

CONSTITUTION OF KENYA REVIEW COMMISSION

(CKRC)

VERBATIM REPORT OF

CONSTITUENCY PUBLIC HEARINGS,

MARAKWET EAST CONSTITUENCY,

HELD AT CHESOI D.O's OFFICE

ON

2 JULY 2002

**CONSTITUENCY PUBLIC HEARINGS OF MARAKWET EAST CONSTITUENCY HELD AT CHESOI D.O's
OFFICE ON 2ND JULY 2002**

PRESENT

Com Mutakha Kangu – Chair
Com Kavetsa Adagala

SECRETARIAT STAFF

Solomon Mukenion – Programme Officer
David Ochieng – Assistant Programme Officer
Regina Obara – Verbatim Recorder

The meeting was called to order at 10:35 a.m.

Solomon Mukenion: Basi wananchi tungependa kusema ya kwamba karibuni kwa mkutano. Wale ambao wamefika saa hizi wajiandikishe pale na mkae kwa kivuli hapa. Hapa mbele yenu ningependa kusema kwamba ni kamati ama members wa Constitutional Committee ya Review Commission. Leo wako hapa kuchukua maoni yenu. Kwa hivyo moja kwa moja kabla hatujaanza ningependa kabla hatujawajulisha ningependa kumwita Pastor aje kutufungulia kwa maombi ili tuweze kuendelea.

Prayers: Bwana tunakushukuru kwa wakati huu ambao umetuwezesha tukifika hapa siku ya leo. Mungu tunaomba ili uanze pamoja nasi na zaidi ya hayo yote yale ambayo tutazungumza siku ya leo, yaweze kuwa ya manufaa katika sehemu hii yetu ya Marakwet East. Tunakushukuru Mungu wetu kwa sababu ya hawa viongozi ambao umeleta kutoka mbali ili tunapoanza pamoja nao Mungu wetu tunaomba tushirikiane pamoja na tusadiane mahali ambapo tunaweza kusadiana. Kwa hivyo utuongoze wakati huu tunapoanza mkutano huu mpaka mwisho kwa maana ninaomba nikiamini katika jina la Yesu, Bwana wetu, Amen.

Solomon Mukenion: Basi hapa tuko na vikundi viwili kutoka secretariat ya Constitution of Kenya Review Commission,

Nairobi wenye wako mbele yenu hapa, nitawajulisha kisha pia nitapeana nafasi kwa Commissioners halafu tutaanza. Sasa, kwa upande wangu wa...my right tuko na Regina Obara, yeye ndiye atashika ama kunasa mambo yenu yote na tutaenda kuyasikiliza na kuandika yale yote mumesema huko Nairobi. Upande wangu wa kushoto kwanzia mwisho pale ni mwenzangu Jane Mbao. Yeye pia ako kama Programme Officer mwenzangu. Ukishapeana maoni yako Tutaandikisha jina lako pale ili ijulikane kwa miaka yote ambayo itafuata kama ishirini, thelathini ama hata hamsini ni nani alitoa maoni kwa ajili ya Constitution yetu mpya.

Anayefuata ni Douglas Mutai, yeye ni Assistant Programme Officer, ataandika mambo yenu. Mnapoongea inaandikwa, akifuatwa na Bwana Ochieng, pia yeye ataandika hivyo. Na mimi hapa ni Solomon Mukenion, ni Programme Officer nikiongoza kikundi hiki kwa ajili ya kuchukua maoni yenu kutoka kwa sehemu hii kwa kutengeneza Katiba yetu mpya. Asante sana na sijui kama watu wale wa 3C's wako hapa. Kama hawako, basi watatujulisha majina yao baadaye lakini sasa tutaanza kazi. Nitapea nafasi hii kwa Commissioners. Karibu Commissioner Kangu.

Com Kangu: Watu wa Marakwet East, sehemu ya Chesoi, ninawasalimu hamjambo. Mbele yenu ni members wa Commission ya kutengeneza Katiba, tuko wawili wenye watachukua maoni yenu leo. Mimi ninaitwa Mutakha Kangu, na mwenzangu ni Com. Kavetsa Adagala.

Siku ya leo ni siku yenu kupeana maoni vile mngependelea Katiba itengenezwe ifanane na itumikie nyinyi. Sio siku yetu sisi ma-Commissioners kuwazungumzia nyinyi, ni siku yenu nyinyi kuzungumza na sisi tukisikiza.

Inatakikana tujue huu mradi wa kutengeneza Katiba ni mradi wa umuhimu kwa Wakenya wote na Wakenya walisema tutengeneze Katiba kwa kupitia njia ya kuwauliza watu wenyewe kupeana maoni yao. Na ndio sababu tuko hapa, kuchukua maoni yenu. Commission imegawanywa kwa vikundi kadhaa, wakati huu tunatembelea Mkoa wa Rift Valley. Ikifika tarehe kumi na saba tutakuwa tumemaliza Rift Valley yote halafu tusonge kwa mkoa uliobaki wa Western.

Na maoni tunachukua kwa njia tofauti tofauti, tunachukua kwa watu tofauti tofauti. Watu wanaweza kuja mbele yetu, unaweza kuja mbele yetu kibinafsi, as an individual kupeana maoni. Unaweza kuja mbele yetu kama mtu anasimamia kikundi chenye kimeandikishwa na utueleze una-represent group fulani na tutachukua maoni yako. Unaweza kuja mbele yetu ukisimamia kikundi ambacho hakijaandikishwa, pia tutachukua maoni yako.

Maoni yenyewe unaweza kupeana kwa njia tatu. Kwanza unaweza kuwa umetengeneza maandishi yale tunaita written memorandum na uwe hutaki kuzungumza lolote ni kutupatia tu maandishi yako. Hiyo inaweza peana tu hapo kwa huyo Officer, anaandikisha jina lako na details zingine na unaweka sahihi, na ikiwa uko na shughuli zingine unataka kuenda unatoka pole unaenda. Ikiwa unataka kuyasikiza yale wengine wanazungumza unakaa unasikiliza.

Njia ya pili ni kwamba unaweza kuwa na maandishi, written memorandum lakini pia utake kuzungumzia hayo maandishi,

kuelezea yale mambo ya muhimu umeandika hapo. Tutakupatia nafasi ya kufanya hivyo. Na tukikupatia nafasi hiyo tunataka umulike tu makubwa makubwa ambayo umeandikisha hapo, usianze kutusomea yote. Kwa sababu tukisema usome yote hatutakuwa na nafasi ya kuwasikiza watu wote. Na kwa sababu umeandika tutaisoma. So mulika tu yale ya muhimu halafu utapeana pale itaandikishwa na utaweka sahihi.

Nafasi ya mwisho ni kwamba kuna wale ambao hawana maandishi yoyote lakini wako na mambo kiroho ambayo wanataka kuzungumzia oral submission. Tutakupatia nafasi utakaa hapa na uzungumze vile ungependelea na Tutaandikisha hayo na pia tunanasa hayo kwa huu mtambo wa kunasa sauti ndio baadaye ikiwa tunataka kusikiza tusikie fulani alisema nini tutaweza kuyarudia na tusikie yale ulisema.

Now, mkizungumza hivyo, tunasema kwa yule mtu ana maandishi na anataka kuzungumzia hayo maandishi, tunampatia dakika tano. Kwa yule hana maandishi, tunampatia dakika kumi. So, ni lazima ujaribu. Sababu tunafanya hivyo ni kwamba mara nyingi huwa tunapata watu wengi na tunataka kila mtu apate nafasi ya kujieleza yale ako nayo. Lakini huwa ninaongeza kusema kwamba na pia nasi tuko na ile inaitwa discretion saa ingine tunaangalia tunaona huyu ni opinion leader, anazungumza mambo ya wengi, tunaweza kumpatia yeye muda kidogo ajieleze hayo mambo yote kwa sababu imebeba wengi. Saa ingine tena tunaangalia tukiona watu hawajakuwa wengi tunaweza kukupatia wewe nafasi kubwa uongezee mambo yako. Lakini watu wakianza kuwa wengi, na masaa yanaaza kuenda tutaanza kupunguza hayo masaa ndio kila mtu apate nafasi ya kuzungumza machache.

So tukifanya hivyo usianze kulalamika ukisema mbona wamepatia huyu muda mrefu nami wananiipatia kidogo, ni hali ya kujaribu kuhakikisha kila mtu anapata nafasi ya kujieleza. So tukisema hivyo muelewe.

Jambo lingine ni kwamba ukiingia hapa unajiandikisha jina pale na hapo utaonyesha unataka kuzungumza ama unataka tu kusikiliza ya wale wengine wanazungumza. Na ukimaliza kuandikisha utakaa chini nasi tunafuata hiyo list. Tunaita majina kulingana na vile watu wamejiandikisha pale ndio iwe first come, first served. So hapana ukaa uanze kulalamika mbona sijaitwa, tunafuata huo utaratibu.

But again kwa hayo tunasema tena tuko na discretion kidogo. tuko na uwezo wa kuangalia kusema huyu mzee anaonekana amechoka wacha tumpatie yeye nafasi aende, vijana wanaweza kungoja kidogo ama mama wako na haraka tunaweza kuwa na hiyo discretion. Na tukifanya hivyo, tena hatutaki ulalamike ndio tunawaeleza mapema mjue, we can do that. So hivyo ndio tunafuata na ukitwa kuzungumza unakuja unakaa hapa unaanza na kutaja jina lako kwa sababu tunataka hata hilo jina linaswe kwa hii machine ndio tukitaka kusikiza baadaye tunajua fulani ndio alikuwa anazungumza. Unataja jina unazungumza yale unayo halafu ukimaliza unaenda pale unaandikisha jina na details zenye utaulizwa na kuweka sahihi. Hivyo ndio utaratibu wetu unaenda na tunataka tufuate huo utaratibu.

Na wakati mtu anazungumza, Wakenya walisema mradi huu ni mradi wa kujaribu kusaidia sisi kuanza kuwa na ile hali ya ku-tolerate watu wengine na maoni yao. Kuvumilia maoni ya wengine. Mtu akizungumza yale hufurahii, yale hukubaliani nayo si sawa wewe uanze kunungukina ama kupiga kelele huko. Unakimia unangoja wakati utapata nafasi yako na wewe unapeana yale yako uko nayo. Unaweza fulani alisema hivi, sikubaliani na hiyo nami ninasema hivyo. Hivyo ndio tunataka tuendele. Kwa sababu wakati na wewe uko hapa hatutataka mwingine apige kelele.

Sababu ya pili ni kwamba ukipiga kelele ile kazi ya kunasa yale yanazungumzwa ina haribika, tunaenda na kelele badala ya yale mtu alikuwa anazungumza. So tuwe watulivu, ukijua hata kama hukubaliani naye utapata nafasi yako na wewe utasema vile unafikiria na hivyo tutaweza kuendelea sawa sawa.

Jambo lingine ni kwamba unapomaliza kuzungumza, sisi tunaweza kuwa na swali moja ama mbili ya kukuuliza ufafanue jambo fulani lenye umesema, pengine hatujaelewa sawa sawa. Tunaweza kukuuliza wewe na unatujibu kama uko na majibu. Na kama huna majibu kama haujawai kufikiria tena uko na ruhusa kutuambia hilo sija fikiria pengine nitafikiria siku nyingine. Na hivyo ndio tutaendelea.

Lingine ni lugha. Uko na uhuru wa kutumia lugha yoyote unajisikia unaweza kujieleza bila wasiwasi. Ukitaka kuzungumza Kiingereza, ukitaka kuzungumza Kiswahili, ukitaka kuzungumza lugha ya nyumbani uko na ruhusa isipokuwa tutakuwa tunauliza mtu wa kutusaidia ku-translate ndio tupate kile unazungumza ndio tujue iko namna gani. So usiwe na wasiwasi ya kusema pengine mimi siwezi kuzungumza Kiswahili vizuri ama siwezi kuzungumza Kiingereza vizuri. Zungumza ile unafikiria itakuwezesha kujieleza vizuri.

La mwisho ni kwamba mradi huu ni wa Wakenya wote. Tunataka kuwasikiliza kina mama, tunataka kuwasikiza wazee, tunataka kuwasikiza wazee, tunataka kuwasikiza vijana, tunataka kuwasikiliza watu walemavu, tunataka kuskiliza viongozi, tunataka kuwasikiliza hata wafanyikazi wa Serikali na kila mtu ako huru kuzungumza yale ako nayo bila kuogopa kwamba ooh, D.O yuko hapa ama ooh, kama wewe ni chief unafikiria vile D.O yuko hapa siwezi kuzungumza mambo D.O atasikia. Hapana uko na uhuru uwe chief, uwe D.O. uwe nani kuzungumza kile unataka kuzungumza. Uwe raia, uko na uhuru wa kuzungumza mbele yetu.

Na tumefanya Civic Education na Serikali ina-support huu mradi hakuna officer wa Serikali atatoka hapa aanze kukusumbua mbona ulikuwa unasema hivi. Wamejua na ndio wamekuja kutusaidia. Na nikimaliza ninataka kumtambua Bwana D.O. na kumrudishia shukurani kwa kutusaidia mkutano huu na nimuulize asilimie watu kidogo kabla hatujaanza mkutano.

D.O.: (inaudible). So I don't want to waste so much time I know your time is already gone. What there is is people should gear themselves up to give you the right views because they are the representatives (?)

Com Mutakha Kangu: Thank you Bwana D.O. Na kama hatujaendelea ninafikiria sasa kuna members wa Constituency Constitutional Committee, kama wameingia tunataka tena nao wajitambulishie. Kama kuna yeyote tunataka asonje mbele na ajitambulishie ndio tuweze kuendelea.

Steven Cheboi: Asante Commissioner. Mimi ni Steven Cheboi, 3C's member, Marakwet East. Nimetoa shukurani sana kwa Commissioners, Bwana D.O akiwa upande wa administration, ma-chiefs, wazee vijana, kina mama na wananchi wote wa sehemu ya Tirap.

Leo ni siku yetu ya maana sana kwa sababu Tume ya Kurekebisha Katiba ya Kenya katika mpango wake, wako leo hapa na pengine wengine wako Chesongoi na wengine Kapcherop, Wilaya yetu ya Marakwet wakitaka kuchukua maoni ya wananchi kuhusu Katiba itakayo chungu nchi hii miaka mia moja ijayo ama zaidi. Kwa hivyo ni jukumu letu sisi kama wananchi wa Marakwet na wakaazi wote wa sehemu hii, tutoe maoni yetu, tuseme tungependelea namna gani. Tuko huru, hatutaogopa chochote. Ndio Bwana D.O. amesema hii sio kama baraza ile tulikuwa tunafanya jana. Hii iko huru na tunataka kila mtu atoboe ile kitu alikuwa anataka kusema. Bora tu useme tungependelea Katiba ya kesho iwe hivi. Kulingana na shida zile tuko nazo, tungependa Katiba iweze kuzishughulikia. Nyinyi mnaelewa mambo ya security, nyinyi mnaelewa mambo ya natural resources zetu zile tuko nazo na maisha yetu kwa jumla. Tunasema tungependelea Katiba iweze kufanya hivi na hivi.

Na kila mtu ako na nafasi ya kuongea. Unajiandikisha kwa hao watu, unasema pengine, iko mahali wanasema anwani yako na unaweka sahihi kidogo. halafu tunapatia Commissioners, waandike wataita jina lako. Unakuja hapa unasema vile ungependelea na vile unatka Katiba iwe.

Kwa hivyo tena ningependa kuwashukuru Commissioners kwa kusema asante kwa kufika, tunawakaribisha hapa Tirap Division.

Com Mutakha Kangu: Sasa tuanze na ukikuja ujue jambo la muhimu ni pendekezo. Wengi wanaenda story mingi, ooh, shida yetu hivi na hivi, ni sawa kusema shida lakini usema kwa maoni yetu hii shida inaweza tatuliwa kwa njia hii na ile. Pendekezo, proposals. So, tuanze na Mike Biwott. Sonja ukae hapa.

Mike Biwott: Sasa ninaongea vipi? Tutaongelea upande huu ama upande ule?

Com Kavetsa Adagala: Hapana unaongelea tu upande huu, submission yako ni kwa Tume, hao wamekuzindikisha. Tuambie majina yako kwanza.

Micah Biwott: Majina yangu hasa ni Micah Biwott, mimi ni Mwenyekiti mdogo wa Baraza la Marakwet County Council.

Nimekuja hapa kwa ajili ya Katiba ambayo itatuongoza siku zijazo. Ninataka kuguzia Katiba kuhusu bunge.

Bunge lazima iwe full-time kwanzia Monday hadi Friday. Na kwa faida ya wananchi iwe moja kwa moja kupitia mitambo ya mawasiliano kama radio na television. Mtihani kwa lugha ya wabunge inastahili kabisa. Lazima wawe ni watu ambao wanaweza kuwasiliana na watu wengine. Kwa hivyo lugha inastahili kufanyiwa mtihani kwa wabunge.

Kauli ya kukata mishara ya wabunge na marupurupu yao, hiyo ingewekwa kwa independent body ambayo inaweza kushughulika na mishahara yao. Kwa sababu mbunge au Rais au Councillor akiruhusiwa kujikatia mshahara wanaweza kujiwekea mshahara mnono na hiyo sio vizuri. Lazima kuwe na independent body ambayo haina uhusiano na wabunge. Kama relatives wao au wake zao wasiwe members wa hiyo panel. Wawe watu kando na relationship na hao wajumbe wa bunge.

Bunge, Rais awe na uwezo wa kuvunja na kuitisha uchaguzi wakati anaona ni vizuri. Lakini Katiba lazima ionyeshe rais tena awena na kielezo ni wakati gani inastahili. Kama ni five years, ni vizuri afikishe five year na anaitishwa uchaguzi huo.

Lazima tuwe na chama kile kinaunda Serikali kiwe na wawakilishi wengi katika bunge. Na kiongozi kama Rais awe anaenda miaka tano tano na anatoka bila kulazimishwa. Katiba ionyeshe wazi. Rais asiwe na mahali ambapo anawakilisha bungeni, awe tu ni Rais wa Jamuhuri mzima na asiwe na constituency yake.

Ninataka kubadilisha nia yangu ninazungumza kama mwakilishi wa Council. Serikali ya wilaya, mwenyekiti wao awe akichaguliwa moja kwa moja na wananchi na asiwe na ward. Awe wakati Councillors wanapigania ma-wards zao yeye anapigania district nzima. Lugha ya (?) ya kugombea viti vya udiwani lazima itengenezwe, tupate kiwango fulani ya kujua kuandika na kusoma. Na mishahara yao tena vile, vile iwe na independent body na iwe the same body ambayo inashughulikia ya wabunge isiwe kuna nyingine ya Districts au wapi, hapana hiyo ya central moja ndio itatekelezwa ile ya kwanza ambayo nilisema hapo mbeleni ya wabunge ndio inarelease hawa Councillors na iwe mshahara ambao ni sawa ukipata Councillor wa Municipal, na wa County Council na wa Town Council wote wawe na mshahara au allowance sawa. Serikali za wilaya ziandamane na ubunge. Wakati ile inavunjwa hata president awe na uwezo wa kuvunja hizo zote mbili.

Muundo wa utaratibu wa uchaguzi: lazima tufuate mfumo wa uchaguzi wa uwakilishi na tukiendelea na mfumo huo wa yule mwenye kura zaidi ndiye atatekelezwa kuwa ni mshindi katika ubunge. Na wale watu ambao pengine wanajaribu chama hiki kwa sababu huu ni mfumo wa vyama vingi wanajaribu chama kile kingine wanakwama tena wanajaribu cham kingine kesho ingine, hiyo iwe wazi. Kwa sababu hii ni kama dini. Mtu akiona kuwa kwa chama kingine anakosana na viongozi wa chama hicho ama anaona uongozi wake sio thabiti ako na uwezo na ukubaliwe kwa Katiba kwamba mtu anaweza kuamua kwa wakati wowote kuacha chama na kujiunga na chama kingine ama kuunda chama kipya.

Katika uwakilishi, makundi maalum ambayo yanastahili kuwakilishwa katika bunge ni vikundi vya walemavu, wawe na

mwakilishi ambaye anatetea masilahi ya walemavu katika bunge. Pia chama cha wanawake wawe na mwakilishi yule atatetea masilahi yao. Vile vile chama cha watoto kwa sababu watoto wanakuwa wanaandikwa na watu matajiri, wanawekwa kazi kidogo kidogo, wanaharibiwa na hakuna mtu mtetezi katika bunge.

Na katika kuchunguza ucheuzi ama sehemu ya uwakilishi bungeni lazima tufuate kigeographia ili tumwakilishe. Isiwe tu kufuata umati ama idadi ya watu kwa sababu sehemu zingine unaweza kuona geographia yake haistahili kuwekwa mbunge mmoja.

Katika ubunge na wale watu wanagombea mabaraza, ninataka kusema ya kwamba Katiba isibadilishwe. Iwe katika location moja awe na Councillor mmoja wa kuwakilisha watu katika location hiyo kama Diwani. Na bunge ikiwa wataongeza, waongeze mmoja mmoja kwa kila district.

(Interjection) **Com Mutakha Kangu:** Haya, anza kujaribu kumaliza, maliza.

Micah Biwott: Haya ninamaliza saa hii, ninaenda moja kwa moja. Ningependa niseme maneno ya utamaduni na Katiba. Utamaduni wa watu lazima ulindwe na Katiba kulingana na kila kabila kwa sababu tuko na makabila mengi na ikiwa tutawachiliwa kuna isilibiana na inaweza kuisilibiana na ile Katiba cha kikundi kingine ama another tribe itakuwa itasilibiana. Kwa hivyo Katiba ionyeshe wazi kwamba utamaduni na desturi na mila ya watu iwe kintundu.

Mali ya asili: Mali ya asili ikiwa vitu zitapatikana vitu kama madini, maji, misitu na mali ingine ya asili, mahali ambapo hicho kitu kinapatika na watu wafaidike nacho ili waipate zaidi. Hayo ndio mambo ya mazingira.

Kwa kumalizia ni kwamba Judiciary, watu wasiwe wakikaa kwa cell kama ni suspect kwa muda mrefu na mahakama isabazwe katika district level na ile mobile, ile inayozunguka iwe katika Divisional level. Hama District and Resident magistrates. Na ile ya makamu mkuu iongezwe ili isiwe na msongamano katika cell ya polisi ama huko...

Basi kwa hayo machache ninasema shukurani na Mungu awabariki.

Com Mutakha Kangu: Ngoja swali moja mzee.

Com Kavetsa Adagala: Mzee hukusema lugha gani ya bunge wala ya Council. Lugha...

Micah Biwott: Asante sana. Lugha ile ambayo inastahili kutumiwa kwa ubunge na Council ni Kiswahili na Kiingereza na yule mtu anahitimu hizo mbili basi ana fuzu kuwa mbunge ama awe Councillor.

Com Mutakha Kangu: Halafu hukusema masomo, kiwango cha masomo...

Micah Biwott: Sijasema kiwango cha masomo isipokuwa kama iko na stakabadhi ile ya KCPE ama CPE, iko sawa. Na kama hana na tayari amepita katika ile inaitwa language test, hiyo ndio maongozo.

Com Kavetsa Adagala: Okay, sasa wewe ni mtu wa Local Authority na umezungumzia watu wanafaa wafaidike kwa mali ya asili kwa sehemu zao na hujasema kama Local Authority wapate sehemu gani au wapate vipi kutokana na madini na misitu na vitu kama hivyo.

Micah Biwott: Local Authority ikiwa itafaidika... wakati ninaposema Local wafaidike nayo ni kwamba Local Government hiyo ni Serikali ya mitaa, ndio kama kutakuwa na mali ya asili inapitishwa hapo. Kama kutakuwa na barabara ambayo inaingia pale, local authority inakuwa managers wa kuhakikisha kwamba mwananchi amefaidika nayo. Kama kutakuwa na (?) kutakuwa namna hiyo.

Com Kavetsa Adagala: Ikiwa unatoa ushuru, unataka itoke kwa asilimia gani? Ya local authority kwa sababu kuna pesa kama ikiwa nzito na ushuru unatolewa au madini na watu wanachimba na kampuni iko na ushuru unatolewa. Unataka asilimia gani ifike kwa local authority?

Micah Biwott: Ninaonelea asilimia sabini na tano (75%).

Com Kavetsa Adagala: Haya. Na hapa kuna mazingira ya aina gani amabyo yanaweza kufaidi wananchi. tuambia tu kitu kile tu kiko hapa Marakwet. Umesema misitu...

Micah Biwott: Moja ni msitu.

Com Kavetsa Adagala: Gani, inaitwaje?

Micah Biwott: Kipkulus Forest na Empoput Forest.

Com Kavetsa Adagala: Haya endelea na mito?

Micah Biwott: Na maji.

Com Kavetsa Adagala: Endelea.

Micah Biwott: Ikiwa tutaweka kama power station basi watu watafaidika nayo kutoka mto ya Arur na mto wa Empoput.

Com Kavetsa Adagala: Madini?

Micah Biwott: Madini ambayo inapatikana hapa ni marbles na hayo mawe sijui wanaita nini, hata sielewi.

Com Kavetsa Adagala: Okay, pengine mwingine atatuambia. Okay asante sana.

Com Mutakha Kangu: Jiandikishe pale mzee.

Com Kavetsa Adagala: Mzee, fanya registration pale.

Com Mutakha Kangu: Elias Kanda.

Elias Kanda: Mimi nilikuwa na memorandum sitaki kuzungumza.

Com Mutakha Kangu: Hutaki kuzungumza.

Elias Kanda: Eeh.

Com Mutakha Kangu: Isaiah Boen.

Isaiah Boen: Asante Bwana Commissioner. Kwa jina ninaitwa Isaiah Boen na ninashukuru kwa kunipa nafasi hii niweze kutoa maoni yangu.

Na maoni yangu ya kwanza ninafikiri imeguziwa na Councillor ambaye alikuwa akiongea. Nilikuwa nikipenda kutoa maoni yangu kuhusu mambo ya forestry nikisema ingekuwa heri forest ambayo iko katika wilaya yoyote iwe ikisimamiwa na district hiyo. Ili wananchi wake waweze kufaidika kwa sababu kuna mali mingi ambayo inatoa na huwa mara nyingi wakaakji wa eneo hilo hawafaidiki kutoka kwa mali hiyo.

Jambo lingine, ningependa nitaje jambo kuhusu administration. Maoni yangu ningependa ma-chiefs wawe wakichaguliwa moja kwa moja na wananchi. kwa sababu wananchi wenyewe ndio wanaelewa wale wanafaa kwa sehemu hiyo.

Halafu jambo la tatu, ningependa nitaje jambo kuhusu mambo ya wizi kwa sababu kuna jambo fulani ambalo huwa linawapa wananchi hasara sana. kwa mfano unaweza kupoteza ng'ombe wako, mtu anaeza kuiba ng'ombe na baada ya yeye kufikishwa korti kwa wakili anafungwa kwa miaka kumi kwa mfano halafu baadaye mwenye ng'ombe hawezi kufaidika katika hali hiyo.

Yeye anaenda kufanya kazi, anafanyia kazi Serikali, Serikali inatumia yeye miaka kumi hiyo, anatoa mapato na mwisho mwenye ng'ombe anaenda hasara. Kwa hivyo mimi ningependekeza kwa serikali hiyo sheria iangaliwe halafu mwenye ng'ombe alipwe.

Basi Serikali iende imtafute yeye na kulipa mali hayo. Nafikiri hayo matatu yalikuwa maoni yangu. Asante.

Com Kavetsa Adagala: Sawa tu.

Com Mutakha Kangu: Jiandikishe pale. Tupate Sylvester Kimutai.

Sylvester Kimutai: Commissioners, asanteni kwa kufika huku Marakwet. Mimi ni Sylvester Kimutai. Ninatoka (?) sehemu ya chini upande ambao unapakana na Pokot.

Com Kavetsa Adagala: Paza sauti mzee.

Sylvester Kimutai: Niko na maneno machache ambayo...

Com Kavetsa Adagala: Songa huko.

Sylvester Kimutai: Wapi? I face you? Niko na maneno machache hapa ambayo ningependa kuwakilisha kwenu kwa Tume sio tu ni kwangu. Jambo langu la kwanza ni hili.

Women rights, haki ya akina mama: Mama apewe haki yake vilivyo. Mama asikuwe tu ni yule mtu anatumiwa ovyo. Aangaliwe kama ni chombo cha Mungu na sio tu ni bure. Kufuatia hiyo tukona maneno ya rape ambayo it is increasing. Ministry ambayo inahusika na haya maneno ya rape, wapewe long term jail kuliko maneno hayo mengine.

Ya pili, kuna maneno ya Serikali ya Moi. Serikali ya Moi. Katika maisha ya binadamu kuna personalities tatu. Moja ambayo ninajua ni kuwa ambivalent, extrovert na kuwa introvert. Moi hajatosheliza personalities hizo zote kama kiongozi wa nchi hii. Yeye amekuwa tu ni mtu wa nusu, amekuwa ambivalent, haja kuwa ambivalent. Amekuwa tu ni mtu wa jongoo nusu. Hajataka kutazama wale watu wengine. Nikisema hivi usiseme ni kwa ni nimesema lakini nimesema.

Tumeumia sana. kusema ambivalent kwa hii point yangu, sijataja extrovert na introvert, nimesema ambivalent yeye ni mtu wa katikati. Sisi huko chini tumeumia mbaya sana. Tumeumia kuumia. Na kuumia kwetu ni kwa sababu ya security, security.

Lingine ni mambo ya food programme hii distribution of food programme ambayo juzi, juzi tu tulikuwa tunapata misaada. Mashule za huko chini hazina chakuala. Mimi kila Jumatatu na Alhamisi ninaenda huko Pokot huko lakini ninambiwa kila nyumba huwa wanapewa chakula. Hata ukiwa mtoto mdogo tu, a sack, gunia moja moja lakini ukifika huko kwetu haifiki hata

goro goro.

Point ingene tena employment. Nyinyi watu ambao mko na kazi kama nyinyi wakati huu, you should serve the government for at least ten years then retire. Watu wengi wamesoma. Sasa watu hawa mnafikiria watapata wapi kazi. Retire after ten years, sisi wengine tajiriwe job. Sasa kunahaja gani sisi tuake tukiwasubiri mkija tunawaambia toeni hii?

Ingene ni retirement (?) Ministry of Finance... Mbona Moi, Moi, Moi? Ministry ya Finance, from independence Moi aliwachagua waziri kadhaa wa ministry hii. Niliopata kuwajua ni Mudavadi, Okemo na Obure wa juzi, juzi. Mbona Okemo ali-retire? Why? Ni nini kilimfanya Okemo akaretire?

(Interjection) **Com Mutakha Kangu:** He did not retire, he was transferred to another Ministry. Endelea tu.

Sylvester Kimutai: Sure?

Com Mutakha Kangu: Eeh, endelea tu.

Sylvester Kimutai: But huenda tu alilazimishwa.

Com Mutakha Kangu: I am getting your point.

Sylvester Kimutai: Haya sasa Obure, kijana mdogo tu huyu, huyu. Tutafanyaje? Okemo alifikiria alipoingia maneno ya hii kama Nyongesa ya mishahara ya waalimu ikawa ni vita. Yeye kufika kufanya value huko ikawa ni shida... (*End of tape*)

Si afadhali hata niishi nyumbani kwangu halafu atazame watoto.

(Interjection) **Com Kavetsa Adagala:** Toa pendekezo lako.

Sylvester Kimutai: Pendekezo langu ni hili...

Kavetsa Adagala: Zile za Okemo.

Sylvester Kimutai: Lakini wacha tuseme tu.

Com Kavetsa Adagala: Toa pendekezo lako kwa sababu umefikiria.

Sylvester Kimutai: My opinion?

Kavetsa Adagala: What you have thought.

Sylvester Kimutai: Kuhusu Okemo?

Kavetsa Adagala: No, Finance.

Sylvester Kimutai: Ooh, kuhusu finance?

Com Kavetsa Adagala: I am on Finance.

Sylvester Kimutai: Okay, Okemo tena...

Com Kavetsa Adagala: Pendekezo lako.

(Interjection) **Speaker:** Finance, sema finance.

Sylvester Kimutai: Kuhusu maneno ya Finance, sitaonge kuhusu hayo kwa sababu sijafika, kiwango changu sio cha juu sana ingawa niko...

(Interjection) **Com Mutakha Kangu:** Haya endelea na ile ulikuwa nayo.

Sylvester Kimutai: Sawa sawa. Distribution of food programme nimeongea hiyo, retirement...Sasa hayo ni hivi, Moi should retire. Ni kwa nini baada ya miaka mitano, wabunge wachaguliwe, ma-Councillors wanachaguliwa. Na ni kwa nini Moi huwa anabadilisha watu kama Okemo kabala hata hawajamaliza five years ati wameondoka, Moi should retire! After five years yeye aondoke ampe mtu mwingine hicho kiti. Ni hayo tu.

Com Kavetsa Adagala: Ni pendekezo kuhusu Moi au ni pendekezo kuhusu Rais...

(Interjection) **Com Mutakha Kangu:** The Office of President?

Sylvester Kimutai: The Office of the President.

Com Kavetsa Adagala: Wale watakuweco miaka hamsini, miaka mia moja au miaka mia mbili ijayo. So that Katiba

inazungumza mambo ya upana hivyo, ni kitu pana sana...

Sylvester Kimutai: Basi ninasema hivi. Pendekezo langu ni hili. Ukiwa Rais, ukiwa D.O., nisiguze upande wa administration sana. mtu kama Moi kiongozi ambaye huwa anachaguliwa na raia awe akienda... you see after five years aachilie watu engine job, ya nini? Sio ya kwake. Hii kiti ni yangu lakini sasa sinitamwachia mtu mwingine.

Com Mutakha Kangu: Umemealiza?

Sylvester Kimutai: Eeh, nimemaliza tafadhali, na niko na points zingine sijui...

Com Mutakha Kangu: Endelea, sema tu umalize yote. Take your time.

Sylvester Kimutai: Wacha niende nifikirie halafu nikiwa na point labda nitainua mikono juu.

Com Mutakha Kangu: Basi tupate David Chelimo.

David Chelimo: Commissioners, kwa majina mimi ninaitwa Pastor, naona huyo alikosea. Mimi ni Pastor David Chelimo, ninatoa hapa maoni yangu kuhusu...Katika hali yetu ya Marakwet tungependekeza kila mtu ambaye anaishi kwa shamba apewe title deed kwa sababu katika sehemu zetu nyingi mtu anishi tu kama skwota kwa shamba ile anaishi. Kwa hivyo ningependekeza kila mtu apewe title deed.

Pili, kama mtu akitaka kuchaguliwa ubunge ama kwenda bunge ningependekeza aandike kwanza kitu kama memorandum kusema ya kwamba nikienda bunge nitaenda kufanya hii, na hii na hii. Ili akikosa basi watu wenyewe watasema ulisema siku ile ya kwamba nikichaguliwa nitaenda kufanya hii kulingana na kile kitu ameandikisha hapo awali ama ameandika.

Tatu, mjube tena awe na ofisi katika kila constituency na aseme ya kwamba siku fulani ama isemekane akuje constituency mara mbili kwa mwezi. Ili kila mtu ambaye ako na maoni anaweza kukutana na yeye ili watu wengi wasiende Nairobi kumtafuta yeye. Yeye apatikane nyumbani ili asikae tu Nairobi mpaka tu pengine wakati wa harambee anakuja, wakati wa kufuza, fukuza inakuwa ni shida. Kwa hivyo pendekezo langu ni kwamba, awe na office, full-time, mtu akiwa na shida hata katikati ya pengine kabla ya mwezi ule kuingia, basi anaweza kuwasiliana na yeye.

La nne, ningependekeza labda tuseme ya kwamba watu $\frac{3}{4}$ ya constituency wakiwa na maoni pengine mjumbe wao hatekelezi yale watu wake wanasema basi $\frac{2}{3}$ ya constituency nzima waketi chini wapitishie vote of no confidence to that MP. Ili mtu asikae tu anangoja wakat wa kusema tu wakati wa elections anakuja lakini hasemi ya kwamba kuna kazi ambayo amepa watu.

La tano, kuhusu tena MP. ningependekeza tu labda pengine kabala ya mtu kusema anataka kuenda bunge, lazima awe mtu amesoma. Kwa sababu wakati wwetu ama wakati wa sasa, mtu ambaye hajasoma vizuri pengine...

(Interjection) **Com Mutakha Kangu:** Mpaka kiwango gani?

David Chelimo: Tuseme university level ili aweze kuwakilisha watu vilivyo. Na hata pengine Serikali wakimpatia yeye kazi ya kusema uwe unashikilia hiyo kazi, anakuwa mtu ambaye ni qualified. Hayo tu ndio maneno machache ambayo ningesema kwa hii Tume.

Com Kavetsa Adagala: Ngoja kidogo. Hapa $\frac{2}{3}$ rd ya constituency... unajua constituency sasa kuna watoto, watu wote wale walipiga kura hawakupiga kura... unataka $\frac{2}{3}$ rd ya nini kwa constituency? Ya watu wote wa constituency ama wale walipiga kura?

David Chelimo: Nilikuwa nikisema $\frac{2}{3}$ rd nikimaanisha wale walipiga kura, $\frac{2}{3}$ rd ya wale walipiga kura.

Com Kavetsa Adagala: Pastor umezungumzia lakini sijui, pengine ni uhuru wako, lakini hukuzungumzia mambo ya kanisa. Na we have very many views on kanisa. Kama hukuwa umepanga ni sawa, lakini kama una maoni ingekuwa vizuri kama ungetudondolea hapa kidogo.

David Chelimo: Kwa maneno ya kanisa wakati huu, mimi kwa maoni yangu sioni ubaya wowote. Ningetaka tu kila mtu afanye line yake, kama ni mtu wa kanisa afanye yake sio kazi ya kuingiliana, kuingia pande hii, kuingia pande hii. Kwa wakati huu sina shida mimi.

Com Mutakha Kangu: Asante basi, enda uweke sahihi. Na tupate Benjamin Kiptoo.

Benjamin Kiptoo: My names are Benjamin Kiptoo. I would like to contribute to your Commission for the benefit of every individual in our country. some of the issues have been aired out by my fellow colleagues. I will just add a bit of them.

First of all, in the section of the Local government, the standard of a person to be elected as a Councillor or Mayor they should have at least KCSE level, O level. This is so because in many cases when there is a meeting which (?) to wananchi and other officers in the government, there will be no difficulties arising in terms of communication.

Second is the section of the legislature. I would like to say that part-time, should be amended reason because when you say full-time MP we are just concentrating on those areas of the (?) unlike the citizens or the wananchi might be

(?) and therefore I recommend that part-time to be adopted.

Speaker: (Mater ngalekche kamua chichi eng Kingeresa).

Com Mutakha Kangu: Tumeelezwa kuna wale wangepedelea kufuatilia yale yanazungumza na hawafuati lugha. Ndio nimesema huyu awe anawapatia translation. Haya can I start?

Benjamin Kiptoo: Can I start?

Com Mutakha Kangu: Continue from where you had reached.

Benjamin Kiptoo: I was saying in the section of legislature...

Translator: (*Eng komostap chino indochinin bich*)

Benjamin Kiptoo: I would like to say that that time be amended.

Translator: (*kamua ale amache kebebertap ngoliondoni kele takiwech,yani nebo bich che indochi bich,nebo MP*)

Benjamin Kiptoo: Because when you say full time you may be concentrating in the Central part of the country that is in the parliament unlike leaving the citizens just in worry or what...

Translator: (*Nekimwa kele mamichi neiku Mchumbe eng yundo saisiek tukul,kemua kele sait ake ibitebe komostake agenge kityo,ilulchi komosak simawo ole kamakat*)

Benjamin Kiptoo: In addition to that, I would like also that at least in a division, it should have an office of which he should have to attend atleast twice in a month.

Translator: (*kamua ale Mchumbe kotinyei opisinyi eng Division konyil oeng eng arawa*)

Benjamin Kiptoo: This will give him or her ample time in collecting of views from the wananchi.

Translator: (*siyetinyei chi kaim aketukul konyor Mchumbe amuinget kole konyi aeng kila arawa komi Office*)

Benjamin Kiptoo: In voting I would like to say that for one to be elected as a president he or she should attain 25% of the votes in at least four provinces.

Translator: (*omochi amua ane neeku President konyolu kotinyei 25% eng Province angwan*)

Benjamin Kiptoo: To make a total of 100%

Translator: (*sikoik 100% olebo nemakat*)

Benjamin Kiptoo: Others have been said by my colleagues so I do not want to repeat myself.

Translator: (*matomoche aketchikei chekakomwa bik alake*)

Benjamin Kiptoo: Thank you.

Translator: (*Kongoi*)

Com Mutakha Kangu: Na tupate Edwin Kanda.

Edwin Kanda: My names are Edwin Kanda.

Com Mutakha Kangu: Jaribu kuzungumza kwa sauti ndio ile group walikuwa wanasema wanasema they also want to hear wasikie.

Translator: (*kakomwa kole kikureno kaine nyu Edwin Kanda*)

Edwin Kanda: In the section of Defence and National Security,

Translator: (*amoche amuakomstab welole koret*)

Edwin Kanda: The president should not be the Commander-In-Chief of the armed forces. **Translator:** (*moyomeikei koeku President nebelu komswok eng ngalekab askarik*)

Edwin Kanda: And also the Constitution should permit parliament to use extra-ordinary powers in emergency situations like...

Translator: (*ak kokeny toskchine MP kole mekochob ne kosikchin araka kosorune bich ye kanyo shida*)

Edwin Kanda: For example war, national disasters

Translator: (*Saitake kocho akot boryo anan kitake neu nokingetei koret engolo ak oli asi kobit ketorete bich che kanyor shida neu noto*)

Edwin Kanda: And also breaking down of public order.

Translator: (*Anan kotukuk alak che kamatokomi oret nemakat*)

(interjection) **Com Mutakha Kangu:** Jaribu kuongea kwa sauti.

Edwin Kanda: Also,

Translator: (*kokeny*)

Edwin Kanda: The president should not be above the law.

Translator: (*Mamachei koeku President nemi barakutab ngotut*)

Com Kavetsa Adagala: Endelea.

Edwin Kanda: The Constitution should set a limit for the presidential tenure.

Translator: (*Mochei kotinyei katiba yongete sait nebo President*)

Edwin Kanda: That is two terms of five years each.

Translator: (*konyil aeng nebo kenyisiek mut(mut aeng)*)

Edwin Kanda: Thank you.

Translator: (*Kongoi*)

Com Mutakha Kangu: Ngoja kidogo, kuna swali.

Com Kavetsa Adagala: Nikuulize swali, a proposal is in the positive. You have said the president should not be the Commander-In-Chief of the Armed Forces, who should be?

Edwin Kanda: I think parliament should be the Commander; it should have power over the Armed Forces.

Translator: (*katep bichu kole yemoek President nekorib koret kongo?*) **Edwin Kanda** :(mochei koek Paliament ne bou ngalek)

Com Mutakha Kangu: David Komen.

David Komen: Kwa jina ninaitwa David Komen. Kwa Katiba hii ya Kenya, mimi nimeonelea Katiba... ninataka Katiba ya kulinda mwananchi. Ilinde mwananchi na mali yake.

Com Mutakha kangu: Ya pili?

David Komen: Ya pili ninataka wale wamebahatika kwa jamii kupata kazi, asiwe kama contract ikikuja anaanza kuenda kujiandikisha iwe kazi ya pili ama contract ingine ikikuja anaenda tena kushika iwe kazi ya tatu na pengine kuna mtu, mwananchi kamili ambaye anategemea tu uti wa mgogo na yeye hana kazi nyingine na ako na watoto kama yeye na yule anaongeza kazi ziwe tatu, mbili.

Ya tatu, ni mawasiliano. Mawasiliano kama barabara, kama hakuna ya kutumiwa na wananchi. tunataka Katiba ihakikishe kwamba mwananchi amefaidika kupta barabara, au simu au hata ambulance ambayo inaweza kusaidia mwananchi barabarani. Unaona kama kuna sehemu zingine hakuna hospitali ya Serikali ambayo inaweza kusaidia mwananchi kamili, iko na ma-dispensaries na ukienda huko unaambiwa hakuna dawa muende kununua kwa duka la dawa. Kwa hivyo sasa mwananchi anajikakamua tu hana ambayo anaweza kusaidia mwananchi. Yule mwananchi anaanza kujikakamua kutaambama na kutembea kutafuta njia.

La nne kama kuna mkasa pengine nchi imeporooka ama watu wameuwawa, lazima Serikali wakimbie wafike hapo ili watu wajue kweli tuko na baba kuliko Katiba ambayo wengine wanajikakamua tu wenyewe sijui na Mungu tu na wanategemea Mungu tu. Ukiona missions zote ambazo zimeingia hapa ndio zinasaidia hapa, hakuna gari hata moja ya seriakli, hakuna hata ambulance ambayo inasaidia community kabisa!

Ya tano, tunataka mashule kama ya upili ama ya primary ama colleges... colleges zipelekwe huduma zao zifikie kwa watu wengine kwa sababu kuna ma district zingine zimefaidika na elimu ya wale wamejifunza kazi ya ualimu, wanenda wanafaidi mashule zingine. Lakini kama district hii hakuna faida ambayo mwananchi anapata na hakuna college, anajitegemea tu Mungu.

(Interjection) **Com Kavetsa Adagala:** Ungependa nini?

David Komen: Ningependa kuna kama Mkoa zingine zigawe ziwe sawa.

Com Kavetsa Adagala: Igawe nini?

David Komen: Igawe... kama waalimu wengine wanaenda kufunza kama district ingine anaenda kwa district ingine.

Com Mutakha Kangu: Unajua tunataka wafafanue. Wagawe colleges ama wagawe nini?

David Komen: Wagawe colleges.

Com Kavetsa Adagala: Endelea.

David Komen: Basi ya mwisho, ninataka Serikali iwe ikigawa raslimali kama generating income kwa kila national. Lazima wapitie mwananchi mahali yuko, kuliko wanongezea wengine, wanaongezea wengine mpaka unaona wengine wanomba tu. Sijui wanategemea nini.

Com Kavetsa Adagala: Endelea.

David Komen: Haya, asante hiyo ndio ya mwisho.

Com Mutakha Kangu: Haya asante, jiandikishwe pale. Tupate John K Kiprop.

John K Kiprop: Mimi ni John K Kiprop na ningependa kutoa maoni yafuatayo.

Kwanza ni kuhusu elimu. Katiba iruhusu watoto wote wapate elimu nchini kote. Na Serikali ione kwamba wazazi wamepata mafundisho kuhusu mambo ya elimu na sheria ipitishwe kwamba yeyote ambaye hatapeleka mtoto wake shuleni ashtakiwe. Tumeona katika jamii mbali mbali hawatilii maanani mambo ya elimu na mwisho jamii hiyo inaumia kwa kutopata watu ambao wamesoma.

Kuna mambo ya bursaries. Kuna shida kwa wale ambao wanastahili kupokea hiyo dowry. Kwa sababu ya ufidhi mwingi, watu wanachukua nafasi hiyo kupeana bursary kwa wale ambao wanauwezo wa kufanya hivyo ama uwezo wa kusomesha watoto wao. Yule maskini wa Mungu hapati hizo pesa na mwisho mtoto anakaa nyumbani. Kwa hivyo watu fulani katika kiwango cha tarafa, wachaguliwe na wananchi wenyewe ili waweze kupeana hiyo bursary kwa wale watu ambao wanastahili.

Kuna mambo ya waalimu. Ningependa Serikali ipeane nafasi kwa wazazi waweze kuwaajiri wale watu ambao wanaona wana moyo wa kufanya kazi na ni watu wamefuzu. Badala ya Serikali kuajiri waalimu, wazazi wapewe hiyo nafasi. Kwa sababu wenyewe wanajua wale watu ambao wanauwezo wa kufanya hivyo. Na ofisi ya D.O. iweze ku-monitor employment of such teachers. Na wanakamati wa hiyo shule wapewe hiyo nafasi ya kuangalia wale ambao wanastahili kuajiriwa kazi.

Kwa mambo ya library services, ningependa at least kila Division iwe na ofisi ili watu waweze kupata kusoma. Katika mashule mengi kwa sasa hawana uwezo wa kununua vitabu vya shule.

Kwa mambo ya promotion, wanakamati wa shule wapewe hiyo nafasi kuangalia wale ambao wanastahili. Kwa sababu ya ufidhi wale ambao wanastahili kupata hiyo promotion hawapati hiyo nafasi.

Kuhusu mazingira, environment. Wazee wa jamii fulani, kama ni wazee wa Wilaya ya Marakwet wapewe hiyo nafasi waangalie hayo mambo ya mazingira na yeyote ambaye ataharibu mazingira hao wazee watakuwa na jukumu la kuwastaki.

Mambo ya infrastructure. Tumeona sisi hapa tunaumia kama Marakwet kwa sababu hatujapata yale ambayo tunastahili kupata.

Tangu uhuru hatujakuwa na mambo mengi na tunaona ya kwamba tunatoa rasimili nyingi na mwishowe hatuoni inafaidi nani. Hapa tuna wanyama, tuna cash crops na tunaumia ili hali tunatoa mengi ambayo yange develop hapa. Kwa hivyo kile ambacho tunatoa hapa kisaidie mambo ya uchumi wa hapa. kama ni mambo ya cess, irudi kufanya kazi hapa Marakwet. Kama ni mambo ya nini irudi kufanya kazi hapa. hamgetumia helicopter asubuhi ya leo kama tungekuwa na barabara. Na hiyo ni kuharibu mali ya Serikali. Hiyo helicopter inagharimu pesa nyingi. Kama tungekuwa na barabara hapa, hizo pesa ambazo mlitumia leo, zingesaidia watu wengine hapa.

Mambo ya mashamba. Kama kuna migorogoro ya mashamba, wazee wa jamii inayohusika wawe ni wale wa mwisho wa kuamua mambo ya mashamba. Kwa sababu ya ufidhi, kule kortini wale ambao wanahusika na hiyo kazi wanahongwa na

mwisho mwenye shamba atapotea. Hivyo tusema yule tajiri ambaye amemny'ang'anya mtu shamba lake anaenda pengine Mombasa, anapeleka kesi yake Mombasa na yule maskini wa Mungu ambaye hana uwezo mwishowe atawachana na mambo haya na mwenye kuny'ang'anywa shamba atapata kwa urahisi.

Na Serikali ninajua kweli kwa Katiba ya sasa ina mambo mengi na ningependekeza pia... yule mtu ambaye hafuatilii yale ambayo yako kwa Katiba astakiwa. Tunaumia kwa sababu Katiba imetengenezwa sawa sawa lakini kufuata hiyo Katiba ni tough kwa viongozi wetu. Yeyote ambaye atageuka mambo ya Katiba ambayo wananchi watakuwa wameshatengeneza ashtakiwe. Kwa mfano, mwananchi lazima alindwe na mali yake, iko kwa Katiba ya sasa lakini unaona kwamba kuna watu ambao wana-violate hiyo. Watu hawafuatilii.

Kwa mambo ya sisasa ningependa kusema kwamba wale ambao wanapaswa kuchaguliwa kuwa rais, awe yule mtu ambaye anaungwa mkono na Wakenya wote na sio yule mtu ambaye anawakilisha sehemu bungeni. Na tuwe na Waziri Mkuu ambaye atakuwa the head of the government halafu president awe ceremonial president.

Na mambo ya miaka, ningependa kusema ya kwamba awe yule mtu tu ambaye ana moyo wa kufanya kazi na kusaidia Wakenya licha ya yeye kuwa mzee. Asiwe kijana sana, lakini awe zaidi ya miaka thelathini.

Na mambo ya mshahara, Tume ichaguliwe ili iangalie mambo ya mshahara wa Rais, wabunge na madiwani. Na kuhusu elimu yao, mtu anaweza kuwa na kiwango cha elimu ya kufikia Form IV ama university but is not a good leader. Tunataka watu ambao wako na leadership qualities. Hii isiende kwa mambo ya kiwango cha elimu yake. awe ni yule mtu ana hiyo qualities.

(Interjection) **Com Mutakha Kangu:** Watu are the leadership qualities?

John K Kiprop: Yule mtu ambaye ana discipline, yule mtu ambaye ana moyo wa kufanya kazi na ni yule mtu ambaye anapendwa na wengi. Ndio ninaweza kusema hayo matatu.

Na kwa vijana kwanzia location level kuwe na mtu ambaye amekuwa employed na Serikali wa kuangalia mambo ya vijana. Viongozi wetu wa sasa wameweka mambo ya vijana kando na hawa ndio wako wengi katika taifa letu. So these people are not optimist of their future because they have been set aside or they have been shelved by their current leader, hawana sauti ya kujiamulia mambo yao.

Kwa provincial administration, ningependa chief, assistant chief wachaguliwe na wananchi wenyewe. Na tuna village elders ambao siku hizi wanafanya kazi ngumu hata kuliko assistant chiefs. Hao pia wawe considered under Serikali, walipwe mshahara kidogo kwa sababu kazi ambazo wanafanya ni nyingi sana.

Halafu mtu anaweza kuchaguliwa kama kiongozi na awe mtu mvivu. Si wananchi wapewe huo uwezo wa kung'oa wale ambao ni wavivi, wale ambao walichaguliwa na wanakula mshahara bila kutoa huduma kwa wananchi.

Kuhusu mambo ya health. At least in every location kote nchini, tuwe na health center. Na kwa mambo ya maji, kila familia ipate maji, ili mambo ya umaskini upungue. Tunajua umaskini upo na Serikali ione ya kwamba watu wote wamepata maji. Ni hayo tu.

Com Kavetsa Adagala: Tuanze na hii ya maji, sasa ukisema watu wote wapatiwe maji unajua hata nini za ulimwengu zimesema hivyo, International Conventions. Hapa hapa Marakwet kupatiwa maji ni nini? Inamaanisha nini?

John K Kiprop: Hapa Marakwet kila mtu kupata maji itasaidia kupunguza umaskini.

Com Kavetsa Adagala: Ninataka kujua method.

John K Kiprop: Piped water.

Com Kavetsa Adagala: Iwe ni piped water.

John K Kiprop: Yeah.

Com Kavetsa Adagala: Hiyo ni piped water. I ama asking because some people have said in their places where it is different they say they want well, boreholes or water well. So you have to say for your area.

John K Kiprop: Piped water.

Com Kavetsa Adagala: Okay. Now, tumesikia mambo mengi sana ya village elders na kitu kimoja watu wote wanawapenda, kitu kingine wanasema wapate mshahara umesema lakini hao watu wanaonekana ni kama ndio viongozi wananchi wanapenda. Kwa sababu ukitoka kwa village elders ukienda kwa assistant chief inaanza kuwa mbaya na inaendelea mpaka juu kwa wananchi. Sasa what are the qualities that the village elders have that people like?

John K Kiprop: Hao ni watu ambao wanakaa na wananchi wenyewe, na ni wale watu ambao wanasuluhisha matatizo mengi ambayo yanakumba wananchi. Na ni wale watu ambao wanatumia haki kutuliza matatizo ambayo yanawakumba wananchi na ni watu ambao wanafanya kazi zao kwa bidii. Na kuhusu chiefs na assistant chiefs, ikiwa watachaguliwa na wananchi wenyewe, hawatahudumia watu vile wanavyo fanya kazi.

Com Kavetsa Adagala: I wanted to know because these are qualities which wananchi admire. So maybe these are the leadership qualities that wananchi want. Haya tukirudi nyuma kidogo kwa maoni yako, kuna hapa ulisema... ya shule, ulisema vitu vingi sana kuhusu elimu lakini ulisema wazazi wajulishwe, umesema shule iwe ya lazima, umesema bursaries, teachers na hiyo yote. Lakini malipo ya shule hukusema...

John K Kiprop: Malipo ya shule Serikali iwalipe waalimu mishahara.

Com Kavetsa Adagala: Wakati ulisema wazazi waandike waalimu ulikuwa unamaanisha nini? Recruitment?

John K Kiprop: Yeah.

Com Kavetsa Adagala: But the payment iwe ya Serikali.

John K Kiprop: Iwe ya Serikali.

Com Kavetsa Adagala: Lakini unajua hapa kijijini watu wanalalamika nini kuhusu shule? I am asking you because you look like an opinion leader, watu wanalalamika nini kuhusu shule hapa?

John K Kiprop: Kwa mambo ya mashule yetu, unaweza kuopata kuona ya kwamba watu wafanye kazi zao vile inavyopasa. Kuna swali moja hapa.

Com Mutakha Kangu: Kuhusu president na Prime Minister, umesema Rais achaguliwe na watu na ukasema mambo mengi kuhusu Rais, lakini mwishowe ukasema tuwe na Prime Minister, ndiye atakuwa head of government na Rais awe ceremonial. Sasa swali inakuwa ikiwa Prime Minister ndio atakuwa na nguvu, kwa nini ni uchaguzi wa rais tunatilia umuhimu badala ya yule atakuwa na nguvu? How do we recruit the Prime Minister?

Na tukizungumzia qualities, leadership, control discipline, utueleze kuhusu Prime Minister kwa sababu jambo ninasema ni kwamba watu wengi wakizungumzia what they end up wakisema it is like they are telling us transfer powers kutoka kwa rais, peana kwa Prime Minister halafu wanaendelea kuzungumza vile we control the president na wamesahau they have moved the powers to the Prime Minister.

John K Kiprop: Kwa upande wa Prime Minister ningetoa maoni kwamba wabunge wale ambao wamechukuliwa na wananchi wapewe mamlaka ya kuchagua Waziri Mkuu.

Com Mutakha Kangu: Na Wakenya unajua wamekuwa wakilia wanataka wenyewe kuchagua viongozi, hawataki viongozi

wakuchaguliwa, hata ndio mnasema hata chiefs mchagua wenyewe na sasa unasema yule mtu mwenye tunampatia nguvu sasa tusimchague sisi wenyewe tuwaachie wabunge...

John K Kiprop: Wananchi wamewachagua wabunge na wanaimani na hao wabunge na hao wabunge wapewe hayo mamlaka ya kumchagua waziri mkuu.

Com Kavetsa Adagala: Lingine umesema tusishugulike na elimu kwa viongozi kwa sababu ni kipawa na hapo ninakubali. Lakini tunaelimisha watoto na hapa mbeleni watoto watakuwa wameelimika sana sio mambo ya sasa pekee, ufikirie hivyo ni miaka hamsini ambayo inakuja. Kwa hivyo kitu kimoja tukiambiwa watoto hakuna haja ya kiongozi kuwa na elimu au kiwango cha elimu basi tutakuwa tunaambia watoto hakuna haja ya kusoma, unajua hiyo mambo ya role model na kiongozi ni role model.

Ya pili kuna dunia siku hizi, kweli kuna kijiji na pia hata sehemu ya kuwakilisha bungeni, ward lakini kuna dunia na siku hizi dunia iko karibu sana na vitu vingi. Sasa itakuwaje hatutashughulika na elimu? Uliona jamaa mwingine akisema kwa nini Okemo, kwa nini Okemo? Pengine aliona kitu fulani kwa Okemo, sijui. Lakini kuna vitu vingi vinafaa mtu ajue. Mtu awe amepitia kwa shule au amepitia kwa masomo fulani ili aweze kushughulika na uongozi. Tumechukua maoni yako lakini ikiwa hakuna haja ya kiwango cha elimu tutakuwa tukimaanisha kwa watoto hakuna haja ya kusoma. Sasa hawa tunaowaambia waende kwa lazima shule, tutakuwa tunawasumbua sana.

John K Kiprop: Okay asante. Hapo nilikuwa ninasema nikigusia mambo ya siasa. Elimu ya wanasiasa haimaanishi ya kwamba lazima wafikie kiwango fulani cha elimu. Na kwa wale ambao ni watumishi wa Umma lazima wafikie kiwango fulani cha elimu.

Com Kavetsa Adagala: Kiongozi wa siasa ni role model, watoto wanaangalia hata unaona wanakimbia wanaenda kwa barabara wanaangalia. Sasa tukitoa hicho kitu basi tunawalazimisha wao lazima wafanye na huyu hana wataona wazazi wanatusumbua, waalimu wanatusumbua, ona huyu. Kwetu kuna tajiri mwingine alisema mpaka Standard Three na watoto siku hizi ukiwaambia wasome wanasema na huyu, hakusoma na ako tajiri kukuliko wewe. Haya, ni majadiliano tu hapo.

Com Mutakha Kangu: Nenda ufikirie tu lakini tumechukua maoni yako.

John K Kiprop: Okay, asante.

Com Mutakha Kangu: Weka sahihi. Na tupate... na wale wameingia saa hii, tunawakumbusha ukiingia unaandikisha jina lako pale lijulikana hata kama hutaki kuzungumza ijulikane. Lakini kama unataka kuzungumza ndio tutatumia hiyo list kuita majina. Unaandikisha pale ndio ukae uanze kungojea. Na tupate Benjamin Kiptoo Kibor.

Benjamin Kiptoo Kibor: Mimi ninaitwa Benjamin Kiptoo Kibor na ningependelea nitoe maoni yangu kwa hii Tume ya Katiba.

Kwanza katika sehemu hii ya Marakwet East, ningependelea Serikali wahusishe watu ambao hawajiwezi ili wapate kusaidiwa watengewe mahali ambapo wanaweza kupata kulindwa na Serikali. Kwa sababu kama sasa hawajiwezi na pengine familia ambayo wanatoka wako hali ya chini kwa mapato...

(Interjection) **Com Kavetsa Adagala:** Watu gani?

Benjamin Kiptoo Kibor: Pengine familia ya yule ambaye hajiwezi...

(Interjection) **Com Mutakha Kangu:** The poor ama the disabled?

Benjamin Kiptoo Kibor: The disabled. Sasa Serikali wakichukua nafasi ya kulinda watu kama hawa itakuwa ni vizuri. Pia jinsi ambayo watapata kulinda hawa ni kutokana na ushuru ambao wanapata kutoka sehemu hii. Tukiangalia hata kwa mambo ya juzi vile walisoma budget walisema ya kwamba sehemu fulani ya, a certain percentage ya mafuua taa itengwe na ipate hata kufanya kazi ingine kwa serkali. Pia kiwango kama hicho kitengwe kwa wale ambao hawajiwezi kwa sehemu hii.

Neno lingine ni kwamba ningependelea kwa hii Constitution pia, Serikali iangalie mambo ya wale wamekuwa wakongwe, wazee. Watengewe mahali ili wapate kulindwa na kupewa chakula na Serikali kutokana na ushuru pia. Kwa sababu hao hawajiwezi na ni watu wana Kenya na ni lazima walindwe.

Com Mutakha Kangu: Umemaliza?

Benjamin Kiptoo Kibor: Iko ya mwisho. Ya mwisho ni mambo ya mashamba. Ningependelea kiwango cha juu kwa mtu mmoja iwe ten acres. Halafu hiyo sehemu ingine mahali iko flat itengwe iwe mahali pa range ili cash crops kama wheat na vile vitu ambavyo vinatupea mapato vipate kulmwa kwa sehemu hiyo, halafu sehemu zingine watu wakae kwa small areas kuliko mtu mmoja pate shamba kubwa na kuna mwingine hana shamba.

Com Kavetsa Adagala: Hii ten acres ni ya subsistence use?

Benjamin Kiptoo Kibor: Yeah.

Com Mutakha Kangu: Are you through?

Benjamin Kiptoo Kibor: Yeah.

Com Kavetsa Adagala: Ninataka kukuuliza na sio wewe pekee yake umezungumzia hili jambo la walemavu na wazee. Tukitenga mahali tofauti pa wazee kukaa itaingiliana aje na mila yetu? Ninajua ni jambo nzuri kwa sababu inafanyika kw a nchi za ng'ambo lakini pia kuna shida ndani. Najua sasa unafikiria makao na chakula na hiyo lakini mwishowe inaingilia mambo ingine ya kijamii kama wajukuu na babu watahusiana vipi na pia unajua saa zingine watu wanampeleka huko mzee halafu wanamsahau. Ninataka kujua tu, tumeandika lakini ninataka kujua vile unaona tufanye ili ikae vizuri na mila yetu.

Benjamin Kiptoo Kibor: Vile ninavyotaka ni kwamba tusema katika sehemu hii ya Tirap Division iwe kuna mtu ame-identify mahali kuna watu ambao hawajiwezi...

(Interjection) **Com Kavetsa Adagala:** Wale wazee?

Benjamin Kiptoo Kibor: Yeah, wale wazee.

Com Kavetsa Adagala: Wale ambao hawajiwezi hiyo tume...

Benjamin Kiptoo Kibor: Okay, wale wazee halafu tuseme kila mwezi Serikali watoe kitu kidogo, kidogo kwa hawa watu kupitia wale ambao wameajiri ili wapate kusaidia kwa hii kazi. Kwa sababu vile umesema wazee wote hawawezi kuenda wake sehemu moja kulingana na kimila yetu. Lakini tukipata ku-identify kwa kila mahali, kila mwezi wapte kitu kidogo, kidogo...

(Interjection) **Com Mutakha Kangu:** Wapate allowances?

Benjamin Kiptoo Kibor: Allowances kupitia njia fulani...

Com Mutakha Kangu: Kwa sababu swali ni kwamba hatuwezi kumtupa mzee huko, they will become lonely. So na akisaidiwa afadhali asaidiwe na familia yake. Basi weka sahihi. John K Some.

John K Some: Mimi ni John K Some. Ninashukuru Tume hii ya Commission hii ambayo wamefika hapa Chesoi siku ya leo.

(Interjection) **Com Kavetsa Adagala:** Zungumza kwa sauti, na ni nchi yako ni katiba yako, ndio. Zungumza kwa sauti.

John K Some: Ndio. Na ninasema asante kwa kufika hapa siku ya leo ili sisi tuwape nyinyi maoni yetu siku ya leo. Yangu ni kuhusu upande wa wale sisi tunaowachagua kama wabunge ambao sisi kama electors tumewaajiri kazi hawa na tukapeana waende huko parliament waende kutetea masilahi yetu ambayo tuliwachagua hawa. Na wakati hao wanaenda huko, tunapea wengine na wengine wanaenda kuongoza hawa... lakini yangu ningesema sisi kama wale tulio wachagua tuwe na uwezo kubwa sana wa ku-monitor mjumbe na hata kusema mambo ya mshahara wake. Kwa sababu mtu akiajiri mtu wake, mfanyikazi wake, lazima aone anafanya kazi ile anatakiwa na mwajiri afanye.

Moja kama vile wabunge wanenda wakifika huko wanasahau pahali walitoka. Na huko wanaendesha maisha yao tu, kujitajirisha kuendelea kujiendelea halafu mwishowe anasahau pande hii. So pendekezo yangu ni kusema wakati yeye anaenda huko sisi tupewe nguvu ya kuona akikosa sehemu fulani sisi tukae chini kama kikundi cha constituency fulani na kusema amekosa, tunampea yeye warning ya kwanza, ya pili, ya tatu ya nne tunatanga kusema, kuambia parliament tangaza hiyo sehemu kuwa iko vacant tumchague mtu mwingine kwa sababu huyo amekuwa lazy.

Halafu mshahara wake, akichelewa hata lazima sisi tupeane discipline. Tuambiwe Central Bank wasimlpe yeye kwa sababu anakula mshahara wa nini na hafanyi kazi? Halafu nyingine hapa, akikosa kwa sababu hata wabunge wanaweza kupiga hata yule alimpigia yeye kura na huku yule alimpigia kura anamwogopa yeye kwa sababu amekuwa mtu mkubwa. Wale electors wawe na uwezo wa kukaa chini hata kwa wale local Councillors, waangalie hata na kupea discipline kwa sababu ni mkubwa wake ambaye aliajiri kazi. Hata kama alipewa tu kwenda kuongoza huko. Yeye mkubwa wake ni yule aliyemchagua yeye.

Mshahara wa wabunge ukuwe reduced. Wasikule hiyo Ksh. 500,000, iletwe mpaka elfu mia moja halafu wapate hiyo pesa kulipa hata waalimu wale wanakosa mshahara na hata wengine wafanyikazi wengine wale wanahitaji kupewa mshahara wao mshahara wao uteremshwe kwa sababu wanakula mshahara wa juu sana. Na pesa ya Councillors ilipwe tena na Central bank...

(Interjection) **Com Mutakha Kangu:** Central government.

John K Some: Central Government.

Com Mutakha Kangu: Kama Treasury.

John K Some: Yes, ilipwe na Central government kama vile wabunge wanalipwa kwa sababu ile ticket wanachagulia hao ma-Councillors na wabunge ni moja. Hakuna tofauti ya Council na wale walienda huko parliament na wanenda kujitengenezea mshahara. Hiyo body ivunje hii ya parliament ile hawa wanajitengenezea mshahara. Iwe na Board ingine ambayo inaweza kutengeneza mshahara wa wabunge, ya Councillors ikuwe tofauti.

Na mimi ningesema leo kwa sababu kwa hii Tume sasa nyinyi mnachukua hzi proposals zetu, na itakuwa aibu mkipelekea yeye sasa kwa parliament halafu yeye atengeneze atafutie power mpaka akuje kusema huu mshahara ukae namna hiyo. Ingetakiwa hata mkipeleka hii iende sehemu ambayo hawatajadili tena.

Halafu zile resources zetu za Council ambazo kama tuko na assets zetu za Council, tuko na minerals, tuko na misitu yetu, basi. Wale vitu vinatoka sehemu yao kwa Serikali wapewe wale ma-directors wakubwa halafu watakuwa wakiangalia hivyo vitu. Especially hata kwa kama maji hii, inaenda mpaka Mediterranean Sea, inaenda mpaka Misri huko, hata Israel. Kama hii River Nile inaenda mpaka huko inalisha watu wengine huko na inatoka hapa Marakwet. So directors wale wakubwa wa hapa wapewe hiyo kazi ili waangalie wenyewe hiyo kitu kinaenda namna gani. Hata akiulizwa atakuwa anajibu vizuri. Moja unaona kama wabunge wetu wengine wakiulizwa maswali kwa parliament wanashindwa. Na hawa watu wale walichagua wawe na nguvu na tena wapee Speaker wa National Assembly ampee yeye discipline. Kama anashindwa anaambiwa sisi kwa report kwamba fulani ameshindwa na maswali ya Ministry. Ministry hiyo inachukuliwa hatua huyo mbunge kuliko tu kumwacha tu anakaa.

(Interjection) **Com Mutakha Kangu:** Kitu unatwambia ni kwamba unahaja na a disciplinary mechanism for the MPs.

John K Some: Yes. Ituatiliwe vizuri, iwekwe maanani ili kazi iendelee kuwa mzuri. kwa sababu hata ukiona hii economy ya nchi yetu inateremka inaharibika ni kwa sababu ya kumpea mtu sehemu fulani ambaye hawezi. Na akifika huko pengine huyo mtu hakusomea hicho kitu, anapewa Ministry ingine ambaye he is not expert. Kwa hivyo ningependa iangaliwe vizuri sana.

Na mambo ya elimu kama mtu ako na talent ya kuongoza kitu fulani na kama anaweza kufanya hicho kitu aendelee. Hakuna haja ya kusema ati elimu ndio inaongoza. Kuna ma-professors huko ambaye hata hawaendi sehemu zao. Yule hata mzuri ule anajua anatoka kwa nyumbani kwake anaelewa hata wazee wakikaa nyumbani na kukata kauli fulani anaogopa. Kuliko tu kukaa Nairobi tu na kufikiria mambo mengi. Nafikiria tu ningesema mshahara inawekwa mkazo. Irudishwe ikuwe imeteremshwa na discipline itoke kwa yule aliajiri mtu kazi.

Com Mutakha Kangu: Hiyo imeingia mzee. Kama iko nyingine sema.

John K Some: Nafikiri ni hiyo tu.

Com Kavetsa Adagala: Ongoja kuna swali. Unajua tena ninakuuliza vile nilimuuliza mwingine. Ninajua tumekuwa disappointed sana na wajumbe wote sisi hata nchi nzima inasema hivyo. Hata mahali ambao unafikiri hao wana mjumbe mzuri wanasema yote hii ni mbaya. Kuna vitu... tungeklua na mtu ambaye anasikia mambo ya wazee na akina mama na pia ana elimu ambaye anaweza kuelewa mambo ya dunia. Ninataka kuuliza, ndio tunauliza qualities. Okay, hatuaangalii tu elimu, lakini tunaangalia tu qualities hii vitu mnasema ndio tunaweka ili tujue watu wangependa nini.

Na pia, wacha tuwache hiyo kwa sababu tunaweza kujadiliana siku nzima. Lakini unasema mshahara upunguzwe, upunguzwe na nani na umesema isiende kwa parliament kwa sababu hawatapunguza? Hiyo ni ya kwanza, ipunguzwe na nani?

Na ya pili, unajua Katiba inaweza kufanya ili nchi iwe na mali mengi, Katiba tu. Inaweza kufanya ili wewe pia uwe na gari

kubwa, ili hapa Marakwet kuwe na helicopters kwa sababu ni nini ngumu sana, wawe watu wanakuwa transported, inaweza kufanya hivyo. Sasa ninataka kujua, unataka tuwe tunagawana umaskini au tutengeneze mali yaani creation of wealth?

Mwishowe ningependa utuambie mali ya Marakwet East ambayo tutakuwa tunatoa ushuru. Niliuliza Vice Chair lakini alikuwa amesema mengi tukaona mwingine atatoa.

John K Some: Moja ni ya mshahara, ingine ile hatutazungumzia ya elimu. Moja ni ya mshahara na ya pili ni ya raslimali ya hapa. Mshahara wa wabunge, mimi ningeonelea kwa sababu, itafutwe Board ile inaweza kujadili mshahara wa wabunge ambaye hata kama ingewezekana ichaguliwe kamati kutoka kila constituency mmoja mmoja, wale watakaa chini na kuangalia. Kwa sababu mtoto wako asipofanya kazi hakuna haja ya kumpea yeye chakula kubwa, umpe yeye ile kadhiri tu kwa uwezo wa kazi yake.

Halafu raslimali yetu ya Marakwet hapa, sisi tuko na minerals ambazo hazijalimu kama vile muonavyo upande huu iko vitu vingine...

(Interjection) **Com Kavetsa Adagala:** Ninataka useme...

John K Some: Iko vitu vingi hata mafuta ambao hayajalimwa hapa chini...

Com Kavetsa Adagala: Ninataka useme kwa sababu wengine wanasema sehemu zao.

John K Some: Sawa.

Com Kavetsa Adagala: Useme vitu vingi.

John K Some: Sawa sawa. Iko Soda hapa chini,

Com Kavetsa Adagala: Soda

John K Some: Yes, na tena hata tuko na gold sehemu hii ya chini, kuna hata hii barafu ndogo huko chini. Na hata upande wa juu sehemu hii tuko na huu msitu wetu huu.

Com Kavetsa Adagala: Forest?

John K Some: Forest ambayo iko na dawa kwa msitu huo.

Com Kavetsa Adagala: Endelea.

John K Some: Tena tuko na miti ile mizuri tukiuzwa moja moja hivi na kuchagua ile imekomaa inaleta pesa na hizo sasa inapelekwa nje na hairudi cess yake hatuoni. Ingekuwa vizuri iwekwe jukumu kubwa kwa County Council iwe na uwezo wa

kuchunga hiyo mali yake halafu hiyo pesa irudi.

Com Kavetsa Adagala: Na ikirudi irudi kwa kiwango gani? Unataka iende...

John K Some: Iuzwe kwa market halafu sisi tupate ile cess yetu, ile kitu kama 85% eh, ikuje...

Com Kavetsa Adagala: Na unataka itekelezwe kwa njia gani kwa sababu kuna njia mbili, tatu hivi. Moja ni pesa iende halafu hii 85% inarudishwa. Na ingine ni mtafanya taxation 85% ibaki hapa na nyinyi ndio mtachagua kutuma hiyo 15%. Unataka njia gani?

John K Some: Tunataka sasa tukiuzwa, iwe hiyo 85% ikuwe kwa watu wa Marakwet East hapa...

Com Kavetsa Adagala: Ninajua, sipinzani, nimekuambia njia mbili ndio uniambie njia moja. Unataka pesa yote iwe inaenda Central government halafu wanampa 80% au 85% au...

John K Some: Kabla haijaenda hivyo, tunaandika agreement yetu kwamba hivi vitu kwa sababu ukipeana tu bila agreement mzuri, inaweza ikifika huko inachukuliwa kama vile sisi hatuna agreement mzuri kama wabunge wakati wanenda huko tu kwa sababu hakuna handing over, wanaenda tu. Sasa ningesema kwamza ikiandikwa iwekwe vizuri, ili vitu vikuzwa huko, market ile inapata basi ile 85% inaingia hapa.

Com Kavetsa Adagala: Haya hiyo agreement mzee ndio kitu kinaitwa Katiba mpya ndio hiyo agreement.

John K Some: Ndio tunasema sasa utuwekee namna hiyo.

Com Mutakha Kangu: Asante, weka sahihi. Basi tupate Ben Somei.

Ben Somei: Mimi ninaitwa Ben Somei.

(Interjection) **Com Kavetsa Adagala:** Kila mtu ukija hapa tafadhali zungumza kwa sauti kwa sababu tuko nje, zungumza kwa sauti kabisa.

Com Mutakha Kangu: Ndio wengine wasikie.

Ben Somei: Mimi ninaitwa Ben Somei. Mengi yamejadiliwa na wenzangu lakiniko na mambo machache ambayo ningependa kuguzia. Kwanza mimi ninapendelea Serikali ya mseto. Na katika hiyo Serikali ya mseto ningependa sana nitilie mkazo sehemu ya federal government ambayo shuguli ya Executive inatengwa na legislature, wale ambao wantaunga sheria. Hapa ina maana ya kwamba wale wanatunga sheria shughuli zao zitengwe mbali kidogo na ile shuguli ya Executive.

Vile vile Central government, hii ina maana ya kwamba ikiwa hayo mambo yatafanywa ile cheo ya governor katika sehemu ya mkoa itafikiriwa na bunge sasa itafanya katika kila mkoa. Wabunge kutoka kila mkoa watakutana katika provincial level, wataongea maneno yao, shida zao na ipelekwe kwa Central government.

Kwa maana sasa katika sehemu ya mkoa wa Rift Valley, mkoa wa kati wako na shida yao tofauti. Kwa hivyo tukisema tukienda parliament moja ninafikiri itakuwa vigumu kujadili kama vile sasa unaona sehemu ya Marakwet, sehemu nyingine unaona barabara hata hawajanusa barabara ambayo imesakafiwa.

Vile, vile ningependa post ya Prime Minister iwe introduced na huyo atakuwa incharge ya Central Government. Na Central Government itakuwa na affairs zote kuhusu sehemu ya mkoa na Rais hatakuwa na uwezo, atakuwa ni mtu tu wa sherehe, ceremonial. Kwa hivyo ninamaanisha ya kwamba yule Prime Minister atakuwa na uwezo mkubwa kuliko president. President itakuwa ni jina tu, huyo ni Rais wa Kenya lakini hakuna nguvu kama vile kuwa mkuu wa majeshi au pengine hata kufuta au kuandika mtu kazi, hiyo itaisha na Central Government, itakuwa under managerial level. Kwa hivyo nimesema Serikali ya mseto.

Halafu niko na maoni kadhaa kuhusu hiyo Serikali ya mseto. Tumeongea mambo ya ufiadhi lakini katika sehemu za mashambani, watu hata hawajui, wanaona tu ufiadhi inaendelea lakini hawajui hayo malalamiko yatapelekwa wapi. Kwa hivyo mimi ningependelea hiyo Anti-Corruption offices ziletwe kwa district level, halafu mtu akiwa na shida anaenda district level. Kama juzi tulikuwa tunasikia ati wanataka kujenga moja Eldoret lakini Mzee, kama hana mtu ambaye amesoma, atashindwa kwenda kujua hiyo ofisi iko wapi. Kwa hivyo anti-corruption offices to be brought to district levels.

Halafu, kuhusu mambo ya...katika nchi yetu tunaongea ya kwamba kuna watu ambao wanaitwa squatters. Lakini mimi ningependelea kutoa maoni ya kwamba hili jina liopndolewe kwa sababu kuna Wakenya ambao wako na akari kubwa ya mashamba. Kama inawezekana na kama sheria itakubali, hawa watu wawe charged. Kama uko na akari zaidi ya mia moja unalipa korti. Halafu wale watu ambao watalipa korti mpaka wanashindwa wanauza yale mashamba wanauzia wale ambao hawana mashamba. Nafikiri hiyo itatatuliwa.

Halafu, kuna hawa watu wanaitwa BOG, Board of governors. Mimi ningependelea hizo powers za Board of Governors ziachwe kwa sababu katika sehemu za mashambani ama mahali popote pale katika nchi kuna ugomvi na mwalimu akigombana na BOG member anangojea wacha tukutane katika meeting na huo ndio mwisho wa mwalimu. Kwa hivyo hiyo Tume, Tume ianzishwe kama vile hii ya TSC, na Tume fulani ianzishwe ya kusaidia TSC kuhusu tabia ya waalimu, kuhusu vile mambo ya shule inaendelezwa badala ya kuomba mamlaka BOG members waandike mwalimu, wafute kazi mwalimu na sisi tuko na shida zetu katika kila sehemu.

Nikitudi kidogo, ningependa kuongea kuhusu kiongozi yeyote yule kwa mfano Prime Minister. Kabla hajagombea huo wadhifa, lazima mwenendo wake wote ujulikana yaane morals yake yote ijulikane. Na mbali na hayo, lazima tujue jinsi ambavyo alipata mali yake ili haya mambo ya corruption yaishe. Kwa sababu siasa ya Kenya wakati huu inategemea ni nani ako na nguvu ya pesa. Inamaanisha kuwa mtu anaweza kuiba Serikali halafu apate pesa ya kugombea kiti fulani. Kwa hivyo lazima tujue mambo ya wealth, somebody should declare wealth. Na mwenendo wote, tabia zote.

Na mimi ningetoa maoni pia ya kwamba, ikiwa mtu anataka kuwa president, mtu anataka kuwa Prime Minister, au anataka

kuwa governor, lazima atakuwa amefikia kiwango fulani kwa maana lazima awe amepata cheti cha Masters. Huyu mtu ambaye anataka kuwa Prime Minister.

Halafu, sehemu ya pili ambayo ni president, lazima anaweza kuwa graduate, governor vile vile anaweza kuwa graduate. Halafu mbunge awe yule mtu ambaye amekamilisha Form IV, kwa sababu hata kiongozi labda mtu alishindwa na masomo au pesa. We cannot limit there.

Halafu mambo ya security: Katika Kenya, kuna sehemu ambayo inakumbwa na mambo ya security. Unaona ya kwamba watu wanang'angania mambo kama ng'ombe, mashamba na mengine mengi. Lakini ningependelea kama Serikali wagejenga kituo cha police ambacho ni permanent katika sehemu hizo especially along the borders. Kama vile sasa sisi Marakwet unasikia watu wa Pokot wanasema economy na security yao ni cattle rustling na hicho kitu hakiwezi kuisha. Kwa hivyo kama hakiwezi kuisha, kituo cha polisi kijengwe pale ili kuzuia hiyo.

Kitu kingine ambacho kitazuia mambo ya insecurity ni kujenga institutions. Kama sasa mpaka wa Pokot na Marakwet mpaka ukienda huko Turkana, Somalia, wajenga colleges ambazo zitahusisha jamii mbili.

Halafu mwisho kabisa ni mambo ya salaries. Katika Kenya inaonekana watu wanalipwa pesa nyingi hata yule mtu ambaye hakuenda training. Kwa mfano unakuta mwalimu ambaye alikwenda miaka miwili anapata chini ya shilingi elfu kumi. Haya yule mtu ambaye alikamilisha Form IV, anaingia kazi, anapata zaidi ya elfu thelathini. kwa hivyo inaonekana kuna generation gap in Kenya kubwa sana. Tunataka Tume ya kulipa mishahara iundwe halafu watakuwa wanaangalia ni nani amesoma kutoka kiwango fulani anapewa hii pesa. Inaonekana the system of paying in this country is not uniform, so hiyo Tume iangaliwe.

Halafu kuhusu wabunge, kama mbunge anapata shilingi elfu mia nne kama zile tunasikia ingawaje hatujaona, mwalimu apate labda theluthi moja. Kwa sabab ni mwalimu ambaye anaanzisha, anaosukuma. Kwa hivyo wale ambao wanasukuma waangaliwe kuliko yule mtu wa mwisho.

Halafu, ninafikiri...

(Interjection) **Com Mutakha Kangu:** NI hayo tu.

Ben Somei: Ni hayo tu.

Com Kavetsa Adagala: Asante mzee, oh, kijana.

Com Mutakha Kangu: I have one question for you. Maneno ya federalism, unataka iwe kulingana na mikoa, wilaya ama tuchore mipaka mpya?

Ben Somei: Mimi ninataka iwe kulingana na mikoa.

Com Mutakha Kangu: Na unataka Serikali ya juu, basi ina kazi gani na hizi mikoa zipatiwe kazi gani?

Ben Somei: Mimi nilisema post ya governor iundwe halafu tuwe na bunge ya mkoa, yaani majimboism. Halafu hawa watajadili waangalie hayo maneno yao kwa Central government.

Com Mutakha Kangu: Ninakuelewa ndio. Ukiwa na bunge ya mkoa lazima ujue ni mambo fulani, na fulani na fulani hii bunge imeruhusiwa kupitisha sheria kuhusu. Na ile bunge ya juu nayo ni mambo fulani na fulani imeruhusiwa kupitisha sheria kuhusu.

Ben Somei: Oh, ndio nimesema ya kwamba ikiwa ni mkoa sasa itakuwa inashughulikia kila kitu. Hawa wale ambao wako mkoa watakuwa wanashughulikia kila kitu kwanzia sub-location level mpaka provincial level.

Com Mutakha Kangu: Asante basi.

Com Kavetsa Adagala: Ngoja kidogo. Huyu mtu anaitwa Rais, kwa nini tuwe na Rais kama... kwa nini tuwe na president kama tunaona tu ni mtu... hii kazi anafanya itakuwa tu ile ya kutumia pesa? Kwa sababu Prime Minister atakuwa anafanya mambo yote, sasa kwa nini mtu ajishughulische ninataka kusimama kuwa Rais wa Kenya?

Ben Somei: Haya basi ninafikiri nitajibu hiyo kwa kusema ya kwamba, Rais hatakuwa na mamlaka lakini hawezi kusema kitu, lakini atasema kitu akipata maoni kutoka kwa Prime Minister. Atakuwa anatafuta maoni kutoka kwa Prime Minister. Lakini yeye kazi yake yote tu ni ceremonial. Hujaelewa ama nini?

Com Mutakha Kangu: Ninasema basi weka sahihi pale. Tumpate Joseph Chemastan.

Com Kavetsa Adagala: Kuna wanawake hapa Marakwet East kweli?

Response from the audience: (?)

Com Kavetsa Adagala: Ninashangaa nani anazaa hawa Wamarakwet.

Joseph Chemastan: Kwa majina mimi ninaitwa Joseph Chemastan. Ninataka kuguzia mambo mawili. Kwanza kabisa ni kuhusu uhifadhi wa misitu katika nchi yetu ya Kenya. Kwa hakika inaonekana theluthi tatu ya misitu hapa nchi imeharibiwa na ningeonelea kwamba Serikali waingilie kati kuajiri ma-officers wa misitu kwa wingi ili waone kwamba misitu inahifadhiwa hasa ile ya kiasili.

Kwanza kabisa waanze haya mambo ya kufuata mipaka kati ya reserve na misitu. Kwa maana hapo awali mipaka ya reserve na misitu ilikuwa imefuatwa miaka kadhaa iliyopita wakati wa enzi ya ukoloni. Na mpaka saa hii, hizo mipaka zingali zinafuatwa na wananchi na labda zimevuka upande wa misitu. Kwa hivyo ningeonelea Serikali watembelee kila sehemu ya Jamuhuri ya Kenya waone mambo ya re-alignment inatatuliwa ili wananchi wasiende kupita hiyo laini waharibu misitu.

Pili, kuhusu kuhifadhi misitu, mabarabara zenye zilikuwa zimechimbwa wakati wa enzi za ukoloni zirekebishwe ili wakati kisa fulani kikitokea tuseme msimu wa moto, ma-officers ambao wanahusika wawe na njia rahisi ya kuenda kutatua hiyo shida kwa haraka ama kuna watu ndani ya msitu wanakata miti ovyo ovyo, ma-officers wa msitu watakuwa na njia rahisi ya kutatua hiyo

shida.

Bado kuhusu misitu, Serikali huwa wanasema kila mara tutumie raslimali zenye tuko nazo ipasavyo. Na mimi ninaona hapa wilaya ya Marakwet tuko na misitu mikubwa sana. Ingekuwa heri Serikali wafanye kuwa game reserve halafu wavutie watalii waje ili Wamarakwet wajifahidi na hii misitu yao.

Ninatajia kuhusu mambo ya Judiciary kidogo. Nimeona mara nyingi mambo yatendeke katika location ama wapi, watu wanatenda maovu halafu inapelekwa kortini. Kufika kortini unakuta kwamba kitu ambacho kingechukua tusema mwezi mmoja ama nini unaona inachukua kama mwaka mmoja ili itatuliwe. Unakuta labda magistrate anahairisha, anahairisha na unaona watu wanaumia hapo. Ingekuwa jambo la muhimu Serikali wateuwe Tume ambayo inatembelea magistrates huko kortini wawe wakianagalia wakipitia files za kesi halafu wasiwe wakikalisha tu, wakihangaisha wananchi. Kuongezea kwa hayo, Serikali pia ingeongeze haya mambo ya (?) ya uhalifu. Kwa maana (?) ikiwekwa tu ile kidogo, ya kawaida utakuta ya kwamba watu wanaenda kupenaa hiyo (?) ile kidogo halafu wanarudi. Wanakuja tena kutenda yale makosa tena kwa maana wanajua hakuna kitu atafanyiwa. Si hiyo pesa ambayo imetolewa (?) ni chache sana. Sasa Serikali ingeongeze halafu iwe tisho kwao wasije wakarudia tu hivyo, hivyo. Kwa hayo machache nimemaliza yangu asante.

Com Kavetsa Adagala: Mzee bado sijapata kamili raslimali au mali ya asili ya Wamarakwet. Kwa sababu unasema mna misitu mingi na wametaja tu moja au mbili. Taja misitu ya hapa Marakwet.

Joseph Chemastan: Tuko na Kipchunur, Imbotut forest na tuko na Cheranganyi forest.

Com Kavetsa Adagala: Hiyo eeh?

Joseph Chemastan: Hiyo ni mzuri. Si unaona Cheranganyi ilikuwa imepotea, haya asante.

Com Mutakha Kangu: Sasa tumpatie nafasi Bwana D.O, Jared Otieno.

Jared Otieno (D.O): Asante sana Commissioners. Mimi ni Jared Otieno. Kama mmoja wa Wakenya sitaki kusema kuwa mimi ninaongea kama officer wa Serikali, mimi ninatoa tu maoni yangu kwa ujumla yale ambayo ningeweza kusema kwa sababu mambo ya kazi ni tofauti na kuwa Mkenya pia na niko upande huu.

Yangu kwa ufupi tu ninajua mengi pengine yamesemwa na yatasemwa, na inasemwa hata wakati huu kila mahali ambapo hivi vikao vinaendelea. Yangu ningesema tu mambo ya Katiba ya Kenya, the Constitution of Kenya which we want, ni ile Constitution ambayo itatulinda wakati huu na wakati ujao kama miaka mia mbili ambayo inakuja.

And I want a flexible Constitution which will guarantee certain salient rights ya Wakenya.

Translator: (kamua kole amoche katiba nema tokos eng bik tukul chebo Kenya)

Jared Otieno (D.O): Kama Constitution ambayo itaangalia vile population inafacutate. Wacha tu nitaongea Kiswahili na

kuzugumza namna hiyo, wacha tu. Population vile population inaendelea kwa sababu tangu tujinayakulie uhuru, Constitution ya sasa imetuwezesha tukaendelea vizuri mpaka hivi leo. Lakini mpaka iangalie, itie mkazo sana kwa upande wa population fluctuation. The growth of our population is somewhat static, it is not... haikimbii sambamba na vile population yetu inaendelea.

I may have to expound on that later na nikisahau basi iwe namna hiyomnaja what I mean.

When I talk about the flexibility of our Constitution I was having in mind the idea of a coalition government. Tuko sasa na vyama vingi hapa Kenya na tuseme ya kwamba tukiweza kuwa flexible kidogo kwa hii Constitution ambayo mtatupatia. In fact as we are talking now we are happy and I am very happy you are going to provide us with a document which will run for another two hundred years, that is after you people will have died and I will not be there also.

And that Constitution which you are going to give us by next year or there about should be a Constitution which will be able to provide for our kids na watoto wa watoto wetu. Nikisema nikiamaini ya kwamba baada ya karne yangu, baada ya generation yangu, niko na watu wawili, mtoto wa mtoto wangu that one will take another two hundred years.

Now, when we talk about coalition, mtu anajua mtaiweka hapo kwa sababu the way things are moving in Kenya now hata Chama chetu cha KANU ninaona pia sasa branches zake zinatoka toka. Ninasikia watu wanakimbia huku, sijui nini all these parties. So most likely there will come a situation very soon where we shall have no party having a clear majority at any one given time. We shall have a 'hang' parliament in some elections to come, wacha hii ya mwaka ujao hii, the coming elections. Because Wakenya wamekuwa wajuaji tayari na sasa wataanza kupiga kura vile wanavyotaka. Case example is places like cosmopolitan places, towns Nairobi, Mombasa, where we shall have millions of people there and we shall have so many constituencies there to decide the outcome of the elections. And that will also reflect in the countryside kwa sababu already now we are talking of a country which has got so many educated people, whether it is learning or educated, we have so many, on average you find that kila village iko na mtu ameenda university na wako wengi kwa upande mwingine.

So those are the people who are going to manage the affairs, the thinking line of people as the voting pattern changes. So I was saying let us provide for a coalition so that we have the party ya kwanza, ya pili wasikizane hata na party ya tatu. Three parties at most, watengeneze Serikali yao wakisikizana wapigane wao kwa wao huko halafu tuendeleo. Sijasema ati party moja haiwezi kushinda uchaguzi lakini vile ninavyoona the behaviour pattern of politics in Kenya is going down that line such that we might have KANU having some one hundred people, sijui another Ford People, what have you, all those parties having fifty, fifty there about. So a coalition would be better provided for.

Then in the same vein let us talk about the number of parties your new Constitution should try to restrict to the Kenyan situation.

In an ideal Kenyan situation to me, I am of the opinion that it is too, it would be too... is it exorbitant or what?

Com Mutakha Kangu: Extravagant.

Jared Otieno (D.O): It is like extravagant and luxurious even to have so many parties as a young country, some of whom

even our president has called 'brief-case' parties yaani ni mzee... let me just quote it because anaongea vizuri saa zingine. "Kuna parties zingine ambazo zina-exist kama hii watu wa... some parties are existing just like NGO's, no we do not want that situation to come in. We want a party known as a party.

The party which will master about, which may have something. I mean a party which... ambayo inasema kwa hii bunge ya Kenya na tuko saa hii three hundred tunaweza kuwa na watu kama eighty kama ni kitu kidogo, ama sixty. Lakini sio party ya kuwa na...like now we have Anyona who has there a one-man party, sijui nani, all those parties you know them. I can form a party tomorrow. Olunde wants to form one, everybody wants to form a party. That is not what we want.

It is too extravagant to have those things because kila mtu aki-form party yake watu watafuata yeye na pesa itatakikana kwenda kudanganya watu ng'ambo ama namna gani, whether they are going to get the funding from within, it is not my problem but I know running a party is very expensive. I hope that one is acceptable by the majority. Ama namna gani? Ku-run a party, DP, KANU or any other thing, anything called a party ambayo inataka kupeleka watu watatu pale kwa bunge ni kazi.

Let us have enough parties, but to me enough means let us restrict, even some countries' Constitutions have restricted parties to be so and so and such and such a number. So let us restrict our parties to be at least five at most. Have we agreed on that? it is not my (?) but I am saying that. Let us have four to five parties where we shall have all these parties are called centrist parties, I don't know whether that English exists. Parties ambao inasikika kutoka Marakwet mpaka wapi, Nairobi ama namna gani? Kila party yoyote itoke Marsabit mpaka huko, ifike mwenyekiti wetu yuko Nairobi lakini, it cuts across.

Unapata ulimi wa hiyo party pengine iko Nyanza, wawakilishi wengine wako wapi, namna hiyo, namna hiyo. Such are the parties we are talking about. We are not talking about a party utapata pengine sijui, ni kama ya juzi ambayo ilikuwa pengine iko tu upande mmoja pekee yake na ingine iko upande huu pekee yake.

So with four parties, we can grow in harmony kwa sababu tunajua ukishindwa kutoka kwa hii Conservative, unaenda kwa Labour. Ukishindwa kwa Labour, unaenda kwa Green. Na we shall move ahead without having so many distractions where so many parties are in at play. To many parties, some of whom have nothing to offer. Hata Britain ambayo ni our colonial master iko na party karibu tatu pekee yake. ninajua saa yangu itakwisha, iko na party tatu pekee yake. Lakini tukisema tu tuwe na party nyingi pengine wengine pia wameongea vile nimeongea, mtapata kama wengine wamesema hata hiyo mbili pekee yake huko.

The other thing is, let us talk about leadership. The time duration of parliament should be five years as it has always been. Then we should have a parliament. First of all we should have a Prime Minister because I am seeing people... already tunakimbia mbio ikienda huko tu. Mimi ninaona mambo ya Kenya, tumeacha hii ya sasa, kila mtu anaenda kwa hawa watu. And I know they are going to come out with something like a Prime Minister. Let us have a Prime Minister, let us have a president. Let us

have a president first. The president should be somebody above reproach. Sijui kama hapo haitaeleweka vizuri, iko inaendelea kwa nchi zingine.

Kuna mtu ambaye anaitwa president, sio president hii ambayo mlisikia mama akiuliza ya kusema ya kwamba president awe mtu ambaye anachaguliwa. There is a way of having a Constitution putting presidents in place in some countries where you could find an incumbent president is supposed to be this much aged. Na hata akitoka Vice President tu anaingia automatically. Na ni mtu ambaye amekubaliwa across the board, across the larger Kenyan Diaspora.

I mean to say, the institution of the presidency itakuwa tu just as referred and respected as we have the current presidency although that one will not be elective. That institution should be created by your findings and your new Constitution which should create that office should stipulate very clearly how we are going to get the person of the president with each succeeding moment. How they are going to live off easily, how they are going to continue working and how they are going to be succeeded. the presidents.

Because when we talk about the office of the Prime Minister, the Prime Minister should always come from the winning party in ideal situations. And thereby winning party wakikubali kama ni coalition wachukue deputy Prime Minister atoke kwa ile party ingine. Halafu hata kama ni coalition ya party tatu, the other deputy Prime Ministers they can form as many... now those amendments they can make to create spaces for the way the Kenyans at time behave. So that we have the first deputy Prime Minister, second deputy Prime Minister, third Prime Minister according to that line the way they voted according to those parties. Mimi niliwacha kama ziko tatu sijui nne lakini mimi ninajua pengine tutakuwa na nyingi.

But when it is coalition we cannot have a coalition of more than four parties, I know. So within that frame work if it is a way by which the Kenyans can select their Kenyan president, well and good. Kama mtapata hiyo namna tutaweka hiyo president, well and good, na deputy wake. Wanakaa pale silently they receive visitors, they receive the ambassadors, they have got a lot of work to do. It is happening in Pakistan, Australia, India and other places. There are those things are working.

Now turning to the leadership from those parties, mimi ningesema we want a party which will be in power as from next year to be sensitive to the economic feelings of the country, the economic needs of the country. By that I mean, we should peg the running of government, the future government no this particular one because this one is out going. The future government although it is a very sophisticated way of going about it but that is the only way we are going to go about it, we should have to peg the running of government on the economic index yao, vile wame-perform during the time they were in power. Whether I am right or wrong I do not know, it is a wishful thinking. By that I mean, we can never run away from the economy of the country as we run the government. So to say whenever there has been economic growth but even here then kila mtu atapiga makofi, mtaona tu kama bei ya vitu inarudi chini ama namna gani? Watafanya vile wanaweza. Bei ya sukari ama nini inarudi chini kidogo, bei ya kusafiria, bei ya kitu, tunataka bei ziwe zikirudi chini, tuki-explore areas ambao tunaweza kupata raslimali kama mafuta nini, tuwe na vitu kama hivyo tuwe na zetu wenyewe pia.

So any government in power, I don't want to talk about the party, the government whether it is a labour government, whether it is what government. that government should come up during the next elections to tell us how they have been performing and even mid-way, mid-way after the elections we should have something to show for. Ambayo inaweza kusema ya kwamba mpaka saa hizi wamefanya namna hii, one hundred days in office, two hundred days in office, three hundred days in office tumefanya namna hii. So if we peg our running of future government to economic performance and the upliftment of the welfare of the people generally, then we shall have very good parties to lead us in future. Kwa sababu utapata tu kama huwezi kujaribu hata party yako ijaribu kuongoza Kenya kwa sababu unajua you don't reach the index which is required by the Kenyan standards, utanzia wapi? Hakuna.

The other thing about change of parties, kama hii mambo ya mchezo ambayo inaendelea sasa hii musical chairs, mara mtu yuko D.P na anaongea hivi. Mara mtu yuko kwa hii... Like now almost a quarter of the parliamentarians have no parties according to the current Constitution but they are singing there, wako hap ndani wanacheza huo mchezo, ama namna gani? Si a quarter of the parliamentarians do not have parties right now? You find a few KANU members have swore never to be in KANU meetings and then they continue getting KANU money through mambo yao ya tax-payers money through that arrangement vile alienda kwa bunge. Same thing happens to those people who want to defect from other opposition to KANU. Kila mtu arudi a face the electorate. The elections was a very good decider. We did not frame it, we found it, the by-elections, they have always been there. Let us have the by-elections kama mtu ametoka kwa party yake, arudi aonane na wananchi akute majambazi wengine pia walikuwa huko wanangoja hio kiti chake ama namna gani? Sio ati leo wewe umetoka hapa na unakaa huku na unakaa huku. Hata saa hizi wakisikia mshahara unataka kuongezwa na hana kadi na ako huko ndani.

So those are the kinds of things I envisage your new Constitution to come up with. Nobody should feel that he can run around in parliament, up and down halafu nasema ata-defect siku ya mwisho wakati kengele kimepigwa. Defect now, go and face the people turudiane mambo iishi hata kama mwezi mmoja umebaki. That one is enough for that one.

The new Constitution which you should bring forth should be a harmonious one which according to one speaker here it should encompass all or cultures na ifanye Wakenya wajisikie wako kitu kimoja sana. already now the tribal polarization of the country, emotions yao, kila mtu anajisikia sana mimi ni kabila hii, mimi n kabila hii, I do not know how you will frame your Constitution but I know you will do it, it is your task. Come up with a Constitution which should make people feel more Kenyan that what we are already now. I think Tanzanians are very good at that. Tanzanians feel more Tanzanians everywhere they go, in everything they do and I think and I hope the new Constitution will provide us with that atmosphere of feeling a Kenyan in every aspect of the word.

Because tunaongea Kiswahili mpaka hapa saa hii, ni Kiswahili tunaweza kuwasiliana vizuri. So I don't think if the language is the biggest barrier that we can ever have na hatuna hiyo, language ni Kiswahili na Kizungu tu ni ukienda mpaka University ama Form IV, you will speak as many words as you want. So whoever is here and went through Form IV and will communicate with fellow Kenyans from here to Wajir and Mandera. So there should never be any language barrier to harmonize the

Kenyan feelings about how they should relate in as far as the new Constitution will come. The Constitution which will harmonize our tradition cultures and the general feeling of the Kenyan mnawajua. Hayo yote yamesemekana kutoka hapa mpaka Mombasa, you know how you will compile them.

Turning to the environment, watu wameongea juu ya forest. Everything touching on the environment, you Constitution should be very, very explicit. Future governments should be very sensitive to our environmental standards. We have nothing to show as a country. we only have the beaches, we have the game parks but there are some things which we can still create, certain environments we can still create. I gave the example. It is when we hear about things which have been done by leaders and parties and government like in Malatia. People like you have traveled far and wide and you can image when you go to certain countries you just marvel. And the country is so small, terribly that if you compare it to our country Kenya, then you wonder. The Asian Tiger Counties. Those are countries that you cannot even compare with our county. So take those into consideration. That we need a clean country, a clean environment. Mnajua vile town zetu ziko zote. Unless you wait for money from World Bank to help us rehabilitate the towns, we don't have anything to show for. Even a young town like Capsawari, hauwezi kuanza kujenga kwa njia nzuri, mpaka ionekane a medel town for the future. We should have such things enshrined in our Constitution, so that when our kids are going, wajue hii ni makosa na hii ni nzuri kulindwa kutokana na mazingara. Kuna nchi zingine hata kutupa sigara hauwezi kutupa. Nini hauwezi kufanya. Mambo hii hauwezi kufanywa. Those are all within the Constitutional framework. Na watoto wanepata kama pendelea. So we should a Constitution which is safe to our environment in every aspect. When it is going to develop our cities, rural sites, nini, the environment. The Constitution should address it in so many ways, and it should come out very strongly on that.

Turning to the future leaders, the Ministers to head in various portfolios which we shall have time and again, because they keep changing. Today they are manpower development, the other day they are what. Let the names change, but let's have the right qualities in those positions. Every Kenyan tribe iko na watu qualified enough, so let us have the right people in the right place. If it is mambo ya road, let us get the right engineers. If it is mambo ya medicine, we should not mix somebody who did arts, tunaweka yeye kwa hio eneo lingine hata haelewi. How do I know about drugs? It means I will just be playing around with the tenders, na kuharibu mambo mengi.

Com. Mutakha Kangu: Jaribu kumalizia.

Jared Otieno (D.O): Sawa sawa, So that's about that. On education watu wamesema hapa. Form four education is good enough for Parliamentarians. The same form four is food enough for our councillors. Wakitaka kama ni university ni sawa

sawa because there are people who are better leaders than the ones who went to school. Some of us. Otherwise, mambo ni mingi, lakini mimi najua yale ambayo ningeweza kugusi, nimegusia kidogo kidogo, I don't know whether you have anything to ask.

The new Constitution, iweke mambo ya development, iwe kiala mahali. Sisi tulijipata tu tuko Kenya. When you are in Mandera, you are part of Kenya. So the development which should be there, iwe ni university, iwe nini, should be there.

What we don't want the Constitution to talk about, ni mambo ya ma-churces iwe namna gani? On the churches pia ningengea tu. Na jua freedom of worship pia imeleta taabu sasa. Tuko na churches nyingi, mpaka hata haujui. Kuna makanisa ya usiku, na hapa Kenya watu hawakua wakienda church usiko. Siku hizi ni ya usiku. Churches ziwekwe chache za kutosha mazingara ya wananchi.

Kiswahili and English vile mlikua mmesema hiyo kwa lugha ya kitaifa, iendeleo namna hiyo.

Ya mwisho kabisa, ambayo mimi nasema siwezi kusema, mtu yeyote hawezi kusema, ni nyinyi Constitutional makers. You are people who are going to digest everything and come with the good and the bad out of what you will have collected from the field, to give us a Constitution to serve this nation. So we have entrusted you people, with a very very big task, that if you ever knew, we would even not mind you people extending your time, like you people are talking about. Kama ingekeu ni kitu hetu you extend, but come up with something which will help the country so many years to come. Thank you.

I don't know whether I have said my bit?

Com. Mutakha Kangu: Yes thank you. We are so grateful. Tupate John K.Kibiwott. John K. Kibiwott.

Jonyn K. Kibiwott: My name is John K. Kibiwott. Mimi ningetaka kutoa maoni yangu, kuhusu hii mambo ya Katiba. Kwanza, ningetaka Katiba ambayo itaeleweka kwa kila mwananchi. Ambayo iko na lugha ambayo inaeleweke na mwananchi wa kawaida. Isiwe na ile mambo ya lawyers ambayo inakua ngumu sana kutafsiri.

Katika mambo ya urais wa Kenya citizens. Mimi ningetaka kutoa maoni yangu kwamba, mtu ambaye anazaliwa Kenya na yeye ni Mkenya, awe automatic citizen. Na mtu ambaye anatoka nchi ingine, kama anataka kupatiwa uraia wa Kenya, ni lazima weze ku- surrender ya kule kwao. Kwa sababu mimi sipendelei hii dual citizenship. Kwa sababu mtu anachafua mazingira wa mahali moja, halafu anajua anaishi Uganda, anakimbia Uganda. Baada ya maneno mengi kufanyika.

Mambo ya defense: Kwa maoni yangu, mimi ningetaka defense iwe mbili tu. Yaani Army na Police. Yale mengine yote yawe under police. Army iwe different na wale wote wengine kama Administration Police, ile ya barabara, ile ya wapi, iwe under Police yote pamoja. Hii ni kwa sababu hii mambo ime-confuse watu, hata hakuna mtu anajua. Tena, kama kunaufisadi ambao unafanywa, hawajui kama ni police wanafanya, ama ni akina nani wanafanya, haijulikani. Kwa hivyo iwe mbili tu.

Mambo ya political parties: Hii pia imeshinda Kenya yetu. Mimi ningetaka hii Constitution kwa maoni yangu, ieleze kinaga ubaga kwamba, tunataka political parties tatu tu katika nchi yetu. Na creteria ambayo itachukuliwa ijulikana kama hiyo inatakiwa ni kwamba tuseme kama kuna MPs mia moja au mia mbili ambayo inatakiwa. Hizi parties ni lazima walete wafunge kama hamsini, kujulikana kama unaweza ku-qualify kua na party yako. Tusiwe na party tu ambayo ni ya watu wachache sana. Kwa sababu it is very expensive to run this party.

Na hii mambo ya structure ya government, mimi napendelea kua na Federal government ya majimbo. Mambo yote yatengenezwe katika mkoa, yaani province. Halafu, yule mtu ambaye ni head wa province, atakua Prime Minister. Na mambo yote ambayo inasemwa katika Province, ichukuliwe katika Bunge moja ambayo itaundwa. Kwa maoni yangu itaitwa National House, ambayo Prime Ministers, wanaenda kuchukua mambo yao huko, halafu yale ambayo yatasemekana yanatangazwa au nini, President awe ni yule ambaye atatangaza. Kwa sababu President ni kama unity ya nchi nzima.

Mambo ya Parliament. Tuseme, wale ambao wanatakiwa kua Parliament, ni lazima wawe wamefikia kiwango cha form ffour na kuelekea. Lakini kama umeenda university itakua an added advantage.

Halafu viongozi wale ambao wataenda Bunge, mimi ningetaka kutoa maoni yangu kwamba, Bunge iwe life. Yaani katika television au radio. Halafu kabla ya kipindi cha Bunge kusemekana, wa-screen majina ya Wabunge ambao wako katika

kikao hicho ili kila mtu ajue kama wake ako ama hayuko. Kwa sababu hawa watu wamekua wafisadi kwa njia ingine. Huwa wanasema ufisadi, ufisadi lakina wao wanaiba hata pesa ya wananchi kupitia kutoenda kwa Bunge, na hiyo ndiyo kazi ambao waliandikiwa. Na maoni yangu pia ni kwamba. Kama Mbunge anaonekana he is not capable of handling affairs of wananchi wao. Basi wapewe votes of no confidence. Hiyo itolewe na majority ya voters ambao ni 2/3 ya wale ambao wanapiga kura, wapige waondowe yeye halafu wafanye byelections.

Now mambo ya Executives, mimi napendelea ya kua mamb ya judges wawe huko. Mimi ningetaka Katiba ambayo inaruhusu mambo ya Presidency iwepo. Lakini nilisema wakati ule, ningetaka Federal government, ambayo Prime Minister atakua mkubwa katika mkoa. Na President awe tu katika National. Halafu President ni lazima awe ametoka Constituency fulani.

Mambo ya Judiciary: Mimi ningetaka Katiba ya Kenya ambayo itakuja sasa iweke hii mambo ya Judicial Courts. Kwa sababu saa hii, tukiangalia katika Katiba ya sasa, tunakua na Korti katika kila wilaya. Hata wilaya tatu. Tuseme hata saa hii katika Marakwet hatuna Korti, lakini iko huko Keiyo amabyo inatumikia wilaya yote. So mimi ningetaka, kila District wapatiwe Korti.

Halafu Judges ambao watachaguliwa akatika hizo korti, wawe watu ambao wamesoma, mambo ya law. Na kiwango chake kitakuwa kama ni bachelor ya LLB. Na atakua ameserve katika kortini zetu kama lawyer kwa miaka mitano. Halafu kama wewe uko na Masters, uwe umetumikia kort zetu kama advocate kwa miaka miwili.

Halafu mimi ningetaka Commission iundwe ya watu ambao wanaenda ku-oversee hawa watu wanafanya kazi namna gani katika kortini. Kama vile walimu wako na inspectors. Hata wao wawe na inspectors. Kwa sababu they should account for the work that they are doing.

Halafu local government. Hii local government, mim ningetaka elimu ya Councillors iwe tu Form four. Lakini itategemea labda sasa mahali kama watu hawakusoma sana, iwe tu darasa la nane, na kuendelea. Mimi nafikiri itajionesha tu. Hata kama wewe uko na nini, mtu atapita tu kama vile watu wanajua vile ako.

Com. Mutakha Kangu: Jaribu kumalizia.

John K. Kibiwott: Maneno yanakwisha kwisha. Sasa nilikua na mambo ya land. Hii land katika Constitution yetu, kwa sababu ya kupeleka mambo ya land kortini imekua shida kwetu. Mimi ningetaka Constitution ambayo wazee wanapewe jukumu ya kufanya mambo ya kesi ya land, halafu kortini wana-endorse tu kwamba hiyo kitu ilifanyika, na imekua sasa sheria. Kwa sababu watu wamepigwa kortini. Itajulikana. Kama uko na pesa, uta-win kortini. Kwa sababu uko watu wanaweka mambo mengi sana ukifika kortini. Lawyers wanaweka mambo yao ingine hata hujui kuhusu kesi, na wanachukua shamba zako tu.

Halafu nafikiri hizo sheria nilisema wakati wa kwanza naanza kwamba iwe katika lugha nyepesi. Hata korti zetu, hiyo lugha pia, iwe nyepesi ya kila mtu kujua. Wasiweke ile maneno mengi ambayo ni ngumu kabisa kuelewa. Hata Latin inaweza kuwekwa ndani, ambayo watu hawaelewe.

Na kuna mambo mengine ya culture. Culture yetu ya Marakwet ikae kama ilivyo. Lakini yale ambayo imepitwa na wakati yaondolewe mbali. Yale ambayo yamepitwa na wakati ni kama labda hata kutairi, waschana.

Halafu ingine ni mambo ya mtu kuua mtu mwingine, halafu jamii yake ikute ameuawa. Wale wengine wanavamia, wale ambao hawajui, kile kitu ambacho kilikua kinafanyika. People suffer for no reason. Isiwe communal. Mtu angaliwe kama mkosaji na achukuliwe hatua. Na wale wengine ambao wanakuja kuvamia watu wachukuliwe hatua pia wastakiwe kortini.

Halafu resources zetu ambayo ziko hapa sasa, madhini yakipatikana hapa, ni lazima sisi tupate percentage kama asilimia sitini. Ya ile kitu ambacho itatoka hapa. Na watu ambao walikua wanakaa kwa eneo hilo, they must be compensated. Kwa sababu sasa watu watahamishwa na hawa watu ni lazima compensation. Mambo ya Forest, wazee, the County Council ya Marakwet wapatiwe jukumu, halafu itaenda mpaka kwa mzee wa kijiji. Mtu ambaye atapatikana amevunja sheria, ama amekata miti ovyo ovyo, kwanza anapelekwa kwa wazee, halafu anapelekwa kortini, wazee wanathibitisha amefanya kosa na aadhibiwe. Na fine yake itakua kama shilingi elfu hamsini. Sawa sawa imeisha.

Com. Kavesta Adagala: Kwa upande wa mila, kwa vile nimeelewa, Wamarakwet hata hiyo ya kutahiri watoto wa kike, imeisha ama bado iko?

John K. Kibiwott: Bado iko, na itaedelea mpaka itaisha yenyewe kwa sababu watu watajua tu pole polo. Unajua sasa kutahiri huyu msichana, watapata value gani? Sasa baada ya kujua hiyo, basi itaenda pole pole mpaka iishe tu.

Com. Kavesta Adagala: Na upande wa mahari?

John K. Kibiwott: Mahari, isiwe ya lazima. It will depend on negotiations. Itakua sawa.

Com. Mutakha Kangu: Asante basi. Basi Benjamin Kibor. Endelea ndugu Bwana Kibor.

Benjamin G. Kibor: Basi majina yangu ni Benjamin G. Kibor. Langu la kwanza ningependa kuongea kuhusu Katiba yenyewe on Preamble. Ningependa Preamble iwepo katika Katiba yetu, na iwe na msingi kwamba tuiweke kwa lugha ilio rahisi. Ambayo kila mmoja naelewa, hata akiwa na mtoto wa darasa la tano na kuendelea mbele ambaye anajua kusoma.

Tunapo ingia pia katika Katiba ili ikamalize sehemu za Katiba, ningependa Katiba pia khamati itengenezwe ambayo itakua inahusika na mambo ya ammendment. Tuwe na Board. Kukiwa na jambo fulani, mimi ningependelea watu waweze watekeleze jambo fulani. Basi ningependa kuwe na Board ya ammendment kulingana na generation vile itakua inaenda. Baada ya labda miaka fulani, wanaona kuna jambo fulana kulingana na miaka ya watu.

Kitakachofuata ningenda kwa government au governance. Ningependa kuona ya kwamba powers za serikali zigawanywe. Executive iwe tofauti na Judiciary.

Nitaenda pia kwa sehemu ya ma-ofisi. Katika ofisi ya Vice President na Ministers, ningeaona tuwe na Khamati ya kuwachagua lakini sio Wabunge ama President mwenyewe. Tuwe na Khamati, halafu hata Khamati wanarudishwa kwa Bunge wajadiliana. Nani anaweza kua Vice President ama nani ataingia kwa Ministry of learning. Tusiwe na mtu anachaguliwa kulingana na favour ya labda anajulikana na mtu fulani, isioneka.

Pia katika hiyo kuna wale tunaita nominated MPs. Iwe tu akichaguliwa because of interest ya wale ambao ni wa kikundi cha wasiyo jiweza. Waakilishe vikundi kama walemavu, siyo tu ametoka tu mahali fulani, bila chenye anaenda kufanya pale. Tuhakikishe ya kwamba mtu anakua nominated because of a certain duty. Kama ni disabled, viziwi na wale wengine.

Katika sehemu hiyo pia ningependa kuona ya kwamba, kwa sehemu ya elimu, ningeonona kama wajumbe, kwangu ningeonolea ni mtu wa degree holder. Kwa sababu atakapotumwa kama nchi za nje, anatakikana awe mtu ambaye ataakilisha nchi vyema.

Halafu Counillor awe ni mtu wa form four na kuendelea. Ingingine ni miaka pia, hasa kwa ofisi ya Rais. Rais awe ni mtu wa miaka 45 mpaka 65. Halafu term of office iwe ni miaka mitano, vipindi viwili.

Sehemu lingine ni participatory governance: Yaan waakilishaji katika serikali kwa vikundi vinane. Katika Katiba yetu ya sasa. Nitaongea labda kwa sehemu ya vijana. Ionyshe vijana ni muda wa miaka mingapi na kikomo chake ni wapi. So ningeonona ni miaka 18 mpaka 35. Halafu pia Katiba ieleze wajibu wao.

Com. Mutakha Kangu: Umemaliza?

Benjamin G. Kibor: Niko na moja ya mwisho. Halafu hiyo moja ya mwisho ni watakao retire kutoka ofisi fulani. Mtu ambaye ametoka ofisi fulani, inajulikana ya kwamba mahali pale hawezi. Asigombee kiti chochote katika jamii. Akuje tu apumzike, halafu awe advisor.

Pius K. Rotich: Mimi naitwa Pius K. Rotich. Ningetaka kutoa pendeko yangu binafsi kama kwa nyinyi ma commissioner wa kuunda Katiba hii yetu ya Kenya. hapa kuna maneno mengi yamesemwa sijui pengine mpaka nirudie, inakubaliwa kurudiwa, si ndio. Kweli mahali mini ningeanzia ni sehemu hii ya haki ya human rights. kwa upande wa haki wa mtu tunataka Katiba ambayo inalinda mtu mwenyewe na mali yake. Na tunataka tena Katiba ambayo itapatia mtu huyo haki ya kupata masomo. Kwa vile Kenya sio sawa, maendelea ya sehemu sote za Kenya, hatukuendelea pamoja, wakati huu utaona kwamba wale wataingia kama vyoo vikuu pengine mimi ningeomba Katiba iweke hata kama ni kwa miaka mia mbili hatutakuwa sawa, hatutaendelea sawa. So ningeomba quarter system kwa vyo vyetu iweko. Kwa sababu hata tuendeleo namna gani kutakuwa na sehemu zingine ambazo zitabaki nyuma na tukisema tu kulingana na merit, itakuja kuta pengine area moja tu ndio watakuwa watakuwa wanaingia Bunge na wengine hawatakuwa na nafasi.

Com Kavesta: Hii quarter system iwe based wapi?

Pius K. Rotich: Mimi ningependelea iwe based kwa wilaya. District.

Hapo kuhusu haki ya mwana Kenya, kila mwanakenya awe na haki ya kumliki aridhi, tusiwe na watu ambao wanaitwa squatter Kenya yetu na hivi hii, nafikiri neno hilo squatter limepitwa na wakati vile mtu amesema kwa sababu ni Mzungu vile alikuja

kuishi na tukunyanganya sisi kidogo, kusukuma sisi kwa milima hii, akaishi kwa shamba ilikuwa safi, akasema sasa yule mtu atakuja kuishi na yeye ni squatter na kwa vile sasa tumekuwa Kenya uhuru, tuondoe majina kama kuwa squatter sababu tuwe na haki ya kumiliki ardhi na tusiwe squatters.

Ingawa napendelea kuwa kweli mtu yeyote anaweza kuwa na haki yake, kulingana na uwezo unajua hii inapendelea tuwe capitalist in that kwa sababu hii maneno ya socialist community mimi suing sana kwa sababu mtu akiwa na uwezo anaweza kuwa na shamba ya dharura, lakini anaweka.

Ile kitu tutatoa hivi kwa sababu uwezo, hata saa hii wenye wako na mashamba haya, tutaweka kuna mashamba kweli kubwa saidi kupita kiasi, kiasi ya kwamba ya kutumia, kupita kiasi ya kutumia na hata kama kuna mtu anaweza kutumpia, heka elefu9 mbili vizuri anaweza kuwa nazo. Lakini hata kama wewe uwe na heka hamsini na usitumie basi itakuwa hasara.

Nafikiri hapa nikizungumza kulingana na hapa kwetu, hapa ni clan land and everybody belongs to the clan and when you belong to a clan and try to fit there hapo nafikiri sisi tunaonge kuhusu upande huu. Lakini kwa sababu Katiba ni yetu yote mimi singesikia, I am not comfortable with that.

Kuna sehemu sasa kama, bado nazungumza kuhusu haki ya mtu binafsi hapa Kenya, unajua haki ya mtu ni huna yule mtu anakutawala, uwe umesikizana naye, iwe kitu kama kuna agreement, usiletewe tu mtu unaambiwa huyu anakuongoza. Na mimi naoungana na wale walikuwa wamenena hapa awali kwamba kwa nini huyu mtu anaitwa mzee wa mitaa anapendwa. Anapendwa kwa sababu ni wazee wa kijiji wenyewe ndio wana appoint, si kusema kuna uzuri wake zaidi ya hapo.

Chiefs ama assistant chiefs pengine wanachukiwa kwa sababu pengine wanapenya njia zao kesho unasikia yeye ni chief, au yeye ni chief yako. Wewe mwenyewe hujakubalianan na yeye laikini umeletewa. Basi sasa hapo chuki inaanza.

My recommendation ni kwamba hawa watu wawe, hizo post wananchi wenyewe wa elect kama hapo awali. Tulikuwa nazo, kulikuwa tuna-elect halafu sijui hapo katikati kuna... lakini kutoka sasa DO kuelekea hawa watu ni professionals, serikali wanaweza kuteuwa hao.

Kuna sehemu moja tu ningetaka kuguzia, maneno ya judiciary mimi si mfuasi asana lakini ningetaka niunge mwenzangummoja hapa alisema . hata na sisi kama hapa tunaambiwa koti ni same na pengine unalalamika na hauna nauli, huna mahali pa kulala mpaka watu wengine wengi wanawacha kulalamika kwa sababu service ni mbali. Sasa service iletwe karibu hata ikiwezekana division, ikuje kabisa na division. Kwa sababu ya umbali, mtu anawacha kulalamika haki yake.

Kufika sasa kama kuna hawa wabunge wetu na wengine, wabunge kuna watu wanasema sasa pengine wabunge waongezwe kulingana na watu. Na mimi nasema isiwe hivyo kwa sababu kuna watu wanaishi mbali na wako wachache kweli lakini wako

mbali mbali na kuna watu kweli wamekusanyika kama ma town. Ukiwapa hao wabunge wengi na Mbunge mmoja anaweza kuwafikia, yaani communication iko perfect na hapa nyinyi sasa mli- afford kuwa na helicopter na sasa Mbunge ata-afford hiyo kitu kweli. So tuangalie mambo mengi, tuangali geography, tuangalie vastness ya nchi na kila mwana Kenya apate sehemu. Si ati kwa sababu watu ni wachache hawataongezewa, in fact wenye wako nchi kubwa hao ndio wangukuwa considered kwa sababu huyu apate kutembea kidogo.

Kuna hii office sasa pengine watu wanasema ni means ya kenay kama urais, urais kweli hiyo institution ni kubwa na ni Kenya yenyewe sasa. hiyo institution ya uraisi kweli tunakubali wale wamenena hapa kwamba tuwe na vipindiviwili vya miaka mitano mitano na kuna mahali sijui nyinyi muangalie kwa Katiba. Mimi sasa nagombea uraisi kwa wakati huu, niingie miaka mitano, baada ya miaka mitano nishindwe, sijafikisha kumi. Nitakubaliwa tena ku-contest wakati ule mwingine ama hiimiaka mitano ni running, isolated ama..

Com Mutakha Kangu: Ndio wewe utuambie. You have identified the problem which many people are not addressing iwe namna gani.

Pius K . Rotich: Sasa hapa unajua hata na sisi sasa tumeshindwa kama.

Com Mutakha Kangu: Sema wewe maoni yako.

Pius K . Rotich: Maoni yangu ni kwamba kama ukienda moja, na ushindwe una haki ya kupigania ingine moja naukishafikisha mbili hata kama ni isolated hautaendelea. Ukipata mbili running hautaendelea. Ukienda two trials na unashindwa usijaribu.

Com Mutakha Kangu: Before you move on, kitu ikitokea, tuseme rais naye petition imeenda through ama rais amekufa na pengine inabaki mwaka moja halafu bye elections itafanywa na wewe Bwana Rotich unashida, will that be counted as a term.

Pius K . Rotich: Yeah. Lakini si ni lazima tuwe na rais hata kama ni one year hata kama ni one month.

Com Mutakha Kangu: Lazima tuwe na rais but I want to know kama unalimit term. Wewe umetoa jambo mzuri mambo ya running na isolated nami nimekutolea hii ingine, tupatie maoni kuhusu hiyo.

Pius K . Rotich: Maoni yangu ni kwamba ushaonja, ushaonja itahesabiwa hiyo ni term yako moja. Ie ingine upigania uendelee ama ushindwe ama uongojee moja. Basi kwisha, hiyo ni maoni yangu.

Com Kavesta: Kama kule America, Kennedy alipouliwa walimuambia vice president yake akamaliza term halafu akasimama tena. Lakini sasa wewe unasema president akifariki, yule anashikilia ahahebiwe term.

Pius K . Rotich: That is part of the democracy.

Com Kavesta: It doesn't matter, democracy is expensive. My point is not expense, my point is would we have a vice president taking over, hata huko Britain, Tachah alipowacha Major alichukua kama part time akamaliza term hiyo halafu akasimama tena. hawakufanya vile unasema.

Pius K . Rotich: Nafikiri naweza badilisha kidogo kwa maoni yangu na mchukue tu iwe kama ni maoni yangu ingawa umenisaidia. Kwa vile kweli lazima tuangalie nafikiri kwa wakati wa msiba kama huo ama bahati mbaya sio kawaida lakini ni bahati mbaya, nafasi hiyo iende kwa makamu wa rais apate. Kama party hiyo ilikuwa inaongozwa na DP basi makamu wa DP amalize term halafu a-contest the coming year. Hiyo itakuwa ni smooth running vile mimi naona itakuwa vizuri kwa wana Kenya.

Com Mutakha Kangu: Na hiyo vile umesema inahesabiwe kama term.

Pius K . Rotich: Na pia ihesabiwe kama term kwa sababu ushaonja na wana Kenya ni wengi. Hayo ni maoni yangu.

Hapa kwa sehemu hii ya siasa hivi kidogo mimi ningeomba unajua sasa kama hapa kuna shida, kweli mimi naona kuna shida ya mabara bara, shida ya communication, na hata pengine hospitali hakuna, mimi nimejuliza kwa nini, nimesema kwa sababu Nairobi ni mbali na ni kwa sababu Nairobi ni mbali, mwenye amepewa jukumu ya mabara bara Kenya hii hajui syrup. Kama angejua angetuonea huruma kwa sababu unajua yeye ni binadamu.

Basi mimi nataka kitu inaitwa federal government ndio huyo mtu akuje karibu tugawanye mambo yetu. Atakuwa katibu hata kama ni Eldoret ama Nakuru tutatembelea yeye na tumuambie bwana umenisahau na tuko, hatasema ataenda Nairobi ama ataenda Mombasa ama ataenda wapi. Hii federal, nikisema kwa Kiswahili pengine ni jimbo sisi tungetaka jimbo nyingi Kenya, kwa maoni yangu tusiwe na zaidi ya jimbo kumi, ingefaa kumi ama chini ya kumi. Hiyo ndio pengine maoni yangu.

Nilikuwanimeguzia kidogo sehemu ya executive lakini sasa kuna sehemu tuseme sasa kama appointments kama ya mawaziri. Mawaziri wachaguliwe kulingana na areas, unajua kuna watu walisomea area mbali mbali na hiyo posts pengine ingetangwaza halafu kila yule ameingia parliament a apply ile area anataka halafu kuna kamati watakalia waone fulani wa fulani is more capable kushinda fulani wa fulani na wakae kwa wizara hiyo kwa muda isiyo pungua hata miaka miwili mitatu. Kusiwe na mmoja leo, baada ya miezi sita mwingine halafu namna hiyo, hiyo ndio ningeonelea pengine kungekuwa na federal government. Na mtu asipelekwa mahali vile mwingine alisema hapa, kama vile sasa sijasoma nipelekwe kwa wana Sheria, nitawaambia nini.

Ya mwisho ni culture na tradition yetu; culture yetu mimi nasema hivi kwa sababu Marakwetis making me proud kwa sababu nilipitia stages zile zote nafaa kupitia. Hiyo kitu ndio inaweza nyinyi kukaa na hata mimi nikiongelesha vijana wa Marakwet

nitaalewa vile ya kuwaambia hawa. Nikiwambia kukaa chini wanajua kuna maneno hata kama secret passport iko. Yaani ile inaweka the public ya watu kukaa mzuri, mimi naunga kama kuna ile ingine kweli imepitwa na wakati kama femazle circumcision saa zingine wanasema ati FGM. Hata ya wanaume is health mimi naona wanaume wetu hakuna mtu anacomplain na hata na mimi sioni ubaya it is very health na kama hiyo.. I think if the women are fair hapa sisi wanaume hatuna shida hata saa hii tumeoa kutoka kwa different cultures ambao kweli we are sure wamepitia FGM. Ukioa mjaluo I am sure she is not, huyo hajapitia hiyo as a man. So hiyo kitu mimi naona vile mtu mwingibne anasema itakuja hivyo. Na kwa hayo machache nilikuwa na yangu na ya wengine na tutapata Katiba ambayo itapeleka sisi mpaka tufariki na watoto na waju kuu wetu.

Com Kavesta: Wakina mama wakilalamika, wanalalamika kuhusu FGM na ni kama hawana uwezo wa kuitoa. Na kuambia kwa sababu kwetu hatuifanyi sasa sijui lakini wale ambao wanafanya wanasema seikali iweke Sheria. Sasa unauliza na kwa nini nyinyi wenyewe msuwache tu. Halafu wanasema unajua kama baba anataka kupata mali haraka anatairisha msichana halafu anamuoza halafu anapata mali. Sasa inaonekana wanaume wanahusika pia.

Pius K . Rotich: Hapa sioni kama ni kitu ngumu kwa vile hata wazazi wa wale wapo kama kuna msichana wa kuozwa sasa pengine baba yake hajapitia elimu.

Com Mutakha Kangu: Asante. Na tupate Jonah W. K. Biwott. Na sasa wale wanakuja tunaenda haraka kwa point kwa point kwa sababu masaa inaenda na sitaki mtu arudi mwenye alikuwa anataka kuzungumza kama hajazungumza.

Jonah Biwott: Kwa majina naitwa Jonah W. K. Biwott. Mimi napendelea serikali ya majimbo. Na ningependelea pia serikali hiyo iwe ikigawanya the national cake kw akila tribe katika jamhuri yetu ya Kenya equally.

Ningependelea serikali hiyo iwe ikikubali mtu yeyote awe na nafasi ya kushtaki hiyo kwa niaba ya mwingine.

Halafu ingine ningependelea ya kwamba hiyo serikali lazima iwe ya kupatia wa bunge uhuru ya ku amend laws only. Amendinig laws yaani Sheria sio ku-make. Halafu ningependelea pia serikali yetu siku sijazo iwe ikipeana nafasi kwa wenye wanafanya lazi ya judiciary wakistaki mtu wowote mwenye anafanya makosa mahali popote hata ikiwa ni bara bara aambiwe fine yeye atalipa kwa serikali na anaenda kulipa hiyo fine kwa kotini.

Halafu ingine ningependelea serikali yetu ichazo iwe ikipata mtu mwenye amefanya makosa apatiwe barua yake ya dismissal, yaani kuvutia kazi akipatika anafanya maneno ya corruption. Pia ningependa serikali yetu ya siku zijazo wawe na freedom of speech yaani wakubali watu kuongea chochote mahali popote. Freedom of speech na pia serikali zijazo lazima wawe na nafasi ya kuchunga watu wake, security na ikiwa hakuna hiyo akiwa hawawezi kuchunga watu wake, hiyo serikali pengine wa resign ama wapeane uhuru kwa kila mtu katika jamhuri yetu ya Kenya kuwa na nguvu ya kujichunga mwenyewe ikiwa hawezi kujichunga watu wake ya kwamba kila mtu lazima awe na nguvu ya kuwa na gun ama serikali ichunge watu wake vizuri.

Ingingependelea serikali yetu tukufu ya kwamba watu wenye wanapewa kipande, lazima awe mzaliwa wa Kenya ama azaliwe mahali popote bora tu yeye baba yake ni Mkenya awe anapewa kipande na hiyo kipande lazima yeye aende kuhapa ya kwamba yeye ni Mkenya yaani lazima to be sworn in. pia ningependa kusema serikali yetu lazima waingize Sheria ya kwamba kila mtu mwenye ako na natural resources achunge mwenyewe na apewe pesa hizo part of it. Kama natural resource ya Marakwet tuko na nyingi na tungependa kupewa pesa kama 75% to those who are owning the natural resources in the country or in the areas concerned.

Ningependa kusema pia Sheria yetu ya siku zijazo lazima kila mtu aone ya kwamba anapanda miti. Mahali popote hata kwake hata ikiowa ako na shamba kidogo lazima miti ipandwe. Halafu ingine Sheria yetu lazima waingishe kwamba mtu mwenye anapewa shamba katika hii nchi yetu ama Marakwet kwa mfano, ni mvulana tu peke yake sio msichana, hatuna uhuru ya wasichana, wavulana ndio wanapewa shamba kwa sababu wasichana wako na nafasi ya kuenda ama waoleke na wanapata shamba mahali wanakwenda.

Kuhusu hiyo shamba pia, kila mtu lazima apaewe shamba kama heka mbili, heka mbili ni maximum land use yenye kila mtu katika Kenya yetu awe nayo.

Com Mutakha Kangu: Sasa, kila mtu apate shamba, wasichana wasipate shamba, wasichana ni watu ama nini.

Jonah Biwott: Nimesema wavulana wapewe shamba, wasichana ni watu lakini watapata mahali wataolewa.

Com Kavesta: Msichana wangu akiolewa kwako atakuwa na shamba, atakuwa na title deed?

Jonah Biwott: Sio title deed, I will be protecting her and she will have nothing and I will be the person owning the land. Hana ruhusa ya kupata shamba.

Com Kavesta: Na kule amezaliwa hana ruhusa na pia kule ameolewa.

Jonah Biwott: Yeah, hana ruhusa.

Com Kavesta: So she is not a Kenyan.

Jonah Biwott: Yeye ndio atapata watoto tu na anashikia mimi watoto wangu na tunachunga watoto wetu na anakaa namna hiyo, lakini yeye ako na pahali pa kuzikwa. Akikufa ataingia kwa shamba yangu chini.

Halafu kuhusu masomo, education mashule yetu katika jamhuri yetu ijayo lazima watoto wetu wote wasomeshe mpaka kidati cha nne free. Watoto wote wasomeshe mpaka kidato cha nne free of judge na kufikia hapo wenye wataenda university wapewe high educational loans board.

Engine ni kuhusu office of the president, mimi kwa maoni singependelea watu kama PC, DC, DO, chief na assistant chiefs wawe kwa kazi. hayo ndio maoni yangu ningependa hawa wakae ili wasaidiwe na polisi,. Hayo ndio mimi mafikira yangu vile mimi naona kwa maana kazi yao hakuna kazi.

Com Kavesta: Unataka Provincial administration itolewe.

Jonah Biwott: Kutoka PC mpaka assistant chief hawako kazi, watoke. Halafu mimi pia ningependelea Katiba yetu iwe na language, yaani national language English, wawe wakitumia Kiingereza peke yake sio Kiswahili, English kwa sababu watoto wetu ikiwa wamesoma mpaka form form lazima wajue Kiingereza.

Councillors, kiwango cha councillors lazima awe form four man ama woman, kidato cha nne lazima. That is in future we are saying in future hiyo lazima.

Halafu watu wenye wako wanaenda parliament lazima wawe degree holders that is a must from under graduate and above.

Ningependelea pia siku zijazo Sheria yetu iruhusu sisi tuite hawa nyumbani baada ya miaka mbili wenye tumechagua kama councillor ama MP halafu tuone vile wamefanya kazi yao, wezangu walikuwa wamesema hiyo. halafu kuhusu un employment wenye watakuwa wamemaliza form four ama university seriklai iwapatie pesa kwa hawaz wenye hawana kazi ili wafanye biashara ndogo ndogo na pia serikali ione kwamba watafuta kazi kwa watoto wao wenye wamemaliza kazi hiyo ni lazima, it is a must. If it is not a must lazima wa train hao wawe hata solders. So lazima kila mtu hata wa train au wawe hata solders so lazima kila mtu to be trained. Kwa nini serikali lazima ishugulike na hiyo kazi.

Halafu pia kuhusu cleanliness ama hii ma towns zetu, nimeona makosa yetu ni town planners should be graduates wenye wanajua kuplan the town na wenye wana mark cleanliness wenye wanachunga cleanliness lazima awe kila mtu sio lazima wawe ni Municipal council ama Town council ni kila mtu kutoka kwa mlango yake mpaka mahali anafanya kazi. ukiangusha karatasi unalipa fine. Ukipatwa unafuta tobako halafu unaangusha chini unalipa fine ndio cleanliness inatoka immediately hakuna ati kutafuta pesa ingine.

Pia ningependa serikali yetu ama hii Sheria yetu ingishwe ya kwamba watu wakipatikana ku-smoke yaani kuvuta tobako ovyo ovyo wawekwe fine hiyo ni lazima kwa sababu hiyo ni hazards.

Inginge wenye wanakunywa pombe, lazima ukitaka kunywa pombe yako unakunywa kwa nyumba yako na kulala. So in future Sheria yetu hakuna mtu mwenye anakunywa pombe, out of bounce, imeisha. Hiyo lazima iishe kabisa. Basi sasa kumalizia hivyo hiyo ningependa tu Sheria yetu iingishwe kwamba ikiwa unayo msitu wenye watakula bonus ya hiyo msitu ni wenye wako na hiyo msitu kwa hiyo wilaya. Otherwise ninmemaliza maneno yangu. Any question.

Com Mutakha Kangu: Ulisema wabunge kazi yao si ya ku-amend Sheria, isiwe ya kutengeneza Sheria nani ndio atakuwa anatengeneza Sheria.

Jonah Biwott: Sisi saa hii tutengeneze Sheria yetu na iwe ya mwisho ili sheria iwe mzuri halafu hawa wanaenda tu ku-amend , ku amend always.

Com Mutakha Kangu: Unazungumzia Katiba? Tutengeneze Katiba na wale wa-amend na unajua ile Katiba ilitoka Lancaster inasemekana ilikuwa relatively good lakini kwa sababu wabunge walikuwa na nafasi ya ku-amend waka amend waka amend mpaka wakaharibu ndio tukafika mahali tuko.

Jonah Biwott: Kwa sasa tutapeana restrictions.wasi-amend sana, kuwe na restriction.

Com Mutakha Kangu: Tupatie those restricts, tuweke which restrictions.

Jonah Biwott: Ya kwamba kiloa constitution yenye tunasema saa hii sasa kama mfano hii natural resources ni yetu na ya kwamba kila mtu mwenye ako na hiyo natural resource apewe kitu au wenye wako pale wanaweza ku-amend ya kwamba natural resource ni ya serikali no, ni yetu so lazima wakuje nyumbani kupata sisi halafu tuambiwe tuende tu amend this ones. We shall tell them it is us to tell them go and amend this one. We shall call them back.

Com Kavesta: Hata waki-amend infaa wawe na percentage fulani ya votes, wewe unaweka kwa kiwango gani, how many percentages of parliament wanaweza amend Katiba.

Jonah Biwott: Wenye wana amend Katiba they should be 75% .

Com Kavesta: ID nimefurahi umesema mtu akitaka kuwa cwa Kenya afanye swearing in kwa sababu waqtu wengine wanafikiri unataka wafanye swearing in, lakini umesema kama baba yake ni Mkenya na kuna watu wanaishi Mpakani hapa, unajua sisi tuko ndani kidogo hapa lakini mama yake akiwa Mkenya?

Jonah Biwott: Nimesema ikiwa yeye si mvulana wa Kenya na awe na watoto, watoto wake hawawezi kuwa, yaani mama mwenye ako na mtoto ya Mkenya.

Com Kavesta: Mama ambaye ni Mkenya lakini baba si Mkenya, hawa watoto wanaweza kuwa Wakenya.

Jonah Biwott: Hapana, hao hawawezi kuwa wa Kenya.

Com Mutakha Kangu: Lakini swali moja ni hii, unajua sasa tuko na wasichana wetu na wana watoto, saa ingine hawawezi kukuambia baba ni nani? Tutakuwa tunajua namna gani huyu ni Mkenya, huyu si Mkenya.

Jonah Biwott: Hawa we are going to assume ya kwamba ni ya so and so mwenye ako jirani yetu, si lazima tuseme ni ya Uganda ama Tanzania hiyo ni ya jirani wetu so they should be a Kenyan.

Com Kavesta: Hiyo ni sawa tu maoni yako. Halafu umeguza kitu na mtu mwingine, mzee mwingine pia alizungumza hilo jamba. Mto wa Nile ambao inafanya watu wa Egypt karibu 40 million wanaishi inatokea hapa. Kuna treaty iliandikwa 1928, ikasema Nile waters Treaty na hata ukiona Sondu Mirie inajengwa imekuwa struggle kubwa kujenga hiyo Sondu Mirie hiyo hydro electric ndio unaona hydro electric zimejengwa Tana River ya Mbeere kwa sababu kuguza maji hii kuna Treaty wakoloni waliandika na Egyptians wakasema Nile waters isiguzwe. Tulienda Bondo na Rarienda hiyo maji yote iko kwa ziwa ya Lake Victoria hawawezi kuchukua maji na mfereji kuleta hivi na kupanda mboga kwa sababu ya hiyo Treaty. Sasa ningependa hapa ndio mto wa Nile unatoka, watu wa Marakwet, watu wa sehemu hii ambayo ndio mto ndio inanzia inafaa mketi na mfikirie hiyo treaty ni nini. Tafuteni mtu mmoja wenu wakili au nani amuambie mambo ya 1928 halafu mnaweza ku-submit hata nini yenyewe.

Hiyo ilikuwa tu comment. Hiyo ya wasichana naona umelelea wasichana sana. Hawawezi kuridhi, wanaozwa mahari inatolewa halafu wakizaa mtoto hawezi kuwa Mkenya, sasa pengine tutoe ID tofauti ya wasichana kwa sababu wao ni second class citizens, hawana haki, hawana haki ngi wanaume wanayo.

Katiba; ungependa Katiba iwe kwa Kimarakwet?

Jonah Biwott: La, English pekee.

Com Kavesta: Sasa Kimarakwet ikipotea miaka hamsini kuwe na watu wachache ambao wanazungumza Kimarakwet hiyo0 ni sawa, ipotee.

Jonah Biwott: We know we are going to school and therefore we should be English literate people.

Com Kavesta: What I am trying to get is kwa sababu mtoto anaweza kujifundisha 12 languages before they are 15 sasa

tukienda shule mtoto anajifunza Kifransa, Kiingereza Kiswahili Kiganda, anaweza kujifunza hii yote. Lakinkitu tu nina shida nayo, unataka Kimarakwet kipotee.

Jonah Biwott: Tuko na mother tounge kwa shule so hiyo iwezi potea.

Com Mutakha Kangu: Asante basi. Tupate Charles K Kiprotich. Charles hata wewe uende mbio mbio halafu ndio tuweze kuelewana.

Charles K. Kiprotich: Mwezangu amaesema karibu yote na nimebakiwa tu na pengine tatu hivi. Ya kwanza ni kuhusu mtu moja kazi moja. Hii ni kwa sababu ukiangalia hivi sasa kuna wale ambao hawana kazi na kama wizara ya elimu kwa mfano. Kuna mtu anafanya kazi ofisi fulani na kama kuna mfumo kama ya wanafunzi, unaona mwenye anafanya kazi hapo ndani anachaguliwa kuakilisha pengine Tume ya kuchunguza. Yeye anakuwa chairman na kuna mwenye amemaliza university na anafungiwa nje, angepata nafasi ya kufanya hiyo kazi. ya pili nki kuhusu examination. Miminigependekeza examination ikuwe set kulingana na facilities ya eneo fulani. Kwa mfano class eight wanafanya common examination, mwanafunzi mwenye ako Nairobi amepata pengine eleimu kupitia viongo mbali mbali. Ukiona mwenye anafanya examination kwa force mara kuna cattle rusling, hiyo inapita syllabus inaenda, examination inafika wanafanya unaona anaanguka. So iangaliliwe mahali kuna rasilimali kulingana na eneo hiyo examination kiwe na kiwango chao. Ya tatu kuna wakaguzo wale wa serikali wanafanya kazi katika wizara mbali mbali Fedha. Mimi napendelea kama kuna pesa imetengewa wilaya kuna pengine wakuzi wa wilaya. Wale watembe kutoka wilaya kwenda kwa divisions, waambie watu tumepata kiasi fulani mumetengewa miradi aina fulani na inafanya kazi. Sasa kuna watu wengine pengine wanaenda kuangalia na inakaa hivyo. Nimemaliza.

Com Mutakha Kangu: Asante basi. Samson K. Cherop.

Samson K. Cherop: Kwa majina ni Samson K. Cherop. Yenye nataka kuguzia nmi machache wenzangu wamesema mengi. Ya kwanza nataka serikali hii yenye inakuja watenge au waweke boundaries ya forest kwa Kenya mzima. Watu wale wanaishi kwa fotrest dani serikali iwatafutie mali ndani, ama iwanunulie shamba mahali pa kukaa au atenge forests sehemu ingine na kupatia hawa watu kumiliki.

Inginge ni, mtu yule anaua mtu anapaswa kuuliwa hata yeye.

Hii mambo ya rape case mtu anafungwa maisha. Nafikiri ni hayo tu yenye nilikuwa nayo.

Com Kavesta: Wa Marakwet walikuwa wanafanya nini kwa mtu alikuwa anaua zamani na mtu ambaye alikuwa anafanya raping, tradition.

Samson K. Cherop: Traditionally mtu yule alikuwa anaua mtu hata pia yeye alikuwa anauliwa. Anaenda kushika miti imekaa namna hii na kuweka yeye hapa na kumaliza.

Halafu mambo ya raping, mtu alikuwa anatoshwa fine pengine anaweza toa ngombe kiasi fulani inategemea sasa vile wazee wataongea halafu anatoshwa fine.

Com Kavesta: Fine inaenda kwa nani? Fine ianaenda kwa mwenye mtoto ama kwa mwenye bibi, itategemea sasa, na bibi mwenyewe atakaa tu kwake.

Hawa wazee wa kijiji wapewe marupurupu kama mfanyi kazo yeyote wa serikali. Na wapatiwe uniform na wapatiwe mamalaka ya kutetea mashamba. Nafikiri ni hiyo ilikuwa imebaki.

Com Mutakha Kangu: Edward K. Saina. Kama hayupo tupate Thomas Kiila.

Thomas Kiila: Asante commissioners kwa hii nafasi nimepata. Kwa yale yangu nilikuwa yamesemwea yote lakini niko na ingine naweza kujaza kidogo kidogo.

Moja ni ile mambo ya title deed, mambo ya title deed kwa sisi matrakweti iko shida sana kwa sababu mahali inapatikana ni mbali sana, ingekuwa mzuri iletwe ikuje karibu hata kwa division.

Ingingine ni ukiona wajumbe wakichaguliwa kufika parliamnt wanashugulika tu hawajali hata kuna wengine kama madiwano, kwa sababu madiwani hawa wamesahulika sana. Kufika huko wamejiongezea zaidi hata hawajali na kuna wengine wanachukuliwa safari moja kama hao. Na wanaona tu constituency ziongezwe, wanaona kama ward zipunguzwe na nimewaza sana tunataka Sheria ya ile tunaweka sasa.the tip iende na councillor wafanye kazi pamoja. One ward iwe kwa location.

Ingingine ni hii mambo ya mtu kuuwa mtu, mimi naunga kama mwezangu amaesema hapa, ingekuwa mzuri mtu kuuwa mtu yeye hata auliwe hapo hapo kwa sababu kuna tribunal ingene ya Marakwet mtu akiuwa mtu wanafuata jamii yake wanachoma manyumba, wanachukua mali na mtu mmoja ndio aliuwa mtu tu. Hiyo iwekwe kwa Sheria mtu akiuwa mtu amalizwe hapo.

Com Mutakha kangu: Yule mwenye ameu na sio jamiii yake.

Com Kavetsa Adagala: Okay.

Ingingine ni haya mambo ya makesi ya shamba iwe kuheshimiwa ya wazee. Wazee wakishafanya kesi iwe ya kuheshimiwa sana. Ni hayo tu.

Com Kavetsa Adagala: Okay. Sasa ulitaja bunge lakini hukusema unataka vipi kuhusu wabunge? Hukusema Councillors,

one ward one location.

Com Kavetsa Adagala: Lakini hukusema, ulikuwa unalalamika vitu vingi lakini hukiutoa mapendekezo.

Mapendekezo kuhusu bunge wakisema constituency ziongezwe waseme hata ward ziongezwe.

Com Mutakha Kangu: Asante basi. Tupate basi Steven K Cheboi. Kama hayuko basi tuende kwa Joseph Itok.

Com Kavetsa Adagala: Joseph, sema jina lako na uendelee

Joseph Itok: Ninaitwa Joseph Itok. Maoni yangu ingawa mengi yametajwa, yangu ya kwanza ni kuhusu bursary, mambo ya usomaji wa shule. Ningependelea bursary iwe chini ya constituency na kila constituency ipate kiwango sawa. Na hapo tena ikifika kiwango hicho kamati ibuniwe kwa kila division ama kila constituency, wale watahusika na mambo ya bursary. Isiwe district mara nyingine tena.

Lingine, kama Marakwet ukiwa Marakwet hapa tunaona kuna mambo mengi ambayo tumeacha nyuma ingawa tunaitwa district. Moja ni vitu kama barabara. Barabara ukikuja Marakwet hakuna lami. Yeah

(Interjection) **Com Kavetsa Adagala:** Barabara inapitia tu hapa?

Joseph Itok: Barabara tu ni ile ya... hata hakuna kitu. Ni barabara tu ya kijuu juu. So inamaanisha sisi ili tuitwe hata district angalau serikali wahakikishe kila district wawe hata na lami kama sehemu zingine. Kwa sababu ukichunguza watu wakubwa kama nyinyi mkija sehemu kama hii, mnapewa vyombo ambavyo vitaweza kuwapeleka msione barabara zetu na sisi ni Wakenya. Kwa hivyo tunahitaji serikali iangalie kila district imefikia kiwango ya kila mahali. Na hata ukichunguza sehemu zingine utakuta wanafanya maintenance ya barabara ambayo ilitengenezwa vizuri na baadaye imeisha na marakwet hatuna chochote. Kwa hivyo wahakikishe kila mahali ipate haki kama Mkenya yoyote.

Halafu kuhusu mambo ya security, hao wengine walikuwa wamesema kwa kirefu. Walikuwa wamesema mtu akimua mwenzake ingawa ni ina kimila ndani yake. Mtu akimuuwa mwenzake auwawe lakini ninataka niongezee kwa kusema kuwa yule atatenda kosa hilo, yeye pekee yake awe ndio anahusika na mambo hayo, isiwe jamii nzima.

Ingingine inahusu mambo ya forest, ingawa nilikuwa nimesikia kitu kidogo kuhusu River Nile, ulikuwa unataja kitu kidogo. Hapa Marakwet tuna mito mingi inapeleka maji nje na kila mwaka ama tuseme mara kwa mara sisi kama Wamarakwet tunafukuzwa kwa forest ambazo tunatunza. Ningeomba iwekwe kwa sheria namna hii:- wale ambao wanatunza misitu kama Wamarakwet wenyewe, ikiwa kuna maji ambayo yatatoka nje ama raslimali yoyote ambayo itatoka nje, lazima wale ambao wanatunza

rasimali hiyo ama forest hiyo wawe considered ama walipwe kiasi cha pesa. Kwa sababu ukichunguza maji mengi yanatoka Marakwet, County councils za sehemu zingine wanafaidika na Wamarakwet wenye wanatunza forest hizo hawapati chochote. So iwekwe namna hiyo kabisa kwamba wenyewe wawe wa kwanza kufaidika.

Lingine ni mambo ya chiefs, tuseme administration. Kwa maoni yangu tungekuwa tu na village elders, assistant chiefs na District Commissioner. Wale wengine *waore* nyumbani. Nimesema namna hii kwa sababu village elders na assistant chiefs watakuwa na responsibility ya kupeana huo ujumbe na utawafikia... wale wengine kazi yao n kidogo sana.

Com Mutakha Kangu: Mhh, umemaliza?

Joseph Itok: Halafu mambo ya barabara, yaani tuseme kuna mambo sita ambayo yanahitajika kwa sehemu kama hii. Wa marakwet wamekosa ku-exploit resources ambazo zingetumika kufanyika kwa sababu ya...

(Interjection) **Com Mutakha Kangu:** Please you have told us about the roads.

Joseph Itok: Oh yeah, I have said? Okay.

Com Kavetsa Adagala: Yeah very well. Let me ask you just to be clear. If you have an assistant chief it means you have a chief. Why would you like the assistant chief now to be called and what would you want him to cover? Should the name change? What will he cover, a sub-location or will he cover a location? Or...

Joseph Itok: The assistant chief may cover the Sub-location the way it is and the name will now be changed to a village leader.

Com Kavetsa Adagala: It makes a lot of difference, mimi singefikiria hiyo. How do you want then appointed, like village elders?

Joseph Itok: Yeah, they will be appointed by the community themselves.

Com Kavetsa Adagala: Through elections eh?

Joseph Itok: Yeah.

Com Kavetsa Adagala: Yes, okay. Na D.C?

Joseph Itok: The D.C will be for the government...

Com Kavetsa Adagala: Appointed.

Joseph Itok: Yeah.

Com Kavetsa Adagala: What is I, si unajua kuna sheria, treaty ilikuweco na nimekuambia ndio inatawala, ni ukoloni. Watu wa Lake Victoria walisema huu ni ukoloni wa Waarabu. Sasa wanatawala mpaka hapa. Mngependa kusema nini kwa sababu treaty iko, na kama treaty iko ni agreement na ilikuwa ya Mingereza na Mwarabu. What would you like, because I think you can handle that.

Joseph Itok: Kulingana na vile mimi ninaona wakiwa hata na treaty na forest sisi tusitunze hawwwatakuwa na maji. Kwa hivyo ingekuwa vizuri kwa sababu Constitution ya Kenya ninadhani haitakuwa ikipenduliwa na watu wa nje, lazima sisi wenyewe hapa tukuje chine na tuanze tena ku-control mambo yetu kwa nchi yetu. Kwa sababu sasa kama kuna mambo kama haya inamaanisha kumbe sisi tunachungia raslimali zetu watu wenine ambao sio wetu na hatupati faida, so itakuwa ni bure. Tutunze kwa nini?

Com Kavetsa Adagala: Haya tupe pendekezo hapo.

Joseph Itok: Yeah, ninapendekeza kwamba hiyo treaty yenye ilikuwa imependekezwa na watu wengine nje wajue kwamba kuna wenyewe sasa ambao wanatunza haki yao na mali yao. Yaani forest ni mali yetu kama wakenya na sasa wenye wantumia ni watu wa nje. Kwa hivyo inahitajika sisi tuhusishwe kwa maneno haya.

(Interjection) **Com Mutakha Kangu:** We re-negotiate the treaty?

Joseph Itok: Yeah.

Com Kavetsa Adagala: Unajua haya maji yanapita hapa ni export. Inaenda Lake Victoria, inaenda Nile inakuwa export.

Joseph Itok: Yeah, this is why I am complaining that why should we be chased out of our forest and others are benefiting? How?

Com Mutakha Kangu: Asante basi, go and sign. Tupate Francis Kosgei.

Francis Kosgey: Kwa majina mimi ni Francis Kosgey.

(Interjection) **Com Mutakha Kangu:** Talk, endelea haraka haraka because iko line.

Francis Kosgey: Kwa majina mimi ni Francis Komen Kosgey. Kwa moni yangu, mengi yamesemwa na ninataka tu nigusie tu kidogo kwa bunge. Kwa parliament walikuwa wamesema iwe a graduate. Na wakati wameenda parliament, kwa allocation ya ministries, nilikuwa ninataka niseme kwa maoni yangu, allocation of ministerial seats. Iwe kwamba kama umesomea engineering you be appointed maybe in the Ministry of Transport and Communication. Halafu kama umesomea maybe Sciences uende Ministry of Health. Sio ati kwamba you bring somebody from the Sciences or maybe engineering to Finance.

Walikuwa wamesema juu ya Councillors in the Local Government. Awe mtu amesoma mpaka maybe Form IV and above. And then there are some... kuna vitu kama security. When we see Pokots and Marakwets. Here what they do is that they have got a kind of cattle rustling. Nilikuwa ninataka katiba iingizwe kuwa to bring free education to the Pokot and the Marakwet so that they are going to stop their idle minds.

Com Kavetsa Adagala: Endelea.

Francis Kosgey: And then when we come to the kinds of drugs, of course mambo ya smoking isikuwe smoking in public, iwe your own issue, do not smoke in public. Vitu kama corruption mimi ningependelea even the Anti-corruption unit iwe formed and be leveled even in the district ikuwe kama Marakwet, ikae hapa halafu wanachunguza.

Vitu kama bursaries, they should be issued equally and genuinely. I think that is all I have.

Com Kavetsa Adagala: Ngoja kidogo haya mambo ya Pokot na Wamarakwet, ni kitu cha siku za sasa ama ni kitu kilichokuwako kutoka zamani?

Francis Kosgey: It has been there.

Com Kavetsa Adagala: It has been there?

Francis Kosgey: Yeah.

Com Kavetsa Adagala: Now, how long do you think? Have you talked to the old people? Was it always there?

Francis Kosgey: It has been there, they were coming for cattle rustling. Pokots are coming wanachukua ya Wamarakwet...

(Interjection) **Com Kavetsa Adagala:** (?)

Francis Kosgey: I mean the Pokot were coming wachukue ng'ombe ya Wamarakwet. What I mean is that they bring their cows in the first place zamani wanakuja ku-graze kwa nyasi ya the land of...

Com Mutakha Kangu: Marakwet?

Francis Kosgey: Of the Marakwet. That is why I wanted maoni yangu yatolewe kuwa nobody should from either tribe should be passing to the other side.

Com Kavetsa Adagala: Are there clear boundaries?

Francis Kosgey: Yeah, there are clear boundaries.

Com Kavetsa Adagala: Like for the Marakwet where are the boundaries?

Francis Kosgey: The boundaries of the Marakwet are down there.

Com Kavetsa Adagala: Okay why do you say the idleness of cattle rustling is it not an economic activity?

Francis Kosgey: Yeah, it is an economic activity.

Com Kavetsa Adagala: Tell me about it because you said it is idleness. Some other people have told us it is an economic activity.

Francis Kosgey: You know cattle rustling itself they always say is an economic activity but that is what we wanted to bring it out as.

Com Kavetsa Adagala: Okay.

Com Mutakha Kangu: Asante basi. Ishmael Kirui? Kama hayuko, Ishmael Kirui hayuko? Fine kama hayuko tupate Peter Yano. Bwana Yano haraka haraka kama vile wengine wamekuwa.

Peter Yano: Kwa majina ninaitwa Peter Yano na ningepedna kutoa maoni katika Tume hii. Moani yangu ya kwanza ni mambo ya health facilities. Vitu kama hospitali ingefaa iletwe karibu na wananchi. Isizidi kitu kama umbali wa kilometer nne. Inginge ni ubunge, yaani ikuwe kitu kama sheria kwa wabunge wawe na kitu kama ofisi at a locational and if possible at the sub-locational level. Halafu atakuwa aki-collect views kutoka kwa raia wake kwa upesi.

Ingingine ni hawa watu wazee kwa sababu unaona weni wa watu wale wazee, kina mama na akina baba walikuwa wamefanyia serikali kazi kwa muda mrefu. Sasa ingefaa kama serikali igayo itatengeneza utaratibu ule wa kuwasaidia hawa kwa vitu kama chakula or basic supports.

Ingingine ni wale ambao watahudumu kwa serikali hiyo igayo mtu akifanya kosa ile pesa yake ambayo inakatwa isiende kwa serikali. At least kuwe na body kwa hiyo district pahali huyo mtu anahudumu kama wewe ni Mzikuyu, au Mmarakwet unafanya kazi katika district hiyo na umefanya makosa ile pesa itakatwa kwa mshahara wako, itoke kwa hiyo district ndio ifaney maendeleo yale yanatakikana.

(Interjection) **Com Kavetsa Adagala:** Makosa ya aina gani?

Peter Yano: Kama wewe ni mwalimu kuna masiku yale hujasomesha watoto, labda headmaster anaandika conduct yako inaenda kwa TSC na mshahara wako unakatwa unaletwa kwa district ndio inafanya kazi. Na ninapendekeza hicho kitu kiwe kama informal bursary.

(Interjection) **Com Kavetsa Adagala:** It goes to a bursary fund?

Peter Yano: Yeah, ikuwe kwa account ya bursary.

Com Mutakha Kangu: Ehe endelea.

Peter Yano: Ingingine unaona hawa AP na Police saa zingine huwa, tuseme kama sasa wewe ni police, mimi ninakuja wewe ninasema mtu fulani amenifanyia makosa. Sababu nimeku-hire, nimekulipa, unenda kwa nyumba ya mtu wakati ule unataka. Sasa nilikuwa ninaonelea sio vizuri hivyo. Mtu akikuja na report anasema amekoswea, it is up to the police wa-summon huyo mtu akuje, it is not for them to go for him. Halafu sasa akikataa kuja ndio, that is the action that you will take.

Halafu ingine, at times ukiangalia kwa Kenya hii wanasema twenty three Ministers and that is already twenty-three ministries. Sehemu zingine unakuta wanaangalia kitu kama defence, education na agriculture lakini zingine... sasa hiyo ni nne. Hata ministries I have not...

(Interjection) **Com Mutakha Kangu:** Unasema nini? Tupunguze ministries?

Peter Yano: No, ninasema tuseme sasa kwa mfano, zile ministry zingine sambamba ambazo hazijakuja huko, kama hakuna ma-officers ambao wanafanya kazi ku-represent ya ministry, zile pesa ambazo zingelipwa bado zinaenda kwa ile bursary

account.

Com Mutakha Kangu: So you need representatives of all the Ministries in the District?

Peter Yano: Yeah.

Com Kavetsa Adagala: At the district level?

Peter Yano: No, even the sub-locational level is okay. Halafu ingine ni kuhusu hii Ministry of Local Government ama Ministry ingine. There are some ministries zile ziko na tabia za kudai watu yaani wanaitisha pesa zisizo na maana. Na nikichukua mfano wa County Council under Local Government, unaona tuseme kwa mfano at the end of the month or mid year unaona watu wanafunga milango ati County Council, Count Council. Sasa County Council wanakuja wanasema leta pesa na ukiangalia kitu kile wamefanya kumfaidi yule mtu mwenye amefunga nyumba yake hakuna. Wanaweza kuwa ni watu wakora saa zingine. So watu kama hao wanatakikana wawe scrapped. Unalipwa ama unaitisha pesa kwa kazi ile umefanya. Kama kuna pesa ile inaitishwa under your minissrty unakuja, unakuwa na baraza na unawaeleza watu, tumefanya hiki na hiki, expense yake ni hii sasa tunataka tugawe ama tupate namna. Tunajadiliana mpaka pesaa ile inalipwa na raia wenyewe ndio wamepitisha.

(Interjection) **Com Mutakha Kangu:** Haya songa masaa yanaenda na tunataka tumsikize kila mtu. Unaenda haraka.

Peter Yano: Haya ingine, wenzangu wenye wali...

(Interjection) **Com Kavetsa Adagala:** Toa pendekezo bila maelezo minigi, hiyo tu. Hata hao tuliwaambia hivyo.

Peter Yano: Okay. Inginge wenzangu walisema ati hii nini, natural resource. Ninapendekeza naman hii, natural resource ikipatikana kwa sehemu ya shamba yako, kama ni ya kuchimba ama ni ya kufanya nini, unakuwa compensated at that nini. Ama uwatajje, kama ni mineralas saa zile wanachimba, waku-compensate shamba ingine ile inatoshana na hiyo. Isikuwe tu ati serikali inachukua.

Inginge, unakuta saa zingine mtu anakufanyia makosa na unaenda kumshtaki yeye, anapatikana na makosa kortini. Sasa, yule mtu ambaye ulimshtaki na apatikanae na hatia kama alikuvunjia kitu kama redio yako... kama anafanyia kazi serikali, serikali nayo ikulipe ile redio yako.

Inginge tena, saa zingine kuna vitu kama hii cattle rustling ama uvunjaji ingine ya sheria, unaenda ku-report kwa polisi. Saa zile una report unaambiwa kwamba ati hakuna mafuta kwa gari ama nini nini. Ninaonelea serikali igayo kwa maoni yangu, incase

utareport kitu kwa wakati na that thing could be presentable na the required people wasi-pretend wakuwe responsible ya ku nini...Kama ulikuwa una report wizi wa ng'ombe na police wangekuja wafuate hizo ng'ombe na hao ng'ombe waende kabisa, police walipe hiyo ng'ombe.

Ingingine tena ninapendekeza namna hii kama vile mtu alisema na nitaongeza tu kidogo.

Com Mutakha Kangu: Ufanye ukimaliza.

Peter Yano: Hata hii ni ya mwisho. Mtu alisema ya kwamba maneno ya kortini ya korti ya... kama uko na kesi ya kortini haa una-travel at least eight kilometers na hiyo ni mbali sana. Sasa nilikuwa ninaonelea kwa sehemu ambazo serikali haitaweza kupeleka korti iliyo kaibu na wananchi ama Tume ingine, wao wenyewe wafanye mpango wa ku-transport wale ambao wanahusika. Ama kama uko na kesi kortini, serikali ikulipie ya kuenda kortini na kurudi. Ni hayo tu.

Com Mutakha Kangu: Asante. Tupate Hillary Kaino. Bwana Kaino, haraka haraka tu vile watu wametengeneza mambo yote.

Hilary Kaino: Kwa majina ni Hilary Kaino.

Com Kavetsa Adagala: Endelea.

Hilary Kaino: Kitu cha kwanza, I would like the Constitution to have the Constitutional principles

Hilary Kaino: To have the Constitutional principles setting out the aims of Kenyans. For example security should be of paramount importance and it should be embodied in the Constitutional principles.

The second thing is discrimination. Like for now there is the HIV/AIDS issue. We are going to have person who have HIV who are going to be discriminated in the labour force. For example they are going to be refused employment on the basis of their HIV status and also traveling outside the country. So I think we should look at Section 82 of the Constitution and make sure that those persons who are suffering from AIDS are protected, they should not be discriminated.

We have also to look at the women, because when you look at Section 82, women are discriminated especially based on custom and culture. So we should look at some of the rules and practices that discriminate women and make sure that women are protected.

Also in the event of citizenship, somebody is denied being a Kenyan citizen because she is a woman from outside and has been

married by a Kenyan. So we should have a check list, make sure that... let us look at the criminal record of that person. Let us look at how that person is going to benefit Kenya and then look at if we are going to give that person the Kenyan citizenship.

Also we have to look at the Separation of powers, it is very important. We should look at Constitutionalism and the rule of Law so that means we should have a clear separation of powers. Make sure that the judges are as independent as possible and this independence of judges we have to look at the integrity of those persons who are going to be appointed into those positions because I think integrity is what makes a person to be as independent as possible. So we should adopt the South African version where the judges are thoroughly scrutinized before they are given those positions.

We also have to look at the office of the Attorney General. I think we have to split that office into two. Let us have the Constitutional affairs Ministry and the office that is going to deal with public prosecution. Such that the Constitutional Affairs Ministry is going to deal with advising the government on legal matters and then the director of public prosecutions who is going to deal with prosecutions.

There is also the issue of making the Constitution to be as sacrosanct as possible. So that means amending or repealing the Constitution, the Constitution has to be rigid. We have to avoid some of those scenarios like the 1975 scenario when Ngei had been convicted of an election offence then the president was given powers to pardon a person who had been convicted of an election offence. So we have to make the Constitution to be sacrosanct.

At least let us have two houses, an upper and lower house, such that we have like 75% in the lower house for us to amend any part of the Constitution and then maybe 75% or more in the upper house. So it has to be a rigid one, not just a flexible Constitution.

We also have to look at the land system in Kenya. We have to revisit the issue of these trust lands. I think like somebody had said some of the land issues can be easily dealt with by the people around not in the courts.

Also the federal system of government. We should be thinking about the devolution of power. Such that we should have the rolling down of power. Let us not have power centered in Nairobi. For example if you have retired, you do not have to go all the way from this place to Nairobi to collect your retirement benefits. So we should have the office to come closer to this area and that means the federal government is going to solve the problem.

We should have the power devolution.

(Interjection) **Com Mutakha Kangu:** Just summarize now.

Hilary Kaino: I think it is over, but then one thing is that I would like to give advice to the Review Commission based on the issue of civic education. I think from what you have collected from the public and also from the turn out, it is very clear that the people are not aware, no civic education was done and I think I do not know whom to lay the blame on. Is it the CKRC or who is the person? I think it should be the CKRC and some of the person who were given the job to do. They did nothing, no civic education was done around the place, and I wonder. You should take the blame.

Com Kavetsa Adagala: Thank you very much for your views.

Com Mutakha Kangu: Sawa sawa. William Chebet. Haraka haraka.

William Chebet: My name is William Chebet. Ya kwanza ni kwamba I wanted to talk about relief.

(Interjection) **Com Kavetsa Adagala:** Give us your proposals.

William Chebet: Proposal ni kwamba haya maneno ya relief tungeangalia kama we convert to something else we provide some water in order to make some irrigation in some areas. This one will assist the people.

Then, tuko na kitu kama stima ambayo hajifikia watu wetu kwa area hii. Na tunaonelea ya kwamba hii iwafikie watu wetu kwa mashambani kwabisa ili watu wetu waanze ku-benefit. Na kama kungekuwa na maji mahali ambayo ingetuwezesha kutoa power, tungeonelea ya kwamba dams zijengewe ili generating of power ifanyike kwa area hii.

Pia tungeonela haya maneno ya land, hatujafikiwa tufanyiwe land demarcation in some areas. And then we wanted hii ifanyike ili mtu binafsi apate title yake. Tungeonelea haya maneno ya culture ya Marakwet kama maneno ya FGM, ambayo mtu amesema imepitwa na wakati iachwe.

Na pia kuna haya maneno ya communal raid. Mtu akifanya makosa yake fulani kwa mfano akipigana na mtu na kumuuwa mwenzake, jamii ile ingine inavamia wale wengine, tunaonelea hiyo ni mbaya.

Com Mutakha Kangu: Endelea.

William Chebet: Inginge kuna kitu kama mkasa ukitokezea kama flooding or land slides. Tungeonelea in such areas, watu wasaidiwe haraka iwezekanavyo hata wapelekwe mahali pengine wapewe shamba na iingizwe kwa hii Constitution. Inaonekana ni hayo tu nilikuwa nayo.

Com Mutakha Kangu: Okay, asante. Lydia Kanda.

Lydia Kanda: Jina langu ni Lydia Kanda na ningepeda kutoa maoni ingawa mengi yamesemwa. Ya kwanza ningependa kusema women should be recognized in the Constitution. Hiyo ni kusema katika hii sehemu yetu ya Marakwet mama haonwi kama ni mtu mzima, anaonwa kama mtoto. Hata ndio mnaona siku ya leo, Madam Commissioner and Sir Commissioner ya kuwa kina mama ni wachache. Kina mama wameachwa kule nyumbani. Na kwa hivyo tunatka Constitution ambayo tunayoiunda kwa wakati huu ituone ama tuingishwe ndani kama watu wazima ama watu ambao wanaweza kutegemewa katika jamii. Lakini tusionwe kama watoto. Kwa sababu sasa hivi, mgeni ama mtu yeyote akija kwangu kama nini mwanamke wa Marakwet, akija nyumbani mwangu aulize nani ako hapa, hata kama niko siwezi kusema kuna mtu, nitasema tu ni watoto. So ninataka hiyo iwe recognized in the new Constitution.

(Interjection) **Com Mutakha Kangu:** Lakini uanze kusema mama yuko.

Lydia Kanda: Ndio nataka iwekwe sheria.

Com. Mutakha Kangu: Wewe ukiulizwa hapana sema ni watoto, sema mama ako.

Lydia Kanda: Okay. Nikisema hivyo kwa wakati huu watasema, 'hey, umevunja taboo' kwa hivyo nataka hao wajue imewekwa kwa new constitution kwamba mimi pia nina mamlaka kama yeye..

Com. Mutakha Kangu: Haya

Com. Kavetsa Adagala: Lakini hautakufa.

Lydia Kanda: Si takufa. Lngine ni customary marriages. They should be legalized like any other form of marriage. You find that in Marakwet, this is the major way of getting married halafu baadaye, unaona kama nimeolewa kulingana na kitamaduni na pengine mzee anafanya kazi kule Nairobi ama wapi, anaenda kwa DC ama through judges, anaoa mwanamke mwingine na mimi nimewachwa reserve kule nyumbani na watoto. Pengine hata ku-inherit mali yake ile ameweka kwa benki ama nini, unapata kuna mwingine ana certificate na mimi mwenye niliolewa kitamaduni sina certificate. Kwa hivyo nataka hiyo customary marriage iwe legalized wakati wazee wanaenda kujitambulisha, kuwe na written document ama kuwe na mahali ambapo witnesses wanaweka sahihi kuwa nimeolewa na mimi ndio bibi wa kwanza ambaye nitakuwa recognized. Hata akitaka kuenda kufunga ingine kwa DC ama kwa kanisa, yangu ndio ya kwanza, nitakuwa na mahali pa kwenda kusema mimi ndio bibi wa kwanza ama mimi ndio niliolewa na huyu mtu.

Com. Mutakha Kangu: Unasema wawe wanapeana marriage certificate?

Lydia Kanda: Yes

Com. Mutakha Kangu: Kwa nani, kwa Chief ama wapi?

Lydia Kanda: Nyumbani kwetu pahali wanafanyia hiyo ceremony. The first visit (*Yonkilo bich ma*)

Com. Kavetsa Adagala: Nani atapeana? Okay, Endelea.

Lydia Kanda: Wazazi wa kijana na wazazi wangu, wawili watoe kwa upande wa mzee na wawili watoke kwetu waweke sign as a witness halafu nipate hiyo marriage certificate. Lingine ni cases of early pregnancy. Ni common hapa sana, cases of early pregnancies in girls, leading to high drop out in schools. Wasichana huwa wanawachwa na hilo tatizo. Msichana akisha dungwa mimba na kijana fulani, wawe walikuwa wakisoma pamoja, msichana anatolewa shuleni, anaenda kwao anatupwa kule, anapata shida na blame inakuja kwa mama na kijana mwenye alimdungwa mimba anaendelea na masomo. New constitution i-recognize na awe dealt with accordingly. Wote wafukuzwe shuleni ama mwenye amemia mimba huyo msichana, kama ni mtu ambaye anafanya kazi kama mwalimu ama nani, awe responsible kwa huyo mtoto, at least part of his salary iwe deducted ya maintainance unti 18 years of age kwa huyo mtoto na msichana pia masilahi yake iangaliwe. Kama ni kurudishwa shule arudishwe.

Lingine, the new constitution that we are ammending now, it shouldbe as much as possible accessible to all Kenyans and lazima iwekwe mpaka office ya Chief, local libraries and it should be written in all languages including Marakwet ili yeyote ambaye anataka kuona maybe sheria fulani inasemaje, asinyanyaswe. Iwe transparent and accountable to all Kenyans. Lingine ni mambo ya land ownership. Land ownership kwa Wamarakwet hapa, mama hawezi kupewa urithi lakini kama mama wa kisasa ama nchi ambayo tunaendelea sasa, lazima title deeds iwe na majina mawili, ya mama na ya mzee. Jina la mama li-appear. Cases of matrimonial properties, unaona hapa hivi mama kwa case ya matrimonial, mama ndio anafanya kazi sana kwa shamba lakini mazao ikiingia tu, inaenda mfuko ya mzee. Hiyo tunataka iwe recognized, mama apate share na pia mzee apate share kwa sababu mimi ni part and parcel of that family.

Kuna cases ambazo mama anaweza kuwa amejikaza, amepata mali na anunue shamba lake lakini mzee anam-convince anamwambia kwa sababu wewe ni mama, uko chini yangu na lazima hii shamba ama hii (?) iandikwe kwa jina langu. No, it should be identified. Lazima mama, kama ni kitu ambacho yeye mwenyewe ndio amejumuisha, iandikwe kwa jina lake na ana ruhusa ya kuandika will to anybody she wants to give that property. Lingine ni mambo ya (?) kama vile ilikuwa imesemwa, should be free, should be provided free by the government of Kenya na if possible, hospital facilities ziwekwe mpaka kwa sublocation, divisional level. Lingine nitagusia ambalo watu wameongea sana ni mambo ya local government kama Councilors. Lazima iwe autonomous body ambaye tuseme all revenues ziwe controlled in district level, sio kujumuisha revenues zote halafu

zinapelekwa mpaka Nairobi na huku zinateremshwa, council ikitaka kufanya kitu fulani wanasema tunangojea pesa itoke juu. Na vile tujuavyo sasa, revenue kutoka kule juu zinagawanywa kulingana na ile kiwango ambacho mmetoa. Kwa hivyo sisi kama district ndogo ama district ambayo pengine hatujaweza kuzalisha raslimali zetu kwa njia inayofaa kwa sababu ya shida ambazo tunazo, yetu inaweza kuwa ni kidogo na ikifika huko tunapata kidogo zaidi ambayo haiwezi kutusaidia. Kwa hivyo tungependa kusema hivi, revenues zote ziwe controlled by the chairman of county council na iwe distributed in the district. Ikifika tu wilayani, chairman wanaketi na council yake na wanagawa hiyo mali, wanasema hii iende hapa na hii hapa, bila kuenda huko juu Nairobi.

Lingine ningependa kusema kwa Councilors, chairman of the county council awe independent person ama awe ex-officio kwa Councilors. Asiiwe ameteuliwa kwa council yoyote. Councilors wateuliwa kama vile walikuwa wanateuliwa lakini chairman aombe kura yake district mzima, asitoke mahali fulani kwa sababu akitoka sehemu fulani, atatetea sehemu yake. Kwa hivyo azunguke district mzima, aombe kura yake na hiyo yake iwe seat ya kipekee na wananchi wamchague. Lingine ni mambo ya wabunge. Ingawa mengi yalikuwa yamesemwa, nitaongezea ile nilikuwa nayo. Nataka kusema political exercise iwe controlled. Wasiwe wana dish pesa kwa sababu tumeona serikali ya sasa ama wabunge ambao wako sasa, wengi wameenda kule kwa sababu ya nguvu ya pesa, sio kwa sababu ya leadership qualities. Kwa hivyo tunataka electoral body ama wale ambao wanahusika na mambo ya uchaguzi waangalie, mbunge ambaye atapeana pesa, awe cancelled immediately. Wananchi waweze kuchagua kiongozi wala si pesa.

Lingine, yeyote ambaye anaomba awe MP lazima awe na memorandum ya kutuonyesha ya kuwa akienda huko atatufanyia hii na hii kwa sababu mara nyingi wanakuja down wanatuomba kura wakisema, 'nikienda huko, nitawatengezea barabara, nikienda huko nitafanya hii'. Kwa hivyo tunataka waje na hiyo memorandum na tuone halafu tukimchagua aende huko, tuwe tume-sign kuwa, wakienda kule na wakae miaka mbili ama mwaka moja na nusu kama hajatekeleza hata moja, tuweke kura of vote of no confidence na tumchague mwingine.

Pia huyo mbuga akiwa kule, lazima a-set constituency offices hapa mtaani ama eneo la bunge ambalo anawakilisha. Awe na office ambaye atatenga masiku za kuja kuona wananchi ama wale job seekers. Watoto wetu wengi wanaenda kupotea Nairobi kwa sababu ya kuwatafuta na siku ya kura wanakuja hapa nyumbani kutuomba. Tunataka wao pia wawe na offices na specific days ya kuwa leo nitaona wale wanatafuta kazi, tarehe fulani na fulani nitaona wazee ama wamama na mashida zao. Tunataka hiyo iwe kwa hawa wabunge.

Kuguzia the three arms of the government, ninataka judiciary iwe independent kama vile iko. Executive iwe kando kabisa, nataka executive wasitoke kwa any constituency, wawe watu ambao wanateuliwa na wabunge kulingana na kitu ambacho amesomea. Kama ni Ministry of Finance, yule mtu alisomea hio achagulie na wabunge. Ministry of health, mtu ambaye ana degree, wasiwe wabunge kwa sababu for example security, mtu anaweza kutoka hapa na aende wizara ya security.

Anawezaje complain to the government ya kuwa watu wangu wameuliwa na yeye ndiye government? Atawezaje kama yeye ni

mbunge? kwa hivyo tunataka, mbuga asikuwe minister, apate tu ubunge.

Minister atoke ile sector amesomea, asiwakilishe sehemu yoyote ili mbunge akiwa na tatizo, aweze kusimama imara na ku-complain kwa huyo minister kusema kwa nini hii na hii haijafanywa lakini ikiwa ni yeye hataweza kujisema. Hiyo ndio tunataka. I am for the majimbo government. Lingine ni inheritance. Men sexes to inherit and also female sexes. Lazima wasichana wa kike, watoto wote ni sawa. Wote tumeumbwa na Mungu na tuna haki ya kurithi. Kwa mfano wakati huu, nchi imebadilika, sio lazima wasichana wote waolewe, hata ni vile tunaona wakati huu kwa maboma zetu. kuna wasichana ambao wana watoto nyumbani na ni watoto wetu, hakuna mahali tunawatupa kusema hawatapata urithi. Tuliketi kama wamama wa Marakwet ambao nitatoa hii memorandum yao vile waliandika, tukaona pengine itakuwa ni ngumu na tukasema baba na mama ama baba wakati huu ana title deed, anapopeana inheritance kwa wavulana, lazima ajibakishie shamba ambalo atapea wasichana wake pengine wasipobahatika kuolewa. Wabaki kwa hilo shamba nahao wasichana watapewa hiyo title deed ya wazazi wao, arithi na watoto wake. Vijana waende na yao.

Nyingine ni cases ya rape. Cases ya rape tumeona imeumiza wengi especially these days when this killer disease is there. Mtu akipatikana na case ya rape, awekwe life imprisonment. Akipatika tu ana attempt na hiyo ichukuliwe direct na serikali. Na mambo ya security na Chapter 5 of the current constitution vile inasema, fundamental human rights is not adhered to. Tunataka government iwe tight kwa hiyo kwa sababu tunaona imechorwa vizuri katika chapter 5 ya kuwa mtu na mali yake alindwe lakini tunaona hawalindwi. Kwa hayo machache, ningependa kutoa memorandum ya Maendeleo ya Wanawake organization ambayo tulizunguka district mzima kukusanya maoni ya wamama ili tuweze kuwakilisha maoni na malalamishi yao kwa tume hii ya uchaguzi nchini.

Lastly ningependa kusema, commissioners, commissioners wa wamama na wamama wa bunge ambao wako kule bungeni, waweze kutetea hiyo sentiment ambayo imeandikwa mlango ya parliament 'the just government of me'. It should be corrected and written 'the just government of Kenyans' not men alone excluding women.

Com. Kavetsa Adagala: Wait. (?)

Com. Mutakha Kangu: Na wewe huombi wanaume kama sisi tutetee hiyo maneno? Unajua wanaume ndio wako wengi kwa bunge?

Lydia Kanda: Nyinyi ndio mmetunyanyasa, sasa tunataka hii new constitution itu-recognize.

Com. Mutakha Kangu: Okay.

Com. Kavetsa Adagala: Hii memorandum mlizunguka na mkazungumza wakina mama wa Marakwet

Lydia Kanda: Yes.

Com. Kavetsa Adagala: Mliona ni nini ambayo inampa mwanaume power? Kwa sababu ni power over mwanamke. Nini inafanya mtoto mvulana awe na haki zaidi kuliko mtoto msichana? Hivyo vitu viwili.

Lydia Kanda: Hizo zote ni culture.

Speaker: (?)

Lydia Kanda: Ya kwanza kabisa, tangu zamani, mama hakuwa akiruhusiwa hata kuongea mbele ya wazee na hiyo ndio taboo imewekwa. Sasa ndio mama anaonwa ni mtu tu wa kukaa ndani na sio wa kutoka nje na hivyo ndiyo imekuwa tu inherited mpaka sasa kijana anajiona. Hata wakati tunagawa kazi nyumbani, tunaona kijana hawezi kupewa kazi, anawachwa tu aende kama vile baba huwa anawachwa anaenda. Sasa msichana ndio tunaendelea kufinywa na tumeona sisi wamama ndio enemies wa kwanza ku-contribute kwa child labour leading to high drop-out in school kwa sababu ya hiyo mambo. Ndio tumelowesha girl-child education sisi wenyewe na sasa ndio tunataka tuondoe hiyo kitu kabisa kama wamama.

Com. Kavetsa Adagala: Okay. Nataka kujua mlizungunza nini kuhusu mahari, yaani bride price.

Lydia Kanda: Kama kwa Kimarakwet, hatukuona hiyo kama ni tatizo kwa sababu hakuna mahari tunatoa. Pengine tu nikupea wazee vitu kidogo kidogo kama vinywaji lakini in form of assets sidhani iko.

Com. Kavetsa Adagala: Hapa hakuna dowry?

Lydia Kanda: Hakuna.

Com. Kavetsa Adagala: Wewe ulipoolewa nini ilitolewa kwa mama?

Lydia Kanda: Walitoa tu vinywaji, hakuna kitu.

Com. Kavetsa Adagala: Hakuna ng'ombe?

Lydia Kanda: Hakuna.

Lydia Kanda: Yah, I have to say the truth what is happening.

Com. Kavetsa Adagala: Then what makes the woman not have power in the home?

Lydia Kanda: The way we were brought up. We just inherited from our parents. I saw my mother doing it and at the same time she told me when you go to your house, behave like this.

Com. Kavetsa Adagala: Asante.

Lydia Kanda: Here is our memorandum.

Com. Kavetsa Adagala: You can give it to those officers who are very (?).

Com. Mutakha Kangu: Ismail Yego? Ismail Yego? Ismail hayuko? Bado ameketi? Tunaenda haraka haraka. He is not there? Kama hayuko basi tupate Edwin Cheron. Edwin Cheron? Bwana Cheron haraka haraka tu mambo machache kwa sababu watu wamesema mengi.

Edwin Cheron: My names are Edwin Cheron. What I would like to present is an issue concerning participatory in governance. You find that

Speaker: (?)

Edwin Cheron: What I would propose is pertaining to the NGOs. This NGOs you find in our district, they come and get room and then after establishing their project or meeting with the proposals of the people, they don't go in for accomplishment. Therefore, we would like this new constitution to see to it that when a body or a certain Non Governmental Organization has registered itself, it should see to it that it comes to an accomplishment to its own dreams.

Another one is concerning the youth. You find that.....

Com. Kavetsa Adagala: I know you want to explain but we are running out of time

Edwin Cheron: Education. You find that this 8-4-4 system, the youth is not admiring this system and would like the new constitution to introduce us to the old system though we dont see it practically but how we are getting from those who went through, it is an admirable system. Because after someone has gotten the education he wants, there are results. However, we are not seeing the results in 8-4-4 so we would like to have that old system so that we can have change

Speaker: (?)

Edwin Cheron: This is 7-6-2

Com. Mutakha Kangu: Seven (?)

Com. Kavetsa Adagala: 7-6-3

Com. Mutakha Kangu: Yah.

Edwin Cheron: That is all I have.

Com. Kavetsa Adagala: You know the content of that (?)

Edwin Cheron: (?)

Com. Kavetsa Adagala: Of the old system?

Edwin Cheron: Yah, it's content was admirable since when people pursued their education, they were observed or even not observed, they had technical know-how.

Com. Kavetsa Adagala: In fact I thought you were the ones with the technical know-how.

Edwin Cheron: Yah, I have the technical know-how but to go in for

Com. Mutakha Kangu: (?)

Edwin Cheron: It is not...

Com. Kavetsa Adagala: There were many jobs then, there are no many jobs now because you people were born many. They are not telling you the truth. They gave birth to very many of you and they (?) but we shall (?)

Com. Mutakha Kangu: Councilor William K. Chepkoro.

William Chepkoro: Kwa majina naitwa Councilor Willian K. Chepkoro

Com. Mutakha Kangu: Councilor, haraka haraka.

William Chepkoro: Nafikiri yangu yametajwa na wengi isipokuwa niko na machache tu. Pendekezo langu ni kwamba, ukiangalia this constitution hata wengi wetu tuliwaambia kama mtu amewahi kusoma, ni wachache because all of us cannot reach Nairobi, waende government printers to buy this things. Ukiangalia hivi you can notice, kama ni mimi napendelea ya kwamba hata upper primary kuendelea secondary wawe taught ili mtu aelewe constitution inaenda namna gani ndio itikie kila mtu sababu hata hiyo 30 years, kila mtu atakuwa anajua constitution yake inaenda namna gani.

Ya pili, iko cultures kama ya Marakwet. If the constitution could be written in Marakwet na iwe na sub-section yake kwa mfano kama wale wa reserve wamesema, ikiwa mtu kama ameua mtu, there is a way they can treat it ili hataumiza wale wengine so it is a sub section, hata akienda kotini because nowadays I can bribe a lawyer or a magistrate na mimi nawachwa. Lakini kama ile ni culture you cannot escape it. So kama hiyo ingekuwa imeandikwa iwe section halafu mimi nikienda kama Councilor Chepkoro nimekosa, nikienda kwa Magistrate, anasoma top section, I will be considered according to Marakwet vile imeandikwa.

Pia, naona we are wasting resources. Hata hatuoni njaa iko Kenya. if the minimum protective areas, mtu awe na 40 hectares ile analima ndio iwe productive, sio niwe na 50 by 100 na niwe ten 50 by 100 ile haisaidii Kenyans wote.

Com. Kavetsa Adalaga: Minimum?

William Chepkoro: 40 hectares

Com. Kavetsa Adalaga: Minimum?

William Chepkoro: Yes, minimum

Com. Kavetsa Adalaga: (?) yenyewe

William Chepkoro: Yule mtu ambaye atakuwa kama ni farmer, awe na 40 hectares na awe ni one job, asiwe mwalimu, anafanya biashara ya shamba. Iwe one man one job.

Com. Kavetsa Adalaga: I still want to ask you; here you are saying someone should have 40 acres.

William Chepkoro: I mean protective areas, hapa haitawezekana. Probably the white highlands but not the communal lands

because.....

Com. Kavetsa Adalaga: For commercial

William Chepkoro: Yah for commercial.

Com. Mutakha Kangu: You are right, we are over sub-dividing anyway.

William Chepkoro: Provisionally kama kwa mfano, we concilors

Com. Kavetsa Adalaga: Yes?

William Chepkoro: Electors wana (?) lakini nominated Councilors wanakuwa nominated na the sitting MPs kulingana na ukoo, not professionally. It cannot help the council, kama ingekuwa ni Engineer, if that council could have nominated somebody who is a professional, also the MPs. Nominated MPs should have a professional line. I concur to what the other madam says, even in cabinet, unakuta huyu amepewa kama Minister wa local government but hajui mambo ya local government ama kama ni Energy na hajui, that profession is not his. Ama barabara, sasa hajui na ndio unaona akigawanya kitu kama ya constituency hajui it can start from anywhere, mahali anapenda.

Com. Mutakha Kangu: Haya endelea.

William Chepkoro: Pia napendelea majimbo so that the resources of that region itumike na 75% ibaki kwa region, 25% iende kwa central government. Urithi wa Kenya, nikioa Mganda kama ni msichana nimeoa, she will be automatically a Kenyan because mimi nimependa huyo mama awe Mkenya na hataenda Uganda tene. Pia kama msichana amepata rafiki yake Uganda, apelekwe Uganda anakua ni Mganda because ataenda kuishi huko na because hiyo ilikuwa ni mapenzi yao, it was not forced.

I would like the President should be 35 years and a maximum of 65 years kwa sababu mtu akipitisha 65 ubongo unaanza kulala. Because (?) sio professionally. An MP should be 18 to 65years and to Councilors. Also a Councilor who has gone 2 terms or an MP who has gone 2 terms should not repeat a third term hata kama unapendwa namna gani because wewe unanyanyasa wengine ndio yule mtu asipate kazi ingine, wewe unasema you want to be that, to acquire more property. If you want to recall an MP or a Councilor, kama pengine ametekeleza miaka miwili ama mitatu na pengine wananchi hawamtaki, 65% of the constituency ama kama ni ward, they have a right to recall the MP kulingana na ile makosa yake amefanya because you can find somewhere someone amekuwa rigged in, unaona watu wanalalamika because I know somebody somewhere else. So if 65%...

Com. Kavetsa Adalaga: Of voters?

William Chepkoro: Of voters.

Com. Kavetsa Adalaga: Inaitwa power of recall.

William Chepkoro: Yah power of recall. Also I will say (?) in the constitution should be in the district because if you find the (?) who are there in Marakwet, you wont find mahali wameenda civic education you will prove me wrong. Even kwa district, ukienda Kapsora unapata but huelewi ni nini. Who can guide me kama hakuna coordinator in the district? Nobody can guide me hii inaenda namna gani, sisi wote hatukusoma.

Speaker: (?)

William Chepkoro: Coordinator is there lakini he is staying in the district. Atembee kwa division kama hii sasa. Even that is why you find other locations hawajafika, it was only me and this (?) na hii ni divisional headquarters ambayo hii kitu ingefanyika kila division, nafikiri maoni kama ya two locations have not even arrived here today na itakuwa ni maajabu washangae watu wa CK walikuja Chesoi na hatukuelewa.....

Com. Kavetsa Adalaga: Na watu wa (?)

William Chepkoro: (?)

Com. Kavetsa Adalaga: Nakuliza wa kamati?

William Chepkoro: Even we do not know, kamati sijui ni nani.

Com. Kavetsa Adalaga: Ya constituency.

William Chepkoro: We don't know. Hata ya constituency we dont know, mimi sijawaona.

Com. Kavetsa Adalaga: Hao wameji-introduce hapa (?)

William Chepkoro: You ask them kama wameshakuja hapa. They are in the district, kwa sababu iliandikwa kwa sababu ya mtu mmoja yule una.....

Com. Mutakha Kangu: Endelea

William Chepkoro: Nafikiri yangu ni hayo, imetajwa zingine but the treat, ile mnasema treat.....

Com. Kavetsa Adalaga: Treaty?

William Chepkoro: Yah, treaty. Lazima we have power to recall to ammend kwa sababu kama hii ya Uganda ile tulisema tulifanya agreement ya 50 years, lakini si juzi Uganda walisema no na ikawa ammended. So the sitting MPs can ammend that thing or ikiwa kama inahusiana professionally, sit down and negotiate and end the treaty to suit us because itafika wakati mwingine kama some years, as we know kama Marakwet forest hii, the mineral (?). tunajua faida yetu sisi wengine lakini you find that watu wengi wanatumia hizi vitu na we dont get even outside the council now. Majority inaenda Eldoret na inasema treaty ya leo kwamba maji ni free and while I am conserving it. So, ikifika mahali, anyway.....

Com. Mutakha Kangu: (?)

William Chepkoro: Thank you.

Com. Kavetsa Adalaga: Asante sana (?)

Com. Mutakha Kangu: Gabriel Yano? Gabriel Yano? Basi kama hayuko tupate Paulina C. Muhoro.

Pauline Muhoro: Sijui kuongea Kiswahili, nitafanya nini?

Com. Mutakha Kangu: Wapi yule mtu wa translation?

Com. Kavetsa Adagala: Unataka kutumua lugha gani

Pauline Muhoro: Marakwet.

Speaker: (?)

Com. Mutakha Kangu: Endelea Mama.

Translator: Jina?

Pauline Chepkemoi Muhoro: Pauline Chepkemoi Muhoro

Translator: Endelea

Pauline Chepkemoi Muhoro: Kwa mambo ya leo hii ya katiba...

Translator: Zungumza Kimarakwet.

Pauline Chepkemoi Muhoro: (Eng betuni yeni bo ngalechu)

Translator: Kwa mambo hii ya leo ya marekebisho ya katiba

Pauline Chepkemoi Muhoro: *Ko komoche komi agenge nebo Markweta nemi sheraha chebo katiba chebo Kenya)*

Translator: Nilikuwa nataka kama mmoja wa Marakwet kwa sheria ama katiba ya Kenya kwa jumla.

Pauline Chepkemoi Muhoro: *(Kilen komosror, komostab chebioso)*

Translator: Kwa upande wangu kama mama,

Pauline Chepkemoi Muhoro: *(Komuchinon kouye kiu kimila nebo Markweta tai)*

Translator: Kwamba natakiwa niwe kama vila mila ya Marakwet ikiuwa tangu zamani, kama mama.

Pauline Chepkemoi Muhoro: *(Kolebani mowe sukul kot katar)*

Translator: Kwa vile mimi sikuenda shule nifike mahali watu walifika,

Pauline Chepkemoi Muhoro: *(Maker amune sikewal katiba nekibo tai)*

Translator: Sioni haja kama mama kwa sababu sikuenda shule, ile katiba yetu ya zamani iharibiwe kwa sababu ya wakati huu imekuja.

Pauline Chepkemoi Muhoro: *(kiketiem koba lakoi sukul)*

Translator: Kwa vile sasa watoto wanaenda shule,

Pauline Chepkemoi Muhoro: *(koba konyorukei ak bik che bwonei sang)*

Translator: Wanakuta na watu wa nje ambao hatukutana na wao kama wamama.

Pauline Chepkemoi Muhoro: (*sikonyoru kwalta(olekile)ngalekab keny*)

Translator: Ndio sasa wanaanza kuuza ile maneno ilikuweco mbeleni. Yaani maneno yetu imeanza kuuzwa kwa vile sisi hatukuweza kwenda shule.

Pauline Chepkemoi Muhoro: (*konyorchi robiet*)

Translator: Hiyo maneno ambayo wanauza inawapa pesa,

Pauline Chepkemoi Muhoro: (*konyorchikei akot kestonikwai*)

Translator: Pia wanapata manyumba ama mahali wanaishi.

Pauline Chepkemoi Muhoro (*konget robini choto koboisie kouyokiche chi*)

Translator: Baada ya kuuza ile mila tulikuwa nayo mbeleni, wanapata hiyo pesa na kujitengenezea vile wanaishi maisha yao.

Pauline Chepkemoi Muhoro: (*Makobwotei kole kimi Merkwetek*)

Translator: Wanaanza kusahau sisi kama Marakwet tulikuweco.

Pauline Chepkemoi Muhoro: (*asaret nekikonyo kelibonil ou?*)

Translator: Kwa sababu ya hiyo, hasara nyingi imetokea.

Pauline Chepkemoi Muhoro: (*kikobwo korotwo akot*)

Translator: Ugonjwa umetokea,

Pauline Chepkemoi Muhoro: (*Akot amitwokik chekiame,kokikowolokis*)

Hata ile chakula tunakula sasa si ile ilikuwa inakuliwa.

Pauline Chepkemoi Muhoro: (*kou bikab Kenya*)

Translator: Kama wana Kenya,

Pauline Chepkemoi Muhoro: (*Melen amitwokik chebobikab Merkwete anan Africa komuku*)

Translator: Ama kama Marakwet na Africa kwa jumla.

Pauline Chepkemoi Muhoro: (*koki bik che tuen*)

Translator: Sisi kama Waafrika,

Pauline Chepkemoi Muhoro: (*kokimekeome tukuk cheuchebo rani,*)

Translator: Tunatakiwa tupate ili vitu tulikuwa tunapata mbeleni, kama chakula, mavazi na mienendo ya kuishi.

Com. Kavetsa Adalaga: Amesema hivyo?

Pauline Chepkemoi Muhoro: Nimesema hivyo. (*kamua choto ane, makinget lakwa ak chi neo*)

Translator: Kwa sababu ya hii maneno imetokea, sisi sasa hatuwezi kutofautiana kati ya mtoto na mama.

Pauline Chepkemoi Muhoro: (*ako makongen chi chebioso nebo chi ak nemobo chi*)

Translator: Ile heshima ya kutofautisha bibi ya mtu na mtoto haiko tena.

Pauline Chepkemoi Muhoro: (*Akot lakok eng barabara komakotinyei konyit betusiechu*)

Translator: Hata siku hizi kwa sababu ya hii maneno, wanafunzi ama watot hawa heshimu wazazi wao vile ilikuweco mbeleni.

Pauline Chepkemoi Muhoro: (*Katoboru mbano agenge nebo chebiosokab Merkwete ak Kenya tukul*)

Translator: Mimi kama mama nikitoa mfano wa kuhusiana na Marakwet na Wakenya kwa jumla,

Pauline Chepkemoi Muhoro: (*kotinyei siroik ,cheiboru kole bich che echen eng Kenya*)

Translator: Inaonyesha, mimi ningependelea kama mama, Wakenya wawe na nguo rasmi ya kuonyesha hao ni Wanakenya.

Pauline Chepkemoi Muhoro: (*vichana kounoto*)

Translator: Pia vijana wawe hivyo

Pauline Chepkemoi Muhoro: (*boisie kounot*)

Translator: Wazee pia wawe hivyo.

Com. Mutakha Kangu: Endelea umalize mama.

Pauline Chepkemoi Muhoro: (*kongalecho kindochini bik*)

Translator: Hii maneno ambayo watu wanasema ati mtu asiwe mtu mkubwa,

Pauline Chepkemoi Muhoro: (*chiaketukul ne mochei kotelelchi chebiosk,boisiek anan vichana*)

Translator: Mama anapendelea kwamba vile watu wanasema ati mtu mwigine awe mkubwa ama kusimamia vikundi fulani kama ni ya wamama, wazee au vijana,

Pauline Chepkemoi Muhoro: (*kekwei gongete kichichi*)t

Ianzie chini, grass root level ikipanda.

Pauline Chepkemoi Muhoro: (*Akot bichu echen miyu*)

Translator: Kama pia hii ya hawa watu wenye wako hapa siku ya leo, yaani wakubwa wa hapa,

Pauline Chepkemoi Muhoro: (*komakikwei kounoto*)

Translator: Pia haikuanzia chini vile ilitakikana iwe.

Pauline Chepkemoi Muhoro: (*Nyolunot kokol bichu bo Markwete ketik asi konyoru bek*)

Translator: Halafu mimi kama mama ningependelea ya kwamba wanachi wa Marakwet ama Kenya kwa jumla waweze kupanda miti

Pauline Chepkemoi Muhoro: (*Kaikai kokol ketik chebo ga*)

Translator: Ama miti yao ya kuweza kuzuia ardhi yao.

Pauline Chepkemoi Muhoro: (*Kayama choto*)

Translator: Nimemaliza.

Com. Mutakha Kangu: Asante mama. Haya, tupate Michael Kanda.

Com. Kavetsa Adagala: Mike Kanda hayuko.

Com. Mutakha Kangu: Michale Kanda hayuko eh? Kama hayuko tupate Nelson K Kiptanui. Nelson Kiptanui? Ni wewe?

Nelson Kiptanui: Yah.

Com. Mutakha Kangu: Haraka haraka ndugu.

Nelson Kiptanui: Nelson K. Kiptanui

Com. Mutakha Kangu: Watu wamezungumza mengi so hapana rudia.

Nelson Kiptanui: Yah, narudia kidogo kidogo tu. i am for multi party. Mimi naunga kabisa multi parties but the parties.....

Speaker: Jina ni Nelson?

Nelson Kiptanui: K. Kiptanui. Na multi party mimi nataka parties ziwe reduced na ziwe financed by the government ambaye ni three na lazima kuwe na independent party, so mimi naunga hiyo kwa vile watu wamesema. Parties should be given freedom of speech and movement in the country and nobody should actually prevent them from moving around the country.

Ya pili, nataka niongee mambo ya defence. Defence iko army na iko police kwa mambo ya security. Mimi ningependekeza introduction ya ministry of defence and national security iwe na waziri na huyo waziri aanzishe council ya ku-govern hiyo forces mbili ambayo ni police na defence. Promotion kwa hiyo ministry, iko watu wengi wanakuwa employed and they dont have duties to perform in the ministry especially the top body. Commission iwe set ya kuangalia hao watu kwamba ni watu wanafanya kazi kwa bidii na iwe limited ndio i-reduce mambo ya tax kwa sababu mimi naonelea kwamba watu wengi wanatumia funds za wananchi bure so ninapendekeza hivyo.

Pia nataka iwe established truth and reconciliation commission to promote national reconciliation. Mimi nataka pia office of the ombudsman iwe introduced kwa sababu kwa hii ruling party, there might be some misuse of power so naonelea ombudsman anaweza kuangalia mambo na anakuwa watchdog yetu. Huyu obudsman aanzia national, ije kwa provincial na kwa district maybe moja moja. Na this one ina-check mambo ya auditing. Pia nataka hawa watu wa-declare wealth kabla hawajaingia kwa ofisi.

Com. Mutakha Kangu: Watu gani?

Nelson Kiptanui: From the President, commissioners to declare their wealth, ombudsman mwenyewe ana declare yake na hii vitu vi-chekiwe yearly ndio ilete transparency kwa mambo ya governing. Kuwe hakuna mtu ambaye yuko above the law, sheria ni ya watu wote, even the President atakuwa ni mtu wa Kenya **na hakuna ati** sheria ni above yeye. Akifanya kosa, anaingia kwa reconciliation na anaangaliwa. Kama amekosa, there must be penalties for him.

Kwa mambo ya education, kwa vile sisi tunaona hapa kwa kijiji, the current system is very shallow na mimi naona wa-introduce ile ya zamani because mtu wa standard 7 zamani could be able to express himself but right now hiyo haiwezekani. So, naonelea ile system ya zamani irudishwe ya 7-4-3.

Speaker: (?)

Nelson Kiptanui: Yes, 7-2-3.

Com. Kavesta Adagala: (?) 7-4-3.

Nelson Kiptanui: Kwa mambo ya wajumbe, mimi naunga wale watu walikuwa wanasema they must be recalled, even the local authority, the Councilors, they must be recalled if they are not doing their jobs within the first or the second year, wanakuwa recalled. This one italeta confidence kwa hawa watu wakichaguliwa, mtu ataenda akijua he can be recalled back so he must work. Awe mjumbe, awe Councilor, awe nani.

Com. Mutakha Kangu: (?)

Nelson Kiptanui: Kwa mambo ya employment, napendekeza an empowerment body to be set ambaye inaangalia hawa watu vizuri, nani ana-fit wapi. Isiwe watu niku-dump mtu mahali ambapo hajui na akiuliza swali hajiu na hiyo body to specify salary, they rescape the twin salary. Yule mtu mdogo na yule mtu kubwa, unaona there is a very big gap so they must be limited ndio watu wawe equal sababu watu wakiwa equal, there will be smooth running of the country.

Kwa mambo ya land, naona land iko na problem. Iko watu wako na big land about 20,000 acreea na kuna mtu hana chochote. Kwa hivyo I am proposing kwa the new constitution, iwe established na iwe set to minimum, ina minimize land honourship to a certain (?) na mimi nasema it will be at least 1000 acres per individual. The rest, if you have more than that, you resell you land to a willing buyer at the current rate. Kwa mambo ya natural resources, hiyo itaenda kwa wenyewe na haya ndio watapata lions share.

Com: Kavetsa Adagala: Minimum land?

Nelson Kiptanui: 1,000 acreas and must be used. If you dont use your land, unapokonywa sababu we are wasting land na iko vitu kama njaa inaweza kutukabili na wewe unafunga shamba tu. Unampa yule mtu anaweza kutumia.

Com. Mutakha Kangu: (?)

Nelson Kiptanui: Kwa hayo, mimi sina mengine.

Com. Mutakha Kangu: Asante sana.

Com: Kavetsa Adagala: I just want to know, unasema maximum 1000 acres for commercial farmin?

Nelson Kiptanui: Either you own for commercial or, so long as you want, that and you must use

Com: Kavetsa Adagala: No, there are some people who dont have land and who cant afford to buy land. That is why they dont have land. What do we do with them?

Nelson Kiptanui: If they are not able to buy the land, it is their own problem but the land should be given to those who are willing and who can utilize the land

Com: Kavetsa Adagala: (?)

Com. Mutakha Kangu: (?)

Com: Kavetsa Adagala: Hao wengine, shauri yao.

Nelson Kiptanui: Yah, they will look for (?)

Com. Mutakha Kangu: Thank you. Tupate Bwana Charles Yano.

Charles Yano: Kwa majina naitwa Charles Yano na nitatoa maoni kwa ufupi kwa vile wenye walizungumza mbeleni kweli walitaja karibu kila jambao. Ningependa kuanzia maneno ya security.

Com: Kavetsa Adagala: Okay, point.

Charles Yano: In our constitution there is a provision for protection of individual but unfortunately in this part of the country there is alot of insecurity and I would like the constitution, besides the current protection that is providing, to have a provision that the government should be held responsible for loss of life or property where. Uko na ruhusa ya kushtaki mwenye amekunyang'anya. Pia constitution inafaa iwe na nafasi kwamba unaweza kushtaki serikali mahali mtu amepoteza maisha kulingana na negligence ya serikali because each and every Kenyan should be protected.

Kwa upande wa natural resources, pia nitaunga mkono iwe localized. The local authorites should be the ones manning its local resources. Tusiwe tukiongea juu ya forests ambayo iko Marakwet kutoka Nairobi. Tukisema kwa mfano, serikali ni 40 years old lakini hii forest imekaa tangu kitambo na bado inachungwa so those are the people who should be able to know what they will do with it. Kama ni local authorites wa set, mtu akiharibu, local authority wawe waki-punish. Kama ni kutoa watu, hao ndio wataamua watatoa wapeleke wapi.

Catchment area pia ziwe protected. The constitution should provide for full protection of catchment areas ili sehemu zingine zisikauke. Kama vile tumesema, nchi zingine kama Misri zina benefit kutoka kwa resources ambazo zinatoka hapa Marakwet.

Laws, which are against our own people, should be done away with even if it was a treaty done around 1928 that is now obsolete. We should do away with such a kind of law or treaty. Constitution iwe na provision kwamba ile agreement ilifanywa na ukoloni iende na ukoloni, isiwe ikitumika sasa, tufanye zingine za sasa.

Education; Kenya tuko na sehemu mbali mbali na raslimali ya hapa na vile watu wanakaa hapa na Nairobi ama sehemu zingine hazifanani. Kwa hivyo ingefaa kama primary education, exams ambazo zinafanywa sehemu za marginal areas zisiwe zinalingana na urban areas because facilities are not the same. Especially primary examinations, ziwe set kwa local areas. Kwa mfano inaweza kuwa Rift Valley kwa sababu mimi na-support majimbo, iwe ikiwa set na jimbo, wa-set education standards yao kwasababu hatuwezi kushindana na watu ambao wako na facilities ambazo hatuna. Ukienda sehemu zingine wanatumia hata computers siku hizi primary na hapa hakuna electricity. Lakini ikifika secondary, iwe kwa national. We can do the national exam ambayo ni sawa.

Pia kwa elimu, ningependekeza constitution iweke kwamba primary education iwe free and compulsory na secondary, serikali iwe ikitenga kila mwaka pesa ya kusomesha wale hawawezi kulipa karo. Mtu asiwache kuingia secondary kwa sababu ya karo. Ile High Educations Loans Board iwe expanded, to cover pia secondary, isikuwe tu ya universities na iwe lazima. Mtu aki-apply unapewa, iwe tu kama loan, serikali itafute mbinu za kuhakikisha kwamba wanaweza kufuata beneficiaries na ku-recover hizo pesa kuliko kunyima mtu elimu kwa sababu una wasiwasi utapaje malipo yako. So iwe free na iwe kila mahapi. Pia iwe centralized, hiyo pesa ya HELB na iwe kwa kila district ndio wenye wana disperse wanajua ni nani anaomba, mtoto wa nani ndio anataka hiyo pesa na apewe hapo kuliko kutuma forms Nairobi na haujiu. Labda ni wale wa matajiri ndio wana benefit at the same time.

Pia kwa district tunge-form kind of a welfare office ambayo ina cater for district welfare. Wajue ni boma gani kweli inahitaji msaada, tusiwe tu tukituma forms ambazo zinaweza kuwa na information ambayo si ya haki na hiyo welfare iwe na members kutoka hata kwa sublocation ndio wajue kweli mahitaji wa huyu na huyu ni namna hii. Hivyo tutakuwa tumesambaza haki ya elimu kwa kila mtoto nchini.

Com. Mutakha Kangu: (?)

Charles Yano: Wakati tunaongea juu ya district ingefaa constitution ifanye defination ya district, tuiseme tu tuko na Marakwet district na hatuna chochote, hatujui district iko na nini. Kwa sababu district lazima iwe na kila kitu ambacho kinatakikana. Defination iseme district ni sehemu ambayo lazima iwe na zifuatazo. Kama ni district hospital, iwe nayo kama ni health centre kwa division, iwe nayo. Tusiwe na district kwa jina na serVices hakuna.

Kwa citizenship, ningependa kuongeza ingawa constitution ya sasa inatambua, ingefaa i-simplify mambo ya kupata documentation kama IDs, Passports, Birth certificate. Kwanza birth certificate ningependekeza kwamba ipeanwe na assistant

Chief kwa sababu watoto kama upande huu, wanajua ni mtoto wa nani na wapeane birth certificate kwa sub locational level.

IDs

Com. Mutakha Kangu: Haya endelea

Charles Yano: IDs ziwe issued mtu anapofika 18 years na zisiwe issued mbali, iwe ikipeanwe kwa DOs office ama Chiefs office kila wakati na wale wanamaliza shule pia wapewe IDs. Kama mtu amemaliza form four, kuwa na provision kwamba sio lazima uwe umefikisha 18, upewe kitambulisho kwa sababu inaonyesha siku ya kuzaliwa, sio miaka. Labda kama ni kazi, tutakuja kujua kama umefika 18 ama hapana. Passports pia ziwe zikipeanwa, ziwe decentralized, isiwe ni Nairobi tu, kwa district level. Serikali isiwe na uwezo wa kunyang'anya au kukataza mtu passport, hiyo iwe haki ya kila Mkenya. Inaweza tu kutakaza kama kuna sababu ya kutosha ama watafute court order ndio wakukataze ama kukunyang'anya. Kitu kama driving licence pia inaweza ku-act kama kitambulisho.

Serikali ile ningependekeza ni serikali ambaye tuko na President na Prime Minister kwa sababu tumeona ya sasa powers zimekaa kwa mikono moja na hivyo si vizuri. Afadhali tuwe na Prime Minister na President wagawe powers. Pia, wakati tunakua na hiyo serikali ambayo iko na President na Prime Minister, tuwe na serikali ya federalism, majimbo. Ili unitary system ambayo imeleta hii imbalance ya development na kila kitu ipotee ili serVices zije kwa kila jimbo, wajue wanaendelea namna gani. Na tuwe tu na central government ambaye governors watakuwa na kama ni local resources, unatuma 25% kwa central government na hiyo ingine ibaki kwa jimbo. Kwa hiyo federal system pia ningependekeza kwamba executive na legislature wawe waki-share powers, zisiwe tu kwa executive.

Pia ningependekeza kwamba kazi kubwa kubwa serikalini kama Permanent Secretaries, Ambassadors ama High Commissioners, Judges na wengine wawe wakiwa approved na parliament kwa hivyo kazi ya parliament iwe expanded ndio wawe waki-approve appointees kama hawa. Language ambayo inatumika kwa kusema mtu ambaye anataka kuenda parliament ama kutafuta council haitoshi. Minimum education standard iwe set, kama ni Councilor, napendekeza form four. MPs ama electorate wawe na power ya ku-recall elected leaders, kama ni Councilors, kama ni MPs by passing a vote of no confidence na ili hiyo ifaulu, 25% inatosha. Signatures za 25% ya voters inatosha waondoe mtu ambaye hajafanya kazi yake.

Salaries ama benefits ya MPs iwe ikitengenezwa na commission ambayo inatafuta maoni ya wananchi, sio wabunge tu kujuwekea mishahara vile wanataka. Mambo ya nominated MPs ama Councilors, hiyo ibaki lakini itengwe tu kwa wale marginalized groups kama disabled na wamama ama youth lakini sio tu ku-nominate rafiki ama supporter wako. Iwe kwa hiyo group ambayo haijakuwa represented kwa wale wamekuwa elected. Pia, iwe ikitoka kwa group ambae ni experts kwa area fulani. Kama council wamechagua watu ambao labda mnataka mtu wa ku-adVice mambo ya natural resources, watafute nominated Councilor wa area hiyo, isiwe tu ku-fill numbers, lazima awe na expertise fulani. MPs ama parliamentarians na hata Councilors wasiwe tu wanakuwa loyal kwa ile party wamenyakua kiti, lazima wawe loyal kwa wale waliwachagua. Mtu

akiona ameshindwa.....

Com. Mutakha Kangu: Bwana Yano, jaribu kumaliza, we really want to(?)

Charles Yano: Yah.

Com. Kavetsa Adagala: Very interesting

Charles Yano: Yes, okay. Mambo ya executive terms, 5 years 2 terms ni sawa lakini hiyo terms pia inge-apply na losers. Ukijaribu twice and you loose twice, you have no business contesting again.

Com. Mutakha Kangu: Trying again.

Charles Yano: Yes. Therefore, that clause should apply to losers. Courts, judiciary, ingefaa tuwe na supreme court pamoja na constitutional court.

Com. Mutakha Kangu: Continue.

Charles Yano: Pia, judiciary iwe na district courts in every district, isiwe tu kama vile umesikia watu wanaenda almost 80 kilometers, inatakikana iwe hapa. Na iko ile local courts kama ile ambayo iko kwa Marakwet, koti ambayo inatua maneno ya nyumbani. Hiyo pia iwe set in the constitution so that they are doing legal work, wasiwe tu wakikaa, wanafanya nje ya sheria na iwe encouraged kwa sababu pia hiyo inaleta reconciliation na mambo ingine ambayo ingelea vita ama watu wakimbie kotini, wasione kama maneno ya (?) ya sheria.

Com. Kavetsa Adagala: Marakwet tradition (?)

Charles Yano: Inaitwa Kok

Com. Kavetsa Adagala: Kok

Charles Yano: Kok, yes.

Com. Kavetsa Adagala: K-o-k.

Charles Yano: k-o-k, yes, hiyo iwe (?) for petty offences because it encourages reconciliation.

Com. Kavetsa Adagala: Domestic and (?). Maliza tu, unaona (?)

Charles Yano: Mayors and council chairmen ningependekeza wawe elected directly by wananchi na Chief officers wa council wawe answerable to Councilors, wasiwe tu answerable to the central government. Mambo ya land, ningependekeza kwamba title deeds ziwe issued at locational level na ili tutue mambo ya landlessness ama squatters, adjudication iwe lazima. Iwekwe kwa constitution kwamba every are of Kenya should be adjudicated ndio kila mtu apate title na awe na haki yake ya shamba kwa sababu it is wrong kuwa na watu squatters kwa sababu hatujafanya adjudication.

Forest pia tujue demarcation imefika wapi. natural resources tuiseme tu ni forest na haujui imefika wapi. Kwa basic rights, ingawa constitution ya sasa iko nayo kwa kirefu, ningependa tu provision iwekwe kwamba any law ambayo itaenda kinyume ya basic rights iwe null and void. Iwekwe kwa constitution kwamba kama kuna sheria ambayo ita-conflict na basic right ya kila Mkenya, iwe null and void to the extent of that contradiction. Compulsory acquisition ikome, serikali kama inataka kutafuta shamba, wa approach mtu na wapeane proper compensation ambayo inalingana na current market price ama wapeleke mtu kwa sehemu ingine, wasiwe wakichukua tu shamba na watu wanahangaika, labda munakuwa promised shamba na hakuna.

Ni vizuri cultural rights ziwekwe kwa constitution kama Marakwet, tuko na cultures ambazo zinatakikana ziwe preserved na ile positive cultural practises inafaa iwekwe kwa constitution kama vile tuko na traditional surgeons ambao wanafanya kazi ya muhimu sana, hiyo inatakikana iende kwa constitution kwamba wawe protected by the law, kazi ile wanafanya ni legal na ni very important, hata watu wanakuwa referred kutoka kwa hospitali, ili wawe wakifanya kazi yao chini ya sheria. Pia kuna ceremonies kama zile za nyumbani, ziwe protected, tusiwe tuki-interrupt kusema ni illegal assembly ama watu wamekusanyika bila ruhusa. Culture ya watu huwezi kufukuza na sheria ya sasa. Cultural values ziwekwe kwa constitution na ingine kama ila (?) ya kuvamia watu kama mtu ameuwa mtu, jamii ama clan iwe outdated kwa constitution kwamba you deal with an individual na ile sheria iko sasa ifanye kazi.

Ili pia tujaribu kumaliza ukabila, ukabila sio mbaya kwa sababu kama kuna kabila, iko Marakwet na kabila zingine, hiyo si makosa Mungu alifanya hivyo. Languages kama yetu tu encourage iwekwe kwa syllabus kama ni Kikuyu wafunze hapa, kama ni Kiluhya wafunze hapa kuliko kufunza French, German na tunawacha ile yetu ya Kenya. Hiyo labda in the long run itakuja kumaliza ukabila kwa sababu ukiongea na mtu kwa lugha moja itakua rahisi.

Com. Mutakha Kangu: It will deny people of privacy.

Charles Yano: Yes

Com. Mutakha Kangu: Which they use to backbite others.

Charles Yano: So if it is encouraged that way I am sure we will be killing tribalism in the long run.

Com. Mutakha Kangu: Yes.

Charles Yano: I just want to finish by saying that the constitution should cater for representation in the government of the minority like the Marakwet. Because although there are minorities like the Marakwets, the constitution should cater for their interests, they should be represented at all levels. Kwa hivyo kama ni employment, infrastructure iwe entrenched in the constitution kwamba unasikia tu barabara imetengenezwa mahali pengine na 40 years hujaona kwa sehemu zingine. Kwa hayo, nitawapa wengine nafasi. Asanteni.

Com. Kavetsa Adagala: I want to ask you just one thing,

Charles Yano: Yes

Com. Kavetsa Adagala: You are saying primary school there should be regional exams then the secondary one there should be national.

Charles Yano: Yes.

Com. Kavetsa Adagala: But one of the biggest disparities in schools is at national level.

Charles Yano: Yes

Com. Kavetsa Adagala: At secondary school level

Charles Yano: Yes.

Com. Kavetsa Adagala: Should there be anything done to level the ground at secondary schools? In addition, at university level intake, how do you want that to be conducted?

Charles Yano: What I propose is that secondary schools, a minimum standard should be set so that all schools in Kenya are equal, secondary schools. When you talk about a secondary school in Marakwet it should be similar to one in Coast and elsewhere so that we dont have this disparities.

Com. Kavetsa Adagala: Okay.

Charles Yano: Yes, because we also need that uniformity at higher level.

Com. Kavetsa Adagala: University intake?

Charles Yano: University intake I will suggest that because of this problems in marginal areas, quarter system should still apply

Com. Kavetsa Adagala: Sawa.

Charles Yano: I mean quarter system should be applied. Same thing with tertiary colleges. They way they are doing employment of military staff and others; they should apply that kind of system.

Com. Mutakha Kangu: Thank you. Can we have Benjamin Sum? Na wale wamebaki dakika mbili mbili because karibu ndege ikuje na tutawacha wengine. Ile imesemwa hakuna haja kurudia.

Com. Kavetsa Adagala: Sema ile mpya pekee.

Benjamin Sum: Majina yangu ni Benjamin Sum. Kweli mengi yamesemwa lakini niko na mawili ama tatu hivi ya kumalizia.

Com. Mutakha Kangu: Sema hiyo

Com. Kavetsa Adagala: Karibu.

Benjamin Sum: Ningependa kuongea mambo ya hukumu, mambo ya kotini.

Com. Kavetsa Adagala: Pendekezo

Benjamin Sum: Death penalty, ningependekeza kwamba kuwe na life imprisonment badala ya kuwa na death sentence. Kwa upande wa wafanyi kazi wa serikali, kwa constitution ambayo inakuja, kuwa na 5 working days kwa wafanyi kazi wote wa serikali. Ningependa pia serikali iendelee kutoa uhuru wa kuabudu. Lingine ni kwamba tusiwe na church state, tuwe na democratic country ambapo.....

Com. Mutakha Kangu: Secular state

Benjamin Sum: Yah, secular state. Ya mwisho ningependekeza kwamba districts ambazo tuko nazo zibaki vilivyo, isisemekana pengine zipunguzwe

Com. Kavetsa Adagala: Asante.

Benjamin Sum: Ya mwisho ni kuhusu mambo ya natural resources ambayo imeongwea. Ningependa tu kuongezea kwamba kwa constitution tuwatambue herbalists. Tunajua kwamba wanafanya kazi muhimu na pengine wangetengewa mahali waendeleo kupanda hizo miti shamba ambazo ni muhimu kwa kutibu, pengine watengewe kwa forest sehemu fulani ili waweze kupanda miti ambayo ni muhimu kwa matibabu. Kwa hayo machache nasema asante.

Com. Mutakha Kangu: Sawa. Lucas K. Chelal. Lucas, hata wewe ukifanya hivyo itakuwa vizuri sana.

Lucas Chelal: Mimi naitwa Lucas Chelal na yangu ni mambo ya employment. Ukiona mambo ya employment, unaona kulingana na mihula yetu,...

Com. Kavetsa Adagala: Sema pendekezo lako.

Lucas Chelal: Ningependelea ya kwamba ingetengenezwa kulingana na location ya kwamba kila moja ama kwa kila location kuwe na mtu ameandikwa hasa askari

Com. Mutakha Kangu: Quota system eh?

Lucas Chelal: Yah. Ya pili ni kwamba hii mashamba ya settlement, kwa sababu kuna watu ambao hawana shamba, mimi ningependekeza mashamba kama **hayo yagawiwe wale ambao hawana shamba.**

Com. Kavetsa Adagala: Mashamba iko wapi?

Lucas Chelal: Ya settlement

Com. Kavetsa Adagala: Iko wapi?

Lucas Chelal: Kwa mfano ile ADC. Halafu wapewe kwa njia ya loan kusudi hii njia ya poverty ipunguzwe. Mambo ya natural resources ningependelea ya kwamba wenye wanahusika kama Marakwet waone ya kwamba wanachunga hiyo misitu na ile faida inatoka huko waone ya kwamba wanagawiwa sehemu ya 75%.

Com. Kavetsa Adagala: 75%?

Lucas Chelal: Ndio.

Com. Kavetsa Adagala: Endelea, umemaliza?

Lucas Chelal: Inginge ni ya kwamba kuna hii parastatal bodies kama hawa watu wa kufanya biashara ya pareto. Mimi ningenelea kama wangetengeneza committee ambayo itakuwa ikilinda haki za mkulima kwa sababu unaweza kuona kampuni hiyo inawanahusika na, wanachukua tu (?) na haijulikani watalipa lini. Wanaweza kung'oa namna hiyo na mkulima anapotea. Ni hayo tu.

Com. Mutakha Kangu: Ni hayo tu? Asante. Tupate Stephen Kibayos. Stephen Kibayos? Kama hayuko tupate Daniel Kalya. Daniel Kalya? Kama hayuko tupate Henry Kosgei. Henry Kosgei. Bwana Kosgei ni vile wengine wanafanya ndio (?).

Henry Kosgei: Asante. Kwa majina naitwa Henry Kosgei. Niko na maoni na ni haraka haraka.

Com. Mutakha Kangu: Ndio

Lucas Chelal: Ni kuhusu citizen

Ningependa kusema ya kwamba lazima mtu awe mzaliwa wa Mkenya na awe amejiandikisha kama Mkenya. Pia nataka baba yake awe mzaliwa wa Kenya na awe ame-register katika eneo hili la Kenya. Lazima awe na kitambulisha rasmi ya Kenya na pia awe na birth certificate na passport ndio awe na documents zinaonyesha yeye ni Mkenya.

Com. Mutakha Kangu: Mnh?

Lucas Chelal: Political security. Nataka kusema

Com. Mutakha Kangu: Bila kurudia ile imesemwa.

Lucas Chelal: Yah, kwa hii mambo ya security, nataka serikali walinde watu pamoja na haki yao na ukichukua mali ama mtu akipoteza maisha yake, lazima serikali ilipe mali ama maisha ya mtu katika kiwango fulani.

Com. Mutakha Kangu: Endelea mbele.

Lucas Chelal: Kwa hiyo mambo ya defence na national security, tunakaka pia hii mambo ya askari, tukisema discipline ya askari fulani, lazima wafungwe na pia afutwe kazi (?) akikosa kitu fulani, afungwe na kufutwa kazi.

Viama vya kiasa lazima ziwe na relationship na chama kinachotawala kwa hii mambo ya development, wajenge taifa kwa sababu sasa wapinzani, hawajengi taifa, kazi yao tu ni kuongea, tunataka wajenge taifa. Limits ya chama, tunataka ziwe 3 political parties kwa sababu sasa imekuwa ni tribalism

Com. Mutakha Kangu: Mingi. Endelea ama imekwisha?

Lucas Chelal: Bado. Tunataka President awe na 35 years na awe degree holder in Science and Economics. Nataka a-serve two terms as a President. Lazima tu-limit powers of a President iwe chache, not like the current constitution. A President should not be a member of parliament according to my views kwa sababu atapenda sehemu ambayo anatoka.

Com. Mutakha Kangu: Asante, ya mwisho?

Lucas Chelal: Watu wengine walisema hatutaki administration na kwa maoni yangu mimi nasema tunataka na the new constitution should set the responsibilities ndio tujue kazi zake ni nini.

Com. Mutakha Kangu: Asante sana.

Lucas Chelal: Kuna moja hapa.

Com. Mutakha Kangu: Yes

Lucas Chelal: The minimum qualification of a Councilor

Com. Mutakha Kangu: Yes

Lucas Chelal: Minimum qualifications of a Councilor

Com. Mutakha Kangu: Councilor (?)

Lucas Chelal: Lazima awe form four level na amepita with a C- (minus). People have rights to recall them kama vile watu

wamesema.

Com. Mutakha Kangu: Okay. Sasa unarudia ya watu waliosema (?)

Lucas Chelal: Na maliza tu hii moja nasema, kwa hii mambo ya election, sisi kama Wakenya tunataka election iwe specified, iwekwe tarehe, siku na baada ya mwaka ngapi

Com. Mutakha Kangu: Okay

Lucas Chelal: Kuliko hivi tunasikia mara kwa mara Kenya tunataka (?). Halafu ya mwisho,

Com. Mutakha Kangu: Ya mwisho kabisa

Lucas Chelal: Ya mwisho kabisa, electoral commission should be appointed by parliament and not President appointees. Ni hayo tu.

Com. Mutakha Kangu: Asante

Com Mutakha Kangu: Kama hayuko tupate Peninah Chepkemboi. Endelea haraka mama.

Peninah Chepkemboi: First I will start on FGM. In this issue I want that the new Constitution should consider the circumcision of ladies. Here we see that it has many consequences like the displacement of ladies from their own faith and early marriages. It promotes immorality in that ladies see that they are adults so on the other side it leads to education dropout, early marriages and delivery complications.

On that case I want to say that the solution should be that this law should be amended on those who practice FGM. Also those who practice should be fined. Education awareness on the impact of FGM should also be more dealt with.

On the other side I will deal with the welfare of the poor or the exploitation of the poor. We see that the gap between the rich and the poor should be reduced in that the government should lay down strategies which cater for the welfare of the poor. For example on education, tunaona ya kwamba mtoto wa maskini ambaye amepita shule, mtu tajiri ataenda kutoa hongo huko juu ndio mtoto wake apate shule, so that issue should be considered.

Also on the land grabbing, we see that mtu mwenye ako na pesa anaenda kuhonga huko juu na maskini anaacha kwa sababu hana cha kufanya.

My other point is on the law making process. Before a Bill is amended as a law, the citizens should be given their chance to air their views on the issue and make suggestions before a Bill is amended to law. This can be done by just the way you have done this Constitution Review, through questionnaires, interviews or sampling methods.

The last issue is localization of industries. We see that the government has dealt on the already existing industries instead of localizing to the remote areas, for example places where coffee, tea is being planted, they could set an industry on that place to promote the welfare of the citizens of that place.

Com Mutakha Kangu: Na hiyo ilikuwa ya mwisho.

Peninah Chepkemboi: Ndio.

Com Mutakha Kangu: Thank you. Na Joseph C Suter? Kama hayuko tupate Christopher Cheserek. Kama hayuko tupate Chesoi. Jina lako sijaona. You are the last person, hapana sema jina lako tena huko, this is the last person. Jina ni nani?

Thomas Cikanda: Thomas Cikanda.

Com Mutakha Kangu: Eeh anza.

Thomas Cikanda: Niko na maoni namna hii. Nigeeonelea sarafu ya Kenya ibadilishwe.

Com Mutakha Kangu: Nini iko mbaya nayo?

Thomas Cikanda: Nigetaka kwa maana uchaguzi ukifanywa baada ya miaka tano sio vizuri sura Rais iwe ikibadikishwa.

Com Mutakha Kangu: Sasa tuweke nini? Tutoe picha ya Rais tuwe tunaweka kitu kingine?

Thomas Cikanda: Tuweke bendera na simba.

Com Mutakha Kangu: Mhh...

Thomas Cikanda: Ni hiyo tu.

Com Mutakha Kangu: Ni hiyo tu. Asante basi. Huyo alikuwa Thomas Cikanda. Na tunasema tumemaliza mkutano wa leo

