

**CONSTITUTION OF KENYA REVIEW COMMISSION**

**CKRC**

**VERBATIM REPORT OF**

**CONSTITUENCY PUBLIC HEARINGS**

**MARAKWET WEST CONSTITUENCY,**

**PUBLIC HEARINGS HELD AT ARBOR CENTRE**

[REDACTED]

[REDACTED]

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**ON**

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**27<sup>TH</sup> JUNE 2002**

**CONSTITUENCY PUBLIC HEARINGS, MARAKWET WEST CONSTITUENCY, PUBLIC HEARINGS HELD  
AT ARBOR CENTRE 27<sup>TH</sup> JUNE 2002**

**Commissioners Present**

1. Com. Salome Muigai

2. Com. Riunga Raiji
3. Com. Domiziano Ratanya

### Secretariat Staff in Attendance

1. John Watibini - Programme Officer
2. Lynne Sigei - Asst. Programme Officer
3. Grace Gitu - Verbatim Recorder
4. Solomon Kibet - District Co-ordinator

Meeting started at 11.30 a.m. with Com. Riunga Raiji on the Chair.

**Com. Raiji:** Kwa niaba ya Tume ya Kurekebisha Katiba, the Constitutional Review Commission of Kenya, ni furaha yangu kuwakaribisha nyinyi nyote katika kikao hiki rasmi cha kupokea maoni kutoka wananchi wa constituency hii. Kabla hatujanza, tungemuomba father atuongoze kwa maombi. Tafadhali Father karibia.

**Fr. Constand Nyongesa:** Kwanza kabisa ningependa kuchukua nafasi kuwakaribisha hapa katika Arror, kituo cha Arror, location ya Tunyo Division, mjisikie nyumbani, na watu wetu wako na mengi ya kuwaelezea, kuna mengine wameandika na mengine watauliza. Pengine kuna mengine baada ya kuandika na kufika nyumbani amekumbuka kuna mengine alisahau, so, nafikiri muko tayari kusikiza maoni yao. Tutanza na sala.

**Prayer:** Kwa jina la Baba, la Mwana, la Roho Mtakatifu, Baba wetu uliye Mbinguni, jina lako litukuzwe, Ufalme wako uje, utakalo lifanyike, Duniani kama Mbinguni, utupe leo mkate wetu wa kila siku, utusamehe makosa yetu, kama tunavyo wasameheha na sisi walio tukosia, usitutie katika visawishi, lakini utuopoe maovuni Amina. Mwenyezi Mungu tunakushukuru kwa siku hii ya leo, tunakushukuru kwa zawadi ya uhai uliotupa bure, na kwa zawadi ya maisha. Na kwa zawadi ya hii nchi yetu ya Kenya hasa katika Constituency yetu ya Marakwet West. Baba kwa wakati huu tumekutana hapa, sisi kama wananchi wa area hii tupeane maoni yetu kulingana na yale ambayo tunaona ili katiba yetu ya Kenya ituhusu sisi wote ambao tunajua ya kwamba ni wananchi wa Kenya. Basi tunakuomba kwa wakati huu yale yote ambayo tunaenda kuzungumuza utangazie mwanga wa roho mtakatifu. Utupe hekima, utupe ufahamu. Ili yote tunapongea tukitoka hapa, kila moja wetu ajue ya kwamba yeye ana-right you kuishi katika nchi yake, na anjua ni nini inaendelea katika nchi yake.

Tutakapo achana tutachana kimwili tu lakini rohoni tutakua pamoja. Tunaomba haya yote kwa jina la Kristo aliye Mwokozi wetu. Kwa jina la Baba, la Mwana na Roho Mtakatifu. Asanteni.

**Com. Raiji:** Asante sana Father Nyongesa. Kwanza kabisa ningetaka kuwashukuru Father Nyongesa na Parochia yake kwa kutupatia mahali pa kufanyia kikao chetu cha leo. Kabla tujanza ningetaka kuwajulisha kwa Ma-commissioners tuko nao siku ya leo pamoja na maafisa wengine wa tume. Kwanza kabisa tuko na Commissioner Salome Muigai, Commissioner Domiziano Ratanya M'chokera, ambaye yuko hapa, na jina mimi naitwa Commisisoner Riunga Raiji.

Kutoka ofisi yetu ya Tume tuko na Programme Officer Bwana John Watibini, tuko na Assistant Programme Officer, Lynne Sigei, halafu na huko tuko na Grace Gitu ambaye atakua aki-record kwa tape, mambo yote ambayo tutasema siku ya leo.

Kwanza kabisa ningetaka kuwajulisha namna ya kutoa maoni yenu. Kuko na jinsi tatu. Kwanza kabisa unaweza kua na nakala au maandishi au memorandum ambayo ungetaka kutupatia bila kusema neno lolote, hata hiyo inakubaliwa. Utatupatia memorandum, itandikishwa hapa, tume itaipokea, na itaitumia wakati wa kuandika marekebisho ya katiba. Jinsi ya pili, unaweza kua na memorandum yako, lakini ungetaka kusema machache juu ya yale mapendekezo ambayo umetupatia kwa sababu kwa memorandum, hatutakubalia watu wasome sana kwa sababu tungetaka watu wapate nafasi. Kama ungeandika utupatie tu summary, au highlights ya yale mapendekezo ambayo uko nayo.

Jinsi ya tatu ni kwamba unaweza kuja utapata nafasi useme tu kwa mdomo yale mapendekezo ambayo ungetaka tuyaweke maanane wakati tunandika Katiba. Ningetaka kuwajulisha kwamba vile tungetaka, ni watu watupatie mapendekezo, yaani proposals or recommendations ambazo tunaweza kutumia kwa kuandika katiba. Kila mtu atapatiwa muda wa dakika tano, kama ni memorandum uko nayo au kama ni hauna kitu unasema kwa mdomo. Na labda ungetumia wakati wako vizuri, kama tu ungelenga yale mapendekezo, the recommendations badala ya kutoa story nyingi sana kwa sababu saa yako ikiisha tutapatia mwingine nafasi.

Ile ingine ningetaka labda kuwajulisha ni kwamba uko huru kutumia lugha zote za kitaifa, Kiswahili, Kingereza, au lugha ya mama hapo tutakua na mtu wa kutafsiria, sijui Lubando kama mko naye, eh, nimearifiwa yuko, halafu kutoka hapo, tutaendelea.

Kama kunapendekezo Ma-commissioners hawajaelewa vizuri, yaani clarifications, Ma-commissioners wako huru kuuliza ili waweze kusikia pendekezo lako kamili, na waliandike katika records zao. Kwa hiyo ukimaliza, tutauliza Ma-commissioners kama wako na swali lolote wangetaka kuuliza kuhusu hayo mapendekezo yako.

Na kabla hatujanza ningetaka tupatie Co-ordinator atujulisha watu ambao wamejitayarisha kikao cha leo, yaani the members of the Constituency Committee, Co-ordinator tafadhali.

**Solomon Kibet – District Co-ordinator:** Distinguished Commissioners, may I start by introducing myself. I am Solomon Kibet Cheserek, and you gave me the mandate of overseeing the process on the ground in Marakwet District. May I say we apologize because some people are still- wanasema saa hii ni asubuhi bado. Wako kuteremka kutoka huko juu, watu wenye wako kwa Centre leo mumetukaba kabisa. Mumejaribu. Wako hapo kwa centre, wenye wako kwa centre ni wachache, there is a market taking place na tulikua tunawambia waache hii mambo ya cassava kidogo, wafikirie 50 years ama 100 years to come ndiyo wanakuja pole pole.

Wale watu tunataka kuwashukuru na ambao ni lazima niwataje, tuko na Father Nyongesa ambaye alikubali kutu-host. Tuko na Sister Fancisca, ambaye ametusaidia kabisa kwa upande huu. Tuko na Councilor, tuko na Chief, Councilor John Cheruon, pia hapa tuko na mwingine ambaye ametusaida sana, na ni moja wa Parish ya Parochia hii, Anthony Chepkwon, na wengine ambao wako ni raia ambao wamekuja kutoa maoni.

*(In Marakwet Vernacular)*

Bwana Commissioners asante sana, na nafikiri tunaweza kufungua na ile memorandum ya Kerio Valley group ambayo ita-present-iwa na. (interjections.) CCC's members ambao wako, tuko na John Kipiatich, na tuko na Kasenge, wako hapa Arror.

**Com. Raiji:** O.K. Asante sana, labda ile ingine nilisahau kuwaambia ni kwamba, kila mtu ambaye angetaka kutoa maoni, au hata labda kama hataki kutoa maoni amehuduria, tungemuomba ajiandikishe ili tuwe na orodha kamili. Tutafuata first come, first served, tutafuata hii list, kwa hivyo tutaita kila mtu ambaye angetaka kuzungumuza. Tutaendelea wale wakitoka kwa soko watatukuta hapa, hata hiyo ni kazi mzuri wanafanya, tutachukua maoni yao. Nafikiri hakuna mengi sasa ili tuanze kazi. Ile ingine ni kwamba tungetaka watu wawe –free kabisa wawe huru kutoa maoni yeyote. Usiwe na uoga. Sheria ambayo ilitungwa na Bunge letu inasema kwamba hakuna hatua yeyote inaweza kuchukuliwa kwa mtu kwa yale maneno ambaye ametoa hapa. Hapa tungetaka kila mtu awe huru kabisa.

Feel free to make the recommendations that will assist us to formulate or to revise the constitution that will govern you and your children and their off-springs. Kwa hivyo, when you come here tafadhali uwe uhuru, toa mapendekezo yako bila uoga. Tume itandika, nimesema tuna-tape ili kuhakikisha hakuna hata neno moja limepotea, na hata tunandika kwa mikono, kwa hivyo mkija hapa, tungetaka kuwahakikisha kwamba maoni ya watu wa Marakwet tutayapeleka, na tutayatumia wakati tunarekebisha hiyo katiba. Kwa hivyo sasa tutanza na Bwana John Kipiatich. John Kipiatich karibu.

Kwanza utanza na kutaja jina lako ili liingie katika tape, halafu kama umetoka kwa kikundi hata utuambie jina la kikundi.

**John Kipiatich:** Mimi naitwa John Kipiatich, ni mkaaji wa hapa Marakwet, na nina-present maoni yangu kwa niaba ya youth, in an individual capacity. Sisi kama vijana, tunaongea kama vijana, tungependa kwanza tuwashukuru sana hii kamati ya constitution kwa kua na fursa ya kukuja kututembelea hapa Marakwet, na kusikiza maoni yetu halafu iwekwe katika katiba mpya. Tuliambiwa kwamba, kama vijana, kwamba ile katiba ya zamani ambaye ilikuweco kabla sisi wengine wetu , wengi wetu vijana tulikua hatujazaliwa. Sasa hii katiba mpya imekuja kutusikilia huruma kidogo.

Sasa ningesema kwamba, sisi kama vijana, ningependa kuongea kwanza kwa elimu. Education. Na hili neno elimu nikwamba

sisi kama vijana tungependa ikuweko na kitu ambaye inaitwa free education. Elimu ya bure kunazia darasa la nursery, kama kuna darasa ambalo linaitwa nursery, yaani standard nursery, sio standard one hata, hadi darasa la nane, halafu kutokea hapo, tuwe pia na serikali, ijaribu kuweka school fees kidogo ambayo mzazi wa kawaida anaweza kumudu kufanya wasome kuanzia form one mpaka form four, kuwe na karibu shilingi elfu tano, serikali inauwezo wa kusaidia ili tuondoe ujinga katika jamii yetu.

Kutoka hapo pia katika mambo ya elimu, tungependa kuseam pia tuweke katika katiba kwamba ni lazima kila mtoto wa nchi hii asome mpaka kiwango hicho. Tunajua ya kwamba siku hizi dunia imekua reduced to a global village, ili akipata nafasi ya kwenda nchi za nje aweze kuelewa.

Halafu baada ya hapo, serikali pia ijenge mashule kama universities nyingi, na ma- level colleges, ma-college ijengwe pia kwa wingi ili tupate ujuzi, skilled labour kama vijana. Hasa kazi ambazo ni za mikono, halafu pia tuwe na mambo ya college ambayo tumesema. Pia tungependa sisi kama vijana serikali itengeneze employment. Mambo ya kuajiriwa kwa kazi. Kuajiriwa kwa kazi kwa vijana. Iwekwe katika katiba kwamba, at least katika nchi yote, vijana youth wawe employed about 50% of all youth to be employed so that when they grow upto adulthood, they do not become dependent on others but dependent on themselves. Otherwise kama tutaendelea kuwa na 90% of unemployment, or 80% of unemployment, tutakua na generation ambayo itakuja kua ya wazee siku zingine, ambayo haijiwezi, na watoto hawa hawatajiweza.

O.K. Nimemaliza hiyo pia. Ningependa kuongea juu ya mambo ya mashamba. Land ownership. Sisi kama youth wa Marakwet na especially wa nchi hii, tutakua siku zijazo ndio tutakua wamilikaji wa ardhi. Tutakua the owners of the land. Na tunasema kwamba, hapa Marakwet tuna kitu ambayo inaitwa Trust Land, ambayo haimilikiwi na mtu, ni Trust Land, hiyo tunasema kwamba kila clan, kila community, kuna clan system hapa, wapewe title deed ya clan yao, ya shamba yao iwe demarcated, na wapewe title deed sasa hiyo clan itakua responsible, ku-manage hiyo shamba yao. Lakini ikiwekwa kama shamba huru, pengine siku zingine youth wananiambia kwamba, tutakuja kuhamishwa hapa, halafu walete hata refugee camp kutoka Kakuma iletwe hapa na sisi tunahamishwa tunatolewa tunapelekwa mahali ingine. Sasa youth wamesema hapa, we want nothing like Trust Land, itolewe kabisa. Iwe individual ownership.

Pia wanasema kwamba, ukiona sehemu zingine za Kenya, mtu ako na shamba kubwa, elfu tatu elfu nne, wanasema kwamba kuwe na ceiling, yaani shamba, acreage ile mtu anaweza kua nayo, halafu mtu asiwe squatter kwa nchi yake. Na wanasema an individual na familia yake, wawe na shamba acre elfu moja tu imetosha yeye, the rest iwe repossessed by the government, halafu iwe given to the landless especially the youth.

Mambo ingine ni ya security. I will try to summarize, nimeongea kwa muda kweli. Kuna mambo ya security na tunajua kwamba, youth wameniambia kwamba, the government has not been able to guarantee security for all citizens of this country and they have given the excuse that they cannot be able that is why we have Community Based Security Systems, tuko na mambo kama ile inaitwa Home Guards, tuko na mambo kama surveillance groups, sasa tungeomba kwamba, serikali I-recruit

more security men ambao watatusaidia kwa internal conflicts kama zenye tuko nazo na neighbours wetu hapa.

Jambo la mwisho ambalo ni la maana sana, ni mambo inayoguzia youth pia. There is something called cultural rites and tribal norms zetu hapa. Tulikua tunasema kwamba sisi as a community, the youth from this community, they have to - all men should undergo circumcision, halafu wanawake wawe na choice, they can choose and why should they choose? We should leave a child to grow upto a particular age, maybe 14 years there, a-make independent decision. You cannot tell me that there is choice when mtoto wa miaka nane anambiwa chagua unataka kutahiriwa au usitahiriwe? What can they decide on?

Halafu, katiba ichunge kwamba kuna mila zetu Fulani Fulani, wazee wataongea juu ya hiyo, serikali isi-interfere kwamba isiondolee, tuseme kwamba kimila Fulani ni barbaric, kimila Fulani ni barbaric, hiyo wazee watasema. Lakini youth pia walisema we have to perpetuate our culture. Thank you so much. There is also an issue of environment and natural resources,

**Com. Raiji:** That must be the last one?

**John Kipyatich:** Ya off course it is you can see from here, Mr. Riunga. O.K. Now, that one, we are saying that let all resources from this community be managed by the community. Let them have a say. If we have minerals right now been mined around here, let 50% of the proceeds go to the local community and the rest go to the government for the common good of all. Asante sana.

**Com. Raiji:** Asante sana- usiende ngoja kidogo. Bwana Kipyatich kwa kutufungulia kikao chetu cha leo, nimekuongezea dakika zingine tano kwa sababu hata nyinyi vijana ndio mnasemekana mtakua viongozi wa kesho. Kwa hivyo wale wengine tutawapatia dakika zile tano. Sijui kama Ma-commissioners wangetaka kuuliza kitu chochote? Commissioner Salome?

**Com. Salome Muigai:** Asante sana kwa niaba ya vijana kutufungulia kikao chetu. Mimi nina maswali mawili kwako. La kwanza nikua umesema wasichana wapatiwe choice kama wangetaka kutahiriwa ama la. Ukatuambia lazima wakue kwa muda Fulani. Ni kiwango kipi mtu anaweza kufanya choice? Hilo ndilo swali langu la kwanza.

La pili umetueleza pia free education ya Primary na Pre-school lakini kutokea form one mpaka form four, shule zilipishwe kama kiwango cha shilingi elfu tano. Na je, wale vijana ama wale wazazi wenye hawangeweza kulipa hiki kiwango cha elfu tano ungetaka katiba ifanye nini, kwani bado kuna jamii zenye hata hichi kiwango kingekua cha juu sana kwao. Ungeonelea tufanye nini?

Mwishoni nina swali la tatu. Je, vijana wanashida moja, wale wa kiume na wakike. Umetueleza kama isipokua habari ya kutahiri, umeleza kama kwamba kua kijana, uwe msichana au uwe mvulana wana shida the same. It is just a question, are there differential problems in the young men and the young women according to you?

**John Kipiatich:** Nafikiri umeuliza maswali mengi kwa wakati moja, lakini Commissioner Salome Muigai. Ningependa kukujibu swali la kwanza ambalo uliuliza swali gani hapo? Cultural rights? Kwamba kuna umri Fulani ambao mtu anaweza kufanya decision? Nafikiri Madam Salome Muigai kwamba wewe ni mzazi, na unajua kwamba ukifika stage ambayo inaitwa adolescent age. Ndio adolescent age inazia pengine miaka kumi na nne, hadi ishirini na moja pengine hapo. Sasa, kwa hii jambo moja ambalo nilikua naongea juu yake ni kwamba, tuachilie watoto. Zamani sisi kwa kimila yetu ya Marakwet, - tuachilie mpaka miaka kumi na minne. Nafikiria hapo atakua amerefuka ya kutosha, ku-make decision.

Halafu swali la pili uliuliza ni gani hapo? Education. Tunaelewa ya kwamba, sio wote ambao wanajiweza. Kuna ambao hata siku hizi wanaitwa street families ambao wana-raise watoto kwa streets. Kuna watoto orphans, wazazi wao walikufa, kwa magonjwa au kwa vita au kwa nini, na kuna umasikini. Sasa ningependa ya kwamba, kama kwa katiba hii inakuja ambayo inandikwa sasa, iandikwe kwamba serikali italipia watoto ambao hawana wazazi shule bure. Asome mpaka mahali imeandikwa no school ahead. There is no school ahead for them, then the government can withdraw assistance for them. Halafu kama ana mzazi moja, ana weza kulipa kitu kidogo kama elfu mbili hivi, kama ana mzazi mmoja. Halafu kama pengine mzazi wake ni disabled, pia serikali wape hawa bursary fund, iwalipie school bure mpaka kiwango hiyo ya no school ahead.

On the last question about gender issue, clarify that one.

**Com. Salome Muigai:** (interjection – Inaudible)

**John Kipiatich:** Thank O.K.

**Com. Raiji:** Asante sana John kwa - - Iko swali ingine sorry.

**Com. Ratanya:** Bwana John nina maswali kama matatu lakini mafupi sana. Ya kwanza, umeleza mambo ya kusaidiwa fees, education mpaka secondary school. Hiyo commissioner mwenzangu ame-push mpaka secondary school na ukasema “lakini unajua wanaenda mpaka university na college.” Hujaweka ni kiwango gani, ama wasaidiwe ama walipe nini. University and colleges. Hiyo ungependekeza kama wasaidiwe ama wafanye vipi.

Ingingine ni mambo ya shamba. Umesema Trust Land ipotee na kuwe na communal title deeds. What about individual title deeds? Do you still propose to have communal and then eventually individual title deeds? Hata hiyo urekebishe.

Ingingine ya tatu, ni ya environment and natural resources. Hapa umesema kama kuna faida inatokana na natural resources, moja iende kwa Central Government na ingine ibaki kwa wananchi. Sasa ni percentage gani ambayo inge enda kwa Central Government na ni ngapi imefika hapa? 50% - 50% ? O.K. Hiyo ilijibiwa hivyo. That is very good. So there are only those two



questions. Asante.

**John Kipiatich:** O.K. Nikijibu maswali, sijui ni gani ulianza lakini wacha ni jibu swali la education and funding. Nilikua nime-propose kwamba wapewe free education kuanzia one mpaka eight. Kufika form one mpaka form four walipe elfu tano au kiwango reasonable. Kuanzia hapo mpaka juu, walipe full amount. Wasisaidiwe na serikali kwa njia yeyote, hawa wasisaidiwe.

**Com. Raiji:** The second question, uliulizwa individual title deeds.

**John Kipiatich:** Asante sana. Tungependa kua na community based title deeds, kama kwamba shamba ina-own-iwa na community lakini where possible, kuwe na individual title deeds ambazo mtu anaweza ombea loan kwa bank, akajisaidia kwa maisha yake.

**Com. Raiji:** Asante sana nafikiri umezungumza vizuri kabisa kwa hivyo andikisha memorandum huko, halafu tutamita Jacob Lagat, ambaye atafuatwa na Bwana Jonathan Kosegei. Bwana Lagat, karibu, sema jina lako halafu uendelee. Dakika sasa ni tano.

**Jacob Lagat:** My names are Jacob Kiptum Lagat. I am representing a group. Collected views. Now, this document with me is composed of four sections. So, I was saying that this document is composed of four sections. Section one will be presented by me, that is from number one upto 10 and then somebody else will come for section, two, from number 11 upto 14, the third person will come for number 15 –20 then the forth person will come for number 21 – 22. So, I have four sections here.

The groups is called Kerio Valley Group. So, this document is actually very clear. It is brief and precise, so there is no need as to why I should actually say of from my mind. Preface of the document. The document contains sections of the residence of Kerio Valley, appertaining the issues and questions for public hearings, in the constitution of Kenya Review Process.

The objective is to have a constitution that caters for their welfare both as residence of Kerio Valley as well as Kenyan citizens.

Acknowledgement. The voluntary committee wishes to thank its members for their reputation, in collecting views, preparing and analyzing this document. This committee is comprised of, Sister Francisca Caesar, - Co-ordinator; Richard Kipum – member CJPC; Jacob K. Lagat –Secretary; Oliver Kosegy – Secretary; Almond Kuto - Secretary; Peter Cheboi – Secretary; Benjamin Chesos – member; Francis Che’langa – member, Anthony Chepkuwon – member; Father Constance Nyongesa – member; Fr. John Omolo – member; William Chesor – member.

Special thanks goes to Kenya Human Rights Commission and Catholic Justice Peace Commission for their technical advice and

material support. Also, thanks goes to Constitutional of Kenya Review Commission for supplying the booklets containing Issues and Questions for public hearings. Other members who participated have their names listed at the back of this document and among others.

Preamble. We the people of Kenya Marakwet - -

**Com. Raiji:** (Interjection) Excuse me, Bwana Lagat, I see you have a very well written document, we are trying to capture just the highlight because we will be asking you to give us the document for us to go with because we will read it more thoroughly. So if you could probably just give us the highlights and maybe one of your colleagues I can give them a little time to give the highlights on that one, so that we can reach the other people who are also waiting. But I not that you have put a lot of effort and it is obvious a very well considered document, but we will be asking you to give it to us so that we can study it more thoroughly when we have time.

**Jacob Lagat:** But the Commissioner, this document is very short and whatever I would say even would me more longer than what I have written here, so I would better read instead of -

**Com. Raiji:** (Interjection) just judge on how you will utilize your five minutes so please proceed.

**Jacob Lagat:** O.K. Preamble. We the people of Marakwet, in order to live better lives, we need security, justice, free education, better health services, free and fair elections, protection of our property, liberty, protection and promotion of some cultural values and belief, rule of law, protection and promotion of some cultural values and beliefs, rule of law, protection and preservation of our environment and natural resources, fair distribution of resources and one common philosophy to establish this constitution for the people of Kenya.

Directive Principles of State Policy. The Directive Principles of State Policies statements are required in the constitution. Democratic principles to be included in the constitution. Limits of presidential powers to enhance democracy. Transparency and accountability of governance. Equity of all citizens in the land. Respect of all fundamental rights and freedom. Proper establishment of institutions and their management. Rule of law without fear and favour. Values to be reflected in the constitution. Morals for the leaders, patriotism for all citizens, total responsibility, justice, promotion and protection of traditions and their varied cultures.

Constitutional supremacy. Parliament should have two chambers, the lower and the upper chamber. The Lower Chamber should have 75% and the Upper Chamber 90% of the majority votes before any amendments of any part of the constitution.

Parliament should have limited powers to amend the constitution on some parts that require citizens contribution. Part of the

constitution beyond the amending power of the Parliament should be land issues, scaling of Parliamentarians salaries and allowances, electoral processes and voting systems. The public through referendum should be involved in amending the following constitutional parts; matters affecting the Members of Parliament such as salary awards, allowances and benefits.

Electoral processes and voting systems. Land issues. Referendum should be conducted by commissioners consisting of constitutional specialists, lawyers and professionals appointed by the Chief Justice.

Citizenship. Apart from the details contained in the ID card, Kenyan citizens should be registered under Local Authority from which the person was born and registered locally. Automatic Kenyan citizens are those who are born by the native Kenyans, Kenyan parents. Foreigners who have lived in the country for ten years and above and are interested to be Kenyan citizens can be registered as Kenyan citizens.

Acquisition of Kenyan citizenship. If a mother or both parents are Kenyan citizens, the person should have lived in Kenya for ten years or over, with a good reputation, spouses of Kenyan citizens regardless of gender should be entitled to automatic citizenship. A child born of Kenyan parents regardless of the parent's gender should be entitled to automatic citizenship.

Rights obligations of a Kenyan citizen. Right to life, right to own property anywhere in the country, right to education, health facilities, voting at attainment of 18 years and above. Right to security and protection of property. Right to shelter and clothing, right to employment opportunities, right of access to social amenities, right of access to clean water, right to food security. Right to religion. Obligations of Kenyan citizens. To abide by the law and respect the constitution. Patriotic economically, politically, culturally, traditionally and spiritually.

Respect for other people's lives and properties. Provision of basic needs of life such as food clothing, shelter health care and education by the parents to their children. The right and obligation of citizens depends on how citizenship is acquired.

Dual citizenship. Under normal circumstances for security purposes, economic protection and political stability, the constitution should not allow for dual citizenship. Documents that Kenyans should carry as evidence for citizenship. National ID card, passport or both.

Defense and national security. The disciplined forces, the Military and Paramilitary police and Prisons should be established by the constitution and not by the Executive.

Mechanism used to discipline Armed Forces. Independent Military Court should be set to deal exclusively with cases involving the Armed Forces. The President should be the Commander in Chief of the Armed Forces, the Executive should not have exclusive power to declare war. The Legislative House, Parliament, should be empowered to decide on the security matters of

the country.

The constitution should not permit the use of extra-ordinary powers in emergency situations such as war, national disasters, and break down of public order unless kept by the Parliament to invoke these emergency powers and effect them.

Insecurity be addressed as emergency in Kerio Valley, Marakwet and Army bases be set along the Kerio River.

Political parties. Political parties should play other roles in aid of development. These roles are, ensure that the distribution of national resources is fairly done. Each political party should ensure that there is accountability, transparency in national budget.

**Com. Raiji:** Excuse me, I have given you two minutes please to wind up, you are already about to take 15 minutes and I think that is the maximum we have. Two minutes to wind up whatever you want to submit otherwise we will take the memorandum. Thank you.

**Jacob Lagat:** All the political parties should participate in the development of the nation. They have the duty to dedicate their citizens on their electoral rights and processes. All the political parties should focus on gender sensitivity. All the political parties should focus and advocate for security of the citizens.

The constitution should regulate the formation, management and conduct of political parties so that each political parties should focus on all intended regulations. The limit of political parties should be three maximum, in order to avoid tribalism and to allow national representation countrywide.

Political parties should depend on themselves by looking for donors from foreign countries instead of using public funds. Terms and conditions to be imposed in financing political parties. There must be a limit on the amount of money to be spent during campaign rallies. Campaign procedures should be harmonized to all political parties.

Relationship of State and political parties. They should be independent of one another because all development matters are discussed by the State and political parties. They should have a common link because all the matters relating to the management of the government are discussed in the parliament. They should have common relations in terms of dealing with public finance. Both should try and see to it that all national resources are fairly distributed.

**Com. Raiji:** I am sorry you have run out of time if you can please register the memorandum we shall study it.

**Jacob Lagat:** I thought I said it was made of sections

**Com. Raiji:** I am sorry but – I think I explained the rules, that once we have the memorandum, we will read it, we will just ask you to give the highlights because reading the memorandum will mean that we are going to take more time with the rest. In that case the whole reason of writing the memorandum is for as the commission to study it, and use source of the data for the constitution and I think you have done an excellent job with your group. Next one is Jonathan Kosgey. Jonathan Kosgey ametoka? O.K. Akija mtaniambia. Johnstone Barmakoni Kathenge, I think you are one of the CCC members? Karibu.

**Johnstone Barmakoni Kathenge:** Mimi naitwa Johnstone Barmakoni Kathenge, na nafanya na watu wa commission kama CCC member. Yangu kwanza ni shukurani kwa CKRC na commissioners wote kufika hapa Arror, Kerio Valley siku ya leo. Na pia kwa Co-ordinator kwa kupanga Marakwet kwa jumla tuwe na centres tatu. Kwa sababu kulingana na hapa, hapa area hii nyinyi leo mulijionea, tuko na tobokrab yake, watu wa Kapsowar hawataweza kufika hapa Arror, hata watu wa Kapchorop. Tuko na sections tatu, katika Marakwet. Watu wa Kerio Valley, na watu wa Escarpment na watu wa Highlands. Kwa hivyo tulisema asante sana, tulipona programme yenu, vile mulikweka, tulijua kweli munajua Marakwet iko na problems nyingi. Kwa hivyo yangu nataka kuchangia.

Kwanza ni mambo ya security. Mambo ya security, sisi watu wa Marakwet kwa miaka mingi sasa ni miaka kumi, watu hawalali kwa manyumba. Watu commissioners tunataka sheria hii, kama itakua sheria ya ukweli, itengenezwe sheria kabisa, hasa sisi watu wa Kerio Valley hapa. Karibu 90% ya District hii, mpaka huko Kapcharop mbaka Embogut, watu hawalali kwa nyumba kwa sababu ya illegal firearms. Pia kwa sababu ya legal, ile serikali walipatia watu kama home guards. Na tulishangaa kwa nini serikali walipatia watu waje wajikate hapa. Wa Baringo District. Kwa nini walipatia Home guards? Ndiposa walipopata home guards wakafanya training, wakapata tena ile illegal firearms. Tunataka kuomba kabisa sheria itengenezwe ili kuangalia mambo ya illegal firmarms na pia hata mimi nikisimama hapa nimepoteza watu, nimepoteza mali na property. Tunataka kuomba serikali compensation, sisi tulipwe, wale walikua affected wote, tulipwe mali zetu, na wale watu waliuawa na properties. Hata sisi tulichomwa hapo Murikitwa. Kwa hivyo properties, sisi tulipwe na serikali, ama sheria itengenezwe, watu wa Marakwet walipwe mali yao.

Ya pili ni mambo ya lands, hata kama rafiki yangu ameongea. Hapa mambo ya land kwa Kerio Valley, karibu kwa wa-Marakwet kwa jumla, hata mnasikia watu wanapigana huko Imbogut, juzi kwa magazeti, ni mambo ya mashamba. Hii mambo ya Trust Land. Mambo ya communal. Tunataka kuomba serikali, kama itawezekana, wafanye demarcation kwa zile mashamba za communal, na tupate title deeds. Pia individuals wapate title deeds. Ili mambo hii ya watu kupigana watu ya Misop pande ile na watu ya upande huu, ishe.

Pia mambo ninataka kuchangia ni mambo ya environment and natural resources. Sisi Wa-marakwet saa yote munasikia Wamarakwet wanataka hata kupata maji. Sisi huenda huko upande wa Eldoret kwa sababu watu wanakuja tu kuteka ile maji yetu upande huyu, na kuchukua kwa District ingine, bila kupatia County Council ya Marakwet hata 30% peke yake ya pesa za maji.

Pia mambo ya forest. Sisi kama mutazunguka area hii yote, watu wa Marakwet kweli wako na bahati. Mwenyezi Mungu ametusaidia sisi, tuko na karibu 75% of Marakwet is forest land. Na watu wamechungu kabisa. Tunaomba hii forest hii, kila kijiji, ama kila Location, wapatiwe kama zamani kuchunga misitu yao. Kwa sababu tumeona pande ile ya Kapcharop, watu wanakuja kukata kata yale misitu, na ni serikali wenyewe ndio wanasimamia. Tunataka watu community wenyewe wapatiwe ruhusa wa kuchunga hayo misitu, na serikali wawe supervisors peke yake.

Pia wazee wetu wa zamani, mambo ya misitu, walikua wananchunga, na wanatengeneza hii PI's. Pia kuni, pia ngombe kuingia ndani wanyama. Tunataka kuomba serikali, bora tusikati ile miti, bado inamea, wamama waende misituni, walete kuni, wazee waende mistiuni, kutengeneza mambo yao ya asali, pia ngombe waende ndani ku-graze kwa sababu tuliona kutoka zamani, hata wazee wangekua hapa wengi, walikua wanasema tulikua tunachunga misitu hii, na kwa nini tunafukuzwa, tunachomewa manyumba, na hatujaingia ndani, na serikali wenyewe wanakata miti na kupeleka kwa factories, saw millers.

Pia ya mwisho, mambo ya Majimbo. Sisi tunaomba kabisa tuwe na Regional Government na Central Government. Ili sisi watu tuende Eldoret kama ni mambo ya title deed kama ni mambo ya nini, iwe karibu kwa sisi. Watu wengi wameumia wakienda huko Nairobi kutafuta document. Kwenda huko unapoteza mali mingi unambiwa hakuna, lete kitu kidogo namna hii, leta kitu kidogo namna hii, tunataka mambo ya Majimbo, tuwe na governor, tuwe na President, tuwe na Prime Minister na powers pia ya President, ipunguzwe. Inginge iende kwa Prime Minister, ingine kwa President, ili mambo hata hii ya security itakua mzuri. Yule mwingine akikosa anambiwa "Kwa nini munafanya namna hii?" Kwa hivyo tunaomba serikali, na hii sheria itengenezwe namna hiyo.

Ya mwisho ni mambo ya local government, na Legislature.

**Com. Raiji:** Hiyo ndiyo ya mwisho?

**Johnstone B. Kathenge:** Hiyo ni ya mwisho. Tunaona sana MPs wanajiweka salaries za juu, na wanasahau councilors. Kwa nini? Na tukiangalia tunambiwa hakuna pesa. Tunataka board ile itasimamia hii mambo ya salaries. Na pia yule MP ambaye anakuja nyumbani na councilor yule ambaye anaenda nyumbani, wananchi wapewe authority to recall, na sisi tunafanya By-elections. Asante sana commissioners.

**Com. Raiji:** Asante sana Johnstone kwa hayo mapendekezo yako. Kimaiyo J. Chesaina. Bwana Kimaiyo? Ako ama ametoka? Karibu.

**Kimaiyo J. Chesaina:** Asante sana, yangu ni machache ingawa Bwana Kasenga amesema, mimi nilikua na gusia tu hiyo kidogo ya hii mshahara juu ya Wabunge. Hiyo ndio nilikua nagusia. Nikisikiza radio nikisikia Mjumbe, mtu anaenda Bunge wiki

mbili, unaona anatembea na BMW, anatembea na Mercedes, hata mwezi haijaisha, na kule wale vijana walienda kama (inaudible) kujifunza kuchunga ngombe na mpaka wa sasa, hawajapata kazi.

Kuna wale walimu wanaenda kwa hii Ma-teachers college, hawana kazi. Na hii yote tumeshugulikia. Kile ningependa kugusia sababu Bwana Kasenga amesema hiyo ya mishahara ya Wabunge, ningegusia tu kidogo kama ingewezekana serikali, waangalie- kuna hii ma-ase ndogo ndogo ya nyumbani, hawa Ma-jduges ama Ma-magistrates watembelee watu huko kwa sababu sehemu hizi zetu, kama kuna sheria itengwe watembele watu kwa sababu katika hii Wilaya ya Marakwet kuna ile mabarabara haipitiki. Haswa mtu anatembea siku tatu ndiyo apate station ya kupandia matatu. Kwa hivyo ningependa kugusia hiyo. Pia sheria kama hiyo itengenezwe watembele mathubuti.

Na ile ningependa kugusia sana, naona sisi kama vijana tumenyanyaswa unakuta mtu, kama MOH unakuta mtu anakaa Nandi District na anafanya kazi katika Wilaya ya Marakwet, anachukua ile Pajero amepewa na serikali, ana-operate asubuhi na jioni kwenda kwake. Sijui kama kuna sheria, hii mafuta anaweka, ni yake ama ni ya serikali? Ningependa kugusia kitu kama hiyo. Ikiwa kuna sheria itengenezwe na iangalio hiyo sana. Kwa hivyo yangu ni hayo machache, mimi sina mengi ya kusema, nawashukuru.

**Com. Raiji:** O.K. Jiandikishe hapo Bwana Kimaiyo, tumeshukuru kwa hayo maoni yako. Benjamin Kisang? Bwana Kisang? Benjamin? O.K. Kama hayuko Francis Chelanga? Kribu Francis.

**Francis Chelanga:** Mwenye kiti Commissioner, Commissioners wenzako, na wananchi. Mimi niko na mambo sita. Ya kwanza ni kuhusu mambo ya usalama. Majina ni Francis Chelanga. Nimesema hapo awali nitajishugulisha na mambo masita hivi. Ya kwanza ni mambo ya usalama. Ya pili ni mambo ya ofisi ya Rais, ya tatu ni ofisi ya Makamu wa Rais, ya nne nitaongea juu ya mahakama, nitaongea juu ya Bunge, na utumishi wa Uma, halafu ya tano nitaongea juu ya amendments katika constitution, halafu nitaongea juu ya kufungua ofisi moja ambaye itashugulika na mambo ya raia. Halafu mwisho nitaongea juu ya mambo ya elections za Parliament na ya Urais.

Mwenye kiti Commissioner, kwa mambo ya security, hapa kwa Kerio Valley tumekua na shida kwa miaka kumi ambayo imepita. Imedhuru mambo mengi. Mambo ya elimu imenda chini, watu wamekimbia mashamba yao kwa mahali ambapo wanafikiria kuna usalama. Na kwa sababu ya hayo watu wamepata umasikini sana. Serikali imejaribu kutuma security personnel to the ground, lakini wamejaribu wawezavyo lakini yale ambayo wamefanya, hawajafanya ya kutosha. Kwa sababu hawa security personnel wengine wanatoka sehemu mbali mbali lakini wakipelekwa jangwani inaonekana kazi inakua ngumu sana.

So, mimi ningetaka nitoe recommendations kama yafuatayo. Moja, kuna security ambao wako kwa ground, na kwa mara mingi sana, hawafanyi kama vile security personnel wanapaswa kufanya. Na mimi ningesema ya kwamba, ama ningeonelea ya

kwamba, security personnel on the ground, watumie uwezo wao wote, wahakikishe ya kwamba wale wakora ambao wanawaibia watu mali zao, wamemalizwa kwa sababu hawa wamewaletea watu shida mingi sana, na ukienda kwa Windani, hao ni watu wachache sana, na sioni maana ya serikali kuwa na watu kama hao.

Pili, kuna wale ambao wanaongoza hawa personnel katika ground. Na mara nyingi sana wanasema hawajapata order kutoka juu. Lakini wakati wanaposema namna hiyo maisha ya watu imekwisha, mali yao imechukuliwa, na vile vile angalia anasema hawajapata order kutoka juu. So, mimi ningependekeza ya kwamba, security on the ground be given all the powers to crash all the culprits bila msamaha wowote.

Halafu, hao security personnel wakikosa kufanya vyenye wameambiwa, yule Commanding Officer on the ground adhibiwe. Kama ni kumalizwa kwa kuondolewa kazi ni sawa sawa. Isitoshe hapo, serikali itajibika kulipa kwa maisha ya watu ambao wamepotea. Serikali itajibika kulipa mali ya watu ambayo imechukuliwa na hao wakora.

Kwa ofisi ya Rais, commissioner Chairman, ningependekeza ya kwamba, ile sheria ya President awe elected directly by the people iendele. Ningependelea kwamba kabla hajakua President awe Member of Parliament. Na akitaka kutafuta urais, atatafuta, halafu mwishowe atatafuta kura kutoka kwa wananchi halafu baada ya kuwa elected president, atajiuzulu, asiwe tena Mbunge, awe President wa Kenya kwa sababu tumeona mambo mengi, pengine resources zinaenda mahali moja kwa sababu mtu Fulani ni president na MP wa mahali Fulani.

Commissioner Chairman, ile term mbili ya miaka tano, iwe miaka kumi, mimi ningependelea hiyo iendele kwa ofisi ya Rais, halafu pendekezo lingine ni kwamba, Rais akifanya kosa, crimes of very high order, there is no question of saying that the President is above the law, afikishwe kortini. Jambo lingine ningetaka niseme ni kwamba Rais awe mtu ambaye asiende zaidi ya miaka sabini.

Kwa ofisi ya Makamu wa Rais, ningependekeza hapa ya kwamba, Vice President awe a running mate of the President, yaani Party iwe na President na Vice President na wote wanapigiwa kura na wananchi. Hii itahakikisha ya kwamba, incase of death of that President, in case of incapacity, the Vice President takes over na ningependa chama ambacho kinachotawala kwa wakati huo, kiwe ni chama ambacho kitaendelea, ama wamalize ile mwaka ambayo imebaki. Kama ni miaka miwili, itakua ni sawa sawa, hakuna haja ya elections kwa sababu elections are very expensive.

Ya tatu, Makamu wa Rais awe leader of government business katika Bunge. Halafu nikiongea, nilikua nimesema mambo ya mahakama. Our Judiciary should be independent. Iwe na uhuru. Na ningependelea kama neno hili *Non prosequere* liondolewe katika dictionary ya Lawyer ya Advocates kwa sababu hiyo kitu imeumiza watu wengi sana. Mtu amefanya mambo yake, una ona kweli huyu amefanya jambo hilo, lakini mtu mahali Fulani anasema he is entering a *non prosequere* in that case lakini hili ni jambo ningetaka liondolewe kabisa.



Kwa ma-officers wa mahakama wale wakubwa wakubwa the Chief Justice na kadhalika, this one should be appointed by the Judicial Service Commission and then majina yao yanapelekwa Bunge, Wabunge wanagalia maisha yao, masomo yao yalikua namna gani? Are they with criminal records or not? Halafu majina matatu yapelekwe kwa president for official appointment.

Halafu jambo lingine kuhusu mahakama ni kwamba watu wamekua na wasi wasi. There should be a tenure, a security of tenure of office for these big officers, the Chief Justice, the Attorney General, ili wafanye kazi yao bila kua na wasi wasi. Kwa ubunge, ningetaka kusema ya kwamba Wabunge wawe independent. Wawe na uhuru ya kujiamulia mambo yao wenyewe.

**Com. Raiji:** Two minutes.

**Francis Chelanga:** Parliament iwe na calendar yake. Halafu ningependekeza, there is lack of quorum at times kwa Bunge na ningependekeza register ya Wabunge, kama ya watumishi ya uma iwe pale, so that mtu akikosa kosa, aki kosa kosa watu wake wanambiwa huyu Mbunge wenyu hakuji kwa Bunge. So mambo ya Executive it should be independent. The big officers to be appointed by the Public Service Commisison, the names vetted by Parliament and appointed by the President. They should also have security of tenure of office.

Halafu kwa mambo ya amendments to the constitution, ningependekeza hapa Wabunge wawe 90% kusema ya kwamba “tunataka kubadilisha hii”. Halafu kama inakua ngumu, wananchi wenyewe wawekwe kwa referendum, and 50% kwa wale ambao watakubali itakua ni sawa sawa.

Halafu kuna ofisi moja Mheshimwa commissioner ambayo ningetaka ianzishwe kwa District. This is office of the protector of the common man. The office of the Ombudsman. Halafu raia wakiwa na nafsi yao, ama wakiwa na malalamiko yao, wanaenda kwa hiyo ofisi na kumwambia kuna mambo ambayo namna hii, kwa sababu tumeona mara nyingi, administrators wanakua kama simba. Askari wanambiwa huyu mtu atoke kabisa, so kama tungekua na ofisi katika kila Wilaya, ya kushugulika mambo ya common man, halafu it will be the responsibility of the government kuchunguza kama hayo maneno ni kweli ama ni uongo and infact we have a government network.

**Com. Raiji:** Please make your last point your time is up.

**Francis Chelanga:** That is the office of the Ombudsman at the District level. Hii ni ofisi ambayo raia wakiwa na shida shida, wanaenda kule, kwa sababu wakienda kwa ofisi ya DC kama nimesema, maofisi ya DC, DO, wanakua kama simba.

Halafu, mwisho, mimi ningependekeza elections kama yafuatayo. Kuna elections ya Parliament na civic, halafu President awe elected baadaye. So two different elections, one for Parliamentary and civic and the other one for the Presidency. So thank

you very much.

**Com. Raiji:** O.K. Asante sana Bwana Chelanga kwa hayo maoni tafadhali jiandikishe hapo na utupatie, lakini kuna swali kidogo kutoka kwa commissioner.

**Com. Wairimu Muigai:** Asante sana Bwana Chelanga, mimi ningetaka kujua hii uchaguzi wa President na uyu wa MP, ungetaka iwe baada ya muda gani?

**Francis Chelanga:** Ningependekeza ya kwamba, mambo ya elections iwe in place halafu hii ya Parliament na ya ma-councilors, iende kwa karibu mwaka moja, halafu ya President ikuje baadaye. One year.

**Com. Raiji:** O.K. Asante, sorry there is another question.

**Com. Ratanya:** O.K. Francis, kuna ingine hapa ya kuhusu Vice President. Umesema kwamba Vice President anaweza kuchukua President akiondoka kwa sababu yoyote. Kuchukua automatically ama with elections?

**Francis Chelanga:** Hapo awali bwana commissioner nilikua nimesema kwamba, wakati wa elections, president wa a certain party awe na Makamu wake wa Rais. Na wale ambao wanapiga kura, wanaweza kua na uhuru wa kumpigia huyo au hapana. Halafu baadaye hili- president akifa, huyu tu anaweza kuchukua automatically bila kua na wasi wasi, nani atachukua serikali baada ya huyu? Nani atachukua serikali? Ya, bila elections. Halafu for the remaining term of office kwa hiyo party, huyu anaendelea mpaka inakwisha. Kama ni mwaka mmoja, amaliza mwaka mmoja.

**Com. Raiji:** Asante, asante. Thank you very much. The next one is Anthony Chepkwon. Anthony karibu.

**Anthony Chepkwon:**Asante sana Bwana Commissioner kwa kutembelea sisi watu wa Kerio Valley. Kwa kweli nchi hii ni nchi nzuri sana, sehemu hii n sehemu nzuri sana. Napenda kusema nchi yetu ya Kenya, nimeweza kutembea, ni nchi nzuri sana, hakuna mahali unaweza kulemewa. Na ningependa kusema mimi ninataka location ya Chesumani. Na hii location inaonekana maendeleo yako nyuma sana. Na nikijaribu kuangalia na kuwaza kila siku, ni kwa sababu sana serikali imeacha nchi hiyo kabisa. Na hata mimi nashangaa kabisa, nikijaribu kutembea sehemu kama Nairobi, ninaona sehemu ambayo iko slums, na watu ni wengi sana ambao – tunashangaa ni kwa nini wako wengi? Ni kwa sababu imendelea sana. Mimi ningependa kuongeza kusema kwamba, tumebaki nyuma kwa sababu serikali haiangalii, haiangalii hali ya kuongoza uchumi.

Nikiangalia kuhusu Wabunge ambao walienda parliament kutoka tupate uhuru, hawajaweza kuangalia sehemu kama hii, tujaribu kuangalia ni kwa nini. Na nikaona kwamba tumekosa mzalendo. Uzalendo.

Ya pili ni kwa sababu vile serikali yetu – ninafahamu kwamba wakati Kenya ilipata uhuru, na kabla ya kupata huru, tulikua na

nchi ambayo iliongozwa na Majimbo. We had a type of federal government na wakati huo, tulikua na provinces kama tunavyo elewa ni nane, na ninafahamu kabisa kwa sababu gani wale watu walijaribu kuangalia mambo ya Majimbo ama regional. Ni kwa sababu inawezesha watu wa sehemu Fulani waendele kimaendeleo. Na baadae nikaono kwamba, hiyo mambo ya Majimbo ikaondolewa, tukawa na serikali ya umoja. Central Government, ambayo inafanya kazi yake tu bila kupatia uwezo watu wa chini, na ninaona sana waongozi tu wote wanakimbilia kuangalia mambo ya Central Governemnt na ma-resources zingine haziwezi kuangaliwa tena. Ikawachwa kabisa.

Hata hivyo, tukaona uchumi ukiendelea chini kwa sababu watu wachache tu wanafanya kazi kuzalisha mapato, na wale wengine tu wanabaki kuomba. Na ni kwa sababu serikali haikuweza kukazia mambo kamili vile jinsi ya kuendelea ama vile mambo yatakavyo tekelezwa. Na hapo sasa mimi ningeomba kwamba, tuwe na serikali ambayo ni ya Majimbo. We want a federal system of government. Nataka serikali ambayo iko na president ambaye anasimamia mambo ya nchi, na baadaye tuwe na serikali ya region, ambayo inasimamia mamlaka yake.

Tunataka president ambaye sio kazi yake kwenda huko Parliament na kuongea mambo ya Bunge. Lakini tuwe na president ambaye anakaa ofisi yake na kutekeleza kazi yake vile kama mtu wowote wa serikali kama vile Ma-DC wanaendelea kazi zao. Na anaweza tu kuingia Bunge kama Bunge wakimhitaji yeye pale. Na kama kuna kitu anataka kuuliza bunge, yeye anaweza kuingia na kuuliza ili aweze kupata jawabu ili washauriane na Bunge. Kwa sababu wote wana- they really co-exist together.

Mtu ambaye atashughulikia tu mambo ya Bunge ni Makamu wake. Makamu wake atakua tu, akiwa Leader of Government business. Na vile vile tukikuja chini sana, tuwe na serikali ya Wilaya ambao wanapewa mamlaka yao. Wapewe mamlaka juu ya sehemu zao ili waweze kujiongoza wenyewe. Kuliko kutegemea yule ako juu. Yule ako katika kiwango ya national.

Na watu wetu sana wanataka elimu ya uma sana, kwa sababu kuna mambo mengi sana ambayo tunaona tusipo badilisha mwenendo wetu, hatuwezi kupata huru, unless we advocate for liberty, it is easy to fall. Watu wetu wanataka wasaidiwe sana waweze kujua umuhimu wa kujiongoza. Serikali wasaidie watu wao zaidi waweze kujiongoza kufikia familia. Kuwasomesha watoto, kuwafanya vijana wawe watu ambao wako na uwezo wa kusaidia nchi yao. Kwa sababu ile maneno ambaye inaendelea sasa, kijana mmoja anatakoka hapa akienda Nairobi akitafuta kazi hapati. Anatoka hapa akifikiria kuna kazi kule Kericho, hapati. Hata akipata haiwezi kumtosha yeye, na kumtosha familia yake amabo yeye aliacha nyuma.

Kwa hivyo nawasii wote tujairibu kuamka na kujikokota na tuwe na katiba mpya na tuishi katika hiyo katiba na sote tuamke na kushughulikia katiba. Asante.

**Com. Raiji:** Iko swali moja tu Anthony.

**Com. Ratanya:** O.K. Bwana Anthony umesema kwamba President asiende Parliament. Asiende huko katika Parliament. Hapo, nikumaanisha kwamba asiwe MP ama awe MP ambaye haendi Parliament na akilishwe na Vice President? Kwa hivyo just clarify that.

**Anthony Chepkwon:** Ninataka kusema, President asiwe MP. Achaguliwe tu na watu kama President. Asiwe MP.

**Com. Raiji:** Asante sasa tumepata jawabu. Tafadhali jilandikishe. Father Nyongesa? Karibu.

**Fr. Constand Nyongesa:** Asante sana commissioners wetu. Yangu itakua ni kama kurudia yale yenye tayari washazungumza. Naitwa Father Constand Nyongesa, Parish Priest wa Aroru Catholic Church Aroru.

Yangu ni hasa katika area ya arid au semi arid areas. Mahali ambapo watu wengi au wenyeji wanaona ya kwamba serikali ile wanajua ni Kanisa, siyo serikali yenye wanasikia. Hasa kama area hii, serikali tunajua iko Nairobi, lakini serikali yenye iko hapa ni serikali ya kanisa na Non Governmental Organizations. Ndiyo tunataka pengine katiba ifae watu wote. Sio wale tu wenye wanaishi pengine areas zingine na lakini wale wanoishi kama semi-arid areas serikali inawasahau.

Jambo la pili ni kuhusu hali ya kimila. Pengine ingefaa katiba ile ambayo inaonyesha mila zetu vile zinavyo endelea katika katiba yetu ya Kenya. Kwa sababu kuna-confusion kati ya kimila na hali ya kanisa.

Kama tunavyokumbuka juzi president vile ali-announce ya kwamba hakuna mambo ya FGM mahali popote au nchi nzima. Lakini kwa sababu ni kimila yetu wengine wanasema “ah! Ah! Hiyo ni maneno yake, sisi tutaendelea”. Kanisa sasa tunakua katikati tunashindwa tutaelezea watu nini. So, tuwe na katiba ambayo inaelezea watu kimila yao, na kanisa tutaendelea kiviipi.

Ya tatu, katiba tena ituambie hali ya inter-domination. Tuko na denominations nyingi, kuna freedom of worship, sijui kama ni hali ya kikatiba, lakini inafika mahali ambapo tumekosa hali ya hesima. Hasa area kama hii ya Marakwet, kanisa hasa tuseme denominatin ya Ki-catholic ambao wamefanya kazi nyingi, unakuta saa hii, makanisa mengine wanakuja na kuanza kutukana, hakuna kitu wamefanya. So, katiba pengine nayo uki-iheshimu mali penye – kama hiyo kanisa, denomination Fulani imefanya hiyo kazi, waheshimiwe kuliko kutukanwa na hali hao ndio wamesaidia kazi kuliko areas zingine.

Ya mwisho, nafikiri ni mmoja wetu aliongea, sijui ndiye anatiwa Kathenge, alisema mambo ya security. Alisema kama hii constitution ni real, sasa sijui pengine tunapoteza wakati, sio real au - alikua anasema kama ni real, security tunataka iwe katika area ya Kerio valley. Asanteni sana.

**Com. Raiji:** Niko na swali Father. Kwanza kwa sababu labda ya kua hujagusia hilo jambo kwa sababu tunandika katiba mpya sasa, hii mambo ya mashule ambayo yalikua yakisimamia au yanasimamiwa, yanakua sponsored na makanisa, sijui labda

nyinyi kama kanisa mko na maoni Fulani mungetaka tuyafikirie kuhusu uhusiano wa haya mashule ambayo mume-sponsor na ile kazi ambayo inaweza kufanywa na serikali. Uko na maoni yeyote ambayo ungetaka tufikirie?

**Fr. Constand Nyongesa:** Kanisa imejenga mashule, wamekuwa sponsored, lakini inafika mahali serikali sasa vile imechukua mashule mengi, ndiyo unaona hasa kwa wakati huu, tena kanisa imeanza kujenga private schools in each Parish, so nikuonyesha kwamba, ile kazi yenye walifanya, serikali haiku-appreciate. Sasa ndio wananza ili wajenge private schools ndio waone ya kwamba wame-uplift the standards of education mahali pale. Sasa ndio mimi naona ya kwamba, serikali na ile kanisa yenye imefanya, serikali kulingana na constitution, iheshimu kazi yenye kanisa ilikua imefanya zamani. Salome uko na swali?

**Com. Salome Muigai:** Asante sana Father. Mimi ni getaka kusikia your concrete proposals . mapendekezo ya kanisa, juu uhusiano kati ya serikali na kanisa, ili ingie katika katiba. Hizi heshima zenye unasema serikali ipatie kanisa, na makanisa nyengine yapeane yenyewe. Tungeyaweke aje kwa kikatiba? Ikiwa ni swali yenye hujafikiria wakati huu, sio lazima unipe jawabu wakati huu. Lakini kama kanisa tungetaka mtupe maoni na mapendekezo very concrete ya uhusiano kati yenu kama makansia tuofauti, na pia uhusiano kati ya kanisa na serikali kama partners in development, kwani hao ni washiriki kwenye maendeleo ya mtu binafsi, kwani mtu ana anaserikali na ana kanisa yake, na maendeleo ya nchi nzima.

**Fr. Constand Nyongesa:** Ya kwanza kuhusu hali ya makanisa, different denominations, heshima yenye ninasema ni kwamba, hasa kama sisi wa-catholiki, tuna Sali, na tena tunangalia mambo ya kiroho na ya kimwili. Lazima tujenge huyu mtu shule, tujenge hospitali, ili huyu mtu akigonjeka anatibiwa, na asiwe mjinga aende shule, na tunajenga mahali penye anaenda kuombe. Lakini hawa wengine, mambo yao ni bora umeokoka, umekubali Kristo kuwa Mwokozi wa maisha yako, hata hakuna haja ya shule, hakuna haja ya kanisa, lakini unakuja kutukana ile kazi yenye huyu amefanya tayari. Kwamba hawa hawokoki, yeye ndiye ameoka aishi hapa, sasa hiyo ndiyo heshima nilikua na sema, kama ingekua ni hali kwa constitution, kila mtu aheshimu mwenzake ya kwamba ni Mkristo.

**Com. Raiji:** Swali ingine Father.

**Com. Ratanya:** O.K. Father Nyongesa kuna swali ingine. Hapo uhusiano katika serikali na churches. Hiyo hiyo point. Unajua sasa tunarekebisha Katiba. Na tuna katiba sasa ambayo inaendelea na kazi. Baadaye pengine katiba mpya itakuja ikiwa imerekebisha hiyo ya zamani. Constitution ya zamani ina freedom of worship, na hiyo ndiyo tunajua ina-cover mambo yote ya kuonyesha kuomba Mungu na worship yote. Na constitution ambayo tuna-review, kutoka ile ya kwanza, ni makosa gani unaona ile ya kwanza, ili tukienda kwa hii, hii tunafanya sasa, turekebishe, ili kuwe na uhusiano mzuri katika makanisa na serikali? Kama hiyo freedom of worship imekua infringed kama mambo ingine.

Kuhusu hali ya freedom of worship, umesema hapa kutokana na hii customary law and maybe culture. Serikali inasema mambo ya circumcision of women, na pengine ina-contradict. Unataka kusema kanisa inasemaje? Yaani maoni ya kanisa, maoni ya

wananchi na serikali? Yaani maoni na kanisa hata ingawa hiyo si point yako ya leo, maoni yako.

**Fr. Constand Nyongesa:** Asante sana. Haswa swali ya kwanza kuhusu freedom of worship. Watu wame-abuse hiyo freedom of worship. Sijui tunaita kama ni abuse ama tunaweza kuita aje. Kwa sababu tumekua mpaka kuna mambo ya devil worship. Sasa mambo kama hayo yako kwa constitution au haiko kwa constitution? Ndiyo mambo kama hayo tunaona ya kwamba, freedom of worship kama iko kwa constitution walisema kila mtu abudu vile anataka, na ingine imefika mahali na imeingia kwa mashule zetu. Watoto wetu wengi saa hii wameharibika kwa sababu ya mambo ya devil worship. Sasa kitu kama hicho ndicho tunaona ya kwamba, mimi kwa upande wangu singependa kuwe na freedom of worship ambayo kila mtu anakuja na mambo yake.

Ya pili kuhusu hali ya culture au kimila, sisi kama kanisa, unajua wanasema mkosa mila ni mtumwa. Mtu lazima uwe umelewa kimila yako, lakini kuna mila zingine zile ambazo sio nzuri. Kwa maana sasa kama Wafrika enyewe wakati neno la Mungu lilipotufikia, lilikuta kama sisi Wa-afrika tuko na mila zetu. Na hali saa hii kuna confusion sasa katika hali ya kimila na mambo ya kikanisa au mambo ya Kimungu. Mtu amekua kama chura katika maisha yake. Jumapili ni Mkristo, lakini kuanzia Jumatatu mpaka Ijumaa, yeye anaishi katika hali ya kimila. Sasa ndiyo tunataka constitution ili ile constitution yenye mtatupea, kanisa na serikali au na kimila sisi tuwe tunaweza kufanya kazi pamoja, kwa sababu watu wanishi - upande moja ni Wakristo upande mwingine ni watu wa kimila. Hata mimi hapo sijui jinsi nyinyi mnaweza kutuwekaje ili tuwe inter-related.

**Com. Raiji:** Yes, nafikiri Ma-commisisoners – unajua sisi hapa tunakuja kupokea.

**Fr. Constand Nyongesa:** So, ndio nasema yetu kwa upande wetu tusema ya kwamba kanisa ina-advocate ya kwamba watu waendele na kimila, tuko na hiyo confusion. Kwa sababu Jumapili mimi nahubiria huyu Mkristo, lakini kuanzia Jumatatu mpaka Ijumaa yeye ni mtu wa kimila.

**Com. Raiji:** Ya, tumelewa asante sana Father. O.K. sasa, hii taratibu ya kurekebisha inasema ni lazima tuwahusishe wakina mama. Nimeona tangu tuanze hapa hakuna hata mama mmoja amekuja. Kwa hivyo mimi nitaruka hii list kwa muda mfupi ili tutafute wakina mama, hata tusikie maoni yao, kwa hivyo nitaruka list for a few minutes halafu tutarudi tuenelee, sasa wale ninaona na wajiweke tayari tuko na Sister Francisca Caesar, Jackline Maiyo nafikiri na Sister Edna Sambu na Sister Cresencia Atieno. Kwa hivyo tuanze na Sister Francisca, atafuatwa na Jackline Maiyo. Sister.

**Sister Francisca Caesar:** kwa jina mimi ni Sister Francisca Caesar. Mimi ningegusia ile area ya girl child education. Kwa hii sehemu yetu ya Kerio Valley, tuseme kwa mfano unakuta elimu ya wasichana iko bado chini, na ingekua maoni ya wale wamama wako hapa siku ya leo, tungeona hii katiba iangalie, sisi watu wa sehemu hii, wasichana wapewe sehemu kwa mambo ya elimu.

Utakuta kwa nyumba, kama kuna msichana na mvulana, kwa mfano, wakifanya mihani wa darasa la nane, utasikia msichana anambiwa angoje, halafu kijana anaenda form one, halafu msichana baadaye. Ama kwa sababu ya hii kimila yetu ya kutahiri wasichana, wakitoka kule, waneandaliwa kuolewa. Kuolewa mapema, halafu utakuta maendeleo ya nyumbani pale, hakuna wamama wanaweza kuenda huko mbele watuone halafu tuweze kupata kuinuliwa kwa wamama. Ndiyo unaona also mambo ya umasikini, kama wamama wengi hawajapewa nafasi ya kusoma, kwa ile elimu ndiyo inaleta shida, na hapo ndipo shule za mission zingepata nafasi ya kuingia. Kwa hivyo tunaomba hii education iwe privatized ndio makanisa iweze kushughulikia shule za wasichana ndio waweze kusoma.

Nikija hiyo sehemu ya FGM bado, hii wasichana, mila kutahiri. Hii sehemu ya wasichana kupelekwa kule kwa mila mapema, ndio inaleta shida. Na ningengezea, mwenzangu aliongea miaka ya kumi na nne, ya wasichana kwenda kwa hiyo sherehe, ningesema mtu afike miaka kumi na nane, ndio aweze kuamua ataenda kutahiriwa au la. Na kabla ya hiyo, aelezwe uzuri wake na madhara yake. Aelewe. Hiyo ndiyo maoni yangu ndiyo tuweze kuinua sehemu hii.

Sehemu ile ingine, ningegusia mambo ya mashamba, ingawa imezungumziwa, ningengezea maoni yangu ya kwamba, tumeishi katika Trust Land, ningepomba hii shamba ingawa kila mtu awe na shamba lake, individual title deeds, ndio ingalau wamama waweze kupata sehemu ya kujisaidia kwa mambo ya ukulima. Sehemu hii ni sehemu ya ukulima. Halafu waweze kupata nafasi ya kujimudu kwa mambo ya kifedha na inue hali yao. Hii ni sehemu ya matunda na wamama wakiwa wanaweza kuishi wenyewe, utaona hata hali ya kupeleka wasichana shule itasaidia. Kwa hivyo shamba kama imegawa, na katika title deed also ningepomba jina la mama kama ameolewa I-appear kwa title deed. Kama ni shamba la mzee, jina la mama li-appear kwa sababu kwa kimila, sehemu zingine tuseme mzee anachukuliwa na Mungu leo, kesho unasikia ndungu zake wanamwambia “rudi kwenyu, hii shamba ni yetu, tutakupatia unachotaka”. Kwa hivyo ningepomba jina la mama liwe pale ndio incase Mungu akifanya mambo yake, mama aweze kubaki akichunga watoto. Kwa sababu wale mandugu zake wakija wanachukua kila kitu. Hiyo ni maoni yangu.

Jambo lingine, ni mambo ya Kikanisa, mambo ya dini. Ningesema kwa hii katiba yetu, wakati wanafanya registration ya makanisa ama madhehebu, wanalie ama wale wanao fanya mambo ya registration, wachunguze ni dini gani. Sio kila mtu akiamka leo, nikikosana na ndungu yangu, naenda naanzisha kanisa langu. Nikikosana na mtoto wangu, ananzisha kanisa yake. Kanisa ichunguzwe motive yake, nia yake, na iko namna gani. Angalau kuwe na makanisa inayo julikana kwa sababu kuna makanisa mengine, majina ni mengi, hatuelewi tuko confused. Halafu unakuta kwa miaka mitatu umenda makanisa nne. Kwa hivyo ningepomba hii katiba yetu mpya, itueleze vizuri. yale makanisa yatakua registered, kuwe na mambo ya kufuata ndio kanisa iwe registered, iweze ku-qualify kuitwa kanisa.

Mambo mengine, niko na point moja. Mambo ya Mbunge. Mimi ningepomba Mbunge awe na ofisi yake katikati ya watu. Sisi tunaona Mbunge siku ile tunampatia kura na mpaka mwaka wa nne na nusu wakati anakuja kuomba kura zingine. Tungependa Mbunge, tunajua anaenda kule kwa Bunge siku tatu, tungependa siku mbili awe mahali pale, awe na ofisi yake, badala ya sisi



kwenda huko Kenya (Nairobi), Mbunge akuje hapa, tumukute hapa kwa ofisi yake nyumbani, na awe na kwake, na tujue boma lake. Na hiyo hivyo, na siku yake ijulikane. Tuseme kama hii constituency, tunajua wiki ya kwanza atakua ofisi mahali fulani, wiki ya pili na labda wiki ya tatu awe ofisi ya huko Kenya (Nairobi), huko juu. Halafu, hivyo hivyo kwa councilor. Councilor akae pale pale, sio kuja tu ofisi tu na kwenda. Councilor akae na watu, achaguliwe na watu, na awe na ofisi pale pale. Kila mtu akiwa na maneno ya kwenda kuona councilor, anajua ofisi ya councilor. Sio kwenda nyumbani kwake - ofisi. Hivyo hivyo kama ni mtu wa administration, chief, na Assistant Chiefs wawe na ma-fisi, mahali wanaenda kuonekana sio kwa boma lake. Awe na ofisi, mahali anaenda saa mbili mpaka saa kumi na moja. Anajulikana, na siku ile hayuko ofisi, kila mtu ajue. Hayo ndio maoni yangu. Ndio kama chief anaenda safari, wiki tatu, sasa hatujui ninani, kwa hivyo nikaona hiyo itasaidia wananchi kua pamoja na aite baraza mara kwa mara.

**Com. Raiji:** Asante sana Sister lakini nafikiri kuko na maswali, na tutanza na Commissioner Ratanya.

**Com. Ratanya:** Sister, nina mambo pengine mawili ya just kufafanua tu, kidogo. Hapa unasema kwamba makanisa yapewe jukumu ya elimu ya wasichana, sasa unamaanisha kwamba muache wavulani mkae na wasichana peke yao ama ulikua unasema mpewe hiyo pamoja na nyingine? Hapo haikua clear. Hebu nikuulize ingine. Pengine utakumbuka hiyo. Ingingine kumaliza ni kwamba mnasema MP awe na ofisi katika constituency. That is very clear. Na unasema aonyeshe boma lake. Hapo unamaanisha hata ajenge mji wake kwa hiyo constituency?

**Sister Francisca Caesar:** Awe na nyumba yake mahali panaitwa kwake. Ya kwanza ilikua education ya wasichana. Nilisema wasichana kwa sababu wavulana wamendelea sana. Kwa hivyo ningependa tuanzie na wasichana tuwainue. Sio kusema wavulana tuwache. Lakini wasichana wako nyuma, angalau wajaribu kuinuliwa kwa sababu wavulana wako mbele. Hiyo nilikua na maanisha sio kusema tuache wavulana. Lakini wasichana tuangalie wainuliwe wafike mahali. Sijui kama nimejibu yote.

**Com. Salome Muigai:** Isipokua nina maswali matatu kwako sister. Kwa hivyo ningetaka kukushuru sana kwa maoni haswa ya kina mama. Mimi kama commissioner wa kike nilikua roho imeanza kunidunda. Kuwa hatupati maoni ya kina mama. Kitu cha kwanza ningetaka utueleze kinaga naga ni early marriages. Hii kuolewa ya mapema. Unapandendekezo gani ili kwa umri wa kuolewa ili wasichana wapatiwe nafasi ya kuweza kusoma?

Jambo la pili ni kua umetueleza title deeds zikue na jina la mama na baba. Lakini pahali pengi Kenya, pahali tunapoita Kenya tukienda tunaambiwa kua hata hiyo shamba linapatikana kwa ajili ya kurithi. Na urithi mara nyingi unaenda kwa wavulana. Na hiyo ndiyo nafasi ya kwanza ya kumfanya mtu akapata nafasi ya kwanza ya utajiri. Ni hiyo urithi. Je, ungesemaje juu ya urithi especially kwa urithi wa hapa Marakwet vile unavyoolewa.

La mwisho nikuhusisha kina mama kwenye utawala. Umezungumza habari ya machief, umezungumza habari ya MP,



umezungumza habari ya councilor, hapa Marakwet sijui inaonekana lakini pahali pengi penye tumeenda, tumemkuta chief ni mwanamume, councilor ni mwanamume, MP ni mwanamume, kukiwa na Assistant Chief pia ni mwanamume. Ungeona tungewezeshaje kuwaleta kina mama kwenye uongozi?

**Sister Francisca Caesar:** Asante sana maswali ni mengi sijui kama nitakumbuka ya kwanza. Ya kwanza ilikua umri ya wasichana. Mimi nigeonelea maoni yangu, wakat msichana anafikisha miaka kumi na nane, at least atakua amefikiria umri wa kujifikiria, kujiamlia, na anaweza kuongelehwa. Munaweza kukaa chini muongee. Kama atamua mwenyewe, at least atajua anamua nini. Na kama wakati huo wote alikua akienda shule, atakua exposed. Yaani atakua amesikia mengi. Kwa hivyo akiamua atakua na idea anamua nini. Hiyo ndio tuofauti akiwa na miaka kumi na mbili, amepaanwa, na ngombe zinaingizwa kwa boma. Ishirini hivi. Hiyo ndio tuofauti. Hawezi kuuliza maswali, anaogopa. Hiyo ndio ilikua maoni yangu.

Ya pili, mambo ya urithi. Nilikua naona wamama wawekwe pale kwa sababu mara nyingi unakuta wamama hawana sauti. Maanake kama mzee amenda, amepotea hivi hivi haonekani, na anaenda huko anapiga bei ya shamba akiwa huko, mama hajui, anasikia tu mkiambiwa muhame. Kwa hivyo kama mama angekua na sauti, hata anaweza kwenda kuuliza hii shamba inauzwa namna gani na mimi ni Trustee wa hii shamba. Kwa hivyo ninaona kama jina la mama liko, hata mwenye kununua shamba, atakua na shida ya kupata hii shamba. Na kama mzee tuseme Mungu amemchukua, ama mama hayupo, at least watoto watajua hii ni shamba ya baba na mama ni shamba letu, siyo shamba la uko. Ndiyo nilikua nikiuliza, katiba iruhusu kuwe na individual title deeds. Mahali mama na baba ndio wanamua kuhusu hilo shamba.

Ya, kuhuzisha kwa uongozi ni ile nilisema tu, mambo ya wasichana kwenda shule. Bila elimu hawawezi fikia hiyo. Ndio unaona kama wasichana wamenda wakisoma shule kama tuseme shule za mission zile za wasichana watakua wameandaliwa. Lakini sehemu kama hizi, utakuta sehemu kama hizi ni ngumu sana. Shule ni zile tuko na mixed hapa, Kerio Valley isipokua tuko na moja kule juu na ni hali ya juu. Sasa tungekua na shule moja ya wasichana hapa, at least tunaweza kuwaanda waendele. Pale tunaweza kuwaanda, na wakimaliza form four, kuna matumanini. Lakini sasa hivi kama ni shule zile mixed utakuta mvulana aenda, msichana angoje school fees badaye. Kwa hivyo bila kupeleka wasichana shule, hata chief huwezi pata, na hiyo ingine kwa mambo ya uongozi, sisi – sijui kama ninasema ukweli ama uongo. Kwa sisi hapa, mama kusimama mbele kuongea kwa baraza ni mwiko. Ni ngumu. Hata wanakaa nyuma ya baraza wakiangalia sehemu ile ingine. Halafu baada ya kumaliza chief anasema *Chevyoso*, Mama moja asimama aonge kwa niaba ya wama wote. Ukweli ama uongo? Ndiyo, hiyo ndiyo inafanyika. Kwa hivyo huwezi kukuta mama anakaa hapa hivi. Akifanya hivi sio mzuri.

Kusema chief, it is un-heard of. Ati unadena kwa ofisi ya chief na mama huko. Hakuna mtu ataenda kwa sasa hivi. Labda baadaye wamama wakisoma. Lakini kwa wakati huu tunasikia wanawake wanaenda kufanya interviews ya Assitant Chief na ma-chiefs for the first time. Wacha tuone kama tutapata mwaka huu. Asante.

**Com. Raiji:** Asante sana Sister. Msife moyo mahali pengine tumenda tulipokelewa na ma-chief na Assistant Chiefs wakina

mama. Hata Ma-DC muna-join na hata PC wako sasa. Kwa hivyo tukisomesha watoto wetu nafikiria hata hapa tutapata. Asante sana sister. Tungali tuko line hii ya kina mama, Jackline Maiyo? Sister jilandikishe. Munaweza kuzungumza tulisema hata lugha yenu.

**Jackline Kimaiyo:** kwa majina ni Jackline Kimaiyo, mwenyeji wa hapa na ningependa kusema kwamba, yale yote ambayo nilikua nayo yamesema na hasa sister mwanamke na kwa kweli naya unga mkono yote ambayo aliyasema. Hasa nilikua nigusie umri wa msichana kutahiriwa ama kupaswa tohara. Na kweli naunga mkono, nilikua na wazo hilo, kwamba msichana hata kamwe, mzazi asiweze kumshawishi awachilie msichana uhuru. Kwa sababu msichana kwa mara nyingi katika sehemu hii ya Marakwet, msichana kishapaswa tohara akiwa msichana mdogo, ni rahisi sana hata kubebelezwa ama kusawishiwa kuoleka hara sana na hasa kwa upande mwingine, akiona akili imempungua kidogo, ana-defect haraka sana kuoelwa. Kwa hivyo wazazi wasijaribu hata kidogo kuwasawishi wasichana wao kupaswa tohara wawachiliwe mpaka hata umri huo usiwe kumi na nane, hata kama msichana aendele mpaka university na ajiamulie.

Ya pili, urithi wa shamba. Tunaona kweli kweli sana katika sehemu hii ya Marakwet, shamba la mzee, kama ni mzee wangu, ndungu yake anachukua ama bado inakua ya yule babu. Grandfather. Because it is still communal. Lakini kama ingekua demarcated halafu kila mtu apewe individual title deeds, kama ni jina moja, na jina la bibi liwekwe hapo, hakuna shaka yule bibi tu atachukua watoto wake. Kwa hivyo hakutakuweco na third party, kwamba ni ndungu yake ama ni nani. Kwa hivyo tunaliomba sana hiyo, mashama tupewe title deeds, halafu tuweze kuishi kwa maisha ya usalama.

Na tena, katika nchi yetu sasa, tunaona katiba ile ilikuweco, watu hawakua wakijua sana sana, na ndiposa hata unaona kina mama hawakua wanahusishwa na ranks za juu. Lakini sana, nafikiri ni lack of civic education. Sasa kwa vile hata elimu hiyo ya uma imeletwa mpaka grassroots, mpaka tumelewa, ni vizuri sasa katiba ya sasa iangalie sana, na hakuna – no obstacle for any woman to contest for anything, kama ni uongozi kutokea nyumbani mpaka hata ya urais, mpaka ngazi ya juu. Asante.

**Com. Raiji:** Swali. Sasa mama, tukiangalia hapa, tunaona tu wakina mama ni wachache sana. na sijui ni kwa sababu gani na lada ungependekeza nini, ili siku zijao tukiwa na shuguli kama hizi au mambo mengine ya kujenga taifa, wanawake pia wawe wakichangia. Ungependekeza tufanye nini? Ili tukija tusema kwa mfano hapa tena, tutaona hapa ni akina baba na nusu ni akina mama. Kwa sababu tulisikia sisi sote tuko sawa kwa wakati tulihesabiwa. Je iko shida gani, kwa nini wakina mama hawawezi kuhuduria hii kikao?

**Jackline Kimaiyo:** Asante. Shida ya kwanza ni lack of awareness. I think this is a problem that even goes to their spouses partners. Kama nyumbani kungekua na sharing, mzee ana mwabia mwenzake, bibi, ya kwamba kuna kitu kama hii. Sasa unaona kina baba wanachukua hii, sana sana hukumu, asili mia kubwa kwa upande wao, halafu sasa kina mama wanachwa na asili mia ndogo. Lakini kama ingekua uniform, lakini hii simaanishi kwamba wakati wa mafundisho wamama hawakua wanahudhuria lakini kuna bado ule unyenyekevu, yaani bado wanajinyenyekea kwa upande wa kina baba. Lakini natumai sasa

wale wamekuja hapa watachukua ujumbe, they create awareness so that next time they can be given the message.

**Com. Raiji:** Iko swali lingine.

**Com. Salome Muigai:** Asante sana mama Jackline Kimaiyo kwa maoni yako. Umetueleza kua kila upingamizi or obstacle kati ya wamama na ofisi yoyote yenye wangetaka iondolewe. Je, ungeona katiba ingeweza kuyaondoa haya kwa namna gani? Unaweza kupendekeza kitu gani yenye itasisitiza kua kina mama wamepatiwa nafasi za kutosha, kwenye huo uongozaji?

**Jackline Kimaiyo:** Nimegusia hiyo kwa sababu, ukiona kwenye communities zingine, kuna ile- say ya kwamba kina mama hawawezi kuwaongoza kina baba. Hiyo sasa iko katika tu community. Haiko kwa nchi na nimesema katiba ya sasa kwa vile itatoa hata hiyo, lakini pengine kule tena katika region ama community kutakuweko na kitu fulani lakini kuna nafasi ya kuendelea mbele bila kufungiwa. Asante.

**Com. Ratanya:** O.K. Jackline kuna swali lingine. Umesema kwamba wasichana wapewe nafasi ya kuchagua kutahiri ama kutotahiri. Wakifika wakati wa kuamua. Na kwa sababu tunarekebisha katiba ama kufanya sheria, ungeonaje area hii? Kama sheria ikitoka ya kwamba, eti hiyo mambo ya kutahiri wasichana isimamishwe kisheria?

**Jackline Kimaiyo:** Asante. Ikitokezea hivyo, katiba hiyo basi imetupilia mbali kabila ya mahali fulani, jamii fulani. lakini sitaki ikue namna hiyo sababu mtu mwingine anaweza ongea ya kwamba itatokezea sasa fujo. Kwa hivyo ni vizuri kusema mpaka awe mature, na mtu mature hata yule ananza kupiga kura ama kufanya nini, ni huo umri wa kumi na nane. Na hata anaweza endelea kuamua kutotahiriwa.

**Com. Raiji:** Asante sana Jackline, tafadhali jiandikishe hapo. Na nilikua nimesema tungali tuko na akina mama sasa. Sasa Sister Edna Sambu. Ulikua ukitaka kusema neno moja, mbili, karibu. Halafu Sister Crenscencia Atenio.

**Sister Edna Sambu:** Kwa majina naitwa Sister Edna Sambu, na nataka niongeze juu vile mama ameongea juu ya wasichana kutahiri. Niongeze neno moja kusema kwamba labda wasichana wakae waongoje ikifika muda kama hawa wanataka waolewe itakua muda wao sasa kutahiriwa. Kwa maana saa zingine tukitahiri wao lakini ikifika muda fulani, hao watakua na (inaudible) fulani sasa ninaonelea, wasichana wakae, ikifika muda wa kuolewa watahiri.

Na tena niko na maoni moja kuhusu transport. Ukiona katika nchi yetu ya Kenya, watu wengi sana wanakufa kwa ajali ya ajali ya barabara. Lakini ingeonelea kama sisi wanakenya tuweke katiba kua, kama gari imejaa, hakuna mtu wa kupanda ama tuseme kama ninaenda pahali na ninaona gari imejaa, ikuwe katiba ya kila mtu aseme sitapanda hii gari, ajali ya barabara itakua chache sana. Ni hayo tu yenye niko nayo. Asante.

**Com. Raiji:** O.K. Yule mwingine ni Sister Cresencia Atieno.

**Sister Cresencia Atieno:** Kwa majina naitwa Sister Cresencia Atieno, na asante sana kwa kunipa hii nafasi. Jambo la kwanza ambalo ningependa kuridia kwa maana nilikua nimepanga hiyo lakini nitarudia. Kulingana na kanisa, kuna mahali ambapo tunajulikshwa kuhusu kimila na kanisa. Na tukiangalia hapo, kimila ni kitu kizuri, na wakati ambapo tunaongea juu ya hii kimila na watoto hasa upande wa wasichana kutahiriwa, tunakuta kua makosa ni yetu. The mistake is ours because in our ancient times, our parents, they were not taking young children to be initiated into the a new life, they were waiting for the proper time and if at present here we are taking young children for this initiation right, then there is no need for us to blame the present government, so on the other part also, we as citizens of this area, tungeangalia nimakosa gani tumefanya ili watoto ama wasichana ama wamama wapate kujiendelesha vizuri, because if you study their culuture, they have their postive aspects about what they are doing, so the church recognizes what is good in the culture and what is not good the church does not accept it.

So it is our own responsiblity, the people of this area, to go to our culture, the proper initiation rights. If we compare with other places, we find that it is men and women taken for circumsision but not boys and girls, am I right? Ni ukweli? Example, upande wa Waluhya. Kama wanapeleka wavulana, ni kama watu wanaume. Sio wavulana tena. Tuko pamoja? So, we can go back to our olden times. Even our neighbours here, down that side of Baringo, they take their men, they don't take their boys. So, we can help each other to go back to that culuture and find that when we do the initiation rights, it is really jumping from another State to another. Then we will help each other, and we will not have conflict with the government and with our own culture. Secondly, this is another repetition, this is about the land. About title deeds. In this area, when you walk around the extension – because they wonder whether in future they will be all taken to another place and somebody else will come and take this place to occupy and do some business or to do other things which he or she is knowing better.

The other thing is roads. Within this region, the District, I don't think there is any tarmaced road and I wonder why there is no tarmaced road because from the higher authority, there are distributions on the side of Public Works but this area I have never seen a tarmaced road, so that area, I feel that from the constitution, it can be put that equal distribution of resources can take palce. I think that is all that I have, thank you.

**Com. Raiji:** Thank you sister. Jiandikishe hapo. Tungali tuko na akina mama. Nafikiri tuko na wawili wamejiandikisha nitawarukia halafu turudi kwa akina baba. Jane Michael? Yuko mama anaitwa Jane? Labda amenda kupikia watoto. Magdalena Tunoi. Karibu mama.

**Magdalena Tunoi:** (*In Marakwet dialect*) Kwa majina mimi naitwa Magdalena Tanoi, ni mama wa hapa. Nitazungumuza kwa kilugha.

**Com. Raiji:** Where is our interpreter?

**Translator:** Amesema ile maneno yote nimeyasikia hapa,

**Magdalena Tunoi:** *(In Marakwet dialect):*

**Translator:** Kuhusu mambo ya tohara, ameona watu wanakazia sana mambo ya kimila na ameshangaa tutafanyia nini.

**Magdalena Tunoi:** *(In Marakwet dialect):*

**Translator:** Kwa sababu akiona kabisa ukweli, unaona wakati watoto wanaenda shule, wasichana na wavulana, unaona akifika darasa la nane, kijana anapewa nafasi ya kuendelea katika secondary school halafu msichana anawachwa akifika nane. Na hata wengine unaona wasichana wengi wako nyumbani wakishika watoto wao. Wanakua wazazi na upande mwingine wako watoto. Sijui hii maneono inamshangaza yeye sana.

**Magdalena Tunoi:** *(In Marakwet dialect):*

**Translator:** Na hata wao wamama wako na shida kubwa sana, hata akijaribu kutoa maoni nyumbani, hata kama ni maoni mazuri, wazee pia wanapuuza. Hawaweki maanane. Na ukiangalia sana hata si hiyo peke yake hata wanapigwa.

**Magdalena Tunoi:** Ni hayo tu.

**Com. Raiji:** Iko swali mama.

**Com. Salome Muigai:** Asante sana Mama Magdalena Tunoi kwa maoni yako. Sasa sisi tungetaka utupatie mapendekezo yenye ungetaka. Umesema mambo matatu. Umesema wasichana hawapatiwi nafasi ya kwanza kwenda shule ya upili ama secondary school. Ungetaka kuona kukifanyika nini? Hilo ndiol swali langu la kwanza.

Swali la pili ni kua wasichana bado wanapata watoto wakiwa wenyewe ni watoto. Je ungetaka kuona katiba ikifanya nini ili iweze kukinga hili jambo lisifanyike?

Jambo la tatu umesema kua, kina mama hata wakitoa maoni yao nyumbani, wanapuuzwa. Isizidi, hata wanapigwa. Ungetaka katiba ifanye nini ili hili jambo lisiendeleo kufanyika hivi? Nimekuliza maswali mengi. Ni anze na lili la kwanza. Ungetaka kuona jambo lipi likifanyika, msichana na mvulana wakishamaliza masomo ya standard eight, ungetaka kuona kukifanyika nini, juu ya kuendelea kwa shule ya upili?

**Magdalena Tunoi:** Ningeonelea tu hawa wawili waende shule.

**Translator:** (*In Marakwet Dialect*) :

**Magdalena Tunoi:** (*In Marakwet Dialect*) :

**Translator:** Yeye amesema anataka katiba atoe usawa ya mvulana na msichana.

**Translator:** (*In Marakwet Dialect*) :

**Magdalena Tunoi:** (*In Marakwet Dialect*) :

**Translator:** (*In Marakwet Dialect*) :

**Magdalena Tunoi:** (*In Marakwet Dialect*) :

**Translator:** (*In Marakwet Dialect*) :

**Magdalena Tunoi:** (*In Marakwet Dialect*) :

**Translator:** Mama Magdalena amejibu swali hilo kwamba kitu cha kwanza ni katiba iondowe hayo maneo, yaani wamama ama wazazi wajitokeze kuwasaidia watoto wao, ili wasiendele kupata kuwa na maisha ya namna hiyo, wasipate watoto wakiwa watoto.

**Com. Salome Muigai:** Swali langu la mwisho ilikua amesema kua nyumbani wakitoa mawaidha yao yanapuuzwa, na hata mwishowe hata wanaweza hata kupigwa. Angetaka katiba iseme nini juu ya hayo mambo?

**Translator:** Nikimaliza ile ya kwanza pia, alisema ili wasaidie watoto zaidi, ni kwamba katiba iwapatie watoto hawa masomo ya uma.

**(In Marakwet Dialect)**

**Magdalena Tunoi:** (*In Marakwet Dialect*) :

**Translator:** So, amesema katiba iangalie kwamba mama sio mtoto tena. Mama ni mtu mzima.

**Com. Raiji:** Haya, asante sana mama, sasa tunarudi kwa akina baba pia. Joseph Cheserek? Atafuatwa na Richard Kitpoon. Joseph Cheserek.

**Joseph Cheserek:** Asante sana. Mimi naitwa Joseph Cheserek, mkaaji wa hapa. Mimi ninachangia hii sheria. Yangu ya kwanza ni security. Kama mnavyojua hapa katika Bonde la Kerio, iko matatizo ya security na sisi kama Wakenya, sisi tunasema tulipata uhuru na huo si uhuru. Kwa mfano, jamii zingine ambazo zinaletewa silaha kumua jamii ingine, hiyo si mzuri. Na sisi tunalia hapa, “Oh, serikali, Oh serikai”. Sasa sisi tuko na serikali na tunalilia serikali yetu, na hakuna hatua yeyote inachukuliwa.

Jambo la pili. Kama cattle rustlers wakiua mtu na akifuatiliwa hivi, na ashikwe, haswa kama ni jamii ingine, ahukumiwe. Angestahili hahukumiwe ya kifo. Sasa kama wewe ukiua mwenzako cha kugombania kitu kile ama lile, sasa hakuna kufungwa. Sasa hiyo -

**Com. Raiji:** Shall we have order please and listen to these submissions? O.k. Endelea.

**Joseph Cheserek:** Sasa hata hiyo ingestahili ichukuliwe hatua. Hatua si ya kufunga. Au serikali wakienda njia ingine hivi, sasa na wakishika yeye, ahukumiwe. Si eti hivi na hivi, ama jambo lile, asiende kulalamikia yule. Mwenye ameua mwezie, aenda na mwenzie.

Haya, jambo la tatu, President au vyama vyovyote vile, kama vyama zingine, bona sisi tunasema tuwe na uhuru? Na Presidential seat, sasa kama ni mzaliwa wa Kenya na akisema anagombania kiti cha urais, ako na uhuru kutembea pahali popote katika ili aonane na Wakenya wenzake. Aonane na wakenya wenzake, aombe kura. Sasa sisi tunasema we are democractic. Sasa na kama wengine wanazuilia wengine, is that democracy? That is not democracy.

Sasa mimi nikienda Kiamba, na hata naenda kujiombea kura, sasa kweli nikienda huko nanza kuambia “Wewe umetoka Marakwet wewe enda!” sasa, na mnasema tumepata uhur. Hiyo mimi nasema hayo, ipitishwe hiyo iwe sheria. Mtu anaomba kura yake atembe pahali popote apendapo, ili ajiombe kura zake.

**Com. Raiji:** One minute, uko na dakika moja.

**Joseph Cheserek:** O.K. Kenya, kama mimi nachangia kama hii. Hapa kwa Marakwet, hakuna barabara ya maana. Ili wakija kusema, “government will collect the revenue from the people”, and yet there are poor roads. Mpaka watengeneze barabara iwezayvo kama ingeliweze. Mpaka watengeneze barabara ili sasa wakija watasema “Sisi tumewatengenezea nyinyi bararaba, sasa sisi tunahitaji kitu kidogo” . O.K. Hata unaweza ukasema hivyo, so hilo ndilo neno langu tu, ninawashukuru.

**Com. Raiji:** Asante sana kwa hayo maoni yako. Tafadhali enda huko ujiandikishe. Sasa nilisema baada ya Joseph Cheserek,

nafikiri alikua ni Richard Kiptoon. Karibu Richard.

**Richard Kiptoon:** Asante sana. Kwa majina naitwa Richard Kiptoon, mimi ni mkaaji wa hapa, sehemu hii ya Arror. Hapa kuanzia, mengi yamesemwa na labda zingine nitaweza ku-stress kidogo. Nikiangalia kama sehemu ya shamba. Tunaelewa kua shamba hili letu la sehemu hii ya Marakwet linaitwa Trust Land. Na Trust Land tunaelewa inakua under County Council na hata tunambiwa hata ukitaka kuuza hiyo portion hata kama ulirithi kutoka kwa wazee wa zamani, hauna ruhusa ya kuuza. Kwa hivyo tunaona kua, ata naye sisi, tunahamishwa saa yote bila compensation. So tunataka kupitisha kua, tufanyiwe demarcation na kila mtu awe na portion yake ile anajua he is a legal owner of that portion. Tunaelewa kua haiwezi kutoka Trust Land mpaka individual straight away, labda ikuje communal land and then iwe individual owned.

Ya pili, nikigusia mambo ya usalama. Usalama hapa Kerio Valley ni mbaya sana, na katika Katiba ile ilikuwako, au yenye bado iko mpaka saa hii, inasema serikali inalinda mtu na mali yake. Saa hii tungetaka kujua kama haitawezekana kupinduliwa, iwe kua kama ingewezekana serikali ichunge mtu na mali yake, iendelee hivyo. Na kama hawawezi, afadhali waondoe. Sababu haina maana kua hapo kusema serikali inachunga mtu na mali yake, ilhali hiyo haiendelei.

Kulingana na security pia, kuna mapendeleo kidogo. Na elewa kua Home guards silaha zile zinapeanwa kwa watu wenye wanapakana kati ya Kenya na nchi zingine, na tunashindwa kabisa kwa nini tuko na home guards kati ya Marakwet na Pokot, au Pokot na Turgen, au Marakwet na Keiyo. Serikali kama wanashindwa sasa ku-provide security within, itamaanisha kua kesho serikali watanipea bunduki, na kupea ndungu yako tuchungane na yeye. So tunataka amri ya home guards ifutiliwe mbali kabisa katika nchi hii, especially within Kenya. Labda ifanyiwe kando katika sehemu za mpaka.

Ya tatu ni maneno ya disabled people. Tuko na shida sana kwa maneno ya employment. Kuna watu wale walemavu wanaweza kua wamenda courses na wako na courses, wakati wa kuandikwa kazi, naweza enda na mtu mlemavu kwa interview, na mimi napewa kazi kuliko yule, ilhali mimi naweza fanya kazi ingine. So ningependekeza serikali wajaribu kupeana priority kwa walemavu especially those who are skilled, maybe kupatana na hapo ni kua, serikali wajaribu kuanzisha miradhi ya kusaidia hawa.

Ingingine, ni maneno ya natural resources – environment. There is unfair distribution of the natural resources in Kenya. Kama vile mtu alikua amesema hapa awali, kua hata hatuna lami, hata hatuna nini na nini. Unaona kua sehemu zingine wako na vitu, the very necessary needs, the necessities, they have more than two, while others have not even received even one, or half. So we want fair distribution of the natural resources. We need at least the national cake to be in every part of Kenya.

Ya mwisho, ningetaka kusema juu ya courts. The Magistrate's court. Katika nchi hii ya Kenya, kuna watu wanaweza fanyiwa kosa. Kama rape cases, au wizi na nini na nini. Na unaona kortini inakua mbali na watu, such that watu wengi wana wachana na case yao, kwa sababu hawana fare ya ku-travel kwenda case kila wakati, especially maneno ya kuarisha kesi kortini imekua



hata askari yule alikua ana-escort mtu, anaweza enda ambie Magistrate, “Hii kesi, kwa vile naona sitafika nyumbani mapema, iairishwe”. Kesi inaweza airishwa for three months, ilhali hiyo case inge malizwa. Kwa hiyo naonelea kua hii Magistrates court iletwe karibu na watu. Asanteni.

**Com. Raiji:** Asante sana kwa hayo maoni yako. Sasa tuko na Councilor John Cheruwon. Councilor John Cherwon ambaye atafuatwa na Brother John Musop.

**Cllr. John Cheruwon :** Bwana Commissioner, nataka nichukue nafasi hii kushukuru nyinyi ambao mumehuzuru sehemu za pale. Nafikiri haya maneno ya kurekebisha katiba, tunataka kuchunga maisha ya watoto ya baadaye. Jina langu ni Councilor John Cheruwon, Marakwet, na mkaaji wa Arror. Na Bwana Commissioner nafikiri mengi watu wameongea na tuna-support.

Nafikiri ile kitu ya maana sana katika sehemu za Marakwet, Kerio Valley, ni mambo ya usalama. Hiyo kitu tunataka tuweke mstari wa kwanza, kwa sababu Wa-Marakwet wamepoteza maisha yao, watu wengi. Wanaelekea watu elfu na mia sita mpaka saa hii, ambao wamepoteza maisha yao, na wamepoteza mali yao mamillioni, mbuzi, kondoo, ngombe hata asali.

Serikali kusema kweli ile ya ukoloni walisema tunalinda mtu na mali yake, lakini walidanganya Wakenya kwa sababu hiyo sheria wangesema waanalinda President na Ministers hiyo si ya raia. So, sisi tunataka sasa Katiba ya kulinda mwananchi asili, kulinda yeye na mali yake bila masharti yeyote. Na serikali wakishindwa, hiyo serikali walipe compensation na hiyo serikali ishtakiwe kwa sababu ya carelessness yake. Kwa hivyo tunaomba hiyo sana, hiyo katiba iangalie vizuri kuhusu mambo ya maisha ya Wakenya.

Neno lingine ni kuhusu mambo ya forest. Sisi watu wa Kerio Valley tunategemea forest, na sisi wa Marakwet tunalinda forest, na tunataka kuweka sheria kali. Kwa sababu sasa ukora umeingia, yule mtu ataingia forest, ashikwe na kustakiwa na kukata mkono, wasirudie hiyo kukata miti tena. Kwa sababu hiyo ndiyo maisha ya watu wa Kerio Valley na hatutaki mtu kuingiza mbuzi hiyo forest, ama ngombe, isipokua binadamu yule tu ambaye anatembea kuangalia mambo ya asali peke yake.

Kuhusu mambo ya maji bwana commissioners, hiyo ni mafuta ya Marakwet. Ile mali yote ya asali iko kwa Marakwet. Marakwet wako na ruhusa kuuza mali yao. Kama ni maji, wauze dollar moja kwa pipa wakienda nchi zingine. Hiyo ni mafuta ya Marakwet kwa sababu wamelinda forest yao na tunataka hii kitu iwe sheria. Kila kitu ambayo iko ndani ya Marakwet, Marakwet wako ruhusa kuuza hiyo mali. Kama ni minerals, na kadhalika.

Neno lingine ni kuhusu mambo ya kazi bwana commissioners, haswa sehemu za Kerio Valley. Ukiangalia watu wa Kerio Valley ambo wako jeshi ama polisi, hawawezi kufika ishirini. Kwa sababu hawa watu wamepigana na adui Porkot na wengi wamekwisha mwili. Sasa ukimwambia mtu “simama” anasema “Wewe uko na alama mbaya” na hiyo alama ni ya miti ambayo wamepigana. Lakini bunduki - hata akiandika serikali hata uwe umegara uwe mwekundu namna gani utapigwa na bunduki.

Kwa hivyo haki ya mwanadamu kama hakuna mkuki ndani wacha mambo ya ngozi. Andikwe kazi hata kama ako na alama. Haswa Kerio Valley waweke station ya kuandika watu wa Kerio Valley, special. GSU, Jeshi, Police na kadhalika ziwe special kwa sehemu za pale. Bwana Commissioner, pia kweli wa Marakwet wengi wamepoteza maisha kwa barabara kwa sababu ya speed. Tuchunge tuweke sheria wale wanakimbiza gari, tuweke sheria kali, kifungo cha maisha kwa kukimbia kwa barabara na kubeba watu.

Ile ingine Bwana Commissioner ni traffic hawa polisi wa Kenya haramu. Hawa watu ndio wanamaliza watu kwa sababu sasa ukiangalia traffic huko, karibu metre mia mbili, na ukimwambia sasa gari inakuja, hawezi kuangalia gari. Hawa watu wakipatikana na hatia tuweke sheria kali. Wafungwe jela maisha hao watu kwa sababu wao ndio wanamwaga watu.

Ingingine Bwana Commissioner ni manambas. Sisi Wakenya tumesoma, sisi hatutaki manambas kwa stage. Hawa ndio wanaharibu watu. Ni aibu sana. Hawa watu watolewe yaani manambas.

Ingingine Bwana Commissioner ni kuhusu mambo ya Kerio Valley, Kerio Valley wamesahau na wakoloni na hata sasa Kenya wamesahau vilevile. Unajua sisi bado kupata uhuru hapa sehemu za valley. Kwa hivyo tunahitaji Serikali ya Kenya, tuweke sheria wakubaliwe NGO's wakuje sehemu za pale kusaidia watu kwa mambo ya development. Wasiweke vikwazo, kwa sababu tumeona iko na vikwazo. Kwa hivyo tafadhali kwa sababu tuko na shida ya maji, sisi bado hatujapata maji mzuri. Elimu bado haijakuwa mzuri. Kwa hivyo watu tu wana shida na hiyo iangaliwe vizuri kwa sheria.

Neno lingine ni mambo ya hospitali katika sehemu za Valley. Sisi hatuna hospitali isipokuwa mambo ya health centers peke yake. Sasa mtu yule mgonjwa anakuwa serious, saa ingine tunaweka hapa slide, kupandisha hapa kwa mlima kama barabara inakuwa mbaya. Hata kama wewe saa hii wewe ni mzima, saa ingine utazirai huko kwa mlima. Kwa hivyo sisi tunahitaji hospitali kubwa zile ambazo ziko na daktari wa sehemu ya Kerio Valley. Halafu watu wa Kerio Valley wakae kama Wakenya kwa jumla. Unajua sisi sasa, mimi sio Kenya kamili. Mimi ni nusu ya Kenya. Bwana Commissioner, nafikiri Mheshimiwa Mjumbe na Mheshimiwa Councillor ni sawa. Hiyo pesa ya Council ilipwe na Government kama ya Wajumbe. Kwa sababu hata pia mimi ni Mheshimiwa. Wacha waache hiyo uniform ilipwe na Central Government. Halafu mambo kila mtu anakuwa Mheshimiwa wa kutosha.

Bwana Commissioner neno lingine kuhusu wale walienda retire na walisaidia Kenya kwa mambo ya vita na kadhalika, wako na shida ya pension. Unaona saa hii mtu anakula shilingi mia tano na ukiangalia ile walipigania uhuru nini, hiyo ni aibu kwa Kenya. Waangalie mambo ya pension, wale walienda retire. Wapatiwe pesa waende juu ili wafurahie Kenya yao.

Ingingine Bwana Commissioner ni kuhusu mambo ya walimu. Walimu, hata wewe sasa vile umekuwa Commissioner ulipitia mafunzo ya Mwalimu. Tuangalie walimu wapatiwe mishahara ya kutosha halafu watoto wetu wanapata maisha mazuri. Wanapata masomo mzuri.

**Com Raiji:** One minute.

Nafikiria mtanipatia extra mnaona hata kichwa yangu ni nyeupe. Lakini hata hivyo karibu namaliza Bwana Commissioner. Inginge Bwana Commissioner, mauaji hapa Marakwet ni mbaya. Watu wanapeleka maisha ya watu kama...hata mayai ni afadhali. Kweli mauaji, mtu anaua mtu, anafungwa miaka tatu, anarudishwa hapa. Anakuja kuoa ako na watoto wake. Hata kuna wengine wanaua hata watu watatu, na hurudishwa hapa. Hiyo sheria, tafadhali, ukiuua mtu, uue yeye, wache mambo ya kufunga maisha. Wacha yeye aingie kwenye mchanga kama yule mwingine. Hiyo kitu ndio inaleta watu taabu sana hapa Wa-Marakwet. Hiyo sheria iwe tu kunyonga tu. Kwa sababu watu wanachezea maisha ya watu sana.

Inginge Bwana Commissioner ni mambo ya .....hapa Marakwet tunatumia furrows ya maji irrigation. Pia tunataka hiyo, kuna wengine wanachangia hiyo kuharibu furrows ama kukataa kazi. Tunataka tuweke sheria, yule mtu anakataa hiyo kazi, ashitakiwe na kufungwa jela miaka tano. Halafu asulutiwe kwa kuchorewa kazi ya furrow ya community. Hata yule anaharibu maji, tunataka hiyo iingie kwa sheria kwa sababu hiyo ndio maisha ya hapo kale Bwana Commissioner. Nafikiri Bwana Commissioner tunaamini sisi, mtapeleka hayo maoni yetu kwa njia mzuri halafu saa ingine tutapata maisha mzuri hapa Kerio Valley. Bwana Commissioner asante sana.

**Com. Riunga Raiji:** Asante sana Bwana Councillor, hayo maoni tumeyasikia na tutayapeleka mbele. Brother John Musolo. Hiyo ingine haijaandikwa sawasawa, utatwambia. Sema jina lako tafadhali.

**John Musolo:** Mimi naitwa John Musolo na ninao maoni sita ningependa kupendekeza. Kwanza, inahusiana na Polisi, National Security Service na Army. Ambao pengine kwa wakati huu, wana-act kama extension ya Executive. Ningependelea pengine Katiba mpya ipeane political neutrality kwa Armed Forces, Police na National Intelligence Services. Wasiwe extension ya Executive. Such that ikiwa hauko kwa maneno mazuri ama good terms na Executive, wewe pia uko na good terms na polisi at the same time. Such that watu wengine wakipitisha mikutano yao, polisi wana...pengine wana-disperse watu.

Kwa hivyo Constitution lazima iamue waziwazi kwamba Police, Armed Forces na National Intelligence Services ziko de-linked na any political party. Halafu tena tumeona Armed Forces wa Kenya wakienda kulinda amani nje. Jambo ambalo pengine linapata watu wengi tuko mshtuko. Hata Wabunge pengine wanashtukia tu, watu wameenda Bosnia, watu wameenda Liberia, watu wameenda Rwanda, watu wameenda wapi. Lakini there is no forum whereby Kenyans who are the taxpayers of these people are consulted to say yes or no, before these men go out. So, nafikiri Bunge pia ipewe mamlaka ya either...kwa sababu ndilo linawakilisha wananchi, kuthibitisha kuwa Armed Forces wanaenda kulinda amani nje ama hapana. Lisiwe jukumu la mtu mmoja.

Jambo la pili ni amending the Constitution. Wakati huu, kunahitajika tu, only sixty percent ya MPs kwa Bunge ku-amend

Constitution ambayo pengine sio jambo lizuri. Hakuna mechanism yeyote iko katika Katiba ya wakati huu ya ku-consult watu, tunataka kupitisha ama kugeuza Katiba kipengele fulani ama kifungu fulani. Mnaonaje? There is no mechanism. Lakini nafikiri ningependelea katika Constitution mpya kuwe na mechanism, pengine referendum ama ratification after amending. Watu wa-ratify hiyo amendment kuliko tu watu wachache, sixty five percent of the MPs, wana-amend Constitution. Kama saa hizi nafikiri watu tume....we are just holding our breath because people want to amend some articles of the Constitution na pengine watu wengi Kenya hawakubaliani na mambo kama hayo.

Ya tatu, kuwe na uandikishaji, voter registration iwe continuous. Na mimi maoni yangu ni kwamba hiyo voters card i-replace what we call national Identity Card. Because hiyo kipande is very colonial kitu cha kwanza. Pili, kupata hicho kipande ni shida sana. Tatu, kuna mambo pale katika kipande ambayo yananyima watu wengine nafasi. Kwa sababu kuna, 'unatoka wapi, kijiji, kuna pengine district.' Kuna pengine mambo kama hayo. Sasa pengine umeenda Eldoret kutafuta kazi na wanapata wewe umetoka Marakwet katika kipande, unanyimwa kazi ingawaje umefaulu kwa sababu hutoki pale. Lakini pengine watu wakitumia voters card peke yake ambayo pengine ni rahisi kupata na itakuwa continuous, pengine itakuwa nzuri. Jambo la nne, ningependelea kuwe na civic education ambayo ni continuous. Na katika hapo pia ningependelea kuwe na ofisi ambayo inaanamishwa na Katiba mpya ya National Director of Civic Education kwanzia pale juu. Ambaye anahakikisha kuna ufunzaji wa watu katika mambo ya Civic Education, mambo ya Constitution, mambo ya Human Rights, mambo ya the duties of citizens throughout the year. Sio wakati tu wa kura peke yake ama wakati wa kutengeneza Katiba mpya. Throughout their lives kuwe na continuous teaching of Civic Education.

Jambo la tano linahusiana na campaigns. Wakati wa campaigns mara mingi ni wakati wa kuonyesha nani ana pesa, nani ameiba sana, nani ameangusha kampuni fulani. Maoni yangu ingekuwa wakati wa campaign, mtu yeyote ambaye anasimama kwa kura, na anamwaga pesa, hiyo tu kutumia pesa za campaigns. Iwe already a hinderance kugombea kiti kile. Au hii Commission ya elections iwe na jukumu, iwe na nguvu, iwe na courage ya ku-declare that candidate illegal kwa sababu ana-bribe watu and bribery is a vice I think. Na hiyo inaendelezwa kwa sababu inaendeleza corruption.

Jambo la sita ambalo pengine walizungumzia kidogo linahusiana na kanisa kidogo. Kwanza ningependelea Katiba kwa sababu kanisa ina mashule zake, shule mingi. Ningependelea ipewe jukumu kabla pengine Mwalimu kuwa hajapata transfer ama walimu fulani kabla hawajapata transfer ama hawajaletwa katika shule, kanisa ambayo ni sponsor ya hiyo shule, first of all iwe consulted. Because tumeona mara mingi kuna migongano kati ya kanisa na Serikali kwa sababu Serikali inaleta waalimu ambao ni Wa-Protestanti kwa shule za Wa-Katoliki ama walimu wa Katoliki, kwa shule za Ki-Protestanti. Because there is no consultation.

Pili, sponsor wa shule. This must also be entrenched in the Constitution, awe na right ya ku-name shule yake ama institution yake. Mimi nisiamke tu siku moja nikaita shule Ole Mosolo na sponsor yuko pale anaita pengine St. Marys. So, hiyo St. Marys inafutwa ama St. Benedict inafutwa. Sponsor awe na right na mandate ya ku-name shule yake ama institution yake.

Tena, Serikali isione kanisa kama adui. Wakati huu nafikiri mara mingi tumeona Serikali imeona kanisa kama adui. Lakini Wakenya wote (inaudible) wamekubaliana na statement iliyotolewa na mwanzilishi wa taifa kwamba Kanisa ndio conscience ya society. Kwa hivyo ikiwa conscience ya society, that must be declared by the Constitution. Must be constitutionally declared that the church is the conscience of the society. As such Kanisa ina jukumu la ku-counsel, ku-admonish, ku-correct na ku-forgive politicians. Tusione pengine kanisa ikiingilia mambo ya ku-correct wanasisa na wanasisa wanasema, 'hiyo haiko kwa Constitution, nyinyi sasa mnaingilia siasa.' Lakini ikiwa kwa Constitution kwamba kanisa ni conscience ya society ni na nafsi ya jamii, basi itakuwa na jukumu la kuingilia kati maswala ya wanasisa. Nakwambia pengine wanasisa mnakosa hapa, mnakosa pale na mnakosa mahali pengine. Hayo ndio yangu machache. Asante.

**Com. Raiji:** One clarification please.

**Com. Muigai:** Asante sana Ndugu John Musolo kwa maoni yako. Nina swali moja tu kwako. Umeeleza kuwa, kuwe na continuous civic education, elimu ya umma ifundishwe kwa kitengo. Nilikuwa nakuuliza, ulifikiria pengine kama ingehusishwa kwenye mashule?

Hiyo ni njia moja, pengine kufundishwa kwenye mashule civic education. Njia ingine pengine ni kuendelea tu kufundishwa kwa sababu kama wakati huu, kuwe na mashule, vizuri sana umenisaida pale. Pili ni pengine tu, wale watu ambao wamemaliza shule waendeleo kufunzwa pia civic education. Wajue haki zao, wajue majukumu yao na wajue pia Katiba yao.

**Com. Raiji:** Tafadhali jandikishe. Dina Kisange.

**Dina Kisange:** Kwa majina naitwa Dina Kisange, mkaaji wa hapa Lore. Langu tu ni moja kuhusu wasichana na pia na wazee. Vile nasema hivyo, kuna wazee hawajui kutosomesha mtoto atafungwa. Unaona wazee wengi wa nyumbani hawajali maisha ya watoto. Hawashughulika na fees. Wanakaa tu. Sasa leo kama Katiba mpya, nataka ifanywe kuwa huwa huyo mtu aende jela. Kwa sababu umepoteza maisha ya mtoto huyo na umezaa yeye. Na unakaa. Iwekwe Katiba mpya, halafu watoto wetu wote wamesoma. Vile hata mnasema wasichana kweli ni namna hiyo, kwa sababu hawajali. Wanakaa tu. Wanasema ni kwangu, mtu atanipeleka wapi. Sasa kama Katiba imeingia, tufanye hiyo Katiba mpya ifanye kazi halafu tupate wasichana wengi kama huyu mama anakaa mbele yetu. Kama mnafanya hiyo Katiba iwe through, hatuwezi kukosa wakike wengi ambao wataendelea katika sehemu hii yetu ya Marakwet. Ingawa hii kitu inatokea wazazi wetu wa nyuma huko. Lakini kama ni wakati wetu saa hii, hatutaki kufanya kama zamani. Sina mengi.

**Com. Raiji:** Asante sana Mama kwa hayo maoni yako. Sasa tuko na Patrick Seselek ambaye atafuatwa na Silvester Chelop. Patrick Seselek yuko au ametoka? Silvester Chelop? Cheserek Chelimo? Hawa jamaa wameenda wapi? Okey tutarudi baadaye tukipata nafasi. John Koech. Andrew Koech? Wilson Kiptoo Ngolech? Yes. Karibu bwana.

**Wilson Kiptoo Ngolech:** Asante Commissioners, nilikuwa nitaka kugusia tu kidogo kwa sababu mengi yameshasemwa hapa. Kwa majina naitwa Wilson Kiptoo au Ngolech. Ningetaka kugusia kidogo kuhusu mambo ya corruption. Kwa sababu Wakenya wameteseka sana. Tunasomesha watoto hata akipata ujuzi wa kutosha hiyo kazi, hawezi kupata kazi bila pesa. Akiandikwa Police, anataka thirty thousand, sixty thousand halafu apate kazi. Mwenye hana ujuzi na ako na pesa anapata kazi na mwenye alisomea hiyo kazi hawezi pata.

Pia ya pili ni watu matajiri wenye wako na mali. Hata akipewa kiti kama Mheshimiwa kama hata Councillor, Chief, Mbunge, kama analetewa kitu kukata kama shamba. Hakika wale watu hawana mashamba. Unaona anaenda kuchukua eka elfu moja na mwananchi ni eka tano. Kwa nini tusigawe, hata yeye apate kumi, mimi nipate tano. Anaenda kuchukua ya watu mia moja, mtu mmoja. Watu mia moja, mtu mmoja na hiyo shamba ilikuwa ya bure. Amepewa na Serikali bure. Na hao wananchi wameumia.

Kuhusu mambo ya security, hapa tunapigana vita hapa Marakwet. Tunapigana vita na hiyo vita Serikali inawaleta askari. Hiyo vita lazima kuna chanzo. Sasa kama mimi nataka, kama tuseme Mamba, inaua watu wengi katika huu mto. Si, lazima kuna biashara ya mtu mahali fulani, anataka aongoze. Halafu sisi wananchi tunaenda kuua mamba kwa uchungu sana. Kwa hivyo hata hii vita, lazima kuna biashara ya mtu wa ng'ombe. Anatoka mahali fulani, halafu anapitia huko. Halafu watu wanakazana kuua mtu kwa sababu ni pesa nyingi atapata. Lazima iwekwe sheria, kama kitu inatokea kama hiyo, lazima ifuatiliwe chanzo, hiki kitu kinatoka wapi? Anafuata, mpaka anajua njia mahali inatokea. Kwa hivyo mimi nafikiri ni hayo tu. Asante.

**Com. Raiji:** Asante sana Wilson. Mathew Batole and Charles Seselek. Mathew? Utafuatwa na Charles Seselek.

**Mathew Batole:** Kwa majina naitwa Mathew Kibet Batole. Yangu ni machache. Ningegusia mengi lakini wenzangu wengine wamegusia yale nimeyasema. Ya kwanza ni kuhusu mazingira, environment. Kwa upande wetu hapa, inaonekana mambo ya mazingira mengi yameharibika kabisa. Kwa mfano, hapa hatuna maji ya mifereji, maji ambayo tunayo ni yale tu ya mitaro. Yale yanatoka kutoka kama (inaudible) mpaka sehemu yangu ya Kakwet huko about six kilometers. Mimi naonelea sheria ibuniwe ya kwamba maji hayo, kwa sababu tunayatumia, wanyama na kila mmoja kama sisi wote, sheria ibuniwe ya kwamba, kama sheria ya hapa, na pia sheria ya mazingira kwa jumla kwa kila mahali pengine kwote Kenya. Ibuniwe. Ya kwamba, mtu akiharibu maji hayo apewe hukumu. Kwa sababu hapa tunaumia sana tuko na ugonjwa ule unaitwa Typhoid ambayo inatusumbua sana na magonjwa mengi ambayo yanahusu maji.

Inginge ambayo Bwana Councillor alikuwa amegusia hapo mbeleni. Inginge ni kuhusu mambo ya mauaji. Hapa, vile Councillor alikuwa amesema hapo mbeleni, watu wengi wameona ya kwamba, ukiua mtu ni kama tu bure kwa sababu ya vile Councillor alikuwa ameeleza hapo mbeleni. Ingekuwa namna hii vile naonelea, sheria ingebuniwa ili huyo mtu akiua mtu, yeye apelekwe

mpaka kwenye Serikali wako. Serikali iwachukuliwe hatua, kuawa kama vile mwenzake baada ya yeye kuchunguzwa vile alifanya kitendo hicho, alikuwa anatarajia ama alikuwa hakutarajia. Auawe. Bora ameua. Ama sheria ingine iwekwe hivi; sisi wenyewe tukimpata, tukimuua, msikuje kutudhulumu. Sheria itungwe.

Ya tatu ni hii, Chiefs and Assistant Chiefs. Hapa kuna watu wenye tunawaita suspects. Hii inaenda kwa Chiefs, Assistant Chiefs, askari tawala ama polisi. Mtu suspect, tuseme kwa mfano mimi nimefanyiwa suspecting ya kwamba nimefanya kitendo fulani. Mimi niko kwangu kulala mastarehe, usiku wa manane, hapo, I am fifty fifty killed or not. Then, it is very sad for me to be disturbed. Then, later on I am proved that I have done nothing wrong. Then, who is going to pay for the services that have cost. Sheria iwe ya kwamba mtu suspect apewe kwa Uchunguzi, anaswe, achukuliwe polepole, asipigwe mpaka baadaye akuje achunguzwe ya kwamba amekosa ama hajakosa. Sio kumudhulumu bure.

Ya nne ni mambo ya elections. Ningetaka mambo ya elections iende namna hii. Katika vituo vya upigaji kura, kuna watu wengi wana hii jama ya kununua wenye wanasimamia vikundi mbali mbali. Kwa mfano kama ni Ma-Councillors ni watu wanne, mimi nikiwa nasimamia Councillor John Cherwon. Mwingine anasimamia fulani, mwingine fulani. Huenda watu wengine watumia pesa kununua wengine ili kura ya mtu fulani iharibiwe. Ingestahili sheria ifunuliwe, mtu huyu wa kununuliwa, ameharibu kura ya mtu fulani, achukuliwe hatua kali.

Pia ningesema ya kwamba kwa upande wa voting, mambo ya upigaji kura. Kuna watu wenye walikuwa na nia ya kupiga kura na baadaye wakawa wagonjwa. Hapo kuna njia inaitwa proxy method. Hii proxy method, kura inaweza pigwa kupitia delegates. Hapo kwa sababu huyo mtu anajua mtu wake anayepigia kura, sheria ingebuniwa, delegates achukulie yeye kura yake mpaka kituo kama yeye mwenyewe amekubali.

Ya mwisho, hapa Kerio Valley tuko na shida. Shida yetu ni kuhusu mambo ya wizi wa mifugo, kuhusu mambo ya mipaka. Lakini sio mipaka. Hapa vile mimi naonelea, hapa tumesumbuliwa na wenzetu hapa, mimi ningeonelea, sheria ya Kerio Valley peke yake, Kerio Valley ifunuliwe kama sisi hapa. Kwa sababu hapa mashamba bado hawajagawa na kwa hivyo ningependelea sheria ifunuliwe kuhusu mipaka yetu na wenzetu wetu hapa ng'ambo. Kwa sababu wao wanakuja kwa njia ya vichorochoro. Kwa sababu hatuwezi tukajua nani ni huyu. Sheria ibuniwe ya kwamba mambo ya trespass, kuingia area ya mtu bila idhini. Bila idhini kwa mambo ya trespassing I am not talking of individuals sababu sheria yetu iko, watu wanaweza omba wakuje, wanaweza kuja. Lakini kwa mambo ya trespassing, kama hauna idhini, mimi nasema ifunuliwe kwa kila mmoja. Kwa sababu this area, iko mambo ya insecurity. Kila mmoja akae kwa area yake kwa sababu ni shida. Shida wewe ukuje, mwingine akuje kwa njia ya vichorochoro, aue mtu na atoroke. Sheria ya trespass iundwe. Asanteni.

**Com. Raiji:** Asante sana Bwana Mathew Botole. Charles Seselek? Inaonekana ametoka, Patrick Cheserek? Silvester Chelop? Cheserek Chelimo. Christopher Keboi. Hawa nilikuwa nimewaita lakini hawakuwako. Julius Chebet Kimaiyo. Karibu.



**Julius Chebet Kimaiyo:** Kwa majina naitwa Julius Kimaiyo Chebet na kwa kuchangia sehemu hii ya kutengeneza Katiba yetu ni kwamba nitaanza kunena yale ambayo yanatuhusu hapa katika wilaya ya Marakwet. Kwanza ningependa kuzungumzia kidogo kuhusu mambo ya usalama security. Eneo hili la Bonde la Kerio tuna matatizo makubwa na nafikiria vile waliotangulia walisema ya kwamba, tunataka nafikiria kutoka kwa Serikali, it is our right to be protected. Ni haki yetu. So, sheria iundwe ya kwamba kila mwananchi alindwe na mali yake na wala si Rais, Mawaziri na wale ambao wanashikilia za Serikali, wakubwa wakubwa.

Pili ni mambo ya shamba, land iwe adjudicated. Na individuals wa Marakwet wapewe Title Deeds ili waweze kuendelea kama wakazi wengine. Waende kwa bank waombe loan na waendeleze maendeleo yao. So, land, shamba iwe adjudicated. Na vile vile tuna mambo ya rasilimali mingi katika wilaya ya Marakwet, a lot of resources, kwanzia forests, tuna mawe yale yanaitwa mapoles, kuna maji, kuna mchanga, sand na mambo mengine. So, tunaonelea ya kwamba Katiba ifafanue waziwazi ya kwamba local resources zile zinapatikana katika wilaya, wakazi wafaidike. They benefit. Kwa sababu right now, things are not the way they are required. Tuna mchanga hapa ambao sehemu za Baringo pale wanakuja kuchota, without paying even a cent to the Local Authority.

Halafu Local Authority ifanyie maendeleo. Tuna maji ambayo inaenda mpaka Eldoret kule, vile vile Wa-Marakwet hawafaidiki na wanaendelea kuchunga na kuhifadhi mazingira na forests. Halafu tuna mambo ya deployment ya Ma-Chiefs. Kwa ajili Ma-Chiefs na Ma-Assistant Chiefs, nachangia ya kwamba, Katiba ilete kiwango cha elimu. Wale ambao wangependa kuajiriwa waende interviews na at least wawe wamefika form four. Awe na elimu na awe ni mtu mkaazi ambaye anaishi sehemu hiyo. Vile vile, there should be no interference kutoka kwa wanasiasa. Kwa sababu tukiangalia mambo katika nchi hii wakati huu ni kwamba wanasiasa ndio kila kitu. Kila kitu ni siasa. So, tunataka Ma-Chiefs, wawe deployed, elimu iwe form four na kuelekea juu na wawe transferred. Kuliko tu wafanye kazi kwa local areas. Wapewe uhamisho, Assistant Chief kutoka area kama hii aende Nyanza, aende Central Province na mishahara vile vile Serikali iangalie mishahara yao, iende juu.

Sehemu ingine ningependa kuchangia kidogo ni kuhusu mambo ya elections: Elections ni kwamba, Serikali au Katiba itengee pesa every political party. Kwa sababu tukisema eti Serikali ina pesa, Serikali haina pesa, hiyo ni taxpayer's money. So, every political party whether in position with the party which is in power, the Presidential candidate wapewe security na wapewe pesa kwa sababu huwezi ukatembea kama huna pesa. So, Serikali, Katiba itengee wao pesa vile vile. Na haya mambo ya elections irregularities mambo ya kununua kura, kwa sababu tunaangalia ya kwamba watu wananunua kura. Tunajua kweli na tunaona.

Kwa hivyo stiff penalties, Constitution iweke. Ukipatikana labda una-involve yourself na mambo ya wizi because that is already theft, you are bribing and poverty iko very high huku Kenya. Ukipatia mtu elfu moja, atasema this is a lot of money, so I am giving you the food. So, we want to come out, Katiba iseme such people wenye wananunua kura, they should not be given that opportunity for good to contest.



Vile vile ni mambo ya barabara. Wenzangu walikuwa wamegusia na ningependa vile vile kuchangia kidogo.

It is our right tupate barabara nzuri. Because we equally pay taxes like other Kenyans. So, nafikiria it is really very bad kuangalia sehemu zingine, upande huu wa Baringo. Ukiangalia Baringo, rami imewekwa hata mahali kondoo wanalala kwa barabara and they don't have any resources so I think the Constitution to guarantee, we have what we call locational development committees mpaka district development committees na wakazi wa kila wilaya wanapitisha lile hoja au mswada wanataka wafanye nini...in terms of priorities. Na inatumwa mpaka Nairobi. So, tunataka Katiba I-guarantee, pesa zitumwe na barabara ziwekwe. Lakini si kutoka kwa wanasiasa. Now that you are not in the ruling party, you are in the opposition. No. Katiba ifafanue vizuri. Halafu tuna mambo ya corruption. Mimi nafikiri ufisadi katika nchi hii ndio imemaliza kabisa na kitu ambacho ndio kitatusaidia kufupisha mambo ya corruption, ufisadi ni sheria. So, tunataka sheria iundwe ili wale ambao wanajihusisha na ufisadi wachukuliwe hatua kali. Watu wameendeleza unaangalia wengine wanaitwa matajiri na pesa zimeibwa. Na vile vile wale ambao wamesimamia miradi, state corporations wamefirisisha the same Parastatals. Na wanaendelea tena kuwa appointed, so, tunataka Katiba iseme ya kwamba, ikiwa wewe umechaguliwa kama Manager, ukienda State Corporation fulani na uibe pesa ama ufanye nini. Uchukuliwe hatua kali na hata mali zako zichukuliwe. Because that is already public money. Na unapata mshahara, on top of that unaanza kuiba pesa zingine.

Mwisho labda nikeelekea kumaliza ni mambo ya the three organs of the Government, Judiciary, tuna Executive na Legislature. Katiba ifafanue, kinaga ubaga kabisa kusema ya kwamba, wewe ukiwa ni President, what should be your roles. Because right now the Constitution we believe ni ile ilikuwa ya mkoloni has given the President enormous powers. Kama tuseme calling off mambo ya kufunga Bunge, ama tuseme nini, ku-prorogue. I think sheria ifafanue vizuri. Kwa sababu ukiangalia kwa nchi hii President ni kila kitu. Na sheria isipolindwa, we shall be using a lot of money and finally Katiba isipotengenezwa itakuwa ni shida. Ikienda na hiyo kuna mambo ya....

**Com. Muigai:** You have one minute to summarize.

Mambo ya State House: Kuna State House, power (inaudible). Kuna wale ambao wako katika Executive. Hatujui. Because ukiangalia mtu ukiwa Comptroller of State House anaanza kufanya kazi sijui hata ya PC. We don't know. Ukiangalia hata mambo ya employment kwa nchi hii imekuwa (inaudible). That is why hata our economy doesnot grow because the qualified personnel are left may be because they are not well connected politically. Thank you very much.

**Com. Muigai:** Asante sana. Kuna swali? Kuna swali kwako, kwa hivyo suburi tafadhali.

**Com. Ratanya:** Kuna hii pointi hapa Bwana Julius Chebet. Mambo ya powers ya President, unasema President kwa Katiba ya sasa ana enormous powers. Sasa wewe unapendekeza hizi powers ziwe revolved or shared in which way? Ama anyang'

anywe tu na iwe hakuna pahali inaenda. So, what is your proposal? How do we share the powers?

**Julius Chebet:** Thank you very much. Nilikuwa naonelea namna hivi, nachangia hivi; President kuna baadhi ya powers which of course hatuwezi kunyang'anya. Lakini tukiangalia kweli saa hizi, hata nikipewa nyumba kama hii nibebe ni ngumu. Rais sasa anabeba mamlaka makubwa. Kama tusema mambo ya appointments ya top civil servants. Sheria at least ifafanue iseme ya kwamba PC ama Permanent Secretary ama Judge ama Commissioner kama nyinyi, wawe appointed in which way. Not like previously, isemekana sijui President ame-appoint fulani awe Minister na kadhalika. Nilikuwa naonelea ya kwamba, a Commission be set and those who wish to be appointed, wa-atend interview. They make applications like Public Service posts na itakuwa ni mzuri. Thank you very much.

**Com. Muigai:** I also had one question for you. You talked about funding all political parties from the general ex-checker, tuwapatie vyama vya kisiasa pesa kutoka kwa kile kifuko cha jumla. Sasa wakati huu tuna political parties hamsini na sita zenye zimeshasajiriwa. Basi, unataka kila moja ipate pesa kiasi gani na kutakuwa na masharti gani. Ama ni kila mtu akianzisha chama chake apatiwe tu pesa kiasi kimoja na yule mwingine. Ama vipi? Utaratibu gani unaon kati ya kuhusisha hizi pesa za umma.

Naonelea ya kwamba itakuwa mzuri ukingia hata kama vile America. Katiba i-reduce at least political parties. Okey, we are already in multi-party, at least vyama vitatu is enough for us. Three parties are enough for Kenya and then the Government to fund the same political parties. Because tukisema every party, I can even form my own party to get money. So, I think political parties ziwe tatu na Serikali I-fund the same political parties. Thank you.

**Com. Muigai:** Asante sana, Bwana Julius Chebet Kimaiyo kwa maoni yako, tafadhali jisajilishe. Sasa ningetaka kupatia nafasi hii Samwel Cherop? Samwel Cherop na akiondoka tutamuita Paul Kaptoge ndio mwenye atafuata. Karibu.

**Samwel Cherop:** Asante sana Commissioners. Kwa majina mimi ni Samwel Cherop. Kwa kuchangia chagia haya maneno ya Katiba, nawatakieni tu heri na fanaka mumalize mapema. Katiba hii itumike wakati wa elections ya 2002 kwa sababu tunangojea kwa hamu maneno yenye tunapitisha leo itumiwe, iwe Katiba mpya. Kwanza nazungumza kuhusu political parties. Mtu ambaye anasema hapa political parties zenye zinatoshia Kenya, mimi hata naunga mkono kusema parties moja mpaka tano, inatoshia Kenya. Hizi political parties ziwe independent. These political parties ziwe independent ya kwamba if they want to move anywhere, wakitaka kwenda kufanya siasa Kiambu, wakitaka fanya siasa wapi. Isesemekane hii ni Kanu zone, hii ni what zone. Ili watu wawe na independence.

Inginge kuhusu political parties, naonelea ya kwamba political parties wasipatiwe pesa ya Serikali. Hizo ni pesa za wananchi. Wao watafute yao. Watafute yao halafu waonyeshe Wakenya vile watafanya na hiyo pesa mpaka itoshe Wanakenya wote.

Naingilia kwa hii group ya Legislature. Legislature, yule mtu ambaye anachaguliwa Bunge, awe ametimia umri mkubwa sana.

Iwe fifty five mpaka sixty five. Kupita sixty five hakuna. Inginge kuhusu Legislature ni, there should be an independent committee ile inahusisha pesa ya Wabunge. Sio Wabunge kuzungumza wenyewe na kujipatia pesa. There should be an independent body ile inahusisha wengine nje. Wasiipandishe pesa yao vile wanataka. Wajumbe pia ama Legislator pia, mjumbe wako, iwekwe live kwa redio wakati wanazungumza. Halafu haya maneno ya lack of quorum, tumetumana hawa na hakuna kazi wanafanya. Kama mjumbe wako ana makosa karibu mara tatu, apewe discipline kwa Parliament. Discipline gani inaonyesha wako na discipline.

Mjumbe katika constituency yake awe na ofisi vile mtu amesema hapa. Naendelea kidogo niende kwa maneno ya security. Security nasema ya kwamba, hii ofisi ya President ijaribu ku-extend some other powers nje kidogo. Maneno ya security isiwe katika ofisi ya Rais. Iende kwa Mkuu wa Sheria ili kama kutakuweco na makosa, kama kutakuwa na maneno ya security, mahali fulani wamepigwa. Ama watu fulani wamenyanaswa. Ashtakiwe kama kila mmoja isisemekane he is above the law. Hiyo ofisi ya internal security itolewe kutoka kwa ofisi ya Rais.

On Natural Resources: Ziwe distributed equally. Kama sasa mahali ambapo wako na vitu kama minerals, kama coffee, kama nini. Wao wa-benefit zaidi kuliko lile kundi lingine. Kwa sababu unaona wengine wako na minerals na hata hakuna barabara ya kwenda kwao.

Inginge ambayo ni ya mwisho, hapa Marakwet maneno ya mashamba. Maneno ya mashamba; land property rights. Mimi naonelea ya kwamba katika Serikali, Katiba itengeneza ya kwamba yale mashamba yote yenye inaitwa Government land iwe sub-divided, tusipate mwananchi mwenye anaitwa landless. Hayo mashamba yote ikwishe yote.

Maneno ya forests, ifungwe huku na hakuna kupeana eti ni Minister fulani anastahili kupata forest fulani. Ikwishe. Maneno ya forest isimame namna hiyo. Mashamba iwe ni shamba ya mtu mwenyewe, Title Deeds i.e. kama vile tuko hapa Kerio Valley. Tupeane Title Deeds.

Mwisho pia katika hapo, hapa bado pia kuna natural resources kama maji nini, sand, na kadhalika. Let it belong to the individuals. Halafu kama atauza, kama Serikali ikipata kitu kama sasa nini ...yeyote. Mtu mwenyewe auzie Serikali ama awe compensated.

Lastly, workers katika Serikali wawe na trade union rights. Tusiwe kama sasa polisi ambao hawana trade union rights. Nafikiri mpaka hapo nasema asante.

**Com. Muigai:** Mimi nina swali moja ama mawili kwako. Umesema habari ya forests. Sikukuelewa. Unataka tufanye nini na forests hapa Marakwet? Na jambo lingine umesema ni kuwa mashamba yawe na individual Title Deeds. Hizi individual Title

Deeds ni kwa akina baba ama ni kwa akina mama ama ni kwa wote.

**Samwel Cherop:** Kidogo hapo, wacha nianzie ya kwanza. Forests, there are some marked places kwa forests from colonial times until now. Let those colonial posts that....zile zimewekwa katika forests. Itoshe hapo, watu wasiongezwe forests ama waseme ni Minister fulani ama Serikali inayokuja inasema hii forest. Tumalize halafu wananchi wa-settle. Hapana. Forest ikae natural like that.

Pili, Title Deeds. Kwa Valley, wacha basi iendelee kwa baba kidogo. Wacha iendelee kwa jina la baba.

**Com. Muigai:** Asante sana Bwana Samuel Cherop. Kutuambia iendelee kidogo, kidogo ni wakati gani, kama ni miaka miwili ama ni miaka sitini ama ni nini? Lakini umetueleza hayo ni maoni yako na tunayapokea. Sasa nataka kumpa nafasi Julius Kongo. Julius Kongo? Atafuatiwa na John Kiano. John Kiano halafu Thomas Kiptoo.

**John Kongo:** Asante sana, Mr. Commissioner. Kwa vile nyinyi mmekuja hapa leo labda tutarekebisha Katiba yetu. Kwa vile Wa-Marakwet wanayo maneno mengi. Jina ni Julius Kongo. Kwa vile nimekuja hapa kwa kuchangia, nami nakuja hapa kwa kuchangia kuhusu mila ya mwenyewe. Unajua sisi Wa-Marakwet tunafuatanga mila zetu. Kwa sababu mahali tunakaanga nyumbani lazima tuwe mahali wazee wanakaanga. Na hiyo kitu vile tumeonelea, tumesema wale wazee hawana mahali pa kukaa. Hasikii neno. Sasa hiyo tumekanyangia hivi, hatuwezi kuacha mila za wazee.

Vile vile ile ninasema tena hata wamesema hapa ni kuhusu hawa Ma-Councillors na Wabunge. Lazima wajenge specifically karibu na watu wao. Kwa sababu wakiwa Nairobi, ni nchi yetu lakini ni mbali katika constituency. Mtu hata kutafuta kazi fulani, labda Mbunge ameona kuna kazi fulani, watoto wale Wa-Marakwet, wanakimbia mahali kwa Mbunge wao, waelewe kazi iko namna gani. Mbunge amepata votes kidogo na wanaweza kupata ukweli wao. Na pia Councillor awe karibu na watu wao. Kwa sababu kama Councillor anaishi upande wa Eldoret na anaema ni wa Arror, sasa hatuwezi kujua kama yeye ni Councillor. Huyo ni Councillor wa huko upande wa Eldoret. Tunahitaji Councillor ambaye tuko pamoja. Sina mengi sababu nilikuwa nachangia tu kuhusu hali ya mazingira yetu.

**Com. Raiji:** Asante jilandikishe hapo Bwana Kongo. John Kiano. Atafuatwa na Thomas Kiptoo.

**John Kiano:** Kwa majina mimi ni John Kiano. Mimi ni mwenyeji wa hapa Arror. Kwa kuchangia Katiba yetu, kweli wenzangu wamezungumza mengi lakini nitasema tu yale ambayo nitaongezea. Kuhusu wazee kushughulikia watoto wao katika area hii ya Marakwet na wazee wamekosa kushughulikia watoto wao. Nahurumia wamama sana kwa sababu wamama wanalisha watoto, wanashughulikia kwa mambo ya fees. Hata akikosa kalamu, unaona akienda kuuliza baba. Nataka uninunulie kalamu, anasema nenda uulize mama yako. Hiyo ndio nimeona huruma sana katika area hii ya Marakwet. Kwa hivyo ningechangia tu kwamba Katiba iundwe ya kurekebisha wazee. Kwa sababu ingekuwa jukumu lao kusaidia namba moja ili wapate kushughulikia watoto

wao na mambo ya mavazi na hata chakula.

Jambo lingine la pili la kuchangia ni kuhusu Wabunge wetu ambao tunawachagua kwenda Bunge. Kweli tunawachagua Wabunge na wanaleta shilingi ishirini ndio tupatie yeye kura. Halafu tunaenda miaka tano kavu. Kwa hiyo shilingi ishirini, sijui tutatumia hizo shilingi ishirini, bila kufanyia sisi haki yetu au kutetea sisi katika Bunge mambo ya maendeleo katika area hii yetu. Kwa hivyo tumechagua watu ambao walinunua kura yao, kwa hivyo sijui anaenda kujaza ile pesa yake aliipeana kwa kununua kura. Hiyo ndio tunaona ni shida area katika area yetu. Kwa sababu miaka tano zinaisha, tumechagua ingine, hata ndio sababu tunaona tunabadilisha Wabunge hapa Marakwet. Kila wakati. Kwa sababu tunapatia huyu, anasema nitawafanyia jambo, lakini anaondoka bila kufanya chochote. Hiyo ndio shida yetu. Kwa hivyo tungetaka sheria isimame kwamba, democracy yaani tuchague mtu ambaye atatumizia mambo ambayo yanasaidia sisi sote au tutengeneze sheria ambayo inasaidia mtu mmoja tu. Kwa hivyo tungetaka sisi sote tufaidike kama Wa-Marakwet. Kama tunachagua mtu, atutetea sisi sote ndio tupate kuendelea kama Wakenya wengine.

Jambo la tatu ni kupigwa kwa wanawake. Kweli jambo hili naona kweli linasikitikia sana. Kwa sababu bado tunao ule uongozi unaitwa uongozi wa mababu. Ambaye tunafanya mwanamke kama yeye yuko chini yetu. Kweli yeye yuko chini yetu kwa vile Mungu aliumba hivyo. Lakini lazima awe na sehemu ambayo anajitetea au ana maoni ili tusaidiane pamoja. Kwa hivyo tunaona kwamba watu wa hapa Marakwet wanaongozwa kimabavu. Wanaongozwa kimabavu. Kwa hivyo tungetaka sheria itengenezwe ili waokoe hawa Wa-Marakwet.

Jambo la nne ni kuhusu silaha katika area hii ya Kerio Valley. Silaha kweli tulikuwa na silaha ya kienyeji, hii ya mishale na mikuki. Lakini silaha ya bunduki, ningeomba ndugu zangu sheria iundwe, hii silaha ishikwe na Serikali. Isiwe sisi raia tunayo kwa mikono yetu kwa sababu tunaona inatungamiza kabisa. Hii inatungamiza kabisa. Kwa hivyo tuachie Serikali washike hiyo, sisi tushike mikuki na mishale ile ya zamani. Ndio amani itaweza kurudi.

Kuhusu mambo ya ulevi. Tungetaka sheria itungwe katika area hii ya Marakwet, tunaona inazorotesha maendeleo katika area yetu. Ulevi umezorotesha maendeleo. Unaona ma-group ya watu, wanakaa kama wanazunguka huko kukunywa pombe. Watoto hawasomeshi, hawafanyi kazi, ingekuwa afadhali iundwe sheria ya kusema ya kwamba, usipofanya kazi, uchukuliwe hatua. Kwa sababu watu hawalimii. Wanakunywa pombe tu, wanakuja kuuliza mama jioni wapi chakula. Mama akisema hakuna chakula anasema, 'kwani hapa ni kwako' na wanachapa yeye. Sasa tunaona kweli sheria iundwe juu ya jambo hilo ili ipate ku nini.

Kuhusu afya yetu, tungependa sheria iundwe ya kila mtu kuchimba choo ili kulinda mazingira yetu. Kwa sababu tunaona watu wengi wamesema kuhusu maji imechafuka, kwa sababu tunafanya kinyesi, mahali popote hapa. Hakuna choo ya maana katika Arror. Kwa hivyo sheria iundwe ili mtu ambaye hawezi kuchimba choo, basi achukuliwe hatua.

Kuhusu jambo la kufanya kazi hilo ni jambo la saba. Ya kutafuta kazi. Watoto wetu wamesema hawapati kazi, kwenda kuuliza kazi, yule mtu wa ofisi anasema toa kitu kidogo, sijui hicho kitu kidogo tutapata wapi jameni na sisi ni watu ambao bado kupata pesa. Vijana wetu bado hawajapata pesa ya kununua kazi. Kwa hivyo ingekuwa afadhali, Serikali irekebishe mambo ya corruption kwa sababu tunaona watoto wa matajiri ndio wanapata kazi. Watu wa hapa reserve hakuna kazi. Wengi wanakaa nyumbani na ndio hata sababu wengi wamekuwa wezi. Kwa sababu hakuna kupata kazi. Ukienda kuuliza kazi kwa ofisi, mtoto wa tajiri, tajiri ametangulia na kununua kazi. Kwa hivyo umaskini umetunyanyasa sana kwa sababu ya hiyo.

Jambo la mwisho ni kuhusu ukabila katika kazi. Ukienda kuuliza kazi kwa ofisi, basi unasikia kwamba, ‘wewe unatoka wapi, wewe ni kabila gani?’ Hilo jambo kweli tungetaka iundwe sheria ya kwamba, tukae kama Wazungu. Mimi naona Wazungu wanakaa vizuri kama Amerika, huwezi kuulizwa wewe unatoka wapi, bora wewe ni Mwa-Amerika. Basi ana haki ya kupata kazi hapo America. Hata sisi Kenya ingekuwa afadhali turekebishe mambo ya kuuliza, ‘wewe unatoka wapi, ni nini na nini ndio hata upate kazi. Hiyo nafikiri ni hayo. Asante.

**Com. Raiji:** Asante sana. Bwana John Kiano. Sasa tutamuita Thomas Kiptoo. Jiandikishe huko tafadhali. Jiandikishe hapo. Thomas Kiptoo karibu.

**Thomas Kiptoo:** Asante sana Bwana Commissioner na niwapongeze sana siku ya leo kuja upande wa Arror. Majina yangu ni Thomas Kiptoo. Asante sana. Maoni yangu, Bwana Commissioner, Katiba nitaanza hapa Marakwet sana katika barabara. Nafikiria Marakwet ni ya mwisho kupata rami. Hakuna district ingine isipokuwa Marakwet ambayo hakuna rami. Districts zote labda ni thelathini na nane. Districts katika national.

Ya pili, kuhusu hapa Marakwet ni kubwa sana, Kapchorop, Chesekon, ni mbali sana. Afadhali igawanywe. Kasakei constituency yetu igawanywe mpaka Chesekon. Tupate mpaka mpya. Kwa maana ni mbali sana. Tupate hata (inaudible) watatu hapa Kerio Valley kuchunga hata security. Tukikimbia kutoka hapa mpaka Cherop tunapata watu (inaudible).

Ya pili ni security, security hapa ni mbaya sana. Ukinyang’anya mtu mali yake, hakuna...yaani ni sheria. Lazima ushtaki yeye kwa sheria. Kama mtu akinyang’anya mtu mali yake, lazima tufuate ili tushike yeye. Kama ni kumbambasa ni mbaya sana.

Ya tatu ni kuhusu kuua mtu. Kwa Katiba, tufuate ile Katiba ya zamani, ukiua, lazima uawe. Basi mimi nafikiria maneno ya land issues, kama hii ya Title Deed. Hatuna Title Deed hapa, lazima Bwana Commissioner, fuata huko hiyo Title Deed leta hapa mara moja. Sina mengi. Labda iko swali, sina mengine. Asante sana.

**Com. Raiji:** Asante sana. Mambo yako yameeleweka kwa hivyo hakuna swali. Asante sana. Jiandikishe tafadhali katika ile register yetu. Charles Kipkorir.

**Charles Kipkorir:** Asante. Kwa majina ni Charles Kipkorir Rotich. Niko tu na pendekezo mbili ama tatu hivi ningependa kuchangia kuhusu kuangalia mambo ya Katiba. Ya kwanza, hata kama imerudiwa lakini lazima nirudie kidogo kwa kupanua kidogo. Hii mambo ya barabara. Mambo ya transport kwa barabara. Tungependa sana haya mambo ya transportation ya watu, hata sio mizigo sana. Ukiangalia katika barabara zetu za Kenya, ziko very much congested. Kwa magari yenye haina hata kila kitu gani. Unaona gari hata haina namba imesajiliwa.

Tukiangalia gari hata haina facilities zote. Na watu wanajazana huko ndani sana. So, ningeonelea ya kwamba, kwa barabara, kama ni matatu ya watu kumi na nne, iwe strict kumi na nne. Mtu akipatikana wa kumi na tano, conductor ama driver aulizwe aliingia namna gani. Hata kama ingewezekana, mtu angepatiwa nambari yake, aliingia akiwa namba ngapi kwa hiyo gari. Kama ni watu kumi na watano, yeye anatolewa anapelekwa kwa polisi anafanya kazi. Hiyo ni punishment yake moja. Ndio tu-reduce mambo ya road accidents.

Overspeeding is also a problem. Kama ingewezekana hata pia, ingesemwa eti, gari speed yake ya mwisho iwe chini ya hata themanini. Kwa sababu ikikimbia zaidi more than one hundred kilometers per hour, hata inaweza kukimbia mpaka mbinguni sio kukimbia mpaka our destination. So, that is a big problem also. Ipunguzwe kabisa halafu askari nao wanalie hakuna gari inaenda zaidi ya hapo.

Magari ya mizigo yenye haina viti yeyote ndani. Hata ma-tyres zingine zimeharibika hata zimekosa nguvu, zitolewe kwa barabara. Na magari zipelekwe kwa inspection at least mara moja kwa mwezi ionekane ya kwamba iko na kila kitu ndani. Nafikiri hiyo ni moja kuhusu mambo ya magari na barabara.

Ya pili, tukiangalia mambo ya umaskini wetu, hata Serikali inachangia moja ama vyote. Ukiangalia Kerio Valley ama Marakwet kwa jumla na nchi zingine za Kenya, many people are equipped kwa njia moja ama nyingine. Ukiangalia vijana sana, wengi wamesoma, pengine wako na ujuzi. Lakini kupatiwa hiyo nafasi ya ku-utilize those skills, hakuna. Kwa mfano, hapa Kerio Valley unakuta vijana wengi hata wanajua kujenga manyumba mzuri mzuri, wanajua kuunda vitu mbali mbali lakini hakuna awareness sana. Hawapatiwi. Hakuna wataalamu kutoka kwa Ministry of Research and Technology wenye wanakuanga kwa area.

Sasa tungeomba ama tungependekeza experts wa tabaka mbalimbali, wa mahali mbali mbali, kama ni kilimo, kama ni mambo ya industrialization, iletwe katika locational level. Halafu kama vijana wanaona wangepanya kitu fulani lakini hawana mawaidha kupita akili yao, wana-consult, wako karibu hapo. Na wakiona hii inatusaidia, hawa wanapeleka pendekezo letu mpaka kwa district level. Waambie D.C. halafu kuna watu mahali fulani wangepanya hii na hii lakini hawana uwezo wa aina hii na hii. Wanaweza form vikundi.

Mambo ya industrialization. Hapa Kenya yetu ama hapa nchi yetu tuko na viwanda vidogo vidogo lakini kwa ubaya industries



zote zimefungwa. Tukiangalia kama ITEC, imefungwa, tukiangalia Kerio, imefungwa, (inaudible) imefungwa na kampuni zingine mbali mbali lakini tumeonelea ni influence kutoka nje.

Hata ni jambo la aibu sana, tukiangalia wanakenya karibu wote, asilimia themanini na kitu, wanavaa nguo ya mtoto wa Mzungu. Shauri akuwe mtoto wa Mzungu. Kwa nini, na tuko na uwezo wa kufanyia kivyetu. Hata afadhali tungefaa nguo moja ile quality cloth, five hundred shillings, one thousand shillings. Afadhali tuoshe usiku na tufae mchana. Kuliko kujaza sanduku nguo ya mtoto ya mtu ametupa, hata labda amekufa. Na tunasema tuko kwa fashion ya kuvaa nguo ya mitumba. Tukiangalia sisi wenyewe, almost all of us here, tunavaa mitumba. Hata mtu anaanguka na ndege, na tunasema tumepata kiasi quality. Quality gani? Kama Serikali inaweza tujali, they should improve our small industries. Wangetuangualia kwa hiyo laini sana. Hilo ndio pendekezo letu kama watu. Unajua, that is why bado tunasumbuliwa na bado tunakanyangiwa na bado tunapatiwa (inaudible). Because we are able to work ourselves but the Government is still allowing these clothes to our country. Very soon they will import hata ugali na itakuwa aibu kubwa zaidi and we are able.

Halafu labda ya mwisho, mambo ya idlers. Hata mtu anaweza kuwa na wasiwasi hata akitembea tembea usiku kwa town, Nairobi, wapi, hata hapa. Kwa ajili ya idlers. Watu wamekuwa wengi mpaka hata wenye hawafanyi kazi wamekuwa wengi. Mtu akienda Nairobi ni kama anaenda Vietnam. Hata hajui kama anaenda capital city yake, kwa ajili ya nini. Kuna watu hawana kazi, wanapiga watu, hawa *manija* wa usiku. Hata unakuwa na wasiwasi.

Pendekezo ingekuwa hivi, any idler hata kama tuseme unafanya katika shamba ya Serikali ndio mtu hawezi kufanyia yake. Kwa sababu hata hiyo imeletwa huku sana. Hata umaskini wetu umetokana na... tumepoa sana hakuna kazi tunafanya. Sio lazima tuajiriwe mishahara lakini kile kimekuwa equipped hata kwa akili, we are not able to work ourselves. Lakini idlers, hiyo tena ipunguzwe sana. Chief aangalie watu wake. Hata Assistant Chief aangalie katika location yake, huyu mtu hafanyi kazi na hapa nyumbani anakula na anaishi, anakula kutoka wapi? Kama anaona anakaa hivi, anaingilia mambo ya wizi. Lazima aangaliwe.

Lingine la mwisho. Mambo ya corruption. Mambo ya political parties ama Wabunge kununua wananchi. Unajua kitu kimoja kinashangaza sana ni mambo ya corruption. Serikali inasema haitaki corruption na tena huko juu wanaanza corruption, eti wanapatia watu pesa halafu wawapigie kura. Hiyo kitu should be completely banned away. Ingefutwa completely. Kama ni pesa ni pesa tu ya kutembea kusalamia wananchi, lakini wananchi wanasema that one iwekwe X kama Serikali wanatujali zaidi. Lakini kama hawatujali, that is why tumetoa pendekezo namna hii. So, kwa hayo machache nawashukuru and God bless you.

**Com. Raiji:** Iko swali.

**Com. Muigai:** Umezungumzia juu ya idlers, idlers ni akina baba, akina mama ni watoto, ni watoto wa kike, ni watoto wa kiume. Ni akina nani wenye wako idle?



**Charles Kipkorir:** Sana sana nimeona idlers ni vijana, male and female. Idlers sana sana. Kwa sababu, ingawaje wasichana hawaendangi kutembea tembea Nairobi ama town ama nini. Lakini they are idlers. Kwa sababu wakiwa idle wanakaa tu. Iko lingine?

**Com. Raiji:** Hapana. Asante sana. Umezungumza vizuri. Tupatie hizo notes zako na ujiandikishe hapo. Diana Kimosop? Karibu.

**Diana Kimosop:** Kwa majina naitwa Diana Kimosop, mwenyeji wa hapa Arror. Ningependa kuchangia juu ya elimu kwa wasichana na pia kwa wavulana. Tuseme kwa vijana wote huku. Ukiona elimu pande huu, unakuta baba anawachia mama jukumu la kuwalisha watoto. Lakini uchukue wewe hatua umrudishe mtoto shule, asome baada ya kujifungua na wewe umlee mtoto. Angalao apate hiyo elimu. Ningependa pia Serikali, tuko na arid na semi-arid areas na tunajua ya kwamba pengine watu wengi hawajiwezi. Halafu sasa kuwaendeleza hawa pengine vijana wasome, ningependa Katiba iweke hivi; elimu iwe free kwa semi-arid and arid areas for both girls and boys. So that they can get that chance of proceeding on. Because unakuta kwamba huku kuna vijana wengi nyumbani sana. Not that they are idle, no. Wako na elimu lakini pengine hawana fedha ya kuendelea kimasomo. Sasa ningependa Serikali iangalie hapo, Katiba mpya ichukulie masomo iwe ni ya maana sana. Waweke free education.

Lingine ningependa kugusia mambo ya waalimu maternity leave. Mama anapewa maternity leave, anaenda nyumbani na halipwi pengine leave allowances like any other public service. Sasa ningependa walimu walipwe leave allowances. Serikali ione Katiba kwamba, even a teaceher is given that allowance at least afurahie. Na pia ningependa kama mama akienda nyumbani, maternity leave, pia bwanake kama anafanya popote vile, apewe hiyo leave aende amchunge mama nyumbani. Sio lazima watu wote wanaweza pengine ku-employ maid. So, both men and women to be given the maternity leave. I don't know the name they will call for those men but for women the maternity leave. Now, the name for the men, I don't know, they can get the name. So, both the wife and the husband to be at home. The husband to look after the wife. Hata kama maid yuko, bwana sio kama maid. Sasa hapo iangaliwe kwamba, kila mtu apewe leave.

Hapa nimegusia mambo ya allowances. Mwalimu kweli pesa ni kidogo sana na nyongeza ya mishahara, tunataka walimu waongezewe mishahara. Huwezi katarajia Mwalimu aende afundishe kwa darasa akiwa na nguo ameweka kiraka hapa nyuma. Sasa, mtoto mwenye anafundisha, atavaa nguo gani kesho. Tunapigania nyongesa kwa mishahara ya walimu. Asanteni.

**Com. Raiji:** Asante sana Mwalimu. Iko swali.

**Com. Muigai:** Mwalimu asante sana kwa maoni yako. Nataka kukuuliza kuwa, hii maternity leave na paternity leave. Hilo jina lingine ni paternity. Hii paternity na maternity leave, ungetaka iwe kiasi moja ama ni tofauti na ungetaka iwe kiasi gani.

**Diana Kimosop:** Hapana isiwe tofauti. Wakati mama anaenda kupumzika nyumbani. Pia mzee apumzike amsaidie mama. That

duration the mother is given, kama ni three months, even the husband apewe three months.

**Com. Ratanya:** Swali lingine hapa Diana. Hapa umesema kuwa na free education. Lakini hukufafanua kama ni class gani. Kama Standard one to University or Primary or Secondary?

**Diana Kimosop:** I am talking from Primary level.

**Com. Ratanya:** Only?

**Diana Kimosop:** No, iendelee hata mpaka University kama inawezekana. Swali lingine?

**Com. Raiji:** Imetosha mama. Asante sana. Jiandikishe hapo tumefurahi. Mama Kobilu? Paulina Paul? Philip Chogen.

**Philip Chogen:** Jina langu ni Catechist Philip Chogen. Nafikiria kweli mengi yamezungumziwa na ninaongeza tu kidogo kidogo. Mambo ya usalama katika hili bonde letu la Kerio. Kitu tu mimi naona kama Katiba ingetungwa ya kuondoa mabunduki katika bonde ya Kerio, usalama hautakuwako. Kwa sababu sehemu zingine wako na bunduki na sehemu zingine hawana bunduki za home guards. Hiyo iondolewe. Pia tunaomba tena bia, sheria itungwe, watu wa Kerio Valley mashamba yao igawanyiwe, wapate Title Deeds, kwa sababu kama wale wenzetu wanaweza pengine kutorosha sisi kwa sababu ya bunduki na kurithi hapa sababu sisi hatuna (inaudible). Kwa hivyo tunaomba mashamba yetu yagawanywe ili kila mmoja awe na sehemu yake. Mambo ya mashamba. Ukiona kweli kuna shamba nyingine zinagawiwa kwa ajili ya wale ambao hawajiwezi. Lakini ukiangalia ndani, wale wa ngazi za juu. Wanaweza kugawia wale hawajiwezi pengine acre mbili, acre tano na wenyewe wanaweza kuchukua pengine sehemu zote za shamba, acre hamsini, acre mia moja mpaka acre elfu mbili.

Kwa hivyo tukiona vile Mungu aliumba binadamu wote ni sawa. Tena pia, tunaomba kweli, tukiona katika Kenya, sisi wazazi, mtu anasema, pengine wazee hawajali watoto wao. Wazee wanajali watoto wao wanasomesha. Lakini ukiangalia mpaka saa hii, wazee wanashindwa kusomesha watoto kwa sababu mali zao zingine zimechukuliwa na neighbours wao. Zile zingine wamemaliza wale watoto wengine na hao watoto wamemaliza shule na mpaka sasa hawana kazi. Hii ndio sababu hata wazazi wangepata usaidizi na watoto wao wa kwanza, lakini hakuna njia yeyote ambayo inaweza kuaidia kwa sababu, wanamaliza shule, wanamaliza courses lakini wanakuja kukaa nyumbani. Hata saa ingine ijumaa hii, watoto wote ambao wamehitimu pengine darasa la form four, hawataenda huko Kapsolel kwa ajili ya kuandikwa kazi. Kwa sababu kama hawana pesa shilingi elfu kumi, hawataenda lakini watabaki nyumbani. Na wale watoto sasa ambao wanajiweza, watoto wao wataajiriwa kwa sababu wako na elfu hamsini, elfu kumi.

Pia sisi tungeomba pengine Katiba, unajua kweli katika area hii yetu ya Marakwet, mtu akiua pengine mtu mwingine, pengine watu wote, jamii yote wanakimbia. Sisi tungeomba kweli, sheria iwekwe kama mtu akifanya makosa ni kitu yake Yeye

mwenyewe anahukumiwa kulingana na vile ametenda kosa lake. Sio pengine kuachia mwenzake abebe mzigo wa mwingine. Sheria iwekwe mtu akifanya kosa ni lake peke yake. Si aanze kuhusisha jamii ama jamaa.

Pia kuna mambo ya kutoa ushuru. Kweli katika market hizi ndogo ndogo, pengine hii Serikali ama County Council wanakuja kudai pengine watu yaani vitu. Unaweza ona mahali ambapo hao wamama na wazee wanajenga vibanda zao. Na ni katika verandah ya duka ya mtu. Kwa nini hawa awatenge shamba au plot yao, kwa ajili ya wale watu. Tena pia atunze hizo vitu za watu. Jioni ikibaki, hakuna mahali anaweka halafu akuje kuuza kesho. Anapeleka mpaka nyumbani na unajua kweli katika kwetu, pengine nyumbani ni mbali. Kubeba asubuhi, kuleta jioni hiyo ni shida moja. Kwa hivyo tungeomba pengine sheria iwekwe ya County Council watenge mahali pazuri kwa ajili ya watu ambao wanafanya biashara. Pia kweli unaona, katika sisi watu wa bonde, maisha yetu yote yako katika mambo ya forest. Lakini sisi tungeomba pengine Serikali iangalie hiyo vizuri. Vile Serikali ilisema, forest iangalie. Hiyo sheria itolewe nje. Sheria iko lakini imewekwa chini ya meza katika ofisi. Lakini itolewe iwekwe juu ya meza kwa ofisi ili itumiwe. Watu wasikate pengine forests. Mbuzi zisiingie katika forests. Tena pia mashamba, mashamba itunzwe na watu wakatazwe, wasilime shamba mpaka karibu na mto.

Hii ndio sababu sisi hata tumepata ukosefu wa maji na hata hii area yetu hata sisi tumekosa kupata mimea kwa sababu maji haya yote imekwisha kwa sababu forest imemalizika. Sio pengine hata raia tu kukata. Hata wengine wale matajiri, wanaingia kwa forests na kukata mbao. Kwa hivyo hiyo yote ikomeshwe kulingana na Katiba. Kama kuna Katiba kweli, Katiba itungwe na ifanye kazi ama kusaidia. Na pia kuhusu pengine mambo ya mashule. Tunaomba sheria itungwe ambayo inaweza kusaidia. Pengine kuunganisha Serikali na kanisa. Kwa sababu kuna mashule mengi ambayo wanakuwa sponsored na catholics. Lakini kwa muda kidogo, muda sio muda, mnaweza kuona pengine walimu wanapigwa transfer hata mahali popote. Hata bila kujulishwa yaani sponsor ama yule ambaye anahusika. Kwa hivyo tungeomba pengine ushirikiano kati ya Serikali na Kanisa. Tena pia unaona haya mambo ya machafuko ambayo inajaa Kenya.

Hii ndio sababu sheria haikuwekwa muda ambao mtu anaweza kaa kwa Council, kwa Parliament ama kwa President. Mtu anaweza kukaa miaka mia moja. Anajifuna kwa hiki kiti, dunia yote ni yake. Kwa hivyo angepatiwa muda wa miaka kumi peke yake. Miaka mitano, ukipendwa na raia, unarudishwa miaka ingine mitano. Hata kama wewe unapendwa basi hiyo term yako ya miaka kumi inatoshea wewe. Kwa sababu wewe unaweza kubaki kwa kiti mpaka unajivuna. Na pengine unaweza kuchukua kitu kama pengine ni chako. Ama pengine Kenya ni yako. Kwa hivyo mimi nafikiri pengine ni asante. Lakini mengi yamesemwa na watu wengine na ni asante sana.

Kuna mambo ya barabara ambayo nimesahau. Unaweza kuona haya mambo ya barabara. Hata kitu kimoja ambacho mimi mwenyewe wakati mimi ninalala na ninashukuru ni El-nino. Kama hakungekuwa na El-nino, barabara hata pengine hawangeteneza. Kwa hivyo hakungekuwa na mpango. Barabara zingine zimepangwa, zimetengwa pesa, lakini mpaka hapo pengine tayari hata barabara haiwezi kutengenezwa. Hii barabara ya kutoka Kasol mpaka Lesim. Pengine imechukua miaka mingapi na hiyo barabara bado kufika hapa. Kwa hivyo mimi naomba sheria iwe, pesa ikitengwa kwa ajili ya kitu, Serikali

ifuatilie nao wafanye hiyo kazi.

Ya mwisho ni mambo ya Aids. Tunasikia kuna mambo ya early campaign kwa sehemu zingine. Pesa zimemwagwo pengine kwa campaign ili watu wachafuke na haya mambo ya Aids. Yaani watu wapate elimu ya kutosha kuelimisha jinsi ya kutunza afya yao na kadhalika. Kwa hivyo ninawaomba tena pengine sheria itungwe kweli. Kama kuna kitu ambacho ni hatari kwa maisha ya binadamu katika Kenya. Campaign isambazwe na iende pahali popote. Asante sana.

**Com. Raiji:** Asante sana Philip kwa hayo maoni yako. Jiandikishe hapo. Kuna mtu mlemavu ambaye amefika hapa hata kama hakuwa amejiandikisha kwa sababu hatujapata hata mtu mmoja kutuambia shida zao. Kuna yeyote mlemavu? Disabled. Ajitokeze atuambie kwa sababu hatujapata shida zao hata kidogo. Naita people with disabilities. Anybody with disability. Kama hakuna, hakuna. Mtu yeyote ambaye labda alijiandikisha na alikuwa akitaka kupeana maoni yake na hajasikia jina lake. Mmoja...one, two, three. Mlikuwa wapi wakati nilita majina yenu? Uliitwa majina. Wewe ndio uliina mkono wa kwanza? Kuja hapa. Halafu utafuatwa na wale wawili na hata wewe. Ulikuwa umejiandikisha? Ulizungumza? Ataongea sasa.

Almon Kuto: Asante sana. Kwa majina naitwa Almon K. Kuto. Ningetoa maoni kama haya. Ningependelea constitutional courts dealing with matters of Constitution to be established. Lingine ni, Katiba ya sasa, haipatikani hata kwa sehemu yeyote hapa. So, we would request that the Constitution be accessible to every individual citizen of Kenya.

Lingine ni, a Councillor should be a form four person. A Member of Parliament needs to be a graduate and he should be a development conscience person. Lingine ni prisoners to be allowed to vote as citizens. Wherever they are in prisons they should be allowed to vote because they have the right to vote as citizens. Even if they are in prison. Lingine ni, Councillors, MPs, Civil servants should declare their wealth before joining any public office for transparency and accountability. Another one is, employment should be by merit and not by corruption method whereby a person bribes to join an office where he doesn't qualify.

Another one is abortion should not be allowed because it is illegal to kill an innocent person and those people who are administering abortion should be jailed for life. Rapists should be offered life imprisonment to serve as an example. Teachers involved in affairs with school going children should be sacked so as to serve as an example to the others.

Another one is, administration, for example the Chiefs should be in a position to control pombe. Because it has offered destruction to families. The Constitution should specify the roles of Chiefs or the Administrator in ensuring that pombe is not allowed. The Chief who is not following those rules should be sacked to serve as an example because pombe has brought so much destruction. It has caused divorce, it has caused wife beating, it has cost so many jobs and development reduction. Thank you.

**Com. Muigai:** Thank you very much Kuto. I have only one question for you. Whose abortion should be illegal, for the father, for the mother or for both? Because both of them can abort. When a father says, I am not interested; he is already aborting his part of the responsibility. So, whose abortion should be illegal?

**Philip Chogen:** Both of them should be illegal.

**Com. Raiji:** Okey asante. Kuna mtu nimeona pande ile, nyinyi wawili. Wakwanza alikuwa nani? Na kulikuwa na mwingine hapo. Alikuwa nani? Inua mikono. Ni wewe, utamfuata, halafu huyu mwingine atakuwa wa mwisho. Karibu bwana na utaje jina lako ili tusikie.

**David Biwott:** Kwa majina mimi naitwa David Biwott. Mengi yamezungumzwa hapa na yangu yakuwachangia ni haya: Ya kwanza ni kuhusu wamama kupigwa na wanaume. Hiyo inaudhi sana kwa sababu mama anapopigwa, sasa umejipiga wewe mwenyewe. Sheria ipate kuundwa halafu mama apate kuishi kama mtu yeyote. Lingine ni kuhusu mambo ya forests. Forests nazo ni za maana sana kwa sababu inabidi kila mmoja kukuwa na lengo la kuchunga forest kwa sababu forest ni mahali pazuri. Sheria ipate kuundwa. Mtu anapopatikana akiharibu forest, apate kuchukuliwa kulingana na sheria. Na jambo lingine ni kuhusu maji. Maji ni uhai. Ni uhai kwa sababu wengi wamezungumza hapa kuhusu poverty. Poverty inachangia hata maji kukosekana. Maji, sheria ipate kutungwa ya kuchunga maji.

Kuhusu tena mambo ya ugonjwa. Kuinga na kumaliza ugonjwa. Kila mtu awe na latrines. Hiyo ipate kuundwa na kila Chief apewe nafasi ya kuangalia sub-location yake. Watu wote wawe na latrines. Watu wote wasitumie hata misuti. Misuti ibaki hivyo hivyo. Mazingira itakuwa maridadi. Jambo lingine ni mambo ya elimu. Elimu iwe sawa, wanaume na wasichana kwa sababu wote ni binadamu. Itakuwa jambo la maana ukisomesha watoto wako wote bila kusema eti msichana atakuwa wa ng'ombe. Wote ni wa ng'ombe kwa sababu akioleka utapata mali hata mvulana atapata kuinua nyumbani kwako. NI hayo tu Bwana Commissioner.

**Com. Raiji:** Asante. Yule mwingine. Jiandikishe hapo tafadhali, halafu utamfuata. Ni wewe naita bwana?

**Samuel Kipchumba:** Kwa majina naitwa Samuel Kipchumba Kanta, mimi ni mwenyeji ya Arror, na mengi yamesemwa na watu, niko na nyongesa tu. Maoni yangu mwenyewe. Ningependelea hivi, kwa importaion, mazao kama vile mahindi, tunajua kwamba ni mzuri tuagize vitu muhimu muhimu, zije nchi yetu. Hasa mafuta. Lakini vitu kama mahindi, tunaweza pata kwa njia yenye inajulikana sana, wanaita Chamong'ala ama wajuzi. Wanaweza enda nchi za karibu kama vile Uganda, na wanaweza enda kuagize mahindi yao. Na walete kwa hii nchi yetu ya Kenya. Kwa sababu tunajua wote, nchi kama Kenya ni agricultural country and as such they are able to produce things like maize e.t.c. So, here is the case that the Government, we know that the Government are the eyes of common mwananchi.

Therefore, they should tax, they should see that the common mwananchi is being protected. Why I have said this is because, somebody may go to a neighbouring country like Uganda and purchase maize let's say costing three hundred and come to country like Kenya, because we are all in market. We want our common mwananchi, to sell his or her goods. Therefore, in that position, (inaudible). Sasa hiyo itakuwa mbaya, ningeonelea Government waangalie na waone kwamba mahindi hayaagizwi kutoka nje. Ingingine ni kama mayai, ingine wanaweza toa nje kama S. Africa to a country like Kenya.

Basi ningependekeza waunde sheria na wafanye statistics ya .....waunde sheria ili waangalie mazao kama haya ninayosema. Ingingine, ni establishment of projects. Tunajua ni mzuri, projects ni mzuri ziwe established in our districts. Projects can be established but the common mwananchi will not taste the fruits of it. Nzasema hivi kwa maana kuna maji yenye iliuzwa na (inaudible).

**Com. Raiji:** One minute to wind up.

Iliuzwa na (inaudible). Na sasa inaendelea kwa district kama Eldoret na watu wa Jambala hawaoji hata utami ya hayo maji yao na inatoka district ya Marakwet. Ningeonelea hivi, waunde sheria tuseme any establishment or a project in a district, the common mwananchi should have free use of it. So that it can be extended to the next district. Asante.

**Com. Raiji:** Asante sana. Chief, nilikuwa nimekuita. Ulikuwa umezungumza? I will give you four minutes.

**Jacob K. Lagat:** Asante sana. Yangu ni kwamba Provincial Administration. My names are Jacob K. Lagat. I would wish that the Provincial Administration be retained but their boundaries of working should be shown by the Constitution. Also, the Police Administration should have some unions which should represent them and these unions should be legally registered. In Marakwet community, there is this question of women, when your wife is married and you have not paid dowry, incase the wife dies because of births, accidents or so, normally there must be a punishment to the husband. So, that part of culture should be eradicated.

On employment, there must be a labour office where all the job opportunities must be registered there and the form four leavers and others, should actually be going to seek employment from the Labour offices. Instead of actually moving all over looking for employment.

Corruption: The Constitution should provide that incase somebody steals a collection of money, say over ten million, a board should not be given to discourage these people from corrupting.

Another one is that there must be one system of education. Instead of (inaudible), when a new President comes in, then he just comes with his own system of education. If it is 8-4-4, it should be 8-4-4 forever, but there must be some few amendments on

some syllabuses.

**Judiciary:** There are some cases, which should not be taken to the courts like land disputes because the lawyers do not actually know even the boundaries of the land and even the original owners of the land. So, such cases should actually be settled by the elders. There also must be a mobile magistrate to solve this question of some people who are actually not able to move because perhaps they do not have money. Their mobile magistrates should be going all over the district to solve such cases like land disputes and so on. I think that is the much I had.

**Com. Raiji:** Asante sana Bwana Lagat kwa kutuchangia kwa mara ya pili, yale yalikuwa maoni yako binafsi. Tumeshukuru. Kuna wengine wamekuja saa hii, tutawapatia nafasi. Hilary Kosgei. Ambaye atafuatwa na Oliver Kosgei.

**Hilary Kosgei:** As you have heard my names, I am Hilary Kosgei from St. Benedicts Aror Secondary school. This day, I am very happy to see you, Constitution of Kenya Review Commission. Me, I have just a few words to make and pertaining this subject of mine. Me as a student we have many problems in this side of Kerio Valley. Pertaining this education, it is on the side of school fees. May be many students here are dropping out of school because of school fees and to say so, may be you as CKRC, to give out free education to the students of Kerio Valley. Also pertaining the area, this area of ours, we have very low security and may be you can assist also in securing the place. In order for the people to grow crops and to have a chance to educate their children. Also, pertaining my wish also is that, in this side of ours, we have water from Muyeni, may be this side of Aror has no electricity. We wish you would assist us to generate that power in order to assist the people of Aror, for Aror to be an industrial center. As you walk now, you will see few people have developed on the side of agriculture. With those few remarks, thank you.

**Com. Raiji:** Asante sana Hilary. Jiandikishe hapa. Oliver Kosgei.

**Oliver Kosgei:** Wenzangu wameongea lakini labda nichangie kidogo kidogo ile labda waliagiza. Kitu cha kwanza.....my names are Oliver Kosgei. Tungependa Katiba ile inakuja, iwe ni Katiba ya watu. Ile Katiba iko sasa inaongea juu ya President, Executive peke yake sana sana. So, the new Constitution coming, should be addressing the wishes of the people. Wacha raia watangulie. President ni mtu mmoja peke yake lakini raia ni watu wengi. Kwa hivyo hii Katiba inayokuja iongee juu ya raia sana sana sio President. Iwe labda ni kidogo tu Executive.

Kitu cha pili, the powers of the President should be trimmed and some of them include the following: He should not necessarily be a Chancellor of the Universities, infact asiwe in my opinion. Hii kazi ya kusema yeye ni mkulima number one, daktari number one, ako na law nini, hiyo kitu itoke.

Ya tatu, the President should not interfere with the Judiciary. In most cases we have seen situations where the President can



interfere with the running of the Judiciary na tunaona kama ni mbaya. He is misusing. The Constitution should define the powers of the President and should not include having any affairs with the Judiciary. The Judiciary should be very very independent from the Executive or even the President in this case.

Thirdly, the President should have no power in hiring or firing of any top civil servant. It has to be done by a panel or a Commission, not the President alone. Hii kazi ya kutangaza kwa redio eti mimi nimepatiwa P.S., itoke. Ama nifutwe kwa redio, itoke.

Hapa Marakwet nafaikiri tuko na madaktari wa maana sana. Labda hata mkionyesha mwenye ametibiwa na daktari wa Marakwet huwezi amini. Mtu mwenye ako na fracture ya kichwa kabisa. Fracture kubwa lakini now he is very much alive. Lakini kama angekuwa Kenyatta hospital, labda hange....so, tunataka huyu daktari wa Marakwet mwenye anajua kutibu huyu mtu, alipwe na Serikali ya Kenya na alipwe kama professor. Same level of salary. Yes. Na kama sio hivyo, Pal Ghai akae kwa KNH, akae huko, asaidie Wakenya wote. Most people die because of accidents and because of fractures ya kichwa peke yake. Which is very simple kwa hawa watu wa Marakwet.

Huyu mwanafunzi mwenye ameongea amekuwa na shida ya pesa za shule. The Constitution should address anybody who is not able to meet this fees, hata mtu wa Kerio Valley apatiwe loans ama bursary.

Management of National Resources: We would wish that the Constitution states clearly that these national resources to be managed by professionals. Hii kazi ya Mulu Mutisya, hatutaki vitu kama hiyo. Chairman of soil conservation yet he is unlearned and very illiterate. Hiyo vitu itoke hatutaki vitu kama hiyo.

Second to last, Mayors na County Council Chairmen wawe ni watu wa kupigiwa kura na raia. Hapana kwenda kujichagua huko. Raia wapige kura directly kutoka hapa chini. Wafanye campaign. Sisi tuwapende ama tusiwapende.

Finally, we would need access to information. Access to information either owned by the State or any other group which has the information. Serikali isitumie pesa bure, mambo ya probe Commissions but there is no information being released. So, we would like to have access to all information either in position of the State or any other group. So, as long as the information is for the benefit of Kenyan citizens. That is all I have, thank you so much.

**Com. Muigai:** Thank you very much Oliver Kosgei for your contribution. You have put two things together. Umesema kuna mtu mmoja mwenye umesema yeye ana upofu na kutosoma. Hayo ni mambo mawili umeweka pamoja. Yana uzito wa namna moja? For example, kama angekuwa ni mpofu na ana masomo, ungekuwa na shida na hiyo?

**Oliver Kosgei:** Please come again.



**Com. Muigai:** You have said that Parastatals should be professionally run and you have said that one of them is run by somebody who is blind as well as illiterate, you have coupled those two. One is a skill issue, the other one has very little to do with skills. You can see. So, I am asking, would you have a problem with somebody who is blind but skilled and professional?

**Oliver Kosgei:** Sorry for that, let me clarify. Somebody can be blind, very skilled, ideal person to run an office. But in a situation where the person is unskilled even if he has got very good visual or eyesight. May be he should not be made to run office. I am sorry, the person I was talking about is blind. But I never talked about his inability to see. I just tried to put those things as an error.

**Com. Raiji:** Okey, I think you have clarified. Sasa, kulingana na wale watu walikuwa kwa list, tumemaliza na wale tulipatia nafasi. Kwa hivyo tungetaka kuwashukuru wananchi wa kutoka hapa Arror. Hebu nimalize, mambo ya swali utauliza. Nitaenda polepole tukizungumza. Kwa hivyo tungetaka sasa kuwashukuru sana wananchi kwa sababu mahali pengine tunaenda, watu wanatoa maoni wanaenda, lakini hapa nimeona, tumekaa na nyinyi tangu asubuhi. Mmetusaidia, mmetusikiliza, wengine mmetuchangia na sana sana tungetaka kuwashukuru wenyeji wa hapa. The Catholic Parish of Arror kwa kutupatia all these facilities na hata wanachama wa constituency committee pamoja na civic education providers. Kwa sababu kulingana na maoni yale ambayo yametolewa na watu wa hapa, tunaona kwamba civic education yenyewe ilifanyika vizuri, mobilization was very well done na kwa hivyo tungetaka kuwashukuru kwa niaba ya Tume ya kurekebisha Katiba. Na kama mnajua mmetuambia barabara zenu si mzuri sana na kwa hivyo sasa nafikiri tutafunga kikao tumemaliza na wale watu walikuwa wamejitokeza kutoa maoni. Kama kawaida yetu tutamaliza na maombi na tuatamuuliza Father, atufungie tena, kama vile alitufunguliwa na Mwenyezi Mungu atusaidie ili tuweze kurudi pale tumetoka.

Tungetaka kuwajulisha ya kwamba bado tuko kwa hii constituency ya Marakwet West, kesho tuko Kapsowal na hata kuna Tume ingine iko katika center ingine. Lakini hiyo si yetu. Kwa hivyo mumealikwa tu kama ukiweza ukuja hapo kwa sababu hivi vikao vyetu kama vile mnaona ni vikao vya wazi. Kwa hivyo wananchi wa hapa tumesema asante sana. Ma-Commissioners ambao tuko nao hapa Commissioner Salome Muigai, Commissioner Domiziano Ratanya na mimi Riunga Raiji na maofisa wa Tume. Tumewashukuru sana na Mungu aendelee kuwasaidia na kuwabariki. Asanteni. Father.

## Prayers

**Father Nyongesa: A song.**

Tuombe. Kwa jina la Baba, la Mwana na Roho Mtakatifu. Salamu Maria. Umejaa neema, Bwana yu nawe, umebarikiwa kuliko wanawake wote. Yesu mzawa wa tumbo lako amebarikiwa, Maria Mtakatifu Mama wa Mungu, utuombee sisi wakosefu sasa na saa ya kufa kwetu.

Atukuzwe Baba na Mwana na Roho Mtakatifu. Kama mwanzo na sasa hadi kufa kwetu Amina.

Mwenyezi Mungu tunakushukuru tena mara ingine. Tunakushukuru kwa sababu umekuwa kiongozi wetu tangu tulipoanza kikao

