo utaratibu kabisa. Sheria iliyo tuazirisha, imetuamlisha kuwa, ni lazima tusikie maneno ya watu tofauti kwenye kikao chochote cha Bunge.

Kwa hivyo huenda mimi nikaangalia hiyo orodha nikaona nimesikiza watu kutoka number moja mpaka ishirini na wote wamekuwa wanaaume, kwa hivyo nitaruka hiyo orodha niende kwa number sitini ikiwa ndio mama wa kwanza ili nimpe nafasi na yeye ya kusikika. Pia ninaweza pia kuangalia hiyo orodha nione nimesikiza kina mama na kina baba, lakini sijasikia kijana yeyote. Kwa hivyo pia naweza kurukia nikamsikiza kijana. Pia kukiwa watoto wa shule nitawapa nafasi za mwanzo mwanzo, ili tumalize nao, warudi darasani.

La mwisho, tukiwa na mtu mwenye ulemavu, tuone kwani yeye alitembea pole pole huenda ikawa alijiandikisha mwisho, tutampa nafasi ya kuzungumza ili pia tusikie maneno yake. Kwa hivyo ukiona kuna mtu mmoja ama wawili wamezungumza mbele yako, tafadhali tuelewe kuwa ile sheria yenye tuko nayo inatuamrisha kufanya jambo hilo.

Kwa hivyo bila kupoteza wakati mwingi ningetaka kumuita mzungumzaji wetu wa kwanza, anasema hana memorandum kwa

hivyo ana dakika zake tano, atuanzie naye ni Hussein Hassan. Yuko? Akiwa hayuko nitamuita Daniel Sawe. Daniel Sawe hayuko, Jonathan Chebet? Karibu Jonathan, chukua chombo cha kupasia sauti hapa, uanze na kutueleza jina lako ili lingie kwenye records.

Jonathan Chebet: Jina langu ni Jonathan Chebet, mkaaji wa Keiyo na ninaishi katika sehemu inaitwa Nekei division, location ambaye ninakaa inaitwa Tilea, kijiji ni Timbia vila.

Interjection Com.Salome: Tafadhali zungumza kwa mic ili usikike. Ningetaka kuomba watu wenye mobiles, tuzizime kwani zikipiga kelele zinatatiza recording yetu. Endelea Mr. Chebet.

Chebet: Nimefika kwa Tume hii, hasa sikuwa nikifikira kuwa nitazungumza lakini nafasi ambayo nimepata ni asante sana mwenye kiti kunipatia. Yangu kufika hapa kwa mkutano huu, mimi ni mkaaji wa Keiyo, neno langu la kwanza ninalo sema kwa mkutano huu ni kwamba tufuate utaratibu wetu wa Keiyo. Sheria zile zilizoko, hasa tukiona kulingana na sheria za Kenya, haziko tofauti kabisa kabisa na tabia yetu ya Keiyo. Kwa sababu mtu ana haki kuwa na mali yake, mtu ana haki kukaa kwa shamba lake, hata neno hili ambalo linasemwa land adjudication sisi watu wa Keiyo tunayo, na hakuna mtu hata mmoja anaweza kuruka kwa sehemu ya mtu mwingine. Pia mambo ya misitu hapa, mambo ya mazingira sisi wenyewe tunayo. Sheria zile ambazo ziko, sisi watu wa Keiyo, tuna sehemu zetu ambazo mtu hawezi kuingia huko bila kupata idhini ama ruhusa kutoka kwa wazee wanaohusika. Kwa hivyo hilo neno mimi naomba litimike na ikae kama vile ilivyokuwa.

Tatu, mtu anayetaka kuoza hawezi kuoza ovyo ovyo. Kuna wazee ambao wanakaa na jamaa ya bibi ambaye mtu anataka kuposa na wanaketi na kutazama kikamilifu. Hiyo ndiyo mambo yetu ya Keiyo, itimike na ikae kama vile ilivyokuwa.

Nne, waume wana haki kukaa na kuwa wakubwa kwa nyumba ingawa siku hizi nimesikia mambo mengine wanasema wanataka wengine watawale wengine, hiyo haiko. Sisi Keiyo mwanamume ni mwanamume, hasa akiwa katika jamaa, yeye hukaa hapo, akiwa ni mwana wa kwanza jamaa wanaketi hasa kuongea mambo ya uridhi. Mwanamume wa kwanza jamaa wanaweza kusema anaweza kuchukua uridhi, na ikiwa mama alikuwa tajiri, kitinda mimba anachukua. Sisi tuna kitu kinaitwa Legetie, yeye ndio anachukua Legetie ya mama yake. Na ikiwa mama alikuwa tajari, kitinda mimba anachukua. Kuna kitu kile kinaitwa Legetie, yeye ndio anachukua Legetie ya mama yake, na mwana wa kwanza anachukua mkuki na silaha zote na ana haki ya kushika urithi wa baba yake na kukaa pamoja, na jamaa yao na ruhusa yote ambayo inatolewa ni hiyo. Upande wa akina mama wengine wanafikiria nimesahau, hapana. Akina mama tunapeana, akisha enda sisi tunasema kwa Keiyo *Kakwo at kwo oindet.*

Hawezi kurudi hapa na kusema huyu na huyu akisha olewa wanaenda. Ijapokuwa, pengine mtu anaweza wakina mama peke yao, jamaa wanaweza kukaa pamoja na wanasema, huyu mtoto wetu ambaye hakuolewa ama ako na shamba lolote, wanaweza kuzungumza kwa kikwao, vile nilisema hapo mbele, watu wa Keiyo desturi zao, kwamba mtu ana haki, apewe haki yake. Nikiendelea kwa hapo desturi yetu, nilisema kwa jumla, sikuweza kuweka kwa memorandum, lakini nitaandika pengine

nikipata nafasi kesho huko katiaka Chepkelio na mkinipatia nitaingiza maneno sawa, sawa. Kwa sababu mimi sikuwa nimejitayarisha, nimesema hayo tu vile umesema ni dakika tatu, dakika tano, nafikiri sijamaliza. Sijamaliza na kama bado sijamaliza unipatie nafasi, kama nimemaliza wacha ikae kwa sababu kesho.....

Com.Salome Muigai: Una dakida moja mzee Chebet.

Chebet: Asante sana hiyo kwa dakika umenipatia ni kwa serikali hii yetu ambayo tunaelekea sasa, mimi ninaomba mzee ama President awe na miaka mitano na mimi, nimeona kuna mambo mingi. Mimi nataka majimbo bila kufa na kupona ili niwe nikiangalia maneno yetu maana District ya Keiyo ni kama majimbo. Kwa hivyo dakika yangu ni hiyo tu moja, nimeguza tu kutoka kunusa nusa hapo lakini kesho nitaingia sawa sawa, asanti.

Com.Salome Muigai: Asante sana Mr. Chebet kwa kutufungulia maoni yetu ya leo. Sasa namuita Emmanuel Kibii, Mr. Chebet sorry, tafadhali jandikishe ukisha maliza..... Where is our registration? Jandikishe kwa mama Sigei pale tafadhali, Chukua microphone na utueleze majina yako kamili, kutumia kalenjin ni vizuri lakini bado utahitaji kuzungumza kwa microphone. Tungepata mtu mwenye angetufanyia tafsiri tafadhali anybody who can interpret for us? Pastor, you are used to interpreting, I want to give you the other mic.

Emmanuel Kibii: *Ane kegurenon Emanuel Kibii.*

Translator: *Ago ane agobo atebet ab biik chebo keiyo melen biik che kikomeny teng'unin.*

Translator: Ninaongea kwa ajili ya watu wa Keiyo, si watu ambao wameishi kule nyanda za juu.

Emmanuel: *Sheria che kitinye eng keiyo,*

Translator: sheria za Keiyo,

Emmanuel: *Korubotin kou ye kikirub kong'ete tai akoi let.*

Translator: Tunafuata vile ilikuwa tangu mwanzo na hata sasa.

Emmanuel: *Kou ye kamwa Chebet kou noto ng'olyot kong'ete keny.*

Translator: Vile Chebet ni amesema hivyo tangu zamani.

Emmanuel: *Mi yu kitigin kityo eng Keiyo amu magitinye atebet ne kararan kou biik che mi Mosop*

Translator: Hatuna tabia mzuri mahali hapa kama kule nyanda za juu.

Emmanuel: *Amu u ni ;*

Translator: Kwa sababu.....

Interjection Com. Salome Muigai: Excuse me please, Mr.Minister please excuse Tabitha. We are to do a national duty, we are here to make a Constitution. The only people that we allow to take photographs, are the mass media. If you are not a mass media please stop it and lets please get on with the exercise that brought all of us here, which is to make a Constitution for all of us. So thank you very much madam for stopping. Can we have Mr. Kibii continue.

Kibii: *Ara ole kimi eng sheria nebo nguno kekere ko makararan.*

Translator: Mahali tuko kwa sheria ya sasa, tunaangalia si mzuri,

Kibii: *Amu kingekonech kampun konyo ko kikitach*

Translator: kwa sababu tulipewa kampuni hii, tulipokea,

Kibii: *Ago kingetach kekochi mbaret kouno amatoko kusiech kong.*

Translator: natulipopokea, hawa watu na kutupa mashamba, hawakuweza kutupa mashamba ingine.

Kibii: *Ara nguno ko makitinye makao ne kiteben,*

Translator: Kwa hivyo sisi hatuna makao mahali hapa.

Kibii: *Amu nda kitinye, ko mami ng'olyo eng kompuni amu kompuni ko kororon.*

Translator: Kwa sababu kama tungekuwa na makao, hatungekataa kampuni, kwa maana kampuni ni mzuri.

Kibii: *Kikokiteben mbarani eng betutab 1970 kele mbar ak mbar ako kikichomie ak kompuni,*

Translator: 1970 tuliweza kuweka sahihi kwamba shamba na shamba, na tulisikizana na kampuni,

Kibii: *Kiit sheria ne kiitu let agoi nguno ko tomo kenyoru kiy .*

Translator: na hatuwezi kujua mahali sheria ingine ilipita mpaka sasa hatujapata chochote.

Kibii: *Ara ngemi yu kemi eng sheria age maketinye nikinye nyo kinye keburburen si keboisie age ne makingen,*

Translator: kwa hivyo tukiwa mahali hapa, hatuko na sheria ya sasa lakini sheria ya mbele imevunjwa.

Kibii: *Ko atebenyo eng Keiyo ko ki boisikyok achek ak chepyosok ko kibendi tum,*

Translator: tabia ya baba na mama ni kwenda kutahiri.

Kibii: *Nye ityo kenyoru ng'otutit taman che kigon Mungu amu tumito ko course*

Translator: na mahali hapo tutapata sheria kumi, hata Mungu alitoa sheria kumi.

Kibii: *Ko tumi ko course nebo lakwa nebo arawet agenge keneti ng'otutik taman*

Translator: Na hii chondo kwa mama na baba ni kusaidia mtoto apate kukaa.

Kibii: *Eng ng'otutik choto kegure eng keiyo kikirei,*

Translator: Hiyo sheria ya amri kumi ni kukaa na kutofanya mambo yasiyofaa.

Kibii: *Ara mami kiy neo ne atinye ago kityo kekonech sheria ne yaei kechomie ak kompuni kokonech kenyoru share eng kompuni biik ab kobo mbarenik.*

Translator: Jambo langu ni kwamba watu wa kampuni, yenye wamechukua shamba, na watu pia wakuwe na amani.

Kibii: Kwa hivyo tunataka hivyo kwa sababu hawa watu wa hapa wanaangamia sana hawana shamba. Hata juzi kwa forest hakuna hata mtu mmoja ambaye anatoka hapa aliingia kwa forest ile ilikatwa huko. Mimi nasema kwa Konoin hapa, sasa, hakuna. Sasa, kwa upande ule na upande huu, tunaangamia sana. Kama kampuni ingekubali wangetupatia shamba ile tulipiga sahihi mwaka wa 1970 ingekuwa namna hiyo. Sasa kampuni, tu kama tungekuwa sisi tunakutanishwa na kampuni sawawa watupatie sisi, ni sawa. Sisi hatulaumu kampuni hata kidogo kwa sababu uchumi umeingia hapa ule mzuri kabisa, lakini upande wa sheria ya watu kukaa vizuri hapa, hakuna ukweli, hakuna. Barabara ile tunasema tufuate, namna hii tutengenezewe mpaka tupite milima, tupite wapi, namna hii mpaka Cheploch, hakuna barabara ambayo inaweza pita. Na sisi tunakwenda huko police wanasumbua na tunasumbuliwa barabara kwa saa ingine unakuta matinga yamefunga barabara, mwenye gani lazima akae kando saa hiyo mpaka baadaye.

Asante hiyo dakika moja ninawambia asante sana kwa kunipa mimi, lakini muone sheria za hawa watu wa Keiyo Valley, vile wanakaa na wako namna gani, itengenezwe iwe mzuri kama zamani. Asante.

Com.Salome: Asanti sana Mr.Kibii, sasa nitampa nafasi hii Alice Chebet, Alice Chebet? Alice? Kama Alice hayuko, nitamuita William Cheruiyot, Benjamin Cherop, chukua ile miche iliyo juu. Ungetaka kuzungumza? Unataka kupeana pekee? Basi chukua ile miche iliyo chini pale usomee pale, lakini kuna microphone ingine iko hapo chini.

Benjamin: *Kongoi missing amu kogono boroin ikidogo,jina ni Benjamin cherop Rejareja,*

Translator: Jina ni Benjamin Cherop Rejareja,

Benjamin: *Ng'alek chechuk ko koasir momoche asomon amu koasir chechuk,*

Translator: Pia mimi nimeandika

Benjamin: sasa sina maneno mingi ya kusema nimemaliza.

Com.Salome: Asante sana bwana Benjamin Cherop, Julius Chepsoi?

Julius Chepsoi: *Kazi kama(interjection).*

Com.Salome: Tafadhali ningetaka pia kuwajulisha kuwa tunafanya recording moja kwa moja, mtu akiizungumza tunafanya recording. Kwa hivyo tukiwa na kelele kule mwisho, hizo kelele zitatatiza recording wakati tutaka kusikiza tukiwa Nairobi, watu wa Keiyo walisema nini tutasikia tu hayo makelele. Kwa hivyo nawaomba tunyamaze, tutulie kule nyuma ili recording yetu iweze kusikiza watu wenye wanazungumza. Watibini, ninaomba hata nyinyi muweke kelele chini ili recording isishike maneno yenye mnazungumza. Thank you, endelea tafadhali.

Benjamin: Asante sana Commissioners, pole tu niko na homa lakini Commissioners tunashukuru kwa saa, na hata utaratibu ule mmetutajia, tunaona unalingana na vile tulikuwa tunataka. Kwanza mimi nimezaliwa hapa Kerio Valley hapa hapa Soi division Chemoibon location Chepsirei Location. Na yale ambayo ninajua ambayo watu wanasema, mimi ninaona ni vizuri. Ili Kenya isiwe na matata mara ingine, kila mtu apewe haki yake akae katika hii kitu kinaitwa majimbo kulingana na ile vile mtu anasema kwangu. Kwa hivyo tukiwa kwa kikundi ili mtu aone ako kwake, ni majimbo ambayo itakuwa na serikali ya kufaa kila mtu asinyanyase mwingine.

Pili, ni mambo ya land. Wazungu walikuwa na title ya 99 years kwa sababu walikuwa wanaona maisha yao, yanaishia 99 years. Hwakujua watoto wako watapenda kukaa Kenya, au wataenda Sweden. Lakini Kenya ya sasa, kila mtu watoto wasipewe kusema renewal ya title, title iwe milele kulingana na ile yetu ya kale. Tunakuwa na shamba ambayo ni ya family fulani na tulikuwa nayo zamani na tutaendelea. Kwa hivyo nataka hata title ya serikali iwe ni ya milele, hapana kufanya renewal

tena. Ataomba kwa nani na ni ya babu yake na babu yake? Hiyo ni namna hiyo.

Environment: Sheria ile tulikuwa tunafanya zamani kusema mito hii, milima hii, isiguzwe kwa sheria ya kabula hili, ifuatwe na itiliwe mkaso zaidi. Mtu ambaye atavunja sheria, wananchi katika Keiyo watahukumu na tunataka sheria ya Kenya tena ihukumu mtu yeyote ambaye anachezea environment au area ambayo wananchi wanakataa wasiaharibiwe.

Tatu, sisi katika Keiyo tunaona kesi ambayo wakili anachukua hapana mzuri. Tunataka kesi ambayo wazee wameketi chini na kukata kesi kuhusu jambo lolote, iwe mwisho, na sheria ya serikali itambuwe ya Keiyo kusema wazee wakisha kata kesi iwe mwisho sababu wanajua zaidi. Halafu wale wana-retire, tunaona wazee wengi wanaenda Iten wanaambiwa pesa zao haziko au file imepotea. Tunataka mtu yeyote ambaye ana retire, miezi sita apewe haki yake yote, asurudi tena kuomba, kwa meza kusema anataka haki yake. Kwa hivyo tungetaka wale wana-retire, sheria ya saa hii wafikirie hawa na kuwapatia haki yao waende kujisaidia kama bado wako hai.

Ingingine bwana Commissioner, tunaona mtu akikufa ati tunaambiwa sijui ni nani atarithi mali yake. Wazee wa family hiyo wanajua ni nani anastahili kulithi mali yake. Kwa hivyo huyo asiambiwe unaenda mpaka kortini, unaenda kortini na yeye ni baba yake au jamii yake? Kwa hivyo mali yote ya Keiyo itakaa kwa na family. Basi mambo ya kuoa, tunashangaa Pastor anapeana certificate, DC anapeana certificate, lakini kwa nini chief au DO, mtu akioa hapa, anaita watu mia tano familia yote? Kwa nini chief asipatie huyo mtu barua ili siku moja asiambiye huyu mtu hajaoa? Kwa hivyo tungetaka kuoa kwa Keiyo itambuliwe kama ni kuoa rasmi.

Basi lingine, mali yote ambayo ni mchanga, mawe, miti, ambayo ni natural katika Wilaya, itawaliwe kwa Wilaya yenyewe na wenyewe. Si kusema ati ni National cake na wenyewe wanaumia. Kama vile mwenzangu amesema, hapa tunasumbuka juu ya mbao. Kama ingekuwa mambo hayo yanatawaliwa na watu wa Keiyo wenyewe, tungekuwa tumemaliza. Lakini mambo ya kusema Commission of lands, agriculture and all that (Keiyo dialect.....) hiyo yote, tunataka Keiyo Act ya kugawa mali yao katika Keiyo District.

Kuhusu uongozi, sisi tukiwa Keiyo South, sisi kama Constituency ya tatu kwa ukubwa na ati mtu anaweza kumwambia ati sababu nyinyi wachache, tulianza kufunga family planning zamani, kupanga uzazi. Wazazi wetu walipanga kwa sababu walikuwa wanapanga. Sasa wale walianza juzi juzi, tungetaka tu ifikiwiwe (Keiyo dialect.....) Tukitaka, Constituency hii itatosha hata kugawa maua tatu, na tusiambiwe nyinyi ni wachache. Hata wale wachache wanataka haki yao. Wanataka kuangaliwa kama wako kwa escarpment, wale wako highland na wale wako nyanda za chini. Kwa hivyo haya mambo ya wingi wa watu wa Keiyo yasifikiriwe, na hata kwa Kenya. Wale wachache ambao wako sehemu fulani, wahudumiwe kama wale wengine wengi ambao communication imekuwa rahisi. Kwa sababu kuna mahali ambapo mpaka mwaka 2020 hawatakuwa wameona barabara katika Keiyo kwa sababu ya hali hiyo, na hawa ni watu wetu ambao wanataka haki yao.

Commissioners, kuhusu kazi ya chief, hatutaki watu wagongane, tunataka tupange laini, tuchague Chief wetu na assistant chief. Ati tunaambiwa ati fulani tumeletewa huyu amefika kiwango ambacho, wacha tuletewe wengine sio chief ambaye anakaa area yake. Tunataka chief tumejanya experiment, wale tulichagua ni 1974 kwa kupanga line bado ndio wanazuru mpaka saa hii kwa sababu tulichagua kutoka kwa mtu ambaye tunatambua. Kwa hivyo system hiyo ya chief iwe namna hiyo.

Mambo ya school ikiwezekana sababu shule ni lazima, inatakikana watoto kutoka std 1 mpaka primary kwa sheria ya saa hii, isilipwe chochote kwa sababu ni haki yake.

Intejction Com. Salome. Na wakati wako umeisha, lakini nakupa dakika moja ya kumalizia hiyo yenye ulikuwa unasema.

Benjamin. Asante, kuhusu President, kwa sababu tuna makamu wa Rais wa nchi bado, ninapenda President fulani asikatiwe muda, hiyo ilikuwa ni wana siasa ambao wanataka kusema hata mimi niingie state house na raia hana haja na hiyo. Tunataka mtu yeyote anayependwa mpaka mwisho, raia wawe wa mwisho, election tu iwe ikifanywa kwa wakati unaofaa. Na councilors katika kila District, wawe wenye mamlaka ya kukata decision ya District yao. Wasije wakaenda kuomba omba kwa Provincial au kwa National headquarters kusema tunataka tufanye hii. Hata wako na pesa yao wasiwe wakiwekwa kama wafungwa, hapana. Commissioner, nashukuru kunipatia hiyo dakika, sijaleta mengi leo nimeongea kama raia, kesho nikiongea kama councilor nitakuwa na yale ambayo nimeandika. Kwa niaba ya councilors, nashukuru, asante.

Com.Salome. Asanti sana bwana Chepsoi, mimi nina swali moja kwako. Nitawauliza wenzangu kama wana maswali, ningetaka kuwaelezea wazungumzaji kuwa wanatume wanaweza kukuuliza maswali lakini ni swali la kufafanua ili tukuelewe sio swali la kuweka ati lazima u-defend vile umesema, la ni maswali ya ufafanuzi. Nitaanza na swali la bwana Raiji.

Com.Raiji: Asante sana bwana Councilor, nataka unifafanulie, nilisikia kama ulipendekeza kwamba kesi iwe ikipelekwa kwa wazee. Ninajua kwamba tumepata mapendekezo mengi kuhusu kesi za mashamba, kesi ya aina hiyo. Je, nakuuliza, ulikuwa ukitaka tupendekeze kwamba kesi za aina zozote, tuseme kama kuua mtu au ni kesi tu zinahusu mambo ya mashamba na urithi?

Benjamin: Basi kwa kwetu hakuna watu wanafanya.

Interjection Salome: Bwana diwani wacha na mimi nikuulize swali lingine ili utajibu zote pamoja. Umesema kuwa ndoa za nyumbani za kitamaduni zipatiwe certificates, sasa tuna utamaduni tofauti kwa Kenya. Hapa Keiyo sijui utamaduni wake ni nini lakini pahali pengi penye nimekaa, ndoa ya kiafrika sio siku moja kama ile ya kwenda kwa DC, ama ya kuenda kanisani, kuna utaratibu. Kuna siku sijui ya kuona nyumba, ya kuja kusema kuna utaratibu fulani kutoka point moja mpaka nyingine sasa hapa Keiyo certificate mkependa tupeane kwa nafasi gani katika huo utaratibu?

Benjamin: Asante sana, nimesema kuhusu kesi kama ya murder, criminals, hiyo iende kortini. Lakini kesi ya bibi na bwana, haya mambo ya jamii yasipelekwe kortini, au ya mashamba au ya ngo'mbe, kortini hawawezi njua. Lakini raia wale wanakaa huko wanaweza kutatua. Kwa hivyo ningesema kesi igawe mara mbili na hata ile inasumbua kortini, ikirudishwa kwa wananchi wanaweza kupata support documents nzuri za kuwezesha hiyo kesi, kuliko wakili ambaye anahairisha kesi mpaka miaka tatu. Na kama ingechukuliwa kwa wananchi, wapewe ushahidi, ambayo raia atapeana kortini, ningesema utabuliwe kama ni maoni safi. Kuhusu certificate ya akina mama tuna utaratibu wa hayo amesema, lakini kuna moja tunaita engagement, lakini ile inajulikana ambayo Keiyo alikuwa anapeana Mguriot siku hiyo, kitu inaitwa Mguriot ni kama na hiyo ambayo inawekwa hapa saa hii, lakini ilikuwa inawekwa hapa wakati huo. Kwa hivyo tunataka siku hiyo ambayo Keiyo wenyewe wanajua siku ya kupeana mguriot ni siku rasmi ambayo certificate ipeanwe.

Com.Salome: Asante sana, sasa jiadikishe pale na ningetaka sasa kuipatia hii nafasi Thomas Kiprotich. Haya hiyo tutazungumza baadaye wacha nimpe nafasi mwenye alingoja.

Thomas Kiprotich. Kwa majina naitwa Thomas Kiprotich mimi ni mwenyeji wa Keiyo na niko na maneno machache kuhusu Katiba. I will talk on local government. Hapa Keiyo tunajua ya kwamba rasimali zetu zinaenda kwa central government, na ukiona kabisa ukilitazama the standard of living, we are not benefiting. Sisi hatufaidiki kwa ile kodi ambayo sisi wenyewe tunatoa, sasa ningependelea ya kwamba ikiwa hizi sheria zitaundwa, serikali kuu na local government ziwe na different treasury ili sisi wote ambayo.....

Intejction Salome: Zungumzia kwenye mic ndio tuweze kunasa sauti yako.

Thomas: Ili sisi wote ambao tunatoa kodi tufaidike kwa mambo ya mashule mambo ya barabara, na hata hospitali na pesa zisipelekwe huko.

Ningependa kutia maanani kuhusu hata mambo ya forest. Sisi Keiyo hapa tuko na forest, lakini hiyo forest yetu inakatwa na pesa zinaenda zinagawanywa Kenya nzima na sisi hatupati. Inginge ni kwamba kuhusu mambo ya councilors, ningependelea ya kwamba councilors and mayors, to be elected directly by the people. Isiwe ya kwamba wanaenda wanafika council wanakuwa na mikutano ingine wanafanya lobby ya pesa, pesa wanaweka the wrong councilor. Ninasema kwa sababu kuna wakati sisi tumeona ya kwamba hata illiterate councilor, wamewekwa huko na wanapiga trick hii ya kuweka kidole, na ma ploti yote inaenda, sasa sisi wenyewe tunataka tuwachague direct.

Ya pili ama ya tatu ni kwamba, hawa Mayors pia na Chairpersons wa County Councils waende two terms, of five years each. Ikiwa umechaguliwa kwenda council unachaguliwa tena na watu uwaongozee hii council, uende nyingine utachaguliwa lakini the term itakuwa 10 years maximum huwezi enda tena, and you cannot even contest ili watu wengine wakuje. Inginge ni kwamba yule mtu atakuwa eligible kuwa mayor ama chairperson lazima awe na qualification fulani, yule ambaye atakuwa councilor awe

amefikia kidato cha nne, na mayor na yule atapigiria chairperson awe atakuwa amehitimu a degree course ama University ama equivalent atakuwa amechukua courses fulani.

Kuna ingine ya kwamba, kuna hii mambo ya nomination, nomination si mbaya. Hapa Keiyo tunaona nomination ni mzuri, lakini kuna watu fulani ambao lazima iangaliliwe vizuri. Wakati wa kupeana nomination kuna watu wa vikundi kama disabled, such people wanasema they have to be considered na gender pia. Ikiwa wanaume wote ama wamama wote wamechaguliwa kuwa councilors, lazima waone wa-balance waweke kwa nomination.

Ya mwisho ni kwamba ile nguvu ya Minister wa Local Government, ningeonelea ya kwamba lazima iwe limited, ili powers ziwekwe kwa council, halafu council watakuwa na mamlaka kabisa kuhusu uajiri wa wafanyi kazi. Hata mambo ya remuneration, ile pesa lazima wafanyi kazi wapate. Na mpaka hapo ningependa tu kusema ya kwamba ile sasa serikali kuu, to be headed by the President I support a unitary Government kwa sababu ya haya nimeyataja. Asanteni, unitary government, local government to be strong, asante.

Com.Salome: Asanti sana bwana Thomas Kiprotich kwa maoni yako tafadhali jiadikishe. Na mtu mwenye atafuatia sasa ni Thomas Serser wa youth Group.

Thomas Serser: Asante sana Commissioners kwa nafasi hii nimepata, yangu ni kuhusu mambo ya land na natural resources. Ningeonelea mashamba yote yapatiwe title deed. Ya pili, all land and laws should be consolidated. Na ya tatu, ningeonelea all private and trust lands or with gold or minerals should not be acquired by the government or any other investor, without an agreement of the one to acquire and the owner. Kwa sababu tunaona hata hizi kampuni sir, watu wenye wanaishi pale hawafaidiki.

Na ya nne, ningeonelea kuwe na land Commission, wale watakuwa waki protect all the public land including forests and game parks. Na ya tano, lease of harvesting resources mining minerals and oil should transacted with the consent of the local people. Asante Commissioners.

Com.Salome: Asanti sana na sasa ningemuita bwana David Seuri David Seuri?

David Seurei: My name is David Seulei, I am presenting on environment and natural resources. In Kenya we have got several natural resources, such as mineral, For example here in Fluorspar we have the fluorspar minerals. These minerals should benefit the people or the residents in that land. Like the people of this area, they should benefit directly through the proceeds of the fluorspar mineral as provided for in section 115 of section 2 of the current Constitution.

Secondly, there should be prompt compensation to any residents of the land sources as provided for in section 117 of section

4 of the current Constitution on trust land. These compensation and benefits should take the following forms:

- a) All the people so affected should get another piece of land in compensation.
- b) Another point is that permanent houses should be constructed for the people whose land has been set a part for mining.
- c) All the people whose land is so set a part for mining should be automatic share holders who commands 50% share holding of the mining company.

The community within that mining area should be entitled to the following services:

Adequate medical services where they will get free medicine and free services.

They should get sufficient education facilities such as construction of schools, provision of equipment and scholarships.

They should get clean and sufficient piped water.

Another area is that there should be construction and maintenance of road network for the community within the mining area.

Another point is that all the waste products from a mining company or an industry should not be dumped in rivers or on land.

Companies and industries that process raw material within this country be compelled to have dumping sites where they will dump their waste products so as to prevent harm to the people of this country.

Another area Commissioners where I would like to touch is the Executive. The separation of power should be upheld in the republic of Kenya where we separate the powers among the Executive, the Judiciary and the Legislature. The Executive powers of the government of Kenya should be vested in the President, Vice President and the Cabinet. The President should not be a member of Parliament because he has the national Constituency as his area of representation.

Another thing is that the President should not have the power to dissolve the Parliament, the Parliament should dissolve itself when the time of its dissolution arrives.

Interjection Com.Salome: Please summarise Mr. Seurei, Seurei, sorry please summarise.

Seurei: Another thing is that, the Presidential tenure should be fixed to a maximum of 2, 5 year terms as provided for in section 9, sub-section one and two of the current Constitution.

Another area is that the President should not be above the law as provided for in section 14 of the current Constitution where the President cannot be prosecuted while he is still in office. Another area is that if the President engages in any political, economic or social misdeeds, he should face impeachment proceedings in Parliament for whatever wrong he has done while in his office. Thank you Commissioners for what I had to present.

Com.Salome: Thank you very much. The next person is mtu wa kufuaatia huyo ni Shaban Kadie, Shaban?

Shaban Kadie: Thank you Commissioners for this chance. I have few views to give out on behalf of my group.

Interjection Com. Salome: Please start with your name so that it goes to the records.

Shaban: My names are Shaban Kadie, I come from Chemigo location Chepsire sub-location, I am a Keiyo. I will start by saying that the type of government that I need is the unitary government because the unitary is cheap and easy to run.

Judiciary:

1. Independence of the Judiciary must be guaranteed by the Constitution.
2. Judges must be holders of University degree in law.
3. The Judges shall be appointed by the President after the recommendation by the Judicial Service Commission and approval by the President.
4. There should be Supreme courts, Attorney General should not have any power to discontinue any criminal case before its logical conclusion.
5. All Kenyans must have access to Justice because of law.
6. Public prosecutors should be lawyers by Profession.
7. The retirement age of judges be made 70 years

Thank you Commissioners.

Com.Salome: Thank you very much you were very clear, you have used your time very well. Sasa ningetaka kumuita Winne Rono, excuse me, nyinyi wawili ni Winnie Rono? Wewe ni Willie? William,mimi namuita Winnie wakati huu.

Winne Rono: Asanti sana kwa kunipa nafasi hii ndogo, nitaenda kuzungmza

Interjection Com.Salome: Anza na jina lako tafadhali.

Winnie: Jina langu ni Winnie Barokokwet Rono, ni mkaaji wa hapa Soi na nitaenda kuzungumza ama kutoa maoni juu ya watoto. Ningelipenda, kuongeza kuhusu vile wa Keiyo wanaishi na kulea watoto wao. Lakini kufikia awamu kidogo, juzi tukapata wazo ama sheria kuwa watoto wasipatiwe adabu kwa kiboko.Na kuangalia kwa maoni yetu sisi wa Keiyo, hapo zamani watoto walikuwa ni wa community na kama tukichukua hilo wazo na kutilia maanani sisi tutaenda kupoteza ile nidhamu kwa watoto wetu na tutakuwa taifa ambalo halinyoki vizuri. Kwa hivyo ningelipenda kusema hivi, watoto wapewe adabu hiyo,

sio kali sana lakini ile ya kuwarekebisha. Kwa sababu hiyo sheria ilipotoka tukaona kuwa watoto siku zijazo watafika kiwango ambacho wataanza kuchapa wazazi wao na hata wataanza kukosa heshima kwa watu wakubwa.

Bado kwa watoto, ningelipenda tena tukuwe na sheria ya kuwa wakati huu, Kenya imeendelea na watoto wetu tena wanaendelea kuzaana. Watoto wengine wanapata watoto kutoka kila mahali na hawa watoto wote wanaletwa nyumbani. Na tukisema kuwa mtoto mvulana kwa Keiyo ana haki ya kuwa na urithi, sasa wale watoto ambao wamezaliwa nyumbani watarithi kutoka kwa nani? Ningelipendekeza hivi, mtoto msichana ama mvulana wakuwe na urithi sawa nyumbani.

Tatu ni kwamba hapa tuna mtoto msichana ambaye sisi watu wa Keiyo tunapoteza pesa nyingi kumuelimisha, tunamfunza huyu mtoto, yeye anakuwa na kazi nyingi, wengine wanasomea siasa, wengine wanasomea kila kitu, lakini wanapopata sasa kuja nyumbani, kwa sababu makabila zingine wameendelea, ningelipenda hata wa Keiyo wakubali hata wasichana wao waanze uongozi ule wa nyumbanoi wa chini. Kabla hawajaenda juu, wapewe hata kibali wakuwe chiefs.

Ya mwisho nitazungumzia juu ya kuabudu. Juzi tuliona kuwa tulipoweka Katiba yetu iruhusu sheria ya kuabudu, tuliandika tu sheria ya kuabudu lakini hatukuweka kuabudu nani. Ningelipenda kuwa tukiandika sheria ya kuabudu, tuseme tuabudu Mungu kama ni Ukristo, kama ni budhism, kama ni iislamu tu, tuweke kabisa ikuwe hivyo. Tusiseme sheria ya kuabudu kwa sababu tuliweka hiyo sheria ya kuabudu mpaka kuna watu wengi wa kuabudu shetani na hiyo ikaleta taabu mingi sana Kenya. Kufikia hapo ma Commissioners, ninasema asante.

Com.Salome: Asanti sana Winnie, jilandikishe tafadhali. Sasa ningefuatisha mama mwingine Purity Chirchir. Purity hayuko na Diana Cheruto? Ama Diana Cheruto hayuko. Kina mama tuko wapi? Basi sasa nitarudi kwenye list yangu nimuite bwana Samuel Kipyego. Sorry Samson Kipyego, asante kwa kujitetea jina lako.

Samson Kipyego: Thank you Commissioner, my name is Samson Kibyego I reside here in Moskot, I have two farms I am in Moskot and I am on the other side too. Mine is actually clear I am going to talk about ten points.

1. On majimbo type of government, I say Majimbo type of government is not good, simply because it creates an extra burden to the tax payers.
2. On the marketing of our goods, we have to find the market first before we talk about majimbo type of government. First, it is also a burde, it will increase animosity among the tribes. Like us, we will experience crashes if we chose majimbo. Whoever talks about majimbo might have participated in clashes recently, so we reject that one in total.
3. Another problem is impementation. It is cumbersome it is extremely bureaucratic there is a lot of burecracy on majimbo type of government, and it is expensive.
4. Another point, we support unitary system of government. We should retain it because it encourages cohession and harmony of our people.

5. We should introduce a Parliamentary type of government with a Prime Minister and a Ceremonial President and we strengthen our local government, we need to bring our residual powers as before, rather than have interference from everywhere. The government is interfering so much on county council, so we need to give them the above.
6. Another point the President should serve only two, 5 year terms.
7. Another point Commissioners, the President should be subjected to impeachment any time he or she breaches the oath of office he took when he came to power.
8. All the appointments made by the President must be subjected to Parliamentary approval. They must be approved by Parliament.
9. Another point, the President should be elected by all wananchi and that at least 50% or more of all elected voters in Kenya.
10. The President should not be above the law.
11. Another point Commissioners, Presidential elections must be held after Parliamentary and Civic education because it is cumbersome, there will be a lot of rigging all over. Presidential elections will wait until Parliamentary and Civic elections are done. The reason given is to minimize rigging of elections in this country. When our new President is elected, he must take over office within 24 hours and failure to do that, treason charges must be imposed on him immediately.

Lastly Commissioners, we need to establish the office of the ombudsman to replace Provincial Administration. All the PCs the DCs the DOs those onces must go home, those are colonial mentalities. Thank you.

Com.Salome: Just hold on, just hold on, we have a question. Excuse me, I have a question for you, thank you very much for your observations. Now, you want the Parliamentary and Civic education to be different from the Presidential.....

Samson: Not civic education but county councils, the councillors, the civic.....

Com.Salome: Their elections to be different. I am talking about elections, You want the elections of the President to be different from those of Civic leaders. What kind of a gap do you want between them? Do you want three months apart, two months apart, 24 hours apart?

Samson: Until the Parliamentarians and the civic people are satisfied that there was no rigging then we can announce the Presidential election.

Com.Salome: Asante sasa jandikishe pale Bwana Johnson Tarus?

Johnson Tarus: Thank you Commissioners, I am Mr.Johnson Tarus, I have some few written views that I have written here that I will try to read it, and then I will represent what I have written.

I will start with public finance and economy: All monies be drawn from the consolidated funds, should be done with the approval of Parliament.

Secondly, taxation laws should be streamline, to reduce over taxation of Kenyans, that is reducing funds to at least 15%.

Now, I will go to the structure of government. I personally reject the majimbo system of government as it creates an extra burden to the tax payers, a lot of bureaucracy and tribal animosity, among Kenyans. It is also difficult to implement and it is expensive to run. What I support is that the unitary system of government should be retained because it is cheaper and ensures national cohesion and harmony among the wananchi.

I come to cultural diversity What I do support is that, Female Genital Multilation, yaani FGM, should be banned completely.

I come to political parties and civil society organizations. What I should propose to the Constitution is that, the Constitution should guarantee independent operation of all kinds of political parties. Secondly, public funding of political parties should be guaranteed.

Now I come to land and natural resources. Any property or trustland with oils, minerals, should not be acquired by the government or any private investor without the agreement of the acquire and the owner. The lease period of such lands such land to the acquirer should not exceed 20 years. In case the land is taken from the owners, adequate compensation should be given to the owner and houses built for such displaced persons and they should entitled to monthly or annual dividend. There should be an establishment of a Commission to run all natural resources in the country.

I come to the Local Government. Powers from the Central Government should be devolved to strengthen local authorities at the Constitutional level. Secondly, powers of the councilors in city, Municipal, town and county councils should be shared among councilors and chief officers to promote accountability and transparency.

I come to Executive section. The Constitution should not vest all the powers on the President. Executive powers should be shared with the Parliament and other Organizations of government.

Secondly, Presiden's tenure should be fixed to a maximum of 2, 5 years terms.

Judiciary: The independence of Judiciary must be guaranteed by the Constitution. The Judiciary should be able to control its own time table.

Electoral System and Progress: Transparent ballot boxes should be used in all kind of elections in Kenya. The Electoral

Commission of Kenya should have powers to prevent electoral violence and bribery of voters and misuse of public resources.

Bill of rights: The Constitution must contain a Bill of rights. The independent Human Rights Commission should be established by the Constitution to promote the enforcement of Bill of rights.

Education: In education section, I propose that education should be free at least in the Primary and fundamental stage.

Interjection Com. Salome: 30 more seconds to finish up.

Tarus: Ok. Secondly, higher education should be established with loans facilities to benefit the needy and the bright students.

Legislature: Parliament should be independent from interference by the Executive arms of the government.

The rights of citizenship: Dual citizenship should be allowed in Kenya irrespective of gender, provided that the person should be married to a Kenyan by birth. Spouses of Kenyan citizenship regardless of gender shall attain citizenship by application.

Com.Salome: And that is the last point? Thank very much

Tarus: I will hand over what I was reading

Com.Salome: Please register yourself and give your memorandum to Mr. Watibini. William Chemok? Daniel Kiprono of KNUT, karibu.

Cheruiyot Kibet: Commissioner sirs, and madam I beg that you change the name from Daniel Kiprono to Cheruiyot Kibet, chairman, KNUT.

Interjection Com.Salome: But do we have Daniel Kiprono here? Is there a Daniel Kiprono here? Daniel Kiprono, is here, can he tell me that he has done that? You have handed over the powers to him? That is ok. I just want accountability, thank you very much. Go on and please give your full name now.

Cheruiyot Kibet: Thank you Commissioner sirs and madam I am Cheruiyot Kibet. The following are the views presented by the teachers, on behalf of all teachers of the District fraternity of the Keiyo District.

Cultural, Ethnic and Regional Diversity and Communal rights: Kenya's ethnic and cultural diversity cannot contribute to a National culture. It is impossible to bring it to a national culture, it is impossible to bring it to one culture the more than 42 different ethnic groups. This cultural ethnic diversity should be protected and promoted in the Constitution by way of having

their practices, beliefs and traditions written so as safeguard their existence.

Interjection Com.Salome: Mwalimu leo nakubali kweli ulikuja umechelewa. Vile tulikuwa tumesema ni hivi, ukiwa una maandishi, usitosomee neno kwa neno lakini tuangazie maneno yale muhimu kwenye memorandum yenu kwani una dakika tano peke yake.

Cheruiyot: Asante Kiprono ameshanidokezea, ninasoma zile amendokeza. Places of social, religious and cultural value should be protected by the Constitution. Councilors and councils of elders should be empowered to dispense social justice. Marriage certificates should be issued to spouses who celebrate their marriages under the African customary law. It is pointless to recognize these marriages without written documents to prove the name.

Management and use of National resources: Fore-most, we propose that the sources of National resources be protected. The local industries should be protected from unfair competition from International industries. The government should apportion benefits from resources found within certain communities proportionally.

Environment and natural resources: Natural resource environment such as water catchment areas, water bodies, forests mines and others should be protected from pollution, depletion, destruction, privatization and any other form of human activity that may interfere with their existence and maintenance. The government should formulate ways of partnership in management and protection of environment and natural resources. These resources should be managed and protected by the Constitution by ensuring that all areas with these resources remain the property of the state, and not the property of individuals. Any persons or institutions engaging in any profit making ventures in these areas rich in natural resources should be entrusted with the upkeep of things such as maintenance of infrastructures schools, hospitals, cattle dips, and other social priority project of public interests. These will provide a conducive environment for harmonious existence. Furthermore, they should take precautionary and standardized measures to avoid releasing noxious substances to the water sources, and air so as not endanger human, plant and animal life.

Lastly Commissioner sirs and madam, the Constitution of boards managing such national resources should include one or two members representing the interests of the community. Thank you Commissioners sirs and madam.

Com.Salome: Asante sana bwana mwalimu, sasa ni nafasi ya Ondiek Meshack Karis

Ondiek Meshack Karis: Thank you Commissioners, I have some views which I would like to present to the Constitutional Review Commission of Kenya.

First of all I will start with education. My names are Ondiek Meshack. I will just start with education first. In the Constitution I

would us to scrap the old system of education 8-4-4 and re-introduce the present system of education.

Local Government: I would like in the new Constitution to have Mayors and Chairpersons of the Local Government councils or city councils, Municipalities and others to be elected by the wananchi. In addition to the local government, I will suggest that, Mayors must not have degrees, because in our given area we might miss or not have a councillor who is possessing a degree. So Mayors should at least possess “O” level certificates.

The Bill of rights: On the Bill of rights, I would like us to retain it but the freedom to worship must be changed and be specified that, we all worship God. Those who are found worshipping the devil, must be arrested.

The Executive, the Presidency: Here we also have the Vice President, I would like when we have Presidential election, we also have the election of the Vice President such that when the President ceases from operating service or the office of the President becomes vacant, the Vice President who is also elected by wananchi takes over. The President should not have the powers of appointing somebody to be a Vice President. He must be elected by wananchi.

Public finance and economy: I would like to talk briefly about these.

Intejction Com. Salome: You have one minute in which to speak briefly about that.

Meshack: On public finance, I would like all those who want to hold public offices to declare their wealth. If you are a member of Parliament before you are sworn in, you must declare your wealth and along side that, when we talk about natural resources, I would like to emphasize that natural resources must remain in the hands of wananchi. Not that they should say that these wildlife or forests belongs to us, they must remain to wananchi, wananchi must decide what to do with their natural resources. The government will come in formally to market their natural resources, the natural resource of a given area, but not individuals to possess huge or public natural resources, Thank you Commissioners. My names are Meshack.

Com.Salome: Thank you very much Ondiek Meshack Karis. Now we have Mr.Kiplagat Kibos Kiplagat Kibos.?

Kiplagat Kibos: *Ane kegureno Kiplagat Arap Kibos,*

Translator: Mimi naitwa Kiplagat Arap Kibos.

Kiplagat: *Ane ko kigisicho kenyit ab 1924*

Translator: Nilizaliwa 1924,

Kiplagat: *Kong'ete yoto ogoi rani atinye kenyisiek sabini ak sisit.*

Translator: Mpaka sasa nina miaka 78.

Kiplagat: *Basi ng'olyot nenyu ko eng yo kibotai,*

Translator: Hapo awali,

Kiplagat: *Ko ki kiruogindet ko kigwei biik, amache kekwei kiruogindet,*

Translator: chief hapo awali anachaguliwa na watu.

Kiplagat: *Amu kikweat kongete tai. Basi ng'olyot age ko amu kikesoman, tugul amache DO kobun division, lakwet ab division noto.*

Translator: Vile tumesoma pamoja tunahitaji DO atoke kwa division, ambaye ni mtoto wa division hiyo.

Kiplagat: *Ne bo aeng amu kikesoman amache D.C. kobunji district noto ; lakwet ab yoto.*

Translator: Kwa sababu tumesoma tunahitaji District Commissioer pia atoke mahali hapo.

Kiplagat: *Basi kong'ete yoto omoche D.C. kong'ete province noto.*

Translator: PC pia atoke kwa Province hiyo

Kiplagat: *Lakwet ab province noto.*

Translator: ambaye ni wa mahali hapo.

Kiplagat: *Basi , omoche chito neo nebo yoto,,*

Translator: ambaye ni wa mahali hapo.

Kiplagat: *Basi kong'ete yotok omomche chito neo nebo ng'echeret eng Kenya,*

Translator: mkuu wa Jamuhuri ya Kenya.

Kiplagat: *Omoche kekweune,*

Translator: Atachuguliwa kutoka

Kiplagat: *kutoka kwa ngoja, ngoja, en.....hee..... ngoja omoche kekwei kong'ete province,*

Translator: Na pia atatoka kwa Province.

Kiplagat: *Omoche president kong'ete province,*

Translator: Nataka President pia atoke kwa Province.

Kiplagat: *Eng Kenya tugul,*

Translator: Kwa Kenya nzima.

Kiplagat: *Kong'et agenge amu sisit omoche kote Nairobi amu bo Kenya komugul,*

Translator: Nairobi ikae kwa sababu ni ya Kenya nzima.

Kiplagat: *l Amu Nairobi kobo Kenya tugul,*

Translator: Nairobi ikae kwa sababu ni ya Kenya nzima.

Kiplagat: *Omoche kekwene tisab eng Kenya tugul,*

Translator: nataka President achaguliwe kati ya Provinces saba badala ya nane.

Kiplagat: *Omoche president kotinye kiboket kou ane,*

Translator: Nataka President awe na kiboko yake kama mimi.

Kiplagat: *Sababu otinye lagok ko ngot kimachwen lagok ko makororonitu.*

Translator: Nina watoto na nisipochapa mtoto hatakuwa sawa.

Kiplagat: *Omokiyinin president amu tinye lagok che chang kochoboni asi kosob emet,*

Translator: Ninahitaji President achape watoto ili nchi iwe sawasawa.

Kiplagat: *Amu ngot komotinye kirokto president keabusi emet.*

Translator: Kama President hana fimbo, nchi itachokeshwa.

Kiplagat: *Arang 'olyonyu kou no,*

Translator: jambo langu ni hilo.

Kiplagat: *Amu samwa kou notok kegere tuguk che chang che kikululyo,*

Translator: Kuna mambo mengi naona yameharibika

Kiplagat: *Amu ngotinye eito nyu ne kiabai komie, komakonyoru bei amu kikobek Kenya Meat Commission,*

Translator: Kama nina dume yangu, sina mahali pa kuweka kwa sababu Kenya Meat Commission imeanguka.

Kiplagat: *Otinye chekyuk che nyie kalanit komakomi ole bendi amu kikeobukto,*

Translator: Nikiwa na maziwa hakuna KCC, kwa maana KCC imetoweka.

Kiplagat: *Abat mbarenyu akes bekyuk kebendi kesimwo sang asikwam chechuk susurik,*

Translator: Nikilima shamba, nikipata mahindi watu wanaleta mahindi kutoka nje ya country na yangu itakuliwa na dudu.

Kiplagat: *Omoche keger chechuk korok kele yomech anan moyomech si kebendi kesimet,*

Translator: Nataka watu wakae chini waangalie hii yenye ninayo itanitoshia, kama haitanitoshia ndio tuende kuomba.

Kiplagat: *Ara oimisoni komi kiboket Kenya,*

Translator: Nahimiza kiboko na iwe Kenya.

Kiplagat: *Kongoi.*

Translator: Asante.

Com. Salome: Asante sana mzee, ningepomba uende pale ujjadikishe ama Sigei aje akuandikishe pahali uko. Ameenda tayari?
Na sasa ningemuita Julius Kiptoo. Mzee huyu anataka kuzungumza, aje azungumze.

Chepyator Cheboiyo: *Omoe ng'olyot ne omwoe ole koemo serikali ranikemoche amu kiit ne kiketoben kokikome kong 'ete.....(Interjection) kigureno Kipyator Cheboiyo.*

Translator: Chepyator Cheboiyo.

Cheboiyo: *Komwochini serikali kotoretech amu kikowechkei koret koek ng'etonaik,*
ikwa sababu nchi imekatika na imekatika.

Cheboiyo: *Ara omwochini serikali ole otoretech,*

Translator: Naambia serikali yetu itusaidie.

Cheboiyo: *Amu kikome koret koek ng'etonaik ara mekomi akot olekiboti ako makomi ole omei kiyaki kikotor beek kosor, Ara osome serikali ole otoretech,*

Translator: kwa sababu mafuriko ya inaharibu mali, na pokot hakuna ngo'ombe wanakula na nchi imeharibika, naomba serikali iangalie hiyo kazi, naomba iangalie mmonyoko wa udongo.

Cheboiyo: *Amu kakieme koboto Bwana Minister olenchini otoretech,*

Translator: kwa maana tumekuwa pamoja na Minister tunasema atusaidie.

Cheboiyo: *Amu kogere ole kong'ete atkinye kanyo bwana Minister Kotoretech kotekwech sukulisiek, amu Minister,*

Translator: Kwa sababu nilipoona Minister alikuja na akatusaidia kwa mashule na hata nchi imekuwa sawa, sawa.

Chemaiyo: *Ngotoretech akot eng koret ne kokome.....*

Translator: sasa kwa hivi atusaidie kwa mmonyoko wa udongo kwa sababu unaharibika, na yangu ni hayo

Com.Salome: Asante sana mzee Kipyator. Majina hayo mengine ilikuwa gani Pastor? Majina ya mzee yalikuwa yapi? Yator Cheboiyo. Sasa ni nafasi yake Julius Kiptor. Julius Kiptor yuko? William Bowen? William Bowen, is that you sir? Ok come. Tafadhali ungenogoa kidogo mzee aseme jambo moja lenye alisahau. Tafadhali wazee mkija hapa, kumbukeni maneno yote, ili ukipata nafasi moja usihitaji nyingine. Lakini mzee aseme jambo moja, moja peke yake mzee tafadhali.

Chemaiyo: *Ko ng'olyot ne koutie eng yoko eng bichuto bo Kenya omoche koba rotation eng Kenya komugul D.O, D.C.*

Translator: Nahitaji, DC, DO wa- rotate kwa Kenya nzima.

Com.Salome: Basi sasa ni nafasi ya William Bowen, you have five minutes.

William Bowen: Nawashukuru Commissioners kwa kunipa fursa hii ili nizingumze kwa sehemu fulani tu kidogo katika Katiba yetu ya Kenya. Niliwe.....

Interjection Salome: Tafadhali sema jina lako ili liingie kwenye record.

William Bowen: Jina langu ni William Arap Bowen kutoka Wilaya ya Keiyo, tarafa ya Soi kutoka Kibargoi location. Nilipewa sehemu ya kuzungumzia na kikundi changu, kuhusu land and property rights, na nilifuatilia muongozo wenu wa kitabu hiki cha Commissioners. Kwa kwa sababu ya saa, nitaharakisha na nitaguza guza kuhusu maswali ambaye mliuliza katika ukurasa wa kumi na nane na kumi tisa. Kuhusu ownership, nilisema ya kwamba, fikira zangu ni kwamba Commissioners, serikali isiwe na idhini ya kuwa na shamba iwapokuwa wapewe local authority.

La kwanza nikitangulia ni kwamba, serikali ambayo mimi ninapendelea ni ya majimbo, kwa sababu italeti kila kitu kwa wenyeji wenyewe. Ya pili, kuhusu mashamba, ningependelea, wahusika wawe wananchi wenyewe. Sisi tunazo clans na tuna individuals, lakini kile tungetaka tu ifanyike ni kwamba demarcation ifanywe kila mahala kwa mfano katika bonde hii na nyanda za chini. Ningependa serikali hii ya majimbo, iwe na District tribunals kama zamani wale watakuwa wakitatua mambo yao katika Wilaya, wakiwa na councilors ndani yake. Kuhusu mabadilisho ya shamba, ningependa, iwe karibu na wahusika ni wale, wale District tribunals. Kamati ndogo iweko katika Wilaya ili serikali kuu nafikiri itakuwa katika region, katika Province.

Kuhusu ni nani angechukua shamba, ownership of land, ningesama ya kwamba hali ya wanawake na wanaume iwe sawa. Lakini mechanism ambayo lazima itazamwe ndani yake ni kwamba yule aliye na title deed, ama aliye na ownership awe sole owner na determiner awe ni yule ambaye amekata kauli ni angempa mtoto gani namna gani. By that I mean the individual should decide kama siyoy kama amekufa, watu wale wa ukoo wakate hiyo kauli kuliko ipewe mtu mwingine. Kuna mashamba ambayo yalitengwa na beberu, kama zile za Mazrui katika pwani. Kuna closed Districts zilikuwa zimefungwa, hizi zote zilituweka nyuma, na makabila mengi yaliwekwa nyuma hata zaidi katika pwani. Hizo zote zipewe wenyewe na county council zao ili wagawanye vile inavyo-6+ faa.

Tunataka Katiba yetu izuie mambo haya yote. Kama saa inanikubalia, katika ukurasa wa kumi na tisa ningesoma ama ningesoma cultural, ethnic and regional diversity and community rights. Ni kwamba mila zetu zilikuwa za muhimu, na hutusaidia sana na ningependa kwa kuwa inachangia, tunataka mambo hayo ya Constitution yafikirie sana mambo ya kuoa, mambo ya utunzi wa mazingara, sana sana mambo ya ownership yaani kitu chochote kiwe ni cha mwenyewe. Mambo ya kuoa, nitaunga mkono huyo mzee ambaye alizungumza kusema certificate itolewe hata mpaka kwa nyumba. Kwa sababu hii itazuia wale watoto wa kuzaliwa nje ya ndoa. Pia tunataka tusaidiwe kwa jambo hilo pia culture itasaidia kwa discipline zaidi kwa vijana. Kuhusu lugha za taifa ningependa mbili zitumike, moja ni kiswahili na ingine kiingereza Kwa sababu bado tunakitumia kwa shule.

Interjection Com.Salome: Una dakika moja umalizie.

Bowen: Pia serikali ituchungie, ituchungie vernacular languages, kwa sababu tusipochunga, mila yetu itaharibika na mila huchangia maisha. Asanteni Commissioners.

Com.Salome: Thank you very much, tafadhali jilandikishe pale kwa register. Shadrack Kangogo, Shadrack Kangogo. Wewe ni Shadrack? Ok.

Shadrack Kangogo: My names are Shadrack Keboi Kangogo from Bargo, Soi division, Keiyo District. Mine is only about the economy. VAT should not exceed 15%. Directors and Chairpersons of all public Institutions appointed by the President shall be professionals in their relevant Ministries and must be approved by Parliament. Audited public accounts should be made available to members of all public. The government must protect local institutions such as KMC, KCC, KGGCU and others. Cess from natural resources, like wildlife, minerals, oils and forests should benefit the local community.

Cultural diversity: Women inheritance should be banned, Female Genital Mutilation FGM should be banned because it leads to the wide spread of HIV. Thank you Commissioners.

Com.Salome: Asante sana. Samuel Kipkoron, please use the microphone and tell us your name first.

Samuel Kipkoron: My names are Samuel Kipkoron from Kibaragui location, Soi Division, (inaudible) sub-location. I will talk on electoral system and process. We should have transparent ballot boxes to be used in all parts of Kenya. Ballot papers should have security marks There should be reserved seats in Parliament for marginalized groups. The creation of Constituencies should take into account the geographical sizes as well as the population distribution. Counting of votes should be a continuous process for one to qualify as a voter he/she must be 18 years and above. Voters registration should be a continuous process. It must be made accessible cheaper and convenient to the voters. He should have the identity card, the

passport can be used by registered voters in place of the voters card. The general civil and Parliamentary election should be held separately from the Presidential one. Presidential election should come later after Parliamentary and civic election.

Electoral Commission of Kenya, ECK. Those shall be based on Presidential appointments and approved by Parliament and should comprise of nine Commissioners appointed by political parties and vetted by Parliament. Time should be enshrined or limited in the Constitution for election. This shows that section 59 of the previous Constitution must be amended. The ECK should enjoy security of tenure for 2 or 5 year terms, they should be independent and impartial. The ECK should have powers to prevent Electoral violence and bribery of voters and misuse of public resources. Electoral system and process should also have code of conduct. Thank you Commissioner sirs and madam.

Com.Salome: Just hold on,I have a question for you. Does anyone else have a question?

1. You have said that some seats should be reserved for marginalized groups. One, where do you want these seats, is it in Parliament, it is local government?
2. Which are the groups?
3. About how many seats would you like per group?

Samuel: 6 Seats should be for women and thenne for disabled and two for the youth.

Interjection Com. Salome: Where? Where are these seats?

Samuel: Local government, and Parliamentary seats.

Com.Salome: Has Chirchir come? Philip Chirchir? Amekuja? Na Dina Cheruto? Stephen Kipchoge? For the youth vijana, Evans Chelimo, a youth?

Evans Chelimo: Thank you Commissioners, I want to talk about.....

Interjection Com.Salome: Tell us your name first?

Evans Chelimo: My names are Evans Chelimo from Changai sub-location, Kibaragoi location, and Soi division, Keiyo South Constituency, I want to talk about issues on political parties. The political parties should play other role other than political mobilization. Those who are the heads or the chairmen or the MPs who are in charge of parties should play roles other than mobilizing people only. They should be active in development projects other than only mobilizing. Examples of these projects are the building of schools, organizing bursary funds, social welfares of their subjects in various Constituencies.

Secondaly, the number of political parties should be limited or be given more conditions so that they will reduce the public funds spent on these parties. Rather, these funds can be used to develop other areas. The political party should not be financed from the public funds but they should seek donor contributions, or contribution from their members. Thank you.

Com.Salome: Thank you very much Evans Chelimo, Fredrick Sang, mkulima?

Fredrick Sang: Kwa majina mimi ni Fredrick Kiptum Sang, District Keiyo, Division Soi, location Kibaragoi. Ninaongea kuhusu mambo ya political parties. Political parties should be guaranteed and public funds for political parties should be guaranteed and Constitution must also guarantee and independent of operations of political parties. The Constitution should also guarantee the rights of civil groups such as CBSO, religious organizations and NGOs to operated without interference from the government. Ningependa tena kusema jambo moja kuhusu upande wa ukulima. Sisi kama wakulima tuko na shida vile wenzetu walikuwa wamesema hapo awali, tumelima mashamba na tunaletewa mahindi. Ningependelea niseme ya kwamba ikiwa hapa Kenya kuna chakula cha kutosha, kuna maana gani kuleta zgine kabla.....

Interjection Com.Salome: Zungumza kwenye mic ili tuweze kunasa sauti yako.

Chelimo: Ninasema kuna maana gani ilitewe chakula ikiwa kama tuko na chakula cha kutosha hapa kwetu? Nimeshangaa kwa mashule zingine mpaka wa leo tunakula mahindi ile yellow, na tukienda manyumbani kwetu tuko na mahindi ya kutosha. Kwa hivyo serikali hapo inatakikana iangalie maana hiyo chakula sio mzuri kwa watoto wa shule kama tuko na mahindi mzuri kwa stores.

Pili, tuko na wanyama, wanyama wanaharibia watu wetu vyakula kwa mashamba na ningeomba wale wanahusika waangalie na wateue wanakamati wale kwa area hiyo Ikiwa kama ni shida wanaangalia wenyewe, kuliko kuambiwa na serikali wawangojee wafanye assessment na serikali kwa ile kitu haiwezi kufanyika.

Interjection Com.Salome: Hebu nipe dakika moja bwana Chelimo. Ningetaka kuwakumbusha tafadhali kuwa tunanasa hizi habari moja kwa moja kwenye kanda za kunasia habari. Na tunapo zungumza kule nyuma hiyo kelele pia inafika kwenye recorder, na itatutaliza wakati tuko Nairobi na tunajaribu kusikiza wananchi wa Keiyo walisema nini kwa Tume. Tafadhali tuwache kuzungumza huko nyuma ndio tuweze tu kunasa yale maneno yenye mnatueleza. Na maneno yenye mnatueleza mfanye hivyi wakati umepata mic. Sasa muache mkulima atuzungumzie maneno yake na sisi wengine tusikize tafadhali. Asante sana, endelea.

Chelimo: Kwa upande wetu wakulima tuko na shida maana tuko na mashamba ambayo hatujachorewa na saa hii tunahitaji tupate title deed kama watu wengine, especially bonde la ufa mahali tuko sasa.

Pili, tuko na forests ambapo ni mahali tunapata maji. Ukienda huko watu wamesharibu na hiyo ndio itatuletea shida kubwa kwa miaka zijazo, maana maji ikiisha hata sisi tutakosa namna ya kuishi upande wa chini. Ningependa tena serikali iangalie watu wote wawe sawa, sababu ukiangalia sehemu zingine kama bonde la ufa mahali hakuna chakula, mahali hakuna elimu ya kutosha, wanapoandikwa kazi wanasema hawa ni watu tu wakipata 2% inatosha, na hapo ndipo mahali wangesaidiwa kama sehemu zingine. Asante.

Com.Salome: Asante sana. Joseph Yesur? Kuna majina hayo tu mawili, Joseph Yesur, box 614 Iten? Sio wewe basi. Ni Yego, na hiyo ni box yako? 614 basi ni yako, pole, ni maandishi yaliyo hapo Joseph Yego, Karibu.

Joseph Yego. Kwa jina naitwa Joseph Yego, natoka Kibargoi location, Soi Division. I will only touch on some areas, the Executive part of it. The President should serve for a maximum of 5 years, that is two terms and secondly we come to President. He should not be above the law of which my colleagues have said, and also the entire Provincial Administration comprising of all DOs and DCs should be scrapped and we have the elders. The village elders in the village will have that mandate to hold and given the, elders should be given allowances.

Interjection Com.Salome: Please address the Commission?

Yego: Thank you. Also, the President should be Commander in Chief of the Armed Forces, the way it is, as in the Constitution. All police officers should be retrained on human rights.

The type of government I said, is Unitary type of government because it is cheaper and it is able to serve all the people the way it is now.

On education, when you come to education, 8-4-4 system is not actually a reliable system and we have to go back to the old system which was 7-4-2-3 because you find that those people who were in the old system they can even be able to work in the government and even they can have job opportunities. So with that, I can say also economic part of it, we have the people of that particular area, for example they have to elect somebody who is going to be the manager of that particular, institution For example KCC for their milk. The people have to elect the person from that area. The same for maize and other produce, because they will have that kind of affiliation to these people and in case of any mismanagement of that company, these people group will be able to blame the people they elected. So with that I can say thank you Commissioners.

Com.Salome: Thank you, I have another name yenye sijui, siisomi vizuri, kuna mtu mwenye anaitwa Kimaneng na pia ni address 614 Iten? Jina lako la kwanza? Sio wewe, wewe ni Kimang lakini sio box 614 Iten, Inaonekana kama ni Micheal au jina kama Micheal Kimoning box 614 Iten na ni mkulima. Ok, Samuel Kwambai, pia yeye ni mkulima alijiandikisha kama mkulima Erick Hayambe?

Erick Hayambei: My names are Erick Hayambei, I would like to present views on education. Education should be free at least in Primary and fundamental stages. Primary education shall be compulsory and technical professional education shall be generally available in higher education. There should be school for physically challenged persons in every district. Parallel degrees program should be scrapped. The Constitution should set up for establishment of public Universities. The President should not be the Chancellor of any Private or Public University. Adult education should be revived. A mechanism should be defined to take and eradicate the inability to read and write illiteracy among Kenyans.

Age should not be a factor for consideration in secondary or higher educations. Girls who become pregnant while in school should be allowed to continue with their education after giving birth. Free education should be provided to orphans upto any level they may attain. Government policy to be established to check (inaudible) to other countries, the policy may include the salary increase for doctors and teachers to check the brain drain to other countries. 8-4-4 system of education should be eradicated and replaced with the old system of education. Higher education should be subsidized with loan facilities to benefit needy and bright students. All employment should be on merit and not based on nepotism, tribe, religions, race, age or any other source of discrimination. Thank you Commissioners.

Com.Salome: Thank you very much, Chebseba Masain, hilo ni jina lako? Basi njoo, tafadhali chukua microphone uliseme jina lako ndio na mimi nijue linatamkwa aje.

Chebseba Kadawar Mosoin: *Basi jina yangu naitwa Chebseba Kendagor Masain. Basi ogere ole ng'alechu kimi yu ko ane ko masoman ak ko ye masomon ko kiakas ole kimoche kiyai ng'alekab katiba akng'alekab katiba ko che ribe emet.*

Translator: Nilisikia Katiba inaendelea kutengenezwa, na maneno ya Katiba ndio inachunga nchi,

Chebseba: *Bas ko ng'olyo ne kabwat ane atebye ole olikinye kokiribot ngo forest ara komoche kenomu acheke kinyo.*

Translator: Hapo awali forest ilikuwa ikuchungwa, na sasa ninahitaji forest ichungwe tena kama kitambo.

Chebseba: *Amu teta ne kiyenye kongetu tugul eng kiyeng'ut.*

Translator: Hata mbuzi alikuwa akichinjwa nyumbani, nyama zote zinabaki nyumbani.

Chebseba: *Ko ye kitinye councilors ak kiruogik kolya si moribwech korenyo ak achek boisiek.*

Translator: Wakati tuna ma councilors, na ma-chief na wazee, kwa nini wasituchungie nchi?

Chebseba: *Omotinye kiy ak ingen kapchi tugul kole tinye ni ak ni ak kobo kapanum ak mowolokisie*

Translator: Kwa sababu wazee walikuwa wakijua hii ni ya nyumba fulani na inakaa hivyo,

Chebseba: *Ne rubei omoche kole eng kiruogik olenji omoche kebe mlolongo*

Translator: Kwa chief pia ninahitaji twende mlolongo.

Chebseba: *Keroti kiruogik tugul amu kiruogik che kisire rani ko pengine kesir korik che motinye kiruognot.*

Translator: Pengine tunaweza chagua nyumba inayojulikana kwa utawala.

Chebseba: *Ko achek kingen achek korik che tinye kiruognot ne kimoche koribwech emet*

Translator: Tunajua nyumba fulani wana utawala au mamlaka hiyo kwa hivyo tunajua hiyo ndio itapewa.

Chebseba: *Akot ko u D.O. ko pengine kekonech ne nga bich che mokororon si ye soru koroni konyere koret kosir biik che kikingen*

Translator: Kwa hivyo hata na DO, anaweza ingia nchi kama hii na kuharibu lakini tunataka DO yule tunajua.

Chebseba: *Si ye siyekibwa kelechi ngechub chi komei*

Translator: Ili ajue ya kwamba mtu akilaniwa atakufa

Chebseba: *Basi ko kiit ne omoche omwo ane ko motinye ane ng'al che chang kobatekityo nito kiguren Katiba koribei korenguong maribei nebo chi ake.*

Translator: Katiba si kwamba inachunga nchi ya mwingine ila na nchi yako.

Chebseba: *Akorib serikalinguong*

Translator: Na pia serikali yako

Chebseba: Asenti.

Com.Salome: Joseph Kandie?

Joseph Kandie:Asante sana Commissioners, yangu nataka kuzungumzia upande wa land, natural resources.

Interjection Com.Salome: Tafadhali anza na jina.

Joseph Kandie: Pole, majina yangu ni Joseph Kandie kutoka Keiyo South. All land in Kenya should be titled, iwe na title.

Ya pili, mashamba yote yawe na guarantee ya kwamba yatachungwa hata ikiwa na title. Na forests zikiwa zitalimwa kukua shamba system, wananchi ambayo wanahusika wa area hiyo wote walime hiyo shamba, wasibaguliwe. Na mashamba ambayo ni Trustland, hizo zote ziwe na wananchi wenyewe wachunge, wasipewe private investors ama serikali kuingilia.

Ya nne, ikiwa inatakikiana kutumiwa shamba kwa eneo fulani, yule mtu ambaye ameondolewa hapo lazima awe compensated na aende ajengewe nyumba permanent na aendelee kuishi kama watu wengine.

Ya tano, mambo ya trustland iende kwa county council ya hiyo District na county council ichunge,i trustee wa hiyo shamba na hakuna kitu chochote ataweza kufanyia isipokuwa kurudi kwa wananchi, watoe mapendekezo na wananchi wenyewe watazungumzia juu ya hiyo trustland.

Ya sita, tuwe na Commission ya land Kenya ambayo itakuwa independent na iwe ikichunga mashamba yaliyonyang'anywa kutokana na mambo ya private lands, iwe forests lazima I-benefit wananchi wa hapo hapo.

Ya saba, ikiwa kama minerals ama oil ikipatikana kwa eneo fulani, wananchi lazima wawe wanakuwa na mamlaka kuamua yule investor na wasikilizane na wakubaliane ya kwamba percentage fulani 50% iwe shareholders kwa wananchi, halafu awe anapata mapato kila mwezi. Na nyumba ama mashamba wawe compensated na waende wajengewe manyumba ambazo ni permanent na wananchi ambyo wako hapo wa benefit na hizo minerals.

Ya nane ikiwa kuna forest, lazima ichungwe na ikiwa kuna water catchment areas, lazima zichngwe. Ikiwa kuna mto wowote, like for example tukiwa hapa, kuna Kerio River hapa, na ikiwa kuna mtu atajaribu kumwaga uchafu kwa huo mto, lazima huyo mtu atapewa adabu ambayo itaweza kuwa zaidi ya miaka kumi.

Kumalizia ningetaka kusema jinsi ningetaka kuongezea hiyo, Administration police iwe scrapped, waingie kwa police, na Provincial Administration yote itolewe halafu yule mzee wa mtaa achaguliwe na watu na apate mshahara. Kwa hivyo sina mengi, bwana Commissioners, Asante.

Com.Salome: Asante sana. Lile jina lenye nilikuwa sijaweza kusoma Lilikuwa Micheal Kumaini, hilo ni jina lako? Basi njoo. Njoo, pengine ni wewe. Ni box zile zile 614 Iten, na jina lako ni nani? Micheal Kipyego, hilo sio Kipyego nitakuja kwa jina lako baadaye.

Elijah Kimoning,

Elijah Kimoning: Thank you our Commissioners of CKRC,

Interjection Com.Salome: Zungumza kwenye mic tafadhali.

Elijah: Asante sana Commissioners wa CKRC, Constitution of Kenya Review Commission, I am here by to represent my views and my names are called Kimoning Elijah Kiptor from Molo Sub-location, Soi Location, Soi Division, Keiyo District. The following are my views about Parliament that is the Legislature.

1. Parliament should be independent from interference from the Executive arm of the government.
2. The number of MPs should be increased from the current 222 to 300. 90 of whom shall be nominated to take care of gender disparity, persons with disability and other marginalized communities.
3. Parliamentary political parties on the basis of number of the MPs in Parliament should do nomination of MPs. Parties should guarantee to cater for the marginalized categories, women and the disabled persons.
4. Parliament shall be the Supreme law maker in the country.
5. Parliament should be appropriate public expenditure and Parliament should also approve the budget.
6. Other functions of Parliament should include the approval and appointment of the following Constitutional offices, that is

1. Prime Minister
2. Chief Justice
3. Electoral Commissioners of Kenya
4. Auditor General
5. Cabinet Ministers
6. Attorney General
7. Permanent Secretaries

The following heads of Department that I have named should be approved by Parliamentarians in Parliament.....

Another point is that Parliament any Service Commission should be enshrined in the Constitution. Another one is that Parliament should have its own time table.

Another point is that Parliament should not be dissolved even during times of war or emergencies until the completion of its full term.

Another point is that the President shall have no power to dissolve or broke the Parliament.

Another point is that Parliament should be full time, five days in a week occupation. The last one is MPs and their families should disclose their wealth before being sworn in as MPs, at the start of each year as they serve as MPs. To add on that, the last point is that I would like people who will be appointed to be Ministers to of Professionals through application. Since we are electing our MP at the same time or directly he goes or she goes to be elected as the Minister, that way he or she will never have that time to come and serve the electorate who elected him to go to Parliament.

So those should be the points to be looked into by the Constitution of Kenya Review Commission. Thank you very much.

Com. Salome: Micheal Rono?

Micheal Rono: My names are Micheal Rono I want to address some few points on the Executive and I do feel the following Commissions should be established. These are:

1. The Judicial Commission
2. The Parliamentary Commission
3. The Public Service Commission
4. The Armed Forces Commission
5. The electoral Commission
6. The Prisons Commission
7. The Land Commission
8. The Law Reform Commission
9. The Anti-corruption Commission

Also, I do feel the Provincial Administration should be scrapped. In place, the elders or the village elders be given an allowance to help them discharge their duties effectively. Also the recruitment of civil servants, like the police or the armed forces 1 head per family, either one daughter or one son be recruited and not more than one child per family. That is all.

Com.Salome: Thank you very much. Before you go Micheal, I have one question for you. Before you leave, I have one question for you. You have said that time and time again we have been told that elders should be paid so that they can do some Administration at the grassroots. Are the elders men or women?

Micheal: This time round, because of the question of the gender, we are giving it to both men and women.

Com.Salome: Thank you very much and now that you giving to both men and women, can we have Divina Linau, Linau au Limau? Divina? Elizabeth Korir, Elizabeth Korir?

Elizabeth Korir: Thank you madam Commissioner, mine is only to present a few proposals about the Constitutional Review. First I would like to say according to my opinion, the government that I want is federal, which is Majimbo system whereby we shall have a President, we shall have a Prime Minister, and in all the Provinces that we have in Kenya, we have President. The Prime Minister and the President will divide powers. Also I would like to say that in this Government, the local government in any District be given more powers because it is closer to the people. If it is part of the forest, where natural resources the local government to have powers to sit with the people they represent to discuss and see what they will do with their environment and other resources in their Districts.

Secondly I would also like to say on the education, lets say on the Presidency, we need a President who has a degree and above, we need a councilor who is an "O" level and above, Another one is that the councilors, the people will elect the councilors. When they reach the council they will also elect among themselves the chairman, and the Mayor but not back to the people, that is my opinion that is my view. Also I would like to say that at the office, in the District level we shall be happy if while electing themselves, 30% of office bearers from the office of the President to the local government, 30% should be women, in all those elections.

Secondly, I would like to talk on citizenship. Anybody who is born in Kenya should be a Kenyan. A child who is born by a Kenyan man should automatically be a citizen of Kenya but these children who are born with Kenyan ladies will apply for citizenship after 21 years. I would also like to say about, nitaongea tena kuhusu urithi kwa jamaa. Nataka niseme ya kwamba baba wa nyumba akiaga dunia, tuseme mwenye atarithi mali ni bibi ambaye alioa kabisa mwenye ako na certificate ya huyo mzee wake. Sio ati ni ndugu za bwana, lakini mama na watoto wake ndio wanarithi mali ya baba.

I would also, because I was saying that the type of government that I want is Majimbo, nitatongeza kusema ya kwamba, a Kenyan is allowed to own land everywhere in our country as much land as you can, there is no limit, it is according to your hard work. Also, I would say to be allowed have title deeds and when a lady is marred if they discuss with the husband it is good to have a title deed come by the two names, the husband and the man. The man's name, that is my opinion that is my view so you stop making noise. So I would like to say

Interjection Com.Salome: Madam I will ask them to stop making noise so that they can hear you but I think the issue here is when you say that the title deeds should have the name of the husband and the man,

Elizabeth: Lets say, I will give you an example if you want me to give you an exampl, I will give you. If my husband is John,

then the name will come from John and me Elizabeth.

I would also like to say something about the disabled people in Kenya. The disabled people in Kenya to be considered for free education in the government. They should also have, let's say even if they have their children, their children also to be given free education because they are unable.

Wakati tunajenga manyumba kama offices in Nairobi, kama Parliament, we have to consider those people. We have to construct a building whereby it will be accessible to them. I will also say something on the children. Watoto lazima wapewe adabu, lazima wapewe adabu ndio waelewa. Na kwangu mimi nataka niseme wapewe education free as it is now in Primary na pia mtu ahesabiwe kama mtoto mpaka afike 21 years and then their treatment be free. Nafikiri sasa sina mengi ya kuongeza, haya ndio yangu nimeweza kusema siku ya leo. Thank you Commissioner.

Com.Salome: Asanti sana Bi Elizabeth Korir, na sasa nitamuita Kipseba Cherotich, yuko? Kama hayuko nitamuita William Kigen,

William Kigen: Asante Commissioners, kwa majina mimi ni William Kigen from Chepteba sub-location Bargui location, Soi division Keiyo District. Niko na maoni mawili, ya kwanza ni kuhusu shamba, land and property rights. An individual should have ultimate ownership of land. That is what I came to put access that each and every Kenyan should have his or her own land. Land should be demarcated and issued a life title deed ownership to the resident.

Interjection Com.Salome: Please speak into the mic so that we can record your observations.

William: On land, I said land should be demarcated and issued a life title deed ownership. The government or local authority should have power to control land owned by foreigners. All natives and marginalized tribes should be considered first. Among these marginalized tribes are communities like Njemps and Ndorobos, the government should consider them when they are distributing land to these people. Land board committees should be controlled by the natives of the area. You see from this case, when we have land case you can have people from various areas whereby they do not know the customary law of the area. So we need the indigenous to be the people who will tackle the conflict or the dispute of the land. All public utilities like shrines, catchment areas, institution, should be demarcated, marked, and boundaries to be identified. Issuing of title deeds be done at District or regional levels. There should not be a ceiling on land owned by an individual. The Constitution should recognise the traditional customary law on land rights and ownership.

On buying and selling of land within an area, it should be with the consent of both families, the buyer's and the seller's, the village elder and the area chief. This will stop conflicts that will come after they have agreed on the buying and selling of it.

I will go to the next point and that is the environment and natural resources. All forests should be under local authority and

game reserves should be governed by committees from local authority and surrounding community.

Next, 60% of the income be given to the development of surrounding community, that is to develop a school or to develop communication in that particular area. Any mineral found within an individual's land, the owner of the land becomes an automatic share holder of the mining body. Mpaka hapo, ninasema asante.

Com.Salome: Thank you very much,

Clement C. Chelelgo: Jina langu naitwa Clement C. Chelelgo, natoka Soi location Musikuti, Soi division katika Wilaya ya Keiyo. Nitazungumza juu ya vitu vitatu tu, sio vingi.

Kwanza, ile serikali ningependelea ni serikali ya majimbo ingawa wengine wanasema ni gumu, lakini si gumu, imefanya mzuri katika nchi zingine.

Ya pili, maneno ya environment yaani forest na water catchment areas, naonelea lazima ichungwe na community wa area hiyo. Kitu ingine, iko shida imetokea ya hao watoto wamezaliwa nje ya ndoa ama wale wamezaliwa na watu na kuwachwa na kuwa-abardon. Ningependelea muke kwa Katiba yetu kwamba mtu yeyote ambaye analeta mtoto achunge huyo mtoto mpaka awe mtu mkubwa.

Kiti ingine madini yoyote yanayotokea katika area, katika Kenya mzima kama imetokea hapa, ama North Eastern, ama wapi, iwe mafuta ama madini yoyote, ningependelea community ya area hiyo wapewe sehemu yao ama wawe share holders katika area hiyo, katika hiyo madini. Nafikiri hayo ndio ile ningependa kusema.

Com.Salome: Asante sana ningetaka kuwashukuru sana kwa kuwa watu wenye nidhamu, mtu anakunja na point zake anamaliza hata kabla ya wakati, asante sana. Joseph Kwambai?

Joseph Kwambai: Asante sana Commissioners, mimi ni Joseph Kwambai maoni yangu nimeandika kwenye karatasi kwa hivyo nitayasoma .

Structure system of government: We have talked of several system of government.....

Interjection Com. Salome: Tafadhali usiyasome kwani hutapata wakati wa kuweza kuyasoma yote, lakini yaangazie tu makubwa yale yenye umeandika. Just highlight the main issues.

Joseph: We are talking of several systems of government simply because each of the region, is able to exploit its talents. Local

problems have their local solutions each region makes their own laws and, government system they prefer. This federal/government, the Prime Minister will share the leadership or the responsibilities with the President. The Executive, the Presidential aspirant will be a university graduate and above, at least aged 35 years. The President ruling President should be allowed to continue unless he steps down voluntarily. The next President should be allowed to have 2 five year terms. If the office of the President becomes vacant, then the Speaker of National Assembly will take over for 90 days, and then the next President be elected. We should have at least 25% votes from 5 out of 8 Provinces in Kenya, for this President or any other President. The President must not be a member of Parliament.

District local leaders to determine the Constituency boundaries. In determination or determining the Constituency boundaries, these should be considered; the terrain the communication and the activities in the area not the population.

Management and use of Natural resources: All petroleum products should be controlled by the government. Free market should be abolished. All government revenues like N.S.S.F, VAT, PSV, and all these should be lowered by 50%, considering the present charges. Traffic policemen should be scrapped and road block policemen be retained.

Cultural, Ethnic and Regional diversity and communal rights: Kenya should have two national languages, Kiswahili and Kiingereza after indigenous languages should be promoted unless they provoke or ridicule others. Constitution should allow or protect all customary laws of every ethnic group. Thank you very much.

Com.Salome: Thank you very much, Cheboi Chepkengich? I think also the writing of these names who was doing the writing, Watibini? Mzee uje utuambie jina lako ili tuweze kulisema vile unavyolisema wewe mwenyewe, chukua mice tafadhali.

Cheboi Chepkengich: Jina ni hilo Cheboi Arap Chepkengich. Basi Commissioners,

Interjection Com. Salome: Tafadhali sema hilo jina tena.

Cheboi: Cheboi Arap Chepkengich. Mimi ninatoka sehemu ya sub-location yangu ya Musko, Soi Location. Asanti kwa nafasi hii neno langu la kwanza ni Escarpment ama mahali popote maji yanatoka. Kwa kisheria ya kikalenjin, (mimi ni mkeiyo) hasa, neno lenyewe, hakuna uhai wa binadamu au mnyama bila maji. Zamani za kale, mtoto yeyote wa mtu, hakuruhusiwa kuguza mahali maji yanatoka, Escarpment ni mikono ya kuita mvua, Kichwa changu hakiwa nywele. Kwa hivyo tena huko kwa escarpment, ukifikia oh mvua yetu itatoroka hata maji itapotea. Tafadhali serikali yetu walinde kwa nguvu, tena kwa nguvu, hiyo ni ya kwanza.

Ya pili, shamba la mtu, zamani za kale sisi wa Kalenjin tulikuwa na title deed yetu, title yetu ya mawe, inapita kule inasema ya fulani ndio hii, ndio ya fulani basi ndio title deeds ya kiasili ilikuweco. Commissioners, shamba la mtu ni shamba la mtu, inaweka mkazo, tuwe kitu kimoja na serikali yetu waweke nguvu kabisa kuchunga shamba la mtu.

Neno la tatu, tunaekolea mahali ambapo binadamu wote wanategemea. Ingawa mwanamume yeyote yule ambaye anaelekea kuoa, lazima aoe bibi wake awe wake baba azae watoto wa ndoa wenyewe, si wale hohe hohe. Nafikiri kila mtu katika Kenya hii anaona chokora wamekuwa majority, hao majority ni watoto wa nani? Si ni wa huyu na yule. Yule ambaye anashukisha mtoto chini wewe pia be aware, huyo mtoto ukiwa umeshashukisha hapa ardhini ni jukumu lako wewe mwenyewe kumchunga, huyu aitwe jina la wewe mwenyewe mzaa wa huyo mtoto. Si kuachia babu yake, si kuwachia nyanya yake, la, wewe mwenyewe unachunga mtoto wako. Naomba serikali yetu iendelee na kukaza hilo neno vizuri.

Narudi hapa kwa wanaume yule ambaye hajaoa bibi wake, kwa sheria ya kikalenjin, yule bibi unakaa naye huyo si wako, wewe si wako, sababu hakuita watu wengi kama hawa kushuhudia mtoto wako kama anaoa bibi.

Interjection Com.Salome: Zungumza kwenye microphone mzee ndio tusikie huyo wasia wako.

Cheboi: Basi neno la nne, ni hii mambo ya chief. Chief ni macho ya serikali na ni daraja ya serikali. Chief achaguliwe wazi kabisa na watu wote wanakubali kama ni huyu, basi wanasema, “Ameshinda, ameshinda hurray! Ameshinda. Wacha ile ya kichorocho ya kusema huyu alikuwa na wangu, hapana. Inapita kwa macho ya watu wote kama inawezekana. Basi nafikiri nikiongea hivi, sheria bado inaniangalia. Bado niko na nafasi ya kuongea?”

Com.Salome: Nikitaka thalathani mzee, nusu ya dakika.

Cheboi: Asante thank you. Basi kwa kumalizia, heshima. Sisi wakalenjini tulikuwa na heshima, mzee ni mzee, mama kama huyu hakika tunapiga magoti juu yake na kusema, mama, mama. Kwa kumalizia kama nilikuwa na nukta moja, mwanamume zamani za kale alikuwa askari wa nchi, alikuwa askari wa nchi. Mwanamume alikuwa hana ruhusa kunywa pombe sababu ni mwana jeshi wa kulinda watoto, wa kulinda wanyama, ya kulinda wazee, wa kulinda mama. Je, ukikunywa pombe nani atachunga nchi? Sheria ya Kalenjin ilikuweco hivyo hivyo. Si mimi kutaja mbele yenu, nilikuweco. Basi kurithi mali ya mtu, mali ya baba, ni yule mvulana wangu ambaye nimezaa wa kwanza, ndio huyo na mama watarithi mali yangu, kabisa. Shamba lile nilikuwa nalo, lazima mama na mvulana wangu wa kwanza agawanyie wale watoto wengine wale wako nyuma yake.

Basi kumalizia kuna mgeni, mgeni arithi hii ikiwa madini yatatokea kwa shamba la mtu, yakitokea kwa shamba la mtu huyo ni share holder, huyo mtu ni share holder, kwa sababu bahati yake madini yalitokea kwa shamba lake. Sioni sababu kuacha mwenyewe atoke nje na bahati yake imemuangukia. So Commissioners, nafikiri si vizuri ukiongea mengi na bado kuna watu wengine ambao wanafaa waongee hapa mbele. Thank you Commissioners.

Com.Salome: Asante sana mzee, jiandikishe pale. David Yegon? Ni wewe? Karibu.

David Yegon: Majina yangu ni David Yegon kama vile mmesikia. Mimi ni mkaaji wa mahali hapa. Asante Commissioners,

nina maneno machache tu, sina maneno mengi. Nataka kuzungumza kuhusu makanisa. Kitu cha kwanza ningependelea makanisa wawe na Minister wao pia ambaye anaongea kwa niaba yao. Kama wana shida ama wana neno lolote ambalo wangetaka kuambia serikali, yule Minister anaongea kwa niaba ya makanisa ili kusikuweco na mashindano au kupinga serikali, kama vile tunaona kwa magazeti siku zote.

Ya pili naona mtu analipa school fees, analipa kila kitu, mpaka siku ile anakua mzee hana uwezo wa kilisha au kukula na mama, wanaanza sasa kushikwa na homa, magonjwa mengine nini nini, na hasa kukufa automatically kabla siku ya kufa kwao. Sasa mimi ningependelea serikali watenge mahali au kutenga pesa kiasi fulani ambacho watatumia kwa wazee hawa siku ile hawajiwezi.

Naongea pia kuhusu wale ambao wanaoana. Hapo zamani kidogo katika mila zetu za Keiyo hatukukuwa na kitu kinaitwa bahati au kinaitwa zawadi. Zawadi hiyo ilikuwa hakuna, lakini watu siku hizi wamekuwa watu wazima na ni zawadi na hakuna shamba yao, hakuna kitu chao mahali walizaliwa. Kwa hivyo nimeonelea ya kwamba kama mtoto akizaliwa, msichana akipata mimba au bibi akipata mimba, hao watu wawili lazima wafanye ndoa na kama hawawezi ndoa ya kikanisa au ya kalenjin au ya nini, hao watu wote wafungwe pamoja, wawekwe jela. Kwa sababu wanazaa mto ambaye hakuna mtu atakuja kulinda, watakuwa wanaharibu nchi kwa kuzaa watu ambao watakuwa maskini, watazaa chokora katika Kenya, sisi hatutaki.

Ma-chiefs, nataka kuongea kuhusu ma-chiefs, I am sorry, ma chiefs wawe wakati wakuchaguliwa wachaguliwe kwa njia ya mlolongo kama vile wazee wenyewe wamesema, lakini kuna tofauti kidogo ambaye ningetaka kuongezeo Nataka kusema wale ma chiefs, kama akikuwa chief wa kukaa mpaka anaenda retirement, kama akikosana na family fulani, hiyo family itakula maji mpaka siku ile huyo chief ataenda retire. Kwa hivyo tunataka wawe wakichaguliwa baada ya miaka mitano kama councilor ama MP, ili kama ni mzuri anaongoza wananchi vizuri, ataendelea, ataendelea na kuendelea mpaka siku ile ataenda retire, kama ni chief mzuri. Kwa sababu nimeona ma-chiefs wengine wamekaa vibaaya hata hawalali kwa manyumba zao, wananchi wanakemea, wananchi wanawafukuza fukuza, hana heshima hata kidogo. Amekaa mpaka ile heshima yake imekwisha.

Ma-forests na catchment areas: Nataka kuongea hivi, hiyo mahali pale ambapo forest iko, District Administration lazima wawe watu wa kuchunga mahali pale, na wanajua jinsi ya kufanya. Kama ni kulima na kupanda mahindi na kupanda miti ndani ni sawa, wanajua jinsi wanataka kufanya.

Watoto: Nataka kuongea hivi kuhusu watoto, watoto kama ukiacha mtoto bila kupata kiboko ile ambayo inastahili kutunza mtoto, huyo mtoto ile fimbo uliweka huko, mtoto atakuja kutoa na kuchapa mzazi au kuchapa mto yeyote katika nchi. Kwa hivyo mtoto anaruhusiwa hata bibilia inasema ujinga ulifungwa katika roho ya mtoto such that ukienda shule, wanaenda kutoa strike, wanatupa masahani na kupiga magari ya watu na kufanya kitu chochote kwa sababu ujinga bado uko ndani ya mtoto. Lakini fimbo ya dhabu itatoa ujinga kutoka kwa huyo mtoto. Kwa hivyo yule mtu alisema mtoto asichapwe, asifanyiwe chochote, mimi ninashangaa, wewe utakaa wapi siku ile mtoto yule atakuja kuwa mkubwa, huyo mtoto hutapata nafasi hata

mahali pa kukaa kwako, atakupiga kichwa na kutoa ile gari wewe uko nalo, atatoa kila kitu.

Com.Salome: Mzee, tafadhali fikiria sasa kumaliza maliza, nikupe dakika moja.

Yegon: Asante Basi ya mwisho ninasema kuhusu police. Police hii maneno ya kuweka barrier, kabla hujafika Eldoret hapa umepita barriers karibu kumi. Hizo barriers ndio zina matendo ya corruption ile sisi hatutaki katika Kenya. Mimi ninaonelea ya kwamba hao police waweke barrier mahali moja ambapo pako karibu town, kama ni Iten barrier upande moja na upande mwingine ili mtu yeyote anataka kukunyang'anya vitu anakaguliwa.

Ya police, tena kwa police, kama police anakuja kukamata mtu kwa chang'aa au vitu ingine au kwa makosa ingine, mimi nataka yule Prosecutor ambaye anachukua hiyo kesi awe ni mwenye alishika yule mtu kwa sababu anaweza kuandikia yule mtu ile inatiwa bangi na huyo mtu hata hajui bangi ni kitu gani. Na wanaenda kusimamia huko kortini wanasema huyu mtu alikuwa na bangi na huyo mtu hata hakunywi pombe hata saa zingine alikuwa ni mtu wa kanisa. Mimi nataka huyo police officer yule alimkamata mtu, mwenyewe ndio atachukua kesi mpaka kule, mpaka kule kortini. Asanteni, nimemaliza.

Com. Salome: Asante sana mzee, ningependa kuwahimiza kina mama tafadhali wenye wako hapa ndani walijiandikisha wakasema hao wamekuja kusikiza tu, mmesikia ya kutosha tafadhali kina mama mwende mjiandikishe upya mje mtueleze maoni yenu. Katiba ni ya baba na mama, na mtoto, na mtoto wa kike na wa kiume anayejiweza, mwenye hajiwezi, Katiba ni wakati wa kuzungumzia pamoja. Kwa hivyo kina mama tafadhali nawaomba muende mjiandikishe upya, mniletee list yenye itakuwa na majina ya akina mama. Moses Tanui?

Moses Tanui: Kwa majina naitwa Moses Tanui mkaaji wa hapa Kimolel. Ya kwanza, nikianza, ningependa niseme juu ya Constitutional Review Commission, kwamba ni lazima wapewe nafasi ya kutosha ili wamalize kazi yao na wakimaliza kazi yao tutumie Katiba mpya kwa election ile inakuja, hiyo ni maoni yangu ya kwanza.

Ya pili ni kwa ofisi ya President, ni kwamba kwa maoni yangu ni lazima tupate President mwenye umri miaka 35 na kuendelea. Ni kwa maana hatutaki mtu mdogo kuongoza nchi.

The type of government ni Parliamentary, lakini iwe regional. Ninasema hivyo kwa sababu we need to adopt the regional type of government which will serve and cater for the interest and respect of all Kenyans. Ninasema hivyo kwa maana tume-adopt multi party system na multi party system mtoto wake wa kwanza anaitwa regional government. Kwa hivyo hiyo tutaenda baada ya hii.

Pili, kwa upande wa local authority, uchaguzi wa chairmen na mayors lazima ufanywe na madiwani wale walikuwa wamechaguliwa. Na level of education ya councilors iwe "O" level, na ya MPs iwe degree holders and above.

Citizenship: Kwa upande wa uraia wa Kenya, sipendelie ile inaitwa dual citizenship, lazima tuwe raia kamili.

Upande wa natural resources, inafaa ipewe kwa councils wachunge, mazingara na kuangalia kwamba catchment areas, forests na maji, yachungwe pamoja na madini. Nikiendelea, naenda kwa land and property rights. Ni kwamba tuwe na raia wa Kenya wa own property na kama ni shamba, mtu awe na shamba yake, ikiwa ndogo ikiwa kubwa, hakuna kusema ati shamba iwe acre tano kwa kila mwananchi, inategema uwezo wa mtu. Hiyo lazima tuweke kwa Katiba yetu kwamba the size of the land is determined by the efforts za mtu.

Ninakuja kwa freedom of worship, definition; Tungependa kwa Katiba mpya iwe na definition of freedom of worship kwa sababu hiyo imepuuzwa sana, Naenda tena kwa upande wa uchaguzi, uchaguzi ukifanywa tuangalie kwamba watu walemavu wapewe nomination, the persons with disabilities ili waangalie masilahi ya wale wengine, Na watoto wale wamezaliwa wakiwa walemavu, Katiba mpya ingeendikwa kwamba wapewe free education kutoka pre-primary mpaka University level, free education kwa watoto walemavu. Kwa nomination Parliamentary waweke 12, ya wale hawajiwezi, viti kumi na mbili. Na kwa Civic waweke viti 6.

Provincial Administration: Ningependa ku-recommend the creation of ombudsman office, badala ya kuwa na Provincial Administration ama ma-chiefs. Na assistant chiefs wapewe contract ya miaka kumi badala ya kufanya kazi mpaka achoke ama aende retire ama akufe. So baada ya miaka kumi, chief anaweza kuangalia kama anaweza kuendelea apewe renewal ya contract, ama badala yake tu-create the office of the ombudsman ili hiyo Provincial Administration yote itolewe.

Mwisho, succession and transfer of power: Ningependa kusema kwamba President yule anatoka apewe nafasi ya miezi tatu kwa handing over of office na tena apewe rights yake asichukuliwe sheria yeyote baada ya kuchukuwa retirement kwa kazi yake.

Electoral system: We should adopt the simple majority rule as the basis of winning an election.

Interjection Com.Salome: Excuse me, you have one more minute, please finalize.

Tanui: Nimemaliza ijapokuwa ninataka kuhimiza tu juu ya succession, kwamba iwe kitu ambayo inachunga yule President ambaye ametoka. Na zaidi nihimize tena Commission kwamba lazima imalize kazi yake ili tufanye kazi zingine tukitumia ratiba na Katiba mpya ya Kenya hii hata kwa election, asante.

Com.Salome: Asante sana William Rono, William Rono?

William Rono: Thank you Commissioners my names are William Rono from Kochorwa, Metikei division. My views are as follows:

My views are on rights and citizenship: Driving licence and birth certificates should be used as documents for citizenship. Proof of citizenship shall be through the national identity card and passports. Any citizen who attains the age of 18 years should be entitled to obtain a Kenyan passport as a right. Dual citizenship should be allowed in Kenya irrespective of gender provided that the person so allowed is a Kenyan by birth. The persons regarded as automatic citizens of Kenya are those who are born within the territories of the republic of Kenya. Spouses of Kenyan citizens regardless of gender, shall be entitled to citizenship by application. Children born of refugee parents should also remain refugees and shall not be citizen of Kenya by birth. The rights and obligations of Kenyans should not depend on the manner in which citizenship was acquired. Every citizen of Kenya shall be entitled to all rights in the Constitution and any other law applicable in Kenya. thank you for those few remarks.

Com.Salome: Thank you very much Luka Tarus?

ynitataja tu karibu manne ama tano. Kwa majina naitwa Luka Tarus Mwangi, mimi nimzaliwa tu hapa Keiyo original kabisa. Yangu ya kwanza kwa hii Katiba ni mambo ya afya. Ningeomba hii serikali inakuja mambo ya hospitali iwe free kwa kila watu, watibu watu bure. Kwa nini? Wewe unaweza poteza mtu wako na maiti ina-lala kwa mortuary na unaambiwa ulipe pesa. Sasa saa zile unalia unaambiwa tena ulipe.

Halafu ile sheria tunataka kwa mambo ya uridhi, mambo ya urithi katika Keiyo kuna kimila na wa Keiyo wanafanya.

Unaweza oa, unafanya harusi ya kinyumbani, halafu utembeke ama ukiwa. Halafu unakaa huko, iwe bahati mbaya ufike huko na ile mali yako yote inapelekwa kortini, yule mama anakazana na yule wa nyumbani ulifanya naye harusi anataabika. Sasa ningeomba ile harusi ya Kalenjini, Keiyo, iwe kitu cha maana, ipeanwe certificate yake ipitie kwa village elders na hata DC badala ya DC kupeana ile ingine. Ya kanisa wapeane hata hii.

Halafu nyingine ni mambo ya walemavu. Nafikiri pia walemavu wanataka wawe considered wasome free kwa vile wengine wamesema wapewe education free. Na pia ikiwa kuna kazi, hawa pia wapewe share yao wasione tu ati hawa watu hawawezi fanya kazi. Kuna kazi nyingi hata hawa wanaweza kufanya.

Halafu nyingine ni mambo ya shamba. Shamba ni uhai wa binadamu ni kama maji, shamba nataka ipewe title deed. Kuna mzee mmoja alisema Keiyo mzima hakuna hata ile kitu inaitwa trustland pande hii, trustland inasemekana tu kwa kizungu lakini trustland hakuna. Shamba yetu imewekwa. Tuliambiwa ilikuwa inatupwa ikielekezwa pade hii, halafu unaangalia unaona mahali imeangukia unaweka hapo title deed unasema hii ni ya fulani hii ni yako, sasa itakuwa makosa. Sasa nataka tuweke hiyo title deed ya sasa ipeanwe ile kamili ya serikali na ipewe kila mtu, yule ako na shamba yake.

Halafu mambo ya cases kwenda kortini, kuna ma-cases zingine wazee wanaweza maliza nyumbani kama Keiyo. Tunataka zile ma-cases ndogo ndogo za raping, kuua, ile ya wizi. Tunataka Katiba ya sasa wale watu wanaiba wale corrupt in Kenya, hawa watu tunataka waangaliwe. Huyu mtu anaweza kuiba 20 million shillings na kesho unasikia anawachiliwa, tunataka mtu akiiba kitu afungwe, tunataka tufuate sheria. Halafu raping na mengine,hio pia iende kortini na tungeomba hata ile Katiba inakuja, tungeomba hata ma-Lawyers wasitete mambo ya upuzi shauri wanaweza tetea mtu mpaka atoke na mtu kweli angestahili kufungwa.

Halafu jambo lingine ni mambo ya elimu. Elimu kweli, saa hii kuna wazee wameuza mali yao, wameuza mashamba labda wanaishi sasa kwa quarter acre. Kijana amemaliza University, ako na degree na ako nayo kwa nyumba na mzungu kutoka London akuje asimamie watu. Sasa ningepomba mambo ya kazi iangaliwe kwa watu wa Kenya nzima iangaliwe kama hakuna hiyo qualification, basi twende nje.

Halafu sasa labda itakuwa ya mwisho-ama bado kuna ingine ni mambo ya serikali sasa. Kwa vile mimi nilifikiria niliona jimbo ni kitu mzuri, kwa vile jimbo litarahizisha kazi tutakuwa na Prime Minister tutakuwa tuko na Senatos, hata President atakuweko, tuunge tu mkono kwa hii Katiba tuseme majimbo ikuje.

Halafu mambo ya Administration, ningepomba tusipotee njia kwa sheria. Hii sheria tunanda saa hii ni yangu na yako na ya mtoto wako na mjukuu. Saa hii tunasema ma chiefs hakuna, DC na DO hakuna police hakuna. Saa hii mtu akipigwa kichwa hapa damu kutoka hivi, unasema wapi police? Sasa tunataka tuhimize serikali ikuwepo kutoka assistant chief mpaka PC. Labda hatukuunga ile Katiba, ni kusema assistant chief na chief apewe mlolongo. Na awe ni mtu ako na good conduct kwa sababu kuna watu wengine amezaliwa na wisdom, ile si ya kusoma lakini anajua kuongoza watu.

Halafu mambo ya local government...

Interjection Com. Salome: Una dakika moja.

Lukas: Ok, asante. Halafu uchaguzi wa watu kama councilors, na wengine ningepomba ma-ouncilors, wachaguliwe, mtu awe na form four level, na mtu anajua na kukaa na watu na kuongea na watu. Halafu mayor ama chairman wa county council achaguliwe direct kutoka grassroot shauri wakienda huko tunataka mtu tunaweza kuchagua kutoka grassroot akienda huko anakuwa chairman wa county council ama Mayor kwa hii Katiba inakuja.

Basi kwa hayo machache, nasema asante.

Com.Salome: Amos Kibire?

Amos Kibire: Asanti sana Commissioners, madam and Sirs na watu wote ambao wamekuja hapa kupatiana maoni yao, Kwa

majina naitwa Amos Kibire kutoka Keiyo, mimi ni mkaaji wa hapa na niko maoni machache ambayo ningependa kupatia kikao hiki cha Commission. Kwanza, kuna mambo ya mashamba ambayo yamesemwa. Ya kwanza ni kwamba mashamba yote yapate title, na hiyo iwe kila mahali. Na kuhusu mashamba pia, ningependa kusema kwamba ikiwa uko na shamba kubwa, ambayo hutumii, pengine tax iwekwe halafu iweze kuwafanya watu wafanye kazi, halafu mapato yatoke katika hiyo shamba. Usipotumia hiyo shamba, ni kwamba utawekewa tax kidogo ambayo itawezesha wewe kufanya kazi vizuri.

Na nikienda upande wa government, ningependa serikali ya unitary government ambayo inajumuisha Kenya yote, siyo sehemu moja ama ipate regional government. Hiyo, mimi kwa maoni yangu mwenyewe, mimi nakataa kwa sababu mambo ya majimbo ama mambo ya kusema kwamba regional government ama federal sijui definition ni nini ni kwamba kutakuwa na layers. Jambo ambalo ningependa kuhimiza hapo ni kwamba, kuwe na local authorities, ziwe strengthened. Kuwe na local authority katika kila Wilaya na ziwe strengthened, na wawe na nguvu kidogo, lakini sio mambo ya majimbo.

Mambo ya elimu; Mambo ya elimu ningependa kusema kwamba Primary education iwe ya bure, sio hii wanasema ya bure lakini bure na unalipa desk, unalipa vitabu, chalk na kadhalika ni mwalimu peke yake ambaye haulipi. Iwe free and free in deed. Hiyo ndiyo ninasema kwa mambo ya elimu ya Primary, ikifika Secondary na University kuwe na subsidise kutoka government. Tuseme kama ni University, kuwe na higher education loan board, ambaye ita subsidize na pia katika secondary unakuta sasa, pesa imeenda juu sana Kshs.50,000, 80,000 katika sehemu zingine ama Kshs.30,000 na hatuwezi kuimudu kulipa hiyo pesa kwa sababu uchumi ushaharibika. Na ikiwa ninazungumza kuhusu mambo ya elimu, ningependa kusema, kupatiana kazi, iwe ni kulingana na qualification ya mtu, sio ati kama wewe unajua mtu fulani, unapatiwa kazi. Wengine wetu tumemaliza University, hakuna kazi na tungependa iwe kamilifu kuwe na merit, kama ni kuandikisha police, sio ati kama unajua mkubwa fulani, unapatiwa kazi. Hiyo tunakataa na mimi nakataa mwenyewe.

Mambo ya electoral systems, napenda kuhimiza kwamba ballot boxes ziwe transparent, isiwe ile inafunikwa na hata hiyo seal iangaliwe vizuri kwa sababu kuna wizi wa kura na watu ambao wanachaguliwa sio watu ambao watu wamechagua wenyewe. Na katika hiyo election system pia ningependa kuhimiza ya kwamba uheshabu wa kura uwe katika katika hiyo polling station.

Mambo ya economy, ni jukumu la serikali kuhakikisha kwamba kila mmoja wa Wakenya, anapata kazi. Si ati watu wanamaliza University, wanamaliza form four, wanamaliza colleges, wanaacha watu ambao wako na akili halafu watu wanaanza kutoroka kwenda nchi zingine kutafuta kazi. Na wakati wanaleta watu wengine kama tuseme, kampuni fulani, nyingi hapa, serikali inaleta wazungu ama watu kutoka Uganda, ama wapi na kuna wa Kenya ambao wamehitimu kufanya kazi hiyo. Tunataka iwe guarantee ya serikali kuhakikisha ya kwamba employment iwe ni ya haki.

Na upande wa Administration, ningependa kuhimiza kwamba Administration imesumbua sisi haswa wa Keiyo kabisa kabisa na ningependa kuhimiza ya kwamba watolewe kikamilimifu, watoke kabisa kabisa wasikae tena. Kwa sababu unakuta chief ambaye ameletwa na DC ameandikishwa ame sign anasema huyo ni chief wa area hiyo hata watu hawajui ama qualification ama

ni kwa sababu ya kujuana tu. Na hivyo wakifika hapo wanaanza kunyanyasa watu, wanaanza kuchukua hata ma bibi za watu, saa hiyo tunakataa na kuchukua hongo na vitu kama hivyo, tunakataa hiyo. Administration kuanzia PC, DC, DO, Chief na assistant wote watoke. Halafu wazee ambao wataelimishwa kidogo kuhusu sheria, ambao wanachaguliwa na watu, waweze kutatua mambo madogo, madogo katika area yao. Halafu mambo mengine yaende relevant departments za government. Kama ni agriculture kuwe na watu ambao wanaangalia, kama ni elimu, kuna Ministry of education, iangalie. Kwa sababu unaona kwa wakati huu Administration inachukuwa kama departments zote katika Wilaya zinakuwa ya Ministry ya office of the President na hiyo tunakataa kwa sababu tunataka waondoke na Ministries zikae vizuri.

Na tukienda upande wa watu ambao watachukua office ambazo zitakuwa za serikali, kama ni President, kama ni Vice President, Ministers, Cabinet, Judiciary and all public servants lazima waseme kiasi cha mali ambacho wako nacho wakati ambao wanaingia ofisini. Halafu kutoka hapo, kila mwaka ambao watakuwa ofisini waweze kusema wako na mali kiasi hiki every one year when they are still in office halafu hiyo italeta mambo ya corruption chini kwa sababu tunaona corruption imekuwa nyingi na tumeharibika Kenya kabisa.

Nikimalizia, sijui ningeweka hii upande gani kwa sababu katika Wilaya hii haswa ya Keiyo na kote kwingine Kenya kwa sababu nimetembea nimeona yote inatendeka, tuseme kama mimi inatendeka. Tuseme kama mimi sasa, ni mfanyi kazi wa serikali hapa...

Interjection Com.Salome: Na una dakika moja,

Kibire: Nitamaliza kwa hiyo dakika moja. Nikiwa for example mimi ni employee wa government ama civil servant, kama mimi ni DO nikisema kitu ambacho hakitakiwi na wanasisia wakuu wa area hiyo, mimi napata transfer bila sababu. Tunajua katika Wilaya hii, kuna mkuu wa Wilaya moja ambapo alipigwa transfer kwa simu tu na hiyo ni mbaya kabisa. Tungependa kusema hivi, kama wewe ni civil servant upate nafasi ya kufanya kazi kama civil servant usiwe unashurutishwa kwa kusema ukweli ama wa kufanya kazi independently. Tungependa hiyo itolewe kikamilifu, katika Constitution yetu. Halafu pia, unaona fear ama uoga umeingia katika wana Kenya zaidi kwa sababu unakuta kama tuseme police ameingia hapa sasa, watu wengi wataanza kutetemeka. Sijui kwa nini na hawa wanatumia tax yetu ambayo tunalipa. Tunataka police wapate training kwa mambo ya human rights halafu waweze kuongea na watu vizuri kwa sababu kazi si kunyanyasa watu. Namaliza madam Commissioner

Com.Salome: Unamaliza ama umeshamaliza?

Kibira: Ninamaliza kwa second 30 tafadhali,. Sasa ningependa kusema kwamba police wapate training. Unakuta kama ni OCPD anakuja anapiga watu hata huwezi kujua kama wako na kama ni kuwa-arrest wana-arrest ama nini ama wanataka wachukue mtu. Wanaenda kwa DO ama kwa chief, halafu wana negotiate mambo ya pesa, na hiyo itolewe. Halafu APs wapate re-training, halafu waweke upande wa police, Administration police iwe scrapped kama vile mambo ya Provincial

Administration itakuwa scrapped. Asante sana, Shukrani.

Com.Salome: Na kwa hayo mengi nakushukuru sana. Simon Beru?

Simon Beru:Ma-Commissioners wetu, nashukuru Mungu kwa kupata fursa hii kutoa mchango wangu kwa Katiba itakayoongoza nchi yetu kwa miongo ijayo. Jina langu ni Simon Beru, ni mkaaji wa eneo hili ijapo nilizaliwa eneo la Tiriki na nimeishi Keiyo kama niko nyumbani, nashukuru kwa watu wa Keiyo kwa kunilinda hivyo.

Mila na utamaduni: Watu wamezungumzia kuhusu mila na utamaduni, mimi ningeliomba katika Katiba mila na utamaduni haki, kuna haki ya hiki na kile. Maoni yangu ni kwamba tuwe na shirika linalo shughulikia maswala ya Katiba kwa mwananchi wa kawaida. Kwa sababu hivi sasa mtu akivuja Katiba karibu na wewe, sheria inataka uende high court. Wengine wetu hata kuongea mbele ya chief hatujui, sasa high court unashindwa utafanya nini huko. Tunataka office yenu ya Katiba iwe ifikie mwananchi, kama mtu anaendeleza sera za kikoloni karibu na wewe una-report kwa office ya Katiba.

Haki zinazotolewa na Katiba kama vile kuabudu na kadhalika, jinsi wenzangu wamesema, ziwe na kiwangocha kuabudu. Mwingine anaabundu barabarani anapiga ngoma vile anataka hapo, hata hujui dini yake ni gani, dini hii analeta barabarani, wengine wanaabudu shetani, haya yamesemwa, haki zingine ziwekwe kiwango.

Kuhusu Rais wa siku zijazo, maoni yangu ni kwamba angekuwa mtiifu pia wa sheria, asiwe above the law jinsi ilivyo. Mgombeaji wa kiti cha urais asiwakilishe Constituency nyingine yoyote, asimame na Wakenya wajue kama anataka Urais wa nchi ya Kenya, Constituency yake iwe Kenya. Chairmen na ma-mayor wa miji na, hali kadhalika.

Mawaziri: Wazo la kutawanya mamlaka ni nzuri kwa kila mkoa, lakini ipewe waziri ambao ujuzi wake unastahili kulingana na idara ambayo amepewa. Ningelipendekeza Katiba ijayo Bunge ama Katiba hiyo iweke kamati za Bunge zitakazo shughulikia maswala mbali mbali kama vile sifa za Waziri na kila mtu anayetaka kiti cha umma. Nimesikia maoni kwamba wengine wanasema wanataka watu wa form four, wengine wanataka University, ukweli ni kwamba hata ma-Professor wetu wengine hawaelewi lugha ya taifa, hawaelewi. Sasa ukisema lazima upate degree, wengine ni wa 'O'level na mtu hawezi kuji-express, pia utaleta taabu tu.

Interjection Com.Salome: Unapendekeza nini?

Simon: napendekeza, kuna misingi mitatu ya uongozi wa demokrasia. Kwanza iwe ni ujuzi wako na elimu yako. Pili umaarufu, hiyo ndio iwe misingi na uweze kuwasiliana na watu kwa lugha zote ambazo zimeidhinishwa. Kama wewe ni Mkeiyo, ongea na watu wako hata ki-Keiyo vile vile ikiwezekana.

Mambo kuhusu mashirika ya umma. Napendekeza kwamba mashirika ya umma yawe katika mikono ya watu wenye ujuzi na ustahili unaolingana na mashirika hayo. Hata wizara pia huwezi kuweka mtu alisomea vita unamwambia wewe enda kuwa Provincial Administration, ndio atapiga watu na police vile ulisikia watu wanalialia hapa.

Haki ya kumiliki aridhi, ninatofautiana na wazo ya kwamba mtu athibitisha mali yake kwa sababu hata enzi za babu zetu kulikuwa na jamii maskini, na jamii tajiri. Hatuwezi kulazimisha watu wawe tajiri kama walizaliwa kuwa maskini. Kwa hivyo mtu akiwa na mali yake si ile alinyakua kwa njia mbaya, hakuna haja kuchunguza mali yake, mtu amiliki mali yake mradi alipata kwa haki. Tusiweke maswala ya wivu katika Katiba, mtu akiwa na mali yake halali.

Mali ya asili: Mali ya asili, sheria za u-colony zilikuwa mbaya sana, walisema futi mbili ulime ikipatakana gold chini, wewe ufukuzwe tu. Mimi napendekeza tubadilishe. Mali ya asili jinsi wenzangu walivyosema Mungu alikupa aridhi ipatikane dhahabu chini usitolewe. Hata wewe upate sehemu ya hiyo, uwe mshrika wa kuendesha.

Katika Katiba ningelipenda wahimize hasa utafiti wa madini na maswala mbali mbali kwa shauri nchi yetu huenda ikawa tuna madini, huenda ikawa hata tuna petroli, lakini hatuoni uzingatifu, wa kutafuta. Tungelipenda Katiba ijayo itoe kibali yatafutwe madini kila mahali ili watu wa generation hii waonje matunda ya uhuru. Kama madini hapana tafutwa tutalia umaskini na milele na iko madini chini ya nchi yetu.

Intejction Com. Salome: Una dakika nyingine moja.

Simon: Kamati za Bunge zibuniwe kwa maswala yafwatayo: Usafiri, siku hizi kila mkenya ananua matatu anaweka njiani, anaambia mtu lete shilling 20,000 uende hata safari kumi. Hakuna utaratibu, anaendesha watu waliojaa mbio kabisa kabisa, vifo vinatokea tunaenda rambi, rambi. Ningelipenda kamati ibuniwe ya utaratibu wa usafiri. Na badala ya raia kukagua police, police waendele kufanya kazi. Kama gari lina makosa hakuna watu kukufa njiani kila siku.

Swala lingine ni maswala ya IMF, mambo yanayotokea World Bank ama Western world wanatuambia mambo tofauti sana. Haki ya kuvaa unakuta kwamba hata nchi yetu saa hizi, mavazi ukienda kwa town ni aibu ya kutosha. Kamati ibuniwe tuvae aje, wanaume tushuke nywele na tutoboe masikio kama wanawake, ama namna gani katika hii nchi. Mambo kama hayo yanaudhi sana Ma-Commissioners. Katiba yetu itulinde tujulikane kama wakenya na heshima ya taifa.

Muda umekuwa mfupi lakini nasema kilimo, kilimo kihimizwe mtu awe na shamba kubwa anavyotaka ama ndogo anavyotaka lakini kama hatumii taifa inunue iwape wenye wanaweza lima.

Mambo ya wabunge, wabunge wengine wakisha chaguliwa anapata contract ya miaka mitano basi. Anatoka kule alichaguliwa na kukimbia mahali pengine. Katiba itengeneze, watakutana na wananchi kwa miezi mitatu kwao. La sivyo, iwache yeye akwende kwa kupenda, na pia ijulikane akikosa atatolewa aje.

Commissioners swala la street children, jamii

Interjection Com.Salome: Na hilo ndilo la mwisho.

Simon: Tumekuwa na kabila moja Kenya hii linaitwa chokora. Serikali itafute namna ya kumaliza hili kabila, litatumaliza sisi baadaye. Hawana nidhamu, hawana utaratibu, wanajaa town. Serikali itengeneze eneo la kama kama lazima waweko kama chokora, wapewe eneo la machokora kwa sababu wanasumbuwa, wanaiba vibeti vya mama kila siku. Ningekuwa na mengi nasikia mtaenda Chepkorio, huenda nitakuja tena nimalize. Sitaki kuudhi kamati, asante.

Com.Salome: Asante sana. Daniel Komen? Na kina mama sijapata list yenye mmejiandikisha. Ikiwa mna shida ya kuzungumza mbele ya akina baba, tunaweza kufanya kikao chengine sisi tukaenda, mimi nikaachia baba moja hiki kiti na tukaenda tukakaa kwenye kikao chengine mkaniambie yenye mngetaka kwa Katiba kwani hii Katiba ya Keiyo ikitokea tu na habari ya akina baba yake, sisi kama tume hatujatimiza vile sheria inavyotuomba. Inatushurutisha kusikia maoni ya kina baba, akina mama, ya watu wasiojiweza, na watu wanajiweza na watoto na wakubwa. Kwa hivyo kina mama tafadhali niambieni kama hamtaki nikae hapa, tutoka hapa tutawachia kina baba hapa, tutatafuta pahali pa kukaa, tutakaa chini ya mti na mtaniambia vile mngetaka tufanye na hii Katiba yetu kwani ni yetu sote.

Daniel Komen: Kwa majina naitwa Daniel Komen kutoka Keiyo, niko na machache kuchangia kuhusu Katiba. Ya kwanza nataka nisema, kuhusu health facilities, kuhusu afya. Nataka niseme ya kwamba napendekeza ya kwamba watu wote wapewe free treatment kwa sababu watu wote hawawezi kugharamia madawa ambayo yamekuwa ghali sana na ninapendekeza Katiba ile tunaunda ya serikali ijayo, iwe free treatment kwa wote. Na kwa hiyo napendekeza Katiba nyingine ya kwamba mtu yeyote ambaye ameajiriwa na serikali, pesa zake kidogo zikatwe zingizwe katika huyo mkono, zisaidie katika hiyo , free treatment.

Halafu lingine napendekeza ya kwamba kila District ikuwe na 85% ya watoto kuenda kwa Secondary kwa hiyo, halafu ile 15% itoke sehemu zingine. Halafu ingine ni kuhusu poverty reduction. Nataka niseme ya kwamba katika Katiba ambayo tunaunda tunataka kusema ya kwamba kila mtu lazima ajiibike kufanya kazi. Tunaunda Katiba ambayo inasema ya kwamba mtu ambaye anapatikana bila kufanya kazi kuzurura zurura, lazima ashikwe na afanyie kazi serikali ili kila mtu afanye kazi na tufukuze umaskini. Kwa sababu kuna watu wengi ambao wanazubaa na kukaa na wananyemelea wengine. Kwa hivyo tunataka kila mtu afanye kazi. Lingine ni kwamba, the board of governors wawajiri waalimu na serikali ilipe kwa sababu the board of governors wanajua zaidi.

Halafu nyingine nataka nichangie ni kwamba, miradi ambazo zimeanguka kama ile ya KCC, kama ya nyama, tunataka mkulima mwenyewe aendeshe maana kuna msemo unaosema kikulacho ki nguoni mwako na hiyo inamaanisha ya kwamba chawa, yaani uchungu wa mwana aujuae ni mzazi. Kwa hivyo wakulima wenyewe wachague yule atakae simamia hiyo miradi ili zisianguke

tena na ikianguka yeye ataangaliwa. Isipokuwa asitoke juu kwa sababu huyo mtu unaona mirandi nyingi inaanguka kwa sababu ya pressure ile inatoka juu na sasa wakulima wanaumia. Kama ile ya maziwa, kama ile ya mahindi, lazima wakulima wanalie hiyo zaidi kwa sababu inainua uchumi wa Kenya. Kenya inategemea ukulima. Hivyo ni lazima tuangalie miradi ambayo inaweza kuinua uchumi wa Kenya ili tuweze kufukuza umaskini, tusiwe watu wa kuomba omba, na tuko na raslimali nyingi katika Kenya kama aridhi na Mungu ataweza kutubariki sisi kama tukitumia vizuri na tuweke watu ambao hawatakuwa na corruption mingi.

Kwa hivyo nataka nisema wale watu ambao wako disabled waangaliwe kwa sababu hata wao, walizaliwa na hawangependa kukaa namna hiyo. Lakini vile walivyo waangaliwe kwa namna ya afya. Tunataka Katiba ambayo tunatengeneza iwe yule anaongoza, anaongoza watu wale wako na afya, wale wako na akili na wote wataweza kuendelea bila mgogoro yoyote. Kwa hivyo nasema asenteni kwa hayo machache, Mungu awabariki sana.

Com.Salome: Sasa ni saa nane kamili tumepata watu wenye wamejiandikisha kwa wakati huu wamefikia 280, kufikia wakati huu tumesikia watu 82, kwa hivyo bado tuna zaidi ya watu mia mbili, wengine hawataki kuzungumza wanata kusikiza tu lakini kwa hao mia mbili nina haki kuwa kuna nusu yao wangetaka kuzungumza. Kwa hivyo ningetaka tukubaliane habari ya wakati, tumekuwa tukichukua dakika 5 kutoka asubuhi na mambo mengi tumeyasikia, sasa ningetaka tukate wakati wetu ukuwe dakika tatu. Lakini kwa hizo dakika tatu utueleze yale mambo mageni, hasa ukiwa umeshaadika maneno yako una memorandum, ukija hapa utuangazie tu yale maneno yenye unafikiria hakuna mtu mwenye amezungumzia leo asubuhi. Tuanze kupata dakika tatu kwa kila mtu na tuweze kumsikiza kila mtu. Tunakubaliana hilo? Sasa mtu wa kwanza kuwa na dakika tatu atakuwa ni Wilson Chepseba Isaack Kemei, hilo ni jina lako? Karibu.

Isaack Kemei: Mimi ni Isaack Kemei mwenyeji wa Keiyo. Nataka Katiba irekebishwe kwa hii corruption, tunataka watu wenye walikuwa corrupt siku za zamani, watulipe sisi vijana ili tupate kazi. When we retrieve that money, tunapewa social security sisi vijana ambao tulisoma na hatukupata kazi kwa Kenya. Na tuliambiwa na viongozi wetu wa zamani msome ili mtapata kazi, sasa hii kazi iko wapi?

On agriculture, makampuni ambazo zime collapse zifufuliwe. Foreign investment: lazima ionwe kwamba foreign investors wanakuja we should have a good conducive system. Kwa mahindi yetu na mazao yetu ya shamba lazima referendum kwa farmers ifanywe ili cost ya hiyo production to be considered in conjunction with good marketing system. Asante.

Com.Salome: Asante bwana Isaack Kemei Julius jina lako la pili halisomeki lakini anwani yako ni 3328 Eldoret. Julius kutoka Eldoret? Alvidas Tanui? Mike Kiptoo? Moses Barmasai, karibu.

Moses Barmasai: Asante sana Commissioners, yangu si mengi

Intejction Salome: Anza na jina lako ndio liingie kwenye recording.

Moses: Jina ni Moses Barmasai kutoka area hii. Yangu ni machache kuhusu hii company. Hii Company wakati ilikuja hii area ilikuwa bado registered, mashamba ya watu ilikuwa bado kukuwa registered, na ile pesa walipatia watu kwa compensation ilikuwa kidogo. So, ningetaka Commissioners, serikali ambayo inayokuja itusaidie kwa kila mwaka ile faida hii company inapata, tupewe wenye mashamba 10% ya ile faida ya company.

Na ingine ya pili, local government. Ningesema local government iwe inasaidia watu kwa sababu tunalipa ile tax itusaidie kulimia sisi barabara, itusaidie kwa kitu kama nursery schools kutupatia sisi waalimu na kadhalika. So sina mengi yangu ni hayo tu, asante

Com.Salome: Asanti sana Laban Cheruiyot?

Laban Cheruiyot: Thank you Commissioners, I will begin, my name is Laban Cheruiyot from Soi location. I will begin by touching on environment and natural resources. Safari mingi eneo hii limezungumuziwa kwa kirefu na ningependa tu kusisitiza ya kwamba mahali popote ambapo kuna mali ya asili kwa mfano fluorspar, forest na mali nyingine ya asili, ningependa kupendekeza ya kwamba wale wenye shamba hizo ambapo minerals hizo zimepatikana waweze kupewa compensation kama ifuatavyo:

1. Wale wote ambao minerals zimepatikana katika shamba lao waweze kupewa shamba lingine kwa compensation.
2. Ningependekeza ya kwamba permanent houses ama vyumba viweze kujengwa kwa ajili ya wale ambao wamekuwa displaced wakati minerals zinapo chimbwa.
3. Ningependekeza ya kwamba wale wote ambao shamba lao limepatikana na jambo kama madini, ama forest ambayo inapatikana katika eneo fulani waweze kupewa 50% ya share holding by virtue of having the land, kwamba shamba yako ndio ina kuingiza katika hiyo share holding na nyinyi mu control 50% of those shares.

Commissioners, I now turn to the Executive. Kama vile wenzetu wamesema, ningependekeza ya kwamba Rais asiwe juu ya sheria kama ambavyo inapendekezwa kwa sheria, Katiba ya sasa sehemu ya 14. wa hivyo the President should not be above the law, and should be subject to law, and incase any other executive office is introduced like the Prime Minister for instance, hata naye asiwe juu ya sheria na wananchi wote wa Kenya wawe chini ya sheria.

If the President engages in social, political or economic corruption he or she should face impeachment proceedings in Parliament. Kwamba ikiwa Rais atapatikana na kosa kama hilo, aweze kuachishwa kazi na Bunge. All the powers and duties of the President should be defined in the Constitution. Kwamba uwezo wote uweze kusemekana katika Katiba. Incase the President is unable to perform his or her duties because of incapacity, the Vice President should take over. However, if the Vice President is, by any reason, not able to deliver the same services, the Speaker of the National Assembly should take over

that office, for 90 days until a new President is elected.

The security of tenure in the service of the public of Kenya should be restored by the repeal of section 25 of the current Constitution which states that every person who holds office in the service of the republic of Kenya shall hold that office during the pleasure of the President. Kwa hivyo ningependekeza kwamba that section 25, iondolewe kabisa na badala yake wale wote ambao wanashikilia

ofisi katika serikali ya Kenya waweze kushikilia ofisi hizo kulingana na contract walizo andikisha lakini not at the pleasure of any one.

Still on the Executive, all the Presidential appointments and nominations should be vetted by Parliament.

Intejction: Com.Salome: Remember we cut the time to three minutes, you have five seconds.

Laban: Just a minute, I will try to be brief. Ok. Ningependekeza tu kwamba Provincial Administration iwe scrapped. The Administration Police should be absorbed into the regular police unit, and since my time is almost up, I would just say something on Legislature, lady Commissioner.....

Interjection Com.Salome: It is actually up, but you can have, how many seconds? 10.

Laban: 10 seconds, ok. Ningependekeza kwa bunge, kwamba section 47 ya Katiba ya sasa iondolewe ambayo inakubalia Wabunge kubadilisha Katiba na badala yake, ningependekeza raia wote wa Kenya, waibadirishe Katiba jinsi ambavyo tunaitengeneza kwa sasa. Pia wakati ambapo inatustahili kubadilishwa, sisi raia tuulizwe ili tuweze kuibadilisha na Wabunge wasiwe na huo uwezo. Mwisho lady Commissioner, every member of Parliament should have a physical office within their respective Constituencies located conveniently at the central point within the Constituency. Thank you.

Com.Salome: Thank you very much. William Kipsang? Kadie Arap Chepkonga? Kandie Arap Chepkonga? Cheruto Kirui? Daniel Kariuki?

Daniel Kariuki: Asanti sana ma Commissioners, kwa majina ni Daniel Kariuki, mimi ni mkaaji wa hapa lakini si mzaliwa wa hapa na pia hapa ni kikazi. Yangu ni machache tu niliyonayo kwani mengi yameguzwa na wengine.

Kwanza kabisa, ningeanzia ujiri wa kazi. Kuwe na sheria ambayo inaangalia kuwa mtu yeyote, aki-retire, akipata retirement, asirudishwe kwa kazi ili-hali kuna watu wengine ambao wanaweza kufanya kazi kama tulivyona hivi majuzi.

Mbunge yeyote ambaye atachaguliwa katika Constituency yake asije akakosa kuenda katika kikao chochote cha mBunge

kama hana sababu. Akifanya hivyo apatiwe kama nafasi mbili na asipopatikana pale, pawe na sheria ambayo italazimisha yeye kutoka na kutangazwe hicho kitu kuwa ni huru. Pia kuwe na vote of no confidence kwa wote, katika Rais na pia kwa wabunge ili kama kumechaguliwa mbunge yeyote ama Raisi na akose kutimiza kama alivyo waahidi wa Kenya ama wananchi wa mahali anapo wakilisha awe anaweza kusimamishwa na wananchi waweze kuchagua kiongozi mwingine ambaye wanaweza kumtaka. Ya mwisho ni kuhusu foreigners yani wageni kutoka nje. Kama vile wao hutaka sisi tuingie kwao na visa na kutusumbua kabisa, pia nasi tuweke sheria ambayo wakija hapa kwetu Kenya watakuja nayo na sio kuja tu kwa vile wanataka na kisha kututawala tukiwa nchi yetu na ili hali uhuru tushaupata, asante.

Com.Salome: Asante sana Mr.Kariuki Peter Ochieng? Richard Kandie, Samson Kibii? Alishazungumza Ni mwingine basi, hii ni nafasi yako. Tafadhali tungetulia kidogo kwa ajili ya recording.

Samson Kibii: Kwa majina naitwa Samson Kibii, mimi ninatoka Kibaragoi Location. Thank you very much Commissioners for giving me this opportunity to present my views to you. I have a written report which I will submit after this, but I would just like to touch on the issue of system of governance because it seems it is becoming the center of everything in this congregation.

What we know so far is that the Constitution we are using was written by the colonial government, and to me the Provincial Administration whereby the PC is the head should be changed into a governor where the people themselves will have to elect the governor. Therefore we should create the new Constitution with a federal system of governance, whereby we have the Prime Minister and two assistant or deputy Prime Ministers. The Prime Minister will have the responsibility of appointing the President who will be non ceremonial, I mean will be ceremonial President. I think the President should not belong to any party ie. The Prime Minister should be elected by the people themselves. I think most of these have been said by the people, but there is another issue of local currency.

On the issue of currency, we have been spending a lot of money in printing money but I suggest that the portrait which appears on our currency. The new Constitution should state very clearly that if we are supposed to use the President....Because we do not have to be changing it every five years maybe when we have a new President, we change it. So we should use anything else like our herigat, like we have wild animals, we have mountains and what have you.

On the issue of gender, gender equity, people have mentioned a lot about it, but I suggest that the new Constitution should add women more days on their maternity leave, because so far 60 days are very few and they are not able to recover or to settle well. I also would like to make my own view on the issue of higher education. So far we have the parallel degree program and I think it is very unfair for somebody who has got a C or something like that to take up a course maybe a course in medicine because somebody who has money is able to go study medicine, because he has money. So I suggest that if the parallel degree program is to continue, students who are going to University should be given a freedom to chose the course they want, so long as they have a cluster.

Interjection Com.Salome: Please try and finish up.

Samson: Ok, I will finish. The issue of poverty eradication, I want to mention something on the aged people, I think the new Constitution should provide something for those people who are the wazee now. They should take a certain bracket of years maybe from 70 years, they should be given an allowance maybe to support themselves.

Also the issue of disabled people, people have said about it but I also make my own view that they should be given free education.

Interjection Com.Salome: Please, can you just make that your very very last point, you are on your fifth minute and we said there are three minutes. You must be able follow the present Constitution before we can make a good new one.

Samson Kibii: Lets touch on the issue of judiciary. As I said earlier, I think we need a federal system of government. I think every region should have their own judiciary, because we have been having rampant corruption and we need policy mechanism. Each region should have their police so that we can be able to solve our own problems within the region. I think for the remaining, I will give the report to you.

Com.Salome: Please do that, asubuhi niliita Hussein Hassan akawa hayuko, yuko sasa? Hussein Hassan. Na Daniel Sawe? Alice Chebet? William Cheruiyot? Wewe ni mmoja wa hao wenye nimeita,? Nani?

William Cheruiyot: Mimi naitwa William Cheruiyot, mimi ni mkaaji wa Keiyo huko Segoo sub-location. Maoni yangu ni machache, ya kwanza ni kuhusu nursery teachers. Naomba serikali ichukue hatua, kwa sababu ni foundation ya Primary, serikali ilipe nursery teachers mshahara.

Ya pili ni kuhusu barabara, tunaomba Commission iweke maanani kama pesa ikitengewa kwa barabara, ikuje direct to the PC's office halafu achague kamati ya kuhusu barabara.

Interjection Com.Salome: Ningetaka kuwaomba tafadhali wengine tunyamaze ili tumsikie mwenye kuzungumza na tupate recording inayosikika. Asanti, endelea.

William: Ya tatu ni kuhusu forests. Tunataka forest iwe ni mali yetu kwa sababu tunachunga forest hakuna mtu kutoka Nairobi anajua forest inakaa namna gani. Watu wale wanajua forest ni watu kutoka kwa District mpaka community wenyewe, wanajua forest inakaa namna gani, imekatwa miti pahali fulani. Mimi ninataka ile pesa wanapata kwa forests ziende kwa mashule, kujenga mashule.

Ya nne, unajua area hii ni area kubwa sana. Kutoka Kapmetikei hapa mpaka huko Chegerer ni area kubwa sana na ninataka serikali ichukue hatua, wachukue area ile ya juu na na area ya chini iwe sawa, isifuate population.

Com.Salome: Asante Paul Kigen? Tafadhali jilandikishe pale. Paul Kigen? Mr. Arap Maina? Nani Arap Maina? Kuna Arap Maina tofauti tofauti? kwanza nilitana Paul, kwani ndio jina lenye nilikuwa nalo la kwanza. Hilo sasa, Arap Maina ni jina la pili.

Micheal Arap Maina: Thank you Commissioners, jina langu ni Micheal Arap Maina kutoka Keiyo South. Yangu ni machache kwa maana nafikiri area kubwa imekuwa covered na ningetaka tu kuzungumza juu ya structure ya government ambaye vile nionavyo mimi ni kwamba, tuwe na Executive President ambaye huchaguliwa pamoja na Vice President wakati wa election, na Vice President atakuwa na Deputy wake. Pia tuwe na Prime Minister ambaye atasidiwa na deputy Prime Ministers wawili, mmoja akiwa incharge ya mambo ya foreign affairs na defence, na mwingine awe akishughulikia mambo ya kindani, yaani Administration.

Pia nina propose tuwe na Senate kwa sababu mwaka wa kutoka 1963 mpaka 1965, tulikuwa na hiyo na tulikuwa watu million saba lakini wakati huu watu wa Kenya ni zaidi ya million 37, so we are arrive for a senate ambaye kazi yake itakuwa ina check kazi ya national assembly, na wanachama wake watakuwa wakichaguliwa direct kutoka kila District katika Kenya.

Pia ningenelea ya kwamba, ili watu wetu waweze kushiriki kwa utawal, yani participatory governance, tungetaka madaraka mengine mengi, ambayo yalikuwa huko Nairobi yateremshwe, ili zingine zije kwa Province, na zingine zije kwa District, Na kwa Province ningetaka ku-propose ya kwamba tuwe na Provincial councils ambazo zitakuwa zikitawaliwa na governors, ambao huchaguliwa na wananchi. Now, the present Provincial Commissioner, title yake ibadilishwe iwe Provincial secretary na ambaye yeye atakuwa Executive officer wa Provincial council. Na tukiteremka kwa Districts, ningetaka ku-propose ya kwamba, the present local authorities, pamoja na DDC, office zote za ministries ziwekwe kila kitu kimoja chini ya District council ambayo iko na mamlaka yote katika District hiyo. Na kazi zote ambazo zilikuwa zinafanywa na Ministries kama District education board na kadhalika, hizo ziwe kama kamati ndogo ya District council, ili wananchi wawe na say kwa yale ambayo yanaendelea kwa Wilaya yao.

Kwa mambo ya natural resources, wameguzia vizuri sana, ningetaka kusisitiza ya kwamba forests, game parks, na vitu vyote ambavyo viko kwa Wilaya viwe chini ya mamlaka ya District council ambayo iko na representative wa communities ambazo ziko kwa hiyo District.

Jambo lingine ambalo ningetaka kugusia, ni mambo ya elders au chiefs pamoja na elders. Hakika Provincial Administration kwa hiyo sentence yangu sijasema ya kwamba itolewe, kwa maana hao Provincial secretaries pamoja na District secretary

bado ni civil servants na kazi yao, watakuwa wana maintain law and order vile ilivyo sasa. Na chiefs ni intergral part ya watu wa nchi hii, na tunajua ya kwamba hata kabla ya wakoloni kuja tulikuwa na ma-chiefs. Kwa hivyo hakuna ile njia tunaweza sema ya kwamba hawa waondolewe wakati huu. Kitu tu ningesisitiza ni kwamba tungeomba serikali ifikirie kuona kama wanaweza lipa allowance kwa wale wazee wa mtaa.

Intejction Com.Salome: Bwana mwenyekiti, una dakika ingine moja.

Maina: Asante sana. La mwisho, pengine hata karibu linashikana na hiyo kwa maana singetaka toa zaidi, nitatoa kesho Chepkorio madam ukinikubali lakini kwa hakika kile ambacho ningetaka kusema ni kwamba vitu kama dual citizenship katika nchi. Mtu ambaye anasema anataka kuwa mwananchi wa Kenya na pia anataka kuwa mwananchi wa Uganda, huyu ni mtu wa aina gani? That one, nafikiri hiyo ni ku-encourage wakora, kuwa hapa. Kwa hivyo mini mwenyewe nikiwa mwananchi wa Kenya, uwe mwana Kenya halisi, na itoshe hakuna haja ya uraia mwingine.

Parallel degree program madam, hakika watoto wetu wengi hupita, wengi hawana nafasi katika Kenya na wengi huenda America, huenda ulaya, huenda India. Sasa tukipata nafasi nyumbani ya kuweka parallel degree program kwa nini tukatae? Asante madam.

Com.Salome: Asante sana, Winfred Kibii? Let me have Kibii first. You say you are who? Paul Kibet?

Wilfer Kibii. Thank you, Commissioner madam, my names are Wilfer Kibii, not

Wilfred Kibii. Most of what I have has been highlighted but some emphases needs to be laid on things like natural resources, foremost I would like to put forward about the forest issue. The forest should be reserved and be maintained so that it gives a good environmental look and act as a water catchment area. Therefore, the next government should consider relocating the people living along the hill side and the river bank, better location and not the issue of relocating people with good lands, to the other forests. We are also in the act of depleting a lot of forests all around, it should be stopped.

On the land issue, somebody else mentioned about land demarcation. My opinion is that, let an individual be allocated a maximum of 1,000 acres, I am objecting what someone said that let one have maximum land. That maximum land may not have come through the right way. Another one is when I come down to the local authorities, about the chiefs, Chiefs on the one hand become a problem to the people, maybe they become so stubborn and they do not cooperate, and therefore, I am not of the opinion to be scrapped out but they should be elected on term basis like five years term and they should serve for 10 years.,

But on that matter, they should be subjected to appraisals from the DO through the locational residents, because these are the people who them better, than anyone else.

Some-one said that some chiefs start beating people around, serve on clan basis and all that. So we would like to eradicate

these things completely by having them appraised. Madam, wait, give me a minute to finish about the national.....

Interjection Com.Salome: You have that one minute.

Wilfred: Thank you. One is about nomination of a councilor or an MP, we are not objecting so much about the nominating them, but the problem here is we nominate somebody who has been voted out by the electorate, and maybe he is going to be made the Chairman of the council or a mayor. We are not going to be happy as electorates. That somebody whom you defeated is going to be elected to be above you. So the next government should consider not nominating anyone who has been defeated or voted out there. Another issue about the police force, one second, about voting out of the councilors. We want the electorate to have the power to vote them out, when we do not want them, because sometimes they become a problem. Thank you madam.

Com.Salome: Point taken, thank you. Paul Kibet?

Paul Kibet: Thank you very much madam Commissioner and your fellow Commissioners and fellow members of Keiyo. To start with, I would like to mention that I am for federal system of the government and I do not believe in the unitary government because as somebody else said, it is cheap and anything that is cheap is sub-standard and belongs elsewhere. Federal government, enables people to hold their own government. It is the federal government that can actually enable the people themselves them to participate in all development matters. On this I would like to suggest that we have five regional states as follows:

1. Rift Valley state,
2. Western state comprising of the Nyanza and Western Provinces,
3. Central state
4. Coastal state
5. Eastern state comprising of Eastern Province and Norht Eastern Provinces.
6. Nairobi Province should remain a no-man's area, and be managed by the central Government and a trustee that is answerable to the central Government.

On political parties, before I go to the political parties, let me mention that in the regional states lets have the governors. And let us have a District governor that is elected by the people replacing the District Commissioner, and as people have said that let us elect all our divisional officers, that is the DO, and chiefs and the assistants, et us place the village elders on some allowances.

I will also mention that any public servant must have a uniform for identification, like the way our chiefs and the policemen do, they must have a uniform to identify them. Somebody has said also in our regional government, we are going to merge up the Administration Police and the regular police to avoid duplication of duties of course. Let us also have managers for various

departments to replace the current heads of the government but members being the members of the same communities that are within the district.

On land, I would like to take you back to the (inaudible) of 1930s which denied the Keiyo's the right to own land beyond the escarpment and that one I think it should be reviewed and make it possible that any land that the Keiyo owns wherever he is be brought back to where it was originally and any Kenyan should own land wherever he wants. But when you are a member from a different region, I must mention this and I must be very clear, any member that comes from a different region and owns land in a different region, there must be a period to qualify him to be a citizen of that place. This being that the 42 tribes that are here in this country were not created out of accident, it was God's creation. But we have seen an example, that is why I have talked about tribal clashes.

The tribal clashes arose because there were migrations, so much migration of people from the original inhabited areas to other people's and create confusion and hatred, For us to curb this somebody must live in an area for more than 20 years for him to qualify to be a citizen of that state, failure to which he should consider himself a foreigner or a visitor and does not have any privilege in that state or and he should not engage in any political activities. I need a President and Prime Minister, when it comes to the Executive but my President should be over 45 years he must have attained certain political maturity, 45 years, and a maximum 70 years of age, and a Prime Minister must be appointed or nominated by members of Parliament or come from the majority party.

When I come to the political parties, we must have at least three I am finishing in less than a minute.

Interjection Com.Salome: Your time is up, so you have 30 seconds to finish.

Paul: We must have a minimum of 3 political parties so that we get rid of the tribal parties we have had for sometime, and those parties any party that contests in an election and does not gather, 15 members of Parliament in a given Parliament must not qualify to be registered, it should merge up with the big parties. Thank you very much madam Commissioner.

Com.Salome: Thank you. Rael from Maendeleo ya wanawake, Rael kutoka maendeleo ya wanawake? Mrs Margaret Chebet? Wewe ni Rael ama ni Margaret? Rael, karibu na utueleze majina yako kamili. Put on the switch on the mic.

Rael Cheruiyot: Thank you very much madam Commissioner. My names are Mrs. Rael Cheruiyot from the Maendeleo ya wamama. I am here to talk about the maternity leave. Always when a woman goes on maternity leave I am proposing that the man should be given at this time the paternity leave so that he will be able to cater for the family, since we know that at this time the mother is unable to do anything. So I think that the man should also be given at least three months paternity leave.

On the side of the Keiyo community, long time ago people had to guide and counsel the children right from the beginning when

they were still young children until then when they were ready to be adults, until they had passed a stage. But now, you find that people have decided to leave these children to be alone. You find that sometimes the child has been given a right to do something. So, I think that in our community the parents or the community at large should cater for the children right from the beginning until when the child is ready to cater for the family at large. That is when the child is still very young from two years until when the child is 18 years, that is the time when the child will be left to think for himself.

Now, you find that some men have tried to leave their families to stay alone, you find that they stay out for most of the day, they come back when it is late in the night at maybe around saa saba at night. You find that this time the mother is getting a lot of work to cater for these children. I also think that we should have a law to cover this person who is coming late at home late in the night.

Also when we go to the issue of the title deeds, When we you talk about the title deeds, I think the two people, the wife and the man, should participate. If a man wants to sell land, I think also the woman should be aware at this juncture. Thank you very much madam Commissioner, that is the much I have, I will now welcome Mrs Margaret Chebet to continue from where I have stopped.

Com.Salome: Thank you Rael for being kind enough to help me chair, where is Margaret Chebet? Is Margaret Chebet here? Is that you? Please come over.

Margaret Chebet: Thank you very much. Asanti sana kwa nafasi hii nimepata mimi naitwa Margaret Chebet mkaaji wa Keiyo. Mimi nikiwa hapa nataka niongee juu ya akina mama wenzangu kwa sababu kweli tumeona vitu vingi vimeweza kukabila akina mama. Mimi naunga mkono wenzangu, wale wameonge juu ya majimbo, hata mimi naunga mkono nchi yetu ikuwe na majimbo.

Na pili, kwa sababu ya mashamba, tukiwa hapa Keiyo kweli wenzangu wameongea juu ya mazingira katika mto. Zamani za kale kidogo ingawaje mimi si mtu wa zamani lakini bado najua culture yetu ya zamani. Culture ikisema ya kwamba hiyo kitu haiwezekani, inasemekana hivyo, haiwezekani. Kama ni watu wasilime mpaka kwa mto kweli watu wazee wakisema hivyo, ikae hivyo na hiyo ilikuwa hivyo. Na nataka iwekwe maanani ya kwamba, tuweke sheria ya kwamba, kama wamekataa kitu kama kuharibu mazingira, kukata miti mpaka mto, ama mpaka tulime mpaka kwa mto, awekewe sheria kali sana ili ikisemwa, isemekane.

Kwa kweli akina mama katika ma-title deed, wenzangu kweli wamesema, lakini unajua wazee wengine wanaweza kuuza shamba hajulishi mama, mpaka watoto wanabaki kukosa hata pahali pa kuishi. Lakini kweli mama kama yule amefanyiwa ndoa hata kama ni ya nyumbani, kanisa, wapi, yeye ni mama wa nyumbani, huyo kweli ajulishwe kila kitu nyumbani. Hiyo, naunga ili title deeds kweli iwe na majina pamoja na hii kuliko mtu mmoja afanye pamoja na kijana wake wa kwanza, na wawe jamii

moja.

Ya mwisho madam Commissioner ni juu ya wasichana wetu, wasichana saa zingine sio wasichana, vijana wote, wakiwa ni vijana kwa sababu kila mtu ako na msichana na kijana. Tuko na vijana kwa wakati huu, ingawaje Mungu kweli ametubariki na watoto vile ilivyo, wameerimishwa kweli, kweli, lakini kuna kitu moja tumepungukiwa. Vijana na wasichana wote unaona siku hizi wamezaa kweli kwa sababu wengi wamesema. Lakini tunataka tuweke sheria kali kidogo kwa sababu zamani kulikuwa na sheria kijana mmoja ama wawili wakiwa na mtoto lakini hawajawekwa sheria kali wakae miezi tatu bila kukanyanga nyasi ya Ng'ombe na hiyo sheria ilikuwa inasaidia watoto wasizae ovyo ovyo. Mpaka wakati huu naona kweli ukifika Eldoret unakuta watoto watoto na sio wa mtu mmoja, na siyo yule asukwa lakini kama kungekuwa na sheria kali, hao watoto hawangezaliwa ovyo ovyo hivyo sababu inatakikana kijana kwa msichana aolewe kwa nyumba yake.

Kwa sababu unaona hata wazee, tuweke sheria ili mzee akishikwa akikunywa na kijana au msichana awekewe sheria yake ili sheria yetu ya Kenya ikae kama vile ilivyo kama zamani, sababu sisi tumelegea. Tunataka tuwe na sheria ile ya kuchunga watoto wetu sababu hawa ni watoto wale watakuwa viongozi kesho. Kumalizia madam Commissioner, zamani tulikuwa na Universities, na mtoto yule amehetimu alikuwa anasaidiwa wa serikali. Unaona kweli alikuwa anasoma kwa mkono wa serikali, akimaliza anaandikwa na serikali, ili asisumbuke kwa wazazi. Sababu unaona wazazi wengi wa watoto wa wale hawajiwezi, unaweza kupita lakini anakosa school fees na kukosekana kwa school fees na mtoto huyo ni mwerevu yule anaweza kusaidia hata nchi hii. So, naomba hiyo iwekwe kwa sheria.

Kitu moja nilisahau madam Commissioner, hapa Keiyo tuko katika nchi hatuwezi kupanda viazi, hatuwezi kupanda maua, lakini kwa sababu Mungu ametubariki, kupewa nchi kama hii, tunaweza kupata kitu, kama madini. Lakini mwenye shamba yake hiyo anaweza kupata kitu. Sababu ikichukuliwa na serikali anakuwa share holder, ili yeye mwenyewe pia kwa sababu shamba ni yake aweze kupata kitu chochote kidogo. jAsante sana,Mungu awabariki.

Com.Salome: Asanti sana Margaret Chebet, Ambrose Cheruiyot? Cheruiyot Kibet? Raphael Korir?

Raphael Korir: Thank you Commissioners, nitangalia mambo ya.....Kw majina ni Raphael Korir, nataka niangalie mambo ya environment and natural resource. On forests, people of the clan to be given time to plant the trees and also to do shamba system on that land. Also to be given 5% output from the forest. On minerals, minerals should be managed by the government and the people around that area to be given a right of 25% for development and at least 50% to be employed.

On wildlife, local authority be given power to manage and protect wildlife. The community around given right to have 25% output of the income included in management committee of the project. The community to be given right to elect the committee of destruction of wildlife to get the value of the destruction and the higher authority to meet the value. Generally, the community should own natural resource but local authority be given power to impose laws on the protection of environment. The role of

local communities, to manage and to protect the environment is to have an elected committee, to have right to see that the law is enforced, to plant trees on it.

On cultural practices, they should be considered as community private laws, and the elders given power to impose laws on it through traditional beliefs known as kikilei. That is all I had for now.

Com.Salome: Thank you very much. Daniel Cheserem? Gregory Chelau? Gregory Chelau? Hilary Tanui? Tafadhali ukiwa na memorandum na hutaki kuzungumzia pia unaweza kuipeana kule na kuhakikisha kuwa umejiandikisha. Amos Koech? Amos Koech? Amos, you have three minutes, so tell us three important points and then finish.

Amos Koech: My name is Amos Chebosoi, I have the following points to raise. The first is on Legislature. The Parliament should be a full time occupation to give MPs sufficient time to address national issues, adequately. Parliament should have its own calendar indicating time for summoning prorogation and dissolution. MPs should not review their own salaries and allowances this is against the principal natural justice where a person should not be a judge in his or her own case. An independent Commission should be given the mandate to review salaries, and allowances of all public servants including the MPs. Any Constitutional amendment should be by majority of 75% of all MPs and also 80% votes of Kenyans through referendums.

The MPs should not be allowed to operate or engage in any business activity. This is because of the reason that if they are allowed, they will only advocate for their own interests instead of the interests of the wananchi. The new Constitution should also state the age limit of the President. The current Constitution only states the minimum age limit but in the new I suggest that the upper limit should also be introduced.

Interjection Com.Salome: What is your suggestion? What should be the upper limit?

Amos: Probably at the age of 80, that is the time that one should step down.

On the issue of Judiciary, the appointment of the Attorney General, Chief Justice and Judges should be vetted by the Parliament. I also suggest that the new Constitution should allow the judges to participate in politics the current one does not. I am saying so because people are political beings, they are informed of spirit and body. So if you are a Christian and you see that there is something wrong, you must intervene and rectify immediately.

There should be a time frame during which judgement for any civil or criminal proceedings should be driven to its reasonable logical conclusion to avoid prolonged cases since justice delayed is justice denied. Thank you.

Com.Salome: Thank you Koeche Christopher Marakwen, Christopher Marakwen? Caroline Koring After Caroline we have

Cornelius Keboi and Arusha Keitany,

Caroline Koring: Thank you madam Commissioner, for giving me this time to air my views. My names are Caroline Koring.

Intejction Com.Salome: Speak close to the mic Caroline so that we can record your voice.

Caroline: My names are Caroline Korir from Chepsikor location, Keiyo District. I am going to talk on Executive. Pertaining the Executive, I am preferring that the Prime Minister and the President should be graduates and above. Also, they should not be above the law.

Secondly, I am going to talk on local government. The councils should not operate under central government but they should operate on regional government. Secondly, the qualifications of councilors should be an "O" level and above. Again, the people should have the right to recall their councilors through memorandums when they do not operate, or do not do the work expected of them. The regional government should determine remuneration of councilors and that is all. Thank you.

Com.Salome: Thank you Caroline. Cornelius Kebo or Keboi? Arusha Keitany? Philip Rono? Philemon Keboi? Joseph Berituin, is that you? Tafadhali mtu atazame kama mobile yake iko on, ndio inatutaliza kwenye recording.

Joseph Berituin: Asante sana, yangu itakuwa ni machache Ya kwanza.....

Interjection Salome: Tafadhali tueleze jina lako kwanza.

Joseph Bartuin Retio: Jina langu ni Joseph Bartuin Retio, kutoka Keiyo. Yangu ningesema kwanza mtu yeyote akiwa na mali yake, ikiwa shamba na nini, hata ikiwa ni acre ngapi inatakiwa ilindwe, bora ni yake, ikae vile ilivyo. Pili, ma-chief na ma assistant chief wachaguliwe kwa mlolongo na wapatiwe muda wa miaka kumi halafu wakiteleza kidogo, mlolongo ndio hiyo, ndio mambo iwe sawa sawa.

Halafu ya tatu, watoto lazima wachapwe kiboko sababu tangu zamani mtoto hawezi kusikia saa ile hakuna kipcherit, akicheza kidogo ananyoroshwa tu, si kuumizwa.

Serikali ya majimbo si mbaya, mimi naunga mkono hiyo, kwa hivyo itakuwa ni sawa sawa.

Number tano, forests na catchment areas na mashamba ya serikali yale yako karibu, ziwe under county council sababu wananchi wenyewe ndio watakuwa wakisimamia. Na pengine itakuwa mwisho mwisho, Mambo ya title deed ambayo saa ingine mama anataka iwe jina yangu na yake, nafikiri haitawezekana kwa sababu ukifanya harusi uko na certificate ya bibi yako.

Kwa hivyo hiyo ndio inalinda mama. Lakini wewe mzee ukiwa na title deed yako mtoto wako wa kwanza, kama zamani saa ingine ikiwa bahati mbaya yeye na mama watajua vile watafanya na waite wale wengine. Kwa hivyo hakuna wakati unaweza badirisha title yako unaweka pamoja na mama, halafu watoto saa ingine watapata shida wale wengine. Kwa hivyo itakaa kama zamani mzee atakuwa na title yake, mama saa ingine ako na shamba yake atakuwa na title yake, lakini hatakuja kuvunja yangu ati tuwe partner na yeye, hiyo haitawezekana.

Kimila, ingekuwa vizuri ikiwa kimila ya Keiyo ikae vile ilikuwa wanakaa zamani. Mama aweze kuvaa nguo ya heshima sababu unaweza shangaa uone mtoto msichana akivaa nguo ambayo si ya heshima hata watu wata nini. Na ikiwekwa sheria watoto wakae vile kimilia inatakiwa, sababu itakuwa si mzuri kusahau kimila. Kwa hayo machache, asanteni.

Com.Salome: Asanti sana Hosea Kiprono? Gideon Koima, ni wewe?

Gideon Koima: Thank you Commissioners, I am here to present about.....

Interjection Com.Salome: Is your mic on Gedion? If it is, please hold it nearer your mouth.

Gedion: My names are Gideon Koima, I am here to present about education. I should emphasize that education should be free and compulsory for primary schools children. Secondary education must be subsidized by the government so as to make it affordable for every one. 8-4-4 system of education should be scrapped and replaced by the 8-4-2-3 system. Bursary should be shared among all needy students without favouritism or contribution of shares to become a member. Job opportunities should be awarded on education merit and not based on nepotism, favouritism, tribe, religion, race or any other form of discrimination.

Concerning land and natural resources, all land in Kenya should be titled. Any Private or trust land with oils or minerals should not be acquired by the government or any investors without any agreement of the acquirer and the owners. The lease period for such land for the acquire should not exceed 20 years here. In case the land is taken from the owner, adequate compensation should be given the owner and a house build for such displaced persons. They should be entitled to a monthly.....

Interjection Com.Salome: Could you try not read and just highlight your points to us because you have three minutes and if you try to read you will read too first nobody can follow you.

Gedion: Let me go on the issues of Parliament. A person at 21 years can qualify to be an MP, not only a person at 35 years. Nomination of MPs should take on into consideration special interest groups such as women and special persons with disability.

Lets talk about local authority. Nomination of the councilors should take into consideration of special interest groups such as

women and persons with disability.

Judiciary: There should be an ombudsman's office or complains in every Constitution. There must be a Constitutional office in every Constituency

Executive: The President should not above the law or even the Constitution. Thank you madam.

Com.Salome: Thank you, Micheal Kiprop? Micheal Kiprop? Sila Cheruiyot? Cheruiyot Helege, did you want to talk? Because it seems as if you wanted to talk and then it was cancelled. Ok, get the mic.

Kiprop: Madam Commissioner your fellow Commissioners, fellow Kenyan citizens, sorry I know it is wrong to stay for too long

Interjection Com.Salome: Say what your name is.

Kiprop: My name is Kiprop not Micheal but its actually Victor Kiprop not Micheal.

Interjection Com Salome: What is your name, what is your full name?

Kiprop: My full name is Victor Kiprop not Micheal,

Com.Salome: You are not the person that we are calling, we were calling Cheruiyot right now. No, I had already..... we are looking for Cheruiyot box 69 Kaptarakwa. So that cannot be you Lets have Cheruiyot. Please come, you are the next speaker.

Cheruiyot: Allow me the chair madam Commissioner and the other Commissioners to express my views, I would want to express about the Preamble of the Kenya Constitution. The Constitution in itself, in the first place does not clarify very many issues about the Kenyan state. Personally I would feel that in the Constitution, the welfare of the Kenyan people through good governance should be emphasized on. The Constitution also...Sorry my names are Cheruiyot I had said I want to talk on the preamble, that the previous Constitution in itself does not clearly state about one or two issues in the Constitution itself about the Kenyan people.

1. I would want to say that in the coming Constitution, the welfare of the people should be considered through good governance.
2. Enjoyment of human rights, freedoms and human dignity by Kenyans: In many circumstances, it has never emphasized on those.

3. On issues of national security, you find that in Kenya as of now, security is a problem, where people live in their own country but they are not feeling as if they are secure. So the preamble should actually consider that.
4. Another thing is the issue of the values and experiences of Kenyan people such as culture and national unity.
5. On the issues of the Constitution itself now, the Constitution should provide the criteria on how it should be made, so that it is not like today when the MPs can go to Parliament then they postpone it, you finish it tomorrow, we do this and that? that is not the case, Parliamentarians are not only there to go and handle such very crucial issues. So the Constitution should be very independent to operate to be led and to be amended at its own time limit.
6. Another thing on the Constitution is that, the Constitution should be made accessible and available to all Kenyans. Like previously people have never had access to it, people have never seen it, people have never touched, because it is only in the archives or I do not know somewhere else So it should be available within the people's reach.
7. Another thing is that the Constitution should be written in National, official and all local languages in Kenya. Actually there are very many languages or people speaking groups which have never known and they cannot even interpret our Constitution, yet they are identified. So there is need to interpret it even in minority local languages, the njemps and Luos, Ogiek, languages and others.
8. I would also want to say that the same Constitution should be put in things like braille, because you find that there are people who are blind, who may not be able to read, but they want to interpret the same Constitution alike. So the Constitution currently should consider the disabled.
9. Lastly,, on the issue of Constitution is the principle of civic education should be included in the Constitution there has been a lot of influence from this administration and other political people. There has been a lot of external influence on the process, so the Constitution this time should dictate clearly how issues pertaining to the Constitution and other civic education matters should be read, because actually at times it becomes political tools. At times it becomes personal interests, at times it becomes things we cannot tell.
10. Lastly, I would want to talk on two issues, about the structure of government. Actually, people are of different views, but personally I am for the unitary system.

Another thing is that there should be an established offices for people like ombudsman, because actually all over of us per se know that the Provincial Administration as at now, is not valid. So we would want it scrapped off and very immediately.

About land Commission of late we have had a lot of things about land issues and the Commission should be set independently to protect public land. All the allocation should be to those who are are landless, squatters and those who are really in need of that particular land, because it does not make sense to find somebody having a big chunk of land, he gets another land and he even grabs a latrine, it is so shameful.

Interjection Com.Salome: Please address the Commission.

Cheruiyot: The Commission, I would want to say today that there is also the issue of lease of land and harvesting of resources. You find that resources, like here in Flourspar apparently we have mining, but beneficiaries are not the locals. You go to other natural resources like oil and others it is the same. So we want the Constitution to surely have very clear information about how those resources should be used but in my opinion, it should benefit the local community by a given percentage and those who may have had access to that land must also get a small share.

Lastly on civil societies, Civil societies like NGOs and political parties, religious and others, should operate independently free from influences intimidation and harassment from the perpetrators which is the the Provincial Administration influenced by politicians around. Thank you.

Com.Salome: Joseph Kipsang, Joseph Kipsang?

Joseph Kipsang: First of all I recognize the servants of God, I recognize the village elders, Provincial Administration District Commissioner, MPs, and everybody. I wanted first of all the Commissioners to introduce themselves to us. We also feel there is also partiality among the Commissioners. Somebody from outside is chairing this Commission. So I want somebody from Kenya to chair this Commission, so that the Constitution will be for the people of this country. I want all the Commissioners to introduce themselves before I say anything because what is there even now the Commissioners have shown some partiality, reducing 5 minutes by two minutes the national flag of nation cannot be changed.

Interjection Com.Salome: Mr. Kipsang that is a very valid concern, but it also means that you came late. The Commissioners introduced themselves by name, and we all know where they come from. So, could you please just give us your views since hata Keiyo people were here to hear where the Commissioners came from and they realize we are Kenyans. Thank you, go on.

Cheruiyot: So I thank God for that assignment but I (inaudible)

Interjection Com.Salome: Please speak to the mic so that we can hear your views and record them.

Cheruiyot. I am supporting the extension of the Commissioners' term so that they can go round. In Keiyo, from Segor, there are other people from Marigat so you will be going there on 14 times because in the District, there are about 14 locations. So the Commissioners, will go round so that residents will hear you properly about this Constitution.

Intejection Com.Salome: Naomba tafadhali tutulie, naomba tutulie tumsikie Mr.Kipsang ana dakika zake tatu, na moja

imeshapita sasa uko na mbili.

Cheruiyot: Two minutes only, so I am supporting the 92 Constituencies, that staff of the his Excellency be put in the Constitution. The residents to be share holders, in local companies. You won't have time to go round because this is a very short. In short, there is some partiality.

Com. Salome: Jisajilisha pale, asante kwa maoni yako. Na sasa ningetaka kumpa nafasi hii kwa waziri bwana Nicholas Biwott ambaye pia ndio mjumbe wa kikao cha Bunge cha uakilishaji Bunge cha Keiyo South, karibu bwana Minister.

Hon.Nicholas Biwott: Commissioners, mine actually is to just deal with one or two highlights, because as a Member of Kanu National Executive, I will also be one of those who will be participating in the presentation of the party memorandum, I will only remit my highlights on very very few items.

1. First I think it is the Constitution itself what it stands for. I think in its preamble it should be clearly spelt out, that justice, liberty, rule of law, cohesive society must be paramount. In other words, the Bill of rights must be emphasized. As a nation, we must have as a symbol of unity an executive President who will symbolise the unity of the nation. We shall have a flag, we shall have court of arms which will identify Kenya as a nation among the family of nations.
2. We also believe in decentralization of services in order to bring services closer to the people. We decentralized system tends to breed more and more democracy and as the population increases, that problem becomes even more acute. This therefore brings me to the kind of services which should be decentralized. I think the services which task the mwananchi.....

Intejction Com.Salome: We are not recording you bwana Minister so please move the mic a little bit closer to yourself so that we are able to record you. Thank you.

Hon.Biwott: Is it recorded now? I would also like to be recorded, I do not want to miss out. What I am saying is that, the services such as education, especially at the primary level, should be handled by the districts, Water resources, health, minor roads and also roads which feed into other districts.

The question of land is paramount in the minds of the people and also their welfare, therefore it should be administered locally both in terms of registration and land dispute settlement mechanism. In other words, there should be the boards at the local level in order to handle issues pertaining to land, and the local level it will also be possible to take advantage of the customary law because the people will know how to handle land without much difficulty. If it is also at the local level, it will be easy to minimize corruption, exploitation, especially of the weak, so that a Keiyo man or any other person in the locality will be able to have its full rights and entirely. There should also be decentralization of the law enforcement agencies. The people would like

to have justice administered as quickly as possible and the closer it is to the people, the better for that administration of justice. For example like in in some other countries, you find the police are decentralized right to the local level. You find the courts also are decentralized. It then makes it possible for people to have justice closer to the people, and as we have more and more educated people, it is possible to get the highly qualified people who can handle those at the local level.

On the Administration, I think there might be need to harmonize the Provincial Administration at the local level and at the county council. On devolution of authority the local authorities, thus given so much powers, should be able therefore to take care of the local needs, and free the central government from domestic services and leave the government to deal with the ones which matters. For example matters related to the numeration, matters related to defence, foreign affairs, taxation especially on the income tax and customs. The local authority should be able to tax what is appropriate for their services.

In order to coordinate all the county councils within Province for example it would be desirable to have a Provincial body which will be headed by an Administrative elected person who will then coordinate services, which go beyond county councils but not within the Province but not nationally. Nationally, there will be need for central government to deal with major infrastructure, such as railways, the truck roads, the air services and telecommunications which cover, the entire country.

On the question of elections, I mean electoral system, I think the simple majority will be 25% provided in the present Constitution will ensure that whoever is elected as the head of state will enjoy the support of the majority of Kenyans.

On the Constituencies, I think it is important to ensure that all aspects are taken into account, for example the population, the terrain and the sizes of the land, so that its not only the population. On the question of marginalized people such as disabled, I think they need representation, at least two at the county council may be desirable, and also at the Provincial level, and the national level. In other words there should be no structures and it should be disabled people, it can be blind, others with physical disabilities and also minorities who do not have any support.

In order to ensure intergrity, it is necessary to have an ombudsman and also it is important that a provision be made whereby leaders who are elected from the particular parts and have sworn to that, they should be held accountable to their intergrity, so that they do not cross mid-term unless they dissolve their parties. An errant member nshould be able to be asked to go back to renew the madate, especially if that member has sworn that he will remain in a party, and is elected accordingly. Otherwise it will be to deprive the electorate of their choice.

The land issue, I think the title should be freehold, but is should also take into account the need for public utilities in which case central, regional and counties will have land. The trustland belong to the people themselves, and they should be allowed to administer it, and so it is with natural resources like forests, I think the forest should belong to the people where they are. The people who have kept it from time immemorial, centuries, they are the ones who can conserve that forest and conserve it to the

standards which are recognized internationally. In the form of private enterprise, they should be both public and private enterprise, that should be allowed and all property should be guaranteed.

Inheritance should be regardless of sex, I think a child is a child and should be given equal rights, because the child does not chose what sex to he should be born in. They are all born at random they should therefore enjoy equal rights, but of course it will depend on the parents and those who administering it. We believe in full human rights, all rights as I have said earlier on, the preamble should stress the liberty and therefore all liberties, pertaining to a human being should be guaranteed, and it should be spelt out very clearly so that nobody jokes with life as if it is something which is being sold or marketed. It should be something which is in the Constitution as it is in the Constitution today, if there is need to spell it out clearly let it be spelt out, so that the people will know that a human has his right from the day of the birth, but there should be need to protect property rights, especially on (inaudible).

On the question of chiefs, I think there has been a lot of misunderstanding because the chiefs actually were found by the colonia government, it is the way the people used to administer themselves. I think it should be made much more appropriate to the people themselves.

On culture, we should allow cultural diversity, and allow the cultural practices which are progressive and which enable our society to be richer and may be some of those which can be discarded, we should be allowed to evolve out of it as a gradual process. I know we have (inaudible) which go for example on FGM at least for children or girls below 17, that has already been made a law and I think it should be highlighted so that the wananchi will know.

As for the extension of time, it should be necessary, I think it should driven by the Constitutional Review Commission, and enough time should be allowed to wananchi to be able to air their views as I have seen today, I must thank you very much because you have really conducted a wonderful Constitutional review, where everybody has been free to speak. In this Constituency of ours, full freedom of speech. We would like you to symbolize that one by making sure that every view is not left. As I have said these are only highlights which I found I better do it mainly for the locality here, but I will be giving my own submission at a later day, so I hope we will have an opportunity when I will give these our party memorandum and also our I will write this one and will give in as my own thoughts. Thank you very much (clapping)

Com.Salome: Tunakushukuru sana bwana waziri na pia mjumbe wa hiki kikao cha Bunge, tunakushukuru kwa maoni yako. Na sasa ningetaka kuipa nafasi kwa Samuel Sing'oei.

Samuel Singoei: Thank you Commissioners and residents of Keiyo District. My name is Samuel Singoei and my view is that Parliament should be given much powers to address the issue of wananchi, and the provincial administration should not be under the office of the President. Keiyo South comprises of clans and each clan has got its own way,. Therefore, for one to vie

for an elective seat such as for councilors and for MPs, he/she should first be cleared by the electorate, and the community should know his or her family background. So many people have talked about the Provincial Administration that they should be scrapped but according to my views, I feel that mass demonstration should be in the Constitution to remove errant leaders who misuse their powers.

Land which was owned by the community before the colonial government came to power, should be given back to community that owned. Elders or any community within Keiyo who were evicted by the colonial government should be compensated by the present government and the government which will come to power. I hope I have exhausted what I had. Thank you.

Com.Salome Muigai: Thank you very much. Samuel Song'oei, Micheal Kiprop? Sila Cheruiyot? Excuse me sir, I am doing justice the way I know how to I am on page 200, some people I am trying to follow this paper as religiously as I can except.....Are you negotiating or are you intimidating me? Because if it is a negotiation, I am ready for negotiation and also as a chair, I have the discretion to include everybody I have called women who have come ten minutes ago, and I said that from the beginning that I am going to make sure that, this is an inclusive process. It is my idea of inclusion that may differ with certain interpretations. So please can you tell us what your name is and continue.

Sila Cheruiyot: Thank you Commissioners. Yangu yamesungumzwa na wengi lakini these might be supportive issues. Yangu ni kuhusu health, bwana Commissioner. So kuhusu health my views are, treatment should be free, because you find.... My names are Sila Kipkur Cheruiyot, mkaaji wa Kocholwa Metikei division, nilikuwa naongea kuhusu health, na nimesema ya kwamba treatment iwe free kwa wananchi wote. Ninasema hivyo kwa sababu unaona mtu ukimpeleka hospitali, inakuwa expensive na uchumi umeenda chini, hata mtu akiwa amekufa, unaona.....Excuse me madam Commissioner

Com.Salome: I am very sorry, you have my undivided attention. Just one moment, Constitution making is a time for us to reason together, we can only own it together if we agree that we made it together. So its not just not the product, its also the process. So if somebody feels that they came earlier and I have not called them, give me your name, lets deal with a concrete problem. But do not generalize by saying some people came earlier and they are not being called. I have followed the list of people as they came, some people went out there, like the gentleman right behind you, I called his name but he was not there. Then I call another ten people who have the courtesy to stay in before I call him again, but I know he is there and I know I had given him a chance, and I know I will give him another chance. But I want as much fairness as we can get into this process, so please can you go on.

Sila Cheruiyot: Thank you madam Commissioner, nilikuwa nimesema ya kwamba medical care iwe free kwa wananchi wote wa Kenya. Kwa sababu uchumi umeenda chini, kila mtu anahisi hiyo. You find that even your patient when he dies unadaiwa pesa hata kama mtu amekufa. Kwa hivyo mimi naomba kwa Katiba hii iundwe sheria ya kwamba hospitali iwe free.

Interjection Com. Salome: Hiyo point tume-understand, endelea na zile zingine.

Sila Cheruiyot: Inginge bwana Commissioner ni kuhusu hiyo medical pia. You find that monitoring should be, kuhusu madawa ambayo serikali inapeana. It seems there is misuse of drugs, of which doctors na wale wanahusika wana misuse and you find that there is no any monitoring. There should be a law which states that medicine supply should be monitored.

Inginge bwana Commissioner ni kuhusu Administration. Administration kutoka kwa assistant chief, chief mpaka kwa PC wawe watu wa kuchaguliwa na wananchi. Mimi nasema hivyo kwa sababu you find a chief akipewa hiyo kazi, anaangalia upande mwingine anawacha kwa watu wengine. Sasa tukisema mpaka aende retire, kutakuwa na upunguvu kwa watu wengine. Kwa hivyo tena awe akichaguliwa baada ya miaka kumi, after ten years.

Inginge ni kuhusu local authority ir should be given powers kwa sababu you find a councilor is more important than even an MP. You find a councilor being within the area for example a ward, anakaa na watu kutoka January mpaka December, than you find an MP he can appear once or twice in a year. So I feel that it councilors should be paid properly so that wanaweza kutumikia wananchi kwa sababu wako pamoja saa zote. Na lingine, allowances zao, ziwe zikitoka kwa local government ziwe zikitoka kwa consolidated fund.

Lingine bwana Commissioner ni kuhusu natural resources ambazo zinapatikana kwa area yote. Lazima residents wapate at least 60% from the generating income ya hiyo source ikiwa ni oil.....

Interjection Com.Salome: One more minute to finish up Sila.

Sila: I am going to finish. Nimesema wawe wakipeana 60% of the income to residents wa area hiyo ili development ifanywe kwa watu hawa.

Lingine bwana Commissioner ni kuhusu education, education iwe free right from the nursery probably upto the University kwa sababu tunaambiwa primary level ni free lakini we find it is more expensive. Even if they have said it is free, it is beyond what we were paying at first. Thank you Mr.Commissioner.

Com.Salome: Micheal Kiprop? Samuel of P. O. Box 58, Chekelio? Na utueleze majina yako kamili Samuel.

Samuel Barchilei: My full names are Sammy Barchilei from Keiyo. Pertaining the Constitution, I am very happy to thank you so much you have come to this area, I believe we are now coming to make what we call indeginious Constitution, home grown. The present Constitution has no introduction and I believe I will not repeat what they have said. I will not repeat the introduction, part of it has been said. Only, I will highlight on things which have been not said.

Com.Salome: Please speak into the microphone so that we can record you.

Samuel Barchilei: I will highlight on companies alienated during the colonial era. For example, Kenya Flourspar which was alienated by our parents and they paid a small amount of money to our parents. I believe for now, let the Constitution give some guidelines on how they can help the community so that they can get something from it. Pertaining the new companies or the new minerals which have not been excavated, I would like to say the new Constitution also to set some Commissions to check within the country so that they can get new minerals like cement and other minerals.

Going to education part of it, some people have talked of it, and I want to say there is not partiality in the Ministry of education. When you go to primary education, there is a body, Kenya National Examination Council. Go to Secondary school, there is a Kenya National Examination Council but go to the higher bodies, you go to Kenya Polytechnics, there are also have Kenya Examination Council. But when we go to University, they are doing their internal exams, I do not know the criteria they are using and there are no partiality in that area. So let the Constitution make a clear way of setting our exams, I am not seeing partiality in Diplomas and all those who are in higher education levels.

Freedom of worship is part of our Constitution we are using, but when we have freedom of worship we have been given freedom of worshipping a satan or a devil I do not believe that one is a good Constitution. So that one should be described and made a way how to help people not to worship a devil should be found.

Coming to Institutions like NGOs, these ones should be made independent and set a Commission so that people may visit their offices without much restriction.

Employment Commission: I would like to see that employment Commission in Kenya be set so that it will help our people, because I am seeing there are Commissions to set to oversee other issues but not employment. When it comes to budget you can see some people budgeting for education to build schools but not to budget for those who have completed education. So I would like to have this Commission set.

Interjection Com.Salome: One more minute.

Samuel: Thank you, I am also about to clear. Also, we elect our MPs, our councilors but they do not have offices. After electing them they decide to go and hide until their last term when they come and recall their people. So we want the Constitution to give us offices, so that our people can recall them. Thank you very much, I have a written document that I will present.

Com.Salome: Victor Kipgut? Victor, is that you? What is your name?

Victor: Madam Commissioner and your fellow Commissioners thank you, I had come here before.....

Interjection Com.Salome: Tell me your names again

Victor Orgut: I am Victor Orgut. Talking too much is boring, long meetings are boring so I shall just repeat one point to emphasize just to say, I just want to talk on natural resource, this is a mining per se. We would recommend to the Commission that maybe in the new Constitution, should a mineral be found in your land, you should go into partnership with the miner. Like our learned Commissioners and those of us who read all local dailies, I think you have heard about Tiomin we will wish to call into partnership with this investors by way of employment. Maybe if we have people who are qualified from within, why not take them? Another one, if we come to local developments, we would wish to go into partnership together with them, this guy is not your enemy he is your friend, he is your neighbour. Whois your neighbour in law, learned Commissioners? I think you know well who is your neighbour in law, it's the person you deal with everyday, the man who sells you milk the man who sells you sugar, the man who does everything.

So to go on to my points I want to say that on governance, I would want to present to the Commission that to heal past tribal animosities that have been in Kenya I suggest as a citizen that Kenya be governed into states as a previous speaker had said. I found Nairobi as an independent place, I found Nairobi as an independent place, get five different states, get people who have stayed together from time immemerial Keiyo are neighbours with Tugen by design not by anybody's making, so they can live together well. Thank you very much madam Commissioner, that is what I wish to present to this Commission today.

Com.Salome: Thank you very much Joel Keittany? David Rono? Are you Keittany or Rono?,

Joel Keittany: Madam Commissioner I should thank you for this moment. Mine is to highlight some few comments here and there. My names are Joel Keittany.

First madam I would like to highlight I will not repeat myself because some points I have written were enlightened by my fellow citizen.

1. I would like to enlight about the nominated MPs. The nominated MPs should serve the disabled, the gender issues,street children, muslims, NGOs and other non governmental organizations.
2. On education, I would like to highlight on school unrest which is strikes in secondary schools and universities. These institutions, the laws must be written so that they can guide these people while they are schooling in these institutions, because we have seen the students, rioting and destroying property which is of great value, which costs so much to the parents and the community as a whole.
3. I would like to highlight on agriculture. Farmers should be guided on liberalization and globalization which is coming,

this is no colonization of Africans. So I would like the government or the next government to write laws which are will help.

4. Companies and parastatals should support government policies, like soil conservation, tree-planting, guarding natural resources and providing free medical care to the surrounding communities.
5. Security of the country: The security of the country I think depends upon the police, and these police should have their salaries must be raised to a certain minimum so that they can eradicate corruption. Security guards who are guarding the buildings in big towns should be given ammunition like pistols and so forth so that they can protect themselves from robbers. We know that as much as they protect themselves, when they have pistols, they can at least scare away the robbers.
6. Another issue is media and newspapers. This information or these people who are informing us, there are some radio stations which have recently been given permission to air news or some newspapers which are misquoting politicians or any other citizen. Like maybe inciting one community against another community. Let us take for example a chairman announcing the government is being ruled by the little minority. I do not think that is proper, so we should have the media which is covering with fairness all communities, and not airing news which are affecting other people negatively.

Lastly, I would like to thank you because of this time. Thank you.

Com.Salome: Thank you very much Joe. I would like to to explain something about this form where you are asked to register.

This form asks for your name, your organization and your form of presentation. If you say that you have a written presentation, I will give you time to talk, if you say that you have an oral presentation, I will give time to talk. But if you put a dash there, I will not give you time. So some of the people that are here, pengine nizungumze kiswahili ndio tuelewane sote. Ukileta jina lako kwenye hii karatasi uliambiwa useme jina lako, useme kikundi chako, lakini pia useme utataka kutoa maoni yako kwa njia gani, kama una kitu chenye umeandika, ama ungetaka kuzungumza tu. Kama uliweka tu dash penye hiyo sehemu ya kusema kama unataka kutoa maoni, basi sijaita jina lako, ndio mimi ninaruka kuangalia watu gani walisema wanataka kuzungumza, ningetaka tuelewane hayo. Kwa hivyo wakati huu ningetaka tafadhali kumpa mjumbe Hon. Tabitha Seii na kuomba radhi kwani mimi sikukuomba uzungumze mapema kwani karatasi pahali iliandikwa, iliwekwa dash pahali pa kutoa maoni. Ningejua ungetaka kuzungumza, ungepata nafasi mara moja kwa ajili ya kuwa wewe ni mbunge, na kwa ajili ya kuwa ni mama, mimi umenisikia nikihimiza kina mama kuwa ningetaka kusikiza. Kwa hivyo nakuomba radhi, I am apologizing unconditionally because I did not know that you wanted to speak and I would like to give you this chance to say what you would like to say.

Hon.Tabitha Seii: I do not expect you to think I just came here to do nothing, I am a member of Parliament and I left Parliament today for this purpose. I just wanted to inform you that you said that was an attendance list, and thank you for finally being fair.

Now this Constitution which we are debating today is the Constitution that is going to outlive all over us. It should outlast you, all of us here. It should be a Constitution that will be used for a long time to come. I want to believe that we are reviewing this Constitution, because the previous one had not worked and I want to highlight some points which have actually made the previous Constitution not to work and particularly here in Keiyo. I am not going to do a long speech, I will do a short one. Possibly tomorrow I might find more time and perhaps better consideration.

I want to talk about the power of the President. The President who at the moment is all power full does injustice to the citizens of his own land. So the powers of the President should be limited. Every President, no President should be above the law, the Presidents that are above the law wananyanyasa watu wao, kwa sababu wanasema hiyo kitu ifanyike hivi, na anafanye hivyo. Hii District iundwe hapa na inaundwa hapo, anaweza kufanya random announcements in any place at any time kwa sababu yeye ni above the law hakuna mtu ambaye anaweza kusema chochote. Kwa hivyo no President should be above the law in the coming years of this country.

Appointments by the President. It should be so clear who is going to succeed the President to avoid the squables of having about four people in a row to succeed the President. The Vice President should be the rightful successor of the President. In case of any immediate requirement to succeed the President, the Vice President should be the one that should succeed the President. President must have absolute majority. We know that in our country especially in the last two elections, the present President did not have absolute majority. The President must have absolute majority so that it is known that the majority of the Kenyans support that particular President.

I would also like to say something about the Administration. Here in Keiyo we have suffered a lot because possibly ill trained administration or not well oriented administration. Administration is a duplicate of the elected system, the councilors and I want to support those who say the Provincial Administration, all of them be scrapped and removed from the books so that we do not have District officers running around hindering people, arresting people, using the Administration police na kunyanyasa wananchi kwa sababu wao ni Provincial Administration. And I suppose when I say that, I am saying what is really local here. We want a Katiba that is going to be the voice of the poor and the voice of the voiceless.

Regarding the economy of this country, a lot of it has been said but I want to say something regarding the natural resources. Not far from where we are, its fluorspar mines, and many other minerals may be found in this valley. The mineral and all natural resources should be used for the benefit of the people who are their. The people who have been misplaced and/or displaced, should be compensated. There has not been any compensation, and a lot of trenches, have been dug, deep deep holes, mabonde mabonde hata inakuwa hatari kwa mbuzi na watu, na hakuna mtu ambaye ameona hii ifanyike, izibwe au iwekwe vizuri. Kwa hivyo natural resources of any country whether one day we shall find oil kwa hii bonde, lazima itumike kwa ajili ya wale ambao wanaishi hapo, ili watu wafaidike isiwe tu mali ya mtu mmoja na iwe mali ya wananchi ambayo wanaishi hapo. Na hiyo ikiwekwa kwa Katiba hata sisi tutafanikiwa kwa sababu pengine tutaweza kurudishiwa yale ambayo tumepoteza. I hope

the new Katiba is going to reverse the ills of this country.

The forests: Forests ni raslimali ya watu ambayo wanaishi hapo. Kama mwenye ambaye yuko rightly connected anaingia forest na panga anakata miti na hawezi kuwa arrested, na mtu mmoja kama amekata mti outside his own home, anakuwa arrested kwa sababu yeye yuko na power saw, this injustice is something that we would like to fight with regard to natural resources. Forests should be for the benefit of the people there, lazima iwe ni raslimali ya wale wanaishi hapo, na wenyenji wenyewe waaumue tunataka kipande fulani tujenge shule. Sio mtu anaingia tu na kukata miti na kuuza vile anataka. Kwa hivyo the natural resources, land minerals and all those things should be used for the benefit of the people God put people kwa hii bonde na lazima wafaidike kwa ajili ya mali ambayo Mungu mwenyewe ameweka hapa ndani. Kwa hivyo hiyo tunapendekeza iwekwe kwa Constitution mpya.

Administration ningependa nizidishe kidogo kwamba, we want qualified people wale watu wa integrity, na wawe watu ambao wana merit, Meritocracy si what is missing here. It is mainly who knows who halafu huyo mtu ndio anafaidika kwa kazi, employment au chochote ambacho kinafanyika. Kama ni kuandika watu, hakuna merit ambayo inatumika. Ndio sababu hiyo we have a lot of un-employment, the new Katiba should give quotes to the University students ambao wamehitimu na wamerudi nyumbani na wanakaa na wazazi, ili wapate kazi na hao pia wafaidike.

Education should be free, that has been said I am not going repeat that, but I want to look at the buildings, the structures at the schools. The government, in the new Constitution, in the new dispensation which we hope this will happen, the government to build the schools that ili kusiwe na watoto wanasoma nje na wengine ndani, wengine wananyeshewa na wengine wamekaa vizuri kwa sababu hiyo syllabus ambayo wote wataandika ni moja kama ni mtoto ako Nairobi, au mtoto yuko hapa Fluourspar ni sawa. Kwa hivyo the government to provide the facilities for the school structures, so that we do not have a lot of schools which are not completed. Now if you come to Keiyo you will find schools with no windows, with no floors, kwa sababu wazazi wamelemewa sana hawawezi kumaliza hiyo. Kwa hivyo hiyo ikiwekwa ili schools zote ziwe uniform na infrastructure yote iwe uniform kwa watoto wote ili wote wapate masomo sawa sawa.

What is the kind of government we want? The kind of government we want is the unitary system, not majimbo. Majimbo is the cause of blood shed, Majimbo is the cause of all evils. Kwa sababu majimbo vile imeeleweka ni kwamba kama wewe hutoki hapo, wewe basi unaitwa madoadoa, ati iondolewe hiyo madoadoa, and all Kenyans are the same. Therefore majimbo is not suitable in this country, at this moment when we have a lot of tribal chiefs and people who want to hide in the jimbo so that their sins cannot be discussed. So I support the unitary government, we brought things nearer to the District. Before tumekuwa na District focus, District focus was a miserable failure kwa sababu mambo mengi yalienda kwa District Treasur ikapotea, kwa sababu imekuwa rahisi sana kutoa. It is better to have it in the central government halafu watu wakitetea, wanatetea mali ambayo wanajua ni mali iko kwa central government. Si ile hatujui bursary ni how much tumepata, sijui ya njia ni ngapi tumepata. Kwa sababu imekaa within the District, to have a majimbo is to have kingdoms in this country, and now the world is

going towards globalization and we do not want to be left behind, we want to be part of the whole world.

When it comes to the President, the executive powers of the President, kama President ni yeye ambaye ana appoint Attorney General, ni yeye ana-appoint judges, ni yeye ana-appoint Directors, ni yeye ana-appoint watu wengi, hawa watu watakuwa wakifanyia kazi President lakini sio nchi yao. Kwa hivyo the President should not be the one appointing these, and if he does, then the Parliament must sanction the appointments by the President.

When it comes to the electoral law, the Electoral commission should be given enough powers to be able to curb things like bribery. Today we have wrong people in our Parliament because it depends on who has money. If you have the money then you can buy your way there, So the Electoral Commission must find a full proof way of limiting the amount of money that can be spent in the election. I know that was in our Constitution before but it was removed. If I remember well it was 40,000 shillings, today it depends on how many millions you have and then you can buy your way there. So our Constitution must limit that and bring that into some kind of reasonable amount of money which will not be able to confuse the people.

Another point that I want to say in electoral system is we must have transparent ballot boxes and at the same time we should not involve the administration. The Electoral Commission must see to it that they have independent people so that we do not have similar people doing similar things. You find the leaders of the parties, you find the District Commissioners, the administration is involved in the electoral system and the Administration is there on behalf of the system that is there, and therefore the ground is not leveled. So we want the administration to be out of the electoral system and we want the police also not to interfere except at the bidding of the electoral Commission. Counting of votes should be done at the polling station because when it is done at the polling station then it will be easy to count, it will be quicker, and it will be fairer, not bringing them to a central point.

I want to look at gender, First of all I want to look at land. In this area of Keiyo Valley there are no title deeds and we do not know why title deeds have not been given to all the people according to the survey which was done sometime back. If a person has no title deed to the land, then that land is likely to be taken away from them. So every land must be titled and must belong to somebody, so that land like this one demarcated for the mines is not just taken and people are not even compensated and they become squatters on their own land. So the land must have title deeds. In the Kenya of today we should not have any squatters at all, but it is due to the greed of the people who would like to have everything and the poor people who have no voice have nothing.

Gender issues: When it comes to gender issues, I want to focus on things like rape, rape of young girls. All rapists should be given the highest punishment as per our Constitution. Our Constitution, states these things but they are not implemented. Early marriages, FGMs and all these things which intimidates the women and that is why you have been sitting here calling us, but there are very few of us who have actually gone anywhere because of the customary, system here and in other places so that

women may not rise up, above class 4. Once they are pregnant, they are gone and perhaps the pregnancy may not be because of themselves, but it could be some official that has raped her or something like that has happened or intimidation by the parents. We would like to have a gender Commission that is going to look into all the things that pertain to the young girls and the women if we are ever going rise above where we are today. The gender commission to be in every District and to represent the women in every District.

Inheritance: We have many young girls, once they have become pregnant, they have their babies, na wanakaa humu humu wakichoma mahindi, kwa sababu hawana mahali kwa sababu wao ni wasichana. Hakuna mtoto ambaye kabla hajazaliwa anasema anataka azaliwe msichana au mvulana. Kwa hivyo tunataka consideration towards some of these young girls who are not considered and they do not get anything hata mahali pa kukaa kwa sababu custom dictates that they are girls, they have babies and so they are nothing and they are to stay out there and what is going to happen. They contract AIDs or things like that, this Gender Commission should look into such things so that these young girls can grow like any other Kenyan.

Finally Commissioner I know it might not be very easy for me to finish all that I needed to finish but I am sure I will be able to have some more time tomorrow so I want to finish by saying that, we are working on Constitution without civic education. That must be entrenched in this new Constitution,. If there is no civic education even starting in the schools the pupil will live in their ignorance na hawajui kile ambacho ni right yao halafu wanaendelea na kunyanyaswa hasa na Administration. They have got things like courts within their offices, and I know places here which they have. So we need civic education ili kila mtu ajue rights zake na mwananchi akijua right yake anaweza kujitetea, hawezi kunyanyaswa kamwe. Kwa hivyo civic Constitution must be entrenched in this new Constitution. There are many people who harvest from the ignorance of the people, and therefore people who are ignorant wananyanyaswa, wananyanyaswa, wananyaswa, na wanafukuzwa kila m ahali na police na kila mtu, na chief na kila mtu. Kwa hivyo if anything, just let civic education be started from schools na iendelee mpaka kwa wananchi.

I want thank you for letting me speak, and thank you. I am sorry for the misunderstanding but I really expected a bit more. Thank you very much, Salome is my friend.

Com.Salome: I want to thank you very much Hon.Seii and just hold on, we have a question for you and before we do that, I would also once again apologise because if I knew you wanted to talk, I would have called you as a leader, I would have called you as a woman, and I would have called a long, long time ago. So it's the misunderstanding on the filling of the form and I once again apologise. Now we have a question for you.

Com.Riunga Raiji: Mheshimiwa, thank you very much for those very, very specific proposals, we would want to borrow your views on one or two issues, infact the one I do not know whether perhaps..... You have not made any proposals on the local government, probably that might assist us and also I think you mentioned about scrapping of Provincial Administration,

would you have any views on whether we should put something in place or who is going to do those duties? If you have some views on that I am sure we would want to borrow from your experience as a Parliamentarian and somebody who is obviously experienced in public affairs.

Hon.Seii: I have views on local government.....

Interjection Com.Salome: I also have another question for you, you said the girls do not have rights to inherit. What would you like the Constitution to do with that? The rights to inherit, what would you like the Constitution do with that aspect?

Hon. Seii: Ok, do you have a question?

Com.Ratanya: You see mheshimiwa, we would like to learn a lot from you and this is why we are asking you not actually to give you a lot of work to do, but we want to learn from you, from your experience. Now there is a point you mentioned here about general abuses to women like rape, FGM and early marriages, but you have not given your view on how to deal with early marriages. We would also like to share your experiences. And about FGM, I do not know whether I heard that one clearly, what is your actual proposal on this very, very important point which is being debated so much?

Hon.Seii: Let me start with the local government. On the local government, these are elected members, civic members in the local government. There should be a certain standard, these are the people who are trustees to the trustland and because we may have in the local government people who are of low standard, people believe that councilors should not have a lot of education. If we do not have councilors who have at least "O" level and above they will not be able to understand the Local Government Act, and when they do not understand the Local Government Act, you only need one person who is corrupt or who is liar or who can tell them you sign here, and some of them, have just signed the trust land to other people without knowing, and we have seen that happening. We have seen that happening in the area which is now used now for wildlife. The people were not involved but the councilors passed it in the council. The choosing of the chair of the council is most Contentious. The councilor can disappear for a while and they are given some treatment out there, and they are told this is your chairman, and that chairman may not be capable of doing any work in that area. So the choosing of the chairman or the Mayor, must be done by the people, because the people will know and we must have some criteria, we must have a standard in which we say, under forth form you are not capable of becoming the chairman of this council, and it is the same thing with the chief, this is what has killed the chiefs, that is what has killed the reputation of the chiefs, because they are just appointed politically then they commit a lot of atrocities, but a chief like the old chiefs who were elected are the ones that are doing good work, and those ones are long gone now.

Now that is the local government, and I believe that the local government is the one that is holding the wealth of the people in the area. If we had a strong local government, these mines would be benefiting the people of this area today, but it was signed, everything was signed away without the consent of the people and the people are squatters in their own land when their

grandfathers graves have been destroyed and taken to Japan and everywhere else.

The other question was this one on gender, on inheritance I would like to propose that every child, I know it is in our Constitution that every child can inherit land but in the Constitution, there is a conflict between the law the traditional law, and the law that we know in the Constitution, because according to the traditional law, as one elder said here, a girl cannot inherit anything. But we now need to enforce the present law, so that that girl can even have half an acre of land to build a house there, because she already has children. Instead having those children living behind the shops and they are so poor, they roast maize to survive, they cannot educate those and so we were perpetuating poverty and we are saying we are eradicating poverty, so they should have inheritance.

This should be enforced by the government, at least something for them to survive because they are also people. I think also you asked about. What we find here is the interference mainly by the police, interference by the Administration. If there is a rape case, that case will never be heard in the near future, the child is exposed to a lot of embarrassment beingwhere rape cases can be dealt with within the police.... There should be an area where girls or women who have been raped can be interviewed and there should be a separate court for that, and I think this has been a recommendation but it has not taken place.

Now with these cases, if there is enough punishment for the rapists, and I must say with a survey that we have done, some of these rapists very unfortunately are within the Administration. And so the punishment should be immediate and it should be good enough for others to learn from it. Early marriages there is an age when a young girl has an ID and you can regard them as a grown up and without parental guidance perhaps some of them can make that decision. They should at least be waiting until they are 18 and above, but if they are 16 years old and your young daughter is taken to be married, it is such a shame and a loss to our people because they will not finish school, and they will just go there with sub-standard education.

Have I answered all your questions? Thank you very much for listening.

Com.Salome: Thank you very much. Did I listen to Jonathan Chebo? Jonathan, is that you? you are Jonathan who? Chebogut, it is your turn.

Jonathan Chebogut: Commissioners, my names are Jonathan Jebogut, I want to contribute only on two aspects. I will start on education sector.

1. I want to talk about early childhood education. That in early childhood education the earlier Constitution or education act never gave a provision on it. In this Constitution, I am proposing that early childhood education be embedded as part of the education and that early childhood teachers should also be paid for by the government.
2. Another issue on education, as per the Constitutional amendment of 1975 whereby Kiswahili was given as the national

language, whereas English is the official language, we find that in teaching these two languages there are differences. For example in English we have 8 lessons a week whereas Kiswahili we have five lessons a week, yet the Constitution amendment says, it is a national language. I am also proposing that Kiswahili.....

Interjection Com.Salome: What are you proposing in the teaching of both languages?

Jonathan: I am proposing that Kiswahili and English be given the same status and that Kiswahili should be treated as English such that we have Kiswahili, Fasihi and Lugha instead of having Kiswahili history, Kiswahili Geograpy for the Swahili teachers.

The other thing that have been talked about concern the Administration. I have a divergent view. I believe that the performance of duties of the Executive, the Judiciary and the Legislative should contiune having the position but the office of the ombudsman should be established. The Provincial Administration whatsoever should not be scrapped at all cost, because it is the same office of ombudsman which will look at the performance of the Provincial Administration as such, that is my proposal.

Another issue I want to propose also is that ever since, we have had a lot of Commissions that have taken place in Kenya, and every Commission that comes in, they come with views they come with recommendations and most of these recommendations do not reach the people. I am proposing that any Commission established, if the validity of their recommendations is accepted, then it should be put in places for all people to have views on those recommendations. Thank you.

Com.Salome: Thank you very much. Did we hear David Rono? David Rono? William Chepkut, is that you?

William Chepkut: Madam Commissioner, Commissioners I here arise to contribute to the Constitution Review of the republic of Kenya

Interjection Com.Salome: Please give us your name sir,

William: My name is William Chepkut, a resident of this area. Madam Commissioner, I hereby arise to contribute my personal views towards the Constitutional Review of the republic of Kenya.

1. We want a Constitution which is sensitive to the needs, wants, and aspirations of the people. That is to say we want decentralization of services closer to the people, that is proximity of services.
2. We want health facilities, police, education and all those essential services, to be managed by all people. When we got independence we were empowered to manage our own affairs, our people. Indeed that is why I am saying lets copy what other countries are doing and particularly I am referring to India whereby there is decentralization of

services to the people.

3. Another important thing I want is participatory governance of the local people in management of their own natural resources as quite a lot of people have said especially minerals, forests and all those should depend entirely on the local people. When it comes to..... Time is so much against me. When it comes to structure of powers, I am proposing the position of the executive President, whereby the President of the future will not be above the law, he can be impeached, he can have powers to appoint or fire, and the position of the Vice President to succeed the President and of course he will have absolute powers, than the Prime Minister. Whereas in the Prime Minister structure, the Prime Minister will be the leader of the government business, that is Parliament. We shall be having two deputies that is my personal proposal one in charge of Finance treasury and the rest, and the other one is entirely administration, and you know Administration is the core is the engine of the implementation of government policies, Administration is.....

Interjection Com.Salome: Williams you have one more minute to just finish up.

William: Ok. Commissioner madam, what I was actually saying you have interrupted but there is no problem,

Com.Salome: Sorry, you were on Administration as the core I was listening to you.

William: Ok. So what I was actually saying Administration is so essential in any government and Administration should not be scrapped, it should only be improved by having governance, and polishing it in a more modern way by saying lets have chief administrative officer who will be indeed implementing the decisions from the central government. So madam Commissioner, before I wind up I repeat that the Constitution the people of Keiyo want is the one which is sensitive to the needs and wants of the people, that is all we are saying. Thank you madam Commissioner, may God bless you.

Com.Salome: Thank you very much, Moses Chelelgo? Mr. William Chepkut? could you please register. Moses, endelea.

Moses Kiprono Chelelgo: Mimi ni Moses Kiprono Chelelgo: Mimi nataka kuuliza kitu kimoja tu. Tunao wakubwa wenye wanauongoza sisi, but sisi hatuna barabara, hatuna hospitali. Isitoshe, wacha sasa kuna watu wa serikali wale Moi analeta kutoka huko juu, kuna wakubwa wetu. Sasa, chief akiingia hapa, anakuja kusema sisi tunawajua, anakuja kutuambia ati iko sawasawa kabisa na sisi hatuoni.....

Interjection Com.Salome: Tafadhali ningetaka kuomba tutulie kwani ningetaka tutulie kwani bado tunafanya recording. Hata tuache kufanya kelele na meza kwani zinaenda directly kwa recording. Endelea tafadhali.

Moses: Kitu ile mimi napenda, kuna mali inaletwa kutoka kwa serikali kwa mtoto yule amepita kabisa mwenye amepita kwa shule. Si kuna pesa za serikali zile anaweza pewa mwenye amepita kwa shule? Si kuna pesa ya serikali ile anawezapewa

mwenye hajiwezi, hajajiweza? Si iko? Basi na hiyo mali iko na tunao ma chief, na ma sub-chief na hawa wanakuja finya sisi hapa, hiyo hatuoni hapa.

Tatu, mimi ninataka councilor awe kabisa chonjo kwa kazi yake. Kila councilor yule tunachagua hapa awe chonjo. Si ati aje tuseme, “Jamani, mimi nimekuja hapa, huko kuna Rais, wacha Biwott, anakuja hapa.” DO akikuja tuko mbele hapo anakuja kumwambia kwetu ni kuzuri kabisa, basi na huko ni kuzuri na sisi tunaangamia hapa hapa. Mtu anakuja anaenda huko mbele anasema Biwott, Waziri hakuna wasi wasi, hakuna wasi wasi huko nyumbani kwetu kabisa. Kwa hivyo anasema huko ni shwani na sisi tunangamia,

Interjection Com.Salome: Una dakika moja umalizie.

Moses: Sisi tunataka hivi, kuna moja, sisi hatuna barabara, hata mtu akiwa mgonjwa sisi (inaudible) mpaka afike hospitali hapa Kimolil na wakubwa wako.

Interjection Com.Salome: Jambo lako la mwisho?

Moses: Jambo langu la mwisho sisi tunataka barabara iende mpaka huko,na walete hospitali ndogo ya kuokoa na kama hawa wakubwa hawako, sisi tutawaondoa.

Com.Salome: Asanti sana kwa maoni yako. Sasa ningetaka kumuita Kigen Rotich. Kigen Rotich? Martha Kibii? Janet Cheruto? Micheal Kibiego? Is it Micheal Kipyego or Micheal Kipyego? Kipyego.

Micheal Kibiego: Thank you madam Commissioner, my names are Micheal Kipyego, I am a resident of Keiyo South and I want to present my views to this Commission. First of all madam Commissioner, I would like to thank the Parliamentarians.....

Interjection Com.Salome: Ninajua ya kwamba mmechoka wananchi wa Keiyo lakini tumechoka sote. Kwa hivyo tutulie tu karibu tumalize, tafadhali tutulie tuko karibu kumaliza.

Micheal: I say I would like to thank the Parliamentarians for involving us in this exercise all Kenyans wherever they are. I go straight to give my presentation and I will start with the Executive.

People have expressed different opinions but by opinion on Executive, I will also say the President’s powers should be limited but he should be added more powers to fire and also be able to chose the parastatal chiefs. This is because we cannot work together when we are all equal in power, we need someone who can be given respect so that he cannot be equal, he can

actually be given respect.

On the type of government, I also propose the federal government which works in America, it can also work here. Now for the following reasons:

1. Here in Kenya we have 8 Provinces, and some bigger communities may dominate smaller communities by going, immigrating in large

Interjection Com.Salome: Mr.Kipyego you have three minutes, you have already gone through one and a half. So if you continue on that particular one, then that is the only point that you will be able to tell, otherwise you have a choice to tell us, you know your points one after the other.

Micheal: Thank you, I will just be brief. So I said this statement, to avoid clashes because we saw some clashes recently because of large inflation from other communities to dominate smaller communities, this is one reason and also, centralizing of government on District focus, I welcome it, it is so good.

I go to local government. On local government, I would suggest that from standard 8 and above, be given to chance to contest for a councilor. This is because we have seen graduates sometimes they fail and yet they are councilors. Leadership does not depend very much on education but I would suggest that a councilor should know how to read Kiswahili and English. On resources.....

Interjection Com.Salome: That will be your last point.

Micheal: On resources, the local government has been collecting proceeds from some resources we have. In this valley we have some sand along the Kerio Valley. I would suggest that the land owners also be given 80% proceeds from sands and other resources like stones. Also the central government should provide about 30% of the District income to the local government so that the local government can manage to pay councilors and also their staff. That is all madam Commissioner. Thank you very much.

Com.Salome: Thank you. Mr. Cheptoo Cheburet, I do not know whether that is a man. Let me just say Cheptoo Cheburet. Laban Ruto? Cheptoo Cheburet ni huyo?

Cheptoo Cheburet: *Kigureno Cheptoo cheburet.*

Translator: Naitwa Cheptoo Cheburet,

Cheptoo: *Ko nguno boisiechu koboch lagok koboch bwana D.C., koboch D.O*

Translator: DC, wazee,

Cheptoo: *,kosere ng 'alekyok eng emoni*

Translator: Mambo yetu mahali hapa ni sawa sawa, wale bubu wanaweza kukosa namna ya yoyote.

Cheptoo: *Kochiritos biik leiye ng 'etot ne mokimwochini chi.*

Translator: Watu wanahangaika.

Cheptoo: *Korok noto ko kikebal koret nenyu kikebal makomi ole lanyei teta.*

Translator: Ardhi, mchanga wangu umechimbwa kwa sababu ya mining.

Cheptoo: *Korok notok kokomoche tondo ni kikaitu no kikiguren Suldan*

Translator: (inaudible)mwenye kampuni alipofika mahali hapa,

Cheptoo: *Ko komoche chichoto kikakonech mbarenik ole kinye zamani.,*

Translator: huyu mtu alipoingia tangu zamani

Cheptoo: *Aya ko kikokonech mbarenichoto ko makiger*

Translator: Hatukuona chochote kizuri,

Cheptoo: *Kiliboni chi siling taman*

Translator: mtu alikuwa akilipwa shilingi kumi.

Cheptoo: *Owe Moiben ababat korebena murenik*

Translator: nikaenda Moiben nikalipa

Cheptoo: *Awe kap DC Iten*

Translator: nikaenda kwa DC nikalipa.

Cheptoo: *Konaitite kolenjo karanindet ab DC tun yeibat chichoto ibikol*

Translator: DC akaniambia huyo mtu akilima utapanda,

Cheptoo: *Korok anyun ngo kere Kimwarer ni teno ni ak lakok che mi koroni*

Translator: Kimolele kwa ujumla ana watoto wengi kiasi hicho.

Cheptoo: *Kokomocheatebenak..... ng'olyot agenge ole ngoker lakochu ko tos moit wei?*

Translator: ninataka kuwauliza mkiona watoto wa kiasi hii, si ni lazima wapate kitu?

Cheptoo: *Ko kamache ateb ale biicho kiib mbarenikyok ko kiib ko nee ak kobal koret?*

Translator: Kwa nini hawa watu walichukua shamba yetu na kuharibu?

Cheptoo: Ndiyo ...kobata no

Translator: hiyo inaisha.

Cheptoo: *Ko chumbindoni mi yuto yu komang 'et kosir biik ab koronitok ndi kikang 'et kosir biik ab olito.*

Translator: tena huyo mzungu alipokuja hakuweza kuajiri watu wa hapa.

Cheptoo: *Aya konde sheria ake ne mongen*

Translator: na akaweka sheria ingine ambayo nyinyi hamjui.

Cheptoo: *Korok anyun ko komoche alechok ee boisiechu olechok en.....*

Translator: nataka niwambieni nyinyi,

Cheptoo: *Mbarenichutok chu mi koret omoche kecheng 'wech mbarenik alak kabisa,*

Translator: nataka niwambieni tunahitaji shamba ingine ya kubadilisha shamba hii ambalo limechukuliwa.

Cheptoo: *O right kobata eng yoto omoche kesir werik kesir murenik werik ab mbarenichuto.*

Translator: vijana wa hapa ama watu wa hapa waandikwe kwa hiyo kampuni.

Cheptoo: *Kwowe yutok yu kwowe ofisi ait ole mongen chito ni ak ni*

Translator: nilipoingia ofisi nikaangalia sijui huyo na yule.

Cheptoo: *Konguno omoche anai ole kibalei kanyu kurget ole omoche orib mwanik ab chumbek*

Translator: kwa hivyo nataka nijue.

Cheptoo: *Ko kioboisie kasinie bo kompuni akoi nito kibotunekei*

Translator: tutafanya kazi ya kampuni,

Cheptoo: *Ara ocheng'wech mbarenik*

Translator: mtutafutie shamba.

Cheptoo: *..... boisiechoto komanda Arap Kibiwot Rais komanda Arap Kimoi komakinge'ikei eng ng'echeret.ang' alilchini mutyo ale keberbera*

Translator: hatutaki ticket ya Rais ama ya Biwott, lakini

Cheptoo: *Alechok kongoi lei yee serikali ago torettech eng mugulelwekche kororon.*

Interjection Com. Salome: Mzee tafadhali kungui kungui, saa imekwisha. Mzee nipatie mic yangu, jiandikishe, asante sana. Watibini..... na sasa ningetaka Laban Rutto Hosea Kiprono?

Hosea Kiprono: Honourable Commissioners, I take this opportunity to present my views I am Hosea Kiprono from Ocholwa

location of Keiyo. I would like to highlight some issues on land. Land title deeds should be issued to all valid land owners. Individual land ownership should be restricted to a hundred acres and any additional acreage be taxed at VAT equivalent. That is if the VAT is 15%, let it be taxed at that rate.

I want to touch on education. Parallel degree programs be abolished in the Universities in public universities because it is only favouring those who are rich and not those who are poor. Why should the government tell the public there is no education, there is no room for education and at the same time apply the same. The old education system should be reinstated that 8-4-4 should be abolished, and 7-4-3-2, be reinstated the old system. I would also give my views on school board, i.e BOG, Board of governors in Public schools, public secondary schools. Let BOG members not be politicians. It has been my observation here in Keiyo that those schools which I do not want to name which have nominated BOG members who are politicians, have been doomed to failure for years.

On local government, I would ask that the monthly remuneration I mean monthly packages for councilors be paid directly by the Ministry of local government and not what the local authority gets from cess, and any other revenue. I would also urge on the same that 40% remuneration packages on allowances that MPs earns, let 40% equivalent be given to councilors. If MPs get Kshs.100,000 let Kshs.40,000 be paid to every councilor. I would also urge that, let the minimum educational level of councilors be "O" level and let the Mayors and town council chairmen be those who have attained a minimum of one degree at least, a minimum of one degree and let them be elected directly by the electorate and let them be nominated by individual councilors.

On MPs, I would urge that let the offices of MPs be established in every constituency. It has also be my observation that when there is no office of the MP, the electorate is not going to get anywhere where he can get the MP and present their problems, let the same office be created for councilors, I think those are my views, thank you for now.

Com.Salome: Thank you very much. Daniel Sawe, is Daniel Sawe still with us? Daniel Sawe bado yuko? Sasa nimeshamaliza watu wenye walikuwa wamejiandikisha. Je, kuna mtu yeyote mwenye angetaka kuzungumza mwenye hakupata nafasi? Tafadhali wenye wangetaka kuzungumza na hawajapata nafasi wainue mikono. Wawili, watatu, mama bado ulikuwa unataka kuzungumza, kama unataka kuzungumza inua mkono ndio nijue nina watu wagapi, mimi nilikuwa mwalimu kwa hivyo nap? Nne basi hawa wanne tutawasikiliza, mama njoo tafadhali lakini sasa tutawapa dakika mbili, mbili. Anza kwa kutupa jina tafadhali.

Gertrude Kaitany: My names are Gertrude Kaitany. My topics will be on registration of land and property ownership. In Kenya, the registration of land, is always under the name of one person. We as women, we would the title deeds of our lands, to bear the two names of the couple or incase we shall agree as a family we look for one name which is common for both of us.

Interjection Com. Salome: Speak into the mic so that we can record your views.

Gertrude: I was saying, incase, we agree as members of the family, we look for one name or one common name which will serve for the title deed incase one of us passes away we shall be in a position not to struggle with the property. At the same time, in case both of us, the husband and wife, incase an of accident the property should be owned by the elder child of either sex.

I will talk again on customary law or customery marriage. We are requesting that customary law is very important and we in Keiyo, our people marry locally, that is home marriage and we would certificates to be awarded just like the ones awarded in churches, in the District offices or at the Magistrate's courts.

Another point is on Martenity.....

Interjection Com.Salome: You will have another chance to say one more point and you will finish.

Gertrude: On maternity leave we would like ladies to have three months paid maternity leave. The husband to be given one or two weeks to take care of the family when the mother is on leave. Also, to see to it that incase God blesses a lady with twins or triplet,s to be given more time so that she takes care of the small kids until they are big enough to be cared for by the maids because moulding a small child or a human being while it is still young is very important. Thank you very much.

Com.Salome: Thank you very much. Next, you have two minutes. I kept on persuading you to have time to come when I was giving more time.

Mary Tanui: Thank you very much madam Commissioner. I would like to just highlight a few topics of what has been said.

Com.Salome: Start with your name please.

Mary Tanui: My name is Mary Tanui, I would like to highlight a few points.

1. I would like to concur with the people that have said that the federal system of government is conducive because it brings the decision making closer to the people, and it is also giving an opportunity for the exploitation of resources on the ground.
2. On the issues of what happens to the governance, I would like to recommend, that foreign affairs, security and the issues of financial management that is the collection of money and management should be in Central government, and the other Ministries, including education agriculture environment and so on. Things that touch the people personally,

should be closer and therefore should be in the federal states.

3. This federal government has worked in many countries, I have had a chance to travel to a place like Germany, and people do their things because they own, they feel that they are part and parcel of what is going to be accrued from the development. So I think that is really something that people can feel proud to contribute to because they know the output is going to benefit them. But when it is far you may not even know what has been decided on.
4. Following that I would like to say for development programs there should be an evaluation budget and monitoring because a lot of projects have been planned by government and the evaluation is not done. So you find half developed programs which become expensive for the community. Like you can get buildings, you can get road, which have been started and they are not completed because the decision is being made from very far. And when you say I have a bad road in Lokichoggio, the PS for roads, may not reach there until after a year, or even two years, so federal government will help that.

Interjection Com.Salome: Two last points.

Mary: Following that I think there should be a calendar of events in the governance so that even the elections should have a calendar, so that people have their minds focused. Also when elections come, it should be an offence to intimidate, incite or use excessive amount of money because that is what stops a lot of women from contesting.

In education, I would like to recommend that cultural values are helped by the languages, therefore vernacular should be well developed in basic education and then English and Kiswahili are introduced to be pursued further in higher classes.

For management of good governance, I recommend an ombudsman's officer, so that there is an area where issues and complaints are dealt with because Parliamentarians and other people are too busy.

Interjectioni Com.Salome: The last point.

Mary: Finally, I would like to recommend that NGOs be made to have a way of accountability, so that they can also complete their projects and evaluate them for the use of the people they are helping. I do not want to finish before I say something about children, madam chairlady I want to say that children as it has been said, should be looked after before and after they are born until they are mature enough to know how to make decisions. In this country and in this District in particular, children belong to the community, and everybody would like a good child to grow up responsible. So we would like the Children's Bill to be revised to say that even if we say they have a freedom of speech it should be a guided freedom of speech, freedom of association it should also be guided.

Madam chairman, the disabled persons in this country have been assisted through harambees. But I would like to recommend that there are activities to be supported through the main stream of the government, just like the groups. The minority groups like AIDs victims, widows and widowers should be looked after because it is difficult to manage when you are a single parent or when you are old. One second, with urban immigration, it is difficult to look after the aged persons and the government should put in place something that will help the changing needs for the human beings in this country. Thank you very much.

Com.Salome: William Komen?

William Komen: Thank you Commissioner madam, for giving me the chance to present this information. I want to say that the Executive of powers of this public.....

Interjection Com.Salome: Start with your name please

William Komen: My name is William Komen. The executive powers of this public should rest on the President, and the President should be prosecuted after office if he violates the human rights or if he misuses the finance of this state. Also, we require a unitary government.

On the appointments side, you find that in the Constitutions the Attorney general is appointed by the President. I want to say that the Attorney General should be appointed by Parliament by at least and should be endorsed by at least (inaudible) such that you find that the President is appointing him, and on the other hand he cannot prosecute him because he is his boss.

At the same time on the side of allocation of land with the Provincial Administration, in the current system of prosecution of Administration you find that Provincial Administration have become dictators because they dictate to people. On the other hand they handle finance. I want to say that Provincial Administration should be given separation of powers and the finance should be handled by somebody else. You find the DCs, the chiefs and the DOs handling those things and are dictating to people. Provincial Administration should handle only security and other sides should be left for other persons or they set a Commission which should handle. We do not want to say that Provincial Administration is there to give security, we do not want to scrap it out but want to remain and create a position whereby these people have to be disciplined. In the current system, these people are not disciplined they take those positions and they take it as if it belongs to them. So we want to create ombudsman office, the body to discipline these people.

Land: On much land also has been said and these I do not have to (inaudible) On the same side, the current Constitution, that is section 59, number five, which states that unless Kenya is at war, we can retain Parliament. I want to say that we can extend the Parliament. I want to say that we can extend the Parliament. I want to say election for this year should go on if this

Constitution is ready. If it is not ready, then the current Constitution should go and Parliament and election should be done. Election should be done but if the President dictates, then I require him to be sued next time because he violates the election. That is law number 59.

Interjection.Com.Salome: Your last two points, very briefly.

William: Last point is this, there is also law number 27, prerogative of mercy. I want to say that this country has a lot of people and therefore there are some people who might come and want to take the government by force. Therefore the law number 27, states that the President also can have mercy on those people. But if you become so serious and you want to take the government by force and in the other hand the President does not spare you, he might say that you go be hanged. I want to say that law number 27 should be given to another body. So that is the much I had.

Com.Salome: Thank you very much, yes please? Tell us your name and continue, the name into the mic.

Margo Barsamoi: My names are Barmasai Margo, kutoka sehemu hii, na ningependa..... Kwa majina mimi naitwa Margo Barmasai. My views to the Commission is that I do not want to repeat what has been said, but mine is only to present about chapter one of the Constitution of Kenya. That in chapter one of the Constitution of Kenya, you find that it does not express or it does not define who is actually living in Kenya and I therefore request and recommend the Constitution Review to look into this. That the Constitution of Kenya should actually determine and show who actually is living in Kenya and what kind of people are actually consolidating the independence of Kenya. I therefore request also to see that the independence actually is free to all citizens, for you find that the previous Constitution does not explain more about the citizens and they do.....

Interjection Com.Salome: What do you propose? Make a proposal for the new one.

Barmasai: I only propose the Constitution to define the person who is actually living in this country and also to show the true independence that our fore fathers fought for it in 1963. For you find that there is no transparency of actually who is living in this country.

Also, I will recommend about the broadcasting Corporation. You find that broadcasting corporation has limit and it should actually be free to all citizens or to be allowed to advertise the news or the objectives of the citizens of the country as a whole, not to favour other citizens or the governance and forget about the wananchi. That is all

Com.Salome: Asante sana, na sasa tumefika mwisho wa kikao hiki cha Tume ya Marekebisho ya Katiba katika kikao cha bunge cha Keiyo South. Kabla sijafunga, kwa niaba ya Wanatume wenzangu, Mwanatume Commissioner Ratanya na Commissioner Raiji na wafanyi kazi wetu tungetaka kuwashukuru sana watu wa Keiyo South kwa kuwa na sisi kutoka

asubuhi kwa maoni na kwa utulivu wenu katika siku hii nzima yenye tumekuwa pamoja. Ningetaka pia kuwashukuru wote waliokuwa na sisi, Provincial Administration wenye walikuwa hapa na kila mtu mwenye amefanya jambo lolote ili kusaidia hii siku kuwa siku ya kufana vile imekuwa.

Asante sana, ningetaka pia kumshukuru Co-ordinator wetu kwa kazi yake ya kuwajulisha kuwa tutakuja hapa, na kuwawezesha kuja kutuzungumzia. Na sasa kabla sijamaliza, ningetaka kumuita mmoja atufungie kwa maombi, lakini Kigen Co-ordinator wetu anaonekana ana jambo zaidi,

Francis Kigen: Thank you Commissioners, yangu nikusema tu asanti kama District Co-ordinator wa Keiyo kwa Commissioners hawa hasa madam chairperson kazi amefanya na wenzake na wale program officers na wafanyi kazi wa Commission wamekaa kufanya kazi nzuri. Nasema asante kwa hawa kwa kuchukua maoni ya watu wa Keiyo South. Kule Iten pia tulikuwa na Panel ingine ya Commissioners, asubuhi tulikuwa huko ndio maana nilichelewa. Nafikiri wamemaliza ama bado wanaendelea siwezi kujua, lakini hawa ndio wataenda Sitotwa, Chepkelio kesho. Mimi nasema asante sana kwa nyinyi pia watu wa sehemu hii ya Keiyo South, Kongoi Mising? Haliaze mmekuja kwa wingi, mmetoa maoni mbali mbali nafikiri itasaidia kuchangia maoni ya watu wa Keiyo kwa kutengeneza Katiba, na urekebishaji, kutengeneza Katiba. Na urekebishaji ni kutengeneza katiba mpya. Sasa kwa kumaliza nitapatia Pastor wetu anasema atasema machache kwa Commissioners, maoni yake kidogo halafu atafungia na maombi, asante.

Pastor Julius Kirwa: Asante Commissioners naitwa Julius Kirwa, mkaaji wa hapa. Napendekeza sana kuwa kortini cases zisikae zaidi ya miaka miwili. Pombe ikiharibika mahali watu wakifanya corruption, hivyo ni criminal case, iangaliliwe zaidi na serikali kwa Constitution yenye inakuja. Kwa sababu pombe pia inaharibu masilahi. Mzee wa mtaa mpaka chief mpaka DC, wakae jinsi walivyo kwa Constitution yenye inakuja. Ikiwa tutasema hatutakuwa na police mtu kufika kwa DC Nairobi, ama Nakuru ni mbali. Kwa hivyo kuwe na Administration karibu kwa kulinda ulinzi na masilahi ya mwanadamu.

Jambo kwa praise and worship, ni mzuri kuweka kuabudu Yesu Kristo kwa sababu Mungu amempa mamlaka kwa Yesu. Kwa hivyo ikiandikwa kwa Constitution yenye ina kuja, iandikwe kuabudu Yesu Kristo, kwa sababu njia ni Yesu kufika mbinguni. Dhambi ilitutenga na Mungu na Kristo akakuja.

Mwisho, ndoa isoyohalali kupata cheti si rahisi. Kwa hivyo msichana akae sawa sawa, kijana akae sawa sawa, wapate certificate either kwa kanisa ama kwa DC. Lakini ya kwenda bila hiyo ni ngumu. Asante na bwana awabariki. Namalizia nikisema aliye na mwana ana uzima wa milele na asiye na mwana hana uzima wa milele. Kwa hivyo tupokee Yesu, Yesu ni Constitution ambayo tumepewa na Mungu, ikiwa tutakubali Yesu tutakuwa na shwari kila mahali itakuwa sawa sawa. Tutoe kofia ili tuombe.

Prayer: Baba wetu wa Mbinguni, Mungu baba na mwana na Roho mtakatifu. Tunakushukuru kwa sababu ya hawa

Commissioner kujitolea mwanga kwa kazi hii ili ufalme wako ambayo tunahitaji ushuke na itendeke mapenzi yako. Kwa yale ambayo yamechangiwa, Mungu ninakuhitaji wewe mwenyewe uweze kututafakari. Tunahitaji amani kwa nchi yetu, tunahitaji amani kwa hawa wageni wanapojiandaa siku ya kesho kule Chepkolio pia uwabariki, ubariki magari walinde kwa sababu ulitupa hekima ya kutengeneza hiyo magari. Mungu hata na hawa wa Keiyo South wanapoenda nyumbani, na wenye wameenda, tunahitaji amani na ulinzi kutoka kwako. Mungu utusaidie kwa maana aliye na mwana ana uzima wa milele, na asiye na mwana adhabu yako itakuwa juu yake. Njia ni mbili, uzima wa milele na motoni, utusaidie, uwabariki. Mungu wamejitokeza kwa kazi yako ambayo ulituambia kwa maadiko tutii ufalme. Kwa hivyo ni vyema tutii kwa moyo mkujufu usiyo bondeka na kuvunjika, utubariki tunapoachana na kukutana. Kwa kazi hiyo yote uwape nguvu, uwape amani, katika jina la Yesu Kristo aliye mwokozi wetu. Amen. Bwana awabariki.

The meeting ended at 5.20 pm.

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