

CONSTITUTION OF KENYA REVIEW COMMISSION

(CKRC)

VERBATIM REPORT OF

CONSTITUENCY PUBLIC HEARINGS,

NAKURU TOWN CONSTITUENCY, AT

HOLY CROSS CATHOLIC CHURCH

ON

15TH JULY 2002

**CONSTITUENCY PUBLIC HEARINGS,
NAKURU TOWN CONSTITUENCY, HELD AT HOLY CROSS CATHOLIC CHURCH, ON 15TH JULY, 2002.**

Present

Com. Salome Muigai

Com. Domiziano Ratanya

Com. Riunga Raiji

Secretariat In Attendance:

Samuel Wanjohi – Programme Officer

Mathew Ngugi – Assistant Programme Officer

Gladys Osimbo – Verbatim Reporter

The meeting started at 9.30 a.m with Com. Salome Muigai being in chair.

Com. Salome: Kwa niaba ya Mwenyekiti wangu, Yash Pal Ghai mwenye hayuko hapa na wanatume wenzangu, ningetaka kuwakaribisha kwenye hiki kikao chenye ni kikao rasmi, na kikao cha dharura cha Tume ya marekebisho ya Katiba. Kabla hatujaanza, ningetaka kumuomba mmoja wenu atuaanzishie kwa maombi kwanza. Kuna mtu mwenye angetuombea? Kuna mtu mwenye yuko tayari kutuombea:

Mark Mwithanga: Kwa jina la Baba, la mwana na la roho mtakatifu, amina. Mungu tunakushukuru kwa sababu umetupangia siku hii na kuifanya iwe kamili. Tumekusanyika kwa mjibu wa kufanya kazi ya taifa hili, na kila mmoja wetu anakuomba umuangazie katika kichwa chake mambo yote ambayo atakua akitaka kuyaona mbele yake na kuyazungumza. Na

pia utupe upendo kwa sababu kazi yote ikifanywa kwa upendo, ukamilika kwa wema. Tunaomba hayo kwa jina la Kristo bwana wetu. Amen.

Com. Salome: Asante sana kwa maombi. Shukrani. Ningetaka kuwajulisha Wanatume wenye tumekuja nao, na ningetaka kila mtu aeleze jina lake hili pia msikie sauti zao. Upande wangu wa kulia,

Com. Raiji: Hamjambo? Kwa majina mimi naitwa Com. Riunga Raiji.

Com. Salome: Na wa kushoto?

Com. Ratanya: Hamjamboni nyote wananchi? Majina yangu ni Domiziano Ratanya.

Com. Salome: Nami jina langu ni Salome Wairimu Muigai, na mimi ndio mwenye nitakua mwenyekiti wa kikao hiki. Pia pamoja nasi, tumeandamana pamoja na wafanyikazi wetu kutoka ofisi zetu, wako upande wa kushoto. Wa kwanza upande ule ni Samuel Wanjohi, ndiye Programme Officer wetu, na ndiye mwenye maswali yote yenye unaweza kuwa nayo ya kuwa nitaweka wapi memorandum, naweza kuandika aje, naweza kuwasiliana aje na Tume, huyu ndio mwenye atajibu hayo maswali.

Pia kuna kijana mdogo mwenzake pale, anaitwa Ngugi, ni msaidizi wake, na pia tuna Gladys. Gladys pia anasaidiana nao. Na hapa kwenu kuna watu wenye wamesaidia kusaidia kutengeneza huu mkutano, tunawaita 3Cs yaani Tume ya kikundi cha kutoka constituency na ningetaka kumuomba mwenyekiti tafadhali aje atujulisha wenzake.

Mark Mwithaka: Asante sana Commissioners wa Constitution of Kenya Review Commission. Sisi 3Cs na providers wa civic education na wananchi wa hapa tunawakaribisha kwa kikao hiki, tukikumbuka ya kwamba kumekuwa na kikao kingine tarehe kumi na moja kule Old Town Hall ambacho kilifana sana. Kilikuwa na watu wengi na hata wengine hawakuweza kutoa maoni yao kwa sababu ya muda. Tunataraji wengi wao watakuja hapa wakitafuta hiyo nafasi ambao hawakupata kule, kwa sababu wote wanaishi hapa mjini. Tunawakaribisha tukijua hiki ni kikao cha pili na cha mwisho ni kesho kule Lanet. Tunatarajia hawa na wale wengine watakuja wapate nafasi ya kutosha kutoa maoni yao, mchana huu kutwa. Hall hii ni hall mpya, isiwahangaishe, isiwashangaze. Ni hall ambayo inajengwa upya na tulikuwa tunatafuta, tulizunguka sana tulitafuta pahala ambapo patafaa wingi wa watu, tukakosa tukapata hapa na tukaona afadhali kuwe na hapa kuliko kufanyia kule nje. Kwa hivyo mkikosa lolote muwe nasi tunajenga taifa moja na nyinyi na hii ni kazi ya mikono ya ndugu zetu wanaojaribu kujenga hall ya kanisa hili.

Sasa ningetaka ku-introduces 3Cs ambao ndio wanawakilisha Commission hapa na wachache wao wale wengine wameenda nje. Nataka kuanza na Bwana Atinga, Bwana Atinga ni mmoja wetu. Yuko Councillor Valai, ambaye ni councillor wa

Municipality of Nakuru, Bwana Toroitich Joshua, anabeba jina kubwa. It is a common it does not have a particular relationship. (laugh). Magdaline Kangetich, naye ni mmoja wetu na ni secretary wa kamati ya 3Cs hapa mjini, town na nyinyi wengine sitaki kuwa-introduce kwa sababu ya saa na kila mmoja ambaye atapata nafasi ya kusema hata wao watajisemea. Asante sana na karibu.

Com. Salome: Asante sana mwenyekiti kwa kutujulisha wana-committee wako, sasa ningetaka kuwaelezea utaratibu tutakaofuata kwa mkutano wetu wa leo.

Kwanza, ni mumeshajandikisha. Ukiwa hujajandikisha tafadhali nenda ujiandikishe kwani hiyo orodha ndiyo yenye nitafuata wakati nitawaita mzungumze. Nitaanzia mtu mwenye amejandikisha kwanza, halafu wa pili na hivyo tuendeleo. Tutawapa dakika tano. Ukiwa una maandishi yako na ungetaka kutupatia tafadhali usisome neno kwa neno kwani hizo dakika tano hazitatosha. Angazia tu yale makubwa au yale muhimu kwenye maandishi yako, halafu utatupatia hayo maandishi au memorandum. Sisi tutayasoma neno kwa neno, kikomo kwa kikomo. Pia unaweza kuwa huna maandishi yoyote unatuzungumzia tu, bado tutakupa dakika tano utueleze maoni yako. Unaweza pia kuwa na maandishi na hautaki kuyazungumzia kamwe. Basi utakuja utatueleza jina lako, utaipeleka memorandum yako pale tutaisajilisha. Ukimaliza kutuzungumzia, tafadhali uende pale kwa ofisi yetu ujiandikishe kuwa tumezungumza nawe. Pia tutanasa hizi sauti moja kwa moja. Kwa hivyo tungewaomba kama muna mobile mzifunge kwani itakuwa na tashwishi wakati tunapofanya mambo ya kunasa sauti. Tafadhali ufunge mobile telephone. Mkisha maliza kutueleza maneno yenu au maoni yenu, wanatume wanaweza kuwa na maswali. Haya maswali yatakuwa ya kufafanulia ili tukuelewe vizuri. Sio maswali ya mjadala na kukuuliza kwa nini unafikiri hivi, kwa nini usifikiri vile, la. Lakini maswali tu ya ufafanusi. Swali lolote ukiulizwa na mwenye tume au mimi mwenyewe na usikie hutaki kulijibu au hujalifikiria, pia mwenyekiti amekusimamia ili usilijibu hilo swali ukisikia hauko tayari kulijibu.

Kwa hivyo ninawakaribisha tena, hiki ni kikao cha dharura kwa hivyo kila mtu amekubaliwa kuja hapa na kutoa maoni yake. Hili ni jambo lenye linafanyika nchi nzima na ni jambo la taifa. Kwa hivyo usiwe na hofu kuwa nitakuja niseme hivi, sijui nani atanisikiza, sijui nani atanifuata. Hili ni jambo lenye limekubaliwa kwenye Bunge, limekubaliwa na serikali kuwa ni wakati wetu Wanakenya wa kutoa maoni yetu ya vile tungetaka kutawaliwa na kutawala. Basi usiwe na hofu ukija kuzungumza mambo yako. Nimesema kuwa nitafuata hii orodha ya majina moja kwa moja. Lakini ile sheria yenye imetutunga sisi na kutuweka hapo imetushurutisha kusikia maombi ya watu tofauti wenye kuishi Nakuru. Kwa hivyo nikikuta wazungumzaji watano ama kumi na wote ni wanaume, nitatafuta akina mama wako wapi, na nikimpata mmoja hata awe sio mwenye alifuatia nina hiyo jukumu ya kurukia hayo majina mengine nikampata yule mama akazungumze ili tusikie maoni yake. Pia inaweza kuwa mtu pengine mwenye ulemavu pia hatujasikia sauti yao, basi nitarukia nimtafute au kijana. Huenda ikawa pia ni mtoto wa shule mwenye amejiumba pamoja nasi. Nitampa nafasi ili tumsikize mapema mapema ili atuache arudi darasani.

Mbali na hayo nitajaribu kufuata utaratibu vile nitakavyoweza. Na sasa ningetaka kumuita mzunguzaji wetu wa kwanza

mwenye atakuja aketi hapa na atuzungumzie. Lakini kabla sijafanya hivyo ningetaka pia kueleza kuwa Tume inatumia lugha mbili. Kingereza na Kiswahili. Kwa hivyo unaweza kutumia hizo lugha. Lakini ikiwa pia huwezi, unaweza kutumia lugha ya mama, mradi tu utujulishe mapema kuwa unataka kuzungumzia hiyo lugha ili tuweze kutafuta wa kufanya utafsiri. Pia tuna mtafsiri wa ishara ili kuwawezesha ndugu na dada zetu wenye hawasikii au hawatamii masikio kwa kuwasiliana pia waweze kuwasiliana nasi. Waweze kujua yenye inazungumzwa na kuyafuata na pia wakitaka kuzungumza wazungumze. Mzungumzaji wetu wa kwanza ni Simon Kanai, una dakika tano. Simon.

Simon Kanai: Asante kwa kunipa nafasi hii na nitatoa maoni ---

Com. Salome: Leta microphone karibu na mdomo ili tuweze kukusikia na pia tuweze kunasa hivyo habari.

Simon Kanai: My name is Simon Nderitu Kanai I know Jesus Christ as my Lord and saviour. I am giving views of members of PCEA Nakuru West church.

The first view is on language. Presently the Constitution is drafted in English. We recommend that it be translated to Kiswahili and many other languages that wananchi will understand by the language they use. We recommend that we have unitary government. Where the President is the head of state and he has his Vice President and he should however, the head of state should have reduced powers. He should not be the sole appointee of authority, of the chief officers like Permanent Secretary, Attorney General and so on. But it should be done by Parliament or established Act of Parliament. They should have tenure of office and their duties broadly specified. The President should be a university graduate and a man of proven integrity, experienced in both political and economic matters, upright and of known good conduct. He should garner at least 50% of total voters and at least 20% from five provinces. The President should not be above law and there should be a mechanism of impeaching him if he violates the Constitution. The Vice President should be a running mate known by all Kenyans and should be voted directly. The Vice President should expressly lead as acting President in the absence of the President or there be inserted a provision of appointing one.

The Local Government should be a strong local authority. Councillors should be mature people of at least 30 years. They should have at least secondary education. Mayors and county council chairmen should be chosen by people, elected by people and the post of provincial administrators should be abolished like PCs and the administrators should be elected by people. The elected members should not be left to politicians alone, they should be elected by the people. Members of Parliament should at least be of secondary education level and people of integrity and good conduct. There should be an age requirement of about 35 years. To be more independent, the Parliament, Constitution should specify and entrench its calendar for self regulation. However, there should be a mechanism to prevent members from abusing their independence and privileges for malicious and self motives. At no circumstances except in war situation should members be allowed to extend their tenure of office. To extend, there should be a mechanism of voters in constituency to remove non-performing MPs before the expiry of their term.

The procedure of Parliament to amend the Constitution, Constitution provision should be made more stringent.

Fundamental rights: The government should seriously protect rights and freedom enshrined in the Constitution. There should be a body established by Act of Parliament composed of people of integrity, and devoid of the present court intriguers. To receive complaints from citizens, whose rights have been infringed by the state or other bodies. It is proposed that the ballot papers bear the picture of a candidate together with the symbol. The ballot box should be transparent. The right to be registered as an elector to vote should be entrenched in the Constitution and besides the identity cards, other any documents such birth certificates, passports should be allowed as prove of citizenship for the purpose of registration as a voter. Since corruption has become--

Interjection (Com. Salome): You have half a minute in which to wind up.

Simon Kanai: Okay. Since corruption has become a serious disease in the society, consequences have occasioned the hardship and sufferings to the ordinary persons by the destroying social, political and economic foundation of the nation. Those who freeze public funds and are guilty of serious corruption should be placed in the same level with those who commit treasonable offences.

Land: Trust land should be abolished.

Com. Salome: Mr. Kanai, can that be your last point. Just finish it up, just finish that point.

Simon Kanai: Trust land should be abolished and all land be classified as individual land or cooperative so that they can get flat tax, and finally the game reserve should be named as Game Reserve instead of being National Park so that they may be paying the required money to the areas where they are situated. Thank you.

Com Salome: Thank you very much. Joshua Toroitich, please give your memorandum at that office and please register your name.

Joshua Toroitich: Thank you Commissioners. I think I will go straight to --- Joshua Toroitich.

Com. Salome: Please when you come to give views, ukija kupeana maoni yako, tafadhali anza na jina lako ili tuweze kuweka kwa record.

Joshua Toroitich: The Constitution should have a preamble which talks about the endurance of the Kenyans in the struggle of independence and the sovereignty of our society. It should be talking about the fair distribution of resources and equitable

distribution of resources for the benefit of all Kenyans in order to enhance proper utilization and achievement of future goals and aspirations of our people. To achieve social, political and economic transparency of our people, to justice and fairness for all and uphold morality free from tribalism and corruption. Respect for rule of law and human rights obligation as enjoyed by the universal humanly.

Presidency: There should be a President who is the head of state and executive President and at the time of nomination, he should be 40 years of age and must have passed a minimum of form four and above. He must have been a member of Parliament for at least five years with good moral standing. Must have not been convicted and must be medically fit. He must be supported by signatures of voters from all the eight provinces of up to 10,000 people.

The Executive: The Executive of the day to day must be effective and firm, consistent, upholding moral standing and dignity, free from corruption. The Judicature must be transparent, and uphold fairness and respect of rule of law. Natural justice and law of precedence. Justice for all irrespective of status and all Kenyans are equal before the eyes of law.

Interjection (Com. Salome): Tafadhali Bwana Toroitich, ningetaka kuomba sana mukija hapa, usijaribu kusoma kwa dakika tano. Kwani utaenda speed kubwa, hatukuelewi hatuwezi kuandika notes. Angazia tu hayo mambo kwani uliyaandika wewe mwenyewe. Uangazie yale muhimu mawili au matatu, halafu hayo mengine tutayasoma.

Joshua Toroitich: Tukiendelea, as we continue we look at land in our Constitution. Land being a very important aspect of our society, it should have a minimum acreage except for agricultural land and documentation and the Title Deeds be issued at the regional level or provinces. There should also be Land Control Boards who should be people appointed from people of good moral standing and who have the experience in land economic and planning. All land which is idle must be taxed.

System of government: I would propose a federal system of government in order to have a fair distribution of resources in the county. This has proved well and worked in other countries of the world like Canada, India and even in Nigeria. We have even seen small countries like Switzerland with a federal system of government. So I would propose that Kenya should adapt that system of government. Also there should be two bodies of Parliament. That is Senate and the Lower House for proper checks and balances.

On gender, gender should be enhanced in our day to day lives and merit the order from discipline forces within either women or men in our society. The state should give free education to children up to standard, say in primary level of education.

Com Salome: Umemaliza?

Simon Toroitich: Thank you.

Com. Salome: Okay, asante sana, kuna swali Bwana Totoitich, kuna swali.

Com. Ratanya: Bwana Joshua, you propose that we should have minimum acreage set, that is on agricultural land. What is your proposal on how many acres at least one should have?

Toroitich: My proposal is minimum land for agriculture should be at least 2 acres. There should be the minimum, because beyond that it will not be economical.

Com Salome: Asante sana kwa jibu lako. Elijah Siatikho.

Elijah Siatikho: Majina yangu ni Elijah Siatikho. Mimi ni mkaaji wa hapa Ronda. Kitu cha kwanza ningependekeza ya kwamba katika Katiba ambayo inakuja, mwananchi wa Kenya apewe nafasi ya kwanza katika hali ya kufurahia matunda ya uhuru. Nikitoa mfano, tunaona ya kwamba Mkenya hajapewa nafasi yoyote ya kufurahia matunda. Huku mzungu anaweza toka kule uingereza afike hapa Nakuru, afike katika mbuga za wanyama, anapofika kule anapiga wanyama picha anarudi uingereza. Sasa anapoenda Uingereza, ile picha inatoka Uingereza inarudishwa hapa Kenya ndipo mtoto wangu apate kuona simba ni mnyama wa aina gani. Na huku sisi wenyewe tunakaa karibu almost 500 metres kutoka kwa ile game park. Kwa hivyo ningependekeza ya kwamba Mkenya awe huru kutembea mahali pale hata bila malipo.

Point yangu ya pili ni kwamba, lazima serikali katika Katiba ambayo inakuja ilinde maslahi ya wafanyikazi katika hali ya kuwapea mishahara ambayo inayowafaa na hiyo mishahara ipate kuchunguzwa. Watu kama waBunge ambao wamepewa mishahara mikubwa, wachunguzwe pia---

Com. Salome: Elija tafadhali zungumza kwa sauti ya chini kwani tayari una mike. Ukizungumza hata kwa sauti ya chini tutakusikia.

Elijah Siatikho: Okay, watu kama waBunge ambao wamepewa mishahara mikubwa, wafuatiliwe ili ijulikane wameajiri watu na wamepea mishahara ya kiasi gani. Tungependekeza ya kwamba mBunge ambaye amepata mishahara zaidi ya shilling elfu mia tano awe na wafanyikazi zaidi ya kumi kwa sababu tumekuwa na ukosefu wa kazi na hawa wafanyikazi wawe na mishahara ya kutosha na serikali ifuatilie.

Jambo lingine ni kwamba somo la Katiba lipate kufundishwa kutoka shule za msingi hadi shule za upili. Tumekuwa na jambo la kawaida tunaambiwa ya kwamba tumevunja sheria ile sheria ambayo hatujafundishwa.

Kabla ya budget ningependekeza ya kwamba ministry ipate kueleza jinsi imetumia pesa mwaka ambao ulitangulia kabla

hawajaongezewa pesa. Limekuwa jambo la kawaida ya kwamba tunasikia mtu anapopewa contract, hajaeleza wananchi kama pesa ilibaki ama pesa ilienda namna gani. Tunaambiwa ile imekosekana lakini ile ambao haijabaki hatujaeleze.

Jambo lingine ningependekeza ya kwamba mambo ya kuhesabu sioni kama itakuwa ya maana sana kwa sababu tumekuwa tunahesabu watu lakini hatujapewa matokeo kamili. Jambo hili limekuwa ni jambo moja la kupoteza pesa za wananchi wa kawaida ambao wanalipa kodi. Serikali itafute mbinu, na mbinu moja ni kama kutumia ahadi za kuzaliwa na zile za vifo kujua wale ambao wamepotea na wale ambao wameingia kuliko kuajiri watu kuhesabu watu wengine.

Ningependekeza ya kwamba tuwe na mahakama ya kikatiba ili mwananchi wa kawaida apate kuwa na uwezo hata kuwashtaki watu wakubwa kama ma-councillors na members of Parliament, hata tutakuwa na uwezo kikatiba.

Ningependekeza tena kwamba matibabu au Ministry ya Health ipewe pesa ya kutosha na malipo ya hospitali yaondolewe. Malipo ya mortuary hapa Kenya imekuwa ni juu zaidi, pia iondolewe kabisa kwa sababu mashamba ni yetu, ningependekeza kaburi zote hapa Kenya ziwe ni bure.

Nikimalizia, Wakenya ni watu wana mali, wana pesa za kutosha wengi wamefungua maduka makubwa, ningependekeza ya kwamba kwa sababu serikali imekosa kuwalinda basi wananchi wa Kenya wapewe uhuru au wawe na uwezo wa kumiliki silaha ili wapate kulinda mali yao. Naweza kutoa mfano, tunaona ya kwamba kuna watu wamemiliki silaha kwa sababu wana wanyama wana ng'ombe na sisi wakazi wa Nakuru wengine tuna maduka makubwa lakini hatumiliki silaha. Wakati mwizi anapoingia hapa Nakuru hatujawai kuwa na robbery bali muhindi au mwaafrika anachukua pesa na kupeana. Sio kunyanganywa. Lakini ikiwa atamiliki silaha watabampana. Naona karibu niambiwe kwamba muda wangu umeisha, jambo la mwisho ningeseema ya kwamba Katiba hii nitakuwa kwa Commissioners ambao wamefika siku ya leo. Na swali langu ni hili. Tumeambiwa ya kwamba Katiba itakuwa tayari hivi karibuni. Sasa tumeshangaa kwa sababu maoni ambayo nimetoa siku ya leo, ningetaka nipate labda kueleze baadaye na kwa sababu Wakenya ni wengi labda utakuwa na kura ya maoni, itakuwaje Katiba imalizike kwa haraka hivi?

Com. Salome: Asante sana Bwana Elijah Siatikho, tumesikia swali lako na huenda tukalijibu wakati fulani lakini kabla ya hayo nigetaka kumuita Joseph Langat na nakukaribisha kujiaandikisha. Leo ni siku yenu wananchi mkiendelea kutuuliza maswali na tuendeleo kuwafundisha na tulikuja civic education itakuwa tumetumia wakati wa civic education and tumetumia wakati wenu wa hearing. Kwa hivyo leo tungetaka mtueleze maoni yenu zaidi zaidi mbali na kutuuliza maswali leo. Kwani tulikuja civic education, tukawapa nafasi ya kutuuliza maswali na leo ni siku yenu tafadhali. Joseph Langat anza na jina lako tafadhali.

Joseph Langat: My names are Joseph Langat, I am speaking on behalf of Pan African Communities base Organization and also Community water project. First I will summarize on what I am going to talk.

The holders of public offices should be a man or a woman of high integrity, transparent and accountable. Must accept to declare his or her wealth and must be somebody who is action oriented. He must understand the policy paper months before. For an MP or a Councillor he should be able to write a five year fore plan so that we can be able to see or to judge whether he is performing. He must be seen to be addressing issues on poverty eradication. He must be somebody who is free from corruption, somebody who is a role model in the society, have shown a good record for the past five years. He should have able in participating in the communities showing that he is able to deliver the goods.

On the type of government we want, I would propose the type of government we want is the federal system like the American system.

Com. Salome: Tafadhali ungeshikia miki mbali kidogo ndio tuweze kusikia.

Joseph: Mbali kidogo? Hapo?

Com. Salome: Zungumza tusikie. Yeah that is better.

Joseph: Okay, I repeat?

Com. Salome: No don't repeat, just continue.

Joseph Langat: I propose the federal system of government like American system. I don't understand why here in Kenya we say it cannot work. It has worked elsewhere in America and it is doing very well, we need to be close to the people. The other one is we want to strengthen the provincial administration such that the communities are given powers to decide their own development and this case I talking of these people who are the village elders. These people have a lot of work. They are judges, they are lawyers yet they are not paid and they do a lot of work. So we need to motivate this people so that they do a lot of work for the community and they know them.

I am also going to touch on health and education and agriculture. On health I propose to improve the provision of health delivery we need to have a medical commission so that it takes care of all the issues pertaining to health. Currently we are having a Ministry of Health in the civil service and we find that we cannot look. The issue of health is very sensitive, we are dealing with life and we need to motivate these people since they are able to deliver the goods. So we propose that medical commission be formed to look at the health issues and personnel inside it and to motivate them.

On agriculture we need to look at guaranteed minimum returns to be introduced to motivate farmers and also the Ministry of Agriculture be restructured so that they do their work. At the moment we are not productive enough. For example in the market division we need these people to advise the farmers on the markets of their produce. Peas, maize milk and the rest. We also need to lift the ban on pyrethrum. There is need to pick that plant locally to produce insecticide. We need to produce insecticide in Kenya and market the product rather than sending the raw materials overseas and then getting the manufactured

goods back to Kenya. It is very expensive.

The other one is the present freedom of worship should be strengthened by creating a live Ministry in the government. We realize that without the spiritual needs in Kenya we cannot do much. We must place God first. So to be able to take care of freedom, we need to create a ministry in the government which is going to deal with spiritual matters. We say we must put God first.

The other one is Game Parks. Here in Nakuru we boarder with the Game parks and in most cases the wild animals attack our houses and in most cases we are not compensated for. We are asking that the laws be enacted so that should a wild animal attack our crop or our animals, we be compensated. And also these wild animals spread diseases. We need them to support us in terms of cattle dips and also anything that comes out of tourisms in Lake Nakuru, we need these people to assist us.

On poverty eradication, we need to be privy to water. We provide the amenities for providing the water it can be okay. And also rural electrification should be supported by the government fully. The current 10% contribution is still very high ---

Interjection (Com. Salome): Your last point.

Joseph Langat: Last point. I have written so many points but I hope you are going to read. On social security, I have talked about introduction of assistance allowance to those people who have qualified and they have said they are claiming when they are waiting to be trained to be employed, they should be given sufficient allowance. On social security we need to expand it include out patient and to include those who are self employed, those who need to introduce medical insurance and old age homes and children homes to be introduces to take care of those less fortunate.

Com. Salome: Thank you very much sir,

Joseph: I have not talked education tafadhali.

Com. Salome: Okay one, one short one.

Joseph Langat: On education, education in this country is becoming very expensive and unaffordable. I propose that primary schools we pay amenity fee in primary schools. When we go to secondary schools, the government and the parents pay to 50%, fifty fifty. When we go to universities, it should be fully funded by the government. It is becoming very expensive. The current system of buying books, we should introduce the school equipment schemes to take care of the chalks, the books and the rest.

Com. Salome: We agreed that is the last point so I am going to call the next person, thank you very much.

Joseph: Any questions?

Com. Salome: Asante sana tunashukuru Bwana Langat kwa maoni yako. Sasa nampa nafasi Kepha Magenya. Tafadhali tutamkie jina lako vizuri.

Kepha Magenya: Honourable Commissioners, my fellow ladies and gentlemen. My names are Kepha Karueya Magenye from community Peace building and development project. Youth representative to secretary. My proposal to the Constitution, I would like to say that the Constitution should address the issue of transition justice by correcting historical imbalance by avoiding past message that has been experienced in the post independence Kenya are not repeated. This is by Kenyans were cheated by the colonial government that it had given mercy and made most of the Kenyans independent hero and Mau Mau vigilance all in the political trap of injustice.

The Constitution should address or state whether individuals in civil society, judiciary among others who have been promoted to higher ranks, due to their ills done to the Kenyan society to please their masters are going to be faces out in the new system.

The repatriation of the victims of tribal clashes. Victims of torture, victims of violence of political institutions. The clash victims should get their remedies of land loss, people killed during clashes, property destroyed of agony during clashes.

3. Establishment of truth and reconciliation tribunals to oversee the perpetrators of human rights violation of the above to be brought to books by:
 - The release of Akiwumi Commission
 - Kiliku report on clashes and foresee what to do with the perpetrators of human torture. Example in Norberg, Tokyo and nazi where German failed to trick US dollars in terms of billions.
4. Abolishment of tribal names on administrative boards, avenues, institutions, among other related features in the country.
5. Future government land allocation should comprise of mixed ethnic groups to avoid separation and isolation of tribal lines or groups.
6. We should have a Constitutionally constituted general election timetable.

In my conclusion I want to say we are trying to look to the future, we hope in comparison to the past and look forward to the new beginning. Thank you.

Com. Salome: Asante sana, na hasa asante sana kwa matumizi yako kwa wakati. Tafadhali jilandikishe pale. Sasa namwita Alice Gethi.

Alice Gethi: Thank you Commissioners, ladies and gentlemen. My name is Alice Gethi. This is what I have for the Constitution. The President should be a family man.

Com. Salome: Your mike is a bit too close. Can you hear me? Alice can you hear me?

Alice: Yeah.

Com. Salome: That is because my mike is not very close to my mouth. So please put yours at a distance. Thanks.

Alice Gethi: The person of the presidency should be a family man. He should not be denied the pleasure of (interruption)

We should have elders elected from district level to represent us so that our wise elders have their wisdom used for all of us.

The other issue is on the family. On the auctioneers most families are harassed by the auctioneers. When the husband has failed to pay some debts or something. The families should be protected from this. The auctioneers should not be allowed to visit homes. They should use other means other than going to harass the family. The other issue is on the forms which are used.

The various forms used in government offices. I feel most of them are discriminatory to women. Women are to take their marriage certificate if they are to apply for a passport. When they filling in such forms they have to state whether they are married or single. I think this is discriminatory. Forms should be made for individuals not for married or non married.

Com. Salome: That microphone is still very close. So we cant hear you.

Alice Gethi: I was talking about forms

Com. Salome: You are starting well and then bringing it back.

Alice Gethi: Like that? I was talking about forms used by government offices. That one should not be there. The forms should be made simpler. Many forms are very difficult for the ordinary person to see. Let there be a law to regulate that.

The other issue is on inheritance. I think women should be allowed to inherit property and any other thing from their parents. Women have been sidelined for so long and we feel it is high time the Constitution addressed this issue. The girl child or the woman is an important as a male.

The other issue I have is on public transport. The transporters tend to have upper hand during the rush times Easter, December and any time the when the public has to travel. You find them doubling fares so much that people are not able to travel. There should be a law to regulate this. Let the people be enabled to travel freely without this unfair increases of fares.

The other issue is on water. Water appears to be becoming scarce all the time. I don't know what is happening to water. The government should address this issue of water. Dams should be built or the government should enable dams to be built

everywhere so that the water which comes through the rain should be harvested and disposed for domestic and other usage.

The last point I have is on salaries. I have in mind policemen. They are accused of being corrupt but they are very poorly paid so that they are not able to deliver. Let them be paid properly. Let them have security in the job. Let them have good houses so that they can be able to look after us properly so that we don't fear them, we don't accuse them, we enable them to be treated like people so that when I have a problem I can go to them.

Finally, drugs. They are killing our children. We find drugs being used everywhere. We read that they are thrown all over. Let the government have a tough law on drugs. We need to have a healthy society. Our society for tomorrow will not be good. There will be mad people unless this can be checked. Thank you.

Com. Salome: Thank you very much. Make sure that you have registered yourself with our officers. David Kiplimo? David Kiplimo. Hayuko. Dickson Mengitich? Odhiambo MacDwol? Start with your name.

Odhiambo Mac'Dwol: My names are Odhiambo Dwol Mac'Dhwol of the Welfare of accident victim centre based in Nakuru. Honourable Commissioners, I am of the strong opinion to you that the new Constitution to be expressively, exhaustive in its content. Each Constitution must be a liberal democratic Constitution and one may have. What do I mean? The current Constitution is an ordinary and that is why I propose for a liberal democratic Constitution more than a democratic Constitution to be ignited in this country. Honourable Commissioners, this Constitution which liberal democratically must comprising note the primary concept such as civil rights, political rights, social rights, economic rights, welfare rights, religious rights, solidarity rights, cultural rights, environmental rights and last but not least Constitutional rights which in other words means constitutionalism. Honourable Commissioners we want a Constitution which has the supremacy of people. What does people mean? We want a Constitution that will enable its people to sue the government when the government cannot account for its failure. In liberal and general approach these ministers, in the liberal Constitution rights are much fundamental than restrictions. So we want a Constitution which demonstrates the fundamental rights of individuals. Honourable Commissioners I am of the opinion that this Constitution to set standards, truthful standards on which political parties will be formed, will be managed, will be disciplined and will be dissolved because when the Constitution cannot expressingly give such conditions, only be will be manipulated and the society will be destroyed.

Under this Constitution, no persons will contest any elective post at the age of 70 years in politics. My reason being that, at the age of 70 years human beings politically have reached the menopause stage. They cannot deliver any new product to the citizen. That is, they must under this new Constitution we are praying must be nationally oriented, formed and managed whereby they will be compelled by the new Constitution to publicly give annually their assets and financial revenues and where they get their sources of this revenue. Because, what I am trying to give you the Commissioners let us make a Constitution that restricts the finance of political parties that neither foreigners nor corporation will be allowed to finance political parties.

Com. Salome: You have one more minute sir.

Odhiambo: Commissioners, we have to give a note a Constitution where people participate. I am proposing for a forum of provincial to be instituted in the new Constitution where when the law is not seen at consensus at Parliament the people are given mandate to assess and review the law. This has succeeded in areas of other country. The terms and conditions of reasonable rights to work some including time law which we have not been implemented in this country. Because if law is implemented will be void of exploitation, slavery and lack of employment where people are dismissed anyhowly.

Just to wind up, I am of the opinion that the Constitution must be protected and how should this Constitution be protected? One, the Executive, the Legislature, the Judiciary all other organs of government and its agency and the citizen must uphold the principle of the Constitution. Bodies like ombudsman, bodies like Constitutional Council, which gives advisory to the Constitutional body must be implemented in the new Constitution. In case of alteration of the Constitution, please the honourable Commissioners, let the new Constitution be not be amended by Parliament. Let it be taken back to the people under referendum so that the people have the say of which clause to be amended. The Constitution to remain as the supreme law, just to finish –

Interjection (Com. Salome): You have had an extra minute, now just finish that one point please and make it short.

Odhiambo: Thanks honourable Commissioner. The honourable Commissioner, let us make a Constitution which gives us new courts. We want a Supreme Court in this country. This Supreme Court to comprise 11 Judges when it is sitting and matters appealed cases to the Supreme Court because of its exorbitant fee be financed by the state. Because Constitutional court is very much important to this country so that it implements and maintains the constitutionalism. So we are praying for a Constitutional court which will have the sitting of seven Judges. The other courts are the customary courts. This customary courts the honourable Commissioner will deal with customary matter. In fact like land inheritance, laws pertaining to customary matters like marriage, divorce, succession and all those ones and family matters.

Com. Salome: Thank you very much.

Odhiambo: Thank you the honourable Commissioner.

Com. Salome: Innocent Nyamweya? Innocent Nyamweya, Abrose Owimbo Oyugi? Ambrose Owimbo Oyimbo? Michael Chepkowel? Please listen I have an announcement. Nina tangazo moja. Tafadhali kama ulizungumza jana na nikupe nafasi ya kuzungumza, sorry wiki iliyopita kwenye town hall, usichukue nafasi kabla watu wengine hawajapata nafasi ya kuzungumza kwa mara ya kwanza. Nikikupa hiyo nafasi, unieleze umeshazungumza. Lakini tukiingoa watu wengine wasipate nafasi na tupate alasiri tuna nafasi tutakupa nafasi wakati huo tafadhali. Asante. Endelea na uanze na jina lako.

Michael Chepkowel: Basi majina yangu ni Mr. Michael Chepkowel na asante kwa nafasi hii. Kwanza ningetaka niongee juu ya corruption kwamba jambo hili la corruption imekuwa ugonjwa kubwa kwa taifa letu na natamani sana kuwe na anti-corruption iliyo very strong yenye iko independent from the executive influence. Pia ningehitaji kila mfanyikazi wa serikali wa aina yeyote ya juu a-declare mali yake.

Lingine ni kwamba kusiwe na influence kutoka kwa Executive na mambo yale yana-contribute kama, factors contributing to corruption should be catered for kama mambo ya salaries na nepotism and all the like.

Jambo lingine ni kuhusu provincial administration, naona ya kwamba ijapokuwa pengine ilikuwa na nia nzuri, the provincial administration imekuwa oppressive to the people. Kwa hivyo it is either iwe restructured to be people driven au iondolewe kabisa.

Jambo lingine ni kuhusu ardhi. I believe ya kwamba kila mWanakenya anakubaliwa kuwa na sehemu ya shamba, at least two acres. Na maximum iwe ikiwa productive land up to 500 acres at most ili tuzuie wale wa kunyang'anya wale maskini wenye hawana mashamba na wale wakubwa. Kwani imekuwa ya kwamba someone who has 1000 acres he could be looking for another 1,000 acres is a poor man. Remaining down there akiumia bila shamba, bila mahali pa kujitegemea.

Jambo lingine ni kuhusu agriculture. Agriculture is the backbone of this country and inaonekana ya kwamba there is very little support from the government. Kwa hivyo ningehitaji ya kwamba mkulima apewe ruhusa na nguvu kuweza ku-produce na ku-control marketing katika nchi hii ili kusikuwe na importation of those goods which are produced in our nation.

Another issue, is on the issue of semi- arid areas. Those semi-arid areas should be provided with water for irrigation such that they are able to produce food to feed our people and even for export. This one should be made in the Constitution so that we have a strong agricultural system to cater for our own people. The issue of natural resources. Ningetamani sana ya kwamba kukiwa na mineral which has been mined from a place, the community within that area to benefit because actually their land is going to be interfered or to be taken away. So they should be given about 40% of the income of the resources.

Another issue that I wanted to talk about is nation. Taifa letu, our people are the tax. We have about 42 tribes in Kenya but I wish that we have a nation say we have a nation called Kenya which is strong and is able to be in control. Kwa hivyo ninatamani ya kwamba all the leaders should speak one voice regardless of tribe to focus Kenya and then we should have visionary leaders who are nationalistic, people who love all Kenyans of all tribes. Whether they are poor or rich or of what nature. Education for our people from standard one to stadard eight or primary education should be free just like it was before so that our people are able to get this basic education and are able to know so that we are not going to have ignorant people who are going to be manipulated by politicians. So they are ---

Interjection (Com. Salome): You have one more minute.

Michael Chepkowe: Okay the issue of taxes, we should not have some semi gods who do not deliver taxes. It has been sometime ago, but there are people who avoid taxes. Tax should be mandatory to everybody and before I complete, I would want to say something to do with the civil servants. Civil servants are oppressed. So they should have freedom. They should be able to express and even say and even I would wish to get quality leaders, we need to allow them to vie for these seats. Parliamentary and civic and to finish there is something about Judiciary. The Judiciary has been corrupted. In the present you find that a poor man is the one who carries the burden. A rich man is the one who is free all the time. Prisons are full of poor men and poor women. We wish that the issue of corruption in that system should be eliminated completely so that there is fairness. Without that one we shall create anarchy and even the military and municipal trainees, policemen and whatever should not be retired directly. They should be catered for because they are dangerous to our society.

Finally I would wish to say---

Interjection (Com. Salome): And finally is final. I have already given you one more minute and you have exhausted it, so let us hear your final point.

Michael: Okay my last word is this. To avoid un-even distribution of resources and even money given by state government. I would wish that our country adapts or tries federalism so that we ---

Interjection: Com. Salome: Put your mike closer to your mouth.

Michael: Okay I saying we should have federal government to cater for all other people who have left out particularly in those areas which are semi-arid. You find that they don't feel like they are Kenyans. Some other people are enjoying and others are not enjoying. So let us decentralize the resource to the federal government so that we are able to grow together because this will be a problem in the future.

Com. Salome: Any question: just one moment, I have a question for you. One of the challenges that we have been given is that some areas are not able to produce a lot on their own. So they thought that federalism will marginalize them even more. What are your thoughts on this?

Michael: What I would say is that when you talk of federalism, we are not saying that we are going to separate our Kenyan people. It is the issue of development. The other people from the other region cannot contribute to the development of other people by interacting by creating system of interaction where they are goods in the other section we bring to the other side. It is

not a matter of separating them from the Central government but we should have a strong affection so that we don't the--- in any case Central Government has not done anything on the same. That is not avoiding because we don't know just try but I believe it is going to be better if we go with one will, one mind.

Com. Salome: Thank you very much. Dennis Ongubo? Peter Gichangi? Are you Dennis? Just a moment Bwana Gichangi. Tafadhali ukiwa uko tueleze uko ndio tuache kumuita mtu mwingine.

Dennis Ongubo: Thank you honourable Commissioners for giving me this chance. My name is Dennis Ongubo and I would like to touch some few issues on constitutional review. First of all I will like to start with the Judiciary. So I would like to say the councillors and the President must be below the law and the Constitution be made accountable to the people. We should make provision for enactment of our public code of conduct or ensure that leaders account for their wealth, honesty in public services and penalized leaders found guilty of abusing or they drain public trust e.g involvement in corruption. It should ensure and expressly recognize and declare ---

Interjection (Com. Salome): Tafadhali Bwana Ongubo, ungetuelezea tu yale ya muhimu kwenye utaratibu wako bila kutusomea neno kwa neno kwani hata husikii.

Dennis Ongubo: I had prepared that I should read so.

Com. Salome: Please can you just highlight the main issues rather than reading it word for word.

Dennis Ongubo: So I still continue with Judiciary. I was saying that this judiciary and declares that constitutive powers emanate from the people and that under no circumstances can Parliament and the Executive or any other organization can allocate itself these powers.

I come to Legislature; as you know the Legislative is the supreme law-making organ in our country in Kenya. So by that fact we are saying that the powers of the President to be reduced so that this body be given freedom of making its laws. By doing so, powers of appointing Judges should not be made without consulting the Parliament because the current Constitution allows the President to appoint the heads of parastatals and other parastatal bodies. Powers to appoint and remove senior public servants should also be made by consulting Parliament and not to be done by the President. Also powers to dissolve or regulate the calendar of Parliament. The new Constitution should restrict amendment power of Parliament by inter alia requiring approval of a larger majority. That is 75% and prohibit amendment of the basic structure and principle. That is all I had honourable Commissioners.

Com. Salome: Thank you very, tafadhali jisajilishe. Isa Gichangi? Dennis tafadhali jisajilishe.

Isa Gichangi: Kwa majina naitwa Isa Gichangi pia mimi ni mfanyi biashara. Utangulizi. Sisi Wakenya tunahitaji uongozi wa serikali inayosimamia haki ya wananchi wote kwa njia ya usawa. Tunataka Kenya moja, yenye Rais mmoja kwa njia ya kidemokrasia. Huyu Rais atachaguliwa kwa mda wa term moja miaka mitano na akiwa mzuri anaweza kuongezewa muda mwingine wa miaka mitano iwe ni term mbili ambazo ni za mwisho. Hakuna kurudi tena. Tunataka Rais aliye na nguvu ambaye amepewa mamlaka ya kuweza kutawala. Hatutaki serikali ya Prime Minister kwa sababu tukiwa na Prime Minister itakuwa huyo President hana kazi na atakuwa akitumia pesa za raia ambazo ni nyingi kwa njia isiyofaa. Tunataka kiongozi ambaye anatawala watu katika njia ya kidemokrasia wala si kimajimbo.

Ukuu wa Katiba: sisi Wakenya, tunataka Katiba hii ambayo tunaitengeneza ikiwa wanataka kufanya marekebisho ndani yake, lazima iwe na 75% sio kama vile ilikuwako 65%. Lakini kabla ya hayo wanaweza kuitisha ikiwa ni fungu muhimu, wanaweza kuitisha mkutano wa kitaifa. Mkutano ambao utaitishwa na Rais na ataweza kuelezea Wakenya hilo fungu kama lilikuwa ni la muhimu, ni kwa sababu gani linataka kubadilishwa. Naye raia wa Kenya wakikubali basi litarudishwa kwenye Bunge na litapitishwa. Bila hivyo, hakuna haja ya kuondoa fungu hilo kwa sababu Katiba iliyokuwako ilikuwa ni nzuri lakini imekuja kuharibika sababu ya kufanyiwa amendment nyingi katika Bunge mpaka sasa imekuwa ni Katiba ambayo tuliona inafaa tubadilishe na kutengeneza Katiba nyingine mpya.

Katika upande wa citizenship, tunataka Wakenya wote wapewe vitambulisho kama vile walivyo navyo na pia wakihitaji passport wapewe bila vikwazo. Na tunataka vitambulisho watu wapewe bila kusumbuliwa kuulizwa kwao ni wapi, nini, kwenda leta baba, kwenda leta mama. Wapewe vitambulisho bila vikwazo ikiwa ni Mkenya.

Pia kwa upande ya elimu, kulingana na vile Katiba ya kwanza ilikuwa imeeleza kwamba free education for primary schools tungependa irudishwe. Free education kwa primary schools. Na vile vile kwa sababu sisi Wakenya ndio walipa kodi, sisi kodi yetu ndio inaendesha serikali hii na sisi sote si sawa. Wengi wetu wanaumia wanapokwenda kule medical maanake sasa hospitali imekuwa ni ya biashara. Tunataka wananchi wawe wakipewa matibabu ya bure na hizo pesa zitakuwa zikikatwa katika kodi zetu. Zile kodi tunalipa ziwe zikinunua madawa na wananchi wakienda kule medical wanapewa utabibu wa bure kwa sababu tangu sasa ilipowekwa malipo, watu wengi wanakufa sana kwa sababu ya kukosa kupata malipo ya kununua dawa na anapocheleweshwa kufanyiwa matibabu kwa sababu hana dawa, basi huyo mgonjwa huyo huwa anakufa lakini anakufa kwa sababu ya kukosa pesa za kununua dawa. Kwa hivyo tunataka serikali yetu ambayo tunalipa kodi ishughulike na hizo pesa kununua madwa kwa wananchi wake.

Pia vile vile tukirudi kwa upande wa serikali za mitaa tungependa wapewe ---

Interjection (Com. Salome): Hiyo itakuwa point ya mwisho mzee Isa.

Isa Gichangi: Katika serikali za mitaa tungependa pia Mayor arudishiwe nguvu zake zile za mbeleni. Serikali isiingilie mambo ya local government kuajiria kazi. Hiyo ndio imeleta udhaifu katika local government sote za Kenya kwa sababu wanaandikiwa maofisa sio wao wanaajiri halafu wale maofisa na wale wanaochaguliwa hawawezi kwenda pamoja, kila mmoja anaona ana nguvu zake kwa sababu aliletwa na mtu tofauti na mwingine. Kwa hivyo tungeuliza serikali ya mitaa iweze kuandika wafanyi kazi wake wenyewe ili waweze ku-control hiyo serikali kwa njia nzuri ya kimitaa ili waweze kuwapa watu watu services za kutosha.

Com. Salome: Asante sana.

Isa Gichangi: Asante sana Commissioner kwa huo mda umenipa.

Com. Salome: Martha Nderitu? Martha Nderitu?

Martha Nderitu: Asante sana, jina langu ni Martha Nderitu na nimeokoka. Nimeshukuru Bwana kwa kuwaona hapa. Mimi langu la kwanza ni habari ya makanisa. Tunaona ya kwamba kanisa lolote likitaka kujiandikisha, wanaenda wanaandikishwa na sio makanisa yote ambayo ni ya kuomba Mungu, raia wananyanyaswa pesa na tunaona ni vizuri serikali wawe wakiaangalia hili kanisa linajiandikishaje? Mtu akitaka license nzuri ya kufanya biashara ananyimwa lakini mtu tu atoke huko anapewa ya kanisa na makanisa mengi haya ni kunyanyasa wananchi. Kwa hivyo tungetaka serikali tafadhali waangalie sana maneno ya makanisa. Tena maneno ya university education kuna wale wanaitwa pararell students na wale wengine wa serikali. Watoto wa parallel hawa pewa loan na ni watoto tu kama watoto wengine lakini hawakubahatika wakaenda katika university za serikali na wakienda huko, wanatakiwa wasome kama wengine lakini habari ya msaada hawapewa na hao wengine wanapewa loan. Tafadhali tungetaka serikali iangalie hivyo kwa sababu watoto hawa wote ni wa Wakenya na wote wanahitaji kusoma.

Lile lingine ni maneno ya dowry, yaani mahari. Hii imeharibu nchi yetu sana. Kijana anataka kuoa hana pesa, anateswa sana na wazazi wa msichana. Na akijikokota aoe huyo msichana ndipo tunaona hawa watoto hawa wanaachana sana. Anakuwa mtoto wa kuchapwa chapwa kwa ajili huyu kijana aliteswa wakati alikuwa akioa huyo msichana. Hata mnaona mwingine anaenda as far as watu kwenda kuchukuwa pesa kwa nguvu, hawa watoto hawatajijenga maisha yao na huyu msichana baadaye atatupwa na huyu kijana kwa ajili wazazi wamekuwa watu wa ku-harass huyu kijana na kwenda kutafuta pesa kwa huyu kijana kila wakati. Kwa hivyo maneno ya dowry nayo iangaliwe kwa sababu hawa watoto wote wamezaliwa watoto hawa wote wamelewa na hakuna haja mwingine apate shida na mwingine awe ni mzuri kuliko yule mwingine.

Lile lingine ni maneno ya umaskini katika nchi yetu. Wale ambao wamebahatika, wamebahatika zaidi. Wale ambao wanateseka wanalala njaa hadi wengine wao wako na zaidi ya ile ambayo wanataka na uki-scrutinize vizuri wale ambao wako very rich hakuna kazi walifanya. Wamefanya a lot of corruption na huyo ambaye alikosa kazi analala njaa. Aliyefanya corruption ana mali nyingi na haiwezi kugawanywa kwa wale ambao ni maskini. Kwa hivyo hiyo yenyewe tunaona serikali yetu

iangalie sana kwa sababu umaskini umezidi sana katika nchi yetu. Yaani watu wanakufa kwa njaa hadi wengine wanakula zaidi they have more than they need.

Maneno ya kodi. Watu wote walipe kodi. Tumejua wale wakubwa wa serikali hawalipi. Sisi ambao tunapata kidogo ndio tunalipa sana. Tena nchi yetu ni highly taxed tunauliza kwa nini na wale highly taxed ni wale ambao hatuna. Those who are not taxed ni wale wako na pesa nyingi. Kwa hivyo serikali tafadhali ione maneno haya.

Licensing. Hata license, ukienda kutafuta license inakuwa shida na hiyo license ndio itakusaidia kufanya biashara kidogo angalau upate cha kujisaidia na ukienda license ya kanisa kama vile nilisema huyo atapewa aje anyanyase watu. Lakini saa hii nikienda kutafuta license ya kazi itakuwa ngumu sana. Kwa mimi naona serikali yetu iangalie hayo. Maneno ya hospitali yametajwa, tafadhali irudi kama vile ilikuwa zamai watu wapewe matibabu ya bure kwa sababu ni nchi yao. Maneno ya primary education hata nayo pia iwe ya bure.

Maneno ya passport. Mimi nikienda kuchukua passport leo naambiwa nenda ukalete barua ya bwana yako, bwana yangu akienda kuchukua passport haambiwi apeleke barua yangu na pengine anatoroka aniache na mzigo wa watoto. Kwa hivyo hiyo tunaona is not fair at all. Kwa hivyo watu wote wawe treated the same kwa sababu tunaona hapo kuna ubaguzi mwingi sana, wa akina mama wanafinywa sana kuliko wale wengine. Mimi naona nikitoa hayo machache tungeambia serikali yetu itusaidie sana hasa wamama ambao wamefinywa sana.

Com. Salome: Asante sana kuna swali mama. Kuna swali, tuna swali kwako tafadhali keti pole pole.

Com. Raiji: Asante mama kwa hayo mapendekezo yako. Nilisikia malamiko yako kuhusu mahari yaani dowry lakini sikusikia vile wewe ungependekeza. Ungetaka tuiondoe au iendelee kuwa vile ilivyo au labda irekebishwe?

Martha Nderitu: Mimi ningetaka iondolowe kwa sababu mimi nimeelemisha kijana wangu na ndiposa huyu msichana anamkimbilila na yule ambaye amelimisha mtoto wake waje wote sisi wazazi tuwasaidie kuanza maisha lakini hakuna maneno ya dowry please.

Com. Salome: Jiandikishe pale, asante kwa maoni yako. Sasa nataka kuendelea kuruka akina baba wakati fulani nitafutie pahali gani kuna akina mama kwani wakati mwingi wanabaki wakitayarisha akina baba waje kwanza wanabaki wakifunga nyumba wanakuja wakiwa wamechelewa kwa hivyo sasa nitawapa nafasi. Sasa mama huyu atafuatwa na Mary Nyokwoyo. Mary Nyokwoyo. Na Mary aje kwani hata tungemskiza mara moja na huyo kijana wafuatane ndio warudi shuleni.

Mary Nyokwoyo: Deaf student.

Interpreter: Jina lake ni Mary Nyokwoyo, yeye ni deaf , msichana deaf au hearing impaired, shule ya Ngala school for the hearing impaired. Watoto ambao ni deaf wanapata shida katika masomo na angependa serikali iwape free education. Tena labda kuna watu ambao wako na virusi vya ukimwi wanaweza ku-harass wasichana kama yeye wanawarape wangependa serikali to stop mambo hayo.

Tena katika television, wana shida ya kuelewa mambo ambayo yanayoendelea na wangependa wasaidiwe sentences ziwe ziki-appear katika television au caption wakati taarifa inaendelea kunakuwa na maandishi ambayo yanawaelezea ni nini kinaendelea. Amemaliza.

Com. Salome: Kuna Swali. Mimi nina swali moja kwa Mary. Mary umesema kuwa watoto wasichana wanatakiwa kulindwa na serikali ili wasinajisiwe na mambo kama hayo. Je kama pahali uko shuleni, wewe ungependekeza hili jambo lifanyike kwa njia gani? Unapendekezo lolote?

Mary Nyokwoyo: deaf

Interpreter: Anataka maana baada ya kuwa raped labda anaweza kupata viruzi vya ukimwi na afe kwa hivyo angependa iwalinde wasichana ambao hawasikii wakati wanatembea usiku wasaidiwe hata wawe na interpreters katika case zao katika kotini.

Com. Salome: Asante sana Mary, jiandikishe pale halafu ningetaka kumpa hii nafasi **Javis Fanuel:** Okay anza na majina yako tafadhali.

Javis Fanuel: Deaf student

Interpreter: Jina lake ni Javis Fanuel. Yeye ni deaf anasoma katika shule ya Ngala school for the deaf. Yeye ana shida fulani. Wale watu ambao ni deaf wana shida ya communication wakiwa katika mahakama. Angetaka mtu wa kusaidia ku-interpret sign language ili waweze kuwasiliana na Judge au katika mahakama.

Katika hospitali wangependa watu ambao ni deaf wawe na mtu wa kuwasaidia katika ku-communicate na daktari kwa sababu daktari aelewi hiyo lugha hivyo angeuliza serikali iwape watu ambao wangeweza kuandama nao au waajiriwe kule, wa-interpret shida zao katika ugonjwa fulani halafu daktari aelewe.

Katika education, iwe free education kuanzia darasa la nursery hadi secondary. Hata university wawe wakipewa nafasi katika university wakipita kama wenzao kwa sababu deaf huwa wana shida ya kusikia kuendelea na masomo inakuwa ni shida kulipa karo. Katika pia T.V. hawasikizi chochote, serikali iwasaidie, kuwe na interpreter katika vipindi kadhaa katika T.V.

amemaliza.

Com. Salome: Asante sana Jarvis Fanuel, tafadhali jiandikishe pale na tunakushukuru. Mkitaka kukaa nasi mnaweza lakini pia mnaweza kurudi shuleni. Roselyn Mulula. Wewe ndio Roselyn? Excuse me, namuita Roselyn Mulula.

Roselyn Mulula: Asante sana kunipa nafasi yenye umenipatia. Mimi niko na mawazo na mawazo yangu ni kuhusu mahakama.

Com. Salome: Tafadhali anza na majina yako kamili.

Roselyn Mulula: Majina yangu kamili ni Roselyn Mulula. Mawazo yangu ni juu ya mahakama na kuhusu wamama. Sijui ni nini itafanywa ili kusaidia wamama wakati wanapatwa na makosa na wanapelekwa kotini. Kwa mfano, unaweza pata mama amesafiri na kwa bahati mbaya amechelewa safarini. Akishuka kwa gari labda kwenye anaenda ni mbali. Atatembea njiani kwa bahati mbaya atakutano na askari ambao wanatoka msako ya chang'aa. Utapata huyo mama au huyo msichana kwa maisha yake yote hajawahi taste chang'aa, hajawahi kunywa chang'aa au hajawai vuta bangi. Huko atashikwa atawekewa bangi kwa mfuko wake au chang'aa awekewe kwa mfuko wake halafu wakati anapelekwa mahakama maswali inakuwa ni mbili. Unakubali kosa au unakataa? Apewe mda wa kujitetea, kujitetea itakuja wakati wa hearing na kwa sababu watu wengi wanajua ukisema hapana utafungwa. Na ukisema ndio utawachiliwa kwa bond. Utapata very innocent people are jailed for nothing.

Com. Salome: Tafadhali Roselyne chukua mike mbali na mdomi kidogo ndio tuweze kuelewa. Jaribu sasa, okay

Roselyne Mulula: Nasema utapata very innocent people wanafungwa for nothing kwa sababu wanajua akisema hapana atawachiliwa na akisema ndio atafungwa. Sasa mtu anakubali tu makosa yenye hakufanya. Atafungwa pengine miaka tatu ama kama ni kuachiliwa kwa bond utapata shamba ya mama yake au shamba ya baba yake imeuzwa ili awachiliwe kwa makosa tu yenye hakufanya na huku utapata mtu anafanya kosa kubwa, kuna evidence ya kutosha na kwa sababu ako na pesa atapeana hongo na atawachiliwa. Sijui hapo serikali itatusaidia vipi? Ni hayo tu asanteni.

Com. Salome: Asante sana Bi. Roselyne, Tafadhali jiandikishe. Pauline Bureo? Pauline Bureo. Josephine Lilani? Josephine? Wewe ni Josephine? Aha natafuta Josephine subiri kidogo. Susan Kaprokoi Maina? Karibu mama.

Susan Maina: Kwa majina, naitwa Susan Kaprokoi Maina kutoka hapa Kaptengwa. Nataka kuongea kuhusu shida za wamama. Kitu tungetaka, tungeonelea wamama wapewe haki yao kufuatana na kazi zao wanazozifanya. Kuna kazi zingine wamama wanafanya kuamka saa kumi na mbili au saa kumi na moja kwa nyumba na afanye kazi, na hiyo kazi amefanya haionekani kama mama ako kazini. Mama anaondoka wale ambao wamesoma, anaondoka saa moja anakwenda kazi kwa

ofisi. Anafanya kazi ya office, akitoka kwa office anakuja anaanza kazi nyumbani na hizo kazi zote bado hazionekani kuwa mama amefanya kazi ya nguvu. Wamama wanaamka saa kumi na moja, wanatayarisha watoto, wanakwenda shule, mama anashika jembe anakwenda shama, anafanya kazi ya nguvu na kurudi kupika lunch na kufika saa tisa anarudi kwa shamba. Na hayo yote tungetaka wamama waonekane pia wanafanya kazi hata kuliko wanaume. Lingine ni hili kwa upande wa miji kama town. Wamama wanafanya kazi ya biashara na kufukuzwa saa sote na kuambiwa mnachafua town. Hili jambo tungetaka kusisitiza kuwa wamama hawa, watu wa municipal waangalie usafi katika town na waone pale wamama wanafanya kazi walete vile vitu vya kutupa taka taka kusudi wamama watengeneze pale wanaofanyia kazi. Na tunakataa pia hii kitu wamama wakikutwa wakiuza uji yao au nini, wanabebewa sufuria na sahani zao zinachukuliwa kwenda kutupwa. Afadhali kama walikamatwa wawachiwe vyombo vyao warudi navyo nyumbani kama wanakatazwa kufanya ile kazi hapo.

Lingine ni mazingara. Kama vile wanyama wako, kama vile tuko na baharini hapa Nakuru ambayo wako ndege flamingo, wako wanyama wengine na watalii wanakuja wanaweka pesa pale wanakwenda kuangalia hizo. Na wama wako na miradi mbali mbali hapa Nakuru. Tungetaka hizo pesa nazo, kiasi fulani wapatiwe wamama kuendelea maendeleo yao kwa sababu wamama wamejiunga vikundi kwa vikundi na hawana nguvu ya kuweza kuendelea hivyo vikundi.

Jambo lingine ningengezea kuwa serikali nayo ina nguvu sana ya kuweza kufanya jambo lolote. Tungetaka hawa watoto machokora watafutwi na serikali pahali wanaweza kuchukuliwa kusomeswa kwa sababu hawa ni wananchi wa Kenya na wanaweza kufanya wajibu au makubwa sana katika nchi yetu. Utakuta hawa watoto kuna wengine wako na nguvu nyingi wanaweza kuandika hata kazi ya jeshi, kuandikwa kwa polisi hata wengine kwenda prison na wanaachilia tu, wanaharibiwa na watu fulani, kupewa madawa ya kulevya na kuwanunulia ma-gum kuvuta kwa sababu hawa watoto hatujui kama wanatoa wapi pesa ya kuweza kununua hizi ma-gum.

Com. Salome: Jambo la mwisho mama.

Susan Maina: Jambo la mwisho nafikiri nilikuwa nataka kuongezea tu wamama wale ambao wamekaa wakitaka kusimama pahali kama councillor kama mbunge, hata cheo kikubwa kingine, wapewe hiyo nafasi. Wamama wamenyanyaswa kwa mambo mengi na makazi mengi ambayo wamama wanaweza kufanya na wako na akili kama wanaume. Pia wanaweza kuendelea hizo makazi. Asanteni sana.

Com. Salome: Asante sana mama Susan, tafadhali jandikishe pale kwenye ofisi yetu. Pauline Opondo? Pauline Opondo.

Pauline Opondo: Thank you very much Commissioners, my names are Pauline Opondo. Mimi nitaongea kuhusu hii elimu ya pre-primary au nursery school. I think nataka serikali ikiwezekana ifanye hii elimu iwe compulsory. Watoto waanzie kutoka nursery, kila shule ya primary at least iwe na nursery hapo ndio watoto waanzie hapo kutoka nursery na ndio waendeleo. And then the teachers who teach the nursery schools should be considered as teachers not mere as nursery teachers. Serikali

imesahau sana waalimu wa nursery na hata kama mtu amesoma, most of them hata wameenda labda university. Lakini saa ya kuandikwa hawaonekani kama waalimu wa maana and yet they are reformers of all the children. Nafikiri ni kwa sababu most of the nursery teachers are women na nafikiri ndio maana wananyanyaswa namna hivyo. Na nafikiri ningependa kwa moani yangu ikiwezakana hawa waalimu wa nursery waweze kuwa employed by the TSC. And their salaries are very oppressive. Inatakikana mishahara yao, serikali ichunguze vile inalipa walimu wengine kiwango ile inahitajika, iweze kulipa hawa walimu kama kawaida. Pia kuwe na utaratibu kwa sababu inaonekana siku hizi nursery school zinaanzishwa tu, watu wameingia ni kama business na hii business saa ile labda unaenda kuchukua license ya ku-operate your nursery school, sometimes haupewi hiyo nafasi. Instead wanapatiana kwa kujuana na wale ambao watakuja, wewe ukitaka labda hautapewa hiyo nafasi ya kuweza hiyo business au wanakuwekea very hard conditions. And then the nursery school teachers whenever they are sacked where they are working, hawana mtu wa kukimbilia. Hakuna mahali wataweza kuenda kulilia kutoa maoni yao. And then serikali pia saa ile inaanza mipango labda, tumeshaona ya kwamba sometimes saa ile inanza mipango wanaanzia sana sana upande wa primary and then they forget nursery schools. For example wakati ule maziwa ilikuwa inaanza wakianza kitu kama ni chakula kama ni nini, they consider the primary schools. Na kitu kama maziwa hata mtoto wa nursery ndio anatakikana akunywe hayo maziwa sio mtoto wa primary.

Nikiongezea pia upande wa wamama, ningependa ya kwamba serikali ambayo tunaitaka at least kwa cabinet tuwe na more women kwa sababu wakiwa huko wao ndio watatutetea. Kwa sababu wamama ndio wenye wanapiga kura kwa wingi. Pia kuwe na sheria ya kwamba kila mwanamume awe na bibi mmoja. Hiyo tutamaliza vitu kama ukimwi. Kwa sababu tukiwa na mwanamume mmoja na bibi mmoja hiyo itamaliza ukimwi kabisa na hata wakati wa inheritance kama bwana amekufa, hatutakuwa na mambo mengi. Hatutakuwa na hii kung'ang'ania vitu. Siku hizi naona saa zingine serikali unakuta ya kwamba mzee amekufa na unakuta kuna watoto wanajitokeza, mama anajitokeza kando wewe hukuwa unajua, sasa ya kugawa mali unasikia ya kwamba hawa outgrowers pia wanapata tu kama yule mama mwenye amefanya huyo mzee labda kupata hayo mali. Ni hayo tu asanteni.

Com. Salome: Asante sana mama, jiandikishe. Una swali? Jiandikishe pale na sasa nitarudia utaratibu wetu pale tuliachia na nitamuita Raymond Ndano. Raymond Ndano? Okay atakuja baadaye. John Gachoka? John Gachoka?

John Gachoka: My names are John Gachoka. My views are:

1. Kenya to remain a unitary state and declare for majimbo should not be accepted.
2. Kenya to have a multi-party state with the political parties which reflect normal national outlook.
3. Free and compulsory education for all from nursery to university level.
4. A clear guidance on special needs of education e.g. funding, provision of support services to the persons with disabilities e.g. hearing aid, brail materials, wheelchairs and so forth.
5. An incentive of about 30% of the basic salary of special teachers in the field of special needs education.
6. A provision of special need education teacher in every school in the country.

7. Appointments of heads of institutions in special needs education and other government institutions should be on qualifications and not through political patronage and other types of corruption.
8. The new Constitution should compel T.V stations to install closed caption television and Computer assisted instruction people with hearing loss. All television sets sold in Kenya be equipped with a decoder that allows captions to be places anywhere on the television screen. This prevents cation from interfering screen titles or other information displayed on the T.V.
9. The new Constitution should compel government to offer services of sign language in courts, hospitals, police stations and the T.V places.
10. People with hearing loss should be given in teacher training colleges so that later they can manage education services and their support.
11. People with disabilities to be employed in various institutions to act as role models to others for their peers
12. Costruction of buildings to be friendly to people with disabilities e.g. the building of ----- lifts and so forth
13. Telecommunication devices for the hearing impaired, those are call Tex telephones to be provided for in the Constitution for people with hearing loss. These telecommunication devices the TTS receive and send print message to anyone wanting to speak with the deaf persons and with those few remarks I beg to finish. Thank you.

Com. Salome: Asante sana Bwana Gachoka, jilandikishe tafadhali. Ken Orwa? Ken Orwa.

Ken Orwa: Thank you Commissioners, my names and Ken Orwa and these are my recommendations today to CKRC.

First, nominated MPs: as you know our MPs are the highly paid civil servants in the country todate. I recommend that the number of nominated MPs should be reduced from the current number of twelve to six. The money used to pay the extra MPs can instead be channeled to other useful development activities. Still on the nominated MPs I recommend that once a person has vied for a Parliamentary seat and has been registered by the electorate, the same person should not be nominated to the same Parliament again because this will be a breach to the electorate which rejected the same person.

The next point is on voter registration. Usually the time allowed for this exercise is usually not enough for as many voters to register. As you know, everyday thousands of Kenya are acquiring ID cards and this makes them eligible voters. So this process should be an ongoing process without any limit.

Third point is acquisition of ID cards. As you know currently, a number of documents are required when you go to register of an ID card and may be if you were unfortunate to loose your parents early in life, it becomes very difficult to acquire this important document because when you go there, you will be asked for the parents' ID cards. May be if you can't trace the parents ID card, then it becomes very difficult for you to be registered. More minor requirements should be put in place may a letter of recommendation from your area chief can be enough document to may be justify that you are from that area and you

should be given the ID card.

The other point, I recommend that, primary education is very important and it should be made compulsory and free for all Kenyan pupils. And a law should be enforced to ensure that all parents take their students through primary education.

The other point is the form of government. I recommend that the new Constitution should provide for the post of a Prime Minister who should be the head of government. Also in the form of government, I recommend that if possible we have a coalition government so that all political parties are represented in the same government. The other point is the number of working days in Kenya. As you know officially we have five working days that is from Monday to Friday. So anybody who works on Saturday, this should be an overtime but the Asian communities which are the most employers in our towns, I don't know who told them that public holidays and weekends are just normal working days. You work for them in these days and there is no compensation. So we should have a law to ensure that working days are adhered to strictly.

Na kumalizia tu, ningependa kusema kuwa tuwe na Katiba ambayo itaheshimiwa because there is no point of making such an important document if it won't be respected. Thank you very much.

Com. Salome: Asante sana bwana Orwa, jiandikishe kule tafadhali. Shadrack Langat? Shadrack Langat. Joel Kurgat? Sorry those are observers. John Ronguno? John Ronguno.

John Ronguno: Asante sana Commissioners, ladies and gentlemen. Jina langu ni John Ronguno. Ningetaka niongee kuhusu au nitoe maoni yangu kuhusu marriage certificates. In marriage certificates, ningetaka iwe jambo ambalo ni lazima kwa wale ambao wameoa au wameolewa ili wasaidie wale ambao wanaweza kuwa na wanawake wawili au zaidi kwa sababu tunaona shida nyingi zikitokea. Wakati uzee anapopata bibi wawili anapatia mmoja certificate na mwingine hana.

Com. Salome: Tafadhali weka mike mbali kidogo.

John Ronguno: Okay

Com. Salome: Asante.

John Ronguno: Tunaona mambo mengi yakitokea kwa sababu mara kwa mara unakuta mama mwingine ako na certificate na mwingine hana. Na baadaye unakuta watoto wa yule mama ambaye hana certificate wanaumia. Kwa hivyo hiyo ningetaka iwe jambo la lazima kwa serikali itoe hiyo marriage certificate.

Jambo la lingine au jambo la pili ni kuhusu mambo ya land hapa Kenya. Tangu zamani wakati wakoloni walikuja nchi hii walichukua mashamba mahali ilikuwa nzuri na wakufukuza communities ambazo walikuwa wa sehemu hiyo. Baadaye tunaona hayo mashamba wakati wakoloni waliporudi au white settlers hayo mashamba yakaenda kwa mikono ya watu wengine.

Hawakuenda au hawakurudishiwa the right communities. Hiyo ni jambo la pili.

Jambo la tatu, ningetaka kutoa maoni yangu kuhusu mambo ya hospitali. Hospitali hapa Kenya, tungetaka iwe jambo la lazima serikali ipeane pesa ya kutosha ili mambo ya matibabu yawe lazima. Kila mtu apate kwa sababu watu wengi wanaumia au wanakufa kwa sababu hawana pesa. Kwa hivyo ingekuwa vizuri. Pia kwa jambo hilo, tungetaka medicine iwekwe muhuri ya serikali.

Nikienda jambo la nne ni mambo ya education. Ningetaka mambo ya elimu iwe free kwa sababu nafikiri ni haki ya kila Mkenya apate education hapa Kenya. Lakini kwa wakati huu tunaona watoto wa watu maskini hawapati elimu kwa sababu hawana pesa. Education imekaa kama business na hilo ni jambo tungetaka serikali ipatie education sector pesa ili education kutoka primary mpaka higher education iwe free.

Jambo la tano, ningetaka niongee kuhusu mambo ya barabara au wale wanatumia barabara. tungetaka kama inawezekana iwekwe sheria ambayo wale wanatumia barabara wawe na speed isiyozidi 100km/h ili isaidie wale wanatumia barabara kwa mambo ya ajali.

Jambo lingine ni mambo ya agriculture. Kwa upande wa agriculture, ningetaka serikali ipatie pesa ya kutosha kwa hiyo sector, kwa sababu hiyo ni nguvu ya nchi hii. Na ingekuwa vizuri hawa wapewe pesa na pia mambo ya fertilizers na seeds ziwe reduced kwa sababu sector hiyo imekuwa ngumu. Unakuta raia wanafanya kazi ya kutosha lakini baadaye wanahangaika. Kwa hivyo serikali ingesaidia hiyo sector. Kwa hivyo hayo ni maoni yangu.

Com. Salome: Oh umeshamaliza?

John Ronguno: Yeah

Com. Salome: Asante. Kuna maswali? Una swali? Mimi nina maswali mawili kwako. Ya kwanza ni kuwa umesema kuwa kuwe na vyeti vya kuoana au kuolewa au vyeti vya ndoa na ukasema kumeonekana mama mmoja anakuja ama mjane mmoja ana cheti na mwingine hana. Sasa wewe unataka kila mmoja apate cheti hata wakiwa watano au unataka nini? Hilo ni swali moja, nina lingine kwako. Umesema kuwa wakati wakoloni walikuja walichukua mashamba ya jamii fulani na wakati waliondoka haya mashamba hayakurudi kwa jamii, hiyo yalienda kwa mikono ya watu wengine. Sasa wewe pendekezo lako ni ni lipi kwa Katiba?

John Ronguno: Jambo la marriage certificate, kama inawezekana bora inatambuliwa tu huyo jamaa kama ameo hata kama ni wake kumi wawe na certificate. Marriage certificate. Eh---

Com. Salome: Endelea hiyo ni maoni yako na una haki kwa maoni yako.

John Ronguno: Hiyo ni maoni yangu kuhusu marriage certificate. Jambo la pili ni kuhusu mashamba. Nimesema wakati wakoloni walikuja---

Com. Salome: Tumelewa vile ulisema. Chenye tunauliza ni pendekezo lako, unapendekeza nini?

John Ronguno: Ningependekeza yale mashamba ambayo bado yako kwa mkono wa ukoloni au white settlers, please ikiwa acquired irudishiwe hiyo jamii.

Com. Salome: Asante sana, tafadhali jiandikishe.

John Ronguno: Asante.

Com. Salome: Mwangi Muraya?

Mwangi Muraya: Okay, asanteni ma-commissioner waheshimiwa na wananchi. Majina yangu ni Mzalendo Mwangi Muraya wa Kikundi cha Wairabu yaani Youth for reconciliation and awareness forum. Katiba ambayo tunataka kuiandika ningependekeza katika utambuzi, yaani kutambua sisi Wakenya ndio wenye nchi na wala tu sio wananchi, ya kwamba Kiswahili kitambulishwe kama lugha iliyo muhimu, lugha ambayo imetushikanisha na lugha ambayo imeleta kuwe na Kenya moja. Vile vile ningependa katika ile Katiba inayoandikwa, jina tu Kenya lisiwe jina Kenya. Kenya lazima ionyeshe ya kwamba ni nchi ya Wakenya. Kwa hivyo ningependekeza Kenya iwe ikiitwa Jamhuri ya Kiswahili ya watu wa Kenya. Vile vile kuna watu ambao labda wanaweza kuwa na mambo yanayoweza yakasaidia serikali lakini yale mambo si ya kupayukwa hadharani au kwenye vyombo vya habari kwa sababu ni kama siri kwa nchi. Kuwe na kipengele katika Katiba yetu ambacho kitaruhusu watu wale kutoa mambo kama yale ili yaweze kuifikia serikali.

Vile vile kuhusu usalama, tukiaangalia usalama katika nchi yetu utaona askari mmoja ameweza kusimamia Wakenya elfu saba. Na katika utafiti uliofanywa vile vile, inasemekana ya kwamba kuna zaidi ya silaha ndogo ndogo thelathini ambazo ni haramu. Hivi ni kumaanisha ya kwamba maisha ya Wakenya yako mikononi ya wahalifu. Mimi ningeulizwa ningesema hivi; katika Katiba ijayo tuseme kama Wamerikani walisema ya kwamba uhuru wao walipata kwa silaha na vile vile wataulinda kwa silaha. Mkenya anapofikisha umri wa miaka ishirini na tano awe kama amepitishwa labda na kamati ya kijiji apate license ya kumiliki silaha ili tuweze kulilinda taifa letu na Mkenya kamwe asiwahi kusumbuliwa tena na mambo haya au kikao hiki ambacho tuko nacho hapa leo ni kakao muhimu. Na Wakenya tumeonekana ya kwamba sisi ni watu ambao tunasahau sauhau mambo. Nadhani kama Mkenya angeweza kujua Katiba ni nini, tungekuwa tumeandika Katiba mpya. Kwa hivyo ili Mkenya awe akikumbushwa kuhusu hii Katiba, ningependekeza tuwe na siku kuu ambayo inaitwa Katiba Day ambayo Mkenya atakuwa anafahamishwa Katiba ni nini atoe maoni yake kuhusu Katiba anayotaka ili tusiwahi kurejelea katika hali ambayo tumekuwa.

Kwa hayo machache, asanteni.

Com. Salome: Asante sana kwa maoni yako yaliyo very focused, tafadhali jiandikishe. George Bosire? George Bosire? Danile Mbandu? Daniel Mbandu, ni wewe? Anza na majina yako na kijana ufanye haraka kidogo.

Daniel Mbandu: Okay, kwa majina naitwa Daniel Mbandu kutoka Catholic Justice and Peace Commission, Nakuru. Mimi maswala yangu ningependa kuongea kuhusu vijana. Kwanza kabisa ningependa kuongea kuhusu, unapata vijana wengi wamesoma wamefika mpaka university. Lakini unapata hakuna nafasi za kazi katika nchi yetu. Kwa hivyo ningependekeza kwamba vijana wanapomaliza masomo angalau serikali iwe na nafasi ambazo wanaweza kupatia hawa wamesoma, kama mtu amesoma angalau apatiwe kazi kwa sababu asipopata hiyo kazi itakuwa kama hiyo masomo yake haimsaidii.

Jambo lingine, mambo ya vijana tunaona haijaweza kupendekezwa sana katika Bunge letu. Kwa hivyo ningependelea sana mambo ambayo yanahusu vijana naweza kupendekeza sana katika Bunge na pia kusema hivyo ninamaanisha nini? At least wakati wanafanya nomination, waweze ku-nominate mtu ambaye anahusiana na mambo ya vijana because tunapata nchi zingine kuna maswala ya vijana yanajadiliwa katika Bunge. Lakini unapata hii nchi yetu vijana tumeachiliwa hivyo na hao watu ndio wanakuja bado wanasema vijana ni maghaidi kwa sababu vijana hawana kazi. Mtu kama hana kazi ataenda afanye kazi gani? Sasa ndio utaona mambo kama maghaidi yanaanza kuingia, mambo ya kuvuta bangi, mambo kama hayo.

Jambo lingine ni kuhusu wafanyikazi. Unapata katika hapa nchini Kenya, watu ambao wanafanya kazi unapata wengine malipo ambayo yanalipwa yenyewe, si malipo ambayo wanaweza kupata hizi basic needs, yaani hii ya lazima kama chakula, na mahali pa kuishi. Jambo lingine ni kuhusu polisi. Inatakikana serikali yetu, at least police waweze kuelimishwa kuhusu human rights because unapata wanatudhulumu sana. Akikutana na wewe, jambo lenye anaanza tu “iko wapi ID card?” Na ukiangalia katika Constitution yetu inasema hata mtu hastahili kubeba ID card. Halafu pia kupata hiyo ID, ndio upate ID za hii Kenya, utakuwa umepitia ofisi nyingi. Labda utatumwa hata uende kwa area chief, na ukienda kwa chief hatakusainia saa hiyo, labda atakupeleka peleka hivi labda hivi labda akuambie uingie kwa mfuko kidogo utoe kitu kidogo. Kwa hivyo mimi naomba serikali ikaweza kuzingatia sana mambo ya vijana kwa sababu tunapoambiwa sisi ni young turks—

Interjection: Com. Salome: Kijana tumia mike ndio mambo yako itaingia.

Daniel Mbandu: Tunapoambiwa sisi ni young turks, ati sisi ni viongozi wa siku sijazo na hatujafundishwa vile tunaweza kuongoza siku sijazo na hao ndio ambao wanatuambia sisi ni viongozi wamekatalia kwa power. Sasa unashangaa ili viongozi wa siku sijazo na (laugh) kwa hivyo ---

Clapping.

Jambo lingine ni kuhusu elimu. Ningependa kuongea kuhusu elimu angalau kila mtu Kenya, siku hizi kuna watu wengi hawajaelimika na ndio unaona hata wakati tunachukua maoni kuna anajua ndio anahitaji kitu fulani lakini hiyo elimu hajakata. Hata hii elimu ya malezi au at least kuwe na elimu. Serikali iweze ku-budget kila mtu angalau aende shule, aelimike, awe na ile elimu angalau yenye inaweza kumsaidia. Ni hayo tu maoni yangu. Asanteni

Com. Salome: Asante sana kijana, tafadhali jandikishe. Father Dominic Kimengich?

Father Dominic: So my names are Father Dominic Kimengich from the Catholic Diocese of Nakuru and the diocese of Nakuru has the following views and contributions making in regard to the ongoing historical constitutional making process.

Preamble: the preamble should reflect on the history of our country and should define the richness and diversity of our cultural heritage. We should expound on the supremacy of the Constitution as above all other laws and governing structure. It should be in simple comprehensive language and structure.

Directive principles: It should incorporate a philosophy that is collectively formulated and of relevant of our nationhood. It should clearly state the democratic status of Kenya. It should have representative, participatory, social or liberal democracy.

Com. Salome: Father you have five minutes, so I suggest that you look through that document and just highlight some of the main issues.

Father Dominic: Okay. On the supremacy of the Constitution, Parliament's authority of amending the Constitution should be by an 8% majority vote instead of the current 65%.

On the issue of citizenship: It should be conferred to Kenyan born in Kenya by both Kenyan parents, sorry Kenyan born in Kenya by both Kenyan parents have automatic qualification for citizenship Aliens married to Kenya after a period of not less than five years by naturalization, after a period of seven years and dual citizenship should not be allowed. Evidence of Kenyan citizenship can be approved with any of the following documents identity cards, driving licence and passport.

On political parties: Kenya should be a no party state owing to the fact that the political parties here in Kenya are very much affiliated to tribe and social grouping. On the system of government, we should adopt a Parliamentary system of government with a ceremonial President.

The Executive President: President should not belong to any political party and should not be an MP, should be physically and mentally fit and academic degree holder, married Kenyan citizen, above the age of 35, elected in a popular vote of 50% and he should hold office for only 2 terms of five years each.

Judiciary: Judicial power should be exclusively and genuinely vested with the courts of law. On Local Government. All established local authorities should be empowered to operate independent of the Central Government.

On electoral system and process: Design the electoral system to have a one third of the electoral post reserved for women both in Parliament and also in Local Government. Entrench civil education as ongoing national curriculum funded by the government and failure to benefit all level of citizenship.

On participatory Governance: Any important issue to be discussed and ratified involving nation or international issues should be put to Parliament and not left to the Executive. Where need be a referendum by the people be conducted to approve or disapprove.

On fundamental rights: the Constitution should enshrine for adequacy and respect for all fundamental rights including freedom of expression, association and movement. Also give the minority group and marginalized equal representation in all national issues and they should be empowered by the government.

Religion: the Constitution should enshrine freedom of worship in a very special way. **Land and property:** all state land should be made known to the public and also procedure for disposal or use of that land should be known. The ceiling for individual land should be at most 50 acres and in some productive areas and estates land should not be sub-divided. Also the names of spouses should be included in title deeds. And then nullify pre-independent land treaties. Enforce that any Kenya to own land anywhere in the country.

On environment and natural resources: That we should have equal distribution of natural national resources. The Constitution should empower local communities to be involved in decision making pertaining to the environment and natural resources be it in exploitation, sharing of benefits, registration of disposal of such.

Com. Salome: Last point Father.

Father Dominic: The Constitution should provide for a clear dignified and orderly process for transfer of power. Thank you very much.

Com. Salome: Thank you very much, please register your presence with us. George Bosire? George Bosire. Jokwaita Olemeyora? Jokwaita Olemeyora? Sorry alitaka tu kuwa observer. Daniel Macharia?

Daniel Macharia: Okay, my names are Daniel Macharia from Holy Cross Parish Nakuru. Mine I will talk about the

government and management of public resources, to pay attention in the management of resources.

1. One, they should have the accountability in the service,
2. The second point is the role of the office of the President and the use of public resources.
3. Role of the ministry of finance and allocation of resources. That should be put attention at.
4. A national budget should be read and also to see that the poor people fit in the national budget.
5. The foreign investment that should be ensured to be put attention at.
6. Security provision and that is all.

Com. Salome: Thank you very much Daniel, please register your presence with us. Mary Wanjiru? Mary Wanjiru. Tafadhali weka mke karibu na wewe na uanze na majina yako kamili. Wanjiru unasikia yangu? Yako inatakiwa isikike vile yangu inavyo sikika. Is it on?

Mary Wanjiru: Jina langu ni Mary Wanjiru na sisi ni watu wale walioadhiwa na vita vya kikabila. Mimi nitazungumza kama upande wa akina mama. Sisi wa kina mama ndio tulioadhiwa sana na hivyo vita kwa sababu waume wetu wengine walikufa na wengine walitutoroka kwa sababu ya shida ile ilitupata. Sasa wakati huu tuna watoto. Tumeshindwa kuwalea, tumeshindwa kuwapeleka shule na kuwapa chakula tumeshindwa. Makao hatuna. Watoto wetu wamekuwa wakubwa, wengine ni vijana. Tuna shida wakati ule tunalala na hawa. Tunalala na hawa kwa jumba moja. Sasa tunaona hiyo shida inaendelea kutukumba sisi akina mama kwa sababu hatuna pahali pa kuenda, hatuna pahali pa kukaa na tunaona hata wasichana wetu wanaendelea kuwa wakubwa. Sasa wakienda pahali wanaolewa, wanaonekana kama si watu kwa sababu hawana pahali ya kurudi nyumbani. Tunaona ni kwa sababu vile tuko na shida. Tungependa serikali itufikirie sisi kama wale tulipatwa na hiyo shida kwa sababu hatuna pahali pa kukaa. Hata wa sasa, wengine hatuna chakula na bado tuna hiyo shida. Tungependa hata sisi akina mama tufikiriwe sana na tulipwe hasara ile yote tulipata kutoka siku hiyo.

Com. Salome: Bado una dakika zingine moja unusu hivi.

Mary Wanjiru: Hasa tungependa kama sisi akina mama kwa sababu hatuna pahali pa kukaa na hatuna pahali ya kurudi na kama pahali tukitoka, tukiambia turudi huko, hatuna haki ya security. Sasa hata tukirudi huku, sisi hatuna mabwana, hatuna watu wa kukaa na sisi, sijui tutafanya nini, tutaendelea tu kuwa na hiyo shida. Sasa tungeomba serikali ione vile itatufanya kwa sababu tuna shida sisi kama akina mama. Tunaona hiyo shida inaendelea hata sasa kwa sababu wanaume wale tulikuwa nao wametoroka kwa sababu shida imezidi. Tungeomba serikali itufikirie. Kwanza watulipe hiyo hasara yote tulipata, tupate elimu kwa watoto wetu na watufikirie pahali pa kukaa sana.

Com. Salome: Asante sana, nafikiri sasa unarudia tena vile uliokuwa umesema, una jambo lingine au umemaliza?

Mary Wanjiru: Ya mwisho.

Com. Salome: Ya mwisho kama hautarudia. Endelea.

Mary Wanjiru: Ningependa kuongezea niseme, tungependa kama aina mama, tufikiriwe kama tunaweza kupata msaada, tujiunge akina mama wale tu waliadhiriwa na hivyo vita. Tusaidiwe, tupewe kama miradi vile tunaeza kujisaidia sisi akina mama, ili tuweze kulea hawa watoto.

Com. Salome: Kuna swali moja, okay, mwanatume amerithishwa na hayo maoni yako. Tafadhali jiandikishe pale. Mark Mwithaga? Mark Mwithaga? George Owino Omoya? John Owino Omoya?

George Owino: Kwa majina naitwa George Owino Omuya, mimi ni mkaaji wa Ronda. Lile ningependa kusema kwa sisi Wanakenya tuko na shida sana. Kwa upande wa serikali. Ukienda kitu kama serikali namna hivi, matibabu ambayo iko kwa hospitali sioni ya maana sana. Ukienda pale, vile vitu vingi ambavyo unaitishwa pale inagharamiwa pesa nyingi kulipa ile pesa ambayo unaweza kutibiwa. Mimi ningependa namna hii kama serikali inaweza kutusaidia malipo ya hospitali iwe chini. Kitu kama card, madawa, kitanda vitu kama hivi serikali ingeangalia kusaidia Wanakenya.

Ya pili, kwa shule, serikali iangalie wazazi. Unakuta mzazi anahangaika kusomesha mtoto kuanzia standard one, kufika form four, unakuta huyo mzazi tena aingie huyo mtoto aangaliwe upande wa kazi. Zamani vile nilikuwa naona, mtoto akisoma serikali ndiyo ilikuwa inasimamia upande wa kazi. Siku hizi hakuna vitu kama hivi, mpaka mzazi aangalie tena ashike mfuko ndio mtoto wake aanze kufanya kazi. Sasa mimi nashindwa kama hii Kenya ni yetu au tuko nchi nyingine. Na tuliambiwa ya kwamba tuko free. Sasa mimi nashindwa kama tuko na uhuru gani. Uhuru gani tuko nayo kama bado tunahangaika.

Ya tatu, ningependa wale watu ambao huwa wanashikwa na vile vikosi ndogo ndogo, ningependa namna hivi; kesi ambayo ni ndogo ndogo wangeachia mtu kama chief. Sio washike mtu waende apelekwe huko juu, mtu anaanza kuhangaika, chakula huwa hali, mateso tupu.

Ya nne, ile kitu ningependa, mWanakenya awe free kukula chakula chake. Unakuta mtu akitembea pengine akikula chakula chake unasikia police anashika yeye. Na bado ashike yeye akupeleke yeye kwa polisi, anaanza kumuitisha hongo ati “lete kitu kidogo”. Sasa huyu mtu ako na shida au tena ako na pesa ingine ambayo anatakiwa kulipa. Na huyo police ameajiriwa na serikali na huyo mtu hana kazi. Sasa tena huyu mtu ambaye anakaa Kenya aanze kutoa pesa akipatia police. Vitu kama hivyo ningependa serikali iaangalie.

Com. Salome: Nina swali moja. Kwa kweli hiki ni chakula kipi chenye police anashika mtu. Akimkuta akila ugali anamshika?

George Owino: Chakula ya pombe.

Laughter

Com. Salome: Asante sana, tafadhali jilandikishe. George Odhimbo? George Odhiambo? Ningetaka kurudia utaratibu wenye tulizungumzia kabla wengi hawajafika kuwa una dakika tano ukija hapa. Ukiwa una maandishi, tafadhali usitusomee neno kwa neno, kwani maandishi yanaweza kuwa kurasa mbili mpaka kurasa nyingi. Sivyoy? Kwa hivyo hatutakuwa na nafasi ya kila mtu kuisoma maandishi yake. Lakini tuangazie tu yale maneno ulionayo muhimu kwa hayo maandishi yako. Pia ukiwa hata huna memorandum tunakupata dakika tano uzungumzie maoni yako. Ukiwa una maandishi na hautaki kuzungumzia juu yake, tafadhali enda ujilandikishe pale na upeane hayo maandishi yako. Leah Wanjiru amekuja? Leah Wanjiru basi.

Leah Wanjiru: Kwa majina ni Leah Wanjiru Kalingo. Mimi ni mfanyi biashara wa hapa na ni mjane. Wazo langu na ni very sensitive, ni ya kwamba wajane wako na shida nyingi sana. Wakati bwana amefariki, wanasumbuliwa sana na brothers au relatives. Niki-elaborate ni ya kwamba katika jamii utakuta kuna watu wengine wakubwa zaidi na beneficiary pamoja na wale wako chini zaidi. Na baba amefariki, amewacha kila mmoja wao, amepatiwa nafasi yake, ukaambiwa wewe utakaa hapo na wewe utakaa hapo. Wakati huo hakukuwa na title deed. After staying sometime, unafika wakati wa kugawanya. Yule mkubwa zaidi na ana uwezo na ana a lot of money, ataingia kugawanya, ana-take over. Kugawanya shamba si kama beneficiary, ni kama yeye ndiye mwenyewe. Unakuta a widow nikiongea kama mimi mmoja wa wale, ameumia sana. Mahali mzee alipeana bwana amefariki amewacha hiyo shamba amepewa na ameenda, the widow is no longer considered. Ananyanyaswa, unakuta shamba yake ako na mipaka anajua, amenyanganywa inapewa watu wengine. Na kuna shida zaidi kwa sababu ifikapo mambo ya ma-case ya courts, huyo mjane hana nguvu ya pesa ya kwenda kwa mahakama. Akijikakamua hata aende kwa mahakama, utakuta hata ma-lawyers wanaogopa kwenda kukusimamia kwa sababu wanaogopa mkubwa huyo ni mkubwa zaidi na ako na pesa zaidi anashindwa ataenda kusema nini mahakamani.

Unakuta mjane ameumia na watoto wake, ako na documents zile zingemsaidia kupata title deed lakini they are not considered. Tuseme hiyo document amepewa zamani wakati marehemu alipeana wakati alikuwa hai, the father na mtu amepewa, the documents is let with the widow na hiyo is not considered as anything. You find even if you go to the lands office, utakuta una document hii, utakuta kuna greencard mbili, utakuta legal document ni kama tatu. Inakuwa very difficult for that widow hata kufanya any development kwa sababu na nguvu ya pesa ya kotini. Na hapo nikaonelea ya kwamba Commission hii takatifu to consider cases kama hizo maana katika kila clan iko na ujuzi wa boundaries na hawa clans wakipatiwa nguvu ya kugawanya au kuonyeshana where the boundaries are, inakuwa vizuri maana inasaidia mjane yule ameachwa kama bibi ya clan kwa sababu hana bwana. Sasa wameachiliwa hivyo, we were not considered by the in-laws wale waliwachwa, ukienda kortini huna nguvu, ukienda kwa clan inataka kukusaidia lakini iko na uoga wa aina fulani. Hapo ndio nimeonelea inakuwa vizuri kama widows wangesaidiwa na Commission hii ndio waweze kuwa na nguvu.

Number two, utakuta wakati wa kifo, brothers ndio wataenda wachukue death certificate. Mjane ako na watoto wake wakubwa, ana title deed za shamba na properties za bwana yake lakini brothers wamechukua wamesema wameshika huyu alikuwa brother yangu na hii mali itakaa vile tunataka. Utakuta mjane na watoto wake wanahangaika kwa sababu hawajapewa nafasi ya kugawanya na enjoy facilities za baba yao ambaye amefariki. Inakuwa mjane ana shida hizo, death certificate hajui iko wapi, havezi hata kupata letters of administration kwa sababu ndugu wamechukua na wanapinga.

Com. Salome: Mama tumeelewa hilo, shida la wajane na ---

Leah Wanjiru: Ya pili, ya pili niko nayo.

Com. Salome: na ndugu za bwana ungeenda kwa pointi nyingine tafadhali.

Leah Wanjiru: Ya pili ni shida tuko nayo ya landlords na tenants na tribunal courts. Utakuta ile amri iliwekwa zamani sana it is still there. Wewe umejenga nyumba, uko na loan unalipa lakini even if you are not paid and you go the the tenants courts, pengine ulikuwa na shida wakati ulikodisha na unataka kuingia kwa nyumba ufanyie kazi. Ukienda kortini unaambia ulete bank statement ya kuonyesha you are able to run that business. Pesa inakuwa ngumu kabisa, una hata watoto wakubwa, una nyumba lakini tribunal inakatalia kwa tenant ambaye hata halipi hiyo rent. Hapa tunaona ni vizuri kama Commission hii ingerekebisha hayo mambo ili vile mtu ameumia akijenga nyumba afurahie matunda ya jasho lake. Hapo naona tungefaidika sana.

Number three, ni kwamba kuna mambo haya ya mikahawa mikubwa mikubwa. Watoto wetu wamesoma Kenya Utalii College, wamesomea Polytechnic na wameandikwa katika hotels. Hawana terms of employment. They are considered as people who are just servers. Their salaries are very low, hakuna term zimewaweka kwa hiyo hotel, wako na familia wako na watoto, they are supposed to live in a good house, na hawana hata house allowance. Unakuta wakitaka kuwa sacked hakuna condition ya kusema hawa watu wana elimu hii na wanaweza kuwa na terms of employment like this, wanaweza kuwa wanafutwa kazi under this condition na akifanya for quite sometime waambiwe sasa ukitoka get this things vile serikali yenyewe imeweka ya kwamba even if it is retrechment people are given at least something waende wakajisaidie. Mtu anaambiwa toka tu. Anatoka, anaenda, anasumbuka zaidi. Sasa tunataka Commission yetu isaidie mwananchi wa kawaida. Wale watoto ambao wamesoma na wako kazini, wale nao wamejenga tunyumba twao nao wasaidie kwa sababu umejenga ujisaidie. Sio uko chini saa yote. Ukifika huko, nayo ni shida ya Judge ambaye ana-judge about the penalty ndio tuwe na right ya kujenga na ya kufanya business kwa mijengo yetu. Nafikiri hapo nimemaliza with a lot of respect.

Com. Salome: Asante sana mama, tafadhali jisajilishe pale kwenye ofisi yetu, tunakushukuru kwa maoni yako. Roselyne Mulula, alifika? Roselyne Mulula? Pauline Bureu? Andrew Yatich? Adrew Yatich.

Andrew Yatich: Asante sana, kwa jina mimi ni Andrew Yatich, Kanu chairman Shabab. Kwa Katiba ningependekeza kusema vile inafuata hapa. The process of constitutional writing should be able to undergo all the stages right from here where you are gathering our views, where you will marry our views together with those of other areas, all levels up the National Constitutional Conference and even National referendum so that we can come up with a document that can take care of this country and the people of this country for a long time to come. What we can say here is that politics should be left out of the Constitutional writing. In the past people were saying no reforms, no election. They are now saying no election no reform. So it should be de-linked altogether from politics. This Constitution we are writing should be able to take care of the following. Executive that is presidency; I am proposing that there should be a President, two Vice-Presidents, Prime Minister, two Deputy Prime Ministers. The qualifications of these people especially the President, when we are seeing the papers the other accountant or a marketing manager or something like that, they say the qualifications of that Marketing manager are as follows. So the Chief Executive of our country should be having qualifications of the highest order not just the current qualifications of being nominated by a party or being the chairman of a political party. It should be looked into properly. Not drunkards.

Thirdly, I would propose federal system of government. By saying federal system of government, I am not meaning movement of people. We are saying the natural resources or the resources in that particular region, should be utilized by the people from that area. It is not involving movement of people.

Fourthly, Parliament should be independent a part from elected members of Parliament, the nominated one should represent women, workers, the armies, the disabled and so many other groups even professionals, they should be having their person inside that Parliament through nomination.

Local authorities: I am proposing that there is direct election of the chairmen and Mayors of local authorities. I am further proposing that the salaries for councillors and Mayors and Chairmen should be reviewed together with that of MPs because they are doing the same job because these are down here, the others are up there and it should be drawn directly from the treasury.

Provincial administration: There is no way a government can govern a country without structures. That can enable it to rule. So the provincial administration should be helped. It should not be abolished. What we can only say is that the standard of those right from the assistant chief to the PC or the DC should be verified properly.

Land rights: This is an issue in this country that we should not play around. We should address it now not in future. You are aware that when the colonialists came, there are people who moved out of their land and leases were there for 99 years or more than that. Most of those leases are now lapsed but the arrangement now is that these shambas were later given to other people. You remember the issue of Yugoslavia. It is a problem of 628 years. So while this one of ours is 30 years. We

should address it now not to wait so that we witness what happened in Yugoslavia.

Farmers: The backbone of the economy of this country according to all of us is farming. This is an interesting area because we are not taking care of them. Our farmers are proposing that credit facilities should be accorded to them. Protection control, when I get my jembe and go to the shamba, the businessman should not take privilege and go to America or Europe in search for maize and wheat to be dumped in this country. Our production or the yield for that particular year should determine what amount should be imported. In other sorts of farming we should look at marketing and subsidies by the government. Minorities. All tribes in this country are equal. We should accord them equal chances. Elections ---

Com. Salome: Your time has expired sir, so make the last point.

Andrew Yatich: Yeah. Elections: election nominations should be done the same day. This thing called NGOs, NCC and the rest. We are hearing of people like Kivuta Kibwana, people who don't want to go to elections but they are busy going to sale---

Interjection: Com. Salome: We have a right to give our views, but I also have the responsibility to protect all Kenyans. So could you please give views without naming names.

Andrew Yatich: Thank you, thank you. **Worship:** This one should be looked at by the government because there are many churches which are springing up and they are not assisting what they are supposed to do in this county. Finally, facilities ---

Com. Salome: Sir, you have been on your last point for the last three points.

Andrew Yatich: Yeah. Thank you very much. **Taxation:** This one should be done according to the ability of the people. Those areas which are affecting common mwananchi like me, should be addressed.

Com. Salome: Thank you very. Thank you very sir, you had the three last ones, that was the fourth. Thank you very much, but there is a question for you.

Com. Raiji: Bwana Yatich ulizungumzia kuhusu haya mambo leases lakini ambazo unasema zinaanza kumalizika, lakini sikusikia vizuri vile ulikuwa ukipendekeza. Tufanye nini na hayo mashamba wakati sasa hizo lease zime-expire?

Andrew Yatich: Kwa sababu lease zimekwisha na mashamba ziliuzwa, hii ni kitu tunataka itatuliwe kwa meza. If it is compensation because the shambas have been sold. Nakuru town ilikuwa ya wengine, sasa wengine wanakaa, huyo mtu ambaye pengine bado ana-complain mahali, anataka aagaliwe kama ni compensation kupewa shamba mahali kwingine kwa

sababu hii ni kitu atababeba miaka mingi sana. Atamwachia mtoto wake na huyo mtoto wake atapata a part.

Com. Salome: Asante sana. Tafadhali jiandikishe. Michael Abuya? Michael Abuya? Anza na majina yako kwenye mike tafadhali.

Michael Abuya: Mimi naitwa Michael Abuya na nimeandika hii kwa niaba ya wakaaji wa Ronda Ward Nakuru. I have touched on very few items and the one I started with is the qualities of the leader, that is leadership. Qualities of a leader, I simply see that to be a leader you have to have a stable family. His history should be made know to the persons he wants to represent. So that should also be put in the Constitution that anybody who wants to stand anywhere, he should give the history of his life at the time he wants to be elected. A person like the President or an MP or a Councillor should be a person who is not discriminative, tribalistic and must be mindful over other peoples' welfare. By getting through the history of his life, we can get that information. A leader should not have two identities or identity cards or he should not belong to two different countries by citizenship. We have some people in Kenya who are not loyal to Kenya because they can run away from Kenya, they have another citizenship elsewhere.

A Councillor or an MP, we recommended should be a person of 21 years and above. For the President, we recommended that he should be 35 and not exceeding 70 years and he should be allowed two terms of five years each. Not anything more than that.

Then I came to citizenship. Anybody who wants or who applies to become a Kenyan citizen, must be of good conduct. If necessary, a certificate of good conduct should come from his country of origin to show how good this fellow is. He should have good education so that he doesn't come here not to benefit Kenyans by way of education. He should also be examined to be seen to have good health. Hapana kuja hapa na magonjwa halafu tunaangamizwa. The Kenyan girl who gets married to a foreigner, we said she must surrender Kenyan citizenship until perhaps she is divorced we can again re-consider. A child born out of such marriages, we said when he attains an age of deciding, he should be allowed to have Kenyan citizenship if he wants to a Kenyan because of the mother.

Rights of the Kenyan citizen: we have said our girls, watoto wetu wengine wanapata mimba wakiwa kwa shule, na wale watoto wanawapatia mimba ni schoolmates wao. Badala ya msichana wa kufukuzwa peke yake, huyo kijana pia afukuzwe, waende pamoja, kwa sababu wazazi wanaumia sana kwa upande wa wasichana. Now, upande wa fire arms tumesema mtu akifika miaka fulani and he is of good conduct apatiwe fire arm na wafundishwe hata kutumia hizo fire arms. Iwe kwa Constitution kila mtu ajue kupiga risasi ndio vita vikianza, anapiga risasi pia.

Clapping

Kenya should have a government of national unity. Therefore they should be allowed to have property anywhere, everywhere in Kenya and I don't recommend majimbo myself. Kenyans as we know, most of them stay in slums and in very poor places. They cannot afford beer. They should be given an allowance to prepare hygienically their native liquor so they can also have a good time. We remember, we are in Kenya you get surprised, people are chased away and people condemn chang'aa. I can see Uganda Warachi was chang'aa and it is being sold outside countries. We can also do the same. So chang'aa should be recommended and it is chasing people away from chang'aa that people prepare very poor chang'aa kumi kumi. But if chang'aa is given a go ahead, we can prepare very good chang'aa. I remember chang'aa is the one that made us educated and nobody has died in our areas of preparation. People should grow things like miraa, like bangi. Bangi in outside countries is a drug. Just medicine like any other medicine like when they are operating someone, they use things like bangi they prepare. So we can also be allowed to grow and export it to outside countries.

Com. Salome: Last point.

Michael Abuya: Just a minute

Com. Salome: Point ya mwisho.

Michael Abuya: Okay. Political parties: I recommend that that we should only have 3 political parties and these political parties should be funded by the public. Forests: We have charcoal and majority of Kenyans use charcoal. And I can---

Interjection: Com. Salome: Malizia hiyo point.

Michael Abuya: Let me finish with that one only. Most of us especially this Ronda and anywhere people use firewood and they use also charcoal. But you will see the government has no policy about tree cutting and people are suffering because if you have a charcoal on your lorry, it will be taken away plus the charcoal. Please we want the government to do something with tree cutting. Thank you very much.

Com. Salome: Asante sana tuna maswali mawili kwako, tutaanzia na ya Bwana Raiji.

Com. Raiji: Asante sana kwa hayo mapendekezo yako Bwana Abuya. Ulipendekeza kwamba wale watoto wetu ambao wakipata mtoto nje ya ndoa, kijana na msichana wafukuzwe kutoka shule. Je tunawasidia kwa njia gani kwa kuwafukuzwa shule na wakifukuzwa ni nani atalea huyo mtoto kwa sababu wote sasa bila kusoma wataendelea kuwa maskini?

Michael Abuya: I recommended the expulsion of both kwa sababu huyo mtoto akiacha shule na mwingine abaki, it is unfair to the other parents. What it is wafukuzwe wote, na mtoto akimaliza kuzaa, tena warudi wote wawili. Hiyo ndio maoni yangu.

Com. Salome: Nami nina swali kwako. Umesema kuwa mwanamke wa Kenya akiolewa na mtu mwenye si wa Kenya aache

kuwa Kenya. Na je, kijana mwanamume wa Kenya akioa mtu asiye wa Kenya, naye pia aache kuwa Mkenya?

Michael Abuya: Unajua mimi sasa swali according to my tradition. Mwanamke anachukuliwa kuwa kwa mwanamume. So mwanamume akichukua mwanamke, yeye ana-remain kuwa Kenyan kwa sababu usually in our African tradition in Kenya mwanamke ndiye anawacha boma yake, anaenda kwa bwana na amekuja Kenya. So waendeleo kuwa Wakenya wote wawili.

Com. Salome: Na kumbe nayo Biblia inatwaambia kuwa mwanamume ataacha baba na mama atamwendea bibi yake. Asante sana kwa maoni yako. Tafadhali nenda ujiandikishe pale. Magdaline Chemngetich? Magdaline Chemngetich. Lucy Chepkomei?

Lucy Chepkemoi: My name is Lucy Chepkemoi, na hii ndio maoni yangu kuhusu disables. The new Constitution should ensure that the government offers free education to people with disabilities. And the new Constitution should provide people with disabilities with support, services freely like wheelchairs, hearing aid and Braille materials. People with disabilities should be given job opportunities favourably to them considering their disability. Building blocks should be friendly to them. Each building should be put things like lifts, alarms and elevators. Public service buses and matatus should offer friendly transport and they should know how to handle people with disabilities. Hiyo ni maoni yangu.

Com. Salome: Umemaliza?

Lucy Chepkemoi: Yes.

Com. Salome: Mimi nina swali kwako. Kuna mtu mwingine mwenye swali? Mimi nina swali kwako. Watu wenye ni walemavu, wanashida zilizofanana kati ya akina mama na akina baba. Watu wenye hawana ulemavu wanaonekana wanashida tofauti kati ya akina baba na akina mama. Je kwenye ulemavu, kuna shida tofauti kwa akina baba na kwa akina mama?

Lucy Chepkemoi: Ndiyo.

Com. Salome: Na kama kunayo, shida zipi za mama wenye ulemavu?

Lucy Chepkemoi: Ya wa mama hata kama kuolewa, unakuta kama ---

Com. Salome: Speak to the mike please Lucy.

Lucy Chepkemoi: Like marriage, you see that women with disability are being discriminated. Wanaume hawataki.

Com. Salome: Kuna jambo lenye tunaweza kuweka kwa Katiba kwa hiyo?

Lucy Chepkemoi: Yes they should be considered.

Com. Salome: Asante sana Bi. Lucy, jiandikishe tafadhali. Peter Megwe?

Peter Megwe: Jina langu ni Peter Maina Megwe. Maoni haya yalitolewa katika kanisa la Living Gospel Ministries Ronda na wakaazi wa Ronda. Yalitayarishwa na kuandikwa na Bwana Mwangi Muraya. Kuyasoma ni Peter Maina Megwe.

Utambuzi wa Katiba: Haki za binadamu ziheshimiwe. Katiba isibague na kuelezea Wakenya ni watu wa aina gani kwa kuwa tumekuwa na wakoloni weupe na wakoloni weusi. Ielezee kwamba Wakenya ni wacha Mungu. Tamaduni za Wakenya ziheshimiwe na iharifiwe. Ieleze kwamba Wakenya ndio wakuu nchini. Wito wa Wakenya uwe kupambana na ujinga, maradhi na umaskini. Ielezee historia ya Wakenya. Ielezee Wakenya ni watu wanaojitawala wenyewe, waliopigania uhuru wa nchi hii waheshimiwe na kutambuliwa pamoja na jamii zao. Katiba iwe ni mali ya wananchi. Jina Kenya lihifadhiwe.

Uhalali: Wananchi wawe wenye kuhalalisha mambo katika nchi. Uongozi: Kama mwananchi ana uwezo wa kuchagua, pia yeye ana uwezo wa kuchaguliwa bila swala kuangaliwa miaka jinsi uongozi wa kusukumiwa hautakubaliwa na wananchi. Uongozi uwe unawakilisha kila mtu. Lakini kiongozi hataendelea kuongoza akiwa na zaidi ya miaka 25 ila tu na idhini ya daktari kwamba yuko sawa kiafya, kiakili. Viongozi wachaguliwe kwa kura.

Rais: Anayepigania kiti cha urais asiwe mwakilishi wa eneo lolote la Bunge. Pia kiongozi wa chama chochote cha kisiasa ila tu mwanachama wa kawaida katika chama cha kisiasa. Uchaguzi uanze na madiwani, waBunge kwanza baadaye kiti cha urais ufuute. Makamu wa Rais ateuiliwe na Rais mwenyewe, aliyechaguliwa running mate. Rais ashikilie ofisi kwa vipindi viwili vya miaka mitano kila mmoja. Kumuondoa kiongozi ambaye amekosea wananchi anastahili asilimia fulani ielezewe. Majina yarokotwe kisha yapelekwe kwa speaker wa Bunge. Ni hayo tu.

Com. Salome: Asante sana Bwana Megwe. Asante jiandikishe. King'ori? Kingo'ri nina jina moja tu lako, una jina lingine? Okay tueleze majina yako kamili.

Samuel King'ori: My names are Samuel King'ori a survivor of tribal clashes from Molo. On behalf of the victims of survivors of the ethnic clashes from Bandu Forest and Subukia, Kericho, Laikipia, Likoni and Narok who collectively we have prepared this memorandum as survivors who were affected from 1991 to 1997. I hereby present the summary of the memorandum. The memorandum to be presented is very comprehensive but we would particularly like to highlight the following issues. That the new Constitution should recognize the dignity and inalienable rights of all human beings without discriminations.

Two, we urge the government to give the public the findings of Akuwimi Report and Kiliku Parliamentary Committee report on tribal clashes in various parts of Kenya. We can only feel secure as citizens of this country after the perpetrators are named and accordingly brought to justice. Some of us live in great fear of persecution and would urge the government to provide adequate security and that incidents of insecurity are thoroughly investigated. We need and make an earnest plea to the government to

facilitate the repatriation to our former land that is where we were affected and settled at an alternative land. It is indeed we have a Constitution that respects the rights of all Kenyans, we will urge the government to fight out our rights, which are closely violated and ensure that we have been adequately compensated for the loss of the lives of those we loved and our property. We urgently need to have our children enjoy the right to education and would urge that all efforts be made to provide financial assistance to enable our children attend schools or joining vocational training centers.

Com. Salome: Ningetaka pia kuweka mkazo kuwa mambo yenye tunazungumzia leo, tunanasa kwa kanda za sauti moja kwa moja. Kwa hivyo watu wakipiga kelele kule nyuma, hiyo kelele pia inaenda kwenye hizi kanda za kunasia habari na wakati wa kujaribu kusikiza watu wa Nakuru walisema nini, itakuwa shida sana kwa wanatume wenye hawakuwa kwenye kikao hiki kuwaelewa kama kuna kelele zenye kutoka huko nyuma. Tafadhali nawasih tuwache kuwa na mikutano mingine midogo midogo ili maneno yetu isikike kikamilifu kwenye kanda zetu. Asante endelea.

Samuel King'ori: Our dignity is deprive everyday by the harsh environment we live in and would urge the government and other agencies to assist us begin income-generating projects to ensure that we do not perpetuate the vicious circle of poverty through our offsprings most of whom do not go to school or are unemployed.

Finally, we urge the review Constitution to ensure strict accountability at all levels of government and ensure that the citizens of this country Kenya are enabled to participate in matters affecting their lives. Commissioners as I had indicated there before, this is only a summary of it. Otherwise we collectively prepared a memorandum which concerns our lives since the tribal clashes todate and I beg if it can be presented to you.

Com. Salome: Asanteni sana, mpatie secretariat wetu pale, yule ndiye mwakilishi wa Lumumba na ndio mwenye secretary wetu na ujiandikishe na memorandum yako itasomwa na wanatume wote neno kwa neno. Asante sana. Christopher Maina Muturi?

Christopher Maina: Asante sana, thank you very much Commissioners, ladies and gentlemen. I have some proposals to make and mine is---

Interjection: Com. Salome: Tafadhali anza na majina yako kamili.

Christopher Maina: Majina yangu ni Christopher Maina wa Muturi and I have these proposals to make with regard to the general elections. My proposal is that we have our elections in two stages: national and civic election, and Presidential election. In so doing, this will help to reduce the circumstances of rigging. We propose that no political parties, there shall be a qualifying mark in the first election of civil election of not less than 15% of MPs elected to enable a political party to offer a Presidential candidate. That is, any political party will not have a case where it will have a Presidential candidate with only few

hundreds or few thousands and will tell all the Kenyan public to propose himself as a Presidential candidate. We will have a candidate who will have enough members such that even if he goes to Parliament, definitely he will be able to carry through his policy. And in this case we have suggested that we should have a President who is a qualified President. A President with good education preferably a first degree of university and if possible in economic and law. When that is done, we are only left with those competitive parties who will offer Presidential candidates from whom the public will have a choice.

In order for the public to be given a wide choice to select the right candidate, we propose that a qualifying political party should be given enough time to teach their policies and their agendas to the people so that they will understand being in their party what they want to do for the country so that the candidate of their choice would not be the candidate of my tribe, of my friend, but the candidate whom I shall elect as my President with his agenda, with good issues of good national policies and national agenda and people will be given time to understand so that this candidate will teach his people the party's policy which we are following, that do I want that so that if I elect you I am not electing you as a friend but I am electing the policies and the agenda of that country. And this one should be in budget form, that is you would not only tell us that I would provide medicine in hospitals but will tell us where will I get this money to build the road. If I want to have good schools, then also in your budget will tell us I would do this and this to get this money so that I can make good roads, I can provide medicine in the hospital.

The other point is that the qualifying President, we propose must garner not less than 51% of the national votes. That is the qualifying President should be the President who is at least half of the population who are for him and who have at least accepted the party's policies. We also continued to suggest that the Parliament should have a time-table, that is the starting point and the ending point. When they start and when they finish, they should have their programmes that we started this time and we will end at this time. MPs should at least start their work on Tuesday until Friday and this will allow them to have four days instead of the current three days. They also should have a good transitional period between Presidents so that at the end of the period, the outgoing President should be given good time to hand over. The handing over period that is after the President elect will have time to take over and the outgoing President will have enough time, if there is any anomaly to be rectified then they will have time to do it. Then we will be given a date when should period of that outgoing President should go to allow for the enthronement of the incoming President. So the President also we also proposed that we have a President who will serve for two terms of party thereof that is even if there is something that may interfere in between that he serves three or four years may be the case of no confidence vote, that should be counted as a term.

Com. Salome: Point yako ya mwisho tafadhali.

Christopher Maina: Point ya mwisho ni kwamba the parastals, the Chief Justice and Attorney General should be proposed from the civil society and vetted in Parliament. And also we should have a good education especially in universities where we should have an academic vote who will be electing their chancellors and to return the loans that were there so that we can we have equal opportunities for the rich and the poor to have a chance of learning the higher institution of learning and this loan to

be paid later. And above---

Interjection: Com. Salome: Umekuwa na point mbili za mwisho. Chief ningekuomba sasa tumalize hapo. Asante sana.

Christopher Maina: Thank you Commissioner.

Com. Salome: Bwana Ojodo? Ojodo, jina lako lile lingine tafadhali njoo utueleze kwenye mike pia tulisikie.

Charles Ojodo: Majina yangu kamili ni Ojodo Charles. My views, I will start with the local government. Mayors or Chairmen of county councils should be elected directly by the people and councils should be fully autonomous. They should even have power to hire and fire chief officers. The qualifications for councillors: minimum 'O' level education or equivalent. However, Mayors or Chairmen of county councils should have a university degree and experience in administration of not less than 5 years. Councillors should be morally upright people, past business employment and schooling records should be perused. He must have a stable family and he must not have bank account overseas.

On the electoral system, candidates failing to get nomination in whichever party may defect before a general election or a by-election. Now for the candidates who defect after they have been nominated by their respective parties and they have handed in their nomination papers to the electoral Commission, there should be a stiff penalty and this should be a jail term of not less than five years without the option of a fine. Because these candidates when they defect after they have been nominated by their parties and their names handed to the Electoral Commission, they do not give those parties a chance to elect alternative candidates and they give the candidates from other parties a walkover. Electoral expenditure should be limited by the Electoral Commission. This will enable capable leaders who are not very rich to participate in elections. To source good political leaders with adequate professional and necessary work experience, the Constitution should provide that three months prior to a general election, public servants, parastatal employees etc intending to contest are accorded political leave from work to campaign and contest. In the event of a successful contest, they may resign their jobs. If they don't succeed the law should allow them to go back to their positions in employment.

Under the Legislature, membership of Parliament should be fulltime occupation. Professionals in Parliament must attend their duties while serving as MPs. This will help solve the problem of lack of quorum in the house, and also we must remember that being an MP now is a pensionable job after just five years. So there is no need why members of Parliament should be MPs and be lawyers or any other thing outside the house.

Ethnicity and tribalism is a big problem in Kenya, and is behind the push for various tribes to have their man as a Presidential candidate. People tend to think that when their man is at the top, then it will be their time to eat and some extent this is true. Now help fight this problem, I am proposing that our Constitution stipulate that no more than 20% of one ethnic group are

employed in any public organization because our leaders tend to abuse public organizations like the civil service by populating them with members of their communities. If we shall have this law that no more than 20% of one ethnic group are employed in any public organization like the civil service, the postal services, parastatal etc then we are going to have a homogenous ethnic mix in employment and tribes will still need to front people from themselves to be Presidential candidates.

On management of national resources, I am proposing that to enhance the role of the Auditor General in checking the government public finance, he or she should be accorded security of tenure and he should have the power to prosecute all culprits in his books.

Com. Salome: Your last point sir.

Ojodo Charles: On land and property rights, I am proposing that individual should exercise ultimate ownership of lands not the government or local communities. And the government may sometimes have power to acquire privated land for public use such as road construction or market expansion. However, owners of such land must be adequately and immediately compensated.

Com. Salome: The last point, is it just an addition or part of the land?

Ojodo Charles: Yeah, it is part of the last point.

Com. Salome: It was?

Ojode Charles: It is. Harambee as a mode of raising money should be carried out for private function only e.g. church activities, political parties treats, wedding parties and the rest. Any function which should be accomplished by the government like road construction, provision of water, security etc, should not be conducted to harambees because people have paid taxes for this function. Thank you.

Com. Salome: Asante sana. Any questions? Mimi nina swali moja kwako. Umesema kuwa wafanyikazi wa serikali wakubaliwe kwenda kupigania viti vya uongozi katika kisiasa, wakishindwa warudi tena kufanya kazi zao. Kwa mfano mimi ni headmaster au headmistress, nimepigania kiti na wewe, nimeshindwa, nimerudi shuleni, watoto wa yule aliyenishinda bado wako kwa shule yangu. Nitatenganisha aje kazi yangu ya kuwa mfanyikazi wa serikali na siasa.

Ojodo Charles: Hili jambo, what I have said that civil servants, public employees like those in the postal services etc be allowed to constest and if they fail they go back to their jobs. I am hoping that these people will be able to separate the duties because like now we have MPs who were formally employees in various organizations. Sometimes when Parliament ends and

they are not elected, they still get back to these organizations. When they get back to those organizations, they work according to the rules of those organizations. So, in that case of a headmaster contesting and failing and coming back to school, the headmaster is a mature person. I do not expect that when is beaten in an election then he comes back to school, is going to have any bad feelings towards whoever beat him. He is going to play according to the rules of the Ministry of Education, he will change.

Com. Salome: Pengine shida yangu sana sio vile headmaster mwenyewe anayojisih lakini vile sisi tunavyomuona sisi wengine wenye anahitaji kututumikia kama raia. Tunamuona kama mwanasiasa au tunamuona kama mwalimu tena?

Ojodo Charles: Yeah, we shall in fact if this proposal is implemented will improve even the services of the headmaster because failing once it does not mean he is not going to try again. So he should try to be very friendly to the people, do his work the way is supposed to be done, succeed in school so that he can use that as a kind of campaign tool. There is no way it is going to be bad to people, he will still another day to contest. So he has to be good.

Com. Salome: Asante sana Bwana Ojodo kwa maoni yako. Tafadhali jilandikishe kwenye orodha ya uakilishi kuwa umetuzungumzia. Mark Mithaka?

Mark Mwithaka: Asante sana Commissioners. Majina yangu ni kama hayo Mark Mwithaka. Kwa wakati huu ninasaidia Commission kwa kuwa Mwenyekiti wa kamati ya 3 Cs hapa constituency. Hata hivyo nina maoni yangu. Jambo moja ni juu ya uraia. Ningetaka kutumia Kiingereza kidogo, kwa sababu ya watoto ambao wanaitwa illegitimate. Citizenship is very important aspect to be described and prescribed in our Constitution. A number of people have raised that issue having regard to marriages about women getting married to foreigners or Kenyans marrying foreigners. Already that issue is addressed in our present Constitution, apart from a foreigner marrying a Kenyan girl. And since the deficiency image can be done through the normal substantive laws, which are passed by Parliament I'd like to dwell on the citizenship of legitimate or illegitimate children. This country has a law regarding illegitimate children. These children to me, are children of people or women who are not married and few not probably intend to marry or wish to marry or cannot marry or children just born by girls till at home with their parents.

Interjection: Com. Salome: Bwana Mwithaka, tafadhali ungeweka mike mbali kidogo ndio tukuelewe. Asante.

Mark Mwithaka: And the tendency to call those children illegitimate is to say that they were born outside the law. It is both physical and biologically impossible to have a child born outside the law. This is because the birth of the child is a result of the union between a man and a woman. Now when you call that child illegitimate you are designating a new area of life or denying the child a human rights or regarding the child as having no human rights because it is illegitimate. When does the child become legitimate? There is no law in my view, which can victimize the child. There is no law because no law that governs such union

and since there is no law that govern that union or govern even the production of that union, we should get rid of this reference of legitimacy from our Constitutional law and for that matter in revising this Constitution, we are bound to remove the element and substitute the citizenship fully to all children and all persons. When a woman has a child without a father or marriage, it is called a child born out of wedlock. It is still stiffling and disturbing when I had to try and perceive the actual meaning of birth outside wedlock. It is not only because the law says. A lawful marriage is that governed by matrimonial courts act or by customary law. And this is a deep subject that needs to be addressed, I would only appeal that the Constitution removes any reference to those children as illegitimate and refer to them as Kenyan children for all purposes and intensions.

I would now move to local government authorities. At one time I served as a Member of Parliament for this town and I remember very well that local government was part and parcel of our Constitution and so was land. At a given point, it was decided to remove the local government from the Constitution and members of Parliament including myself did not feel there was any danger in future when local government is in the hands of elected authorities without having its authority derived from the Constitution. Thereafter, the local authorities were denied even the services which they were supposed to be rendering to the community under the pretext of fighting corruption because many local authority councillors and officers had embarked on conflict of interest. Despite that having been true, the local government system was weakened when it was left to the authority to the Minister for Local Government. My consideration now is that local government should go back and be stipulated in the Constitution hence on authority, which has its all authority derived from the Constitution so that it is managed by people who will know that any breach arising from their services shall be a breach of the Constitution and consequences would be addressed adequately. Land issue, before I move away from the local government. The issued of the election of Chairmen and Mayors has been addressed by many speakers everywhere in Kenya and it is generally accepted that such leaders, Chairmen and Mayors of local authorities should be elected by the people directly.

Interjection: com. Salome: Mr. Chairman, you have two minutes past you time. So can you have your last point?

Mark Mwithaka: I am sorry. Therefore I will not dwell much on that one but I will only say as emphasis must be taken seriously about such elections. Now about the so called majimbo or devolution of power, may I say this: if we have to address majimboism, we will have to set up another Commission, probably a Constitutional Commission to address the issue of a federal government. It is not a simple as it is being taken. It is not as light as it is being taken. It means taking Central Government or unitary government power to smaller units of government in various areas of Kenya. All those like it has been tried before during the 1963 Constitution will entail a lot of administrative aspect which will include a civil service of the majimbo, resources like from taxation, the relations between those majimbos and the Central Government pertaining to taxation and management of resources and other similar matters. It is not very simple. I held the majimbo Constitution of 1963 and I keep reading it in the other time, and if I presented it to you here, you will find that those who were talking about majimbo, since they don't realize the magnitude of the issue, would not be able to accommodated during this review of the Constitution. This is just Constitution of Kenya Review Commission. It is revising the present Constitution, it is not writing new Contitution if I

understand my English correctly. We are writing a new Constitution, we are revising a Constitution. Thank you very much.

Com. Salome: Thank you very much, please make sure that you have registered with our secretariat. Jackson Wainaina?
Jackson Wainaina.

Jackson Wainaina: Ma-commissioners, majina yangu ni Jackson Wainaina kutoka Nakuru town na maoni yangu ni kama yafuatayo. Niko na points nne na agendas nne. Moja ni environmental and natural resources, na ingine ni succession or transfer of power, ingine defences and national security. The last one should be political parties.

Environmental and natural resources: management use and benefits are some environmental issues ---

Interjection: Com. Salome: Bwana Wanaina, tafadhali peleka mike kidogo mbele yako ndio tuweze kukuelewa. Jaribu kuzungumzia hapo.

Jackson Wainaina: Management, use and benefits are some environmental issues which should be included in the Constitution. 30% of the funds from any natural resources should belong to the local community and natural resources must fully benefit local communities. Laws and protection of the environment should be enforced by those Commissions or authorities constitutionally appointed by the Parliament. Members of the boards authority must be from the region in which the natural resources are located. Natural resources should be owned by the state, the local community however must be the immediate beneficiaries taking up to 30% of the proceeds from these resources. The local communities should be educated on the benefits of their natural resources. This way, they will see the need of efficiency, manage and protect these resources. All natural resources should be protected by the Constitution Commission or authorities entrusted, entrenched in the Constitution should be responsible of the management and protection of the natural resources. Our natural resources should be managed and protected through policy guidelines formulated by the competent professionals. Those allocated lands in the forest areas should vacate and go back to their original land so that the same can be developed by local communities for planting trees for future use.

Succession and transfer of power: During Presidential elections, the speaker of the national assembly should be incharge of Presidential power. Results of the President should be declared by every polling station separately, the final results of the votes from individual polling station should therefore be reported from the chairman of the Electoral Commission. The incoming President should assume office after 30 days following declaration that is winning candidate. The period of 30 days will allow scrutiny of votes and the polling process which if found to be unprocedural then petitions should follow. If petitions arise should be determined before incoming President resumes the office. Successions of Parliamentary or local authorities seats should also be held and determine and also before respective of chiefs or councils are swon in. This practice will strengthen democracy in our country. The Chief Justice should swear incoming President; the ceremony should be open to everyone and should be

conducted in a public place and Parliament.

Com. Salome: Jambo la mwisho mzee, kwani nimekupa dakika moja, sasa imeshakwisha na sasa ningetaka utueleze jambo la mwisho.

Jackson Wainaina: Kwa upande wa defence and discipline forces for example, military, paramilitary police, prisons etc should established by the Constitution. Also the President should be the Commander in Chief of the Armed Forces. Executive should not have the excessive powers to declare war or emergency. This should be done on advise of Parliament in emergency situations such as war, national disaster, etc, extra-ordinary power may be used again in consultation with Parliament.

Com. Salome: Asante sana Bwana Wainaina kwa maoni yako. Tafadhali jandikishe na upeane memorandum yako, tutaishoma. Stanely Onyango? Stanley Onyago? David Nyaberi? David Nyaberi? Innocent Manyura? Innocent Manyura? Martini Yengo Simali? Bernard Kosgei? Innocent Manyura? Nasikia mnamuita Martin Yengo Simani. Bernerd Koskei? Koskei? Samuel Onyango Owino? Anza na majina yako kamili tafadhali?

Samuel Onyango: Asanteni sana wanakamati wa Constitution and people in charge. Kwa majina najulikana kama Samuel Onyango Owino vile umetaja hapo na haya ndio maoni yangu kuhusu the Constitution of Kenya Review Commission.

The first thing that I would like to say is concerning the rich and the poor. The gap that is in this country, between the rich and the poor---

Interjection: Com. Salome: Peleka mike yako mbali kidogo.

Samuel Onyango: We see here in Kenya the gap between the rich and the poor is very wide. So we need the Constitution that will try to minimize this gap between the rich and the poor. And also concerning this part, we need the Constitution that will establish another organization like Kaca and this one to be the Kenya Anti-grabbers Authority that will deal with these rich people that have acquired wealth illegally. That will come with this agenda to try to ask these rich people to explain how they have acquired that wealth. Is it illegally or legally? And if it is illegally to face the charge and matter in court.

Second, is concerning freedom denial. We see here in this country that there is so much denial of freedom in the entire nation and the Constitution is not concerned. For example, freedom to earn your daily bread, you will see the small-scale trader being harassed by the council askaris and police and they are jobless. So I don't see why they should be harassed and they are looking for their daily bread. I don't see the importance of the cleaning up the city and the life of a particular mwananchi. So we need a Constitution that will guide the mwananchi from being exploited from seeking his daily bread. Another one is freedom to enjoy the natural resources that is in this country. For example, we have got some natural resources like parks,

game parks and some other important natural resources that an ordinary citizen is very difficult for him to enter inside there while a person coming all the way from London or from Europe can come manouvre in such places, it is not fair. The ordinary citizen should be given the first priority to enjoy the natural resources of his own country.

Third is, Kiswahili kama lugha ya taifa. In this statement is that Kiswahili is supposed to be given a very big priority in the nation and if it is possible the government should introduce this anti-tribalism authority to deal with those people that are perpetuating with tribalism in the offices, in the places of work, in the schools, everywhere where tribalism is being spread to illegal. So we need the Contitution that will protect that will protect the ordinary mwananchi from being exploited with this tribalism factor.

Another one is the--- let me talk about the currency of the nation. We have seen that the current Constitution that we have been having since independence, has not established one permanent currency. So we need the Constitution that will establish one national permanent currency and the name or the picture of the President should not be in the currency to come. So we need one permanent currency to be established. We don't need to change the currency year after year or season after season. So we need a Constitution that will deal with this issue of the currency.

Com. Salome: Your last point sir.

Samuel Onyango: Let me talk about political guidance. We have seen that in this country, politics has been taken as with this kind of mentality that politics is a dirty game. We don't need this mentalily of calling politics a dirty game but we need a Constitution that will change this politics that is in this country to be enjoyed by the citizens and even the politicians and to call politics as a clean game, to turn it from the dirty game.

My last point---

Interjection: Com. Salome: That was the last one, finish that too briefly

Samuel Onyango: My last point is freedom to own arms. Kwa Kiswahili tunaiita umilikaji wa silaha. Kama tunavyojua or the way we know here in this country we don't have that freedom to own the arms but I will urge the coming Constitution to handle this issue of freedom, to give mwananchi opportunity to own arms. Why am I saying so? It will create safety precautions for the personal property. For example, I will not need the police to come and guard me or protect my property. I will be able to protect my property alone. Thank you.

Com. Salome: Asante sana. Una swali? Asante sana jisajilishe jina lako tafadhali. G. M, Thiong'o.

Gabriel Thiong'o: Majina yangu ni kama vile umesema, Gabriel Muchiri Thiong'o. Kwanza kabisa mimi ningependelea

serikali yetu iweze kuwa na muongozo kama ule wa united states of America ingawa yetu ni nchi moja. Pili, wale watu ambao hawafanyi kazi na sana sana wale watoto wetu ambao wanaacha shule na wale ambao hawajiwezi, ningenelea serikali iweze kuwa ikiwapa mshahara. Tukifikiria ya kwamba hata nchi zingine huwa wanafanyiwa hivyo. Katika sector ya small scale industry na Jua Kali, ningenelea hizo sectors sisiwe zikiwa taxed. Hata mambo ya land rates yaweze kuondolewa. Samahani nitakuwa nikichanganya na Kiingereza kwa sababu tuko na uhuru wa kuongea Kingereza na Kiswahili.

The government should give free water and street lights. The government should be strict to get any unnecessary killing of people and especially land grabbing. The government should cater for street kids, beggars and insane people na tukifika katika hospitali, tuko na watu ambao wakitibiwa wanakosa pesa ya kulipa bills hospitali. Hata hiyo government iweze kuangalia. Government should look into workers' welfare and especially those who are under workers' Union sana kwa upande wa mishahara, wako watu wanalia sana. Wengine unakuta wananyanyaswa, wengine wanapewa marupurupu, wengine hawapewi na wako katika daraja moja. Wale ambao huwa wanaangalia T.V Africa, hii ya kutoka South Africa. Kunakuwa na masomo ambayo watu huwa wanafundishwa. Ningependelea hata sisi Kenya tuwe na sector kama hiyo ya kufundisha wale watu wako nyumbani.

Katika shule, if there is any punishment to any student by teachers, no teacher should hit any kid on the head. Drugs. Drugs in schools and in the society should be very much scrutinized. Iko wakati mmoja niliwahi kushikwa na police, nilikuwa nimeshtakiwa ati nimechota maji kwa hii nini imekatwa maji, na wakati nilipopelekwa cell, nilikuta huko facilities za toilet, wanaweka tu ndoo ati wanawake na wanaume na watoto wako jolee hiyo ndoo, nikaona hilo si jambo nzuri. Na yuko mtu mmoja niliona akiteseka zaidi alikuwa anataka kwenda haja kubwa, aliteseka zaidi na alipokuwa anaenda kuomba ruhusa ili aende kwa choo, akanyimwa kabisa. Hilo jambo linaweza kuangaliwa.

Elections canopy. Huwa tuko na wakati tunapoenda kwa uchaguzi, unakuta ile canopy mtu anaingia peke yake. Mimi niliangalia hilo jambo nikaona ni kama halifai kwa sababu kama mtu anataka kutumbukiza makaratasi mengi, hakuna mtu anamuona. Kwa hivyo nikaonelea lifunguliwe wazi mtu awe anaonekana vile anafanya pale. Upande wa electricity hii ambayo huwa tunatumia, unakuta mtu amecha deposit ya kama 5,000 na anakuma kukatiwa sitima kwa sababu ya shilingi mia mbili. I am pleased by the way you the Constitution Review Commission office have arranged your presentation of views. I pray all people's views will be put into considerations. Thank you.

Com. Salome: Thank you very much. Jiandikishe kule bwana Thiong'o. Njoroge Macharia? Njoroge Macharia? Lukas Kubebea?

Lukas Kubebea: My names are Lukas Kubebea and I would suggest that, Tume ya uchaguzi nchini kwa saa hii chairman wake anachaguliwa na Rais. Na ningependelea kuwa Electoral Commission iwe very independent na iweze kumchagua chairman. Wananchi wenyewe waweze kuchagua chairman. Ndiposa huyo chairman atakuwa responsible and answerable kwa

wananchi kwa maana kwa saa hii ni kama ako answerable kwa President. Ndiposa tutaweza kupunguza uwizi wa kura.

Kitu cha pili kuhusu ufisadi, ningeonelea kuwa yule yeyote ambaye ako na kesi ya ufisadi aweze kufutwa kazi. Asindelee na kazi akiwa na kesi ya ufisadi. Jambo lingine ni kuhusu NSSF. Ningeonelea kwamba, members wote wa NSSF waweze kupewa mkopo na NSSF kwa maana hizo pesa wanapea kama amekua mzee na ukiwa mzee akili zimepungua huwezi kuendelea na hiyo pesa. Lakini wakikupatia wakati ambapo bado uko na akili nzuri, utaweza kujiendeleza. Ndiposa ningeonelea kuwa waweze kupea members wao loan kwa hiyo pesa.

Jambo lingine ni kuhusu National Hospital Insurance Fund. Ningeonelea kuwa hili shirika la National Hospital Insurance Fund liweze kuwapa members wao nusu cha kiwango cha pesa kwa wale ambao hawaja-benefit kutokana na hiyo fund kwa mda wa mwana mmoja. Mwaka ukiisha, wanakaa chini wanaangalia, wanasema member fulani fulani hawaja-benefit kutoka kwa hii fund, tuwape nusu ya ile mchango yao. Kama wame-benefit kutokana na funds, basi ibaki hivyo.

Jambo lingine ni cost-sharing katika mahospitali. Ningeomba Katiba ya saa hii iondoe hayo mambo ya cost-sharing kwa sababu wananchi wengi wameshindwa, wameshindwa hata kutoa hata hiyo pesa kidogo. Jambo lingine ni kuhusu serikali. Ningeonelea kuwa President achaguliwe baada ya miaka mitano. Na huyo President aweze kutengeneza a coalition government. Na hiyo coalition government iweze kujumuisha hivi vyama vingine na ningeonelea kuwa kuwe na vyama viwili tu. Mambo ya vyama vingi, vinagawanisha nchi. Tungekuwa tu na vyama viwili: ruling party na ile ya opposition. Halafu iwe coalition government. Mambo ya Prime Minister, ni kuongeza tax kwa wananchi. Prime Minister naona hakuna haja, tuwe tu na President na a-form coalition government. Jambo lingine ni waajiri. Waajiri wengi hasa katika huu mji wa Nukuru, wanaandika wafanya kazi on casual basis. Sasa unakuta wafanya kazi wamekaa karibu miaka kumi on casual basis. Ningeomba Constitution ya saa hii, iwe very strict for hiyo kwa sababu hawa wafanyakazi wanaandikwa, wanafutwa na wanaenda hivyo. Ningeomba Constitution ya saa hii iweze kuangalia jambo hilo ili mfanyikazi akifutwa on whatever condition, aweze kulipwa his services na aende kwa sababu employers wengi hapa wanafuta wafanyikazi vile wanataka na wanaandika vile wanataka. Ningeomba Constitution iangalie jambo hilo.

Jambo la mwisho ni kuhusu unemployment. Katika Kenya yetu saa hii tunajua iko shida ya kazi. Na kwa sababu iko shida ya kazi ningeomba Constitution ya saa hii ikawaze ku-allow wafanyikazi wa serikali waweze kufanya kwa muda wa mika ishirini ili waweze kupeana hawa wengine wanaingia, wanatoka colleges na universities. Hawa wataweza pia kupata nafasi ya kufanya kazi kwa miaka ishirini na wa-retire ili kila mmoja aweze kupata kitu kidogo kuliko wakati kama saa hii ambapo mtu anakaa kwa kazi anazeeka, anakuwa mzee bado ako pale na kuna vijana wanatoka katika universities na colleges. Ni hayo tu, ninawashukuru.

Com. Salome: Asante sana kwa maoni yako, John Kahato?

John Kahato: Asante sana Commissioners, jina langu ni John Kahato Njoroge kutoka Nakuru, Ronda Ward. Mimi ni secretary wa Saba Saba Asili, Nakuru branch. Wakati huu ni vizuri sana pengine tuone tutafanya nini na Constitution Commission, wale wanaendesha haya mambo kwa sababu wako na taabu. Wanasema waongezwe muda, wengine hawataki, kuna problem. Kwa hivyo tunaomba muendeleo na Commission yenu na mfanye kazi yenu kama independent. Mimi yangu, siku-represent chama chochote lakini na-present mimi mwenyewe na mimi nataka kusema leadership ya Kenya hii, tunaweza kutengeneza Katiba mulwa au nzuri sana lakini iwe bure. Ikiwa hii Katiba itakuwa tu ya kupeleka huko ati Parliament ndio itapitisha kwa sababu ikiwa Parliament ndio itapitisha haya mambo, we have already lost their credibility to their society because last time they increased their money and now they want to increase their salaries again. Kwa hivyo, they are not concerned about their existence in this country and therefore because at least the leaders we have, have lost the credibility of their society, we would like to have the government and the Constitution we have to be based on neighbourhood i.e grassroot government. That is local government should have powers above the Parliamentary government, kwa sababu we are in the grassroot and we are the sufferers. It has become the society of man-eat-man society because of those people in the Parliament.

Therefore, what I would like to present to this Commission is this especially on neighbourhood. Neighbourhood I mean security. If we have security, peace will remain in the local area because this country everyday, you hear people are dying, shooting one another, stealing all these things. They sleep with people, they are among the people, but because the government has lost credibility of preventing their people that is why these things are happening. People are moving anyhowly with guns and they are sleeping in houses of people, they are staying with people, and therefore this should be based on local i.e neighbourhood. That means, at least a neighbourhood should have a small police station, should have a committee to go with all layout with what is going to happened with security.

Health care: we have seen instead of staying in Parliament and talking all the day and talking things which are impossible to do, we have to have at least our doctors given more money even than the Parliament. Because if we have no security, if you are sick and you have nobody to treat you because the doctor has gone to his clinic, we will have no ways to live. The other one we have to say is about water. Water is another essential of people and people are dying of bad water and contaminated water. We have a lot of rain in this country and the government should be, if it was concerned about people, this water should be collected especially Nakuru we could have a dam. May be the rain which fall in Nakuru there could be a big dam whereby people will collect water and purify the water and we will have no problem. But because we have failed to do this, we don't know what happens with it.

The other one is about education. Our children have completed schools. We have industries coming up and others are dying. At least we should have at least also industries and those who are investing, they invest also in neighbourhood. Instead of investing in town, it is better to invest in neighbourhood so that people will have no problem of traveling far and expenses will be low. If it is packaging especially they talk of poverty eradication programme. Let them form groups for packing for doing other

things based on the neighbourhood and those people will have work to do.

The other one is shelter. Those people who own big land, jungle of land and others have nowhere even to put a shelter. The Commission should put in the Constitution where may be somebody should have at least 10 acres, 20 acres and the rest. Even if it is semi-arid area, somewhere somebody can put a small building. We can't have 3,000 acres, one person having three and others have no houses.

Another thing is about the employment. That one I have done and I think the most important thing I would like to say we can have a very good Constitution and I would think it is very very important to this whatever we have in courts. If we have wards and chiefs and leaders of the community, let them have the authority because we wonder. It is only recently we knew a Constitution is ours, before we knew, it was hidden from us by the leaders. So we are ruled by people we don't know. We elect them, but the funny thing we don't know them. Kwa hivyo nafikiria, vile tunaweza kufanya na vile Constitution inawezafanya na vile tumeandika inaweza kuchukua hatua ambayo inatajikana isaidie raia, ni mambo yote ya kutoka security mpaka school, mpaka water, agriculture, housing, iwe based katika neighbourhood, that is what and whatever, so that we will be able to continue and we don't when they read budget. The budget should be prepared from the neighbourhood, that means from the locals because we know what we need, We know our problems and that budget should be taken to Parliament because when they read the budget, they read the budget which we don't know, who prepares it and who put it. When they say let us share, when they give shares may be ministry of water, the ministry of whatever, we don't know it is happening because we did not prepare that budget. We don't know remains and what they eat. Therefore let us base this Constitution Review base Kenya government under the government for the people by the people themselves. And that is based on neighbourhood. Thank you very much.

Com. Salome: Thank you very much Mr. Kahato, please register with our people. Isaiah Baraza? Isaiah Baraza? Hatujasikia sauti za akina mama kwa wakati mrefu. Magdaline Chepngetich? Magdaline Chepngetich? Elizabeth Wanjiru Evans? Mary Muiruri? Jane Gathogo? Jane Gathogo? Ulienda kumuita mwingine na wewe ukaita kama bado umeenda?

Jane Gathogo: Honourable Commissioners, chairperson and the audience. Yangu ni kidogo na majina yangu ni Jane Gathogo kama vile umetaja, mimi ni Provincial women Co-ordinator wa MCC in South Rift lakini nimekuja kwa private capacity. Ya kwanza ni mambo ya Constitution. Constitution should include all 43 tribes, religious, Muslims, believers and non-believers because we have them and they are created by God and they are with us. It should include "Wanjiku" without any discrimination. It should also be written in a simple language, in 43 languages as we have Biblia. If today I want a Biblia in Kikuyu, in Kalenjin, I will get it. So the Constitution should be written that way and they should be available in bookshops, in supermarkets and not government press only. Kenya should remain a multi-party and should have three parties to avoid nepotism. And these three parties should be equally funded, there should be no any discrimination.

Local government: Mayors and Chairpersons should be directly elected by people. Administration should be left with chiefs, assistant chiefs and village elders who will be directly elected by the community around that area. Others should go home and rest.

Judiciary: Judiciary should have a small claim court from grassroot level to deal with domestic problems e.g gender issues, rape cases and other things before it goes to High Court. Judges should not be appointed by the President. They should be appointed by their fellow advocates who know them better, will know they are learned like you and they should have experience for ten years before one becomes a High Court Judge with high integrity.

Electoral System and process: The President should be elected in a separate day. He is a person who is leading the country and to avoid any confusion. He should have an own day and he should be non-partisan. MPs and civic leaders should have their own day to avoid also tiredness, you get they are the same people in the counting room you know all that. They should have their own days. Votes should be counted at the polling station and the announcements should be done there to avoid all the corruption. Ballot boxes should be transparent to clear any doubt. The new Constitution should have a fixed date for elections. Like now we are confused whether we are going to have it or not. So there should be a law that is going to make it clear. The President should go for two terms only. He should be a university person and of high integrity. All the Commissioners who have been appointed including this one of Ghai's Commission should come out with solution. If it takes long, let it take three months only. We should hear all what you have been doing and I think with those with those few remark I say asante sana and we are happy to see you as a chairperson and in Parliament sorry. Women are majority voters 51%, they should be appointed with many seats, two thirds and be given high positions. Not only the Ministry of Culture and Social Services. They are learned people and they should be given those those high posts like Ministry of Agriculture, Ministry of Health, ministry of education and others. They should not be appointed on those small small ministries. Thank you.

Com. Salome: Thank you very much Madam. Please make sure that you register with our secretariat. Magdaline Chemngetich? This is the fourth time I am calling you madam.

Magdaline Chemngetich: The Chair, and other Commissioner, ninasema pole kwa sababu mumeniita mara nyingi ni vile niko na kazi nyingi huko nje na niko na memorandum ambayo imetoka kwa wamama wa town hii kutoka Barut Location ambao wako pamoja na kikundi cha Kena Women Group and they are about 600. Tuko na memeorandum hapa lakini tutasema tu machache na wenzangu watanizidikisha. Kwanza wamama wangependa Constitution ambayo iko na equal protection, freedom from discrimination, freedom of expression and association, the directive principles of equitable representation of both gender, equal before the law for all citizens regardless of genda should be enshrined. Na nitaenda moja kwa moja kwa land and property rights ambayo inafinya wamama sana sana. We know women and children have in the past suffered most as victims of calamity, disasters, land conflict clashes and land related insecurity. It is on this day that we recommend as follows:

Female offsprings regardless of marital status should be entitled to inherit family property including land without discrimination. The land registry should be centralize countrywide and some inspection be carried out at the district level. Not in Nairobi. They should be equal access to land ownership and control and other resources among men and women, Kenyans living communally and group owned land such as agriculturalist, hunters like the Ongiek. The Constitution should guarantee protection to security ---

Interjection: Com. Salome: A minute please. Could I request for silence. We are recording all our proceedings and background noise interferes with that. Akina mama naomba tafadhali tunaweka record maneno yenye tunazungumza na akina baba na wakati mnapozungumza kule nyuma, inakuja kwa record. Tafadhali ningewaomba tukitaka kuzungumza tuitane pale nje, mzungunze hiyo halafu mrudi tena. Asante. Endelea.

Magdaline Chemngetich: There should be equal access to land ownership and control and other resources among men and women. Kenyans living communally and groups owned land such as pastoralists and I have talked of Ongiek should be constitutionally guaranteed protection security and ownership of the land that they occupy. The Constitution should be supreme to the customary law when issues concerning law and property inheritance. The title deed of a family land, should bear the names of both husband and wife. Kenyans living in trust land should be guaranteed protection, security and should need arise to move them they should be properly compensated and resettled elsewhere and given ownership. The title of 99 years lease of land in Kenya should be abolished and Kenyans be given freehold ownership of land property, that is absolute ownership. No individual should own more that 100 acres in Kenya and those currently owning more that this should be compelled to sell their excess to the state to be redistributed to Kenyan landless persons.

All public utility land should be Constitutionally protected and research be carried out to map how public utility land and that has been grabbed should be returned for the use of initial purposes, and by this we are talking about plots and housed which have been owned by the government or the state which have been occupied by civil servants and have been grabbed by some individuals. We are requesting in the Constitution that those houses and plots should be recovered back to be revolved immediately. All public utilities should be Constitutionally protected sorry, the communities living around game parks and wildlife like this one in Nakuru and water catchment and body should own at least 60% of the total value of the benefits derived from the same and by this we will need 25% to go to the projects of women who are staying within that particular area and we are talking about town munipality. Every Kenyan should own land and property anywhere in the country without restrictions. There should be Constitution Land Commission with 50% women representation and I will not forget again to talk about Affirmative Action because that is our saviour we women and those who have been marginalized and we are at the periphery and we would we would wish in general that one third of women are put in position of governance in the local authority and in Parliament. We also recommend that persons with disabilities, 50% to be women to be represented in those governing areas, because a woman who is disabled is more marginalized even than the normal woman. So we should have 50% of same. Pastoralists will also have 50% women and the youth 50%.

Na kuendelea bado, political parties. We also recommended political parties should be as few as possible and we should have parties which have 50% national outlook. Those ones who are below that should be thrown out and they should own 60% of the 42 tribes. We know we are 42 tribes, the 43 tribes that is political and we are only 42. We would also request that the Constitution, we are not requesting, we are actually demanding the Constitution to have women in the political parties as one third. To own the chairmanship and even the secretariat. The big posts. Tunataka waketi kwa hizo viti kama wanaume wasikae kwa vile viti tunasikia ni ya women league. Hivyo viti vya women league ni kama matumbo ya ng'ombe ile wamama wanakula na mbuzi. Kwa hivyo wakule steak, wakiwa kwa hivyo viti vikubwa vikubwa. Then we go to the Constitutional Commission. Tunajua sasa hata hii Commission nyinyi muko ya Constitutional Review. We know haijakuwa retained. We would like this Constitution plus another Constitution ambayo tunaita the National Gender and the Development Commissioner which is actually supposed to be mainstreaming gender in the development to entrenched in the Constitution and we should have 50% of women. Other Commissions again that we would request or I will demand to be established in the Constitution, we would like National Food Commission with at least 50% women to be established and maintained.

Com. Salome: The last point mum.

Magdaline Chemngetich: The Local authority: we want the local authority to have an autonomy instead of having the Public Service Commission which promotes the officers, we would like the local authority same to have that commission. I will now call upon ---

Interjection: Com. Salome: Hiyo ilikuwa point ya mwisho asante.

Magdaline Chemngetich: Please I request again, it is very rare to get women. I am requesting your panel. Now nitaita mama wa location wa Barut atasema moja ama mbili wakiwa na mama mwingine kuzindikisha hii memorandum yetu.

Com. Salome: Wamejiandikisha?

Magdaline Chemngetich: Wamejiandikisha.

Com. Salome: Then I will call them.

Magdaline Chemngetich: So they have told me.

Com. Salome: I will call them. Thank you very much. Mama umejiandikisha na jina lako ni nani? We believe in women talking for themselves. Madam, what is your name? Grace Nasoi? Sijaona jina lako kwenye orodha. Kama liko nitalipata. Endelea. Okay, go on, una dakika mbili. It is okay, wewe jandikishe uje uzungumze dakika tano. You are right, una dakika zako tano kwa hivyo jandikishe uje uzungumze properly na nitawaita kila mtu mwenye yuko kwa ukumbi huu. Hatutaondoka kabla kila mtu hajapata nafasi ya kuzungumza. Roda Chelagat? Richard Cherop? Tueleze majina yako kamili tafadhali.

Richard Cherop: Majina yangu kamili ni Richard Cherop Cherotich Arao Temo. Kwanza tunapongeza serikali kwa kuweza kutuwekea Commission ambaye inazunguka kuchukuwa maoni yetu. Kwa sababu kutoka Katiba ile ilitengeneza, hatukuhusishwa sisi. So tunashukuru serikali kwa hiyo. Katiba yangu ya kwanza ni Rais. Rais awe ni mtu amepita miaka arobaini na tano, awe ni mtu ameo, awe na akili timamu na asiwe na constituency yoyote. Constituency yake iwe ni Kenya ili asiweze kusema hapa ni pahali pangu. Ya pili, awe amefika form four au university. Makamu wa Rais naye vile vile. Huyu Rais awe ni yule hajahusika na crime yoyote, hajaua mtu, hajaiba na hajahusika na vitu vyovyote vibaya. Na hivyo hivyo iwe kwa makamu wa Rais na wale waBunge, councillors na mtu yeyote ambaye anapigania kiti chochote cha kuongoza watu.

Serikali ya majimbo: tunahitaji serikali ya majimbo katika Kenya yetu kwa sababu wakati wa 1963, iliwekwa majimbo lakini viongozi wa wakati huo hawakuweza kuona ya kwamba kwa sababu walikuwa wametoka kwa serikali ya kikoloni ambayo ilikuwa imegawanya watu. Wakaona kwa vile wakati huo ni mzuri serikali ya majimbo iondolewe ndio Kenya iweze kukuwa pamoja kwa sababu walikuwa bado wako na kasumba ya ukabila. Basi tunataka serikali ya majimbo, na serikali ya majimbo, tuchukue mfano kama Central Province. Wale wakaaji wa kule hawa ndio wasemaji wa kule. Sheria zao ziko, kosi zao wanatoa halafu 70% ibaki katika jimbo hilo na 30% iende kwa serikali kuu. Halafu wale wakaazi wa huko, ile majimbo tunataka sio ile ya kondoo kwa mahali anakaa. Kama ni mwananchi wa Kenya, anaweza kukaa mahali popote lakini unakaa katika jimbo lile uko na kufuata sheria ya pale. Kutoa kodi ya pale, ufanye ile kitu chochote inafanyika pale na awe na shamba lake awe na nini asihusike. Hatutaki majimbo ile inakuwa ya kikabila. Unakuwa tu pale, kama wewe ni mwananchi wa Kenya na unaishi pale na unapata sheria za pale.

Tukikuja kwa mambo ya korti, mali. Tungependa mambo ya kama wasichana. Kama mimi niko na wasichana wangu na vijana wangu. Hawa pia waweze kurithi kitu ya mzee. Asiondolewe ya kwamba huyu ni msichana asiwe na urithi wowote. Awe akirithi pamoja na kijana. Na kama chief kutoka administration, tungetaka pia chief na assistant chief awe akichaguliwa na wananchi kwa sababu hawa wanajua yule kiongozi ambaye atawaongoza hawa, wanajua ni mtu wa namna gani. Kwa sababu tunaona siku hizi hata mkora anachaguliwa kuwa chief halafu anasumbua watu. So tunaka achaguliwe chief kwa sababu wa sehemu hiyo wanajua huyu ni mtu wa namna gani, kutoka utotoni mpaka awe mkubwa. Ni hayo tu.

Com. Salome: Asante sana kwa maoni yako. Ambrose Orimba Oyugi? Ambrose Orimba Oyugi?

Ambrose Orimba: Well I am Abrose Orimba Oyugi presenting the Catholic Justice Peace Commission Holy Cross Parish. Well, as the donors listen as foreigners in Kenya, we the Kenyan community ask to be out to show and tell their views so that in future our children or grandchildren can really benefit from the fruits of this country. More so, I will talk much about the structures of the government, I would like to be in Kenya and that should be mechanized by the Commission of Kenya Review.

As I start, the structure and system of government: The new Constitution should establish and secure the independence,

neutrality and autonomy of Public Service Commission, Judiciary services, Police Service Commission and Armed Forces Service Commission. In order to articulate and meritocrat in our national ethos, reward good performance and censure incompetence or mediocracy. That means in our society it will make us all benefit both common and anybody in higher authority to articulate his duties and concerns in the society. It should establish local administration structures manned by elected officials to replace the existing provincial administration structure, which are relics of colonial past. That is to say the chiefs and the PCs should be done away with because in fact the way they are really articulating their duties in Kenya are quite contrary to the independence that our fathers fought for. At the same time, they allocate themselves duties that are supposed to be taken by the organized and well mechanized government apparatus. Even in their attires they wear big kofias which don't even know what it means. By then wazungus were wearing these kofias because there were a lot of heat in East Africa.

It should establish a special mechanism to curb corruption, economic subbotage, fraud and economic crimes and conspiracies. That is to say when the constitution can really look and entrench the independent tribunal that will be looking into factors of our local economy. Nobody will really temper with our local resources that will be non-tolerance. Establish and create a mechanism to ensure continuous partnership of people and their leadership through sustainable and regular consultation of the state of nation and the people. Should tackle negative ethnicity and use of tribal or racial hatred to achieve or retain political or economic powers. The office of ombudsman should be established by th new Constitution to check misuse of political powers.

Customs and cultures that perpetuate oppression should be discouraged. Even in our societies nowadays you see even ladies are wearing slit skirts and in fact they wear it even in the church whereby which their parents are there and the holy communion is being given to them. It is quite really astonishing. The unitary system of government should be retained. In this regard, majimbo system should be dismissed at all costs. The new Constitution should uphold the principle of separation of powers and entrench the checks and balance amongst various arms of government i.e the Chief Executive. The councilors, MPs and President must by law and the Constitution be made accountable to the people. If any MP or a councillor or a headman is elected and he cannot deliver, should be fired immediately because that is returning back the power to people. It should make provision for enactment of public code of conduct to inter alia and ensure that leaders account for their wealth. Incalculate honesty in public services and penalize leaders found guilty of abusing or betraying public trust e.g involvement in corruption.

Com. Salome: Your last point sir.

Ambrose Orimba: Thank you. It should ensure and expressly recognize and declare that constituting powers emanate from the people and that under no circumstance can Parliament, the Executive or any other organization are of date contradict itself its powers. And lastly, we had a point on environment and economical point of view and we talked at length and found that the Constitution should try to look into our social rights and should grant us all Kenyans citizens their right to live and inter act. Therefore, the Constitution should entrench the idea of nullifying title deeds to illegally acquired land and restore that land to

public ownership. Prohibit land grabbing one and set maximum limit of land ownership. Promoting equity in land use and ownership and promote a mechanism for continuous review of colonial land legislation tenure system.

Interjection: Com. Salome: Thank you very. Finish up that point please.

Ambrose Orimba: Okay. Provide for the land reforms, land ownership ceiling, taxation of land management and protection of Public land, swamps, water resources, strengthen people and human rights by incorporating. The universal declaration of human rights should be looked into. The general charter of people and human rights should also be catered for.

Com. Salome: That's another point, thank you very much.

Ambrose: Okay thanks.

Com. Salome: We have had a lot of people tell us that it is just not Constitution making, is also the Constitutionalism. The respect of that Constitution. It starts here. When we say that it is our last point, let it be our last point. Thank you very much.

Ambrose: Thank you.

Com. Salome: Julius Kowen? Julius Kowen? Marice Makundi? Marice Makundi, ni jina lenye halijaandikwa vyenye inaweza kusomeka. Ukisikia ni karibu na jina lako unieleze tafadhali. Elijah Chelaite?

Elija Chelaite: Commissioners, majina yangu ni kama vile umetaja, Elijah Arap Chelaite. Nina point ishirini na wakati mdogo lakini nitaharakisha. Maoni yangu ni kwamba Kenya iwe multi-party system. Rais achaguliwe na kura nyingi. Yule atakayechaguliwa na kura nyingi atangazwe Rais. Na awe na umri wa miaka arobaini tano na kwenda juu na asiwe MP ya sehemu yoyote. Kura iwe kwa njia ya siri na kura ya Rais ifanywe siku moja. Isichanganywe na ya waBunge ili iondolewe habari ya kuiba kura. Hesabu ihesabiwe katika polling station, na atawale miaka tano hadi kumi. Mayor pia achaguliwe directly na wananchi na asiwe councillor wa sehemu yoyote na atawale miaka mitano, hapana nusu nusu vile inavyofanyika wakati huu. Chief: Chief achaguliwe na raia na apewe mamlaka kamili ya location yake.

Kazi: kazi iwe kwa mtu moja. Hapana mtu mmoja anabeba kazi mpaka kumi. Ukulima: serikali iweze kusaidia wakulima kwa njia kuwapatia mbolea na mbegu ili uchumi wa Kenya uweze kuja juu. Ukabila Kenya uondolewe. Kila mtu awe huru ya kwenda mahali popote, afanye bishara mahali popote na kuishi mahali popote. Utamaduni wa Kenya uheshimiwe na ulindwe na Katiba ya Kenya. Ardhi: kila Mkenya awe na haki ya kupewa ardhi au kupata ardhi hata kama ni hekari moja ili apate mahali pa kuzikwa akifariki. Pia apewe freehold title kwa maana yeye ni Mkenya. Hakuna sababu ya kupewa leasehold. Leasehold ni ya mgeni ambaye ataondoka. Urithi: urithi wa ardhi, ikiwa ardhi ilikuwa ya mume, akifariki, mke awe wa kwanza kupata urithi na watoto wasibaguliwe. Wapewe urithi huo sawa sawa. Wasiseme wasichana wasipate kwa maana wanaolewa,

wote ni watoto wa Mungu.

Wabunge wawe ni watu ambao wamekomaa, wameoa au wameolewa. Mishahara ya waBunge: kuwe na tume ya kuweza kuchunguza mishahara. Wasije wakajiongezea mpaka kiwango ambacho kinatisha. Serikali ya mitaa ijisimamie, isimamiwe na Central Government. Uteuzi wa waBunge au councillors. Katiba iweke kwamba uteuzi wa wamama iwe sabini kwa mia kwa Bunge na hata kwa local government. Kwa maana kila mara hawapiti katika uchaguzi wa constituency.

Watoto yatima: Yaweza kuwa kuna watoto yatima ambao wamepoteza wazazi wao kwa njia ya ajali au ukimwi. Serikali ichukue jukumu hili na watoto hawa walishwe, wasomeshwe na serikali. Sio kuachia wazee wakongwe baba au wazazi wa baba wao. Ndoa: Ndoa kila mara katika nchi hii ya Kenya huwa mke wa kwanza, kwa yule ambaye ana wake zaidi ya moja wanasema wa kwanza ndio wa maana kuliko wa pili. Ningependa Tume hii ya urekebishaji wa Katiba iweke kwamba mwanamke yeyote ni sawa na mwingine kwani mwanamume aliongea lugha ile ile aliongea na wa kwanza na wa pili na akatoa mali sawa. Kwa yule wa kwanza hata wa pili. Kwa hivyo ubaguzi usikuweko.

Majimbo: Serikali ya majimbo, ningependelea iweko ili utawala uweko karibu na wananchi na pia kulinda raslimali za karibu. Basi ya mwisho, Bunge isibadilishe Katiba hii ambayo wananchi wanaitengeneza. Ikiwa kuna lolote linatakiwa kubadilishwa, irudi kwa wananchi kwa maana tumeletewa kutengeneza. Asanteni.

Com. Salome: Asante sana kwa maoni yako. Tafadhali jisajilishe. Johakim Ilodanga? Tafadhali njoo karibu na utupe majina yako kamili.

Johakim Ilodanga: Asante sana review Commissioner, majina yangu kamili naitwa Johakim Ilodanga Mbalilwa, nami natoka hapa Holy Cross lakini maoni yangu ni ya individual. Kwanza nitaanza na education. The government structure programme year 2002 was that it was to eradicate poverty illiteracy allover the country. The new Constitution should guarantee free and universal education for every Kenyan. The new Constitution should set up a guideline on the vision content and objective at the national education system. It should provide for compulsory free and universal primary education and set out the obligation of local authorities vice versa, Central Government, executive management and funding of education institutions. The Constitution should provide provision for education in public schools and universities to be made compulsory. And quota system of admission to be abolished.

The marginalized gender equality. The new Constitution should make provision, deliberate schemes to the mainstream women in social political and economical leadership right from the grassroot to the national levels through the Affirmative Action in elective posts and employment in the public services. Should uphold and promote gender equality in public services, political leadership and provisional and economical opportunities and social progress, should uphold, promote Affirmative Action to the system with the disabilities, marginalized groups and special interest groups of our societies.

Appointment of cabinet ministers: Let the entire MPs vote to who can be the minister, not the President to appoint a wrong person to a wrong ministry. Nobody from armed forces being a minister in the Ministry of Health or Education. Most women to be appointed to head some of the strong parastatal boards or institutions, women being appointed to the ambassador, NGOs and other Institutions. Let whoever wants to be a leader declare his or her wealth. Again we follow the background of each and everyone who wants to be a leader in this country. During campaigns, using of GK government vehicles for campaign or tax payers money to be abolished. Also using corporation vehicles for campaign should be stopped. All MPs to be treated equally, not for a certain party favouring his MPs or whatever. All what is supposed to be done if MP goes wrong, he should be arrested, to be proved guilty or not. Let them be treated equally. Thank you very much.

Com. Salome: Thank you very much, please register your presence with us. Duncan Gitonga? Duncan Gitonga? Kabla Duncan hajaanza ningetaka kueleza kuwa sasa imefikia saa tisa kasoro dakika ishirini na tano. Bado nina watu wengi wenye wangetaka kuzungumza. Tungependa tusitoke kwenye huu ukumbi kabla mtu hajapata nafasi angalau aseme jambo fulani lenye lilimuleta hapa leo asubuhi na akaacha kazi nyingi. Kwa hivyo baada ya mzungumzaji huyu mwenye nimeita tayari, nitakatisha zile dakika zenye zilikuwa tano na kuwapa kila mtu dakika tatu. Vile ningeomba ni kuwa hizo dakika tatu, mambo mengi yenye yamezungumziwa usianze nayo. Ukiwa una point mpya uanze nayo, ndio wakati ukipungua zile zenye zimeshaazungumzwa tangu asubuhi ziwe zenye ndio zenye zitabaki hazijazungumziwa. Lakini tuanze na yale mapya yenye hujamsikia mtu mwingine akizungumza. Wala si hivyo basi tutazungumza watu wachache na wengine wataenda nyumbani bado hawajazungumza baada ya kuwa hapa siku nzima. Tumekubaliana? Tuwe na dakika tatu? Na tuwe na dakika tatu na tuwe na nidhamu ya kuweka hizo dakika tatu. Usingoje nikuambie hiyo ndio ya mwisho moja, ya mwisho namba kumi, ya mwisho namba ishirini. Ukisema hiyo ni point ya mwisho, tafadhali iwe ni point ya mwisho yenye unazungumzia. Asante. Endelea, anza na majina yako.

Duncan Gitonga: Okay, my names are Duncan Gitonga, Catholic Church and Peace Commission in Nakuru Diocese. Okay, I would like to talk about the local government and I would propose that in the new Constitution, that the running of the local government, the proceeds from the running of the local government should be managed by the councils themselves. I should also propose that the mayors should be people of great integrity and they should hold relevant university degree. By this I mean that may be somebody might be having a degree in kitchen business or cooking and that is not relevant to leadership.

On the Executive, especially the presidency, I propose that the qualifications for the President or the person to vie for the presidency should be somebody who holds a relevant degree in leadership. For example political science degree and also should be somebody who is above 30 years and not necessary married. I don't see that as a qualification because we might have somebody may be a Bishop and they don't marry and he wants to become a President, marriage should not be a qualification for somebody who wants to be a President. He should declare his wealth and also he should nominated from a political party. He should not be the Commander in Chief of the armed forces. On the judiciary, I would propose that the judges should not be appointed by the President because that brings corruption, you will always see as the President is your

boss and if anything concerns him, you are about to be corrupted. Also we should have in the new Constitution Civil Service Commission which will set out salaries even for MPs so that we don't have MPs setting their own salaries because everybody would want to have a lot of money. The MPs should also, anybody who is vying to become an MP should declare his wealth. Also the MPs should be paid as per sittings to avoid lack of quorum in Parliament. And also to have dates set when MPs can go and meet the electorate and other dates to be in Parliament throughout. Thank you.

Com. Salome: Asante sana bwana Duncan Gitonga, jisajilisha tafadhali. Samuel King'ori ameshazungumza sivyo? Antony Mwangi? Sorry he wants to an observer. Frank Matunda? Frank Matunda:

Frank Matunda: Asante sana ma-commissioner na wananchi kwa jumla. Nimekuja kuelezea kidogo tu juu ya maoni. Ninaongea juu ya---

Interjection: Com. Salome: Anza na majina yako tafadhali?

Frank James Matunda: Frank James Matunda. Naanza na citizenship. Uraia. Uraia uwe na masharti makali katika nchi yetu hii ya Kenya ili wenye kupewa uraia waheshimu Wakenya na kutii sheria za Wakenya kuliko vile ilivyo sasa. Unapata waliopewa uraia wanadharau Wakenya au Waafrika kwa jumla. Kwa mfano.

Nakuja kwa security, usalama. Usalama katika nchi yetu hii haijafikia kiwango cha hali ya juu kwa sababu wahusika hawajali kuyalinda maisha ya nchi yetu. Kila mara Wakenya wetu wakiuawa unasikia sasa tumetuma maofisa wa usalama katika sehemu hiyo. Mbona hao maofisa hawakutumwa mapema katika sehemu hiyo na wahusika wanajua sehemu hiyo ni ya hatari. Pia Katiba ingetengenezwa form four leavers wawe wakijiunga na idara ya usalama. Katika Katiba ingetengenezwa kuzuia police officers kupata hongo kutoka kwa raia kwa sababu wakati wangali wanapokea hongo kwani mishahara yao ni midogo sana. Kwa hivyo Katiba itengenezwe ya maofisa hao wapewe donge nono ili wasikubali kuhongwa.

Kwa upande wa ubunge---

Interjection: Com. Salome: Tafadhali kama kuna mwenye mobile yenye inajaribu kuleta simu and it is interfering with our recording, please switch off your mobiles.

Frank Matunda: On Legislature, yaani Bunge, kuwe na sheria kali katika Bunge ili mbunge yeyote akichelewa kikao cha Bunge bila sababu achukuliwe hatua kali kwa sababu kila mara tunasikia Bunge halikuwa na waBunge wa kutosha. Je hawa waBunge huwa wameenda wapi? Tena waBunge wasijiongezee mishahara bila sisi raia kukubali kwa sababu ni sisi tuliwachagua na ni wengi wao hawatekelezi kazi tuliowatuma Bungeni. Hata wengi wao wanamaliza miaka mitano bila hata kuongea bila hata kuongea na hali wanapokea donge nono.

Political parties (vyama vya kisiasa): Mimi Matunda ninapendelea vyama viwe vichache sana katika nchi yetu hii ya Kenya. Visaidie wananchi wa Kenya kuliko kuwa na vyama vingi ambavyo havina maana yoyote. Ningependelea vyama viwe viwili tu: kile kinachotawala na kile kinachopinga maovu. Napendelea tuwe na serikali ya kulinda maisha ya Wakenya, mali yao na wenye ukabila wachukuliwe hatua kali mno kisheria bila mapendeleo kwa sababu ukabila hauleti maendeleo kamwe.

Executive yaani office ya Rais isiwe na mamlaka ya kuteua mtu yeyote na kumpa madaraka makubwa bila kuchaguliwa na wananchi vile iliyo sasa. Cheo kama Rais, makamu wa Rais, Prime Ministers na kadhalika ichaguliwe na wananchi wenyewe.

Com. Salome: Point ya mwisho. Pengine ushamaliza Bw. Matunda na hilo ni jambo nzuri.

Frank Matunda: Umeniambia la mwisho. mavazi ya akina mama. Ingawa akina mama wanasema wawe sawa na wanaume, ningependelea hawa akina mama waelimishwe haki zao kwanza. Wazifahamu na kuzijua kwani hakuna bwana anaweza kuvaa rinda ya mke bali mwanamke siku hizi wanavaa mavazi ya wanaume. Tena wanawake waelimishwe wavae nguo zinazofaa bila kuvaa zile nguo fupi zenye aibu na nguo hizo fupi ndizo zinaleta ukimwi katika nchi hii yetu hii ya Kenya.

Com. Salome: Hiyo ilikuwa point ya mwisho ingawa kabla huaondoka mimi nina swali moja. Hiyo ni maoni ya kisayansi kuwa nguo fupi zinaleta ukimwi au ni hayo maoni ya mtu binafsi?

Frank Matunda: Hiyo nimeweka kwa ufupi kwa sababu singeweza kuzungumzia, wakati ndio mchache. Kwa sababu nguo fupi ndio inafanya macho ya wanaume kuangalia kitu gani kinapita na ndio wanaendesha ---

Interjection: Com. Salome: Na wanaume wanajukumu yoyote kuhusu ukimwi? Wanaume wenyewe wanajukumu yoyote kuhusu kuzuia ukimwi au ni kazi ya wanawake kwa sababu ya nguo zao.

Frank Matunda: Wana jukumu.

Com. Salome: Ipi?

Frank Matunda: Wanawake wavae nguo refu ya heshima na hutaona wanaume wakiangali mwanamke. Lakini mwanamke ndio anafanya hayo maovu kuendelea kwa sababu akivaa nguo fupi kufika hapa wanaume wanapata tamaa, (inaudible) kwa hivyo wanawake wavae nguo za heshima.

Com. Salome: Mimi nimekubaliana na wewe kwani hiyo ni maoni yako na mimi ni mwenyekiti. Lakini mara nyingi tumeona unajisi hata kwa watoto wetu wadogo tuliofunga na taulo na kila kitu. Hayo ni maoni yako na ninayaheshimu. Lakini jukumu la

ukimwi tafadhali iwe kwetu zote. Ningependa pia kusikia maoni yako wakati mwingine juu ya jukumu ya wanaume kuhakikisha kuwa ukimwi haunezwi. Tafadhali hiyo ilikuwa point yako ya mwisho nakushukuru kwa maoni yako na tafadhali jiandikishe.

Frank Matunda: Asante sana.

Com. Salome: Patrick Mathenge? Patrick Mathenge?

Patrick Mathenge: Asante Commissioners, majina yangu ni Patrick Gachara Mathenge. Point ya kwanza ni juu ya ID. Jina tribe liondolewe kwa sababu we are fighting tribalism. At the same time that one has kind of colonial connotation. Point ya pili ni hali ya subsidies ya farmers. The government should try to subsidise the farmers. We have a case in point hali ya mahindi. The last season, tulikuwa tunanunua mahindi 90 kgs kwa only 400 shillings. Point ya tatu ni hali ya revision ya textbooks. Tangu wakati wa introduction ya 8-4-4, there have been a bit of revision of textbooks and especially by K.I. E in particular emphasis primary mathematics. You find that they have revised too many times ya kwamba you find that you keep on buying books each and every other year. Point ya nne ni hali ya majimbo. I don't subscribe to majimbo. Point ya tano, the President should be elected with 50% majority vote among other things. Point ya sita still on the presidency. The President should strictly adhere to the Constitution. Otherwise if he strays on that one, he should be impeached by the Parliament. The seventh one, which is the last, the President should cease to be the chancellor of the public university. Asanteni.

Com. Salome: Asante sana Thomas Muta? Thomas Mutua? Alex Maina? Alex Maina? Silas Mukolwe? Silas Mukolwe? Charles Gatere? Wewe ni Charles Gatere? Okay. John Ndung'u? Tafadhali ukiwa huko sema niko. Asante.

John Ndemo: Kwa majina mimi ni John Ndemo.

Com. Salome: John nani?

John Ndemo: John Ndemo.

Com. Salome: Si Ndung'u?

John Ndemo: Aliandika wrongly.

Com Salome: Okay.

John Ndemo: Points zangu ndizo hizi. Kwanza ningependekeza medical services kwa hospitali zetu ziwe free au a small fee to be charged as per economic period of that time. Elimu nayo iwe ya bure, free primary education na hata kwa watoto wa kuranda randa mitaani wapate elimu ya bure. Pia wapate kurithi mashamba. Jambo lingine ni kuhusu kazi. Ningependekeza wale ambao hawana kazi, serikali ipate kwa mfano mtu ana project ambayo anataka kuanzisha na hana kazi serikali ipate kuwahudumia kwa kuwapatia mikopo kiasi fulani ili wapate kujiendelesha. Jambo lingine ni kuhusu ndoa. Ningependekeza hili

jambo ambalo kijana ndiye ako na wajibu wa kulipa mahari, iondolewe. Iondolewe ili both parties na wazazi wote wapate kuwa-support. Both from kutoka kwa msichana na kutoka kwa akina kijana, wasaidie hii familia ndogo ambayo inakuwa lakini isiwe ni mzigo wa kijana. Hili jambo tena ndio inasababisha domestic violence juu kijana anasema nililipa mahari kwenu kwa hivyo hakuna jambo utaniambia. For efficiency katika public offices, ningependekeza kuwe na one man one job. Hivi kwamba wewe ni daktari, please ati tena uko kwa clinic wagonjwa wanataka kuhudumiwa in a public hospital unaambiwa mungojee mpaka wakati ambao hata hajulikani atarudi wakati gani. Wakenya ambao wako nje ya Kenya ningependekeza wawe na uhuru wa kupiga kura kumchagua kiongozi wa nchi yao. Pia wafungwa nao wapate hiyo chance ya kupiga kura.

Presidency: The President should not be above the law. He should be answerable to wananchi on a wrong done while he is in office. He should be in the office in one term of five years. Then on the Constitution, I may recommend the subjects to be introduced in schools so that we may bring up a generation which is constitutionally informed. Because this is a case whereby one does wrong but in the real sense ni hakujua kuwa ni makosa.

Com. Salome: Point ya mwisho.

John Ndemo: Point ya mwisho ningependekeza local brews to be legalized but under certain restrictions so that we may create local industries hence creating employment. Thank you.

Com. Salome: Thank you very much, nenda ukajiandikishe pale. Philip Mutahi?

Philip Muahi: Thank you Commissioners. Swala langu la kwanza ni kuhusu mambo ya mashamba. Ningependa kusema ya kwamba wamama wale wamefiwa na waume wao---

Interjection: Com. Salome: Anza kwa majina yako tafadhali.

Philip Mutahi: Majina yangu ni Philip Mutahi. Nimeanza na mambo ya mashamba nikisema ya kwamba wale wamama ambao wamefiwa na waume wao, katika Katiba wawe ni watu wenye kurithi mali ambao walikuwa na waume wao, immediate beneficiaries kwa sababu Katiba ya sasa pengine inwaweka kando kidogo. Nikiendelea katika haya mambo ya mashamba, ukiangalia katika Section 75 ya Katiba ya Kenya, inaongea juu ya vile serikali inaweza kuchukua shamba la mtu kulingana na vile wameiweka. Lakini hawajaweka kusema ya kwamba mtu akikataa afanyiwe nini kwa sababu mtu kama shamba ni lake na amekataa nalo hawajaongea kuhusu yule mtu ambaye amekataa. Ningependa kutoa mapendekezo ya kwamba kama mtu angetaka kuchukuliwa shamba lake na akatae pia aweze kuheshimiwa.

Kulingana na mambo ya local authority ningependa kusema ya kwamba, madiwani waweze kuwa ni watu ambao wamesoma mpaka kiwango cha kidato cha nne. Katika mambo ya provincial administration, ningependa kusema ya kwamba chiefs na

assistant chiefs pia waweze kuchaguliwa na watu kwa sababu watu wenye wako vijijini wanajua watu wenye wanaweza kuwaongoza vyema. Katika type of government, ningependa kusema ya kwamba tungependa kusema ya kwamba tungependa serikali ya majimbo lakini si katika hali kikabila. Iwe ni majimbo, watu wafanye kazi sawa sawa, waheshimiane na waache ukabila. Ningependa pia kusema ya kwamba katika hali hiyo, Rais asiwe mBunge wa mahali popote. Katika mambo ya Parliament, ningependa kusema ya kwamba MPs waweze kuitwa na watu ambao waliwachagua wakikosa kufulfill promises ambazo walikuwa wamepeva na watu wakichaguliwa.

Nyingine pia ni kuhusu malipo au mishahara ya MPs. Kuwe na Tume fulani ambayo itakuwa ikishughulikia kuliko hao wenyewe wajiongezee mishahara vile wanapotaka wenyewe. Na tungependa kuomba pia niseme ya kwamba, tungependa proceedings ambayo inafanyika Parliament, iwe kupewa wale wa television channels ambao wanaweza kutupatia ikiwa live halafu tuweze kuona waBunge wetu wakiwa Parliament, vyenye wanaongea juu ya mambo yetu kwa sababu tuliwatuma watutumikie. So tungependa kuwaona kama wanatutetea au hawatutetei. Kwa mambo ya elimu ningependa kusema ya kwamba ingefaa iwe ya free and compulsory education ya primary. Halafu kama kuna cost-sharing ianzie secondary na university kwa sababu bila free and compulsory education kwa miaka ishirini itakayokuja watoto wengi hawatakuwa wakienda shuleni.

Nikimalizia ningependa kusema ya kwamba, kila Mkenya awe chini ya sheria. Kusiwe na mtu above the law. Ni hayo tu, asante sana Commissioner.

Com. Salome: Asante sana kwa matumizi yako kwa wakati wenye ulipatiwa. Jiandikishe tafadhali.

Philip Ndemo: Asante.

Com. Salome: Elizabeth Wanjiru Evans yuko? Elizabeth Wanjiru Evans?

Elizabeth Wanjiru: Nawasalimu na karibuni hapa kwetu Holy Cross.

Com. Salome: Asante sana tuanzie na majina yako mama.

Elizabeth Wanjiru: Kwa majina naitwa Elizabeth Wanjiru Evans and I am a Kenyan citizen and here are my view of what I

Interjection: Com. Salome: Leta mike karibu na mdomo ili tuweze kukusikia na pia kunasa sauti yako.

Elizabeth Wanjiru: So what I hope is to have a balance Constitution of more gifted people in our country. We want a Constitution which will address itself to our education system. Although it has been dealt with, my fellow speakers, have dwelt on it, I would like to point out that our education system should be given priority above all other ministries because there has

been mass exodus of our children in Kenya going to overseas to get better education and even our neighbouring country Uganda. I believe if our education was improved so that it can reach the glory that once it held, we will appreciate that.

I will like to speak about the rights on obtaining ID. There is no law that says that an 18 year old is the one who is permitted to have an ID. I would prefer if the ID should be left open that anybody wanting to have an ID should obtain it and that also applies to travelling documents. It is really stressing that when we go for a passport, we have to use middleman and this is a government document. It should be issued just like an ID so that we do not have go-betweens defrauding Kenyan citizens from their rights in obtaining a passport. A perfect freedom, freedom of expression. In our country we feel that we really do not enjoy that freedom. That when you want to express yourself, you are either misreported and in most cases, you land in the laws and taken to court and especially in the area of the politicians. We want a complete freedom conscience and what you speak of, you speak rightly what you believe in your heart

Employment.

Interjection: Com. Salome: You have one more minute.

Elizabeth Wanjiru: Employment: We have declined in our employment and we wish our country to re-instate all the closed parastatals so that employment in Kenya could reach to our children who are leaving school this year. Also I would like to ask if we would have a welfare society for our Kenyans citizens who have rentrenched or have left employment in order to fight poverty in Kenya.

Housing: Our housing system is still not up-todate. We have our one room housing and this is a house that should be run by father, mother and children. We feel that there is no privacy for our parents. So housing system should be improved. Our health also and especially this time when Kenya, the world as a whole is suffering from the Aids pandemic which is claiming a lot of our people, medicine should be free for all and I would only just add on the justice department, that the judges who are being elected, they should be those with high quality education whereby some judges have been delivering simple verdicts and not really going through the Constitution. And I would pray that this Constitution should look into the law where the lawyer should have at least a minimum wages. They have been charging excessively to our Kenyan people. And the security in Kenya to be improved. Than you very much.

Com. Salome: Thank you very. James Kiarie? James Kiarie? Joseph Ndegwa? Joseph Ndegwa. Peter Oruki?

Peter Orubia: Kwa majina ni Peter Onyabidi Orubia na haya ndiyo maoni yangu. Kwanza on ID, national identity cards. Mimi nashindwa kwa sababu hata mimi Mteso mimi nimehangaishwa sana up to now. I am a Kenyan but I don't an ID. Kwa sababu nikienda nyumbani napewa form nyingi sana, zingine ni za yellow, zingine za pink ati uende uvetiwe huko. Yet I am a

real born Kenya. At kwa sababu Tesos are in Uganda yaani ninahangaishwa hivyo na ni corruption nyingi sana. Kwa hivyo ID should be left free. Kama mtu amezaliwa Kenya, apewe tu kitambulisho. Halafu let me come to the legislature. Mimi naona waBunge wachaguliwe kila elder mmoja mmoja kwa kila location. Juu kuna waBunge wengine wanaenda kwa Parliament kung'orota tu, hakuna kitu, wanangojea tu kuinua mkono juu kuvote kwa nini. Hawa ma-elders wakiona kama MBunge wao hafanyi kazi, wa-pass a vote of no confidence with their MP halafu wa-present hiyo kwa speaker wa Bunge. Halafu haya maneno ya kuwa nominated MPs should be scrapped.

Another thing is about local brews. Mimi nilisoma kwa sababu ya chang'aa. Mama alikuwa anatengeneza chang'aa na nikaenda mpaka secondary hivyo. Kwa hivyo this thing should be legalized hata ndio sababu tunasikia kuna high cases of gums, kwa sababu chang'aa saa zingine inasaidia magonjwa kama hayo. Uganda, isipokuwa tu labda waseme as from saa nane kwa sababu I come from the border. Uganda kuanzia saa nane you are free, you can drink vile unataka na tunaona maendeleo hairudi nyuma huko.

Okay about local authorities, wameongea sana isipokuwa ningesizitiza tu wawekewe powers zote kwa mfano if you go to Uganda, I am just picking an example like that one, unapata kitu hata kama roads hapa Nakuru town, local authority hapa ndio inahusika. Si ati pesa itoke kwa Ministry of Public Works and housing, hapana. Ya hapa intengenezwe, iwe autonomous.

About the Executive, asi-enjoy ile immunity ako nayo saa hii, akikosa ashitakiwe hivyo. Kenya should be a three party state. Vile wengine kwa sababu sitaki kupoteza time. If we come to provincial administration about the Chiefs Act. Chief mimi sioni ati wachaguliwe na watu. Achaguliwe na serikali lakini apewe transfer within the district yenye amechaguliwa nayo. Apelekwe pale na pale. Halafu kitu ya pili corruption wa police, mimi naona mtu mwenye anafanya corruption, akisha-passiwa kwa anti-corruption court kule Nairobi, penalty iwekwe tu awe hanged. Hivyo tu na watu wataogopa na watu wataogopa na corruption itaisha Kenya. She should be just be hanged whoever bora tu evidence imepatikana. Halafu about the youth. Hapa Nakuru tunafanyiwa wahindi for a very long time, hawaandiki mimi permanent, wanakuhangaisha hata kama serikali imeongezea hiyo 7%, anawahangaisha, munatusia, vitu kama hivyo. Hata mimi ningependa labda serikali kama ingeweza iteue employment bureau fulani ndio mtu labda akimaliza form four anapeleka certificate zake huko ili kazi ikipatikana kama ya serikali, kama ya jeshi, because juzi tuli-witness watu walikimbia kutoka hapa mpaka Njoro. Kurudi huku ndege inaleta watu mbilikimo tu ndio wanachaguliwa kuenda na wewe unanikimbia. Kwa hivyo wa-set a certain employment bureau isadie youths.

Halafu broadcasting license, ya mwisho sasa hiyo kwa sababu watu huko nyumbani wanajua tu KBC. Hata ukaenda ukaambia mama ni KBC, yaani waruhusu broadcasting license. Hata Contitution mostly are just in homes. Watu hawajui marekebisho ya Katiba. Wanasikia tu kwa radio lakini hawaidhinishi vizuri. Kwa hivyo broadcasting license zilipwe everywhere in the country. Ni hayo tu asanteni.

Com. Salome: Asante sana kwa maoni yako Peter Orubia. Joseph Koskei?

Joseph Koskei: Mimi kwa hayo majina ambayo umetaja, mimi ni Joseph Koskei na niko na maoni kidogo. Maoni nadhani imezungumziwa na watu wengi sana na hali kadhalika. Sikutaka kuirudia sana. Ningetaka tu kusema ya kwamba President awe ni mtu wa miaka arobaini na kuendelea, na aende terms mbili. Kuna mila za watu mbali mbali. Kama ni watu ambao tunasema tuko Kenya makabila arobaini na mbili. Kila watu na mila yao. Nadhani kwa kila mila, kulikuwa na utamaduni na vitu ambavyo walikuwa navyo. Ukiaangalia kwa jamii kama Wamasaai, wanakuwa na vitu kama visu na nini, tunataka Constitution ambayo itaundwa, iwe inalinda vitu kama hivyo kwa kila jamii. Jambo la tatu. Shule imezungumziwa na ningependa kabisa kuhimiza ya kwamba iwe free kabisa ya primary na secondary naye, mtu anaweza kuwa na watoto wawili, watatu, wanne kwa secondary. Constitution hii ambayo inaendelea saa hii iwe iwapunguzie hawa wananchi kiwango isiwe kama ilivyo saa hizi. Mambo ya VAT. VAT mwananchi anafinywa kabisa 18% na ninashindwa ya kwamba, sijui ni kwa nini hii VAT inaweka 18% hata ingeweka may be 5% angalau sisi tunajua tunalipia serikali.

Jambo lingine ni majimbo au federal. Hili ni jambo lilikuweco isipokuwa ni jambo lilitokea kidogo, likaondolewa. Nadhani majimbo iwepo na kila mwananchi awe popote alipo. Si eti kwamba ukiwa may Rift Valley au ukiwa Central, unaondolewa mbio mbio kwa sababu wewe sio wa hapo. Hapana. Jambo lingine nadhani ilikuwa imezungumzia na sitaki kurudia sana. Constitution au Sheria hii ambayo inatungwa na nyinyi Commissioners, ningependekeza kusema ya kwamba iwekwe mpaka kwa lugha kama vile Biblia inatolewa. Hilo ni jambo la maana kabisa. Jambo lingine ni Bunge. Kwa saa hii, watu wengi may be 75% au 80% hawajui kusoma na hawajui Kiingereza na hawa watu wako kwa Bunge. Hata wakiwa ndani ya baraza unasikia tu wanazungumza lugha ya Kiingereza, ukienda uko nje mtu anakuuliza walisema nini, hawajui. Kwa hivyo lugha ya kiswahili iwekwe maanani kabisa, iwe ni lugha inazungumziwa kama vile Tanzania. Huwezi iingia ndani ya Bunge uongee lugha ambayo inaitwa Kiingereza. Sijui kama ni marufuku au nini, sijajua lakini naomba Constitution ambayo itaundwa iwe inazungumzia lugha ya Kiswahili kabisa maanake ni lugha yetu na ni lugha ya Kenya na sisi ni Wakenya.

Jambo lingine ni masomo. Masomo nasikia may be uwe mpaka form four, nashindwa. Kama una kipawa cha uongozi, kwa nini nisiwe councillor? Kwa nini nisiwe mbunge na mimi nina kipawa hicho na mimi nawezatengeneza may be jambo kuliko mtu ambaye amesoma. Kwa hivyo ninahimiza hilo jambo liweko. Si eti kwamba mtu amesoma, may saa zingine mimi sikusoma kwa sababu wazazi wangu hawakuwa na pesa au nini lakini nina kipawa, ninaweza kuendeleza jambo. Jambo lingine ni kwamba kuna this jua kali. Ningeomba kabisa Commission hii, wanajuakali wote au mtu yeyote ambaye anataka kuanzisha kazi yake, iwe kama ni kitu ya ku-import kutoka sehemu za nje, isiwekewe threatening tax ili wanajuakali wa-create kazi kabisa kwa wingi. Kwa sababu hii tax inawapa wao wafe moyo au wasiendeleo na wanajuakali ndio wao wanaendelea kazi zote ambazo unaziona katika meli ya Kenya ni juakali.

Jambo langu la mwisho ni kwamba corruption iko ndio. Na kama corruption iko, ningelipendelea tu sheria itolewe na iwe jambo kabisa ya kuwekwa maanani kwa mtu yeyote ambaye ametenda kosa. Sheria imfuatilie kabisa vilivyo. Sio kwa mkubwa wala mdogo, wote wawe sawa. Langu la mwisho nitasema ya kwamba this municipality, nakumbuka miaka ya nyuma

kwa sababu ukiangalia municipalities zote, sisemi ni Nakuru peke yake, sisemi ni Nairobi peke yake. Unakuta kuna uchafu mwingi sana. Hizi makaratasi. Zamani council, ilikuwa ikotoa this mapipa. Iwekwe kila pahali. Commissioners mwaangalie hilo jambo. Jambo lingine ni kwamba mwananchi yoyote ambaye atakayetupa takataka, afuatiliwe na sheria kikamilifu. Jambo lingine nilikuwa nataka kumalizia kabisa ya kwamba, nimesikia tukiongea ongea may---

Interjection: Com. Salome: Umemaliza mara nyingi. Sasa malizia ya mwisho.

Joseph Koskei: Nimesikia tukisema ya kwamba akina mama na wanaume wawe equal. Ndio sawa lakini nitasema ya kwamba may be Mungu hakukosea. Haya mambo ya equal ni sawa sawa. Mimi ningetoa pendekezo au maoni. Naona haya ya kuoa imeleta taabu. Kwa maoni yangu nataka kutoa jambo kama ni kuoa iwe ni contract. Tuoane na bibi, kama tumeweka contract ya miaka tano, ikiisha tuongeze contract ingine. Kama ni miaka kumi, ikifika wakati huo na tunaona bado mapenzi yako, tuendeleo ya hayo jambo mengine. Nasema asante sana.

Com. Salome: Asante sana. Nenda ujiandikishe tafadhali Bwana Koskei: Gathogo Ben? Gathogo Ben? Stephen na jina lingine halionekani lakini linaanzia C na anatoka St. Francisco, ni wewe? Karibu na utuambie majina yako yote.

Stephen Tangusi: Kwa majina naitwa Stephen Tangusi. Mimi niko na mapendekezo kadha ambayo yako hapa ingawa mengine yamepitiwa sana lakini nitayaguzia. Kwanza ni juu ya haki ya uraia. Hicho ni kitu cha maana sana katika nchi. Kwa hivyo napendekeza kwamba kila mtu ambaye wazazi wake wameishi Kenya, wamekuwa kwa Kenya yaani akili yao ilikuwa Kenya, wawe raia automatic. Pia napendekeza kwamba wageni wanaweza kujiandikisha kama raia ikiwa kuna haja sana. Lakini tusiwe watu wanakaribisha wageni ovyo ovyo. Na kuna jambo linaitwa dual citizenship. Hiyo napendekeza kwamba sio nzuri katika nchi yetu ya Kenya kwa maana hiyo itasaidia sana kutoa nje mali ya Kenya kwa njia isiyofaa. Mtu akijisingizia ya kwamba yeye ni wa Kenya na anaweza kuondoka wakati wowote, kama ametenda madhara mengi. Nimesikia malalamiko sana kuhusu ID cards. Watu wengine wanasema kwamba ni ukoloni kubeba lakini ni usalama wetu kubeba ID cards katika mifuko yetu ili wakati tunapokutana na mtu na maofisa wa usalama, itakuwa ni rahisi kwetu kujitambulisha kwa sababu tunahitaji ulinzi wao.

Katika mambo ya vyama vya kisiasa, nasema kwamba vyama vya kisiasa viendeleo na ile kazi ya ku-mobilize wananchi katika mambo ya siasa na pia katika uamuzi mazungumzo katika Parliament. Pia nasema kwamba Katiba ni lazima ishughulikie vyama vya kisiasa kwa sababu kama tunapigana na rigging, tumeona kwamba rigging inaanza sana katika vyama vya kisiasa hapa nchini kwetu. Mtu anachaguliwa lakini ananyanganywa kuwaakilisha katika hicho chama wazi wazi mbele ya watu na hata saa zingine sheria haiwezi kushughulikia hiyo. Kwa hivyo tunakata Katiba ishughulikie vyama vya kisiasa, isimamie hata wakati wanafany uchaguzi wao. Pia napendekeza kwamba ile Commission ambayo itashughulikia mambo ya uchaguzi katika nchi, iwe ikiidhinisha uchaguzi wa vyama kwamba umentendeka na kwa haki ili watu watakowaakilisha kortini, iwe kwamba watu watakuwa na njia ya kuweza kulalamika kama wamenyanyaswa katika vyama. Vyama vya kisiasa, vinahitajika sana

vipunguzwe kufuatana na maongozi yao. Kama kuna vyama vya siasa ambavyo vinaenda na uongozi ambao ni sawa viungunishwe na chama moja. Pia ningependekeza kwamba kukubaliwe wale watu ambao wanataka kusimama huru bila vyama, waweze kusimama kwa maana kuna watu wamechukua vyama siasa kama ni vyao. Na mtu anapotaka kusimama, anapata kwamba ni vigumu sana kuingia kuteuliwa katika vyama. Kwa hivyo ingekuwa ni vizuri yule ambaye hakupata nafasi hiyo, aweze kujisimamia mwenyewe.

Com. Salome: Point ya mwisho.

Stephen Tangusi: Point yangu kwa sababu umesema ni ya mwisho nadhani nitamaliza haraka. Ninaguzia jambo moja ambalo limekuwa a thorn in the flesh kwa watu sana. Huu uongozi ambao watu wameita majimbo. Tunajua ya kwamba nchi yetu tumekuwa tukilalamika kwamba oh kuna maendeleo kwa sehemu fulani kuliko sehemu zingine. Mimi napendekeza kwamba kuwa Katiba ambayo itakuja iweze kuwa Katiba ya majimbo ili kila sehemu, kila jimbo lijishughulikie na kushughulikia maendeleo yake bila kuhusisha Serikali Kuu. Ila tu serikali kuu ifaidike kwa kodi ambayo itaidhinishwa na serikali ya majimbo itoe. Kuna jambo nataka kuguzia Commissioner kuhusu uhuru wa uwaandishi wa magazeti. Tunasikia hawa watu ndio wako na midomo kali sana ya kupigania haki. Lakini mwaka wa 1992, kuna community ambayo iligundua kwamba kweli hawa watu ni hatari katika maisha ya mwananchi. Kulikuwa na blackouts na unakuta magazeti yanaandika kinyume na mambo ambayo yalikuwa yanatendeka katika sehemu zao. Kwa hivyo naona kwamba Katiba isimamie uhuru wa magazeti na kama waandishi wa magazeti wanasema kwamba ni watu wa kuzungumza haki, waache hiyo Katiba iendelee kwa sababu kama wanazungumza haki kila wakati, hiyo haki itawalinda. Kwa hivyo hayo ni yangu Bwana Commissioner.

Com. Salome: Asante sana. Bw. Ndalo Raymond? Paul Kanyi?

Paul Kanyi: Asante sana Commissioners na wananchi. Kwa majina mimi ni Paul Kanyi na maoni yangu ni ya kibinafsi. Mimi ningefikiria tungekuwa na vyama viwili tu katika nchi hii. Halafu President atakayepata over 50% achaguliwe achukue uongozi. President huyo akichukua ungozi awe na kamati ambayo pengine itaweza kuwa na Chief Justice, Attorney General, Speaker wa Bunge wamsaidie kuchukua Ministers. Ministers hao watakaotoka kwa Bunge wakashachaguliwa, wawe wanaweza kuwa vetted ikiwezekana na Parliament. Wengine wanaweza kuwa walichukuliwa lakini si watu wanaofaa katika sehemu fulani au elimu fulani, waonekane ni ministers wanaofaa kabisa na ministries zipunguzwe. Siziwe nyinyi vile zilivyo, ziwe zinatoshana vizuri. Area zile zinashikana vizuri zinapewa ministry moja.

Tukitoka hapo, hii kamati ambayo itakuwa ikisaidia President katika kuteua, imsaidie kuteua vyoo vikubwa vikubwa vya serikali mpaka kwa D.C. Kazi ya serikali ikomee kwa D.C. Kutoka hapo kuwe na mkutano wa serikali na public. Public ianzie kwa chief, chief awe ni wa public na akishachaguliwa na au D.C wanaweza kupendekezwa lakini public wamependekeza watu kadhaa, serikali ichukue kutoka kwa watu hao. Yaani ichukue watu kama watatu ambao public wamependekeza, serikali ichague hapo awe chief wa area. Na chief hata asiitwe chief, kazi yake iwe defined kabisa kwa sababu development mover.

Awe public officer yule ambaye atachukua kazi ya public, kama mtu aliyechaguliwa na public na ana-coordinate public na serikali. DO aondolewe kabisa, hana kazi. Hata sasa tukiulizwa kazi ya D.O ni gani hatujui. Sasa chief naye tukiuliza kazi yake tutajua kazi yake ni kushika chang'aa, kufanya kesi ya mimba, wakina mama walioachana na bwana kijijini lakini si development. Hajui development ni nini, na hashughuliki na development, security sana sana tena hashughuliki sana kwa sababu wao ni pombe tu wanashughulikia. Kwa hivyo development iwe kwa chief, na chief awe ni mtu wa ku-coordinate raia katika mambo ya maendeleo, miradi ya kupanda miti na resources kama co-operatives za akina mama, title deeds and whatever, all these, chief awe na wazee wa kijiji ambao sehemu fulani itatoa mzee mmoja mmoja ambao pia wako kwa payroll. Walipwe na serikali. Kwa hivyo co-ordination hiyo ifanywe kwa njia hiyo, kodi nazo ziwe chini.

Com. Salome: Point ya mwisho, hiyo ya kodi. Endelea.

Paul Kanyi: Asante sana nimemaliza.

Com. Salome: Malizia hiyo ya kodi.

Paul Kanyi: Nafikiri nimemaliza. Asante.

Com Salome: Okay, asante sana. Ndalo Raymond? Grace Nasoi? Grace Nasoi?

Grace Nasoi: Commissioners na wananchi wa Nakuru, hamjambo? Yangu ningetaka kuzungumza juu ya akina mama kutahiriwa kwa sababu tunaona imeleta shida sana. Kwa sababu---

Interjection: Com. Salome: Anza na majina yako mama.

Grace Nasoi: Grace Nasoi kutoka Barut Location. Nafikiria ile memorandum Magdaline alipeana ilikuwa ya kwetu. Sasa tulisema tutazindikisha pamoja, yeye aongee halafu tuongee lakini tuliona haikukubaliwa. Sasa wakati huu nilikuwa nafikiria tutaongea juu ya akina mama kutahiriwa kwa sababu tunaona imekuwa shida sana. Kwa sababu tunaona mara kwa mara akitahiriwa lazima anapata ugonjwa. Tena wakati mwingine wale watoto wale wanapelekwa, wanapelekwa bila kupimwa, wakati mwingine unakuta watoto hawana damu, mara wako na ugonjwa kama hii sukari au ya kupandisha damu. Sasa tulikuwa tunaona si mzuri kwa sababu hata serikali ilikuwa imetangaza hitaki wasichana watairishwe kwa sababu ni unyanyazi wa akina mama. Wakina mama kwa sababu hawa watoto watakuwa wamama na wanakuwa na shida wakati wa kujifungua. Tunaona ni shida sana, mimi ni mmoja wa wakunga wa nyumbani na ninaona ni shida sana na ningetaka tu hiyo iwekwe katika Katiba ya sasa.

Pili ningetaka tu kuzungumzia watoto wetu wale wanakunywa bangi na wanakunywa pombe. Pombe tunajua kweli ilikuwa tangu zamani lakini watoto walikuwa hawatumii na wakati huu watoto wanatumia. Wanatumia pamoja na bangi na tena hata kuko vitabu vingine watu wameandika wakiuzia watoto wetu. Akisha soma hicho kitabu, anakuja kukunywa pombe na kuwa mbaya zaidi na tunaona hawa ni viongozi wa kesho. Akiendelea kukuwa hivyo, ndio tunaona atatuletea hasara. Pia ningetaka

kuongea juu ya wamama. Wakati mwingine tunakuta kama picha zinazwa town watu wa gazeti wanafanya wamama kama sanamu. Unakuta mama anasimama uchi na ilikuwa si desturi ya akina mama asimame bila nguo. Hiyo ndio ningetaka iwekwe kwenye katiba, ionye watu wa gazeti ili wasifanye hivyo kwa sababu ya wamama.

Tena ningetaka kuongea tena wakati wa election. Wakati wa kupiga kura, tunaona wamama wananyanyaswa zaidi na hata unaweza kuona mama mkubwa anatolewa nguo mbele ya watu na hapo ndio tunataka iwekwe katika Katiba tujue sisi wote kila mtu aheshimiwe na kila mtu aangaliwe vizuri. Tena hata wakati tunabeba sanduku yetu ya kura, tubebe vizuri, tusibebe kama wezi. Wengine wanaita wengine wezi na wakati huo nyinyi mkipeleka hiyo sanduku yenu mnakuwa na shida sana. Kuna wengine wanaweza kufinywa, wengine hata wanatamani hata kuchoma hiyo sanduku, na ningetaka tu iwekwe katika Katiba tujue hiyo ni haki yetu. Tukibeba, tubebe vizuri, tusiwe kama tunaiba. Tena wa akina mama pia ningetaka wakina mama vile waliongea kwa sababu ya hawa watoto wetu chokora. Tunaona kama wageni wanaingia, wanaokota hawa watoto wetu, anapeleka kwa shule, wanasomesha. Na kwa nini Kenya haiwezi kujenga shule kama hizo. Na watu wenye wanafanya kazi wanakatwa pesa na hii pesa inaenda wapi? Si ingejenga kitu kama hiyo shule? Kwa sababu tunajua haitaweza, hawa watu wa kigeni hawataweza. Wakati mtoto anakuwa mbaya, wazazi wafuate kabisa, waangalie kama ni nini? Ni wazazi wale wanakaa vizuri. Mnafikiria hawa watoto chokora si watoto wa maskini, ni watoto wa tajiri na kesho unakuta amekunywa bangi, amekunywa gum. Mbeleni ilikuwa chokora ndio anakunywa gum na wakati huu unakuta mtoto mkubwa anaanza hata kutafuta hata mali.

Interjection: Com. Salome: Jambo la mwisho mama.

Grace Nasoi: Jambo la mwisho ningependa waangaliwe wa akina mama kwa sababu wanafanya kazi kubwa katika vikundi vyao. Vikundi vyetu tunajenga tanks, tunafanya kila kitu lakini hatuna msaada wa serikali. Tungependa tu kuwekwe kwa Katiba wamama waangaliwe. Asanteni.

Com. Salome: Asante sana mama. Sarah Rotich? Sarah Ritich?

Sarah Rotich: Asante sana Commissioner na mwenyekiti. Nimeongea hapa kwa niaba ya wamama wa Baruti Location.

Com. Salome: Anza na jina tafadhali.

Sarah Rotich: Kwa mjina yangu ni Sarah Rotich. Ninataka kuongea juu ya haki ya wamama katika nchi yetu. Sisi wamama hatupewi heshima zetu katika nchi zetu. Tunataka wamama wapewe heshima zao. Tukiwa kwa matatu tunakuta ya kwamba wamama wanasimama hasa wamama wajamzito. Tena tukiwa katika matatu, tunataka haki yetu wakati tunapopanda matatu, unapokuwa pale, hii manamba unakuta anapiga piga wamama ati ingia gari mama. Na kwa nini asipige pige mwanamume ati ingie kwa gari? Hapo tunataka haki yetu.

Tena ya pili, urithi wa mashamba. Tunataka title deed iandikwe majina mawili ya mzee na wamama. Wazee wananyanyasa wamama anapotaka kuuza shamba anauza peke yake. Kuna wamama wengine ambao wananyanyaswa sana pia wakati waume wao wanapofariki. Wananyanganywa mali yake na anafukuzwa pamoja na watoto. Tunataka serikali yetu ya nchi yetu ya Kenya iangalie hayo mambo sana. Tena tunataka tuone mambo ya wasichana wetu katika nchi yetu. Tunaona wasichana wengi wanapata mimba. Wengi wao wanakunywa dawa na wanakufa. Tunataka serikali yetu ya nchi ya Kenya, iwekwe Katiba ya kwamba mwanaume anapoweka mimba msichana amuo ili tupunguze vifo vya wasichana ambao wanakunywa dawa wanapopata mimba. Pia ili ipunguze watoto ambao wanakaa bila wazazi. Pia wasichana wapate haki ya kurithi mali na shamba ya baba yake. Pia tunataka pia wamama wajawazito wanapofungwa katika gereza au cell, hao wamama wajawazito, wapewe pahali pazuri pa kulala, wapewe mattress na alale vizuri na alale mahali hakuna harufu mbaya. Pia wamama ambao wamefungwa katika jela, wapewe nguo refu ya heshima kwa maana tunaona hawa wamama wanafungwa wamevaa nguo fupi na hiyo sio mzuri.

Pia uchaguzi wa Rais: pia hata wamama katika nchi yetu wapate haki ya kusimama kama mama Rais katika nchi yetu. Pia Bunge, wamama wachaguliwe ili waweze kuwakilisha wale wamama wengine ambao wako huko chini ya grassroot. Pia katika council wamama wawekwe katika councils. Hawa councillors pamoja na – nirudie upande wa Bunge. Mbunge anapochaguliwa, afanye campaign mara mbili. Mara ya tatu asisimame tena kusumbua wananchi. Pia huyo mbunge---

Interjection: Com. Salome: Point ya mwisho mama.

Grace Nasoi: Neno langu la mwisho ni majimbo. Majimbo iweko katika nchi yetu kwa maana tunaona ya kwamba tukiwa na majimbo, sisi wamama tutainuliwa katika miradi ya akina mama na tutaweza kufaidika. Pia watoto wetu wataandikwa kazi ambayo wamehitimu, wengine wamemaliza kosi na hakuna kazi. Tunapokaa katika majimbo hao watapata nafasi nzuri ya kuandikwa kazi kuliko kuletwa mtu kutoka North Eastern, kuletwa kutoka Mombasa, anaandikwa kazi katika hapo. Tunapofanya hivyo, tutafaidika vizuri. Asanteni.

Com. Salome: Asante sana mama, sorry, pole. John Chemweno? John Chemweno.

John Chemweno: Mimi ni John Chemweno. Commissioners, nimeshukuru kupata nafasi hii kuongea mambo ya Katiba. Sana sana Katiba yaani kile kitu imeongewa na wengine mpaka naongea ile ambao mwingine ataongea. So ni kupitia juu.

Ya kwanza ni mambo ya watoto wale wanaranda randa town hata mama mmoja ameguzia hapo na mimi nitafuata hiyo tena. Watoto ambao wanaranda randa hata kuchoma ma-tyres na kukula gum, wako wazee ambao wanaenda nchi za ng'ambo na anaweza kupata wageni kwa sababu watalii wanafikwa kwake wanatembezwa town. Kutembezwa town anakuta mandambaa wa kwanza wamwambie excuse me, na wanaona ako na gum. Hii ni aibu kubwa. Ni vizuri kuchukua hatua kubwa. Hatua

iwekwe kwa Katiba wasanywe kile province, kuwekwe shule ambazo zinaweza kufundisha hawa watoto ambao wakiingizwa huko hatuwezi kuwapata katika town yetu hii ambao inaweza kuleta aibu. Ambayo hiyo sasa hata haikukuwako unaweza sema huyu ni mgeni. Katika ng'ambo hakuna hao watu. Hakuna ile kusema manamba, hakuna. Sisi hata wa kuzunguka, hakuna. Huko ni clear. Wale watu ambao wako nje wanafungiwa huko, wanasomeshwa wakipata kosi wanatoka.

Ya pili, ni mambo ya KCC, mambo ya Cereals. Ilikuwa inasaidia wananchi na inachukua wananchi kwa wingi kwa kazi. Zote zimetoka, stores zimeanguka, kama stores sijui za nini, inakuwa ya takataka tupu na walikuwa officers wengi ambao walikuwa wakifanya kazi hapo. Cereals ilikuwa namna hivyo. Hili kuleta mazao yangu ya kuuza kusomesha watoto, hakuna mahali unaweza kuuza hapo unangojea. KCC pia ambayo sisi tunategemea sisi wote imekuwa --- afadhali kampuni inaweza kusaidia sisi hivyo, inaweza kuletea sisi mapato makubwa na kusomesha watoto. Pia ya mwisho ni majimbo. Majimbo si ati kabila. Majimbo ni kutegemea mahali pesa inatoka inakuja majimbo ya central, inagawa, ya shule inafanya nini, officers ambao wameandikwa hapo, mtu kucheza kwa kukula pesa anang'olewa inauzawa kitu chake, inarudi hapo hapo tena.

Pia hata kama wanaandika watu, sisi hatutaki kabila. Mtu wa Central akuje Rift Valley lakini isisemekane wewe ni mtu wa Central.

Interjection: Com. Salome: Tafadhali zungumzia kwenye mike mzee ndio tunase habari yako.

John Chemweno: Ya mwisho sisi hatutaki ukabila. Ya pili, kama ni kuchaguliwa Rais five years anaweza kutoka. Kama wananchi wanampenda iwe 10 years. Hayo tu.

Com. Salome: Asante sana kwa maoni yako. Mr. Michael Rotich?

Michael Ritich: Asante sana Commissioners, participants and wananchi wa Nakuru.

Com. Salome: Anza kwa majina yako.

Michael Rotich: My names are Michael Cherop Rotich, mimi ndiye former Mayor ya Nakuru Municipality. I know many people have talked about the Constitutional review. I am starting from preamble. The citizens of Kenya, and the Republic of Kenya as a Supreme state, should have the rights to be protected under the Constitution of Kenya. Fundamental rights of all citizens of this country including the majority, minority, vulnerable, members of the society should be distributed equally depending on common and customary laws of respective communities. The following is my contribution to the Constitutional Review. I am starting from Constitutional Supremacy. Parliament powers to amend the Constitution should be retained. We should retain the procedure to allow Parliament to amend any part of Constitution by 65%.

Citizenship: A child born of anyone of the parents should be regarded as automatic citizen of Kenya. Any citizen of Kenya should be entitled to own freedom that is necessary for upholding of his/her human dignity.

Defence and national security: The President should remain the Commander in Chief of the Armed Forces. The Executive should have exclusive powers to declare war but with the approval of Parliament. If there is anything with war should be approved by Parliament. Recruitment of military and paramilitary as well should be done in all regions equally. The police, prisons and others should be recruited by regional authorities.

Political parties: the Constitution should regulate the formation, management and conduct of political parties. The number of political parties should be limited to four. Parties which are well represented in Parliament should be funded by the treasury.

Coming to structure and system of government. We should adopt federal system of government which executives and legislature authority is split between the Central government and Regional authority. We should introduce regional assemblies with representatives to the National Assembly.

The Executive: Where the President is to hold the office, he should be entitled to receive pension and other allowances together with such other benefits and facilities including adequate security. Office staff, travelling allowances as may be prescribed by under an Act of Parliament. The pension should be allowed payable to the President who sees to hold office and facilities and other benefits. To him shall not be valid to his disadvantage during his life and in life time.

Com. Salome: Mr. Rotich, you have one minute in which to finish up.

Michael Rotich: Yeah. Legislature, the following appointments should be vetted by Parliament: The Attorney General, the Chief Justice, the Auditor General and Parastatal Heads. Local authorities: Mayors and Chairmen should be elected directly. The minimum qualification for councillors should be 'O' Level or Equivalent. When I say Equivalent, I mean those people who are good leaders in the head. Could be even if they are under age or seven and they are very good because they are very good leaders who can lead wananchi, they can be allowed. Nominated Councillors ---

Interjection: Com. Salome: And that is the last one.

Michael Rotich: I am coming to the environment and I want to dwell on human settlement because I'm handing over this one --- without water, without better education, without medical health, roads, education. This is very important that we should diversify our services through an area. We have people coming, influx of people coming to the cities and in towns because there are no services in rural area. We need this one Chairman that we should have the services to the people in rural area.

Interjection: Com. Salome: Thank you very much Mr. Rotich, I thought we agreed that will be the last one?

Michael Rotich: Can I say that Properties Mr. Chairman that should be respected everywhere.

Com. Salome: If you call me Mrs Chairman or Madam Chair I might agree. (laugh). Finish up up with the last point. Okay, this one I was talking that properties that the individual property should be respected in every area. Even if we are in a regional government or federal system should be respected. Thank you.

Com. Salome: Thank you very much. Mr. Kaplich?

C. Kaplich: Asante sana Commissioner. Jina langu ni C. Kaplich na nataka kutoa maoni au maoni yangu ni kuhusu sheria. Wale ambao wanaiba ningependekeza wale ambao wanaiba hiyo kesi ije nyumbani ifanyiwe nyumbani. Kwa sababu mtu anaweza kuibiwa mali yake yote, na mtu afungwe au afanye ujanja uko kortini mpaka aachiliwe bure katika ujanja na ile mali yake. Kama ni mama mali yote ilikuwa yake anakosa anakuwa maskini, mali yake inaibwa yote. Ningependelea hiyo kesi ije nyumbani, iamuliwe nyumbani ili muamuzi aende kortini au huyo mwizi alipe mali maana wanachukuwa mali yote na mtu anabaki bure. Au huyo mwizi kufungwe mwaka mmoja, hiyo ni hasara kwa yule ameibiwa. Ningeomba hiyo sheria ije nyumbani.

Tena mambo yanayopitishwa na Bunge au Rais, napendekeza Rais achaguliwe na wananchi wote. Hata Mayor achaguliwe na wananchi, aende miaka tano. Nayo mambo ya watoto ambao ni chokora, ningependekeza hawa watoto wa mapipa, watoto hawa wanaranda randa maana wazazi wao wako. Huyu mtoto akamatwe aonyeshwe mahali yuko mzazi wake. Mzazi wake akikataa kuchukua mtoto wake achukuliwe hatua maana huyo mtoto alizaliwa na mtu, hakuwa peke yake, anakuwa mzigo na ana wenyewe. Kuhusu mambo ya tohara, mimi napendekeza kuna watu ambao wanaweza kutahirisha watoto wa watu bila mzazi kujua. Na hii hali ya kutahirisha hakuna msichana ambaye katika Biblia ametahiriwa. Mungu alitoa amri mwanamume atairiwe peke yake. Kwa hivyo wale wanaotahiri wasichana hiyo ni kuvunja amri ya Mungu ambayo hakupeana. Kwa hivyo tutengeneze sheria wale wa kufanya wasichana tohara ikomeshwe.

Lingine ni hali ya majimbo. Majimbo ni mazuri kuweco, maana tunaona kama mtu ako na vijana watano, wakati ameo anaenda kwake mwingine anaweza kuwa tajiri maana amefanya bidii. Mwingine anaweza kuwa maskini kwa maana amelala. Kwa hivyo majimbo kuweco, kila jimbo lijipigania kwa kupata utajiri, na hilo jimbo litaweze kuandika hata wafanyikazi au kazi inaweza kupatikana. Hali ya viwanda kama KCC au KMC au nini, serikali isaidie kiwanda yoyote ili kupatikane kazi. Kwa hivyo maoni yangu ni serikali isimamie vizuri hali ya viwanda ili kazi ipatikane. Hata kama ni loan kampuni hiyo ipewe iisongeshe mbele.

Com. Salome: Malizia mzee.

C. Kaplich: Namalizia kusema kuwa hali wanawake wanasema tume sawa au habari ya title, mimi naweza kuoia na nisiwe na title ya shamba na sasa title hiyo ikae hivyo maana mimi nilikuwa na hiyo title. Wakati nilioa yeye alinikuta nilikuwa na title hiyo? Kwa hivyo kama tunaweza kuwa sawa, alete shamba kutoka kwao title iwe yangu. Tubadilishe title deeds yenye tulitoa kwao na hii yangu na niwe na yake tena. Maana yeye alinikuta na mali hayo. Hatuko sawa maana mimi nilileta yeye kutoka kwao. Yeye ako chini yangu maana mimi nilitoa mali kuleta yeye. Kama tuko sawa, tusijenga nyumba moja huko, familia yao itoe mali ili tununue shamba tugawe katikati. Maana hiyo ilikuwa yangu, yeye amekuja kukuta mimi hapo. Namalizia hapo.

Com. Salome: Asante sana, nina swali moja kwako. Ningetaka kusikia maoni yako juu ya watoto wasichana na wavulana kurithi?

C. Kaplich: Kurithi mali kwa wasichana, ningependekeza msichana ambaye hajaolewa amebaki nyumbani, apatiwe shamba. Arithi kutoka kwa mzazi maana ni watoto ni wangu wote.

Com. Salome: Na mwenye ameolea?

C. Kaplich: Mwenye ameolewa apate shamba kutoka kwa bwanake maana akipewa shamba mwenye ameolewa anaenda na kurudi maana anakumbuka kuna kitu nyumbani. Anarudi nyumbani tena, anasumbua yule bwanake ili arudi aje akae pale tena.

Com. Salome: Asante sana, nilisika kama ulisema bibi yako alete shamba kutoka kwao. Sasa ni nafasi yako kumpatia msichana wako ndio apeleke kwa bwana yake lakini asante sana kwa maoni mzee.

C. Kaplich: Asante sana.

Com. Salome: Julius Origa? Anza kwa majina yako tafadhali.

Julius Origa: My names are Julius Origa Nyawacha. Na nina maoni kuhusu hii Constitution Review Commission. Jambo ambalo ningependa kuhimiza tena iwekwe kwa Constitution yetu ni Kenya Refugees. Talking of retrenchment. Nasema ya kwamba if an officer is retrenched this officer should go home with all his benefits to avoid unnecessary tasks which is now common to us. The Constitution should also cover an area whereby a retrenchee or anybody who has gone for early retirement, the should consider from which age to be retrenched. Because we have seen very young people go for retirement or retrenchment and are only 10 or 15 years old at work, this people cannot educate their children just because they are retired at their early ages.

When we go to elections, nomination of candidates should be strictly carried out. On aspiring candidates, looking on the conduct of this particular person because there are areas whereby one is having financial powers to squeeze his way to the Parliamentary seats or civic seats. This person if the conduct was not good, then this person goes to the council only to start

beating people up just because the wananchi did not look into his conduct. So this person cannot deliver the goods. May be he cannot even think of these people who elected him to the council or to the country.

Talking about schools, I am coming back there again just because some people had talked about it. Education: Primary education should be totally free. The other time our beloved President had talked about primary education being free but was not carried out on the call by the President may be, was not carried out just because it has not been stipulated in the Constitution may be and therefore I am also requesting this Constitution to include that, that the Constitution should allow free primary education because the economy of the country does not allow the parents to educate children in primary schools.

Com. Salome: Last point.

Julius Origa: Thank you. Secondary education. This government secondary education should also control their school fees because if they charge more it means education will only be for the rich but not for the poor. We would also want our children to achieve this higher education that people are longing for. So government secondary schools, government should also control their school fees. Talking about the---

Interjection: Com. Salome: That was the last point. Okay one minute shortly.

Julius Origa: Talking about the employment. We retrenched staff, I am one of the victims were told that we could not be employed in any government department. We had to go. I am asking this Constitution to consider that, that after retrenchment, we be given room to be employed anywhere in the public offices or governmental departments. Thank you.

Com. Salome: Thank you very much, please register with us. Samson Ombasa Ondieki? Simon Chege?

Simon Chege: Asante sana Commissioners. Naitwa Simon Chege na nafanya na chama cha washonaji. Mwanzo ningeomba kwamba Katiba ambayo tunayounda iweze kutoa uhuru wa umilikaji wa silaha kwa sababu ya shida ya usalama ambayo tuko nayo katika sehemu zetu especially katika huu mkoa wetu. Ningetaka pia Katiba itoe haki iweke Tume ambayo itakuwa ikiaangalia mishahara ya watu wote katika nchi hii kwa sababu tunaona mishahara ya chini ni elfu tatu na ya waBunge wetu na wengine ni zaidi ya elfu mia sita. Pia tungeomba Katiba ile iweze kutoa haki za kimsingi bure kama usalama, madawa, elimu.

Pia tungetaka Katiba itupe uwezo wa kiuchumi especially kwa wafanyi biashara wadogo wachuuzi, wakulima. Pia waweze kupewa mikopo ya kuweza kusongesha biashara zao. Tungeomba pia Katiba iwe na kifungu cha kulinda yenyewe. Kama ni jeshi iandikiwe jeshi lake maanake tumeona wabunge wetu wanaipora pora wakati wowote ili waweze kujinufaisha hao wenyewe. Tungetaka iwe na ulinzi wake ambao unakuwa katika kifungu chake chenyewe. Tungetaka pia Katiba hii iwe na uwezo wa kulinda mila zetu, desturi zetu na pia iweze kulinda mazingira. Tungeomba pia Katiba iwe ina uwezo wa kulinda

viwanda vyetu hapa nchini. Tunaona bidhaa zinamwagwa hapa ambavyo viko substandard, tunaona pia wafanyikazi wanamwagwa hapa ambao ni substandard, tunaomba Katiba ilinde ili viwanda vyetu vikuwe. Pamoja na hiyo iweze kulinda kazi zetu sababu tumeona juu wakora wanakuja wanaandikisha kwamba wanaandika kazi, baadaye inaakuwa kazi zile ni za bure. Zaidi kuwe na ulinzi wa hizo kazi ambazo tuko nazo.

Pia tungeomba Katiba ile iharamishe unyakusi wa ardhi na misitu ili mnyakuzi anaweza kuchukulia hatua hata kama ni ya kufungwa iwe ni crime kuweza kunyakua sehemu zetu na misitu yetu. Tungeomba pia Katiba ile iweze kuweka uhuru wa Kufanya uchaguzi na iwe siku moja ya Rais, siku ingine ni ya waBunge, siku ingine ni ya councillors na kura zihesabiwe katika mahali ambapo kura inafanyiwa. Tungetaka pia Katiba inayozuia pastoralism katika siasa. Sijui tunaiieleza aje ya kwamba mwanasiasa huyu yuko chama hiki, mara yuko huku, mara yuko kule. Inaonekana kwamba hana misimamo. Iwe kama ni mwanachama wa chama kimoja akae pale katika ubaya wake na uzuri wake. Isiwe ni ukora ukora hapa na pale ambao tunakosa, sijui kama wananchi tunakosa msimamo wa viongozi wetu. Tungeomba pia Katiba yetu ihakikishe kodi zile ambazo tunatoa inaambatana pia na huduma. Kuliko tunatoa kodi lakini tunakuta karibu huduma zote hakuna zile ambazo tunaweza kuzipata. Tungeomba---

Interjection: Com. Salome: Jambo la mwisho.

Simon Chege: La mwisho tunaona kwamba ni kama kuna confusion. Tuna hii Tume ya Katiba, kuna Tume ingine ambayo inaangalia mambo ya mashamba, tuna ingine ambayo inaangalia mambo ya mashamba, tuna ingine ambayo inaangalia sheria za labour. Tunaona kwamba kuna mtu ana-confuse mwingine. Tungetaka kama ni hii Katiba tuangalie Hii Katiba ambaye inalalia zile zingine zote. Pia tungesema kwamba mahakama na Executive ziwe separate katika jukumu zake. Pia ya mwisho nikimalizia ni ya maana sana.

Interjection: Com. Salom: Hiyo point ya pili pia ya mwisho:

Simon Chege: Ya mwisho ni kwamba tujue ni nani ana-sign agreement za kimataifa, kwa sababu Katiba yetu haijasema tukiwa tunataka ku-sign agreement na Uganda au America haijasema kwamba ni nani ambaye anastahili kuweka kidole agreement kamba hiyo.

Com. Salome: Asante sana, jisajilisha. Asante kwa maoni yako. Wilson Arap Sang?

Wilson Arao Sang: Asante ma-commissioner, tunasema karibu Nakuru, tusaidie kwa hayo majadiliano yangu na maoni yangu ni kuhusu---

Interjection: Com. Salome: Anza na majina yako mzee. Anza na majina yako.

Wilson Arap Sang: Jina langu ni Wilson Arap Sang, Kaptembo village. Asante kwa kunikaribisha kwa kikao hiki. Maoni yangu ya kwanza ni kuhusu mBunge yeyote katika chama chochole. MBunge huyu ameanza kutumia kitu ambacho hawezi kuambia wananchi, nitafanya hii, nitafanya hii. Na kwamba hata yeye anajua hawezi. Kwa hivyo tungeweza kupea wananchi ambao huyu mBunge, kama hawezi kufanya kazi aondolewe na wananchi wenyewe kwa miaka miwili. Kwa sababu wakati yeye anadhaminiwa kutoka Nairobi kuambiwa, tungetaka ile barua anasoma, anajua yeye mwenyewe kama hawezi kufanya kazi kwa hiyo miaka, aondolewe haraka iwezekanavyo. Kwa sababu mambo mengi imezorota juu yake.

Ya pili ni kuhusu uchaguzi wa Rais. Rais achaguliwe mtu wa miaka arobaine na tano, awe ni mtu wa elimu, na ni mtu anaiona vizuri na huyu hakunywi pombe. Mtu mwenye hakunywi pombe. Huyu Rais ningependa achaguliwe katika Kenya hii yetu, tumechaguana kwa kirais kwa miaka thelathini. Tungetaka kuwe na Prime Minister katika hii serikali kwa sababu cheo kubwa inatuunga katika office ya Rais. Kwa hivyo tungetaka serikali ambayo itaundwa iwe na Prime Minister.

Ya tatu tuwe na majimbo lakini si ya ukabila. Ya kufanya kazi na kupendana kwa sababu pesa ya sehemu fulani inachukuliwa kila wakati kupelekwa Nairobi, ukiuliza unaambiwa iko kwa treasury na kumbe imeenda kufanya kazi ingine. Na kule sehemu ile hiyo pesa inatoka ni maskini, haijatengenezewa hata barabara. hiyo serikali ya majimbo ichugwe kwa kazi yake pesa hizo zake ifanye kazi sehemu yake. Tutengenezewe barabara, itengenezewe hospitali.

Com. Salome: Point ya mwisho mzee.

Wilson Arap Sang: Swali la mwisho ni kuhusu office ya administration. Hii office ya administration ya mtu anaitwa DO hafai kukaa. Ni chief anatakiwa kupewa mamlaka, anajua vile watu wanaumia huko kijijini, anajua shida ya maskini, anajua nani anaumia. Lakini huyu mtu anaitwa DO, anakaa office azungumza maneno tu ndani ya office. Haitoki kwa PC. Nataka maneno itoke kwa chief direct kwa DC. Nimalize mara moja. Huyu mtu anaitwa DO hafai kwa serikali ya wakati huu.

Neno langu la mwisho Commissioner ni watoto ambao wazazi wao ni maskini. Tunataka serikali kuu katika idara ya administration ya education ichukuwe kuichunguza kupitia chiefs ni nyumba gani maskini katika mashambani. Huko mashambani watu wamepotelea hakuna mtu anajua. Tunataka kupitia kwa chief mikononi iweke idara ya education, isomeshe hao watoto. Kuna watoto wengi maskini na ni werevu zaidi wamepotelea msituni. Tungependa serikali kuu ichukue tender za kazi ya hiyo idara ya hao watoto maskini kuliko kupitia mia moja na haifiki. Kwa hayo asante sana Commissioner.

Com. Salome: Karibu sana. Dickson Leitich?

Dickson Leitich: Asante sana Commissioner na wananchi kwa jumla. Langu kwa majina naitwa Dickson Arap Leitich, natoka upande wa Barut. Maoni yangu au main points ni kuhusu uraia/citizenship. Uraia katika Kenya yetu tujivunie na tujue

tuko Kenya na hiyo ni Kenyan citizen. Pointi ya pili ni federal system of government, majimbo. Hii majimbo itatusaidia tukiunda hii serikali kwa sababu yake ile kodi tutakuwa tukilipa, itatusaidia kwa maneno ya shule mabarabara na tena jobs au employment. Na kitu kingine ni dispensaries na hospitals. Kwa hivyo tukiwa na hii system of government itatusaidia. Tena hii majimbo si ya ukabila, ni ya wale watu wanaishi hiyo sehemu, itawasaidia. Watakuwa wakitoa kama kodi na wakigawa kwa government au government wakirudisha nyuma watafaidika katika maneno ya schools na tena tukipata katika donors.

Halafu lingine au point ya tatu ni kuhusu President. President wetu atakuwa akichaguliwa na raia wote kwa jumla. Na huyu President awe na miaka hamsini na kwenda juu. Na tena vile tuliona, a-rule au should rule for two and half years terms in power. Yaani akae kwa miaka miwili katika uongozini. Na vile tuliona kwa maoni yetu tuliona wake hawezi kujiongezea mwenyewe. Mshahara au beneficiaries itakuwa ikizungumziwa na Tume iliyochaguliwa yaani special appointment Commission. Kuhusu maneno ya MPs maoni yangu au maneno yetu tuliona should be in fulltime occupation and their salaries to be discussed by special appointed Commission. Mshahara wao izungumziwe na ile tume wamechagua kwa sababu wakifanya wenyewe au wakijizungumzia wenyewe watajiongezea pesa zaidi. Kwa hivyo tumeona izungumziwe special appointed Commission.

Point ya tano ni kuhusu Mayors and councillors. Vile tuliona katika Mayors na councillors tuliona wawe na miaka miwili katika ofisini na tukiona kama haifai tunaweza kuitana na tuondoe tumuweke mwingine. Na hapo tuliona awe na qualification ya form four level, awe na B+ na awe na a wisdom knowledge. Tuliona awe na qualification kama hizo. Na tena ya mwisho sitaki kuchukuwa nafasi kubwa kwa sababu wengi wameongea, niliona majimbo is the best ruling government. Kwa mfano tunaona kama nchi za USA, tunaona wanaongozwa kwa njia nzuri. Tukaona tena nchi zingine kama Canada, kama German, na India, tunaona wanaongozwa kwa njia nzuri. Kwa hivyo majimbo is the best ruling government. Asante.

Com. Salome: Asante sana Mr. Leitch, tafadhali jisajilishe. David Mutahi?

David Mutahi: Now these are my views though some of them have been repeated.

Com. Salome: Please tell us your names.

David Mutahi: My names are David Mutahi. So I am starting with system of government. We should adopt a federal or majimbo system of government and these are reasons. That if majimbo system of government is adopted, the services are brought nearer to wananchi.

Number two, the natural resources available at each state that is jimbo will benefit the members of that stage. And then another immediate advantage of majimbo is it motivates people of that particular state and this one will make them to have a sense of belonging, and in this case now can develop their area. Then there would be no don't care attitude among the people of that particular state and this is environment and natural degradation could not be there. We have seen federal government working

very well in the first world countries like USA.

I now move to Provincial Administration: provincial administration should not be scrapped and in this case the office of the PC, DC, DO and Chiefs should be there. But may be a different point to add on that is the wazee wa mtaa should be included in the administration. And when we talk about wazee wa mutaa, it should not be men alone. We should consider gender issues and in this case women should be included in the wazee wa mtaa.

We move to Legislative: Being a Member of Parliament should be a full-time occupation. And the people or electorate should power to recall their MPs considering these points: that if the MP has not fulfilled the pledge he gave to wananchi during the campaign, then he should be called when he has serve for two and half years after election. If the MP has not promoted any development in his area, then the electorate should have power to recall the same. An MP to lose his/her seat if a vote of no confidence is made by 75% of the electorate.

Com. Salome: Last point.

David Mutahi: I am moving to Executive. The President should serve for a term of two years that is five five. Removal of the President. The law should provide for the removal of the President of the following grounds: insanity, senility, chronic illness which may make him or her not to deliver well, bad morals e.g corruption, nepotism, tribalism, racism and unaccepted sexual behaviour. A President should also be an elected member of Parliament and should have attained or reached 'O' Level with a pass not a fail.

Lastly such important resources like electricity, water and others which are important to common mwananchi, should be provided free or at low cost and this one I think will reduce poverty in our country. If somebody is evicted from his land because there are some minerals, then this person should be compensated or he should have a share of 50% of the mineral being excavated from that area. For example the tinestelium mining at the Coast.

Com. Salome: Thank you very much. Justus Mwangi?

Joseph Mwangi: Mimi naitwa Joseph Mwangi, chairman ya tradition dancers Nakuru Municipality. Mimi naonelea Katiba ya Lancaster House ilihusu watu wengine na wengine haikuhusika nao. Hasa upande wa mashamba. Mashamba wako watu wengine hawakuhusishwa na hiyo Katiba ya Lancaster House. Kwa hivyo ningependa mashamba yale, wale walinyakua yale mashamba yale makubwa, na hawatunii ipewe wale wenye hawana makao.

Pili mimi naonelea Rais mpaka Councillors wanaandikwa na sisi. Kwa hivyo akikosa arudishwe kwetu tumfute. Kwa sababu mtu akiandikwa. Yule amemwandika ndiye humfuta. Ya mwisho ni kuhusu hizi pesa hizi za mkopo. Pesa hizi za mkopo watu

wengine tunabaguliwa sana. Zinapewa mabwana wakubwa wenye tumbo. Tungependa kwa sababu sisi ni Wanakenya na tuna namba za kipande cha Kenya, turuhusiwe kwenda kukopa pesa katika bank bora tu tuchukuliwe namba ya Kenya na sisi wote ni Wakenya. Mimi ni hayo tu sina mengi.

Com. Salome: Asante sana, jilandikishe tafadhali. Thomas Menge? Thomas Menge? Michael Owuor Makadera?

Michael Owuor: The Commissioners, ladies and gentlemen. Kuhusu hii Katiba ambayo tumengoja---

Interjection: Com. Salome: Tafadhali anza na majina yako, umetueleza?

Michael Owuor: Oh sorry. My names are Michael Owour Makadera. Kuhusu hii Katiba ambayo tumengoja kwa muda mrefu, nilikuwa napendelea iwe ime-accommodate properly the office of the Prime Minister, Ceremonial President and their duties.

Government: tuko na PC, Provinces. Instead nilikuwa napendelea tuwe na governors instead of PCs and instead of provinces we have states. I call these leaders who should be dully elected. Government. Mimi ningependelea tuwe na serikali ambayo inasimamia proper management of resources, equal distribution of the same resources and that is majimbo. All Mayors and their deputies should be well placed by the new Constitution and should be duly elected by the wananchi. Also the Chairmen and their deputies for the County Councils should be duly elected by the wananchi. Now wakati Kenya ilileta system ya sales tax, mimi ningependelea serikali ya Kenya itoe elimu ya bure mpaka kiwango cha degree ya kwanza. Pili kuhusu hiyo, ningependelea matibabu iwe ya bure au kama ni malipo mwenye anahusika kwa gharama yake ya matibabu awe akilipa 10% of the cost. Pia ningependelea katika nchi yetu ya Kenya, sisi ni wakristo watu ambao wanamcha Mungu, wanapenda Mungu. Mimi kulingana na maandishi katika Biblia Deutronomy 22:5 ambaye inasema, mavazi ya wanawake iwe ya wanawake, na ya wanaume iwe ya wanaume. Kwa hivyo ningependelea bila kutaja mengi kutoka Biblia, nguo kama hizi long trousers badala serikali ikataze kutumika kwa shule, iwe isitumike hata kidogo kwa sababu haionyeshi heshima na pengine ina kasoro kwa mtu ambaye anamcha Mungu.

Mwanamke kwa upande wa ardhi na watoto wawe na uwezo sawa kwa ardhi ya bwana. Kugawa ardhi na mali nyingine kawaida kwa kuelewana kwa wenye wanahusika chini ya kiti cha bwana kulingana na kimila ya watu mbali mbali. Tohara kwa wasichana ikome na ikome kabisa kisheria kwamba ni hatari kiafya wakati mwingine. Asante.

Com. Salome: Asante sana, mimi nina swali moja kwako. Sijui kama nimekuelewa vizuri. Umesema wanawake na watoto wawe na haki sawa kwa ardhi. Ndivyo vile umesema?

Michael Owour: Oh asante. Hapo sana sana iwe upande wa wanaume kwa sababu ikiwa wasichana watamiliki ardhi kutoka

kwa wazazi wao na baada ya kuolewa bado atapata ingine ile itampatia nafasi ya kupata Land share kiardhi. Tena hatari nyingine ni kwamba wakati mwanamke amepatiwa ardhi kwao, hii kwa njia nyingine inaweza kueneza umalaya kwa sababu pengine badala ya kuolewa, atasema mwaka huu wacha nilime hii shamba letu nipate pesa. Na vile inasemekana every woman need a man. Hii italeti shida.

Com. Salome: Hayo ni maoni yako na nayapa heshima zake, asante. Jiandikishe. John Talam? John Talamu? Samuel Chepkwony? Anza kwa majina yako tafadhali?

Samuel Chepkwony: Majina yangu ni Samuel Chepkwony na ningetaka tu kuongea au kusema, point ya kwaza ambayo nitasema ni kuhusu mashamba. Katika hii nchi yetu ya Kenya, tuko na watu wengi ambao hawana mashamba ambao tunawaita squatters. Na mimi nilikuwa naonelea ya kwamba katika hii nchi yetu ya Kenya, hatungekuwa na watu ambao ni squatters kwa sababu katika Kenya kuna mashamba makubwa. Ningetaka kusema hivi: kuna watu ambao wana-own mashamba makubwa, wako na mashamba makubwa zaidi. Unasikia mtu mmoja ako na karibu hekari karibu 5,000 na mimi ningesema ya kwamba katika sheria hii ambayo tunatunga sasa, ningenelea ya kwamba mwananchi ambaye atakuwa na shamba kubwa katika Kenya, iwe kama 50 acres. Hiyo ni shamba kubwa kabisa tuseme ni shamba ya mtu mkubwa for example President. Asiwe na shamba over 50 acres. Halafu tukikuja kwa squatters, kila mtu anaweza kuwa na shamba not less than one acre. Kwa sababu sasa tukishagawa hili shamba, kila mtu atapata shamba. Hatutakuwa na watu ambao wanakaa bila shamba. Vile vile nikiwa bado kwa mambo ya shamba, ninasema ya kwamba title deed ya shamba iwe na jina la bwana na bibi. Kwa sababu kuna mambo inafanyika. Mzee anaenda anakopa pesa kwa bank. Anashindwa kulipa, hilo shamba linakuja linauzwa. Je si tumeweka hiyo familia taabu kubwa sana? Ikiwa kama mama na mzee wanawekwa kwa title deed majina yao mawili, mzee peke yake hangeza hiyo shamba. Angeshauriana na watoto na mama ili wafanye hilo jambo.

Tena mambo ya Mayor katika nchi yetu ya Kenya. Mimi naonelea ya kwamba Mayors wachaguliwe na wananchi, kwa sababu tumekosa viongozi wazuri kwa sababu ya corruption. So, ni vizuri wananchi wawachague.

Interjection: Com. Salome: Neno la mwisho.

Samuel Chepkwony: Madam Commissioner, ninakuja sasa mambo ya ukulima. Mambo ya ukulima tunajua ya kwamba hii Kenya yetu inategemea ukulima sana na ningesema hivi: serikali ingesaidia wakulima kwa loans ili waendeshe shamba, yule ambaye interest ni ndogo. Na vile vile kuna huu wakati wa drought. Kiangazi ikikuja, mkulima amelima shamba amemwaga pesa zote chini na hiyo mimea haikumea kwa sababu drought. Serikali ifanye compensation au alipe huyo mkulima kwa sababu ile chakula ingeingia ingesaidia nchi nzima. Madam utaniruhusu niseme jambo moja tena. Ninakuja katika mambo ya President.

Mimi ninaonelea ya kwamba ya kwamba President achaguliwe na wananchi, President awe mtu wa miaka arobaini na asizidi 65 years. Vile vile President asiwe ana-appoint ministers. Ministers should be elected by MPs.

Com. Salome: Asante sana, tunashukuru kwa maoni yako. Tafadhali jilandikishe. Julius Omondi? Julius Omondi? Murei David? Njau Kuria? Charles Kimani? Gisla Awour?

Gisla Awour: Kwa majina mimi naitwa Gisla Awour, mimi ni Mkenya. Maoni yangu ambayo ningependa kutoa kwanza ni kuhusu women rights and the groups ambazo zinahusika na hizi women rights. Kwa wakati huu ambao tuko Kenya, ninaona ni kama tumepotea kidogo kuhusu hizi women rights. Haki za akina wamama. Haki hizi ni kama zinapoteza nchi kwa sasa kwa vile wamama ambao wanahusika kwa kuongoza wamama wenzao kwenye haki hizi kwa kusema ukweli hawaongozi wamama. Wanaongoza nia zao za kiuchumi kwa maana hata ukiwakaribia hata kama ni wamama wanapigania haki zako kwa kusema ukweli hawana haja na wewe ukiwa mwanamke. Wako na haja na yule ambaye aliwapa hiyo kazi ambaye ni mwanamume. Kwa hivyo kwa sasa hawawaakilishi wanawake. Wanawaakilisha wanaume ambao waliwachagua, wengi wao ni wanaume wao ambao huwa wanakutana nao wakati wa jioni lakini hawawaakilishi wanawake kwa kusema ukweli. Nimekuwa na experience nao.

Kuhusiana na haya mambo ya gender pia, kuna mambo ambayo inaitwa Affirmative Action ambayo inamaanisha mtu apewe tu nafasi ya kuwa pale kwa uamuzi kwa sababu yeye ni mwanamke. Hiyo point mimi nimeikataa. Kwa nini? Kwa maana wale ambao kwa sasa wako hapo, ambao wanataka hiyo Affirmative Action ipitishwe, sio wamama ambao wamechaguliwa na wamama. Ni wamama ambao wanataka waendeleo kuwa hapo, kwa sababu wako na uhusiano mzuri na yule mwenye yuko hapo, waendeleo kuiba pamoja. Kwa hivyo kwa sasa Affirmative Action I am not for it. Let these women go to the field and let them be elected and not appointed. Hiyo appointment ina-encourage corruption and theft. As you can see right now I have a life experience of the Affirmative Action in the 3Cs of the Nakuru Town Constituency. Hawa wamama ambao waliwekwa kule kwa sababu tu ni wamama, si kwa sababu walichaguliwa, kwa kusema ukweli wanapoteza wananchi. Hawakuchaliwa na wananchi. Uliwekwa tu kwa sababu wewe ni mwanamke na hiyo kwa kusema kweli inamaanisha ya kwamba wanawake are less of human beings. So they are just supposed to be given positions and as they are getting these position illegally actually they are misleading the nation. They are not assisting the nation in any way.

Let these women go to the field and let them be elected right from the field by those women who are there. Hata nimeona wanaume wengi wanasema ya kwamba mara hata sio wanaume, hata mimi nikiwa mwanamke familia nyingi siku hizi zimevunjika na ni kwa nini? Kwa maana hii maneno ya gender au women rights, gender doesn't mean women anyway but haya maneno ya gender haieleweki kwa sasa. Na wale ambao wanaingilia huko wanaingia tu kubomoa nchi. Wacha tufikirie kwanza. Kama hatujasema mama apewe tu nafasi, apewe tu kwa sababu ni mama, hebu tufikirie our future as a nation because currently the women leaders who are there, are not even married, they are divorcees, wako na picha mbaya ya nchi na in future do we just want women with children from the laboratories or from fathers. Because wakati huu tukiendelea na hayo maneno kama vile tunaona the women leaders, most of them in fact I think seven out eight are divorcees. Na wako na watoto ambao kila mtu ako na baba yake. Sasa what is this Affirmative Action, are we for unity or division? These are foreign ideas that we need to check seriously. We need to look into these foreign ideas. Tusikubali tu kitu kutoka kwa mzungu. Hiki ni kitu cha

kutoka kwa mzungu, hebu tuichunguze.

Interjection: Com. Salome: Your last point.

Gisla Awour: Last but not least, I would just like to say---

Interjection: Com. Salome: Excuse me, your last point.

Gisla Awour: Okay. Let Mass Action be legalized. Pia kitu ambacho ningependa kusema mwisho, agriculture is the most important section of this economy. Let it be revised because right now we believe that the computer course is the most important. What is so important, is this a computer or mahindi? What is important? A computer is just something like blueband. A computer is not actually more important than agriculture. Let agriculture be revised and those who killed it and who killed KCC and etc, let us be given the opportunity to get those people and eradicate them from leadership.

Com. Salome: Thank you very. There is a question for you. Keti kuna swali kwako.

Com. Raiji: Gisla Awour, yes you have said that you are opposed to Affirmative Action and we respect your view, but right now in the Kenya Parliament I think there are very few women although women are supposed to be 50% of the population. Are you satisfied that the Parliament with so few women is able to take maslahi ya wanawake wote, au labda uko na njia ambayo ungependekeza ili tuwafanye akina mama wengi zaidi waingie kwa sababu hata hao wako na haki kama wengine kuongoza?

Gisla Awour: Nafikiri ningeweza kusema kuhusu hapo kwa vile tunaishi na wanaume and we need them seriously. We need to educate the men about what we think and the only issue that is there, hawa wanaume tukiwafunza kuhusu sisi wanawake what our problems are and we discuss with them, genuinely discuss with them, not without them, with them. Actually once he goes to the field for voting, they will vote for us. Lakini hiyo ya kupewa tu kwa sasa, wale wamepewa sio wanawake wazuri na hawawezi hata kutuwaakilisha. Hata kwa sasa kule Bungeni, hawawakilishi wamama. Wanawakilisha wale wazee ambao waliwachagua na sio wamama.

Com. Salome: Kariuki Gikunya?

Kariuki Gikunya: Hamjambo ma-commissioners? Asante sana. Mimi nafikiria yuko mtu anaitwa mchawi na huyu anaitwa mchawi hamjaweka kwa Constitution, mtafanya yeye nini?

Com. Salome: Tafadhali anza na jina lako Mzee. Anza na majina yako.

Kariuki Gikunya: hakuna.

Com. Salome: Anza na majina yako.

Kariuki Gikunya: Oh okay, mimi naitwa Kariuki. Nilikuwa nafikiri wewe umekwisha elewa kwa sababu uliniita Kariuki Gikunya. Mimi ni Kenya elders peace union support government. Basi kwa hivyo ile mimi naona tuko na shida kubwa sana. Watoto wakona mzee ako na nywele nyeupe, wanafikiri huyu mzee ni mzee wa maana na kumbe mzee huyu ni mwizi anaenda kufundisha yeye maneno ya uwizi. Ikiwa ni mshahara anaenda kufundisha mtoto maneno ya mshahara. Akiwa ni malaghai, anaambia mtoto ‘piga watu ndio wakuogope. Sasa hiyo anavunja heshima ya nchi hii. Kwa sababu mtoto mwenye adabu njema, analeta sifa nzuri kwa wazazi wake na serikali wake. Kwa hivyo nitazungumza maneno mengine hapo. Watu wengi wanasema maneno ya majimbo. Majimbo ni mazuri sana lakini watu wakikosana, majimbo inakuwa oven ya kuleta vita kwa sababu silaha itawekwa jimbo hili. Neno lingine kukiwa na njaa kama huko Somali pahali pa Njagarau. Watu hao hawana chakula. Wakiwa wamekosana na watu wa Kitale pahali kuna mahindi wananyimwa chakula. Sasa majimbo iko faida gani? Iko faida gani ndio mimi nauliza nyinyi? Kama ni kitu haiwezi kukusaidia, nyuma itakuletea taabu. Iko faida gani?

Interjection: Com. Salome: Mzee wewe unakuja kueleza sio kutuuliza ---

Kariuki Gikunya: Tafadhali mama mimi nauliza swali kwa sababu panapo ukweli uongo hujitenga. Nasema haki mimi ni mzee, mimi siwezi kuona kitu ikienda mbaya niseme ni mzuri. Mimi siwezi ku-promote kitu mbaya. Haya maneno mengine, mnaongea maneno ya President. Wakati huku watu walitumwa kwa Jesse, nenda mchague mtoto yule atakuwa kiongozi au mfalme. Kulitoka watu wanono na watu wazito na watu wanono nono na watu wakubwa lakini mafuta hayakuyayuka pale. Kwa hivyo waliimuuliza, wewe hakuna hata mtoto mwingine? Kukapatikana mtoto mwingine anaenda kuchunga mbuzi mbugani. Na mtoto yule aliyeyusa ile ubani kwa sababu alikuwa akitakiwa ndio alikuwa anatakiwa na Mungu. Basi, uongozi huu, Mungu ndiye atatuteulia kiongozi bila fitina wala chuki kwa sababu ikiwa tuna fitina na chuki hatutajisaidia wenyewe. Wakati mwingine watu waliambiwa maneno ya vyama vingi, walikuwa wanasema vyama vingi ni vizuri sana. Lakini sasa wanalia vyama vingi vibaya sana. Kweli---

Interjection: Com. Salome: Mzee, tafadhali malizia.

Kariuki Gikunya: Basi asante, moja tu. Sasa maneno mengine nitakayosema ni mfikirie ya kwamba divide and rule, usikubaliwe kutawanywa kama vipande. Na neno la mwisho kabisa ninasema hivi: watu wale wanataka kuwa Parliamentary wasigawanye watoto. Watoke na kundi pande, na kundi lingine pande hii kupiganisha wananchi kwa sababu hapo lazima mwananchi ataumia. Wakae huko, wakae kama kiwanja moja, wasimame mmoja mmoja na sisi wenye kuwachagua tunaona wewe una ukweli, tutakuchagua. Lakini kwenda kuleta kundi pande hii na kundi lingine pande hili, kuja kushindana na umewapa watoto wa mapipa chang’aa na bangi hawana akili kamili wapigane, hiyo nimekataa nikiwa Kenyan elder.

Com. Salome: Asante sana mzee. Daniel Lukoye?

Daniel Lukoye: Asante sana Ma-commissioners pia wananchi ambao wamewahi leo kutoa maoni. Kwa majina naitwa Daniel Lukoye Kombo. Mimi ni mechanic. Nikianza na governance yaani uongozi wetu, mimi kwa maoni yangu nataka tuwe na serikali ya mseto yaani coalition government na tuwe na vyama visiyozidi vitatu. Kile chama kimepita kiwe kina Raisi, halafu Rais awe anachagua mawaziri kutoka kwa kila chama na kila chama iweze kutoka majina ya wale ambao watakuwa mawaziri ili tuwe na serikali kama hiyo. Point ya pili ningesema kuhusu upande wa Jua-Kali kwa sababu mimi ninafanya huko. Ningependelea serikali ambao iko iweze kutilia maanani sana upande wa Jua-Kali ili tuweze kupewa misaada na kusaidiwa na serikali hata tuwe tukipewa loan. Ukiaangalia kwa hivi sasa, kuna foreigners wengi kwa upande Jua-Kali hasa upande wa garages. Hao wanaendelea vizuri lakini ukiaangalia sisi wenyeji ambao ni Wakenya hatuna kitu. Unapata yeye anaweza geuza magari hata kumi kwa siku, anageuza magari kama nguo na yule Mkenya ambaye engine yake, hata baiskeli hawezi nunua. Sasa hii upande wa Jua-Kali inatumiza sana. Tuweze kusaidiwa na serikali ambayo itakayokuwa ikiongoza.

Hoja ya pili, ni kuhusu mambo ya magereza yaani prisons. Kuna rafiki yangu juzi niliweza kumtembelea huko. The state of Kenya prisons ni ya kushangaza sana. Inatakikana ziwe improved na ziweze kutengenezwa na hata ukienda kuona mtu wako, uweze kupewa nafasi nzuri ili uweze kuwasiliana naye. Tusiweze kufanywa kama sisi ni wafungwa na pia ile sherehe ya kuweka mtu siku kumi na nne. Kuweka mtu remand, yaani kama anangojea muda. Sasa iweze kupunguzwa hadi siku moja au mbili. Mtu akishikwa aweze kupelekwa kortini mara moja. Sio kungoja kwa remand kwa siku kumi na nne.

Ya mwishi ni security. Wale askari tunao wanatusumbua sana na mimi naona ile shida iko ni kuhusu mishahara yao. Ikiwa serikali yenye iko itawaongezea mishahara hawataweza kusumbua sisi wananchi wa kawaida kwa sababu ikitembea usiku hata iwe saa mbili na nusu, wanakusimamisha. Kama huna pesa kuanzia shillingi hamsini au mia, huwezi pita. Lazima utoe hata ukiwa na kitambulisho. Wanasema lazima unajua kazi yetu na hii baridi inatupiga, lazima utoe kitu kidogo. Hiyo pia iweze kurekebisha na serikali itakayokuwa. Mambo ya kazi, hiyo ndio hoja yangu ya mwisho. Employment: serikali itakayokuwa iweze kupea mtu kazi kulingana na ujuzi wake. Mtu asiende tu kuokotwa kwa sababu ni ndugu yangu au ni cousin yangu na unampea kazi. Hiyo ndio imefanya sector mbali mbali za Kenya kuweza kuanguka na mali mingi kwa sababu tuliandika watu na serikali ambayo iko kulingana na kikabila na kiukoo. Tuweze kuwa na umuhimu na tuweze kupea mtu kulinga na kazi yake na masomo.

Com. Salome: Asante sana, jiandikishe. James Chiru Mungai?

James Churu: Kwa majina naitwa James Churu Mungai. Maoni yangu iko namna hii. What should be included in our new Constitution, any elected leader President, MP, councillor etc

Interjection: Com. Salome: Peleka mike yako na mdomo ndio tukusikie.

James Churu: What should be included in our new Constitution? Any elected leader, President, MP, Councillor, etc involved in stealing public money or involved in a scandle should cease to be a leader and never to be elected any more and be prosecuted and money recovered through selling his/her property. All Provincial Commissioners, District Commissioners, Attorney General, Permanent Secretaries, Chief Justice and Auditor General are to be appointed by the Parliament and fired by the Parliament in case of scandles and failing in their duties. The President should not be above the law. Parliament should not amend any section of this country law if need should be taken to Kenyan openly and view taken. If any elected leader, President, MP or Councillor etc fails to serve his/her voters or electorate as per the power given, the voter should be having the power to recall and have the by-election within the term of the Parliament. In case of a by-election, the President should not campaign for anyone as he can use public funds and personal influence to voters. Non-Kenyans or indigenious citizens should only up to manufacturing business and the rest to be left to indigenious only, that is the Kenyan themselves.

Government should register all indigeneous citizens or people for proper identification. Neither President nor Attorney General should stop any proceeding case in our court laws. No leader, President, MP, Councillor etc should contest any post below 21 years old and above 60 years old. Electoral Commission Chairman should be appointed by the Parliament and not the President. Opening and closing dates of terms of Parliament should be set by the Parliament and not the President and be properly known publicly. Voting boxes are supposed to be clear to avoid rigging. No leader, that is President, MP, Councillor etc should be elected more than two terms. At no one time Parliaments terms can be extended and yet the country is at war. Any defector should not contest the same seat within the same term. Parliament to appoint Constitution Review Committee every time a new government from either Christian organization or Muslims and lawyers.

Com. Salome: Point ya mwisho

James Churu: Dumping fees should be higher than the cost of the new items or products to protect our local industries. Outgoing President should handover peacefully and ceremoniously to the incoming President without any hesitation.

Com. Salome: Thank you very much. Raymond Ndalo? Raymond Ndalo? Philip Muturi?

Philip Muturi: Thank you. My names are Philip Keng'ethe Muturi, I'm in the Jua-Kali sector. Mimi maoni yangu kuhusu hii katiba ni machache na kwanza ningeanza na Katiba yenyewe ya chama. Kila chama kiheshimu Katiba yake na iweze kutekeleza kulingana na vile Katiba yenyewe inasema. Mtu akivunja sheria ya chama au Katiba ya chama ikivunjwa kama vile tunaona wakati huu, Constitution ya nchi iwe Supreme na awe punished ndio aweze kuheshimu chama kile kimemchagua.

Pili kuna ule uongozi wa kiongozi wa nchi. Tunajua mipango ya kiongozi wa nchi, the President. Mipango hata ya Rais hata tunaelewa lakini hatujajua wakati ule anaenda officially on leave. Iwe ni kitu inatangazwa officially na hapo deputy wake na

leader of government opposition awe naye anaenda leave na ana-deputize mtu wake ndio afanye kazi. Hawa watu wawe na nafasi, wapewe nafasi ya kufanya kazi officially wakati ule kiongozi wa nchi au wa upinzani anaenda likizo na ijulikane hata wakati ule anaenda arusi au kanisa tunajua na hatujui wakati wa kuenda kwa leave. Kuna kitu kingine kinaitwa, shida imeingia nchi katika nchi yetu mpaka watu wengi wanataka passport. Sijui wanatoroka wanaenda nje halafu wanarudi au wanaenda kabisa. Hawa watu wanashida ya kupata passport. Kwa vile kuna shida na vile kuna provincial headquarters, tungeomba katiba ikubalie hivyo vitu vipeanwe katika provincial headquarters. Pia kuna mambo ya majimbo. Majimbo ni kitu imeongewa hapa, na wale wanapima nchi ya Kenya mimi ningeunga mkono, wapime nchi vile inakaa, igawe majimbo nane inatoshana. Halafu hayo majimbo yaweze kutawala kulingana na sheria zile za majimbo lakini ziwe zote zinatoshana kwa size. Si eti ingine ni kidogo na ingine ni kubwa.

Mwisho kabisa niko na shida ya mashamba. Tuko na watu matajiri hapa katika nchi yetu. Hawa watu, tungetaka hawa watu ndio wanaweza kununua yale mashamba makumbwa na hayo mashamba yanakaa hata bila nyumba, ni yake. Ukienda kupitisha ng'ombe yako kidogo analia. Kwa nini asipewe shamba ile anaweza kutumia badaba ya shamba kubwa na yeye anaenda Nairobi kukaa au Nakuru hapa kukaa. Iwe na limit na hawa matajiri wa nchi nao tuwajue, kusiwe na siri ya matajiri. Hata mimi nikitajirika, iwekwe kwa gazeti, yule anaongoza kwa utajiri ndio tuweze kujua hao watu ni gani na vile wamepata pesa yao. Asanteni sana nimeshukuru.

Com. Salome: Asante sana. John Ngila? John K. Ngila? I have called 4 times. So could you let that mzee give his views first. I have called you 4 times.

John Kabitaa: Kwa majina najulikana kama John Kabitaa Ngila. Mimi ninafanya na shule inaitwa Green State School kule Baruk. Mimi yangu ni machache lakini ndio nimeyaleta kwa nyinyi ma-commissioners na wale ambao walikuja hapa leo ikiwa kama ni maoni yangu binafsi. Kuna shida tunayopata hapa wakati watoto wanamaliza university, na tunarudishiwa nyumbani wakae walingoja mwaka mmoja, miaka miwili ili ndio waweze kupata nafasi katika uversity zetu za Kenya. Mimi pendekezo langu ningetaka, ikiwezekana, huu muda ambao unawekwa idle, uwe unaweza kufikiriwa waweze kuwekwa katika courses fulani kwa sababu wanaweza kuweka kwa armed forces wajifunze mambo tofauti tofauti. National Youth Service ambayo ilitumiwa ili-fail kwa sababu haikuwa na msimamo na haikuwa na mpango ulio wa maana. Lakini hawa wanafunzi wakiwekwa katika armed forces tutakuwa tunajua ya kwamba tuna majeshi wetu ambao wanawezalinda nchi hii katika wakati tukiwa na shida yeyote. Kwa hivyo ikiwa itatumika namna hiyo itakuwa faida kwetu kwa sababu wao wenyewe hata watakuwa wakiendelea na masomo ili wakati watarudi kwa university, akili yao iko bado fresh. Wao bado kusahau yale walikuwa wanasome shule.

Jambo lingine ambalo ningetaka niongee mkiwa nyinyi ni watu wa Constitution, wale ambao wanazungumza habari ya Katiba, sisi tungetaka tuwe na serikali ambayo iko na Ceremonial President na tukiwa na Prime Minister. Uwezo mwingi wa kuongoza nchi uwe juu ya mkono wa Prime Minister kwa sababu yeye anaweza kutawala hiyo nchi. Na President awe ni mtu wa kuenda

katika mambo yale mengine. Sababu ile mimi ninasema hivyo ni sababu, tunao tena vyama tofauti tofauti katika Kenya. Mimi ningesema vyama vikiwa vingi hapa, viwe vyama vitatu au vinne maximum. Hivi vingine vyote, ni watu wanajitakia makuu. Kila mtu anataka President na hatuwezi kuwa na President ishirini katika Kenya nchi moja.

Lingine ni juu ya mishahara ya wabunge wa Parliament. Huu mshahara si wa kawaida sababu hata wale ambao sisi tunafanya kazi, tumeajiriwa, ile kodi tunalipa, tunajua kama Pay As You Earn ambayo ndio kodi ya kuendesha nchi hii. Na kuna pesa nyingi sana ambazo kama zingekusanywa sana Commissioner ningetaka kueleza nyinyi, ambazo zingeweza kuendesha nchi hii vizuri sana na hizo pesa ziko katika Kenya Revenue Authority na zinaitwa Added Tax. Niwape nyinyi mfano. Ukiwa na gari yenye passenger ishirini na tano, unalipa kila kiti shilingi sitini kwa kiti moja kwa mwezi kumi na mbili. Hiyo ni value added tax. Haya, piga magari ile iko katika Kenya nzima ni magari mangapi, uweze kujua ni dereva wangapi. Hizo pesa mkusanye vizuri sana. Kodi haitatafutwa. Pesa za kuendesha nchi hii haitatafutwa pahali pengine. Zitakuwa ziko hapa.

Ningetaka huo mshahara wa waBunge waliojipatia, tungetaka kuwe na Commission ile ambayo itazungumza mshahara wa Kenya kufuatia na mapato ya nchi. Si kufuatana na vile mtu anaona ningetosheka nikiwa namna hii. Ikiwa tumetengeneza pesa, tupeane mshahara. Ikiwa hatujatengeneza pesa, hakuna mshahara na hata wafanyikazi hivyo ndivyo infanyika wale ambao wameandikwa. Wanapewa percentage ya increament. Hata kama kuna mtu COTU hapa, atakubaliana na mimi ya kwamba itategemea mapato ya hiyo organization ndio mshahara upatikane. Tukiwa hapo tena ma-commissioners, kitu kingine ambacho ningetaka ni directors. Tunapata ya kwamba mtu mmoja ni director wa kampuni, ni director wa kampuni ile, ni Permanent secretary huko, yeye ni kila kitu yote. Yeye ni Managing Director wa kampuni ingine. Sasa hiyo tunasema ikiwezekana tafadhali mtu apewe directorship moja katika kampuni moja na akifikisha miaka sitini, atoke u-directorship, kuwekwe mtu mwingine.

Com. Salome: Malizia mzee sasa.

John Kibitaa: Lile lingine ambalo ningetaka ni moja ambalo limekuwa likisumbua nchi hii, ni uhuru wa kuabudu. Uhuru wa kuabudu tumeuwacha sana na tukauweka katika mikono ya kila mtu. Mtu akifikiria, kesho utasikia atajiita bishop. Tungetaka tuwe na kwago cha dini. Sisemi ni tano au kumi lakini kuwe na limits za dini ili sio kila mtu awe anajiita bishop. Unakutana na mtu barabara, mimi ni bishop na ukimwaangalia hata yeye mwenyewe hajui maana ya bishop ni nini.

Ya mwisho ni upande wa mashamba. Nimesikia ikizungumziwa hapa. Ningetaka tuwe na limit ya acreage ya zile ambazo mtu anaweza kuwa nazo na ambaye atazitunza vizuri na alime chakula ya kulisha nchi hii na ili nchi hii iwe productive. Ikiwa ni zaidi ya hiyo, ninaamua iwe inaweza kuchukuliwa na serikali, ipewe maskini au iwe chini ya serikali ambayo inaweza kufanya utafiti au walime chakula yao kama vile tulikuwa na ADC (Agricultural Development Corporation). Ilikuwa na mashamba yao ililima chakula ya kulisha nchi hii na ikafanya nchi hii ijenge Silos, stores za kuweka hiyo chakula. Hizo stores ambazo zinalala panya ndani. Tukianza na hii iko hapa national cereals, ukienda huko hakuna hata tembe moja ya mahindi. Kwa hivyo kwa hayo

machache mimi nafikiria nimemaliza. Kama kuna swali, niko tayari kujibu.

Com. Salome: Asante sana, ni kweli kuna swali. Hiyo land ungetaka mtu awe na hekari ngapi?

John Kibitaa: Ningependekeza maximum ile mimi nimeona katika nchi hii, yule mtu ambaye anataka kuwa shamba kubwa, heka mia moja inamtosha. Lakini ninapendekeza, nchi zile ziko kavu zipewe maji kwa njia ya boreholes. Kufanywe boreholes wapate maji ya irrigation nao waweze kufanya kazi kwa sababu mimi najua maximum hiyo inatosha. Hekari mia moja.

Com. Salome: Asante sana mzee Ngila. Tafadhali jandikishe. Joseph Kireria?

Joseph Kireria: Asante sana Commissioners. Kwa majina naitwa Joseph Mugambi Kireria. Yangu ni machache na ningependa kuanzia na worship. ile makanisa na Muslims na zile denominations tuko nazo, zimetutosha Kenya. Hatutaki zingine.

Ya pili, armed forces: kwa majeshi tunataka wakati kama kuna earthquake na vitu vingine, si ati lazima watafutwe, ni yule ana-command anaenda kusaidia haraka iwezekanayo. Kitu kingine wanatakikana wawe wakifanya national building kama kujenga airstrips, dams na bridges na vitu kama hivyo. Kitu kingine wale wako kwa jeshi, wamesoma sana. Ningependelea wawe na kitu ya kufanya research.

Electorate: Ningependelea kama mtu amesimama kama MBunge, akikosa kuchaguliwa na wachaguzi asiwe nominated na chama chochote. Lingine, kila citizen lazima aheshimu nchi yake na kama mtu anatoa siri za Kenya anashtakiwa na treason. Kitu kingine ni party. Kama party iko na wanachama kama sita na zaidi, inatakikana ipewe msaada na serikali ile inatawala wakati huo. Kuhusu general election; ningependelea kuwe na election ya national yaani Parliament na civic election. Na ile ya Rais asiruhusiwe ajaribu kurudi kuuliza election in any other or any elective posts.

Education: ningependelea kila mtoto kuanzia miaka saba mpaka miaka kumi na sita, iwe ni lazima apelekwe shule na serikali, iwe inamuelimisha lakini akipita miaka kumi na sita, huyo amekuwa mtu mzima, ajitegemee. Corruption: ningependelea mtu au kampuni yoyote ile itafanya mambo ya corruption, mali ya hiyo kampuni au ya huyo mtu inaswe na alipe kiwango cha mara mia moja au 200% ya ile pesa alikuwa ameshtakiwa naye. President: The President should not be above the law and in case he is not in the country, the leader of the opposition should take the place of the President to be acting. Parliament: Parliament, we must know when it starts and when it is ending. Kuwe na mkataba ya kujulikana within ninety days wakati uchaguzi itakuwa ya Parliament. Na wa Rais uwe unajulikana within two years wakati ata-handover in a ceremony kwa yule Rais amechaguliwa. Hata kama ni yeye amechaguliwa mara ya pili, ijulikane itakuwa ni lini.

Interjection Com Salome: La mwisho?

Joseph Kireria: Ya mwisho ningesema Parliament na Constitution. Watu wapewe kama kuna Katiba inabadilishwa, tuwe na national referendum. Watu wajadiliane, si ati watu wanabadilisha Katiba bila kuleta kwa raia wale waliweka hiyo Katiba. Kwa hayo machache nasema asante.

Com. Salome: Asante sana, tafadhali jiandikishe. Wycliff Obanga? Johnson Gatere? James Maina Ngotho? Irene Munyinyi? Peter Kimani? James Cheruiyot?

James Cheruiyot: Asante sana, majina ni James Cheruiyot. Mimi nawakilisha wazee ambao tulikwa tunakutana, wazee mia tatu na ishirini na tatu. Mimi nitazungumza kuhusu miundo na aina ya serikali. Majimbo. Mimi pamoja na wazee wengine tunapendekeza majimbo kwa sababu serikali ya majimbo inakuwa karibu na watu. Hata wakati huu tuko na Municipality kama hapa. Hiyo ni aina moja ya jimbo kwa sababu wako karibu na wananchi. Pia tunaona kwamba serikali ya jimbo au majimbo, watu wanaweza kufanya maendeleo zaidi. Na pia pesa za kupotea za kutoka Nairobi haziwezi potea kama vile zimekuwa zikipotea. Mara nyingi nimekuwa nikituma pesa kutoka Nairobi na haiwezi kufika katika sehemu ambayo inatajikana kufika. Kwa hivyo tunaunga serikali ya majimbo kwa sababu watu katika sehemu hiyo wanaweza kusaidiana na wanaweza kupanga pesa ya hiyo area kwa njia iliyosafi. Pia kwa mambo ya kazi, kama kukiwa na serikali ya majimbo---

Interjection: Com. Salome: Mr. Cheruiyot imefika dakika za mwisho. Una dakika tatu.

James Cheruiyot: Asante sana nitaharakisha. Kazi ambazo zinapatikana katika hilo jimbo, inakuwa rahisi kwa watu wa sehemu hiyo. Kwa sababu mara nyingine watu transported kutoka mbali, wanakuja kufanya kazi. Na wale ambao wanakaa katika sehemu hiyo, wanakosa kazi. Jambo lingine tena ni kuhusu mashamba. Katika kila jimbo kuna watu ambao ni maskini na unaweza kuona watu kutoka sehemu ya mbali wanakuwa transferred au matajiri wanatoka mbali kama Nairobi, wanapata pengine title deed, wanakuja wananyakua shamba na wale watu ambao wanaishi hapo wanakuwa kama squatters. Kwa hivyo kama kukiwa na serikali ya majimbo, wale ambao wanasimamia area hiyo, wanaweza kujua wale walio na shida na hasa wanaweza kuwapatia makao. Jambo lingine kuhusu jimbo ni kwamba, unaweza kuona watu wanaenda na kukata forest na wanachukua hizo mbao wanapeleka mbali. Lakini kama ingekuwa serikali ya majimbo, wale ambao wanasimamia hakuna mtu ambaye anaweza kukata miti na wanaweza kuchunga kwa urahisi sana. Jambo lingine tena la kuongeza ni kwamba, unaweza kuona kazi kama watu kutoka Turkana, ingekuwa vizuri wajisimamie hata kama pengine ni maskini, wanaweza kujisimamia kwa njia iliyo safi. Pia serikali ya majimbo imeendelea sana katika nchi zingine kama America. Kwa kweli hizo ni nchi za majimbo kwa sababu wako na United States. Wanatumia states lakini kwa kweli ni majimbo. Hata Ujerumani pia wanatumia majimbo.

Jambo lininge ningeweza kuongeza ni kuhusu Bunge. Tunapendekeza kwamba mBunge achaguliwe na kuwe na ruhusa ya kutolewa ikiwa hawafanyi kazi kwa njia iliyofaa. Wale watu ambao wamemchagua wanaweza kuitisha mkutano na wakiwa na 75% wanaweza kumtoa badala ya kukaa Bunge bila kufanya kazi kwa miaka hiyo yote. Jambo lingine pia ningependa

kuongeza---

Interjection: Com. Salome: Na hilo ndilo la mwisho.

James Cheruiyot: Asante. Basi nitamaliza kwa mambo ya Land Board. Ningependa kusema kwamba kusiwe na ile special land board na watu wa land board wawe wamechaguliwa na watu wa area hiyo. Pia ikiwezekana chief ambaye anakaa karibu na watu, anaweza kuwa katika land board, ili shamba la mtu lisiuzwe kama likipitishwa katika land board bila familia kujua. Asante sana kwa kupata hiyo nafasi.

Com. Salome: Asante sana. Jiandikishe na naona una maandishi pia wape. Raymond Ndalo?

Raymond Ndalo: Asante sana Bwana Commissioner. I am Raymond Ndalo and I'm representing the National Youth Agenda. Kwanza kabisa, kuna udhaifu katika Katiba yenye tuko nayo wakati huu na kitu cha kwanza vile nimeitabish preamble. Lazima preamble yenye tutaweka kwa Katiba yetu hiyo mpya, lazima itutambue kama wananchi wa Kenya na tena lazima iseme zile visions zenye tunataka. Nimesema ya kwamba, lazima itutambue kama wananchi wa Kenya na ianze " sisi wananchi wa Kenya"

La pili, lazima itaje, sisi watu Wakenya ni watu wanaomcha Mungu na itaje lengo letu kama taifa na ilinde haki za binadamu. Itaje historia zetu, hiyo nasema juu ya preambe au utangulizi. Tena ipeane mamlaka kwa mwananchi mdogo. Tena iseme jukumu letu ni nini kama wananchi wa Kenya ambayo Katiba ya sasa, haijataja. La pili nasema juu ya uongozi. Uongozia ambao tunao ni uongo mbaya zaidi. Mimi naonelea kuna yale masharti ambayo ni lazima kila kiongozi kama ni Councillor, awe ni MBunge au awe ni Rais, awe ametimiza. Kabla hajachaguliwa, lazima mambo yake yawekwe mezani. Kama alikuwa mtu mbaya, lazima waseme yeye ni mbaya. Uongozi uanza na familia. Kama ni mtu hawezi kaa na familia yake vizuri, lazima awekwe mezani ili sisi wananchi wa Kenya tujue. Kiongozi awe si kiongozi wa ubaguzi kikabila, kifamilia au kidini. Awe na historia nzuri, asiwe ni mwizi may amepora mali kwa idara fulani halafu pale anapandishwa ili awe ni kiongozi wetu kama MBunge au Rais. Tena ni lazima kiongozi atangaze mali yake. Awe na masomo. Kama ni Councillor. Mbugu au Rais, masomo ya kiwango cha chini kabisa iwe ni kidato cha mne. Na tena napendekeza kwamba Rais achaguliwe na rais na uchaguzi wa Rais uwe ni wa kwanza, halafu baadaye may be baada ya wiki moja, tuchague Councillor, Mayor naye achaguliwe na raia tena tuchague Wabunge. Tena Rais asiwe na mahali pa uwakilishi bungeni. Rais asiwe na uwezo wa kutangaza vita. Iwe uwezo wa kutangaza vita, iwachiwe Bunge. Rais achaguliwe kuanzia miaka 35 mpaka 70. Sasa kama umepita 70, ujue huwezi chaguliwa kuwa Rais wa Jamuhuri ya Kenya.

Interjection: Com. Salome: Jambo lako la mwish.

Raymond Ndalo: Bado niko mbali sana lakini nitaenda kwa haraka haraka.

Com. Salome: Tupe maandishi, tutaenda kusome.

Raymond Ndalo: Ningependelea tena Katiba inayokuja itambu uraia wa Kenya. La mwisho kabisa juu ninakimbishwa ni juu land ownership. Taifa ndili limiliki shamba mwisho. Ningependa sana kusema---

Interjection: Com. Salome: Asante sana. Hilo lilikuwa jambo la mwisho Ndalo. Asante sana kwa maoni yako. Kufikia hapo nimemaliza watu wenye walikuwa wamejisajilisha kuzungumza. Ningetaka kuuliza Ndalo tafadhali tupe hayo maandishi, tutayasoma. Ningetaka kuuliza kama kuna mtu yeyote aliyekuja na jambo lenye halijasemwa na bado hakupata nafasi. Ulikuwa umejiandikisha mzee? Eh? Bado? Umekuja baada ya saa kumi? Na wewe mzee pia? Mmekuja baada ya saa kumi na moja? Baada ya saa kumi? Hebu iinueni mikono wakati mwingine? 1, 2, 3, 4, 5. Mimi nawapa dakika moja. Kwa hivyo uanze number one, number two, number three, number four, 1,2,3,4,5, 6. Wapi mwenye alikuwa amekaa hapa mbele? Anza. One minute. Anza na majina yako?

Martin Muzungu: Asante sana Commission hii, ingawaje nafasi ni kidogo lakini nitaongea upande wa shamba, ningomba Commission hii---

Interjection: Com. Salome: Anza kwa majina yako tafashali.

Martin Muzungu: Majina yangu ni Martini Musungu Wachibei. Ningeongea upande wa mashamba, Commission hii itilie maanani, ikiwa mwananchi amekaa mahali zaidi ya mwaka mmoja na amezaliwa pale, ameshazaa pale watoto, inafika mahali anakuja kufukuzwa sababu hiyo shamba si yake. Tafadhali huyo mtu anastahili akae pale maisha. Pia kesi ya mashamba itolewe kortini, irudishwe nyumbani kwa wazee wa kijiji. Kesi ya mashamba ikiwa itarudishwa kwa wazee wa kijiji cha nyumbani, hao wanajua vizuri vile hiyo shamba iko kuliko mwakili kortini. Juu visa nyingi sana zinapatikana upande wa mashamba, mtu amezaliwa pale, amezaa watoto pale, dakika ya mwisho anakuja kuhamishwa na Court order.

Com. Salome: Sasa unarudia na wewe una dakika moja na sisi tushakusikia na tukanasa sauti yako.

Martin Musungu: Upande wa Education iwe free na ile system ya 8-4-4 ikiwezekana ipate kuondolewa. Upande wa Cost-sharing kwa public institutions, iondolewe kabisa. Upande wa harambee, isiwe ya lazima kwa kila mtu kutoa hiyo harambee.

Com. Salome: Asante sana. Mzee twambie jina lako, una dakika moja. Zungumzia kwenye mike ndio tukunase sauti yako.

Evanson Mwangi: Jina ni Evanson Mwangi. Ningependa kusema kidogo kuhusu hali ya masomo. Tuna watoto wetu ambao

wanahitaji masomo sana haswa wale wamefika hali ya diploma, wale ambao wamehitimu kwenda chuo kikuu na wale ambao wengine wangependa kuendelea lakini hapa kuna upungufu wa shule. Ningeomba Katiba ifikie wale watoto washirikiane na nchi za magharibi, wafungue milango zaidi wale watoto wapate kuenda kule, waongeze masomo na pia Katiba igharamie wale watoto haswa kutota jamii maskini.

Ya pili ni kuhusu ugonjwa hatari wa ukimwi. Ingawaje niseme kwa kifupi ya kwamba tunapiga nduru wakati already nyang'au ako kwa nyumba, ambayo bado kuna huu ugonjwa ambao unaendelea usiku na mchana, tunajua. Maana kwa kweli ukitembea hasa kuanzia hapa Nakuru. Kuna nyumba ambazo ugonjwa huo, katika hali ya mapenzi, inaendeshwa usiku na mchana, yaani katika lodging. Ningeonelea sasa tuwe na hali ya kugawa zile nyumba. Kuwe na lodging za wanawake wasafiri, na lodging za wanaume na mwenye atapatikana akivungja hiyo sheria hiyo biashara yake ifungwe.

Jambo lingine ni kuhusu farakano katika vioo vyetu vikuu. Mara nyingi tumekuwa na shida kwa watoto wetu, maana watoto wakiingia kule, wakisanyana wanajiona kama ni wako very senior. Wanageuza mawazo hata wanasahau maisha ya nyumbani, wanachukua hata yale ambayo hayawahusu. Pengine---

Interjection: Com. Salome: Point ya mwisho mzee. Malizia hiyo sasa.

Evanson Mwangi: Asante. Nikionelea katika ile hali, kupatana na wanakamati walio kule, tuongeze makasisi tulio nao na maaskofu, wawe wakisaidiana na wale watoto na pia na kamati iliyo kule shule, Board of Governor, na pia kuwatembelea mara nyingi wanafunzi, kuwazungumzia. Maana kwa mfano kuna shule za Biblia zilizo katika hapa. Isipokuwa tu ni St. Paul ya Limuru ilifungwa kwa muda na hatujasikia kituo cha kina shida. Kwa hivyo tuhishe hata makasisi ambao ni advanced katika hali ya masomo, wawe wakitembelea wale wanafunzi mara nyingi, kwa ajili ya kuwatuliza mawazo na kujiuzisha na shughuli zao ili kukomesha shida ya kupoteza muda na kupoteza mali nyingi kwa wale watoto wetu. Asante.

Com. Salome: Asante sana. Mwingine?

Gabriel Gachehe: Asante sana. Jina langu ni Gabriel Gachehe. Ningetaka kuzungumzia mambo mawili matatu. La kwanza liwe ni shamba la mkulima. Kama mimi niko na shamba langu kwa mfano, ambalo labda nimepanda kahawa au majani chai. Nikiaangalia nione kwamba hili shamba halinisaidii, sipati chochote kama Kahawa, bei yake ni mbaya, hainisaidii kabisa. Kwa mfano ningependa nipande kitu kingine kama ni ngano, niwe na ruhusa. Nisiulizwe swali na mtu kama nitang'oa hiyo kahawa kwa sababu hainisaidii. Kwa sababu mimi ndio mwenye kuumia. Halafu jambo lingine, ili kupunguza idadi ya ulaghai, iwe ni lazima katika upper primary, wanafunzi wafundishwe civic education. Hiyo itasaidia sana watu kujua sheria za nchi yao.

Halafu jambo lingine ni katika uandikishaji wa vyama, vyama vya kisiasa, kusiwe na ruhusa ya kuandikisha chama cha kidini kwa sababu hicho labda kinaweza leta mvurago baina ya madhehebu na dini. Halafu---

Interjection Com. Salome: Asante sana, hiyo matatu tafadhali mpe mwingine nafasi.

Gabriel Gachehe: Okay Asante.

Alex Maina: Jina langu ni Alex maina na nina mambo tu machache---

Interjection: Com. Salome: Ni nani tena? Alex Maina? Endelea.

Alex Maina: Jambo la kwanza mimi ninaguzia mambo ya mazingira. Kuna jambo moja ambalo limekuwa ndani ya moyo wangu na hili jambo ni Mto Tana. Mto Tana una rutuba nyingi sana ambao unaenda katika Indian Ocean na kupotelea huko. Na kama ni pale Kabaraki, kungewekwa machine ambayo inaweza kuchukua hiyo mchanga na kuipeleka kama mahali Turkana au mahali pengine ambako kuko Semi-Arid. Na pia hiyo maji, badala ya kupotelea katika Indian Ocean, inge-divertiwa na ikasaidie sehemu zingine ambazo zina shida ya maji. Na hizi ni kusema ya kuwa tungekuwa tumekamilisha ya kuwa tungepata maji katika mradi wa miaka elfu mbili.

Jambo la pili, nasema hivi: hiyo katika Barak River, hayo maji kungewekwa dam kubwa sana, ambayo ingeleta electricity, ambayo ingepunguza gharama ya stima. Lingine, kuna miradi miradi ambayo imekuja kama ya wast circulation ambaye ningeomba kama hizo miradi zichukue vijana katika kila pahali.

Com. Salome: Asante sana Mr. Maina. Jiandikishe pale, tumpe mtu mwingine nafasi.

Samson Orina: Asante sana Bwana Commissioners, kwa jina ninaitwa Samson Orina. Pendekezo langu la kwanza, we have got minority people in the country and in some constituencies like Suba whereby they are surrounded by a certain group of many people. If they wanted to go and have voting cards in that constituency, still different people could take a post there. Therefore, I would like you to make it a law that minority people, mtu wa nje asiende kuuliza kura huko. Like in Molo, you might find indigeneous people were there, but you will find visitors have taken the seat there.

Pendekezo langu la pili ni Marriage Act. We have got many illegitimate children in the county. Ile sheria ilitolewa, nikipata mtoto na msichana ninamuruka, ninamuacha. Kwa hivyo, hawa watoto wanakuwa bila mwongozo wowote. Ningependekeza sheria irudishwe, msichana akiwa na rafiki, wajiandikishe hata kabla ya kuona. Akipata mimba na huyu mwanamume, awe responsible.

Kitu kingine, Rais asiwe akiteua wakurugenzi, D.Cs na kadhalika kwa sababu they will be answerable to him. Should he vet them, nataka mbadilishe nzuri iwe mbaya, watafanya hivyo bila kuuliza swali kwa maana atawafuta kazi. Mtu apimwe,

akipatikana na ukimwi, asiruhusiwe kuoia kwa sababu akioa atapata ambao ni wagonjwa.

Interjection: Com. Salome: Asante sana, hiyo ni point ya tatu. Tunakubalisha tatu tatu ndio tumpatie mwingine nafasi:

Samson Orina: Madam, tafadhali kamoja tu.

Com. Salome: By now, we should close by six. Hiyo ni sheria tafadhali.

Samson Orina: Ilikuwa very important.

Com. Salome: Asante.

Samson Orina: Okay, thank you.

Sally Toweit: Asante sana Commissioners, kwa majina naitwa Sally Toweit. Mimi naongea tu maneno machache kuhusu akina mama. Sisi akina mama, tunaumizwa sana na wazee kwa sababu wakati uliolewa kama wewe ni msichana, umekuja kufanya kazi kwa hiyo nyumba sana. Wakati umefanya kazi umekuwa mzee, mzee sasa anatoroka na hayo mali yako yote. Halafu ----

Interjection: Com. Salome: Unapendekeza nini mama? Ungetaka kuona jambo lipi lifanywe?

Sally Toweit: Ningetaka tusaidiwe kwa sababu sasa mtu anaenda kula mali yako nje na wewe unabaki na watoto unakula nini? Tena, ninapendekeza wamama tuwe tukiandikwa joint kwa upande wa shamba kwa sababu mzee akienda kuchukua pesa kwa bank halafu mwishowe wewe unakuta kwa nyumba na watoto wako, unaambiwa sasa mtoke. Sasa wamama tunaumia sana kwa jambo kama hilo.

Com. Salome: Jambo la mwisho mama.

Sally Toweit: Jambo la mwisho, ninaomba serikali yetu, wale watachaguliwa sasa waangalie mambo ya watoto kwa sababu tumewasomesha watoto na watoto wote wako nyumba. Pesa tumesomeshea watoto, hatuna kitu na sasa tuko maskini. Inatakikana tuone serikali ichukue kila mtu kulingana na masomo yake. Kwa sababu sasa ukoo wake, kama mtu mmoja ni mkubwa huko juu na anaenda kuchukua watu wao mpaka mashangazi anaandika. Na wale watu wao hawako juu nao watakusaidia, si watu wako wanalala wote nyumbani?

Ya mwisho ninazungumzia mimi ninaonelea mambo ya majimbo iweko kwa sababu watu wa jimbo hilo ndio watachukua vile watafanya kwa sababu ninaona tumeumia sana kwa sababu watu wametoka nchi nyingine, wametumalizia mashamba na

wengine hata hawana hata heka moja ya shamba na mtu wa kutoka nje ako na shamba. Kwa hivyo maneno ya majimbo iweko ili isaidie watu wa jimbo hilo. Asanteni sana.

Com. Salome: Asante sana mama. Sasa kufika hapo tumefikia--- mama nenda ujiandikishe pale. Kufika hapo tumefikia kikomo cha kikao hiki. Kwa niaba ya Tume ya marekebisho ya Katiba ningetaka kuwashukuru sana nyinyi wakaaji wa kikao hiki cha uakilishi wa Bunge wa Nakuru nchini kwa kuwa na sisi kutoka asubuhi na kwa mawazo yenu mazuri na maoni yenu yenye mumetoa bila kuogopa na mumetoa waziwazi. Nawashukuru sana. Ningetaka pia kushukuru 3C's kwa kazi ile nzuri yenye wamefanya, nawashukuru sana kwa kuleta watu pamoja na tunashukuru. Mwishomwe ningetaka kuwashukuru wafanyikazi wetu wa kutoka ofisi zetu kwa kazi ile nzuri wamefanya na pia wanatume wenzangu, Bwana Raiji na Bwana Ratanya na mimi pia kama Mwenyekiti kwa nzuri yenye mmefanya. Mumekuwa watu watulivu na imekuwa rahisi sana kuendesha kikundi hiki. Sasa ningetaka kumuuliza Bwana Isa kama yeye ni Muislamu, aamke atuombee. Dua la asubuhi kwani tulifunguliwa na dua la kikristo. Asante.

Isa: Kabla ya maombi, ninataka kutoa shukrani kwa niaba ya wakaazi wa Nakuru kwa vile Commission ilitupatia vikao vitatu. Tumekuwa na kikao kimoja kule Nakuru Old Town Hall kule tarehe kumi na moja na leo tumeshinda hapa, katika Holy Cross na halafu kesho, tutakuwa na kikao kingine kule free area Lanet kuanzia saa mbili mpaka wakati huu. Kwa hivyo wale ambao mumekuwa hapa, tafadhali muwaambie wale wengine ambao hawakupata nafasi ya kutoa maoni yao, wafike pale, watahudumiwa vilivyo. Tena nataka kushukuru Commissioners kwa sababu ya kuvumiliana na sisi kwa sababu watu wengi walikuwa na uwoga ya kwamba labda uenda wakatishwa tishwa wakati ambao wanatoa maoni. Lakini naona ya kwamba sasa watu wakiingia kutoa maoni, wanakuwa huru kutoa yale ambayo yako kwa myoyo yao na yale ambayo ya kujenga nchi yao. Kwa hivyo asante sana kwa kutuvumilia, ikiwa kuna makosa kidogo kidogo ambayo tumefanya, hatukuwa tumetarajia hivyo, tulikuwa tunajaribu kufanya vile tuwezavyo ndio tuweze kukamilisha hili jambo la kitaifa. Asante sana kwa hivyo nitabisha mwezangu ambaye ni former Councillor Gichangi atuombee na tufunge kikao hiki. Asante.

Conc. Gichangi: Asante Councillor Valai na ma-Commissioner wote. Sasa natuombe.

Bismillahi Rahmani Rahim, Ewe Mwenyezi Mungu, tunatoa shukrani kubwa kwako kwako, kwa kuweza kutupatia nafasi hii ya kuweza kutoa maoni yetu ambayo ni mhimu ambayo ni maoni ambayo yatakayotutunza sisi katika jamhuri hii. Ewe Mungu, tunarudisha shukrani kubwa kama si uwezo wako, mambo haya hayangekamilika. Tunashukuru kwa kutuletea usalama, upole na maongozi mema. Vile vile tunatoa shukrani ewe Mwenyezi Mungu kwa kutuletea ma-commissioner ambao walikuwa na utulivu na kazi hii wameifanya kwa njia nzuri, mpaka wamechukua maoni yetu, na kikao chetu kimekuwa kizuri kama vile tulivyokuomba mpaka wakati wa mwisho. Hawa wageni wetu wanarudi safari zao, Mwenyezi Mungu angalia katika mabarabara zao, zile watakapozipitia, uweke neema na uweze kuwakubalia warudi nyumbani ili wakutane na jamii yao kule. Tunakushukuru sana kwa sababu mambo haya yanaendelea katika jamhuri nzima, na yale maoni yote tutakayeyapata, Mwenyezi Mungu, yawe ni maoni yatasaidia nchi yetu kutokana na janga au mizozo fulani fulani.

Kwa haya yote wewe uliye juu ndio unaangalia chini na unaelewa vyema na unajua kweli hawa walioko hapa chini ni watoto wako, wafanye mambo haya katika njia ambayo inakufaa na pia sote na umoja na tuweze kutekeleza yale yote, tutakayoyapata kwa niaba yako na nguvu zako. Kwa haya machache, ewe Mwenyezi Mungu wetu, tunarudisha shukrani kwako na kukuomba hata kesho utuungalie katika maoni vile vile. Tafanye mambo kama haya katika njia ya utaratibu huu na kwa sababu ya neema na nguvu zako, mambo yote yatakuwa rahisi. Tukiwa nawe, hakuna jambo lisiloweza kufanyika lakini tusipokuwa nawe hatuna nguvu hizo. Kwa hayo machache tunarudisha shukrani kwako kwa sababu wewe ndio Mwenyezi Mungu wetu wa haki na Mtume wako Mohammed Sallahu Aleyhi Wassalam.

The meeting ended at 5.30 p.m.

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