

**CONSTITUTION OF KENYA REVIEW COMMISSION
CKRC**

VERBATIM REPORT OF

**CONSTITUENCY PUBLIC HEARINGS,
LAIKIPIA WEST CONSTITUENCY,
HELD AT RUMURUTI CATHOLIC CHURCH**

ON

FRIDAY 5TH JULY 2002

CONSTITUENCY PUBLIC HEARINGS,
LAIKIPIA WEST CONSTITUENCY, AT RUMURUTI CATHOLIC CHURCH
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Commissioners Present

Com. Ibrahim Lethome Asmani

Secretariat in Attendance.

Duncan Mutahi - Assistant Programme Officer

Jane Mbao - Verbatim Recorder

Com. Ibrahim Lethome: Hamjambo wananchi wa Rumuruti. Nafikiri tutanza na ningeomba, nafikiri tuna muhubiri moja hapa. Unaitwa nani? Utuongoze kwa maombi.

Pastor Kiarie: Na hudumu katika sehemu hii ya Rumuruti Parish. Mungu nimwema nataka tuombe na tutaomba na Kikuyu. Twende mbele za Mungu. Iho ya ria Mwathani. Ithe witu uria iguru. Ritwa riako neiamurwo, uthamaki waku uuke, o uria wendete wee, niwikagwo guko thei, o ta uria wikago kuo iguru. Tuhe umuthi irio citu cia gutuigana, na utuohere mehia maitu, o ta uria tuohagira aria matuihagia, na ndugatutware magerioni, ni gutuhonokia utuhonokagie uruini, ni undu uthamaki ni waku, ona hinya, ona kugocwo, tene na tene Amen.

Ni wega Ngai Ithe witu wa matuini, ni turagoca ritwa riaku ruciini rwa umuthi mahinda maya watugomania thinii wa giikaro giki Ngai Ithe witu tugiciria guthendeka watho wa bururi uria wagiriire ni guikara. Twakuria Ngai Ithei witu maundu maria tukwaria, nitwaiga giikaro giki guokoni gwaku. Aria Ithe witu mokeie guthikiriria uhoro Ngai Ithe witu umahe matu mega na ngoro njega cia kuhota guthikiriria andu aku. Nao andu aria mekwaria Ngai Ithe witu wa matuini mahe kiria mangihota kwaria ni getha Ithe witu mahote gutungateia andu aku ona mahote kuruta uria mathina mao matarie. Naguo watho uria tuguthondeka Ngai witu utiganite nawe ni twakuria Ngai Ithe witu uweheria tuthondeke uria umite kouri we, na uria ungienda bururi witu ugie na thayu kuri munini na munene. Aria matokite Ngai Ithei witu twakuria umarehe ona kumahuhia ni getha tukorwo twi hamwe nao.

Ni twagoca ritwa riaku ni undu utukiririe na watumenyerera, watucokeria o mundu mihumu yake. Ni twakuria ututeithie na gutumenyerera okinya turikanirie hamwe nawe ni undu wa Jesu Kiristo Mwathani witu. Amen.

Com. Ibrahim Lethome: Ahsante sana Bwana Pastor kwa hayo maombi na sasa tunatangaza kuwa kikao kimeanza, kikao chetu cha leo tarehe tano mwezi wa saba mwaka huu wa elfu mbili na mbili kimeanza rasimi. Nime declare this meeting officially opened or constituted on this 5th day of July 2002 here in Rumuruti and on behalf of the Constitution of Kenya Review.

Kwa niabu ya Tume ya Marekebisho ya Katiba ningependa kuwakaribisha nyote katika kikao hiki kama munavyo jua hiki si kikao cha sisi kuzungumza hiki ni kikao cha nyinyi kuzungumza na kuwenza kutoa maoni yenu.

Ningependa kujua kwamba kuna members wa 3Cs Committee hapa? Hakuna, tutajua baadaye. I would like you to introduce yourselves and introduce your colleagues that might be present here today. Just introduce yourselves.

Mary Nyaiti Lokenye: Kwa jina mimi naitwa Mary Nyaiti Lokenye mimi ni mmoja wa members wa Lakipia West Constituency nanimetoka Sosiani Sub-location.

Com. Ibrahim Lethome: Haya ahsante sana. Huyu ni mmoja wa Wana Kamati ambayo wanashugulikia kazi za marekebisho ya Katibo katika Constituency hii ya Lakipia West. Tunajua District Cordinator wenu yuko pahali pengine kwa sababu leo ana vikao vingine Nyahururu Town na Nanyuki kwa hivyo hangeweza kuwa katika sehemu hizi zote lakini atakuja baadaye. Kwa jina mimi ni Commissioner Ibrahim Lethome na ni nayo ma-officer wawili ambao wameadamana na mimi kushirikiana nasi katika kazi hii. Tunaye Bi Jane Mbao ambaye kazi yake ni kunasa sauti zenu kwa kutumia hiki chombo alichu nacho hapa. Ata recordi kila kitu ambacho mtazungumza hapa. Halafu tunaye Assistant Programme Officer ambaye ni Duncan Mutahi kazi yake ni ku-record auo kusajiri yale yote mutakayo zungumza hapa. Ingefaa tuwe Ma-Commissioner wawili auo zaidi lakini wengine wameugua kwa sababu leo ni karibu siku ya kumi taku tulipo toka Nairobi tumeanzia pande za Turkana.

Jana tulikuwa Samburu pande za Malilale tukawa Kinamba wengine walikuwa Ndolo Ndolo na leo wengine wako Baringo Central mahali panaitwa Muchokoi Primary School na wengine wako Nyahururu. Kikao hiki kitanza saa hizi na bila kuondoka hapa hakuna break mpaka tutakapo malinza wale wote watakuwa hapa kwa hivo tuko hapa muchana mzima. Bila kupoteza wakati ningependa kuwajulisha baadhi ya masharti ambayo tunafuata katika kuwapa watu nafasi ya kutoa maoni. Kitu cha kwanza una uhuru wa kuzungumza lugha unayotaka. Kwa hivo ukiona ya kwamba huwenze kuzungumza kingereza unawenza kuzungumza Kiswahili, kama huwenze kuzungumza Kikuyu unawenza zungumza Ki-Samburu auo lugha yeyote ile ungependa kwa hivo mtu ana uhuru wa kutumia lugha anayotaka na bila shaka yule bibi ametujulisha hapa atatutafutia mtu wa kutafusiri.

So be comfortable and choose the language you want. Use the language you are comfortable with. Jambo la pili tunajua kwa sababu ya kihistoria katika hii nchi yetu ikifikia mambo ya kuzungumza juu ya sheria auo mambo inayohusika na Serikali watu huwa na uoga. Wanasema pengine ni ttoa maoni yangu alafu nikitoka hapa njiani ni kutane na mtu amevaa kiraoni anuulenze kwa nini ulitoa maoni kama hayo. Sasa ningependa kukuhakishishia wewe mwananchi wa Kenya kuwa hivi sisi kuna sheria ambayo imekulinda wewe na maoni yako. Sheria yenyewe inasema kila Mkenya ana uhuru wa kusema vile anavyo taka kuhukumia auo vile anavyotaka sheria ya nchi hii iwe. So you have the protection of the law. The law protects you ata wakati unakuja hapa na wakati unapotoka hapa hakuna mtu anawenza kukusimamisha kwa sababu ya maoni yako.

Kwa hivo usione pengine Chief amekaa hapa auo DO ama Commissioner wa Police akiwa hapa useme huwenze kuzungumza

habari ya Provincial Administration ni tashikwa auo siweze kusema habari ya police vile wananyanasa watu nitashikwa auo siwezi kuzungumza habari ya President. Hata President mwenyewe mahali alipo anajua watu wanatoa maoni ni maoni mingine yanaguzia officii yake kwa hivyo sheria inakuifadhi bora tu usibadilishe hiki kikao kuwa kikao cha campaign ya siasa. Hiki si kikao cha campaign ya siasa. Usitukane mtu wala kuzungumza mambo ambayo ni ya kisiasa lakini toa maoni yako unavyo taka una uhuru. Hivyo tumefahamu zote kwa hivyo usiogope.

Miaka 39 umengoja umepewa nafasi hii ya kuzungumza sasa. Itumie vizuri useme unavyo taka. Najua kuna maoni aina mbili kuna yale yameandikwa memorandum na kuna maoni ambayo yatatolewa kwa mazungumzo oral. Ukiwa una maandishi memorandum nitakupatia dakika tano uje hapa mbele useme jina lako kwa sababu ya recording kisha katika hizo dakika tano ufanye ile inaitwa highlight. Ungaze yale ya muhimu ambayo ungependa tu ya chukue kama maoni yako. Dakika tano sikisha utaondoka hapo na kwenda pale kuna kitabu cha record kile che usi ile ni register ya historia. Abu waonyeshe Dan. Utaandika jina lako hapo anwani yako na baadhi ya maelezo mingine na utaweka sahihi yako. That is a historical record it will remain to show those people who contributed in these process.

Baada ya hapo unaweza kukaa usikilize maoni ya wengine kama hutaki unaweza kuondoka na kuendelea na shuguli zako, tunajua hii ni siku ambayo watu wako kazini kwa hivyo kama unashuguli unaweza kuondoka lakini sisi tutaendelea na kikao chetu mpaka jioni.

Pili ukiwa una memorandum unataka kuzungumza tu ni ta kupatia dakika kumi. Katika hizo dakika kumi unaweza kuzitumia vizuri ikiwa utatilia mkazo kwenye kupendekeza sio hadithi nyingi kwa mfano kuna matatizo ya security usianze kusema vile sijue mulivamia na watu wenye bunduki wakachukua ngombe zenu hakuna hospitali hayo yote ni mambo tunajua matatizo ambayo tuko nayo Kenya tunajua. Swali ni hili unapendekeza kitu gani. Tunangalia mbele ungependa nini, ni kama mtu ambaye nyumba imepomoka usianze kusema upepo ulikuja mkali ukachukua mabati ama nini tunajua nyumba isha pomoka imeharibika ndiyo sababu tuko hapa. Unapendekeza kitu gani? Kwa hivyo uje upendekeze dakikia zako kumi sikishe utakwenda uweke sahihi kisha ukae chini na pengine ni takusimamisha nikulize swali moja auo mawili ukiwa umezungumza kitu ambacho hakifahamike vizuri auo ninataka clarification ni takuuliza maswali ukiwa utaweza kujibu utajibu kama huwezi si lazima utaenda utandika maandishi yako na utarudi.

Jambo lingine ni kuwa maoni si sawa yote kila moja ana moani yake tofauti na mwingine. Hata katika nyumba Baba na Mama si lazima wawe na maoni sawa wakati mwingine kila moja ua na maoni yake tofauti lakini nyumba inabaki kama nyumba moja kwa sababu ya kuheshimu maoni ya wengine kwa hivyo tunataka mtu akija hapa maoni yake yaheshimiwe. We have to respect each other views. We are not compelled to agree in fact we should not agree we should differ but respect each others views. Kwa hivyo mtu akitoa maoni ambayo hamupende sitaki kusikia kelele au malalamishi wewe nyamaza ngoja wakati wako ukija unaweza kuja hapa upinge hayo maoni na wewe utoe maoni yako vile unavyo taka kwa hivyo tuheshimiane. Nikiona mtu amezidi sana nitatoa red card kama referee niseme sasa umepita mpaka. Sawa tumekubaliana kwa hivyo hayo masharti ambayo

tutafuata leo. Ningependa kama hiki kiti kingewekwa hivi mwenye kuzungumza aweze kuangalia hawa watu. I think that is better. Sababu hawa sijui kama watamuona vinzuri ili mwenye kuzungumza aweze kutuangualia sisi na watu. Bila kupoteza wakati nafikiri tutaza. Mtu wa kwanza ni Thomas Motone yuko hayuko. Njeri Ngugi, Youth and Women ,karibu.

Lucy Njeri Ngugi: My names are Lucy Njeri Ngugi. Mimi ni kiongozi wa kina mama Wilaya ya Lakiopia hasa hapa Rumuruti Division. Maoni yangu ni kuhusu wakina mama. Hawachukuliwe vilivyo wanachukuliwa kuwa namba mbili na wanaume namba moja na ni kuhusu hata kwa vyama. Kisasa Kenya Wa mama si sawa vilivyo. Kwa moani yangu na sema kama ni vyama wawe balance nusu kwa nusu.

Pia kuna kunajisiwa kwa wasichana wetu hii haichukuliwi manani sana. Report ikienda mbele kwa wakati huu haifuatiliwe vilivyo. Kwa maoni yangu na onelea kwe na sheria ya kufuatilia vilivyo wale wanahusika kwa upande wa kunajisi. Kwa upande huu wa security wamama na wasichana sheria haiwasimamie sana.

Kwa upande wa kina mama huko rural, wamama wale wako Nairobi na town zingine kubwa kubwa wasiwe tu ndiyo wanahushishwa kwa upande wa kina mama. Sheria irudi mpaka rural centers ili iweze kujua the chain should be from Sub-Location to National this should be determined by the women in the rural.

Youth advocate in this division nao pia, vile vile wanachukuliwa kama namba tatu and they are the majority in this country. Wakati tunawatetea hawa vijana hatuna pahali tunaweza kupeleka malalamiko yao. Wakati tunawatetia kama mimi hatupewe nafasi hatujui which law do we use. Kwa mfano youth anaweza kunyanganywa pesa baada ya kuajiliwa na muajiri lakini wakati unamtetea wewe kama local advocate ama mwenye hujasomea sheria kabisa hauna mwangaza ni wapi unaelekenza huyu mtoto. Kwa hivo wapewe nafasi ya kwanza maana ndiyo watasimamia nchi hii yetu siku za usoni. That is all.

Com. Ibrahim Lethome: Kuna maswali ambayo ningetaka kuuliza ya kwanza umesema habari ya rape kwa watoto wa kike na ungependa wenye kufanya hivyo sheria iwachukuliwe, sheria gani kama punishment? Kuna lingine pia la kwanza ni kuhusu mambo ya youth umesema hakuna mahali pakwenda kupeleka malalamishi yao. Ungependekza kitu gani sasa kwa sababu ume sema hakuna mahali, kuna vaccuma hakuna mahali pakupeleka malalamishi yao. Sijui wewe ungependekenza chini ya Katiba mpya kuwe na chomba gani cha kuweza kusikiliza malalamishi ya youth?

Njeri Ngugi: Upande wa rape sheria ziko lakini wakati hawa the offender wamepelekwa kwa korti tunaona wakiwachiliwa tungependa wawe wakiadhibiwa vilivyo kulingana na sheria ili itawekwa siku ya leo.

Com. Ibrahim Lethome: Nataka upendekeze adhabu kwa mtu ambaye ameshikwa na hatia kama hiyo.

Njeri Ngugi: Adhabu yake iwe ni kufungwa bila kuachiliwa, miaka 7 kwenda juu kwa sababu that is like murder.

Com. Ibrahim Lethome: Jana tulisikia kuwe na sheria mbili, sheria ya mwalimu akifanya kitu kama hicho na sheria ya mwananchi wa kawaida. Wakasema ya walimu wako na Board yao yaani disciplinary court yao. Wakasema wananchi wa kawaida wawe wanafungwa na sheria hiyo ingine. Hiyo utasema nini kuhusu walimu wanao husika na vitendo kama hizo?

Njeri Ngugi: Walimu wakihusika na vitendo kama hizo adhabu yao iwe ni kufutua na kufungua.

Com. Ibrahim Lethome: Swali la pili?

Njeri Ngugi: Nimesema mimi ni mtetenzi wa vijana anaye jitolea a frontier youth advocate. Mimi ningeonlia kwa sababu wakati na tetea hawa vijana kama wakati nasema alipwe pesa zake kama kawaida tajiri amekataa kulipa inamubidi huo kijina aende kwa sheria ama kwa lawyer na hana pesa na mimi kama volunteer sina pesa nikepeleka hii malalamishi kwa office ya mtawala ili aweze kufuatilia yule amefanya hivo.

Com. Ibrahim Lethome: Kuwe na chombo gani?

Njeri Ngugi: Kuwe na chombo cha vijana wakiwa wa nne kuwe na hukumu kwa yule amekataa kuliba yule kijana.

Com. Ibrahim Lethome: Mwingine.

Isaac Kangethe: Jina langu ni Isaac maley Kangethe ni nimukaanje wa hapa Rumuruti. Ni kitoa maoni yangu ningetaka kusema hivo.

Mambo ya Land Allocation Act. Yaani jinsi mashamba inapeanwa hasa upande huu wetu wa Laikipia. Ni kiangalia sana kwa upande wa wale Land Buying Companies kwa sababu naona ile kazi wamefanya hapa Laikipia si kazi yenye inatufurahisha sisi kwa sababu uwa haihusishe Departmental Heads kwa upande wa Serikali. Hii ni kwa sababu sehemu nyingi hazina bara bara na zile bara bara ziko haziwezi kufikisha watu pengine Trading Centres ama karibu na mito.

Kwa mfano hapa Rumuruti town mpaka sehemu ingine tunaita Ng'ombe moja is about seven kilometers na hakuna bara bara ya kwenda kwa mutoni na muto uko karibu na sisi sana ni kama kilometer moja tu. Kuna shinda ambayo ilitokea kwa hawa Directors kwa sababu Directors wa Land Buying Companies wale engage Private Surveyors na hawa surveyors walifanya hiyo kazi kwa interest ya Directors wenyewe sio wananchi. Kwa hivyo hii Land Act kabla ya Title Deeds kutolewa Departmental Heads wawe wanatabia huko kama surveyors wa Serikali na idara ya maji wanaona hakuna shida na bara bara waone kuna bara bara nzuri.

Tungependa hiyo sheria irekebishwe kwa upande of issuing the Title Deeds iwe ikitolewa kulingana na mapendekezo ya Serikali

na viongozi wote bila kuhusisha Directors mpeke yao. Yangu ni hayo.

Com. Ibrahim Lethome: Ukitaka kupata Title Deeds hapa Rumuruti unaenda wapi?

Isaac Kangethe: Tunaenda Rumuruti lakini consent inatolewa hapa kwa DO Rumuruti ati uende uchukuwe Title Deed Nanyuki.

Com. Ibrahim Lethome: Process Ya kupata Title iko nje?

Isaac Kangethe: Process yenyewe ni ndefu kwa sababu tuseme mwananchi wa kawaida kutoka hapa unafanya consent kwa Land Board inachukuwa muda unaenda Nanyuki pengine huna fare unaenda unalala huko kuligana na kazi ya ki-offici yuko unachelewesha pengine siku mbili hiyo process mwananchi wa kawaida anaumia sana.

Com. Ibrahim Lethome: Ungependekeza nini?

Isaac Kangethe: Mahali Land Board iko mambo yote iwe inaishia hapo.

Com. Ibrahim Lethome: Inaudible.

Johanna Kiarie: Ni shukurani kwa Commission kwa kunikubalia kuwa mbele yenu na wananchi. Jina langu ni Rev. Johanna Kiarie mtumishi na muhuduma katika--

Interjection: Noise.

(confusion in recording, someone has just come in).

Com. Ibrahim Lethome: Anza kwa majina.

(Turkana dialect).

Paul Emathe: *Kanyaritae ayong Paul Emase.*

Translator: Kwa majina naitwa Paul Emathe naishi hapa Rumuruti.

Paul Emathe: *Ekeboyon kane alo Rumuruti.*

Translator: Nimeishi hapa kwa miaka nyingi sana.

Paul Emathe: *Angikaru alo kalaak.*

Translator: Ile shinda iko hapa Rumuruti.

Paul Emathe: *Na ngican lu eya ne,*

Translator: Ni vile watu wanavyo ishi.

Paul Emathe: *Erai ca eboyor bon.*

Translator: Kwa sababu wanaishi wakiwa wengi kwa hiyo miaka yote.

Paul Emathe: *Kotere kiboy niti kilalak noi.*

Translator: Na wako katika hali ya kutanga tanga tu.

Paul Emathe: *Angikaru kangulu kadaang.*

Translator: Wanalala leo uko kesho wanahama tena.

Paul Emathe: *Kirai sua ngitunga lukatangatangak.*

Translator: Hata mambo yakija hao ndiyo wanapatikana na wanashikwa.

Paul Emathe: *Atopero akwar na ne, ani moyi wace.*

Translator: Watu hawaibi mali ya wengine. Wanaiba ndiyo.

Paul Emathe: *Tarau ca ekokolan na ebunio, kirogotia email kori ngibaren kosi.*

Translator: Lakini kama wana mahali pa kuishi.

Paul Emathe: Nyabala ayong mam akoko, ekokoyete ngitunga.

Translator: Hakuna chochote kibaya ambacho kinatendeka.

Paul Emathe: *Keyatar cca keci ngauyey na iboyoto, Kemam ngakiro naaronok na esubasi.*

Translator: Serikali ingekuwa inashika wahalifu wote wakiwa manyumbani kwao.

Paul Emathe: Kirumununi nangolenyang ngikokolak ca daang lu ekokoyete.

Translator: Kwa hivo mambo hiyo hakuna vile ninavyo weza kusema.

Paul Emathe: *Kotere boca ngakiro nguna egeleaka,*

Translator: Katiba sasa ndiyo inaweza amua vile watu watakavyo ishi.

Paul Emathe: *Kongina, Ngakiro na Akatiba* epedori akitiak eboyor angitunga.

Translator: Kwa sababu yeye kama Mu-turkana haelewe alikuja kufanya nini Kenya.

Com. Ibrahim Lethome : Muambiye hii ndiyo nafasi yake yakupendekeza angetaka nini?

Paul Emathe: *Kotere ayong arei Eturkanait, nyayeni ibore ni ecamitae asubi alo Kenya.*

Translator: Ningetaka Serikali ichukuwe jukumu na watu wapewe pahali watakapo ishi.

Paul Emathe: *Ibore nikisaki sua ngesi ataanyutu nikibooyo.*

Translator: Ndio waache kutanga tanga na kuiba.

Paul Emathe: Kiiskini sua akirimit akwap.

Translator: Ndiyo hawatashikwa kwa njia isio *Na kiyanyunia sua nikiboyo* halali.

Paul Emathe: *Ngesi robo kiisikinia sua tani akoko ngibaren angitunga aluce.*

Translator: Amemalizia hapo. Ya pili.

Paul Emathe: *Torimor nguna kaneni. Na angarei,*

Translator: Hawa hawajawai elezewa mambo ya Katiba.

Paul Emathe: *Nyikiyeni sua ngakiro na Akatiba.*

Translator: Katiba yake ni uchagunzi pekee yake ndio anapedekeza.

Com. Ibrahim Lethome: Chini ya katiba mpya ungependekeza nini?

Paul Emathe: *Asaki ca ayong atmar arai Akatiba kosi eucagus bon.*

Translator: Anapendekeza watu wafundishwe ndio wapate kujua muelekeo wao.

Com. Ibrahim Lethome: Kemayu, Zachary, Pius Mwangi, James Kariuki.

James Kariuki: Majina yangu ni James Kariuki Kihara na niko na mapendekezo haya.. Ningetaka Serikali ya Kenya iwe Serikali ya ki-democracia, yaani hiyo democracia isikike kwa raia wote wa nchi hii yetu.

La pili ni hospitali, hospitali zetu za Kiserikali hazina dawa na ikepatikana matibabu ni ghali sana. Sasa napendekeza Serikali

ijaribu kuweka dawa na matibabu iwe ya chini ndio kila Mkenya awe anatibiwa.

Ya tatu ni kuhusu elimu. Ningetaka elimu iwe ya bure. Na kama si bure Serikali ijaribu kusaidia mambo ya masomo ili wazazi wakipeleka watoto wao kwa shule wawe wanaitishwa pesa ndogo na Serikali igaramie hiyo ingine ndiyo watoto wote wawe wanasoma.

Ningependekeza Chief na Sub-Chief wawe wanachaguliwa na watu au wananchi. Na vile vile kwa vile Kenya ni Agricultural community ningependa Serikali i-protect na I-control prices ya mazao ya wakulima ni hayo.

Com. Ibrahim Lethome: Umesema elimu iwe ya bure. Unakusudia elimu kiwango gani? Kwa sababu kuna viwango tofauti tofauti na unaposema kila mtoto apate elimu unakusudia kuwa elimu iwe compulsory.

James Kariuki: Viwango vyote kuanzia nursery mpaka form four.

Com. Ibrahim Lethome: Are you suggesting that we have compulsory education, at what level?

James Kariuki: Ya msingi iwe compulsory.

Confusion in recording. A different speaker.

James Kariuki: *Miaka ya guthurwo.*

Translator: Umri wa mtu kuchaguliwa.

James Kariuki: *Ni kuma 25 kinya 60.*

Translator: Ni kutoka miaka 25 mpaka 60 ama zaidi ya hapo.

James Kariuki: *Mitito inengerwo raia tondu arugamiriri ni maremetwo ni wira wao.*

Translator: Kusimamia msitu iwe kwa mikono ya raia kwa sababu wenye kusimamia wameshindwa na kazi yao.

James Kariuki: *Mitito itu ni mithiru na mai tutiri, uhoru ucio umenyererwo wega.*

Translator: Msitu hatuna, na maji imeisha kwa sababu ya kuharibu msitu. Hiyo mambo iyangaliwe vizuri.

James Kariuki: *Ya ikumi na inyanya. Ni thukuru. Thirikari ikiuga githomo ni kia buri*

Translator: Kumi na nane ni shule. Serikali ikisema masomo ni ya bure

Speaker: *Ni maheni.*

Translator: Hiyo ni mambo ya uongo.

James Kariuki: *Aciari marutaga mbeba nyingi kuri iria cia mbere.*

Translator: Kwa sababu wazazi wanatoa pesa mara mbili zaidi.

James Kariuki: *Uhoru ouio umenyererwo na Thirikari ithure kamiti ya kurugamirira uhoru ucio nigetha uria thirikari yauga gugatuika guo.*

Translator: Hiyo ilindwe na Serikali ichaguwe Kamati ya kuchunguza mambo haya ndivyo lile Serikali inasema linatekelezwa.

James Kariuki: *Ya ikumi na kend .ni thibitari citu.*

Translator: Hospitali zinalipisha bei kali sana.

James Kariuki: *Andu marakua ni undu wakwaga mbeba.*

Translator: Watu wanakufa juu ya kukosa pesa.

Com. Ibrahim Lethome: Unapendekeza aje?

James Kariuki: Serikali irekebishe. Thirikali irore uhoru ucio wa thibitari.

Translator: Serikali iyangaliea mambo ya hospitali.

James Kariuki: *Namba twenty niyo ya kunina.*

Translator: Ya ishirini na ya mwisho.

James Kariuki: *Thoko uhuru.*

Translator: Soko uhuru.

James Kariuki: *Ni yahinyiriirie muingi witu wa Kenya*

Translator: Inafinya wananchi wa Kenya sana.

James Kariuki: *hindi ya mkoloni.*

Translator: Wakati wa ukoloni.

Com. Ibrahim Lethome: Pendekeza.

James Kariuki: Iangaliwe na Serikali. Serikali iwe ndiyo inakata bei. Ya mwisho kutokana na karatasi yenu yenye mumeandika watu wengi wenye munaona hapa wametoka mbali sana na wanafaa kufikiliwa na nyinyi. Mufikirie vile wanaweza kupata huduma unaona katika area hii ya Rumuruti kama mimi nimekuja na basikeli. Wengine wametoka Sosani na ni mahali mbali sana wengine wanatoka Thome hata huko ni mbali sana. Wafikiriwe wanaweza kufika namna gani. Wangepata angalao nauri wangefika kwa wingi.

Com. Ibrahim Lethome: Mtu anayetaka kupigania kiti cha ubunge awe na lugha ya kiswahili peeke yake. Lugha ya kizungu si muhimu?

James Kariuki: Not clear.

Com. Ibrahim Lethome: Ulimwengu sasa umekuwa kama kijiji kimoja Wabunge wanatoka nje wanakuja hapa kukutana na wabunge wetu. Wetu nayo wanasafiri kutoka hapa na wanaenda huko sasa unapedekeza Mjumbe akenda huko na hajui kizungu awe anafanya vipi wakati wanahusiana na watu wengine?

James Kariuki: Anaweza kuwa na mwakilishi kama mimi vile huyu anavyo ni wakilisha.

Com. Ibrahim Lethome: Asante. Nataka kumwite Thomas Lotome Lotokoye.

Thomas Lotome: Mimi naitwa Thomas Lotome Lotokoye. Nina views ya kwamba. Livestock Election Act mimi nikiwa mmoja wa Pastoralists ni sheria ambayo tulikuwa nayo wakati wakoloni sisi Pastoralists inatumiza na haifanyi kazi kwa area zingine kama town.

Hiyo Act ningependekeza hivi mahali kama hapa kwa sababu ng'ombe zikiibiwa nasikitika mahali kama hapa Manyatta yote inayopatikana three four kilometers aside of the road kando ya njia inakuwa victimized nayo wezi town wakiiba bank wale watu wa ma plot wa shikwe. Mimi ningependekeza hivi hii Act kama haibadilishwe itupliwe kabisa iwache kufanya kazi kwa watu wengine na haifanyi kwa wengine.

Ya pili. Land Issue Act. Sheria ya kusimamia mashamba ama kugawa mashamba kila mtu ambaye ako na zaidi ya acre mia moja asiwe, mtu asiwe na zaidi ya acre mia moja katika district moja kama ni millionaire awe ni mia moja kwa kila district akiweza lakini si mtu kuwa na elfu mia tatu kwa district moja. Mtu yeyote ata foreigner asiwe na zaidi ya acre mia moja.

Ya tatu ni ya Survey department na Land Department . Wakati ambayo wanafanya declaration ya muchanga wafanyi kwa sehemu zote za Kenya hiyo atawezesha hawa pastoralists wawe na Group Ranches ama individual ranches sio tu wanafanyia wakenya wengine na pastoralists wanaachwa hivo, na foreigners wanakuja ku-fence. Law ya hii declaration iwe inafanya kazi

In North kwa pastoralists na kwa down Kenya pia. Thank you very much. Those are my views now.

Com. Ibrahim Lethome: Ungependekeza nini kwa mambo ya Ranches. Kwa sababu kuna watu ambayo wanaona kuwa mambo ya ranch ni kama kuweka land bila kuitumia is like idle land ni baadhi ya maoni yenye tumepata. Sijui una maoni gani?

Thomas Lotome: Hiyo inategemea mtu binafsi na wale wanaweza ku-develop ranch yao ni kama watu mia mjoa watu kumi ndio wanaweza kushindwa ku-develop auo ku-learn their ranches.

(Kikuyu Dialect)

Isaac Mbutia: *Njitagwo Isaac Mbutia Thuo.*

Translator: Anaitwa Isaac Mbutia Thuo.

Isaac Mbutia: *Ndi muikari wa guku Rumuruti.*

Translator: Naishi hapa Rumuruti.

Isaac Mbutia: *Maoni makwa ni ondu wa security. Tondw wakorwo ni thina*

Translator: Maoni yangu ni juu ya security, Kwa sababu ukiwa na shida.

Isaac Mbutia: *uthii borithi kuhura reporti*

Translator: Uende police kupiga report.

Isaac Mbutia: *ukurio andu aria magukorete mekuhanaga atia?*

Translator: Unaulizwa wale watu walio kuta walikuwa aje?

Isaac Mbutia: *Wambiriria kurio ciuria nyingi ukanoga.*

Translator: Ukiulinzwa maswali nyingi unachoka.

Isaac Mbutia: *Ukinyita mundu oria ukuhitiirie*

Translator: Ukishika mwenye amekukosea.

Isaac Mbutia: *agacoka akoima nja ona ihenya*

Translator: Huyu mtu anawachiliwa kwa haraka.

Isaac Mbutia: *ona utamenyete arekererio niki.*

Translator: Ata bila kujua amewachiliwa kwa nini.

Isaac Mbutia: *Maoni makwa korwo no kuhoteke*

Translator: Kwa maoni yangu ni.

Isaac Mbutia: *gukorwo na andu a kanitha aria marikoragwo Station*

Translator: Kuwe na watu wachaguliwa kwa kanisa wale watakuwa kwa kanisa.

Isaac Mbutia: *mone ati nituratungatwo uria kwagiriire.*

Translator: Wakiona ya kwamba shida ambazo tunazipeleka huko sinashugulikuwa vile inavyo sitahili.

Isaac Mbutia: *Andu aya makorwo magecagurwo ni raia*

Translator: Hawa watu wawe wanachaguliwa na raia.

Isaac Mbutia: *niguo maremwo ni wira raia magacagura mundu unge.*

Translator: Ili wa kishindwa na kazi raia wawe wanachagua mtu mwingine.

Isaac Mbutia: *Undu unge uria wi meceriani makwa*

Translator: Jambo lingine ambalo niko nalo.

Isaac Mbutia: *nindigagwoniki gitumaga matigacagurane.*

Translator: Na shindwa kwa nini hawachaguane.

Isaac Mbutia: *Korwo ni metikirio gucagorana tariu kwi na ciama nyingi*

Translator: Kama wanaweza kuruhusiwa kuchaguana kama sasa kuna vyama nyingi wanaweza kuchagua watu wenye wanataka.

Isaac Mbutia: *Moima njera magakora ni gucaguranirwo.*

Translator: Wakitoka kwa jera wanakuta uchaguzi umefanywa.

Isaac Mbutia: *Na tiwendi wao.*

Translator: Na si pendekezo yao.

Isaac Mbutia: *Maoni makwa ingienda macagurane onao.*

Translator: Kwa maoni yangu wawe wanaruhusiwa kuchagua.

Isaac Mbutia: *Andu magacagura mundu wa itura riao*

Translator: Raia wawe wanachagua mtu kutoka kijiji chao.

Isaac Mbutia: *Niguo makonana nake ni undu wa mathina mao.*

Translator: Ie wawe wakionana naye kwa sababu ya shida zao.

Isaac Mbutia: *Akorwo ni Councillor akorwo haria arionagwo ni raia ti wa office ya kanjo.*

Translator: Awe ana pahali pakuonekana si Office ya County Council.

Isaac Mbutia: *Tiguikara miaka itano tutari twamona.*

Translator: Si wengine tuna chagua wanakaa kama miaka mitano bila kuwaona.

Isaac Mbutia: *Akorwo ndekuonekana kuma miaka ili nanuthu*

Translator: Kama hatapatikana kwa muda wa miaka mbili na nusu.

Isaac Mbutia: *Aria mamucagorire makorwo ni igana rimwe, mirongo itano no maregane nake*

Translator: Wale walimuchagua wakiwa mia moja watu kama 50 wanaweza kuto kubaliana naye na atoke kwa Bunge.

Isaac Mbutia: *Tukorwo na wadho mwega ti ta wa kuhunja ijili*

Translator: Tuwe na uhuru mwema. Sio kama vile tuna ambiwa tuna uhuru wa kuabudu.

Isaac Mbutia: *na andu ne marateswo.*

Translator: Na watu wanateswa wakati wanafanya hiyo jambo.

Isaac Mbutia: *Uhoru wa cukuru,*

Translator: Mambo ya shule.

Isaac Mbutia: *tweragwo ni twatiniirio mbeba tutikarihe mbeba cukuru.*

Translator: Tunambiwa tumekatiwa pesa za shule halafu tunarudi tunaitshwa pesa nyingi.

Isaac Mbutia: *Gukorwo na office igiri thukuru.*

Translator: Kuwe na office mbili katika shule.

Isaac Mbutia: *Gukorwo na ya Headmaster nigetha akoya maundu ma cukuru mothe.*

Translator: Kuwe na ya mwalimu mkuu ndivyo awe anachukuwa mambo ya shule yote.

Isaac Mbutia: *Nao aciari magie na office yao, ira marikoragwo mena kamiti yao ya mwako wa cukuru.*

Translator: Wazazi wawe na office yao ile watakuwa na kamati yao ya majengo wa shule.

Isaac Mbutia: *Headmaster matigakorwo mena uhoro wa mwako.*

Translator: Headmaster wasiwe wanahusika na mambo ya mijengo.

Isaac Mbutia: *Niguo tutige gukorwo na mathina mamwe.*

Translator: Ndiyo tunapata taabu wakiingia kwa hiyo mambo. Tukifanya hivo tutaishi kwa uhuru mwema.

Isaac Mbutia: *Ngutigira hau.*

Translator: Hiyo ndiyo maoni yangu.

Com. Ibrahim Lethome: Habari ya MP. Sasa ungependekeza kitu gani? Kwa sababu MP wako sasa office ile ako nayo ni Bunge. Hapa akija West Laikipia hana mahali popote labda nyumbani kwake ndio maana akija watu wanajazana nyumbani kwake. Sijui ungependekeza kitu gani?

Isaac Mbutia: *Tutigakorwo tugithii gwake.*

Translator: Tusiwe tunaenda kwake nyumbani.

Isaac Mbutia: *Akorwo ni wa guku gwitu akorwo na office guku Rumuruti na atwire riria twimuonaga.*

Translator: Tusiwe tunaenda kwake nyumbani kama ni wa hapa kwetu awe na office moja hapa Rumuruti na atuambie ile siku tutakuwa tukikutana na yeye. Hatutaki kwenda kwake nyumbani.

Com. Ibrahim Lethome: Inaudible.

Speaker: Mambo ya youth hawajakuwa represented vizuri kwa Bunge na hata mambo yao ukiangalia sana sana ianapuoza sana. Mtu kama youth akishikwa kwa sababu wengi hawana kazi na hawana pesa wanawekelewa mambo mengi sana, na pengine alikuwa akitembelea rafiki yako usiku akepelekwa pale ataitishwa pesa nyingi sana kama shilingi mia tano na hana. Na wewe ulikuwa pengine mtu innocent ukitoka kule utatoka ukiwa very hardcore criminal. Serikali iyangaliea sana kwa hii kitu inaitwa “Vagabond” wanawekewa hiyo mambo na haina maana.

Jambo la pili. Kuna hii jambo la shule. Shule zamani hatukuwa tunalipa school fees kuanzia darasa la kwanza hadi la saba. Sasa kumekuwa na activity fee, watchman, sports, development tukijumurisha sinafika zaidi hata ya school fees. Kwo hivo ikiwezekana kama hakuna pesa yakulipwa kuwe hivyo. Mtoto ananunliwe uniform anaenda shule. Kama kuna pesa itakuwa

ikilipwa iwe ni kama mia mbili kila baada ya miezi tatu every term.

Langu la tatu na la mwisho ambalo niko nalo. Kuna watu ambayo wako na mashamba kubwa sana ni hiyo si jambo baya kwa sababu walinunua lakini Serikali iyangaliea kuna watu ambayo wanishi kwa plot ndogo sana na wengine wamekomboa manyumba na wanauwezo kununua shamba lakini conditions zile wanapewa za kununua shamba ni mabavu sana. Wanaambiwa kuna shamba kule na unaambiwa kule shamba acre moja ni shilling elfu hamsini. Yule mtu ambaye ni mfanye biashara anaweza kupata zile pesa kwa malipo ya pole pole Serikali ingeweza kusaidia watu kama hawa iwape kitu kinaitwa guarantee kwa sababu kuna watu ambayo wanakuja na wanajifanya wanauza shamba na wale watu watachukua pesa yako wanakwambia iko shamba na pesa yako inapotea hapao. Ukienda kufuata hakuna mtu atakaye kusaidia kwa sababu pengine ile pesa ulikuwa umeweka ni shillingi elfu kumi. Hauna pesa ya kuweka kwa wakili. Serikali isaidiye watu kama hawa wawe na pahali pa kuweka hizo pesa kama kabisa kuna shamba la kuuzwa. Ni hiyo tu.

Com. Ibrahim Lethome: Ngoja. Umezungumzia habari ya youth. Sasa ningetaka kujua youth ni nani kwa sababu umesema wawe na mwakilishi wao. Unajua ata mimi na weza kusema mimi ndio na wakilisha Bunge mimi ni youth pia. So can we have a definition in your views. Who is the youth? Umesema wawe na mwakilishi wao katika Bunge. Huyu mwakilishi atafika vipi Bunge kwa kuchaguliwa na youth pekee yao auo through nominations?

Speaker: Youth ni kuanzia miaka kumi nane hadi 35 years. Huyu anaweza kuitwa youth. Jambo la pili kufika kule Bunge achaguliwe na wana youth wenyewe. Hatuwezi ku-nominetiwa mtu amabaye hatujui. Tunataka mtu mwenye tunajua anafahamu shida za youth tunamchagua anaenda uko.

Com. Ibrahim Lethome : Inaudible.

Kwa jina mimi naitwa inaudible-- Mimi nitazungumza mambo ya usalama yaani security. Ukweli ni kwamba security kwa upande wa askari imeanguka chini sana. Imeharibika maanake ile kitu inaitwa kwa kiswahili kufuata sheria siku hizi asikari hawafauti sheria kama zamani. Inaonekana wakati wa zamani ndiyo kulikuwa na sheria maanake hakuna polisi ambaye alikuwa akikunywa pombe auo akitembea pekee yake na bunduki lakini kwa siku hizi unakuta asikari wamekosa nidhamu kabisa, wanafanya vile wanavyo taka.

Com. Ibrahim Lethome: Pendekezo.

Speaker: Pendekezo langu ni kwamba sheria irudishwe yaani ile adhaabu iwe ya hali ya juu sana kwa askari wote kwa jumla katika Kenya. Na raia walindwe sana na pia hizi bunduki sinaonekana hapa Kenya na pendekezo zirudishwe Serikali. Hata ile ya Homeguard tunapedekezwa zirudishwe maanake sinaonekana kwamba ndizo zina zo tumaliza.

Mashamba: Mashmamba zenye zimebaki ni zile hazina maji na zile ziko na watu ni zile ziko na maji na kila kitu lakini utakuta mashmamba zingine wenyewe mpaka wa leo hawajenga. Kwa hivyo ili kitu tunasema uchumi imezorota ni kwa sababu unakuta mtu ako na shamba ishirini na kila shamba ni acre labda 200 ama 500 na hiyo shamba inakaa namna hiyo tu. Kwa hivyo tungependekiza kama vile mwenzangu aliongea hapa kwamba mtu yeyote ata kama ni millionaire wa hapa Kenya asiwe na zaidi ya acre mia moja.

Wanasiasa. MP iwe wa form four kwenda juu na Bunge yetu iwe inazungumza lugha ya kiswahili au kizungu. Wakienda ngambo wataongea lugha gani tunataka wajue hiyo lugha. Wakijua lugha ingine ni sawa sawa lakini Kenya wawe wakifanya Mbunge na Kiswahili indivyo tuelewe vile wanazungumza. Miaka yao kukaa kwa Bunge iwe ni kumi. Baada ya miaka kumi aondoke.

Councillor. Hii ni ya rural areas awe ni mtu wa kutoka std nane kwenda juu lakini si mtu kutolewa nyumbani na hajui kushika hata kalamu wala kusoma. Wa want them from std nane kwenda juu.

Administration Chiefs. Awe ni Assistant Chief, Chief, wawe wakutoka form four. Asiwe ni mtu wakuchaguliwa na Serikali maanake tumepata matatizo sana sababu mtu anachaguliwa kwa sababu ni wao na pengine ni mtoto ambaye alikuwa mkora. Tungependea iwe ni raia wanakaa wanajua huyu mtoto wao ni namna gani. Hiyo irudi kwa wananchi tuwachague wenyewe. Wale Ma-chief tuko nao sasa si chaguo letu.

Vertinary department mambo ya mifugo. Zamani vertinary ilikuwa inafanya kazi lakini siku hizi wamekosa kazi na si makosa yao ni sababu Serikali ilitoa madawa ya vertinary na kupeleka kwa raia. Ndiyo unaona tunapata shida kwa sababu saa zingine unapata dawa zenye si nzuri na unashidwa ni nini. Kwa hivyo we want hii maduka ya vertinary yote irudi kwa veritinary department. Hapa Rumuruti tulikwa na duka kama hiyo na tulipata shida sana.

Shule. Ukweli ni kwamba tuliambiwa shule ni ya bure. Unakuta wakati imetangazwa ni ya bure nilikuwa nalipa K.shs. 740/= na hata dakika hii nalipa tu hivyo kwa hivyo sijaelewa bure ni kusema nini? Kama ni bure iwe ni bure Serikali ichukuwe shule iwe ni yake ndivyo nasi tuelemike.

Com. Ibrahim Lethome: Level zote.

Speaker: Level zote, mimi nimependekiza iwe ya bure. Yangu ni hayo.

Com. Ibrahim Lethome: Ahsante sana. Tumpate sasa Paulo Emathe. (Confusion in recording, over wrapping)

Paulo Emathe:

Com. Ibrahim Lethome: Tulipokuwa tukianza mkutano, niliwaambia ya kuwa kuna sheria ambayo imetulazimisha sisi kuja hapa na imetoa uhuru kwa kila Mkenya kutoa maoni yake. Na hii process ni process ambayo ni genuine kwa sababu imepitishwa na Bunge na tuko chini ya sheria. Right now we are operating under an Act of Parliament na ndio imetulazimisha sisi, kuwa tuache mambo ya kukaa Nairobi, tuzunguke Kenya nzima tuwazikilize Wakenya. That's why I am here today. It is not out of choice. I have been compelled by the law to come here today. This sitting is legally constituted, you are protected by the law to say anything. Say anything and nobody will follow you up because we are operating under an Act of Parliament. Kwa hivyo ningetaka kuwakumbusha tena, haya ambayo tunazungumza hapa leo, ni mambo ambayo ni serious sana. Tumengojea miaka thelathini na tisa, labda wale viongozi waliotutangulia kama akina G.G. na wengine, wanaweza kutuambia kama kushapata kuwa katika historia ya Kenya na kikao kama hiki. Nafikiri hakujapata kuwa. Kwa hivyo nataka kuwajulisha kuwa it is genuine.

Matokeo yake yatategemea pia wananchi. Lakini sheria inavyosema hivi sasa ni kuwa, baada ya sisi kuchukua maoni yenu, tunaenda ku-compile report. Na hiyo ripoti hatutaipeleka Bunge moja kwa moja, inarudi kwa wananchi tena. That is the next stage. Mje muangalie yale mliyosema yamewasilishwa au yamepotea. Kwa sababu tunajua historia yetu ni kuwa; Commissions hufanya enquiries, wanakusanya maoni, kisha inapotea. Kwa hivyo tumelazimishwa na sheria, kuwarudishia nyinyi wananchi muangalie tena.

Baada ya hapo, mtapeleka waakilishi wenu kwenye National Constitutional Conference kwa muda wa miezi miwili. Kila district itatuma waakilishi watatu, every political party itatuma mtu mmoja. Wabunge wote watakuwa huko kwenye huo mkutano. Mkutano utaendelea kwa muda wa miezi miwili, kujadili report. All that is to show the seriousness of the process. It is so serious. So, it is upto you as a Kenyan to take it seriously. Yale mambo ambayo yatakubaliana au watu watasikizana kwenye conference, yatapitishwa. Yale ambayo hatutakubaliana, yatapelekwa kwenye referendum. Yanarudishwa kwenu tena mpigie kura.

Hiyo yote ni kukupatia nafasi mwananchi uweze kushiriki. Haya nimerudia kwa sababu ya wale ambao walikuja late na pia kutaka kutilia mkazo kuwa hiki kikao, ni kikao ambacho ni muhimu sana and it is genuine. Na wewe una haki ya kufuatilia kuona maoni yako yamepelekwa ama yamepuuzwa. Nafikiri tumefahamikiana sasa. Ahsanteni twendelee. Ng'ang'a Mwangi.

Ng'ang'a Mwangi: My names are Ng'ang'a Mwangi. You realize that Constitution making is a very difficult exercise that is why I am certain of that point. Constitution making is a very difficult and expensive exercise like you can see we are doing now and it will be sad if you are going to write this new Constitution and then in the ninth Parliament we get MPs amending, a two thirds majority MPs, amending the Constitution within the first session. So, I recommend that the number of MPs that can amend the Constitution from the current two thirds to four fifths and above. The second point on MPs, in Kenya right now, we have what we are calling rebel MPs. MPs who have abandoned their parties and perhaps joined other parties silently, without

referring to the Speaker of the National Assembly. We also have MPs, who make technical appearances in Parliament, without being there to articulate the problems of their constituents. That means they hardly say a word in that Bunge.

I will recommend that the Speaker of the National Assembly should have powers to declare such seats vacant and by-elections held immediately to replace them. We also have MPs that go to Bunge and as a matter of fact we hear some of them, even after staying there for five years, they have never made even made a... what they call a maiden speech. If a newly elected MP goes to Bunge and he doesn't make a maiden speech may be the first session of Parliament, then the Speaker of the National Assembly again should have the powers to declare that seat vacant. Possibly instead of even tying the constituents with a by-election, the person who was second best during the elections, should be called and should take that seat immediately.

When it comes to education, I propose that in the new Constitution, we should have compulsory and free primary education for all Kenyan children upto Primary level. The rest, ways and means can be found of getting them schools. On women rights, it is always said that women rights are human right and us men, we are violating so many of them. Like we have had rapists, we have had child defilement. I have one recommendation to be put in the new Constitution, that women in any forum like here where we have leaders, at least women should compose at least a third of the leaders. Even Parliament. Girl-child defilers, I think it may appear so harsh but I think they should be castrated. Girl-child defilers. A girl of three years who cannot even talk or walk, should be allowed to grow in peace. Rapists should be jailed for life.

On land, I agree with my colleagues who said that there should be a ceiling of a hundred acres and any extra land, which is not utilized, should be taxed heavily so that the owners can dispose off the land and we have other people who can utilize the land. In Kenya today, the word squatter should not be in our dictionaries.

Lastly, all senior government appointments like the Permanent Secretaries, the Judges, the Directors of education, of agriculture, whatever. Appointments should be vetted by the National Assembly.

Com. Ibrahim Lethome: Thank you very much Mr. Ng'ang'a. Can we have now, Councillor J.M. Mashomba. Before that, I would like to give preference to persons with disability. Kwa hivyo nitamuita huyu mama, kisha huyu Mzee, halafu Councillor. Mama, kabla hujakaa-- Let her come. She can come. Sema jina lako. Halafu Mzee.

Loise Nambitiru: Mimi naitwa Loise Nambitiru. Mimi nakuja kwa ajili ya shida yangu. Sina nguvu yeyote, mimi niliumia 1992 na mimi ni mzaliwa hapa Rumuruti. Sasa kutoka 1992, ile shida ninayo ni Mungu peke yake ananisaidia. Mpaka chakula, mpaka kila kitu hata maji.

Com. Ibrahim Lethome: Mama, unajua tuko hapa kujaribu kutatua shida za watu, kutoka kwa Wakenya na wewe ni mmoja katika Wakenya. Tunataka upendekeze, kwa mfano, watu wasiojiweza au walemavu, ungependa sheria iseme nini kuhusu haki

zao. Na ungependa kwa mfano mtu akiumia kama wewe, sheria ifanye nini? Hayo ndio mapendekezo ambayo tungependa. Tafadhali tuambie.

Loise Nambitiru: Sasa kutoka hapo, wakati nilisikia hii Katiba. Mimi mwenyewe nikatoka nyumbani nikuje niseme maoni yangu pale iko. Nafikiri mimi ni mzaliwa wa hapa Laikipia, kuna wengi wananiona na wananjua. Wale tulizaliwa pamoja. Na mimi nasema kidogo tu, si mingi sana. Kwa maoni, hii Kenya yetu ni yetu, hakuna mwingine atakuja kutengeneza ni sisi tu. Hakuna mwingine atatoka ng'ambo wala wapi, kwa hivyo hizo shida zangu ndio nilikuwa naleta hapa. Nisikie sauti ya wengine vile wanasema, hayo tu ndi yangu.

Charles Mwangi Njenga: Ngwaria na Gikuyu. Nii haha njukite kuruta maoni makwa.

Com. Ibrahim Lethome: Ritwa witagwo atia?

Charles Mwangi Njenga: *Pole sana. Njitagwo Charles Mwangi Njenga. Haha njukite kuruta maoni makwa, hana ta mundu uria kiwete kana mtumumu. Njurie kana, ithui twina atumia na twina ciana.*

Translator: Hapa nimekuja kuuliza nikiwa kama mmoja wa walemavu. Nikiuliza ya kwamba, sisi kama tuna mabibi na watoto.

Charles Mwangi Njenga: *Ciana icio citu-ri, tutionaga uteithio na tutihotaga gwiteithia. Tondu tuikaraga baranda.*

Translator: Watoto hawa wetu, hatupati msaada wowote, tunakaa tu kwa verandah.

Charles Mwangi Njenga: *Kwa veranda. Riu ri ngukiuria atiriri, twina miaka milongo iri na itano, nitwahotheirwo mbeca, tukiirwo ni cionje ciahotherwo, mbeca icio ciathire ku?*

Translator: Anauliza ya kwamba, sisi tulichangiwa pesa kama walemavu, hizo pesa hazijatufikia, zilienda wapi?

Charles Mwangi Njenga: *Na ciari milioni igana imwe, ria mirongo mugwanja na ithathatu, cionje iria iri Kenya ri ni milioni.*

Translator: Na zilikuwa milioni moja.

Charles Mwangi Njenga: *Milioni igana rimwe ria mirongo mugwanja na ithathatu.*

Translator: Milioni mia moja na sabini na sita.

Charles Mwangi Njenga: *Mbeca icio ri ciariirwo ni cionje kana ciariirwo ni aria marugamite.*

Translator: Hizo pesa zilikuwa na walemavu ama wale ambao ni viongozi.

Charles Mwangi Njenga: *Ni tuatuaragwo seminar, tukaiyurirwo form, ndi umwe wa guthii seminar maita matandatu.*

Translator: Tulikuwa tunaenda kwa Seminar na tunajaza form na mimi ni mmoja wa wale walihudhuria hiyo Seminar.

Charles Mwangi Njenga: *Riu tugukiuria atiri, ona inyui abunge ri mugitutetagire aria maikaraga veranda na aria magikomaga na kuria veranda tondu nginya ciana ciao itigikurumaga. Riu ri mwana wakwa agacoka kuhoya o uria ona nii nduraga veranda hoyaga na Ngai niaheire ngimuciara.*

Translator: Mimi ninauliza ya kwamba, nyinyi Wabunge mtutete ambao tunakaa kwa veranda na hata ninauliza kwamba watoto wetu pia watakaa huko kwa sababu sisi tumekaa huko.

Charles Mwangi Njenga: *Gutiri na mbeba cia kumathomithia. O korwo ni mundu uria waheo uhoti ni Ngai, akaheo kaugi kanini, agaikaraga haria.....iagagithara tung'otore turia angihota kuona, tondu ndehota kugira na kuria kunene.*

Translator: Watoto ambao tumefundisha.

Charles Mwangi Njenga: *Akorwo ni ciana ciakwa. Riu tondu nindakiheirwo ni Ngai, ngikiheo kana, na mutumia akinjitikirari. Kana kau ri, tung'otore turia nyoneteri nindimatuaturite cukuru no ndihota gugathomithia na haria mbere mbere. Tondu na haria mbere mbere hena thina muingi muno wa githomo.*

Com. Ibrahim Lethome: Riu ungienda atia?

Charles Mwangi Njenga: *Riu nii ingienda korwo notuteithikite tuteithirio ciana icio ithomithio na aria makomete verandaini. Marogotwo.*

Translator: Anauliza ya kwamba wasaidiwe katika kufundishiwa watoto na wale wengine ambao wako katika streets wachukuliwe.

Charles Mwangi Njenga: *Tondu riri on---*

Com. Ibrahim Lethome: Wachukuliwe wapelekwe wapi? Matuarwo ku?

Charles Mwangi Njenga: Wapewe msaada na Serikali.

Com. Ibrahim Lethome: Wanaishi kwa Veranda kwa sababu hawana makao. Sasa, wachukuliwe wapelekwe wapi?

Charles Mwangi Njenga: Wapelekwe wapatiwe makao. Serikali iko na ardhi mingi. Itaweza kuwajengea makao ingine

kubwa na wawekwe huko.

Com. Ibrahim Lethome: Sasa turudi kwenye hizi pesa za walemavu. Sasa, wale wanasimamia, ni watu walemavu ama ni watu wa kawaida?

Charles Mwangi Njenga: Ni Wabunge.

Com. Ibrahim Lethome: Sasa hawa watu ni walemavu?

Charles Mwangi Njenga: Hapana si walemavu.

Com. Ibrahim Lethome: Sasa ungependa chini ya sheria mpya, pesa za walemavu zisimamiwe na akina nani?

Charles Mwangi Njenga: Wale walisimamia.

Translator: Cia andu aciiri irugamirirwo nuu?

Charles Mwangi Njenga: *Tuthurirwo Mbunge umwe na aikarage Bunge. Aturugamirire nigetha tukamuragia kiuria, riu gutiri wabichi turagia kiuria. Tungithii wabicini twiragwo we Mzee toka. Wewe chukua shilingi tano, kwenda kunywa chai.*

Translator: Anasema ya kwamba hizo pesa zisimamiwe na Mbunge mmoja ambaye atakuwa akiwasaidia kuzigawanya.

Com. Ibrahim Lethome: Huyo Mbunge atakuwa ni mlemavu ama ni Mbunge wa kawaida.

Charles Mwangi Njenga: Hata akiwa si mlemavu awe bora ni Mbunge anapeleka hiyo hoja yetu kwa Bunge. Hata akiwa si mlemavu au kiwete. Awe bora ni Mbunge awe akipeleka maombi yetu kwa Bunge halafu tukajadiliane vile tutapata na vile wewe mlemavu utapata nini au watoto wako watafaidika na nini.

Com. Lethome: Kuna swali lingine nataka kukuuliza. Unalalamika kuwa kuna pesa za watu walemavu ambazo zimekuliwa na watu fulani. Sasa kuna mahali pa kulalamika kwa mfano kitu kama hiyo. Kuna mahali pa kwenda kulalamika, kitu kama hiyo. Kama hakuna, ungependekeza nini chini ya sheria mpya; watu wakisimamia pesa kama hizo za walemavu halafu wale. Tukalalamike wapi? Au wachukuliwe hatua gani?

Charles Mwangi Njenga: Wakiwa wanakula hiyo pesa kama vile sheria iko, wafungwe na walipwe hiyo pesa kwa maana hiyo pesa alikula ilikuwa ya mtu ajisaidie. Tuchague kama Mbunge mmoja na sisi wasiojiweza tukubaliwe tumchague. Ndio

tuwe tukienda kuuliza yeye swali. Kwa maana nikienda kwa veranda, nikiitishwa shilingi tano, wananiambia, wacha kunisumbua. Sasa sina miguu, sasa nitaenda wapi? Serikali inatupa sisi. Ukienda kwa mwananchi yule unaona yuko na pesa, anakwambia, 'wewe toka kwenda.' Sasa sisi tuna taabu mingi zaidi. Na sasa Mungu alitubarikia. Naweza kwenda hivi, hivi nikapata msichana. Si ndiyo? Nikipata msichana, mtoto wangu ataweza kuwa kiwete? Si atakuwa mzima. Sasa mimi ni kiwete na sina pesa ya kumsomesha, si ataenda kwa veranda kama baba yake?

Com. Ibrahim Lethome: Sasa Bwana Mwangi, unajua kuna tofauti baina ya kusaidia mtu, kwa mfano nikipita hapa nikuachie shilingi mia moja. Nimekutoa kwa veranda?

Charles Mwangi Njenga: Hapana.

Com. Ibrahim Lethome: Na wewe kuna kazi unaweza kufanya ama hakuna?

Unaweza kufanya kazi ama huwezi? Sasa ule msaada ambao unaomba ni msaada wa hiyo kusaidiwa ama kusaidiwa uweze kujitegemea mwenyewe.

Ninataka msaada wa kujisaidia. Kwa msaada wa kujitegemea mimi mwenyewe. Hata nikipewa ada kidogo, hata mimi niko na akili ya kufanya kazi nipate msaada mkubwa. Nipate pesa ya kusomesha hao watoto. Sasa nikiwa hakuna, nitamsomesha na nini?

Com. Ibrahim Lethome: Ahsante. Niwega Charles. Sasa tumpate Councillor J.M. Machomba.

Councillor J.M. Machomba: Jina langu ni kama hivyo mlitaja ni J.M. Machomba. Jackson Muita Machomba. Na bila shaka niko hapa kutoa maoni yangu mimi mwenyewe. Labda sitaweza kuyataja yote, kwa sababu tuko wengi. Nitataja yale tu ambayo ni ya muhimu kidogo. Kuhusu baraza, naonelea kuwa tupate nguvu zaidi katika

Com. Ibrahim Lethome: Yuko utamfuata huyu.

Simon Kanyutu: Okey. Majina yangu ni Simon Kanyutu. Kulingana na Katiba yenye tungetaka ikuweco. Kitu cha muhimu sana kuwekwa kwa Katiba ni security ya wananchi wa Kenya. Security ndio jambo lenye limesumbua watu sana. Kama umeibiwa kitu, kitu chako huwa kinapotea hivyo tu bure. Kwa hivyo tungetaka kwa ile Katiba yenye itatengenezwa, people's property lazima ziwe zina-compensatiwa. You must be compensated once your property is stolen. Tena, mwananchi wa kawaida lazima awe guaranteed. Security yake iko. Juu of late, hakuna mtu anajua ako na security.

Jambo la pili, security personnel should be available whenever needed. Sio eti wakati mtu anataka security, kumetendeka

jambo, ukienda mahali tuseme ukitaka usaidizi unaelezwa, hakuna gari, hakuna nini. The Government should provide security to all the community. Any security officer working together with thugs or hiring of guns, weapon e.t.c. should be sacked and charges. Instead of being transferred to other places.

Tukuje kwasecurity tu. Wale non-residents pastoralists should not be allowed to graze on private land. They carry guns which are used by criminals to terrorize residents. So, they should be made to stay on their pastoralist areas rather than in other people's land. Security officers should not stay in a post for more than three months. This is to avoid them engaging in other activities once they get familiar with the area. The Government should compensate residents for loss of lives, crops or property due to wildlife destruction. Compensation should not take long. It should be done immediately. Local elected leaders, Councillors and MPs should be fully involved in security matters from the grass root level. Security officers should not be left alone to handle security issues as the local leaders are more familiar with the local residents.

On Administration: Chiefs and Assistant Chiefs, all those posts should be scrapped and if they are to be maintained, they are supposed to be elected by the area leaders or the area residents. Since they are the ones who know the leaders who can represent their problems.

Com. Ibrahim Lethome: What do you recommend? Should it be scrapped or it should be retained?

Simon Kanyutu: It should be scrapped.

Com. Ibrahim Lethome: Hiyo gap ama vacuum watabakisha hapo, itajazwa na nani? Ile kazi walikuwa wakifanya Ma-Chiefs. Who will carry the duties of the Chiefs?

Simon Kanyutu: The duties of the Chiefs will be taken by the elders. A Constituency or a Ward, should be determined by the population of the area. Wananchi should be given the mandate to re-elect leaders of their choice. If the elected ones fail to deliver. Either Councillor, MP or the President. If he fails to deliver, wananchi should be allowed to re-elect them.

Elected leaders should be free to hold barazas without the intervention of the Local Provincial Administration. They should be free to talk to their electorates. On the part of the social welfare. Those people who don't develop their land, should be heavily taxed so as to review the problem of squandering and encourage them to sell to the landless and developing that, serves as the hide out for thugs, cattle rustlers.

Forests should not be de-gazetted for settling squatters. All allocated forest land should be returned to the Government and therefore restricted. Those settled in forests, should be given away and forests (inaudible) immediately. On the part of education, Primary education and Secondary education should be free to all and Primary education should be compulsory.

Government should provide all the equipment required in provision for Primary education. Unnecessary charges should not be levied on parents for any activity in Primary education.

On employment, people should be employed on merit. But not on the political right track. Merit should be the factor to be considered. That's all.

Com. Ibrahim Lethome: Thank you. James Kandie? Is Peter Kariuki here? Peter Kariuki yuko? Utamfuata Kandie. Jaribu kwenda haraka haraka watu ni wengi.

James Kandie: Jina langu ni James Kandie na nina mapendekezo yafuatayo. Pendekezo la kwanza ni kwamba Wabunge pamoja na madiwani wawe na maofisi katika sehemu zao za wakilishi ili kuwapunguzia ghalama ya kupokea wageni kila wakati.

Ya pili, Wabunge pamoja na Ma-Councillors wawe na work programme ya kila mwezi ya kuonyesha jinsi wanavyofanya kazi na mahali popote ambapo wako na ile kazi wanafanya. Ili kila baada ya kupokea mishahara yao au marupurupu, ionekane basi kama walifuatilia ile programme. Na mishahara yao itakuwa inalingana na ile kazi walifanya according to the work programme. Kama walifanya kazi siku mbili, walipwe namna hiyo. Ile mishahara ile excess, iletwe kwa Constituency au kwa wards hizo kusaidia bursaries za mashule katika sehemu hizo. Kwa sababu hiyo ni pesa ya waajiri, sio yao.

Ya tatu, yale mashamba ambayo haitumiki kikamilifu, iwe taxed heavily ili wenyewe wafanye bidii ya kufanyia kazi. Kama si hivyo, Serikali iwe na mamlaka ya ku-repossess hizo shamba na kupatia landless kufanyia kazi. Ili income ya nchi iende juu.

Hiyo ingine ni mishahara pamoja na marupurupu ya Councillors iwe determined na waajiri yaani electorate. Sio wao wenyewe wajiamulie ni kiasi gani na hiyo itapitia kama kutakuwa na Commission ya kuja kuchukua views ya wananchi pamoja na kwenda kuangalia ni nini wananchi wamesema kuhusiana na mishahara yao na kulingana tena na economic status ya nchi.

Nyingine, Mbunge pamoja na Councillor, at the end of every council calendar year, lazima atishe mkutano katika sehemu yake, ya kutoa annual report na kuelezea wananchi walifanya nini mwaka huo wote. Sio tu kukaa bila kujulikana anaendelea namna gani huko na kuitisha mkutano wa kuelezea na wananchi wapate nafasi ya kuuliza maswali. Hiyo nyingine ni idadi ya Ministries. Idadi ya Ministries.....the number of Ministries be determined by the Parliament, not an individual person according to the needs of the Ministry to be created.

Hiyo ingine, ni communities be empowered to manage their natural resources within their areas and seventy percent of the income accrued from those resources be retained by the community concerned for their development purposes.

Another one is...niko na ingine ya mwisho. Idadi ya Ma-Councillors vile vile iwe determined na community according to their needs. Sio eti ku-create Wards bila kushauriana na wananchi. Yaani community wenyewe wawe na decision ya kusema, hapa tunahitaji Councillor au tunafanya nini. Nafikiri hayo ndio yangu. Sina maoni mengine.

Com. Ibrahim Lethome: Ahsante Bwana Kandie. Sina swali. Peter Kariuki? Samuel Thuku yuko? Charles Mwangi Njenga? Wison N. Mureithi. Isaac Nderitu? Utamfuata huyu.

Peter Kariuki: Basi kwa majina yangu ni Peter Kariuki Ndirangu, kutoka eneo la Mutamaiyu Ward. Niko hapa kuwasilishia maoni ya watu wa kutoka Mutamaiyu. Jambo la kwanza ambalo tumeonelea hapa ni ya kwamba, nyadhifa au kazi ambazo zimepewa Rais wetu wa Kenya au ambazo amenyakua ni nyingi sana. Kwa hivyo tunaona ya kwamba, mambo yale amewekelewa juu yake au amejiwekelea mwenyewe, mengine hayafai kuwa juu yake. Anapaswa kuwa na kiwango fulani cha mamlaka katika Serikali ya Kenya. Tukiangalia jambo lingine ni ya kwamba, Rais katika Katiba mpya, tungependa Rais ambaye atachaguliwa, awe amekubalika na wananchi wote wa Kenya. Kwa sababu yeye ni mwakilishi wa wananchi wa Kenya. Jambo lingine shida zaweza kutokea wakati mwingine lakini kukiwa na opinion poll au tuseme jambo ambalo watu wangependa kuliwasilisha ili kuongea juu ya Rais, inakuwa shida kwa sababu Rais wetu wa Kenya ako juu ya mamlaka ambayo yako. Tukiingia kwa Wabunge wetu, Wabunge wetu, sisi huwachagua kutoka pale mashinani mwetu.

Com. Ibrahim Lethome: Peter. Unajua unataja shida lakini haupendekezi. Sasa unatuacha pale pale na ile shida. Tunataka upendekeze suluhisho.

Nirudie kutoka Rais. Sasa ningependa nyadhifa ambazo Rais amepatiwa au kazi. Ikiwa kuna jambo ambalo limeonelewa katika Katiba hii tunayoiunda sasa, liwe likiwasilishwa katika Bunge. Linazungumziwa. Kukiwa na vote of no confidence, inakuwa directly discussed by the parliamentarians. Tukiingia kwa MPs au Wabunge wetu, Wabunge wetu tunawachagua kutoka hapa mashinani mwetu. Tunafanya kazi kubwa sana, kuwatuma kule, ni kazi tunawatuma. Kutufanyia jukumu ili sehemu zetu za uakilishi ziendelee. Lakini tukiangalia kwa nambari kubwa, wanapofika huko, mtu haangalii masilahi ya watu, huangalia masilahi yake. Kwa hivyo pendekezo langu ni ya kwamba, wakati wowote tukichagua MP, Member of Parliament, akienda kule, asipotekeleza kazi ambazo tumemtuma kutufanyia, tupatie nafasi ya kuchagua mtu mwingine ambaye atatuakilisha vizuri.

Jambo lingine ni ya kwamba, Members wa Parliament au Wabunge ambao tuko nao, wanapatiwe mshahara mkubwa zaidi ambao hata wanasahau na wananchi ambao wamewatuma kule. Pendekezo langu ni ya kwamba wawekewe kiwango kwa sababu tukiangalia wakati huu, Mbunge mmoja anapata zaidi ya mshahara ya waalimu mia tatu. Na ilihali Mwalimu anafanya kazi kubwa sana, ya kusomesha mtoto, awe daktari, awe engineer na kadhalika. Na hapa pia tukiteremka kidogo tuna madiwani wetu ambao tunashirikiana nao kama wananchi pale mashinani. Tunafanya kazi kubwa nao, lakini mishahara yao ni midogo sana. Ningependekeza au pendekezo letu ni ya kwamba, waongezewe mishahara ili tunapowaita katika harambees wawe wakishiriki vilivyo.

Jambo lingine ni kuhusu wafanyi kazi wa Serikali sisi, sote tumezaliwa katika nchi ya Kenya, sisi ni Wakenya na kwa hivyo tuna haki ya kuwa katika kazi ya Serikali iwapo tumesoma na tumehitimu. Kwa hivyo pendekezo letu ni ya kwamba, mtu yeyote ambaye amejiriwa katika Serikali, asikae pale zaidi ya miaka ishirini. Ikiwa amekaa zaidi, akae muda wa miaka ishirini. Kuwe na kiwango cha miaka. Ili watoto wanaozaliwa wapate nafasi ya kufanyia nchi yao kazi.

Com. Ibrahim Lethome: Kwa hivyo sasa, akifikisha muda wa miaka ishirini na mitano asitawale.

Peter Kariuki: Anastaafu na hastahili kurudi mahali pengine.

Com Lethome: Una pendekezo tofauti na hilo?

Peter Kariuki: Nina pendekezo kwa sababu wakati mwingi mtu anapomaliza shule huwa ni wa miaka ishirini. Basi akifanya miaka mingine ishirini, isiwe ni lazima afikie miaka hamsini na mitano.

Com. Ibrahim Lethome: Kwa hivyo retirement age irudishwe chini?

Peter Kariuki: Irudishwe chini.

Com. Ibrahim Lethome: Iwe miaka mingapi?

Peter Kariuki: Iwe miaka arobaini na mitano. Forty-five years. Nikija kwa wakulima sasa, nchi yetu ya Kenya, hutoa mazao mengi sana na katika hali ya ukulima, wakulima hutumia fedha nyingi katika kulima. Na nchi yetu inatoa mazao ya kila aina. Kwa hivyo nchi yetu inategemea sana ukulima. Pendekezo letu ni kwamba, hatupasi kuwa na kutoa vyakula nje, importation of goods from abroad or food.

Vitu kama mahindi na sukari tunakuza hapa Kenya na hii ndio sababu wakulima sasa Kenya haiendelei. Kwa sababu zikitoka kule, bei yetu ya hapa nchini inarudi chini sana. Kwa hivyo hiyo ifutiliwe mbali kabisa. Nikija kwa mashamba, land ownership. There should be a limit land ownership hence we are called Kenyan citizens by name but not by right. Kwa hivyo inawezekana yule mtu ako na shamba kubwa sana, pendekezo letu ni asipitishwe ekari mia moja. Ili wananchi wote watoto wanaozaliwa sisi hapa hatuna mashamba. Ili tupate anga sehemu ya shamba kwa sababu sisi sote ni Wakenya. Jamo lingine ni administration. Machifu na manaibu wao, tulipendekeza ya kwamba wawe wakichaguliwa na wananchi.

Si kutolewa na wananchi ya kwamba mtu anaweza kutoka Lodwar, aje awe Chifu hapa. Au atoke upande mwingine wa Western na awe Chifu hapa. Ilihali Chifu anatakiwa kuzungumzia na kusaidia watu wa eneo lile.

Basi jambo lingine ni juu ya judgment au hukumu zinatolewa. Watu ambao wanafungwa au wafungwa inapasa kuangalia ni kiwango fulani cha makosa ambacho amefanya. Wale ambao wamefanya makosa madogo, madogo, wapelekwe huko katika administration offices na katika sehemu zingine kama shule wasaidie kufanya kazi kule lakini isiwe ni kuzongomana kule katika jela. Watu wanazidi huko, tunasikia wanakosa hata chakula na wanakufa huko. Jambo lingine karibu na mwisho ni kuhusu fedha ambazo zinatolewa katika Ulaya, IMF na World Bank. Fedha hizi zinapokuja hazitufikii sisi wananchi, zinatumiwa na watu binafsi. Wanaweka katika banki zao, katika account zao. Kwa hivyo nchi za mbali au za Ulaya, wanaposema wametupatia msaada, kumbe wamepatia watu kiasi fulani katika nchi ya Kenya.

Jambo lingine ni ya kwamba, ningependekeza mimi fedha zinapoletwa hapa Kenya, tunajua ya kwamba kila Ministry ina Minister ambaye imesimamia na kuwe na ule mpango mzuri, kuwe na board ya kuzungumzia fedha hizi ili ziweze kumfikia mwananchi wa kawaida.

Nikimalizia, jambo lingine ni kuhusu elimu: Elimu, tunauliza elimu iwe ya bure na ya lazima kwa watoto wetu wote. Kwa sababu isipokuwa hivyo, Kenya yetu itarudi nyuma sana.

La mwisho kabisa, muda wa Bunge usiongezwe kwa sababu tumechoka na Serikali iliyoko. Ahsanteni.

Bosco: Kutoka nursery unapatiwa kuwa doctor wa nini, na hujui hata kutibu watu katika Kenya kwa hivyo hiyo ni kitu sisi tumekataa, tunasema; kama wewe umesomea kazi ya daktari, upatiwe usimamie uwe Minister wa ile una-concern kulingana na ule uwezo wako uko nao. Appointment yao kuwa Minister. Ningependa hao wanapeleka masomo yao yote katika Speaker wa Bunge.

Kisha baadaye tuambiwe tunauziwa katika radio au kwa Ma-TV yetu ya Kenya kwamba, akina fulani ni ma-doctor, akina fulani ni ma-doctor, akina fulani ni ma-doctor, ndio tutoe mapendekezo ya kwamba ni fulani ndiye anastahili kuwa katika hiyo Ministry. Pia kwa Assistant Ministers namna hiyo. Pia Bunge ningependa wachague watu wanaitwa, hawa ambao wanasimamia sheria. Iwe sio President ana-appoint, iwe sio nani.

Iwe ni Bunge ndio inakaa chini, waone experience ya mtu tangu wakati alipoanzia mambo ya kufunga watu kutoka huko chini mpaka mahali amefikia na miaka yake. Kama anastahili kukuwa Mkuu wa Sheria katika Bunge. Lakini haitakuwa ni mtu binafsi anaita tu, kwa sababu anaweza kuita mtu wake wa nyumbani. Nimemaliza hiyo, mambo ya Ma-Judge yote, ninataka iwe Bunge ndio wanamaliza. Pia ni kama Commissioner wa Polisi, iwe namna hiyo katika Bunge. Hata Mkuu wa Majeshi yote ya Kenya iwe namna hiyo hiyo, ya magereza iwe ya nini. Yote iwe Bunge ndio ina-control.

Nimeteremka nimekuja sasa katika ile standard ya chini ambayo ni ya madiwani. Ningependa malipo ya madiwani iwe inatoka

katika mahali ambapo Wabunge wanatoa pesa yao. Kwa sababu wakati unachaguliwa inakuwa, stage one, two na three. So, hata pesa iteremshwe iwe inaanzia kwa President inateremka kama stairs ya nyumba vile inateremka ili ipate kutufikia. Kwa sababu sisi kama diwani kwa wakati huu, tunaumia kwa wakati huu, kwa sababu Mbunge anaenda kuoa Nairobi huko na kupata mandogondogo anawacha sisi tunaumia. Yaani mwananchi wa kawaida amekuwa mgonjwa wa usiku, saa sita ya usiku, ni sisi ndio anatuangalia. Mtoto amefukuzwa shule, tungependa sisi pia, tuteremshiwe kitu tuwe tuna-present wale watu vizuri. Elimu ya diwani ningependa ianzie kutoka Standard eight na kuenda juu. Kwa kulingana unaweza kuchagua diwani ambaye ni wa Form Six au wa University. Hakuna novel tunasoma katika council. Hakuna novel.

So, tungependa tu iwe katika.....kwa sababu inaitwa baraza. Hakuna elimu ilikuwa imetengwa wakati kwa sababu-- Hata kwa Bible tunajulikana ya kwamba tulikuwa na kosa ushuru mmoja ambaye hakuwa na elimu na Yesu alimwambia awache kulipisha watu katika ile kazi. So, ni mzuri, tuwe tunaambiwa katika hiyo standard, hakuna novel tunasoma katika Council, na itakikana retirement ambao, wame-retire katika kazi, sio vijana kama sisi tunatafuta kazi kwa Council. Inataka retirement, wakuje katika Council, wasaidie kwa sababu hao ni wazee akikata sheria katika jiji. So, kama tunatengeneza standard ya kusema ni kijana wa kutoka eighteen na nini, tutaharibu mabaraza yetu. Nimetoka mambo ya Council.

Nitaingia mambo ya Chief, kwa sababu hiyo ni administration. Ningependa, ile kitu inaitwa Chief, au Assistant Chief, au Senior Chief au hii Paramount Chief iwe hakuna katika Kenya. Kwa sababu hao watu ndio wanaleta haya mambo mnaita rushwa. Hawa ndio wanaanzia pale na ndio wanaleta katika hali ya juu. Katika nchi zetu jirani tumeona ya kwamba, wakati unachagua Councillor, kila miji kumi iko na mzee wa kusimamia. Ndio inakuwaga haina vita, haina mkora ataingia kwa kila mji. Huyu Mzee atauliza ya kwamba, ni nani aliingia katika miji hiyo kumi kumi. So, tungependa D.O. wawe wako, D.C. na hao watu wengine. Lakini kitu inaitwa Chiefs hiyo tusahau milele. Nimetoka katika mambo ya administration.

Com. Ibrahim Lethome: Mahali pake pachukuliwe na nani? Mahali pa Chifu, umesema nani wafanye kazi ya Chifu sasa?

Bosco: Mahali pa Chifu, ningependa iwe kuna wazee wanachaguliwa ambao watakuwa wanaakilisha mambo yao. Hakuna kitu Chifu anawaakilisha kwa sababu yeye ni rushwa tu anatumia. So, ningependa tu Wazee wawe wanaakilisha mambo yao.

Nikuje katika mambo ya mchanga. Rights. Wacha kwanza niingie mambo ya binadamu. Ukweli wa mtu. Pia sisi tunasikia right ya akina mama inakuwa hatari sana. Hata sisi tunakuwa ...akina mama kwa sababu wamepetisha sheria ya kuwaweka akina mama vizuri na ni sisi wanaume tunapitisha katika Bunge. Hata sisi kuna wakati akina mama wanatushika kwa nguvu. So, iko. Kwa sababu wakati wewe umelewa, mama anakushika hapa mabega na kukupeleka kwa kitanda, hiyo tayari ni raping. So, sio eti mpaka umeshikwa na nguvu. Ningependa iwe wanafungwa miaka kumi na kwenda mbele kwa kutumia nguvu.

Lile lingine ambalo liko katika rights. Tungependa iwe mtu kiwete, mtu wa aina gani, I-presentiwe katika Bunge. Kwa sababu mtu kiwete kama huyu alikuwa hapa, hakuna mtu wa ku-present. Tutakuwa tunafukuza namna hiyo nikimwona, naona kama

inanisumbua. Tungependa wakati Bunge inakaa chini, kabla hawaja-nominate MPs, iwe inaangalia kama kuna mtu kiwete. Iwe kama kuna ile ya akina mama kuna ya vijana namna hiyo. Iwe tunaweka katika sheria kwamba lazima waajadiliane watoe mtu wao. Na azunguke Kenya mzima, sio eti anaenda tu anatolewa mmoja. Wazunguke, watafute walemavu wenzake, wachague waunge mkono ndio tuangalie kura yake itakuwa namna gani. So, ndio nasema ya kwamba rights ya mtu, iwe kila mtu ako nayo.

Nitakuja kwa siasa kidogo kwa sababu masaa ingine tunafinywa sana. Wakati unaitisha mkutano, mimi nataka kufanya siasa katika Ward ambayo unawakilisha. Unapatiwa barua, unaambiwa, nenda utengeneze mkutano. Baadaye, ile marungu itaingia katika mkutano wako na umeomba amri ya kuweka ile mkutano, utapata chamtema kuni. Ni kwa sababu pengine wewe ni wa chama ambacho hawastahili kuongea katika area ile. Hutakikani ujenge, hutakikani nini. So, tunataka right hiyo. Iwe hata wewe ukiombwa hiyo kitu, unapatiwa hiyo right ya ku-speak na kuongea katika Kenya nzima.

Pia kitu kingine katika maredio yetu ya Kenya, tungependa ipatiwe freedom of speech. Aongee aseme ukweli. Kwa sababu mara mingi anaitwa naisiwe kuwe kuna mtu ana-limit, ati kiasi hii ndio utaongea utaacha hii. Iwe tunaambiwa frankly, wakati unamaliza mkutano kama huu, inapelekwa saa hii kw aredio inatangazwa kwamba Bosco alisema hivi na dunia iendelee mbele.

Pia ningependa kwamba katika kiti ya President wakati inavunjwa, akisema leo 'nimevunja Bunge.' Amejivunja hata yeye mwenyewe. Aende nyumbani asitumie kitu ya State. Straight kutoka hapo, awe ame-prepare wakati anavunja, ni magari yake nyumbani anabebea pale kwa gate. Ningependa Speaker wa Bunge afikirie mpaka wakati tutakuwa na President mpya. Lakini isiwe yeye ndio anatumia magari yake na nini, kuonyesha ni President na pia tunaweza kuogopa tunachagua kwa sababu badoni President na tunaogopa. Ndio inafanya Ma-Chiefs na Ma-D.O. kufanya hiyo ulaghai wa kura kwetu sisi. So, ni vile anaogopa yule jamaa. So, hiyo ndio ningependa iwe inaakilishwa. Kwanza anavunja Bunge, tunasonga nyumbani, kwa sababu hata sisi tunasonga nyumbani immedately. Kwa nini yeye anabaki? So, tusonge na yeye, ndio iwe hakuna mtu anaogopewa huko.

Ile ya mwisho, najua nikimaliza sana kuna watu wanataka kuongea, si kuwangi na mambo mengi sana. Mambo ya ardhi. Ningependa mambo ya ardhi iwe imewekwa katika standard ya juu sana katika Kenya. Nikipeana example kwa sababu mimi sitoki nje ya nchi kwa sababu saa ingine nimetembea lakini naongea mambo ya Laikipia ndio ipelekwe huko. Nimesema karibu miaka kadha iliyopita, Wazungu walimiliki mashamba mingi katika area hii. Na waliandika watu kutoka 1912 mpaka leo.

Ningependa hii mambo ifike katika mahali inatakikana. Wakati unaandikwa, unaandikwa unakaa huko na watoto wako, unakaa katika hiyo shamba, hakuna masomo hakuna nini. Kisha baadaye unatengewa ardhi kidogo ambayo watu milioni kumi wanaambiwa every lunch analeta hao watu anaweka hapo. Every lunch analeta wao anaweka hapo. Kila lunch. Akiambiwa ya kwamba ni miaka yake ya ku-retire au mmezosana, unaenda katika ile mahali. Ningependa ranches kama hawa, waadhibiwe kwa sababu kuna sheria ilisema ya kwamba, ukikaa miaka kumi kwa shamba ya mtu, uko na haki ya kukatiwa shamba.

Sasa kwa Kenya hii, tumekataa hiyo na ilikuwa sheria. Wacha tutengeneze yetu leo iwe sheria kwa sababu walikataa hiyo. Ningependa hiyo ardhi kama hiyo, kwa sababu kuna ma-hectare mbali mbali hapa na sisi kuna watu wamekaa mahali bila ya kuwa na pahali pa kukaa. Tumekuta ma-streets mingi hapa, kama hawa. Tuko na ardhi mahali kama ya (inaudible) hizo ma-ranches, ako na thousand and thousand of acres. Yeye hakununua kwa sababu Queen wa Uingereza ndio aligawanya hiyo ardhi. Akasema kwa sababu nimeshinda vita ya siku fulani, wewe Major fulani, nimekutatia kiasi hii. Sasa hakuna kitu Mzungu anaweza kusema kwamba ni ardhi yake kwa sababu it is our property. Ni mali yetu. Alikuwa akaambiwa, 'kata hapa ujenge.' Kata hapa ukae hapo. So, ningependa hiyo ardhi iwe vile watu wamependekeza ya kwamba, kila mtu apate hata kama yeye alizaliwa hapa, ako na kitambulisho ya Kenya. Abaki na eka mia moja peke yake. A-surrender hiyo ingine kwa wale maskini na hatuwezi nunua, tugawanyiwe. (*Clapping*). Hayo ndio mapendekezo mimi nilikuwa nayo. Ahsante sana.

Com. Ibrahim Lethome: Mshahara wa Councillors, ulisema nini kuhusu mshahara wa Councillors?

Bosco: Kwa sababu Wabunge wanakula elfu mia nne na kitu, ningependa watupatie nusu yao, kama ni shilingi mia mbili. Hapo. Ndio tupate kusukuma hawa wananchi kwa sababu hakuna kazi wao wanatufanyia.

Com. Ibrahim Lethome: Unajua kwa sasa Wabunge wenyewe ndio wanakaa chini, wanaamua mshahara wao ule wanataka. Sasa ungependelea iendelee hivyo ama ungependa mishahara ya Wabunge iwekwe na watu wengine ama iamuliwe na chombo kingine?

Bosco: Ningependa Mbunge aache kujipenda namna hiyo, kujiamulia kitu. Iwe tunaweka limit leo, mshahara wa Mbunge kama ni huo wanakula, tusimamishe kutoka leo na milele, mpaka wakati tutafanya review ingine. Wasimame kutoka mahali wako na wakae hapo. Iwe ni sisi ndio tunaulizwa, tunataka utufanyie nini Bunge. Kwa sababu hiyo umepitisha na ukaweka sheria na hata hawa wameleta mapendekezo kwenu. So, wasimamie hapo na wasijaribu kuongeza ingine. Iwe sasa ni sisi ndio tunaleta ya kwamba tutawaongezea wao pesa. Na pia tungependa Councillors iwe namna hiyo, ipendekezwe kutoka dakika hii, iwe katika sheria ya kwamba, tumesema Councillors hii. Ndio awache bwana.....unajua sisi tunaweza kumaliza plots kwa sababu tunakosa pesa.

Com. Ibrahim Lethome: Ahsante. Muthee Ng'ang'a.

Muthee Ng'ang'a: Kwa majina mimi ni Muthee Ng'ang'a natoka Mutara. Jambo la kwanza, ningependelea katika Kenya yetu ama katika Katiba yetu, kusiwe na mtu yeyote ambaye yuko juu ya sheria.

Ya pili, Rais wa nchi asiwe pia ni Commander-in-Chief wa majeshi ya Kenya. Commander-in-Chief wa majeshi ya Kenya, ningependekiza awe ni a career soldier kama ni General ama Major General ama mwingine wa cheo kama hicho. Kwa vile ana

ujuzi wa mambo ya kijeshi ama kiusalama. Pili, ikiwa ni kutangaza vita katika nchi, jukumu hilo halifai kuwa katika mikono ya mtu mmoja. Ningependekeza iwe ni wajibu wa Bunge. Ikiwa kuna hali ya emergency ama vita ama national disaster ama (inaudible) ama breakdown of public order, Bunge linafaa kuitwa haraka iwezekanavyo na lijadili hilo jambo kabla ya kupitisha.

Vyama vya kisiasa: Vyama vya kisiasa vinafaa kufadhiriwa kifedha na Serikali kuu ama Central Government. Na vinafaa vifadhiriwe kulingana na wingi wa viti vya Bunge ama vya madiwani. Kwa mpangilio wa Serikali ama Government, napendekeza Central form of Government. Katika appointments za shughuli mbalimbali kama za Ki-Judicial, diplomatic, Electoral Commission na zingine kama hizo. Ningependekeza, yeyote anayeteuliwa katika mamlaka kama hayo, kwanza apigwe mchunjo na Parliament. Awe vetted na Parliament. Pia kazi ya kuwa Mbunge, inafaa iwe ni kazi ya kila siku. Sio part-time job. Kwa sababu kuwa part-time job unapata nafasi inatokea kwamba mtu ni wakili na ni Mbunge. Mtu ni daktari na ni Mbunge, mtu ni Engineer na ni Mbunge. Atafanya lini kazi ya U-engineer na afanye kazi ya Ubunge. Ikiwa mimi nikiwa Mwalimu siwezi, kuwa at the same time mimi ni daktari. Basi nikiwa Mbunge, hiyo kazi yangu ya U-engineer niifunge mpaka nitakapoacha kazi ya kuwa daktari.

Rais wa nchi, umri mdogo kabisa anaweza kuwa nao ni umri wa miaka thelathini na tano na umri wa juu zaidi anaweza kuwa nao ni umri wa miaka sitini na nane. Ili candidate wa Presidential election awe declared kuwa winner, lazima awe amepata at least 15% of the votes in five provinces, na pili awe amepata at least fifty percent of all the total votes cast. Ikiwa hawatatimiza hayo mawili, the first two contenders should have a run off and the best should be declared the Presidential winner. A vote of no confidence, should be supported by at least seventy five percent of the MPs.

The President should appoint some Ministers from distinguished and qualified members of the public. Hapo namaanisha ya kwamba, si lazima Mawaziri watoke katika MPs. Inawezekana katika wale ambao hawakuchaguliwa na wananchi, kuwe kuna watu more qualified, may be in Economics or in other fields ambao wanaweza pewa nafasi hiyo. Lakini nafasi hiyo lazima iwe vetted na Parliament kama vile nilisema hapo mbele. Katika elimu, Rais lazima awe at least wa kiwango cha Form four na awe sio tu cheti cha form four bali awe alihitimu huo mthani. Katika term ya President, hata akiwa mzuri kama malaika, iwe ni term mbili za miaka mine minne. Kwa hivyo kwa jumla iwe ni miaka minane.

Local Government: Mayors and Council Chairmen should be elected directly by the people. that makes it possible for Mayors and Chairmen of County Councils to serve for full five years. In those Local Governments, Chief officers watu kama town clerks and the others, they should not have more powers than the Councillors because they are only answerable to a few Government officials. Yet the Councillors are answerable to a multitude of the electorate. There should be a minimum percentage of votes that a Ward, Constituency or Presidential candidate, must attain in order to be declared the winner and according to me, I should say fifty five percent.

The election date should not be the decision of a person. It should be included in the calendar of the Parliament. A procedure should be developed so that the people can recall a Councillor or an MP. Hiyo hasa na I-emphasize kwa sababu ya hii mambo ya defection. Unapata kwamba hata Speaker anakuwa anatatanika wakati mwingine. Kwa sababu wanakuwa wana-defect any time mtu akiona pande ile, matunda imekuwa nyingi, ana-defect tu. So, lazima wananchi wawe na nguvu ya kum-recall, iwe ni MP, iwe ni Councillor.

Kwa mambo ya ardhi: Kuna mengi ambayo tungesema lakini nitasema tu kwa statement moja. The State should have the power to control the use of land by owners or occupants. Yaani power ya nchi, iwe na uwezo wa kusimamia namna au jinsi itatumiwa. Pale ndio utakuta mambo kama, ikiwa hautumii ardhi yako, ufanyiwe nini. Na pia Wakenya wanafaa wawe na uhuru wa kumiliki ardhi popote katika nchi na katika pale ambapo wameliki, Serikali ingefaa ielekeze fedha nyingi katika miradi ya unyunyusaji maji mashamba. Irrigation system. Kwa sababu tukiangalia geographically, nchi yetu pahali kwingi ni pahali arid ama semi-arid, ilihali tuna baraka ya kuwa na mito mingi.

Katika management na use of natural resources, the Government should be required to apportion benefits from resources, between the Central Government and the communities where such resources are found. Hapo naweza ekea uzito katika mambo kama ya wildlife. Unapata benefits zinazotokana na mambo ya wildlife, percentage kubwa inaenda kwa Government ilihali jamii ambayo inasumbuka na hao wanyama on daily basis, inapata percentage ndogo sana.

Environment and natural resources: The Constitution should ensure that everyone has a right to a clean and healthy environment. Two, everyone has a duty to protect the environment. If you leave this one, calls for one to file a case in a court of law. Communities should be more involved in the management of natural resources. Katika mambo ya international relations: Apart from the Executive, Parliament should also be involved or consulted before resolutions are made. Kwa mambo ya succession na transfer of power: During Presidential elections, the Chief Justice or Attorney General should be incharge of Executive powers.

So, something should be done to make sure that the Chief Justice or the Attorney General is elected or directed by Parliament and not by a certain office. The incoming President should assume office the soonest possible. In general, I would prefer a Constitution whereby the Governed are more powerful than the Governors. Thank you

Com. Ibrahim Lethome: Simon Muita from Ramak. Kama hayuko, Anne Nyamu? Joseph Ekwam? You are Anne. Sorry.

Anne Nyamu: My names are Anne Wangui Nyamu. I am representing CCR memorandum (Center for Conflict Resolution). I will start with education, according to our views, we saw that it would be better if our Constitution would state that Primary Education should be free and compulsory to all citizens. Also, we said that Secondary school fees should be lowered to enable all citizens to afford. Schools for the disabled should be increased countrywide and should be free. The Government should

look for a way of helping all those who are learned to make sure that its citizens are participating in building the nation instead of staying idle e.g. introducing of the Jua-kali. Severe punishment should be given to all parents who do not take their children to school.

Security: All Government bodies who are offered with fire arms should be given severe punishment if caught misusing them. Those criminals that have a tendency of robbing and killing and also rape cases, should be given a punishment of life imprisonment. The Government should have a right of guarding all citizens wherever they are, either inside or outside the country. In our country, some ethnic groups are allowed to keep guns, to guard their animals but they take advantage of harassing those who don't have guns and steal their animals. So, this should be considered. That is either, all the citizens should be allowed to keep guns to cater for their property or all of them to stay without the guns.

Com. Ibrahim Lethome: The arms that are given to the home guards or the KPR, do you consider those arms with the Government or arms given to ethnic groups.

Anne Nyamu: Arms given to ethnic groups.

Com. Ibrahim Lethome: So, they should also be repossessed.

Anne Nyamu: They should be taken back or everybody be allowed to keep a gun.

Vulnerable groups: We saw that the Government should set apart some amount of money to supply to the elder people who are not able so as to help them to survive financially. Also, old people have the right to economic security and to conditions of housing of family and community rights but respect their personal autonomy and prevent (inaudible) the isolation and margin positions in society.

The State should also protect and their rights taking into account their unique status and natural maternal functions in society.

Environment and natural resources: All forestland should be maintained and the ones that have been given out within the last ten years should be turned back to forest and people should be employed to re-afforest it. Not even the President should have a decree of giving out land to individuals or companies. The Parliament should be responsible. Severe punishment should be given to those who cut trees in forests without permission. It can be in jailment without fine for at least three years. All water catchment areas should be reserved. All forests should have forests reservoirs in case of fire to mobilize the people around. The County Council should make efforts to provide clean water by making boreholes in every location within a distance of 2kms across the location.

The Government should also provide free seedlings according to the planting season of a district so as to encourage citizens to plant trees

Land ownership: Everybody should own land anywhere in Kenya so long as one can afford. Every individual who owns land should be provided with a Title Deed within a period of six months after buying the land. Those with big lands of over fifty acres and are not making use of it should be taxed by the Government. Families should have a right to decide if a shamba should be divided to both boys and girls equally according to their will. As I finish, I would wish to comment on the MPs to emphasize on that point, that they should not be employed permanently since Parliament does not operate daily.

Com. Ibrahim Lethome: So, you want them to be employed on contract.

Anne Nyamu: It should be a contract. That's all.

Com. Ibrahim Lethome: Thank you Anne. Joseph Ekwam? David Ekilu? Kilome Linda, Kuna mtu anaitwa Kilome. Karibu Kilome. Lucas Kilome. Utasema jina lako vizuri.

Lucas Kilome: Kwa jina ni Lucas Kilome. Pendekezo langu kwanza nitaingilia Katiba kulingana na Katiba, vile tunasikiza Katiba si kitu tumeshawahi kuelewa ni nini katika Serikali ya Kenya. Ningeuliza Katiba ifundishwe kwenye shule ndio tukipata mwongo mwingine, kama mtarudi hivi, kwa wananchi. Mnatuliza kitu tunajua. Na kulingana kwa vile tumekuja leo tunapendekeza Serikali ibadilishe mambo mengine, kulingana na kama upande wa kipolisi. Kipolisi, polisi inatumika ile ya ukoloni.

Kulingana na vile nimefanya kosa kidogo, unaweza kuona nimewekwa pingu na gari langu linafungiwa. Kwa makosa kidogo, pingu haitakikani na kulingana na hii Katiba inaenda kutengenezwa sasa, ningemba mwananchi, kesi yake ikipelekwa kortini, isimalize miaka. Kama sasa mimi niko na kesi ya miaka kumi. Tukiisha kwenda kwa korti tunaelezwa mention, mention, sasa hata tumechoka. Miaka kumi kesi inaonekana...itajaribu Katiba ya sasa, ijaribu kesi inakwisha mapema.

Ningependekeza Katiba hii mpya, ijaribu kumpa mwananchi wa kawaida haki ya kuongea. Akisha ongea haki asiondolewe kama mlaghai. Kwa maana siku hizi ukiongea haki, kushikwa utashikwa na utafungiwa kama mwizi. Tena ningemba Katiba hii yetu mpya ijaribu kurekebisha hospitali. Hospitali tuliambiwa ni ya bure na ukishafika huko unaambiwa ukanunue dawa. Na hapo pengine ningelitaka, jambo langu la mwisho, kwenye Katiba hii tunaendelea naye, mwananchi wa kawaida ajaribu kuongezwa nguvu.

Na ningelitaka Katiba mpya tufutilie jina squatter. Tumenyanyaswa sana tukiambiwa sisi ni squatter. Tunaambiwa mwananchi wa kawaida eti si mtu wa Kenya tunagopa sana na ningelitaka Katiba mpya ijaribu kuwapa watu uhuru wao. Ni hayo tu.

Com. Ibrahim Lethome: Ndugu Lucas ukisema jina liondolewe la squatters unakusudia nini?Unajua haya mambo yote yana-recordiwa. Let it come out clearly. Kwa sababu jina naweza kuondoa, tusema wewe sio Lucas sasa. Sijakubadilisha chochote, wewe ni Lucas ni jina tu nimekubadilisha. Nataka ile cassette ikienda Nairobi, ijulikane clearly umesema nini, jina squatters liondolewe.

Lucas Kilome: Nikimaanisha jina squatter, nimesema ni kama sisi tumekaa mahali tumejenga, mara kidogo tunakuja tunaondolewa na County Council. Wanasema sisi ni squatters, tunabomolewa vibanda vile tumejenga au tunaelezwa ardhi si yetu.

Com. Ibrahim Lethome: Sasa ungependekeza nini?

Lucas Kilome: Ningependekeza, watu kama hawa wanaitwa squatters, wanaambiwa nyinyi hamna ardhi hapa, tunaenda tunapatiwa mahali pengine.

Com. Ibrahim Lethome: Wapewe makao.

Lucas Kilome: Ningependekeza wapatiwe makao.

Com. Ibrahim Lethome: Christopher Kiptoo.

Kikuyu dialect: *Na gwenda kwaria oo miario itatu igii Gatiba.*

Translator: Nataka kuongea mambo matatu kuhusu Katiba.

Kikuyu dialect: *Gatiba iitu ya Kenya ri*

Translator: Katiba yetu ya Kenya

Kikuyu dialect: *Yaandikirwo na ikirehwo bururi uyu*

Translator: Iliandikwa na kuletwa katika nchi hii

Kikuyu dialect: *Na riu niituhinyiriirie*

Translator: Sasa imetufinya

Kikuyu dialect: *Tondu Raithi uria warugama Kenya*

Translator: Kwa sababu Rais anayesimama Kenya

Kikuyu dialect: *Ahanaga ta King'ang'i kiaruma thirikari*

Translator: Anakaa kama “King'ang'i” inayouma kwa serikali

Kikuyu dialect: *Ndingienda Raithi uria twinake*

Translator: Ningependa Rais mwenye tuko naye

Kikuyu dialect: *Arugamagirire miaka itano*

Translator: Asimame kwa miaka mitano

Kikuyu dialect: *Na gatagati ka miaka iyo itano*

Translator: Na katikati ya miaka hiyo tano

Kikuyu dialect: *Miaka iri na nuthu*

Translator: Miaka mbili na nusu

Kikuyu dialect: *Tukahura kura*

Translator: Tunampigia kura

Kikuyu dialect: *Ya kuonania kana ni arathii na mbere na wira wega*

Translator: Ya kuonyesha kama anaendelea na kazi vizuri

Kikuyu dialect: *Gia keru*

Translator: Ya pili

Kikuyu dialect: *Raithi ndagiriirwo kuamua uhoro wa kugaya migunda ithaka cia forest*

Translator: Rais hapasi kusema vile forest itagawiwa.

Kikuyu dialect: *Niabatii gucokia uhoro ucio thiini wa Parliament*

Translator: Arudishe hayo kwa Bunge

Kikuyu dialect: *Nigetha ithuothe tukinyirwo ni uhoro ucio na aria tutumite kuu Parliament*

Translator: Ili zote tufikiwe na habari hiyo kwa wenye tumetuma Parliament

Kikuyu dialect: *Gia kana*

Translator: Ya nne

Kikuyu dialect: *Thiini wa bururi witu*

Translator: Katika nchi yetu

Kikuyu dialect: *Twatigiirwo githomo ni Raithi witu wa mbere*

Translator: Tuliachiwa elimu na Rais wa kwanza

Kikuyu dialect: *Gikinyite standard seven kiri kia bure*

Translator: Ikifika standard seven ikiwa ya bure

Kikuyu dialect: *Na gitiarihagwo*

Translator: Haikuwa inalipwa

Kikuyu dialect: *Na gitiaguragwo mabuku*

Translator: Na vitabu hazikununuliwa

Kikuyu dialect: *Angikorwo ni Nyayo tufuataga iyo atuhenagia turumagirira ri*

Translator: Kama tunafuata Nyayo

Kikuyu dialect: *Tungigathoma nginya form one*

Translator: Tungesoma mpaka form one

Kikuyu dialect: *Bure*

Translator: Bure

Kikuyu dialect: *Ii agikiongereire*

Translator: Kwa sababu ameongeza

Kikuyu dialect: *Gia gatano*

Translator: Ya tano

Com. Ibrahim Lethome: Ambia mzee apendekeze tu.

Kikuyu dialect: *Ndapendekeza githomo gikorwo kiri giatuhu*

Translator: Masomo iwe niya bure

Kikuyu dialect: *Ndapendekeza ningi uhoro wa ithaka ukorwo ukigaywo ni kuma Parliament*

Translator: Hata kugawa kwa forest itoke kwa Bunge.

Kikuyu dialect: *Ndapendekeza uhoro wa thibitari iria ikoragwo iri cia private thiini wa Kenya cieherio*

Translator: Na mahospitali yote ambayo niya binafsi iondolewe

Kikuyu dialect: *Niundu wa uico wa dawa tondu nikuo itwaragwo tugurage goro*

Translator: Kwa sababu ya wizi ya dawa.

Kikuyu dialect: *Dawa icio ikoragwo irehetwo bururi-ini wa Kenya iteithie andu oothe aa Kenya*

Translator: Kwa sababu dawa zinaletwa zivasaidie wananchi wote

Kikuyu dialect: *Na riu ikinyite tugakuaga iriokuo*

Translator: Na sasa tunafa bali zikiweko

Kikuyu dialect: *Kuoguo nitutwariirwo dawa ciitu thiini wa thibitari*

Translator: Kwa hivyo dawa zipelekwe mahospitalini

Kikuyu dialect: Uguo niguo ndingipendekeza uhoro wa thibitari

Translator: Hiyo ndio pendekezo langu kuhusu hospitali

Kikuyu dialect: Upande wa barabara

Translator: Upande wa barabara

Kikuyu dialect: *Thirikari iitu ituite barabara ciothe ituikage no irathukaga*

Translator: Serikali imefanya kwamba barabara zote huwa zinaharibika

Kikuyu dialect: *Na ngari no irariha magoti*

Translator: Na gari zinalipa kodi

Kikuyu dialect: *Ndingienda nii bururi wa Kenya tukorwo tukiriha igoti na barabara igathondekwo*

Translator: Ninataka ya kwamba nchi ya Kenya tuwe tukilipa kodi na barabara zinatengenezwa

Kikuyu dialect: *Undu ucio ungi*

Translator: Jambo lingine

Kikuyu dialect: *Andu aria cionje*

Translator: Wale walemavu

Kikuyu dialect: *Maheo uteithio*

Translator: Wapewe msaada

Kikuyu dialect: *Undu uria ungi*

Translator: Jambo lingine

Kikuyu dialect: *Andu aria maruire hindi ya mbara*

Translator: Wale ambao walipigania Uhuru

Kikuyu dialect: *Meherio icagi-ini undu umwe na ciana iria twarikaniire nacio ati igakorwo itari thiini wa icagi*

Translator: Watolewe katika vijiji pamoja na watoto wale tulikubaliana hawatakuwa katika vijiji.

Kikuyu dialect: *Tondu bururi wina wiyathi ukoretwo uri na icagi*

Translator: Kwa sababu nchi iliyohuru kuwa na vijiji

Kikuyu dialect: *Nikuonania ukoloni uriokuo*

Translator: Ni kuonyesha ya kwamba ukoloni ungali uko

Kikuyu dialect: *Na bururi witu nduthirite*

Translator: Na nchi yetu haijaisha

Kikuyu dialect: *Ithaka cia Kenya igaywo kawaida*

Translator: Vichaka ya Kenya igawe kawaida

Kikuyu dialect: *Oo mundu uria uri kuu iguru akorwo na ika igana rimwe*

Translator: Mtu mwenye atakuwa na kiwango cha juu sana cha ardhi awe ni hekari mia moja

Kikuyu dialect: *No gutigatuike ndina kibande gia Kenya na ndiri nginya gwa gukoma*

Translator: Isiwe ya kwamba niko na kitambulisho lakini sina hata mahali pa kulala

Kikuyu dialect: *Uguo ni kuonania ndiri Mkenya*

Translator: Kuonyesha mimi sio Mkenya

Kikuyu dialect: *Undu ucio urorwo wega ni Gathiba iyo twathondeka*

Translator: Jambo hilo liangaliwe na Katiba mpya

Kikuyu dialect: *Ngukinyia hau.*

Translator: Hiyo ndio maoni yangu

Com. Ibrahim Lethome: Joseph Kahiga? Afuatwe na Mburu Wa Waweru yuko? Haya utamfuata.

Joseph Kahiga: Jina yangu ni Joseph Kahiga. Na mimi nakaa hapa location. Kwa hii Katiba yetu ningetaja kidogo habari ya Wabunge wetu. Wabunge wetu imefika kiwango ambayo karibu tuwe hatuwaamini kabisa. Na ningeomba serikali kwamba kutengenezwe kipengele ya kuwazuia wenyewe kuwa wakitumia pesa kwa upande wao kwa niaba yao wenyewe. Kama mshahara si juu yao wajue mshahara ni gani watapata. Kuundwe kamiti inapofika wakati wanataka pengine wafikiriwe pengine habari ya mshahara hiyo kamiti iwe ndiyo itaongeza. Na hata tumefika kiwango kuona kwamba pesa ambazo watoto wetu wale wamekuwa retrenched yote Wabunge walichukua wakajibandika kwa mishahara yao na hali hiyo pesa ingepelekwa pahali pengine kama vile nchi ya Magharibi ilikuwa nataka pesa hiyo itumika na njia ingine. Kwa hivyo mimi ningependekeza kutokea sasa Katiba yetu tukitengeneza iwe Wabunge hawatapewa uwezo wa kujinyakulia pesa na njia yao. Lakini kwa matumizi ingine kama budget ingine – hiyo kutumia pesa ya kiserikali ni sawa sawa.

Kwa habari tena ya koti. Koti kwa Katiba hii ninapendekeza kuwa koti iwe independent kabisa. Isije kuwa inahusikana na mtu yeyote na iwe inachaguliwa na Wabunge ikiwa Attorney General awe ndiye Chairman ya hiyo, maana yeye yuko na ujuzi wa sheria. Kwa sababu koti ikiwa iko chini ya mtu, ndio province nyingi ikitengenezwa inaharibika. Inakuwa saa ingine unaona probe inatafutwa kuambiwa eti mchunguze kesi ya fulani, kesi ya fulani, ikifika wakati fulani unasikia hiyo probe imevunjwa. Ni kwa sababu hiyo koti inaogopa. Kwa hivyo tungependekeza kuwa koti ikuwa independent kabisa ikishaa chaguliwa ikubaliwe ifanye kazi yenyewe bila mtu mwingine yeyote kuingilia.

Ingingine ni habari ya administration. Assistant Chief na Chief, tungependekeza kwamba wale wanachaguliwa na raia kwa sababu raia ndiyo wanajua mtu alizaliwa pahali fulani, anajua mlango kutoka mzee wa boma hadi mtoto wa mjukuu. Na tumesikitika sana kuona mtu anatoka Lodwar anakuja Rumuruti na kuwa Chief. Anatoka Kakamega anakuwa Chief. Anatoka Kakamega anakuja area hii anakuwa chief. Kwa hivyo mimi mapendekezo yangu ni kwamba iwe kuchaguliwa Assistant Chief na Chief wawe wakichaguliwa na raia.

Ya pili ni habari hi ya mashamba. Sisi wazee hatubagui msichana au kijana. Lakini hata ingawa watoto wetu wasichana wanalalamika inafika kiwango ikiwa ataolewa, mimi nashindwa kama ni ya huku anaolewa au niya kwangu. Na ikiwa pengine mimi nitakatia yeye shamba kule anaenda ataenda namna gani? Mimi ningependekeza ikiwa kama msichana hajaolewa, iko kwa boma tuwe tukigawa mashamba yetu sawa na wanaume. Awe mtoto kama wengine. Lakini kama anaolewa atapewa shamba apeleke wapi?

Com. Ibrahim Lethome: Sasa mzee na ukimgawia kabla hajaolewa halafu aolewe, unataka aje ama alikuwa ameolewa?

Joseph Kahiga: Akiwa nimegawia yeye ni wakati nimekuwa fully decided nauliza yeye kama ni fully decided kukuwa kama hataolewa. Na itakuwa yake milele. Lakini akiwa hajaolewa naweza patia yeye temporarily akienda mimi nawachwa na shamba yangu.

Ya tatu kwa hiyo hiyo shamba wengine wanasema iwe na kiwango eti wewe uwe na acre ... au kadhaa. Hakuna shamba kubwa katika Kenya hii, shamba ni shamba. Kile kinafanya shamba wengine waone ni kubwa au waifanyie kazi ni kukosa security. Maana hata kama mimi niko na shamba acre elfu moja ni kununua ng'ombe na kuchunga kwa hiyo. Lakini nitachunga wapi na itaibiwa. Kwa hivyo mimi ningependekeza serikali ijaribu zaidi security kwa upande wa mifugo iwe punishment severe one of 14 years plus corporal punishment.

Kwa hivyo tena ni upande wa campaign, hasa kuhusu hawa wakubwa kama Rais. Ikifika wakati wa kufanya campaign, unaona Rais anakwenda anakataka shamba mahali fulani akiwa bado ku-consult mtu yeyote, anapeana forest ndio apatiwe kura. Katiba hii kama inawezekana tungependekeza kuwa hakuna natural resources yote itakayochukuliwa na mtu binafsi. Iwe inachukuliwa baada ya Bunge kukaa chini na kujadiliana wote na kukubaliana kwamba sehemu fulani kutoka pahali fulani kwa fulani tutagawia wananchi. Naye njia ile ya kupeana iwe iko na breakdown yake, isije kuwa na ubaguzi ati Kamau, Ochieng au nani ndiye atapewa. Watu wote wananchi wa Kenya wapewe kulingana na vile population yao iko. Kama population ya kabila fulani ni mingi wakuwe mingi kama ni wadogo namna hiyo. Kwa hivyo ningependekeza ikiwezekana hakuna iwe kipengele ya kuzuia mtu asije kunyakua any natural resources ndio ajipendekeze naye akitafuta kura. Nafikiri mimi ni hayo tu nilikuwa nataja.

Mburu Wa Waweru: Majina ni Mburu Wa Waweru nikileta maoni yangu na nianze ya kwamba I would propose that this Commission completes its work before the next General Election na kama wana sababu yeyote ya kuonyesha ya kwamba hawatamaliza hiyo kazi, I propose that they give themselves a vote of no confidence and the Commission be dissolved automatically.

Number two, I would propose that the national elections of the President, Parliamentarians, the Councillors in the local government should be held on fixed dates. Every other five years without failure. In response to this I would say there is no

need to extend the current Parliament on presidential terms because the members of public in Kenya have no confidence because the Parliament and leaders have not honoured the Constitution. What reason do we have to believe that they are going to honour the one we are making? So I would propose that there is no extension of Parliament at all at all.

I would also suggest that in every other General Election, there be three public holiday days, one for travelling by the workers, one on which to vote and the third day for the workers to travel back to work, particularly those who are in urban areas and they want to come to the rural areas. This will give equal chance to everybody to vote.

Com. Ibrahim Lethome: Every week?

Mburu Wa Waweru: I mean every other General Election, in the General Elections three days public holidays. I would also suggest that Presidential candidates should not contest at the constituency level. The larger Kenya, or the larger Kenya Nation should be their constituency that is they have no interest at the local over the grassroots so that they can focus on the national development. Any elected Parliamentary Presidential candidate should automatically become a Member of Parliament. The Presidential candidate should at least garner 51% and above of the votes cast nationally by the voters. This should rule out the 25% issue of one province here, another province there I would think the majority votes of over 51% is enough to make a President.

Presidential candidates should have running mates for the office of the Vice President, so that the Vice President gets a more stable and ensured term of office. Otherwise the idea of having a Vice President who is not sure of how to behave, one who can be kicked around every other moment does not well for our country. The candidate who is the Presidential vote must be sworn into office in the presence of 75% of the elected Members of Parliament and in public for that matter. Either in Parliament, Uhuru grounds, Kamukunji or Kasarani whichever. Otherwise there before we know we have been ambushed and the President was hurriedly sworn in to the dissatisfaction of very many of us.

Elections should be on competitive approach for everyone whether women or men because it's my belief that gender is irrelevant when it comes to representation. I would also propose that Parliamentary debate should be mandatory for all Members of Parliament except on special duty by MPs. This will facilitate sessions in Parliament to continue without lack of quorum. The MP who fails to attend Parliamentary sessions should not earn for the missed sittings. I would also propose that proceedings in Parliament should be broadcast live so that Kenyans or citizens in this Republic are able to monitor their representatives and make stock of what they are doing. I would also propose that nominated MPs should be vetted and approved by the Parliament. That is the idea of just nominating every Tom, Dick & Harry and they go to Parliament should not be allowed. The Parliament should have power to approve nominations from whichever quota.

I also think that the appointments of the judiciary, the Public Service and the uniformed services, those appointments need to be

scrutinized and approved by the Parliament. I would also propose that there be impeachments of the President and the MPs and whenever this happens, may be by impeccable judges who have impeccable careers. If such people are found guilty their terms of office should be terminated forthwith.

I also do believe that Kenya citizens outside this country have got the right to vote and I would suggest that some method be formulated so that people who are working in foreign countries are able to vote for their Government at home. I also do a feeling that through experience election officials at the polling stations and whenever else they are doing their jobs are not given an opportunity to vote. I would suggest that Returning Officers, Presiding Officers and Election Clerks be given an opportunity at their working stations so that they can vote and probably enclose their ballot papers in an envelope or somewhere. In any way that may be found convenient.

I would also think that the civil bodies and may be the directorate of personnel or a relevant commission may be appointed so that they may be involved in the approval in the salaries for the Members of Parliament. Right now I do feel ni kama kwamba wale Wabunge wetu hata wakikuwa mheshimiwa ako karibu na sisi, walienda kupora mali ya taifa without regard to the languishing members of this Republic. I do believe ... (inaudible).

Com. Ibrahim Lethome: Karibu, karibu. Ufuatwe na Javan Irungu. Javan Irungu yuko? Haya utamfuata.

Patrick Nguo: Mimi ni Patrick Nguo kutoka Marmanet. Mimi natoa maoni yangu kuhusu upande huu wetu wa tarafa la Rumuruti ambao mimi nimekaa zaidi ya miaka mingi. Kwa upande wa maji mimi naonelea wakaaji wa hapa tumesumbuka sana na maji, sababu maji tumekewa, maji hatukunywi na mwisho wa mwezi ukifika tunaona watu wa maji wa parastatal wanakuja kuitisha pesa. Je, tunauliza pesa hizi hawa huuliza sisi, wauliza sisi kwa nini na mbali sisi hatuhudumiwi? Kwa hivyo mimi naonelea serikali yetu ingetusaidia ulagai ambao unaoendelea katika area hii yetu, zaidi sisi wakulima katika area hii kuporwa pesa na watu ambao niwa parastatal na pesa ambazo wanapora kutoka kwa sisi ni ya maji na sisi hatuitumii. Kwa hivyo mimi naonelea hii mambo imetusumbua sana zaidi hapa sababu tunaonelea kama ingekuwa hatungekuwa tumewekewa haya maji tuwe tukitumia visima ambazo tulikuwa tukikunywa zamani, sababu hizo hazikuwa zinaangamiza sisi. Sababu tukiendelea kuona tunaona tumefirisika kwa kudaiwa pesa.

Ya pili ni upande wa barabara katika area hii yetu. Sisi tunaonelea magari yetu yote hutoswa kodi wakati wa kupita kila pahali. Na tukipita katika mabarabara zetu hakuna barabara isipokuwa hii tu moja ya kutoka Nyahururu kwenda Ng'arua tukiingia katika pahali yetu ya mashambani. Na tunalima mazao yetu ya mashamba, hakuna barabara inaweza pitika. Ningeuliza Serikali yetu sababu sisi hutozwa kodi ya haya mabarabara tusaidiwe kutengenezewa haya mabarabara.

Inginge ni hali ya kuishi kwa mashamba. Mimi napendekeza ama mimi naonelea Mwana Kenya ana haki ya kuishi mahali popote na kuwa na shamba, bila kutishwa na kuambiwa wewe ulitoka pahali fulani. Ningeuliza Serikali yetu iwe ikitulinda popote nilipo

na shamba hata ikiwa mimi niko na shamba katika Oleguron na mimi ni kabila tusema Kalenjin ama Kikuyu ama Mkamba, niwe nina haki ya kukaa huku na kulindwa pamoja na mali yangu. Sababu watu wengi wametoroka na wamewai kuwacha mali zao sababu ya kuzuritishwa ama kutishwa utarudi pahali ulipokuwa. Kwa hivyo mimi ningeonelea ingekuwa ni kawaida ya Serikali kutuhakikishia usalama wetu pahali mtu alipo.

Inginge ni upande wa Laikipia yetu district ni kubwa sana. Na hii jambo mimi nafikiri tumeteta hili jambo miaka mingi sana, sababu mimi kutoka hapa kwenda Nanyuki natumia pesa mingi kwa huduma tu ya kitu kidogo – karatasi moja ya shilingi tano na mimi nakimbia mpaka Nanyuki. Tumeomba miaka mingi hatujui ni nani atakuja sikiza sisi, sababu tumeomba miaka mingi. Laikipia West itengwa na Laikipia East sababu hata kwa kawaida sisi tunajigamba sababu sisi ndio Laikipia West tunalisha Laikipia district kwa mapato. Na kwa hivyo mimi kwa maoni yangu ningeonelea Laikipia West iwe constituency sababu sisi tumekuwa na kiasi cha watu ambao wanatosha kuwa na constituency. Sababu sisi tumelia miaka mingi.

Com. Ibrahim Lethome: Kwa hivyo Laikipia West iwe constituency.

Patrick Nguo: Laikipia West iwe constituency. (*Background noise*). Apana Laikipia West sorry nimekosea hapo, Laikipia West iwe district. Tumelia miaka mingi Laikipia district igawanywe mara mbili. Laikipia East iwe district na Laikipia West iwe district. Kwa hivyo hii tu ni maoni yangu nilikuwa nimeonelea sababu tumesumbuka miaka mingi kuuliza haya maneno.

Upande mwingine ni kwa upande wa masomo. Mimi nashindwa ni ofisi ya elimu ina mamlaka ama ina nguvu kuliko Rais wa nchi hii yetu. Sababu kwa magazetu, kwa maredio tunasikia Rais anatangaza nimevuta pesa za activities this na kadhalika na zozote. Na kesho yake baada ya wiki, watoto nyumbani. Watoto wamefukuzwa. Mimi nauliza ni ofisi ya elimu ina nguvu ama ni Rais ana nguvu ya nchi hii yetu ya Kenya? Tutafuata nani?

Com. Ibrahim Lethome: Wapendekeza vipi?

Patrick Nguo: Mimi napendekeza Rais akisema kitu ifuatwe. Sababu mimi naonelea yeye anasema lakini haifuatwi, sababu kama leo akisema hapa hataki kuona watoto wanaranda randa barabarani na kesho yake unaona watoto mfululizo shauri ya pesa activity na kadhalika.

Nikitoka hapo mimi nakuja upande wa donors. Katika Laikipia West mimi nasoma magazeti nasikiza redio mimi nasikia donors ametoka Ulaya, mimi naona Wilaya zingine kama hapa Baringo unaona donors kama sita wameingia kwa constituency moja, wanahudumu huku. Na Laikipia West mimi sijaona donors wengine, ni moja tu mimi nasikia anaitwa Fida sijui mnaijua. Hakuna ingine imewai kutumwa hapa. Sijui zinatumwa na political ways ama zinatumwa kwa njia gani. Sababu Laikipia West haitumwi donors. Mimi ningepelekeza hawa wafadhili wa donors sababu wanatoka nchi za Ulaya wawe wakikumwa na Bunge. Bunge linakaa chini linaona ni constituency gani imesaidiwa sana na ambao haijasaidiwa. Lakini sasa mimi naona kama

hii hutumwa na mtu binafsi nafikiria tunasema America wamekuja hapa wakiwa donors. Kwenda Kitui, kwenda Mugugundu.

Com. Ibrahim Lethome: Point ingine, hiyo tumefahamu. Bunge iamue.

Patrick Nguo: Bunge iwe ikiamua ni pande gani. Upande mwingine, kwa upande wa mashamba. Mashamba imekuwa kupeanwa misitu yote imekwisha. Ningependekeza mashamba iwe ikikatwa maneno yake na Bunge. Wabunge wawe wakikaa chini wakiona ni msitu gani unafaa kukatwa wanaamua utakatwa. Na ukishakatwa ni kina nani watapewa, wanaofaa kupewa. Lakini sasa inaonekana msitu unakatwa unapeanwa usiku, kesho unakuta unajengwa na hujui watu walitoka wapi. Na watu waliokuwa katika area hiyo hawafaidiki. Kwa hivyo mimi pendekezo langu ningepomba serikali Bunge iwe ikiamua ni msitu gani utakatwa. For example kama hapa.

Com. Ibrahim Lethome: Hiyo point imeingia. Tupatie ingine ya mwisho.

Patrick Nguo: Ya mwisho ni vyama vya siasa. Vyama vya siasa mimi naonelea ziwe zikipewa pesa na Serikali, sababu kusema ukweli kama sasa siasa ikifika utaona ni chama gani kitakuwa na nguvu ya kufanya mambo ya siasa. Na vyama vingine vinaonekana ni hohehahe. Na hizi pesa zinafanya hiyo kazi ama campaign na hicho chama kilicho na nguvu, ni kodi ya vyama vyote katika Kenya. Wawe mimi naonelea kwa maoni yangu wawe wakifadhiliwa, wakipewa pesa kama wale wengine ili waweze kushindana na nguvu zao zote. Lakini wanawezashindwa kwa kukosa pesa sababu hawana pesa. Ni hayo tu nimemaliza.

Com. Ibrahim Lethome: Haya ahsante. Javan Irungu afuatwe na Thomas karugu. Thomas Karugu yuko karibu? Utamfuata na Johanah Chuma. Johanah alizungumza. Afuatwe na Councillor Francis Kamunya.

Javan Irungu: I am Javan Irungu from Marmanet and these are my proposals. Katika Katiba yetu ambayo tunaendelea kuunda, kwa mapendekezo yangu ningetaka kuwe na preamble ambayo ita-reflect our cultural diversity, values, norms and religion but it should also show our shared common destiny, aspiration, transparency and great respect for human life and human rights. It should also reflect our pains and troubles that we experience during our fight for our freedom to attain our independence.

Jambo lingine ambalo ningetaka kuguzia ni juu ya mashamba. Katika Kenya yetu kuna shida kubwa ya disparity na size za mashamba ambapo tunaona kuna watu wana mashamba kubwa na wengine hawana. Pendekezo langu ni kwamba tutengeneza the upper limit ya shamba lile mtu ambalo anaweza kuwa nalo. Tuseme kitu kama fifty hectares na ukiwa na zaidi iwe taxable ama ya chini sana iwe ni hekari moja. Tungetaka hapo tuendeleo kusema hatungetaka kuona watu wakikaa vijiji ambazo tunaona katika Laikipia West ambazo tunaziita “Kang’a” ambazo zinatuletea shida mingi sana hapa. Tena tungetaka kila mtu awe na access to land, iwe ni bibi au ni mwanaume na awe na haki ya kupata Title Deed. Au ni kama shamba ambalo ni la

jamii – tuseme kuna bwana na bibi the two should have a right ya kuwa na haki ya majina yao kuwa katika Title Deed.

I would also propose that hili shamba hawa wazazi wawe wakilifadhi kama trustee kwa watoto wao. Kwa sababu tunaona wazazi wengine wanauza mashamba ambao wanao bila kukumbuka ya kwamba wana watoto. Kwa hivyo hapo ningetaka Tume iangalie.

Jambo lingine ni kuhusu public services or public servants. Hapa mimi ningependekeza kwamba all public servants should not be engaged in businesses. Kwa sababu wakati they are engaged in businesses hawashughuliki kazi yao kikamilifu tena hii inaendeleza ufisadi. Kwa hivyo kwa maoni yangu ningependekeza ya kwamba all public officers na Wabunge ama watu wote ambao wanafanya kazi katika serikali should not engage in businesses. Kwa sababu hata hili jambo when they engage in businesses wananyima watu wengine haki wale jobless people hawezi pata hiyo nafasi ya kufanya biashara. Kwa hivyo hawa nao wanaendelea kunyanyasa wengine.

On human rights, kumekuwa na shida nyingi juu ya human rights violation. Kumekuwa rape cases, torture and so many things. So ningependekeza katika Constitution yetu tuwe na provision ya kuwa na human rights commission, ambayo watu wote wamedhulumiwa wataenda kulalamika ambayo itachunguza na ita-evaluate na i-prosecute those violators.

On employment, tungetaka Constitution hii ifanye kuwa responsibility ya Serikali juu ya unemployment. Kwa hivyo ningependekeza ya kwamba Serikali ni lazima iandike watu wote ambao wamehitimu na wamefikisha wakati wa kuajiriwa kazi.

On security, katika area hii tumekuwa na shida nyingi sana juu ya security. Tungetaka hili jambo liangaliwe vizuri na ili Serikali ichukue jukumu la jambo hili, tungetaka watu wale ambao wamepata hasara kwa sababu ya insecurity wawe wakirithiwa ama wakilipwa mali na maisha ambayo yamepotea wakati huu wa insecurity.

Tungetaka tena tupendekeza ya kwamba Electoral Commission iwe appointed na the Parliament na iwe na security of tenure of five years na inaweza kuwa re-appointed after that. Na iwe ndiyo itakuwa ikishughulikia mambo yote ya uchaguzi, hata time-table ya uchaguzi.

Also, pendekezo langu la mwisho ni airwaves. Ziwe liberalized. Maredio na matelevision yawe liberalized. Kila mtu ambaye anauwezo wa kuanzisha redio yake awe na uwezo because we have a right to information. Thank you.

Com. Ibrahim Lethome: Just one question. I missed something when I rushed out. You said all public servants should not engage in private business. Okay, the problem right now is that you will find salaries of public servants are very poor, that is why they have to look for an alternative source of income. So do you have anything to suggest on the salaries of civil servants?

Javan Irungu: Hapo tungetaka katika Katiba yetu tuwe na remuneration commission ambayo itakuwa ikishughulikia mishahara ya public servants.

Com. Ibrahim Lethome: Nafikiri sasa ni Karugu.

Thomas Karugu: What I would like to start by is by actually expounding on the last point he had. Well I would like us to entrench a code of conduct in the Constitution for the civil service and reasons are safeguarding employment in the informal sector, corrupt practices and enhanced productivity in the civil service.

For the conduct which should be headed through a Public Service Commission, personnel department should be responsible for hiring but only the relevant commissions should vet firing. Time to work in one station should be fixed. That is for example, the normal service maximum around three years per station and the police or the security service a maximum of one year. Transfers should never be contested and any servant should be employed to work anywhere in the country. Transfers should never be used as a disciplinary tool. Their spouses should move with them to their new station and it employs also provision should be for a corresponding transfer. That is to help the fight against AIDS and other viruses.

No employed person should run a business as a proprietor. Only be allowed to buy shares in running concerns. This one in particular if I might elaborate it will help with the individuals currently holding a job and at the same time running a business. They have actually pulled other people out of employed in the informal sector and they are being reduced to crime activities and enhancement of crime. Well, I believe in entrenching this service, this code of conduct in the civil service we are solving a lot of problems and well retirement age should be maintained at 50 because we still need experience people in the civil service. Even if I am a young turk I think we still need these older brains for us. Should never be posted to district of origin in any special or with any special personal interest until the last two years before retirement. Should one be found guilty of any corrupt practice, termination should be effected on conviction. One should have a chance to defend oneself.

Well promotion should always be solely on merit. This actually as I have said will effect one increase employment due to businesses presently run by civil servants and transferred to all unemployed persons because I believe there are so many civil servants here who hold jobs where other unemployed people should be running them. This one will reduce corruption from within and without the civil due to well if as a person is actually maintained in our station for too long he becomes accustomed to his bosses so that well he can still run a business outside or anyother activity which will reduce his productivity.

Reduce crime rates due to increase unemployment. Due to those businesses which have been transferred to those unemployed and this one in term will increase Government revenue through taxes. Of course because of the added taxes coming from those who have now gotten employment from those businesses which have been actually held by civil servants who are already

employed elsewhere, there will be added revenue. And hence according to my calculation in turn the commission actually involved will be able to review their salaries or remunerations to almost around 4 to 5 times the current remuneration they are receiving now.

Well when going back to Elections, I would like to propose something on elections. The Electoral Commission should be chosen or appointed through apportionment by registered parties after every election. The Chairman obviously can be elected among them. Ballot boxes should be transparent as a major requirement. Counting of votes should be done in polling stations, right after voting concludes with all agents present. Constituencies should be based on voter of the nation and where they are is too large, well allowances for the MPs I think should be slightly higher and that one comes to the allowances should be based on constituency size. That is for the MP. And even where appropriate the MP be provided with means of transport in hardship areas. I think that is actually the reason to maintain the power of the votes. Because as one votes should have that power and equal power anywhere within the borders of our country.

By election campaigns should be organized forums by the Electoral Commission in itself, in form of questions and answers sessions. By elections should be avoided or abolished to maintain economic status, through Government expenditure and unnecessary politicking. Solutions: that Presidential powers should be transferred well in any case if anything happens to the President, should be transferred to his running mate, the Vice President until the next General Election just in case. MPs duties should be transferred to an appointee.

Preamble and in this preamble it should state that this is the Constitution of the sovereign people of the Republic of Kenya and that power lies with the people and that the Constitution is the supreme legal organ. And that all other laws and Government officials should find the point of reference from the Constitution. We are also proposing that in the Constitution there should be directive principles and some of the ones that we saw fits we are like democratic control as one of them. Good governance is another, transparency and accountability. And its good to state that Kenya is a just society and that there should be equitable distribution of resources.

Coming on the issue of expatriates, we have heard that in very many instances people have been employed and these people are not Kenyans, yet we have Kenyans who are really qualified and have impeccable knowledge and expertise to lead in various fields. We therefore propose that if we need an expatriate, he should come only to offer advice and not for employment.

On the issue of land, we propose that the lease period of land for foreigners should be limited and not what is guaranteed by the Constitution which is 99 years. It should be limited to 20 years only. I think that's what we had. Thank you.

Com. Ibrahim Lethome: Thank you very much. Parachol Ole Kimiri. Kama hayuko namuita Bwana G.G. Kariuki. Not

now later, okay. Basi nafasi hii nitampatia Mheshimiwa Chege Mbitiru atoe maoni yake.

Hon. Chege Mbitiru: Ahsante sana Bwana Commissioner kwa majina mimi ni Honourable Chege Mbitiru Mjumbe wa Laikipia West. Ningetaka kuongea kidogo kuhusu mabadiliko ambayo tungetaka iwekwe katika Katiba yetu ya Kenya. Nitaongea kwa lugha ya Kingereza.

On the administration of this country, we have been talking about the provincial boundaries, the provincial administration, the provincial management of security and we are proposing that - I am proposing not we. I am proposing that we should do away with provincial office not the provincial administration as said. We are saying we do not have to have concentration of powers of the PC and other provincial officers, simply because as you know most the energies and resources centred within the provincial do not directly benefit the common man or the members of the public. We are saying the same to be reverted and centralised within the district. In that token, we are saying the provincial boundaries should be abolished. This gives way for re-organization and the arrangement of district boundaries so as to enhance administration and proper provision of services to its people.

For instance, we are saying people in Olemurang, people in Rumuruti are going all the way to Nanyuki for services from the District Officers, this is not tenable. We would want a situation whereby a district will be within a given distance 50, 80, 60 or 100 kilometres within from the centre. We are saying may be Rumuruti division, Ng'arua division, Ndaragua division or any other division should be combined and become one district. This will also allow us to be able to have services that are already centred. Like now Nyahururu is not the district headquarter for Nyandarua. We are supposed to have Nyandarua district in Ol Kalou but what happened to the resources in Nyahururu today. But if you were to change the provision boundaries which limits the arrangement of the districts, we will be able to re-arrange the districts surrounding a particular centre.

We are also saying that the development that we have currently on the DDC should be changed through the Exchequer Act and provide for constituency development fund. What does that mean? Look at the resource authorization, how are the development priorities going to be managed within a district? The district management should be only involved on security matters, when it comes to other developments say for schools, hospitals, access roads like we have for the district road committee through the Roads Board, we can have all the resources, all the privatization of programmes and projects within a constituency centred through elected members and through an executive officer who are currently settled at the constituency level.

In line with that, we are also saying that there is the issue of land, there is the issue of forest management; there is the issue of natural resource development and management. How do you look at them? How do you enhance the environment? We should be able to say a particular percentage say 30% of the constituency be developed into forest. Or we enhance forest management within our chamber systems. For instance, we have Marmanet forest that has been destroyed over the years, it

has been a major catchment area for this district. Today, it's almost 50% down. How is the microclimate affected if we cannot be able to resuscitate that forest? A particular percentage must be set in all constituencies all over the country, so that we can be able to develop. This can be done through what we are calling the Constituency Development Fund. It's one of those projects that need be.

In areas of schools, you will find we have so many harambees that we do everyday because of this harambee for secondary school for dispensaries and all that. But when we have a Constituency Development Fund, what does it mean, where do you prioritise. An area like Olmorani that's another secondary school, that may the people in Olmorani and around Rumuruti and the area surrounding it would want to have a secondary school there. The Constituency Development Fund committee is able to address that issue. So we should have a set limit for every constituency that – unless for national development issues all the other funds in the consolidated fund a percentage must be earmarked for the constituency development matters.

We go to the office of the President and the powers of the President. I propose that the President and his running mate to have no constituencies, they be elected individually and to have a national outlook. I propose that the Presidential elections, the votes be a minimum of 51%. That means the population and the number of votes casted must not be less than 51%. We would do away with the provision for five provinces as I have proposed there should be no provinces. So we do away with the provision for 25% in every province. This will give way for Unitary Government with a President with powers to do with the foreign policies to do with bilateral arrangement and who will be the Commander-in-Chief and all that. But at the same time, to have a Prime Minister who will be running the day-to-day of the Government.

The Prime Minister with his deputies shall be appointed vetted by Parliament through a party with majority Members of Parliament or through a Coalition – whichever is adopted at that particular time. The appointment for that Prime Minister must be vetted by the House. It's not necessarily that he must be the leader of the party. It must be somebody with qualification, somebody who will meet the necessary criteria set by the House. This goes vis-à-vis with the appointment of Ministers but we want first the Constitution to define the number of Ministries. It's not in creation. We should have a particular number of Ministries within the country, say about 18, 15.

We therefore force Ministers and Ministries then the appointment by the Prime Minister of the Ministers, should also be vetted by the House. Similarly, all other constitutional offices, for all the offices of the parastatal, chief executives, all the PSs and the Chief Justice and the Judges of the High Court of this country. Those offices must be free of any political interference and therefore they should be offices vetted. I believe also to be able to run the affairs of the country more prudently; there is the need to have a fixed calendar of Parliament. That we know on this particular day of the year, Kenya will have elections and then we shall elect a President from Members of Parliament.

If that one Mr. Commissioner if you will agree, I would like to go back a little bit. I would want a situation whereby we

separate the election of the President and that one of Members of Parliament and the civic seats. Because of one reason, that on a particular appointed date when Parliament starts to dissolve the President is in office and at the same time he can be able to recall Parliament, because Parliament will not have been officially out. It will be dissolved to facilitate elections but the Parliament should be continuous. There should be no vacancy; we should not create a vacuum in between the dissolving of Parliament and the appointment of the next Parliament.

That continuity must be ensured and therefore we should have a date just like it happens in America or anywhere else that on the first Tuesday or the second Tuesday or a Friday of every December we should have election for the President or for the Members of Parliament. That way it guarantees a continuity of the programmes of Parliament. Currently it's not possible to manage the activities of Parliament because somebody has to prorogue, dissolve and which is not right and Kenyans want to be represented. So many bills are still pending why – because of interference.

Therefore, the calendar of the House must be fixed and therefore we should do away with section 58 and 59 of the current Constitution. In the same token I believe I a member of Public Investment Committee. I have seen so many evils that have happened in those parastatals. Why, because of the authorities that appoints these individuals, the patronage that has been created in the country. Why should he have so and so appoint a Minister appoints his brother, his cousin, his friend or whatever it is to head a particular parastatal? He becomes the Chief Executive and thereby encourages the looting and the corrupt practices.

I am therefore proposing that we must have within a Constitution a provision that will create a strong anti-corruption authority or a unit that will have this, with the security of tenure guaranteed by the Constitution. This will be in a position to take care of all those people who are involved in corruption within the parts of the country and moreover as I had said there before all the people who are going to head those institutions must be vetted by the House.

At the same time there is what we call the President power. Today all civil servants work at the pleasure of the President. How is that so, is it right for members of the public who work for the country to work under the pleasure of one person? I believe it is not right and therefore that section should be done away with and all civil servants who work should work on merit – should work because they qualify but not because there is a pressure on someone else to be wherever you are. So we encourage professionalism.

On the Parliamentary seats, I believe today areas like Central province, Nairobi area today the total of that area with a population of a 10 million people is represented by only about 35 people. Where an area though massive like Rift Valley has over 49 Members of Parliament. What are they talking about? They are saying there is no equal representation and all that is what is important in the country. How are our people effectively represented? A constituency like Embakasi has a registered voter of 125,000, a constituency like Mogadasha and Mandera East have a total population/registered voters of 7,000. How

is that equal representation, how are you representing your people because Parliament today is about representation. How are you able to get to your people? I propose that there be a maximum and a minimum number of people.

- (1) In heavily or densely populated areas, we should have a maximum of 50,000 registered voters. In areas, which are sparsely populated, and because of the landmarks and the movement problems to be able to get to the people who are there, I propose a minimum of 20,000 registered voters. This will at least bring closer representation of the people and also be able to manage also the resources because you find that person who has been elected by only 2,000 people vis-à-vis somebody who has been elected by over 100,000 people are doing the same job. So are you effectively representing your people when they are so many, like Laikipia West we are now 86,000 registered voters. The population lagging beyond 300,000 what are we talking about? Of an area that has a maximum population of about 25,000. So this equal representation is very important that we must be able to look at how do we cut down on false number of constituencies would not have been developed therefore political expediencies and those other areas that have not properly been represented. How do we balance these two? It's an issue of the Constitution and its an issue that you need to present.

Com. Ibrahim Lethome: We have been criss-crossing the country, like we have just come from Turkana and some parts of North Eastern Province. There the MPs there and even the people there they are saying that the constituency should be as per the vastness of the area. Okay, on the other side, you have that point of the population of the area like Embakasi, Embakasi compared to Mandera. But how do we may be balance between the two now. Some constituencies are so vast others are not vast but densely populated?

Hon. Chege Mbitiru: Thank you Mr. Commissioner I had said there before that we should look at two different visions here, for the vastness of the land and also on the densely population. I said in the areas which are very populated we set a minimum of number of voters or a said number of maximum number of registered voters for the densely populated we are saying let there be a maximum of 50,000 registered voters. On the areas of which are sparsely populated but the land is vast the landmark is so big, then we should also increase population a little bit but not together with that one of the other more populated areas. And that's why we said for those ones that have massive land, then the population should be increased to about 20,000.

Com. Ibrahim Lethome: But may be some constituencies not only the registered voters even the total population of that constituency is not even 20,000 what do we do?

Hon. Chege Mbitiru: Mr. Commissioner I was not saying for the future, for what is happening now the committee that we have in the Northern Eastern should be maintained as they are. But we are saying in future let us have a guiding factor how has the population increased. How has the movement been? But we cannot of course do away with those constituencies as for now because they are already there. But for future if we have to create another Constitution because they are already

adequately being served today, then what do you do? So we must put now that particular time that this population must be reached by that time.

There is also the issue of the disabled youth and women representation in the House. It has been a big debate in this country. We know disability is not inability. We believe even those people who are disabled can effectively be able to deliver given the chance. I propose that we have a minimum of three disabled representatives in the House. A minimum of three youths representation in the House and I propose that women representation in this country has been very very for the last few years. But I believe they have a right and it is important that they are also represented in the House. But because of the seriousness of the debate it is not possible to say Laikipia West will be represented by a woman or by a man, because it doesn't ease the constituency that is not what we want because it is on the populace of the individual. It is not by virtue of the gender it's on the populace of the individual.

I would propose that we set a minimum number of districts, say now we have 70 districts. If we say we want 35 Members of Parliament to be women then we have 35 districts nominating or electing a woman, say for Laikipia the whole of it elect one woman. Nyandarua because Laikipia is next then you are not going to elect. Next time next five years Nyandarua elects a woman, Laikipia will not elect. Such that we have half number of the only that we can be able to bring in the issue of women representation in the House is by district and by rotation. If this district had a woman representative the next five-year term another district, which has not been represented have a chance to elect a woman representative. But it should not be on nomination, it must be on election by the people – the joint population of that district. It is not on any appointment because when you put appointment they talk about only those women who are in Nairobi who knows Chege Mbitiru who knows so and so, but that's not what we want. We want somebody who is popular within Laikipia to be elected by the majority of Laikipians.

The other issue that I will not remove is the issue of the human rights. It's a wide scope provision that is very important within our Constitution. That there must be guaranteed freedom of association. Freedom of speech, freedom of acquiring property and also provision for inspection of your rights of your properties. That's why those people are complaining about security. Why is it so? What is happening in the Constitution does it really guarantee that? It does but it devolve that power on what, on executive. But can we change that provision so that human rights becomes an entity and an issue within the Constitution of Kenya. Incorporate what we call the "African Chapter on the Rights of Human Rights" or the "National Covenant on the Human Rights" and these especially for the youth (inaudible) by what they are saying like we are now saying in the new act for the children on education.

I am a member of the National Council for Children services but what are they saying about that vis-à-vis what is available by the Constitution in terms of education, in terms of health provision, in terms of that person being allowed to enjoy the rights that are provided for. What is the Constitution saying about it, I think it is a provision that we need to look at it? Personally I haven

't envisaged how we should put it but I think within that human rights provision you will be made.

The political parties: We have a big problem. This country has 42 ethnic groups. When you are talking 42 ethnic groups we are also talking about 45 numbers of political parties. What does it mean? The Kenyans have been taken for granted for so long, we should therefore come with the minimum on ideologies on philosophy on whatever it is. But we must have a minimum of three political parties and a maximum of five. This will be able to take care of all the other communities. We don't want to have a political party that is Kikuyu, another one that is Miji Kenda another one that is Kalenjin, it is not important because that one will encourage disintegration of the country. And because we are talking of a Government of national unity or a unitary system of Government, how do you enhance the unitary Government when you have fragmentation agencies in terms of political parties. Those ones must be done away with and because we said a President should not have any constituency so that he can be able to start by the unitary of the people, the unit of the country, the unit of the Government. Then those political parties must also be cut down to size a minimum of three at any one given time and a maximum of five at anyone given time who are funded by the Consolidated Fund. This provision should be made for funding those political parties.

The other one is because of the abuse of the offices that has been there over the years by the Executive. We are saying that there should be a provision whereby the Prime Minister or the President can be impeached by the House. There may be a provision for impeachment of the President and the Prime Minister as the so movers of the country. That is very important so that at any one given time he cannot misuse his office and that the Prime Minister is a Member of Parliament. While the President is not a Member of Parliament, the Prime Minister is a Member of Parliament who will be able to answer questions provides provision for the Government in the House and therefore the impeachment process must be put in place. Mr. Commissioner I believe because I was in Nyahururu and I have put a little bit of my presentation down there, please see what I had left behind. Thank you very much.

Com. Ibrahim Lethome: Walter Morangi, yuko? Okay, Patrick ...

Speaker: To be sent to government for administration and it should be responsive for providing utility services and roads to all taxpayers within their jurisdiction.

Land, beyond 50 acres, I think they should pay taxes for any extra land unless they prove utilization of that land economic-wise. I think the rest should go in writing.

Com: Lethome: Francis Kamunya, followed by John Mwangi yuko? Kama hayuko, atafuatwa na Evans Nyaura. Councillor atafuatwa na Mheshimiwa G.G. Kariuki.

Francis Kamunya: Mimi ni Councillor Francis Kamunya, mimi ninataka napropose Rais asiwe juu ya sheria. Na Rais iwe kama vile anafanya safari nyingi ziwe zinaweza kutatuliwa mambo hayo na Parliament. kwa hivyo asiwe na uwezo wa kuweza kufanya vile tu anaweza kufanya ... (inaudible) au safari hizo kwa njia yake mwenyewe. Mambo mengine, Rais pia asiwe na uwezo wa kuweza kuwa na influence na watu kama Judges, yaani anaweza ku influence Jaji na isiwe ni yeye mwenye kuteuwa hawa Majaji. Kwa hivyo inaweza kufikiriwa kama Parliament ndiyo inaweza wakiteuwa hawa watu.

MPs nawo ni mzuri sijui kuwe na Commission ya kuweza, au uwezo wa watu. Kama MP anakuwa yeye hautumii watu wake, kuwe na njia ile inaweza kutumiwa ili yeye anaweza kutolewa ama kuipewa kamam ni kuondolewa kama yeye hawezi kufanya kazi kwake iwe watu wanaweza kuipatiwa uwezo wa kuondoa yeye ama kumpa punishment ya aina fulani, kuonyesha yeye hafanyi. Sijui yeye watu wangepewa uwezo wa kuweza kumondowa, kama yeye hafanyi kazi kwake na hadumii watu wake.

Com. Ibrahim Lethome:

(Inaudible)

Francis Kamunya: Hata Councillor ni hivyo tu. Kile kitu kingine, Councillors hawatambuliwi. Councillors wanatambuliwa na watu tu, wale wanawahudumia wake wards, kwa sababu hawezi kiosa mtu kwake mlangoni kila siku. Na sisi hatuna allowance ya kutosha. Kwa hivyo tunauliza pesa yetu iwe ikitoka Consolidated Fund pahali ya Wabunge inatoka. Kwa sababu sisi ndio tunakaa na wananchi huko manyumbani, sisi tuwe tukipatiwe mshahara hata kama hauwezi kuwa sawa na hawa, lakini tuwe tunapatiwa kiasi ambacho tunaweza kuondokewa na eradication, kwa sababu, kama sasa shilingi helufu kumu sisis tunahudumia watu. Ni Mungu anasaidia sisi tu. Kwa hivyo si pesa atunakuwa nayo isipokuwa Mungu anatusaidia. Kwa hivyo pesa yetu iwe ikitoka kwa Consolidated Fund, si kwa Council.

Com. Ibrahim Lethome:

(Inaudible)

Francis Kamunya: Sio hivyo. Sisi tunataka tuwe tukipewa kama inawezekana hata nusu ya mshahara wa MP. Iwe tuwe tuki hudumia wananchi, kwa sababu MP haonani na watu. Kama huyu alikuwa hapa, labda sasa ni siju yake ya kwanza kukutanana watu na ni saa ile anataka vote. Kwa hivyo jambo lile lingine nikienda kwa Administration, kuna Board zingine zinakuwa ndani ya Administration, hasa kwa DC. Board hizo watu hua wana kuwa appointed members, na hawa watu mwengine ni raia wa kawaida, na hakuna kitu wanalipwa. Sisi hatunge penda hawa watu wawe waki fanya kazi ya bure. Ni mzuri wawe wakilipwa.

Ina enda hivy hata kwa DO iko mambo kama hayo, na kwa mfano iko Board za land hata hawa watu hawalipwi. Na hata zingine Board ile nilikuwa nikisema kwa DC, hata kama ni Board alika, kitu kingine watu hawalipwi. Kwa hivyo badala ya kufanya hio, ni mzuri watu wawe wakifanya kazi ya serikali na kulipwa. Kurudi kwenda hata kwa DO, na kwa Chief, siku hizi tuko na wazee wengine wa security. Hawa wazee wa security hata wao hufanya kazi mzuri na hawo hata hawalipwi. Hata wawo itungependa walipwe ndio wawe wakifanya kazi mzuri. Watu hawa wote hata wale wanafanya na Chief kama ni mtu anajulikana ni mzuri hata awe akilipwa.

Kitu kingine habari mashamba, watu wawe wakipata title deeds na kama mtu shamba ni yake, ama kama pastoralists watakuwa wakishuka awe akisikazana na mwenye shamba. Kile kitu kingine, tumepitisha mara kadhaa ni habari (inaudible) ya mifugo, yaani ni wezi wa mifugo, pastoralists ambao huja kushuka kwetu mashambani, tumepitisha sheria na hizo sheria hazitekelezwi. Kama wezi wa mifugo, inaweza kufukuzwa, sisi tulipitisha kutoka 1992 na tumekuwa tukisistisha kwa mikutano yua amani tukifanya mikutano hiyo tunapitisha. Yaani tunapitisha sheria inasema, kama mtu anaweza kuenda kuiba mifugo, na yeye ajulikane, na akatakate mwenye mifugo hiyo na wale anakwenda kuiba kwa boma au kwa nyumbani yake, huyo mtu anaweza kulipwa ngombe hamsini.

Sheria ya kienyeji vile tume tengeneza, na kama mtu yule anauwawa na watu hawa pastoralists, wanajulikana, kama ame uwawa, anaweza kulipwa ngombe mia moja. Kama mtu huyu anashikwa akiiba mifugo kama ni ngombe, akishikwa na hiyo mali ya uwizi, yani ikipatikana ni kwake ni yeye ali iba, tumefikisha hiyo shria anaweza kulipwa ngombe tatu kwa kila moja. Awe akilipwa ngombe moja, kama ni mbuzi au ngombe au chochote kinahusikanana mifugo, awe akilipwa na tatu tatu. Hizo sheria tunataka ziwe zikitumika ndiyo uwizi wa mifugo uishe. Na kuongeza na yule mhalifu, hata yeye afungwe yaani apelekwe apatiwe kesi na korti. Ninafikiri yale nilikuwa nayo ni hayo tu. Ahsante.

Ile nilikuwa naye ni kwa sababu pesa yetu ya Kenya itakuwa ikisumbuliwa sana kuwa na President yule ana kuja na mwingine na mwingine, ni mzuri hiyo pesa yetu iwe na picha ya pekee ambayo si ya mtu binafsi.

Com. Ibrahim Lethome: Picha kama ipi?

Francis Kamunya: Kama ni mlima ya Kenya na vitu vingine kama wanyama au chochote tunaweza kutambua.

Hon. G. G. Kariuki: Bwana Kamishona mimi ninaunga mkono hiyo jambo la mwisho. Sio kila president akiingia picha inawekwa. Wacha tufuate. My name is G.G. Kariuki, nataka miaka na m iezi, na mimi ni mkulima hapa Rumuruti. Nataka kufungua mambo yangu kufuatana na hayo yamesemwa na huyo mzee kwamba mambo ya kuandika pesa tisha za watu ianze kuangaliwa vizuri. Yani iwekwe mambo, lazima ifike hapa na Moi na Kenyatta. Kenyatta na Moi hiyo pesa ni saya, because the founder was Kenyatta, na yule mwingine akawa Moi. Kwa hivyo hizi ifike hapo, picha zao.

Kwanza mimi ninataka kusema ahsante kwako bwana Commissioner kwa sababu ya vile nimesikiza mambo hapa nimeona umewapa watu uhuru wa kutosha, na hakuna mtu atakuwa na question kwamba Commission haikumpatia nafasi. Umewapa nafasi kubwa sana, na tena vile uliwaambia wakati wa mwanzo it was very very important kwamba wajue wako hapa kwa sababu gani. Inawezekana mambo yote inasemwa haitakuwa Katiba because katiba itaandikwa kufuatana na vile mnasema lakini, kuna sheria zinawekwa baada ya Katiba kuwekwa ya kufanya ile Katiba kufanya kazi. Ile Katiba itafanya kazi baada ya nyinyi kurecommend hivi kutakuwa na sheria za kiBunge ya kufanya ile Katiba operational. Na ni jambo la muhimu watu kujua namna hiyo. Kwanza mimi nisiwaweke sana nimekaa kwa muda, lakini nimesoma sana kutoka kwa hawa ambao wamesema

mbele yangu. Nilipokuja nilifikiria watu ni kama vile tu, hawajui rights zao.

Lakini nimeona mambo ya muhimu sana leo kwamba watu wanaelea wako wapi, isipokuwa ni kukaliwa wamekaliwa, wana feelings ya kwamba wamekaliwa, which I think is important for educational development. Current Constitution yaani Constitution ya sasa, ile ilioko sasa ilikuwa ni Constitution ya kuondoa Mkoloni. Na Mkoloni akaondoka. Ile Constitution tukaichukuwa kuendesha watu ki-koloni pia na ndiyo sababu mnanung'unika kwamba Constitution hii, mambo yako namna gani. Ile ilikuwa ni Constitution ya kikoloni ikaondoka, sasa ile ilioko Constitution si ya kujenga nchi, ni ya law and order. Ya kuamrisha watu kufanya vile serikali inataka. Na tunataka serikali iwe ni watu, iwe ni Wajumbe ama mawaziri ama President, hiyo ni ya watu.

Kwa hivyo wananchi hamkukuwa na power lakini niseme ni ahsante kwa sababu huu umefika when you have the power to say what you want. Kwa sababu power hiyo imefika. Sasa ni juu yenu kama vile mnasema ku-dictate Commissioners hawa waweke shria vile mnavyo taka, na ndivyo mnafanya leo. Sasa ni kwamba mtukuwa na uwezo fulani.

Mwanzo wa Katiba yoyote bwana Commissioner, ama nchi yoyote, it is free and fair election. Free and fair elections ndiyo inaleta watu wa nchi hiyo kuwa na uwezo wa kuendesha mambo ya nchi yao. Lakini ikiwa uchguzi unafika unaanguka katika mikono ya wale wanatawala, na wana-interest ya hiyo next government, basi utawala namna hiyo inakuwa ni shida, uchaguzi wa namna hiyo inakuwa ni shida. Kwa hivyo tungetaka bwana Commissioner uweke wazi wazi katika Constitution that the beginning of any creation of a state is when you have free and fair elections. People to elect people of their choice. Hata kama mtu ni nani, hata kama hana macho, na watu wake wamemtaka, he should be protected by the Constitution to be elected. Hiyo ndiyo kitu ambacho linge one ni cha maana sana. Maanake ndiyo mwanzo wa democracy ya aina yoyote.

Baada ya uchaguzi, what should be screen in our Constitution? First of all the Constitution should be the highest law of the land. Ambao haiwezi ku geuzwa na Bunge ama watu wengine isipokuwa wana-Kenya wenyewe through referendum. Yaani mfanye referendum wale wanataka igeuzwe walete recommendations kwetu, halafu na sisi tupitische kama itageuzwa namna gani, then we take to Parliament for amendment according to the result of the referendum. Hiyo ndiyo mimi ninafikiria ni jambo la kwanza katika Constitution.

Ya pili, who is next to be - nani atakuwa mkubwa baada ya Constitution? That guy should be the Parliament. Parliament ndiyo inafaa kuwa kubwa baada ya Constitution. But it will have no powers to amend the Constitution unless through a referendum. Ninaonelea jambo hilo ni la maana sana. Kwamba Parliament iwe ndiyo supreme organ katika nchi yetu ambao ndiyo inauwezo, kupitia President na watu wowote.

Jambo hilo ni la maana sana kwa vile ninaona. President and Civil Service should be responsible for implementation of policies created by the Parliament. Yani kazi yao ni kufanya kazi kufuatanana vile imepitishwa na Bunge. Yaani wawe wakifanya kazi

kama vile Bunge imepitisha. Ninaonelea hiyo pia ni jambo la maana. Lakini isiwe President kazi yake ni kama ule yuko sasa ama yule alikuwa hapo mbeleni. Yaani, Kenya is the President and President is Kenya. Yaani bila President hakuna Kenya. Ati President vile imepangwa ni kama akiondoka na sisi tuondoke, sijui tutatoshea grave moja all of us. Kwa hivyo we would want the President to feel he is employed and maintained by Kenyans. He has no authority of Kenyan, na kama mtu ana authority over Kenyans, it has to be an institution. Kwa hivyo President kazi yake ni implementations, na coordination of security affairs. Jambo hilo ninaona kama ni la maana ikiwekwa katika manane. Unajua imesemwa tumeisikiza kwa press na kwa mambo mengine.

Ile ingine ni Judiciary. I am talking about separation of powers. Nimesema habari ya Constitution, habari ya Parliament, na sasa ni ya President, sasa ninaenda katika Judiciary. Judiciary ya kisasa, hakuna Jaji ambao hana ujuzi na hana elimu. lakini the way they are appointed, lazima afuate wale wameappoint yeye. Na ndiyo tunataka jaji huyo awe recommended by whoever appoints him kama ni President ama ni ... (inaudible).

Com. Ibrahim Lethome: Joan Kibugu, karibia. Wilson Kemboi, mfuatane hivyo. Anza kwa jina lako.

David Rukwaro Mathenge: Jina langu ni David Rukwaro Mathenge. Mimi ninakuja hapa kusuluhisha ya kwamba Katiba, mimi nilikaribia na niliweka sahihi. Maana mimi ninapenda katiba maana yake mimi ninaangalia ninona sheria ile inatumika sasa sio ya zamani. Katiba ile iko sasa italeta shria safi, lakini ile ya mbele tuko naye inatumiza. Maanake kama sasa mimi ni moja wa kutafuta kazi kila pahali, siwezi kuondoka hapa Rumuruti. Niende hata hapa hapa Moundomeri. Shauri nina ogopa, shauri hakuna ulinzi. Mtu uwawa kwa njiani. Hii ni kuonyesha Laikipia sisi tumekwisha malizwa.

Tena mimi ninaona ya kwamba ninakuja hapa kusikiliza ya kwamba wale walikuwa mbele yangu walizungumuza vile walisema ndiyo ninaweka sahihi ya kwamba wanasema ukweli. Lakini sasa iko jambo moja inabaki kwangu. Sasa nani atachunga sisi, kama ulinzi hakuna? Mimi ninataka kutafuta kazi hata kama mimi ni mzee. Ninataka kwenda kuona mtoto wangu yuko hapa karibu Suguta, na siwezi kwenda kumona shauri ninangojewa njiani. Kwa hivyo inaonekana Laikipia isipokuwa sisi wenyewe tujisimamie, hakuna mtu anasimamia sisi.

Com. Ibrahim Lethome: Ungependekeza vipi juu ya security?

Mathenge: Security ninataka polisi wafanye kazi pamoja na DO, lakini iko kitu ingine moja kubwa sana. Hata wakisimamia sisi, mimi ningependelea kitu mopja. Umasikini huyu anafanya hii vitu itokee kwa hawa magaidi. Tulikuwa sisi tunakunywa pombe katika vilabu vyetu. Viklabu hivyo vilifungwa, maskini akamalizwa kabisa. Pombe ikarudishwa kwa matajiri wakaleta mabar ile kubwa kubwa ya shilingi mia tano, ehlfu mbili. Maskini wakakosa pahali ya kuficha.

Com. Ibrahim Lethome: Pendekeza.

Mathenge: Nina pendekeza mrudishe hiyo pombe ya zamani kila mtu apate license akitaka. Na tene mtuwekee security hiyo tu.

John Kivugu Kikuju: Kwa majina ni John Kivugu Kikuju, and the Review Commission should address the following in our new Constitution. **One:** it should have a preamble. In the Preamble I propose that it should start with the phrase, “We Kenyans or we people of Kenya.” This will bind us and we will be very surer that it is our own Constitution. It should also remind the present and future generation that this country was once colonized and its struggled to achieve its independence. It should also in the introduction, show us the destiny it is about to take its people. That is how is it going to do economically, politically, spiritually and culturally. It should also state clearly that there no individual or institution or organization that should be above the Constitution. Everybody should be under the Constitution.

In the third point, we suggested that the Bill of Rights should be included in our Constitution and should be in full and not peace meal, as it stated in the United Nations Charter.

The next point is about economical empowerment: Kenya being an agricultural country, and it forms the backbone of our country the Constitution should enhance quality and quantity of the products in our agricultural sector. The farmers must be guaranteed of markets to make them more active. To increase the productivity, the Constitution must do the following: one, all the farm machineries should be tax-free. All the chemicals and fertilizers should also be tax-free. The constitution should put a place where by there will be some controlling of certified seeds both in plight and quality. Farmers should be encouraged by reasonable taxation on export of farm produce. Heavy taxation should be done on all agriculture imported goods. To encourage the farmers there should be a loan available to the farmers repayable with a reasonable interest. The farmers must be at liberty to sell their produce where they feel the market is to their interest. To avopid the negative impact on Kenyans, there are some sectors that aught to be controlled by the government. One the sector like petroleum, banking, Power and Lightening should be controlled to avoid negative impact on common mwananchi.

Employment: the government should create employment by making or growing home industries like Jua Kali, the Horticulture Groups from industries of crafts, and building of polytechnic in every division to cater for those that will no be able to continue in the higher learning constitutions.

Political System: Kenya should be a multi-party state. There should be a maximum of four parties, which should be funded form the Consolidated fund. There should be room for independent candidates, both for Parliamentary and Presidential. There should be two houses, the Lower and the Upper House in Parliament. There should also be room for coalition government in or Constitution. We should also create the post of Prime Minister who will be elected from majority MPs in the House. The ministers should be polled from the four parties in the ratio of the number of MPs. The ministers preferably must be

professionals in their ministries.

Members of Parliament, or the MPs: they should have an age 21 to 75 years maximum. Education standard, they should degrees in recognized universities. They should have interest in the Constituency; they should have a maximum of two five years term. Parliament should be divided into two house, the Lower and the Upper,

Com. Ibrahim Lethome

(inaudible).

Kikuju: I want to elaborate down here. I want to say that in the Lower there should be only elected MPs and the motions in that house will be passed by 65 percent. In the Upper, there should be composed of professionals from the 4 parties and the motion should be passed with 65 percent. In case of any Commission the MPs should share the Commissions and must be professionals in the case of questions. The Prime Minister shall appoint the Ministers and Assistant Ministers. They should be vetted by Parliament on previous record. Parliament will have its own calendar of breaking and opening, and not to be exposed to an individual decisions. The duties of the MPs shall include representing their Constituencies, determining the calendar of Parliament, impeaching the prime Minister or the president in the event of misconduct or scandals, summon and vet the Ministers, PS or police Commissioners, Armed Forces, and Air Force and Navy Commanders. There will be answerable to the said Commissioners in the Parliament.

Constituencies: Minimum registered voters should be 30 thousand. Constituencies should be created upon recommendation from the Electoral Commission. the Electoral Commission should recommend for Parliament the creation for a constituency. Any constituency with over 60 thousand registered voters should be divided into two.

Wards: Minimum registered voters should be two thousand, Councillors to be responsible for administrations and developments of their wards, abolishing of Chiefs and their Assistants, they are being taken over by Councillors who are elected by people. Councillors to be paid by the Central Government. Mayors and Chairmen to be elected by people directly. Government to help the Councils to set up viable projects for generating income. E.g., they can look like the Wild life housing services, irrigation and specialized Services. The education standards should be of O'level. Third divisions or grade C.

Executive Arms. The Executive Arms should be divided into teachers Service Commission, public Service Commission, Armed Forces Commission. Each profession to its own union. Any officer guilty of misappropriation of public funds, or corrupt practices should be dismissed or dismissed sand jailed.

Judicial Arms. The Judicial should be headed by Chief Justice. The Chief Justice should be appointed by the Prime Minister but should be vetted by Parliament. Any Judge found guilty of corrupt practices should also be dismissed. Judges and Magistrates should be independent in exercising their duties. They should not be subjected to orders from above. They should

be above politics. Kenya should establish a court to deal with petition cases, matters related to elections, and members of a given constituency or ward should have the power to recall back their representatives upon collecting signatures three thousand in case of an MP and five hundred in case of a Councillor.

Land issue: all legally owned land should have a title deed. Individuals can only own 30 acres of land. Any other land above this should be heavily taxed. This will discourage idle lands. Forest and catchments areas as from 1990 should be preserved, and be declared government land. Vacated lands due to tribal clashes owners should be resettled immediately. Government land should be given to true squatters.

Harambees: Kenyans should do away with harambees to build schools, pay hospital bills and school fees.

Natural resources and Wild life: No individual should own areas with natural resources or mineral, oil or gas; should be owned by the state. Communities should be involved in helping conserve wild life and benefit from the revenue collected. Farmers should be compensated when their crops are destroyed by wild life. Those killed by those animals, the compensation should move from the present 30 thousand to a tune of one million.

Com. Ibrahim Lethome:

(inaudible)

Kikuju: Taxes, the government should reduce taxes, as currently is very hig. It should abolish the VAT because it is grossly abused.

Elections, the Constitution should guarantee Kenyans free and fair elections. The Electoral Commission should be independence, should be headed by a Commissioner appointed by the Prime Minister but subject to approval by the Parliament. The ECK, Electoral Commission should be given responsibility of handling all parliamentary civil elections, continually register voters, announce the date of election, announce the results, clear candidates, advice Parliament on creation of new wards or Constituencies, conduct referendum to change the Constitution which should be over 60 percent.

Education: the new Constitution should scrap the 8.4.4. System and replace it with the 7.4.2.3. the Constitution to be taught from standard one up to the university. Government should have the responsibility of equipping the schools, and the Constitution should be written in simple English that can be understood by a common man, and all age going school children should be in school.

Security: the Government should guarantee security for the citizens and their properties. Firearms should be only in the hands of the armed forces. No individual should have the firearms. No Kenya citizen should be a refugee in his own country for more than six months. In the event of a tribal clash the police Commissioner should report the matter to the Parliament within 48

hours who in turn should report to the members of the public in 48 hours.

Com. Ibrahim Lethome: One minute more.

Kikuju: Roads should be constructed on priorities. All roads leading to district headquarters should be tar marked, and finally on worship, the Constitution should guarantee freedom of worship, there should be no worshipping of devil. Government to scrutinize the deadliness of some denominations existing in Kenya. Thank you.

Com. Ibrahim Lethome: (inaudible) we still have many people. Amos Kingori:

Amops Kingori:ananyima watu wengine kazi. Unasikia walikuwa wanafunguliwa nyumba fulani, ni yeye anakwenda fungua. Unasikia mahali fulani wanakwenda fungulia kitu fulani, ni yeye anakwenda fungua. Na kule bado tuko na maDC and kuko na ma D.O, and kuko na Wajumbe. Kwa hivyo p;endekezo zangu ni rais awe na kazi moja.

Ya pili, ninapendekeza kuwe na Makamu wa Rais. Ya tatu utawala wa majimbo si nzuri, maanake itakuja kugawanya watu, na ni rahisi watu kupigana. Kwa hivyo mimi kwangu ninaonelea utawa wa majimbo si mzuri. Ya nne, hii korti ya polisi ya nje ya korti tungetaka ikwishe. Wana korti nje ya korti. Tungetaka wamalikze lhiyo manayake wananyonya sisi na njia isio julikana.

Com. Ibrahim Lethome: Fafanua.

Kingori: Ninataka ku fafanua hivi. Wanaweza wakakushjika ufanye kesi huko. Na upigwe fain huko. Pengine upigwe fain nyingi kuliko ile ungepingwa kortini. Hiyo Itunataka iishe tukisha tengeneza katiba mpya. Hiyo iishe.

PC na DC na DO kwangu hawa ni watu wajiri ikiwa tutakuwa na serikali ingine. Ikiwa tutakuwa na serikali ingine hawa watu kazi yao si mbaya. Senior Chief na Chief na Sub chief hawa watu maoini yangu tuwe tukiwahcagua sisi kama wananchi. Mtu wakuchochea kazi yao wapigane, mtu anaweza akijitowa tu sachochu watu huku wapigane saa zingine. Huyu mtu achukuliwe kama muuaji. Ningependa huyo mtu apewe kifungo wa maisha.

Nane, Bunge ipewe nguvu yuotoe katika Kenya ya utawala. Lakini sio mltu binafsi.

Tisa, kuwe na sheria ya kukataza watu silaha. Maana yake sasa inaonekana kuna kabila ingine iko silaha na bunduki, na kuna kabila ingine hawana chochote. Kwa hivyo kabila enya wako na bunduki, wnaonyesha ile kabila ingine. Hiyo kwangu nimekataa kabisa. Ningependa raia wote wa Kenya wasikubaliwe kuwe na bunduki. Na hiyo itatufanya tukae viema na itafanya kila mtu bila kuwa na malji katika tumbo. Ninafikiri maoni yangu ilikuwa ni lhayo tu machache na nimeshukuru. Ahsante.

Com. Ibrahim Lethome: Kama hayuko, tumpate Kiptoo Kolof. Evens Nyaoro amekuja. Kiptoo hayuko. Councillor David Maitahi yuko? Councillor J. K. Muthanga, Teresa Yego, Loise Nabichiru, alizungumza yule mama, Alex Kibore, okay, utamfuata huyo. Endelea.

Evans Nyaora: Kwa jina ninaitawa Evans Nyaora, Coordinator wa Rumuruti Idha Association. Sisi ndiyo tumekuwa tukifundisha mambo ya Katiba hapa. Pendekezo langu la kwanza ninge sema Katiba hii tunayo tengeneza itengenezwe kwa ligha raisi, na itafsiriwe kwa kila lugha kama bibilia, halafu kila Mkenya afundishwe na awe akikaa nayo. Tena ningependekeza kuwea Wakenya wote wawe na haski ya kuajiriwa kwa kazi ambaye amefulu bila kubaguliwa kwa kikabila, ama yeye ni mlemavu au ni wa kabila fulani. Pia ningependekeza, all public utilities and financial institutions to de-linked from the government ndiyo zi siwe zikitumiwa na wana siasa ku reward political sychoman with Directorship, au kupatiana contract to the politically connected tycoons. All Kenyans should have a right to live and work and own property anywhere in Kenya and freely travel within the country. The government shoujdl guarantee security to every Kenyan. Pia ningependekeza hawa wanajeshi wetu, tuko na ma engineer huko, watu wamesomea taluma mballi mbali. Tuwe tunawatumjia. Kama ni wale ma-engineer wa barabara, wako na hiyo vifaa. Kwa vile arra arra kwa vita, kwa arrack wawe wanakaa wachache wenye wako stand by. Hawa wengine wacha tuwatumie kutengeneza barabara, watujenge dams, kwa vile wako na hiyo ujuzi, na wamekomeshwa na pesa za uma.

Halafu, ningependekeza Katiba to fight for repossession of any public resources which have been acquired corruptly, kama mashamba, magari ama manyumba ya serikali. Yalioaliwa kwa njia ambazo hazifai zirudishwe kwa serikali. Mfanyi kazi yeyote wa serikali ambaye ameshatkiwa na amepatikana hapa na makosa ya corruption, anafaa afutwe kutoka kazi afungwe na alipe ile mali yote ndiyo akitoka jela asiende kukula hiyomali. Pia ningependekeza wakulima walindwe na Katiba, wasi gandamizwa wanaitwa middle men, halafu na serikaoli pia subsidize farm inputs kama fertilizer na mbegu. Mtu yoyote ambaye amenunua shamba awe na haki ya kuishi kwa hiyo shamba. Saa hii, kama hapa Rumuriti tuko na hiyo shida, hapa Laikipia. Watu wamenunua mashamba lakini hawaishi kwa hayo mashamba. Wengine ndiyo wana ishi huko. Wenyewe wamesha fukuzwa wanaishi kama ma-quota saa hii, kama huku Rumuruti ama huku Nyahuru minor. Lakini wako na mashamba, wangependa kurudi kwa mashamba yao lakini ni kama wefukuzwa kwa sababu ya kiusalama.

Pia ningependekeza, kama mtu ameiba kitu cha mtu, akipelekwa kortini na ipatikane kweli ameiba, arudishe hiyo kitu ameiba halafu tena afungwe. Saa hii, ukipelekwa kortini kama umeiba kitu cha mtu, unafungwa tu halafu unatoka unaenda ku-enjoy ile property.

Kwa upande wa Macouncillors, ningependekeza minimum qualification iwe form four level na wa serve for only tow terms of five years each. Pia raia wepewe uwezo ya kupiga public forces, na elected representatives should have powers to run Local Authorities without interference from the Central Government. Chief officers in these Local Authorities should be employed by the Councils themselves and not the Central Government. Mayors and Chairman wa Council wa chaguliwe

directly na wnaanchi, and they should serve a term of two and half year, and waruhusiwe ku serve for a maximum of 4 terms kwa hivyo hiyo ni miaka kumi.

Com. Ibrahim Lethome:

(Inaudible).

Nyaora: Two and half year term for a maximum of 4 terms, so that is ten years.

Wabunge pia, minimum level of education iwe form four and they should serve for a maximum of two five year terms. They should lhave offices ini their constituencies where they will be meeting their constituents. If the fail to perform, within two years, the electorate should have powers to pass a vote of no confidence. Parliament should lhave powers to veto Presidential appointments kama Ministers. Mtu akipendekezwa kuwa Minister anapelekwa Bunge tunamkagua kama ni mkora, anakataliwa na Bunge. Ndiyo Bunge ipewe uwezo wa ku pass a vote of no confidence kwa serikali. Bunge pia iwe na clandar yake yenyewe isise controlled na mtu moja kama siri.

President: ningependekeza awe mtu ambaye aki na at least a first degrees from a recognized university, na awe na a minimum ager of 35 years and a maximum of 70 years. The president should govern in consultation with Parliament. The president should rulefor a minimum of 2 terms of five years each, he should not be a member of Parliament and during Presidential elections the executive functions should be handled by the speaker to the National Assembly.

The number of political parties we propose should be minimized to three, and they should be financed from the Consolidated Funds, there should also be a Constitutional provision for independent candidates.

All Kenyans should have e constitutional right to legal representation na kama huyo mtu hawezi kupata wakili, the State should provide one.

Any person who is elected as a member of parliament or as a Councillor on a political party and defects to another party after elections, by-elections should be held and he should be barred from participating in any future elections. Any candidate who fights for presidential elections for two terms and loses should not be eligible to vie for another term. Elections dates should be stated in the Constitution and should not be used as a secret weapon.

Freedom of worship should also be limited to prevent cases of devil worship and these cults we are calling doomsday cults. The Constitutions should also provide for freedom of process, and free flow of information. Ni hayo tu.

Com. Ibrahim Lethome: Alex

Alex Kibore: My name is Alex Kibore, I come from Loriang of Salama Location. First I would like to give my submission mostly based in Laikipia, that is where we are driving our resources from, that is where we are living, that is where we get our livelihood.

First if I may start, the Presidential powers vested on him, should be removed, e.g., we hear that the president is the Chancellor of our local universities, Commander of the Armed Forces, Farmer number one, and the rest. These powers should be removed, like the Chancellor of our local universities; we see that there is the Minister of Education. So we should disintegrate some of these duties. Give the Minister the chance to preside over the graduation for many of our local universities. Commander or the Chief of the Armed forces, give the Minister concerned. The President should be given a two year term or let us say the tenure of office should be a two year term of five years.

I come to Judiciary: judiciary should be an independent body. Corrupt judges and Magistrates should be sacked and their positions be retrieved. As it was said, the case of owning cases that is due to the Judiciary not being an independent body.

I come to education sector: Education should be free to all from primary, that is from standard one to standard 8. there should not be subsidiary fee, yet it is known that education is free. There should be a criteria put in place for marginal districts, like Laikipia because Laikipia, especially the area I come from, and even the division we are in, the current entry point to any government college has been moved from D+ to D plain. President Moi when he got into power that is around 24 years ago, he never meant his words when he said he cannot compare Baringo with Kikuyu land. That means it has lived to be true because look at the doctors now from Baringo; look at the engineers, and other professionals from other sectors. My recommendation is that we are in marginal district, they have so many logistics we have in place. We are coupled by insecurity, we are coupled by elephant menace, we are coupled by all of these things in place for us not that our children cannot perform better. Our recommendation is that I would propose due to logistics we have in place, that the entry point to government college be D plain, and then to C+ in our local universities, because we will be producing our own children, we educate them with a lot of money, just to come and join us at home, and yet our resources are merger.

Coding of communities living in Likipia, Laikipia district is known as cosmopolitan district. We have a lot of the communities living in Laikipia and when it comes to employment, when there is recruitment of office, for example, those communities in the Kalenjin bracket, of you are related from Kalenjin, if one Tugen is employed, it is assumed that Kalenjin has been employed, denying the child, either a Kipsigis, a Tugen, a Keiyo a Pokot and the rest, and so in this case let it be clear, and put in the coming Constitutions that there are many tribes in Laikipia and each tribe should have a code, and the representation in the national cake, that is if there is any employment. For example....no I am not repeating, let me go to the environment.

Forestry 2000 should have presidential decree to pave way to communities to run the forest and manage for themselves. Compensation by elephants that is so far we have lost about 16 lives in the recent month, and there is no compensations. The

compensations currently should move to one million shillings, as it was tabled in Parliament. Desertification is encroaching our district due to aggressions of forest. I would recommend that our forest be retrieved and Agro Forestry should be started.

Agriculture: farm inputs are too expensive for our farmers around, yet when a farmer purchases may be for example he buys at 1320, only to sell one bag of 90 kg at 350. There is no fairness. Yet he is struggling with the animal, but when he securely has his maize in the store, only to dispose at the price. So I would recommend the government to countercheck the liberalization market. Let there be a minimum of one thousand per bag. Then the farmer in Laikipia like any other farmer elsewhere.

I come to Local Councils. Mayors should be elected directly and be given five-year term in office for the development to be put in place. Chairman of Local Council to be elected by the people for over a period of five years.

I come Health Services. Health or Medical Services should reach all and be made to be accessible. There is also the Act in (inaudible) of Public Health Act, Cap 254, and Cap 242. These two Acts should be strengthened. We have in case in few months gone by, a giant company manufacturing drinks, a condom was found in one of the bottles, only to be fined six thousands. It makes a joke to a prosecuting officers. We propose that these two Acts be given strength for operation. I come to land. Issuance of title deeds; there is also a Commission in place that we know has been going round. I recommend the Commission gives us the report. Finally we have what we call a presidential Bursary for that matter. To me it should be scrapped because the real deserving children or students never benefit from this bursary yet it is known to be there in the district.

Com. Ibrahim Lethome: I now call upon councillor Solomon Kiguru who is the Chairman of Rumuruti Town Council to present his views.

Cllr. Solomon Kiguru: Ahsante sana Mr. Chairman. Kwangu mapendekezo yangu, ninataka kukushukuru kwa niaba ya Commission kwa kutupa siku hii ya leo tarehe tano mwezi wa July kuwa hapa kwetu. Tuna juwa kulikuwa na shida fulani. Ilikuwa imetolewa mapendekezo na mtu fulani kwamba tuwe na Commission Ngarwa pamoja na Nyahururu leo. Laikin nyinyi pendekezo yenu tuanfuraia sana kwasababu inaonekana mlikumbuka division hii ya Rumuruti. Ilikuwa imewachwa nje, na hiyo tunafurahia sana. Tena nikwambie kwamba wakati tena mlikuwa mmekuja hapa safari ile ingine, ninafikiri kwa report yenu mlifurahia sana, sababu sisi tulihudhuria kwa wingi sana, na ninge wasihi wewe umekuja na kujionea safari ile ingine kama zile tungetaka tuwe tukiwekwa sawa na division ya Nyahururu hata Nga’rwa na tukiwa na mapendekezo ya mambo kama hii inatuhusu. Na hiyo ninashukuru sana kwa niaba ya hawa watu wote. Tena pia ninataka kushukuru wananchi wote wa Rumuruti division na wale wengine pia kama wametoka pahali ingine, sababu wamekuja kwa wingi na tena wametoa maoni yao, na inaonekana hata usiku uenda ikaingia kabla hawajamalizika. Na hiyo ni kitu tunafurahia sasa, kwa sababu inaonekana wako na imani na kazi ya Commission. Sasa mimi nikiendelea, yangu ni machache tu pendekezo sababu ninaona watu wetu wametoa maoni kabisa, na yangu tu ni kwanza ni semem mambo inahusiana na security, pendekezo yetu ni tufikiriwe mambo ya security

kabisa. Sababu kama iko district, ingeendelea kabisa katika Kenya mzima ni Laikipia, saidi, laikipia west. Sababu sisi hakuna kitu hatuko nacho. Tuko na mashamba ya kulima, na tuko na mashambaya ya ufugaji. Lakini kwa kutokuwa na security ya kutosha. Mambo yametuharibikia kabisa. Kwa hivyo, tunaona mambo hayo ya security ifikiriwe kabisa na sisi kisheria tulindwe pamoja pamoja na mali yetu. Tulindwe kisheria kama Katiba ya mbele ilikuwa imesema. Mtu alindwe pamoja na mali yake.

Pia, wenye kutuharibu na paka tukatoka wengine, wetu wakatoroka kama

ni upande na

Maran, na Spirin, na upande ya Durumo, kutoka kwa mashamba yao ni mambo ambayo yanafanywa na tena pia hata kurithi waschana pamoja na akina mama. Ninisema wazi, huwezi kushika msichana au mama na nguvu, ikiwa hauna silaha. Lazima uwe na kisu au kitu chochote cha kutisha. Na ikiwa unatumia nguvu ya kumtisha na kisu au bunduki, rungu au kitu kingine, wewe ni kama muuwaji. Kwa hivyo mimi ninge pendekeza mtu ambaye atashikwa na mambo ya raping, afanye kesi ya uuwaji, sababu hiyo alitumia silaha ndiyo afanye ile mambo.

Mambo mengine ni primary education. Hiyo wakati wa mbele hapa katiba yetu, ilikuwa ikiwema tuwe na masomo ya bure ya primary, na tunge taka hiyo hali sasa kwa Katiba yetu, serikali ile itakuwako ifikirie hiyo, na tuwe na primary education ya bure.

Tena mambo ya afya pia. Hata kwa kya sasa isipokuwa ni kutotumiwa vizuri, mambo ya hospitali ilikuwa free na sisi tunataka iendelee hivyo hivyo sasa.

Mambo mengine ni ya mahsamba: Mashamba katika Kenya mzima. Wewe uwe na point moja au uwe na acre helufu kumi, hakuna mtu Kenya alipata shamba ya bure. Kisheria kila mtu alipewa pesa akanunua, na hiyo ndiyo iko in order hata katiba ya sasa. Kama kuna mambo ingine inafikiriwa, ya mashamba, iwe ikijulikana, hakuna mtu Kenya alipata shamba ya bure. Ni lazima alizugumza na mwenyewe na akanunua. Kwa mapendekezo ya shamba iwekwe kwa mnunujaji na muuzaji. Wawe wakikubaliana vile watakavyo nunua vile watakavyo uza na kununua.

Mambo ingine pia inafuata ya tano ni mambo inahusiana na youth. Sisi tumekuwa maskini kabisa shauri ya hawa vijana wetu pamoja na waschana, sababu katika Kenya ndiyo wengi sasa. Katiba yetu inatakiwa kuwafikiria zaidi. Sababu tukisema ati watu we-retire pampema ndiyo vijana na waschana wetu wapate kazi, hiyo ni kitu haitawezekana, haitatufaidi. Mipango ifanywe, kama ni kuwatafutia pesa na hizi mambo inahusiana kama ni mambo ya jua kali, NGOs, au serikali itafute pesa na njia yoyote, waingie katika town na rural areas, vijana na wasichana wa juveniles, ijulikane watasaidiwa namnagani. Sababu hata tukiretire sisi wazee, inaonekana hawa ni mara nne, tano au kumi kwetu sisi. Na hakuna kutu itawafaidi. Kwa hivyo inaonekana ni mpango ufanywe kabisa ili tuone watoto hawe wengi tutawasaidia namnagani.

Mambo ingine inahusiana na wakulima na wafugaji pamoja. Tunasikia kama ni America, uingereza, aus South Africa, mtu wa kwanza ule anasikika kabisa, ana shikilia uchumi wa nchi ile ni mkulima na mfugaji. Na kama iko mtu hapa Kenya ameteseka ni mkulima na mfugaji, na ndiyo unaona hata sisi tunakulana kichwa sababu sisi tumeingia umaskini kabisa. Weatu hawa unatuona hapa sisi tunajuana, sisi tuko watu aina mbili. Wengine ni wakulima, na wale wengine ni wafugaji. Unaona sisi, tukisha lima chakula yetu inapotea bure. Tunataka mkulima afikiriwe kabisa. Naye mfugaji, ngombe na mbuzi iangaliwe, serikali warudi kwa mpango wa kusaidia wafugaji. Ngombe yetu wanakwisha shauri ya magonjwa. Dawa huwezi kununua, imekuwa kali kabisa. Na ukitaka kuuza hiyo mnyama, ikihesabu tangu uanze kuilea, huwezi kurudisha faida yake pamoja na mchungaji. Kwa hivyo inaonekana, sisi wakulima pamoja na wafugaji, serikali inatakiwa ituweke class ya kwanza kufikira wakulima na wafugaji watasaidiwa namna gani kikatiba.

Mambo inahusiana na maofisi, tunataka ofisi ya Attorney General iwe independent kabisa. Na ikiwa atakuwa na swali ya kujibu, mamlaka hiyo ipewe parliament lakini si president wa nchi hii. Tena poai ofisi ya Auditor General pia iwe chini ya Parliament au Commission ile itakuwa imechaguliwa na Parliament, lakini

Mambo inahusiana na mshahara ya Parliament, hiyo ni mambo ya sikitika sana wakati wa sasa. Sababu pengine Parliament uweso ile wako nao ni hawa na kusema na kufanya na kujifanyia. Kwa hivyo inaonekana ifikiriwe, kama ni independent Commission itachaguliwa ili kwa upande wa mshahara na matumizi yao iwe ikisimamiwa na hiyo body.

Mambo ingine inahusiana na uchaguzi, tunataka uchaguzi wakati wa election iwe uchaguzi wa siku moja. Kama vile tunafanya sasa. Uchaguzi iwe ni wa siku moja wa president pamoja na Parliament na Local Authority. Na isiende ikawa na irregularity. Bwana Commissioner, kama safari ya kwanza nitoe mfano, election ile tumefanya 1997, inaonekana nyinyi mlikuwa independent lakini irregularity ili kuwa mbaya sana. Sababu kama hapa na ndiyo hapa tulikuwa tukifanyia ballot, tulikuwa tukihesabia hapa, unasisikia kari busiku mbili au tatu, kuna station haija fika masanduku ya kura. Watu wanafanya laini pale, lakini 12 hours inakwisha kabla masanduku bado kupelekwa huko. Hiyo hamuwezi kusema ati mlingiliwa, lakini hiyo tunatambua ikama ni rigging ilikuwa ikifanywa straight.

Com. Ibrahim Lethome: Unaweza kusema lingine, ume- concentrate na election.

Cllr: Kuguru: Kwa hivyo sisi tunaona hayo ni mambo inatakiwa kufikiriwa sana sababu tuliona ni uizi ulikuwa ukifanyika mchana sisi tunataka mfikirie kabisa Katiba iwekwe vizuri mambo kama hayo yasifanyike. Kwa hayo machache, mimi sina mengi sababu inaonekana hatutaki kuchelewesha watu hawa na watatoa maoni.

Com: Ibrahim Lethome: Mammo ya uchagulizi inashugulikiwa na Electoral Commission, sio sisi. In fact 1997, hatukuwako. John Gicheru, hayupo, Peter M. Kiama, David Rukwaro.

Amos Kingori: Jina langu ni Amos Kingori. Mengi yamesemwa sitaki kuyarudia. Ningetaka kuzungumzia kuhusu ardhi, maana tumepata kuona ya kwamba, shida nyingi tunapata katika nchi hii, hata serikali inaonekana kwamba imo ndani ya shida hizi. Kwa sababu kama vile tunasema hali ya security, wengi wamenunua mashamba katika nchi hii na wamesha hama kwa shamba yao, wakaenda kutafuta makao pahali pengine. Hii ni hali ya kutokana na hali ya security. Hata mara kwa mara unakuta kwamba, sisi pamoja na wafugaji, serikali imekosa kuunganisha sisi tuwe kitu kimoja. Mchugaji ajue sehemu ile inafaa kuchungwa na sehemu ile inafaa, mkulima naye pengine achunge. Mashamba yakanunuliwa na watu wakarudi kuhama kama wamenyanganywa na wafugaji.

Hali ya clashes nayo has also played a part in this. Kwa sababu mara kwa mara unakuta kwamba watu wamekwisha hama kwa mashamba yao. Kwa hivyo pendekezo langu ningependekeza kwamba, kuwe na own security of one's property. Kwa hivyo kama ni shamba langu, ikiwa hatujazikizana na mfugaji, iwe hawazi akasimamia ng'ombe zake pale na mkuki ama silaha zingine. Kuhusu silaha pendekezo langu ningependekeza kwamba, zamami kale tulisikia kwamba ukiwa na silaha ni lazima kuandikisha kwa DO na uwe na kibali. Siku hizi tunaona silaha zimejaa. Kama mtu hana bunduki ako na kisu, kama hana kisu ana silaha zingine.

Com. Ibrahim Lethome: Unapendekeza nini?

Amos Kingori: Na pendekeza silaha zote ziwe si halali mtu kubeba.

Naingia upande wa wanyama: Ingawa imenenwa kidogo tuangalie jambo hili. Kwa sababu idara inayo husika na wanyama ni kama wameachilia wanadamu na kuinua wanyama. Kwa sababu ukiangalia kama myama, akianguka kwa shimo, kuna mashimo mengine ambayo yanachimbwa na watu wengine ya maji. Na kuna shimo zingine niliona kama upande huu wa Ndurumo, ndovu akaanguka. Tulipata kuona kwamba hao watu wardens, hawa wanachunga wanyama, wanakuja hata na ndege kuangalia yule mnyama. Na hali ikiwa myama mwenyewe ameua mwanadamu, inakuwa ni shida. Yule maiti anaweza kushinda pale bila kuangaliwa na yeyote.

Com. Ibrahim Lethome: Unapendekeza nini?

Amos Kingori: Badala ya kuinua wanyama, wanadamu tuinuliwe zaidi.

Na upande mwingine nikimaliza, ni upande wa ukulima. Mkulima ni mtu ambaye ni mtu wa muhimu katika nchi hii na ambaye amesahaulika.

Com. Ibrahim Lethome: Unapendekeza nini?

Amos Kingori: Nina pendekeza mkulima ainuliwe zaidi na serikali. Wakati wa kununua wasiwe wanakopa mali ya mkulima; tuseme kama ni mahindi maharagwe na kadhalika. Kwa sababu serikali imeinuka na kukopa kopa mali ya wakulima na wanaendelea kufilisika. Ahsante.

Com. Ibrahim Lethome: Ahsante Kingori. Mugo Mwaura. Mugo Mwaura ni wewe?

Interjection: Inaudible.

Com. Ibrahim Lethome: Nilikuwa nimekuita? Haya endelea.

Wilson Kimei: Kwa majija mimi ni Wilson Kimei Meli. Kwa upande wa ardhi tumeachwa nyuma sana, tumefinywa na hatuna sauti.

Com. Ibrahim Lethome: Unapendekeza nini?

Wilson Kimei: Tukipendekeza, kama Mbunge anashindwa na kuongea, awe akiokota maoni kwa wananchi. Na wananchi wawe wakipewa ruhusa kuongea katika District, na watangaze siku ambayo wataweza kutoa maoni yao. Tangu uhuru 1963 hakuna mapato tumepata. Mashamba hatukonayo, elimu hatujapata, maploti hata ikigawanywa hatupat. Tunaona kama tumeachiliwa nje na serikali na tunaona tuko nje ya serikali. Operation ikiendelea kufanywa, sisi hatuna uhuru kwa sababu tunalala watu watano hadi kumi katika nyumba moja, ambayo sio sheria Kenya.

Com. Ibrahim Lethome: Lngine.

Wilson Kimei: Haya nikiondoka hapo, elimu iwe ikionekana ni ya bure.

Hospitali iangaliwe, ili madaktari wasifanye kazi mara mbili. Unakuta madaktari wengine wako private na bado wako kwa serikali. Halafu tena wako na store ya kuuza madawa. Hata C.I.D wa Kenya kumbe hawafanyi kazi, kama wako. Na kama wako, wanaokota maoni ya wananchi kuhusu wagonjwa?

Com. Ibrahim Lethome: Lngine.

Wilson Kimei: Ya mwisho ni hali ya wild life katika Kenya. Yaani katika Laikipia hii, tunaona kama hatitusaidii. Mandovu yanakula mahindi.

Com. Ibrahim Lethome: Unapendekeza nini?

Wilson Kimei: Hata heri ndovu waondolewe Laikipwa ili tuweze kuishi.

Com. Ibrahim Lethome: Inaudible.

Wilson Kimei: Eh binadamu aishi.

Hali ya forest. Kama si forest, hatungekuwa na uhai, na kama tunachunga huko heri Mzungu mwenyewa aliye Kenya ahame, tupewe mashamba. Tuko squatters tunaalezwa tukate vipande kama uko na miaka ishirini.

Com. Ibrahim Lethome: Wazungu waondolewe mashamba yapewe Waafrika?

Wilson Kimei: Yeah.

Com. Ibrahim Lethome: La mwisho?

Wilson Kimei: La mwisho. Kuna urithi ama kama mtu ameaga tunampeleka mortuary, mwiaka yote. Siku gani tutazika halafu tuwe tukiona kaburi ilikuwa hii, ilikuwa ya babu.

Com. Ibrahim Lethome: Unataka nini (unclear words)

Wilson Kimei: Yaani upewe ardhi, halafu mtu akifa umzike hapo. Si ati unaenda Municipality kila siku kila siku. Na ma-plot yakigawanywa, yaangaliwe na serikali. Si ati mtu mmoja anapeleka. Pengine ni mtu wa DP, anapewa mia na anauza. Pengine ni ya Kanu anauza na raia wanakosa.

Com. Ibrahim Lethome: Unataka aje?

Wilson Kimei: Kama DP inapewa kiwango fulani, iangikwe DP imepewa kiwango fulani. Na iandikwe namba mpaka mwisho. Si ati mtu mmoja anyakuwe yote.

Com. Ibrahim Lethome: Basi kuwe na balancing.

Wilson Kimei: Yaani balancing nikiona kama kamati ya Council iwe akitazama, ni bora. Lakini si ati ukifika Council hata uulize unaambiwa toka hakuna nafasi. Ni kama wengine hatuna uhuru. Kwaherini.

Com. Ibrahim Lethome: Mugo Mwaura yuko? Charles Matheri? Jacob Gichini Maigua? Karibu. Halafu afuatwe na Onesmus Karimu Njungwa kama yuko. Ni wewe Mzee? Haya mtafauatana hivyo. Dakika mbili mbili. Jacob.

Jacob Gichimo: Mimi naitwa Jacob Gichimo Waigua na ningetaka kuchangia sana habari ya uwezo wa President. President ana uwezo mkubwa sana ni ndio naona hata kwa hii nchi yetu mambo yanaharibika. Kwa mapendekezo yangu ningetaka President aondolewe mamlaka ya kumchagua Permanent Secretary. Na tena aondolewe mamlaka ya kuwachagua judges na hata ma-Ambassadors. Na hata ma-provincial commissioners, waondolewe pia.

Nao upande wa Ma-Chief. Ma-Chief ningetaka kupendekeza ya kwamba wawe wakichaguliwa na raia kwa njia ya mlolongo. Naye President ningetaka kupendekeza ya kwamba awe mtu wa maneno yake. Iwe kama sheria ya kwamba President akisema kitu awe akifuata vile alisema jana, lakini ni kusema leo hii na kesho hii. Langu ni hilo.

Com. Ibrahim Lethome: Ahsante. Onesmus.

Onesmas Karimu: My name is Onesmas Karimu wa Njong'wa .

Structure of government: Kenya should remain a democratic republic governed by enacted laws as per Constitution with an elected Parliament. There will be an Executive President, assisted by Deputy President as the head of state and the Army. The President will be elected by a 50% vote cast by all elected voters and if no one reaches 50%, we'll go back for the votes and they will remain in office for a five year term, and can only be appointed for two terms only.

There will also be a Deputy President appointed likewise. There will be a Parliament elected on a separate vote. Constituencies should be made in such a manner that that each constituency should be approximately twenty-five thousand voters. Here I would add that the new Constitution should give special additional elected members to cater for disadvantaged people or for unpopulated constituencies in areas such as those found in North Eastern members, have two extra members. North Eastern, two extra members, Rift Valley two members.

Other special seats: Two for disabled persons, two for elderly persons, two for women, four for youth. Special interests like commerce, one person. Industries one person, Labour one person.

Emoluments of Members of Parliament and the Constitution offices should be regulated by a permanent remuneration committee.

Chairmen of local authorities and Mayors of Municipalities should be elected by voters. There will be a Supreme Court with a

Chief Justice who's term of office will be limited to two terms of five years. He should be nominated by the President with recommendations from the Judicial Service Commission from two names who read by the Law Society of Kenya. Other senior Legal Officers to be appointed by the Judicial Service Commission and vetted by Parliament.

The commission set up structures to revive the economy. Farmost in restructuring, is the security machinery. There will be a Kenya Police Service that is 'utumishi kwa wote' headed by an Inspector General with Commissioners of police and provinces.

Heads of the head-quarters to lead different units, all answerable to the Inspector General. Intelligent Unit will be on the portfolio of the Vice President, but the rest will be under the Ministry of Home Affairs. Thus those who roam the country-side killing people, maiming, robbing, rapping women and cattle rustlers, should be completely wiped out. Adequate communication network and soforth should be provided to the security machinery.

Water: Two thirds of Kenya is semi-arid. However we are endowed with this precious commodity. First priority of the concentration for the economy revival is to boost the activities of the Ministry of Agriculture, animal husbandry, water and marketing. Focus should be made on the national resources that is flow of water on Lake Victoria in East Africa should be checked, upto the Mountain and irrigate thousands of acres in West Rift Valley, top to Kimoroa and irrigate thousands of acres, North of Rift including Laikipia, Samburu and Isiolo. Other rivers like Tana and Athi etc should be used to irrigate parts of this country. This will give good land to Kenyans.

Public Service should employ technocrats with managerial drive to head government departments. The Prime Minister should also appoint accounting officers, who are professionals. Here I must say that there must be a Prime Minister appointed by Parliament to assist and he will be the head of the government. The President will be the head of the state

Needless to add, Kenya children need a free and compulsory education and medical care up to and including the 18th year.

All Kenya citizens should be free to live, work and own property in any part of the republic.

Lastly I will come to the department of Provincial Administration: My view is that this department should not go on. It should cease and in its place be taken over by a people development department headed by a District People Development officer whose job would be to coordinate various activities of government departments and local authorities. He will be an ex-official member of local authorities and chairman of the DC security committee. All in all this person will be the most senior government person in the District or Municipality. He will be a university graduate measuring in economics and related subjects to be able to initiate direct development problems in an agro-economic set up, and start-off 'jua kali industries' etc.

The Administration police could easily be merged with police service, issue sufficient communication apparatus and transport to support the work of the government and also to wipe out lawlessness which is in most places of this country. All crimes should

be investigated and brought to book.

Chiefs to be replaced by locational people's committee officers, trained in community work, prevention of crime and social studies, preferable at Kenya Institute of Administration to cope with prevalent issues.

Com. Ibrahim Lethome:

(inaudible)

Onesmas Karimu: But he is just a...

Com. Ibrahim Lethome: He is not just. He is very important, thank you very much. Who is the next person? Is Zablon Makori here? Are you Zablon Makori? Okey. Cllr. P.S. Kirwa. Lesianto Kampalo? I want to see how many people are remaining. Peter Kamau? Charles Karuga? Wachira Kamenjo? Joseph Wachira? Have a seat please. John Mburu? Cllr. JB Ndugu you will follow him. Then after that we shall have Samuel Gathinji. Samuel Gathinji. Jane W. Machira. Haya wewe nido utatufungia kikao. Mfuatane hivyo kwa hiyo taratibu.

John Mburu Koigi: Jina langu ni John Mburu, Koigi, chairman of the Freedom Fighters Laikipia District. Kitu ni mapendekezo tu sio history.

Maoni yangu ni haya: President awe akikaa ten years only. Five years, ten years akiwa anafanya vizuri.

Ya pili, pesa ya nchi ya nchi hii iwe na picture ya Kenyatta au ya Mt. Kenya.

Ya tatu, how the Freedom Fighters wanachukuliwa: Ikiwa katika new Constitution inaweza kusaidia wale watu ambao walipigania uhuru nchi hii, waondoe chaper 108 ya Parliament, chapter 108 ambao sisi tunachukuliwa kama magaidi, we are not taken as a responsible people. Hawa watu walipigania nchi hii. Kwa hivyo maoni yangu ningependa hiyo mambo iwekwe katika Constitution, ya kwamba hawa wanawake walipigania uhuru.

Ikiwa ni mstari wa mbele wakati wa Jamuhuri Day, Ngei awe karibu, Kagia, Ochieng Oneko na watu wengine walipigania uhuru, wawe ndio watu wa mstari wa mbele kuonekana, kwa sababu inaonekana siji hawa watu wanasema ni 'dot coms'. Sasa sijui wanataka tumalizike, bila kuonekana watu wowote. Kwa hivyo katika Constitution, mapendekezo yangu ningependa hawa watu ambao walipigania uhuru, na watu waliokuwa nchi hii, wachukuliwe kama watu, na wawe ni watu recognized, tuchukuliwe kama binadam.

Ya pili, katika Parliament hawa watu wanakwenda katika Parliament, wawe wakiangaliwa na Commission for two and a half years. Mtu akiwa ataonekana anafanya kazi sawa sawa anaondolewa. Iwe Commission inaweza kuja kuangalia kama kazi

yake ni nzuri, ile aliahidia watu.

Ya tatu. Mayor awe anachaguliwa na raia. Katika Constitution, pesa ya hawa watu ambao walipigania uhuru ifuatwe. Ilienda wapi? Iwe katika Commission ndani. Mimi ningependelea jambo hili la watu waliopigania uhuru liwekwe, na katika Districts sio tu kuletewa watu wanasema walisikia uhuru, mtu alisikia uhuru na hajui uhuru ni nini? Anakuja kuhubiria akiitwa madam madam nini na bado sisi tuko hai, na tunaamini serikali. Kwa hivyo serikali ichukue sisi kama watu ambao walipigania nchi hii, kama watu wazima, au watu ambao walijitolea juu ya nchi yao. Ahsante Bwana.

Com. Ibrahim Lethome: Ahsante sana. Councillor?

Cllr. John Ndugu: Mimi ni Cllr. John Ndugu Muthoi J.B. Yangu ni machache sana kwa sababu muda unakimbia. Ya kwanza ni hawa watu ambao wanalisha mashamba ya watu wapewe adhabu kali kama penalty ya miaka mitano katika jela, ikiwa hana ithini ya mwenye shamba, wale ambao wanalisha mashamba. Ili lingine, ni penalty iwe kali kwa wale watu ambao ni wezi wa mifugo katika Laikipia nzima, wawekwe ndani kwa kipindi cha miaka kumi bila fine, kwa sababu hapo walikuwa wakilipa ng'ombe na mbuzi tano kwa mbuzi moja au ngo'ombe tatu kwa ngo'ombe moja akiiba. Kwa hivyo hiyo ifanyike.

Lile ingine ningependekeza Chiefs and Assistant Chiefs wote waende kuwe na Council of elders akiwa amechaguliwa na wananchi wafanye kazi pamoja. Lile lingine ni DCs na DOs wabaki wakifanya kazi na hiyo Council of elders. Na Provincial Administration kama P.P.O, P.C, na P.M.O wote waondoke.

Lile lingine ni kwa upande wa elimu; elimu iwe ni ya bure kutoka nursery mpaka darasa la nane. Ili kuwezesha wale watoto ambao wanaranda randa hapa mijini na nyumbani kukaa bila masomo, wapate nafasi hiyo, hata disable wenyewe.

Lile lingine ni vyama visiandikwe zaidi ya vitatu. Viwe vitatu na viziidi tano. Pendekezo lile lingine nikiwa hapa, ni citizen aangaliwe ni yule indigenous ambae alikuwa hapa 1890. Na yule mtoto ambaye wazazi wake walikuwa hapa baada ya uhuru 1963.

Lile lingine ni upande wa freedom and responsibility citizen. Hiyo nayo limit ya individual freedom should be preserved of other persons freedom.

Lile lingine ni la military: Mkubwa wa military, na polisi na hao wengine should be head by Chief of General Staff na awe akiwa appointed na President.

Lile lingine ni mambo ya taxation: Kila mwananchi awe akilipa kodi ili kuwezesha serikali iendelee na matumishi yake kwa kila mwaka. Mkuu wa Governor of Central Bank awe na authority yake mwenyewe, na right akitumia Katiba ya Parliament. Na

awe akiwa appointed na confirmed na Parliament. Chief Justice vile vile nae afanye kazi bila kuwa chini ya mwingine na awe vetted na appointed by the President, na awe confirmed na Parliament. Attorney General vile vile ni namna hiyo, Controller ni vile vile na terms zao zisizidi miaka 65 kwa ofisi. Kwa hivyo iende namna hiyo. Ile ofisi nayo ningetaka kuweka mkazo sana, ni office of the Ombudsman. Hii ofisi sijui kama iko kwa Katiba, iwe kwa Katiba ili iwe ikiangalia maofisi haya yote nimesema hapo juu, ya Attorney General na mengine yote, iwe ni ofisi tofauti ambayo investigate and complaints from the citizen inaangaliwa kabisa.

Corruption nayo vile vile hapa, imeonekana kama imekubaliwa na sheria na kwa sababu imemaliza nchi hii, yule ambaye atakua ana hongana, na yule ambaye atahongwa, wanafungwa kifungo cha miaka zaidi ya mitano. Mambo ya President imesemwa na wale wengine waliyekuwako, lakini yangu inasema awe na miaka 35 na aingie kwa ofisi miaka mitano na isizidi terms mbili.

Local Authority Chairman na Vice Chairman awe amechaguliwa na wananchi kutoka mashinani mpaka mwisho na apite na kiwango cha kura zaidi ya 50%, na wakiwa zaidi ya wawili wafuatane namna hiyo. Wakiwa wamekuwa chini hiyo uchaguzi irudiwe. Education iwe ni 'O' level na awe ni mtu ambaye anatabia nzuri. Na miaka yake nayo iwe 35 mpaka 75.

Hesabu ya kura ihesabiwe yote ya President, ya Local Authority na Parliament, yote ihesabiwe kwa station ile ambayo imetupiwa, after 6 'O' clock. Kwa hivyo hii document nimepatia Commission to peruse it for further recommendation. Thank you.

Com. Ibrahim Lethome: Sasa yule mama nilikuwa nimesema ndiye wa mwisho, ameona atapeana memorandum yake bila kuzungumza. Nafikiri sasa kila kitu ambacho kina mwanzo kina mwisho wake. Huu ndio mwisho wa kikao chetu cha leo. Na tungependa kwanza kabisa kuwashukuru wananchi wa Rimoruti kwa vile mmejitoakesha kwa wingi, tumepata maoni ya hali ya juu sana.

Kisha tunawashukuru ile kamati ambayo imeshugulika na kutayarisha kikao hiki na kufanya mobilization, Jane na wenzake, is it Pricilla ama ni? Pascaline. Tunawashukuru sana kwa ile kazi ambayo mmefanya, kijana ambaye alikuwa anashika micro-phone na kufasiri, na wengine wote ambao wako hapo na wengine ambao hawako hapa, tunawashukuru sana. Kule kuote tumeenda hatujaona mobilization ya hali ya juu kama ile ambayo tuliona jana na leo. Nyahururu sijui lakini Kinamba ninajua, it was very high mobilization, helicopter pia ilisaidia kuleta watu zaidi.

Hapa leo pia nimefanya kazi ya hali ya juu asubuhi tulikuwa tunaogopa hakuna watu. Na pia nawashukuru wenzangu Jane na Dan kwa kusubiri mchana mzima.

Sasa tungetaka kungependa kufunga kikao hiki kwa kumuomba mtu mmoja katika kamati ya watu walio hapa kama kuna neno lolote ambao mgetaka kusema. Jane do you have anything to say before we close? Because the District Coordinator is not

here, you have to say something.

Jane W. Machira: Ningechukua ruhusa hii ya kuwarudishia ahsante. Wale wameenda na wale wamebaki, tafadhali watu wote ambao walikua kwa kikao hiki, the Commissioners na sisi Watu wa Centre for Conflict Resolution, tumefurahi sana na tumeona kazi ile tumefanya. Wale watakua wakienda nyumbani wakati huu, tafadhali warudishieni ahsante na tumeshukuru sana kwa ile kazi mmefanya ya kushinda na sisi hapa. Commissioner wetu mmesikia amesema ni ahsante sana.

The staff with the Commissioner wamefurahi sana tumeongea na mmoja wetu Jane na amesema hiki ni kikao kimekua kizuri zaidi, wamefurahia zaidi. Ahsante sana Mr. Commissioner na ahsante staff wa CKRC Kenya. Wakati huu, tupate mtu mmoja wa kutuendesha kwa maombi, ndio Mr Commissioner?

Com. Ibrahim Lethome: Yeah ndivyo.

Jane W. Machira: Ndiyo tufunge. Kuna mzee ambaye hata kama hukupatiana maoni, hebu patiana maoni yako kwa Mungu, uturudishie ahsante. Tafadhali karibu.

Nathan Kamau - (Prayer): Jina langu ni Nathan Kamau kutoka hapa Rumuruti. Aliye na kofia, tafadhalini tuvue kofia, lakini msiangalie yangu, yangu ina maana yake. Tunakushukuru Mwenyezi Mungu kwa kazi ambayo imefanyika kutoka asubuhi mpaka wakati huu. Tunajua Mungu wetu unamengi unaweza kutufanyia katika nchi hii, kwa waki huu ambao tunatayarisha muongozo wa nchi hii.

Tunakushukuru sana kwa ile kazi imefanyika siku ya leo na tunakuomba vile vile kwa ile itaendelea kufanyika uwe pamoja wale wanaifanya, ili uwape nguvu na vile vile wananchi ambao watakao toa maoni, ili watoe maoni ambayo itawezesha nchi hii, kupiga hatua mabaya ni ya manufaa kwa wananchi wote katika Kenya hii yetu. Tunakushukuru kwa yote yale yatakae fanyika kwa wakati huu na wakati ujao. Kwa jina la Yesu Kristo aliye Mkombozi wetu Amen.

The meeting ended at 6.00 p.m.

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