

CONSTITUTION OF KENYA REVIEW COMMISSION

(CKRC)

VERBATIM REPORT OF

CONSTITUENCY PUBLIC HEARINGS,

KWANZA CONSTITUENCY,

HELD AT KWANZA SECONDARY SCHOOL

ON

27th JUNE, 2002

**RECORDS OF THE PROCEEDINGS OF THE CONSTITUTION OF KENYA REVIEW COMMISSION,
PUBLIC HEARINGS, KWANZA CONSTITUENCY,
JUNE 27th, 2002 AT KWANZA SECONDARY SCHOOL**

Present

Com. Nancy Baraza - In the Chair
Com. Dr. Swazuri
Com. Ahmed I Hassan

Secretariat In Attendance

Fatuma Mortet - Programme Officer
Anne Kros - Ass. Programme Officer
A. Bor - Verbatim Recorder

The meeting started at 10.00 a.m. with a word of prayer.

Com. Nancy Baraza: Karibu sana kwa hiki kikao, kabla hatujaanza tungetaka mtu atuombee. Nani atatuombea?

Speaker (Prayer): Tunaomba. Mtakatifu aishiye juu mbinguni, tunakushukuru kwa sababu umetuwezesha tuweze kuwa hapa siku ya leo, na kuwaongoza wageni wetu Commissioners kwa ajili ya kusikiza maoni yetu hapa. Mungu wetu asante kwa utunzaji huo mpaka siku ya leo. Tunajikabidhi mkononi mwako wakati huu tunapoendelea, amani ipate kuwepo na utuongoze ili yale yote tunayosema yawe ya kusaidia nchi yetu ili ipate kukua kwa njia iliyo mzuri na amani kwa watu wake. Tunaomba hayo tukiamini ya kwamba, mchana huu wa leo wote tutakuwa pamoja nasi kwa jina la Yesu mkombozi wetu.

Audience: Amen

Com. Baraza: I will start by introducing you to the Commission as who are before you. Mbele yenu muko na Commissioner watatu, mimi ninaitwa Commissioner Nancy Baraza na nitakuwa mwenyekiti wa hiki kikao. Lakini boss wetu wa hii panel ni Commissioner Ahmed Isaac Hassan. Na upande wa left tuko na Commissioner Dr. Mohammed Swazuri na kutoka Nairobi tumekuja na maafisa ambao watatusaidia na hii kazi. Programme office ni Fatuma Mortet. Assistant programme officer ni Anne Kross. And we have our verbatim recorder, Asha Bor. Before I go any further, ningetaka District Coordinator - you are the Chairman? Please come and introduce yourself, briefly introduce yourself.

District Coordinator: (Enda Wanjala). Asante sana Commissioners mukiwa wageni wetu siku ya leo, wananchi wa Kenya hamjambo, hamjambo tena? Kazi yangu ni kuwajulisha wale ambao tulikuwa tunafanya nao kazi tangu tuteuliwe katika ofisi hii. Wa kwanza ni Bwana Ngunyi ndiye chairman wa members wa Cs tatu yaani 3Cs - wale ambao wanasimamia Katiba upande wa(inaudible). Kuna Nancy pia ni member katika Kwanza constituency, kuna Edna Sang akiwa wa Kwanza pia, number nne hapo ni(inaudible) naye anasimamia upande huu wa Kwanza. Na hapo kuna Retired Major Isaac naye anasimamia upande huu. Tuna mwalimu ambaye alikuwa anafunza anaitwa Bwana Kivita Aluya alikuwa mwalimu wetu katika upande huu. Na mimi naitwa Enda Wanjala mwekiti katika upande huu. Asanteni. Na labda kabla sijatoka ningependa kuwakaribisheni katika Trans Nzoia na hasa tunatarajia ya kwamba, kila maoni ya wenzetu wote yatachukuliwa kwa uzuri hata kama inakufinya ninajua itakuwa ni yetu wote sababu Wanakenya wanataka kutengeneza. Asanteni ninawaomba Mungu awabariki.

Com. Baraza: Asante sana na kama mwenyekiti wa hiki kikao, ningetaka kutangaza kwamba kulingana na sheria ambayo inahusika na kurekebisha Katiba ya nchi ya Kenya, ninatangaza huu mkutano kuwa mkutano halali wa Tume ya kurekebisha Katiba ya Kenya na sasa nitawaambia vile tutafanya hii kazi yetu leo. Tutakuwa na njia tatu ya kutoa maoni, njia moja ni mtu kuja aongee, verbatim-verbal submission. Unakuja utakaa hapo, uongee maneno yako na kama una kikaratasi unaongea maneno yako. Na tutaona kama dakika kumi itakuwa mingi sana-tukiona watu ni wengi sana, utapewa dakika tano. Sasa ukija hizo dakika tano zako, usituambie story mrefu, tunajua tuko na shida, tuambie mapendekezo. Wewe kuja tu sema mapendekezo tunataka hiki tunataka kile. Halafu utatumia ule muda wako vizuri.

Ya pili, utakuwa na memorandum - labda wengine mmeandika vikaratasi vyenu tunaita memorandum - kama uko na hiyo memorandum, pia utakuja ukae hapo na hiyo memorandum yako na usisome word by word, usisome because we shall go with it. Utueleze tu highlights na hizo highlights ziwe nini mapendekezo, kwa sababu shida tunazijua. Tuambie tu unataka hiki na kile, na njia ya tatu, unaweza kuwa na kile kikaratasi au memorandum, na hutaki kuongea hiyo pia ni halali. Utakuja tu ujiandikishe hapo, halafu utuachie memorandum yako.

Na ningetaka kuwaeleza kwamba kama Wakenya, sheria ambayo ni sheria ya Constitution of Kenya Review Act, Chapter 3A of the Laws of Kenya. Ambayo inalinda hii kazi ya kurekebisha Katiba, inakulinda wewe, useme maneno yako bila hofu bila kuogopa, hiyo ndio sheria imesema kila Mkenya awe na haki ya kusema maneno yake bila hofu. Hakuna mtu ambaye atakushika au aku-arrest kwa sababu ulisema maneno fulani, sema maneno yako vizuri. Lakini tuko na condition, usitusi mtu. Don't abuse anybody, sema maneno yako.

Unajua huu ni wakati wa historia tunataka tutengeneze nchi yetu vile tunataka iwe. Sema maneno yako, usitusi mtu yeyote, usiogope halafu dakika tano zako uwe umezitumia vizuri. Tuko na list, mkiingia mnajua mna sign hapo, hata mimi nitatumia hii list. Na lugha, uongee lugha yoyote, najua hapa mko very cosmopolitan ukitaka kuongea Kalenjin, utuambie ndio tukuwe na

arrangement ya interpretor, ukitaka kuongea Kiluhya, ukitaka kuongea Kikuyu, ukitaka kuongea Kiturkana tutafanya arrangement. Na usiogope the language the language you feel most comfortable in, we want you to be in your natural state as you tengeneza your new Kenya. I will start with W. W. Msamali. Are you ready Sir? Unasema jina lako kwanza, halafu unaendelea.

W. W. Msamali: Ambaye ako mbele yenu Commissioner, ni W. W. Msamali na anawakilisha kikundi cha masquatters Trans Nzoia.

Interjection(Com. Baraza):(inaudible)

W. W. Msamali: Hapa, nina mapendekezo, pendekezo la kwanza tungelipenda mapendekezo yetu yafungamane kwamba, mamlaka ya utoaji wa ardhi yaondolewe katika ofisi ya Rais. Na pia, Rais apunguziwe mamlaka ya kuwa na mamlaka ya kila jambo. Pendekezo la pili tunataka sheria ya kurithi mashamba ipigwe marufuku ili kwamba, wasiokuwa na mashamba wapate mashamba kwa sababu wengine wamerithi mashamba haya kwa miaka tisaini na tisa na wenzao wamekosa hata mahali pa kuweka nyumba.

Pendekezo nambari tano, mashamba yale ambayo yalinyakuliwa, yote yatambuliwe na wale wanyakuzi washitakiwe na kuhukumiwa na sheria ya ulinzi. Ningependa kuenda haraka haraka, pendekezo ambalo pia tungelipendelea kwamba tunauliza, tuwe na majimbo, na majimbo yenyewe yawe ni matatu, tuwe na jimbo la Sayoni, mipaka yake ikiwa ni kutoka Jinja hadi Mombasa, pia tuwe na jimbo la Kirinyaga ambaye mipaka yake pia itanzia pale Naivasha ikielekea kule kwingine, na pia jimbo la Pwani, na vyama vya kisiasa viwe vitatu ambavyo vitakuwa kwa kila jimbo. Jimbo la Sayoni liwe na chama chake cha SANU ambacho kwa urefu ni KANU Sayoni African National Union. Na jimbo la Kirinyaga ambalo ni chama cha KANU sasa kinacho tutawala, na ni KANU, jimbo la Pwani, liwe na PANU yaani Pwani African National Union. Na pia tukiwa na Rais ambaye ametoka katika Pwani, naye Waziri Mkuu awe anatoka katika Pwani. Na kama Waziri Mkuu ametoka Pwani, tuwe na Makamu wa kwanza kutoka KANU.

Pia ningependa kupendekeza hapa kwamba, sisi kama Sayoni tulipoteza mali yetu wakati wa kikoloni na jambo hilo pia Katiba iangalie na kuhakikisha ya kwamba tumelipwa ridhaa na makaburu ambao walikuja nchi yetu na kutuacha fukara. Pendekezo lingine ambalo pia ningelipenda kulipendekeza kulingana na masquatter wa tatu wa Trans Nzoia ni kwamba, vijana ambao wana miaka kumi na nane, wa kike na wa kiume wazingatiwe wakati wa utoaji wa ardhi, na ekari za ardhi, hata uwe Rais ama uwe millionaire, uwe na ekari hamsini peke yake. Ekari zisizidi pale na mtu ambaye atakuwa na kiwango cha chini iwe ni ekari kumi.

Hali kadhalika ikiwa serikali yetu itapendekezwa kuwa na maazimio hayo matano nimetoa, ni kwamba tuwe na bunge tatu kwa kila jimbo kuwe na bunge, na pia kuwe na bunge la kitaifa, ambalo litaunganisha wakilishi kutoka katika majimbo hayo matatu na pia serikali ya chini, iwe na bunge lao ama Councillor wawe wameheshimiwa na kupewa mamlaka.

Na pia machief wachaguliwe kwa mlolongo. Hata Councillors kura ambao hupitia kwa masanduku bali iwe ni mlolongo. Hali kadhalika kama masquatters wa Trans Nzoia ambao ni watu milioni mingi sana ninavyoangalia, wanataka kuwa na uhuru ambao korti isifungamanishwe vyovyote katika kesi za mashamba, na hali kadhalika pia wanapendekeza kaburi – ama mzazi wa mtu akishafariki, mambo ya kupeleka kesi kortini eti ni mashtaka juu ya shamba ya mzazi aliyekufa, mambo hayo yapigwe marufuku na yarudishwe kwa wazee wa mitaa ambao wanatambua mtu yule ambaye alifariki.

Hali kadhalika tungelipendekeza pia tuone ya kwamba serikali ambayo tunaenda kubuni hivi karibuni ambayo itakuwa chini ya Katiba mpya, iwe ni serikali ambayo itakayofanya kazi itakuwa kwamba pasipo watu, hakuna serikali hivyo itatufaa serikali hiyo iepuke dhamu. Na juu ya kuondoa mamlaka juu ya idhamu ya ofisi ya Rais, mashamba, hii ni kwamba pia tuepuke dhamu kwa sababu wananchi hao wamekuwa wakifanya vifo iliwapate zawadi kutoka kwa viongozi wa nchi. Kama vile akioa mtu wa kiongozi wetu hapa Trans Nzoia mmoja, mtu yule anapewa eka mia moja pande hii. Jambo hilo lipigwa marufuku kabisa.

Interjection (Com. Baraza): Are you about to finish?

W. W. Msamali: Thank you. Nafikiria nitafika kikomo kwa sababu saa zangu zimeisha pia, kwa hayo machache nashukuru Commissioner ambao wametutembelea.

Audience: (clapping)

Com. Baraza: Mwingine pia ni Headmaster.

Moses Juma: My name is Moses Juma. Deputy Headmaster of Kwanza Secondary school. I wanted to say something very brief here. Mtaniruhusu nizingumze kwa Kingereza tafadhali.

Audience: Hatuwezi kuelewa.

Moses Juma: Okay, asante wacha basi nizingumze kwa Kiswahili. Tulitaka kuzungumza kitu juu ya - the way tutafanya Commission juu ya discipline in schools. Because imetoka tu there was a Commission ambayo iliwekwa kuelekeza mambo ya discipline in school, wakafanya utafiti na wakapatiana recommendation. And it is so strange that the teachers, the people who are on the ground they are not involved, and I think that is something that is not right. So, tumefika pahali where some areas of this training schools have been told it is not going to work.

Then we have not been involved as if we are not a party to it. We must be given a chance as teachers, we must be given a chance as the people who are on the ground, to be able to put much input to that issue of discipline in school, because if you take a Commission, mnachukua Commission inaanza kutafuta maoni ya watu ambao wako labda wanatembea, wanauliza wale

ambao wako kwa market, wanauliza watu fulani, lakini wanajua kama walimu, pia hawana ni kama walimu ndio wenye, they are part of the problem. So we end up tunatoa sections fulani za discipline kutoka kwa shule, which are very important. Tunataka huenda hii committee ya hii Commission ikishamaliza, tukuwe na way where African government, the Kenyan government kuwe na discipline that goes for the African tradition. Tusiende katika mambo ya uzunguni, kwa ajili tumefika pahali ambapo tumechanganyikiwa.

Vile mambo ya uzunguni imejiandaa katika discipline katika shule zao, ziko tafauti kwa ajili ya different economic ways of the world. Au katika uwezo wa kinguvu ya pesa tofauti tuliko na sisi. Kwa hivyo watoto wetu, tuwafunze katika discipline kulingana na vile pia Wafrika walikuwa. We want to borrow much from the African way of discipline, kuliko the way we just adopt things from the western we take them as things we adopted to our schools. Hiyo ni kitu tunataka kusema ya kwamba, tunataka kuwa more involved, in areas, in matters dealing with discipline and matters dealing with schools that will be good for us.

Halafu mwishowe ninataka kusema ya kwamba, kuna vitu vingine pia ni vigumu sana juu ya mambo ambayo yanafundishwa na ambavyo ni ngumu juu ya, kuna vitu ambavyo tuna-adapt katika education, na hizo vitu so much ziko westernized. Unaona ni kitu kama ya sexual education, ni nzuri kufunza - kufunza sexual education, we agree with it. Lakini ni vizuri pia kujua ya kwamba, watuulize - let them give us a chance kuchangia, wasikuje bila kuuliza then they say, "now it must be taught". Kwa ajili in this Kenya, katika nchi ya Kenya tunayo religious groups ambazo pia lazima tunao maoni katika hizi shule na hizi shule zinakuwa controlled with some of this religious groups.

Kwa hivyo hatuwezi tu kuanza kuweka kile ambacho tunaona kinafunzwa katika shule za Marekani na zile za Europa - sexual education being taught to class ones and class fours, halafu you bring it. Ni vizuri kuifunza lakini, why don't we sit down dakika moja kama people who are involved in the sector, so that we give our opinion tuone how the government inaweza kuleta katika mashule. Isikuwe kwamba policy imetoka juu from today, you will not do this in school, from today you will need to teach this. Ni kitu kizuri ya kwamba, tukuwe involved from the ground na hiyo itakuwa ni kitu kizuri. There are two areas ambazo tunataka kuzichukulia kwa ajili Commission imepeana tukachukua kama walimu they are not part of it and tukaanzia discipline, tukasema ya kwamba now from today onwards there will not be corporal punishment and there is no alternative given, there is not alternative that has been given to that. Thank you very much.

Com. Baraza: Thank you very much Bwana Deputy Headmaster. The Headmaster is he around? Amerudi, au atakuja?
Margaret Nangila.

Margaret Nangila: Mimi ninaitwa Margaret Nangila.

Com. Baraza: Who can interpret Kibukhusu?

Margaret Nangila: *Esie ndalomama khubera endala tsia masquatter.*

Translator: Mimi nitasema kuhusu mashamba ya masquatter.

Margaret Nangila: *Ano Trans Nzoia khuli nende busiro bwa abandu khubula indalo.*

Translator: Hapa Trans Nzoia tuna uzito wa watu kutokuwa na mashamba.

Margaret Nangila: *Khubera bandu ni bangi ni thinyanga tsia bakaba indalo, banid bali abana khaba sibanyala khunyola indala ta.*

Translator: Kwa sababu watu ni wengi na wakati waligawa mashamba, wengine walikuwa watoto hawakuweza kupata mashamba ya kutosha.

Margaret Nangila: *Bulano bandu bano, vijina banyola ishida muno.*

Translator: Sasa hao watu vijana, wanapata taabu sana.

Margaret Nangila:

Translator: Mashamba ambayo yalitolewa yalikuwa hata watoto wetu hawapati.

Margaret Nangila: *Indalp bandu banyola khurula khale kama Nairobi, Juja nende abundu andi, ne bandu balia bano sibanyola sindu siosi siosi ta.*

Translator: Mashamba watu wanapata kutoka mbali kama Nairobi, Juja na mahali pengine na watu wale ambao ni wa hapa hawapati chochote.

Margaret Nangila: *Lano sikhumanya ta bulano ni bulamu sina buno.*

Translator: Sasa tunakosa kujua hii saa hizi ni maisha ya aina gani.

Margaret Nangila: *Serikali ino itsulile makuwa ka squatter.*

Translator: Serikali hii ikumbuke mambo ya squatter.

Margaret Nangila: *Lano Trans Nzoia niyo ili nende makuwa mengi ka squatter.*

Translator: Sasa Trans Nzoia ndio ina maneno ya squatter wengi.

Margaret Nangila: *Mukhuwa ka squatter kafukirirwa nende abainda bonyene,*

Translator: Mashamba ya squatter inakubaliwa na matajiri peke yao.

Margaret Nangila: *Onyala khunyola mundu ali nende tsi eka elefu ndala khakulu ne bandu balia basi babula indalo babula siosi siosi.*

Translator: Unaweza kukuta mtu ana ekari elfu moja na zaidi na wale wengine hawana mashamba hawana chochote.

Margaret Nangila: *Abana befwe balila khubera ya obutsuni bulia bwa khuli nabo.*

Translator: Watoto wetu wanalia kwa sababu ya uzito ule tunao.

Margaret Nangila: *Ulasomia mwana mungira sina nikali mbu obula abundu okhumenya.*

Translator: Utaomesha mtoto kwa njia gani kama huna mahali unaishi?

Margaret Nangila: *Mwana nafwa, noira mu tsikaburi tsia serikalu eno.*

Translator: Mtoto akikufa unapeleka kwa kaburi za serikali huku.

Margaret Nangila: *Bulano khukorwa khutsia ena.*

Translator: Sasa hatujui tunaenda wapi.

Margaret Nangila: *Mbula mangi, ako ndakhabola madidi kandi undi yalanyala khuitsa khubola.*

Translator: Sina mengi, hayo nimesema machache, mwingine ataweza kuja aseme.

Audience: (clapping)

Com. Baraza: Enda hapa ujiandikishe, enda hapo u-sign. Yule anakuja ni Peter Makhoha. Peter.

Peter Makhoha: Wakuu wa Katiba na wasikilizaji wenzangu, hamjambo? Mimi langu ni moja au mawili.

Interjection (Com. Swazuri): Taja jina lako kwanza.

Peter Makhoha: Jina langu ninaitwa Peter Malagwa Makokha. Kutoka sehemu ya ... (inaudible). Langu ni kuhusu mambo ya masquatter. Sisi hapa tumeadhibiwa na tumekuwa na shida sana. Ningeomba serikali ikumbuke mbuga za wanyama wa pori. Pili, mashamba yale ambayo yamechukuliwa kwa ufukuzaji wa wanyama, inayozalia, wapate kugawia wale wengine ambao tuko barabarani.

Kuna watu wengi wamekaa katika masoko, wengine wanakosa hata mahali pa kuishi, akikosa kibarua kwenda kufanyia mtu mwingine yeyote yule ambaye ana uwezo, hawezi kujimudu. Kwa hivyo langu ningeonelea kama wangechukua hiyo sehemu

ambayo imebakia wapatie wale watu ambao ni squatters. Hasa, katika Kenya nzima sio wilaya ya Trans Nzoia peke yake - kuna watu ambao wana shida, shida zenyewe ni hizi; huyu mtu ambaye anafanya kibarua, akikosa anyimwe, akifiwa na mwanaye au mtu yeyote hana mahali pa kuzikwa na sehemu ya kupeleka katika makampuni ya serikali huko ni karamu, na hii karamu huyu mtu huwa hajiwezi. Sasa hiyo ni shida ambayo tunaona, ni heri kupunguza umasikini, ni afadhali mtu akipewa kasehemu kadogo ka shamba, kanaweza kumsaidia na umasikini ule atakuwa nao utakuwa umeisha.

Sehemu moja ambayo itakuwa imebakia, nyingine sisi ni watu ambao tumeishi hapa, mtu amefanya kazi kwa shamba la bwana fulani, kwa muda wa miaka hii yote, amefika pahali fulani amefukuzwa. Kufukuzwa kwenyewe amefukuzwa na nani? Na yule mtu mkubwa yule alipewa sehemu kidogo ya shamba na yeye anafanya kazi. Ningeonelea ya kwamba kama wangechukua wale watu ambao wanafanya kazi kwa serikali badala ya kupewa ugawaji wa shamba, wafikirie masikini. Kwa sababu yule mtu anapata mshahara, na kisha tena anapewa sehemu ingine tena anaongezea kwa mshahara huu. Sasa itakuwa hawa wananyanyaza wale wadogo ambao hawana kitu. Wale ambao tunajiita masquatters – kuna wengine wanajiita masquatters. Hao ndio wapatiwe nafasi yao, mishahara vile yeye mwenyewe aende(inaudible) aende kuliko kuenda kumiliki nafasi ya watu wasiojiweza. Kwa hayo machache ninasema nitafikia kikomo. Asante.

Com. Baraza: Asante Bwana Makhoha enda ujandikishe hapo utuachie memorandum. Simion Mulemi.

Simon Mulemi: Asante sana. Commissioners na watu wale ambao wamekuja. Nasema ni asante kwa sababu tumekuja kwa ajili ya kutengeneza Katiba. Majina naitwa Simon Mulemi. Kwa hivyo naunga yale yalikuwa ya kwanza ya ndugu Msamali, kwa mambo ya masquatters. Naunga ya ndugu msemaji wa kwanza kuhusu masquatter nilikuwa naunga mkono kwa sababu hiyo.

Com. Baraza: Na msipige kelele tuko na machine ambayo inarecord. Sasa mkiongea itachukuliwa na machine halafu iharibu views zenu. Charles Baraza.

Charles Baraza: Asante sana. Mimi ni Charles Baraza. Nimekuja hapa hali ya kutoa taabu yetu hapa Trans Nzoia, hali ya masikini. Sisi hapa Trans Nzoia, kuna taabu kubwa sana hutokea kwa mababu zetu mpaka sisi watoto ambao tulizaliwa. Shida ambayo iko, sisi tunakaa hali ya kukodesha manyumba kwa masoko, hatuna pali popote, wazazi wetu walikuwa wanafanyia wazungu kazi, vile walienda waliwacha tu hivyo. Na sasa vile wazazi watu wanazidi kuzaa, nasi tuko kwa taabu ile ile ambayo wazazi wetu walikuwako. Na hali ya Trans Nzoia hii, matajiri ndio tunategemea labda ndio viongozi wetu ambao wamerithi hii Kenya. Kwa maana sisi tunachukuliwa kuenda kibarua kama kilometer ishirini ama thelathini, tunawacha watoto wadogo kwa kambi.

Sisi wote tunaenda kutafutia hao watoto chakula. Kufika huko mmechukuliwa na gari hapa kama kwa centre, kwenda kufika huko, badala ya kuwauliza wakati ule unafaa mkuje muangalie watoto, mwenye tajiri amemchukua ameenda zake. Mkimaliza

kibarua hata ikiwa saa kumi, mtaongojea hiyo gari mpaka saa kumi na mbili ndio ikuje iwarudishe pahali mnatoka, na watoto nyumbani unakuta hata wengine wamelilia hapo mpaka wameanguka, mwenye analia akitoseka analala hapo kwa mlango. Hiyo shida ndio ambayo tuko nayo hapa Trans Nzoia. Na kwa hivyo tunaomba serikali nasi itufikirie hali ya ardhi, nasi tupate kuendelea maisha yetu kama Wakenya wenzetu. Kwa maana sisi ambao tunaona hapa Trans Nzoia....

Interjection (Com. Baraza): Hali ya mambo hayo tumesikia, enda kwa pointi nyingine.

Charles Baraza: Sasa ile ingine ambayo iko, sisi ambao tunakaa Trans Nzoia wengi zaidi, hatuna mashamba. Na mimi ninaunga Mr. W. W. Msamali vile aliongea kwa hali ya masquatter ya Trans Nzoia. Asante sina mengi ni hayo tu.

Com. Baraza: Asante Bwana Baraza. Jiandikishe hapo. Jason Omido.

Jason Omido: Mimi naitwa Jason Omido. Sitaongea kufuatana yule mwenye aliyeongea hapo wa kwanza, kwa maana shida zangu zote mimi niliweza kusahau na.....(inaudible) na mahali unapoishi, wasikanyage mguu mpaka wakapata pali tunaishi....(inaudible) kwa maana hata ile nyumba ninapoishi mimi hata dakika hii maji inapita hata kwa shamba hata ukisoma haisomeki. Sasa tunakaa tu. Tunaifanya iende kwa sababu nimewambia maisha kama hii hata tumeshindwa nayo. Haya mashamba yote tunasikia tu wanapewa wenyewe, na mimi tangu mwaka wa hamsini nilipozaliwa hapa Kenya, ninakula ugali ya Kenya nimeshindwa mahali nitapata shamba. Wakaniambia, “Sasa, unaishi wapi?” Nikaweleta, ni kwa mtoni kabisa kwenyewe mahali panaitwa Pwanu. Hiyo ndio unasikia unapokaribia area hii wanasema, wanafanya namna gani? Lakini unaenda kuongea shida zako sasa ndio mimi nimekuja kuunga yule mwenye alikaa hapa mkono ya kwamba kuwe mambo ya ardhi, muwache kusema huko tupange mambo ya ardhi. Asanteni walionisikiliza.

Com. Baraza: Asante Bwana Omido. John Wanyonyi. Sema majina halafu upatiane maoni yako.

John Wanyonyi: Majina ni John Wanyonyi. Mimi sina mambo mengi, kila mtu msemaji wa kwanza mimi ningemuunga mkono kwa yake juu ya masquatter. Hii ni maana kweli Trans Nzoia, sisi watoto ambao tumezaliwa hivi majuzi tuna shida. Wazazi wetu wale ambao walikuwa wakifanyia mababu zetu walipoaga, wakatuacha tukiwa watoto, kweli saa hii tuko watoto hatuna hata kibali kimoja hata mtu mmoja peke yake. Tumekuwa watu wale ambao tunaajiriwa na matajiri, na kwajili wenyewe tumeoa na tayari tuna watoto, unampeleka hata mtoto nursery, tumeshindwa kwa sababu ya makao.

Unapata shamba, mtu mmoja tajiri anaye acre mia moja, na wewe ukisema uwekwe upenye pale kwa mtoni kwa sababu mtoni imetengwa ya kwamba ni ya Serikali, uende ukafanye kale kanyumba, unapata umesimamiwa unaulizwa umejenga hako kanyumba kama nani, na hali mimi ni Mwanakenya. Kweli, sisi watoto tumeshindwa vile tutaweza kufanya. Sina mengi ni hayo tu.

Com. Baraza: Asante Bwana Wanyonyi. Alfred Musungu. Sema majina na uendelelee.

Alfred Musingu: Mimi ni Alfred Nyongesa Musungu.

Interjection (Com. Baraza): Kwanza sema jina.

Alfred Musingu: Alfred Musungu. Naunga mkono kwa msemaji wa kwanza. Naongea kwa upande wa masquatter wa hapa Trans Nzoia. Mimi ningejaribu kusema ya kwamba masquatter wa Trans Nzoia wanapohitajika majina iende kwa ofisi, ningetoa kwa mkono wa kata la kama Councillor ikuje ijue watu hawa vile wanakaa. Kushinda watu wanatoka kutoka Nairobi ama katika ofisi uko watu wakikufa wanakuja kuuliza wewe juu ya mashamba. Na watu masikini wanabaki hivyo hivyo na matajiri ndio wanakuwa matajiri na hapo tunaona ya kwamba tunataka mabadiliko.

Com. Baraza: Iko ingine?

Alfred Musingu: Imetosha.

Com. Baraza: Thomas Chogo, Thomas - enda ujiandikishe hapo.

Thomas Chogo: Mbele yenu ni Thomas Chogo. Ninapendekeza katika Katiba mpya kwamba, tumekuwa na visa vya uwizi, ambapo mshukiwa anafungwa na anaadhibiwa(inaudible). Tuwe na njia ya kwamba, yule mfungwa akifanya kazi kule amefungwa, serikali imurudishie yule ambaye ameibiwa mali yake.

Pili, mtu awe na shamba ambalo anatumia lote. Usiwe na shamba ambalo linakaa tu bila kutumika.

Tatu, mtu yeyote ambaye yuko mamlakani katika serikali, akikosa ashitakiwe kulingana na sheria. Tusiwe na mtu ambaye atakuwa juu ya sheria.

Nne, ningependa Katiba hii ilinde kila mtu na mali yake. Isiwe tu kwa matajiri lakini kwa kila mtu Mkenya yeyote alindwe na awe chini ya Katiba.

Nyingine, napendekeza kuwa matibabu yawe bure kwa kila Mwanakenya katika serikali. Kwa sababu watu wengi hawana mapato ya kuweza kujitibu.

Muda wa Mbunge uwe miaka mitano, tuwe na Rais ambaye atakuwa miaka mitano, akiwa mzuri mwongeze miaka mingine mitano, ikifikia kumi aende nyumbani.

Kila Mwanakenya awe na uhuru wa kuishi mali popote nchini. Hii mambo ya majimbo, naona yatatuchukua ya hasara. Kwa sababu sisi ni Wakenya na tukae uhuru kukaa kila mahali ambapo mtu anapenda. Nafikiri ni hayo tu ningependekeza.

Audience: (clapping)

Com. Baraza: Kuja hapo ujiandikishe. Pelasio Simiyu.

Pelasio Simiyu: Kwa majina, ninaitwa Pelasio Simiyu Mbita. Ningependa niongee kuhusu sheria ya Kenya kwa upande wa korti. Katika Kenya korti imekuwa kama biashara ya watu. Hiyo haisaidii sisi tunaoelewa jobs kama tunakuanga nazo. Ningependa mawaziri wafanyiwe transfer, hawawezi kukaa pahali pamoja wakisikizana na magistrate. Halafu wanafanya korti kama ni business yao. Ninachunguza nimeona ikiwa itaendelea hivi, mtu ako na shamba umekosa pesa ya kuonga, unanyanganywa, magistrate ameishi hapo amesikizana na wakili, wanazungusha imekuwa tu kama business. Wachunguzwe katika Kenya, kama haiwezekani tulate wahealth ama wajumbe. Kwa sababu sasa watoto wetu wameanza kutunyanyasa, wamefanya business.

Pili, nimeshindwa kwa sababu wale polisi ambao wanatulinda inakuwa shida kwao kufuata sheria, kwa sababu wanakaa mahali pamoja tena na hao wanafanya kama business. Sasa vile serikali ilifunga pombe imekuwa ni business kubwa sana kwa askari. Wakitushinda pia sisi tunapitia kwa njia.

Audience: (clapping)

Pelasio Simiyu: Na ukienda Nairobi kama ni Kenya moja, unakuta watu wanakunywa pombe, hata Rais Moi anapita watu wameshika pombe wanakunywa. Hiyo ni Kenya iko mbili ama moja?

Interjection: (Com. Baraza): Na ni pointi gani unasema hapa?

Pelasio Simiyu: Kwa upande wa polisi, wafanyiwe transfer wasikae pahali pamoja wafanye kama manyata yao ya wakitunyanyasa.

Interjection: (Com. Baraza): Na juu ya pombe ulisema nini?

Pelasio Simiyu: Juu ya pombe, sisi ni lazima tunywe pombe kwa sababu sasa.....

Audience: (laughter)

Pelasio Simiyu:ni ambayo tumepata na huku tunanyamaza, tunanyimwa pombe. Ukienda kwa wale wajumbe ambao tunawachagua wanaanza pombe saa moja mpaka jioni. Lakini ambao tunawapigia kura tusikunywe hata tone moja. Hii – ni wakubwa ama ni wananchi wa Kenya? Sisi tunataka busaa ile ya kitamaduni tukunywe sisi, hatuna pesa za kununua bia.

Com. Baraza: Na wajumbe waendekwa miaka ngapi?

Pelasio Simiyu: Wajumbe wapewe hata miaka tano. Kwa sababu hata wale wako wanaendelea kukaa na hata tumechoka nao. Ni vizuri wapewe miaka tano, tano wasiendeleo zaidi ili tujue ni manufaa gani sisi Wanakenya tumepata. Kwa sababu sisi ambao tuko wengi - ni wale wale wajumbe ambao wamekaa ni wabunge. Hakuna kitu wanatengeza. Wanasema serikali mbaya na wanakula mshahara. Na siku gani watatengeneza? Vizuri wapatiwe miaka tano wakienda wengine wakuje. Sababu watu wote..... yaani mshahara wa Kenya isaidie kwa kila mtu, kuliko mtu mmoja anatudanganya sisi eti serikali ni mbaya na yeye ndiye anakula mshahara huko, sisi hatutaki. Hata Macouncillors wote.

Sheria ya kuishi mahali popote nimi ninapinga. Kwa sababu kuna tabia tofauti ya watu. Ule mwingine hakupatia chama dakika moja sijui anakutawala hata kwa nyumba. Kuku ikienda kwa shamba yake anatoka na panga, na hiyo sio sheria yetu. Watu wanatoka mbali na sherehe yao mbaya zaidi. Hawatueshimu sisi, halafu kwa nini sheria inasema akae pahali popote tutakaa na adui, afadhali tuwe na majimbo. Mwingine anakuja, anazoea kusalimia mwenzake.....(inaudible) yake na sisi hatuna tabia kama hiyo. Mara wanakuja wanatudanya.

Interjection (Com. Baraza): Anasalamia nani?

Pelasio Simiyu: Anasalamia mama yake. Yeye anatoka na tabia yao ya kwao huko. Na sisi tuko na tabia ya kuheshimu wamama. Sasa mimi nimedanganya tumekuwa watu hata fisi sijui kama sisi ni binadamu. Sasa ya mwisho, mimi ni mfungwa hata ingawa nimemaliza kifungo, nilifungwa miaka tisa..... nikaishi hata sipati hata wiki moja. Na wale maofisa wale wamemaliza university saa hizi, wale wako karibu na President, wana maeka elfu mia tatu, mia nne, hii ni nini kweli katika Kenya? Yaani tufungwe bure tu namna hiyo? Tunataka serikali ya Uingereza itulipe ridhaa. Kwa sababu watu wengine wanazungumza zungumza kwa magazeti na kwa maradio, eti wanataka ridhaa: hata hawakupigania uhuru. Sasa wamekuwa tu kimbele mbele na wanawacha watu wale walikufa mamilion. Hata ninaona wale wajumbe wetu ambao wameenda huko, ni focus tu hakuna kitu wanatusaidia - hakuna kitu ingine waliandika. Leo, nina furaha kwa sababu ya Katiba imekuja, nimepewa uhuru wa kutosha na ninaambia serikali yetu kwa kutulinda, itulinde hivyo tu, lakini hii Katiba i-change. Mtu asitoke popote tu kuja kuninyanyasa kwa boma yangu eti sababu sheria inasema kila mtu anaishi kokote. Apewe mamlaka akae chini sababu tulisikia Moi akizungumza upande wa Masaaini, alisema ukienda Masaaini uheshimu wale wako na sisi je?

Interjection (Com. Baraza): Umemaliza?

Pelasio Simiyu: Nimemaliza. Asante.

Com. Baraza: Ukubui sijui ni Ben. Oh ni Benjamin Ukubui.

Benjamin Ukubui: Madam Chairlady wa Commission hii ya Katiba, maofisa, wangu wananchi wote, mimi nimefurahi sana kutoa maoni yangu, mbele yako kwa Commission hii ya leo. Na ni kwamba Katiba ni kitu muhimu sana, Madam Chairlady, mimi mapendekezo yangu ni ya kwamba ninataka kuzungumzia juu ya ofisi ya Rais, ningependa kupendekeza kwamba Rais wa Kenya, achaguliwe bila kujali umri au masomo lakini awe mtu anayetoshwa kuongoza katiba hili. Wakati wa Rais kutawala nchi hii kwa miaka tano ni muda mchache sana, mimi ningependekeza ya kwamba iwe miaka nane, miaka mitatu awe akipanga mambo ya ofisi, na ingine tano awe anatawala.

Mapendekezo yangu ya pili ni land reforms tenure. Mambo ya land Madan Chairlady ni very sensitive. Ningeonelea ya kwamba mambo ya mashamba ichunguzwe mtu awe na shamba kiasi kinachomtosha na apewe shamba na serikali kutoka Mombasa mpaka nyanja. Kuna watu wana mashamba Mombasa, Nairobi, mashamba hapa na pahali popote na watu wengine wana tarmac. Sasa ninakosa kujua hawa watu wanaotembea barabarani ni nani? Ninaona kila mtu wa Kenya apewe shamba. Tena mtu ambaye amekaa kwa mtu miaka zaidi ya kumi na anaitwa squatter, squatter means sitting on your heels. Na mtu, how can you squat on your own land? Mimi ninaona mtu ambaye amekaa miaka kumi, hapo atangaze rasmi kwamba amepata hapo ni shamba lake.

Audience: (clapping)

Benjamin Ukubui: Pendekezo lingine linahusu Bunge. Wabunge wengi wanapochaguliwa kwenda parliament wananyanyaswa sana na vyama vyao. Kwa hivyo Katiba iwe kwamba Mbunge akishachaguliwa awe Bunge, awe huru kupiga kura kwa jambo lolote ambalo linalopendezwa. He should not be limited by the political parties on where he fights for parliamentary elections. Ninaona wabunge wasinyanyaswe Parliament. Wapewe huru wakupiga kura. Kwa sababu mimi youth ni KANU, nitasema wewe FORD Kenya ulipigia nani? Hiyo mimi ninaona iondolewe, mambo ya boundaries, provincial boundaries , zamani sisi Madam Chairlady, tulikuwa na mpaka kutoka Jinja mpaka Naivasha.

Audience: (clapping)

Benjamin Ukubui: Na wakati tulipata uhuru sisi hatujakuwa na mpaka huu kutoka Jinja mpaka Naivasha, I propose that the provincial boundaries be reviewed, especially a province like Rift Valley is very large, I don't know the reason why, I propose that it should be three provinces.(inaudible) mtu mmoja wa utawala kwa district kumi na nne na anakula mshahara wa Western Kenya, anakula mshahara ule wa Coast - I don't see the reason why, Rift Valley province should start from Namanga

in Tanzania up to Sirare. Nina propose kwamba, ziwe province mbili na jambo hili liangaliwe kwa makini sana - I mean three, they should be three provinces. Ya kwanza, iwe na headquarter yake Nakuru, ingine iwe na headquarter yake Eldoret, ingine iwe na headquarter yake Lodwar.

Kitu ingine ningependa kuongea ni hasara. Kuna watoto wetu walipigana vita wakisaidia serikali ya ukoloni. Kupigana vita pale na wapi, wazee hawa, wengine walikufa na wengine ambapo wametembea kufika kwa serikali hawajasaidiwa, hawajalipwa chochote. Na hawa wazee wanakufa wanakwisha nani atawalipa hao. Tena kuna watu kama sisi ukoo wangu mimi ni Bukhusu, tulipigana vita katika Europa, tulipigana vita katika Jesambe, tukizuia wazungu wasituingilie, watu walikufa wengi sana mimi ninaona hivyo vita watu waliuwawa, bila sababu walipwe hasara.

Proposal yangu ya pili, ni kuajiriwa kwa kazi ya serikali, kazi ya serikali imekuwa kazi ya urafiki na ukoo. Nina propose ya kwamba, mtu mmoja, one person-one employment. Kuliko wewe Nancy Baraza Commissioner hapa, madaraka mengine Kisumu, Nairobi, Chairman wa ndege, Chairman wa meli, na watu wengine wanakufa njaa.

Audience: (clapping)

Interjection (Com. Baraza): Sikiza, shida iko na nyinyi mnaharibu recording. Hata jambo likiwa tamu namna gani, jizuie kwa sababu tunaaribu recording. Sasa tutapata kutoka Kwanza itakuwa ni laughing - nobody will hear what you are saying.

Benjamin Ukubui: Now Madam Chairlady, I come to the security of this country.

Interjection (Com. Baraza): You are finalizing yeah?

Benjamin Ukubui: I am finalizing for just only one point remaining. Upande wa usalama, ningezungumzia idara ya polisi. Idara ya polisi imefanya kazi muhimu sana na kuna kazi ingine ambayo tunasikia polisi wa shada. Ningependekeza ya kwamba regular(inaudible) force with rules made thoroughly. Kwa sababu hao watu wamesaidia sana upande mwingi katika sehemu nyingi za Kenya. I don't see why we should(inaudible) when they are police officers. Na kuongeza kwa usalama, we have heard cattle rustling with is a planned(inaudible). And this one is a thing of the past I propose that mambo ya uwizi wa ng'ombe na ufamiaji wa maboma ya watu kikabila, ukome na iwe sheria kamili sana watu ambao wanakwamia mambo ya ng'ombe za watu, hii Katiba iweke kwa sheria mtu akifanya cattle rustling, afungwe kifungo cha maisha.

Kitu kingine ambacho-ninamaliza and I am going Madam Chairlady-kuna watoto tunaita street children. Hawa watoto ambao tunawaita street children are no longer street children, now they are referred to as street parents. Mothers and fathers are just on the streets. Hawa watu wataenda mbinguni au wapi? Hii mambo ya watoto wanaoranda randa town iondolewe na

wajulikane ni nani aliwazaa. Hata wengine pengine mimi ndiye nilizaa, but I have disowned them to the streets. I know people have now become parents and we still call them street children. Does that count. Yangu ni namna hiyo asante.

Com. Baraza: Asante sana Bwana Simiyu - Coordinator.....(inaudible). Charles Kwaria. Kama hatujaendelea, we want to welcome the MP for Kwanza Dr. Noa Wekesa. Lakini tutakupatia wakati baadaye. Charles Kwaria.

Charles Kwaria: Majina ni Charles Kwaria na nina maoni machache. Ya kwanza ni kwamba, ninapinga yale maoni ambayo yanasema ya kwamba kila mtu aishi popote.

Interjection (Com. Baraza: Usipinge chochote wewe tuambie maneno yako. Usipinge ya mtu. Sema yako.

Charles Kwaria: Mimi ninakubaliana na hayo maoni. (Gambling from the audience) Maoni yangu ni kwamba kila mtu.....

Audience: (noise)

Interjection (Com. Baraza: Mkimye kwanza ndio aseme - speak in English or Kiluhya if you want, or Kalenjin, which ever is comfortable with you. Sema maneno yako.

Charles Kwaria: Maoni yangu ni kwamba, mtu asiishi popote, kwa sababu gani, ni kwa sababu sisi kama Trans Nzoia ni kwamba tuko na kabila mingi, na ujui tabia ya huyo mtu ya kwamba ako namna gani. So ikiwa mtu ako mahali ambapo anaishi, aishi mahali pale lakini asiende kwa mtu mwingine, hiyo ni kusema kwamba aseme majimbo.

Ya pili ni kwamba katika maofisi, wale ambao wanaofanya kama minister, unawezakuta minister ako na ofisi kama kumi hivi. Mwingine anasema kwamba anasimamia sijui nini kwa meli, mambo mengi lakini anaharibu mambo ya watu wengi ama watu wengine wangeingia mali pale.

Ya tatu ni kwamba, mambo ya mashamba katika Trans Nzoia, kuna watu matajiri ambao wako na mashamba hapa Trans Nzoia na hizo mashamba hawazilimi, zinakaa na kuna watu ambao wanaumia. Ningetaka serikali ione kama shamba iko kama mtu haitumii kuna watu ambao wanaeza kutumia hizo mashamba.

Ya nne ni kwamba, D.C. na D.O. wafanyiwe mlolongo. Kwa sababu tunataka mtu ambaye anajua background ya watu, ya kwamba hawa watu wanaishi namna gani. Kwa sababu, ni vizuri mtu yule ambaye anajua maendeleo ya watu - lakini mtu kutoka maybe Coast hajui vile watu Trans Nzoia wanakaa namna gani kwa sababu watu wa Trans Nzoia wako na shida mingi. Ninaomba serikali ya kwamba, waangalie mambo haya na watu waweze kupata mashamba haya. Asanteni.

Com. Baraza: Asante sana Bwana Kwaria. Nenda hapo ujiandikishe. Mlipata civic education, sivyo? Hamkupata civic education?

Audience: (inaudible)

Com. Baraza: Sasa hii mambo ya majimbo, vile sisi tunaelewa mambo ya majimbo - kama Commissioner wa kurekebisha Katiba, sio vile nyinyi mnaelewa. Majimbo au federalism sio eti ni mtu anakaa kwake aingii kwa mwingine, sio tribal grazing. What kind of civic education did you receive?

Speaker: Civic education was a problem - yeah that is a fact. We were not happy - all.

Com. Baraza: Majimbo is a system of government. It has its own benefits iko na faida, sikiza nitawaeleza. I didn't come to do civic education na nyinyi lakini kabla hatujaendelea wacha tusikizane. Iko na faida yake, inajulikana. Huko Amerika ukienda huko, iko majimbo na unatembea kutoka jimbo moja unaenda kwingine, unatoka hii unaishi jimbo ambalo unataka. Mimi huwa ninaenda huko mara nyingi, ninakaa Washington, nikishindwa na hapo ninaenda California na hivyo ndivyo Waamerika wanakaa. Ukienda Ujerumani kuna majimbo, sio eti majimbo ikija hapa Kenya, Wakikuyu hawawezi kukaa na Wabukusu. Au Wakalenjin hawawezi kukaa na watu wa Coast - sasa hii sijui lakini tuelewe hii understanding yenu labda ni ingine. Lakini mjue kwamba, majimbo has its own system of governance, hatujasikia huko America wengine wanafukuza wengine, mmesikia hivyo? Na nyinyi hii mmepata wapi? Mkasa J.M?

Moses Onsarigo: Majina ninaitwa Moses Onsarigo. Nimekuja hapa kutoa maoni juu ya marekebisho ya Katiba kwa hii Tume kwa niaba ya kanisa la Seventh Day Adventist. S.D.A. is covered by Districts.....

Interjection(Com. Baraza): Start again, what is your name?

Moses Onsarigo: Onsarigo. Tumekuja ku-represent hiyo district. District is an area covered by one person who is in charge and has about five thousand people. Kwa hivyo it is detailed - fully detailed here, ndio wanasema apart from what is contained in the memorandum. Outside that, tumeongeza recommendation nyingi ambazo zinahusu education kwa wakulima katika nchi hii, umasikini katika nchi hii, aina ya serikali ambayo tungehitaji, watoto katika nchi hii, wamama na pia wajane, na pia mambo ya afya katika nchi hii na pia mashamba katika nchi hii. Haya yote yako hapa na ulisema nisisome, au nianze kusoma hiyo?

Com. Baraza: No, you can highlight like you have done, but not read word to word you should read what they have said it is enough that is right. But if you what to highlight you can do that but not read word to word.

Moses Onsarigo: Okay kwanza, I will go through comments inazungumza juu ya washiriki wa dini. Wanazungumza juu ya utawala na vile tunasoma katika Bibilia. Ukisoma kitabu kama Samuel, Wafalme utapata vile Bible yenyewe inaeleza kuhusu

utawala. Mambo mengine ni shida ambazo tunapata sisi haswa Kanisa ya Kiadventist. Kuna discrimination, kuna mahali ingine unasikia churches are called fake churches, mambo kama hayo tumeeleza hapa vile inatakikana.

Jambo lingine tumeweka hapa ni juu ya legal Acts - mambo ya sheria, kwa kikanisa na katika utawala wa ulimwengu yaani duniani. Uhuru wa kidini, religious liberty, nimetajia huko juu. The right of religious freedom by the constitutional court, hiyo pia tumetaja taja mahali inaeleza, na tumekuwa na pia recommendations nyingi hapa juu ya kanisa yetu ya kiadventista. Kuna wakati mwingine inaletewa shida kwa mfano kama sisi tunaabudu siku ya Sabato siku ya Jumamosi.

Lakini wengine wa makanisa mengine wanaabudu siku ya Jumapili. Sasa hapo ukiona pengine hapo serikali yenyewe haioni kama siku hii ya Jumamosi ina maana kwa wale ambao wanaenda. Wanakimya sana wanataka kuleta vitu watoto wawe(inaudible) wa kanisa hiyo, wanalazimishwa wafanye mitihani, wafanye michiezo siku hiyo, waoshe nyumba, walime na mambo kadhalika. Functions zile zinakuwa held on Saturday. Mambo kama hayo tumeeleza jambo lipatikane Katiba itengenezwe vizuri ya ku-cater for this Adventist na pia zile zingine na makanisa mengine yanavyofanya. Tumezungumza juu ya watoto. Maneno mengi hapa juu ya watoto vile wanasumbuka kwa mashule, sitaki kuongezea, tumezungumza juu ya vile watoto wananyimwa nafasi yao kuenda kuabudu, wale wako kwa mashule yetu wapate saa.

Interjection(Com.Baraza): Tumelewa.

Moses Onsarigo: Yes, ndio kuna ingine hapa kama hii ya land. Land inasemwa hapa wakati mwingine, hapa government institution, unapata shule ina shamba kubwa, lakini mtu mkubwa kweli anakuja anasema “nipatie acre moja” na inaenda na inaenda kufanya kazi, na hiyo inajulikana wazi kuwa ni shamba ya shule. Hata mahosipitali na mali kwingine mahali kama hayo yanaonekana na yanatakikana nafikiri yaangaliwe kwa Katiba mpya.

Mengine ningesema juu ya watoto ambao wanaranda randa katika mitaani au street children. Hivi tumeonelea kuwa watoto kama hawa wangetengenezwa mahali vocational training school, mahali wanaweza onyeshwa mambo ya ufundi na wanatoka hapo wanaenda kuwa watoto wazuri. Lakini inaonekana kama serikali haijali hawa watoto. Wanakuwa namna hiyo wanaangalia nyuma ya miaka kadhaa wanakuwa watu wazima wanaanza kuvunja manyumba, ndio wezi na serikali haifanyi kitu.

Jambo lingine hapa ni mambo ya wakulima, wakulima wanafinywa sana ya kwamba Trans Nzoia inaonekana wanafinywa sana wanalima mahindi ili walishe taifa. Lakini wakati wameshughulikia kulima mahindi imekuwa tayari wamevuna, wanasikia mahindi imeletwa kutoka Amerika imejaa iko mihogo, iko everywhere sasa ile ambayo imelimwa hapa hakuna mahali ya kuuza. Wakulima wanataabika hapa, hakuna outlined farming policy ya kusaidia kuleta vitu kama incentives kidogo ili wakulima wasaidiwe na loan kidogo iliwasiumie hapo kama mwaka huu umekuwa mbaya sana. Market; zile mazao tunalima hakuna mahali pa kuuza, kwa hivyo inaonekana kama serikali haijali sana kuhusu kwa watu wake.

Jambo lingine hapa ni kwa watoto. Watoto kuna “first hand” class of school imechaguliwa kama Alliance na zingine tunaona, kuna wale watoto ambao wamepita mitihani, marks ya juu sana ndio wanachukuliwa. Wale wengine wanawachwa, halafu sasa baadaye, wakati wa mitihani mingine ingine hii midogo, unaona walimu wamekazwa huko wanawauliza “mnafanya nini?” Eti ni Alliance ilitangulia, na wanasahau ile mambo walifanya ya kwanza kuchagua those ones with the best brains wanachukuliwa. Mambo kama hayo, njia au solution ipatikane watoto waende mashule. Alliance ilijengwa vizuri sana lakini karo iko juu sana.

Na mambo ya poverty katika nchi hii, hiyo poverty imezidi sana, imeleta hata watu wameanza hata kuiba kwa sababu ya kukosa chakula. Au unayo chakula na unakosa mahali pa kuuza. Mimi ninaendelea haya mambo ya uchumi kuaribika, I think the government should do something. Haijali sana na ni kama inaendelea kuwa mbaya kabisa. Lazima mambo fulani yafanywe ili watu ambao wanaendelea kuumia, na kuiba wasilaumiwe eti uizi umeendelea. Nafikiri hayo ndiyo niko nayo, mengine yatakuwa kwa memorandum vile umesema mtapata nafasi. Nasema asante sana.

Com. Baraza: Asante nipatie hiyo - iache hapo. Sasa ile mambo niliongea juu ya interpretation of federal I wasn't taking a position. Hiyo ni civic education tu. Sema if you don't understand it to be that - I am not telling you(inaudible). I am telling you that is not what it means.

Joseph Mukasa: Huyu alikuwa Onsarigo - Madam tafadhali - mimi ni Joseph Mukasa kwa jina. Ningependa kuongeza tu machache kwa yale ambayo amesema. Sisi tukiwa wa Adventista, tumeona mengi yakifanywa ambayo tungependa katika Katiba mpya tusaidiwe, ya kwamba siku ya Jumamosi, iwe recognized ya kwamba imechagua resting day, na serikali iweke katika Katiba ya kwamba siku hii watu watakikane wote kila mahali wasifanye kazi. Jumapili pia wasifanye kazi, Waislamu wakiwa Friday ni yao pia wasifanye kazi, serikali isiwape kazi. People agree on what thing to do.

Madam Chairlady, kumekuwa na ubaguzi katika employment kuhusu waadventista. Kwa sababu wewe una worship siku ya Jumamosi, na serikali inasema ya kwamba you must work this day, sasa inakuwa vigumu. Unapopuuza unadhurumiwa, unaona kama hapa imekuwa vigumu. Tungependa Katiba mpya iingilie hilo jambo vizuri.

Madam Chairlady, mimi nikiwa mwalimu ningependa kwenda kwa upande wa elimu. Ningependa hivi ya kwamba, system ambayo tumekuwa tunapata kwa miaka hii karibuni, mimi sikusoma hiyo, mimi nilisoma ile system ilikuwa ya zamani. Nimeona tunapoenda nje watoto wetu tunaambiwa ya kwamba you must do one year or two years, free university elsewhere. Nikumaanisha ya kwamba we have not been preparing our students that is the curriculum that they provide adequate preparation for the form four leavers to get into the university directly elsewhere. They are even admitted, while you need to step on their system which cannot allow us to meet their national standards. Tunaona ya kwamba tungekuwa na Constitution yetu independent, hakika ya kwamba sisi tungekuwa na primary, secondary na tuwe na ile middle college yao ni tertiary education that is free university education. Advanced level irudi na tuwe (inaudible). Kutoka pale system iwe ya kwamba,

akimaliza hakika tumepangiwa mtoto akitoka pale na anarudi nyumbani unakaa naye kwa jiko, hana kitu chochote cha kufanya.

Interjection (Com. Baraza): Pendekezo?

Joseph Mukasa: Pendekezo ni ya kwamba we should plan for the education, such that anybody finishing has a job. Tunaona pia ya kwamba katika system hii, tunaamka one night and we feel we should ape characteristics ya wale ambao wako ngambo. Britain sasa hata na Amerika tunaambiwa ya kwamba watoto wanapoambiwa ya kwamba you cannot be punished, corporal punishment inakuwa ni ngumu. Na tunaona sasa wanaingia kwa madarasa na kutusi. Mwalimu yeyote ambaye wanaona kwamba huyu amekuwa mkali wanamshoot. This system should not be adopted in Kenya. In Kenya hata kila mmoja anajua boma lake, boma la kila mwafrika. Baba ndio kiongozi, mama anasaidia. Watoto wanatiii mzee, na hapa inaonekana tumepewa that mamlaka nyingi sana kwa watoto hawatii hata wazee sasa. Inakuwa vigumu, we would like the system where we have to punish our students when they air not the idea of talking to them, my dear how are you, how did you feel, don't do like this, that guidance according to me is meaningless.

Ninarudi kwa upande wa economy yetu. Mimi ninaona ya kwamba economy yetu, tunaingia global liberalization. Ni kama nimeona Madam Chairlady ya kwamba, economy hii kweli itaumiza bibi. Tunajua waafrika wengi hatahawajui kutembea kucommunicate na watu wengine mahali pengine, ili waulize what is the cost of men in your place or the cost is shared like this so please can you bring your books on this side. We have not been exposed; the marketing of our produce is not up to date. Therefore, wakulima kama wa Trans Nzoia wanakufa kufa kabisa, hawana chochote hata kupeleka watoto kwa shule. Kwa sababu wa liberalise the economy, sasa uuze mahali unaweza, ha hao bado they have not been exposed, so we need to have a structure through which the sales of the farmers in this district can be marketed elsewhere for the benefits of the people staying here.

Kwa upande wa land. Katiba yetu ambayo tunatengana sasa iwe ya kwamba tunajua siku zijazo watu watakuwa wengi na Kenya itapungukiwa kwa kupata mashamba hata yale ambayo ni acre kumi ambayo wazee walikuwa wanasema hapa. Inafaa tuanze kufikiria tuna arid land na tunashukuru sana for this country is arid. Therefore, we need to divert water resources and develop those arid areas, so that we can have more people to settled in those areas. Lakini tunapo zungumzia tu Trans Nzoia, Uasin Gishu, soon or later when departing of war when people think of I want to stay here.

We want to thank you Madam Chairlady na ya kwamba, indeed when you talk about federalism you are not taking about(inaudible). So that the same idea with the act all of us actually adopt. It is good to think that a federal system encompasses virtually everybody and it works with all economic, social, what have you. They are impressed in(inaudible) and very comfortable. But when we talk about identification of an ethnic group so tungependa tupanue Kenya. Mahali ambapo tunaweza panda vyakula, huko Israel is an arid area, people have lived there and they have made sure that the little water they get, they have(inaudible) adversely everywhere. And they are producing even land, their labour

.....(inaudible) country and imposing Kenya. When we have more land than even those people, and more water. Lake Victoria water should be diverted, the Indian Ocean water, we should remove the stone, and eventually more the water into the Northeastern area. That is a wonderful water base we can get out water from there, irrigate our land and have more land for people to see, not just Trans Nzoia.

Interjection (Com. Baraza): Say your last point.

Joseph Mukasa: My last point nina nyingi sana lakini view again ya kwamba district hii, sio kila mahali popote, roads and schools to be controlled by the local government. The local authority in the area to control all activities the roads are good, schools are good we should not rely on children going to Alliance, Moi High school Kabarak, when we should make Friends school kwanza a national school in our district. We go to(inaudible) we have the goods here. The structure of the government(inaudible) talk about. Thank you very much Madam for giving me this chance.

Com. Baraza: Okay thank you. Pastor Stephen Songhor.

Pastor Stephen Songhor: Mimi ni Pastor Stephen Songhor. Kutoka kanisa la Seventh Day Adventist. Mengi yamesomwa na.....

Interjection(Com. Baraza): Kanisa gani?

Pastor Stephen Songhor: Katika kanisa la Seventh Day Adventist.

Com. Baraza: S.D.A.

Pastor Stephen Songhor: Mengi yamesomwa na karani wetu vile tulikuwa tumepanga, sasa tunaongeza tu machache juu ya wito wale mabibi hawana mabwana zao. Ni ya kwamba wangewaangalia wasinyanyaswe na wale mashemeji. Unapata kuna wakati mwingine wananyanganywa mali huyo mama anapata umasikini akiwa na watoto. Kwa hivyo serikali wangeangalia kuona ya kwamba, huyo mama amiliki shamba na mali ingine ya bwana yake.

La pili, ni wezi wa ng'ombe. Katika sehemu hii tunaishi, ng'ombe wanaibiwa na ninaomba serikali katika Katiba hii itupe sheria ya kuweza kuadhibu hao wezi. Kwa sababu inarudisha nyuma maendeleo na uchumi ule tunalia hapa kwetu.

Jambo lingine, mambo ya watoto shuleni. Vile sheria imesema ya kwamba mtoto asipigwe shuleni, naona ya kwamba mtoto hawezi kupigwa bure bila kosa. Kwa hivyo, kwanza mwalimu asomee mtoto ndipo amuadhibu ni yeye, ama aweze kufunzwa kwa vile amekubali kosa lake. Badala ya kumuacha na kusema msimpige mtoto. Inatakikana watoto waweze kupigwa kwa

makosa yao.

Watoto wale wanatembea streets katika town. Hao watoto walizaliwa na wazazi, kwa hivyo ninaomba serikali ama katika Katiba hii waone ya kwamba, wale waliozaa hao watoto warudishiwe, wasiwe mizigo kwa watu wanapotembea town wanakutega wanakuangusha katika barabarani na kukuibia. Kwa hivyo naomba ya kwamba, wale watoto watafutiwe njia na kurudishiwa wazazi. Hawakutoka hewani, walizaliwa na watu. Basi ni hayo tu nilikuwa ninataka kutaja machache yale na yangu ni yaho.

Com. Baraza: Repeat your point, hiyo ya mwisho umesema nini.

Pastor Stephen Songhor: Nimesema juu ya hawa watoto wanatembea barabarani town, ni ya kwamba hawakutoka hewani, walizaliwa na wazazi. Kwa hivyo ninaomba katika Katiba hii itengeneze sheria kupatikane watoto aina hiyo, inatakikana watafute wazazi na warudishiwe. Waweze kutunza watoto wao. Kwa sababu hawa wanapoendelea kuishi kwa njia hiyo, baadaye ndio tunaleta tabu katika wananchi wengine kwa sababu watakuwa wakora. Asante sana Madam. Hayo ndio machache nilikuwa nayo.

Com. Baraza: Okay sawa. I will now use my authority of the chair and call upon Dr. Noah Wekesa to present his views. This is my request or my authority which I exercise.

Dr. Noah Wekesa: Asante sana Madam Chair. Pia ukiandamana na Macommissioners wenzako na viongozi ambao wamehuthuria, mabibi na mabwana, hamjambo? Mimi ninaomba msamaha nimekuja nimechelewa, ingawa, nilikuwa nimekuarifu ya kuwa nitakuja kama nimechelewa kidogo. Lakini kwa sababu siku hii ni siku ya muhimu sana ya watu wa Kwanza, nataka kutumia nafasi hii ndogo, kuwapongeza wote ambao wamekuja kwa kamati hii siku ya leo. Pia, nataka kupongeza Commissioners wote kwa kazi nzuri ambayo mmekuwa mkifanya mwaka huu na hata mwaka uliopita. Tunaelewa ya kuwa nyinyi mmefanya kazi mkijitolea kama Wakenya, ambapo mnataka historia iwekwe kwa Constitution yetu, na mmefanya kazi hii mkiwa na matatizo mbali mbali, matatizo kama ya pesa na ya siasa na ya pande zote lakini mmeendelea mbele.

Hiyo ninataka iandikwe siku ya leo ya kuwa, mimi kama Mbunge wa Kwanza, napongeza Macommissioners wote wakiongozwa na Prof. Pal Ghai. Mimi Chairlady, nazungumza kama Mbunge wa Kwanza na pia nataka ieleweke ya kuwa mimi pia ni Mwenyekiti wa National Alliance for Change. So, yoyote ambayo nitasema mbele yako, ni yale yale ambayo yamekubaliwa na National Alliance for Change. Na pia wewe unajua - labda wale ambao wako hapa na mimi hawajui ya kuwa mapendekezo yetu kama National Alliance for Change, tayari imefika mbele ya ofisi yako. Na hayo mapendekezo ni yale yale ambayo mimi ninajiunga nayo na siwezi kuenda kando na yale ambayo tumesha tayari kupatia ofisi yako.

Lakini vile nimeona mkutano ukiendelea, ni ya kuwa si vibaya kutaja taja hapa na hapa. Na nitafanya tu hivyo kwa haraka

sana. Na Kwanza, kwa yale mapendekezo tumesema ya kuwa serikali ambayo tunaenda kuunda, ya kupitia kwa Constitutional Review Commission, itakuwa serikali ambayo tuna President, tuna Vice President na tuna Prime Minister na Deputy Prime Minister. Serikali itakuwa ndogo ya minister kumi na nane. Hii ni njia moja ya kulinda pesa zile za serikali ambazo zinaharibiwa kwa kuunda serikali kubwa sana, serikali ambayo ina maministers kama hamsimi. Pili, serikali ambayo tunataka ni serikali ambayo itakuwa na minister kama kumi na nane peke yao na hawa watakuwa na mamlaka ya kutosha kuendesha serikali.

Pia tumesema ya kuwa lazima tuwe na uchaguzi mwisho wa mwaka huu. Uchaguzi unaweza kufanyika. Kuna mambo mengi ambayo yamesekana, ya kuwa Commission haiwezi kumaliza kazi yake, sisi wa National Alliance for Change tuna haki, na tumeelezwa na tumeona ya kuwa mkiendelea vile mnaendelea, mnaweza kuwa na Draft Constitution mwezi wa September, October na tunaweza kuendelea kutekeleza, tuweke mbele ya bunge na Constitution iwe tayari mwisho wa mwaka huu, na hatupendelei hata kidogo kuongezea nyinyi amakuongezea serikali ambayo iliyoko muda wowote, waendeleo kufikia mwisho wa mwaka huu. Tunaona mnaweza kumaliza kazi yenu na tuwe na uchaguzi mwaka ujao.

Mambo ambayo yako kwa ile mapendekezo yetu, nitataja tu kidogo, nikianza na agriculture. Agriculture nimeelewa tangu niwe mtoto, ya kuwa ndio msingi wa economy ya Kenya. Mpaka wa leo ukiangalia kwa Constitution ambayo iko sasa, mambo ya agriculture haijawekwa mahali ambapo inatajikana. Kwa sababu nchi hii ikiwa tuko na bahati kuwa na mchanga mwema tuko na bahati kuwa na mazingira mema, tunaweza kukuza mimea, mahindi, kahawa, majani chai, ngano na vitu vingi sana. Na hivi tunaweza kuuza kwa nchi za mbali ilitupate pesa za ngambo, na tukifanya hivyo, mambo kama ya upotevu wa kazi kwa vijana wetu, itakuwa mambo ambayo itakuwa tayari imetekelezwa.

Employment ya vijana, agricultural sector, inaweza kuchukua seventy percent, asilimia sabini ya vijana ikiwa mambo ya agriculture inaweza kuchunguzwa na kuendeshwa sawa sawa. Nikitaja tu mfano, sisi Trans Nzoia tunakuza mahindi, na wakati mahindi inaenda kuwa tayari, serikali hutumia wafanyi biashara ambao hawana haja na mahindi, hawana haja na kitu chochote isipokuwa kujaza mifuko yao na pesa. Na hawa hupewa nafasi ya kutoa mahindi ngambo wakati sisi tunavuna mahindi hapa. Ile inafanyika ni ya kuwa, wakati serikali inafanya hivyo, basi bei hii ya mahindi yetu, bei hii ya sukari yetu, bei hii ya ngano yetu inashuka. Sasa mkulima wa Kenya anakuwa na taabu sana kupata mapato ya kuendesha maisha yake, matibabu, mambo ya school fees, na mengine na mengine. Ningependekeza ya kuwa mambo ya ukulima iwekwe kwa Katiba. Na mambo kama ya mahindi na ngano na sukari, Katiba iwekelee mkazo ya kuwa vitu kama hivyo, haviwezi kuletwa kutoka nchi za mbali, mpaka mimea kama mahindi na ngano ambayo imekuzwa na wakulima wa Kenya iuzwe kwa bei ambayo inafaa ili wakulima watakuwa na nguvu ya kuongeza ukulima mwaka mwingine ujao.

So, in English, what I am trying to say is that we should discourage the importation of cereals, sugar and anything that is produced within Kenya. There must be a clause in our Constitution which can only state this item or any other item that is produced within our borders, can only be imported in a state of extreme farming. Tukifanya hivyo tutakuwa tunasaidia

wakulima, wakulima wataendelea kufanya kazi zao. Mambo kama ya mbolea na chemicals ambazo zinatumia kwa agriculture, pia serikali itoe ushuru kwa vitu kama hivyo. Ilikupatia mkulima nafasi kununua vitu ambavyo anatumia kwa shamba kwa bei nafuu.

Mambo ya mashamba, ni mambo ambayo yanatatiza Wakenya sana. Na ninataka niseme hivi! lazima sisi Wakenya tuelewe yakuwa itakuwa vigumu sana miaka ijayo, kwa kila mwananchi kuwa na shamba. Hiyo lazima ieleweke na Wakenya. Ya kuwa si kila mtu ambaye atakuwa na shamba. Lakini wale ambao wana mashamba, wapewe title deed. Serikali ambayo tukonayo imekuwa na taabu sana, ya kupeana ama kutekeleza utaratibu wakupeana title deed. Chairlady shamba hili ambalo tunakaa sasa, linaitwa Nunyo. Mwenyewe alikuwa Allan Nite ambaye ni marehemu sasa.

Hili shamba aliua labda miaka ishirini na kitu iliopita, na hivi ukienda kuuliza wananchi ambao wanakaa kwa shamba hili hakuna hata mmoja ameshapata title deed, na si shamba hili peke yake. Kwanza constituency ina mashamba kama haya mengi sana ambapo watu walinunua miaka ishirini iliyopita na mpaka wa leo hawaja title deed. Na hii ni kweli ukiona yale ambayo yanafanyika Kenya mzima, kwa sababu nikikaa hapo kwa bunge, mimi husikia wenzangu kutoka area zingine, wakiwa na matatizo kama haya.

Lile ningependekeza Commissioners, ni ya kuwa land tenure na land title deed na mambo yote ambayo yanahusu land transactions, yaangaliwe upya, our legal experts waangalie ni vipi tunaweza kufanya ili Mkenya awe na njia ya kupata title deed kwa njia ya urahisi. Mambo ya kuuliza mama mkongwe kutoka hapa Pwanu na kuenda Nairobi, ama kutoka Kilifi aende Nairobi, kwa Commission of land iliapate title deed, that is assuming too much! Huyu hajaenda Nairobi tangu azaliwe, hana pesa za kuenda Nairobi, lazima tuwe na njia ambayo tunawezesha huyu mama ama huyu mzee kuenda karibu na mahali ambapo anakaa, ili apate title deed yake.

Kwa mfano, tunaweza kuwa na decentralization, ya mambo ambayo inahusu title deed na mambo ambayo yanahusu mashamba ili iletwe karibu na wananchi. Inaweza kuletwa karibu na County Council - siwezi kusema karibu na D.C. kwa sababu kwa mapendekezo yetu, tumesema Provincial Administration, itafutiliwa mbali. Na National Alliance for Change ikiwa na bahati iunde serikali mwaka ujao, hatutakuwa na ma - P.C., D.C., D.O., - kazi ambayo hao wanafanya na sana sana ni kazi ya bure. Ikiwa kuna kazi nyingine ambayo ni ya muhimu ambayo wanafanya, itafanywa na Municipalities na County Council. Uwezo wote itaenda kwao. Kuzidi ya Commission ya land ambapo kuna ufisadi. Infact it is easier for me to talk in English, ufisadi mwingi ni lazima uondolewe. Commission of Land amepewa mamlaka nyingi sana. Commission of Land kama yule nimekuwa naye yule mwingine, alikuwa anafanya maajabu. Alikuwa na uwezo wa kupeana mashamba, plot manyumba ya serikali bila mtu yeyote kusema hapa umefanya nini. Hayo mamlaka yaondolewe Nairobi ipelekwe kwa mikoa, ipelekwe kwa watu na wawezeshe wananchi kupata title deed. Next....

Interjection (Com. Baraza): Summarize please, one minute.

Dr. Noah Wekesa: Yes. Neno lingine la title deed. Lazima title deed iwe cheti ambacho kina kubaliwa na it must be respected by the law of the land. Secondly, title deeds are not respected even by government itself. Judiciary, tumesema ya kuwa, tuwe na watu ambao wanafanya kazi karibu karibu na wananchi, cases nyingi zina chelewa. Sasa tunasema serikali ambayo tutaunda, Constitution hii kama imetekelezwa, ni ya kuwa tuwe na judges wengi, magistrates wengi, mambo ya mashamba, tuwe na korti ambayo inaweza kufanya mambo ya mashamba, magistrate wawe na nafasi ya kutembelea, kuona mipaka ya mashamba instead ya hao kudanganywa wakikaa mbali na wananchi. Ningeendelea lakini kwa sababu, labda nitakuwa na nafasi nyingine kesho, nitawachia hapa na ningetaka kusema ya kuwa kando na yale ambayo tumewapatia hapo awali, mimi nitapeana written memorandum kesho. Asante.

Com. Baraza: Probably we have a question - I have a question for you. Our mandate as the Commission reviewing the Constitution of Kenya, is to look at the interest of every Kenyan so that at the end of the day, one hopes that the life of Kenyans improves for the better. We are mandated to look at equitable distribution of national resources. We are mandated to look at the basic needs of Kenyans. I will want your views or your ideas on how we deal with the question of squatters. If you can address us on that.

Audience: (clapping)

Com. Baraza: There is another question for you.

Com. Hasssan: Maybe to answer the questions together – you can handle say that you recommend the abolishment of the Provincial administration. I don't know whether you have looked into the both are transitional mechanisms you have in mind. What do you do with them after you abolish them? What happens to the D.C., the P.C. and the D.O. What transitional mechanisms do you have in mind?

Dr. Noah Wekesa: Asante. I think I shall address in English and I will be very brief. The issue of squatter and the issue of land - the same - I think I have looked at it already, I have said that since we need to educate every Kenyan to understand that there are so many other things we can do, apart from owning land. That is one point. So, in which case, every Kenyan will not be able to own a piece of land. But, the land that is available must be regarded as State property, and the property of government, the property of wananchi. This must be guarded jealously and should government defy to gain this property to Kenyans, there should be no penalty what - so ever. What we have seen so far, is that people in influential position, have been able to reach the people in power. We want power to come down to wananchi.....

Interjection (Com. Baraza): If I may interrupt you Sir - I think I want to be clear. By the time I leave Trans Nzoia, I want to know how I deal with this problem. So when the land is regarded as State property - which is fair - how do we make sure that

there is no squatter in this country and there is nobody suffering because of that status of being a squatter. If you could address me on that.

Audience: (clapping)

Dr. Noah Wekesa: Before I can say these then, it is for example very very easy to give land to all the squatters in this district, because we have government land that is available and if we can divide on one hectare, that every squatter should get one acre, every squatter within Trans Nzoia, will get government land there will be more land still available to even give to people outside this district. What happens is that, a whole piece of land like 50 hectares is given to one person.

Interjection (Com. Baraza): Now tell me where this government land is, tell us if it is there is it there?

Dr. Noah Wekesa: We have about seven ADC farms. We have Olongatongo, Sabuani, Namandala, Nai, Chapata, and I think there is still a piece of land remaining in Chepchoira, is it there? Yes. I thought in Chepchoira has been given up and there is Cholem. So this pieces of land can be given. And if you identify the land, what has happened so far, there has been no effort in identifying the landless. There are members who are even behind me who can agree with me, that should we go out to look for landless, we will identify them, everybody will identify them and they will be able to get an acre of land. Remind me again.

Com. Hassan: This transitional mechanism, how do you deal with it, because these are new mechanism.

Dr. Noah Wekesa: Provincial Administration - a lot of these people in provincial administration are educated, they are degree holders, they are form four holders, they can be absorbed in general civil service. You find that D.C. tries to do the work of the magistrate, he tries to do the work of the agricultural officer, there is no need for that. This work can be dealt properly. So there could be a proper retrenchment programme where they are absorbed within the civil service. Thank you.

Com. Baraza: Thank you mshimiwa please sign up. Let's have Isaiah Kalichor. I will give you five minutes.

Isaiah Kalichor: Asante sana mwenyekiti. Yangu.....

Audience: (noice)

Com. Baraza: Mukimie ndio tusikie. Hii recording(inaudible) murmuring, please listen to him.

Isaiah Kalichor: Asante sana Madam Mwenyekiti na Commissioners involved. Kwa majina mimi ninaitwa Isaiah Kapsali Kalichor. Kwanza kabisa nashukuru mwenyezi Mungu kwa kuwafikisheni hapa salama salmin. Siku hii ya leo nafikiri

imetuchukua kama miaka arobaini hivi, tangu tuwe na Commission ingine ambayo ilifanyiwa kisa nje ya nchi hii. Kwa hivyo ni bahati sana tuwe tunaweza kufanya review ya Constitution yetu siku hii ya leo, ambayo nafikiri itakuwa ni muhimu sana kwa kila mtu.

Kwa kweli waheshimiwa Commissioners, Mungu alitengeneza dunia hii na pia akatengeneza wanadamu na pia akaweka kila mtu sehemu yake, na Biblia inatuambia aliweka mpaka na akasema, mtu asiharibu mipaka ambayo imewekwa na mababu zake. Katika nchi yetu, hakuna kabila ambalo halina kwao. Kila mtu ako na kwao, hata Wazungu hao ni binadamu na wako na kwao na walikuja hapa kwetu na wakatutawala, wakatufanyia ile walitufanyia lakini mara ya mwisho walirudi kwao. Waheshimiwa niki-quote msembo ambao uliongeva tarehe kumi na moja mwezi wa tisa, mwaka wa sitini na nne, na hayati Mzee Jomo Kenyatta kwa speech yake ambayo alikuwa anasema, “back to land”. Alisema hivi, “Our greatest asset in Kenya is our land; this is the heritage from our fore-fathers. In land lies our salvation and survival. “It was in this knowledge that we fought for freedom of our country”.

Tena, tarehe tano, mwezi wa pili, mwaka wa sitini na mbili katika Kamkunji grounds, Nairobi, alisema hivi: “Mimi ninawaambieni, mjihadhari kwa sababu watu wengine watakuja kuwadanganya; oh nchi yako itachukuliwa na Wakikuyu, nchi yako itachukuliwa na Wajaluo, nchi yako itachukuliwa na Wakamba. Mtafadhili mambo hayo?” Wakasema hapana.” Katika Constitution, katika Katiba mpya, serikali yenu imeahidi kwamba kila sehemu ya nchi kama ni ya Wamaasai, itakaa kama ilivyo.

Itatawaliwa na Wamaasai wenyewe. Kama ni nchi ya Wakipsigis, itakaa ikitawaliwa na Wakipsigis wenyewe, kama ni ya Wanandi, Wanandi ndio watatawala nchi yao, hiyo ni kusema ardhi yao. Hakuna mtu kutoka nje kwenda kunyakua mali yao. Mashamba yao, shauri yao, kujua wafanye hivi na hivi. Commissioner tumeshukuru, wandugu Macommissioner, tuko na shida hapa. Mambo hayo ambayo yalisemwa miaka mingi iliyopita, kusema kweli kama ingezingatiwa, hatungekuwa na shida ambazo tuko nazo hapa saa hii.

Constitution, mimi ninasema, ambayo ilikuwa imetengenezwa Lancaster 1962, haikupewa nafasi ikafanye kazi. Sababu, ukiona katika Constitution hiyo, ilikuwa imeangalia maslahi ya watu ambao ni wachache na wengine ambao walikuwa wamefanyiwa madhambi mingi sana na Wazungu - watu waliamishwa kutoka sehemu zao na kutawanyishwa sehemu mbali mbali, sana sana ningengea upande wa Trans Nzoia, kando na sehemu nyingine za nchi yetu. katika Trans Nzoia.....

Interjection (Com. Baraza): Mzee, sema tu mapendekezo, muda wako utakwisha na hatutakuwa tumepata ile point - umetupatia hiyo mzuri - sasa tuambie ni nini ndio tusiache maneno yako tukienda.

Isaiah Kalichor: Mapendekezo yangu ni kwamba, wale makabila madogo mambo yao iangaliwe. Iwekwe katika Constitution, haki zao, wale watu walinyanganywa mashamba yao na wazungu warudishiwe haki yao. Kama vile ilipendekezwa na Charter Commission ya 1932. Tena haya mambo ya watu wengine kuhama kutoka sehemu zingine, na kuja sehemu za watu wengine, ni lazima iangaliwe kwa sababu.....

Audience: (inaudible)

Interjection (Com. Baraza): I have not said that - he is entitled by the law to say what he is saying, and you are under an obligation to listen to him. So you give him his time, you don't make noise.

Isaiah Kalichor: Sisi au Wasaboat ambao walitawanyishwa ningeomba Commission hii iangalie vile walitolewa katika nchi hii na kutawanywa siku walitoka nje ya nchi hii. Wawe na haki ya kurudi katika nchi hii inayo plan yao ambayo ni Trans Nzoia. Sasa pia kuna mambo ya citizenship, makabila ambao wanaishi katika mipaka, tunataka mambo yao, wanaeza kupata dual citizenship. Makabila kama vile unaeza kuona kama Wateso, Wasamia, watu kama Kabohor, hata Waborana ambao wako Northern Ethiopia, Wasomalia namna hiyo na(inaudible). Wanaweza kupata dual citizenship. Political parties ningependa kupendekeza.....

Interjection (Com. Baraza): Tuko na memorandum tutasoma vizuri sana. Sasa uwe unamaliza.

Isaiah Kalichor: Kumaliza Madam ni kwamba, tungependa Wasaboat wapewe 8,000 hectares ambazo tumenyanganywa na one hundred million dollars ambazo zilikuwa zimepeanwa na - mpaka sasa hatujawahi kuona hiyo pesa, na tungependa Constitution iwalinde Wasaboat waweze kupata kutawala katika ardhi yao. Tena, tungependa Parliament iwe na chambers mbili - upper and lower. Tungependa makabila zote katika Kenya, wawe represented especially wale wa wadogo, iwe na ile inaitwa professional representation ambayo pia makabila ndogo wanaweza kuwakilishwa.

Interjection (Com. Baraza): Labda tuko na maswali, ngoja kidogo. "Daktari?" I get your point Sir - sheria inasema tuangalie maneno ya minority hiyo pia ni mandate yetu. Hiyo sheria pia inasema, tukimaliza hii Katiba, tuone vile tutakuwa na Kenya ambayo iko na uzima, ambayo tutaishi kama Wakenya, ingawaje inakutambua kama wewe ni mtofauti lazima upewe citizenship yako kama ni tofauti, lakini mwishowe tuwe na nchi ambayo tutaishi kama Wakenya. Ngoja ngoja swali lako linakuja. Sasa ningetaka tu nijue hii shamba ni Trans Nzoia au? Watu wote watolewe mpewe (gumbling from the audience) ninataka tu aniambie this point. I just want to understand - we are undertaking a very important exercise. He has given us a view we just want to understand as a Commission. And don't fear you have the law on your side, so tell us.

Isaiah Kalichor: Mwenyekiti, vile mimi ninasema ni kwamba mashamba yale bado yako mikononi mwa serikali, ndio tunataka Wasaboat waweze kugawiwa hayo mashamba, kwa sababu(inaudible) zingine zote na hayo mashamba ishirini na nane walipea makabila mengine ambayo hayakuwa makabila ya Trans Nzoia tangu hapo mbeleni. Yalikuwa ni ya wafanyakazi ambao yalikuwa ni ya Wazungu na walitolewa Uganda na wakati Wasaboat walitolewa hapa Trans Nzoia wakachagua hiyo ardhi, so ndio nilikuwa ninasema hao wapewe faini, sababu kama wale wengine ambao wamefika hapa wafanye vile wameambiwa. Lakini bado iko kwa mikono ya serikali wapatie watoto.

Com. Baraza: Sawa tumeelewa, enda hapo na utuachie hiyo memorandum tutaisoma. Usiogope, kama its about kitu kinakufinya kuja useme. Hakuna mtu anaku-harass. Eslo Wanambithi.

Eslo Wanambithi: Kwa jina ninaitwa Eslo Wanambisi. Kutoka hapa Trans Nzoia, ...(inaudible).

Com. Baraza: Dakika tano.

Eslo Wanambisi: Hoja yangu ya kwanza nasema kwamba P3 katika makao ya polisi itolewe iende kwa mikono ya district hospitals. Nikisema namna hiyo, polisi wanapiga watu. Na mtu akienda kwa polisi ili apewe P3 aende atibiwe, wanamnyima. Ya pili, itanibidi vile huyu mheshimiwa amezungumzia ya kwamba - singejua mheshimiwa atazungumza mambo ya D.C., P.C, D.O. na chief. Hawa, katika Katiba ambayo tunaunda wasiwe katika kazi. Ya tatu, Mkasa achaguliwe na wananchi na apewe mamlaka.

Com. Baraza: Mkasa ni nani?

Audience: Wazee wa mitaa.

Eslo Wanambisi: Wachaguliwe na wananchi na hao wapewe mamlaka ya kuangalia boundaries na shamba za watu. Ya nne, mambo ya kunyonga mtu hiyo ambayo inatumiwa, itoke iwe hivyo. Mtu apewe shindano ya poison, aende nayo katika(inaudible) katika(inaudible), kuliko kwenda kunyonga yeye kama(inaudible). Ya tano, katika hii Parliament ambayo sasa tutaenda kwa Katiba mpya, mtu kutoka katika constituency ingine, aende a contest parliamentary seat katika constituency ingine hiyo isikuweko. Ya sita, Councillors wale ambao wameshatumika katika local authority, aki-retire aombe akifanya kwa two terms, apate pension yake kama anaenda nyumbani. Saba, traffic; traffic inatakikana iwache mwananchi awe free. Mahali aweze kuenda mahali hapo accident imeshafanyika. Na macampuni zile ambazo zinauza mitokaa, ipeane muda wa miaka mitatu.(inaudible) kama itapatikana iletewe watu exercise itolewe katika barabara.

Ya nane, wafungwa katika jela, wasiende wafanyie watu matajiri kazi katika mashamba yao. Wafanye katika industries ya jela au shamba ya jela. Ya tisa, polisi na army iwe na power kufanya kazi katika nchi, lakini APs waondolewe. Kumi, katika Kenya tunachukuwa watoto wanaenda Uganda form six. Tunataka form six irudishwe katika nchi hii. Kumi na moja - yangu ya mwisho, nasema kwa taifa hii wale watu wameshafanya kazi katika serikali hii, walikuwa wanapata mshahara au pension yao tarehe tano lakini wamesongeshwa mpaka tarehe kumi na nane na huyo mtu anapata shida akishalipia mtoto wake school fees huko chini, yule amezaliwa hapo.....(inaudible). Asante.

Com. Baraza: Asante Wanambisi, Edna Akach, ametoka? Nancy Yani, ametoka, Wilfed Ngunyi, now let me understand your

situation here Mr. Ngunyi, you come from Saboti? There will be a panel in Saboti. So we don't want your views in Kwanza.

Audience: (inaudible)

Wilfed Ngunyi: Unajua tulipewa karatasi bila kuambiwa eti nini. Na tungeona makosa mingi hapa, na sasa hatukuelezwa nini.

Com. Baraza: And you rewind that. Bridith Nyambalo, Rose Obonyo, Rose, you are who? From CJPC. Okey thank you.

Stephen Odero: Thank you very much Commissioners, we are glad to have you with us. I am Stephen Odero of the Justice and Peace Gitare Diocese. Sir, the document that we are going to present before you, has taken us over four years. We started the civic education in 1999 and we completed the activity in the year 2001 December - between 19th and 21st December when we had the delegate's conference at St. Josephs Gitare, that is where we came up with the draft document and therefore, in our document we have 13 topics, and out of the 13 topics, we have various representers who will actually present the topic on behalf of the Catholic Justice and Peace, which represents the opinion of over 200 thousand within the Catholic Constitution hospitality.

I will start by dealing with the topic on Executive. In our proposal, we suggest that the President or the head of the government, be impeached if he breaks the powers restored on him by the Constitution. We also endorse section 59 sub section 3 that goes for the vote of no confidence to the President when it reaches to the powers given to him by the Constitution.

The next issue, because I will not mention all of them, we also propose the maximum number of ministries to be 9, and each ministry independent by one minister and be assisted by one assistant minister. For one to be a minister, he should be qualified to head that ministry, by profession for example, the ministry for health, should be headed by a professional medical doctor, no a teacher or anything closer to it but just that.

We also propose independent office of the Attorney General. The holder of the office should not be a Cabinet Minister or an MP. And lastly on that, we propose the annual leave for the head of the government. At least once a year that is, a leave of one month a year, so that he can also be left and re-organise himself. And during the period when the head of the government is on leave, the deputy or his Vice should take over the office for that period. Otherwise, in summary, under the Executive, we propose for a responsive Executive which respect the opinion of the people and also work for the benefit of the local wananchi.

Under the Legislature, we propose or recommend the following proposals; that the new Constitution should improve and(inaudible) in the Legislature and the democratic powers of the Parliament. In order to do this, we propose that the

Constitution to strengthen the Parliamentary Service Commission. Which should undertake the following; Prepare the parliamentary calendar, recruit parliamentary staff, prepare the agenda for the electoral dates and also be able to prepare all the activities that are undertaken by the Parliament.

At the same time we also propose the following to be undertaken by the Parliament. Propose that the following be under the nomination. That anybody who has been rejected by the electorate during the election should not be nominated at all. For the nomination, anybody to be nominated should represent various groups like the disabled, women, children and lastly under this, we also propose non-performing MPs and those who have reached the parliamentary conduct to be recalled by the electorates, so that a by election to be conducted. This will give the MP the ability to work for the benefit of the electorate, rather than working for themselves or for their own benefits.

And lastly on Judiciary; under Judiciary we made the following proposals. That appointment of all Judicial officers, will be independent of the Executive. There should be a short list of the candidate to be made by Parliament from a selection of many contestants, after which the head of the government be given powers to appoint those who have qualified by profession and experience within the various departments within the Judiciary.

We also propose that the new Constitution to state the qualification of a Chief Justice, Judges and magistrates. It should also contain the retiring age of the Chief Justice, Magistrate and Judges. We have proposed the establishment, under the new Constitution.....

Interjection (Com. Baraza): You can still wind up we shall read your memorandum, we shall give it the time it deserves.

Stephen Odero: Lastly, we propose the establishment of the following Courts. Constitutional Court, to deal with the interpretation of the political issues, Supreme Court to monitor and interpret the Constitution. Electoral Court, to deal with election matters. Mobile Courts, mainly to be undertaken within the marginal areas.

Lastly, court prosecutors, to be non-police officers and should be advocates who have served for not less than five years.

Com. Baraza: All of you are going to present? You are the same group? So you are touching on the issues he hasn't touched on. Okay, then, somebody else will want to do the rest. Okay fine, then I will give you just five minutes I gave you more than that I should have.

Oscar Mwangi Kiambi: My names are Oscar Mwangi Kiambi, on behalf of the Catholic Justice and Peace Commission. I am going to submit proposals of the church to the Constitutional Review Commission, I(inaudible) to the topic of defence and national security, especially here in Kwanza, our present political needs(inaudible) attained. Because if you

change most of the budget of our colonials and(inaudible) serves the government and the short term need of that government, when it should actually represent the people. So we are proposing that the new Constitution set up a Commission on policing which, will you wish, give mandate to look into the following areas;

On the recruitment of the police, that is the qualification and recruitment mode, the number of police required and the distribution all over the country. The training of the police which you feel should be suitable, relevant and the period of training should be independent. That commission will also look at a human right approach to police of the conditions that is the employment, the service, health, promotion on merits etc. We will also look at the change of the name from a force to a service. It will look at the role of police in a democratic society, the independence of police as a non-political force and then about the appointment of the Police Commissioner. Should he really be a policeman? What should the Parliament have to do with this appointment, should he have security of tenure? Because we feel he should be someone, who is trained and has the relevant skills and the skills that the police has.

We propose that the police accountable institutions this being the office of the police Ombudsman and a police board which will handle the complaints against the police. The Commission should also look at the modernization of the police force, that is the new technology, information technology and new methods in investigation it would also look at community policies and to restore the broken relation between the police and the community and also means of how to involve the people - the Kenyans and policemen. We also look at a proposal to disband the Kenya Police Reserve (KPR) as we know it. We believe that it is the duty of a trained and an armed force to uphold the law. This KPR if properly trained, can be intergrated into the security machinery of this country, other than remain the way they are.

The Administration Police as you will realize in our memorandum we suggested that we abolish the Provincial Administration so the Administration Police will be retrained and reintergrated into the regular police service. The traffic police who are mostly known for corruption, needs adequate training and total overhaul. We are also suggesting women police officers in those sections to be able to handle cases reported by women such as domestic violence, rape etc.

We want the new Constitution to look at the experience, serious issues which are coping in security. For example, this private army are present in our rural and urban areas, mungiki and the rest. We want the new Constitutint to infuse traditional structures of(inaudible). Because the modern structures - the present structure have failed us. I have said that instead of solving problems they have created more. We want the army to be on ground when there is a conflict between the communities, because mostly they are idle in the Barracks. And we also need their services during the times of peace. When we are not fighting, we want those professional army men, doctors, road engineers to be involved in national building.

With the coming of the new Constitution, we want the sensitive border issues, like the ones we have at the moment, the Turkana, Pokot, Maasai, Gusii, Bungoma Central, Muranga-Somali borders, I think this is the best opportunity for us to settle

this sensitive border issue. We want a seventy five percent, approval by the government or the head of government to declare war against another nation. To proceed quickly to the setting of government.....

Interjection (Com. Baraza): You have one minute so try to finish.

Oscs Mwangi Kiambi: Okay I will just rush through it. Most I think is in the memorandum. We want separate presidential elections from the parliamentary and civic election and we also want an office of the Ombudsman, created and enveched in the Constitution so that it becomes the people's watchman, so that we grievances against the government can be investigated promptly and independently. About the elections, we want independent candidates to be allowed to stand, because we believe that any qualified Kenyan can stay and contest whether the civic, parliamentary or presidential election regardless of whether he is a member of one party or not. We want public servants to be allowed to contest for civic office, they should not be given salaries during that period and they should be asked to revenge.

We want a fixed date of election and we are suggesting the first Thursday of every December. After every five years. I want the Constitutional borders to be a convenient one as a citizen attains the age of 18 and he feels what you are suggesting about forty instead of an ID card, we want him to be issued with voter registration card at the same time. About the local government.....

Interjection (Com. Baraza): Just wind up.

Oscs Mwangi Kiambi: Okey let me wind up on the local government. We are also suggesting that the Provincial Administration be abolished, and the D.C.s and the P.C.s should pick for other professional duties that they pay for. The municipal and the town council should vote it off and incorporated into the County Council. This County Council will be in charge of development in the respective town so we should not be having any more districts and so on and so fouth. We want the ward district to be replaced by the word county. More will be in the memorandum. I will stop there.

Com. Baraza: Thank you Mr. Kiambi, we shall read it. now, yours is a topic on.....

Rose Obonyo: A topic on business.

Com. Baraza: Yeah go there and sign them.

Rose Obonyo: Commissioners, my names are Rose Obonyo. My topic is on citizenship. We propose the new Constitution and phase IDs out over a period of five years.

Make registration of births compulsory.

Passports should be automatically available for all Kenyans. Spouses of Kenyan citizens should be entitled to automatic citizenship.

Children citizenship;

Automatic to any child born on Kenyan soil employee to one Kenyan parent, unless the parent choose otherwise.

Automatic to any child born outside Kenya or in Kenya to any Kenyan parent.

Kenyans with other country citizenship, automatically become Kenyan citizens when they give up those other countries citizenship.

Non-Kenyans who have lived in Kenya for at least 20 years, legally and continuously;

- 1) Be allowed to vote in election.
- 2) Be allowed to apply for citizenship.

Kenyans living abroad be allowed to vote by post or proxy in general election.

Bill of rights;

- 1) Exception in chapter five of the present Constitution be removed and the rights to be written so that basic legal and political rights are guaranteed in clear and simple language.
- 2) We propose that the new Constitution include second generation rights, most guarantee and practice:
 - a. Basic education
 - b. Private health care.
 - c. Shelter.
 - d. Security
 - e. Own property.
 - f. Do business
 - g. Engage gainful employment.
 - h. Receive fair way
 - i. Lastly, practice culture in so far as it does not clash with rights that are still elsewhere in the Constitution.

Education;

Free and compulsory primary and secondary education to every Kenyan citizen.

Provide protection for all citizens and non citizens legally living in Kenya, irrespective of age, gender and seniority.

Com. Baraza: Are you winding up?

Rose Obonyo: I am now winding up, number five which is the last one. The right to live.

- a) Death penalty to be replaced by life imprisonment.
- b) Information held by the State public interest.
- c) Protect citizens by way of creating the position of Ombudsman.
- d) Place men and women equally in the contribution of national development.
- e) To allow communities to follow their own culture providing that they do not discriminate against rights of children and women, against equality and fairness are laid down in the Constitution.
- f) Penalize all discrimination on ethnic, cultural and linguistic grounds. Thank you.

Com. Baraza: How many of you are here?

Speaker: Excuse me Madam Commissioner, some of us were here from 8.00 o'clock and we are unmentioned. Now a theme of young people are just doing up!

Audience: (inaudible)

Com. Baraza: I am chairing this meeting. Sit down.

Audience: (noise)

Com. Baraza: You let me chair the meeting. These people are on the list, they are on the list and I am following the list - if you are annoyed - they are on the list.

Speaker: Madam Chairlady.

Interjection (Com. Baraza): Are you going to repeat? We shall read that memorandum.

Com. Hassan: If all of you have one memorandum, why can't you just hand in the memorandum.

Audience: (noise)

Com. Baraza: I think lets be fair. We shall read the memorandum. Lets be fair. I know it is not fair but we shall not do that. We shall find a way of solving our problems. Gregory, Stephen Odego you have presented, okay. Pamela Kemoi Serem. This time I will be very accurate with time, be brief just give us mapendekezo.

Kemoi Serem: Mimi naitwa Pameya Kemoi Serem. Mimi nawezapenda kutoa maoni yangu kuhusu Katiba. Katiba mimi nafiki vile mimi ninavyoelewa.....

Interjection (Com. Baraza): Songesha mbali kidogo, usiweke kwa mdomo.

Kemoi Serem: Katiba vile mimi ninavyoelewa, inahusu maofisi tatu, tuseme Ofisi ya Rais, Bunge na mahakama. Katiba maoni yangu, Katiba ingegawiwa mara mbili. Kwanza Katiba irekebishwe ili tuweze kufika kufika kule. Halafu sehemu ingine ya tatu, Tume ya Katiba iliyonauwezo wa kuja kukutana na watu kutokana na kabila mbali mbali, ili Katiba kamili ifanyie marekebisho. Jinsi ya kuchagua Rais. Mimi ningependekeza ya kwamba, Rais achaguliwe kwa kuzunguka Kenya mzima kutoka kwa mkoa mwingine kwenda kwa mkoa mwingine. For example, tulipopata uhuru, Rais wa kwanza alikuwa anatoka Central, Rais wa pili anatoka Rift Valley, sasa tungechagua Rais kutoka kwa province ingine. Rais tena, ako na mamlaka nyingi ambaye anastahili hizo mamlaka, zipewe maofisi zingine. Kwa mfano, unakuta Rais anachagua wakurugenzi kama wa Cereal Board. Mamlaka kama hayo wangepea wananchi, ili wawachague wenyewe madirector, vile ilivyofanyika kwa na kahawa, sukari na chai. Hii ndio itaondoa mashida mingi ambayo unakuta, mahindi inaagizwa kutoka ngambo.

Bunge, kwa wakati huu - Bunge ama vyama vya kisiasa ndio wako na uwezo wa kuteua watu ambao wamegombea uchaguzi. Mimi ningependekeza ya kwamba, kwa wakati huu ikiwa kuna watu ambao wako katika chama kimoja, tuseme mtu mmoja na watu wako kumi ukitaka tano ukitaka kuamka uamke. Halafu, kama ni FORD Kenya, hata kama ni watu ishirini watu wote waruhusiwe sisi wananchi wenyewe wachague mtu ambaye wanapenda. Sio eti chama kichaguliwe mtu ambaye baadaye wanawake wananchi wataishi bila kufanyia wananchi chochote.

Kuhusu mahakama, mahakama ya kisasa iko na shida mingi. Ukiona ya kwanza kwa shida kama ya urithi, tuseme unatafuta for example urithi, urithi unakuta mahakama inatoa kitu ambacho angeweza kuaminika, kwa mfano, kama mtu amesomesha mtoto wake na huyu mtu anataka apate kazi, labda aoe kutoka kwa kabila ingine ama aoe kutoka popote. Halafu shida ikitokea huyu mtu akifariki, unakuta he is young, labda apewe uwezo wa kufika ama kusimamia mali yake. Na unakuta jamii ambayo walikuwa wanatumia mali nyingi na pesa nyingi kusomesha mtoto wao, hawaruhusiwi kumiliki mali yake, ama kusaidia wazazi wake.

Interjection (Com. Baraza): Pendekeza.

Kemoi Serem: Sasa ningependekeza, vile nilikuwa nikipendekeza ya kuwa Macommissioner wafanye kazi mara mbili, ya

kwanza ni ya kufanya marekebisho kidogo halafu tuende....

Interjection (Com. Baraza): Pendekezo kwa hiyo pointi ulikuwa unasema kwa Judiciary ni nini?

Kemoi Serem: Kwa Judiciary, ningependekeza ya kwamba, kama kuna shida inayotokea, mahakama haitatoa uamuzi lakini uamuzi utolewe kulingana na vile mila na desturi ya hao watu wanavyofanya.

Interjection (Com. Baraza): Umemaliza?

Kemoi Serem: Nimemaliza.

Com. Baraza: Now, we are following the list that we have - I am not just calling names. Simon Mongesa. If you were on this list - you are so impatient and even now starting to wind up.....(inaudible) you are making me feel uncomfortable.

Audience: (Laughter)

Simon Mongesa: I was number four.

Audience: (inaudible)

Simon Mongesa: Kwa majina ninaitwa Simon Mongesa. Ningependa kuzungumzia ofisi ya Rais. Kwa upande wa ofisi ya Rais, ningependa kuzungumzia visitation. Anapotembelea nchi yake kwa ajili ya maendeleo ama kwa ajili ya mambo ingine. Nilikuwa ninasema ya kwamba hiyo ministry ambayo iko affected, ndio peke yake inahitajika kuhusika mahali pale, kwa sababu uchumi wetu ama pesa nyingi inatumika kwa msafara wa Rais ukienda mahali fulani, kwa mfano kama akienda Western ama akienda Coast, kama government yote - ministers wote wakienda kule, allowances zenye wanapata pale, tunaona ya kwamba pesa ya umma inatumika kwa wingi ambayo ingehitajiwa itumike kwa jambo lingine, ili mapendekezo ya kwamba, ile ministry ambayo iko affected peke yake, iwe ndio inaweza kuend mahali pale.

Jambo lingine ningependa kuzungumzia, ningependa kuzungumzia kuhusu kufungo. Kwa upande wa kufungwa nilikuwa ninaona ya kwamba waalifu, wenye wana makosa madogo madogo, nilikuwa ninauliza ya kwamba, wangepungwa kutoka kwa assistant chiefs, na kutoka pale, wanaweza kuwa wanatoka nyumbani, wakikuja kuripoti kwa ofisi ya chief, kazi ambayo(inaudible) kwa hiyo community ama mahali pale, waweze kufanya pale waweze kufanya pale na inaweza kuleta maendeleo kwa wananchi wa kawaida.

Jambo la pili, ninataka kuzungumzia masomo. Kwa upande wa masomo, ningependekeza ya kwamba university ziwe na

Chancellor mmoja kwa university. Isiwe ya kwamba tunakuwa na uwezo wa Rais ama Rais anaposhika adamu ya uongozi yeye ndiye anakuja kuwa Chancellor, tunataka kwamba kila university iwe na Chancellor wake mmoja na awe akifanya kazi kulingana na qualities ambazo zinatolewa na serikali kupitia kwa wizara ya elimu.

Jambo lingine ningependa kusema, kwa upande wa masomo ya watu wazima. Mahali pale tuko na macho tano. Kuna watu ambao wanataka kusoma, lakini ule uwezo ambao tuko nao, ni kidogo ni kwamba offices, napendekeza ya kwamba hii ofisi ama shule ijengwe ya watu wazima ili mtu akitoka nyumbani, anajua ya kwamba anaenda shuleni, mahali fulani kama vile inafanywa kwa secondary, inafanywa primary. Tunajua kwamba kwa Community fulani tuko na shule ya watu wazima, ili kila mtu akienda pale apate elimu anayotaka.

Mwisho, kupendekeza kwa upande wa elimu. Napendekeza ya kwamba wale ambao wamefanya form four, na hawajahitimu kuingia university, naomba ya kwamba hao watu waweze kupewa uwezo, kwa zile subject wamefanya vizuri, tuwe na vile ambavyo wanaweza kuingia ndani, ili somo mzuri kama bridging courses ili ambaye alichukua, iwawezeshe na kama kuchukua diploma ama kuchukua degree vile unataka, ningependekeza ya kwamba shule kama hizo zibuniwe. Sina mengi lakini hayo ndio ninataka kuchangia kwa siku ya leo.

Com. Baraza: Asante sana. Hon. Moiben.

Hon. Moiben: Okay, Chair of the panel, Commissioner Abdi Ahmed, Commissioner Baraza who is the top chair of the panel, the other Commissioners, ladies and gentlemen: Ninaongea kwa Kiswahili ili tusikizane. Utanipatia muda kidogo madam sababu, nilikuja kweli saa mbili. Kwa ufupi...

Interjection (Com. Baraza): Do you have a memorandum?

Hon. Moiben: I have given in, but I will give oral. Kwa ufupi, my names are Samuel Kisoro Moiben, Mzee mmoja kutoka Kitale. Nashukuru sana kwa nafasi hii umenipatia, nataka kuwaambia wana Commissioner wetu, mna jukumu muhimu sana katika maisha ya Wanakenya sababu, nyinyi mngefanya Katiba mzuri ya kulinda mnyonge na mwenye nguvu. Hata tusiposema asante kama Wanakenya, Mungu atawabariki. Nataka kuwaambia kwamba, hii nafasi tunayo hapa ni kwamba, Katiba yetu ya sasa ambayo tunarekebisha haisemi hata Wanakenya ni watu makabila ngapi. Tunasikia tu 42, na mimi nimefanya hesabu ninapata kama tisaini. What if I recommend kwanza hii Commission yenu ambayo mko watu ishirini na tisa, mnganza ya kwamba Katiba mpya ya Kenya, mkianza makabila ndogo na mkimalizia makabila kubwa, ni chache kila kabila kinaga ubaga. Ili mmoja mmoja kwa kila haya makabila - mmoja mmoja awe katika House of representatives.

Chamber yetu ya Parliament iwe dual chamber: Hii ambayo ni special representative katika kila kabila, itoke kila kabila katika Kenya, hiyo ndio upper House halafu MPs wa kawaida - sababu wamekubaliana kwamba wameongeza - waingie katika lower

House ili kusiwe nafasi ya mtu kulalamika, kwamba hajapewa nafasi. Kwa sababu Kenya yetu wakati huu, Commissioner, Kenyans are not ashamed of overeating. Mtu wanataka kuwa treasury, anataka kuwa butcher anataka kuwa yeye ndiye anakata miti na more so, anataka kuwa yeye ndiye anachoma makaa, yake tamaa ni kushinda ya fisi. Tungekuwa na nafasi, public office, one man – one job. Kama wewe ni mbunge usiongeze na chairman wa Mumla, usiongeze na chairman wa Nzoia, uwe tu Mbunge ukipata bahati uwe Minister sawa sawa. Lakini kuongeza na yako ya binafsi. Usitoe pesa eti huyu ni chairman wa law reform, huyu ni chairman wa squartters, huyu ni chairman wa wapi, tunataka tulete discipline. Tupewe mtu mmoja, in every government offices. Sincerely, is it possible for you to run those offices?

Ya pili, tunataka kuleta nidhamu katika vyama vya siasa. Sasa hivi, mtu na bibi yake wanatafuta shamba lao. Halafu wanatafuta mnunuaji, anaenda shopping kutafuta mtu wa kununua hilo shamba ndio wajenge. Tungetaka Katiba iseme kabisa kama kuna vyama vya siasa katika Kenya, viwe vinne. Ili kwamba hivyo vyama vyote viwe na nguvu. Kama moja iko upinzani, vitatu ni government in waiting.

Ya tatu, Commissioners ni kwamba, hii inafanya discipline kwa kuzuia defection kutoka kwa chama kingine kwenda kwa chama kingine. Nikimalizia Commissioner, huu urekebishaji wa Katiba, tunaona kabisa iwe federal system. Kusema kweli ninasema federal system. Tukifanya kwamba ni utawala wa majimbo, kila viongozi wataangalia katika sehemu yao ni kina nani. Vile unasikia hapa saa hizi Bwana Commissioner, hapa Trans Nzoia tuna shida ya makao, ninapinga yule mwenzangu analisema kwamba, mtu apewe eka moja, mimi ninasema unaweza mpa kila mtu eka kumi, mtu ajisikie kabisa, na ya juu ifike hata mia mbili. Na hasa na zaidi kila mtu awe na mahali pa kuzikwa. Sioni kwa nini mtu apewe eka moja ama eka mbili, kwa kweli Commissioner, tuna Nanjala hapa, mheshimiwa alijaribu kutaja majina akasahau mengine, tuna Eric Kavokee ambaye ni(inaudible), tuna Vidloo ambayo ni six thousand hectares. Na tukuendelea pia tunaweza fanya adjustment kwa buga ya wanyama, kwa sababu wanakenya wanapiga kura.

Tuna adjust kidogo katika nafasi yake na hii barabara yote tunapanda miti kando kando, halafu pia tuna adjust forest. Na kila mtu anapata haki. Tunataka mtu masikini awe ana eka kumi ya kuandikwa kwa meza yake. Tafadhali mtu asikuwe akifuata maisha yake na mshahara iko kwa public senate. Tungetaka kabisa mtu yeyote ambaye anasema anataka shamba, na isiuzwe anaepatiwa eka kumi bila shida. Ningeendelea ya kwamba...

Interjection (Com. Baraza): Are you finishing?

Hon. Moiben: I am just summarizing.

Com. Baraza: I will give you one minute then. And then you will give me a long memorandum, and I am telling you mheshimiwa we shall read it. One minute.

Hon. Moiben: Tukimalizia, ningetaka kusema kwamba, ilikuwa ni makosa kwa Bunge kusema stakeholders ya Kenya ni Catholic church, Episcopal church, APCK - that stakeholders wa Kenya are the Kenyans people in themselves. Kwa hivyo hii Commission yenu sasa, mngokuwa watu kama tisaini kwa sababu kila kabila lingekuwa hapo. Like in Uganda for example for lady Commissioner, there were three hundred Commissioners: one from every constituency. I don't see why we should have only 29 Commissioners - I don't know why Kenyans are mean(inaudible). Tungekuwa na nyinyi wote tisaini hapa kila moja hapo Elmololo akuwe hapo, Ogiek akuwe hapo, Hidamu akuwe hapo,(inaudible) akuwe hapo. Tutafanya kazi mzuri Bwana Commissioners. Kwa hivyo mimi ninasema kwamba nashukuru sana. Nawaombea nyinyi kabisa tafadhali, mtufanyie Kenya haki bila mapendeleo, tafadhali sababu tunataka tufanye kwa umoja. There is no point for opportunism - there is no point, ya kwamba unatoka kunyakua everything. Asante sana.

Com. Baraza: Tumesikia maneno yako and we shall assure you we are only 29 - we could have wished to be 300 so that our work will have been easier. But, we assure you your views will be attended - every Kenyan view will be attended and we are as factual as anything. That is what the law demands of us. So, nobody should fear because there is no(inaudible) here. We shall look after your views. Among, you there are four big tribes.....(inaudible) the law - you should look at the law - it says we look at the minority and we look at all. If you suggest that you are not fearing. Give us your memorandum if you have one. I will forward your memorandum tomorrow. Paul Wanyonyi. You are from Catholic Justice? Individual? Thank you.

Paul Wanyonyi: Thank you Commissioners for giving me this chance to make my presentation.

Com. Hassan: We have another Paul Wanyonyi.

Com. Baraza: Are you Paul Wanyonyi of institute?

Paul Wanyonyi: Paul Wanyonyi of Ngologolo.

Com. Baraza: Which means he presented or I think there are two Paul Wanyonyi.

Paul Wanyonyi: So I am Paul Walego Wanyonyi from Ngolongolo. I have five points on which I would like to talk. Saa zingine that we are picking time I will begin with what I regard as important, even if it is the last point so that when I stop, I shall have mentioned a few. The first issue I would like to talk about is the economy. I would like to talk about public sector and privatization. The government should involve(inaudible) instead relinquishing or(inaudible) industries and(inaudible) of organization.

Interjection (Com. Baraza): Put your microphone a little bit further. If it is a memorandum don't read through, highlight and

get going on with other issues. Put that thing away from you.

Paul Wanyonyi: On public sector and privatization, I suggest that the government involves the privatization process, fourthly, because the main reason first of all of the establishing this parastatals, was to ensure that Kenyans get taxes and food at an affordable price. But in privatization the new owners are profit oriented and they therefore, charge fair prices(inaudible) Kenyans. Also in the fact government project in multiparty have been heading their institutions,(inaudible), industries and organizations for certain period. With time it is becoming possible for students to find places for assessment and field work simply because, some of these private industries are demanding high insurance cover for students when they work in the industries, apart from privatization.

The next thing is on agriculture, we have always said that in Kenya, agriculture holds the backbone of Kenya that is 80%. But the productivity is poor simply because of the laxation on agricultural input and also the highside that are held by dealers. I think here what should be done by the government is weigh taxes on agricultural inputs and also control the prices of the dealers, because some of the.....

Interjection (Com. Baraza): We have heard - once you mention agriculture, say what you want us to do, you go to the next one.

Paul Wanyonyi: So that is what they should define. And then finally, I would like to talk on. I would like to talk on the economy on planning and advisory. I am thinking about the future. Since Kenya is not industrialized and we have no adequate resources, especially as regard(inaudible). An institute should be created by the government, whose responsibility is to ensure that Kenya does not subscribe to catastrophic events outside its control. We should have experts on energy, stress, social affairs and technology. These experts should decide on which sector the nation's scarce resources will be concentrated by advising the government to give them preferential treatment with regard taxation with a word of strategies. The institute should to the greater long good of Kenya. The institute should seek for Kenya and its future. Private local and foreign investors.....

Interjection (Com. Baraza): We shall read that thing, just tell us what you want us to do. Don't read, we shall read.

Paul Wanyonyi: Communication of the institute is important because, if we rely on the private investors within local or international, they will be seeking for their private benefits, which are not(inaudible) short term. I wanted also to contribute from another point the Constitution has said amendment. On the Constitution I wanted to say that since it is a long process and it is usually done in good faith, when at least an amendments taught should not be through the Parliament which can be easily manipulated by the power. What I would like to say is that it should be done through a national referendum, and this national referendum should start by giving if there is a notice, which will last for at least 18 months. And while the members of the

.....(inaudible) or the computer literate, amend the law which they see, or part of the Constitution which they think should be amended, and then meanwhile this would avoid a duty by using power.

Interjection (Com. Baraza): Thank you Mr. Wanyonyi your time is up, we shall read that memorandum. Please take it there. The other Wanyonyi Paul. You don't read through, you highlight.

Paul Wanyonyi: I am Wanyonyi Paul. This are the views of the(inaudible) is set in Kaitebu location. I'll only go through on my items. Okay, the first item is about timing of election. Our resolution here is that, the Constitution should clearly state when the election are held. In our view we see that there should be a fixed date, like if it is 28th of every December after every five years, that should be the case. The second item, is the formation of the ministry for youth affairs. There should be provision in the Constitution for the formation of the ministry for youth affairs and such a ministry shall be headed by someone who is a youth and it shall be responsible for looking into the welfare of the youth with technical skills or professional qualification.

The third item is about youth of importance in political campaign and our resolution is that, a ceiling for campaign expenditure should be set by the Constitution to level the campaign itself and non partisan office should replace the government upon dissolution of Parliament or following the death or incapacitation of President. Ensure fair play in enshing election and smooth and over.

The next item is about no direct appointment to the editory bodies, and our resolution is that the procedure of appointment should be given to the elected in the Constitution. That person who will wish to be appointed, should be appointed by the President, but if there is such an appointment, it should be ratified by the Parliament. And we should also need minimum standard and levels of education which should be clearly stipulated in the Constitution.

Another item is that, the Constitution should provide for nomination posts for youth at every province. So, our resolution is that, the youth within a province should elect one of their own, who shall be a nominated MP in the Parliament. In that case in the 8 provinces of this country, there should be at least a youth. So out of the 12 nominated MPs 8 of them should be youths representing each province.

The next item is about the formation of the coalition government. The Constitution should clearly state when a coalition government can be formed. In this case no single party, maybe the ruling party can decide to send(inaudible) an agreement with another party just to enhance if viaying for in the Parliament. The Constitution should state clearly how a coalition government should be formed. And if it should be formed, then it should inform all other political parties that are in the Parliament.

Qualification of the candidates. Our resolution is that a minimum standards and levels of education should be set for the

presidential, parliamentary and civic candidates and, presidential candidates they should be approved by the electorates, to ensure that actually they are in a position to handle the welfare of the people, they should have a minimum of a university degree.

Interjection (Com. Baraza): For all of them?

Paul Wanyonyi: For all of them.

Com. Baraza: Even Councillors?

Paul Wanyonyi: Even Councillors because, these are the people who are going to determine the development of the constituency and even education in their words. In such a case, they should have at least a B minimum.

Com. Hassan: You also said there should be a ceiling for campaign money, how much?

Paul Wanyonyi: Like now in that case, the Commission should set it up for we don't know the figure.

Com. Baraza: You sign there and give us your memorandum. Councillor Leonora Kiumbunyake, Josephat - now those ones are not presenting at all. Mercy Wangomba. Bathlomio Wangomba. Are you there? Wangomba yuko hapa? You are who?

Cllr. Leonora: Kwa majina ninaitwa Councillor Leonora Mumbo. Mimi niko hapa kuzungumza kuhusu wakina mama.

Com. Baraza: Leonora nani?

Cllr. Leonora: Mumbo. Mimi ninataka kuchangia kuhusu shida ya kina mama. Sisi wakina mama, hatuna uwezo wowote kwa sababu hata sisi na wazee wetu kwa boma, huwa wanatuchukua hatujui chochote tunafanya. Sasa tunaomba sisi wamama pia tupewe uwezo kwa boma. Kwa kila jambo lolote lile liko hapo, ama mali yoyote, sisi pia tuushike ufuli kama sisi ni familia moja. Tena sisi wakina mama kweli tunauwezo wa kuongoza, lakini wengi wetu hawapewi uwezo wa kuenda kuongoza kwa sababu hawa wazee wetu wanasema, mama hajui chochote. Tena mama astahili kwenda pahali, ni mama vile ni mama aliweka kazi yake ni kukaa kwa hiyo boma tu, lakini kwenda kufanya kitu chochote haiwezekani.

Kitu ingine mimi ninaongeza ni juu ya, mambo ya urithi. Kama mume wako amekufa, haya mambo ya urithi, mimi ninasema hivi; inatakikana sisi tuhusishwe pamoja na family. Watoto tuwahusishe kwa hiyo urithi. Kwa sababu watu wa ukoo kama mume wako amekufa, wanakunyanyaza sana, kwa sababu wanasema hii mali ni ya ndugu yetu. Na shida ile inafunga ndio wasiingie ndani ni nguvu.

Kuna ndoa zingine ama harusi zingine zinafanyika kwa D.C. unajua msichana na kijana wanaweza kuinuana tu wanaenda kwa D.C. kufunganishwa huko ndoa, na sisi wazazi wa mke na mume hatujui, halafu wakati sasa kisa kinatokea, wanaona kwamba watu wanafurutana wanasema kwamba hata huyu pia ni mzee wangu tulifunga naye ndoa. Kwa sababu hakuna mtu alijua hawa watu wamefunanishwa. Sasa hiyo ndio shida kubwa inatukumba sisi, hata watu wa familia kusema kwamba, huyu mama ajulikani kwa sababu hawakuleta party ya family wajulikane kwamba hawa wameoana. Sasa ninasema kwamba, wakati watu wanaoana, watimishe masharti ya kujua kwamba hawa watu wameoana. Sasa wakati shida inapatikana huyo mama awe na uwezo na watoto wake kurithi hiyo mali ya mzee wake.

Jambo lingine kuhusu kuishi. Mimi ninapenda mama yangu, mwanakenya anastahili kuishi pahali popote. Kwa sababu yeye ni mwanakenya, na mimi pia ninaomba serikali iko na right kuchunga mwanakenya mahali popote ako. Shamba ninasema ipewe kwa kila mtu, mwanakenya si kabila, bora mwanakenya yeyote anastahili kupewa shamba mahali popote na aishi kama mwanakenya.

Elimu, mimi ninaona watoto wamepoteza nidhamu sana. Kwa sababu watu walisema watoto waweze kupigwa. Na hata sisi, zamani watu walikuwa wanapigwa na hata mwalimu huyo ni mzazi. Uwezi kupiga mtoto eti kwa sababu ataua lakini anampa discipline. Sasa hiyo nidhamu ya ku-punish mtoto kama kiboko ilikosa mpaka watoto wetu hawana mwelekeo. Ndio ninaona kwamba watoto wanakunywa dawa ya kulevya, wako shule wanasahau wajibu wao ni nini. Hata mnaona hadithi ya shule kama corruption, shule kuchomwa kwa sababu watoto hawana nidhamu. Lakini watoto wetu wa zamani, wakati huo watoto walikuwa wanakuwa punished ndio unaona hawa watu wako na mwelekeo mzuri. Lakini wa siku hizi hawana mwelekeo. Sasa mimi ninasema kwamba discipline ya kimombo kwa shule ifanye nini, irudishwe. Kumalizia tu mimi ninasema hivi kuhusu mama na mume.

Uongozi; uongozi wa kina mama hata mama pia anatakikana awasilishe kila pahali pa uongozi, kwa sababu pua yeye anaweza kuwa kiongozi. Kwa sababu kama mtoto msichana amesoma, na mwanaume pia amesoma, wako kwa level moja. Yeye pia anastahili apewe nafasi yake kama huyo msichana pia anaweza kupewa, lakini mostly wanaume wanasema mama havezi chochote. Na sisi pia tunataka wamama pia wapewe haki yao, kama ni elimu vile anasoma anasoma pia, kama mwanaume amesoma. Pia wazazi wetu wa zamani walikuwa wanasema watoto wasichana hawaelimishwi. Mimi ninasema watu wapatie watoto wao elimu sawa, mwanaume na pia msichana. Asante.

Com. Baraza: Asante sana Councillor. Josephat Munyasi, kama Josephat hayuko, Josephat Kiholo, this are people with disability. Kiholo, is he there? Kiholo

Josephat Jikholo: I have got a short memorandum here which I am going to talk about. My names are Waka Josephat Jikholo. The disabled must have one official member of the handicapped to represent the handicapped in Parliament.. Second, employment to be offered equally. The third one, disabled to have free education from grassroots. Discrimination against

disabled people holding public offices should not be there. Fourth one,(inaudible) should be provided from the grassroots level to serve their system e.g. salaries. Disabled people should be provided with loan facility(inaudible) system. When in hospitals or banks, they should be given first priority, - they should be given first priority in hospitals and banks.

Com. Baraza: Thank you, register with us there. Bath Wagomba.

Bathelemeu Wagomba: My names are Bathelemeu Wagomba from Korogoro. I have a few points here to make one is; our administrators - say the ministers of even the President, should not give(inaudible) It relieves which in many cases have helped to bring down or to demolish the economy of the country. Then if there is any change or any policy making, let Parliament be used to scrutinize and to find if it is unnecessary let it not be changed. Two; there are people who retire, they go home and wait for unknown period. As people prepare to retire let also their benefits be prepared on spot so that when going away they are given their dues. This pension also I feel, should be reviewed from time to time as the shilling get devaluated. We say this because, the shilling can depress in the market and keep changing. The person who was getting lets say, one thousand shillings may not be able to buy things now from the shop, because that one thousand is almost valueless. The pension as well has also to be increased when salaries for those in office are increased.

There have been so many changes in the departments say, education. We have got experts in this field. Professors are there who have qualified in that sector. We have lecturers there. If there is any change to be effected, I feel these should be consulted, to study screen and then recommend for the right steps to be taken. Previously you have seen these things just being taken - eventually they are found(inaudible) failure. Education levels for Civic, parliamentary candidates. Civic candidates should be those who have qualified form 4 and then parliamentary seats should have a qualified graduate. And this should be supervised by the Electoral Commission of Kenya.

Finally, a Kenyan citizen should live everywhere in the country, and the law has to ensure that this person is safe plus his property and if any note has occurred. Lets say one person has been injured by another one, let the government pay compensation to this person, and then follow up this person who has created this mistake. This is what I would have given, thank you Madam Chairman.

Com. Baraza: Okay thank you very much. Martin Mlongo, are you there? If you are not there then we have Susan Nangila, Susan, if Nangila is not there Rose Simiyu, Rose, if there is no Rose Henry Wanosu. Say your name in the mic and then continue.

Henry Wanyoike Wanosu: My name is Henry Wanyoike Wanosu Maiba. Kwanza ningezungumza juu ya mashamba ambayo nimeona watu ambao(inaudible). Hiyo mashamba iwe repossessed ipewe kwa wale ambao hawana mashamba. Wale ambao walishika nchi Commission of land to(inaudible). If it is possible own the AG(inaudible). Secondly, the position

of chiefs(inaudible).

Com. Baraza: Ongea kwa mic.

Henry Wanyoike Wanosu: The recruitment of chiefs should be by(inaudible). I say so because, government hawatatangaza kazi mali fulani ya chief: Utapata wananiletea mtu ambaye hana leadership qualities. Ndio tutapata kesi nyingi zinaenda kortini because zinatokea kwa wale ambao wana handle cases na hawana qualification kwa hiyo ofisi. Chief yeyote ama Assistant chief, lazima awe form four holder. Pia, ninazungumzia juu ya education ya watoto ambao wamewacha shule e.g police force army force and whatever. Hao watu wanatangaza kazi, serikali inatangaza kazi tayari imeajiri watu wengine. Hiyo system hatutaki iendelee, hiyo ni proposal yangu.

Ya tatu, MPs lazima wa-serve only two terms.

Audience: (inaudible)

Henry Wanyoike Wanosu: Iyo ni kuwawezesha watu wasiwe corrupt. Kwa mfano, mtu anaweza kuwa MP mahali fulani, shamba ikipatikana anachukua bibi yake anampleleka huko, mtu anachukua shamba karibu eka mia moja, mia mbili ambayo ingesaidia watu wengine. Na wale Wakasa lazima wapewe mashamba. I say so because hao ndio wanajua kazi wananchi, from where they come from.

Ya nne, local brews e.g. busaa to be allowed. I say so because common mwananchi, hawezi ku-afford mia moja ishirini, hawezi, kuacha watu waendeleo bila -iwekwe kiwango hakutakuwa shida lakini ninawaambia kula pole pole hakuna shida - hiyo to be allowed.

Finally, ECK waturuhusu tuwe na hiyo continuation ya voter registration exercise kwa sababu saa hizi pia, kuna watu ambao wamepata ID cards na mbeleni walikuwa wamefungiwa nje. With those few remarks I think I have finished.

Com. Baraza: Edna Sang’.

Edna Sang’: Thank you very much Commissioner. What I have in front of me is a list of topics that are covered. I will begin with citizenship but I will be giving what other people have mentioned. On citizenship it has been noticed that there is discrimination against women and we feel that any married person or a foreigner be it a woman or a man should be given automatic citizenship. We also saw that there are children who have also been discriminated upon, simply because maybe the father or mother maybe a foreigner. We feel that any child born to any Kenyan citizen, should be given automatic citizenship. We also saw that - in citizenship still - we have what we call dual citizenship. We feel the Constitution should not allow any

dual citizenship because it will need to double or behind betroyacy. On basic rights, one thing that was not mentioned very much is the women's rights to own property, should be protected by the Constitution. Unlike not to be judged by the customary law.

Rights of marginalized groups or vulnerable groups, we feel that the Constitution should actually look into groups that are actually marginalized or the groups for persons with disabilities. We feel that the people with disability should be exempted from income tax. We feel that, any tool that they are using because they are costly, should be exempted also from value added tax. On political parties, we feel that political parties should actually be limited, the registration of political parties should be restricted to three parties, so that we may have a very strong opposition to check the rulling party. Still on political parties, we feel that they should also adapt the one third presentation of women in all political parties. Any registered party that takes in maybe one third presentation of women, should be actually revisited. On electoral process or system we feel and I strongly, as I determine maybe from my side and I feel I am entitled to that, I feel that the Constitution, should protect or maybe criminalize violence on women and should there be violence in certain constituencies, needed on women, they should suspend the exercise about throbbing of the violence. Constitution should also limit expenses used on election, because it is also locked out, you find a number of women because the women actually do not have maybe access to property or many women don't own property and so they actually depend on maybe government property. We feel that also because the women are not maybe empowered, economically we feel that the government should set a side a fund to assist them in their campaign.

Com. Baraza: Wind up.

Edna Sang': Just give me just a little bit more time. Affirmative action; we feel that affirmative action should be nominated to actually see that quite a number of women are elected secondly to Parliament. Local government; we feel that it should really given enough power so that whatever is seen as their resources, that they connect within their Councils and control should benefit sorrounding of the locality of the place. We feel also there are Councillors and maybe Mayors and should be directly elected and should have reasonable qualification of non interviewed O-level.

Com. Baraza: Say your final recommendation.

Edna Sang': Land and property rights; girls or female offsprings should also benefit from family property. Whether they have money or not. We also discussed that when we came to land inheritance, we felt that maybe to protect the family lineage, will the child tell us he should be given other property or given in form of maybe money.

Com. Baraza: We shall read maybe your memorandum.

Edna Sang': That is the last one. We also know that maybe quite a number of this other things concerning women may not be

very much implemented because, still as we are talking, all the whatever law is captured mainly by majority men, within that a body or a Commission of maybe, a Commissioner an independent Commissioner will see that that will be implemented. Thank you very much.

Com. Baraza: Asante sana. Ken Oduor. Gideon Kisongoje, Gideon.

Gideon Kisongoje: Asante sana kwa hii nafasi. Mimi ninaitwa Joseph Gideon Kisongoje. Kwa hivyo mimi ninayo haya machache, kuna mengine ambayo yametajwa mbeleni, lakini mimi nitajaribu kuweka kwa njia ingine. Mimi ningependa kupendekeza kwamba, watu wengi wanakufa kwa sababu katika hosipitali zote, inasemekana wanalipa ile gharama nusu. Sasa watu wengine hawana chochote, na watu wengi wanakufa. Nilikuwa ninaona kwamba serikali ingetoa hiyo ingekuwa ni free treatment. Na serikali itafute njia ya kutafuta pesa kwa njia ya kuongeza food ama kwa njia ingine.

Ya pili, ninaweza changia kidogo, kwa habari ya mashamba, ilikuwa imesemwa mbeleni lakini mimi nitachangia kwa njia ingine. Kuna watu wengine wana mashamba makubwa sana. Na serikali mbeleni, kuna yale mashamba ya wazungu walitoa pesa kwa wazungu wakaenda na wale watu walimiliki hizo mashamba walipewa hizo pesa. Nilikuwa nikionelea kwamba, kuwa na limit ya ekari hamsini kwa wale matajiri. Na wale wana mashamba zaidi, serikali itafute njia ya kuwalipa hao zile maekari zingine ambazo zimezalia. Halafu wale watu ambao watapewa hizo mashamba, watarudisha hizo pesa vile tulifanya mbeleni wakati wazungu walikuja. Kwa sababu kuna watu wengine wana ekari nyingi sana na wengine hawana hata chochote. Hii ni kukumbusha ile shida ya mashamba, wale wana mashamba zaidi wapunguziwe wasiwe na hekari hamsini.

Jambo lingine ambalo nitachangia kwa vile limesemwa na mwingine mbeleni ni kwamba, minister yeyote ambaye anakuwa appointed, awe na mtu ambaye ni professional ili hata ile kazi anaifanya hapo, anaifahamu vizuri sana.

Jambo lingine, juu ya urithi wa mifugo. Katika area yetu hii kuna mambo ya uizi sana lakini wakati mwingine wakati ng'ombe zinaibiwa, wanapata kufika mahali pengine mahali sisi hatujapata kufika, wale watu wanasema hawajui mahali hiyo ng'ombe ilipotelea. Nilikuwa nikifikiria ya kwamba mahali ng'ombe imefika, wachukue kama kilometer mbili ama tatu, wale watu wako hapo walipe hiyo ng'ombe, kila ng'ombe moja walipe ng'ombe mbili. Ili hata hawa watu watafanya bidii kuona hizi alama za miguu ya ng'ombe ilipita hapa, ilienda wapi. Kwa hivyo mnaona hiyo ni pendekezo ambayo inaweza kusaidia, kupunguza mambo ya uizi ya mizigo. Kwa sababu wanaweza kupita pale watu wanapotea, miguu ilipita hapo na hii mambo ya hata wale watu wakipatikana, wanapitisha watu wao. Hao ni lazima wanajuana wenyewe.

Jambo lingine ningependa kuchangia ni mambo ya wale wamestaafu. Watu ambao wanastaafu wanachukua ile formular ya zamani kabisa. Hii ni nzuri kabisa wanapewa kitu kidogo zaidi na tena wanasema hiyo kitu haina mambo ya kuongeza kila mwaka. Sisi tunaona kwamba mambo ya ile national relief inapanda juu kila mwaka. Nilikuwa ninapendekeza kwamba, wale ambao wamestaafu, sio vibaya kupata marufu rufu yale ambayo wanapata, annual increament. Ili kulingana na vile mambo

yanapanda katika maisha. Kwa hivyo na hata vile vile nilikuwa nikiona kwamba wakati wale watu ambao wame retire wakifariki, wale wa jamii yake wanapata miaka mitano, hiyo iongezewe iwe miaka kumi. Kwa hivyo mambo ya annual increment iwekwe na tena mtu aki-retire kama leo, anapata hizo pesa karibu miaka mitatu, nne na hakuna kitu ambacho anapata. Kwa hivyo mimi ninaona kwamba mtu aki-retire leo, na ile pesa yake ile atapata ile lumpsome apewe na interest kwa hiyo pesa kwa sababu hiyo ni generation. Ili hawa watu wa updating wafanye haraka hiyo pesa isicheleweshwe. Kwa sababu hata ile pesa unapewa, ile pesa peke yake ikikaa. Huyu mtu ambaye ame-retire pesa yake inaanza kupata interest immediately, akipata miaka mitano, interest yake anaona vile ataweza

Com. Baraza: Your last point.

Gideon Kisongoje: Ya mwisho, ningependa kusema mambo ya good governance. Mara nyingi, tunapoteza wakati mwingi watu wakikwama serikali ndio sasa mahali usipokuwa hapa unasema kwamba saa imekwisha. Lakini mnaona wakati mwingine ukienda kwa chief ama kwa D.C. ama kwa education, mtu anakaa ndani ya ofisi karibu madakika kumi na tano. Na hata hapo vile vile pengine anaongea tu mambo ya kibinafsi. Nilikuwa nikifikiria mahali popote imeandikwa ofisi, madakika ya mwisho mtu apewe tu kama mtu ameingia ndani anaweza kaa. Na kama mtu anataka mtu, mtu anastahili afanye appointment na anapewa dakika kumi.

Wale ambao wana hold mambo ya mekesi, hiyo inakubaliwa hata na serikali. Vile vile hao watu ambao ni maofisa wao wanakengele badala ya kumuambia mtu eti saa imeisha, anagonga kidogo na huyu mtu anachukua kwamba ni sheria ambayo imepitishwa katika Katiba mpya, kwamba mtu akifanya hivyo amepoteza kazi. Na huyo officer aweke kwa programme yake iwe watu wanasimama mlangoni.

Com. Baraza: Tumesikia Mzee Kisongoje, thank you very much. Kiptum Rotich, Kiptum.

Kiptum Rotich: Mimi ninazungumzia juu ya office ya President. Kwa sababu ya hii maneno ya President, kwamba.....

Interjection (Com. Baraza): Sema majina kwanza.

Kiptum Rotich: Jina langu ninaitwa Kiptum Kimoe Rotich. Nataka kuzungumzia maneno ya office ya President. Kwanza, tunasikia ya kwamba, hii kupiga kura kwa President, - kwa sababu saa hii imekuwa na taabu nyingi. Vile kumekuja vyama vingi imefanya watu wengine, kuwa sasa kila mtu anataka kuwa President. Kila kabila inataka President. Tumeona kwa ajili ya kupata amani kila kabila lipate President wao. Kwa sababu tunaona wabunge wengi, ukienda kama Nyanza, karibu ni kabila moja, ukienda sehemu ya Kikuyuni, unapata ni hao mmoja, ukienda Western unapata ni hao mmoja, ukienda Rift Valley unapata kabila wote wako huko, sasa tumenyanyaswa sana kwa sababu, mtu wa kabila ya Rift Valley hapati tikititi hata moja kama ya Bunge. Kwa hivyo tunataka hivi, mtu yule ataomba presidency, kwa nchi ya Kenya saa hizi kwa sababu ya vyama

vingi, ikiwa mtu ametoka Nyanza kama mbunge wa Nyanza aombe kwanza Nyanza. Na wa kutoka Western aombe Western, wa Rift Valley aombe Rift Valley saa ile imepatikana ile station moja, basi anaomba jimbo ingine nafasi yake ya kuwa President.

Kama jimbo ni nane, anaomba hiyo nane na lakini President, mbunge wowote wacha iende kwa mbunge. Kwa mbunge wowote - wale wa jimbo zingine, hajambo kwenda kuangukia jimbo yake halafu aombe tikiti kwa bunge yao. Tuseme kwamba hapa, kwamba watu wa vyama vingi wanataka haraka haraka, kwa sababu nimeona kwamba mkiendelea kutuuliza maswali, inakaribia wakati wa kupiga kura. Kwa sababu nchi hii wanataka kunyakua kama hata ni sifa bado kuweco.

Interjection (Com. Baraza): Your last point.

Kiptum Rotich: Sasa ile kitu iko, ninataka kwamba, mbunge wowote kama Kijana Wamalwa wakati huu, aende Western aombe kwanza Western halafu aombe kiti ya kuwa President wa Kenya, lakini sikuinsist on that. Mtu wa Rift Valley aanze kuamka kwa Rift Valley hata kama nini, halafu aombe Western aombe atembelee parts zingine. Kwa sababu tumeona kwamba, sehemu ya Mombasa na Rift Valley itakwishia kwa kabila zingine.

Interjection (Com. Baraza): Ni maoni yake you respect them, go to your final point sir.

Kiptum Rotich: Wewe utaniuliza kwa Kiswahili kwa sababu sielewi kiingereza.

Com. Baraza: Nimewaambia kwamba, wewe unasema ya mwisho na kwamba uko na haki, kusema maneno ambayo umesema. Nimewaambia hiyo point unakuja ni ya mwisho.

Kiptum Rotich: Ndio niko na haki. Nilikuwa bado kufikia hapo kwa sababu atuko na kabila mingi hapa Rift Valley na bado ijajulikana. Tuko na kabila inaitwa Omolo, Maji, sasa kama Katiba tunatengeneza, hao watu tutawapeleka wapi? Kwa sababu huyo mtu alikuwa ametolewa mmoja na akakuja hoteli ya Kitale hapa inaitwa Rock, na huyo mtu amepotezwa sijui amepolekwa Nairobi kuonyesha watu wengine. Na angekuwa atafundishwa Kiswahili na Kisii halafu anapita kwa maji halafu atatoa watu wake, je tuko na watu Ogiek wako mistuni, hawa hawajui pahali tuko. Tuko Cherengani, unasikia milima Cherengani ilikuwa inahitaji ukulima kumbe ni watu. Hao watu tutawaweka wapi? Kama kabila wote wanataka sasa hapa Rift Valley, hiyo tunaomba kwamba, to be very genuine. Hii kabila yote iulizwe, hata kama ni watu wawili wapate haki yao. Asante sana.

Com. Baraza: Okay, Bwana Rotich thank you very much. Patrick Chemunda.

Patrick Chemunda: Kwa majina ninaitwa Patrick Chemunda. Nina comments ambazo zilikuwa tano, lakini tatu zimefanywa kwa hivyo nitaongea juu ya mbili peke yake. Hizi mbili ya kwaza ni Ofisi ya Rais. Katika Ofisi ya Rais, kumekuwako na majina ya kwamba mtu anapofanya kazi kwa ofisi fulani, amefanya makosa ama ufisadi, badala mtu afukuzwe kazini, anatolewa ofisi hii

na kuenda ofisi ingine. Kwa hivyo imekuwa ni ugonjwa wa cancer mtu amefanya makosa hapa, badala aende nyumbani ametolewa pale na kuenda ofisi nyingine, kwa hivyo ingekuwa bora ya kwamba mtu akifanya kazi, badala ya mtu kuwa transferred afukuzwe kazi, sio kuwa transferred.

Sehemu ya pili, ni kuhusu mambo ya senior post katika Ofisi ya Rais. Appointment katika chini ya vyeo kubwa kubwa. Mimi katika maoni yangu ni ya kwamba mtu akitaka kwa mfano kutoa machache, au mabalozi ambazo huenda nchi zingine kutuwakilisha, hawa watu majina yao yapelekwe bungeni, ili wanabunge waweze kujadiliana kwa hawa watu ambao wanataka wawe posted kwa sehemu zingine kufanya kazi. Kuliko mtu mmoja ama ofisi moja inawachiwa mambo yote ili waweze kuchagua wale ambao wanataka.

Interjection (Com. Baraza): Okay next point.

Patrick Chemunda: Na mwisho ni ya kwamba - nitaongea juu ya kuhusu dhamu na vile vile locao government imefikia na wale ambao wamestaafu kutoka kazini. Mishahara yao vile vile iwe checked kama watu wengine ambao wako ofisini. Sio vyema mtu awachwe kwa retire ya shilingi mia tatu na ndio hiyo mshahara anapata mpaka kifo chake. Hiyo ndio yangu ya mwisho.

Com. Baraza: Kenneth Kitavi.

Kenneth Kitavi: Thank you very much Madam Commissioner and your colleagues. I also wish to contribute towards this exercise and my first point I will look at the overtaxation. Living in Kenya is very expensive,

Interjection (Com. Baraza): Just tell us what you what and you.....(inaudible)

Kenneth Kitavi: Yes, due to over taxation, I feel it is highest time likes to trime very much as far as taxation is concerned, to enable us people of Kenya also to stay well. Taxation is so high.

Education system; education system is a system which is very expensive. So much such that a simple Kenyan cannot afford. In this particular area, most parents are taking their children across the border to a neighbouring country. Just because the system of education here is very expensive - across the border only 7,000/= - a child takes a whole year learning in secondary education. While ours is so hard.

Interjection (Com. Baraza): Just give us your proposal.

Kenneth Kitavi: Because of problems in the economy of the country, corruption should be curbed seriously by the

government.....

Interjection (Com. Baraza): On education what are you proposing?

Kenneth Kitavi: I am proposing that the high fee rate be cut down to enable poor people also train their children.

Interjection (Com. Baraza): We have heard, if that is the case, go to the next one.

Kenneth Kitavi: The next one is police force. Police force has a lot of powers. The powers given to the police are so high. It is high time the police should be retrained, to understand the requirement of the present life. They are very colonial. Lastly, because I have no time to give details - promotion of workers; In the Civil Service you find one particular person staying in one particular grade for long in his working time, to an extent it makes one get bored faster - and I will if you allow me Madam give an example, like the Ministry of Education. You find a teacher, being employed in one grade, working for about 30 years in same grade. My suggestion is, it is high time the government spelt out how long should one work in one particular grade and then be promoted to another grade which should be automatic not be actually campaigned for. Also, I would like pension system to be automatic, it should just take one month, for the government to prepare one's pension, but should not create so many safaris to the headquarters until one may even pass away without having benefited. So thank you very much.

Com. Baraza: Joseph Murithi, Joseph, Gideon Wanjala, Gideon, Joel Obuth, is that Joel? Irene Mandete, who are you?

Speaker: I am Joseph Ng'eno.(inaudible)

Com. Baraza: With who? Do not come back to claim a position. Okay thank you.

Joseph Ng'eno: Thank you Madam Chairlady. I am

Com. Baraza: Say your name.

Joseph Ng'eno: My name is Joseph Ng'eno. From Kwanza Kalenjini Group. I want to highlight on corruption, poverty, water, cattle rustling.

On corruption we have talked very much in the quorum and all those. I would like to come to grassroot level, that is the village elders. They should be paid, I propose that. They should be uniform so that they can identify themselves. Chiefs also who are suspected to be corrupted should be fired. Also I would like elders to be paid so that they cannot be corrupt. Police officers who have bribed, should also be fired, so that they can perform their duties without bribery.

When we come to poverty, much population are very much needy. Resources should be shared equally. On that considering they work for ten years that is rural development, economy. Another factor on poverty, when someone dies, the police take the dead body to hospital for postmortem, but later on they don't return the body. I would like in the new Constitution that the police take the dead bodies back to the owners for burials, it is very expensive for the owner who are in poverty to transport the body and their preparation.

Water; the government should address water policy, because people get infections from contaminated water, and also the government uses a lot of money to buy drugs in the hospitals to treat them. So I would like - with these few conclusions, that water should be addressed accordingly.

Cattle rustling; here where we are, there is a lot of cattle rustling, very many people have suffered from those fights. Because, whenever they are stolen they will never get their property; I suggest the government to compensate the affected ones. When we come to school - my last point - because the parents cannot afford the high standard of education offered to our children, the equipments are very expensive. That is all. Thank you.

Com. Baraza: Thank you Mr. Ng'eno. I am assuming Mr. Ng'eno that that is your group which goes up to Philomen Munga. Okay fine, I will key them. Edward Nyambeka, you are who?

Isaac Maget: Isaac Maget. Kwa hivyo mimi nimefurahi kwa nyinyi kuwa hapa Commissioners, kwa sisi kuwa na uhuru wa kuzungumza mambo ambayo senior chief mahali pengine. Mimi nitazungumza juu ya elections yaani uchaguzi. Kitu cha kwanza, mimi nina propose ni ya kwamba hatuwezi kuwa na President ambaye anaweza kuwa above the law, yaani awe juu ya sheria. Kwa hivyo akiwa juu ya sheria, tayari udicatorship umeingia. Halafu yangu ya pili, mtu ambaye anaweza kuvunja Bunge - yaani hao Macommissioner wa elections wawe na uwezo wa kuvunja bunge. Halafu, Rais na wengine wawe nje ya ofisi kufanya campaign. Wasiwe ndani ya ofisi kwa sababu akiwa ndani ya ofisi, atashughulikia mamlaka yake kwa ku-rise elections. Jambo la tatu.....

Interjection (Com. Baraza): Who should be in charge of Parliament, when he is out campaigning?

Isaac Maget: In charge of?

Com. Baraza: Government, when the President is out campaigning.

Isaac Maget: Kwa mfano tuseme kama President anaweza kuwa nje, Parliament ichague mtu ambaye anaweza kushikilia serikali. Na mtu ambaye anaweza kushikilia serikali, anaweza kuwa kama Speaker wa Parliament an Attorney General - basi

watu kama hao wanaweza shikilia serikali na wapewe madaraka yote. Halafu, kama sasa wamefanya elections, na uchaguzi huu kama tunakuja kwa uchaguzi tena, tuone ya kwamba Constituencies zinaweza kuwa in greed kwa sababu kulingana na vile watu wanaenda, kwa mfano sasa kama hapa Trans Nzoia, tulianza na Wabunge wawili peke yake, sasa saa hizi tuko nao wane, sasa kwa sababu ya watu kama vile wanaongezeka, kwa hivyo kama watu wanaongezeka, waongeze tena constituencies. Hapo tutakuwa tunaenda vizuri.

Interjection (Com. Baraza): Okay your next point.

Isaac Maget: Halafu next point inakuja kwa shule, yaani payment. Hii education mimi nina propose ya kwamba, vile mwenzangu amesema watoto wapate punishment, kwa sababu hata Bibilia inasema hivi, kama unapenda mtoto wako mnyime kiboko. Sasa mtu fulani alisamama mahali akupenda watoto akatuambia ya kwamba watoto wasichapwe, sasa hapo na hao watoto wanakuwa watu wazima. Kesho yake hao watoto kama hakuna punishment, watatuletea shida pande yetu. Kwa hivyo, hiyo ndio nilikuwa nayo. Asante.

Com. Baraza: Asante sana. Edward Nyongesa. Utafuatwa na Simon Mogendi, Simon are you there? Simon Mogendi?

Edward Nyongesa: I am Edward Nyongesa. (Inaudible). Nina mambo mawili ambayo ninataka nizungumzie. La kwanza ni kuhusu elimu. Masomo ya sasa ya 8-4-4 ninapendekeza iondolewe, na ipate kuchukuliwa na ile masomo ya zamani ya 7-4-2-3 sababu kwamba, mvumo huu ulioko sasa, unanyanyasa shule ambazo zinatoka katika maeneo makuu. Zamani mtu angeenda kwa shule ambazo labda juu na akifika O-level angepita na aende kwa shule kama hata Alliance. Na pia akifika, angeweza kuenda kwa university na bado asomee taaluma ambayo labda angehitaji. Lakini huu mvumo wa 8-4-4 mwanafunzi akimaliza form four anangoja sana. Kwa hivyo katika shule masikini, najua ni vigumu kupata wale wanaochukua taaluma mpaka.....(inaudible).

Ya pili, kuhusu utawala. Kuna utawala katika nchi yetu wa aina mbili ambao ni Provincial Administration na huu ambao unachagua madiwani na watu wa bunge. Napendekeza our Provincial administration hawa P.C., D.C., P.O., na chief na nini, waondolewe. Badala yake tuwe na watawala ambao wamechaguliwa na wananchi wenyewe kwanzia kwa kijiji, wakiwa wanawasilisha stakeholders wote, akina mama, vijana, watu wasio bahatika katika councils mpaka kwa district level.

Na kwa district badala ya D.C. kuwa na district chairman ambaye atakuwa ni mwenyekiti wa mambo yote katika wilaya, badala ya D.C. kwa sababu huyo atahadharisha maslahi ya wanachi walio mchagua. Lakini D.C ambaye analetwa kutoka nje na anakuja kukalia anakuwa chairman wa taaluma zote, anaishi kule ametoa, magari hajui wananchi katika eneo hilo wanafanya nini, kwa hivyo walete watu wao. Hivo ni kusema hii uongozi tunaoanza kwa village wawe na walikishi wa all departmental unity. Kwa vile tunayo sublocational level mpaka kwa district na hawa watu kuanzia kwa village level pia wapewe appreciation. Badala ya chief, tuwe na kambi ya administration ambaye atafanya tu kazi kama yeye anaitwa chief

.....(inaudible).

Interjection (Com. Baraza): Go to the next point.

Edward Nyongesa: I have finished.

Com. Baraza: I don't know the name. Richard Wabwire, Richard.

Richard Wabwire: Madam mimi nina mambo karibu matatu na ambayo ningeyasema siku ya leo katika Commission. Mimi nimeonelea sana kwa njia ya mtu ambaye ameua mtu, mtu akisha ua mtu serikali hii inachukua hatua ya kumshika, wanaenda kumfunga ama auwawe, haiwezi kumaliza uhalifu wa namna hiyo. Mimi ningependelea, mtu akisha ua mtu, mtu huyu ana serikali akiwa kama Serikali. Lakini yule mtu mahali ametoka - tangu zamani tulikuwa tunalipa watu wa huyo mtu ameuwawa. Kwa hivyo, jamii ya yule mtu watalazimishwa kulipa kichwa cha yule mtu ambaye ameuwawa. Hao watu wakifanya hivyo tutakuwa tumeondoa mambo ya uhalifu wa kuuana. Pia, tena ninapendelea juu ya ulinzi, kama wa mifugo hasaa katika Bibilia, tangu hapo nyuma, Moses alikuwa amepitisha mtu akiiba mali ya mtu kama ni ng'ombe Musa angelipa faini ya ng'ombe zingine. Kwa hivyo serikali inachukua kama mtu akishaiba, anafungwa kwa sababu ya uizi vile aliiba. Lakini yule mtu ambaye ameibiwa na campuni ile inaibiwa inapata hasara, kwa hivyo tukitaka kumaliza uizi kabisa, jamaa zile za yule mtu ambaye ameiba, na anatoka kwa jamii fulani, ile jamii ilipe hasara hiyo.

Com. Baraza: Vile ungesema - ungependelea, ndio tu - save time, useme kama unataka traditional system of punishment. Say that we want this like that, then you go to the next point. Ya uizi uende kwa ingine.

Richard Wabwire: Nimesema juu ya uizi, kama mtu ameiba mali ya mtu fulani, ingawa tungetaka kuchukua hatua ya kumshika, lakini country ya huyu mtu, mara unataka walipe hasara hiyo. Kwa sababu nituseme hivyo, hapa mali tumekaa mali iko hapa. Hapa ningengezea kusema, hata kama vile tulivyo kama sisi hivi sasa watu wengi wanaiba mali ya watu kama kijiji hiki.....(inaudible). Halafu serikali inachukua msaada wa kufanya mandeleo, tena inaongezea wale wanazidi kuiba vitu zingine, sasa inaonekana nchi ingine inayolipwa wanasema wameendelea wanaendelea kuongezewa vitu. Kwa hivyo, hili ni jukumu la serikali kuchukua hatua kama watu wametoka na wizi mali fulani, serikali saa zingine inaleta hasara hiyo. Na leo ya mwisho mimi sikuwa na mengi wale wamerudia mengi. Tena ambalo nimeona lingine, mjihadhari sana katika Kenya kwa sababu kuna jamii moja, kabila moja ambayo imekuja na ni hatari sana, inaweza kupindua nchi hii. Nchi hii inaweza kuinuliwa an mtu anaitwa chokora. Hawa watu ukiangalia kila sehemu ni kabila linaendelea kuongezeka. Msipochunga, mimi ningesema tu kupendelea kwangu, tuondoe sana jina la chokora, na litoke kabisa katika nchi yetu kwa sababu watu wanaendelea kuwa jamii kubwa, na baadaye tutapata shida.

Com. Baraza:(inaudible)

Richard Wabwire: Tukitoa mtu ataangalia mali alitoka na aharakishwe kupelekwa kwa area hiyo, na tutakuwa tumemaliza hiyo. Pia ninamalizia nikisema asante na kwa njia ya serikali kutoka kwa D.C., P.C., kuja nyuma hapa, watu wasikae kwa hiyo kitu hiyo ni kupoteza nafasi kwa sababu(inaudible). Tukikosa watu kama hao nchi inaweza(inaudible).

Com. Baraza: Asante sana Richard. Samuel Juma, kama hakuna Samuel, Ben Wasike.

Ben Wasike: Mimi nina neno moja nitasema. Tangu mwaka wa sabini na tisa tukiingia hapa, mpaka wa leo kunanyesha. Haswa sasa mizigo ya ng'ombe ikiibiwa, ukitoka nje unauwawa. Wakubwa wengi wanasema, kama ng'ombe unasikia imeibiwa wewe usifungue mlango, serikali iko na jukumu ya kutunza nchi hii. lakini hizi ng'ombe zikienda, hairudi. Sasa tunasema, tena iko Kenya mbili au moja. Wakati tuliingia hapa tulikuwa Nakuru, lakini KANU inatumaliza. Sisi wazee wa zamani, ng'ombe ndio ilikuwa pesa. Na pengine mtoto ana ng'ombe yako, mbuzi, kondoo, wanakamata fimbo wanakwenda kujiunga, wanavunjwa na kura hiyo ndio maneno yao. Caro ikiingia kwa mwili wako unatoa ng'ombe yako unauza.

Interjection (Com. Baraza): Enda kwa pointi ingine tumesikia hiyo ya ng'ombe.

Ben Wasike: Sasa ndio mimi ninasema, sina mengi uchumi ndio tuko nayo. Na sisi wazee saa hizi hata hatuna mashamba. Sisi wazee hatuna nguvu lakini wengine hatuna watoto wale wanafanya kazi ndio watupatie kitu cha kukula. Hata ukiwa na nusu plot ujui ukulima. Huna mali ya kutoa pesa na wewe pengine una watoto. Hawa wazee wapewe pesa, tutaenda wapi. Zamani sisi tulikuwa hatujui mambo ya kwenda kulima mashamba. Tulikuwa hatujui ng'ombe hulima mashamba, tulikuwa tunalima na mbavu, na chakula ilikuwa mingi, ya kulimwa na mbavu. Hii uchumi inaunganishwa juu ya kuleta majimbwa na watajiri. Ndio watatuweza kukula, na wewe ukisema wanakucheka. Sisi tunaomba Katiba itusaidie sisi wazee vile nchi ikuwe sawa sawa kama zamani. Sina mengi ni hayo tu.

Com. Baraza: Asante sana. Wakhoka Simiyu, Wakhoka, yuko. Thomas Kulikina. Itafuatwa na Celina Nyakoa.

Thomas Kulikina: Jina ni Thomas Kulikina. Nitakuwa na machache sana ambayo ningependa kupendekeza mbele yenu leo. Kitu cha kwanza ambacho ningendekeza ni kwamba, Katiba ya leo ikubalie wale viongozi ambao wamechaguliwa na wananchi, wazee wakubwa wananchi, wale wananchi wawe wakubwa wao. Isiwe kama wakati huu, mtu akichaguliwa anakwenda kuwa boss. Kitu cha pili.

Com. Baraza: Mr. Thomas, just go back what you have said.

Thomas Kulikina: Nimesema wale viongozi ambao wanachaguliwa kama wajumbe ama Macouncillors, wakiwa defected wapewe mabosses wa wale watu ambao mumewachagua kama ni ule utafanyika wakati huu. Jambo la pili, tunataka Kenya

iwekwe kwenye Katiba ya wadhifa kwamba, katika Kenya, mtu masikini ni masikini ambaye anaweza. Lakini kwa wakati huu kile kinachofanyika kwa upande wa mashamba, utaona ya kwamba itatangaza mashamba ya masikini, lakini wale watu ambao wanapewa mashamba, ni wale matajiri ambao wamepewa pesa. Sasa tunashindwa masikini yule ana pesa ama ni yule ambaye hana.

Kitu cha tatu kingine, kwa upande wa polisi, mshitakiwa akishikwa kwa wakati huu ukishikwa, pengine uwe umeshukuwa, tayari una makosa, lakini wakati unapelekwa kortini, magistrate ataona pengine huna roho hiyo na wakati umekaa hivyo sio rahisi tena kupata nafasi nyingine. Katiba ijatuonyesha kama pia unaweza kuenda kortini kudai. Halafu mwisho, Katiba ya sasa ingependekeza ipewe mwananchi wa kawaida, kwa sababu Katiba ile ambayo iko wakati huu, wananchi wengi ni kawaida. Asante sana.

Com. Baraza: Celina Nyakoa, John Mwangi, John Wasika, Isaac Gwasi, any of you, you are not there? Where are they? Sema jina na group halafu uendelee.

John Mwangi: Kwa majina ni John Mwangi. Ningetaka kuongezea juu ya walemavu, vile wangeweza kusaidiwa. Kutoka zamani walemavu, ningomba katika mahosipitali, tuweze kusaidiwa kama kununua kwa kuwa tuwe kama watu wa kwanza. Ya pili, tuweze hata kusaidiwa vifaa vya kutumia kama vya walemavu. Ya tatu, kuna yale nimeweza kuyaandika na ningeweza kusomewa.

Mary Mayenge: Bwana Commissioner, on behalf of the physical disability I would like to raise what they have written from Mwai.(inaudible). I am Mary Mayenge.

Com. Baraza: Don't read word by word.

Mary Mayenge: The Constitution(inaudible) will come up to explain the compulsory.....(inaudible). You should make sure that there are special food for the lame and(inaudible) for the disabled. We should also open offices in this division. In order to get awareness of the constitutional amendments. It should provide equal human right to all people, where disabled or not. One who is a disabled person(inaudible) should take part in the politics. Employment should be covered for them, this is for people with disability.

Com. Baraza: Mary Mayenge sign there and give us your memorandum. Inventor Wanyonyi.

Inventor Wanyonyi:(inaudible) it is this one of the blind.....(inaudible)

Inventor Wanyonyi: Special public toilets should be build for the blind. It should make sure that some publication and

important documents are covered in special ways and rate of fare should be catered for the blind.(inaudible). They should provide for them special.....(inaudible) relief and also wages should be brailed. And now when they talk about the(inaudible). They should also offer special programmes(inaudible). They should also give newspapers prepared for the blind. Newspapers should be prepared for the blind, there should be female leadership, squarely with others, the hospitals should be special for them and the banking offices. Payment of taxes should be deployed they should not pay the taxes. The blind people should be given the first priority on voting, so important to sign because they say that there is somebody behind and they become tired. They should build their education centers and vocational training for them, such as schools, they can go there and also do publishing. They should be given time to publish their own things and then this things should be given to those who are poor. Thank you Madam. Asanteni.

Com. Baraza: Please sign there and leave us the memorandum. Silvester Wanyonyi.

Silvester Wanyonyi: Commissioner, guests, ladies and gentlemen, my names are Silvester Wanyonyi. On behalf of the Koibatek secondary school, students decided on the following, I would like to air out the points, we have officers as the ones in the school and those outside the school. Most of them are(inaudible) nothing to do after completion of schooling programme. Firstly, youths will.....

Interjection (Com. Baraza): Silvester, you are a school student? You are a student? In what form which is your class?

Silvester Wanyonyi: Form four. All of us at least in school and those outside the school. That most of our fellows who(inaudible) after school they.....(inaudible). Lastly, due to lack of fees, to cater for this cases, or due to lack of the toilet facilities. It is our proposal that, the Constitution should allow the establishment of a national youth programme which should involve the entire youth of population in the country. The curriculum which we do propose should cover a period of two years. Which should include technical knowledge in different fields, personal discipline and responsibility. Also and if ethnicity, and anticorruption, philosophies, this can also come from borrowing from the African age set initiation programme, which inculcated personal responsibilities and comradeship among the initiates, we believe that the programme will check the ethnic and morquickly in this country and among the youth generation. Thank you.

Com. Baraza: Unaitwa nani? Judith unaweza kukaa hapo?

Speaker:(inaudible) endelea tu, mwambie aseme jina kwa microphone.

Com. Baraza: Sema jina kwa microphone.

Judith Wasike: Jina langu ninaitwa Judith Wasike.

Mary Mayende: I am Mary Mayende.

Judith Wasike: *Ndi nende ishida inyingi.*

Mary Mayende: Eti ako na shida nyingi.

Speaker: Unaweza kuongea.

Mary Mayende: Eti hajui. Mimi ndio ninaongea kwa Kiswahili.

Judith Wasike: *Yo khukenda*

Translator: Ya kutembea.

Judith Wasike: *Nindola sirenge esio*

Translator: Akiona hiyo miguu.

Judith Wasike: *Nyenya khutsia musibitali lakini sinyalilwa ta.*

Translator: She wants to go to the hospital but she is unable.

Judith Wasike: *Mbulira butsuni khurula hano mpaka ekulu eyo.*

Translator: Anasikia uchungu kutoka hapa mpaka huko juu.

Judith Wasike: *Ninzia musipitali ni mbolelwa mbu ndusie amapesa ne sinyalilwa khurusia amapesa ta.*

Translator: Eti akienda hospitali wanamwambia anatakikana kutoa pesa na hana uwezo wa kutoa pesa.

Judith Wasike: *Ndi nende indalo lakini sinyala khulima ta.*

Translator: Eti ako na shamba lakini hawezi kulima.

Judith Wasike: *Inyumba ndali nayo ni iyia ne bindu biosi biayiramo ne kata ndi nende inzala ne sindenyala ta.*

Translator: Eti nyumba alikuwa nayo lakini ikachomeka na vitu vyote vilichomekea ndani na hata ako na njaa na hajiwezi.

Judith Wasike: *Lano serikali yaruetsanga mishara, lano tsidocuments etso ndekhonyeranga khunyola amapesa ako, tsiayiara munyumba, lano isaa ina mbula bunyali mana mukhonye.*

Translator: Sasa eti serikali ilikuwa inawapatia mshahara, sasa hizo documents alikuwa anatomia kupata hizo pesa,

zilichomekea ndani, sasa saa hizi hana uwezo kwa hivyo mmsaidie.

Judith Wasike: *Esie ngandarula yingo ndakingwa sa lano ngorwa nga lwa ndakha kulukheyo.*

Translator: Eti yeye wakati alitoka nyumbani alibebwa tu na hata vile atarudi sasa, hatajiweza.

Judith Wasike: *Murio muno ndakhamala.*

Translator: Eti asante sana amemaliza.

Com. Hassan: Hudson Caleb. Paul Kamau. Wanyonyi Kibithi, Charles Rono.

Charles Rono: Kwa majina naitwa Charles Rono. Na mini jambo langu ni fupi tu. Ya kwamba sisi tungetaka nchi yetu ya Kenya, ifikirie wazee wa umri kubwa, kama jinsi vile mnavyojua ulaya watu wakiwa wazee hawalindwi na watoto. Watoto wa siku hizi hawana aja na kulinda wazazi. Sisi tungetaka sisi wazazi tufikiriwe kama jinsi vile watu wanafikiriwa wale wa National Social Security Fund. Sisi pia tulipiwe na serikali. Mtu akiwa na miaka sitini na kwenda mbele, afikiriwe na serikali huyo atatunzwa namna gani. Kwa sababu niseme wazee wa miaka sitini kwenda mbele si wengi sana, na miaka ile nachukua ni kidogo.

Com. Hassan: Hiyo pointi nimechukua, endelea kwa ile ingine.

Charles Rono: Hiyo imechukuliwa? Asante sana. Neno lingine kuhusu mambo ya office of the President, ndio sisi tunasema wakati multiparty ilipoingia, inaonekana kila kabila inataka President. Kwa hivyo tugawane huyu President kwa majimbo nane, kila mtu aonje President asiseme President kutoka kabila yetu peke yetu. kwa hivyo majimbo iende ku-consider.

Unitary government imejaribu kuweka hao watu pamoja miaka thelathini na nane hawajaweka, wacha majimbo leo tuangalie miaka thelathini na nane ingine. Yangu ni hayo tu, nikirudia tena wazee wa umri kubwa waangaliliwe sana. Asante.

Com. Hassan: Asante sana Bwana Charles Rono. Peter Gakuo Kariuki. Mr. Rono, tafadhali unapiga signature hapo.

Peter Gakuo: Jina langu ni Peter Gakuo. Mambo yangu ambayo ninataka kupendekeza, ni kutoka cheo cha juu cha Rais. Kutoka leo tusiwe na Rais mwenye mamlaka zaidi kushinda sheria. Iwe mwisho ni hapo, ya pili, ninapendekeza viongozi wote kwanzia Rais, mawaziri wake na wajumbe wawe ni watu wamesoma wako na elimu ya juu. Wote wawe wamehitimu katika university. Na watu hawa ninapendekeza kila mmoja wakati anakutana na wananchi awe na mke wake. Kwa sababu tunataka kukataa sugar daddy na sugar mummy. Hilo ni jambo limesumbua nchi yetu sana. Nataka kupendekeza, bunge kila jambo lipitishwe katika bunge. Tuwe na bunge yenye uwezo. Ninataka kupendekeza, pesa za serikali ambazo zinaitwa pesa za uma, zigawiwe kila sehemu. Tusidanganywe ya kwamba wanakuza tu sehemu zile kame. Ningependekeza pesa hizo zipeanwe hata

sehemu zile zenye maendeleo. Ikiwa watu wanalima majani ichunguzwe ni shida gani majani inaweza kusaidiwa na pesa hizo. Ikiwa watu wanalima kahawa, wasaidiwe wanaeza kulima kahawa nzuri na pesa hizo. Ikiwa ni wakulima wa mahindi, tusaidiwe.

Ya mwisho, ninataka kupendekeza sisi wakulima wa mahindi tujengewe kiwanda cha kusaga mahindi hapa hapa kitale, ili kiwanda hiki kiweze kulisha mizigo yetu na tuweze kufaidika na ukulima wetu. Ni hayo tu na Mungu awabariki sana wana Commissioner.

Com. Hassan: Asante. John Wanyonyi.

John Wanyonyi: Kwa jina ninaitwa John Wanyonyi, kutoka Luhya farm. Pendekezo langu la kwanza, mwanakenya anatakikana aishi mahali popote kwa sababu ni nchi yake. Lakini apewe title deed ya kurithi mahali pale. La pili, Rais ana mamlaka kama kawaida lakini asiwe na nafasi ya kupendekeza mbunge maalum. Kwa sababu anachagua mbunge ambaye wananchi wamemkataa, na huku anakuja anampa cheo kama minister, na huku wananchi walikuwa wamemkataa. Pendekezo la tatu, Rais atakuwa na vipindi viwili, miaka mitano yaani mara ingine tano inakuwa kumi. Akimaliza kumi, asiwe na nafasi ya kugombea kiti hicho tena. Hayo ni maoni yangu.

Pendekezo langu la nne, KPR watolewe. Kwa sababu wamepewa silaha na hawalipwi mshahara. Huko mbeleni itakuwa tisho kwa wananchi, kwa sababu hatalala njaa na anasilaha lazima atawaza lingine. Badala yake wana ujuzi, wawekwe kwa post kama polisi, kama AP kwa sababu wana ujuzi wakiwawacha bure watakuwa makaidi wakati ujao. Pendekezo langu la tatu hosipitali, mambo ya kusema serikali tugawane gharama na mwananchi hiyo ni ngumu. Tuna wananchi wengine hawana uwezo hata wa kupata kiasi kidogo. Kwa hivyo inabidi, atakufa kwa sababu hana kiasi ambacho angetoa ili wawe wamegawana na serikali. Kwa hivyo serikali itafute mahali popote pa kupata pesa ambazo zitagharamikia mambo ya matibabu. Kuhusu elimu, mimi ningependekeza irudi kama miaka ile ya kwanza. Kwa sababu saa hizi serikali yetu inatangaza ya kwamba, elimu ni ya bure, na ukienda shuleni hakuna vitabu, hakuna chokaa, hakuna mambo mengine. Lakini kule mbeleni, serikali ilikuwa inapeana vitabu, ilikuwa inapeana chokaa na vitu vingine vinavyohusiana na elimu. Kwa hivyo elimu iwe ya bure na serikali itafute jinsi iwezekanavyo, vifaa vile vinatakikana kwa elimu, vipatiwe kila shule. Hiyo itakuwa ina maana sana.

Mzee wa mtaa, alipwe mashahara kwa sababu ni yeye ndio kiongozi wa kwanza ambaye ako karibu sana na mwananchi wa kawaida. Asante sana kwa muda huo nimeweza kuchangia.

Com. Hassan: Asante sana Mr. Wanyonyi. Michael Juma, huyo alitoa maoni asubuhi. Simon Ekeingot.

Simon Ekeingot: Basi mimi ni Simion Rembengo. Ingawaje watu wameongea hapo mbeleni habari ya mashamba, lakini nitaongezea kwa hayo. Mimi ningetaka kupendekeza ya kwamba, haya mashamba ambayo tumepima(inaudible)

amekuja kupima, lakini unaona ya kwamba, ma title deed inakuwa ngumu sana kuchukuliwa kwa sababu ya gharama ya juu. Ningependa serikali pia ione ya kwamba, hiyo malipo ama gharama hiyo, ipunguzwe iliionekane mwananchi anaweza kuchukua title deed yake. Kwa sababu hata mtu akienda kutaka kuchukua title deed, utaona ya kwamba lazima auze ardhi ili aweze kwenda kutoa title deed, kwa hivyo tunaomba serikali ya kwamba ijaribu kupunguza hiyo malipo ya title deed. Ili mwananchi wowote aweze kuchukua title deed yake.

Pili, ningetaka kuzungumzia habari ya mazao, yaani mahindi kwa jumla. Jambo ambalo ningependa kuzungumzia kuhusu habari ya mazao, ningependa serikali pia ione ya kwamba, mahindi ambayo ama mazao ambao tunalima, serikali haiwezi kununua, isije kupewa wenye biashara wanunue mahindi na wananyanyasa wananchi. Ningependa serikali inunue mahindi, hata kama mahindi iko kwa wingi, wao wenyewe watatafuta market ya kuuza.

Nataka kupendekeza habari ya kilimo, ya kwamba ningependa serikali pia isimamie bei ya mbolea. Kwa sababu utaona mbolea wale watu ambao hawajui mambo ya kulima, wanauza mbolea katika town, na hawajui mkulima anapata shida gani. Kwa hivyo ningetaka kusema ya kwamba, serikali isimamie habari ya mbolea. Ningependekeza ya kwamba Kenya mbolea iweze kukuwa shilingi mia sita kwa gunia kilo hamsini.

Pendekezo lingine kuhusu habari ya mkulima, ningependa tena pia mbegu yenye inauzwa, serikali pia isimamie habari ya kuuza mbegu, ili tuone mbegu ya kilo kumi iuzwe kwa shilingi mia tano. Ili mkulima aweze kupata mazao.

Interjection (Com. Hassan): Ya mwisho.

Simon Ekeingot: Ningetaka kupendekeza habari ya mashule ya kwamba, serikali wakati inasoma budget, inaweza kuangalia pia maneno ya mashule kwa ajiri ya gharama. Kwa sababu mwananchi hawezi kuitumu ili aweze kulipa kujenga kwa mashule kwa sababu nimeona uchumi wetu umerudi chini, na tumependa serikali pia wakati wanatengeneza budget iwe kuwa watengeneze pamoja na mashule kuanzia primary mpaka shule ya upili, ili waone hayo mashule yamejengwa. Jambo ambalo ninataka kuongea hapa, ni habari ya matatu.

Interjection (Com. Hassan): Tafadhali jaribu kumaliza haraka.

Simon Ekeingot: Habari ya wananchi vile watasafiri, ningependa pia matatu pia wasibebe kuliko kiasi. Niafadhali wale hawabebi kiasi, huyo driver anyanganywe license, na hiyo gari isiende kwa barabara kwa muda wa miezi tatu. Habari ya kutengeneza sheria, ningependa sheria pia iandikwe kwa kila lugha ile mwananchi wowote ambaye hakubahatika kusoma kiingereza, aweze kusoma kwa kiswahili ama lugha yake. Nitaongea tena habari ya mifugo ya kwamba yale tu tunaweka kwa ng'ombe, serikali isimamie hiyo habari ya tip, ile kila mtu anaweza kununua kwa sababu saa hizi ni ghari mno.

Napendekeza tusikuwe na majimbo ingine kwa ajili ya uchumi iliionekane ya kwamba, jimbo gani ndilo linafanya vizuri, na ni kwa nini? Kwa hivyo ningesema majimbo ni kitu cha maana, majimbo igawiwe pesa yao ili waweze kustawisha maendeleo ili majimbo ingine yaone majimbo gani yanashindana na mengine. Asante.

Com. Hassan: Asante Bwana Simon. Lucas Wandetu, hayuko. Bwana Simon. Joshua Orunya. SK youth leader. Charles Mwakel, Elid Tendo.

Elid Tendo: Basi mimi nitaguzia sehemu ya kitengela ambacho kinasema ya kwamba serikali inalinda mwananchi nafasi yake. Hapo ningeliomba Commission hii, hicho kitengele kimepunguka nguvu. Napendekeza ya kwamba, Katiba ya kitengele hicho kiwekwe nguvu kwa njia hii, ili mwananchi awe na ulinzi kamili, inabidi serikali ichukue silaha zote ambazo zimeingia mikononi mwa raia. Ndiposa itakuwa imelinda mwananchi na mali yake kwa njia ambayo mwananchi awezi kuwa na wasiwasi. Kile kina promote uhalifu, ni kwamba serikali iliwachilia silaha ikatoka kwa store ya serikali, ikaingia mikononi mwa raia. Wakati silaha imeingia mikononi mwa raia, raia ni wengi sana kushida askari. Ingawa askari wanajaribu sana ili kulinda mali ya mwananchi na hata raia mwenyewe imekuwa vigumu, kwa sababu silaha ni nyingi sana mikononi mwa raia.

Kwa hivyo tena nikiongezea, serikali iwe na sheria ya kwamba uhalifu kama umefanyika mahali, ifanye kama vile mkoloni alikuwa anafanya. Kama hata ni mlipuko tu wa bunduki umesikika mahali, mkoloni alikuwa anahakikisha ya kwamba, bunduki hiyo sharti ijulikane ni ya aina gani na imelipukia wapi. Na iwapo mwalifu ameua raia mwema kwa kutumia silaha hiyo, serikali ihakikishe ya kwamba itumie mbinu zote kwa sababu ina uwezo. Hata wanaweza tumia mbwa na kunusa, wanaweza tumia wale ma CID kwa sababu ninasikia katika Kenya, Kenya ni nchi ya pili katika intelligence. Nashindwa ni kwa nini hawalipwi ikitendeka na tuna watu kama hawa, tuna mbwa ya kunusa. Kwa nini hawawezi ku-recover ama kushika wahalifu hao.

Na tena katika Katiba ambayo mnaunda, serikali ihakikishe ya kwamba wale viongozi ambao sasa wanachaguliwa walindwe sawa sawa ilitusije tukapoteza washujaa ambao wanatutetea kwa njia ya kuuu.

Nitaongea pia juu ya Rais. Katiba inasema ya kwamba Rais anachaguliwa na raia ama wananchi kwa kura. Hiyo ni sawa. Kuna Rais wengine ambao huchukua mamlaka kwa njia ya kupendua tu kwa nguvu. Ningeomba Commission hii, ipitishie sheria ya kwamba, kama kutatokea yule Rais ambaye ana tamaa, ambaye anachukua uongozi kwa njia ya kutumia nguvu ama kupendua, raia ama wananchi wakatae rais kama huyo asiendeleo kuongoza na hali amechukua kwa nguvu. Ni hayo tu.

Com. Baraza: Shadrack Kipkenya. Shadrack.

Shadrack Kipkenya: Mimi ni Bwana Shadrack Ngome Kipkenya. Kuna mambo ambayo nitachangia kuhusu maoni yangu. Licha ya kwamba kuna mengine wenzangu wamechangia. Jambo la kwanza, ni kuhusu raslimali, raslimali za wananchi wa Kenya. Sisi wote ni wakenya, na utakuta ya kwamba, mwananchi wa Kenya amefanya bidii kweli amepata mali, lakini badala

ya hiyo mali isaidie wakenya wenzake kama watoto wake ama ndugu zake, anaiweka nje. So ningependekeza ya kwamba, mali ya wakenya iwe Kenya kwenyewe isaidie wakenya wenzake. So mtu yeyote ambaye ana mali nje irudishwe isaidie wananchi wa Kenya.

Jambo la pili, ni kuhusu wabunge wetu. Imekuwa shida sana sisi wananchi kukutana na wabunge wetu, MP wetu, so ningependekeza ya kwamba kila MP anapochaguliwa na wananchi, ingekuwa heri awe na ofisi katika constituency ya mali alichaguliwa. Kuliko mwananchi unapotaka kuonana na MP wako, unasumbukana inakubidi labda uende mpaka Nairobi ndio umkute.

Jambo la tatu, linahusu defection. Ku-efect, ningetoa maoni ya kwamba, kila MP ambaye amechaguliwa, kwa sababu wakati huu ni wa mvumo wa viama vingi, na aka defect, huyo MP, asije akatetea hicho kiti tena akae mpaka huo mzimo uishe ndiposa sasa akaweza kuomba kura kwa wananchi. Kwa sababu wananchi wanapomchagua kwa tikiti Fulani, kwa kile chama ambacho amechaguliwa nacho, unakuta ya kwamba baadaye ana defect huwa ameona nini? So ningependekeza ya kwamba, mtu anapochaguliwa na wananchi na akafika sehemu ya ku-defect, asitetea tena hicho kiti kwa bi-election. Akae hivyo mpaka mzimo mwingine, ndiposa aombe kura kwa wananchi.

Jambo la nne, hapa Kenya kuna uhuru wa kuabudu na kuna makanisa mengi sana hapa Kenya, lakini kuna jambo moja ambalo linanishangasha ya kwamba, utakuta kuwa sehemu kama hii ni lazima awe Muislamu ndiye anachinja ng'ombe. So ningependekeza ya kwamba, katika Katiba yetu tuangalie tuone ya kwamba perplexion gani ambayo iko sehemu hiyo. Ni watu wa aina gani? Kwa sababu ukienda kuona ya kwamba hata mtu ukiwa kwa boma, unataka labda una sherehe yako, inabidi lazina awe Muislamu ndiye anachinja ndiposa sasa hiyo sherehe iendelee. Mimi ningependekeza hivi, ikiwa ni lazima Muislamu achinje basi ingekuwa heri Waislamu wakawe na sehemu yao wachinje nyama kuhusu kazi yao ya Waislamu kwa sababu kuna uhuru wa kuabudu.

Jambo la tano, ni kuhusu mazingira. Saa hizi sasa, serikali ya Kenya tuna misitu. Ambayo serikali inatajikana iangalie ama ilinde hiyo hali ya misitu. Sasa unaona ya kwamba serikali imeshindwa kulinda misitu, wale watu ambao wanajiweza wametumia misitu vibaya. Sasa wamerudi kwa wananchi kuanza kuwanyanyasa, mimi nimepanda mti, ya kwamba inisaidie kwa ajili ya utunzi, nimepanda mti kwa ajili ya kuni, lakini sasa nimewekewa masharti ya kwamba nisikate huo mti. Mimi ningependekeza hivi, kama ni kulinda mazingira, serikali ingechukua jukumu la kulinda misitu, mtu yeyote awe mkubwa awe mdogo, asiweze kutumia misitu hiyo kwa njia isiyostahili. Halafu mwananchi wa kawaida, ikiwa una shamba, serikali iwe na uwezo ya kwambakila mmoja ajaribu kupanda mti katika shamba lake, ili iweze kumsaidia.

Jambo la mwisho, inahusu polisi. Utakuta ya kwamba mtu kweli amechukiwa ama amekosa, lakini anawekwa pale kwa polisi labda hata wiki mzima kabla ajaenda kortini. So, ningependekeza ya kwamba, mtu akifanya makosa na ashikwe, wacha huyo mtu kesho yake afike kortini. Kifungu cha pili kwa hilo jambo ni kwamba wafungwa katika Kenya ni wengi sana. Na utakuta

kwamba kazi ambazo zinatakikana serikali ifanye ni nyingi sana, for example, mabarabara kama hizi ambazo zinatengenezwa, mimi ningependekeza hivi, licha ya kwamba company inaweza kupatikana ya kulima barabara ama kutengeneza barabara, hawa wafungwa wawe wakisaidia hiyo kazi. Kwa ajili ya hizo mabarabara, ili ikapunguze hali ya pesa ya Kenya. Kwa sababu utakuta kwamba pesa zinaenda zaidi lakini mfungwa ako, labda amekaa bure ama amewekwa kwa matajiri, anafanya kazi kwa shamba la matajiri, na huko mabarabara za Kenya na hata usafi katika miji, inakaa tu hakuna mtu wa kuweza kusaidia. Wale watu ambao wanafanya hiyo kazi wanalipwa na huku wafungwa wako. So, ningependekeza, wafungwa wawe wakifanya kazi kwa raia kuliko kuwaajiri watu wanaolipwa pesa na wafungwa wanafanya kazi kwa matajiri. Asanteni.

Com. Baraza: John Wanyonyi, ameongea, David Chirchir.

David Chirchir: Kwanza mimi ningelipenda kutoa maoni yangu ya kwanza itakuwa ni ufisadi. Kulingana na nchi yetu, hatungekuwa masikini vile tuko. Lakini maneno ya ufisadi kwa maofisi imezidi. Kwa maoni yangu, ningependa hivi, katika zile sehemu ziko maofisi za serikali, tuwe na ofisi yenye itakuwa huru kwa yule mwananchi, asipofanyiwa haki, a report pale na aende zake, na yule anasimamia pale, kufika jioni wakati atatoka kwa kazi, akusanye yale maoni wananchi wamewacha pale, na aone ni ofisi gani haifanyi kazi vile inatakikana.

Pili, ningependa kutoa maoni kuhusu mamlaka ya Rais. Tunaona ma nchi nyingi katika Africa, wanapigana kwa sababu ya kungangania Urais. Langu, mwenzangu nimesikia amesema lakini nitarudia kwa sababu haikuwa sawa. Mimi vile napenda, ningependa Rais achaguliwe kutoka kila mkoa, hii ni kuzuia wasingangane. Na itakuwa hivi, kama unataka kiti cha Rais, kwanza utoke ukue mbunge halafu upewe sasa mamlaka ya kugombania kuwa Rais. Na kwa ile mkoa wamefanya, wasikarudie. Sasa langu ni kusema ya kuwa Rais atoke kila jimbo, baada ya miaka tano, tuende kwa jimbo lingine.

La mwisho, ni kuhusu pombe. Katika nchi hii, tunaona iko kitu kama Katiba isiyokuwa na mwelekeo, kwa kuwa vile nimesema hivyo, kitu kama pombe, mbeleni nilikuwa nikiona ilikuwa huru. Halafu ikafika mahali hakuna uhuru, lakini ni kwa watu wengine. Hii ninaweza kusema ya kuwa kuna mapendeleo kwa hiyo sheria. Kwa sababu masikini pombe yake ama starehe yake ilikuwa hii changaa na busaa, lakini ilifika mahali ikafungwe, na huyo mtu akakosa starehe. Sasa mimi ningependekeza hivi, kama ni pombe kufungwa, pombe yote ifungwe katika nchi, na kama ni kuwachilia pombe, pombe iendelee. Asanteni.

Audience: (laughter)

Com. Baraza: Asante sana Bwana Chirchir. Micah Bwana – mtanyamaza!

Micah Bwana: Mimi ni mzee wa tarafa hii(inaudible) Kwanza.

Com. Baraza: Weka namna hii – sio kwa mdomo - namna hivyo. Jina.

Micah Bwana: Jina ninaitwa Micah Bwana.

Speaker: Usiweke kwa mdomo, zungumza sasa.

Micah Bwana: Jina ni Micah arap Bwana. Kwa kweli sisi wakulima wa Kitale – tuliingia mwaka wa sitini tuliponunua shamba la mzungu. Na siku zile kulikuwa hakuna taabu. Maziwa yetu yalikuwa yanaenda vizuri, mahindi yetu yalikuwa yanaenda vizuri, kulikuwa hakuna taabu. Sasa siku zile kama maziwa yetu ilikuwa inalala – basi mambo sasa..... Mambo ya chama, chama sio mbaya - kusema chama chetu cha KANU ni mbaya. Yule mbaya ni mtu hapana chama. Ubaya gani sasa na chama kilikuwa wakati sisi tulikuwa tunanunua shamba mpaka kufukuza Wazungu, mpaka Wazungu wakaenda, sisi tunaishi tu hakuna maneno ingine ya kusumbua. Kila mtu ananunua gari, ananunua tractor, lakini siku hizi hakuna matractor, hakuna mamotorcar siku hizi.

Interjection (Com. Baraza): arap Bwana, sema tu kile unataka. Sema, “mimi ninataka namna hii, mimi ninataka namna hii”.

Micah Bwana: Kitu ninataka sasa - kwa maana tumeshaona hawa wanatunyanyasa sisi wakulima. Wale wabunge, walikwenda tu kuwa Ministers, kukuwa nani, walisema wanakuja kutujengea mashule, walete na mamilion. Mimi nafikiri hizi mamilion ni za wale. Kumbe mabilion ni kwetu kwenda kuchota kwa KFF, ya kuenda kuchota kwa KCC, ya kuenda kuchota kwa hosipitali. Ukienda kwa hosipitali wanasema uende ulipe. Sasa maneno yangu, ni yale maneno ya kijana anasema anataka kushika kibeti ile kijana. Lengo langu ni hilo kwa maana nimependa huyo kijana, kwa maana wazee, kama ng’ombe inaanguka kwa shimo unaita kijana sio wazee.

Com. Baraza: Asante sana. Patrick Wamalwa, Lucas Somei.

Lucas Somei: Asante sana Madam mwenyekiti. Niko na mambo hapa machache ambayo ningependa kutoa. Mimi ni Lucas Somei. Ningependa kuzungumza kuhusu Local Government. ningelipenda Local Government ama serikali ya mitaa, ipewe uwezo zaidi ama uwezo wote wa ku-manage affairs ya county council katika hiyo area. Revenue zote - pesa zote ambazo zitakuwa collected, zikuwe spent kwa hiyo county. Wasiende mahali popote ama kwa central government. Iwe spent within that county. Kwa mfano, barabara zote ambazo zitakuwa ziko within that county, hizo pesa zifanye kazi.

Mfano mwingine pia mambo kama ya barabara, kama hii yetu kutoka Kitale kwenda Ngolongolo. Mimi ningependekeza hivi, pesa zote ambazo zimekuwa collected na county council, watu wapewe nafasi ya kupeana tender katika council. Yule mtu atashinda kwa tender, apewe tender ya kusimamia hii barabara kwa muda wa kama miaka miwili. Na yeye atengeneze kitu kama toll station pale ya kuchukua revenue ya ku maintain hiyo barabara. Ili tusiwe na shida yoyote ya usafiri. Jambo lingine ni la environment na natural resources. Kuna sehemu ambazo wamebarikiwa kuwa na raslimali. Ningependelea kwa maoni yangu hiyo county council ya sehemu hiyo, imanage na kuspend pesa ambazo zimetokana na hiyo, kama ni game reserve, kama ni

chochote ambacho kimetoka katika hiyo county, hiyo county I spend hiyo pesa. Jambo lingine ni kuhusu wajumbe na Councillors. Kwa maoni yangu maana kuna wajumbe wamekuwa na tabia ama Councillors wamekuwa na tabia ya kusema nitatumia pesa kwenda bunge. Kwa maoni yangu kwanza huyu mjumbe, ama huyu Councillor ambaye yuko bunge, ama council, tuwe na uwezo kama wananchi ama electorate wa kuweza kumrecall na jinzi ya kumrecall ni hivi, tunaweza kukusanya signatures za at least 3 quarters za all voters, na tuwasilishe signatures hizo kwa speaker wa bunge. hicho kiti cha bunge wa area hiyo kitakuwa declared vacant. Maana ameshindwa kutekeleza wajibu ambayo tulimchagua kufanya. Vile vile ina apply kwa Councillor.

Pia kuna sehemu zingine ambazo huenda ikawa kabila moja ni majority. Ningelipendekeza na mimi pia tuwe na nominated MP katika sehemu hiyo. Ili wale watu wadogo ambao wako katika sehemu hiyo, wawe represented.

Jambo lingine pia ni Judiciary. Hapo ndio mahali mambo iliharibikia. Ningelipendelea Chief Justice, judges, na wale wengine ambao wako na vyeo katika utumishi wa sheria. Hawa watu wawe appointed na public service ama parliamentary committee. Wawe fended wawe watu wako answerable kwa hiyo committee. Wasiwe answerable kwa mtu yeyote, ili anapofanya kazi ya ujudge ama kazi asiwe na uoga wowote. Na muda wao wa kufanya kazi uwe ni miaka mitano kama serikali ambayo iko kwa mamlaka.

Interjection (Com. Baraza): Are you winding up.

Lucas Somei: Yes. State Security; pia wakuu wa polisi, wakuu wa jeshi na wakuu wa nevy. Pia appointment zao ziwe zinatokana na parliamentary security committee. Wao ndio watakuwa na uwezo wa kupeana hivyo vyeo vya Commission of police, chief of the general staff na nyinginezo.

Mwisho nitaenda upande wa elimu. Saa hizi katika Kenya, fraternity ya elimu ama teaching profession, iko na watumishi wengi katika Serikali - over 300,000. Ningependelea walimu waongezewe mshahara wakutosha, kutokea elfu hamsini kuendelea mbele. Lakini pia walimu wafunze kwa muda wa miaka kumi na tano, baada ya hiyo aende nyumbani kupumzika akiwa na nguvu. Asante.

Audience: (laughter)

Com. Baraza: Asante Mr. Somei. Micheal Amai, if you are not there, Milimo Makilini.

Milimo Makilini: Kwa majina ninaitwa Milimo Makilini. Ningependa kuwasilisha haya maoni. Ya kwanza ningependa kuzungumzia juu ya ofisi ya President. Ningependa vile hawa wabunge huwa wanachaguliwa, na pale pia kumetokezea President, na kwa sababu yeye ana mamlaka zaidi na anafanya kazi katika nchi zingine, inatakikana pia pahali ambapo anatoka,

tuwe na mbunge mwingine. Kwa sababu huyu President ana serve the whole of the country. Pendekezo la pili, ningezungumzia juu ya National Hospital Insurance Fund. Hii fund ambayo inalipwa na public service kwa wafanyikazi wao, ukiona ya kwamba huyu mfanyikazi anaenda kuretire, na he has been contributing towards that fund, mwishowe yeye apatiwe hizo pesa. Sasa ningependekeza ya kwamba, after retiring, that money should be given back to him because he never benefited anything.

Jambo la tatu, ningependa kuzungumzia juu ya CIDs in Kenya. Special branch na CIDs in Kenya, mimi kwangu ninaonelea ya kwamba hawa ndio wanaleta corruption zaidi. Sasa ningependekeza ya kwamba, tuwe na private CIDs, ili serikali to do away by the CIDs that is deployed by the government. Lastly, ningependa kuzungumzia juu ya kupeana loan, especially rural development and whatever, hizi pesa unaona ya kwamba haswa zaidi ma DCs ndio wanasimamia, lakini pendekezo langu lingekuwa, assistant chiefs, village elders kwa sababu wanakaa karibu na mwananchi huyu ambaye anahitaji hizo misaada, hawa ndio wangepatiwa mamlaka ya kusimamia loaning.

Pia ningezungumzia juu ya universities. That is juu ya elimu. Universities tumekuwa nazo nyingi zaidi. Sasa output imekuwa zaidi hata employment imekuwa shida, sasa ningependekeza ya kwamba the universities have to be reduced. So that the output kutoka universities - automatically akimaliza, anakuwa employed. Thank you hayo ndio maoni yangu.

Com. Baraza: You are a teacher?

Milimo Macline: Yes I am a teacher.

Com. Baraza: Yeah, thank you very much. What is wrong with people being just educated for the sake of it? Is there anything wrong?

Audience: (grumbling)

Milimo Macline: Well, you see - why don't I answer that question? You know giving education is different from learning but then here, a person ameenda university at a higher level, after which, the particular student will not get employment. Sasa ningependelea ya kwamba, tuki reduce universities tuta reduce wanafunzi, ili employment I-tally nao. Thank you.

Audience: (laughter)

Com. Baraza: Mtanyamaza! Peter Sima Mbuzi. Is he there? He is not there. Lucas Wafula, Lucas, please.

Lucas Wafula: Ningependa kuwapongeza nyinyi nyote mwenyekiti pia na wale wenzako ambao uko nao. Hapa mbele yenu

mimi kwa majina ninaitwa Lucas Wafula. Mimi pointi yangu ya kwanza kwanza itaenda kwa upande wa

Interjection (Com. Baraza): Mnyamanze ndio tusikie maneno yake please.

Lucas Wafula: Pointi yangu ya kwanza inaenda kwa upande wa walemavu. Katika serikali yetu ambayo ipo sasa na Katiba ambayo iko sasa, hawa watu walemavu hawajaweza kutiliwa maanani hata kidogo. Hawa watu kwa sababu utaweza ukapata mtu amelemaa, na labda anaweza kuwa na uwezo wa kuweza kufanya kazi kidogo kama yake ya biashara. Na kati ya hiyo biashara yake anawezafanya, nayo serikali ama sijui tunaweza tukaita ni county council ama ni municipality, utapata bado ile serikali inamwendea yule mtu kiwete kabisa ambaye anaenda kwa magoti kama huyu mama, na wanamwitisha bado ushuru.

Interjection (Com. Baraza): Unapendekeza namna gani?

Lucas Wafula: Napendekeza, hawa kama ni walemavu waweze kufanya kazi kama hata hawawezi kupewa kitu kama loan. Halafu waweze kufanya biashara yao ama waweze kufanya kazi ile ambayo wanaweza kujiwezesha kujimudu nayo. Ili waweze kuishi kama watu wengine wa kawaida.

Ya pili ni kwamba, tuseme kama Kenya kuna watu wamesoma kwa wingi, na labda kuweza kupata nafasi ya kwenda nje, kwenda kupata labda kazi, ama kuna kazi zingine ziko nje ya nchi, lakini unaweza ukapata labda kuweza kupata kitu kama pasipoti ama visa kwenda nje ni ngumu sana, mpaka lazima ulipe pesa. Hiyo kitu changio langu nilikuwa ninachangia ya kwamba, kitu kama passport iwezi ikatolewa ama hata iwezi ikafikishwa katika wilaya ili watu wengine waweze kuzipata na waweze kuenda hata nchi zingine kwenda kujitafutia kazi.

Ingingine ni hawa viongozi ambao tunawachagua na kuwatuma kwenda mbele. Hawa viongozi wakati tunawachagua, ama wakati wanahitaji kwenda kule kutuwakilisha bungeni, wanakuwa karibu sana na sisi. Lakini tunapowachagua wanapoenda kule, hata kuenda kumfikia inaweza kuwa ni ngumu kwa sababu wewe ulimchagua ni wewe ulimuajiri. Lakini kumfikia sasa inakuwa ni ngumu kwa sababu wewe haujulikani mbele yake. Ukimuuliza mzee labda ukitaka kumuona hajui wewe ni nani, anapopita anasema kwamba yeye alichaguliwa kwa ajili ya pesa zake.

Interjection (Com. Baraza): Unatakaje?

Lucas Wafula: Tunataka sisi viongozi ambao tunawachagua kweli, awe ni kiongozi ambaye amezaliwa na anajua area ya mahala pale, hata akienda kuwakilisha tunajua ni mtu fulani. Na tena sio awe na ofisi katika area ile ambayo anayoisimamia, ili watu waweze kumfikia na waweze kutoa shida zao ama hoja zao, ama matatizo ambayo wanaweza kuwa wanapata. Ni hayo tu muweze kubarikiwa.

Com. Baraza: Peter Wangala. Gerald Njagi, ulikuwa namba ngapi.

Speaker: Nilikuwa namba moja kwa ile karatasi ya makutano sasa hakuna.

Audience: (inaudible)

Com. Baraza: Mzee utakuwa patient kidogo, tutakufikia.

Speaker: Tumekaa sana.

Com. Baraza: Mmekaa kwa sababu ninafuata list. Tunafuata list - I don't have the names. Ngoja tumalize na huyu, nawajua mzee, Katiba hii ingine haitarudi hapa miaka mia moja ikwishe, kama hamtakuwa na utulivu, mimi nitasema ondoka muende, na mtaenda na views zenu. Ngojea na msipige kelele - sasa mimi I am psychologically harassed, I can't work. Endelea.

Hillary Sitati: Mimi kwa majina ninaitwa Hillary Sitati, kutoka Ngoro Ngoro.

Interjection (Com. Baraza): Nani?

Hillary Sitati: Hillary Sitati.

Com. Baraza: Nani alikuwa?

Hillary Sitati: Si umeniita.

Audience: (laughter)

Com. Baraza: Endelea.

Hillary Sitati: Asante. Commissioner Madam, pendekezo langu....

Interjection (Com. Baraza): Mukimye huyu mzee apeane maoni yake.

Hillary Sitati: Vile tunajua nchi yetu, inapenda amani. Mimi pendekezo langu ni kwamba, silaha zote ambazo zinapewa wananchi ziondolewe ili hii kazi iwe ya serikali peke yake. Pendekezo ingine, ninaona kwa upande wa utawala, Bakase ni watu wa chini sana, yaani wazee wa mitaa. Pandekezo langu ni kwamba, hawa wazee wa mitaa, wapewe mishahara na tena

wapewe uniform ya kuonyesha kweli hawa ni watawala.

Jambo lingine ambalo linahusu mwananchi wa kawaida, kwa upande wa health au kwa upande wa ugonjwa. Mimi kwa mapendekezo yangu ninaona ya kwamba, mtu akiwa mgonjwa, kweli anapata taabu sana.

Interjection (Com. Baraza): Sema pendekezo.

Hillary Sitati: Pendekezo ni kwamba, madawa yote ambayo yanatumika hosipitalini, bei ipunguzwe ili hao watimishe vizuri. Lingine linahusu elimu. Elimu ni kitu cha muhimu sana. Walimu wapewe nafasi nzuri ya kufundisha hao watoto, wapewe nidhamu, kujua vile wakiigiza mtoto asipigwe au asifanywe hivi, hii ni njia moja ya kuariabu walimu na kazi ya walimu. Walimu wapewe mamlaka yote, kutawala shule waone ya kwamba nidhamu iko kwa hali ya juu.

Elimu; maoni yangu ninaona iwe tu kama ya zamani. Watoto badala ya kufika form four, wafike form six, wafanye ile tunaita East African Advanced School Certificate. Kando ya hayo wale ambao wako nyumbani, pengine wanataka kuendelea na elimu. Wa introduce ile tunaita private examination, ili mwananchi akiwa nyumbani akitaka kufanya mutihani, aruhusiwe kufanya huu mutihani.

Pendekezo lingine, linahusu wale wanaostaafu kweli wanapata taabu sana. Pendekezo langu ni kwamba mtu akisha staafu, apewe marupurupu yake haraka iwezekanavyo, na tena huyu mtu apewe ile tunaita pay slip kuonyesha pesa anapata.

Pendekezo lingine, kwa upande wa pombe, mimi napendekeza kuwa pombe iweko na waweke time ya kunywa pombe, na vijana wale ambao wanaitwa jupukizi hawa wasionekane kwa pombe. Hata mwanafunzi akionekana kwa pombe adhabu kali ichuliwe.

Neno lingine ni hili. Wazee, wazee katika nchi yetu hii. Pendekezo langu ni kwamba, hawa wazee wapewe heshima. Wale wa miaka nyingi, kwa mfano kwa upande wa Rais ile wanasema oh jipukizi nini, hii kazi iwachwe kwa wananchi wenyewe waamue, sio watu wa mbele kuamua eti chipukizi, eti wachukue nafasi hii.

Interjection (Com. Baraza): Maliza, maliza.

Hillary Sitati: Ingingine, kwa upande wa mama na wazee. Mimi ninaona hivi; mama ni kipawa kutoka kwa Mungu, mzee pia ni kipawa kutoka kwa mungu. Mimi ninaonelea badala ya pengine serikali kuingilia hiyo ndani kabisa, tungewacha hiyo kwa customary law. Wenyewe watengeneze wajenge nyumba yao. Kuliko mtu mwingine kuingia na vitina, vitisho vitisho, hiyo ni kuaribu nyumba za watu.

Audience: (laughter)

Interjection (Com. Baraza): Asante asante sana. Your time is up.

Hillary Sitati: Thank you very much. I wanted to call you.

Com. Baraza: Felix Wanyama. Wewe ni nani mzee? Ezekiel can you come.

Ezekiel Cheruiyot: Macommissioner wa tume hii ya urekebishaji wa Katiba yangu ni machache na ninaguzia wabunge kwanza. Mshahara ya Mbunge ni elfu mia saba, elfu - milioni moja, na wananchi wanaangaika hakuna barabara inaaribika, school fees hakuna, hata harambee ya bursary fund. Mshahara wa Mbunge ikatwe ikuwe kama ya Councillors. Shauri tuliwachagua wote, hakuna yule alienda peke yake huko.

Jambo la pili, mimi ninaongea kuhusu mambo ya shule. Mambo ya shule, watoto wachapwe kiboko kama vile tulichapwa na mama zetu. Kuna msemo unasema, “mtoto umleavyo ndivyo akuavyo”. Kama sasa nyinyi serikali inasema hakuna kuchapa mtoto, what kind of discipline tunapatia hawa watoto? Tunabembeleza kama mayai, hiyo tumekataa kama wazazi. Tulitandikwa hata sisi wakati ng’ombe walikuwa wanakula mahindi ya mtu hata ingawa hatukusoma. Tulitandikwa na hatungeweza kuambia mama, “nilipigwa na mtu fulani” aa, tulinyamaza. Kiboko irudi kawaida, hata kama ni ku-train watoto, irudi kawaida.

Jambo la tatu, Bi Mwenyekiti, sisi hapa tumeumia kabisa, na sisi tumeshaumia. Unaona hata huyu Mbunge wa Kwanza hapa, anasema watu wote watapewa shamba. Hawa ni walaghai wanaenda kudanganya mzee huko eti, “oh leta shamba masikini wako”, wametumia jina la masikini, kujinufaisha wenyewe na wanawake wao. Kumbe tunachagua fulani na anakwenda kukata sisi mguu na slasher kama nappier grass. Hao wabunge hao wanaenda Bunge, wanadanganyana huko eti oh shamba ya Kitalala ama ya wapi, na hao wenyewe wamekwisha chukua eka mamia mia mbili na watoto wao, na wanakuja kuomba masikini kura, “saidia Msakuru, saidia kura”, mimi ninashangaa, na sisi wananchi tuelewe hiyo kitu. Hapana piga kura ovyo ovyo. Angalia macho, hapana danganywa na pesa. Mimi Napendekeza, mshahara wa wabunge hata sitting allowances isiwepo, ikuwe kama ya Councillors. Kama ya Councillor ni elfu kumi, apewe elfu kumi, shauri anapewa hata gari pajero bure na serikali, sasa yeye anaenda kukaa kaa huko tu starehe na watu wanaumia hapa. Na anatudangaya saa hiyo alitengeneza barabara - hii ni kampuni ya Intex, mtu asitudanganye sisi eti Wekesa alitengeneza barabara. Sasa mapendekezo yangu kiboko irudi kabisa kwa shule. Sisi tulichapwa na tulimalizwa, mbona hatujakufa? (laughter)

Com. Baraza: Sawa Cheruiyot, enda pale u-sign. James Wagachunga.

James Wagachunga: Mwenyekiti wa Tume ya kurekebisha Katiba, ningependa kuwasalimu nyote katika jina la Yesu, hamjambo? Yangu ningependa kusema juu ya mjadala huu wa siku ya leo kwamba, Raisi achaguliwe na watu wote, ilitusije

tuwe na mgawanyiko kwa sababu akiwa kama anajulikana na kila mtu, itakuwa ni vizuri.

Jambo la pili ambalo ningependa kuongea juu yake, ni kuhusu wale watu ambao huwa wanaama kutoka kwa vyama. Kunakuwa na wakati ambapo mtu anagombea kwa chama fulani, akianguka huko kura, anaama anaenda kwa chama ingine. Kwa hivyo hiyo nafasi pia, tungependa tuiwekee mkaso ya kwamba kama mimi nimetafuta nafasi kwa kiti ya KANU nimekosa, nisiende kwa kiti cha FORD Kenya, nibaki hapo mpaka miaka mitano ikwishe ili ninganganie wakati mwingine. Jambo lingine ambalo ningependa pia kuongea juu yake ni kwamba kuhusu hali ya mashamba, yule mtu ambaye anajua hali ya shamba vile ilivyo, ni yule mzee wa mtaa, na tumpe mzee wa mtaa mamlaka ili ashughulikie wananchi wake na huyo mzee wa mtaa achaguliwe na wananchi. Pia tungependa serikali ambayo itakayoundwa, ilipe huyo mzee wa mtaa mshahara.

Jambo la tatu ambalo ni la mwisho, ni juu ya urithi wa mali. Iwapo kama mimi labda nimepotea nimeitwa mtu wa mbinguni na nimewachwa niko na familia yangu, ningependa tuwache hayo mamlaka iwe vile watu wa zamani walikuwa wakifanya kwa sababu, ninajua ya kwamba kama mtoto wangu amepotea ama mimi nimepotea ninawazazi wangu ambao wanaweza kulinda mali yangu, kwa hivyo isije iwe ya kwamba, kuna wakati mwingi kesi zinakuja kama mimi nimewacha, unaona bibi yangu anaanza kukazania ile mali yangu ambayo nilikuwa nayo, lakini hiyo tungependa tuwaachie wazazi wa ule asaidiane na hawa wamama ili wasaidiane kulinda watoto ambao wamewachwa.

Jambo la mwisho, kuhusu hali ya pombe. Pombe tunajua hata tukipigana namna gani haiwezi kukwisha, pahali tu tunataka tuwe na masaa ya kuwachilia watu wawe watumie pombe ya muricha jinzi vile zamani wazee walikuwa wakifanya. Kwa sababu ninajua ile pombe ambayo huwa inaaribu, ni hii ya changaa na mtu akipatika na hiyo pombe ya changaa, ahukumiwe kulingana na sheria vile ilivyo. Kwa hivyo hayo ndio yangu ambayo ningetoa siku ya leo, na Mungu awabariki.

Com. Baraza: Asante. Salim Bwana.

Salim Bwana: Kwa majina mimi ninaitwa Salim Bwana. Na mapendekezo yangu, ya kwanza ilikuwa kuhusu mahakama - korti. Katika mahakama Kadhi ambaye ni muwakilishi wa Waislamu apewe full court ili aweze kuhudumia Waislamu ilivyo. Kwa hivyo katika Kadhi's court lazima apewe mamlaka sio ile ya urithi na labda kuo. Aongezee kazi katika korti yake katika upande wa Waislamu.

La pili, ni kuhusiana na mambo ya uizi. Uizi hapa tunaona ni haki kila Mkenya awe huru na mali yake. Na jambo kubwa ambalo lashangaza sana katika sheria ambayo imekuwa ya mbeleni, ni kuwa mwizi anaweza patikana amekuja kuchukua mali ya mwenzio. Na katika hiyo hali, utapata huyo mtu amemudhulumu huyo mtu ambaye mali yake imeenda, na kesho utamuona amefunguliwa kwa bond. Hakika hiyo sioni kama ni jambo ambalo linaweza kuwa adabu ya yule mtu ambaye amemdhulumu mwenzake. Maanake itakuwa hata inafika mahali mtu anauwawa na kesho utampata mtu mko naye nyumbani na jamaa wanalia yule bwana amefunguliwa hayuko nyumbani. Kwa hivyo pale tunaona mambo ya mamlaka ya korti pia lazima yaangaliwe kwa

wale watu ambao wanavunja sheria. Kuna adabu ambayo inawezekana iongezewe kama kwa yule mtu ambaye ameuua na pia asirudi nyumbani, maanake itakuwa ni uchungu sana.

Jambo lingine pia ni kuhusiana na mambo ya kazi. Hapa kazi unaona lazima kila mtu lazima apatiwe, tunalia kazi lakini kazi ziko.

Itakuwa ni vigumu sana mtu mmoja awe na ofisi kwa kuwa na karibu kazi zaidi ya tatu. Ili hali kuna mtu ambaye hana kazi na anahitaji pia mshahara. Kwa hivyo utaona kazi pia igawanywe. Kama mtu hapewi kazi moja, asije akapewa kazi zaidi ya moja.

Jambo lingine pia linahusiana na mali. Kwa upande wa mali, kama mtu ametafuta mali yake, shamba ni lake. Mtu aendelee kufanya kazi yake. Mtu asije akaangalia kuwa lazima mali ya fulani ikatwe. Kama mtu anatafuta mali, basi aendelee kutafuta mali, isije ikapatikana kuwa kuna mali ambayo inatakikana ikatwe sehemu fulani. Kwa hivyo hiyo mali umepata lazima mtu aendelee kufanya kazi yake na tukisema tukate mambo ya mali, tutapata watu masikini wengi sana. Kwa hivyo ninataka mambo ya mali, watu waendelee kutafuta mali yao.

Huduma za ofisi, hapo kuna tatizo kubwa ambalo tunapata katika huduma zetu za ofisi. Tunapata kuwa, katika ofisi zetu ukienda wa kwanza na mwingine akaja wa pili ama wa tatu, itakuwa ni tatizo sana hata mtu wa kwanza kuhudumiwa itakuwa ni vigumu. Kwa hivyo, tunaomba katika huduma za kazi za ofisi, ifanywe kuwa iangazie yule mtu ametangulia kufika, basi ahudumiwe vile inavyotakikana. Na yule mwenye atakuja wa nyuma, pia apate ile laini, mwenye atafika mbeleni ahudumiwe na wa mwisho pia huduma yake itakuwa ya mwisho. Kwa hivyo kazi ifanywe katika huduma za ofisi, zipatwe kwa usawa.

Interjection (Com. Baraza): Unamaliza?

Salim Bwana: Bado kidogo.

Com. Baraza: No, no your last point.

Salim Bwana: My last point is on education. Kwa upande wa masomo. Mimi ningeona kuwa katika upande wa masomo, katika Waislamu isikuwe kunakosa somo ambalo ni la I.R.E. ambayo ni Islamic Religious Education, iweze kuwekwa katika shule zote za msingi zile ambazo ziko Kenya. Maanake, itakuwa unapea mwanafunzi anasoma lakini ikifika katika somo la dini, huwa katika dhehebu zingine wanahudumiwa. Kwa hivyo somo la I.R.E. liwekwe katika mpangilio wa shule zote. Kwa hivyo mambo ya masomo hiyo nafikiri waitilie mkasa.

Com. Baraza: Asante Bwana, Peter Wandala, you are the one? Please wait lets deal with other people. Felix are you there? Can you come. Mathews Wekesa, you follow. Msife moyo tutamaliza, hamko wengi sana. Na vile niliwaambia hakuna Commission ingine ya Katiba inarudi mpaka miaka mia moja ipite.

Felix Wanyama: Utaniruhusu nisome report hii?

Com. Baraza: No, no you just highlight, don't read anything.

Felix Wanyama: Mimi ninaitwa Felix Wanyama na nintaanza na wajibu wa Rais. Ningependekeza ya kwamba Rais awe na miaka hamsini na tano, na isizidi miaka sabini. Asiwe mfidadi na asiwe mwanasiasa ama asihusikane na siasa yoyote. Tuwe na prime minister ambaye pia anatakikana kuwa na miaka thelathini na tano na isizidi sitini na tano, na asiwe mfidadi. Mtu kama Cabinet Ministers, ningependekeza ya kwamba cabinet ministers wapewe mamlaka ya kutosha kusimamia wizara zao bila kuingiliwa. Wabunge pia ningependekeza ya kwamba, mtu yeyote ambaye atachaguliwa kuwa mbunge, kwanza asiwe mfidadi na awe ni mtu ambaye wale waliomchagua wanaweza kumfuta wakati wowote ikiwa watathibitisha ya kwamba hayuko anatimiza jukumu lake lile ambalo walimchagulia murathi tu 2/3 ya wale watu ambao wameshika kura kwa area yake, wa petition speaker wa national assembly. Na hii pia iwe pamoja na Macouncillors pia iwe hivyo hivyo. Ikija kwa upande wa shamba, ningependekeza ya kuwa, mashamba yote yawe chini ya serikali. Na kila mwanakenya yeyote ambaye ni mwanakenya wa kuzaliwa, awe na haki ya kupata shamba hekari kumi. Kutoka kwa serikali bila malipo. Na mashamba mengine yoyote ambayo yanabaki, mtu yeyote ambaye anataka kulima shamba awe anaweza kukodisha hilo shamba kwa serikali, awe anaweza kukodisha mara mbili. Na kila kukodisha isiwe inaweza kuzidi miaka thelathini. Hii itatuwezesha kuondoa mambo ya land clashes na hata wazazi kuzozana na watoto wao.

Kuhusu mambo ya serikali ningependekeza ya kwamba Provincial Administration iwe abolished, na tuwe na local government ambayo iko na uwezo, ambayo inaweza kusimamia mambo yote. Kuhusu mambo ya korti, ningependekeza ya kwamba tunashukuru kwanza kwa sababu tuna mambo ya family kort, lakini tungependekeza ya kwamba mambo ya family court mawakili wasiruhusiwe ndani ya mafamily court instead kwa family court kuwe na hawa wazee kama jury. Ambayo itasikiza mambo ya family court na kwa hao wazee, 2/3 iwe ni wamama. Washugulikie hayo mambo ya court. Nashukuru asante.

Com. Baraza: Give us your memorandum, sign there. Mateus Wekesa.

Mateus Wekesa: Kwa majina ninaitwa Mateus Wekesa sio Mathews. Ningependa kuchangia kwa haraka sana kwa sababu nilikuwa nimekaa na sikuweza, ninaona mengi ambayo nilikuwa nimeandika yamezungumziwa lakini mimi ni kurudia. Lakini kwa ufupi tu ningesema ya kwamba kwa upande wa elimu ningependekeza kwamba turudie ule mvumo wa zamani. Ili watoto wetu wanapofanya after form four, waende miaka miwili tena ya five and six, baadaye waende university kwa miaka mitatu. Hiyo ninasema hivyo kwa sababu, nchi zetu majirani kama Uganda na Tanzania wako na huo mvumo. Na hata wengi wetu siku hizi tunapeleka watoto Uganda, kwa sababu ya aina ya elimu ambayo wako nao. Tunabubuliwa kwa sababu wanasema hiyo aina ya elimu ya hapa Kenya si nzuri sana na ndio tukiangalia hata wale wanaenda nchi za nje Amerika na Uingereza, kufika kule mtoto anarudishwa mwaka mmoja iliaambatane na yale masomo ya huko. Hiyo ndio inanifanya nipendekeze hivyo.

Jambo lingine la pili ningependa kuguzia ni upande wa usalama. Usalama katika Katiba ya sasa inasema mwana Kenya analindwa yeye pamoja na mali yake, hiyo ni sawa. Lakini jambo ambalo limetushangaza katika area hii ya Kwanza, ni kwamba hivi karibuni miaka iliyopita tulikuwa na cattle rustling. Watu waliibiwa mali zao, ng'ombe zilienda, na tukakuta kwamba labda kwa upande wa Katiba ambao tukonayo, kuna kasoro. Hakuna ile ng'ombe ilirudishwa ingawa watu walijulikana wale ambao wanaiba wako hapo ngambo, majirani lakini there was no action taken. Ukiuliza security officer anasema sina uwezo. Na ndio nikafikiri labda kuna kasoro kwa Katiba ambayo tukonayo. Na ndio ninapendekeza ya kwamba, Katiba hii iandikwe kwamba mtu ambaye ataiba ng'ombe ya mwingine, na ijulikane huyu mtu ashikwe. Alipe hizo ng'ombe mara tatu, na apate punishment ingine ya kutosha.

Kwa upande wa land ownership, title deeds tunataka tupate. Three quarters katika Trans Nzoia watu hawana title deeds, process ni ndefu sana. Tungependelea hiyo iwe reduced, ili mwananchi wa kawaida haweze kupata title deed. Pia on land policy, inatakiwa iwe streamline. Sisi hapa Trans Nzoia tunalima na hata tukiwa wafugaji wa ng'ombe wazuri sana, lakini kwa sababu ya poor policy, unaona watu wamelima, wamelima mahindi mingi na hawana mahali pa kuuza. Sasa tukiangalia hapo labda kuna kasoro katika Katiba yetu. Labda haikuandikwa, ingefaa pia iwe included ili mkulima anapolima kama wamechagua wazee wakulima wa Trans Nzoia ni wa mahindi, basi iwe mahindi, wale wa Mandera wafuge ng'ombe, basi ili market iweze kupatikana.

Kwa upande wa local authorities, masomo ya Councillor awe form four, minimum qualification. Na pia kwa upande wa mshahara kwa wale Macouncillors, juzi juzi tunasoma magazeti kwamba ma MP wanataka kuongeza mshahara wao uende juu zaidi. Hao Macouncillors je, nani anawasaidia? It appears hawana mtu, or there is no Commission so I suggest kuwe na local authority service Commission ya kuangalia ama ya ku-review their salaries, ili nao pia kwa sababu ya maisha inapanda na hao ndio wako karibu na wananchi waweze kufikiriwa.

Interjection (Com. Baraza): Is that your last point?

Mateus Wekesa: No there is just about one or two. Kwa upande wa Judiciary, Madam Commissioner ninaona nchi hii kuna umasikini wingi, mwananchi anaweza kuwa na shida, kwenda kortini, hana mtu wa kumtetea, kumwambia wakili pesa ni juu zaidi, huyu mtu hawezi mambo yake mengi hutupwa kwa sababu hana means za kuweza kujitetea ama hana mtu anayeweza kumtetea kortini. Kama Judiciary inge set that a legal officer anayeweza kuwasaidia hawa watu, at a fair fee, ingekuwa jambo bora sana. Ili mtu akiwa na matatizo ana tatizo pale asaidiwe, kuliko vile ilivyo open. Watu wengi wanatupwa nje kwa sababu ya ile matatizo.

Jambo la mwisho ni kuhusu ramali. Tuna disabled wengi sana duniani, tunaambiwa kwamba katika every population ten per cent ni disabled. And then you can realize vile mijengo inajengwa, tumeangalia it has not catered for a disabled person. So

mwananchi ambaye ni disabled kwenda kupanda ngazi kwenda kwa ofisi inamshinda. Ama ramali ndio hiyo nilikuwa ninafikiria kama wangeweka tukiweka katika Katiba, iweze kuwasaidia wale ambao kwa njia moja ni vilema ama hii ingine ingekuwa bora.

Interjection (Com. Baraza): No that was the last point.

Mateus Wekesa: Okay thank you then.

Com. Baraza: Jus mention that one and then you finish.

Mateus Wekesa: Okay nilikuwa ninaangalia upande wa land ownership. Mimi nilikuwa ninafikiria ya kwamba katika Trans Nzoia area hii ambayo tuko nayo, kuna watu landless wengi sana wanakaa katika mashamba ya A.D.C. Na hawa watu mashamba haya yakigawanywa kidogo, hawapewi. Ingefaa wapewe hata angalao wapewe eka mbili na nusu. Kwa sababu watu wengine wamekaa huko miaka hamsini, sitini na hakuna mahali anaenda, huyu mtua pewe first priority, na awe na at least eka mbili na nusu. Na tajiri sana awe na eka mia mbili.

Com. Baraza: Reuben Chebai, wapi Reuben? Kama hayuko, Stephen Wakabe. Don't be too impatient, we will reach you. We are just following the list, you may have come early but all of you came early and then they filled the names, that is what I am following. And you are not too many, we will finish. What is your name Sir? Say it in full.

Stephen Wakabe: Ninazungumza - jina langu ni Stephen S. Wakabe. Ninazungumza kwa niaba ya kikundi cha watu wa Ngolo Ngolo. Tulikutana watu kumi na tano na tukaandika mambo kumi na tano vile vile ambayo tungependa kuzungumza juu yake au kuambia Commission. Jambo la kwanza ni usalama na usalama tunaona serikali tunapendelea ilindi mtu na mali yake vilivyo. Na ikishindwa kufanya hivyo, mtu anayepata hasara aweze kushtaki hiyo serikali na serikali imfikie imlinde ridhaa kwa hiyo hasara ambayo amepata. Elimu tumesema siasa, tunaomba iandikwe siasa isiingizwe kwa elimu. Bali elimu iachiwe wataalamu wanaosimamia elimu. Tumeona kwa miaka iliyopita mwana siasa anaamka tu anasema leo ni 8-4-4 na ajui hiyo 8-4-4 itaendeshwa namna gani, na wataalamu wa elimu wamenyamaza kimya, halafu mambo inaharibika wanachi ndio wanaumia experiment inafanywa kwetu. Hiyo tunasema ni mbaya.

Afya tunaomba iandikwe katika Katiba kwamba afya igharamiwe na serikali. Kwa sababu serikali ina njia nyingi sana ya kupata pesa. Ziko nyingi sana, kwa hivyo afya igharamiwe na serikali. Yaani iwe bure, haki ya kuajiriwa, wenzangu wamesema kwa wingi ninasema sisi tumesema, kazi moja mtu mmoja, hii itasaidia karibu kila mwananchi aweze kupata kazi.

Ufisadi, katika Kenya ufisadi umezidi na tunasema iandikwe katika Katiba kwamba serikali iondoe ufisadi wa aina yoyote.

Uchaguzi, katika uchaguzi tunasema ufanywe usimamiwe na Tume ya uchaguzi ufanywe usimamiwe na tume ya uchaguzi, na ulindwe na Tume ya uchaguzi sio Rais. Ipangwe tayari uchaguzi unafanywa baada ya miaka mitano na ijulikane iwe imepangwa inajulikana hata tukipiga kura leo, inajulikana mwaka fulani mwaka ujao uchaguzi mwingine unafanywa. The next election inajulikana kwa calender.

Utawala, utawala, Executive wamekuwa ni watu wana nguvu sana, wanajulikana na wana nguvu kweli. wananyanyaswa. Mamlaka ya Rais. Mamlaka ya Rais ipunguzwe sana, imezidi. Rais asiwe na mamlaka yoyote ya kutoa amri. Rais asisemekane wala asiwe juu ya sheria kwa sababu Katiba ndio inaleta ofisi ya Rais. Kwa hivyo Rais yuko chini ya shera na akifanya makosa, achukuliwe hatua hata kama bado yuko ofisini.

Vyama vya kisiasa, sisi watu wa Ngolo Ngolo tumefikiria tukasema iandikwe viwe vyama vitatu tu. Vyama hivi visaidiwe kuendesha kazi yao na pesa za serikali, isiwe tu eti chama ambacho kinatawala ndicho kinatumia hivyo vyombo vya serikali. Lakini hivi vyama vingine pia visaidiwe. Tuna sababu ya kusema vitatu. Tumeandika memorandum iko hapo.

Mali ya asili.

Interjection (Com. Baraza): You will give us that memorandum. Say that as your last point please, and then you give us your memorandum.

Stephen Wakabe: I will now talk about viongozi. Viongozi wa aina mbali mbali katika serikali, hawa watu tuwe na code of conduct, tumeona shida ambayo iko katika Kenya hii, sio sheria tulizonazo bali, viongozi wanaotekeleza hizo sheria. Wengi ni wafisadi, wezi na kadhalika na watu kama hawa hawawezi kuendesha nchi vizuri. Hata kama tukiwa na Katiba nzuri namna gani, viongozi wakiwa watu wachafu, hakuna mambo mazuri yataendelea. Kwa hivyo mengine yako ndani ya memorandum yetu hii. Asanteni.

Com. Baraza: Asante tutasoma. Job Chelang.

Job Chelang: Commissioners, the Review committee, wananchi at large, my names are Job Kipkemboi Chelang. I will give a general view of the Review of the Constitution. The opinions I have, are personal and they are also opinions representing the public at large. I am addressing you the Commissioners, as an aspirant of parliamentary seat in Kwanza constituency where you are today. I take the opportunity to invite you around. I will start by points;

- 1) That is on resources; I would like the Constitution to ensure, at all costs, equal distribution of resources regardless of tribe, party or political affiliations. Nikiongeza kwa sasa hivi, resources hazina mpangilio kamili wa kugawanywa katika sehemu mbali mbali za Kenya. Ningesema kwamba resources zote zigawanywe kupitia kwa parliamentary ama kwa constituencies.

- 2) Management ya resources za serikali, I will recommend that there be stipulated Code of ethics and the Commissioners should be appointed by Parliament by way of vote. Nasema hivyo kwa sababu Commissioners ambao wako, wamekuwa appointed na at times wanakuwa sio wazuri hawafanyi kazi kulingana na matakwa ya wananchi.

- 3) Taxation; currently the revenue collection of the government is very poor, because of corrupt revenue officers. I recommend that the revenue officers be reduced as much as possible, and taxation be done at source of the product only. Taxation kwa upande wa wakulima, mimi ninaonelea taxation iondolewe kutoka kwao. The reason ya kuitoa ni kwamba kama itakuwa imefanywa at source, itakuwa kwamba mkulima amelipa tax yake akinunua gari ama akinunua mbolea. Nasema hivyo kwa vile taxation imekuwa expensive kwa wakulima kwa vile ina involve wale watu wanaitwa accountants. Na accountants at most time wana con wakulima, kuwambia kwamba wanawatengenezea hesabu za taxation. Ku avoid hayo maneno, mimi nina recommend kwamba, serikali to tax everything at source na wawachane na mambo ya wakulima. Taxation pia kwa upande wa wakulima ingalikuwa tu kwa upande wa sales only, kama ni sales inaenda through the local authority.

- 4) On the squatters I recommend that every squatter apate shamba. Serikali bado iko na shamba na nina recommend kwamba squatters ambao wako, my opinion is that wapewe shamba kidogo at least kila mtu awe na settlement.

- 5) Farmers, I also recommend that a law be enacted to curb all importation of farm produce. Importation yote ya farm produce, kuwe na sheria ya kuweza kufunga kabisa ili produce zetu ziweze kupata market ambazo tuko nazo hapa.

Interjection (Com. Baraza): Please just wind up that is your last point.

Job Chelang: I will talk about unemployment; Wakenya wengi tumekosa kazi kwa sababu hatuna sheria ya kuzuia other communities ku dominate business katika nchi yetu ya Kenya. Mimi nina recommend ya kwamba, kuwe na sheria ya ku curb businessmen ambao sio wananchi hasaa the Asian communities and other communities, because one Asian community inachukua biashara ya kutosha about ten Kenyans. We want a law to curb them up so that we can also be in business.

- 6) On the land issue.....

Interjection (Com. Baraza): No just finalize please.

Job Chelang: Let me finalize. On the land issue I would recommend that since the government controls use and ownership of land, it should make it criminal for any person who interferes with ownership, and the offenders, should be jailed for a period of not less than seven years. Lastly,

Interjection (Com. Baraza): Your time is up.

Job Chelang: Let me just say the last one. It is that I recommend that all farm agreements be channeled through the Land Control Board and not to be dealt through the lawyers since the land control board ina mambo yote ya mashamba, ingelikuwa bora ununuzi na uuzaji wote ufanywe katika land control board. Asante sana.

Com. Baraza: Thank you. Is J.W. Ahoya there? Patrick Juma, Reuben Chebai, Charles Kadenge.

Charles Kadenge: Asante sana Madam na Commissioners wenzako, bila kupoteza wakati sana, nitazungumzia qualities za presidential candidates. Presidential candidates mmeambiwa na wenzangu anatakikana awe above tribal lines as the first quality.

Halafu vile vile, huyu President powers zake ziwe curtailed ili Judiciary iwe independent na bunge vile vile iwe na more powers. Halafu wenzake ambao ni Vice President, Prime Minister na his Deputy wawe directly elected by the public.

Pointi ya pili ninakuja kwa ballot boxes. Inatakikana hizi ballot boxes ambazo tunapigia kura, ziwe rangi ya black au red au green, they should be transparent, ziwe white, na ikiwezekana ziwe connected to the internet so that electorate akiweka kura yake ndani, inahesabiwa direct to the headquarter. Vile vile katika kituo cha kura inatakikana kura zihesabiwe pale kabla boxes hazijaenda.

Tatu, corruption, ufisadi; mambo ya ufisadi, any leader ikiwa government SACCOs or any politician, an MP or a Councillor ambaye anapatikana ame embezzle public funds, tuna suggest kwamba, tuna recommend anti corruption unit isambashwe katika all districts all over the republic, so that to deal na such leaders. Kwa sababu some areas, public funds ambazo zimeletwa kutengeneza barabara, bursaries au zifanye mambo ya maji, they are being misused by few greedy individuals.

Com. Swazuri: What do you recommend?

Charles Kadenge: They should be charged before the court of law and if they are guilty then they should be jailed. It should not only apply to these leaders, hata akiwa kiongozi wa hosipitali, awe kiongozi wa shule, especially hapa in Trans Nzoia, there is a very big mess about public institutions.

Nakuja kwa ministry of defence. Tumeonelea kwamba, soldiers all over the defence department, kuna areas nyingi ambazo vijana wetu ambao wamemaliza shule, hawako recruited. Kwa hivyo tunge recommend kwamba katika all over the republic, each sublocation, ingetoa at least some boys waende ku serve the nation.

Interjection (Com. Baraza): Thank you Mr. Kadenge.

Charles Kadenge: Not yet.

Com. Baraza: You know it is coming to rain again, just one point.

Charles Kadenge: Councillors should have a minimum education of form four and we should not allow Councillors to elect the Mayor or the Chairman. The Mayor or Chairman should directly be elected by the public after the elections.

Com. Baraza: You leave us that memorandum. It is a good one, leave it there we shall read it.(inaudible) just give it to us. Joyce Kibiabare, you will be followed by Stephen Wanyonyi.

Joyce Musembi: Asante sana Madam na Macommissioner wote ambao mmefika hapa. Majina yangu ni Joyce Musembi Kibiabaye, nikitoka Ngolo Ngolo. Yangu ningependekeza ya kuwa kwa upande wa haki ya wanawake, watoto wa kike wapewe haki sawa, ya kinyumbani, ya kisomo, sawa na wa kiume, na hawa wanawake wakiitimu wapewe nafasi ya kazi na promotion sawa na ya wakiume pia uongozi. Watoto walemavu wapewe usaidizi na serikali kwa kuwa wakiwachwa hivyo sisi hatutaweza kuwasaidia sana. Na wanawake wapewe haki yao na waume zao, for example, mahari. Tumekuwa na divorce nyingi sana kwa sababu ya mahari. Mtu asipolipa mahari ana divorce kesho analeta mwingine. Kwa hivyo serikali inatakiwa kuchukuwa hatua kwa upande wa mahari ili wanawake wakae vizuri kwa maboma zao.

Com. Baraza: Walipe mahari?

Joyce Musembi: Walipe mahari kwa sababu hawalipi mahari ndio wana divorce kesho wanaleta mwingine. Kwa upande wa maendeleo ya wanawake inatajikana usimamishi wa haki, siku hizi kumekuwa na uufisadi mwingi sana. Wakubwa ambao wanasimamia maendeleo ya wanawake hawaangalii wadogo ambao wako chini yao. Kwa hivyo uufisadi umekuwa hapo mwingi, ndiposa hata wamama walemavu hawawezi kusaidiwa. KPR wanatakiwa hata wasaidiwe zaidi kwa sababu hao wanasaidia polisi sana kwa kukimbia upande wa grassroots. Ni hayo.

Com. Baraza: Asante sana Joyce. Stephen Wanyonyi. If Stephen is not there Andrew Kibweche. If Andrew is not there Josephat Sholo, this one came. Yohana Koech, Welela Paul ameongea, Jona Chelao Chelali, ameongea, Sophia Wakhoho, Selina Wafula, and Sophia where is she? Ukae karibu, you are who? Sit there utafuatiwa na Selina.

Sophia Wakhoho: Mimi ninaongea kuhusu mabibi wajane, hawasaidiwe na hakuna maendeleo kwao. Wakileta msaada, wanasaidia kusomesha watoto wenye wako na walimu na mabibi wajane watoto wao wanabaki tu nyuma hawasomi na wanataka kusoma. Na tuna wamama wakunga inatajikana muwasaidie wapate uniform tena muwasaidie kama mshahara kidogo ya kuwasaidia nyumbani. Ni hayo tu.

Com. Baraza:(inaudible)

Sophia Wakhoho: Kwa wamama wakunga.

Speaker: Wanaozalisha wamama, kupata watoto.

Com. Baraza: Midwives? Ok. Selina, halafu Pauline, Dina Wafula.

Dina Wafula: Kwa majina Commissioner, ni Dina N. Wafula. Na nitazungumza juu ya mashamba. Katika mashamba ya Trans Nzoia, mimi nikiwa mzaliwa wa hapa, 1942 na kutokea hapo, ningependekeza ya kuwa kama kutakuwa na nafasi, ambayo mashamba yatagawiwa, serikali ingejaribu kuchunguza, wale wazaliwa wa hapa, ambao wengine wanamaliza hata miaka sitini kabla hawajaonja kitu, hata kama ni kidogo hawa watu wawa conside. Halafu jambo la pili, wakina mama, wangukuwa mstari wa mbele, kwa maana hata nasi tulipata vitambulisho kama wazee. Na unaona ya kuwa wazee hawa wengine ni walaghai, anapopewa shamba, pengine anaenda kuuza kabla ya mama hajajua.

Halafu jambo lingine la pili ningependa kuzungumzia juu ya makanisa. Katika Kenya yetu mzima, tunaona ya kuwa makanisa imekuwa nyingi, na inaleta shida nyingi kwa maana sijajua ya kuwa makanisa inapoendelea hatukatai lakini ingine ina tabia ile ambayo haistahili hata mtoto aingie kule, anapoingia kule, inaonekana kama ameenda tu mambo mengine.

Jambo langu la tatu, ningependa nizungumzie juu ya serikali kupeana ma condom kwa watu. Hilo jambo limefanya watu wengi sana wameanguka, kwa maana wanajua eti hiyo ni kinga ya ugonjwa wa ukimwi. Lakini kwa upande wangu ningependekeza iliirekebishe kila mtu ajiamini, na aone ya kwamba akae kama mtu ambaye anastahili aishi katika nchi yake kwa uhuru.

Jambo lingine ninazungumza kuhusu watoto wetu wasichana. Hawa watoto wetu wasichana, wanapoendelea kwa kusoma, kuna wazee ambao wanaitwa sugar daddy, wanatafuta hawa watoto. Wanapowatafuta, mtoto anampata, na huyo mzee ana mabibi zake ama ana bibi yake, huyo mtoto pengine anaoleka naye na tunaona hawa watoto tungeweka sheria ya kufundisha hao watoto, ili wasipatikane wakiolewa na mtu wa wanawake wane, watano, sita.

Point ya mwisho, ningependekeza kuhusu wajumbe ambao tunawachagua, tunachagua wajumbe kutoka kwa area zetu, na tunapo wachagua sisi tunaona ya kwamba, hawa ni wafanyikazi wetu. Kufika kule wanajiita eti hao ni waheshimiwa, na mimi ninaona raia ndio mheshimiwa, yeye ni mfanyikazi. Kwa hivyo tunataka serikali iwajulishe ya kwamba, sisi raia ndio waheshimiwa kwa maana tumemchagua, tumemtuma atufanyie kazi. Asante.

Com. Baraza: Na akiitwa mheshimiwa hakufanyii kazi? Huwa hawarudi kufanya kazi au...

Dina Wafula: Harudi, yeye ni mshimiwa atarudi lini nyuma?

Com. Baraza: Paulina Logiel, utafuatiwa na Alfred Maloba.

Paulina Logiel: Kwa majina ninaitwa Paulina Logiel. Mimi ninatoa maoni juu ya uandikishaji wa kazi ya serikali kama askari. Unaweza kuta wakati wanaandikisha askari wanasema kwa wilaya fulani wanataka watu kama kumi ama ishirini, na kuna wilaya ambayo ni wilaya moja tu na ni kabila moja, na kuna wilaya ingine kama upande za Kericho hivi, kuna wilaya karibu mbili ama tatu na kabila.....hasara iko ndani hapo, mimi ningependekeza hivi, wakisema kama ni watu kumi, wawe watu kumi hata kama wilaya imegawanywa mara mbili, ndio tuwe na usawa katika ajira ya kazi ya serikali kama askari.

Ya pili tena nikiongezea hapo kwa ajili ya ajira, kuna wilaya hata kama Trans Nzoia, hii ni wilaya ambayo makabila zote ziko ndani yake, ningependekeza kuwa wale kabila wote wako hapo, tofauti na kitambulisho ambacho umepata katika wilaya yako. Wapate kuandikwa hapo hata kama ni kabila gani hata kama amepata kitambulisho kwa wilaya gani, waandikiwe hapo, wachukuliwe tu hapo. Ningependekeza tena kwa ajili ya upande wa lugha ya kitaifa, mimi mapendekezo yangu ni kuwa tuwe na lugha moja ya taifa kwa sababu tukiwa na lugha moja ya taifa, makabila zote wanaweza kuelewana katika kila jambo ambalo wanataka kulitekeleza.

Ya tatu, ningezungumzia juu ya cabinet ministers. Kuna kabila ambalo tangu tupate uhuru, wanapata assistant Minister, hawapewi ministry. Kwa hivyo mimi mapendekezo yangu ni kuwa, at least kila wilaya ipewe minister mmoja wa kusimamia ministry fulani.

Ya nne, juu ya uchaguzi wa Rais, ningependekeza tuwe na uchaguzi wa Rais moja kwa moja kutoka kwa wananchi wote nchini nzima. Kwa sababu kiongozi ambaye amechaguliwa na wananchi wote, anaonekana ni kiongozi ambaye amependwa all over the country.

Ya tano, ningependekeza tena kuwa Katiba ieselimu tofauti za kitamaduni na kabila katika nchi yetu.

Ya sita, ningependekeza Katiba itambue tarehe ya uchaguzi itaje, ili wananchi wote wawe tayari kwa wakati huu wa uchaguzi. Asante.

Com. Baraza: Asante sana Paulina jandikishe hapo. Alfred Maloba, utafuatiwa na Nelson Wanyonyi.

Alfred Maloba: Asante sana. Majina yangu ni Maloba Alfred kutoka hapa, nikiwa mkaaji wa hapa. Mapendekezo yangu ningependelea kwanza nikisema ya kwamba, ile bunge tuko nayo inamaliza muda wake saa hizi, na ikiwa inamaliza muda wake saa hii, walihapa ya kwamba watatufanyia kazi na tuliwachukuwa kwa miaka tano. Huu muda unakwisha na nyinyi

Commissioners ndio tumepatia mamlaka ya kubadilisha Katiba, sasa mambo ya Katiba na uchaguzi uwe kando, uwe separate ili, uchaguzi ufanyike kama kawaida. Hii bunge ikwishe, irudi nyumbani mwisho wa mwaka huu nayo Katiba kama haitakuwa imekwisha, kufikia mwisho wa mwaka huu. Iendelee kufanya kazi yake, nyinyi Commissioners muko, na ikiwa tutakuwa na bunge ingine kwanzia mwezi wa tatu, hiyo bunge iendelee na mambo ya kurekebisha Katiba. Sasa mtu kusema ya kwamba section itafanyika mwaka ujao kwa sababu ya ku-review Katiba, hiyo itoke kabisa. Hiyo ni kulingana na mapendekezo yangu.

Tunataka mamlaka ya Rais ipunguzwe. Rais achaguliwe na 25% in at least five provinces. Hizo kura na afanye kazi kwa muda wa miaka tano, maximum two terms. Rais atengeneze a government of national unity so long as hao watu ambao wanapewa mamlaka katika serikali, wanafanya kulingana na academic performance. That is anybody appointed to be a minister, should have the qualification to run that ministry, no matter which party he comes from. Sasa tuwe na muungano wa serikali kulingana na vile vyama ambavyo viko kwa bunge. Jambo lingine ni kwamba, tuwe na a presidential advisory committee. Tumshaona mambo mingi sana ikizungumzwa. Rais kama anatembea kwa mkutano wa soko anazungumza mambo ambayo yanahusu state mzima. Mambo kama haya tunaweza ku-avoid tukiwa na a presidential advisory committee ambayo itakaa chini kuadvise President na azungumze mambo ambayo yanahusu nchi. Sio kwa market place ama in a public rally, lakini kupitia kwa presidential advisory committee. Sio mtu anapita sokoni anasema kwanzia leo nimesema kitu fulani na inakuwa sheria ina run nchi nzima.

Jambo lingine ni kwamba, Rais atengeneze serikali na jambo kubwa sana la serikali liwe, kuhudumia wananchi na kuangalia economy ya nchi inaendelea ili kila mwananchi afanye kazi na akiwa mkulima, apate ile jasho yake kwa ukulima na ajitegemee. Sio kufanya mambo ya siasa, mtu anafanya mambo ya siasa, mtu anafanya mambo ya siasa na amechaguliwa kama Rais. Amefanya muda mwingi anazungumza mambo ya Rais na anawacha mambo ya economy inakwisha. Sasa kila mtu tunaona campuni mingi hapa Kenya zimeanguka kwa sababu of too much faulty. So this country we need a manager we don't need a politician.

Jambo lingine, ministers and civil servants, they should hold one post. Na wewe kama umekubaliwa kuandikwa kama na serikali, fanya kazi ya serikali, kama wewe ni mwalimu, fanya kazi ya ualimu. Usije tena kuanza kuingilia mambo ya biashara ama kufanya kazi mara tano. Unashika cheo hapa, unashika cheo ingine pale. Tuwe na one man-one post. Na kama wewe ni mfanyakazi wa serikali, fanya ile kazi ya serikali na ulipwe vizuri, serikali ikulipe vizuri, ili tusiwe na double duties. Unapata mtu ameweka kwa kiti ameweka koti na ameondoka ameenda kufanya business yake, wewe ni mwalimu, umewacha watoto shuleni, umeenda kulima shamba. This is double dealing. Tuwe na mtu akifanya kazi, kama umeamua kuenda in the public sector, uende ufanye kazi kwa public sector.

Com. Baraza: Go to your next point, your last point, I will give you a minute.

Alfred Maloba: My next point is kilimo, pesa zote ambazo mkulima anatumia, iwe chini ili tuongeze mapato yetu. unaangalia mambo kama mbolea, seeds tunapanda hapa Trans Nzoia lakini ni bei ya juu mpaka mkulima anashindwa hata ku-afford kununua. Ndio tunapata substandard seeds mkulima anatumia na hii inafanya mapato kuwa chini.

Cattle rustling, watu ambao wanaongea mambo ya tuseme ya kwamba wewe umechaguliwa kama mbunge, unaongea mambo ambayo yanafanya watu wako kwenda ku-incite watu wako na kuendelea kupiganisha makabila. Wewe kama umechaguliwa kama mbunge, kazi yako iwe ni ku preach peace among all this people. War mongers should not be allowed to vie to any elective post or hold any public office. Like we have heard from the Pokot area. We have heard somebody a war monger, a very big war monger, because he is holding a very big post in the government, he goes above the law and let people to continue harassing this neighbouring communities. Ni hayo tu.

Com. Baraza: Thank you leave us your memorandum there. Nelson Wanyonyi, Nelson Deya kama hayuko. Peter Wasike, kama hayuko, Stephene Wakasa, you have spoken. Joel Metelong, Godfrey Kibor. Are you Godfrey Kibor?

Godfrey Kibor: Wacommissioner siku ya leo nasema asante sana. Mimi ni Godfrey Kibor na nina maswala karibu matatu hivi ya kuzungumzia. Kwanza kabisa nitazungumzia juu ya uchumi wa serikali. Kwamba katika serikali yetu, hakuna miundo misingi ya kuhifadhi pesa, na kutoa pesa ambazo zinaweza tumika hata katika miundo zote ambazo serikali inapanga. Sasa siku ya leo ningependekeza ya kwamba, kuwe na muundo wa kuweka pesa na hizo pesa zihalalishwe ili zipewe wananchi wanaohitaji haswa katika ukulima. Kwa mfano hapa kilimo cha mahindi tunahitaji mvumo kama huo, wa kuweza kutoa pesa ambazo tunahitaji ili tuweze kufanya kazi bila ya kutegemea mambo ambayo serikali inasema kwamba ingeweza kuongeza bei ama inaweza kurudisha bei chini.

Jambo la pili ambalo ningependa kuzungumzia, ni jambo ambalo linahusu mashamba, sheria za Kenya haswa zinazohusu mashamba zinahitilafu kidogo, kwa sababu hakuna sehemu iliyomwafaka ambayo Katiba imeelezea kwamba kuna uwezo wa mtu kukaa katika shamba bila kunyanganywa kwa sababu twaweza kunyanganywa hata kikao hiki kwa sababu kuna mtu amechukua. Ningependekeza kwamba kuwe na sheria maalum ambazo zinaelezea ukweli na ukweli kwamba, mtu akiwa raia wa Kenya aweza kukuwa katika ardhi bila ya kuweka katika sheria ambayo inaitwa adjudication ama consolidation ama ile inaitwa trust land. Sababu zote tunaona ni kama zinaleta hitilafu kidogo.

Na jambo la mwisho kabisa kwa sababu watu wengi wamezungumzia juu ya jambo hili bila kukoma, ni kwamba madaraka ya Rais yapo juu sana na yapo juu sana kwa sababu hata katika Katiba yenyewe, ni kwamba Katiba iliandikwa haswa kulenga wananchi wa Kenya. Tungependa Katiba ya saa hizi iwalenge wananchi na isilenge Rais ama isilenge mtu binafsi. Na hivyo basi, jambo la mwisho ambalo nilitaka kulisema ni kwamba, Katiba ambayo itaandikwa wakati huu, iwe Katiba ambayo itakuwa na uwezo wa kujilinda. Ijilinde kwamba haiwezi kupinduliwa na mtu yeyote. Na ijilinde kwamba inafanya kazi ambayo imeandikwa kuifanya. Kwa mfano, sehemu kama chapter one ya Katiba yetu inaandikisha nchi ya Kenya, jina inaitwa

“Kenya”, lakini katika sehemu hiyo, kuna nafasi ya mimi kusimama na kusema kuna haki kwamba sehemu hiyo jina Kenya halina maana kwa sababu, there is no definition for this name.

So, tunataka kwamba Katiba ambayo itakuweco, iwe katika every clause. It should be protected by the Constitution itself. Isiwe na ile hali kwamba unaweza kutoa kipengele katika section moja, ambayo inaenda kukatwa tena. For example in human rights, fundamental rights. You find that those people working in the fundamental rights, if they are adjudicators as judges or advocates, atatetea fundamental rights, lakini katika sehemu ya pili utakuta sheria hiyo hiyo yenyewe imempa mtu ruhusa kwa mfano, akiwa anadumisha kazi ya serikali kumuibia mwingine. Na sheria hiyo ipingwe kwamba asishikwe kwa sababu alikuwa anafanya kazi na amemuibia mwingina. Basi ningependa kusema yangu ni kwamba haki za mwanadamu katika nchi ya Kenya zisimlengwe Rais na haki za mwanadamu katika Kenya zitueleze kwamba mwanadamu ana haki ya kuishi na Katiba imlengwe mtu tu binafsi. Asanteni.

Com. Baraza: Asante sana Mr. Kibor. Councillor Situma.

Clr. Situma: Ninawakilisha FORD Kenya, Kwanza sub-branch. Sisi kama watu wa FORD Kenya katika Kwanza, tungependelea kuona Katiba iliyo ya ukweli ambayo ina uhaki. Sababu nchi yetu hii inaangukia mali pengi sana pa umasikini, ugonjwa, insecurity, corruption na mambo mengine hayo. Hii inamaanisha kwamba, hii Katiba mtakayoandika, iwe nzuri ambayo itaweza kutusaidia ili isiwe inabadilishwa ovyo ovyo, vile inafanywa sasa hivi.

Jambo lingine, nitaongea juu ya citizenship. Mtu yeyote ambaye amezaliwa Kenya, mzazi ni Mkenya na wazazi wake wote ni Wakenya, wapewe vitambulisho kama vile wanapopeana kazi ya hosipitali kwa watoto ambao wanaenda kuzaliwa kwa hosipitali. Isiwe na mambo yoyote kwamba itafikia wakati fulani ndio wapeane. Pia Katiba hii iweze kuruhusu Mkenya yeyote ambaye amefikia miaka kumi na nane, apewe passport free na iwe inatokana na Katiba.

Jambo lingine, nitaongea juu ya devolution of powers and strong local authorities. Jambo hili, ninaomba kwamba serikali ya saa hizi imeweza kufanya local authorities kuwa kama ni wale watu wanakaa tu mali pale hawana maana, na ambao ni viongozi ambao wako mashinani. Ninaomba kwamba Katiba hii, iweze kupatia serikali ya mitaa uwezo, na pia iweze kuwasaidia financially, na pia yale mamlaka ambayo yako na administration kwa mfano kama, P.C., D.C., Chief, Sub-chief, mamlaka hayo yatolewe yapewe hao watu wa local authority. Chiefs wenye wako saa hizi, D.C. na P.C. wapewe kazi zingine kwa ministries. Hii ilitumika wakati ule wazamani wakati wazungu walikuwa wanatutawala na hivi sasa imetokea mahali pa kuweza kunyanganya Wakenya mashamba na pia unaweza pata kwa mfano D.C. anaweza kuja kama Kitale kutoka Mombasa, atatumia nafasi hiyo kutoa watu kule Mombasa, awaleta mahali hapa sababu yeye ndio chairman wa kupeana mashamba. Hivo sasa ninasema huo uwezo upewe wale waliochaguliwa mahali hapo, ndio wanajua ni kina nani hawana mashamba na kina nani wanastahili kupewa. Na pia hii hali imewawezesha hata Rais saa hizi wa nchi hii, kwa kila district ako na shamba not less than 700 hectares. Hiyo ninasema mashamba haya yote yaweze kutolewa kwao, na mtu wa juu zaidi akuwe na hectare hamsini, na

mtu wa chini sana awe na hectare tano. Na zile mashamba zingine zimebaki, zibaki chini ya serikali ili iweze kufanyia kazi kama kwa mfano katika Trans Nzoia tuna vitu kama ADC. Iweze kumiliki vitu kama hivyo.

Upande wa ubunge. Sisi kama FORD Kenya Kwanza, tunaona kwamba bunge ya saa hizi haitusaidii jambo lolote sababu imekua just a mere rupert of the President.

Interjection (Com. Baraza): Now Councillor, Commissioner wants you to clarify something.

Com. Swazuri: Nimesikia ukisema kwamba President yuko na 7,000 hectares in every district.

Cllr. Situma: Nearly every district.

Com. Swazuri: Do you have prove of that?

Cllr. Situma: Yes, in Kwanza in my ward....

Com. Swazuri: I am saying every - you said every district not Kwanza - every district.

Cllr. Situma: Ninasema hivyo kwa sababu, mashamba haya amepeana watoto wake kwa kila district, na yeye mwenyewe ana shamba, kwa mfano Trans Nzoia....

Com. Swazuri: Councillor itakuwa ni vizuri ukitoa tu maoni kwa issues, usijaribu ku personalize, just give your issues straight.

Cllr. Situma: Nilitaka kukariri ili muelewe.

Com. Swazuri: Don't personalize and just give your views on the issues, please, that is a rule.

Cllr. Situma: Asante. Upande wa parliamentary, bunge ya saa hizi, imerudishwa kuwa kama rubberstamp ya Rais, akitaka jambo lolote kulifanya anatomia bunge kwa mfano, anaweza tangaza jambo kuhusu nchi, wananchi wote wenye wako katika nchi hii wanaamini kuwa Rais amesema jambo, baadaye utasikia kuwa bunge inasema inaunga jambo fulani mkona na jambo hilo litabadilishwa kulingana na vile Rais alivyokuwa anataka. Sasa ningependa kuwa bunge itakaa Katiba iruhusu bunge ya sasa iwe ya mseto ambayo tunakuwa na waziri mkuu ambaye atasimamia mambo ya bunge na Rais abaki na ile ofisi tatu ile ya Head of State, mkuu wa majeshi na Executive.

Interjection (Com. Baraza): Please summarize we shall read your memorandum. Give us your next last point. We shall read

the memorandum give it to us.

Cllr. Situma: Asante. La mwisho, nitaongea juu ya mashamba. Katika Kenya tumehusika sana hasaa kuona mambo ya mashamba inapotolewa kwa mtu mmoja yakienda kwa mtu mwingine. Tunapendekeza kwamba tuwe na Land Commission ambayo itahusiana na mambo ya mashamba. Hii Land Commission, kama kuna mahali popote shamba linatakikana litolewe kwa wananchi, shamba hili lihusishe madiwani, na wabunge walio mali pale ili waweze kupea wale watu wanahitaji mashamba, isiwe kuwa shamba linatolewa vile siku hizi zinatolewa hivo. Hii ndio ilikuwa point yangu ya mwisho.

Com. Baraza: Thank you very much. Please give us the memorandum we shall read it. Thank you. Councillor Mathews Wafula.

Cllr. Wafula: Chairman wa siku ya leo, na wale wenzako ambao unafanya kazi nao, asante sana kwa kuwa na sisi hapa. Neno langu la kwanza ambalo ningezungumza, ni kwamba, kuna watu wengi katika Trans Nzoia ambao tunawaita squatters, ambao ni watu hawana mashamba. Na katika Trans Nzoia kuna mashamba ambayo ni ya serikali, kufikia kwenu Commissioners, nawauliza mimi napendekeza kwamba kila yule ambaye hana shamba, katika Trans Nzoia headquarters, wawe watu wa kwanza ikiwa shamba lolote lapatikana la serikali wapewe.

Ya pili, katika Kenya hapa, kuna watu chairman ambao wana mashamba, wako na shamba Trans Nzoia, ako na shamba Nakuru, ako na shamba Uasin Gishu na mahali pengine pote. Mimi ninafikiria namna hii Madam chairman, nyinyi mfikirie kwamba, serikali ifanye Commission yoyote ichunguze ni akina nani ambao wana mashamba millions na billions of acres when others have no shambas katika Kenya. Na wale ambao wasio na mashamba, serikali inunue mashamba ya watu wale, ikiwa iliwapa halafu wapeane kwa wale ambao hawana mashamba.

La tatu, nazungumza juu ya health. Watu ni wagonjwa sana katika Kenya, maradhi mbali mbali. Na katika Kenya inasemekana hakuna pesa kweli. Ikiwa serikali inasema hakuna pesa, na wagonjwa wako humu ambao hawana pesa kabisa hawana kitu chochote. Wataishi namna gani?

Com. Swazuri: Make a proposal.

Cllr. Wafula: My proposal is that please, let the government give free health facilities. Thank you. Yakufuata mimi ninapendekeza ya kwamba, tuwe na prime minister. Kwa sababu prime minister, kila wakati ako katika bungeni. Kuliko yule President ambaye anakaa tu nje anapelekewa tu mambo na kusoma kwamba wamezungumza hayo maneno namna hii. Tuwe na Prime Minister awe kiongozi wa ministers wengine katika parliament. La kufuata, mimi ninasema chairman uwezo wa President uwe reduced. Maana yake, vitu kama Judiciary, be independent. Kitu kama Public Service Commission iwe independent, na zingine ziwe chini ya Rais ili kwa maana yeye atapeleka order tu kama kesi imefanywa labda watamngoja atoe

mambo yake ya muhimu. Kwa hivyo Judiciary and Public Service Commission to be independent. La kufuata ni kwamba Mayors and chairmen of councils be elected directly by the people. La mwisho, nawauliza nyinyi Commissioners, mimi nafikiria tuwe na Constitution mpya kabla ya kuingia kwa election mpya. Na ninawauliza nyinyi mharakishe Commission hiyo isitupe mauwazi ya kusema wairishe Parliament mpaka mwaka mwingine. Commission yenu hii ambayo mko ndani yake, imalize mambo yote mwaka huu na mwisho wa Parliament hii, mtupe uwezo wa kufanya elections.

Com. Baraza: Asante umemaliza?

Cllr. Wafula: Ee naona kama ninamaliza.

Com. Baraza: Hata wewe pia uarakishe vile sisi tunawaharakisha, wewe uharakishe ndio sisi tuharakishe.

Cllr. Wafula: Mwisho, mimi napendekeza kwamba tuwe na serikali iliyo ya umoja not majimbo. Thank you very much.

Com. Baraza: Asante Councillor. Pitia hapo. Councillor Christopher Makhoha.

Cllr. Makhoha: Madam Commissioner na Macommissioners wengine, nafikiri yangu itakuwa ni repetition tu kwa sababu wengi wamesema, mimi nitajaribu kuweka mkazo tu. Mimi ningeliomba hivi, mapendekezo yangu ni kwamba, Mkenya yeyote aliye na miaka kumi na nane apewe kitambulisho na apewe direct voting card, iliaonekane ni Mkenya ambaye anaweza kufanya chochote.

Jambo langu la pili, ningependekeza ya kwamba sheria yetu ambayo iko sasa, na hasa sheria ambayo ya hapa kwetu Kwanza tunajua ni Kenya kwa ujumla inayohusu usalama. Inasema mtu analindwa na mali yake. Lakini kwetu ni kinyume, ipewe nguvu zaidi ionyeshe kweli inanilinda mimi na mali yangu.

Tatu, nafikiri ningelisema tuheshimu mipaka ya nchi yetu. Hata iwe ya sublocation, location, district. Kwa mfano, kuna watu wengine wanatoka district zingine wanakuja kuzungumza mambo ya district zingine. Kwa hivyo ningelipenda mipaka iheshimiwe na kila mtu ajue mpaka wake vile ulivyo kulingana na nchi yetu.

Nafikiri squatters, hili ni jambo limerudiwa sana Commissioners, sisi tunasema hawa watu wapewe mchanga kwa sababu ni Wakenya wazalendo kama sisi. Wale ambao wamefanikiwa kupata mashamba mengi zaidi ya hekari hamsini, wapate ku-surrender na mimi ninasema hii kulingana na sehemu za yale mashamba ya serikali. Kama watu walipewa kulingana na vile tuko madarakani hata nikiwa mimi Councillor, yangu irudishwe wapatie yule mwananchi mama kiwete kama yule amekaa pale.

Jambo lingine ambalo ninataka niseme, ni kwamba tuwe na sheria, Mkenya asim dai Mkenya mwenzake, pengine mahali alipo.

Kwa mfano, hapa kwetu Trans Nzoia, kuna watu wana claim kwamba hii ni nchi yao. Lakini nikiwa Mkenya nilipata shamba langu kupitia jasho langu kwa pesa yangu, mimi ningelisema sheria iliyo nipa nikanunua hilo shamba, idumishwe na mwenzangu ashindaye haki yangu. Kwa mfano tunaambiwa kwamba tulipe madollar fulani ambayo sitaki kutaja hapa kwa sababu hiyo itakuja kwa siasa, watu fulani kwa sababu ni sehemu yao.

Mwisho, ningeliomba tuweke sheria kwa madiwani kwamba mtu akienda term mbili miaka umi, awe pensionable kwa sababu huyu jamaa amehudumia serikali yake kwa muda ambayo ulioko na hata akiwa mzuri sana, aendelee lakini atakuwa amekuwa renewed, kwa hayo ninasema asante kwa sababu mengi yametajwa na wengine.

Com. Baraza: Thank you Councillor. Justus Mirikwa, utafuatwa na James Kisilili.

Justus Mirikwa: Mimi, si Councillor mama Commissioner. Basi asante sana kwa nafasi hii mmenipatia ili niweze kuzungumza machache. Yangu nitazungumzia upande wa disabilities. Ningependa Commision hii ichukue hii kama ni mkazo zaidi ya kwamba, watu ambao hawajiwezi - kwa muda mrefu katika Kenya yetu hii, mahitaji yao hayajawekewa maanani. Na ingefanywa sheria nzuri ili shida zao ziweze kuwa channeled properly. Nataka kuomba hivi: ya kwamba katika Kenya hii uhuru, hawa disabled people wapatiwe nafasi pia katika Bunge. Ili shida zao ziweze kupitishwa kwa Mbunge wao na Bunge iweze kusikiza na shida kama ya kununua machinery ambazo wanatumia kama watu vilema, ministry yao iweze ku-order hizo vitu na iweze kununuliwa pengine kwa bei rahisi. Pia mbunge huyu angeweza kuwasaidia katika korti, mambo kama hayo kama wako na makosa ili sheria inaweza kuwatetea.

Kwa upande wa mashamba, watu mara nyingi wanasema maskini, watu ambao ni disabled pia ni masikini sana ambao hawajatambuliwa, kwa hivyo kama kuna upande wa kuzungumzia mambo ya mashamba hawa disabled people waweze pia kuwa considered kwa society hiyo.

Jambo lingine leadership kwa upande wa chiefs. Kuna mahali kama Kwanza hapa - ninataka kuzungumzia pahali kabila nyingi ziko - kuna area zingine katika nchi yetu unapata kabila ni moja tu. Hapo siwezi kuzungumzia sana lakini kama mahali kabila ziko tofauti tofauti, ikiwa chief ni kabila fulani ni vizuri tena iangaliwe kabila fulani nayo iwe hata na Assistant chief. Kwa sababu hatutaona kama kabila hizi zinawezafinywa.

Kwa upande wa administration ni hivo. Pia ningeomba machief mara nyingi hawakui trained baada ya kupatiwa kazi. Ni vizuri wakuwe trained na wakiwa trained wanaweza kujua ni kitu gani wanafanyia wananchi.

Pia katika nomination, mambo ya kuenda nomination bunge, ningependa hawa watu ambao hawajiwezi wakuwe considered. Commissioner, hayo ndio yangu ambayo ningetaka kutekeleza.

Com. Baraza: Uende hapo ujiandikishe, James Kisilili wasn't there. Justice Sikitimi, if he is not there Mutende Pepela, utafuatwa na Misigo Geoffrey.

Mutende Pepela: Nasema asante. Kwa majina ni Mutende Pepela. Maoni yangu ama mapendekezo yangu ni kama yafuatayo. Ningeomba Katiba ya saa hizi, kila division hapa Kenya, iwe na sitima. Pendekezo la pili, kuwe na home for the aged. Watu ambao miaka zao zimeenda zaidi ya miaka themanini ama tisaini. Wengi wao ni wa kike ama wa kiume, kuna wengi wao hawana makao maalum. Ama kwa maboma saa zingine wanakataliwa na familia zao. Kuwe na nyumba ambapo imetengwa kwa kila district Kenya, ambapo serikali itakuwa inawalinda na kuwatibu.

Pendekezo langu lingine, tuko na vyama hapa Kenya na hivi vyama ningependa kama vyama vya siasa, kama zinafanya campaign sawa. All presidential candidates wawe funded na serikali equally. Serikali inaweza kutetea mwenye atakuwa kwa chama chenye kinaongoza wakati huo. Halafu upande wa mode of dressing, hapa Kenya tuwe na Katiba, ambapo kuwe na dressing inayotofautisha mwanaume na mwanamke. Kama ni mwanamke atavaa rinda ama long, kuwe na hiyo mode of dressing.

Interjection (Com. Baraza): Tuseme kwamba ni wanawake wavae longi na nyinyi mvae nini?

Mutende Pepela: Hii ni sheria ya kusema, nguo za wanaume ziko hivi, za wanawake ni hizo marinda zao wakae nazo zile ndefu lakini sio longi.

Com. Baraza: Iko pointi ingine, maliza, dakika moja.

Mutende Pepela: Upande wa employment ningesema hivi, hapa Kenya tuko na makabila kama Luhya, tuko na Kalenjin, tuko na Kikuyu. Kuna kazi kama ya hii military, mkienda kwa laini mtaambiwa oh msapoti asimame hapa, cheo asimame hapa, namna hiyo, na kama ni Waluhya anasimama mmjoja, awezi kusema huyu ni Bukusu, Maragoli namna hiyo. Sasa ukijumlisha kama ni Kalenjin unapata wako zaidi ya mia mbili na Waluhya mko kama kumi. Sasa hapo ningenelea kama ni Kalenjin nao wasimame kwa laini moja vile Waluhya wanasimama,

Upande wa military, upande wa kazi mtu yeyote kama ame graduate university apitie kwa military, ama yeyote mwenye anataka kazi hapa Kenya, aende training ya military ya miaka miwili, na akitaka kubaki kwa military, abaki akitaka kutafuta kazi ingine atafute. Yangu ni hayo.

Com. Baraza: Na hizo trousers zangu nitapeleka wapi?

Audience: (laughter)

Com. Baraza: Jiandikishe hapo. Misigo Geoffrey, Kamau yuko? Samuel Josiah, kama hayuko, Ezekiel Cheruiyot, now that one talked, Richard Wabwire, Samuel Khaemba, Wycliff Alumasi, afuatiwe na Mary Wanjala.

Wycliff Alumasi: Yangu ni machache tu, haswa nitazungumzia kwa upande wa President; President alichukua mamlaka ya wanajeshi na yeye ajaingia kwa kazi ya jeshi. Kwa hivyo, kazi ya jeshi inatajikana ifuatane na mwenye anasimamia kama mkuu wa jeshi, sio President. President asitahili kusimamia jeshi kwa sababu yeye hajasoma kazi ya jeshi. Jeshi linasimamiwa na mwenye amesoma kazi ya jeshi.

Inginge nazungumzia kuhusu upande wa mashamba - kuhusu kesi za mashamba ya nyumbani. Ingefaa ihusike na wazee wa kijiji ama ukoo. Na hayo mashamba haistahili advocate kuingia ndani kwa sababu yeye aishi karibu na hiyo shamba. Mzozo wenye uko kwa hiyo shamba inahusika na majirani na ukoo. Kwa hivyo advocate ahusiki kwa hiyo kazi ya mashamba. ‘

Nitazungumzia kwa upande wa mkasa. Mkasa astahili apewe sifa kwa sababu mambo yote huzungumzwa katika bunge, yanatoka kwa upande wa mkasa. Nitazungumzia kuhusu upande wa usalama. Tulikuwa na watu wanaitwa STU, hii imezoroteka kabisa mpaka saa hizi unakuta KPR ndio inafanya kazi, na zamani STU ilikuwa inafuata ng’ombe hata kama imeenda Tanzania na ng’ombe inarudishwa, stock theft, kwa hivyo ningomba Commissioner, sheria ichukuliwe stock theft ifanye kazi kama zamani. Yangu ni hayo tu asanteni.

Com. Baraza: Asante sana. Stephen Ouma, na ufuatwe na Mary Wanjala are you there? You will come after him.

Stephen Ouma: Thank you very much Commissioners for this opportunity. I am Stephen Ouma and I have got one or two personal points to air. First of all I would like to talk about education. Education in Kenya I propose should be liberalized in such a way that each province should have its own education system. In this education system let the government work only on the curriculum. We should have two issues where the government should look at, the examination and the paying of teachers and development of books.

But when it comes to curriculum development, I tend to believe the parents or stakeholders in education that is the parents, wananchi, they should be consulted before a curriculum is developed. I am saying this because I remember when we started 8-4-4, the government brought in the idea of carpentry that we should have carpentry workshops brought in primary schools, which never materialized. So I do believe that if we can leave our curriculum developed at the grassroots it moves on that way and I tend to believe we are going to have a very good education system. In that again I also tend to believe that any system if it is 8-4-4, or the former system we used to have, it should be left open so that this system should be practiced in any province, so if it is a parent and he wants his child to continue learning in any system, let it be there and if it is founder university now to regulate if it is going to pick a form four leaver or a form six leaver, then we should leave those area open, the government

should not come in. The government should only come in when paying teachers.

My next point is, on the Constitution lets also have referendum like the issue of payment of the increase of salaries of MPs, we should have a referendum, the public should have a referendum to judge, to vote for that. We should not have our MPs deciding on whatever matters as far as law is concerned. Like when we had the idea of changing the education sytem, we needed to have a referendum. Like right now we are going to have elections, we should have a referendum which is going to empower now the country to do whatever we want but we should not leave everything to the MP.

My last point is on agriculture. When it comes to agriculture we find that our farmers are really suffering in this country, so I do believe that if we are going to have a marketing system, which monitors the prices of commodities, and it alerts farmers in advance that this year we are going to have our prices for maize 600 shillings then it will be wise for me to know before I base my money on farming. But then now you see, I can put my money around one million on land, then at the end of the year I am told now that the price for the bag of maize is 300/=, so I do believe if we are going to have a system marketing system, which alerts farmers in advance that this year you are going to plant your maize, and therefore the prices of maize is going to be reviewe. Then that one is going to contribute a lot to whoever who is going to plant planless produce.

Lastly, this one comes to presidency; I believe that the President in this country has got a lot of power. Let the President undergo devolution so that some of his powers should go to the governors or the county council so that we should not have him with all those powers that drive him.....(inaudible). Lastly we should have a Prime Minister who can be impeached whenever he goes wrong. Thank you very much.

Com. Baraza: Mary Wanjala.

Mary Wanjala: Mimi ni Mary wanjala. Nitaongea kidogo kuhusu wafanyikazi. Uki-retire utapata pension yako kidogo hivyo, halafu kama Mungu anakupenda ungali unaishi, pension itasimama. Hapo ningeomba serikali iwasaidie pesa kidogo kwa maana wamefanyia serikali kazi sana. Watu wamefanyia serikali kazi na kama watapata pension na ikwishe kama angali hai, serikali izidi kumsaidia na pesa kidogo kidogo. Kwa maana ni mtu yule amezoea pesa.

Ninakuja kwa mishahara. Mishahara ingekuwa vizuri iongezwe watu wote bila mapendeleo. Kuna idhara zile zinaongezwa, unasikia leo wameongeza watu fulani, na wengine hata wanaenda strike na hakuna kitu. Sasa mishahara iende juu kama ni kuenda juu ni kwa watu wote.

Inginge nitarudia tu lakini nilikuwa nimeandika, ni kuhusu mashamba. Kuna mashamba yale makubwa makubwa na kuna watu wale wanazo lakini kuna wengine hawana. Inginge watu wote wana kuwepo hayo mashamba kugawia wale hawana.

Ya mwisho, kura zipigwe baada ya miaka tano. Sasa sisi tunangoja kura zipigwe mwaka huu wa elifu mbili na mbili. Hatujui maneno eti kura na Katiba, Katiba iendeleo kama haitakwisha lakini kura zipigwe. Ni hayo tu mubarikiwe.

Com. Baraza: Asante Norah Mwatame. Norah kama hayuko, Kurifasio Ariko, kama hayuko, Moses Amalemba, atafuatiwa na Musa Wamalwa.

Moses Amalemba: Macommissioners, ni asante sana. Langu la kwanza ni hivi; watu wameongee mambo mingi sana, lakini wamesahau neno moja. Hii kuhusu equality kati ya mke na mume. Mimi ningefaa kusema ya kwamba tuko na certificate huwa inapewa kati ya muke na mwanamume kwa wale wameoana. Sasa ikiwa hiyo inapewa, tunapendekeza ya kwamba, ikiwa mimi mwanamume nitakuwa juu ya mwanamke, inatakikana form itolewe wakati wa marriage. Form iwepo iandikwe ya kwamba ikiwa mimi ndiye nitakuwa mkubwa kwa nyumba ama bibi, sababu.....

Audience: (laughter)

Com. Baraza: Sikiza Bwana Amalemba - with the permission of my two colleagues - I am not doing civic education but again this one we shouldn't go away with this confusion about this issue.

Moses Amalemba: Unajua nini.....

Com. Baraza: No, no, no...

Moses Amalemba: Watu wamepigana bwana tangu equality ianze kesi zimefanyika nyingi sana. I am not wrong.

Com. Baraza: No, you listen; I am trying to tell you something. The issue which the law is saying we look into, it is not saying that the wife is equal to the husband, it is saying a man and a woman as Kenyans should have equal opportunity, like me here I have an equal opportunity with my colleague here, he is a lawyer I am a lawyer, he is PH.D., why shouldn't I hold that job? That is what we are talking about and we are talking about you taking your daughter to school and you taking your son to school. But what I am getting is limiting this thing to a wife and a man and who is greater, no women is talking about that. What we are talking about - now forget about the husband and the wife. You talk about me and Commissioner Hassan here, why shouldn't I be a Commissioner and he is a Commissioner? Those are the opportunities we are talking about. what is wrong with that?

Moses Amalemba: It is okay, let me go to the next point.

Com. Baraza: Go to the next point. But go home believing that nobody is saying there are some people who are greater than

the other. That one you can know.

Moses Amalemba: Unajua wanapigana zaidi ndio.....

Com. Baraza: The law again is saying not to beat your wife, that is domestic violence.(inaudible) we are talking about bigger things. Go to the next point.

Moses Amalemba: Next point ni hivi. Wazee wa mitaa inafaa wapewe mshahara. Na wazee wa mitaa wawe wengi na wapewe kiasi cha watu. Ili labda ufidia ukwishe kwa sababu unajua ikiwa anaweza kuwa na watu kiasi fulani, wale hawawezi kuwa wengi sana, inaeleweka ya kwamba yeye atakuwa ameelewa hao watu wake, ikiwa mtu atatoka pale na asijulikane mahali yuko, yeye ako na responsibility za kumuuliza. Isitoshe ndio niseme hivyo, tuko na kikosi cha polisi, tuko na wakati kinaumiza wananchi kwa wakati mwingine, unaweza kuta mtu anakushika kwa makosa fulani na akiona hii makosa utaenda kufaulu, ukifika huko unakuta wanakuekea changaa na ukushikwa na changaa. Sasa kwa hivyo, sasa watu wa reserve wengi, hasa sana hawaelewi wataenda wapi sababu alishikwa kwa kitu fulani na ameenda kuelewa kitu kingine sio kile alishikwa nacho. Sasa hawajui ni mlango gani watakuja kuingia ama ni usadizi gani watapata.

Sasa nyingine ya mwisho ni kwamba, one man-one job, because recently we had a retrenchment, they retrenched people while knowing that sasa kazi hakuna. Na unakuta mtu ako na kazi mbili tatu. Kwa hivyo, mimi yangu ninaweza yafikishia hapo kwa sababu ingine mengi watu wameongea. Asante sana.

Com. Baraza: Asante. I am not harassing you but that is civic education. We are talking of a bigger world than a tiny kitchen. It is a bigger world. Musa Wamalwa, was he there? Please come utafuatwa na Hezekiel Maina.

Musa Wamalwa: Mimi ni Musa Wamalwa, ningependa kuwashukuru Macommissioners kutufikia hapa Kwanza, kuchangia maoni yetu kwa kuandika Katiba mpya ambayo itakuwa ni Katiba ya mwananchi, isiwe Katiba ya watu fulani wakubwa, iwe ya kupendekeza mwananchi katika mambo yake ya kawaida.

Kitu cha kwanza mimi ningependa kuchangia kitu moja moja kwamba, kuhusu upande wa kusema kuwa kuna uhuru wa kuabudu, na kuna mathehebu mbali mbali yametokezea, ambayo mengine tunasikia yana abudu shetani, sijui mengine yana abudu nini, mimi ningependekeza kuwa Katiba ambayo tunataka iandikwe, isisitize ni Mungu wa aina gani ambaye raia wa inchi hii anatakikana aabudu, haswa mimi ningependekeza kuwa iandikwe tuweke kitengele fulani ambacho kinasema kuwa, Mungu muumba wa mbingu na nchi, ndiye anastahili kuabudiwa, isiwe kuwa ni miungu yoyote ile.

Jambo la pili litakuwa hivi, ingawaje mengine yamerudiwa, kuwe na ofisi huru kwa kila sehemu ambayo inaweza hitaji mbunge, ama Councillor ama hata akiwa ni kiongozi kama Rais ama viongozi wanasheria ama bunge, kuwe na ofisi fulani fulani ambazo

ziko huru, ambazo kukitokea kosa fulani, zinaweza kum harm na aje na kama ni kumtoa na wapendekeze bi election na iwe hivo, kuliko mtu awe mamlakani na amepotoka na ameelekea kupotosha watu wengi, na kupoteza wakati na kupoteza resources za nchi.

Jambo lingine tena ningesema ni hili; ningependekeza hivi, kila Mwanakenya awe na sehemu fulani ya ardhi ambayo anaishi. Isiwe kuwa kuna mwingine ana ma-acre maelfu ambazo zinalala bila kazi yoyote na mtu mwingine anakosa hata sehemu ya kuzikwa. Achukuliwe pale anapoishi atupwe kule mortuary azikwe kwa njia kama hiyo.

Jambo lingine pia ningependa watu kama maprofessionals mbali mbali ambao wamesomea taaluma mbali mbali, wafikiriwe. Ukiwa na jambo fulani kama kazi imetangazwa pahali, kama mfano ni bunge ipewe nafasi kuwe na kamati teule ya Bunge ambayo ikihitaji kama mwenyekiti ama engineer ama nini wa idhara fulani ya serikali ambayo amehitimu, watu watume application halafu wafanyiwe interview, yule mwenye ameshinda apewe nafasi. Isiwe tu fulani amechaguliwa ameteuliwa leo na ilihali kuna wengine labda wangukuwa bora kumliko.

Jambo lingine tena ningesema hivi, jambo kama rasimali za nchi ama mali ya nchi, itumike kwa watu wote kitaifa. Isiwe kwamba eti ukiwa kwa chama fulani ndipo maendeleo yatakuwa area yako, iwe tu hata hiyo area ya chama kingine ambacho sio change kinatawala, kiwe kinajengewa barabara, sitima inazambazwa pale, huduma mbali mbali ziwe pale. Si lazima iwe ni chama ambacho kinatawala ndipo kufanyiwe maendeleo. Ni hayo tu.

Com. Baraza: Asante sana Bwana Wamalwa. Ezekiel Maina, Ezekiel, pitia hapo u-sign jina lako. Halafu utafuatiwa na Edward Kitanya, Edward yuko?

Ezekiel Maina: Asante sana Commissioners pamoja na wenzangu ambao tumekuja kuwasilisha mawaidha yetu hapa. Parliament - ikiwa Commissioners hamtakuwa mmemaliza kazi yenu, hata hakuna ubaya Parliament kuwa extended. Kwa kuwa tunataka bunge mpya iwe na Katiba mpya. Kwa upande wa serikali, tuwe na federal government, ndio itakayo amua sisi wenyewe wa state fulani ama jimbo fulani, kujiamlia mambo yetu kuliko mambo ya hapa kuyapeleka Nairobi, badala ya kuyasuluhishia kama Eldoret ama Nairobi.

Land trespassing, hali ya mashamba. Kweli kuna masikini wa mashamba, ikiwa nina shamba langu mtu anavamia, lakini kwenda kumuondoa huyu mtu inakuwa process mrefu sana. Mpaka inafikia tufike kortini tunavurutana karibu miaka fulani, mpaka hata nikishindwa na pesa nina surrender, na shamba kweli linajulikana ni langu. Hilo shamba litatuliwe na wazee pamoja na administration. Ama assistant chiefs ama chief. Ndio watoe uamuzi wa mwisho ndipo iende isomwe tu kortini.

School fees, kweli tumekuwa na matatizo ya malipo. Tunaweza kuwa tumepeleka mahindi kwa national cereals and produce board. Na pesa zimekwama huko, mtoto amefukuzwa, kwa hivyo tukubaliwe tupatiwe cheques au vouchers, let me stress, au

Principal wowote wa shule yeye mwenyewe shule iende kudai cereals, na watoto wangu waendeleo kusoma.

Ya mwisho, chief na provincial administration wabaki kwa nguvu zao. Sasa tukiwamaliza nguvu, tutakuwa na any faith, hata hapo tutakuwa ni kama kusema Rais mwenye hana uwezo. Utatawala aje usipokuwa na uwezo? Ni hayo tu.

Com. Baraza: Asante. Edward Kisanya utafuatwa na Gladys Atiangore.

Edward Kisanya: Thank you very much. My first proposal is on nominated MPs. Nominated MPs should be people who are professional, who can go to Parliament to represent certain interests. They should not be people who have supported a party. Once one is a nominated MP, because it is the choice of one person, he should not be made a cabinet minister.

Sections of the Constitution which relate to people, should be taught in primary schools, they should be infused in subjects like GHE. Education in primary schools should be completely free. And the government should finance the expenses in primary schools. On the mode of education, I would recommend the old system not the 8-4-4. People should be paid according to the output or the duties they perform, and not just according to the certificates or academic standards.

No one person should have more than one job. People who have retired from the public service and so on, should not be reappointed to other jobs because they are already a spent force, they should go and rest. A person intending to vie for an elective post, should not be required to resign but should only seek leave. Then if he qualifies then he can resign and if he does not qualify or does not get the job, then he can continue with the old job.

A person intending to seek presidential seat must possess a university degree and the one seeking to be an MP or a Civic seat must have education of at least O-level and above. Saturday should also be recognized as a day of worship like Sunday.

One person should not own more than 200 hectares and all the idle land should be repossessed and given to people who can make use of them. Creation of constituencies, should go with population density. Some MPs represent so many people, others very few. No person in Kenya should be above the law including the President. I think that is what I had. Thank you very much.

Com. Baraza: Thank you Mr. Kisanya. Gladys, halafu I have Wepukulu Wekesa. We have Gladys say your name.

Gladys Atiangore: Jina langu ninaitwa Gladys Atiangore Peter. Uraia wa mwenye anatakikana kujulikana kama raia wa Kenya, ni mwananchi. Mtu mwenye.....

Com. Baraza: Wewe ndiye unaongea Kiturkana?

Gladys Atiangore: Ee, Kiturkana - ama mtu anisomee tu.

Com. Baraza:(inaudible)

Gladys Atiangore: *abala kona*

Translator: Nasema hivi,

Gladys Atiangore: *itwn dangu ni eyei kenya*

Translator: Mtu yeyote ambaye ako Kenya.

Gladys Atiangore: *eyenio ngesi arai itwan a kenya*

Translator: Amejulikana kama raia wa Kenya.

Gladys Atiangore: *etingit ngesi ekitambulisho keng*

Translator: Ameshika kitambulisho chake.

Gladys Atiangore: *eringa eyeenio ngesi arai iika kenya*

Translator: Inajulikana kwamba yeye ni mtu wa Kenya.

Gladys Atiangore: *appoint kang na ekingareni ngina*

Translator: Hii ndio pointi yangu ya kwanza.

Gladys Atiangore: *na ngarei*

Translator: Ya pili.

Gladys Atiangore: *itwn ni elomit kenya*

Translator: Mtu ambaye anaishi Kenya.

Gladys Atiangore: *Erukuto ngesi ka ngike tunga anakwap kana*

Translator: Anaungana na watu wote katika nchi yake.

Gladys Atiangore: *Kuolewa na mtu wa nchi ya kigeni. Iwese kiutarai ngesi*

Translator: Anaweza kuolewa na kabila yoyote katika Kenya.

Gladys Atiangore: *tani kidoutu ngide*

Translator: Hata kwa kuzaa watoto.

Gladys Atiangore: *eboikini ngesi ngirwa ngitom ka ngiarei*

Translator: Ameishi miaka kumi na mbili.

Gladys Atiangore: *eboikini ngesi kwa itwan a kenya*

Translator: Sasa ameishi kama mtu Kenya.

Gladys Atiangore: *eyakari ngesi atieni anakwap keng*

Translator: Eti yeye anaukweli katika nchi yake.

Gladys Atiangore: *na ngauni*

Translator: Ya tatu.

Gladys Atiangore: *itwan dangu ni egieliti amana nakwap a ngimasai*

Translator: Mtu yeyote amenunua shamba katika nchi ya Maasai.

Gladys Atiangore: *eliwor itwan ka ina*

Translator: Atakuwa mtu wa nchi hiyo.

Gladys Atiangore: *ka neni*

Translator: Kwa hivyo.

Gladys Atiangore: *kaina esubi ngesi maendeleo keng*

Translator: Akienda huko anafanya maendeleo yake.

Gladys Atiangore: *aliwor ngesi itwan a kenya*

Translator: Sasa yeye ni mtu wa Kenya.

Gladys Atiangore: *tokona engerito ngitunga ka ina atamar mere ngesi itwan a kenya*

Translator: Sasa watu wa huko wanakataa kwamba yeye si mtu wa Kenya.

Interjection (Com. Baraza): Ukiolewa Masaaini?

Gladys Atiangore: Kama umenunua shamba.

Translator: Akiolewa Masaaini, ameishi huko eti watu wa huko wanaanza kumubagua kwamba eti yeye si mtu wa Kenya, na huko yeye amenunua anafanya maendeleo yake.

Gladys Atiangore: *na esal*

Translator: Ya mwisho.

Gladys Atiangore: *eya nguचे tunga*

Translator: Kuna watu wengine.

Gladys Atiangore: *elomito nakwap na ADC*

Translator: Wanaishi katika shamba la ADC.

Gladys Atiangore: *akop na ADC*

Translator: Shamba la ADC.

Gladys Atiangore: *esubete etich kech ka ina*

Translator: Wanafanya kazi katika shamba la ADC.

Gladys Atiangore: *elomito ngiche namanat na ADC*

Translator: Kuna wengine wanaishi katika shamba ya ADC.

Gladys Atiangore: *na edaunor ADC ka ina*

Translator: Wakati wana retire kwa hiyo kazi kwa ADC.

Gladys Atiangore: *tamasi kech mere kech ngitunga ka ina*

Translator: Wanasema nyinyi si watu wa area hiyo.

Gladys Atiangore: *ngitunga lu aloma ADC toloto retire tamarai kotosi ka neni nyo esubakinete*

Translator: Sasa je, watu ambao wameishi katika ADC, waki retire wanaambiwa watoke hapo watafanya aje?

Gladys Atiangore: *elipit afis na rais*

Translator: Ninaomba ofisi ya Rais.

Gladys Atiangore: *kengarakis alo chain ka lu*

Translator: Wawasaidie hao kwa shida zao.

Gladys Atiangore: *atamari ekura lo eramete kechi*

Translator: Kwamba kura ambazo wanapiga.

Gladys Atiangore: *eramete eya na moni*

Translator: Sasa watapiga kura wakiwa msituni.

Gladys Atiangore: Ni hayo tu.

Translator: Asanteni.

Com. Baraza: Unipelekee hiyo karatasi hapo na u-sign jina. Wepukulu Wekesa.

Wepukulu Wekesa: Mimi ni Wepukulu Wekesa Waminila, natoka Namanjala location. Nasema upande wa chief. Hawa machief inatakikana tutoe chief mtu ambaye anakaa katika kijiji, ama location na amesoma na tumpigie kura awe chief wa area hiyo, kuliko kuleta chief kutoka mahali pengine, ama achaguliwe na D.C. eti yeye ndiye chief. Baada yake, mkasa apewe mshahara vile vile.

Napendekeza upande wa pombe tunasema pombe haramu, pombe haramu hii Mwafrika akiwa ameunda kitu kwa nini haipewi iwe huru. Tena akipatikana amekamatwa, anapelekwa kortini anashtakiwa, pesa karibu elfu kumi, zinakatwa na hali alikuwa na haja labda ile pombe labda asomeshee mtoto ama afanyie kazi, na anayanganywa pesa. Sasa hapo mimi ndio nikasema niulize Katiba kwa nini serikali inaiba mwananchi mdogo. Kwa sababu hiyo pesa inakatiwa inaenda kwa serikali na hali yeye alikuwa anatafuta hiyo pesa kwa sababu ya umaskini. Mbona hapewi uhuru kamili. Upande wa Rais, nasema aende vipindi viwili tu aende nyumbani alinde mali yake. Upande wa Mkenya, ninachangilia hapo alindwe na haki ya Mkenya akuwe Mkenya na haki yake vile vile na mali yake ilindwe kama Mkenya halisi.

Kuhusu upande wa kama kampuni ya mashamba ya watu walinunua, maduka, ama biashara zingine watu wamefanya kampuni directors, sheria ikuweko na kampuni hiyo ikianza kuchunguza director akiwa ameiba mali apelekwe kortini ashtakiwe na hiyo mali irudishwe na wenye kampuni.

Naongeza lingine, kama mtu akipatikana amenajisi mtoto, mama, apelekwe kortini ashtakiwe apelekwe kunyongwa. Kwa sababu hayo ni mauaji. Naongeza lingine kama watu wa siasa, wabunge, akipatikana tupitisha sheria akipatika kama huyo mbunge ameua mtu, huyu ashtakiwe na pahali ambapo alikuwa anawakilisha, aondolewe kupigwe kura ingine na yeye asitakiwe asije tena katika Kenya eti anasimama kugombea kiti tena cha ubunge, ameua.

Com. Baraza: Your last point.

Wepukulu Wekesa: Ya mwisho, upande wa mashamba, tuna watu ambao tunaweza kuwataja lakini tunasema kwa kifumbo wamechukua masquatter wamewafukuza kwa mashamba, haswa kama ADC, Kapsituet na pahali pengine, mtu mmoja tu amenyakua shamba kubwa. Na amefukuza masquatter karibu mia moja hamsini, na yeye amenyakua eka elifu mbili. Hiyo tafadhali Katiba iruhusu huyo mtu achukue eka hamsini na hizo zingine agawie wananchi kwa upande wa masquatter. Asante.

Com. Baraza: Asante. Bwana Kisanyu, you wanted to present, I think you can come over to present. Nani ameachwa nyuma? Because my list is No no no, you are not registered

Audience: (inaudible)

Com. Baraza: Where is the list? Where is it? We call people who are here, if you are not here then we had to go on, we cannot go going backwards. You finish and then we go away.

Peter Wangala: Asante sana Commissioners. Yangu yatakuwa machache kwa sababu mengi yamesemwa wakati huu. Ya kwanza ningependa kuzungumzia juu ya kipengela ambacho kinazungumzia protection ya mwananchi, maisha yake na property. Ninaona kuna loophole kidogo kwa sababu sheria inasema serikali ita protect ama italinda maisha na mali ya wananchi wake. Lakini kama maisha imechukuliwa ama mali ya mtu imechukuliwa, kama serikali haijafanya kitu, mimi ninafikiria serikali iwe responsible. Yaani sheria iongeze ya kwamba, kama mali ya mtu imechukuliwa na serikali haijarudisha kwa mfano kama ni ng'ombe. Yule mtu ambaye mali yake imechukuliwa na serikali haijamlinda, serikali iwe responsible ijibu ama ilipe huyo mtu.

La pili, hili ni kama kurudia, political parties mimi nina propose ziwe tatu, kwa sababu zikiwa tatu zitaondoa mambo ya ukabila. Kwa sababu kila mtu atajaribu awe kwa party, na tutakuta ya kwamba wananchi wa Kenya watakuwa kwa party tatu peke yake. Land sealing iwe 100 acres, kulingana na mimi.

Education iwe free, na kila mtoto ambaye ako kwa shule hasa ya primary, apewe kiasi fulani, na hiyo serikali itoe ili wanunuliwe vifaa vya elimu kwa yule mtoto akiwa kwa hiyo shule. Kitu ambacho ningependa kuzungumzia ni juu ya mavazi. Ningependa kusema ya kwamba - mwenzangu alisema dressing, iwe decent dressing kwa mfano wakati huu watoto wanavaa wengine vibaya sana. Hasa watoto wote lakini hasa wasichana akivaa nguo ambayo imemubana sana, wazazi saa zingine hata tunaogopa kuangalia mtoto wako mwenyewe. Kwa hivyo dressing ikiwa decent hata kama ni longi lakini iwe pana isimshike sana aonekane kama ako uchi. Nafikiri itatusaidia kama wazazi.

Kitu ingine mimi ninaona uteuzi wa wabunge ama wale nominated Councillors ama wabunge waondolewe kwa sababu, wakati huu, ninaona kama ni council, watu wana elect watu mbali mbali wa vipawa mbali mbali, ama different professions. Kwa hivyo

sioni kwa nini tupate mtu mwingine ambaye labda ni economist ama lawyer na tayari tuko nao katika bunge ama katika councils. Ili wale elected peke yao wa represent watu wao.

Ingingine ni juu ya traditional Judiciary, inasema kama pregnancies, wakipeleka kortini, vijana wengi wanasema hawajafanya hiyo, lakini wakitumia traditional ways zile walikuwa wanatumia zamani, kwa mfano kwa kabila ambalo linatoka, wanaambia kijana apite between miguu ya msichana, anaona kama alitenda hiyo kitendo anaogopa, kwa hiyo hiyo itasaidia vijana wawe na nidhamu.

Violence, wakati wa elections, yule ambaye anaonekana amefanya violence, ningependekeza ya kwamba, asipatiwe hiyo kiti kwa sababu astahili kuwa kiongozi kama anasema watu wapigane wakati wa elections. Yule ambaye anatakiwa awe elected, apate 51% ya total voters. Na Commissioners ambao huwa appointed na wanatolewa tena baada ya kutumia pesa na hawajatoa majibu, ningependekeza ya kwamba, Commission ikiwa imekuwa appointed imalize kazi yake, itoe majibu kuliko wakati mwingine kama zile zimekuwa na zingine ambazo zinakwama njiani. Asante sana na mubarikiwe.

Com. Baraza: Yes please two minutes.

Joel Matelong: Asante sana. Jina langu ni Joel Matelong. Yangu ninasema, nafikiri mengi yamesemwa na watu wengine, lakini yangu ni brief tu. Resources kitu kama maji, inatakikana serikali izambaze maji kwa kila mtu ili, watu wapate afya mzuri na wawe productive mahali wanakaa. Land; mashamba hiyo wanasema ya masquatters nafikiri serikali ilikuwa imetoa mashamba kwa masquatters, na kama haikutosha nafikiri hiyo shida haitakwisha. Mashamba ikae vile ilikuwa kwa sababu watu walipata kwa pesa yao. Hawakupatiwa bure, na ile kama ile ya masquatters haikutosha, basi mwisho uwe hapo. Ama wa reorganize kwa sababu hata maofficers wa serikali walichukua chukua hiyo mashamba. Hiyo si shida ya matajiri.

Kitu ingine ni masomo ya watoto. Mimi nina propose free education kutokea standard one mpaka form four. Ili watoto wenye sasa watapita kutoka hapo, wazazi wao wagharamie wakienda university, na mtoto wa form four atakuwa amesoma ya kutosha kumsaidia kwa kimaisha, kuliko kuacha watoto nusu nusu katikati wengine wanasumbuka shauri ya school fees na wanapotea bure tu njiani. Hiyo ninafikiri ni kwa maneno ya tenant. Hii 25% ile wanasema presidential, mtu akitaka presidential apate 25%, mimi ningesema mtu apate 15% kwa kila provinces zote nane ili isaidie watu wawe popular to a certain extent. Ni ngumu sana kupata 25%. Waki reduce nafikiri tutapata popularity especially mahali tribal iko na shida sana.

Representation kwa district kama Trans Nzoia mahali watu wako mixed up. Utaweza kupata tribe ingine ina dominate ingine mpaka inakuja kuleta shida. Ingetakikana the second majority kama mwingine anaenda, na second majority wapatiwe nomination, so that they are also represented. Hiyo itatoa kitu kama chuki kila saa mtu akishindwa anaona ni kama anakanyagwa kanyagwa chini, nafikiri yangu imekwishia hapo tu kwa sababu nafikiri ingine imesemwa na watu wengine sitaki nirudie. Asante sana.

Com. Baraza: Asante. Gefnea Wawire.

Vincent Wawire: Langu, nashukuru Commissioners wetu kwa kuja kuweza kusikiza maoni yetu. Langu la kwanza nitazungumzia juu ya kuchelewesha Katiba yetu kwa sababu hawakuwezesha kuchukua makabila yote yetu katika miji yetu ya Kenya - makabila kumi na mbili, na wakakusanye mawaida kutoka kwa hawa watu. Pendekezo langu, kama wangukuwa wanachukua kwa haya makabila kumi na mawili, na wachukue wale wazee wasemaji, kutoka kwa kila kabila watu wawili wawili, Katiba hii ingekwisha baada ya miezi sita. Kwa hivyo hiyo imefanya tunaenda tunaona maoni mengine yanasema tuweende kwa speaker, tusongesha bunge ikaweza kuongezea muda.

Com. Baraza: Unasema nini?

Vincent Wawire: Kuchelewesha Katiba.

Com. Baraza: Sasa tuambie mapendekezo tusipoteze wakati - we are 29, tell us what we ought to do with the Constitution.

Vincent Wawire: Kwa hivyo tuna watu kwa kila makabila haya kama tungechukua wawili wawili. Wanajua tamaduni zao.

Com. Baraza: The Commission is already in place it has 29 people, we have to finish this job. Tell us what we ought to do with the Constitution.

Vincent Wawire: Kwanza kama mko ishirini na tisa na mnaweza - mimi ninaona muda wa Bunge usiweze kuongezwa uweze kuisha kwa maana Wabunge walikula kiapo ya miaka mitano. Sasa hakuna kuongeza muda. La pili, kuchelewesha kesi mahakamani, mahakama yetu inachelewesha kesi nyingi, sana na hata mtu anapokuwa anafanya hata mpaka ifike mwisho huyu mtu afe kabla hajamaliza kesi yake. Na ibidi mpaka watoto waje, naomba mahakama yetu kama inachukua kesi ichukue muda wa miezi sita kumaliza kesi ndogo ndogo hizi. Kama hakuna hadi ikwishie kwa ofisi za chiefs, waweze kumaliza kesi ndogo ndogo.

Wale watu wanaostahafu, tunaona mtu kama amefikisha miaka yake ya kustahafu, ingebidi waweze kutengeneza mambo yake yote, ili anapo fikia wakati wa kuenda nyumbani, wampe kila kitu baada ya kuweza kutoka hapa na kuweza kumanga manga kule Nairobi kila wakati. Hata mwishowe afe kabla hajakuwa pesa za uzemi - NSSF. Kwa hivyo inastahili, kila department ambayo inahusika iweze kutengeneza mambo yake yote na ikaweze kukamilishwa wakati anaporudi nyumbani apate hicho kitu.

Halafu muundo wa Katiba yetu ni wa kigeni na tungependa tutengeneze kupatana na tamaduni zetu. Ni hayo tu na Mungu awabariki. Asante.

Com. Baraza: Wewe ni nani?

Speaker: Vincent.

Com. Baraza: You are not even on my new list. Where is Jane Mboche?

Jane Mboche: Okay asante kwa nafasi hii ingawa nimekuja nikichelewa. Kwanza, ningetaka kusema upande wa elimu kuhusu mtoto msichana. Wajali sana mtoto msichana, ni kwa maana mara nyingi, vijana utakuta wanatetewa sana na sioni kama kuna sheria ile inatetea mtoto msichana. Na hivyo utakuta dropouts wengi ni wasichana. Na ajira ya watoto, pia kungekuwa na sheria hiyo kwa maana utakuta sasa huyo huyo mtoto msichana hakusomeshwa basi yeye anafanywa kuwa maid.

Na early marriage, pia mtoto huyo msichana kwa maana ametoka shule mapema, basi anaenda kuolewa akiwa hata miaka kumi na tatu. Kwa hivyo kungekuwa na sheria ya watoto na haswa pia ikitetea mtoto msichana. Mimi hata nikiongea hivyo sina mtoto msichana, watu wasifikirie ninatetea wasichana, pengine wale niko nao nina watoto wavulana.

Halafu upande wa elimu, wasome bure jinsi inavyosemwa, lakini pia discipline ya shule habari ile ya kusema kiboko itolewe shuleni, hiyo haingekuwa sheria ambayo ilipitishwa bunge. Kwa maana hata bibilia imesema usiwekee mtoto kiboko chini, fimbo, unless wale wanapiga watoto kupita kiasi, huyo mwalimu anaweza chukuliwa hatua, kwa maana tukiangalia yale yametendeka baada ya kusema hakuna kiboko shuleni, ni mambo makubwa. Kwa hivyo watoto wakiambiwa wasome bure, na pia discipline ni chini, basi hawatasoma vizuri, mimi kwa upande wangu nasema kiboko iwe shuleni, kwa maana hata ni kusudi la Mungu pia ya kwamba mtoto asiwekewe fimbo chini. Inasema hatutamua.

Halafu habari ya mashamba, mashamba haya ambayo yamepeanwa na serikali, haitendi haki, kupitia mashamba ndipo unaweza kuona hakuna haki kabisa. Ndio kwa maana unakuta shamba moja watu wawili na pengine wewe ndio ulikuwa wa kwanza pole wakati mashamba haya yalikuwa yanapeanwa eka mbili na nusu, baadaye ikaongeza eka tano. Unakuta wewe unakuja kuondolewa kwa eka tano, na mtu mwingine ambaye wewe ulipewe 70's na amekuja 80's, na mwisho utakuta wewe wa eka mbili na nusu ukiambiwa uende kabisa. Kwa hivyo hapo srikali haitendi haki, au Katiba, kuwe na Katiba ya kutetea mtu yule, ni common man ambaye pengine hana uwezo, kwa maana yule anakuja kumtoa ni yule mwenye uwezo. Na yangu ni hayo tu, ni kwa maana nimekuja nikichelewa. Kabla sijamaliza pia, haki ya kina mama. Wakati mwingi tumeona wamama hawatendewi haki, na haswa hata kielimu, utakuta madarasa inapopeanwa sana ni wanaume wanapewa. Kwa hivyo pia haki ya kina mama kwa upande huo kupitia elimu, hatusemi rights kule nyumbani bali kulingana na elimu jinsi wote wamesoma sawa. Asante.

Com. Baraza: Thank you. Wilson Ndiwa, utafuatwa na Donald Wanyama. Donald where are you?

Wilson Ndiwa: Majina yangu ni Wilson Ndiwa. Na ninachangia hivi; ningeweza kupenda kusema hivi kuwa, ukuzaji wa kitu

chochote ambacho kinafanyika wilayani hapa Trans Nzoia, haswa kama spinners. Nataka kusema industry ijengwe hapa hapa Trans Nzoia penyewe, ili kuweza kuwezesha development ya sehemu hii kuweza kuinuliwa, kuliko kubeba vitu kama miti kupeleka mpaka webuye, kuweza kuinua development ya mahali pengine kwa ushuru na hali kadhalika nataka tu kusema industry chochote ambacho kinaguzwa sehemu hiyo kujengwa industry sababu ya kuinua development ya hiyo area.

Jambo lingine ningechangia ni kusema squatters wote ambao wanadai ya kuwa wanataka sehemu, ningeweza kupenda serikali iweze kuwapatia labda 50% ya pesa ili kuwanunulia shamba ili isiweze kuleta mgorogoro mahali pengine, kuliko kuwapatia mashamba. Maana wakisema mashamba kuna watu watajiandikisha majina makubwa makubwa kwa ajili ya mashamba.

Lingine ningeweza kusema ni ya kwamba 8-4-4 system ya education iweze kuondolewa kabisa. Ili turejee katika ile system ya zamani na tupate kuinuliwa. Jambo lingine katika mambo ya education ningesema UT. Walimu ambao wameajiriwa wa akiba waweze kulipwa na serikali bali si wazazi. Hiyo ni kwamba kusema education ni free na kuongezea wazazi tena mzigo wa kulipa UT, hilo jambo si nzuri maana inavunja moyo wa wazazi bado.

Jambo lingine ningeweza kusema ni upande wa maids. Maids wangeweza kuwa registered kwa chiefs na wawe na kibali kutoka kwa chiefs ili waweze kwenda kufanya kazi ya umaid. Maanake huko nje wanakufa, wanaibwa tu na majirani wanaenda wanaajiriwa umaid, na wanakufa wasipojulikana kwao ni wapi. Kungekuwa na kitambulisho ama kijikaratasi cha kuonyesha sehemu ambayo wanatoka na kibali ya kuonyesha kuwa wanafanya kazi mahali fulani, ingekuwa bora kwa ulinzi wa watoto ambao wanaajiriwa ovyo ovyo.

Jambo lingine ningeweza kusema ni handicapped schools, hizi schools zimewezwa kuletwa na wafadhili mbali mbali, lakini tumeweza kunyanyaswa na matajiri hasa sana sana mfano ni kama ile ya Eldoret pale SOS, maanake matajiri wameingia kule, watoto wetu ambao ni handicapped wale hawajiwezi, hawapati nafasi kwa wingi. So, mali pale pangeweza kuangaliwa na kuwekewa sheria kabisa. Ili kuwezekane kuwa watoto ambao hawajiwezi wawe ni wao wao wanapatikana mali pale, ili mambo yawe na bamba kabisa. Kwa upande wetu wa serikali, ningeweza kusema serikali kama Rais Moi aweze kupunguziwa mamlaka kidogo, chief aweze kuchaguliwa na wananchi kwa msimu ama kwa wakati, ambao unafaa. Jambo lingine ningeweza.....ni hayo tu.

Com. Baraza: Donald halafu utafuatiwa na Kimutai.

Donald Mtai: Asante sana Tume ya Katiba. Yangu ya kwanza nitaongea juu ya education. Na education ninaongea kuhusu system of education na hiyo system nitaongea juu ya education system wakaonelea kwamba, 8-4-4 ni nzuri. Na ningependa hao watu, kwa Katiba yetu mpya, iwekwe watu ambao wanastahili kuzungumzia elimu. Kwa sababu wakati serikali inateua Commissioners wa kuangalia juu ya elimu, hawaangalii mtu alisoma kiviipi. Watu wanaleta tu mtu kwa sababu anatoka sehemu fulani kwa hivyo ningependa kusema Katiba yetu mpya iangaliwe watu wenye wana mashule wawe na education. Tutoe hii

maneno ya kusema 8-4-4 ni mbaya tunataka turudi kwa ile ilikuwa ya zamani. Hiyo ndio ingekuwa suggestion yangu kwa upande wa elimu. Kwa sababu wanaplani wanaplania headquarters na mtu wowote...

Interjection (Com. Baraza): Enda kwa point ingine.

Donald Mtai: Okay, point ya pili ni upande wa mishahara ya wafanyakazi. Napenda Katiba mpya wakati tunapata increment ya mishahara, wafanyakazi wapewe increment pamoja isiwe kila sehemu na wanasiasa Commission tofauti tofauti, Commission iwe moja kupeana mishahara. Upande wa Judiciary, ningependa kuzungumzia ya kwamba, watu wa Judiciary kesi kinaishi kwa muda mrefu kwa sababu kesi ni nyingi huko sana. Lakini ningependa kama zamani wakati wa colonials, chiefs walikuwa wanapewa nafasi mzuri kufanya kesi kidogo kidogo, vile wenzangu wamesema awali. Na tena Judiciary ipewe muda wa kutoa maombi yao. Kwa sababu mkubwa amekosa, mkubwa mwingine amekosa na amepeleka kesi kortini anaenda hapo ku dictate hapo magistrate amue hiyo kesi vile yeye anataka. Ningependa hii Katiba ipewe sharti mamlaka ya ku decide na a-make decision yake binafsi.

Interjection (Com. Baraza): Your last point.

Donald Mtai: My last point ni kuhusu election. Ningependa kila wakati Katiba mpya ionyeshe ni lini next election inakuja. Na ibaki tu hivyo badala ya kupatia watu fulani halafu inaangaisha angaisha watu hatuwezi kujua ni lini tutapiga kura. Last maybe Madam, ningesema mambo ya employment, ningependa Katiba mpya serikali ambayo itakuja I-revive parastatal bodies zenye zimekufa Kenya hii, kama vile Rivatex, kama Raymonds, KICOM Kisumu KCC halafu na KMC, Kenya Meat Commission. Halafu tutaweza kusaidia upande wa employment. Asante.

Com. Baraza: Mr. Kimtai Koech. Whats your name? You will be the last.

Kimtai Koech: Kwa jina ni Kimtai Koech kutoka upande wa Genyi. Kitu mimi ninachangia ni hii. Katiba hii imekuja hii, tuseme ilikuwa wapi zamani, na karibu miaka arobaini ilikuwa wapi? Pengine ni lageni!

Com. Baraza: Kimtai tunataka wakati wa kwanza ni kupata uhuru, tungekuwa tunafuatana tungejua, sasa sisi tumekuwa wazee na mnasema Katiba, Katiba, tutajua aje? Kwa hivyo kitu mimi ninasema namna hii peke yangu, kama idara kama ya chiefs, kama ni Muluha, mwingine awe Mkikuyu - Assistant chief. Halafu, uchumi,(inaudible) hata kama mnasema ni start of the(inaudible), lazima tuchunguze inamea namna gani kwanza ndio inaingia kwa watu.

Ya pili, hii mambo ya askari wa nyumbani – ama(inaudible) wapara mishahara kwa sababu ni watu na kuangalia wale wanaenda na ng'ombe usiku.. Jambo lingine ni pombe; pombe mbaya ni changaa, pombe safi ni busaa na ituzwe. Kwa sababu unapata askari wanafukuza mama mjamzito, na mama anasema afadhali aanguke kwa miti kuliko kukamatwa na askari - unajua

.....(inaudible). Kama pombe ya Busaa, nki-mtungi pengine, iwachiliwe watu na changaa kweli ni pombe, kwa sababu saa zingine iko ile kumi kumi ndani. Halafu ya mwisho, usalama wa nchi. Ni muhimu kuliko yale mengine kwa sababu were unalala vizuri. Ya mwisho kabisa, watu waangalie mali wasije wakasosana kama ukabila, watu waungane pamoja, waishi pamoja, shamba haiwezi kuisha unanunua kwa(inaudible) hapendi watu hivyo na kweli atakuja(inaudible) kwa hivyo tununue mashamba tusikizane. Hayo ndio yangu tu.

Com. Baraza: Asante sana Bwana Kimtai, uende hapo ujiandikishe. Mr. Omasete, Vincent Omasete, utafuatwa na George Kiprotich.

Vincent Omasete: Commissioners, Madam na Tume wote wenye kutunga sheria. Mimi kwa jina ni Vincent Omasete. Mkaaji wa hapa Kwanza, I am a primary teacher. Ninachangia Commissioner - yangu ya kwanza - nina machache tu. La kwanza, ninaanzia mambo ya kazi. Kazi kwa vile wakubwa wetu, Commissioners naona wako hapo, tumeelimisha kweli, tumeelimisha watoto wote, lakini kazi, imepewa chache sana, kuna watoto wamesoma mpaka university wengine form six, wengine form four lakini uchumi umefanya hakuna kazi.(inaudible) tungeomba Commission hii kupitia serikali kwamba, itengeneze mpango kwamba expense ya kutengeneza mshahara wa walimu ama ministry yoyote watoto wapate kazi kwa sababu hawa ni watoto wetu tutawapeleka wapi.

Interjection (Com. Baraza):(inaudible)

Vincent Omasete: Ya pili, twende mambo ya squatters. Commission squatters mimi ningependekeza serikali hii itusaidie maana hiyo ni kitu ya muhimu sana kuangaika kwa sababu sio nzuri. Ningependekeza kwamba tupatiwe hata eka tano, ili nchi yetu ikuwe na amani ambayo tunatengenezea amani katika nchi yetu iwe. Tatu, napendekeza kweli sisi tumepata baba, tumepewa kikabila hatujapata pesa kwanza, tuko na makabila mengi sana. Sasa ile tutasema kazi ni kwako kweli tutaona hata kutaja hata kufanya mipango,(inaudible) wale ambao wako wachache nao wakati wa nomination tuweke Councillors watakuja nao kuchukua watoto, ili nao wajisikie kwamba wako huru katika Kwanza ama katika nchi yetu ya Kenya.(inaudible) tunaomba serikali yetu kwa wakati huu, wapate uhuru. Wakutane Wabunge hao wawili.....(inaudible) wasitegwe mtu mmoja asimame,(inaudible) wananchi. Yangu ni hayo.

Com. Baraza: Asante sana Bwana Omasete. George Kiprotich. Wewe utakuwa wa mwisho.

George Kiprotich: Asanteni sana Macommissioners wasaidizi vile tunazidi. Ikiwa mchana leo nimesikia mema pamoja na mimi nafiri mmepokea maoni yetu. maoni yangu ambayo inaweza kusaidia sisi katika nchi hii ni mali ya.....(inaudible)na wale watu wanatembea tembea, ni mambo ya - unajua sisi tuko na kahawa, chai tunahitaji kwa maoni yangu, kila mkoa ingawa hata aucyion iko Nairobi, kila mkoa isimamisha(inaudible) kubwa ile inalingana na chairman wa province ili alinde mali ya kila mkoa. Mambo ya kahawa, chakula - kesi ni kubwa, si ya huko anasema havezi

kuongea na hao, na hawa wako na mali ya Wanakenya wote. Inatakikana heshima ipewe rasilmali kama kahawa isimamishwe vizuri. Kama ni chai isimamiwe, hata maziwa, sababu mpango kama huu, mbeleni ilikuwa kama.....(inaudible) ilikuwa na wasimamishi wakubwa wakubwa na mtu ambaye anatoka Rift Valley hana mpango. Na kwa Kenya mzima, pengine siku moja hiyo kazi iliporomoka.....(inaudible) kwa Kenya. Kama alikuwa na sheria kwa mkono, kama mfano inataka kuanguka, wengine wanakwenda ku copy polisi ya wale wengine na uchumi ninafikiri haitakuwa mzuri sana, ikiwa Kwanza hivo. Kila watu wachunge rasilmali yao. Kila mtu awe na nguvu ya kusaidia wengine.

La pili, tuna watoto ambao tumesomesha kama wasichana na wavulana, halafu mtu ako na bibi, ukiona mtoto wako unayesomesha ameshapata kazi na huyu mtoto hajakuwa na akili, anamchukua tu bure. Na ukimuuliza mtoto, kwa nini anaenda mahali pa taabu kama hiyo sababu mtoto hajakomaa - lakini ni lazima, sheria inasema, ukifika miaka kumi nane, wewe uko na uhuru utongozwe na uende. Tunaona kama sisi wazazi, tunaona huyu mtoto anaenda anaanguka kwa sababu anaenda kukaa juu ya miiba na baadaye anapata mateso. Yeye, ni tumaini yenu. Mtu aina hiyo ameo na anaangaa mtoto wa mtu ahukumiwe, hukumu kali kwa sababu pahali kuna fisi inafaa mnawalea.

Com. Baraza: Tumeelewa hiyo, enda kwa ya mwisho.

George Kiprotich: Basi ya mwisho ninadhani sina mengi nawaombea baraka za bwana mtembee nazo kila wakati mpaka wakati mwingine tutakapokutana.

Com. Baraza: Kuja, kuja dakika mbili halafu wewe ni wa mwisho kabisa. Sema jina na uendelee.

Jackline Ondisa: Majina ni Jackline Ondisa. Ningependa tu niongee kwa upande wa wale wanafunzi ambao wamesoma lakini sasa wanafika mahali ambapo kupata kazi inakuwa ni vigumu. Huenda ikawa wanaweza sema kwamba kuna nafasi fulani mahali fulani, lakini unapata kwamba hawa wanafunzi hawapewi nafasi kwa sababu ya pesa au hongo. Yaani, tumekuwa na hongo zaidi katika maofisi mbali mbali. Sasa inahitajika lazima mtoto ambaye hajiwezi hataweza kupata nafasi hiyo. Lakini unapata yule ambaye anayejiweza, anapata nafasi hiyo kwa sababu ya hongo.

Pili ningependa kuongea juu ya watoto wale ambao ni chokora. Hao ndio wanao ongeza hata ufasidi katika nchi ya Kenya. Sasa ingekuwa ni vizuri kama serikali ingetafuta nafasi kwa hawa watoto, halafu wakuwe confined mahali pamoja. Ndiposa huu ufasidi na uizi, unahitajika upate kupunguzwa. Ni hayo tu.

Com. Baraza: Huyo ni wa mwisho. We have to come to an end, what is the problem? You haven't spoken? Please come two minutes and I won't give anybody else again.

Michael Juma: Okay, my names are Michael Juma and the following are the proposals for the new Constitution.

I would like our future leaders to be honest and straight forward. Therefore, before they can succeed, the fact to be(inaudible) should be followed up when up where views,(inaudible) should be.....(inaudible) first of all.....(inaudible) Due to this, our country has been defeated.

The student bodies should have representatives in the Board of governors. i.e. three students to represent other students for other vital issues that maybe brought to the fellow students.

The subjects should be reduced to six and some of these should be compulsory to all students(inaudible). Stake holders involved and cope with(inaudible) modality.

Under Parliament practices we both protect that practice should be the education of equality, men and women, both girls and boys and if(inaudible) of B- should be admitted in the public university and

Com. Baraza: Move your mic and just tell us what you want.

Michael Juma: Okay, I will repeat it. Under Parliament Act, I want to propose that....

Speaker:(inaudible)

Michael Juma: I will say this; it was proposed that there should be a general equality - most of that let me speak in general, men and women should have that general equality at least so that when girls attain a grade of B-, she is admitted at the public universities. Unlike boys with above grades of B-.

Com. Baraza: What do you propose?

Michael Juma: I propose that, give the general equality as proposed. So the public universities should be involved to admit women to the public universities. That is my last point.

Com. Baraza: It is going to rain, lakini we have to finish this session. Say your name.

James Poghon: Kwa majina ninaitwa James Poghon Ruton. Ningependa kutoa maoni yangu kwa upande wa society. Kuna wakati mwingi Wakenya ambao wako katika jamii, ama wale makabila ndogo ndogo, hawajai kutambuliwa. Ndio ninasema, serikali iwatambue hawa watu wasikize maoni yao na kasha wawape sakabashi ambao itaendelea na lile jambo wanao.

La pili nitaongeza kuhusu elimu. Nafikiri elimu iwe bure kwa watoto kwanzia nursery hadi form four. Kuhusu disabled, ningependa serikali ichukue mamlaka na kuwapa education bure, chakula, madawa na kuwapa nafasi ya kwamba, katika kazi wanapo andikisha kazi. Kuhusu Local government, ningependa mayor achaguliwe na wananchi, pia awe na kipindi cha miaka mitano ya kuweza kufanya maendeleo. Pia kuhusu mambo ya resources sheria ipitishwe ili ilinde natural resources kutoka kwa wale watu wafisadi ili wananchi ambao wako katika sehemu hiyo, wapewe kiasi fulani ama ratio fulani kutokana na faida ambayo iko katika area hiyo. Pia, government na community ndio watu haki kutawala resources. Nafikiri kwa hayo asante.

Com. Baraza: Kwa hayo machache asante sana na utatuombea. Simama hapo utatuombea ukimalizam - sign your name and then come and we have a prayer. With that, we come to the end of our special day, it has been a long session and we want to take this opportunity to thank the people of Kwanza, for your turning up in big numbers to give your views. So we want to assure you that we will keep your views together with others that have been presented to us. According to the law, we will finish with the collection of the views, we will go and prepare the Draft Constitution – before, we prepare a national report and prepare a Draft Bill of the Constitution. We shall be back to the Kenyan themselves, we will read and make sure that we incorporate their views. So probably you will see us in the very near future as we come back with draft document for your update. Thank you very much please pray for us.

James Poghon: Na tuombe: Baba Mungu mwenyezi uliye juu, ulituwezesha ili tukutane huku leo, katika yote tuliosema ama maoni yetu tuliotoa, wewe ndiye utakaye tuchagulia yaliyo mema maana sisi ni watoto wako. Mungu uongoze hawa Commissioner waliofika hapa, pamoja na wananchi waliokutana hapa, ili wawe na baraka zako, uweze kuwaonyesha wakirudi wawe na amani, wawe na damu njema ili wafike salama, naomba hayo katika jina la Yesu mukombozi wetu.

Audience: Amen.