

(CKRC)



VERBATIM REPORT OF

**CONSTITUENCY PUBLIC HEARINGS, MOGOTIO
CONSTITUENCY ,HELD AT EMINING SECONDARY SCHOOL**

ON

5TH JULY 2002

CONSTITUTENCY PUBLIC HEARINGS, MOGOTIO CONSTITUENCY, HELD AT EMINING SECONDARY

SCHOOL ON 5TH JULY 2002

Present

Com. P.M. Wambua
Com. Zein Abubakar

Secretariat In Attendance

1. Fatuma Jama - Programme Officer
2. Wambeyi Makomere - Assistant Programme Officer
3. Lydiah Moraa - Verbatim Recorder

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

Prayer: (Speaker): (In Tugen)

Paul Kimoki: Asante sana kwa hayo maombi. Nikiwa mbele yenu nasimama kwa niaba ya Coordinator ambaye yuko upande wa Eldama Ravine kwa kazi kama hii na tunaanza saa hii hiyo tunaita public hearing ama kuchukua maoni yenu. Hivi saa hii bwana Commissioner tumekuwa tayari hapa na kabla sijawapea fursa, ninegenda pia kufanya introduction ya Committee wa the Constitutional Committee. Tuko nao wawili, mmoja wao ni hao wako mbele yenu na watasema majina yao.

Cheptieng: Mimi naitwa Cheptieng ambaye minatoka upande wa (inaudible) ndio nawakilisha kwa hiyo kamati ya kurekebisha katiba katika constituency.

Alfred Lagat: Mimi ni Alfred Lagat, ni mmoja wapo wa kamati na natoka upande wa Sirwa asante sana.

Paul Kimole: Nafikiri sijawambia jina langu pia jina langu ni Paul Kimok, nawakilisha Coordinator ambaye yuko nasi sasa hapo Eldama Ravine na pia ningekaribisha headmaster wa shule hii ili naye atukaribishe ama Chief kama yuko karibu. So mimi nampa programme Chairman ili ambaye ni host atuongoze.

Chairman: Wageni wetu wa siku ya leo, Commissioner hao wawili ambao wamefika siku ya leo, ninataka kusema ya kwamba munakaribishwa sana kataka tarafa hii ya Emining na vile vile katika uwakilishi wa Ubunge wa Mogotio. Sisi hapa tumekuwa tukitarajia nyinyi kwa muda mrefu, tumejitayarisha na kufuata taratibu ambao tulipewa. Wale ambao wanafundisha wamefundisha vile hawa watu ambao wako mbele yenu wanatakiwa kufanya na nafikiri yale ambayo wamepata ndio watasema wote wengi wao walikuwa wanasema muda ambao walipatiwa ulikuwa mfupi sana. Kama ungekuwa mrefu zaidi, wangukuwa na mambo ya kusema zaidi.

Najua ya kwamba wanajua vile wanataka kusema na pengine watasema kwa njia yao lakini wengi wao wameelewa ya kwamba sisi tunatakiwa kusema vile tunataka kukaa katika nchi hii ya Kenya. Kwa hivyo watafuata vile na mtasikia. Kwa hivyo hata nyinyi wale ambao mmefika siku ya leo ambao wanakuja kutoa maoni yao munakiribishwa vizuri na mukae na museme maneno yenu vizuri ili tuwe pamoja na watu wa Kenya wote. Kwa hivyo kwa hayo machache nasema ahsante sana na mimi narudisha microphone hii kwa Commissioners hili waendeshe kazi yao vile inatakikana. Asante sana.

Ahsante sana. Habari ya asubuhi?

Audience: Mzuri

Com. Zeuri: Jambo langu la kwanza la kufanya ni kukitambua kikao hiki kama kikao rasmi cha Tume ya Kurekebisha Katiba ya Kenya kwa minajili ya kukusanya maoni ya Wakenya ili kurekebisha Katiba yetu. My first privilege is to declare this as an official function of the Constitution of Kenya Review Commission for the purpose of the collection of views of Kenyans in this constituency, Mogotio constituency, for the purpose of amending our Constitution. Hilo ni jambo langu la kwanza.

Ya pili ni kuwashukuru sana kwa kufika hapa na kuwaomba kwamba tuendelee na utulivu mulioonyesha ili tufanye kazi hii kwa nidhamu. Kama nilivyosema nimekitambua kikao hiki kuwa rasmi na tukisha kutambua kikao hiki kuwa rasmi kinakuwa na nidhamu fulani na nidhamu yake ni kwamba watu watakoruhusiwa kuzungumza ni wale wanaotoa maoni au ma commissioner wanaozungumza hapa. Ikiwa wewe una jambo lako lengine la kuzungumza, mnakwenda pale nje mnazungumza mnamaliza mnarudi ndani. Hilo ndilo jambo la kwanza na la pili ni kwamba kulikuwa kumeitwa headmaster ambaye ndiye mwenyeji wetu hapa na tunashukuru sana kwa kukubali kuwa mwenyeji wetu lakini alikuwa bado anashughulikia kutengeneza mambo pale nje lakini namuona amekuja. Kwa hivyo mimi sitaki tumrudie yeye baadaye nataka aje aseme mawili matatu tuu kwa sababu hatuna muda mrefu halafu ndiyo tuendelee haraka. Bwana headmaster.

Headmaster: Asante sana. Nimeshukuru sana ma -commissioners kuja hapa. Mimi ni host, nawakaribisheni hapa. Tulipopata barua yenye kwamba mnakuja tukafurahia sana sababu hili ni jambo la kihistoria. Kwa hivyo ningependa kuwaambia wenzangu ya kwamba hii nafasi tumepewa na serikali ya Kenya. Ile Constitution ya kwanza iliandikwa na watu wengine na hii ni yetu. Kwa hivyo tusiachwe nyuma, wale tunakuja tuseme yale tunayo moyoni ili wakati Constitution itaandikwa tutakuwa tumekuwa represented. Kwa hayo nawakaribisheni mjisikie nyumbani tafadhali tufanye yale tulikuwa tumekuja kufanya hapa ili tusiachwe nyuma na wakenya. Nimeshukuru sana.

Com. Zein: Ahsante sana bwana headmaster kwa ukarimu wako na kwa maneno yako mazuri, asante. Jambo langu la pili na la furaha, ningependa kumuomba Commissioner mwenzangu aliye na mimi ajitambulishwe aseme machache halafu mimi nitaendelea baada ya yeye kumaliza, asante.

Com: Wambua: Nitawasalimu kidogo kinyumbani *change thogol*. Ahsante sana. Mimi sitakuwa na mengi maanake yaliyotuleta hapa yanajulikana. Tumezuru sehemu hii kuchukua maoni ya wananchi na popote tulipofika tulipatiwa maoni ambayo yanafaa, hakukua na shaka. Tulipewa maoni na watu wakiwa wana furaha na walituambia yale ambayo wangelipenda yaingizwe kwa Katiba. Tulipoanza hii process tulisema itakuwa people driven kwa hivyo tungelipenda kila mmoja wenu ambaye amekuja hapa kutoa maoni atoe yale yote yako moyoni, atuambie jinsi angelipenda Katiba iandikwe kuhusu maswala fulani ambayo tayari Tume imewakilisha.

Kwa hivyo taratibu ambazo tutafuata hapa mtajulishwa na mwenzangu na tunatarajia kwamba tutakua na siku njema nanyi na tutatarajia kwamba yapo tumalize hiki kikao leo jioni ama wakati wowote ambao tutakapomaliza, nyinyi mtakuwa mumetueleza yale sehemu hii ya Emining mungelipenda yaingie kwa Katiba. Kwa hilo ni jambo la historia maanake haitaruhusiwa tena maybe hivi karibuni. Nafasi ni yako sasa usije ukasema sikupewa nafasi ya kutoa maoni yangu. Kwa hivyo muhakikishe ya kwamba muko huru na mtapewa nafasi ya kuzungumza yale ambayo mungependa yawekwe kwa Katiba. Kwa hivyo kwa kuwa sitaki kuchukua muda mtaelezwa utaratibu na mwenzangu. Sisi tuko na furaha kuwa hapa kuchukua maoni yenu na tunatarajia kwamba tutakopomaliza tutakua na furaha ile ambayo tulianza nayo Asante.

Com. Zein: Asante sana Commissioner Wambua, asante sana. Sasa mimi jambo langu la pili ni kuwajulisha kwenu maafisa au wafanyazi wa Tume tulioandamana nao na kazi gani wanafanya hapa. Ni muhimu nyinyi kufahamu ni kazi gani wanafanya hapa.

Nitaanza na kiongozi wao anaitwa Fatuma. Bi Fatuma pale yeye ni programme officer katika tume ya kurekebisha Katiba ya Kenya na kazi yake kubwa ni kusimamia kazi yetu na kuona kwamba mambo yote yanayofanyika hapa yanaenda sawasawa. Lakini ya muhimu zaidi ambayo unafaa wewe kujua, yeye ana register na ana file. Unaona hiyo register anaonyesha? Hiyo register maanake kwamba ukishajiandisha pale ukaja ukaitwa kuzungumza ukimaliza kuzungumza ikiwa hakuna commissioner ana maswali kwako, utaondoka pale.

Ukiitwa unakuja unakaa pale unazungumza, ukimaliza kuzungumza ikiwa macommissioner hawana maswali unakwenda pale kwenye register una sign. Unaweza kuulizwa maswali kidogo pale kwenye register na ni muhimu maswali hayo uyajibu kwa sababu tunataka kujua ni wakenya wa aina gani, wa background gani wametoa maoni. Ni muhimu kwetu kujua, una-sign kwamba umetoa maoni. Ku-sign pale ni kwamba umeingia, umehudhuria kikao hiki. Ku-sign hapa maanake umetoa maoni yako na yamekua registered. Na ikiwa una maandishi utayawacha, yatawekwa kwa ile file. Kila constituency, kila hearing ina file yake kando.

Halafu yule Bwana Makomero yule yuko pale yeye kazi yake kubwa ni kufuatiliza mambo yanaoendelea hapa na kuyarekodi kwa mkono, ana rappotuer hii session nzima. Halafu Bi Moraa hapa kama unaweza kuwaonyesha hiyo tape recorder. ana

tape recorder, mbili ambazo zinafanya kazi. Kazi yeye ni kurekodi maneno yote yanayozungumzwa hapa. Sisi kule waswahili wa Mombasa tunasema hata ukikuna, ukifanya mmh pia unarekodiwa. Sababu kubwa ya kurekodi namna hiyo ni kwamba tunakuwa na recording mbili pamoja na zile za Ma-commissioner ni kwamba hatutaki kupoteza hata neno moja ambalo utasema wewe maanake ni muhimu katika ubadilishaji huu wa Katiba. Kwa hivyo usione pengine kuna wakati ambao Com. Wambua au mimi Com. Zein nimekaa hapa tumesita hatuandiki ukasema. “Mbona hawa hawaandiki mambo yangu muhimu?” Ni kwamba yanarekodiwa ni muhimu yanarekodiwa.

Kwa hivyo ni muhimu sana kama nilivyosema Bi. Moraa akiwa anarekodi ukija pale hata kama tumekuita kwa jina, ni muhimu utumie sauti yako mwenyewe utaje jina lako useme mimi ni fulani wa fulani ndio uanze kutoa maoni yako.

Jambo lingine la muhimu kufahamu ni kwamba ile register tunaandikisha pale ni orodha ya majina ya watu wote wanahudhuria kikao hiki. Kuna watu wa aina tofauti. Kuna wengine wanataka kuzungumza kutoa maoni na wengine hawataki. Ndio maana ukiulizwa pale wengine wameandikwa ni observer yaani wewe unataka kushuhudia tu na kusikiliza, kuwa shahidi nilikuwako siku ile ya kihistoria kama alivyosema headmaster Maneno haya yaliposemwa mimi nilikuwa shahidi nilishuhudia na kusikia. Kwa hivyo baadaye hata ukija kuangalia repoti utasema kweli haya yalisemwa au hayakusemwa. Wewe utakaa kwa nidhamu usikilize. Kuna wale wanaotaka kutoa maoni.

Kuna njia tatu za kutoa maoni na ni muhimu kufahamu hivyo. Njia ngapi? Tatu. Ya kwanza kabisa uwe na maandishi, you have a memorandum na ukiwa na maandishi yako ukiwa hutaki kusema lolote unaweza kwenda moja kwa moja kwa Bi. Fatma pale ukatoa maandishi yako, uka-sign register na ikawa umetoa maoni yako rasmi kwa Tume ya kurekebisha Katiba. Hiyo ni njia ya kwanza.

Njia ya pili, una yale maandishi yako lakini unataka kuzungumzia yaliyo muhimu katika maandishi yako kusudi watu wengine walio hudhuria hapa wafahamu unapendekeza nini kwa Tume ya kurekebisha Katiba. Na hiyo unaruhusiwa unakuja na memorandum yako hapa but we will not allow people to read. Na tuna sababu muhimu kusema hivyo. Kwa sababu yale maandishi ukitupa sisi tuna njia yetu ya kushughulikia yale maandishi rasmi Kwa hivyo tutayapitia tena kwa hiyo tunawaomba watu wasizungumze kuhusu yaliyomo yote pale. Uchague yaliyo muhimu, pointi kwa pointi u-highlight. You will just highlight the memorandum you will not read it to us. You just highlight, sijui kama tumefahimiana.

Njia ya tatu na ya mwisho ya kutoa maoni ni kwamba wewe huna maandishi unataka kusema kwa kauli yako kwa maneno yako yaliyo moyoni mwako na kichwani mwako. Unaruhusiwa kufanya hivyo lakini pia wewe unaezungumza namna hiyo tunataka useme mapendekezo, ni muhimu sana. Tunajua taabu na shida zilizoko nchini ni nyingi na tunatata uzitungumzie lakini si kwa kirefu. Utuambie mapendekezo yangu ni haya, kuhusu elimu mapendekezo kuhusu elimu ni haya. Lakini ukianza kuja kutuambia hapa hadithi ndefu; unajua siku hizi wazazi wana taabu nyingi kusomesha watoto wao. Nani asiyejua hivyo? Si sote tunajua hivyo. Kwa hivyo ili kuweka wakati uwe mzuri, tunataka mapendekezo, unasema kuhusu elimu mapendekezo yangu ni

haya. Na mapendekezo yako tutayachukua na kuyashughulikia kama mapendekezo mengine ya Wakenya wote bila kubagua na bila kupendelea.

Lingine la muhimu kufahamu ni kuhusu lugha. Lugha gani itaruhusiwa kutumika leo. Ya kwanza ni lugha yetu ya taifa, kiswahili, pia tunaruhusu watu kuzungumza kingereza na pia tunaruhusu watu kuzungumza lugha ya hapa. Watu wanazungumza nini hapa?

Tugen. Basi ikiwa watu wanazungumza Tugen, watu wanaruhusiwa hapa na kuna matayarishi ya mtu wa kutafsiri au sio hivyo? Nani atakuwa anatafsiri? Tuonyeshe kwa mkono. Huyu bwana atakuwa amekaa kiti cha hapa karibu na yule ikiwa kuna mtu anataka kutasfiriwa, anatasfiriwa.

Lingine la muhimu ni nini? Kwamba tunajua kutokana na mila, ada na desturi zetu sisi kama waafrika tukifika mahali kama hapa hatuzungumzi tu. Mtu ataanza, atasema 'napenda kuwashukuru sana Ma-commissioner kwa kufika hapa na tunataka pia kumtambua chief wetu, Bwana headmaster, Chairman wa Three C's' hiyo ndio mila na desturi lakini tunajenga Katiba na Katiba ni muhimu zaidi, mila na desturi leo tunaweka kando. Ukifika pale unasema mimi fulani wa fulani mapendekezo yangu ni haya, unaanza, unamaliza, unaenda. Sijui kama tunaielewana. Ukitaka kutuambia historia ya mzungu, alikuja vipi hapa, Tume ilikaa chini na kusoma historia hiyo. Jua ya kwamba tunajua sisi wengine lakini tukasema lazima tukae chini tusome hiyo historia. Kuhusu mashamba yalivyo-gawanywa, tunajua historia hiyo. Kwa hivyo ikiwa ni ardhi, ikiwa ni utawala, unatoa mapendekezo yako namna hiyo.

Kila mmoja wenu atapewa dakika tano. Utapewa dakika tano kwa sababu uzee wetu wa kazi umetuonyesha ya kwamba ukipewa dakika tano watu huchukua kama dakika nne, nne na sekunde kumi na tano na amemaliza. Zile zingine zote huwa ni hadithi sasa anaongezea. Na tunawahakikishia kwamba tuna uzoefu mzuri kwa sababu ukisha peana maoni, mikoa yote isipokuwa mikoa miwili, moja tunafanya sasa na wa mwisho tunakwenda Western. Kufikia hapa mimi huwa nauliza on behalf of this panel, kuna mtu yeyote mwenye swali? Ndugu yangu unaanza kuvunja nidhamu ya kikau kwa kuzungumza. Kuna mtu yeyote mwenye swali? Hakuna. Tungependa kumuita David.

Kitu kingine cha muhimu cha kusema ni kwamba hapa Mogotio kuna vikao viwili vinavyoendelea kwa hiyo usifikirie ni kikao cha hapa tu ukaona watu wengi hawajafika. Wanaweza kuwa wameenda kwenye kikao cha Mogotio town ambapo kuna panel ya Commission pia inaendelea. Bwana David Chetor.

David Chetor: The Commissioners, the team that accompanied the Commissioners and my colleagues who are at the center, I will start with the preamble. I am Mr. David Chetor, a primary school teacher in Emining division. I wish to present my personal Constitutional views to the Constitutional of Kenya Review Commission held here at Emining Secondary School. The views I am presenting are based on the questionnaire booklet sourced from the CKRC of March 2002. I am still on the preamble. The Constitution of Kenya should be able to bring together the Kenyan tribes, their shared values of freedom, equality, love, peace, unity and prosperity. The whole focus of diversity and development should be defined and protected by the Constitution. That is the preamble.

The constitutional supremacy – Democratic principles are predicated on the belief that everyone is potentially evil and needs to be held in check. Parliament therefore should be widely open and transparent to all Kenyans. Their debate should be covered by all media including TVs. The powers of checks and balances of the parliamentary process should not only be vested on the President but the Speaker as the monitoring figure and the Attorney General under judiciary to act as (inaudible). The Attorney General will be able to accuse a member of Parliament of wrong conduct during office before a competent tribunal. We do not want any other Parliament similar to the 8th Parliament which is associated with all societal evils like corruption, egocentrism, sleeping and non performance in Parliament, failure to attend sittings failure to perform in their constituencies.

Com. Zein: Pendekezo lako ni nini? You are talking about the history of 8th Parliament. What would you like to say?

David Chetor: As per the Parliament, I wish that the parliament should do its work. Then we come to citizenship. In citizenship, we have got these people from outside who have come to live in Kenya. If a person finds that he wants to live permanently in Kenya, then that person should have stayed and lived in Kenya for ten years and he has proved to be a worthy person to all Kenyans, to the Kenyan citizens. If that person misbehaves contrary to what the principles of registration are, then that person should be deported to his/her motherland country.

Political parties – in political parties, I find there is problem here. My personal view is that there should be two political parties in Kenya. The party that rules and the party that opposes so that that party which rules will have a strong opposition party.

About Legislature – I find there is also a problem here. We have MPs we have elected to represent us in Parliament but these MPs do not fully represent us. Why? Because when we have got sitting sessions we are told by the media that there was lack of quorum and whatever.

Com. Zein: Unatakaje?

David Chetor: Nitasema. So my suggestion is if an MP misses fifteen sitting sessions, fifteen sitting sessions in a month, that MP should have his salary cut and if such problems persist, then that MP should be recalled and perhaps the Speaker of the National Assembly declares the sit vacant and then by-elections are held.

The Executive – the person to hold this person should be a person of high integrity, must be well educated and widely versed with psychology. He must be a philanthropist like our current President, President Moi. He should be able to garner support during elections, 25% in at least five provinces.

Local government – the current two terms for mayors and council chairmen is enough. There is no problem on that one. The council should continue to operate under the central government, that is my suggestion. The councilor should be educated and

have good credentials of academic qualification because of what....

Interjection: (inaudible)

David Chetor: Okay, okay. I think because we are still having problems with illiteracy in Kenya, I propose I think the level that is proper is form four.

The electoral system and process – the Constitution should retain the simple majority as the basis of winning an election. A presidential aspirant should be declared President only and only if he has garnered 25% in at least five provinces in Kenya. I think as per the demarcation, Constitutional constituencies in Koibatek are okay.

Basic rights – Each and every person should have freedom of speech and association. Individual's life, property and rights should be protected. No one should endanger, risk or remove somebody's soul and if it so happens, he should face stiff consequences or death. Land and property rights – land should be owned by individual and because we have that scarcity of land, currently in Kenya I think we have got several kinds of acquisition of land. If the government is allocating land to people, let us say landless, if somebody has got 100 acres, that person should not be allocated any more land because already he has got 100 acres while we have got those ones with no land. Not even those people with 100 acres.

Cultural, ethnic and regional diversity and communal rights – we should have two national languages, Kiswahili and English. Cultural and ethnic values should be left to tribes for each belongs to them. Example, kikuyu cultural and ethnic values should not be termed as national values.

And then again, I have talked about management and use of natural resources – this one I think the executive should manage. Employees should be people of good credentials so that we have proper management of our natural resources.

Environment and natural resources – we have got this problem of pollution. Pollution of our environment. We have got this kind of dumping of waste material and I think this should be illegal and any person is found dumping and polluting the environment should be sued.

The rights of vulnerable persons or groups – we have got societal vices like rapists raping and doing other evil to the weaker sex. I think those people who are raping should be jailed for ten years and those ones who are not reforming should be castrated.

Com. Zein : Thank you very much Bwana Chetor, just hold on.

Com. Wambua: You suggested that there be two political parties in Kenya and you did not indicate to us whether these

political parties should be funded by the state because that is one of the questions which we asked. Can we have an indication as to whether you would want these political parties to be funded and whether they should be involved in any other activity other than mobilization for purposes of political activity?

David Chetor: I think as per the political parties funding, without corruption and other vices that get rid of monies from the public offers, the government is able to finance the political parties.

Com. Zein: - Thank you very much Bwana Chetor you took slightly longer than am willing to allocate others. I said five minutes, you took more than that but the reason why I allowed him to take more than that alipata bahati ya kuwa mtu wa kwanza, sio basi tafadhali register kwenye register yetu na utuachie memorandum tutaitumia hiyo. Wilson Kibet, karibu bwana.

Wilson Kibet: Mimi naitwa Wilson Kibet lakini sina memorandum ambao nimetayarisha lakini nitatoa maoni. Yaah, mimi kwa upande wangu sana ni mambo ya kubadilisha system ya serikali, yaani system yenye tunasimamia katika nchi hii ya Kenya. Kwa maoni yangu, sasa tuko kwa this presidential system. Now tunataka ibadilishwe ikuwe federal system.

Kwa upande mwingine wa pili ni upande wa mifugo. Tumeonelea mara nyingi tuko na shida kwa mifugo wetu. Tunataka iwekwe sheria kwa upande wa barabara, kuna magari yenye yanapita kwa barabara na mifugo. Mara kwa mara mifugo wanakanyagwa na mwenye gari anakuja kufuata mwenye mifugo tena anamfunga.

Com. Zein: Unapendekeza nini?

Wilson Kibet: Mimi napendekeza iwekwe sheria mwenye mifugo na mwenye gari, nataka iangaliwe mwenye atashika sheria atalipa. Kama ni mwenye gari atalipa mifugo wa mwenyewe alikanyaga.

Haya, ya tatu, mimi na- propose mambo ya land. Mimi, kwa upande wangu katika nchi ya Kenya, tunataka land kwa upande wa Rift Valley kama iko allocation of land free, ile inapewa wananchi wa Kenya ipewe wananchi wa Rift Valley. Nataka ipewe watu wa Rift Valley wenyewe, indigenous, sio wenye wanatoka province zengine. Kama ni ploti ama ni land, sawa basi.

Ya nne, mtu ana haki ya kununua shamba katika region yoyote within the Republic of Kenya lakini iko limitation, hawezi kununua more than ten acres. Haya, ya tano, nataka ku- propose mambo ya citizenship. Mtu akiwa si mwanakenya halisi kuzaliwa Kenya, awe amekaa nchi hii kweli kwa more than ten, fifteen years then awe mtu mwenye nidhamu na anaeleweka vizuri basi atapewa citizenship na aki-misbehave kuna haki ya kufukuzwa, kunyang'anywa hiyo citizenship.

Com. Zein: Muda wako umekwisha, umebakisha sekundi thelathini.

Wilson Kibet: Okay. Ya mwisho, mimi na-propose kwa upande wa administration. Mambo ya ma-chief, tunataka raia wa upande ya council of elders wawe wakiandika ma-chief na inategemea qualification yao, awe mtu amefikisha elimu ya form four.

So, ahsante.

Com. Zein: Asante sana Bwana Kibet, subiri kidogo kuna swali.

Com. Wambua: Wewe ulitaja kuhusu land, ulisema ya kwamba wale ambao wanatoka mkoa fulani ndio wawe wanapewa mashamba ma-allocation na ukataka Rift Valley peke yake. Je jambo hili lita-pply kila pahali ikiwa ni Eastern, ikiwa North Eastern iwe wale ambao wanatoka mkoa huo ndio wanapewa maanake ulisema Rift Valley peke yake? Pili, ukasema wale hawatoki mkoa huo wanaweza kupewa nafasi ya kununua mashamba na ma-plot lakini isipitishhe hekari kumi. Ningetaka kujua, ungesema nini kwa mashamba ambayo ni makubwa ambayo yanahusika na ukulima wa aina fulani kama commercial ranching, commercial farming? Nikipenda kununua shamba tuseme kama Laikipia for ranching nipewe tu heka kumi, nitafanyaje na hizo heka kumi maanake kazi ambayo naweza kufanya haiwezekani kwa hekari kumi?

Wilson Kibet: Okay, asante sana hilo swali kweli umeniuliza ni mzuri sana. Mahali mimi nimeonelea ya kwamba ililete shida ya land ni hapo umesema, umetaja mambo ya ranch. Hayo mashamba kubwa kubwa hatuwezi kukubaliana maana nimeona mashamba kubwa kubwa katika nchi hii yanasimamiwa na watu wachache na wanaweza kusema kweli anachukua shamba hii lakini wengi wa watu wako landless na haitawezekana mtu kuchukua elfu ishirini katika nchi hii na ikiwa watu wengine wa kutoka region hiyo hawana shamba hata acre moja.

Kwa hivyo mimi naonelea hapo haiwezi kua haki maana kila mtu anajiita mwanakenya na anajua kabisa katika region yenye, ako tuseme an example kama Central province kama mtu ako na twenty thousand acres na kuna mtu wa Central Province hana hata acre moja na anajiita ana shamba ya ranch. Hiyo haimaanishi nchi hii tulipata uhuru si wote. So tunataka tu-share national cake of this country – all Kenyans. Thank you.

Com. Zein: Lakini uliulizwa hiyo haki ya kupewa wenyeji mashamba iwe Rift valley peke yake au kama Coast, watu wenyeji pia wanapewa , Eastern wenyeji wanapewa?

Wilson Kibet: Ahsante. Mimi nasema siyo Rift Valley peke yake iwe Coast, iwe everywhere. Thank you.

Com. Zein: Sawa. Ahsante sana Bwana Kibet. Bwana Kibet anasema yeye akuandika lakini ametoa maoni yake vizuri, tunashukuru. Sasa namuita John Cheruiyot. Bwana John Cheruiyot karibu, una dakika tano kama wenzako utaje jina na uendelee tafadhali. Karibu.

John Cheruiyot: Our Consitutional Commissioners of Kenya ladies and gentlemen, infront of me is my presentation from

Sirwa Youth group and I will start with my proposals.

Parliament should have limited powers to control its procedures through standing orders. The Members of Parliament should not be a full time occupation so that they may be more effective. Age requirements for voting should be 18 years and above. For contesting parliamentary seat should be 21 years and should remain 35 years minimum for presidency. Both languages be tested and oral interviews on languages be requirement for parliamentary election. In addition, be a form four holder and above.

The Constitution should provide for moral and ethical qualification for parliamentary candidates. The people should have the right to recall their member of parliament if two thirds 67% of the voters pass a vote of no confidence. MPs should act on instructions from their constituents or parties. An independent Commission should determine the salaries and benefits of MPs. There should be special measures put in place to increase women participation in Parliament by having six of the twelve nominated members of Parliament for women.

Local government – Mayors and council chairmen be elected directly by the people. The current two year term of mayors and council chairmen to continue. The councillors to operate under the central government. The councilors to be given more powers to allow the council run smoothly without the chief officer having more say. The minimum education qualification for councilors be K.C.E., K.C.S.E. or form four and should pass language test requirements. There should be moral and ethical qualification for local authority seat, a letter for the same from the local elders to justify. The people should have right to recall their councilors if two thirds of the voters pass a vote of no confidence on their councilors. The central government should determine tape and words lost. The nominees should qualify for the post. The constitution to provide and guarantee security, health care, water, education, shelter, food and employment (inaudible) rights for Kenyans for a strong and healthy nation. The government should have the responsibility of ensuring that all Kenyans enjoy the basic rights such as education, security, health care, food shelter and employment. The specific issues which the Consitution should deal with are:

- 1) Health care: free medical services in dispensaries and health centers. There is need to have funds for complicated issues to assist pressing cases which require a lot of money which the common man cannot afford.
- 2) Education – free education from ECT centers to form four and that the government to employ ECT center teachers which will therefore lead to free and compulsory education and those who don't go to school to be disciplined.
- 3) Shelter – the government to provide shelter for the less fortunate so as to realize a mutual contribution towards nation building and reducing or eradicating poverty.
- 4) Food – the government to create national food security and subsidise farm inputs. The government to create other mechanisms such as irrigation projects and land reclamation to boost food production in this country.
- 5) Structure and system of government – there is need to adopt a parliamentary system of government in which a Prime Minister is appointed from the majority party in Parliament and President remains more or less ceremonial. In parliament

system, Parliament is the day to day source of government power. Apart from citizens and Constitution, no institution is above Parliament. The head of state is a symbol of national unity and considered to be a day to day politics but has a little real power. Thank you.

Com. Zein: Thank you very much John, just hold on.

Com. Wambua: Kidogo Bwana Cheruiyot, you say that the right to recall an elected councillor should be two thirds votes. We would want to know whether you have thought of the procedures of getting these two thirds votes. Is it a referendum, is it voting, is it collection of signatures? If you have not thought about it it is okay but if you have thought about it in the memorandum, please mention. Secondly, you did not talk about the right to recall the MP and the right to recall the President where he does not perform. You just concentrated on the councillors or these other elected leaders. Do you have any proposals in situations where the MP fails to perform, where the president does not perform as per expectations?

John Cheruiyot: I will start answering the question on the side of councillors because I have considered it so much. On the side of councilors, because the local authority should be the basic foundation of any government and for any good strong government in future we need to strengthen the foundation, that is why I would say sixty.

Com. Wambua: Sorry, I have understood but do you have proposals? If you have, just give them. If you don't have, it is okay.

John Cheruiyot: I don't have a written one.

Com. Wambua: Thank you very much.

Com. Zein: Asante. Please register. Eeh sasa namuita John Komen. Bwana John Komen, karibu.

John Komen : Asante sana kwa ma-commisioners na wananchi wenzangu ambao wamekuja kutoa maoni na kusikiza. Sina chochote ambacho kimeandikwa lakini nataka tuu kutoa maoni kidogo orally.

La kwanza ningetaka kutoa maoni kuhusu haki za watoto. Haki za watoto, inaonekana iko shida sana watoto na ambayo ni chokora ama street boys, wanatokana na wale watoto wanazaliwa nje ya ndoa. Watoto kama hao wanazaliwa na watoto wetu wa nyumbani ambao hawajaolewa na vile mimi nataka sheria ifanye kazi ni kwamba kwa kweli kila mtu anajua ya kwamba hakuna mtoto aliye na mzazi mmoja. Mtoto lazima awe na wazazi wote wawili. Kwa hivyo mimi ningetaka sheria itafute baba ya kila mtoto na awe responsible kwa maisha ya huyo mtoto. Kwa sababu kuna vijana wengine ambao wamekua bingwa, anazaa mtoto hapa na anazaa mtoto pale na wanawacha wakiumia. Kwa hivyo watafutwe ili pamoja na mama, iwe jukumu lao

kulea yule mtoto ambae amezaliwa.

La pili ni kuhusu umiliki wa mali. Katika Kenya hii kuna mahali ambapo mimi naona ubaguzi umefanywa na hasa kwa makabila mingi ndani ya Kenya, hawa wakalenjin ama wa Tugen wangu wakiwa mmoja wao. Mtu/mimi naweza, kwa mfano naweza kuoza nizae watoto wa kike kama wane, watano hivi. Ndugu yangu amefanikiwa kuwa na wanaume, kuchanganywa wanaume na wasichana na ndugu mwingine namna hiyo. Halafu baada ya mimi kuaga dunia au niende kwa bahati mbaya kulingana na kimila ambayo tumekua nayo, wasichana wangu wanatupwa nje ya shamba yangu na wavulana wa ndugu zangu wanakuja kuriithi mali. Hiyo, kabisa that is a crime.

Com. Zein: - Unapendekeza nini?

John Komen: Mimi napendekeza watoto wangu, wawe wasichana au wanaume wariithi mali yangu. Wawe na haki.

La tatu ni umilike wa ardhi. Katika Kenya kuna hii taabu ya kutokua na ardhi ama kua landless. Hii inatokana na sababu ya watu wengine wachache kuwa na shamba kubwa ambayo ingetoshoa wakenya wengi. Kwa hivyo pendekezo langu ni kwamba mtu awe na acre mia mbili ya ardhi ya juu kabisa na isizidi hiyo na ikizidi hiyo, ma-acre ambazo ziko juu iwe taxed by the government. One person awe na shamba moja peke yake acre mia mbili ya juu kabisa. Lngine ni mambo ya election date. Tarehe ya kufanya uchaguzi ifanywe kuwa sheria na iwekwe. Kama ni tarehe kumi kila December baada ya miaka tano, ikuwe namna hiyo ili mtu yeyote asicheze na hiyo na ikuwe namna hiyo. Kwa sababu kwa mfano kama wakati huu kuna msukosuko. Wananchi wanaambiwa siku ya kufanya uchaguzi utaongezwa na hii ni kitu ambacho kinapitishwa na watu wachache na watu waliowachagua wako bila kujulishwa, bila kujadiliana na hawa. Kwa hivyo ikuwe sheria ya kwamba tarehe ya uchaguzi (inaudible) iwekwe na isivunjwe.

Com. Zein: Umependekeza tarehe ya uchaguzi iwekwe ndani ya Katiba.

John Komen: Kwa Katiba ndiyo. Na kuhusu wabunge au ma-councillors ambao hawafanyi kazi yao vizuri wananchi wawe na right ya kuwaregesha nyumbani kwa kutokoa na imani na hawa na iwe ni collection of signatures, wapitishie kura ya kutokua na imani by 65% of the wananchi. Ahsante.

Com. Zein: Ni swali kidogo tuu mzee wangu. Tumesikia watu wengi wanapendekeza njia ya kuwarudisha ma MP au wabunge ambao hawatimizi wajibu wao kama wananchi wanavyotarajia na swali alilouliza mwenzangu kwa yule mwenzako aliyekuwa hapa, pengine niliulize kivingine. Unasema watu wakusanye sahihi za watu kiwango cha asili mia sitini na tano ya wapigaji kura wa eneo hilo, ziwe zinatoshwa kumrudisha nyumbani. Hivyo ndivyo unavyosema?

John Komen : Ndiyo.

Com. Zein: Je, kutakuwa kunatumika njia gani kuzuia njia kama hiyo isitumike vibaya?

John Komen: Huo uamuzi utoke tu kwa watu walio chagua huyo mtu na siasa ingine yeyote isiingizwe. Wenye kumchagua huyo mtu watoe maoni yao na wapitishie bila kuingiliwa na mtu mwingine yeyote kutoka nje.

Com. Zein: Kwa hivyo mtu anaweza akachaguliwa leo, yule alishidwa na yeye leo, (inaudible) kesho aende kuanza kukusanya sahihi?

John Komen: Maoni kama hayo yasisikizwe na mbunge apatiwe kwanza (inaudible) kama miaka miwili kama probation, asipotimiza hiyo aondolewe.

Com. Zein: Sawa mzee wangu. Sasa tunamuomba Bwana Jonathan Kimaru. Ningependa kutambua kuasili kwa mheshimiwa. Karibu bwana waziri.

Hon. William Morogo: Asante sana.

Jonathan Kimaru: Asante sana Ma-commissioners na wasikizaji wenzangu. Yangu ni maoni tu juu ya umaskini katika Kenya. Tunajua Kenya kuna umaskini mwingi. Yangu labda tu itakuwa upande moja

Com. Zein: Taja jina lako kwanza.

Jonathan Kimaru: Jonathan Kimaru. Ningependekeza ya kwamba wakulima wasaidiwe kwa sababu ukulima ni uti wa mgongo katika Kenya. Wapewe mkopo, wapatiwe soko kwa mimea yao ile inatoka shambani. Pili, waweze kujisimamia kwa sababu wakipata uwezo wa kujisimamia hawatasumbua serikali kwa kusema watafutiwe chakula, watafutiwe pesa ya school fees hata hii michango hatutakuwa nayo. Kwa hivyo hiyo ni pendekezo langu waangaliwe kabisa kwa sababu tusipoangaliwa tuko na shida.

Ingingine ni kwa mambo ya utawala na usalama wa nchi. Kuna hawa watu wanaitwa wazee wa mitaa. Hawa wazee wa mitaa wanafanya kazi nyingi sana hata ingawa ni wa kujitolea. Kwa hivyo ningeuuliza serikali iwaangalie kama watapewa kiinua mgongo, kidogo tu cha kuwezesha kuona kweli wako kwa kazi wanasaidia nchi. Kwa hivyo sina mengi, asante.

Com. Zein: Ahsante sana Bwana Kimaru.

Jonathan Kimaru: Ahsante sana.

Com. Zein: Tafadhali jiandikishe pale mzee wangu kama umetoa maoni kwa Tume ya kurekebisha Katiba. Bwana Kiplagat Chumo karibu mzee.

Kiplagat Chumba: *Kikureno Kiplagat Chumba.*

Translator : Mimi ni Kiplagat Chumba

Kiplagat Chumba: *Amache angalale Kalenjin.*

Translator: Anataka aseme kwa kilugha ya kalenjin.

Kiplagat Chumba: *Amoche angalal akobo imbarenik.*

Translator: Anataka kusema maoni kuhusu shamba.

Kiplagat Chumba: *Imbarenik cheikoitoi Serkali kokochinin biik chemotinyei.*

Translator: Anataka aseme mawazo yake kuhusu shamba ile serikali inataka kupatia landless.

Kiplagat Chumba; *Ngemoche kesomchilakok kokakikoito kobasang.*

Translator: Hizo mashamba Mzee anasema ya kwamba akitaka kuombea watoto na kadhalika, kufika pale anakuta kwamba hizo mashamba zimepeanwa.

Interjection: Zimepeanwa kwa nini? (inaudible)

Kiplagat Chumba: *Kikikoito eng olimbosang.)*

Translator: Imepeanwa nje.

Kiplagat Chumba: *Ngalekab imbar konyoljini kebchei eng gaa anan location.*

Translator: Kuhusu mashamba kama hayo, inatakikana kwamba iletwe nyumbani ama kwa location halafu kila mtu aone na atoe maoni yake kuhusu mashamba kama hayo.

Kiplagat Chumba: *Asikobit konyor akotkitikin chemotinyei.*

Translator: Halafu wale hawana mashamba wapate nafasi ya kupewa hata shamba kidogo.

Kiplagat Chumba: *Ngetiem kesom imbarenjuta kelechech makomitei.*

Translator: Siku hizi tukijaribu kuomba tunaambiwa hakuna mashamba.

Kiplagat Chumba: *Kikwongtosi kekas kele mito biik alake chekinyor imbarenik.*

Translator: Lakini tunashangaa unasikia kwamba kuna mwengine amepata shamba mahali fulani na kadhalika lakini hapa nyumbani tunaambiwa hakuna shamba. So tunashangaa watu kama hawa wanapitia njia gani ndio wapewe mashamba na siyo wale hawana mashamba.

Kiplagat Chumba: *Kakai konai councilaek akobo imbarenichuto asikomwoweche icheket.*

Translator: Tunataka councillors wawe na habari kuhusu mashamba kama hayo halafu councilors watuletee ripoti kama hiyo.

Kiplagat Chumba: *Motinye ngalekalak.*

Translator: Sasa sina mengi.

Kiplagat Chumba: *Kongoi neo .*

Com. Zein: Tafadhali mwambie Mzee kongoi sana, tumemshukuru sana, aende pale andikishe jina lake kwamba ametoa maoni kwa Tume ya Kurekebisha Katiba. Mheshimiwa waziri kama unaweza kutu-join hapa karibu ukae karibu hapa. Hapa ni mahali kwako karibu. Nafikiri unafahamu kwamba mheshimiwa (inaudible). Ningependa kumuomba bwana Job Cheruiyot afuatie.

Job Cheruiyot: Thank you very much the Commissioners, my name is Job Cheruiyot I have an oral presentation and mine will touch on the following: I will talk on provincial administration. I would like to make a proposal that the chiefs and assistant chiefs to seek nomination from the wananchi and actually beroted in (inaudible) together with the elders for interviews and he/she should have form four level of education and have moral and ethical qualification.

On education, I suggest that the government provides free education from pre-school to form four at least and specifically re-introduces the Kenya School equipment schemes to boost our education on special education needs for people with disabilities, they are assisted upto even tertiary institutions like colleges and public universities.

On management and the use of natural resources, the government should apportion benefits from the resources between the central government and the local community. In this case, the central government should take 70% so that it will boost in free education and the community to take 30%.

Environment and natural resources – the Constitution should also be amended to strengthen the protection of environment through the reforestation, and protection of water catchment areas. Thank you very much.

Com. Zein: Thank you very much bwana Job Cheruiyot, tafadhali uende pale u-sign register yetu kwamba umetoa maoni kwa Tume ye Kurekebisha Katiba. Sasa namwomba Isaiah Kimona Chemjor, karibu bwana.

Isaiah Kimona Chemjor: *Ngoliot netai go ngalekab timto.*

Translator: Neno la kwanza linahusu misitu

Isaiah Kimona Chemjor: *Ngotkomi timto nemoktoi kikoch biik chebo yoto.*

Translator: Kama kuna misitu mahali, wale watu wako karibu na hiyo misitu; hiyo misitu ni yao.

Isaiah Kimona Chemjor: *Ngoliot ake kobo bilotisiekab center.*

Translator: Lngine linahusu plots.

Isaiah Kimona Chemjor: *Makat kemetochi county council ngalekab bilotisiek.*

Translator: Wale watu lazima wahusike na plots ni county council.

Isaiah Kimona Chemjor: *Nyolunot korib county council asimoib biich alake eng oretab chorset kou biicho miNairobi ak alak.*

Translator: County council lazima wachunge maneno ya plots kwa sababu kuna zile ma-plots hazijajengwa so wale watu wakubwa wenye wako Nairobi wanaweza kuja karibu hapo waone kwamba kuna ploti hazijajengwa na wanyakue. Maneno kama haya hatutaki.

Isaiah Kimona Chemjor: *Ngaliotake kobo lakok cheimuch kesich komokororon keliek ak eunek.*

Translator: Lngine linahusu watoto. Mtoto anaweza zaliwa na hana mwili kamili, ni cripple. Serikali inaombwa isaidie wazazi wale wana mtoto kama huyo.

Isaiah Kimona Chemjor: *Kisomei serkali kotoret lakochoto engoretaketukul.*

Translator: Lazima ijulikane kila mahali mpaka serikali ijue kwamba kuna watoto fulani hawajiwezi, they are crippled, so lazima wasaidiwe.

Isaiah Kimona Chemjor: *Ake kobo basikilisiek eng barabara.*

Translator: Lngine linausu barabara na mabaiskeli.

Isaiah Kimona Chemjor: *Makonu motokaisiek alake boroindo yosirtoen chitonebunei bosikilit.*

Translator: Basi mzee anasema kwamba unaweza kuwa unatembea kwa barabara na baiskeli halafu gari itokezee inakufuata nyuma. Gari kama hilo halikutatii nafasi uende kwa njia mzuri inakufanya uende msituni. So maneno kama hayo hayatakikani.

Isaiah Kimona Chemjor: *Imuchi korus gari chito eng oret kokaikai kotoreti biik serkali eng kesisiek.*

Translator: Ajali ikifanyika inatakikana sheria ifuatwe kamili kwa sababu yule ambaye amepata ajali na ameaga, pengine watu wake hawajiwezi kiuchumi na kadhalika. So kesi kama hiyo pengine inaweza tupwa. So mzee anaomba serikali ichunguze na ifuatilie kamili.

Isaiah Kimona Chemjor: *Kaikai asikeboisien ngalek chekosei biik tukul kou English, Kalenjin, Kiswahili.*

Translator: Mzee anaomba kama kuna mkutano kila mahali, lugha iangaliliwe. Kama watu wanaongea lugha fulani zaidi, hiyo lugha lazima itumiwe kwa huo mkutano.

Isaiah Kimona Chemjor: *Nyolunot kokwei biik Mayors ak kokwei councilors Chairmen.*

Translator: Basi anasema maoni yake kuhusu council chairmen, anasema kwamba wale watu wanatakikana wachague council chairman na mayors ni wananchi.

Isaiah Kimona Chemjor: *Nyolunot ko serkali neteshinin mushara MPs amateshinike ichekei.*

Translator: Basi anasema mawazo yake kuhusu Bunge kwamba ma-MPs siku hizi wanakaa chini wanajiongezea mishahara. So anaomba serikali iangalie hayo mambo, siyo wabunge wakae chini na wanajiongezea mishahara. Asante.

Com. Zein: Ngojea Mzee wangu, ngojea asante sana kwa maoni yako, kuna swali.

Com. Wambua: Ulisema forests ziwe za wale ambao wanaishi karibu na hizo forests. Ningetaka kujua, serikali inatakiwa iwe na jukumu gani kuhusu forests? Na kama wale ambao wako karibu na forest watahusika na consultation kuhakikisha kwamba hiyo misitu haiharibiwi.

Isaiah Kimona Chemjor: *Eeh ngotkocmochei serkali kokoito timto kokochi biik che menyai yotolekit.*

Translator: Basi anasema kwamba forest kama hiyo serikali iki-decide kupatia wananchi, the landless, wale watu wanaishi karibu hapo ni lazima wapewe priority.

Com. Zein: Nafikiri hukulielewa swali Mzee wangu. Wewe ulipendekeza kwamba umilikaji wa ardhi uwe unamilikiwa na watu wanaoishi sehemu hiyo. Hilo ndilo pendekezo lako.

Isaiah Kimona Chemjor: Eeh.

Com. Zein: Swali linaloulizwa ni kwamba wakishapewa misitu hiyo, wana haki ya kufanya vile wanataka? Siku moja wakiamua wafyeke, wakate miti yote, wanaweza kuwa na haki hiyo au majukumu ya kulinda na kuhifadhi misitu kama hiyo itakuwa imepewa nani? Watu wenyewe?

Isaiah Kimona Chemjor: *Eeh koribkityo amat kongem timto.*

Translator: Anasema kwamba wale watu wanatakikana wachunge hiyo forest ni wale watu wanoishi karibu.

Com. Zein: Asante sana. Mzee, uende pale tafadhali ujiandikishe. Nataka kuzungumza kuhusu mambo matatu. La kwanza: Kwa sababu maoni yanayotelewa hapa ni maoni ya yule mtu anayeyatoa, tukubaliane hivi. Ikiwa yamekufurahisha sana furahi wewe moyoni mwako, ikifika zamu yako uje useme na mini naunga mkono lakini msipige makofi. Ikiwa limekukasarisha sana usimzomee – Sawa? Maanake tuseme yote ndio we should not interfere. The views are personal maoni ni yake mwenyewe, yakiwa ni mazuri furahia rohoni mwako, yakiwa mabaya kasirika rohoni mwako, usikasirike kwa kumzomea. Ukiwa umekasirika utakuja kusema wakati wako.

La pili ni kwamba niliwaambia tunatumia orodha hii ya majina lakini kama Tume ya Kurekebisha Katiba ya Kenya huwa tunajipa haki ya kutoka katika orodha ya majina ikiwa kuna sababu za kutosha. Kwa mfano, kukaja mwanamke au bibi ambaye ni mja mzito hapa tutakua na haki ya kumpa fursa ya kuzungumza na aende nyumbani. Kukaja mtu mlemavu tutakuwa na haki hiyo. Kukaja mtu ambaye ni mzee sana na hawezi kustahamili kungoja kwa muda mrefu, sawa. Kukaja mgonjwa au kukaja mtu ambaye ana sababu za kutosha kusema anaomba apewe fursa azungumze aende. Na fursa hiyo pia tutaitumia kuwapa wanafunzi wa shule hii. Fursa ya mbele kutoa maoni yao warudi darasani wasome.

Na mheshimiwa waziri tumemwambia tayari atakapokuwa kuzungumza tutampa fursa azungumze kwa sababu yeye mheshimiwa ni mwakilishi wa watu wengi hapa, ukiona nimemuongezea zaidi ya zile dakika tano nampa kila mtu usianze kulalamika kwa sababu anawakilisha watu wengi. Kwa sasa amechagua yeye kukaa kuwasikiliza watu wake. Atapokuwa tayari atatuambia halafu tutampa fursa hiyo.

Jambo la mwisho ni kwamba maoni unayotoa wewe unalindwa kisheria hapa usiogope kwamba unatoa maoni pengine utafuatiwa au uulizwe maswali. Toa maoni bila kuwa na uoga lakini hiyo haina maana kwamba una uhuru wa kukashifu watu au kuharibia majina watu au taasisi mbali mbali nchini. Toa maoni yako tu. Sijui kama tumeelewana? Asanteni sana. Sasa nampa fursa hii Bwana Job Kebut. Karibu bwana.

Job Kebut: Asante sana Commissioners na wenzangu. Nitataja kuhusu vitu tatu tu.

Com. Zein: Ungeanza na jina lako.

Job Kebut: Okay jina langu ni Job Kebut. Ya kwanza ni basic right. The coming Constitution should guarantee basic rights. Security kwanza na people should enjoy security, freedom of movement around.

Health - people should be given free health services since due to the economic, problems most of these people cannot be able to afford health services, (inaudible).

Education – people should be given free education from primary to university Possibly, the government can find a way that can offer this assistance because. Most governments offer this like U.S.A and Germany .

Food – provision of food policy .

Employment – people should be employed and paid well whether it is casual or permanent or any other. All people should have freedom of association.

Trade Union – all workers to have a trade union since unions can champion all the views of their workers (inaudible).

Free veterinary services highly subsidized, by agricultural inputs too. Inputs in Kenya are more expensive than outputs . we should try to create a balance, to balance.

The constitution should protect Kenyans from any form of economic exploitation like Kenya Seed buys a bag of ninety kilos of maize for shillings four hundred whereas Kenya Seed sells the recommended bag of ten kilos of maize seed for shillings one thousand three hundred twenty. It has also been realized that there have been fake seeds sold at that price Since the farmers have been crying around saying that ukipanda ndio haikui vizuri Pengine the government, because it is everybody's concern , the government should assist. (inaudible)

Land and property rights – land should be owned equally but should have community ownership. Also, community should be involved around because they are the care takers. Communities should see to it that the transaction is done fairly and transparently. The state to secure land provided for public facilities. The affected person should be rewarded twice. Men and women (wakina mama na wazee) should have a say on land by buying or inheritance through goodwill. By this I mean that, you see we have this married ... You can be married to somebody and then later on, the father had only some (inaudible). In some cultures or certain communities say that only men should inherit the land but not women. If she is married then may be she may say that she has to have the property and if she is married, there already she has the ticket to the other land. So I think it would be unfair. But if it is through will, then it is good, the father is willing. The Constitution should limit ownership of land because later it can create more conflict like the (inaudible) 1992 clashes. People should all be the same .So, people to have

similar cultural ways of living. If you acquire land elsewhere, you buy, we are all Kenyans, no problem.

And then the third is under management and use of Natural Resources – people to have right to manage and a of the whole outcome for their own development. If it is schools, even (inaudible) their health centers. Na hiyo bwana officers ,nimemaliza. Asante kwa (inaudible) Commission.

Com. Zein: Ahsante sana Job. Tafadhali uende uandikishe jina lako pale kwenye register yetu. Ahsante. Sasa ningependa kumuita Bwana Charles Chemoigwa karibu.

Charles Chemoigwa: I am Charles Cheruiyot Chemoigwa.

Interjection :(inaudible)

Charles Chemoigwa: I am Charles Cheruiyot Chemoigwa and my views will be centred in one area mainly and that is local government. In my view, the local government should be given more powers than what it has now. By that I mean when it comes to things like roads within their locality was education, (inaudible) they should have more say, more control because they know their area better. On the other hand, since I am interested in them being given more powers , I also feel (inaudible) they should not just be left to run it the way they have always been running their issues. So we should have sort of a Commission which will be incharge just the way for education we have Teachers Service Commission. That is the kind of Commission I am talking about to oversee these issues so that they are able to employ experts like engineers, they employ qualified town clerks, doctors and they will be able to be monitored when it comes to disciplining and the others for efficiency.

The central government should forward the forward the funds they have always used for these projects to the local government.

Now under the same, we also have these other councilors who come from the side of the public. They will also be under that and since we want efficiency, they should also fall under that class of qualified personnel. By that I mean there have to be minimum qualifications for one to be a councilor which should be a minimum of maybe “O” levels with proof that he is good in (inaudible) language, to be able to communicate with the others.

When it comes to the issue of the chairman of the council or the mayor, they should also have that minimum qualification. At no time should the qualifications of a councilor be lower than that of the MP; they should always be the same because they serve the same purpose. That is my view on the local authorities we should have Chiefs Executives (inaudible) and the others to be professionals (inaudible). That is my view .

Com. Zein: Asante sana.

Com. Wambua: Because he said he wanted to speak specifically on local authorities, I want to ask what your view is on the

question of mayors and chairmen of councils. Should he be elected by people or should they be elected by the councilors like it is now under the present arrangement?

Charles Chemoigwa: Since they will be handling the assets of the district, then they should be elected by the people.

Com. Zein: Please go and register and ensure that your memorandum is left with us. I am now calling upon Bernard Chemjor. Bwana Bernard Chemjor, karibu bwana. Baada ya Bwana Bernard Chemchor tutatumia ile haki yetu nimwiite mwanafunzi mmoja halafu nirudi kwenye list halafu nimwite daktari mmoja ambaye anataka kutoa maoni halafu arudi kutibu watu. Ahsanteni.

Bernard Kipchoge Cheruiyot: Kwa jina naitwa Bernard Kipchoge Cheruiyot na nipo hapa kutoa maoni. Ya kwanza kabisa ningependa kusema kwamba mambo ya Constitution ni kitu ya maana sana na imechukua muda tangu mwaka elfu moja mia tisa na sitini mbili, tumesema tunataka kubadilisha Katiba.

Interjection:(inaudible)

Bernard Kipchoge Cheruiyot: So kwa hivyo ningependa kutaja hivi kwamba hii Katiba ikamilike kabla hatujafanya election ambayo inafuata. Jambo lingine ni kwamba tungependa Constitution ambayo (let me now change to english) that promotes and sustains national unity. Two, there should a Constitution that is able to have checks and balances in the government system enhancing political stability where there is trust and confidence between the population and the government and between the ethnic communities. To achieve this, we need to change the Executive so that the powers of the president be reduced.

I will also suggest that the community be given more say and by so I think we need to introduce another second chamber, that is the Senate, where the ethnic communities and other stakeholders have equal representation. In that Senate they will have an oversight role over performance of the President and will provide stability in political system. These senators should be elected by the people for five year terms. We will have two representatives from every district. They should be nominated by the county councils. The other issue I would like to touch on is education. I want to say that education is very important and therefore as per the law it is free education but currently, although it is in the law that it is free education, it is not free. The government should be able to provide free education for all as from pre-school to standard eight and provide enough learning facilities. I think those are my views. Thank you.

Com. Zein: Please hold on.

Com. Wambua: I just want to understand you Bwana Cheruiyot. You said that there should be two chambers, simply Upper house to represent the ethnic communities.

Bernard Kipchoge Cheruiyot: Yaah

Com. Wambua: Is that what you said? And then you went on to say that these senators should be elected by the people, two from every district and the nomination to be conducted by the county councils. What I want to understand is if it is true that they must represent communities and you intend them to represent the forty two communities or so, how will this form of election you are proposing guarantee that indeed these people represent the communities given the fact that in most of the districts we have various communities living there? Have you thought about it? If you have, can you let us know what your proposal is.

Bernard Kipchoge Cheruiyot: Thank you very much. I think since it is communities or the people in that district who are going to elect, whoever they will have elected is to say that this is the person to represent them. I know we have different communities and sometimes even if there are different communities, one person will be elected to represent them.

Com. Zein: I think the question is still begging. There is competition between two principles. One principle of all ethnic communities to be represented in the Senate, that's a separate principle. The other principle is that this is done at the district level. So how do you make sure that all ethnic... and when we have been going (just for your information) around the country, many communities are coming to us and saying, "We have never been counted" Others are saying, we have been counted but as "Other" and we do not want to be called "Other". Have you heard of the Malakote? There are people called the Malakote, the Dashnak, the Wata and so on and so forth. You can go on and on. People are coming and saying. So we might have more than forty two. We will come to many more and if we are going to have elections, to make sure that each ethnic community is represented. Either it is based on the ethnic principle but if it is based on district, then maybe you are envisaging districts defined by ethnicity.

Bernard Kipchoge Cheruiyot: I think what I clearly want to say here is that we should have representatives in the Senate from the district.

Com. Zein: Ahsante sana Bwana Bernard. Tafadhali uende pale u sign na memorandum utuachie tutaifanyia kazi. Kama nilivyosema tutaitumia hii haki yetu ya kuita mwanafunzi Labat Chepkwony. Mwanafunzi anaitwa Labat Chepkwony aje awakilishe wenzake. Is Labat Chepkwony here? Okay kama hayuko nitaenda to the next student, Ernest Towett. Ernest Towett njoo utaje jina lako, utaje darasa lako na shule unayotoka. Ni muhimu sana sisi kuwaruhusu pia wanafunzi wazungumzie kuhusu wanayotaka katika Katiba kwa sababu KatiBa hii itawaasiri wao zaidi itakavyotuwaasiri sisi na kama historia inavyosema kwamba kila Mkenya ana haki na vijana wana haki zaidi. Kwa hivyo kijana taja jina lako, shule yako na darasa uliloko halafu utoe maoni.

Ernest Toet: Kwa majina ni Ernest Towett nikiwa nawakilisha kidato cha nne cha wavulana, shule ya upili ya Emining. Naam, na hoja hapa ambazo ningeweza kupitiza kwa Tume ya Katiba hasa nikuguzia sehemu za wakilishi Bungeni. Ningeonelea iwapo serikali iongeze sehemu za wakilishi Bungeni ili kwamba kuwafikia watu ambao wanawakilishwa hao na wameweza kuangalia kwamba wale watu ambao hawajiwezi, disabled people, youth and other civil security and women can be reached.

Jambo la pili ni umilikaji wa mashamba. Ningeonelea iwapo Katiba iweze kuangalia kwamba watu ambao wanamiliki mashamba hasa zaidi ya acre mia moja ipunguzwe ndio kwamba watu ambao hawana ardhi waweze kupata ardhi. Iwapo mtu hako na ardhi iliyozidi acre hamsini ipunguzwe hadi kadri ya arubaini. Pia kwa hoja zangu, sheria zitakazo pitishwa katika Tume ya Katiba wakati huu ziweze kutumika katika uchaguzi ambao unakuja.

Ya nne ni kwamba rasilimali na malighafi ambazo zinapatikana katika sehemu ziweze kutumika na watu ambao wanaishi katika hizo sehemu wanatoka. Hivyo kwamba hawa watu ni watu wa kwanza kunufaika katika kutumia hazo rasilimali na malighafi. Pia sheria ambayo imekuwa hapo awali haijaona kwamba haikuwa na haja kwa watu ambao ni maskini, hasa imeshugulikia watu ambao ni matajiri. Basi sheria ambayo ningeonelea iteuliwe ni kwamba sheria ambao inawajali watu kutolingana na mahali watokako kwa tabaka, kidini na mengine.

Pia watu ambao wanamiliki vyeo katika jamii wawe ni watu ambao wanawakilisha jamii ambao ni watu wanaaminiwa, wasiwe ni watu ambao wanajifanyia makuu ambao wanajitegemea wenyewe hawasaidii wale watu ambao wanawakilisha. Pia kuhusu fedha ambazo wabunge wanapewa – iwe ni kiwango ambacho wao wenyewe hawajaweza kuamua, ni serikali ambayo imepitisha kiasi ambacho wabunge wangeweza kupewa. Na kwa hayo, nimefika mwisho.

Com. Zein: Ahsante sana bwana Ernest Towett. Asante sana. Tafadhali uende pale kwa Bi. Fatma, kwa yule dada pale ujiandikishe kwenye register yetu kwamba umetoa maoni kwa Tume ya Kurekebisha Katiba ya Kenya. Kila nitakapotumia haki ya kutoka kwenye list, nikishataja mtu moja narudi kwenye list halafu ndio naweza toka tena. Narudi kwenye list, namuita Hasbel Ruto. Karibu bwana.

Hasbel Ruto: My names are Hasbel Toris Ruto. Well I am concentrating so much on the land issue. If you look at land, there are so many shortcomings as far as land is concerned at the present. The major ones being allocation to the people who might have been not deserving.

Allocation without concentrating future needs – double allocations and allocation through corrupt means.

My recommendations are: forest land including what is currently termed as government forest be vested in the county council in which the forest are situated, that is in the district headquarters. Land rights be moved more specifically entrenched (inaudible) in the Constitution including rights of those communities which do not yet hold land titles. Land administration be centralized by transferring the custodies of the land to local authorities and transferring district land registries to local authorities for land

including what is currently classified as the government forest be vested in the county council in which the forest are situated. Land authorities be restructured (inaudible) and their capacities enhanced to be able to effectively administer land including forest.

Revenue deriving from land and forest be retained by respective county councils, that is in the district headquarters. The administration of land control Act should be delegated to the county council in order to ensure that land transaction are taken in a manner consistent with overall land policy adopted by the county council in pursuant of their Constitution mandate. In this respect, county council should be responsible for setting up land control board and the board should be strengthened and effectively supervised to ensure that they operate fairly, efficiently and in accordance with their law. Thank you.

Com. Zein: Ahsante sana. Swali utakaloulizwa wewe ni the same swali lilioulizwa mwenzako kabla. Misitu ikishaondolewa mikononi mwa serikali ipewe jamii zinazoishi hapo, watakuwa na absolute right on those forests or they will be certain national environmental standards which shall be made and each community will be asked to adhere to the national environmental standards? The fear is that if you do not have national standards, the people will decide what to do with those forests themselves.

Hasbel Ruto: Well in my decision, I am seeing that if this land is given out to the county council, in other words the people who are living in that district will be the beneficiaries in that the county council will be looking at those people who do not have land. So they will be near to those people and they will be directly going to give them the land than those people who are not in that district.

Com. Zein: This is the point I am making. That if you give it to elected officials who are answerable to electors and there is pressure from the electors that you subdivide the forest, who will protect the forest? Because if you leave without any statutory standards or are you suggesting that we should have standards but the management and how that forest benefits the people including the conservation of that is left to the people but there are standards?

Hasbel Ruto: Thank you. It looks that I had not got your question at first. Now I am saying that the land should be given to those headquarters of elected councils so that these elected council are the people who are going to mandate this land giving to the people who are in need. Thank you.

Com. Zein: Asante sana. Siulizi hivyo kwa sababu nadhani ati watu wanaharibu misitu hapa. I have been very impressed with the way people conserve forests and land here but I am afraid there are other parts of the country where we have been where forests have been completely depleted. Thank you, please register. Sasa ningerudi tena nje kidogo nimuite daktari atoe maoni halafu arudi kuangalia wangonjwa. Dr. Gideon Toromo.

Dr. Gideon Kibet Kipchirchir Toromo: My names are Dr. Gideon Kibet Kipchirchir Toromo. Commissioners, Honourable Member of Parliament who is also the minister of public works, William Morogo, DO of Emining, distinguished guests. So far I have been sitted (inaudible) and it looks like most of the points which I will give have actually been discussed earlier so I will be brief.

Structure of government and systems – I would propose we have Federal system and in terms of Executive, there should be a President who should not be a Member of Parliament and should be elected by all the people and the condition must be; Must attain 25% in at least five provinces and there must be a runner up who automatically becomes the Vice President. The same President will then appoint a Prime Minister and deputy prime ministers. The same Prime Minister will in turn now appoint the ministers and also the permanent secretaries, the heads of parastatals and others.

I will talk on Legislature and will propose that parliament should be a full time occupation with a time starting from 8:00am to 5:00pm. and a Member of Parliament must appear at least three days in a week. Parliament of course should run for five years as usual thereafter election should be held. So you can see clearly I am not for any actually extending the term of our Paliament.

Members of Parliament should actually have a basic or a bachelor's degree from a recognized university. In a country like Kenya where the literacy level is above 80%, members of Parliament should also pass a written and oral examination in both English and kiswahili and also on general knowledge because one thing they will be representing people so they must know the culture of the people, religious view of the people and basics within that area of Constitution.

Now, nominated Member of parliament should represent the interests of disabled, marginalized groups and they should not be appointed to any ministerial post because as you realize this is something which has been abused. Three quarter of the time, those who are usually nominated are rarely popular. An independent body should review salaries and other allowances of Members of Parliament.

I will come to local government. The mayors and chairmen of county councils should be holders of bachelor's degree from a recognized university. Mayor should be elected by voters in the wards where they belong while chairmen of county councils should be elected by voters in the area of jurisdiction of the county council. This means they should be elected by the voters from that district outside the city or municipal level.

Nominated councilors' position should be scrapped. This is an area which $\frac{3}{4}$ of the time has been abused. Councilors of course must be up to a minimum of "O" level certificate in this era where as I said literacy level is over 80%. We have had councilors after the meeting, the only two words they know is 'I propose', or 'I second'. When they are asked what are you seconding, they say "tulikuwa tumesema". I proceed on.

Interjection. (Not audible). At least "O" level. Go on.

Dr Kibet: Now, in terms of councilors, they should be paid from consolidated funds and not from their local county council. I will say something on the electoral process. Simple majority process should be used to determine the winner of any election except that of the President, where earlier I said should be elected by 25% of voters in at least 5 provinces. Secret ballot should be used in all electoral process at every level. The President should have a running mate who should finally of course become the Vice President.

Date of election should be announced at least six months before the election to allow a healthy competition for the contesters.

Counting of votes should be done at the polling station and the numbers which should be announced there to avoid rigging.

On political parties; the number of political parties should be reduced to a minimum of two and funded equally from the Consolidated Fund. This can only be done by saying condition number one:

1. For any party to be formed, it must get supporters of about 1,000 from every district.
2. The parties should also be seen as competing and not fighting.

On environment and natural resources; the federal or the regional government should be the custodian of all the natural resources in the regions. Regional natural resources should be exploited for the interest of the people.

Rights of people with disabilities; they should be entitled to free education, health and any other social amenities. At least one disabled person should be nominated to Parliament to represent the interests of the disabled. Occasionally, the government should see how they can pay them a salary where they see they have no income at all.

On education, the government should ensure that all primary school going children get free education, the way it used to be earlier when we used to get the so called Kenya School Equipment Scheme. Secondary education should be highly subsidized and uniforms outlawed to reduce costs. No need for uniform as long as, of course, the students are disciplined. Provide sufficient loans to college and university students including private students, even as we used to get that boom, the loan, and I would suggest they could get the loan which they can repay once they get employment.

On health, where I may dwell, commissioners, at length, but I will try to summarise. The issue of health I will start by statistics. That the salaries of doctors should be increased. In 1984 we had 2400 doctors in the public sector. Ten years later, that is 1994 we had 1,200 doctors. At the moment they are only 600. Most of them are moving out. You realize in most of our district hospitals there is one or two. So there is the urgency to really increase the salaries of these doctors so that they can come back. So that it appears that we are progressing, not retrogressing. The government should also provide free medical care to the people. Cost sharing should not be over emphasised. Whichever system it should actually be checked closely.

On land issues, the government should determine the acreage an individual should own. I will not say how much, but there was

one student who I want to concur with. Every citizen should be entitled to a piece of land. There should be no gender disparities in land ownership (inaudible) While selling land, the family members should be consulted. Thank you.

Com. Zein: Thank you doctor. We have several questions for you.

Com. Wambua: I want to start with the last point you have made. Every citizen should be entitled to a piece of land. That is a declaration, but who takes the responsibilities? Is it the government to make sure that it gives every citizen land? One. Two, you talked of the President at length, how he should be elected, he should have a running mate but you never told us about the question of retirement. We have been seeking views on the question of limiting the terms of the presidency. Should these be limited, and if so to how many terms of how many years each? And secondly, should there be a retirement age for the President and if so, what age do you propose?

Dr Kitoro: Thank you very much Bwana. Commissioner. Those are very good questions. I will start on the land issue. What I mean is, it should be the responsibility of the government. There is a lot of duplication. You will find one individual with about 10 pieces of land then you will find one peasant who is a squatter who has no land. So there should be checks and balances.

On the terms of the President, I propose any President should actually go for two terms, no matter how popular they are. Anybody can lead at any age. I will not limit. Leadership inborn, it does not go with age. So they can lead at any age but two terms is paramount. Thank you.

Interjection: How many years?

Dr Kitoro: Ten years. Five years, five years.

Com. Wambua: Daktari, you propose a federal system of government, and then you propose that Councilors should be paid directly from the Consolidated Fund. In a Federal system, what justification would you have to pay councilors from the Consolidated Fund? And the second question is, we have received a lot of submissions by Kenyans that we should make it a Constitutional issue that health services should be free. But also they say that any health service provider, be it a nurse, a doctor who works in a government institution should not be allowed to have private practice. Do you have opposition on that?

Dr Kitoro: I will start with the issue of doctors. I really concur with you. Once you are in the government, you should be in government 24 hours. I concur with you and by the way I am patriotic and I did not run like the rest. That is why I am still in Kenya. And I propose people should be paid, not so highly. When they get their offs, let them go and relax, but they should not double deal the, government. And also, of course once you are in the government, you are in the government, there is no

double dealing. Now, on the issue of Consolidated Fund, of course when it comes to Federal System, if we are talking of devolution where we will not be talking on the Central Government having a lot of powers, may be it would have been devolved to be Federal system, then the Federal system will now take up the issue of the salaries of the councilors. Thank you.

Com. Zein: Asante sana daktari, tafadhali u-sign register yetu na utuwachie memorandum and you are free to go after that. Sasa narudi kwenye register yetu, Samson Lagat. Karibu bwana.

Samson Lagat: Thank you. My names are Samson Lagat. I am intending to present a memorandum on Eminent Elites Group and one I am going to base on the presidency.

- i) The Constitution to be amended, should Provide for a president who is head of state and whom the Executive authority of the state is vested.
- ii) He should also be a symbol of national unity and above party politics. In this case for him actually to run his work effectively.
- iii) The President must have command, trust and respect in all the communities in the country.
- iv) He should seek elections directly from the people and the current 25% rule should definitely apply for at least five provinces as what my colleagues have said.
- v) The Senate should have the power to oversee the performance of the President and should have power to caution the President as per the Constitution.
- vi) Also, there should be a Vice President who is appointed by the president and who will assist the president in performing his duties.
- vii)

On the side of the Vice President, he should provide a smooth transition in the event that the President is incapacitated, for whatsoever reason. The Vice president should be a member of the Senate and should be a leader of government business in the Senate.

The President also has to appoint the Prime Minister, who will be the head of the government and he should be the leader of the party that commands support of the majority in Parliament. Being appointed as the Prime Minister, the Prime Minister will be appointed by the President in accordance with the criteria that ensures that he has the command of the majority in Parliament and will be accountable to parliament for his performances and the performances of his cabinet. Parliament will have the power to remove the Prime Minister by voting him or her out of the office. And once voted out, the entire cabinet must resign, giving

the President opportunity to appoint the leader of the party that will command the majority support in the house.

And finally, when the President retires, he should have enough security in his life time. Thank you.

Com. Zein: Thank you. Just hold on. Just a small clarification. When you say that there should be smooth transition by the Vice President in case the President vacates the office for whatever reason, are you envisaging the situation that the Vice President will complete the term without going to an election?

Mr Lagat: That is it actually and also he should be able to follow the regulations which were amended for the President so that the country will run efficiently, not to come in with his or her own rules.

Com. Zein: Okay, thank you. Please sign our register. Narudi kwa wanafunzi, namuomba Vincent Ng'eny. Wanafunzi, Vincent Ng'eny? Uje ufanye kama mwenzako alivyofanya Vincent, utaje jina lako, utaje kidato ulichoko sasa na shule yako halafu uanze kutoa maoni.

Vincent Ng'eny: I am Vincent Ng'eny, form four from Emining' High School. I have three views to give:

- i) Concerning the President: I think the Constitution should specify the qualification of the President. The president should be above 25 years old. Also he should have at least a degree, and he should not be an MP.
- ii) About the teachers; I think the teachers are the people who are doing a lot of work in this country of ours. So, their welfare should be considered, their salary should be increased. Because you find that teachers... (inaudible interjection).
- iii) Yea. Again about the government, I think there are some places where to find water is very difficult. So I will recommend that the government drills water in those places which have scarcity of water.
- iv) About education; earlier on, education was free. So I will recommend that the government provide free education, especially to the primary students and may be secondary students from form one to may be form two. Also, the government should at least give the schools or issue some schools or may be all schools some books so that they can be used in those schools. Thank you.

Com. Zein: Asante sana Vincent Ng'eny. Tafadhali uende pale u-sign register yetu kwamba umetoa maoni kwa Tume ya Kurekebisha Katiba. Sasa ningependa kumpa fursa hii Mheshimiwa Waziri Morogo ambaye ni mbunge wa sehemu hii ya wakilishaji Bungeni atoe maoni yake. Asante.

Hon. William Morogo: Asante sana Bw. Commissioner. Commissioners, nitachukua fursa hii kwa kukaribisha hapa, kwa sababu ni constituency yangu. Pili nita- toa maoni kwa kifupi, kwa sababu tayari nimeshatoa pendekezo kwa Tume huko Mogotio, ili tutoe nafasi na kutosha kwa wananchi.

Mimi ningependekeza kwamba uwezo zaidi upewe Local Authority. In other words, Councils, kwa sababu councils zinasimamia watu katika sehemu zote za nchi. Ningependa kuona zile huduma zilizotolea zamani na Councils zirudishwe kwao, kama elimu, barabara, afya na huduma zingine kama hizo. Pia rasilimali za kila wilaya au council zisimamiwe katika council. Rasilimali kama misitu, kama ardhi na mambo kama hayo.

Hivyo basi, councils lazima zipewe capacity ya kuweza kufanya jambo hili. Kwa hivyo ninapendekeza kwamba councils zipewe hazina zao za kipekee, hazina ambazo zitasimamiwa au kuangaliwa na chumba cha pili, au Senate. Nasema hivi kwa sababu serikali kwa sasa inasimamiwa kupitia Consolidated Fund. Na councils kuwa na uwezo zaidi, lazima wawe na hazina yao na kusimamiwa kwa njia hiyo. Hio hazina itatoa fedha zake kupitia kodi mbali mbali na pia kutoka mapato kupitia misitu na mambo mengine. Na pia serikali kuu inaweza kutoa kiwango fulani cha fedha kwa account hiyo ya local authorities. Ningeonelea ya kwamba wale wenye kusimamia councils mbali mbali naunga mkono wale walisema lazima tu-elevate kiwango chao ya elimu. Ziwe sawa na zile za MPs, kwa sababu huduma sasa zitakuwa zikitolewa katika level hiyo. Kwa hivyo, discussions zote lazima ziwe za kuweza kujadiliana mambo ya wananchi kwa kiwango hicho.

Mambo ya ardhi ikisimamiwa na councilors au councils, itamaanisha ya kwamba kila jamii, community yote katika nchi wataweza kusimamia rasilimali zao. Hivyo ni kumaanisha ya kwamba kama misitu, wananchi wataona sehemu fulani itolewe kwa manufaa ya wananchi, wao ndio wawe wanakata kauli hiyo. Na nakubaliana kwamba standard lazima ziweko ambazo serikali kuu itakuwa ikitoa, na sina shaka ya kwamba standards hizi pia zitakuwa global, na ni lazima kutakuwa na International standards ya kusimamia misitu na ardhi. Pia ningependekeza ya kwamba ofisi ya Rais, sasa uwezo wake utolewe au ugawanywe ili tuwe na Prime Minister ambaye atasimamia mambo ya serikali katika Bunge na Senate iwe ikisimamia mambo ya local authorities.

Na wale ambao watachaguliwa kwa Senate wawe wanatoka wilaya ili waweze kuangalia maslahi ya wilaya hizo na zaidi kuona fedha zile zinatoka kwa wilaya zinasimamiwa kwa njia safi, na pia zinasimamiwa kulingana na makadirio ambayo yanakubaliwa na waziri wa serikali za wilaya. Kwa hivyo, ningependekeza pia kwamba yule waziri wa serikali za wilaya awe ex-officio katika Senate ili kuweze kutekeleza matakwa ya councils au serikali kwa Senate. Nafikiri kwa kifupi nitawaachia hapo ili wananchi wapate nafasi zaidi ya kusema mengi. Asante.

Com wambua: Bwana waziri umesema kiwango cha elimu cha councilors kiwe sawa na kile cha MPs lakini hukutuambia kiwango kiwe kipi? Sijui kama umefikiria jambo lile. Wengine wamesema iwe “O” levels, wengine graduates. Ungependaje wewe?

Hon Morogo: Kusema kweli ningesema kwa wakati huu, “O” level is okay.

Com Zeuri: Asante sana Bwana Waziri, tafadhali sign hii register yetu unaletewa kwamba umetoa maoni kwenye Tume ya Kurekebisha Katiba ya Kenya na utakuwa huru kuondoka ikiwa una kazi zingine za kiserikali. Tutakuwa tuna-endelea hapa mpaka tumalize sisi watu wote. Asante sana Bwana Waziri. Sasa ningependa kumomba Bw. Vincent Ng'eny. Aaa, huyu si student. Huyu ni mwananchi anaitwa Vincent Ng'eny. Kama hayuko nitaenda kwa Kelvin Kenei. Oh, ni mwanafunzi huyo. Kwa hivyo sasa tumefika kwenye list ya wanafunzi, na tunafuata hivo. Tuende tu, maanake sasa tumefika kwenye list vile walikuja. Kwa hivyo sasa simruki. Asante sana.

Kelvin Kenei: Thank you. My name is Kimtai Kenei. Kevin Kimtai Kenei from Emining High School. According to my views...

Interjection: What class are you?

Kelvin: Form four. I recommend that the government actually should provide job opportunities to all those who are qualified. For instance we have people tarmacking; We have people having degrees, form four leavers, so the government should consider these people. Another thing is that the President actually should not be an MP. By this I mean that we should have one job for one man, in order to facilitate job opportunity creation.

I recommend that the government should make sure that all members of the community get equal treatment. By this I mean that, we find that most men in the society are the people who inherit their parents' property. I recommend that even the girls should be included there. I recommend also that those people who pregnate pupils or students or anything outside marriage and if the person is working, half or piece of his salary should be deducted to be supplied to this girl or lady. Thank you.

Com. Zein: Asante sana. Tafadhali uende pale u-sign register yetu. Anayefuatia ni Kiptegoi Moses. Moses Kiptegoi. Moses ufanye kama wenzako. Utaje jina lako, utaje shule, utaje darasa uliloko sasa.

Moses Kiptegoi: My names are Moses Kiptegoi from Emining boys Secondary School, am in form four. I would like to recommend on the presidential term. We find that this nation of Kenya is a democratic country and the citizen, are the ones who are responsible for deciding whether the President should continue or not. So my suggestion... (*words lost as tape ends*). And also since the President is elected, I recommend that also the Vice President should be elected so that everybody should have a fair competition. So everybody will be working to retain his seat in that everybody will be working hard in his position in the government. So the Vice President should be elected. Also, the working span of the people or those people who are employed by the government should be reduced. Because we see that many young people lack jobs, and most of the posts of the government are held by old people. I propose that we reduce the working span of the citizens. Then everybody will have that chance of being employed in the country.

Interjection: Moses, you are proposing we should reduce the retirement age?

Moses: Yes.

Com ?: What age? At the moment people are forced to retire at 55.

Moses: So they reduce to 55 years. No, fifty.

Com Zein: No, now, when you attain 55 you are supposed to retire. Now you want 50?

Moses: Yes, I propose 50. On to my fourth point is that, you find, some ladies normally in secondary schools, most of them may misbehave or some may become pregnant and in the course, some schools expel them out of the school. When they are expelled, they bring loss to their parents. So I suggest that those people, or those ladies who become pregnant in secondary schools should be given chance to continue with their studies because I think in the law of Kenya there is nowhere it is saying that somebody who has a child should not continue with his learning. So, we should allow them to continue.

Again, pertaining to corruption, you find that the law is against corruption. And I would like the law to include this; you find that somebody is committing a crime, for example murder case. You find that somebody will bring a lawyer who will try to convince the court that this person is not guilty while he killed a person. In the end, the other person whose family member was killed ends up in prison. So I think the court should not allow the lawyers to be involved in some cases, because there are some injustices in some cases, because there is injustice. If there is going to be allowances for lawyers you will find justice will be in favor of the rich, it will be a business but it will not be adhering to the right of the Kenyans.

The law should include dowry payment, that every member should be paid. If a woman should be paid, even a man should be paid because if the man is the one who is paying, and then that woman still goes and depends on that man, it will be unfair. So I recommend that woman and man should be paid. Parents should contribute, because all of them will go and set aside not the parents of a man or both of them. So I propose dowry payment equally or there should be no payment at all, because they are going to benefit each other, not one in particular.

My last point, you find that there are so many resources in our country and people do not benefit from them. Like when we have a certain resource in our community, the government will say that people of this community will start now benefiting from this and this but you find that they are only using them but we are not seeing the importance of that resource in that particular community. So the government should ensure that the community benefits also, and we should see that benefit. The law should allow people to benefit from the resources that are in their community. Thank you very much.

Com. Zein: Asante sana Moses, subiri kuna maswali kidogo.

Com. Wambua: On the question of lawyers and I happen to be one, I will tell you some of the views we have heard from

Kenyans is that there should be free legal services to the people and the reasons given are that people do not understand, or those who are charged with offences in court do not understand the procedures and the language of the court. And here you are proposing that we should do away with lawyers because it is a business. The essence of legal representation is to ensure that the due process of the law is followed that no one is convicted of an offence unless the process is followed and that everyone is given a fair opportunity so that he can present his defence and that if he is found guilty, he is found guilty in accordance with the law. Now, I do not know whether you still insist that lawyers be done away with or you have changed your mind.

Com. Zein: On the same point, the current constitution presumes everybody is innocent until you are proven guilty by a court of law. So that even if somebody is charged with murder, the law presumes that person is innocent until evidence is produced in court so that the evidence can be weighed and be found either guilty or not guilty, and the lawyer plays the role which my fellow Commissioner has said. So I do not know what your position is as far as what the Constitution says.

Moses: I said that lawyers sometimes I did not specify- but I want to say that, sometimes, under circumstance you find that somebody has killed a person- murder- and that person, he tries to convince, you know somebody can be convinced until you agree that this person has not killed and he killed, he did the mistake. You find that some courts can go ahead and prove that person not guilty.

Com. Wambua: What I suggest Bw. Moses is just attend a court and just see what happens there. Attend the proceedings, see what happens, see the role of the lawyer, see the role of the magistrate or the Judge, and see how evidence is taken and tested. So what we are saying is that we have heard your views, but it is good also to go and see what happens and really make up your mind whether you still think lawyers have any role to play.

Com. Zein: Okay, thank you very much Moses. Sasa ni zamu ya... uje hapa Moses ujiandikishe tafadhali. Asanteni kwa kunikumbusha. Kibet Sania. Mzee karibu sana.

Kibet Sania: Mimi ni Kibet Sania Lemole. Basi, sijui ...

Interjection: Mzee wangu una haki ya kutumia Kiswahili, au hata kama unataka kusema Ki-tugen pia unaweza kutumia Kitugen.

Mzee Sania: Ndiyo nilikuwa nataka namna hiyo kwa sababu siwezi, mimi sijui Kiswahili sana, naweza kosea. Basi...

Mzee Saina: *Ng'aliondenyun neba tai*

Translator: Neno lake la kwanza.

Mzee Saina: *Ang'alale amun kiagas kele mi Katiba ko kakile ko ng'alechu ko Katiba.*

Translator: Nimekuja kutoa maoni kwa Katiba.

Mzee Saina: *Ko abwati 1963 mwezi wa kumi na mbili, ang'en ale kiginam besyonon uhuru bas kokinkenam uhuru amwae agoba emani ba Kenya wakati huu. Kimi chumbek*

Translator: Wakati tulishika uhuru kwa mwaka wa 1963, ilikuwa kuna wazungu,

Interjection: Hiyo historia, tushasoma historia.

Mzee Sania: Basi, haidhuru. Mimi nataka yale mashamba ambayo ilikuwa ya wazungu. Wale ambao walipata, wanataka juu zaidi iwe acre 500 na zaidi ya hapo igawiwe wananchi kama shamba lilikuwa la wazungu. Lakini ile ilikuwa ya reserve, sio hiyo, ile ya wazungu. Nataka igawiwe wananchi.

Mzee Saina: *Amache kepyechi bik sababu bik che kinyor ko kinyoru bik che imuche kei, che tinye tuguk. Ko bik che nyalili ko nyalildos kou yon kinye ko mi bik che kibar chumbek lakini konyaliliyo mpaka wa leo manyor kogibaren tuguk chwak chumbek.t*

Translator: Basi Mzee anataka zile mashamba wazungu walikuwa wanakalia, igawiwe kwa watu, kwa sababu hizo mashamba ingefaa wapewe wananchi.

Mzee Saina: *(inaudible)*

Translator: Pia anasema kwamba, wazungu walinyakuwa mali ya wananchi.

Mzee Saina: *Bas ko olamaktai ko amache kounon. Ko ng'alek ab foresty che ba foresty ko tebie foresty ago mi wanainchi che negit yun ke tilji.*

Translator: Mzee anaunga mkono kuhusu forest kwa wale walikuwa wamesema hapo awali kwamba forest, wale watu wanaishi karibu na forest, wawe watu ambao wanachunga hiyo forest.

Mzee Saina: *Matinye che chang'*

Translator: Sina mengi.

Com. Zein: Asante sana Mzee ujiandikishe pale. Sasa ningependa kumuomba Bwana. Kipkoech Chipchor. Na wakati Mzee Kipkoech anakuja kukaa, nauliza kina mama, dada zetu, wasichana, kuna yeyote anataka kuzungumza. Maanake toka asubuhi tulipoanza, ni wanaume peke yake wamezungumza. Dada au mama, au msichana akitaka kuzungumza inua mkono tu, mimi nitakuita. Nitatumia ile haki ua kusema mimi nitaita Mama au msichana au dada aje azungumze.

Kipkoech Chipchor: Basi, mimi jina langu ni Kipkoech Chipchor. Mimi natoka hii Location ya Emining. (Inaudible)

Mzee Chipchor: *Ng'aliondoni amache amwa ko ng'alek ab koruption.*

Translator: Anataka aongee kuhusu corruption.

Mzee Chipchor: *Ko ng'amwae ng'alek ab koruption amwae kou ye amache kochut Katiba ne king'alalel koik sheria si ingwamis chi komi Katiba kebarchin it.*

Translator: Basi mzee anasema kwamba kuhusu corruption, inatakikana mambo kama hayo yangizwe kwa Katiba such that yule mtu ambaye amefanya kitendo kama hicho achukuliwe hatua.

Mzee Chipchor: *Amun si kome uchumi en korani ko meebik che ame rabinik ab wanainchi.*

Translator: Nasema hivyo ili nchi, uchumi wake waende chini ni kwa sababu ya wale watu wachache wanafanya hiyo corruption.

Mzee Chipchor: *Ko nda ane to kirate kong'eten kenyisiek mut agoi kenyisiek taman ak let olin.*

Translator: Basi yeye anasema kwamba wale watu wamepatikana kwamba wamefanya kitendo kama hicho – corruption – wafungwe miaka tano na kuendelea mbele.

Mzee Chipchor: *Anan kealdaen tuguk che tinye.*

Translator: Ama mali yake iuzwe,

Mzee Chipchor: *Anan ke nyogan.*

Translator: Ama auawe.

Mzee Chipchor: *Sin ngap koron ko sikyi kosob emet .*

Translator: Halafu nchi ipone.

Mzee Chipchor: *Bas kong'aliondonon ne kamache kinde Katiba si ing'o tebie chito kwam musyarekyik kome koyamechinkei tuguk ab bik alak.*

Translator: Basi alikuwa na hayo.

Com. Zein: Kongoi mising mzee.

Mzee Chipchor: *Ng'aliondo ake nebo aeng' ko ng'alek ab imbarenik.*

Translator: Neno la pili ni kuhusu shamba.

Mzee Chipchor: *Ng'alek ab imbarenik ko yemaiyo chi ak chi imbaret ko ng'alale boisie en gaa.*

Translator: Kama kuna problems kuhusu mashamba kati ya families – neighbouring families, wale watu wako karibu

pale, elders, wapewe jukumu la kuangalia hayo maneno.

Mzee Chipchor: *Vernacular – Tugen dialect*

Translator: Kwa sababu kuna wale watu wana pesa, na wanaweza tumia pesa kunyanyasa wale wengine.

Interjection: Unataka matatizo ya shamba yaangaliwe na wazee wa mji kwa maana ndiyo wanajua mpaka na hawata chochea uongo. Sawa? (inaudible)

Mzee Chipchor: Yes, basi. *Vernacular – Tugen dialect insertion?*

Com. Zein: Tafadhali uje hapa mzee ujiandikishe jina lako pale mzee wangu, kwamba umetoa maoni kwa Tume ya Kurekebisha Katiba. Kuna mama yeyote, dada yeyote, msichana yeyote ambaye anataka kutoa maoni? Karibu mama, uje hapa, utaje jina lako, na uendele. Karibu sana.

Loice Kipseba: Asante sana. Kwa majina naitwa Loice Kipseba. Nataka nitoe maoni kuhusu kitu mbali mbali. Kwanza ni juu ya akina mama. Nataka Katiba iangalie mambo ya akina mama na watoto. Tuseme ya kwamba katika korti, tuseme wakati mtoto mdogo has been raped ama mama, tunataka mama in charge ashughulike na hayo mambo. Kwa sababu tunaona sana ukiingia pande wa wanaume, saa zingine wanatupa hiyo kesi. Tunataka mama ashughulikie na hayo maneno.

Ya pili, ninaomba Katiba ama suggestion yangu ni mama MP wawakilishe kila region. Tuseme watengeneze Katiba ya kwamba every region watoe mama moja, wa-nominate ama wachague. Ingingine ni kuhusu President; ninaonelea kwamba ingekuwa mzuri kama baada ya tuseme mwanamume amekuwa for the two terms, mama tena aingie for the two terms tuone uongozi wao vile uko. Hiyo ni suggestion yangu.

Ingingine ni kuhusu wakili, lawyers. Ninaomba Constitution iangalie maneno ya lawyers. Serikali walipe hawa mshahara maana wakati wanatetea wananchi kortini, wengine hawana pesa ya kuajiri lawyer. Sasa serikali ingewalipa hawa, kila mtu mwenye hajiwezi apate hata yeye fursa ya kupata lawyer wa kumtetea.

Tena kuhusu akina mama, wapewe nafasi ya kupata shamba. Kama ni wanamume wanapewa shamba hata kina mama wapewe shamba.

La mwisho ni kuhusu inheritance. Mama, tuseme kama ni mjane, apewe nafasi ya kumiliki ile mali ya marehemu bwana yake. Waangalie wakina mama kwa hiyo upande.

Com. Zein: Asante sana. Nina swali ndogo kuhusu kuchaguliwa kwa wanawake kutoka kila sehemu. Nchi kama Uganda imeweka sheria kwamba katika kila wilaya, kutakuwa kuna kura zinazo wagombezi wake ni wanawake pekee yake. Kura yaweza kupigwa na watu wote, lakini wale wanaoshindana ni wanawake pekee yao. Lakini wewe umependekeza katika

sehemu. Lakini, ifanywe vipi, iwe ni uteuzi, nomination, au ni kura wa wanawake pekee yao wanashindana?

Loice Kipseba: Tuseme ya kwamba kama katika region, kila region, wanawake wataweza chagua mama awakilishe katika hiyo region.

Interjection: (Question being asked but not audible)

Ms Kipseba: Ni wanawake.

Com. Zein: Sawa. Asante sana uje hapa tayari ujiandikishe. Asante sana mama kwa kutuanzia maoni, sasa wanawake pia wametoa. Sasa namuita Ben Cheruyot. Ben Cheruyot. Haya, ikiwa Ben hayuko, tuanze na Francis K Kendagor. Karibu sana mzee.

Francis K Kendagor: Mimi ni Francis Kiptanui Kendagor. Nimefika mbele ya Tume ya Kurekebisha Katiba niweze kutoa maoni yangu kuhusu Katiba. La kwanza, vile wengine wameshasema, nazungumza kuhusu ugawaji wa ardhi katika jamii, au katika sehemu za wakilishi bungeni. Ninaonelea ya kwamba wakati tunapogawa, iwe na sheria ya jamii au mzee fulani akigawa ardhi katika boma lake iwe na haki na iwe ikikubalike katika sheria ya Kenya.

Pili, kuhusu uwezo wa Rais, kwa maoni yangu ingekuwa katika sehemu mbili. Sehemu moja iwe Rais katika ofisi, na sehemu nyingine iwe katika uwezo wa Waziri Mkuu. Kwa sababu tunataka Waziri Mkuu aongoze serikali na rais awe mshauri tu katika nchi. Asiwe na shuguli nyingi ya kuongoza au kuzungumza kuhusu maendeleo ya nchi. Itakuwa juu ya Waziri Mkuu.

Nazungumza pia kuhusu ugawaji wa mali katika nchi, hasa uandikisaji wa vijana katika sehemu za district iwe kama zamani kwa sababu zamani tulikuwa na sheria ikiwa nataka kuandikwa majeshi au askari yeyote, kila location ilikuwa ni lazima itoe watu wao kama ni wawili, lazima ionekane hao wametoka katika location. Kwa sababu vile Mzee mmoja amesema hapa kuhusu corruption (inaudible). Tunaona sasa, uandikishaji wa vijana una pitia kwa corruption, hapana pitia kuandikishwa kisheria. Kwa hivyo tunataka wandikishaji wa vijana upitie katika location, kama ni wawili, watoke katika location hiyo na iwe kabisa mpaka wafanye kazi katika nchi.

Nazungumza pia kuhusu license ambazo zinatolewa katika county council, au municipal – municipal yoyote. Licenses za magari zifanywe kama mtu akisha kata license yake, inataka iwe sheria iwekwe katika gari lake. License hiyo itakaa kwa gari hiyo kwa miezi 12. Na tunaona ya biashara unaweza kata license mwezi wa tisa na ikwishe mwezi wa 12. Na hiyo sio vizuri. Lazima hiyo license ikamilishe contract ikija kwa miezi 12. Na ningependa hiyo iwe sheria.

Kitu ingine nataka kusema ni kwamba, kwa sababu uwezo wa nchi umeenda chini sana, ningependa Katiba iongezee Ma-chiefs

uwezo katika sehemu zao kwa-sababu inaonekana sasa anakaa bure. Hakuna kazi. Nikisema hii anasema hapana, ni lazima uwezo upewe Ma-chiefs. Kwa hivyo sheria zingine zirudishiwe kwa Ma-chiefs ili nchi iweze kuendelea.

Interjection: Kwa hivyo unataka mzee sheria ya Chiefs' Acts irudishwe?

Mzee Kendagor: Irudishwe, ifanyike. Basi, pendekezo ingine ni ya kwamba councilors ambao tungechagua kutoka sehemu za wards iwe wanashindana na uwezo wa nchi vile inaenda. Iwe kutoka "A" level na kuenda juu kwa sababu, tunaweza kupata Councilor mmoja ambaye anaweza kuwa na uwezo, hata angeweza kuchaguliwa yeye aende katika Bunge. Na kwa sababu yeye hana elimu ya kutosha, tutakosa faida yake. Kwa hivyo maoni yangu, hao ingekuwa watu wa "A" level kuenda juu. Asante. Sina mengi.

Com Zeuri: Asante sana mzee, asante sana mzee, uende pale ujiandikishe kwamba umetoa maoni kwenye Tume ya Kurekebisha Katiba. Nilikuwa nimemuita Ben Cheruyot ambaye ni mwalimu hapa, lakini alikuwa ametoka ameenda darasani. Sasa amerudi ameniandikia note kwamba amerudi. Ben Cheruyot, mwalimu, karibu.

Ben Cheruyot: Okay. My names are Ben Cheruyot, a teacher here in Emining'. I want to give my views concerning the powers of the provincial administration and in particular, the Chiefs and the Assistant Chiefs. You realize that though that Act was removed, they still have a lot of powers. They still weild a lot of powers such that they harass the common wananchi.

Interjection: Pendekezo lako ni nini bwana?

Mr Cheruyot: Okay. Pendekezo langu or my view is that there should be a body, lets say, the people themselves should go and complain against the harassment of these provincial administrators especially the Chiefs and their assistants.

Also, there should be a law that checks the powers of these KANU leaders; the KANU chairmen in the villages and in the location and even in the district. We realize that they have a lot of powers. What the KANU chairman has said or any other party chairman has said, you realize that this is what will be applied, and if you do not follow that, you are in a hot spot. So people should be protected against these leaders. There should be a body that people will always go and report that I was harassed, I was asked to do this, that one is not even provided in the Constitution. They should not do that. But you realize they just apply all those rules knowing that the people are ignorant. The people should be educated. There should be a firm to educate the people so that they know their rights, and should anything unconstitutional, be forced on to them, they should be able to complain; they should be able to report any kind of mistreatment that was done to them.

Another thing that I would wish that it were included in the Constitution is that there should be a provision for enlightening the people on many things. Even the Constitutional review itself, you realize that many people were not aware that such a thing was coming. So if the Constitution is made in a way that should there be anything that is taking place in the country, the common people should be enlightened. They should be taught that this thing is about to happen in the country.

When there is recruitment, say to such bodies like MTC, or any other persons are that are being recruited in the country, first of all the people should be enlightened that such a thing is coming. You see, we've always heard them on radios, or may be in papers, but it does not reach everybody.

Interjection: Kwa hivyo mwalimu unapendekeza iwekwe continuous civic education na right to information by citizen?

Mr Cheruyot: Yes, exactly.

Com. Zein: Asante sana mwalimu, subiri tafadhali kuna swali.

Com. Wambua: You talked of a special body to be set up to receive views, complaints against the provincial administration, specifically the chiefs and assistant chiefs. What I wanted to know is that, what you have in mind, is it only chiefs who should be complained against or what you have in mind is a situation where we set up a body to her complaints against administrators? That is, whatever level they occupy, whether they be Chiefs, assistant chiefs, PCs, PSs, police, any-body who has not performed as to the law bestowing authority on him/her, then. the people should have a right to complain to this body, so that we do not just simply talk of a body to receive complaints against Chiefs, but a body to receive complaints against administrators and those who occupy public offices.

Mr Cheruyot: Yes I think it should be a body that will check administrators or even other civil servants but in particular, you see I am looking at the common man. So if it was to check even the DCs, and others, that means that body would be based at the district level. I wanted it to be a body that can be accessible to a common man.

Com. Zein: Thank you very much mwalimu. Please sign our register, thank you. Kuna mama mwingine, dada, msichana? Eeh, njoo mama. Uje utaje jina lako mama na uendelee kutoa maoni.

Esther Rotich : *Kaine nyun kegurennon Esther Rotich.*

Translator: Majina yake ni Esther Rotich.

Ms Rotich: *Amache amwa konamgei ak bik che kagoyegitun.*

Translator: Anataka aseme jambo kuhusu adults.

Ms Rotich: *Che magomuchege ng'o boiyot anan ko chepyoset.*

Translator: Adults ni wale wazee.

Ms Rotich: *ko kamache ager ale ketoret, kebai ak kilagsechi hasa chon maimuchegen missing.*

Translator: Hawa wazee wasaidiwe, walishwe na wafanyiwe kila kitu.

Ms Rotich: *Amun kigonem akichek kodi.*

Because hata hawa pia wametoa kodi.

Ms Rotich: *Kamache kora amwa konamgei ak lagok chekisiche en gaa.*

Translator: Anataka kusema jambo kuhusu watoto wale wako nyumbani.

Ms Rotich: *Amun ye kisich lakwet, kebagakchin chepyoset nebo chepto .*

Translator: Kwa sababu mtoto akizaliwa, msichana anawachiwa mama.

Ms Rotich: *Ago mara komatinye tuguk che tareten.*

Translator: Na pengine mama hana uwezo wa kumsaidia huyo msichana.

Ms Rotich: *Ko kamache ager ale en yon komache keger kele chichi kasiche lakwani ko ng'o ak korib agoi ko yet ana komut kobata kamet si komayet masiget en sigik che magomuche, che yechen*

Translator: Anasema jambo kuhusu yule msichana ambaye amezaa mtoto na ako nyumbani. Msichana kama huyu mwenye amezaa na ako nyumbani afanyiwe nini?

Ms Rotich: *Amun ye teb kounon ko betusiek chu chang' komi lagk che kelaktoote che matinye chi che kiriben ko chu bendi si koik che chorsote anan koyai tuguk che manyalu.*

Translator: Anasema hivyo kwa sababu yule mtoto amezaliwa nyumbani, pengine hana Baba na kadhalika. Sasa mtoto kama huyu atakaa namna gani?

Interjection: Just tell her to give us her proposals. What does she want to be done?

Translator: to Ms Rotich (insertion)?

Ms Rotich: *Amun en let kemwa ke non komatinye sigindet.*

Translator: Anasema kwamba, mtu kama huyu mwenye amemzalisha msichana mtoto, achukuliwe hatua achunge huyo mtoto.

Com. Zein: Asante sana mama. Umependekeza kwamba, hebu nisikilizeni huku, hallo, mimi ndiye nasema. Nilisema sitaki wazungumze watu wote huko. Na wakizungumza wanaingiliana na mapendekezo yanayotolewa hapa. Asanteni kwa ukimya. Mama, ulikuwa unapendekeza wazee waangaliwe na serikali. Wazee wa miaka mingapi?

Ms Rotich: Wazee wale wamezeeka kama miaka 70 na kuendelea.

Com. Wambua: Hawa wazee wakiwa matajiri wakupindukia, wataangaliwa pia na serikali?

Ms Rotich: Wale hawajiwezi.

Com. Zein: Asante sana, ujiandikishe hapo mama. Sasa narudi kwenye list yetu, nimefika kwa Kiprono Lagat. Karibu bwana.

Kiprono Lagat: My names are Kiprono Labat. Mine is on the local authority. The county council chairmen and the mayors to the top council chairmen should be elected by the people within the jurisdiction of the council chairmen, the mayor or the town council chairmen so that when resources are distributed, they distribute equally to the wards available within the district.

Two, the level of education of the Councilors for one to be qualified as a councilor, should have “O” level. Nominated councilors should be scrapped because these people serve the interest of the area MP who nominated them.

Interjection: Com Zeuri ,Subiri bwana Kiprono. Ndugu yangu, nimesema sitaki watu wazungumze. Kwa vile nilikitambua kikao hiki kama kikao rasmi, sasa nitaanza kuchukua hatua. Si tukubaliene hivyo? Tunyameza kimya kabisa tumpe Bwana. Kiprono fursa azungumuze, vile alikuwa amenyamaza kimya amewapa watu wengine fursa. Maanake ni haki yake kusikika vizuri, au sio hivyo? Sawa. Asanteni sana.

Kiprono Lagat: Payment or remuneration of the councilors should be done by independent body for example Public Service Commission. In the Legislature, the nominated MPs should include women, members of the clergy, people with disabilities and also communities which are not represented in Parliament.

Ministerial appointments should be based on area of specialization. For example, Roads Minister should be an Engineer, or doctor to serve in his capacity as a minister of health. Payment of the MPs should be done by the Public Service Commission. To summarise, for this nation to be industrialized within a given time, the person who should be paid highly to achieve the industrialization by the year 2020, the person who should be paid highly should be a teacher. The provincial administration should be retained. Thank you.

Thank you very much. Asante sana. Uende pale ujiandikishe. Asante kwa maoni yako, asante. Baada ya Bwana Kiprono, naomba nimuite Bwana Geoffrey Kimalel.

Geoffrey Kibet Kimalel: Asante sana. Jina langu ni Geoffrey Kibet Kimalel.. Mapendekezo yangu ni kama ifuatavyo, in English.

The first one is, I would like the armed forces of this country to be full participants in development. For example, they should be constructing access roads in rural areas, whereby we have impassable roads. Secondly, they should be helping people in terms of water. They drill water in those areas which lack water.

Thirdly we have a lot of water wasted in our country.

Interjection: My brother, you are proposing that we should re-define the role of the uniformed forces, the army, the air force, the navy, to include development work?

Mr Kimalel: Yes,

Com. Zein: Thank you.

Mr Kimalel: Thank you very much. The next one is about the structure of the government. I propose that we should have a Federal government where a President is appointed by a winning party. He should then appoint a Prime Minister who should be the leader of government business but remain the Commander in Chief of the Armed Forces.

On land, the government should see that all citizens have land especially those pieces of land... I concur with one old man who said the land left by the whites should be given to the poor, those people who do not have land at all.

Creation of ministries and appointment of ministers: Our present Constitution does not have a limit for creation of ministers. There should be a limit of creation of ministries. Secondly, appointment of ministers should be done professionally. I concur with one of the participants that, for example ministry of health should be led by a professional like doctor, and so forth.

About health, in the current situation you find that many people who die are the poor. This is because of lack of proper distribution of medical care. So I propose that the government should provide free medical services to all Kenyans, especially the poor, especially the poor.

Finally, farmers; the government should give subsidies to farmers by offering farm inputs like fertilizers and even seeds free of charge. Thank you very much.

Com. Zein: Asante sana. Na tafadhali jandikishe pale. Sasa tunamuomba Bwana. Alex Cheserem. Karibu mzee.

Alex Cheserem: Jina langu ni Alex Cheserem. Mimi nataka kusema... inaudible (interjection) Jina langu ni Alex Cheserem. Mimi nataka kuzungumza juu ya mashamba. Vile (inaudible) tulipata uhuru, tulinunua mashamba na wengine hawakununua na sasa tuko na watu ambao hawana mashamba. Na kuna watu wengi wamechukua maelfu ya ma-acres, na kuna wengine hawana hata mahali pa kuzikwa.

Interjection: Kwa hivyo unatakaaje?

Mr Cheserem: Mimi nataka kila mtu isipite zaidi ya acre 250. Halafu zile ingine inabaki inagawiwa maskini.

Interjection: Com Wambua Hawa ambao watapokonywa, walipwe ridhaa ama compensation ama wapokonywe na waambiwe hakuna kitu wanalipwa.

Mz. Cheserem: wanalipwa. Kwa sababu hakuna kitu cha bure.

Com wambua ?: Na serikali. Serikali ndiyo itawalipa?

Mz. Cheserem: Na wale walinunua, watu wanunue, serikali igawie.

Com. Zeuri ?: Tunasema hivi mzee,(inaudible) kuanzia leo Kenyamzima, hakuna mtu atakuwa na akari zaidi ya 250. Wale wana zaidi ya hiyo, either wauze, au serikali inunue igawanyie maskini.

Mz. Cheserem: Ndiyo.

Com.Zeuri ?: Unataka hivyo?

Mzee .Cheseruni: Ndiyi

Com. Zein: Sawa. Inginge?

Mz. Cheserem: Inginge, mimi naunga serikali ya majimbo. Kwa sababu serikali ya majimbo ikitumiwa hakuna ubaya, kwa sababu tuko na nchi zingine kam America, Wingereza, India, Russia...

Com Zeuri: Sawa mzee wangu. Hiyo tumeelewa. Ushaandikwa wewe unapendekeza serikali ya majimbo.

Mz Cheserem: Kwa sababu

Com.Zeuri ?: Aaa, sababu tunazo sisi, tunajua sababu.

Mz. Cheserem: Ingingine?

Com. Zeuri?: Wewe unasema unapenda majimbo kwa sababu watu watakuwa kwa majimbo zao na wapate manufaa ya rasimili zao.

Mz. Cheserem: Ndiyo.

Com. Zeuri ? Baas, tunaielewa sisi. Tuende kwa ingine.

Mz. Cheserem: Ingingine, nataka kusema juu ya urithi wa mali na ardhi. Nasema inatakiwa kila jamii iwe na uwezo kwa sababu ukipatiwa mtu moja kama Baba, anataabisha watoto. Maana Baba ameuza mashamba yote, na watoto wanapata taatu.

Kwa hivyo kama mzee anataka kuuza shamba, lazima ajulishe watoto, ajulishe watoto wake wote kama anataka kuuza. Kama wanakubali, sawa sababu hatutaki watoto waangamie.

Ingingine ni upande wa serikali, yaani utawala. Napendekeza Rais awe anachaguliwa na wananchi, na Waziri Mkuu anachaguliwa na Bunge. Ingingine ni juu ya corruption. Nataka corruption, sheria ipitishwe. Kwa sababu hii nchi kama mali ingelindwa, tungekuwa matajiri sana.

Interjection: Unapendekeza nini mzee yangu?

Mr. Cheserem: Napendekeza kama mtu anatumia mali ya umma vibaya, anastakiwa na kuuza mali yake yote. Kwa sababu hatutaki nchi hii iwe maskini. Hiyo tu.

Com. Zein: Asante sana mzee, uende pale ujiandikishe kwenye register yetu kwamba umetoa maoni kwenye Tume ya Kurekebisha Katiba. Sasa namuomba Bwana Francis Okoth aje atoe maoni yake.

Francis Okoth: Kwa majina ni Francis Okoth. Nawakilisha CJPC. Katika mambo yetu ya kwanza, tuliona kwamba ni vizuri tuwe na utangulizi katika Katiba. Na juu ya hiyo Katiba, utangulizi wenyewe uwe kuwa, “We people of Kenya, for the citizens and for benefit of all Kenyans and for the unity of Kenya, God bless Kenya...”

Kwa upande wa mwananchi, tunaona kwamba, ili awe mwananchi wa Kenya, ni lazima awe Baba na Mama ambao wamezaliwa katika nchi ya Kenya. Na kama unataka kuwa mwananchi wa Kenya ni sharti uwe umeishi Kenya, kama unataka kujiandikisha, ni lazima uwe umeishi kwa zaidi ya miaka kumi.

Kenya iwe nchi ya demokrasia, ambapo katika hii demokrasia iwe katika hali ya matendo lakini si katika hali ya maneno.

Jambo lingine katika filosofia, ni vizuri iwe peace, love and unity na izingatiwe. Isiwe tu katika hali ya maneno, lakini katika hali ya utendaji.

Na katika hali ya usawa wa kabila zote katika nchi ya Kenya na desturi na mila, Serikali itilie manani desturi ya watu na mila ili iweze kuwa sambamba na maendeleo ya nchi yetu. Elimu, tukaona kwamba itolewe kwa watoto wote kwa sababu kila mtu anatoa kodi. Kodi iweze kuangaliwa vizuri. Tuwe na kamati ya kuchunguza kodi ili kila kitu kiweze kuenda jinsi inavyo-takana. Pia tuliona ya kwamba ni vyema koti ziwekwe huru ili kila kitu kifanyike katika njia mzuri.

Jambo lingine ni ya kwamba, watu waweze kuelemeshwa kuhusu afya ili tusiwe na madhara mengi katika sehemu mbali mbali katika nchi yetu ya Kenya. Pia tukaona kwamba tuwe na warshas mbali mbali kuhusu afya katika kila sehemu. Kwa sababu tunaona kwamba wale ambao wanahusika na afya, wanangojea mpaka wakati ambapo labda janga fulani limeingia ndio wanachukua jukumu.

Com. Wambua: Unasema unataka elimu ya afya iwe inaendelea?

Mr Okoth: Yes. Jambo lingine ni ya kwamba wale ambao wanaojiri, wajiri kutokana na elimu ya mtu na pia ujuzi ambao mtu ako nao. Na wale ambao wanaajiri, waajiri bila upendeleo, wasiwe na upendeleo wowote katika upande wa uwajiri bila kuangalia, wasiwe na upendeleo yoyote katika upande wa uajiri. Na pia maji iweze kuwa jambo la kwanza kufikia kila mwananchi karibu ili maendeleo iwe ikipatikana.

Pia serikali iweze kuhifadhi chakula kwa ajili ya taifa lote la Kenya.

Upande wa kutilia manani Katiba, tumeona kwamba Katiba inastahili itengenezwe na iwe wazi ambapo mwananchi wa kawaida anaweza akaiielewa katika hali mzuri. Upande wa Bunge tukaonelea kwamba hoja ambayo walikuwa wameweka hapo awali ya 65% to amend support Constitution haifai sana. Kwa hivyo tukaonelea kwamba ni vizuri waweke 80/100 ili waweze kupitisha jambo fulani katika bunge. Na kama ni mambo ambayo ni ya Katiba na inahusu Katiba yenyewe, kama wanapendelea kuibadilisha, wairudishe kwa mwananchi kwa sababu Katiba yenyewe ni ya mwananchi.

Na katika Bunge, kuwe na sehemu tatu; Serikali tawala, na upinzani na pia observers. Hawa observers wawe neutral. Wasi-egemea upande wowote katika mjadala wowote Bungeni, lakini iwe wanasikiliza na wanaangalia kama mwananchi ataweza kufaidika. Serikali yenyewe iweze kuwa na Prime Minister na Rais, Waziri Mkuu na Rais. Kazi ya rais aweze kushughulikia mambo kama mikutano na mambo mengine. Prime Minister aweze kushughulika na maendeleo ya nchi.

Interjection: Com. Zeuri: Umebakisha dakika moja ndugu yangu.

Mr Okoth: Asante. Pia katika MPs, wabunge wetu waweze kupewa nafasi ya kutembelea kila sehemu ya ubunge katika nchi yetu ya Kenya ili kile ambacho wamepitisha katika bunge waweze kuona kama kimetendeka.

Kamati maalum iwekwe ya kuangalia mshahara wa kila mfanya kazi wa serikali katika nchi ya Kenya. Upande wa Rais, achaguliwe na wananchi wenyewe, na kama hajafanya kazi vizuri, wananchi wenyewe wafanye kura ya maoni ili waweze kumuondoa na waweze kuchagua mtu mwingine.

Na kwa upande wa mavazi maalum tuwe nayo kwa ajili ya watu wote ili tuweze kujitambulisha kama Wakenya. Kwa mfano kama Nigeria, Uganda, na sehemu zingine. Na zaidi mwananchi aweze kushughulikiwa vizuri na katika hali mzuri. Na pia kwa upande wa ..

Interjection: Bwana. Okoth, ikiwa una memorandum sisi tutasoma kila kitu kilichomo pale, tutai-process. Kwa hivyo sema jambo moja, la moja.

La mwisho ni kwamba, huu upande wa utawala iweze kuwekwa huru. Kila utawala kama ni jeshi, wawe na sheria zao na kila kitu chao. Wafanye bila kushughulikiwa na sehemu fulani. Kama ni upande wa polisi, wafanye bila kushughulikiwa na mtu fulani.

Com. Zein: Asante, lakini kuna swali hapo Bw Okoth.

Mr Okoth: Yes.

Com. Wambua: Bwana Okoth ulitaja ya kwamba hii elimu iwe ya bure, lakini hukutaja mpaka kiwango gani. Itakuwa from primary to university? Pili, ulitaja mambo ya parliamentary observers, wale ambao watakaa huko kama observers. Nani atawachagua? Watakuwa wangapi, nani atawalipa?

Mr Okoth: Katika sehemu hiyo ingine ni kwamba, wakati ambapo hawa observers wakiingia pale, ni kutoka katika mashirika mbali mbali ambazo zishughuliki na maneno yoyote ya nchi. Yaani wako kati kati. Hawapendelei mtu yoyote. Hawa watu wanachaguliwa kutokana na ushirika. Tuseme kwa mfano, NGOs wanachagua mmoja mwakilishi, kuna lawyers, wachague moja.

Interjection: Com Wambua Just a point of information, the current Parliament, the procedures in Parliament allow people to go and sit there and listen. It is a public forum. I don't know whether you want to add on to that another regulation to specify observers because anybody can actually sit there and observe what is happening. What is the problem with that arrangement?

Mr Okoth: Kile ambacho tungependa kutoa maoni yetu kuhusu hapo ni ya kwamba, wale ndiyo walikuwa wamepewa lakini mara nyingi hawapewi jukumu la utendaji. Kama jambo limeenda vibaya, hawaambiwi au hawahusishi wengine

kuwaambia kwamba jambo fulani limeenda vibaya. Kwa hivyo haingekuwa hivi. Yaani wako pale wana-observe tu lakini wananyamaza. Sasa wapewe jukumu kabisa. Kama ni mimi nimekosea, wanasema, 'Okoth umekosea mahali fulani'. Sasa wawe pale kwa niaba ya mwananchi wa kawaida.

Com. Wambua? That is the nature of an observer. Observer kazi yake ni kuangalia tu. But what you are suggesting monitoring (inaudible).

Mr Okoth: Yea. Asante.

Com. Zein: Bw. Okoth uende pale u-sign kwamba umetoa maoni yako kwa Tume ya Kurekebisha Katiba. Sasa ni zamu ya Kibet A Tanui. Bw. Kibet, karibu.

Kibet Tanui: My names are Kibet Tanui. I will talk on structure and systems of government as the first point. I prefer Local Authority to be given more powers.

On rights, there is a point I want to make. We are fond of hearing of laws which have been passed by International Communities and then it is imposed on Kenyans like the Children's rights. I propose that these rights be vetted before they are imposed on us Kenyans. Because there are some rights which do not apply here.

Three,...

Interjection: Tuambie unapendekeza nini?.

Mr Tanui: To be vetted before it is used in Kenya. Yea.

Interjection: inaudible

Mr Tanui: That's right.

Com. Wambua: . Do you have an idea as to what form it should take? Should it be done through Parliament or should it be subjected to a referendum so that Kenyans can say yes, we agree to this or we don't. Have you thought of that?

Mr Tanui: I have not. But I think Parliament can do that. I propose that. On defence and security, most of the time we find our people have no war. So I propose that in times of peace, they utilized their time in income generating projects which can give the government some income.

Fourth, on the Constitution supremacy, I prefer that the 65% majority vote in Parliament be retained. But this one should not be done regularly. There should be a limit for which I can not give the limit now. I propose that if there be a very big demand for change, may be the people should be consulted. After the Constitution has been made, it should be put into books, into booklets, and then be given to people. They should be available everywhere, including schools, churches, even hotels, they

should be there so that everybody is accessible to it in times of need.

Fifth is on drugs and drug abuse. This one we are seeing most Kenyans are using drugs without knowing their dangers. I propose that Kenyans be given education on dangers of drugs. Most of our Kenyans are consuming a lot of drugs without knowledge of the dangers of the same. The Civil Servants and teachers be employed through professional qualifications, be properly paid (this will curb the problem of double dealing), should have a well defined scheme of service which must be adhered to to avoid things like strikes and all that. Promotion should be on merit. In case of complaints, there should be an office of Ombudsman, I prefer this should be put in every division.

For the people who have no land, that is the landless- In this case, I call a landless person somebody who is 18 years and above and who has no land documents and who must have also completed school or dropped out of school- The government to buy these disposable estates and be given to these landless people especially to the members of the community adjusted to these lands. No land should be left idle. Idle lands should be penalized. If there will be any idle land, probably they should pay some fine for that.

We have people, we have the Village Elders who solve a lot of problems that would have gone to the courts of law and all that. I want these people to be recognized by the government and be paid for their services.

Finally, on education; this one should be free. Education should be free from nursery to university. Kenya is very rich. The disabled people should be given free education and also should be given free personal effects, should be given some pocket money by the government. Should be bought uniform if there is need for uniform and all that. That is all. Thank you.

Com. Wambua: I am worried about your definition of the landless. You have said that a landless person should be a person who is above 18 and does not have a document of title. And we do know of people who are settled in lands which are called trustlands, or settled on land and the titles have not been issued yet, although the adjudication has been done. Do you still call those people landless? I think you need to look at the definition again so that we... (incomplete).

Mr Tanui: I think to be precise, I mean people who do not have land. They could be having land but may be the titles are not yet ready and so on, but we say they have land. I mean people who do not have anything, they have no land.

Com Wambua: Okay.

Com. Zein: Asante sana Bw Kibet. Tafadhali uende pale uandikishe jina lako. Sasa naomba Bw Saul Kiptengosi. Na atafuatiwa... Ngoja, Bwana Saul. Nitawaita wengine wote wajue vile wanavyo kwenda. Nitamuita David Kipkoech, David Kipkoech yuko hapa? Halafu nitamuita Jona Kiplagat. Jona Kiplagat, halafu nitamuita Joseph Keitany, halafu nitamuita Elija

Cheruiyot. Okay, mtafuatana hivyo, eeh? Endelea.

Saul Kiptengosi: My names are Saul Kipkoech Kiptengosi. I come from an organization called MASEP. I will start with the National Flag. The national flag has got four colours; black, red, white and green. Black represents black people, and this is actually racial. Yes

Interjection: Com Zeuri You should know what colours are in the flag, we also know what is symbolic meaning of those colours, we also have in possession your detailed memorandum. Please just go to your proposal. If for instance if you are saying we change those colours, go ahead and say it. If you want us to add or take away, just go ahead and give us the proposal.

Mr Kiptengosi: Yea, I do propose that all the colours be removed and one colour, green be placed. And in the middle eight stars, which represents the eight provinces in Kenya. Thank you.

Public Field. The public field you know what it combines inside. There is a lion, there is a spear, there is a shield, there is a cockerel with an axe, all tools of war.

Interjection: Com Zeuri ,we know all that.

Mr Kiptengosi: Thank you very much. I do propose that all of them be removed, there in it be placed Mount Kenya, then a sun rising and actually two Ostriches.

Interjection: Com Zeuri May I ask what is the symbolism or what is the meaning of that? (inaudible)

Mr Keptengosi: Yea, Mt Kenya is named after the tribe Kikuyu, which call it Mt Kirinyaga, which is the mountain of Ostriches.

National Days. I propose there be only two National Days. One is independence day, to be celebrated on 12th December every year Two, Heroes Day to be celebrated on 1st June of every year. No more National Days.

Political parties. The country to continue being multiparty, but scale it down to only a maximum of four parties, based on different ideologies. The winning party should appoint the cabinet and the deputy cabinet ministers. The President should be elected universally by the people directly and be sponsored by a political party. But on winning, should relinquish the political party and be partyless once he takes the oath of office. Eight provinces should be empowered to oversee (inaudible) the activities in schools, health centers, dispensaries, national schools and hospitals. Water supply should be run by the province. National hospitals or such institutions should be run by the central government.

I propose the provincial administration should be actually removed and replaced by provincial governors appointed by the President; qualified people who could have been cabinet ministers if they were Members of Parliament. They will attend Parliament sessions and budgets be drawn by the Parliament for the regions.

Citizenship. Every person born in Kenya should automatically be a citizen of Kenya, regardless of where the parents came from. The parents should be allowed temporary citizenship until when the child is 18 years then they can choose where they want to belong. Any woman who marries an outsider, that man should be allowed to be a citizen of Kenya. There is chapter 93 of section (e) in the Constitution of Kenya which states that one must have knowledge of Kiswahili to become a citizen of Kenya. This should be done away with. It is not necessary. You can know any language you want.

A child who is born by a single parent, lets say a lady has got a child by a man who is not a citizen, and is not married to that man, that child should be allowed to be a citizen of Kenya. Every citizen of Kenya shall have land, at least a minimum of 5 acres, any citizen of Kenya. If one wants to have dual citizenship like people having families in Uganda, Tanzania or elsewhere and he is a Kenyan, it should be allowed. You can have dual citizenship.

Interjection: Com Zeuri: One more minute Sir.

Mr Kiptengosi: Kitambulisho; I propose this be removed. It is actually colonial and be replaced by a passport. Everybody should be given a passport.

Local government and Provincial governors; the mayors should be elected directly and the minister concerned should be having powers to dissolve the local government.

The election of the President winner should garner at least 50% of the votes cast and 10% in all the provinces. There should be run-off if somebody has not garnered 50% and the second one has garnered 40% and 10% in every region.

Interjection: Com Zeuri: your last point?.....(inaudible)

Mr Kiptengosi: Thank you very much. There should be six nominated members to the Parliament. One for the minority group, El molo, Indians, and the rest; Two from the military; three from the scientific research institutions; fourth from the universities and colleges: fifth from the women and sixth from the youth and children. The rest are actually the way you have said, they are in the book. The last, the last.

Interjection: Com Zeuri: Thank you, thank you, no, no, I told you it is the last one. Thank you very much. We will read and process that memorandum. Please sign the register and give in the memorandum and then we will read it. Nilisema sasa ni zamu ya David Kipkoeh. Ni David, eeh? David ukiendelea, Kiprotich Chirchir akae karibu.

David Kipkoech: My names are David Kibor Kipkoech. On the first issue, I will talk about citizenship and I would note that citizens of Kenya should be those children whose parents are Kenyans by birth. Kenyan citizenship should also be acquired through registration, but should be given temporary citizenship to a limit of seven years in observance. If found to be of good conduct, to be given a permanent citizenship. Spouses of Kenyan citizens should be entitled to automatic citizenship.

Next is rights and obligations of a citizen. Citizens should have right of freedom of speech without intimidation, freedom of movement, freedom of association have a right to own property in any part of our country. Can also contest for any seat.

Constitution should not allow dual citizenship. This will promote ukachero. (inaudible) and corruption of the highest order. The present ID should be used as an evidence of citizenship. Because the present one has the very details of an individual.

Secondly, I will talk of political parties. Political parties should be limited to five parties and financed by the government. There should be some conditions imposed on financing political parties. Financing political parties should depend on the strength of the party. The state and political parties should not be linked together in any way, that is in form of assets or property. But when it comes to duties execution, that is where they can relate.

Structures and Systems of government; we are in support of Federal System of Government in which the Executive and Legislative Authority is split between the Central Government and District, Regional and other units. That is the majimbo. The President is to chair, lead and supervise state activities, while the Prime Minister is to execute the government business or government policies. We also support that we should retain the current system of provincial administration; the PC, the DC, the DO and the Chief and Assistant Chief. And also Village Elders should be recognized and appointed by the government and they should also be paid, that is remunerated well.

I will go to the Executive. The Executive; the limits or the age for one to be the President should range between 46 to 66 years. Should be married, have children be of good conduct, free from corruption, should be well off, should be educated and learned. Should be of sound mind and sober every minute. The term, presidential tenure, be fixed to two terms of five years each. Functions of the President should be known by everybody, and the President should not be a Member of Parliament.

Ya mwisho kabisa ni local government. Mayors and Council chairmen be elected directly by the people and after being elected directly by the people, they should be paid properly; almost the same as the MPs. The current two years is inadequate. Once selected by the people, they should go for five years. Minimum education qualification for councilors should be KCPE and above but should have a good pass in languages. They should have C and above. Like MPs, they should be moral and ethical.

Nominated councilors should be done away with. People should have a right to recall their councilors if not contended with their activities. The procedure is, if 20% of the total population in a ward identify themselves by writing their Ids numbers and

signatures, an election should be called. If the incumbent wins again, there should be no disturbance until the term is completed and the government should determine the remuneration of the councilors.

Com. Zein: Thank you very much. Kuna maswali.

Com. Wambua: One of the things we are supposed to seek your views on is the question on what document should Kenyans carry as identification. Did I hear you say an ID?

Mr Kipkoech: An identification card, the present one.

Com. Wambua: So if I lose my ID and carry my national driving licence issued by the same government, I am not a Kenyan or if I have a passport issued by the same government, I am not a Kenyan? I mean, what document should we carry? It could as well be documents. Think of that. Second issue is the question of the presidential state of mind which you said should be normal throughout. Are you suggesting periodic checks of the mental state of the President to ensure that they are normal? Then lastly, 20% of the locals to signa petition. (inaudible) to recall councilors. Did I hear you say 20% of residents?

Mr Kipkoech: Residents of the ward

Com. Wambua: Or registered voters? Because there could be those who never voted or have no cards, voters cards and they never participated in electing the councilor or the MP. So is it 20% of registered voters or 20% of locals whether or not they voted?

Mr Kipkoech: Registered voters.

Com. Wambua: There are two other things I asked, eh?

Mr Kipkoech: Okay. So for the first one, that is the document which one should carry or which one should be in possession of is the present identity card because it shows the details. But the driving licence may be does not show wherever you come from and wherever there is anything wrong, you cannot be followed to where you come from. So I find it is a little bit easier to trace with an ID.

Com. Wambua: What document should Kenyans carry as evidence of citizenship?

Mr Kipkoech: I said it is the present ID, the ones we have. And that one of sound mind, that is one of the qualification which one should have to be President. After periodic tests are done, it should be known.

Interjection: Sober in mind. If you do like the traffic policemen do, fanya hivi (inaudible) tuone kama umelewa.

Mr Kipkoech: No, not that way.

Com. Zein: Asante. Jiandikishe kule tafadhali. Tunamuita sasa, kama nilivyo sema ajiweke tayari, Kiptorich Chirchir. Bw Kiprotich karibu, nafasi ni yako.

- **Kiprotich Chirchir:** Kwa majina ni Kiprotich Chirchir na nitaongea kuhusu Parliament. Parliament to vet all senior appointments like top military officers, top police officers, permanent secretaries, parastatal executives, Judges and various Commissioners. Because at the moment most of them probably they are there because of political reasons.
- Government retirees; those people who retire from the public service should not just be elected direct probably to Parliament, but they are supposed to stay after retirement for five years, before contesting any parliamentary seat, because some of them when they are still in the civil service, probably they stole some government property to campaign for. So I feel that they should retire and stay for five years before contesting any parliamentary seat.
- Age of members of Parliament should be below seventy years. MPs should not determine their own remuneration.
- An independent body should be formed and the salaries or remuneration can be determined only when there is need.
- People to recall the MP incase the MP is not performing.
- An opinion poll should be conducted to determine the popularity. Nomination of MPs should be retained to cater for special interest groups. People like the Ogiek, they are a minority so they should have somebody in Parliament to represent them. People like the Jemps, Elmolos, Asians, women and people from disadvantaged regions. Because we have groups, which are disadvantaged, even if they could send somebody for election, they will never win any seat. So they should be catered for.
- The same on Parliament, there should be special measures to increase women participation in Parliament. That is to cater for some cadres of people like lawyers; women lawyers should be nominated to represent lawyers in Parliament, nurses, teachers, muslim women and even Asian women. As a matter of discipline, MPs who disown their political parties should lose their seats automatically. President to dissolve Parliament as per the laid down

procedures.

- On Executive, President should at least be a degree holder. Limit presidential powers. That is, we have a case whereby we have ministers, once they say a policy and then we find the president overruling them. So actually the minister should be free from being overruled by the President.
- Provincial administration should be retained but their role should be re-defined. We have seen duplication of duties. People like Assistant Chiefs and the D.O., I think these ones should be done away with. We retain the Chiefs and the DC. Chiefs be appointed on merit. Also, MPs and ministers should not have powers to remove a DC or a D.O. from a division. Like the case we see now once a DC or a DC is not in good books with the Member of Parliament for a particular area, he/she is removed immediately. So actually these people should not have powers to remove them.
- On Assistant chiefs, if they are retained, then once the post of a Chief is vacant, they should automatically be promoted, not just employing a new one.
- On Basic Rights, government should provide free education from primary level to university level. Government should also provide grants to secondary schools so that cost of secondary education is affordable to all. There should be disparity in payment of school fees, especially the rich men should pay more in terms of school fees, while the poor pay less.
- There should be free medical care for all. Cost sharing in hospital should be done away with.
- Also, on this one, people who impregnate school girls especially below age 12, those ones should be sent to jail.
- On local government authorities, councilors should at least have “O” level of education. They should be remunerated by the government; they should actually get a third of MPs’ salary. Nomination of councilors be retained to cater for interest groups especially women, people from sparsely populated areas, physically handicapped and under developed areas. A non-performing local authority in terms of development should be dissolved or merged with performing authorities.

Interjection: Com. Zeuri: Niambie jambo la mwisho ndugu yangu. Tutasoma hiyo memorandum yako.

Mr Chirchir: Okay, thank you.

Com. Zein: Hauna la mwisho?

Mr Chirchir: Yes, nimemaliza.

Com. Wambua: Umesema defectors should lose their seats automatically?

Mr Chirchir: Yes

Com. Wambua: Once they lose those seats, the procedure would be to have a by-election?

Mr Chirchir: Yes

Com. Wambua: Do they contest again or are you proposing that in a way they be barred from contesting?

Mr Chirchir: They can contest on the tickets of parties of their choice.

Com. Wambua: They can contest in the subsequent by-election.?

Mr Chirchir: Yes.

Com. Wambua: You are proposing progressive fees structures; in other words, if you are rich you pay more, if you are poor you pay less?

Mr Chirchir: Yes.

Com. Wambua: That will only work in the absence of private schools. If there are private schools, why would I pay more in a public school then take my child to a private school?

Mr Chirchir: But I think in that case, most of the private schools are even more expensive than the government ones; unless it is a small one which(inaudible) does not perform very well. But the ones which perform very well actually are very expensive.

Com. Wambua: Okay.

Com. Zein: Please sign our register and leave us with the memorandum. Nilisema watu wajipange, aliyekuwa anafuata mpango huo ni Jona Kiplagat. Jona Kiplagat? Unakumbuka nilisema baada ya Jona tutapata na Joseph Kitani, halafu Elija Cheruiyot. Joseph ukaye tayari, awe karibu na Elija awe karibu pia.

Jona Kiplagat: My names are Jona Kiplagat Koech, Organization Ecumenical Centre for Justice and Peace. I wish the following to be reflected in the Kenyan Constitution about citizenship:

- i) An automatic citizen of Kenya should be one born by Kenyan citizen parents. The Kenyan citizenship can be acquired through the following ways:
 - a) Birth
 - b) Registration
 - c) (words lost as tape turns) Naturalization
- ii) Dual citizenship should not be automatic citizenship of Kenya.

Executive; President should not be Member of Parliament of his constituency. Also, he should not be the head of the state at the same time the head of the government.

The electoral system and process; first, who should elect or appoint the Electoral Commission? They should not be appointed by the President, but should be appointed by the independent bodies, like NGOs or the Justice and Peace organizations.

Election calendar should be well indicated for the Kenyans to know in advance the dates of election as the other holidays in the Kenyan calendars. Those are the views I had.

Com. Zein: Thank you very much. Tafadhali, please sign our register and leave us with your memorandum. Nilisema anafuatiwa na Joseph Keitang

Joseph Keitang: I am here on behalf of the ECJP. My names are Joseph Keitany and I am here on behalf of the ECJP. I am going to talk on the Preamble. Now, the Kenyan Constitution does not have a preamble as compared to other Constitutions...

Interjection: Inaudible

Mr Keitang:

- Yes, we need a preamble please. It should at least show us the national belongings of the people. It should also reflect the aims of Kenyans and also address the will of these people. The supremacy of the people should be emphasised in the preamble. Unity in diversity should also be reflected. Leadership guidelines be addressed, the liberty of the people should be placed above other organs of the government.

- Political parties; should be financed by the government.
- Legislature; there should be moral and ethical qualifications for parliamentary candidates. Constituents should have power to call for a vote of no confidence on an MP who does not perform his duties well.
- Management and use of natural resources; public officers should declare their assets.
- Environment and natural resources; natural resources be state owned and state controlled. Thank you.

Com. Zein: Asante sana, kuna swali.

Mr Keitang: Yes please.

Com. Wambua: On the political parties, you said they should be financed by the government but one of the issues we would want to know from you is whether we should limit the number of such political parties or they should be left to flourish the way they are flourishing?

Mr Keitang: Yes, I think we should at least limit the number of these political parties. We can have ten.

Com. Zein: Asante sana. Tafadhali sign register yetu kwamba umetoa maoni kwa Tume ya Kurekebisha Katiba. Namuomba Elijah Cheruiyot. Sasa Elijah kabla hujazungumza keti, keti tu. Kulingana na list ambazo tuliandikisha watu pale, Bwana Elijah ndio mtu wa mwisho aliyejandikisha ambaye anataka kutoa maoni. Je, kuna Mkenya yeyote ambaye amefika hapa, akajandikisha kwamba ana madhumuni ya kutoa maoni na hakuweza kufikiwa au hakisikilizwa? Inua mkono kama uko Mkenya wa namna hiyo. Oh, inua mkono ubaki juu nione vizuri. Ee, huyu Mkenya mmoja, njoo hapa mbele. Kuna Mkenya mwingine aliyeko hapa, narudia mara ya pili? Ndio tusije tukaambiwa mliaacha mtu na maoni yake akaenda nyumbani. Kuna Mkenya yoyote mwingine ambaye amefika hapa lakini hajapata fursa ya kuzungumza? Nina majina mawili, Samwel Marigat na David Kibilion. Kuna mwengine yoyote? Kwa hivyo it is befitting that our host, atakuwa mtu wa mwisho kutoa maoni hapa. Mzee uko nyuma unataka kutoa maoni? Huyu mzee, unataka, hutaki kutoa maoni? Sawa. Endelea kijana.

Elijah Cheruiyot: Basi kwa jina mimi naitwa Elija Cheruiyot, na nina maoni juu ya kuabudu hapa Kenya. Kwa sababu tunaona Kenya kuna huru wa kuabudu, unaona kwa njia ingine inaweza kuwa si mzuri. Nataka iwekwe kwa njia ya... Itafutwe njia ya kuabudu kweli, kwa sababu sheria fulani ya kulinda kuabudu kweli kwa sababu hata wakati huu kuna kuabudu shetani.

Interjection: Wewe unapendekeza kuabudiwa kwa shetani usiruhusiwe Kenya?

Mr Cheruiyot: Yes.

Com. Wambua: Tuwepo na freedom of worship lakini kuabudu shetani usiruhusiwe.

Elijah Cheruiyot: Na ingine ni juu na ardhi ya plots kwa Wakenya. Kwa sababu tunaona ya kwamba katika nchi yetu inaonekana itaisha na ikiisha vitu vingine zinaweza ingia ambavyo ningependekezwa iwekwe kwa nchi yetu na ikose nafasi. So ningeonlea ya kwamba, iwekwe na serikali, for future kwa karne zingine. Kwa sababu tunaona inaweza ishia kwa wengine. So kwangu ninaomba itafutwe njia ya kuwekwa hizo plots za Kenya.

Na la tatu ni mashamba ya wananchi. Zile ziko, na labda vile nilisikia kama mwingine amesema wengine hawana title deeds, au wengine wako nazo, na mashamba ziko nyingi, lakini ingetafutwa njia kama iko shamba kubwa, kama watu wengine wako na acre mia tatu na hapa nchi yetu tunaona ya kwamba kuna wengine hawana. So kwa maoni yangu ningeonlea ya kwamba tuone kama vile wengine wamesema iwe hamsini, na ile ingine tuone kama serikali inaweza tumia kwa njia zingine za kusaidia watu wote. Na ni hayo tu.

Com. Zein: Ndugu, nenda pale ujiandikishe tafadhali. Utaje jina lako na utoe maoni tafadhali.

Samuel Marigat: Jina langu ni Samuel Marigat. Mimi ni mwalimu. Ningependa kutoa maoni yangu. Ya kwanza ni kuhusu elimu; the quota system of education. I am proposing that in our new Constitution, the current quota system of admission in our schools – 85% is producing people who are serving more of their district needs than national. I am proposing that we have a system such that in a provincial school, we have 50% coming from say, the district, then 35% coming from the rest of the province. Then we reserve 15% from the rest of the country. Because we would like to have national unity.

Two, I would like to talk about the Higher Education Loan Board. Quite a number of us have benefited from that board but very few of us are paying back and I think that that is immoral. I would like in the new Constitution, that the employers and those who benefited from that system, those who have not paid back, or the employers who are hiding those benefited from the system be penalized heavily and they should pay with a lot of interest because the current university students are really suffering.

And lastly, on a personal note, I would like the Kenyan Constitution to allow us, those of us who really love our Kenyan flag, to have them. I am a Kenyan, I would not mind having a Kenyan shirt with our Kenyan flag. I would not mind having a pillow with a Kenyan flag. That will remind me that I am a Kenyan. I am not happy when I see our athletes abroad, they hold our flag very far away while others hug their flags. In the new law, I would like that to be included. I would not mind having a flag on my desk as a Kenyan not just a reserve for the ministers.

Com. Zein:

Asante sana mwalimu. Jiandikishe pale. David Kipkelion? Na nilisema kwa vile hakuna mtu mwingine ambaye alikuwa anataka kutoa maoni, (interjection, inaudible). Nani, naam, aa, usimuambie, ni yeye mwenyewe. Je, nitarudia swali hili mara ya mwisho kabisa ndio baadaye, vile watu wanasema kwenye mambo ya ndoa ya kikristo, useme kwa mara ya tatu, ikiwa kuna mtu yoyote anajua kwamba anataka kutoa maoni leo, aseme sasa au forever hold their peace Mzee? Haya hawa wazee wawili ndio watakuwa watu wa mwisho. Sema mzee. Taja jina lako, utoe maoni.

David Kipkelion: Mini jina langu ni Daudi Kipkelion. Mimi (inaudible) Wananchi, yangu ile ninapenda kusema kidogo na nikisikia haya maoni ya wananchi wa Kenya nzima, nimesikia mambo yanasemekana ya kwenda Katiba, hata wanazungumza mambo ya makao ya wananchi, mashamba na nini. Nimesikia namna hivyo kidogo. Lakini sijaelewa vizuri. Lakini mambo kama ya Katiba yasemekana ati watu wengine wana ardhi kubwa na wengine ndogo. Hakuna Katiba ingine itatumika kuliko ile ilikuwako. Kwa sababu mwenye ako na shamba kubwa ako na watoto yeye atazaa na bado atazaa mara mingi. Na hakuna nchi itaongezeka, nchi ni ile, ile tu.

Interjection: Sawa mzee

Mz. Kipkelion: Kwa hivyo kwangu ndio hivyo hakuna pahali itaenda tena.(inaudible)

Com. Zein: Sawa, sawa, Asante sana Mzee, tumesikia unasema, ikiwa shamba kubwa au dogo, awachiwe mwenyewe. Akiwa na watoto wake, watapata hiyo ardhi. Sawa. Jiandikisha jina kule mzee. Eee, andikisha jina kule. Na mzee wangu umesema utakuwa wa mwisho, karibu.

Fredrick Chepkieny: Majina yangu ni Fredrick Chepkieny ambaye ninatoka hapa. Yangu tu ni mawili pekee yake. Kwanza, ni hali ya elimu. Elimu igharamiwe na kila mtu kupitia serikali ili watoto wanaenda kusoma kutoka nursery mpaka university. Kwa sababu tumepoteza watoto wengi, ambao wangukuwa wakiongoza nchi kwa hali ya kukosa fees. Mimi nilikuwa education officer that is why I know.

Ya pili, kuna jambo moja ambalo sijasikia mtu akitaja – mambo ya wale ambao wana-perpetuate riots, ambao mtu akitembea anapigwa mawe, na kadhalika. Ingekuwa kila mtu lazima afuate sheria. Kama sheria imetungwa kama mtu ameambiwa asifanye kitu, yule ana-perpetuate mambo ambayo yanaweza kuleta riots ambapo watu wengi wanaumia, wapatiwe adabu kali. Kwa sababu hiyo inaumiza wananchi kabisa.

Ya mwisho ni ya kwamba, hii Katiba iwe kamilifu kabla hatujakwenda kwa election kwa sababu tukienda election kabla hii Katiba kwisha hatutaona faida ya hii Katiba ambayo inarekebisha saa hii kwa miaka mingine mitano. Kwa hivyo kama

tukiingia Parliament ijayo tukiwa na Katiba mpya, nafikiri wananchi wataweza kuona umuhimu wa hii Katiba. Asante sana.

Com Zein: Asante sana mzee wangu, asante sana. Sasa kulingana na record tulizo nazo, huyu ndiye alikuwa mtu wa mwisho na sasa kwa kuwa hakuna mtu mwingine yeyote ambaye anataka kutoa maoni, na nyinyi mmeshuhudia hakuna mtu amezuiwa kutoa maoni yake, mumetoa maoni mazuri sana. Langu ni fupi sana. Langu ni kuwashukuru sana kwa kufika hapa na kutoa maoni yenu vizuri na ningependa kuwahakikishia kwamba maoni yenu mliyotoa yatashugulikiwa vilivyo, yatatumika pamoja na maoni ya Wakenya wengine kama msingi wa kujenga Katiba yetu mpya. Kwa hivyo ningependa kumuomba Commissioner mwenzangu, Commissioner Wambua afanye vile tunavyofanya kawaida kama njia ya kufunga kikao hiki. Asante sana. Commissioner Wambua.

Com. Wambua: Ningelipenda kusema ya kwamba tangu tuanze kuzuru sehemu hii kuchukua maoni, hatuja maliza mapema kama tulivyofanya leo. Na hiyo ni sababu wale walikuja hapa kuzungumza hawakuwa na wakati wa kuharibu, walikuwa wanajua kile walichotaka kusema na wakasema kwa njia fupi. Kwa hivyo, tunataka kuwashukuru wote na kawaida huwa tunataka kuwaona wale ambao walifanya mpango kwa kuhakikisha ya kwamba kikao kimefaulu.

Kuna wale members wa 3Cs, sijui kama wako hapa. Wako wapi wasimame kidogo? Ni wangapi walioko? Na huyu wa tatu.

Nafikiria wamegawanyika shauri kuna kikao kingine huko Mogotio, lakini kwa niaba ya Tume, kwa niaba ya Ma-commissioner wenzangu, yule ambaye angelikuwa nasi hapa, Mrs Phoebe Asiyu, na kwa niaba ya mwenye kiti wa leo, Commissioner Zein, tafadhalini mkubali kupokea shukrani zetu kama Tume, kwa kazi njema ambayo mlifanya kwa kuhakikishia kwamba watu walielimishwa ya kutosha kuelewa ni mambo gani, na swala gani, maswali gani ambayo walikuwa wanahitajika watoe maoni kwa Tume.

Pili, mlifanya kazi njema kuhakikisha ya kwamba watu wamefika hapa leo na kweli wametoa maoni na tukayapokea. Kwa hivyo kwa niaba ya Tume, tafadhalini mkubali kupokea shukrani maalum kutoka kwa Tume kwa kazi njema hiyo mlifanya. Kuna Provincial Administration, sijui kama kuna mwakilishi hapa. Kuna Chief ama DO? Okay, wao pia wamefanya kazi, nani ambaye yuko kwa niaba ya Provincial Administration? Mnaweza kuketi tafadhalini wazee. Ni Chief, Assistant Chief? Sehemu hii provincial administration ilifanya kazi nzuri sana kusaidia kupanga mipango ya vikao vya Tume, wakasaidia 3Cs, nafikiria siongezei. Kusema kweli provincial administration waliwasaidia kuhakikisha kuna proper mobilization, proper education, proper facilitation. Kwa hivyo Bw Assistant Chief, kwa niaba ya Tume utapokea shukrani zetu, utamweleza Bw. DO tulishukuru sana kwa kazi njema ambayo nyinyi kama provincial administration mlifanya na kama angelikuwa hapa tungempa nafasi pia azungumze maanake hili ni eneo lake.

Ningependa kuwashukuru pia, nafikiria, wale wanaowakilisha usalama wako. Hapa? Waliketi uko, ijapokuwa hawakutoa maoni lakini walihakikisha kwamba tuko na usalama bado, wanaendelea kuwahakikisha usalama uko. Pia ningependa kuwashukuru kwa kufika na kwa kusikiza na kuhakikisha kwamba tukiwa hapa kwa kikao hiki tuko salama.

Mwisho kabisa ni shule, waalimu, wanafunzi na headmaster ambaye ndiyo alizungumza mwisho mwisho hapa, kutupatia hii hall kutumia, kupokea maoni ya wananchi. Tafadhali mwalimu, kwa niaba ya Tume pia, pokea shukrani kwako na walimu ambao walifika hapa kutoa maoni na pia kwa wanafunzi kwa kutuletea maoni yao pia ambao tuliyapokea. Na kwa wale wote ambao wako hapa, nawashukuru tena kwa kufika, nawashukuru tena kwa kutoa maoni yenu, na tunawahakikishia kwamba maoni ambayo mliyotoa yata-ingia kwa ripoti ambayo tutaleta hapa

Na kidogo tu nitaje kwamba tukitoka hapa, tutaelekea huko mkoa wa Magharibi, West, not Mashariki, ni East. Na huko ndiko tutamalizia kazi yetu hapo tarehe 30, mwezi wa saba. Tukisha maliza kupokea maoni pande hiyo, sasa hiyo ndio itakuwa mwisho wa stage ya ku-collect views, ama kupokea maoni, na tutatengeneza reports, kama vile mwenzangu alieleza hapo awali. Na hizo reports zitakuwa kwanza, ya constituency, na pili ya national. Na pia tutatengeneza draft Constitution. Mtaletewa hizo reports, mtachunguza mhakikishe ya kwamba yale yote mliyoyasema yaliwekwa huko. Kwa hivyo bado kuna hatua nyingine zilizobaki ndipo tuwe na Katiba ya mwisho ile ambayo sasa ndiyo Katiba yetu mpya.

Kwa hivyo wale ambao wanashughulika, wale members of 3Cs, Provincial Administration, the District Coordinator, na wale wote ambao wanahusika, bado kuna kazi. Ikiwa sheria ambayo inasimamia hii shughuli hii haitageuzwa, basi kuna hatua nyingi zimebaki na zinahitaji kila mtu ashughulike. Kwa hivyo, tutarudi kwenu tena na hizo reports, kutakuwa na haja ya kuwaelimisha wananchi kuwaeleza mambo gani yako kwa reports na kuhakikisha ya kwamba watachunguza na kuelewa yale ambayo yametajwa huko.

Kwa hivyo tutakuwa na haja ya Civic Education, wale ambao walikuwa wanaelimisha wananchi bado watahitajika. Kwa hivyo, nitaendelea tu kungojea, tukimaliza hiyo hatua ya kuchukua maoni, tutarudi kwenu tena. Sasa itakuwa kazi nyingine. Kwa hivyo muendelea hivyo hivyo, mtie bidii kuhakikisha ya kwamba tufikapo mwisho wa hii process, kweli tumewapatia wanakenya ile Katiba ambayo wangelipenda kuwa nao.

Mwisho kabisa ningetaka kuwashukuru wale ambao waliohusika na nasema asanteni na nikirudi kidogo kinyumbani ambapo sasa nije hapa, nimeelewa ni kusema *kongoi missing*. Asanteni sana.

Com Zein: Sasa tumite mtu moja atuombe ndipo tufunge kikao. Mmoja atuombe. Chukua mic tafadhali.

Prayer by Kimuna Chemjor: Haya, tusimame halafu tuombe. *Jehova kamuktaindet kongoi kiptayandenyo amun kandiseng'u ne mie ne kaindosewech en saisyk cho tugul si ko bit kimuch ketuye ra en ireyu. Kongoi amun commissioners che kagomuch koib maoni che chok. Kongoi amu maoni che chok che kagikoite Jehova si komuch kotaret ak che ba Kenya tugul si komuch kotestai Jehova en boiset ne takyingei en emani bo Kenya. Kisae Jehove kele ichek che kagobwa kong'eten kamastab Nairobi agoi ye wektagen koma takyin ng'ei kamastab kiptuya Jehova*

