



CONSTITUTION OF KENYA REVIEW COMMISSION

(CKRC)



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VERBATIM REPORT OF

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[REDACTED]

**CONSTITUENCY PUBLIC HEARINGS, TURKANA CENTRAL
CONSTITUENCY, HELD AT**

LODWAR STADIUM

[REDACTED]

[REDACTED]

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TURKANA CENTRAL PUBLIC HEARINGS HELD AT LODWAR STADIUM ON 28TH JUNE, 2002.

Present

Com. Bishop K. Njoroge – Chairperson
Com. Dr. Githu Muigai
Com. Ibrahim Lethome

Secretariat Staff in Attendance

George Nakholi – Programme Officer
Wambua Kagamwa – Assistant Programme Officer
Mary Babu – Verbatim Recorder
Mr. Kaituko – District Coordinator

The meeting was called to order at 9.30 a.m with Com. Bishop Njoroge in chair.

Com. Bishop Njoroge: Ningewaomba tafadhali mketi chini tuweze kuanza kwa sababu tutakuwa na watu wengi kwa hivyo tukianza mapema itaturuhusu kila mtu kuweza kusema, lakini tukichelewa sana bila shaka kuna wengine hawatapata nafasi ya kuzungumza. Kwa hivyo ningewaomba mketi chini ili tuweze kuanza na ningemuita chairman wa 3Cs kwa sababu coordinator ako hapa aje atukaribishe na Atujulishe kwa kamati yake halafu anipatie usukani. Tafadhali chairman.

Rev. Thomas: Karibuni katika jina la Yesu. Kwanza ningependa kusema kwamba Commissioners mmekaribishwa katika Turkana central constituency na committee hawako wote sasa ni mimi tu nikiwa mwenyekiti na committee, Peter Lejore ambaye anaandikisha huko. Coordinator anashughulikia shughuli na atakuwa hivi karibuni. Kwa hivyo mjisikie nyumbani maana nyinyi ni watu wa maana katika district hii maana mmekuja kusikiliza maoni ya wananchi. kwa hivyo tunaomba muwe na wakati mzuri na hata mjisikie mmekubalika. Asanteni. Basi tunataka tuombe.

(Prayers) Mungu baba, Mungu mwana na Roho Mtakatifu tunakushukuru kwa sababu ya ulinzi wako, umewalinda wageni wetu tangu jana katika shughuli ya kupokea maoni katika district hii, tunaomba bwana kuwe na hekima yako atusaidie hata tunapotoa maoni iwe ya kusaidia generations inayokuja na zile zingine, Mungu tuweke msingi maana nchi hii pasipo mashauri kutoka kwa watu wako, nchi itaanguka. Kwa hivyo tunaamini kupitia mashauri haya, kupitia maoni haya nchi itaendelea kuinua jina lako na pia watu wanaKenya wataifurahia nchi uliyotupatia. Asante mungu tunakualika uwe mwanzo katika maoni haya. Katika jina la yesu aliye Mwokozi wetu tunaomba, Amen.

Karibu.

Com. Bishop Njoroge: Jina langu mimi naitwa Com. Com. Bishop Njoroge Njoroge Bernard Njoroge na ni kamishina wa Constitution review na nina ndugu zangu wengine makamishina na nitawapatia nafasi ili wajijulishe kwenu.

Com. Lethome: Mimi jina langu ni Ibrahim Lethome Asmani, hamjambo watu wa Turkana Central.

Com. Githu: Mimi jina langu ni Githu Muigai, Hamjamboni.

Com. Bishop Njoroge: Tuna secretariat staff, kwa sababu wao ndio wako na kazi muhimu na yale yote mnayozungumza ni wajibu wao kuweza kuyachukua na nitamuita programme officer ili Atujulishe kwa staff wake.

Mr. Nakholi: Asante sana chairman Com. Com. Bishop Njoroge Njorogena Commissioners. Kwa majina mimi naitwa George Nakholi, Programme Officer. Hapa ni Mary Babu ambaye ni Recorder na huyu anaitwa Wambua Kigamwa ambaye ni assistant programme officer, asante sana.

Com. Bishop Njoroge: Sasa mimi nataka kuwaeleza mwongozo wetu. Hiki kitakuwa ni kikao cha maana sana kwa sababu ni kikao ambacho ninyi mtaelezea maoni yenu kulingana na maisha yenu vile mnataka Katiba iweze kuwatawala. Hakuna nafasi nyingine mtapata katika miaka mingi ya kuweza kueleza mambo yenu kama wananchi wa Kenya, kwa hivyo tutumie nafasi hii kwa kuyataja mambo yale ambayo ni muhimu ambayo itakuwa mambo muhimu kwa maisha yenu.

Ningetaka pia kutangaza ya kwamba ikiwa wewe una memorandum, tutakupatia dakika tano ili uwezo kusema mambo yako yote, chukua summary. Ikiwa kama ni mambo shida ya elimu, tunajua kuna shida kwamba watoto wengi hawaendi shule. Hiyo shida kwa sababu sisi ni wa Kenya tunajua. Kwa hivyo huna haja ya kutuambia hiyo shida lakini tuambie mapendekezo yako. Kama ungetaka masomo ya bure. Hiyo itatusaidia zaidi katika kutengeneza Katiba.

Wale ambao hawana memorandum, tutawasikiza wakisema kutoka kwa mawazo yao. Katika hali ya memorandum ningetaka kuwajulisha, tukiitoka hapa tukienda Nairobi tuna watu zaidi ya ishirini kazi yao ni kuangalia hiyo memorandum na kuchukua vile mmeandika na kuiweka mahali ambapo inahitajika kuwa. Kwa hivyo memorandum zile tutachukua hapa mjue kazi yake kubwa itafanyiwa wapi, Nairobi. Pia, mnaona kuna kadude hapa. yale mambo yote utakayoyasema, itaenda kwa kadude hako na ikifika Nairobi kuna watu experts ambao watachukua haya maneno ya kuyaandika katika karatasi na kuyaingiza katika computer ili watu ambao watakuja miaka thelathini na arubaini wapate kujua ulisema nini, wanaweza kujua mtoto wako atoke hapa aende Nairobi aseme baba yangu alizungumza katika Katiba ningetaka kujua alisema nini. Utasema tu jina lake na hiyo itatolewa kwa sababu hii ni kitu ya historia.

Jambo la pili, maoni ni maoni yako, kwa hivyo mtu akitoa maoni yake na usikie hupendezwi na maoni hayo usijaribu kumpinga. Kila mtu katika ujuzi wake katika kutojua kwake apewe ruhusa kufanya nini, kusema maneno yake. kwa hivyo ningewaomba mtu akisema na usikie hufurahi vile anasema, usimkatishe. Wacha aseme yale anasema, hayo ndio maoni yake. Sawa sawa? Mkipiga kelele unajua itafanyika nini, hiyo kelele itachukuliwa na kadude haka na ikifunguliwa Nairobi itasikika watu wa Turkana Central walikuwa na kelele tu kwa sababu sauti zenu zitaingia wapi? Zitaingia pale.

Jambo lingine, katika kutengeneza Katiba, nyinyi ndio mlisema mnataka Katiba muitengeneze, kwa sababu katika sheria ambayo inatutawala, wewe mwenyewe uko chini ya sheria hiyo. Hakuna mtu atakufuata kwa yale ambayo uliyoyasema. Kwa hivyo huna haja ya kuogopa kusema yale unasikia unataka kusema. Hakuna mtu anayeweza kukufuata kwa sababu ulisema haya au yale. Akifanya hivyo, atashikwa na sheria. Kwa hivyo ukija hapa usiogope, lakini pia tungetaka tusitaje watu kwa majina kwa njia ambayo haifai, si ni kweli? Kwa sababu tunatengeneza Katiba. Sawa? Hata ikiwa una uchungu na mtu unajua ukitaja jina la mtu kwani itaingia katika Katiba? Hapana. Hii Katiba ni mambo ya maisha ambayo ni yajayo. Kwa hivyo uwe huru lakini tujihadhari na kutaja mambo ambayo itampatia mtu mwingine kukosa heshima. Si tumesikizana sasa? Okey, nimesema dakika tano. Hivi sikusema kwamba siwezi kukupatia dakika moja au mbili juu, ni kusema tu ili kila mtu wetu azungumze. Tungetaka kila mtu apate kidogo kidogo kwa sababu siku sio kubwa.

Ningetaka tuanze na Joseph Ewoi Elegai. Yuko wapi? Karibu hapa tafadhali. Mnaweza kutumia lugha ambayo unaweza kama hujui Kiswahili, unaweza kutumia Kiturkana au Kiingereza, ile lugha ambayo uko comfortable in. ukimaliza hapo utaenda pale ujiandikishe katika register. Okey, asante.

Mr. Ewoi: Wananchi wenzangu wa Turkana Central na Turkana district, ningependa kuwasalimu hamjambo. Yangu tu...kwa majina yangu.

Com. Bishop Njoroge: Mtu ataje jina lake na ningewaomba huna haja ya kusalimia watu tunataka tu utupatie maoni ili tusipoteze wakati tafadhali.

Mr. Ewoi: Kwa majina naitwa Joseph Ewoi Eregai kama vile mmesikia. Maoni yangu nikianza ni kwamba ningependa katika nchi yetu tuwe na rais asiye na mamlaka. Rais wa heshima na akisaidiwa na makamu wa rais na waziri mkuu ambaye ana madaraka ya kuendesha maswala ya Serikali na nchi na mamlaka yote, ikiwa ni Jeshi pamoja na mambo mengine makubwa iwe chini ya waziri mkuu.

Cha pili, ni mambo ya usalama katika nchi yetu. Tumekuwa na shida katika nchi ya kenya. Usalama ni mbaya. Katika mipaka ya nje na ndani, na watu ambao wanaumia zaidi ni raia. Tuna majeshi ya aina mbali mbali hapa kenya. Kuna majeshi ya armed forces, kuna wale wanaitwa G.S.U, na administration police. Ningependa kusema ya kwamba Jeshi litumike kwa ajili ya

kumaliza shida hii ya usalama kwa mipaka ya ndani na hata nje. Mambo ya AP na G.S.U, ningependekeza kwa upande wangu vikozi hivyo vifutiliwe mbali kwa maana ni kama ... kwa maoni yangu sioni kwamba wanasaidia chochote. Viunganishwe katika kikosi cha polisi.

Kuongezea hiyo, ningependa kusema kama mwananchi wa Kenya ama hapa Turkana. Hapa Turkana kuna shida, kuna ukame na pia kuna sehemu ambazo ni nzuri kwa kilimo ikiwa itafanyiwa kazi ya irrigation na kuna kitu kinaitwa national irrigation board hapa kenya. Ajabu ni kwamba haiko hapa Turkana. Ningependa ofisi ya hiyo kitu iwekwe hapa, na katika mpango wa Serikali ya kifedha, itengewe pesa kwa ajili ya kusaidia watu wetu ama sehemu yetu ambayo kuna shida ya... inaweza kufanyika mambo ya kilimo ndio tuweze kumaliza shida ya njaa. Hapa ndio imekuwa inamulikwa mara nyingi kwa sababu ya njaa na ukame watu wanakufa na mifugo. Kwa hivyo hiyo inaweza kutusaidia.

Ya pili, ni mambo ya mipaka, katika sehemu yetu hapa Turkana, tumesikia baadhi ya viongozi hasa makabila jirani wamekuwa wakimezea mate sehemu sehemu ya district yetu. Kuna mwingine anasema ya kwamba (inaudible) ndio mwisho wake, watu waondoke, sehemu za Kailo, sehemu za Lomelo, Silale, huko ni sehemu yake, na hiyo inachochea mambo ya mapigano hii ya kikabila. Hiyo ningependa kusema ya kwamba hiyo ni mbaya. Kama wananchi tungependa kukaa vizuri, mipaka zilizowekwa ziheshimiwe. Haifai mtu kuja ku-bulldoze wengine. Kutumia madaraka sijui ya nini kufanya makabila mengine kuwa kama duni na kusababisha mifurugo ya hapa na pale.

Ingingine ni mambo ya utajiri wa taifa (national cake). Kuna mambo ya kabila kubwa, kabila ndogo, hiyo hatutaki. Kwa sababu sasa tunachangia uchumi wa nchi ugawaji wa mali uwe ni sawa. Tuliona wakati wa ile programme ya youth. Tulichangisha pesa tukiwa nchi ya Kenya na kuna baadhi ya sehemu walikataa. Ajabu ni kwamba hizo pesa zilizogawanywa tuliambiwa ati 'mlipata kidogo kwa sababu nyinyi, population yenu ni kidogo na ukiona mahali pesa nyingi zilienda ni mahali watu hata walikataa. Na ni mahali wanajiita makabila kubwa kubwa.

Ingingine ni kwamba mambo ya provincial administration ama tuseme administration kwa jumla. Hii ningependa hawa watu wa kuchaguliwa. Kumekuwa na unyanyasaji mwingi kupitia hii mambo ya administration ya utawala, wa mikoa, wilaya. Hawa watu wanatumiwa kabisa kufanya mambo mengi mabaya, kunyanyasa watu na hii ni system ya ukoloni. Kwa hivyo kwa Kenya ya leo ama kwa Kenya inayokuja hatupandi hiyo system itumike. Kila kitu iwe ni kitu ya kuchaguliwa na wananchi. Asante.

Kwa upande wa chiefs, hakika tumeona ma-chiefs wengi wameandikwa siku hizi kuna chiefs, kuna assistant chiefs na utashangaa ya kwamba uhalifu imekuwa too much although hao watu wameandikwa kwa wingi na Serikali, wanapata mshahara mzuri. ningependekeza kuwe na chiefs, tribal chiefs ambao watakuwa wanachaguliwa kwa katika kiwango cha tarafa ili uhalifu itakapofanyika pahali fulani ichunguzwe hiyo kitu ilitokea wapi na hao wezi walielekea wapi, kwa sababu hao ma-chief wengi, huyu kama anafanya haki, mwingine anafanya uongo mahali fulani. Utakuta kuna mambo ya kuchanganyikiwa hapa na pale, wizi unaendelea, wengine wakiambiwa muache hii msaidie kumaliza hii wengine wanaendesha.

Nikimalizia malizia, kumekuwa na hii shida ya wizi wa hapa ndani, mtu anatoka hapa anaenda anaiba kitu kule kalafata na akiingia hapa anafichwa, ama hata wengine wanafanya mauaji. Wizi wa nguvu. Mtu akipatikana ameuua mtu kutumia silaha bila sababu yoyote, ningependekeza sheria ya jicho kwa jicho mtu akiua mtu. Lazima hata yeye auawe. Hiyo itamaliza hii shida ya mtu.... Watu wamekuwa na mazoea. Anapelekwa kwa Serikali kwa police, anatoka anakuja kujigamba...

Com. Githu: My friend, now we have given you ten minutes can you give us your last point.

Ewoi: Kwa kumaliza, local authorities ningependa kusema ya kwamba wapatiwe madaraka ya kufanya mpango wa maendeleo katika district instead ya ofisi ya DC asante.

Com. Bishop Njoroge: Thank you very much. Sijui kama Commissioner kuna swali. Utajiandikisha pale, asante kwa maoni hayo. Can we have William Elegai. Wakati ni wako bwana William. Afuatwe na Edward Echukule na Rev. Thomas Ekai. Karibu mzee.

William: ekiro kang ngesi lotokona ipupete esi ebeyo Eregae

Com. Githu: Ngoja kidogo mzee.

William: Mimi ni William Elegai ngakiro nakorinikinito anadakar kana ngesi

translator: Yale ambayo hajafurahi kwa maoni yake ni haya.

William: tangu kianyuni eur

Translator: Tangu wapate uhuru

William: akwap na ngiturkana naka ikoni ibore niwakinitae kop

Translator: hapa Turkana ni kama imefinywa tangu awali.

William: kotere isomate ngide lu esukul maka university mpaka ekwakayee aniebongunete mama ekas lo aman lu ikoni lo akwap anache einakinio

Translator: kwa maana watoto wanasoma kuanzia primary, secondary school wanafika hata university, wanaenda hata ng' ambo kupata degree lakini kurudi hapa Kenya hawapati kazi.

William: nyo bo ikonere neni tarai bo sua ngitunga a kenya

Translator: kwa nini inafanyika hivyo na sisi tukiwa hapa ni wanaKenya kama wengine.

William: tarai bo nakolo kianyuni daang euer kapaei

Translator: na uhuru ilipatikana tukiwa pamoja.

William: ngakiro nguna echamakina ubagusi ngina tolemaraikutoka ana katiba anatokona kana

Translator: angependekeza ubaguzi kama huo kutupiliwa mbali ili kila mtu ahudumiwe kikamilifu.

William: ngakiro nguna eroko noi

Translator: hayo ni mabaya sana.

William: kerubakisi ngakiro nguna emam katiba ngina esubakina ejok mpaka esubakini ngakiro nguna

Translator: hayo maneno yakiendelea kuwa hivyo Katiba haina maana, ni kama haijakamilika.

William: nabo na ngarei

Translator: ya pili,

William: etee ayong kanege ngituurkana nirumunere polisi kisieki akinapa eroko neyena atamar esechit kori mam

Translator: Kwa upande wa usalama, polisi akikamata mtu anaanza kumuumiza kabla hata hajafika kotini ama wapi. Anaanza kumuumiza mapema kabla hajajulikana ako na makosa.

William: echamitae tokona ngakiro niirumunere itwaan eirario lotal toyenae atamar isecheti kori emam nesechti

Translator: inatakikana mtu akamatwe apelekwe mahali pamoja mpaka kwa police station kabla ya kuumizwa. Aulizwe apatikane kama ako guilty ama not guilty.

William: ana asechitori eyei akoti elosi ekesi lo akoti lo ifanyi itwaan itwan ngini topoyene emokoso keng

Translator: na kama ako na makosa iko na sheria iko mahakama ambayo inaweza kumfunga ya kwamba ako na kosa.

William: eyei ekesi na koti

Translator: Polisi wanachukuliwa sheria mikononi mwake, hiyo ni makosa.

William: ngakiro nguna eroko tokenyieki nangolenyang ngakiro nguna lokojokon

Translator: Serikali iangalie haya maneno kwa ukamilifu.

William: aria tokona ngakiro nakang narai tokona ngamaoni kang ngesi nguna

Translator: Hayo ndio maoni yake na wengi watasema yale ambayo hayajasemwa.

William: alimub nabo iche bore kidogo

Translator: Nikiongezea kitu kidogo,

William: aria sua ngikasukou a ekatukon

Translator: yeye ni mojawapo wa wazee wa chief.

William: kotere bo nyo kifanyia sua ekas lokalaan kifanyakinitor nangolenyang ka ekatukon tarai bo mam iore kiaannyuni sua

Translator: inaonekana ni kama tunawafanyia Serikali kazi nyingi na kupitia kwa chief na kule Serikali hatuaangalii masilahi yetu.

William: kwani sua kikoni ai?

Translator: kwa nini sisi ni watu ghali, yaani tunafanya kazi ya maji.

Com. Githu: Muulize anataka ama anapendekeza nini.

William: kisaki sua nabo mini sua de ibore kigielunia esabuni

Translator: Anataka kitu angalao hata kitu cha kununua sabuni.

William: kwa hivyo ejok noi

Translator: kwa hivyo asante sana.

Com. Bishop Njoroge: Asante mzee, tumepata hayo. Edward Echukule, tafadhali tuambie maoni na tutafurahia, karibu.

Edward: ayong kaanyaritae Edward echukule

Translator: Mimi kwa jina ni Edward Echukule.

Edward: akiroit nabunitor nege ekidioko mama nakaalak

Translator: Yangu ni machache sana.

Edward: itemokino ngide lu erumonete esukul anyaut kesi ngichani noi

Translator: Wale watoto wa shule wamemaliza masomo yao wanapata shida sana.

Edward: ekandarasi loebuni nege toliwor nabo ngitunga nabo luoifanyete ekas ifanyete

Translator: Hata contract ikiingia kidogo ya siku chache wale tunafanya kazi pia ndio wanapewa tena nafasi ya kwanza, wale ambao hawana kazi kama wanafunzi yaani school leavers hawapati.

Edward: kotere ibore ni einakinit emokoranu nakkop na Kenya ngesi ngini

Translator: Hiyo ndio naongeza kama uhalifu yaani watu hawana kazi, na wamesahauliwa na wameingia katika hiyo ukora.

Edward: elipit nangolenyang atamar kiwaki akiroiti ngina nakatiba nakon kotere tokona Kenya emam ekas eyei echamaiti contract nakinai ngide lu arumosi esukul kutooka standard four mpaka kilas eight

Translator: Anapendekeza ya kwamba Serikali iangalie haya maneno, wakati kazi kidogo ile inaweza kuwa contract ikipatikana, waangalie sana wale school leavers wa std. 8 na form four kwa sababu ni kazi ya muda.

Edward: kainyo na ebunioo ekas ngolo nabo taanyut ngitunga lu angikasia nchamakina kotere einyanut itwan ngini ngichani noi

Translator: kwa maana ikiingia hivyo naona na pahali unafanya kazi kama mimi namna hii kama mimi namna hii mwalimu napewa tena hii kazi ya kufundisha huyo kijana anabaki hapo sio mzuri. Ninapendekeza hiyo contract ikiingia inapewa wale hawana kazi.

Edward: torumori akiroit ngina kanieni eyeani ngakiro a esibitar

Translator: Ya pili, ni juu ya hospitali.

Edward: akwap na ngiturkan emam ngamanat eya

Translator: Hapa wilaya yetu Turkana hakuna mashamba.

Edward: emam nai enyunetae ngaropiae

Translator: hakuna mahali wananchi wanapata pesa.

Edward: na eloso nalupulupui a esibitar

Translator: ya kwenda kulipa madawa yale yanatoshwa hospitali.

Edward: kainyo kilipiti serikale kiraki akwap na ngiturkana edawaw lo pas

Translator: Napendekeza Serikali iangalie Waturkana ikiwezekana wapatiwe dawa ya bure.

Edward: kotere ikoni amamu daangu ngiturkana kotere emam ibore daang toree akolong nganei daang

Translator: unaona mahali ya ukavu yaani ukame ni huko Turkana kwa wingi sana hata mbuzi tano mtu akipata ukame

unamaliza na ukipata pesa wapi ya kuenda kununua dawa.

Edward: ani edakakini toobongu lo subitar tamarai yau ngaropiae

Translator: Akigonjeka anaenda hospitali nyingine anaulizwa pesa nyingi.

Edward: tongopo robo ni enyunia toree edeke ngolo

Translator: Atapata wapi pesa na huo ugonjwa utachukua muda huo.

Edward: esibiti ekidioko ngakiro nakang ikote neni

Translator: Maneno yake ni machache.

Com. Bishop Njoroge: Thank you very much. Asante sana mzee tumepokea maoni yako. Rev. Thomas Ekai tafadhali. Points I know you can be able to.

Rev. Ekai: I am Rev. Thomas Ekai district overseer, Full Gospel Churches of Kenya, Turkana District. On behalf of the Full Gospel Churches of Kenya Turkana District I wish to submit the following as our contribution to the Constitution of Kenya Review . The point here after do not follow any order of importance. One, ...

Com. Bishop Njoroge: Okey, mnataka kusikiza vile anasema kwa hivyo mnataka itafsiriwe, haya mzee njoo hapa. tutachukua tu muda mrefu lakini sio neno. Najua mnataka kusikiza lakini you make it into a summary.

Ekai: the three arms of government are legislature, executive and judiciary, be independent in running their own affairs. Additionally the heads of these arms of government be elected not appointed by the President as it were.

Com. Bishop Njoroge: Wananchi, mimi ndio mwenyekiti. Sawa sawa? Na katika Katiba tuna sheria ambayo inatusimamia. Mkipiga kelele, tutachelewa. Si ni kweli? Mniachie niwe mwenyekiti niwaambie, ikiwa kuna shida chukua mkono juu na mimi nitakupa nafasi utueleze hiyo shida. Si ni kweli? Kwa sababu mkipiga kelele itaingia kwenye kale kadude na maoni yenu itakuwa imeharibika. Sawa sawa? Kwa hivyo tusipige kelele lakini mtu akiwa na shida achukue mkono juu. Sawa sawa? Okey.

Translator: Pastor hapo anasema hii mikono mitatu ya Serikali yaani ya ubunge 'bala pastor eya ngakan ngauni na erikito nangolenyang'

Enkai: Secondly, those persons who have committed some serious crimes not to be harmed or killed. Instead we urge that these persons be given life imprisonment alongside harsh punishment.

Translator: ngitunga lu ifanyete emokoso lo apolon nechamiti eyanio echamakina enio ngikaru lu kaalak

Enkai: The federal system of government that is majimboism be introduced. In this case, the current provinces be given autonomy and this will lead to bringing services closer to the people.

Com. Bishop Njoroge: Are you really understanding what he is saying? Can you get someone else to interpret because we are wasting a lot of time?

Enkai: Or let me just finish.

Com. Bishop Njoroge: Okey, come. Unataka nini?

From the crowd: Maoni yangu ni kwamba, tuwe tunatafsiri ...

Com. Bishop Njoroge: Okey, ni sawa tuendelee.

Enkai: Number four, with regard to the helpless, handicapped and generally those that are physically challenged, we recommend that they be represented in the district level, provincial and even in the August House that is Parliament, whereby Member of Parliament is nominated for that course.

Number five, the President of Kenya shall not be a Member of Parliament nor representing any constituency. The President be elected by the wananchi after the right qualifications have been stipulated and that should come after the Parliament elections are over.

Number six, with regard to the call of our founding father of the nation, that we fight disease, poverty and illiteracy, we recommend that one person be entitled to only one job so that we curb the issue of unemployment in our society.

Number seven; people anticipating to be leaders should declare their wealth. Leaders with first records of corruption should never be elected or appointed or transferred to any public office.

Number eight, the welfare of the pastoral community be given attention the government. We recommend a ministerial boss to take care of the development of arid and semi arid and semi arid land. This ministry shall be the voice of pastoralists.

Number nine, the sharing of the national cake. To follow the principle of equity, that the provinces be allocated their portions and this shall follow the line up to the district level without any bias whatsoever.

Number ten, the government to protect the lives of any citizen at any one time let there be no way the Kenya army can use the lethal weapons against the citizens. This should be the case for the inter-state enmity.

Number eleven, the unlawful use of gun by citizens be cruelly treated by the state that whoever shall be found possessing a gun illegally be administered with corporal punishment and the gun taken away.

Number twelve, the Mayor and the county council chairman be elected by the wananchi not the councillors as it were. The qualification of the council chairman and the Mayor to be at least form four and above.

Number thirteen, we wish to recommend that the offices of the chief and the assistant chiefs be elected by the wananchi in mlolongo line as it were before independence. The current system of interviewing the candidate is not efficient and it brings in incompetent persons.

Prisoners serving short sentence should be given work to perform like cleaning cities, preparing roads, planting trees or carrying our irrigation activities. God Bless You.

Com. Bishop Njoroge: Tupate Alice Ewesiti. Alice tafadhali kuja useme jina lako na utupatie points na yule mwingine anayefuata ni James Korodi ana afuatiwe na Phillip Sinyoni.

Alice: My names are Alice Ewesiti Eros. I am working with a local NGO called Nawesoro Turkana Women Conference Centre and these are our views.

The first one is affirmative action. It says that a third of members of Parliament should be women elected by the people themselves. Those seats should be set aside for the women.

The second one says that the marginalized groups should be included in Parliament just to say that members of the Parliament should be one of them should be representing the disabled, the youth and the women.

The third one, in each pastoralist's community there must be a minister representing them or anybody representing them that themselves elect them.

Number four, the Constitution must spell out that both men and women, that is the father and the mother should be responsible for the child that they have produced not saying that the woman only will be responsible.

Number five, the Constitution should give women freedom of movement with children to abroad without consulting a husband or the father of the child.

Com. Bishop Njoroge: Tafadhalini, sheria itawapata kwa sababu sasa mnaonekana hamsikizi vile mnatakiwa. Hiki ni kikao rasmi cha kupokea maoni na kila mtu ana haki tumheshimu maoni yake. Tafadhali don't shout to anybody, okey? Please let me not repeat because we want to go quickly. We have so many people.

Alice: Number six, to provide free primary education to all nomadic pastoralists communities.

Number seven, there is a word called Ekichuli in Turkana, we said that Ekichuli is compensation and it should continue in the Constitution of Kenya because it is a compensation for the damage of a woman, it is a punishment for a man or a boy who has impregnated that woman and then Ekichuli should be directed to the woman and the child.

The Constitution has to spell out that any man impregnating a schoolgirls should be punished or jailed. There should be an official like a ombudsman. This court should fight for the rights of the poor, the weak and the marginalized because maybe this poor will have a case with a rich man and this court will be caring for the poor and the weak.

Number ten, the Constitution must spell out both girls stroke boys should have a right to inherit property equally. Not saying that a boy should inherit. A girl also should inherit after any parent's death.

The children's court should be brought here in Lodwar because the children are suffering. There are those children who have been thrown out by the fathers who have impregnated their mothers and they have been left without care.

The election of the three candidates should be separated and that is the election of the councillors and the MP and the President because when they mix them we cannot know who is the President that the people are electing with the MP and maybe the MP himself can be seen by the people and the councilor is not there and we don't know who is the president. Those elections should be separated and those are my views.

Com. Bishop Njoroge: Thank you very much. Alice, register your name over there. Now, can we have James Korodi na atafuatwa na Phillip Esinyoni. Karibu james utupatie maoni yako.

James: Sisi watu wa. ...nilikuwa nachunga mbuzi. Jina langu ni James Korodi Ekuleu. Maoni yangu ndiyo haya, nataka kuzungumza Kiturkana ili Waturkana wangu ambao hawajasoma Kiswahili na Kizungu. Nataka kuzungumza Kiturkana, mwenye Kiswahili aje kutafsiri ili iko kitu kinachosumbua sisi kama ni... tangu sisi tulipata uhuru hata mimi nilikuwa kijana. Ayoing itwaan ni emam ekais arai asorokit lo eyoki ngibaren ka pakang(Kalenjin)

Translator: Wakati tulipata uhuru yeye alikuwa kijana alikuwa akichunga mbuzi za baba yake.

James: arai ayong kolong ekijanat lokolong eyoki ngibaren

Translator: Nilikuwa kijana wakati tulipata uhuru.

James: kianyu sua mp lu arai ablasi ekimoyon kidiama toliwor esi dang ngitunga a kanu

Translator: Tulipata wabunge wawili wanasema kidole kimoja wakati tulipata uhuru.

James: tangu ngikaru ngulu

Translator: Tulipata wabunge watatu.

James: na ngirwa lukyu alalaketa ngiturkana

Translator: Wakati huo Waturkana walikuwa wachache.

James: na ngirwa luk elalak ngiturkana

Translator: Wakati huu Waturkana wamekuwa wengi

James: nyo emama kari ngiturkana lo arai eminiter it

Translator: Kwa nini sisi Waturkana hatuna minister ambaye anatuongoza.

James: kingisit ngitunga lu a kanu lukolong ayauntete ehuru neke ekas lo

Translator: Tunawauliza Waturkana na wabunge wa sasa that tuongezwe kati ya mmoja ya wale watakaochaguliwa wawe minister.

James: kisaki nabo ngakiro ngache atamar kisaki kanu kitangaki sua akimiet na ile

Translator: tunataka Serikali ya KANU itufungulie mafuta. Kuna mafuta mahali inaitwa Ele na Loperu.

James: nyo nabo anikeanyuni togolooi tarai angokipi ngide ekas lo ifanyete

Translator: Kwa nini tangu igunduliwe iko pale kwa nini inafungwa. Kwa nini hapana funguliwa.

James: sasa ngide daang lu ifanyete esukul primary tani secondary tongokipi ekas

Translator: Ili maendeleo ipatikane Turkana.

James: mam ngide lukosi daang lu ifanyete ekas daang kotere mam maendeleo

Translator: Hayo mafuta yakifunguliwa maendeleo yatapatikana.

James: kisaki nangolenyang kingolik ngakiro nu

Translator: Tunataka Serikali ifanye hivyo.

James: ngide daang lu ifanyete ekasi daang tani lu eponito alokital

Translator: Kwa ajili ile kazi iko hapa ile kidogo ile ya kufagia hata nini sioni Waturkana wakifanya. Inafanywa na mtu kutoka nje.

James: engolikinit kane aloturkan eya ngikanisai lu kalaak noi

Translator: Na ameona hapa Turkana kuna makanisa mengi lakini kuna sehemu moja ambayo inafanya vizuri sana kushinda ingine na hiyo ni dhehebu ya Catholic na Napendekeza Serikali sana wafanye hima wasaidiane na hilo kanisa lifanye maendeleo.

James: asaki nabo eruor nabo ngakiro a esibitar itawaaan na ekonyia ingok ani elosi losibitar tamarai kape tyau ngaropiae

Translator: Angependa Serikali iangalie hospitali ilipe madawa ya kila aina hata dawa ya mbwa hakuna hapa. mtu akiumwa na mbwa unaambiwa hakuna. Unaambiwa nenda ununue dawa kwa chemist. Huko chemist hakuna dawa na ningependa chemist iangalie mambo ya hospitali.

James: ejok noi

Translator: Asante sana.

Com. Bishop Njoroge: Tupatie proposals. Halafu afuatiwe na Lochori Locheria Lomolukari.

Phillip: Kwa majina mimi ni Phillip Esonyoni Erit. Ningependa kutoa maoni yangu kama yafuatayo.

Ya kwanza, ningependa kutoa maoni kuhusu mambo ya kilimo. Kuna wakulima ambao ni wajeuri na kuna wakulima ambao ni wachanga. Ningependa katika constituency mpya, waangaliwe pia upande wa ardhi. Kwa sababu kama sehemu yetu ya Turkana, hata sisi tumeanza kilimo na tungependa Serikali wale ambayo ni irrigation yote ambayo iko Turkana apewe mbegu ya bure na pia na wataalamu ya kufanya hao wapate chakula cha kutosha. Hayo ni maoni yangu ya kwanza kuhusu mambo ya kilimo.

Jambo la pili, kuna shida ambayo tunaona hapa. kuna watu wetu ambao wanafanya kazi lakini wanakufa wakiwa kazini. Wengine wanakufa kwa magonjwa. Wengine wanakufa kwa ajili ya ajali. Lakini kupata mapato yao wazazi wao, hata wengine wako fifty years hawajapata mapato ya watu wao. Ningependa huduma kama hiyo iletwe na Serikali karibu na Ulaya ili yule ambaye amepata bahati mbaya. Ni kama kufanya watu kuendelea kulia kwa sababu hii ni vitu vyote vya huyo mfanye kazi ya wazazi wao hawapati. Sasa wengine kama mtu hapa Turkana inapopata ajali ya kufariki. Lakini unashtukia ni mpaka uende Nairobi na huko ni gharama. Hata nyinyi mnajua. Hata watumishi wa Serikali wanajua lakini ningependa huduma kama hiyo iletwe karibu na wilaya.

Halafu jambo la mwisho, ningependa itolewe kizuizi na Serikali kwa sababu kuna misaada ambayo inatoka katika nchi ya kigeni ambayo inataka kuingia katika nchini ama kusaidia watu fulani lakini utakuta tena Serikali inajaribu kuzuia. Mimi naona maoni yangu, sisi kama tunataka watu wetu kusaidia, si vizuri tena sisi wenyewe ndio tunakinga msaada huo ili apate kurudi. Asante hayo ndio maoni yangu.

Com. Bishop Njoroge: Asante sana bwana Phillip. Asante kwa maoni hayo. Locheria yuko wapi. Anafuatwa na councillor Nataani.

Locheria: Mimi naitwa Locheria Lomorokai. Mwanzo kabisa kabla sijaanza, I think I should say this from the onset. The Constitution making process in Turkana has been very difficult because even the 3Cs that were elected, because of the vastness of this district it was not even possible for these people to go round talking to people; That includes the civic educators. I am told that even the funding was not proper. So, this means not all Turkanas know this. I am talking of a place like that so which means that because we want to produce a people's Constitution it is not going to be a people's Constitution because not everybody knows about it.

I want to say something about the security. It is known that it is the duty of the government to protect these people and the property but as turkanas we are being attacked, you know we border Ethiopia, Sudan, Uganda and our Pokot neighbours here. These guys are attacking us at will. Many a times protection is not there. Therefore, we demand compensation from the government for people who have lost their property and lives.

The Kenya government should compensate for the internal invention since many are times known and when the property and nothing is ever done about it. cattle rustling should be treated as a capital offence in this Constitution and those who do it should be dealt with the full force of the law. People should demand for taking for the government since the security seems to be doing very little. Infact many are times there is an invasion in this district, it takes almost three days for even arms of the government to come to the rescue of this. Many a times and the invaders will have disappeared.

The security apparatus should be reviewed since our borders are porous we know like we know like the army, it is centered in towns like Nairobi, Nakuru and Eldoret and yet, we have a place like Lokichogio places that have even been formed by the government. We have a time when Lokichogio was bombed. If these places were reviewed such that the security arms of the government are there and ready to act accordingly.

We also know that we have army and NYS. When we are not at war, these guys should provide a national service. I am talking in terms of provision of building roads and things like this. When we contract various unscrupulous contractors who don't even deliver services and yet we have an army that can build our roads, we have a national youth service. When we are not at war, when the army is not fighting, they should provide national service to the people of this country.

I want to say something about education. During the colonial era, Turkana was a closed district such that it was not even possible for Turkana kids to go to school. The Kenyatta government did not open avenues despite having ignorance as one of the enemies to be fought even after independence.

Turkana lies on a livestock economy and (inaudible) useful marketing lacking. Therefore, free education up to secondary school should be considered with bursaries that have no political attachments. Many are times bursaries are given to well to do people. During disasters such as drought, rain payment of school fees should be waived. I am talking about turkanas in Turkana. How do you expect a parent who is being fed on relief maize to pay school fees? So, during drought school fees should be left.

Natural resources – we have the presence of land and large masses of unexploited gypsum, gold, diamond and gemstones. We want the government to support the exploration of these very vast resources for the benefits of the people.

Also, mining should be done aside with proper processing at side and when this is not possible if these resources have to be imported then people of that area should be compensated. I want to say that about land. What I want to say is that do we need Prof. Wangari Maathai to remind us that how stagnant and beneficial our forests are? We are destroying our forests with impurity not caring about prosperity. So, land tenure and ownership should come out clearly should come out clearly for example as in Turkana the 77,000 sq.km of land, does it belong to the Turkana people or the government. This should be registered and one title deed should be issued to the Turkana so that they can manage it communally.

Title deeds should also be issued to arid areas markets, plots and schools because as at now we you have a plot here you cant get a title deed and as such even having it for securing loans are lacking. So desperate as we are, we continue being desperate.

We also want to review this idea of the county council of Turkana owning land in trust for us. This will be difficult because many are times owning does not even benefit the Turkana people. The issue of people being given title deeds in Nairobi should stop and those that have already been issued should be cancelled.

National heritage – the government should support people’s traditions and cultures such that only those are that are retrogressive and pick the laws of the land to be outlawed. The people’s culture should be supported and preserved for posterity and for tourist attraction just like they are marketing the Maasai and yet we have a very vibrant culture and it looks like if it is exploited, could attract large sums of tourism.

Harambee spirit – this is a re-awakening call by the founding fathers of our nation during independence to gather people to come together to build our economy. Since then, this effort has equally contributed and supplemented government to (inaudible) to serve the people of Turkana. Unfortunately, this spirit has been abused but nevertheless, all people should support this since we started this initiative, some parts of our country like Turkana could not be where it is now. A law therefore, should be enacted to protect this vital institution.

Representation – registration of voters should be a continuous process as a person attains the age of 18. It should be made mandatory and free because you don’t have to pay to be a Kenyan. The other thing is a candidate who emerges top with less than half of the registered voters should not be declared a winner. A re-run should be declared because many a times for example, like during the last elections in Turkana central, the winning candidates-we had registered voters with more than 35,000. The winning candidate got 15,000 and the loser had 600. What I want to say is, the difference of those who did not vote due to some reasons best known to them were 17,000 who is supposed to represent those one? So a candidate so elected and you get a winner (inaudible) should have a vote of no confidence passed on him or her and where possible the runner up who must have scored at least half of the user voters takes over. This saves the riggers of by-elections.

Candidates of parliamentary elections should at least be observed by educational background and at least of a diploma holder. This puts value on education instead of those (inaudible).

An MP should serve a minimum of at least two terms because too long becomes boring. The elected leaders should not be allowed to engage in government contract and end up and any other public entering the supply system. This usually ends up in the monopolization and forcing this through.

Local authorities – this is the most confused sector in the government set up. Laws that they pass directly or be locked out of office, they come to court. In 1992, if Ford Kenya was to win it is supposed to replace the provincial administration with local authorities. If this could have happened this was going to be a sad day for Turkana because by then counting a number of councils had no capacity for leadership.

The other thing is, despite collecting large amounts for revenue, there is nothing to show. Despite the fact this was only for the funds they collect. The government has and employed large sums of money in terms of where they call the local authority transfer funds. Despite lots of sums of money being given there is nothing to show. So, what we are saying is, the public service Commission must hire clerks who are the chief executive officers of local authorities, equally. What we mean is that if the town clerk in Nairobi is a lawyer so likewise the town clerk in lodwar should be the same.

The councillors should have some education and academic standards since illiteracy has left manipulation. Election of council of Mayors and chairmen needs scrutiny because the people should direct it. Take for example a / in Turkana, a person who is electing a chairman from /. So, it takes a lot of scrutiny to decide upon in terms of educational background.

Com. Lethome: What is the educational level that you are proposing for councillors?

Locheria: Form four. The other thing is that members of Parliament must be told to stop interfering with the day to day running of the councils including the running of staff. Many are times councils are being run by members of Parliament and this has led to confusion because a decision can never be made without them. So some law must come our regarding this.

We need to have a preamble in our Constitution that recognizes the rights of the Kenyan people to share their own destiny.

Bill or rights – the current Constitution guarantees basic rights but are not voluntarily enjoyed by the Kenyans. They therefore need an article in the Constitution provision of fundamental rights, which should be protected. It should therefore come out very clearly who should have the powers and responsibility of making sure that all these Kenyans enjoy these basic rights.

Freedom of the press – the Constitution should recognize the press as a pillar and the guardian of fundamental freedom and rights of Kenyan. There is also need of the airwaves and guarantee the access to information; for 36 years down the road, we are not able to watch television in Turkana. Reasons, I don't know.

There is the need to set up an office of the ombudsman so as those who are not fully satisfied with action against them can go for redress as a last resort. Presently, the Attorney General and an appointee of the President partial in dealing with some of the issues affecting this nation. What we are saying is that there should be a ministry of justice to handle issues of law enforcement and the Attorney General acts for prosecutions. Thank you.

Com. Bishop Njoroge: Thank you very much. You register yourself. Can we have councillor Nathan. Ujaribu kusema point-by-point na tutafurahia.

Cllr. Nathan: Kwa jina naitwa Cllr. Nathan Lomorokai na mimi nataka kuchangia machache tu.

Kwa upande wa local authority ningependa chairmen na Mayors wawe elected na wananchi ili ipate kuzuia ile rankles ambazo ziko katika councils na ile imekuwa public nuisance and public outcry. Hiyo ndio kusudi nina... na term yao ningependekeza iwe miaka mitano. Na kazi yao pia lazima wawe in-charge of district A.I.E kwa sababu most of the A.I.E in the district inasimamiwa na appointee from the office of the President ambaye ni DC na appointee ambaye ametoka katika office of the President doesn't feel the problems ambaye ni ya wananchi. So I feel mtu ambaye angechaguliwa na wananchi ndiye ana-feel has the heart of delivering services as a matter of reciprocation to the electorate.

Councils should operate autonomously and not answerable to the central government. Chairmen and first vice chairmen and finance chairmen must be incorporated in running of the council account instead of the keep officers only.

Education background of MPs councillors – the first Turkana kuenda university ilikuwa 1979 and they were only two. So, kile kitu Naonelea ni hivi, in the long run, we might end up coming with an idea ambayo haingewasaidia watu wa Turkana because I feel wisdom supercedes educations unless the leader has the two.

Com. Bishop Njoroge: So what is your recommendation?

Cllr. Nathan: My recommendation is to say that for a councillor must have a CPE or a KCPE certificate and a Member of Parliament should be KCSE and a diploma and above.

Recalling of MPs and councillors – ningependa kama wananchi ambao walichagua Mbungeama Diwani, if wananchi, the electorate feel the MP or a councillor doesn't deliver to the expectation, wapewe jukumu ili, they can appeal their signatures, ID card numbers and voters' card numbers mpaka kiwango, kwa Mbunge, kiwango elfu tano, na kwa Diwani elfu mbili mia tano.

By telling nominated MPs and councillors. There should be no need of maintaining nominated MPs because that is misuse there should be no need of maintaining nominated MPs and councillors because, that is misuse of public fund because they play no role and they represent no one. This chapter should be closed, for this was used to create job opportunities to the relatives of those in power.

Dissolving of local authority by the president. Hii ilikuwa what I feel as my contribution, this thing should cease henceforth. For

the local authority is led by a person who has been mandated and empowered by the electorate like the President himself. So, we should respect everybody's office and tuachie let us leave this to the people.

Formation of SenateHouse of Representatives – what I feel, the Parliament only doesn't deliver. This is the high time we should have visions as Kenyans, to put things in place. We have witnessed MPs being elected and disappear completely and only re-appear when the elections are nearing.

For the sake of people's representation at the grassroots level, I would wish three representatives from each district; councillors must vet county by voting for the matter of representation and being articulated to represent us in the senate. Kwa hivyo I want the formation of the senate. That's my role contribution.

Like the salary tribunal, I feel there must be a salary tribunal instead of the Parliament just going and inflate their salaries there. I feel there should be a tribunal that should be formed to look into the salaries of the MPs, Councillors, Judges, teachers and Civil Servants.

Okey, kwa hivyo ungeniwachia tu ninyoroshe. Each and every local authority, this is job opportunity. I feel each and every local authority, should be vetted with powers of employing at every district of jurisdiction. This will stop malpractices of importation of jobseekers by appointees posted to the district and will create job opportunities to the residents of each district by balancing job distribution.

NGOs – what I feel all the NGOs that are in this country must be answerable to the district in which they are going to operate.

Com. Bishop Njoroge: I have given you one more minute.

Clr. Nathan: Pole kidogo tu unajua hata yote imeniachia kwa sababu ... so NGOs. Because there are so many NGOs ambazo ziko hapa zina-operate katika wilaya hii, and you find that most of them just work under an umbrella of an NGO kumbe they are being owned by an individual and they solicit funds on behalf of Turkana. So, what I would urge is that there should be a law that will look into such NGOs and make sure that if it seems to be bogus sheria kamili wanyoroshwe kabisa.

Free education – what I would feel is because since we attained independence, Turkana district was inhabited by personal communities were disadvantaged kwa upande wa elimu. Na tulikuwa siku hiyo inaitwa northern volunteer district. So we were brought for free education and other Kenyans were enjoying free education. What I feel as at now, this pastoral communities of the Turkana people being part and parcel of them should be given free education or the law should be looked into whereby we can sue the British government because of lagging us behind and the Kenyan government to sue the British government of our behalf.

Com. Bishop Njoroge: Ngoja, kuna swali.

Com. Lethome: Cllr. umetuambia kuwa hawa wabunge maalum na councillors maalum wanapoteza pesa za Serikali bure lakini tunaambiwa kuwa wao wana-represent wanawakilisha special interest groups. Sasa kulingana na maoni yako tumewaweka kando. Hakuna tena. Nani atawakilisha yale masilahi ya watu maalum special interest groups? Una maoni gani, unapendekeza kitu gani?

Cllr. Nathan: Kwa maoni yangu yale ningependa kupendekeza kwa maoni yangu, kuna wale wanaitwa disabled ama women group, tungependa like the women in the whole district (wacha hii ndege ipite) tungeomba sheria I-formiwe ambayo in every district in this country kama kwa upande wa wanawake, wawe wana-elect bibi mmoja ambaye ako na uwezo wa ku-represent wanawake wenzao na katika wale jamii ambayo ni vilema, jamaa ambaye haoni pia wawe na representative wao kwa sababu atakuwa he is playing a role. Being nominated is that you are playing somebody's role. So he is being nominated by a DC or loyal to the Member of Parliament something like that. Thank you.

Com. Bishop Njoroge: Ningetaka kuwaomba wananchi, ninaona kuna watu wamekuja na bado hawajajiandikisha na hatuwezi kuwapatia nafasi bila ya kujiandikisha kwa hivyo tunawaomba wafanye hivyo. Pia ninaona tutakuwa na watu zaidi ya mia moja. Kama hatuzungumzi haraka kuna wengine hawatafanya nini? Kwa hivyo ninawaomba ili kila mmoja apate nafasi yake. Nikiwa mkali kidogo mtanikubali? Ili mtu akienda sana nimwambie kata kidogo. Mnanikubali hiyo? Sawa, asante. Tupate Eli Mike Bosco. Afuatwe na Benyo Elegai, afuatwe na James Ekali, afuatwe na Musa Gitieng' na we want points. Now, I am giving you only five minutes and if you go behold that I will stop you. Please don't read the memorandum, give us points.

Bosco: Okey, my names are Michael Bosco Elim representative of Turkana district university students.

Local government – Mayors and Council chairmen should be elected directly by the people. And their term be extended to a five-year term. The Councils should not be linked to the central government but in a way be funded by the central government.

The chief officers like the clerks to be under the council District Service Commission. The minimum qualification for chairman and Mayors should be a diploma in a recognized institution while councillors should be at least holders of O levels certificates. Moral and ethical qualifications for local authority seats should be put the same as that for presidents and MPs and people should also have a right to recall the same way an MP can be recalled but in this case the complain is forwarded to the district disciplinary committee for further action and recommendation.

The remuneration of councils should be determined by the District service Commission. Conduct of councillors should be stipulated by their parties. The ministers in charge of local government has no power to dissolve council.

The electoral system, we should practice the plurality and majority system and a two round system of secret ballot as a basis for winning an election. The electoral process should be designed in such a way to increase women participation in Parliament and local authorities through affirmative action.

The minimum percentage of voters for any contestant or candidate should be above fifty percent except for the President whereby he should get at least 60% from about five regions or provinces. It is a political right to seek nomination from another party even though one fails to seek nomination from the other party.

In case of parties crossing the floor or defections, new elections should be called. Since we propose for the reduction of parties to three, the percentage of voters by region should be more than at least the current 25%. We should have seats reserved for the special interest groups like women, disabled, youth and other marginalized groups like the pastoralists so as to cater for their special interests. Well demarcating constituencies and the area and size of the place should be considered first then finally population.

Civic, Parliamentary and Presidential elections should be done on different days. Maybe at 2 to 3 days time span. The election date should be stated in the Constitution. The presidential election should be conducted directly. The electoral Commissioners should be degree holders preferably in law.

The electoral Commissioners should be appointed by Parliament for two terms only and their retirement should only be after the election of the second term of parliament. The electoral Commissioners should be funded from the public funds. In addition to the current number of electoral Commissioners, they should appoint electoral Commissioners for special interest groups e.g women, youth disabled, marginalized like the pastoralists, they will serve their special interest.

Basic rights – our constitutional provision for fundamental rights are adequate but the practical aspect of it is what has been abused. The death penalty should be abolished and be replaced by life sentence.

The Constitution should protect security, health care, water, education, shelter food and employment for all Kenyans. Compulsory and free education should be provided by the Constitution for at least primary level and affirmative action should be put in place for the poor and the marginalized group up to at least O level through bursaries. The Constitution should guarantee all workers the right to trade union representation. The rights of vulnerable groups. The interests of women are not fully guaranteed and therefore for women rights to be addressed, a ministry or government departments should be created which will be in charge of the affairs. This should also be extended to other special groups like people with disabilities, children, youth and the marginalized.

Management and use of national resources – the Parliament should have the powers to manage the use of these resources and therefore should retain the powers to authorize the raising and appropriation of public finances.

Ways of entrenching good governance – it requires more than one method of approach. These are possible through establishment of institutions through which good governance practices can be encouraged. These are unelectable and accountable Parliament and responsible executive, an independent judicial system, the auditor general, the ombudsman, independent anti-corruption agencies, public service that serve the public, local government, an independent and free media, the private cooperative sector, international access and mechanism.

However, rules and practices for these institutional pillars should be stipulated as follows free and fair elections, democratic and the electoral process, judicial review of official actions, public service ethics, monetary assets and integrity testing, conflict of interest, nepotism and cronyism, public procurement, good and national management, the rights to information, public awareness and public records.

Competition policy containing corruption laws to fight corruption, laws to fight corruption, giving systems a voice to citizens participation. Some of these significant issues that need to be addressed using the executive powers. A significant trend of post independent constitutional amendment has been to concentrate powers in the executive arm at the expense of other arms.

The powers of the President are so many and so nearly exercising them would turn even a state into a dictator. So to reduce these powers we propose that all presidential appointments to be approved by parliament, the president's power to create ministries, public offices, district and provinces be made subject to parliamentary approval. Attorney General's security of tenure should be enhanced by having him or serve for a single term of ten years and alternatively, creation of an office of public prosecution with security of tenure which will take charge of prosecution as the Attorney General would remain purely a political appointee or a chief government legal advisor.

The president's power to dismiss civil servants be scrapped and should be left to the public service Commission. The President power to dissolve Parliament be that before the term should also be scrapped. Impeachment of the President be possible, the executive President should be replaced by a Prime Minister who would exercise executive powers and the leader of the party that wins the majority.

Coalition government – the Constitution should allow the formation of a coalition government. This ensures that all the citizens are represented in the executive branch. Human rights protection. The protection of human rights should be extended and promoted like the academic freedom write to a lawyer of the public at the public expense and access to medical care while in prisons should be included in the bill of rights. Therefore an independent human rights Commission be established which will investigate human rights for elections and carry out programmes to educate citizens on human rights.

Recall of oppressive laws – many laws created by the colonial government to suppress Africans are still in the statute books. Many of these laws restrict the enjoyment of fundamental human rights. Examples, the prosecution of public security Act, the public order Act, the chief’s authority Act the societies’ Act. A new Constitution order demands the repeal of such laws.

Electoral reforms – the present laws relating to the conduct of elections are imperfect and unfair. Proposals to reform these electoral laws include creation of an impartial and independent electoral Commission, withdrawing the constituency boundaries to ensure equal representation per population, registration of all voters and computerization of electoral register.

All political parties should have equal and fair access to the public mass media to promote the electoral campaigns. Increasing the powers of the Commission to enable it to take charge of all aspects.

Referendum – since power emanates from the people, democracy demands that important national decisions including significant constitutional amendment be subject to approval by citizens through a referendum. Such a clause should be inserted in the new constitution.

Abolition of the provincial administration – it should be abolished as it is still an oppressive and / term of the executive and establish a strong local government as the basis for people’s government. Before I finish there is a continuation of the / views brought by the chairman. Thank you.

Com. Bishop Njoroge: can I have that memorandum. I have given you a lot of time because I know you are representing students and we needed to hear you. That is why I have given you all the time in the world. So can we have Protus Akuja? Tafadhali dakika tano, we have so many people.

Protus: My name is Protus Akuja, chairman and this is the part two of / views. I will start with the preamble.

Preamble defines who has the power to decide on the Constitution and we shall have final authority over it. We want these powers to be vested into the people of Kenya. The Kenyan Constitution should start with the statement we the people of Kenya contradicts the statement in the current Constitution which says that....

Com. Bishop Njoroge: We will read that. Tell us what we should do.

Protus: Okey, the next point is the directive principles of state policy. The Kenyan Constitution should incorporate statement of capturing the national philosophy and guiding principal. The statement should represent how Kenyans want to be governed

ensuring that democratic principles should be included in the constitution. these principles include freedom that is political freedom, economic freedom, social freedom, equality of all citizens and liberty. These principles should be enforceable in the law so as to avoid an abuse.

Constitutional supremacy – section three of the current Constitution face the law making powers of the report of Kenya in parliament. Sometimes a party with the majority makes member taken advantage of the law of 65% majority to pass bills. We recommend that 85% or this percent should be increase to 85% majority votes. This is to avoid a coalition in the government to pass malicious bills.

The power of Parliament to amend the Constitution should be limited to the issues that affect the common system and not the Parliament just to name a few issues that legislatures should note. Have powers to pass are one is the parliamentary remuneration and benefits. The life of Parliament at times of emergency. This in the last gazette I saw it was saying that 900% of the MP salary is supposed to be increased.

I think this will not bridge the gap between the poor and the rich and instead it will widen it. So the MPs should not be able to discuss the remuneration and any other benefits. It is easier to decide this.

An alternative body like the law society of Kenya, the Act should be signed when that particular body is vested with power to pass bills that concerns the members of Parliament after conducting a referendum.

The referendum should be conducted by the electoral Commission of Kenya whose Commissioners are appointed by parliament, and not the President or anybody else.

Citizenship – citizenship Act of law of Kenya provides that persons in Kenya become a citizen. This person should become automatic Kenyan citizen regardless of parents gender, the nationality of the parents. Only if the child prefers to remain in Kenya after attaining the age of 18 and has no intention of acquiring the nationality of his or her parents.

Section 87, part two of Kenyan Constitution provides how one may acquire citizenship by descent. The child is to acquire this Kenyan citizenship only if the father is a Kenyan citizen, which is unfair. That means if the mother is a Kenyan, he or she cannot acquire the citizenship. Those born outside Kenya should become Kenyan citizens regardless of parent's gender. Spouses of Kenyan citizens should become Kenyan citizens regardless of their gender upon making application in such a manner as may be described by or under an Act of parliament.

Kenyan citizens should have the obligation, one to hold alliance the head of state. Right to voting general and after national elections. Participate fully in responding to the issues that affect the country as a whole.

Rights – the Constitution should stipulate the rights to live, liberty, security of persons and protection of the law. Since the Constitution stipulates that every Kenyan have a right of peace and security, it is to our dismay that the Turkana community don't have these rights. So we want these rights to be enforced into law and it should be practical. Such that people living in Lokiriama, Naipa and such areas that are vulnerable to raids are protected, because I cant see why those areas that I have mentioned have no mobility and you find that in the D.Cs office there are more than five vehicles and those vehicles are “redundant”and dundered and doing nothing and places like Naipa and Lokiriama as I mentioned have only two or five motor vehicles while in the D.Cs we have more than ten or so MPs. Why so? Does it mean that the DC is under threat or what is the problem? We recommend that the police or the MPs should be taken to areas where peace is needed or security is /.

Political parties should play a role other than political mobilization such as social affairs and development and also as watchdogs of the government. The Constitution should regulate the formation, management and product of the parties and should be limited three parties only. This will allow financing of these parties during the elections because when the parties are forty-two, it becomes very difficult for the government to finance these political parties. That is why some parties are unheard in some districts.

Com. Bishop Njoroge: Try to summarize.

Protus: Let me read the last point. The Executive, qualification for a presidential candidate should have put records for moral and ethical he should be tested for HIV and married. Thirdly, he should declare his wealth, he must be a degree holder and he must be at least thirty years of age.

The president's tenure should be fixed to a two term only of five years each. The following are the powers that should be taken away from the president. Power to dismiss civil servant and should be left to the civil service Commission, power to dissolve Parliament. It should be possible to impeach the President in issues that violate the law or the Constitution such as corruption and alike. Thank you.

For 36 years we have been in power and it is only the man who has been the President so we are anticipating possibly the man will take over again.

Com. Bishop Njoroge: Now, I still beg you not to make noise so that we can continue. Can we have Ebenyo Elegai na afuatiwe na Musa Gitie na afutiwe na Mark Nakai. Oh, James Ekario. James ngoja tu mzee akae. Sema jina lako.

Ebenyo: enyaritaekiro kang ebenyo eregae

Translator: Mimi ni Ebenyo Elegai.

Ebenyo: be alalaketa ngakiro kane aloturkan kotere emoit lo kidema ngibaren lobe eupokit

Translator: Usalama kati ya sisi na West Pokot ni mbaya.

Ebenyo: kingolik sua ngakiro nguna ibore ni kiinakinik ngakio ngesi ngini atamasi ikoni serikali kosi kori esaki abwelari be kiisik appkkos itwan ipei kirikari

Translator: Naomba Serikali yetu iangalie hali ya usalama kati yetu na ... usalama wa ndani na usalama wa nje.

Ebenyo: ibore ni abunit atamar atelimu kane ngesi ngini eumiari ngiturkana likojokon alowahi kangolo itwan nikolong atingit aite kori akine lema eupokit

Translator: jambo langu la kwanza ni hilo usalama kati ya sisi wa-pokot na waturkana.

Ebenyo: eroto lo arai eking ngolo mam nabo iche ibore alimuni

Translator: asante sana maoni yangu ni hayo juu ya usalama.

Com. Bishop Njoroge: Hata hujaelezea. Kwa nini hujaelezea? Now, ee wapendwa tusifanye kelele ninaona kuna mengi hukutuambia amesema nini. Kwa hivyo tutapata mtu mwingine wa kutafsiri. James Ere kayo. James you come here. Ngoja tunataka kupata yale maneno mzee alisema kwa district coordinator. Can you tell us what he said.

Kaituko: This is what that mzee mentioned. He actually said that because of the insecurity the Turkana have been deprived of their livestock. Those who had camels, they have been taken away, those who had goats, cows all that was taken away by the Pokot and that was his view.

James: I am James Kaale Kalio. I wish to present the following views to the Constitution of Kenya Review Commission.

The first is on the preamble of the constitution; I suggest that the Constitution should have a preamble with the following national visions; one, peace and stability then national unity.

Directive principles of state policy – the Constitution should have the following value or virtues treated seriously; Honesty and love for others. This should be enforced in law.

Constitutional supremacy – Any section of the Constitution should only be amended by the people of Kenya through a Commission appointed by parliament.

Defence and national security – war should be declared by Parliament not the President and this should be done through a majority vote of at least 65% and this should be ratified by the president.

Political parties – the number of political parties should be restricted to about five. Each party should be financed by the government.

Structures and systems of government – I suggest that we retain the unitary system of government because of the following reasons; one, Kenyans are still divided on ethnic grounds and most of the resources in low potential areas are still unexploited and finally we still need a united Kenya for us to go ahead.

The legislature – the appointments and firing of all high-ranking government officials should be vetted by parliament. This may include the P.Cs, managing directors, judges of the high courts and even the universities vice chancellors.

Being a Member of Parliament should be a full time occupation with two months annual leave. We should have multi-party system in both the legislature and executive. The Parliament should be dissolved only by a clause in the Constitution stating the exact date after every five years unless there is war in the country.

The MPs salaries and allowances should be determined by an autonomous body comprising of the church representatives other public servants and a few members of parliament. We don't need nominated MPs.

Local government – Mayors and council chairmen should be elected directly by the people. They should serve for a term of five years. The minimum qualification for Councillors should be form four education. He should be proficient in Kiswahili and at least literate in English.

The Remuneration of Councillors should be determined by the parliamentary service Commission because they are also politicians. So, the same body should also determine their salaries. Then, we don't need nominated Councillors any more.

The electoral system and process – I suggest that the elections should proceed in the following order. Civic, parliamentary and then presidential. The election date should be specified in the constitution.

Basic rights - The Constitution should provide for compulsory and free education up to form four level.

The rights of vulnerable groups – to me, vulnerable groups are those ones who have been marginalized due to historical social culture and geographical reasons for instance Kenyan tribes living along the northern frontier. So, the Constitution should provide for the following affirmative action, one free education up to tertiary level, we should also have independent ministries in charge of the affairs of the people, within the vulnerable communities- independent ministries run by locals.

Land and property rights – the local community should have the ultimate ownership of land. Then, men and women should have equal access to land by making it constitutional for boys and girls to have a right to inherit land from their parents.

Succession and transfer of power – I suggest that the speaker of the national assembly will be in charge of the executive power during the presidential elections and should the President let's say retire, before time comes then the speaker should hold the same responsibility before the elections are called.

The elected President should assume office after a month not immediately. The Constitution should make provision for a formal President in terms of security only. He should...he can be taken to court and it is not necessary for the former President to be given all the amenities such as good housing, good vehicles, we don't need that. All we need to do is to provide him with security. Thank you.

Com. Bishop Njoroge: The point I want you to clarify is that you have said that the President cannot declare war, it is only parliament. If this country goes to war, war is handled in a different manner and if you discuss it in parliament, than definitely your enemy will be able to know you are discussing. Is it that the President can declare war but in a certain time inform Parliament or do you want it to be discussed in parliament? This is a security issue.

James: Depending on the seriousness of the security issue in the country, I think the Parliament should present many Kenyans and so if the war is not that very urgent, it is good for the Parliament to discuss but if it comes at a time when possibly the Parliament is not in session then the President can declare war and let the matter be discussed by the Parliament later.

Com. Bishop Njoroge: Thank you very much. I want to recognize the presence of the district Commissioner. Karibu sana bwana D.C. Now, can I have this disabled, can I have you here. Come and tell us your name and then present.

Mark: Jina langu ni Mark Nakain, representing Turkana Central Association. Our first point, rights for the disabled it should be protected by the Constitution that is defence against violence from the able bodies.

Two, special sitting for the disabled both at the district and national assembly level.

Three, free education for the disabled.

Four, free health care service for the disabled.

Five, ministry for the disabled should be established.

Six, training for the disabled. You find sometimes when the apparatus are given to the social services disabled persons are not already trained the way to operate the machines but they are just given and later on they will not benefit with that machine. They just use because they are defeated. Special loans and funds for the disabled at the district level.

Seven, social amenities should be provided for the disabled persons.

Eight, language and Braille should be provided for all disabled that is for the blind people.

Nine, adding on top of that, the government to stop retrenching disabled people and also to return back to the services those are laid off the year two thousand because already those families have become really disabled because there are no way to act their families and to gain their cake. Thank you and that is all I had.

Com. Lethome: We give you a ministry now for the people with disability. Do you have any suggestions as to who the minister should be an able bodied or a person with disability. Thank you.

Mark: The way we are requesting the government to have our own ministry especially since development projects in Turkana here our projects are not yet implemented. But this time, we need somebody who will represent us in the National Assembly. Either the disabled or somebody who is able. Anyway it can be even in social services or other resource can be attached.

Com. Bishop Njoroge: nataka kuwakumbusha kwamba hii kikao ni kikao rasmi ya Katiba na katika kikao cha Katiba tunahitaji watu kuwa kimya na kusikiza maoni ya wengine bila ya kufanya kelele yoyote. Nataka kuwaomba vile huyu ndugu yetu Mark amesema points zake, amesema points nyingi kwa dakika chache. Si ni kweli? Kama tukifanya kama yeye tutamaliza watu wengi. Tafadhali Musa Getie, tuone kama atafanya kama hiyo. Karibu Musa.

Musa: Asante sana bwana Ghai. Mimi ni Musa Getieng' na ninakuja kuchangia ya kwamba nchi hii nasema neno ya hii district ya Turkana ni kubwa. Unaona kutoka Apedo mpaka Kibich. Nataka Serikali itupatie district mbili. Atupatie district mbili kwa sababu apeleke huduma karibu na wananchi. Hiyo ni point yangu.

Point ya pili, kuna watu ambao wanajitakia makuu tangu Serikali ya ukoloni ilipotenga mpaka lakini kuna watu wanaokuja saa hii wapya wanataka kunyakua mpaka ya wengine. Hiyo kitu tunataka mpaka ikae kama vile ilikuwa ikikaa.

Jambo la tatu, mimi nasikia ati ma-chief wachaguliwe na raia na ma-chief waandikwe na Serikali, anapewa nguo na Serikali na anapewa crown, analipwa mshahara na Serikali, hapana mtu. ...nataka chief, kuna sababu ninazungumza hivyo kwa sababu chief akikaa nataka chief apate transfer kama wengine kama polisi kamakwa sababu chief akikaa mahali pamoja ndio anasababisha mambo mengi. Ushemeji undugu kukaa pamoja kwa nini polisi anapigwa transfer, D.C anapigwa transfer na yeye ni mtu wa Serikali. Na yeye ni mtu wa Serikali kwa nini anakaa pamoja na amechaguliwa na raia.

Mambo ya nne, iko mambo ingine ya kimila ya Turkana ambayo mimi naona kama dhuluma. Iko kitu kinaitwa Ekichuli. Hii kitu

inaitwa Ekichuli nataka iko mara mbili na hii ndio biashara ya Mturkana ambaye hawezi kufanya maendeleo ingine hiyo kitu ndio inaleta shida ndani ya Turkana zaidi. Iko msichana mimi naweza kuchukua. Mimi nikae na yeye nizae na yeye mara hiyo. Hakuna mtu anakuja kutoka nje au family yao kuja kuchukua Ekichuli na mimi naalisha hawa watoto na nini, na mimi nalisha hii family na nini, eti wale wachukue mali aende nayo akagawe huko kwa mlango na mimi nibaki na hawa tupu. Sitaki hivyo ninataka hii family ya huyu mwanamke wangoje wakati harusi yangu ninawapa mali.

Mimi nasikia nataka mambo. Hii Kenya ino makabila mengi sana na hatutaki wale watu wanajiita wanakuja mbele wanasema sisi ni wengi, sisi ni wengi hapana. Tunataka sisi tukutane sisi wote Kenya tumchague hata kama ni kabila la chini sana ile inaangalia masilahi ya wakulima. Wote, hapana mmoja. Ya mwisho mimi nitasema tena.

Com. Bishop Njoroge: Nataka kuomba tukubaliane kitu kimoja. Kuna watu hapa walikuja wakiwa na nyimbo zao za Katiba na sijui ni nyimbo za aina gani. Na sasa ninataka kuwauliza, tutafanya nini na hao tuwakubali wafanye mambo yao. Waimbe. Walisema walikuja mapema sana na tulikubaliana kwamba saa tano ikifika tunaweza kuwakubalia. Mngependa dakika chache tuwakubalie. Haya, waje hapa basi, tuwapatie dakika chache.

Singers: aberu nsa pusi asaki ayong tolimut nakech nyaungoria towaa, tolemu ngapesur nyebur kimorikinosi ngisukulio luyok lu esakio esomata bure ngisibitaria luyok lu tamatai pas kongina ngikatukokj luyok lu asak tolema ngiraya Mayor loyok asaki tolema ngiraya chairman county council asaki tolema ngiraya ngikichulisia luyok asaki tosubakiniai ngakuutasia nayok asaki tosubalinia

Com. Bishop Njoroge: Sasa nafikiri ningetaka kusema constitutional making is a very happy event. It is a celebration because at the end of it will come with a document that is going to govern us. So what they have done is that they have entered us into these celebrations. Kwa hivyo tunashukuru sana kwa ajili yao. Waambie tunashukuru, just tell them that we are very thankful.

Translator: Ebla ngesi kilakara kechi lojojokoni kotere ngidongasinei Itokana idongakinete esi arai akisub a etal arai eshere alakara kotere akwap nayong na

Com. Bishop Njoroge: Ningetaka kusema kwanza niwakumbushe kwamba makamishina wako hapa, mimi naitwa Com. Com. Bishop Njoroge Njoroge Bernard Njoroge, Dr. Githu Muigai na Ibrahim Lethome. Ndio Commissioners ambao wamekuja. Sasa tutakwenda kwa haraka sana. Peter Enjore, I am going to give you five minutes, just highlight the issues. Don't read everything, just highlight.

Peter: Memorandum presented by Peter Enjore to CKRC Commissioners, proposal for new constitution. I start;

Citizenship – ningependa makamishina kusema nitaendelea kwa Kiswahili kwa sababu hata ingawa nimeandika kwa Kiingereza kwa sababu hii si darasa la Kiingereza. Waturkana wamekuja hapa kusikia lugha ama kusikia ni kitu gani ambacho watasema.

Nasema kipande, ID cards, passports and birth certificates should be issued at the district headquarters. Hiki kipande na passport na barua ya kuzaliwa inatakikana ipatikana katika wilaya.

Watu wetu wamepata taabu sana. kilometer mia saba kutoka hapa mpaka Nairobi na ni miezi mitatu na mtu ametoka tena kilometer mia nne kutoka Kibich na ingine mia tatu kutoka Apelu kungoja hiyo kitu. Halafu ID cards hizo, tunataka watu wapewe bure. Tuna kasumba hapa ya kusema mtu analipwa shilingi sabini, analipwa shilingi mia moja na ilhali watu wanataka vitu hivi vipatikane ili wajitambulishe ni watu wa kenya. Kwa hivyo tungependekeza iingie katika Katiba wapewe kitambulisho cha bure.

Halafu tungependa kitu kinaitwa TLB, insurance, logbook ipatikane katika headquarters ya kila nchi. Kila district ipatikane badala ya watu kusafiria kwenda Nairobi kwa insurance kwa TLB. Haya nimemaliza hiyo namba moja mambo ya uraia.

Defence and national security – ningependelea Serikali ilinde mipaka kwa kuweka askari ya Jeshi na pia G.S.U. Hii wakiwekwa huko unajua sisi tunapakana na mipaka ya Ethiopia, Sudan na Uganda hata ingawa Uganda tumesema tumekuwa marafiki lakini watu wa ng'ombe bado ni namna hiyo. Kwa hivyo tungependa watu wawekwe pale katika mipaka. Kutoka Todonyiam mpaka hapa Lokiriana.

Serikali pia ile ambayo haitunzi watu wake, Serikali hiyo ningependelea iwekwe kwa Katiba iondolewe kwa mamlaka kwa wakati wowote. Na pia ningependelea yaani malipo kwa families ambazo watapoteza mali zao ama watapoteza mifugo yao, ama watapoteza maisha yao. Nimesema kitambo tunapakana na nchi tatu. Kwa hivyo sisi Waturkana ndio maana tunasema ni wachache lakini kupoteza kila mara maisha ya watu na mali zao. Ndio saa hii sisi ni victims wa kulishwa na chakula kila siku asubuhi na usiku. Nimemaliza hiyo.

Na executive three arms of the government, ningependelea yaani nafasi au muda wa Rais uwe ni miaka mitano na ikiwa itakuwa zaidi iwe ni kumi isiwe zaidi ya hiyo ati iwe ni mtu wa kudumu maisha yote.

Nimesema pia, President yaani Rais aweze kushtakiwa sheria imshtaki kama vile Clinton kwa kucheza na wasichana, kwa kuchezea ofisi yake. Hata wetu pia ashtakiwe. Hiyo pia kuna wajumbe hapo, kuna ma-chief, kuna nani, kwa sababu kuna wakati mwingine mtu anachezewa na ukiuliza kwa nini huwezi kushtaki anasema 'ah, mimi naona ni baba yangu tu ndio alinichapa kwa hivyo wacha tu' kwa hivyo, tunataka hawa watu washtakiwe.

Rais asiwe Mbunge. Awe ni mtu yeyote hata kama yeye ndio anataka kuondoka kutaka Urais, aondoke, atafute. Mjumbe awe na nafasi yake. Hii nimesema kwa sababu matumizi kama haya rais kama ni mtu hafahamu anaweza kuhudumia kama pengine wa hapa ndio rais na ni mjumbe anageuka makabila wengine anahudumia Waturkana peke yake tena wa central.

Provincial administration- watu wale wanaitwa ma-chief wachaguliwe na raia kabisa kwa mlolongo. Na iwe ni mtu ambaye amefika miaka thelathini na tano na ameo na ni mtu ambaye ametoka katika area hiyo. Nimesema hivi kwa sababu sisi Waturkana tunasema haya mambo ya kuandika ma-chief yamekuwa tu mtu anawekwa ndani ya mfuko ya kalakala anasafirishwa kutoka hapa mpaka Loima anatupwa hapo halafu ikifunguliwa hiyo kalakala hiyo mfuko inakutwa sio kijana wa hapo. Kwa hivyo wazee wameamua wachague vijana wao, na mimi naona wilaya hii ndio hayo mambo yanafanyika lakini wilaya zingine mimi nimetembelea wazee ndio wanaleta kijana fulani ya kamau ya Ejore. Tunaona hii ofisi haina kazi. Wanafanya nini katika matarafa, chief ametoka huku aende kwa DC na DC kwa PC na mambo iendelee. DCs ofisi yao ibaki.

Halafu Rais mambo ya kuendesha ama kufanya bunge kuwa na muda mrefu kama vile sasa tunasikia wanaongea hatutaki mambo kama hiyo. Bunge iwe na wakati wake, iwe katika calendar kama America wakisema ni mwezi wa kumi na moja tarehe kumi, ni tarehe kumi ni tarehe kumi. Lakini yetu hata kama nchi hakuna kwa vita eti wanataka kusongesha. Hiyo kitu ifutwe.

Haya senior state appointments – kuna nafasi kama ya managing directors, PCs halafu PS na ambassadors. Nafasi kama hii ingekuwa na kikao kingine kama hii yenu, yaani public service Commission. Yaani President anateua watu fulani, anapelekea majina. Wao wanachagua kulingana na elimu, invitation yao vile walikuwa wanakaa, vile walikuwa wanafanya kazi ingine, wachague mtu wapelekee president. Tumependekeza huyu. Yule ambaye hapana chaguliwa anachagua mtu mwingine tena anapelekea hiyo kamati. Sisi tumeumia sisi marginalized tribes, zile kabila ambazo tumewekwa kando kutoka zamani, hatuna mtu hata mmoja, hata kama wewe umesoma mpaka mbinguni, hakuna kupatiwa nafasi. Nafasi yetu ile ya mbele hapa ni assistant minister.

Halafu legislature, ilikuwa katika three arms of the government. Mbungeandikwe ama aajiriwe full time. Hiyo afanye kazi kutoka saa mbili ya asubuhi mpaka saa kumi na moja jioni na tena iwe ni siku tano. Kama ni mwalimu, kama ni daktari, kama wewe ni kamishina kama wewe ni nani. Sio wafanye siku tatu, wengine siku mbili na nusu, wengine hawako kwa bunge, kwa hivyo hawa watu watumikie sisi kama wafanyi kazi wengine. Si wanataka kazi?

Na nimesema kwa upande wa mishahara ya wabunge, isiwe wao tu ndio wanaenda asubuhi wakitaka kupendekeza wapendekeze. Hata wa opposition wamepoteza mwelekeo. Kwa hivyo ilikuwa inatakikana wapinge hawa watu wale wa chama kinachotawala. Kwa hivyo body ingine yaani tofauti iwe ikiongea juu ya mishahara ya wabunge. Saa hii wanataka hata waongezewe na wako na zaidi na waalimu wakitaka hata shilingi mia moja kunasemekana hakuna. Hii mia tatu ya mjumbe iko wapi? Ndio hiyo nimependekeza.

Language test iwe lazima kabisa kwa wabunge. Wasiende tu huko namna hiyo na Kiturkana ama kikuyu. Tunataka tuwe na senate, shamba mbili na kila wilaya bwana Commissioner iwakilishwe, kila wilaya iwe na senators mbili kwa sababu tukisema province kabila zingine ambao ni weerevu zaidi watanyanyasa kabila yetu au Pokot au Samburu. Kwa hivyo tungesema iwe lazima. Wawili watoke kwa kila Ulaya.

Nominated MPs hakuna haja, analeta fitina kwa yule mjumbe ambaye amechaguliwa. Huku na huko kila siku. Kwa hivyo aongoje wakati wake.

Ningependekeza pia tuwe na viti vya wanawake na disabled, yaani watu vilema na wanawake. Iwe na nafasi yao katika kila wilaya ichague mwanamke mmoja ya kuwakilisha masilahi yao kama vile Uganda iko.

Ningependekeza, Mbungeakiwa mvivu, hafiki kwa bunge hafanyi nini, haendelei na mambo ya watu wao, aitwe, ashikwe shati aambiwe rudi bwana sio vile ulitaka. Kura ipigwe.

Judiciary – ningependekeza koti (high court) iwe katika kila wilaya. Kesi yetu unasafiri kutoka hapa mpaka Kitale kutafuta high court, hata civil suit ile. Kwa hivyo tungependekeza iwe wapi kwa kila wilaya. Na wale judges ambao wanapokea hongo pamoja na ma-advocates wao wafutwe asubuhi wakipatikana, hakuna kesi. Huyu ni mtu atetei yeye. D.C akifanyia mwananchi mchezo, mjumbe nani, huyu mtu awe pale mimi nipeleke mambo yangu wewe endelea na yeye. Hiyo ofisi iwe Katika Kenya

Electoral Commission (hiyo nimemaliza ya three arms) ya electoral system ECK, Turkana hii tungependa tuwakilishwe na wabunge sita. Upande wa mashariki yote iwe na watatu. Upande wa magharibi iwe na watatu. Tumenyanyaswa kutoka sitini na tatu hadi wa sasa. Kwa hivyo tungependa hatari yake ni hii mheshimiwa akipendana na mwenyewe huyo anabaki hapo. Kama mheshimiwa mwenyewe anapenda yeye anabaki mwenyewe akitangatanga. Kwa hivyo tukiwa na wengi watakuwa subsidise.

Yale mambo ya ECK kutoa maoni ingine katika wilaya hii bwana Commissioner ni kilometer mia saba. Sasa ukitoa mtu mwingine awakilishe ward kilometer hamsini ama kilometer mia moja hiyo ni kuumia. Tulikuwa tumefurahi kwa wakati huo. Kwa hivyo iwe revoked hiyo kitu, watu warudishwe.

Tunataka mobile polling stations kwetu. Mahali ingine inaitwa Loteere, huyu mheshimiwa hapati kura ni huyu yuko hapo uliza yeye. Kwa sababu watu hawafikiwi. Mahali kama Kibich huko watu hawafikii hata helicopter ya police ikishambulia hawafikii, hawana uwanja. Kwa hivyo tungekuwa na mobile stations wakati huo. Nimemaliza hiyo.

Lands – tungependa yaani mchanga yetu ardhi yetu iwe ni yetu wenyewe. Tusije tu ikasemekana hapa imenyakuliwa na forests ati ni yao, imenyakuliwa na Serikali ni yao. No, tuilizwe tuko na recent ya mahali ambao wamezaliwa. Isiwe ni mtu mwingine ametoka huko Nairobi amekuja na title deed nimepewa na Commissioner eti anyakue ile springs ni yake. Hiyo tunakataa.

Mambo ya minerals – tunataka minerals ziwe zetu. Zitambuliwe kama zetu hata kama Serikali inataka kuchimba petroli, ifanye nini, kuchukua mawe ingine saa hii inachukuliwa na /. Iwe wenyeji wa hapa wafaidike kwa namna yoyote. Sababu hii ndio haki

yao na Mungu hii.

Environment – tungependa misitu yaani wananchi na Serikali watunzwe pamoja. Tukipewa tena wananchi peke yao wanaweza kukata hata miti mikubwa ambayo ina zaidi ya hapa, akate tu kwa sababu ni yake. Kwa hivyo tungependa kamati ambayo inasema hapana, hapana haribu hapo. Tufanye nini kwa wananchi na kwa Serikali iwe na kamati. Nimemaliza hiyo.

Basic rights – mambo ya water. Wakati tulipopata uhuru, ilisemekana maji ikifika mwaka wa elfu mbili kila mtu atakuwa na maji ya mfereji. Hata sasa hakuna, tunakunywa na mbweha na mbwa haya maji ya mto pamoja. Wapi maji?

Elimu – wakati wa uhuru pia ilikuwa inasemekana pia tufanye nini, tupewe elimu ya bure. Kwa hivyo ningependekeza, kutoka nursery, hadi form four, elimu ipatikane ya bure kwa makabila ambayo hayakuendelea kama nyinyi bwana makamishina. Kwa hivyo tupewe elimu ya bure ili ikifika university kuna kamati ile help, wapeana mkopo na mkopo ikipeanwa isisawanishe na wakikuyu na waluhya na wanandi ambao wako na majani. Na Turkana na Pokot na Samburu.

Health care – bwana Commissioner mtu anaweza kufa hapa na dawa iko hospitali. Anaambiwa kwenda ununue. Haya mambo ifutiliwe mbali. Tupewe free services ya hospitali.

Haya food security, tungependa Serikali itulishe kutoka January mpaka mwezi wa kumi na mbili. Kwa sababu gani? Wilaya hii hakuna mashamba, hakuna nini. Saa hii ukienda kwa mjumbe utakuta Waturkana zaidi ya ishirini wanataka chakula huko kwa sababu hata chakula imerudishwa ile ya maskini, ilikuwa tunapewa tunarudishwa. Kwa nini isiwe na system ya kulisha watu kwa sababu hatuna njia. Ama ma-irrigation itanguliwe mahali fulani tupewe mashamba.

Local Government – watu (vumilia bwana kamishina, unajua mimi ndio nilikuwa nikizunguka sana wilaya kwa hivyo nimepata maoni mengi) tungependa Mayor na wenye viti wa council wachaguliwe na watu kabisa kwa sababu bwana mhashimiwa anaweza kuwa na mtu ambaye anapenda kwa wale sita halafu sasa anakuja kununua mne. Wale wawili wanapiga kengele. Hata kama amesoma anatakikana aende naye. Ama yeye ako na nguvu anunue hawa. Kwa hivyo ningependa laini kama hii mlolongo kwa sababu ana-serve wilaya nzima ama wilaya nzima ama town nzima. Na elimu yake iwe in O level.

Councillors wengine kutoka darasa la saba hadi nane Councillors wengine yaani kiongozi si lazima asome. Amezaliwa hata ingine na busara yaani wisdom. Hata Abraham hakusoma lakini alikuwa na wisdom. Nyongeza (hata Solomon) lazima Councillors waajiriwe kama wajumbe jamani. Hii shilingi elfu saba hii na hawa watu wanatakikana kufanya harambee usiku na mchana haki ya mungu hawafikii. Ndio maana unasikia wanafutwa kesho wanafanya nini asubuhi. Kwa hivyo Serikali iwalipe mshahara, kutoka shilingi elfu hamsini hadi sabini kwa sababu hao wanachanga kuliko hata mjumbe. Hao ndio wako mashinani.

Councillors hawa pia wakiwa waleghevu wakichaguliwa huko mahali inaitwa Kibich waache kulala Lodwar wavurutwe kura ifanywe wakae Lodwar kwa sababu hafai. Na lazima lugha pia wafanyiwe test ili ajue atasoma hii karatasi ama hatasoma, namna hiyo kwa sababu tuko na watu wengine wanaitwa Councillor matata.

Waziri wa local government asiwe na nguvu kabisa. Apunguziwe nguvu ya kuvunja mabaraza miji na Ulaya. Hapo imekuwa too much. Akisikia tu ati hapa ni opposition, akituaka kuvunja anavunja, sio hivyo.

Customary laws and languages – sisi Waturkana tunataka yaani sheria yetu na utamaduni wetu iandikwe iwe recommended na recognized na sheria. Itambuliwe kabisa na lugha yetu iwe, ifunze watoto kutoka std. 1 mpaka std. 3. Si eti kwa sababu wako town. Hata mkikuyu akifunza Kiturkana kuna ubaya gani? Eti hiyo ndio waalimu wanasema. We have to preserve our tumepotea. Hata saa hii mheshimiwa ukiambiwa uandike barua ya Kiturkana hawezi kuandika. Alisomea town.

Maneno mengine, in order to eradicate or to reduce poverty, law should state clearly that one man one job. Kwa sababu ya upungufu wa kazi na umaskini ambayo iko katika Ulaya tungependelea Kaituko akiwa coordinator, asiwe tena anakuwa coordinator, anakuwa mtu mwingine. Kazi mmoja kwa mtu moja.

Human Rights Commission must be regulated. Tunataka Human Rights Commission tusiwe na just MPs katika hapa Turkana. Tuwe na Rights Commission, isiwe na mtu wa kusumbua. Iwe regulated.

About rapists – wale watu wananajisi watoto chini ya umri wa miaka kumi na sita. Wanawake mimi nasikia ndio advocates zaidi na nataka waje kusema. Tunataka huyu mtu ambaye ananajisi mtoto akikamata ashtakiwe kwa murder na auawe. Sio kufungwa tena auawe.

Halafu kama ni kunajisi mama, mama atakuja kusema alinajisiwa kwa njia gani kwa sababu yeye ni mkubwa.

Haya, kuna ofisi ingine hapo bwana Commissioner. Iko ofisi ya watoto. Hiyo ofisi hata kama inatakikana iwe, imeleta uchochezi kwetu hapa. ndio unasikia kitu inaitwa Ekichuli. Wasichana zamani, baba zao na wajomba zao ndio walikuwa wanaenda kudai hiyo compensation. Yaani msichana kuwa pregnant out of marriage na wazazi wake ndio wanaenda kudai wanakuja kulisha nayo wale watoto. Siku hizi wasichana wanakuwa na mabwana tatu katikati hapo anaenda Ekichuli, akitumia ofisi ya children's officer. Hiyo ofisi itolewe kabisa, sisi tubaki na mambo yetu. Hiyo ita-create discipline kwa watu wetu.

Haya, anti-corruption Commission must be regulated fully. Hii watu wa kuendeshana na mambo ya ufisadi lazima hiyo itambuliwe katika sheria ya Kenya hii. Isiwe kama hii mtu tena alileta maneno akafutwa. Sijui Mau sijui nani nyinyi mnajua huyo zaidi.

Ya mwisho bwana Commissioner halafu niende nipumzike. Mimi ni Mturkana na mimi ni mkenya sioni haja, kwa sababu waturkana wengi wameshtakiwa wakichinja nyama yao wanachoma ile roasted meat. Akianza kuzunguka nayo anashikwa eti haijakuwa slaughtered na mwislamu. Mimi ningependekeza hivi; the idea of Muslim slaughtering animals for meat be revoked. Any citizen...sikiza kidogo. Mimi ningependekeza bwana Commissioner raia yeyote wakenya au mkristo au mwislamu akubaliwe na sheria kuchinja mnyama huyu kwa shauri ya chakula. Isiwe tu Mwislamu. Pengine mwingine hata hana mnyama. Atachinja mbuzi yangu namna gani? Mbona wakati anachinja inakaguliwa tena na daktari, kwa nini kama yeye ni msafi mnyama tena akaguliwe na daktari? Kwa hivyo, tunataka mnyama achinjwe na mtu yeyote mradi tu ikaguliwe na daktari. Asante sana.

Com. Bishop Njoroge: Ingia hapo ujiandikishe. Peter Ekai. Please I want to give you... let me say this, we have so many people I am going to be very strict now. I just want to give you five minutes kwa sababu ninaona kuna wengine hawatapata. Oh, unapeana tu memorandum? Peter I am giving you only five minutes.

Peter: Thank you very much, I am here representing diocese of lodwar youth programme.

Com. Bishop Njoroge: Your name please.

Peter: Peter Ekai Lokoel. I will start by reading the memorandum. I will take the shortest time possible, don't worry. The first thing I have is basic rights, first it goes to education. We are saying that the government should provide tuition free and compulsory education and there should be structures to enabled it work not as it is now.

Two, it is that the children should be taught on their own interest and not the way it is now. At least specialization should be encouraged starting from primary so that the child grows on a certain line specific one.

Three is pastoralists education. We require mobile and special education units, to exploit the economic potential into productive stability life system of the nomads and that means that the syllabus should be put in place. Secondary education the government to fully sponsor at least three children per family with consideration to gender balance in secondary schools.

High education public university admission systems be decentralized in order for every district to have a share in qualifying students who should have access to government scholarships.

There should be special need education that means the ministry should be provided on special needs to cater for those who cannot make in other people who can make in other what people call the normal children incase they are there.

Security, military and paramilitary personnel to be stationed in borders and not police officers as it is now. The powers to be conferred to the chairman of the district security committee and then there should be Security Council not to be waiting orders

from the president. that means the security council should trickle down from the district, division, the location and the village level.

Food security, we have said establishment of rehabilitational projects to handle disasters.

Employment, the youth should be made to be employment or job makers and not job seekers the way it is. So we also encourage youth entrepreneurship schemes. Maendeleo ya vijana now that we have also maendeleo ya wanawake.

The Constitution should provide the following basic needs and fundamental rights; employment, right to trade unions right to information, media, right to know your law, the constitution, access to medical attention while in prisons and right to legal representations in courts.

I also suggest that there should be eradication of death penalties to maybe life imprisonment.

Rights of vulnerable groups. We have said formation of youth ministry to constitute all marginalized groups and also the interest of marginalized people to be fully guaranteed in the constitution. This includes pastoralists, women, children, disabled and the youth.

We are also saying that the Constitution should address the issue of freedom of worship. We are wondering worship of what. Many of our youth and many of our people are falling victims of this. So the Constitution should define who should be and what religion should be accepted within the boundaries of Kenya.

Maybe the five religions of the world and any other that the Constitution will see viable.

Land and property rights – land fund should be established to resettle persons displaced by the government projects, disaster and re-addressing historical inequalities in land allocations. Members of Parliament and those in public offices should be declaring their source of wealth when joining and leaving the offices.

Environment and natural resources – national environment, environmental management authority (inaudible) to be formed to protect environment by carrying out assessment of industrial projects, protected lands, forest, wildlife and others.

Local authorities – as others have said Mayors and Councillors to be persons of credibility and with recognized education at least a form four qualification. Mayors and Councillors be paid from central government to enable them to work efficiently.

Constitutional supremacy- as it is now 65% majority vote to be amended because we are not attaining it. We need even 95%

or by means of referendum through the majority.

The fundamental issues behold parliamentary amendments including the rights freedom and protections, political pluralism, the arms of the government are behold the government are behold the government. It should seek people's opinions.

Citizenship –

Com. Bishop Njoroge: One more minute now,

Peter: Okey, I know but I need my time too. Political parties – to have their own Act. The number of political parties to be at least four, maybe for the republicans, socialists, democrats and labour parties. What that will be decided. The government system and structure. We require coalition government with Prime Minister and president. abolish current executive President and so the President should be non-partisans, that is the part of the nation with no party. The Prime Minister to be the leader of the party that wins the election and he or she will invite the members of other parties to form a government. the Prime Minister then will be open to criticisms.

Legislature – the Parliament to have a fixed term of years and calendar fixed. The moral and ethical qualifications for parliamentary candidates to be introduced. The President to be denied powers to dissolve the parliament. The Attorney General to have a single term in office.

Executive – the President to be ceremonial hence to receive foreign signatories, awards, honours, medals and all that. The President must be impeachable incase of misconduct, abuse of office lack of confidence and involvement in other illegal dealings.

Judiciary – there is need for Supreme Court and constitutional court. All the judicial powers of the state to be vetted exclusively in the court hence no need for kadhi's court and then decentralize the courts.

Electoral Commission – the Commissioners to be appointed by the Parliament with the consent of all political parties. They should ensure equal and fair access to public mass media by all political parties and other constitutional Commissions to be formed including Gender Commissions, Anti-Corruption Commissions, Land Commissions, Educational Curriculum Review Commission, Human Rights. These Commissions must be answerable to the public after every two years or so.

Lastly, the office of the ombudsman to be created to be the link between the people and the government by receiving public complains as the authority indicates. Thank you.

Com. Bishop Njoroge: I just want to recognize the presence of the Member of Parliament for this area karibu mheshimiwa. Now, can we have Charles Ekeno?

Charles: Kwa majina naitwa Charles Ekeno kutoka Nadiri kwa Nyani Catholic Centre chini ya jimbo la kanisa la katoliki ya Lodwar. Tuna mapendekezo haya yafuatayo.

Ya kwanza ni kuhusu elimu – Tungependekeza kwamba kuwepo na elimu ya bure na ya lazima hasa kwa kiwango cha primary school kwa sababu hii tutapunguza idadi ya wale watoto ambao wanarandaranda mitaani.

Jambo la pili kuhusu elimu Tunapendekeza kwamba Serikali ijaribu kuelimisha waalimu juu ya hii elimu ambayo tunaita informal education na pia kutoa syllabus ambayo inaweza kuongoza waalimu kushughulikia mahitaji ya watoto ambao wanarandaranda mitaani.

Jambo la tatu kuhusu elimu, Tunapendekeza ya kwamba ile Kenya School Equipment Scheme ifufuliwe ili kupunguza matatizo mengi ambayo yamesababisha watoto wengi kutoroka shule.

Jambo la nne, ni kuhusu security. Tunapendekeza ya kwamba wale watoto ambao wamefanya makosa kadha wa kadha na wameshikwa kupelekwa korokoroni, tungependekeza ya kwamba hawa watoto wasichanganywe na wale watu wazima katika korokoro ya polisi kwa sababu wakati wanakuwa kule wanajifunza mengi na wanapata maarifa mengi ya kufanya maovu. Jambo la pili pia kuhusu ulinzi juu ya hawa watoto, Tunapendekeza ya kwamba hawa watoto walindwe kutokana na dhuluma ya aina yoyote ile. Iwe ni ya kupigwa kisaikolojia ama ya kijamii, watoto walindwe kutokana na dhuluma yoyote.

Tatu, tunapendekeza wale watu ambao wanapatikana wakidhulumu watoto kwa mfano kwa kuwauzia hii glue, wachukuliwe hatua ya kisheria.

Ya mwisho, ni juu ya umaskini. Tunapendekeza ya kwamba Serikali iweke mikakati ya kuangalia hii shida ya umaskini hasa katika wilaya yetu. Tunaona ya kwamba watoto wengi wanatoroka shule, sababu kubwa hasa ni chakula na tunaona ya kwamba labda Serikali ingepanga mikakati fulani ili kuona ya kwamba hali ya umaskini imepunguka na kwa njia hiyo tutakuwa tunapunguza pia idadi ya wale watoto ambao wanakimbilia mitaani.

Mwisho kabisa, Tunapendekeza kwamba Serikali itenge mfuko maalum ya kushughulikia mahitaji ya watoto wanaorandaranda mitaani. Kwa hivyo katika budget ya Serikali tungependa Serikali itenge fedha fulani ambayo itawekwa katika hazina ambayo tutaita street children fund kwa njia hiyo yale mashirika ambayo yanashughulikia watoto pia watapata msaada kutoka kwa Serikali kwa sababu mpaka wa sasa tunapata msaada mwingi kutoka nje na kwa njia hiyo tutaona kwamba yale mashirika pia yanasaidia watoto watapata mwoyo na watoto wetu wengi watasaidiwa. Asante kwa kunisikiza.

Com. Bishop Njoroge: Tunakushukuru Charles kwa ajili ya kusema machache lakini kwa point. Damien.

Damien: Jina langu ni Damien Ario nafanya kazi na Diocese of Lodwar. Naendelea, na nataka kusema kidogo kuhusu preamble ya Katiba. We propose or we have this suggestion that we would start off like this. “We the people of Kenya belonging to the land of Kenya reaffirm our commitment to this Constitution in promoting justice, peace and dignity of all without discrimination of minority, that this Constitution is our own as one people. In promoting the rule of law and order for all, regardless of position authority and power. That this Constitution shall uphold unity, stability and good governance”.

I will also say something regarding constitutional supremacy. The Constitution should be supreme such that any clause Act by laws that Parliament will or shall change or alter should require 65% majority vote. The Parliament power to amend the Constitution be limited to specific issues like social security tax cuts, emergency, intervention like floods, famine, employment, education etc. Some parts of the Constitution should be beyond the amending power of Parliament. Such include, internal clauses for press, corruption and crimes, fundamental crimes and freedom of the people and special parliamentary committee be established to deal with such crimes.

The members of that committee should be drawn from political parties. The public should be involved through referendum in the declaration of war vote of no confidence to the government and impeachment. This referendum should be conducted by the national independent press.

Citizenship – is a fundamental factor. Some of the documents and procedures of acquiring citizenship are long and complex. The use of identity cards depicts colonial inferiority. We propose that passports become compulsory documents for identifications. They should be made available at district registration centers free of charge.

Other documents that can guarantee citizenship should include school certificates, birth certificates, baptismal cards or driving licences.

Defence and national security – governments are formed to safeguard and protect people. the issues of defence and national security requires efficient management system. The discipline forces, the military police should be established by the Constitution with the President as the commander in chief of the armed forces. This is because the police have been manhandling firearms and thus committing crimes.

Mechanisms to discipline the armed forces and other security officers. To reduce the powers of all the police officers so that they are answerable to the parliament should be a special court to deal with members of the armed forces and they should be a martial court to deal with cases of police officers manhandling firearms. On the same line, we recommend that Kenyan police

reserves as a unit to be abolished.

Political parties provide a level playing ground for sound politics. Many political parties are formed along tribal lines or regions thereby creating conflicts. We propose that political parties should play roles of political mobilization and civic education partnership. The Constitution should regulate the formation, management and conduct of political parties using the following mechanisms; for a political party to be registered, it must meet at least 30 % support from six provinces.

The number of political parties should also be limited to three giving provision for independent candidates who would not wish to wish to be aligned to any party. Political parties should finance themselves with at least a third of the budget from the consolidated fund.

Appointment of higher ranking officers – we propose that Parliament vets appointments of senior civil servants should also look into salaries and privileges of civil servants, should also look into the appointments of heads of parastatals, and should also vet appointments of secretary of state and Attorney General and auditor general. On the executive.

Qualification for a presidential candidate – the minimum qualification required is an ordinary degree, and the age limit should be forty years.

The judiciary: the Constitution should ensure that all people have access to courts by introducing mobile courts or establishing courts in all districts. Every court must have a people's lawyer to minimize the cost of hiring legal services from advocates.

Local Government – Mayors and Council Chairmen be elected directly by the people. They should serve for a term of four years. There should be minimum education qualifications for Councillors or Mayors. Mayors serving at cities should have a minimum of a degree. Mayors in urban centers Lodwar, Kapenguria and Kitale should have diplomas. Chairmen to local county councils and other Councillors minimum of O level Language test should determine the ability to effective communication.

Conclusion – whereas many issues dealt with are based on issues.... On public hearings there are a number of other recommendations specific Turkana people. These are all chapters on / issues including the constitution. Pastoralism be recognized and identified as an economic system. Laws protecting and securing livelihood system be included in the constitution. The issues of insecurity and compensation from cattle rustling and raids need to be addressed.

Pastoralists education and mobile schools be introduced to cater for pastoralists' children. Family law and child rights, inheritance to be reviewed to accommodate the current economic trends. Clauses to protect marriage be included.

Juvenile courts to be available at district headquarters. Asante.

Com. Bishop Njoroge: Thank you very much Damien. Now, can you give it to the programme officer? Kaskeno. You are the one. Can you pronounce your name, I am sorry if I pronounced the wrong ones.

Asekon: Thank you, kwa majina naitwa Wilimina Asekon. Working with the diocese of Lodwar, women's programme. Memorandum to the Kenya Review Commission. The Turkana women support the safari club park meeting that took place on the 5th to 8th of December 2001. Recommendations to the constitutional review from the gender questionnaire seminar.

Bill of rights – to defend aggregated values upheld by the women and men of Kenya in the preamble. Introductory chapter of the constitution. Ensure equal access to resources and equality before the law of women and men, girls before the law. Women, men, girls and boys without discrimination and the basis of gender, race, religion and the way of life.

Guarantee security and equal protection by the law to both women and men. Recognize the diverse groups that constitute Kenya in all aspects of life. Guarantee women rights under the bill of rights.

Women participation in the legislature and the local authority. To ensure access to resources for persons with disability, women, youth and pastoralists among others. Entrench the principle of affirmative action in the constitution, that is section 33 of the current constitution.

Governance and decision-making - the Constitution should provide for proportional representation to have at least a third of the total number being women in the composition of all constitutional offices and structures.

The principles of gender balance should be adhered to in the composition of all offices and governance structures and should be legalized and made mandatory.

The international convention that Kenya is a signatory to and has ratified such as the United Nations Conventions on the Rights of the Child and the Convention on the Elimination of All Discrimination Against Women should be domesticated without further delay.

The state – there should be separation of the powers of various organs of the state so that each is autonomous. Elimination of all forms of discrimination on the basis of gender and recruitment, appointment and training in the discipline forces and all other institutions of governance bearing in mind the different needs of women and men. Ensure at least a third representation of women in all organs.

Family protection and children rights – the Constitution should have a clear definition of a child and any person below the age of

18 years. Banish discrimination of on the basis of age, sex, language, colour, religion and opinion and apply to children's rights. Guarantee civil rights and liberations to the female and male children. To provide appropriate family environment and alternative health care to all children. To provide education, leisure, recreation and cultural activities for the development of the child and pay special attention to girls and children with disability and those from marginalized communities. To provide protection measures to children under special circumstances who include refugee children, in armed conflicts, children with conflict with the law, children marginalized in economic and social, political reasons. Constructional rights to access to information on children and human rights to all women, men, girls and boys. Recognized and domesticate convection of children's rights that Kenya is a signatory to the constitution.

Property and land rights – institutionalize a land Commission in the Constitution that has fifty fifty representation of men and women and a mandatory one-third membership of both sex. Recognize the / in the Constitution and ensure domestication of the same. Every Kenyan both women and men to have equal access to land and other resources. Recognize and protect inheritance rights of widows, widowers, girls with disability and orphans.

The Constitution should clearly provide for the protection of the forest and all natural resources.

Election – a review of the electoral system should be done to allow a system that is more accommodating to women and the marginalized groups.

Nominations for parliamentary and local authority should be reflect fifty-fifty representation in the number of men to women. Striving towards these achievements in gender balance, the Constitution should specify that the at least a third representation of women and other marginalized groups be mandatory for all election process. ‘

The Constitution needs to make measures where appropriate to ensure that the electoral process put in place mechanism that ensure that political parties integrate women in both elective and non – elective positions in the same proportion and under the same level as men.

Provision for independent candidate – laws against elections via lance should be reinforced and clear implementation strategies against offenders adopted.

Civic education should be steepened up.

Local governance – mechanisms for accountability needs to be put in place to ensure democratic and transparent local government. The principle of at least one-third representation of one gender should be entrenched in the Constitution to ensure gender equality in local government. There should be a direct election of the Mayor by universal /.

Succession – every presidential aspirant should have a running mate, which is vice President who is opposite sex. Clear process of handing over power must be entrenched in the Constitution to avoid anxiety speculation and misuse of power by the incumbents.

Citizenship – women and men should have equal rights to confer citizenship to their spouse or children. The international / should be domesticated and implemented. National laws, customary laws and other legal impediments should be revealed continuously to ensure that women are not discriminated against. The affirmative action should be passed.

Public finance – equal contribution of public funds for both women and men must be ensured. Ensure the retention of up to 80% of the revenue from women in these regions. Enshrine the principle of affirmative action for all allocation for resources for women and other marginalized groups in the constitution.

Accessibility of wealth and leadership to women. The specifically on the Turkana culture are sidelined women in processing controlling wealth. Men are both leaders and controllers of everything according to our traditions. This should not be so. The Constitution should empower a woman who has jointly worked hard with other family members to accumulate well to enjoy the privilege of controlling the usage of wealth. Currently it is only the man who is in control, brought up wealth in a family to have control over him. If she wants to use it to gain leadership or anything.

I am just doing my last point, you would have done it before for others so that we could have enough time.

Capacity of women – women traditionally have been seen to be low capacitated and this has led to the inferiority in various fields. They should be given the opportunity in all aspects of life give them chance and / in capability.

The last point security – the government must show its commitment to peace and stability throughout the country.

Pastoral communities have suffered a lot because of the insecurity. Possession of illegal firearms is scaring as each day a member of a family in pastoral community is lost in a raid or the whole family becomes destitutes all of a sudden. Most victims of rape are usually women and children who are left poor or orphans. The government must be seen practically enforcing the policy of disarmament. KPR done should be returned.

Regular police and administration police must be seen to be in control of the borders, both local and international. Women have always suffered a lot during operation of disarm possession of illegal firearms and are raped and beaten up. Thank you.

Com. Bishop Njoroge: Can we have Adiaka W. Mark?

Adiaka: My names are Adiaka W. Mark. I am representing views from my own people. On the voter registration, the registration of voters should be kept open at all times. And the voter registrar, he or she should go with the voters' card there and then. Voters' card and national identity card should manage each other on the day of issue. The national identity card to be given free of charge and on the spot. Those attaining the age of the majority should be able to register as voters at once. Any of the following document should be accepted as prove; national ID card, birth certificate, baptismal certificate, school leaving certificated, driving licence.

The Constitution should enhance voters' education. ECK should mark and determine electoral boundaries of districts, constituencies and wards. General elections should be calendared.

Nomination process – nomination of Councillors, parliamentary and presidential seats should be scheduled separately. Queuing systems should be removed are instead, secret balloting. Contesters should declare their wealth, how he or she acquired it. Contesters should be std. 7, 8 and above. Nomination centers should remain open for a sufficient period at least a month, within which the candidates should not present their papers either in person or through their agents.

Electoral Commission personnel duty bound to assist candidates in filling in their nominations forms instead of using this as for disqualifications.

Retirees and already corrupt people who had embezzled societies or the government should not be allowed to contest by the constitution.

Good working conditions for the elected leaders, for example the Councillors – there should be schemes of payments for the Councillors. Elected members should be in leadership for two terms. Money collected by the county council should be for the development of the ward during schools providing and sponsoring some social amenities.

Parliamentary representation – the Constitution should provide for a system of representation that is Lower House, Upper House with the objective of awarding to parties seats proportional to their respective shares of votes cast.

Other interests should be represented for example the disabled, the handicapped, pastoralists. The Constitution should allow the operation of coalition government which are recognized ways of sharing power at least all register parties and the voted in leaders to be given positions in the ministries.

The minority community for example the Elmolo, Ogiek and the marginalized ones like the Turkanas should face the ministerial post in the government. There is need of having a prime minister. The President of the country should be elected by the people not at the MP/president. The Constitution should allow for the vote of no confidence.

Legislative reforms – that is the public own Act. The Constitution should allow the holding of political rallies necessary for effective for political rallies necessary for effective political campaigns without conditions.

The chief's authority Act- the Constitution should allow freedom of movement so that all parties to address the Kenyan public. The chief's uniform is militant so it should be changed to something else not the way they are dressing like army men. The chiefs have to be voted in and serve for only two terms but not forever as it is now. The Constitution should give the people the freedom for nominating their own chief. A person working as Administrative Police, G.S.U and an army servant should not be appointed or allowed to be the chief of the people.

The title chief is ridiculous. It has to be changed to village elder or vigilante. To be a chief you have to declare your wealth acquisition. Such cases or disputes handled by the chiefs now should be handled by the reasonable and the profound villagers or a forum of society members not wazee wa mtaa because they encourage toa kitu kidogo, or toa meza ya wazee.

D.O or the O.C.P.D and the D.C should not interfere with such disputes as they do now. So we suggest that from kangaroo court to police station then residential court. Provincial administrations should be removed off especially the D.O, the P.C and the office of the president.

The society Act – the Constitution should allow for the free registration of organizations including the political parties or churches. The roles of social services should be spelt out by the constitution. Educate people, lend some loans, guide and counsel, and organize seminars and workshops.

The preservation of public security Act – the Constitution should provide for the investigation and trial without detention. It should allow for the opposition to play its legal, democratic, and moral role in Parliament and to address the Kenyan public.

Delinking the ruling party from the government. Senior government and ruling party officials should not use national offices and public funds to campaign for the KANU and against the opposition. The ruling party chairman should not be addressed as the party president. The party chairman should be a different person altogether. A party should be linked from government. It should not use government property or rather public facilities for party political objectives. The civil service should remain neutral.

Ethnic clashes – creation of mobile polling stations compensation of the loss of property, restoration to where they were before. Dislocation and killing took place.

Provision of social amenities and land for cattle rustling the government should remove illegal guns, stop the provision of KPR

guns, do operations, return the stolen livestock and compensate the not found livestock and the killed people. The government should provide or the Constitution should provide relief food and health facilities to the private victims. The government should drop its belligerent towards opposition parties. The government should not perceive the opposition to be its enemy.

The government should respect pluralism and work together with the opposition. The opposition should allow freedom of movement and settlement. Corruption takes long to eradicate because those who use it have no alternative means to perpetuate their rules by patronage and the purchase of individuals so a new law has to be made to curb this corruption. A person found doing corruption should be dealt with by the law of the Constitution. The Central Bank should be made autonomous to prevent the printing of paper money to fund elections for KANU or any party.

Add me some seconds only,

Com. Bishop Njoroge: (inaudible)

Adiaka: Thank you. On education, the formal Kenya Schools Equipments schemes should be brought back. Provision of free education, equal opportunities to all tribes in scholarship to study abroad. Sponsoring and provision of schools all over the country ...to be reviewed and Commissioners to be appointed by the national assembly not by the president.

On trustland, the issue of trustland must be scrapped off. The locals to be provided with a title deed. If there were something, the government would do with the land. The locals must be consulted natural resources found are for the benefit of the locals and for the benefit of the locals and the entire national state.

Concerning the bride wealth if the wife and the children stay at home with their father, there is no need of bride wealth Ekichuli. Otherwise the man is to marry officially if the wife and the children do not stay at home with their parents. Then the bride wealth Ekichuli is applicable here thank you.

Com. Bishop Njoroge: A very good suggestion. Can we have Michael?

Com. Muigai : Where is Michael Guokodepe? Haonekani G.B Mzee, Mary Tiokoo,

Mary: I am not the one presenting but I want to introduce my girls to present whatever they have their views on behalf of children programme diocese of Lodwar. Karibuni. Maybe before they can read out what they have they have memorandum but it is just two points they have. Maybe they can introduce themselves.

Sylvia: My name is Sylvia Telegat, I learn in Lodwar Girls Primary School.

Jessica: My name is Jessica Logoli I learn in Lodwar Girls Primary School.

Mary: They can now read what they have loudly,

Sylvia: We the primary girls of Lodwar, begin by thanking all who were involved in putting the children's Act in the law on 1st March,2002. We hope to learn what is in the Act so we can know our rights.

We have many concerns which are already noted in other presentations such as increasing child rape cases and continuing to drop our rape in mid primary school level. We only mention two more concerns here today. These are;

Jessica: The new children's court – every district should have a children's court especially in the remote areas such as Turkana. We are not one of the 43 areas, which just received the new children's court. We need one now. The Chief justice said now a child can walk to the children's court to seek help. Kitale is three hundred kilometers away from Lodwar.

Sylvia: As girls we need more women role models in leadership position like women MPs and women chiefs. The new Constitution should have a certain number of seats for women leaders as other countries do such as Uganda.

Jessie and Sylvie: We thank you for your work and hope for a better future for our country Kenya.

Mary: Thank you very much.

Com. Bishop Njoroge: Thank you mwalimu.

Pastor Dalmus: My names are pastor Dalmus Esokon, district overseer of international Pentecostal holiness church Turkana and West Pokot. A memorandum on issues to be addressed by the new Constitution of Kenya combined and presented.

The first part I would like to touch on is the preamble. The present Constitution of Kenya lacks a statement of values and therefore tends to give general directions to which the society should be focused to eradicate poverty and achieve social and economic development. Therefore the new Constitution must state that the will of the people shall be the basis of the government. Such a statement must be clearly stated in the preamble.

The preamble of the Constitution of Kenya shall read as follows; we the people of Kenya aware of the inequality and disunity existing in our lands recognizing our struggles against exploitation, corruption, injustice and discrimination, keen to create a society that secures the dignity of human life, respects cultural diversity, promotes ethical public standards and pursues justice

and freedom for all knowing that it is both our rights and sacred duty to strive for a society do establish adopt and give to ourselves a posterity this Constitution for the republic of Kenya.

Separation - something to touch on the separation of powers. I recommend that the three arms of the government that is executive and judiciary should be independent of each other. The principle of separation of powers requires that there should be the least possible overlap in the powers and functions of the different arms of government. There should be no overlap of staff in the different arms of government. No arm of government should interfere with the functions and work of any of the other arms. And no arm of government should be more powerful than any of the other as it is now.

The executive is more powerful and there should be a separation of Head of State from the head of government. The executive presidency should be scrapped and placed with the Prime minister. The President should be directly elected by the people and his function would be a non-partisan with no party connections. Two he would have ceremonial powers such as receive foreign dignitary, awarding of honours and medals, and presiding over the state opening of Parliament and public holidays. Would be the symbol of national unity while the Prime Minister in this case would exercise executive powers would exercise executive powers I would be the leader of the party that wins the majority. Would be open to criticism in Parliament as the leader to of the government.

Defence and national security – the discipline force shall be established by the Constitution and be answerable to Parliament through the minister of defence. There shall be a Commission established for the disciplinary matters and other related matters in the course.

The President should cease being the Commander in chief of the armed forces. The power to declare war or join peace-giving missions shall be vested in Parliament and not in the President so the national security issue is not a one-man idea.

Citizenship – every person born in Kenya or elsewhere at least one Kenya parent shall be entitled to be a citizen of Kenya. Any person who marries a citizen of Kenya shall have the right to become a citizen by virtue of that marriage. All persons are born equal and should enjoy protection and benefit of the law. Equality includes the full equal and self-enjoyment of all rights and freedoms.

No person shall be discriminated against on the ground of sex, ethnic origin language, tribe colour, race, mental status, birth, age, religion, beliefs and practices, political opinions disability health status or any other status. Any person who is a citizen of Kenya and have attained 18 years shall have a right to obtain an identity card and passport free of charge. No person shall be allowed to possess the dual citizenship.

Constitutional principles – all sovereign power belong to the citizen...shall belong and should belong to the citizens of Kenya

and shall be exercised by the state on their behalf so as to promote equality, human dignity, security, freedom, justice, humanity, unity and prosperity. The President shall report the nation through Parliament at least once a year. On a whole / to ensure the realization of this basic social and economic objectives and principles.

Natural resources – all natural resources belong in common to the people of Kenya including the future generations and the state shall therefore protect such resources, including land water, flora, fauna and minerals for the benefit of all Kenyans.

Development – the state shall facilitate equitable development through eradication of poverty and establishment of a balanced framework for a economic growth and social justice. The state shall take special measures in favour of developing economic marginalized areas especially in areas inhabited by pastoralists' community to re-address imbalances created by past and present and just laws and policies. An example is Turkana.

All public resources shall be managed and used in a rational and efficient manner avoiding waste and corruption. The state shall involve the people in formulation, implementation and evaluation of development plans and programmes. So in this case we are not involved, we just see things happening. So our recommendation is that they should involve people from the initial stages of any plan on the programme.

Parliament and something I want to touch on parliament. The Parliament shall be allowed to amend any part of the Constitution by a 90% majority vote, that is to make it impossible because it is a one document so a few people shall not manipulate here around. Being a Member of Parliament be a part time job.

There shall be no nominated MPs in the next constitution. What is their function and what is their work? There shall be some seats reserved for women to contest in general elections, for respective constituencies. So, we recommend that there shall be some seats at a local level and national level for women to contest for.

The public service Commission shall decide on the MPs salary just like any other civil servant. There is no duplication of parliamentary service Commission and also public service Commission.

All presidential appointees should be approved by Parliament. President appointees includes Ministers, Assistant Ministers Attorney General, Civil servants Managing Directors and all those should be approved by parliament.

The presidential powers to create ministries, public offices, districts and provinces should be made subject to parliamentary approval. The presidential powers to dissolve Parliament before its term should be scrapped. Parliament should have a fixed term and develop it own calendar. MPs shall act on the basis of conscience and conviction or instruction from their constituency and not their party. So, we elect them and they should act at our conviction not on their parties. On the basis of their parties.

It should be possible to impeach the President on the violation of the law or the Constitution or corruption in office. That would be the ground for impeachment. The President shall cease to be the MP and should leave the seat to someone else.

Local government – the Mayors and council chairmen shall be elected directly by the people. The Mayors and chairmen shall serve for only two terms or two years term. The minimum qualification for councillors shall be at least std. 8 leaver and form four-certificate holder. Councillors shall be paid by the central government like the MPs. There shall be no need for nominated councillors.

Elections – the election of both civic, parliamentary and presidential aspirant shall be conducted separately just as in the case of Uganda or in the other countries so that we may know who is who so that we may know who is contending for presidency and who is contending the parliamentary seat. We want to know these people and we want to see them and we want to vote them on their quality. There shall be specified dates for general elections as it is now in Kenya, we don't know. 29 is not a specified date every December but we need to be specified in the constitution. The electoral Commission appointed by the President shall be approved. The President shall appoint the Commissioners of the electoral Commission and then be approved by parliament.

Something to do with land – every person shall have a right to own land either individually or in community, with others. All trust land presently invested in local authorities for the benefit of local communities shall face in the local communities themselves, through specific legislation and other measures. When property is owned by a community, members of that community shall have the right to decide on the use or disposal of that property guided by the connective communal interest and lifestyle. No one may be deprived of property except in terms of law of general application and no law may have permit arbitrary deprivation of property.

Com. Bishop Njoroge: Now, can you give your final point.

Pastor Dalmus: I give the final point on basic human rights. Since they are all here, I can also highlight on the communal rights or cultural rights. The state individually or groups in society shall respect cultural values of different communities in Kenya. Where such values are consistent with human rights and democracy. Thank you.

Com. Bishop Njoroge: Thank you. Eregai Peter.

Eregai: My names are Eregai L. Peter diocese of Lodwar adult education. Education is a basic human right. It enables the society to participate fully in the initial and the management of their developments. Open rooms for most information chairing for equitable and sustainable developments and democracy. Harmonized culture and traditions. Education for all as a central policy

in the government. creation for failure adult education.

Adult learning is conducted in vernacular and Kiswahili. Kiswahili is only a national language but not official. All official documents are written in English. Those who become literate in Kiswahili and Turkana are still not accessible to official information as all documents are written in English and little in Kiswahili. Lack of emphasis in community mobilization to value adult education has been there and is a pastoral community hence little has been put in education and community itself does not value it.

Adult education is still not fully devolved in the country hence little funds are located to such departments to run its activities which are all not done in a year and policies are not in the constitution. There are no education policies in Kenya. Hence persons are left themselves to decide whether to have it or not. Therefore that has accelerated the high rate of illiteracy in the country. There are no proper boards to manage education in Kenya and if they are there, they are limited in powers and as a result no action has been taken to correct failure in education support as the country has we always wait for some individuals and foreigners to do things for us.

Recommendations for adult education in the new constitution. Education should have the following for a better citizen development as well as countries sustainable development. Equal educational opportunities to enhance most information sharing. Literacy for sustainable development, education as a basic right, education for equitable development and democracy in the country. Certificates should be issued; examinations should be conducted for adult learners. Develop a district adult education board with all powers to carry out mobilization and creating awareness in the community in education.

Continuous development and production of relevant textbooks for adult learners. Informal school for youth in pastoral districts including civic education and development education. Allocating enough funds to adult education to carry out its activities in the country. All official documents should be written in national languages specifically Kiswahili. Finally the new Constitution should look in education as a way powered for sustainable development and democracy in the country. Thank you.

Com. Bishop Njoroge: Thank you very much.

Kaituko: The students of Lodwar high school would like to present and go back to school so we want to give them an opportunity, go ahead.

Ekiru: My names are Paul Ekiru I am from Lodwar high school. There is something we are going to present here as our views to the Constitution Review Commission. Now, the first thing is we are presenting this that the government should provide free and compulsory primary school education up to primary level to enable all children to get access to the facilities such as education.

The second one is the government should also allocate a large amount of bursary to the marginalized district Turkana being included.

The other thing is that the government should be fair in distributing teachers in the country. For instance, our school has got about five hundred students handled by less than 25 teachers, so this should be looked into. In addition, the youth should also be preserved seats in Parliament to avoid the system whereby the youth are represented by the old men who do not know the interest or if they know their interest they just know few of their interests and their names. The government should also provide education, which can benefit the students immediately they finish their secondary education. For instance, a student who finishes his secondary education as a form four is not able to further his education because it becomes useless also in the society because he has been taught so many subjects, which are not practical. Very few of the subjects are practical and therefore the government should look into that. Our people also are nomadic in nature and therefore there should be mobile education units to cater for their children who are supposed to receive education. I think that is all I had.

Com. Bishop Njoroge: Thank you very much. Can you go and register there.

Mr. Kaituko: The next person is Emmanuel Paroo. Go ahead.

Emmanuel: Kwa jina naitwa Emmanuel Paroo. Yangu tu itakuwa ni machache na nitaongea kwa lugha ya Kiswahili. Sisi Waturkana tumekabiliwa na mambo ya usalama katika tarafa hii ya Turkana ama katika hii wilaya ya Turkana na tumezungukwa na adui ambao kila wakati tukitafuta mbuzi kidogo kidogo, na wajamaa wetu wanakuja kuchukua. Sasa, tumeomba Serikali itusaidie hata wakati hii mifugo ikichukuliwa, itupatie kitu kidogo ya kununua hao mbuzi wengine tena.

Jambo ya pili, kipande iwe lazima kipatiwe kwa watu bure badala ya kusema ulete shilingi hamsini, na lete hii na kile. Tungependekeza Serikali tusaidie kwa njia ya kupatia watu kipande bure. Asante.

Jambo la tatu, watu wapatiwe birth certificate. Birth certificate hii ambayo watoto huzaliwa na hali mzazi anaambiwa lete hii, ikipita siku fulani unaambiwa lete mia moja na hamsini. Kwa hivyo, tunahitaji Serikali itupatie hiyo birth certificate bure.

Jambo la nne, watu wetu hufa na tunahitaji Serikali yaani wakati watu huuliwa na hawa wajamaa wetu Serikali itupatie bidhaa kidogo ili tulipwe kitu kidogo ili turidhike basi na kwa wale ambao waliobaki.

Com. Bishop Njoroge: Unasema mlipwe kitu kidogo kwa waliouawa?

Emmanuel: Aliyeuawa na majirani. Sio kidogo, ilipwe tu, lakini nimetumia lugha ya kidogo.

Jambo la tano, shule ya msingi lazima watoto wasome mpaka std. 8. Wasome hata kama hakuna uniform, wasome bure.

Jambo la sita, ilisemekana ikifika mwaka wa elfu mbili, kila boma iliyo karibu na mji itapatiwa maji iliyo safi bure. Na jambo la nane tunahitaji Serikali itupatie stima kutoka Lorokon kwa sababu tumeona hiyo nini inaendelea mpaka mahali inaitwa Lesos na huko ni miti mingi mpaka kule na hapa sisi tuko nyumbani na tunahitaji Serikali itupatie stima bure.

Jambo la tisa, lazima achaguliwe na wananchi wenyewe.

Kumi, sisi tunataka tupewe bunge ambalo lina-cost pande hii bunge tatu na pande hii bunge tatu ili maendeleo yapate kupanuka kwa haraka sana katika mji wa Turkana.

Kumi na moja, mchanga huu wa Turkana lazima wenyewe wafaidike hawa wenyewe.

Jambo la kumi na mbili, Serikali lazima ijulishe sisi kama inataka kuleta watu wengine wageni wajulishe sisi ya kwamba, “sisi Serikali tunatoka kuleta watu wengine kama wakimbizi kutoka Tanzania ama Somalia nyinyi mnakubali ama hapana” tukubali.

Jambo la kumi na tatu, chief lazima akubaliwe na wazee achaguliwe na raia kwa sababu anahudumia raia.

Jambo la kumi na nne lazima wazee wawekwe katika Katiba ya kisasa. Asisahauliwe, elders wawekwe katika Katiba ya sasa.

Jambo la kumi na tano, KWS wakati mnyama kama mbweha ama kama fisi anakula mnyama wetu, hakuna mtu ambaye anatulipa huyo mbuzi wetu. Inawachwa tu namna hiyo tu na lazima Serikali itulipe hiyo mali yetu.

Kumi na sita, tunataka wakati stima italetwe lazima iwekwe kwa kila mahali, itolewe ile inatupigia kelele hapa ipelekwe labda mbali kidogo. Ipatiwe kila mtu stima.

Kumi na saba, nasema kuna mambo mengine yaitwayo...

Com. Bishop Njoroge: Nataka kuwaomba mnajua akisema na mpige kelele inaingia katika kadude haka na maneno yake ikienda Nairobi itakuwa imepotea na ndio anasema maneno mazuri. Kwa hivyo mkipiga kelele mnapoteza maneno na mnapenda maneno hayo. Si ni kweli? Kwa nini mpoteze basi. Wacha akamaliza mumpigie makofi kama ndio mnataka. Sawa.

Emmanuel: Kumi na saba, tunataka haki ya binadamu itekelezwe katika Kenya na kila district, iwekwe katika kulinda wananchi.

Kumi na tisa, inasema ya kwamba kuna mtu anaitwa ombudsman. Jambo hili tunataka liletwe kwa kila wilaya ama katika Turkana hii. Tunataka ombudsman akuje ili wakati mambo fulani ikifanyika, yeye anaweza kutetea kwa mahali pengine.

Ishirini, chama ambalo linang'ang'ania Kenya hii sijui inang'ang'ania mchanga ama inang'ang'ania watu ama miti sijui kabisa. Vyama lazima viwe vitatu ama vikazidi viwe vinne Chama ambayo wanataka – yaani wanaotoka kung'ang'ana – hivyo vyama ambavyo vingine ni Ford Kenya, Ford Asili, Social sijui nani, simba ingine.

Ishirini na moja ambayo ni ya mwisho, tunapenda wadada ama wandugu zangu ama hata kama kwa sababu nina wasichana, lazima wajifunze discipline ya kuvaa nguo. Mavazi yao kwa sababu utamkuta mtu amepasua nguo mpaka upande huu, amepasua tena mpaka upande huu na mpaka tamaa inazidi kwa wanaume. Kwa hivyo tunataka Serikali irekebishe na aambie hao watu warekebishe hivyo, wavae mavazi yaliyo bora kuliko kuvaa mwili nusu na mwili mwingine namna hiyo. Asanteni.

Com. Bishop Njoroge: These students are very happy because when you read memorandum in English you are not talking to us. Si amesema mambo mazuri? Basi tuendele, sasa nataka kuita Mbungewenu, naye tusikie maoni yake. Karibu pale mbunge.

Hon. Ekwe: Bwana Commissioner Com. Bishop Njoroge, mimi naitwa msheshimiwa David Ekwe, Mbungewa Turkana, pia Waziri Msaidizi wa Labour. Ningependa kuwakaribisha na nina maoni ambayo ni yangu binafsi na kama mkaaji wa wilaya hii yetu. Nitachanganya Kiswahili na Kiingereza. Nitaanza na content ya mambo ambayo ningependa yarekebishwe, then mwisho, nimalize na context yetu, pamoja na process.

Mimi nitakubaliana na wale walisema pamoja nasi ya kwamba tunahitaji Katiba mpya kwa sababu tuna mambo mengine ya kubadilisha.

Jambo la kwanza ni katika presidency. Tungependa the powers of the President should be scaled so that we can create other posts like the one of the prime minister, who can become the head of the government. Na President abaki kama the head of state. Ningependa hiyo separation ya presidency as ile ya executive na Parliament pamoja na judiciary iendelee kufanyiwa improvement vile inaendelea saa hii. Nafikiri tumekubaliana wote katika Kenya hii ya kwamba Katiba ya saa hii inapatia rais mamlaka mengi na hata mtu akiwa na nia gani nzuri. Bwana Commissioner hata hii Katiba ukipatia Pope, ataoa zaidi ya mwanamke mmoja kwa sababu it is very attractive.

Ningependa pia, katika wilaya hii yetu ya Turkana, kuna wajumbe watatu. Ukiangalia idadi ya watu tuna watu karibu nusu milioni. Na kulingana na statistics ambayo tunayo iwe inapeana ratio ya mjumbe mmoja kwa watu mia moja hamsini elfu kulingana na vipande I'm not talking about the registered voters.

Utakuta hii ratio imejulikana katika Kenya mzima to be the highest, kwa hivyo mimi ningependa tuangalie democracy verses geography. Ukiona pia distance ya kila constituency hapa, mjumbe mmoja ana-cover karibu almost 23,000 sq. km. Hiyo bado ni highest katika jamhuri yetu. Kwa hivyo mimi ningependekeza ya kwamba, kutoka wajumbe watatu tuwe na wajumbe tisa. Ukiona representation pekee hata mfano hapa majirani wetu Uganda, wana area kidogo na wana wajumbe kumi na wawili na Mawaziri watatu. Katika Turkana bwana Commissioner hatujawahi kwenda beyond the rank of an assistant minister and I always argue that this is the highest post that has ever been realized in this world by a Turkana both alive or dead.

Na vile tunaendelea kulingana na ile class ceiling tumeona bwana Commissioner, ni kama hata tukileta maprofessors ama nani bado tu watapatiwa tu Assistant minister. Whether your are illiterate, whether you have gone to school, bado utapatiwa Assistant minister. Tunataka hii ibadilishwe, tuwe na ministers sawa sawa hata sisi tunataka kuona hiyo bendera upande huu.

Na tungependa tutumie kipande kwa kura, badala ya uwe na kipande halafu uende ukate kura mimi ningeonelea kama ni kipande kwa sababu inaonekana kupata kipande ni rahisi kuliko kupata kura na hakuna haja ya kupoteza pesa kwa kukata kura, pesa nyingi tunapoteza bure. Wacha tutumie kipande kwa kila jambo. Kama ni kura tunatumia kipande ili pesa ya kukata kura tutumie kwa mahospitali.

Tungependa pia wilaya za Turkana na zile zingine za pastoralists tupatiwe ile tunaita affirmative action. Ya kusema kwa sababu pengine Kiambu na pahali pengine mzungu alitangulia mbeberu, akakuza kahawa huko 1904, na sisi hakufika hapa pengine mpaka independence. Tungependa ya kwamba kila location lazima kuwe na barabara, hata kama si lami iwe at least the government can maintain it kila mara. Lazima tuwe na posta, lazima tuwe na simu, lazima tuwe na maji. Hii bwana Commissioner, ni ile basic infrastructure kwa sababu hii ni public good. Mtu mmoja hawezi kujitengenezea lazima Serikali itengeneze ili wananchi wenyewe waweze kufanya biashara waweze kuwasiliana. This is an investment that the government should make as a public good.

Tungeomba pia kulingana na mambo ya basic charter, Katiba iwe na basic rights charter ya kusema hakuna mwananchi wa Kenya ambaye kama hana kazi lazim apewe maintenance allowance katika kila mwezi na isiwe pesa ile itafanya mtu asitafute kazi, iwe pesa tu itatosha kununua pengine samaki na mkate kwa sababu hatutaki pia wazembe. Ili wajue wakati watapata kazi wanaweza kula nyama na vitu vingine.

Tungependa pia kama wilaya hii ya Turkana kwa sababu ya njaa lazima, tuhakikishe watu wetu wanapatiwa relief food throughout. Tungeomba pia as part of the basic rights charter lazima mambo ya dispensary kwa sababu hii bado ni kama infrastructure tu. Dispensary iwe vile tulikuwa tunajua zamani. Unaenda huko unapata matibabu. Kwa sababu saa hii watu wengine wanaenda wanaandikiwa, kutafuta dawa ni bure. Kwa hivyo lazima Serikali itengeneze pesa mzuri kwa upande wa afya. Ya binadamu pamoja na ya mifugo kwa sababu hapa sisi tunategemea mifugo na lazima pia mifugo kuwe na annual vaccination na madawa zingine ile inaweza ku-maintain hadi ile sawa sawa.

Shule pia tunasema kama tumeamua juzi kwa bunge ya kwamba kila mwananchi apeleke mtoto kwa shule, kuna vitu tunaona itazuia hiyo realization, tungependa kama kweli tuna haja ya kupeleka watoto shule, wacha watoto wasome, kama wana uniform ama bila uniform. Kwa sababu tunaona mara nyingi watoto warudisha, activity fee, sijui uniform, sijui pesa ya chaki sijui nini. Tungependa kabisa wacha wasome. Serikali ilete waalimu watoto wasome. Kama wako uchi, ni sawa sawa, hata sisi tulisoma namna hiyo.

Elimu iwe ya bure kuanzia kindergarten mpaka kidato cha nne. Hiyo ni basic literacy tunataka ku-improve. Baada ya hiyo, kama utaenda chuo kikuu ama unaitwa college, tungependa high education loans board iwe restructured ili kila mtu apate mkopo. Na hii mikopo lazima ilipwe at that level kwa sababu tunajua ukifika hapo sasa you have the possibility of earning na kama utarudisha hiyo ili wengine pia waendeleo kusaidiwa kwa sababu tunataka kuhakikisha kila mKenya ameenda kwa shule.

Tungependa ungetaka kuwa mjumbe lazima uwe na degree. Ukitaka kuwa Councillor lazima uwe umehitimu darasa la saba ama la nane kwa sababu, lazima ujue kusoma kidogo vile mambo ya Kenya yanaendelea. Na ukitaka kuwa Mayor ama Mwenyekiti, lazima uwe mtu wa kidato cha nne. Na tungependa Mayor na mwenyekiti baada ya uchaguzi wa kawaida kama ni lodwar municipal council, watu wa lodwar tena wachague Mayor kutoka kwa wale ma-councillors wachaguliwe hapana Councillors peke yao. Na hivyo hivyo kwa mwenyekiti wa county council.

Kulingana na wale councillors tumechagua kuna wale watajitokeza kuambia ya kuwa mwenyekiti. Huyo pia achaguliwe na kila mtu. Hii ni kwa sababu katika wilaya hii tumekuwa na shida katika council yetu kwa sababu kuna groups zimeingia kila mtu anataka group yake iwe chairman ama Mayor na kwa sababu ni wachache inakuwa kila mwaka kuna Mayor mpya, kila mwaka sasa inakuwa ni vigumu kuendesha maendeleo. Na ile limit ya kufanya elections ya Mayor ama mwenyekiti mara tatu, kwa miaka mitano, I think it is not fair. Wacha tumchague Mayor miaka hiyo mitano, aharibu kazi, atengeneze hakuna haja ya kufanya mara tatu within five years.

Tungependa katika Katiba tunaandika ya kwamba tutakuwa na wizara kama kumi na tano na tupatiwe allowance ya mbili ama tatu kwa Serikali kuunda hiyo tu option. Tuseme kama sasa George Bush juzi kwa sababu ya terrorism akaunda moja. So two to three for special purpose, the numbers should be fixed and one of those ministries tunataka ministry ya pastoralists development kwa sababu unless we confine and concentrate policies and problems within one ministry we cannot be able to realize that affirmative action.

We have again examples from our neighbours, Uganda ilianza na the ministry of Karamojong affairs na imesaidia sana. Tungependa hata hapa hiyo recognition as part of affirmative action ili kuangalia ile shida ya areas kama hizi kwa sababu tumejua Serikali haiwezi kuelewa taabu za pastoralists lazima kuwe na Wizara ambayo itafanya hiyo kazi.

Tungependa pia ma-chiefs wapewe kura yetu na hawa watu watakuwa / lazima wawe watu wazee wameamua ni watu wanatoka hiyo location. Kweli vile bwana agent aliongea hapa ni kweli. Kuweka watu kwa karatasi na unatoka huko asubuhi na ni chief sijui ametoka wapi ndio imetuletea sisi shida mingi. Lakini yule chief ametoka kwa hiyo location anajua hao ni wajomba wake, watu wake atakuwa na heshima, akiwa chief mzuri ataendelea, akiwa chief sio mzuri watu wana uwezo wa kumpokonya mamlaka.

Tungependa katika hii Katiba tuwe na uwezo kama mjumbe amechaguliwa na hafuati line ya hicho chama lazima kuwe na uwezo wa ku-discipline huyo mjumbe. Kama Councillor amechaguliwa na hafuati hiyo line, lazima kuwe na uwezo wa ku-discipline huyo mtu. Tusingojee hii miaka tano. Hii miaka mitano ni mingi kwa yule mtu ame-abandon ile mission ya mwanzo. Tungependa pia hii harambee ifutiliwe mbali.

Badala ya sisi wajumbe ama ma-Councillors ama viongozi wengine DC kuitwa fanya hii harambee, kuja hapa, Serikali itenge pesa fulani constituency development fund. Wajue pesa kama Bunge la Canada, kila mjumbe ana pesa karibu two hundred million. Anakuja kwa kamati yake, halafu tunaamua. Kama tunataka shule, tunajengea hizo pesa shule. Hapana kusumbua watu na harambee kila mara. Kwa sababu hizi harambee zinatumiwa kufanya tu siasa ya fitina na siasa mbovu katika wilaya hii.

Tungependa pia Madiwani pia wapatiwe mshahara wa kutosha na ilipwe from the consolidated fund. Mtu anaenda kupigana kweli kweli kujipatia kiti amepoteza ng'ombe yake mingi anakuja anapatiwa 7,000. it is completely unfair. Mimi ningependekeza Councillors wapatiwe shilingi mia moja elfu ili hizi qualifications tumesema, lazima iwe attractive kwa sababu kama kiongozi lazima tupate the best from that community.

Kama mmekubali ya Councillor, mtakubali yangu pia hata ya wajumbe tufikishe one million. Bwana Commissioner, tungependa kupendekeza ya kwamba DDC, DSG, leaders meeting are just talking shops. We are not interested we have a lot of good speakers in this country.

Tunataka hiyo power iwe devolved. Kama Serikali ili-allocate pesa fulani katika wilaya ya Turkana, tungependa tuketi kama viongozi na tuambiwe hizi ndio fedha. Saa hii mjumbe ataenda kupiga kelele ama councillor unasema fanya barabara watu wanafanya bara lakini accountability ya hizo pesa hatuwezi kujua. Lazima tupatiwe allocation na tukae kama wilaya na tuseme tunataka kitu fulani na baada ya hiyo hiyo kamati iangalie hizo fedha zilitumika namna gani.

Tungependa katika sisi tuko mipaka katika wilaya hii. Security hapa imeachiliwa tu wananchi na hawa wananchi ndio wanaunda Serikali. Juzi watu wetu waliuliwa na malaria huko, tungependa proper security network, Serikali iangalie hapa kama nchi ingine tupatiwe kama ni police ama ni KPR wale sisi tunataka. Na sisi hapa tungependelea hata KPR kwa sababu ni watu wetu wanaweza kupigana na wapatiwe allowance kidogo tu ya kuwapatia morale waendeleo na hiyo kazi.

Tungependa kabisa katika Katiba mpya kuwe na sheria hii najua it is already existing lakini haijatumika vizuri kwa sababu ya vyama vingi vya siasa. Lakini pia sisi tunaona kuna party functionaries wanatumia advantage ya kuharibu kazi badala ya mambo kupangia vizuri. Lazima kuwe na sheria hii ya kuonyesha wakati wa campaign na kuna wakati uchaguzi umefanywa, viongozi wamechaguliwa na kazi yao ni kukaa chini wapange mipango bila kusumbuliwa halafu wakati mwingine tutaenda tena campaign kulingana na record ya mtu. Lakini vile tunafanya siasa katika nchi hii, mtu anatumia rais, mtu anatumia mjumbe, mtu anatumia Councillor, anatumia chief, badala ya kungojea forum kama hii ambayo una uhuru wa kueleza yale ambayo unataka, kazi yako ni kutukana watu katika streets na kuharibu heshima ya ofisi. Hiyo lazima tuangalie kabisa kama tunataka tuwe watu na nchi ambayo tunaendelea.

Lazima kila society kuwe na sheria na tuwe na sense of justice kwa sababu, bila justice kila mtu atajitetea kivyake na hatutakuwa na nchi tena. Na pia, wale viongozi ambao wanatoa tuseme cheques ambayo ina-bounce, ambao wanatumia ofisi vibaya, ndio tulikuwa tunasema hiyo ofisi ya ombudsman, mtu alisema bushman iletwe hapa ili tusitumie ofisi yetu vibaya, tusidanganye wananchi ya kwamba “nimeleta cheque pengine ya mia tano elfu nipigie makofi” na hakuna pesa katika account. Hiyo lazima tukatae kabisa.

Sisi pia tunganeme vile tumeamua tuongeze mishahara ya madiwani, kuna mishahara ya waalimu. Waalimu wanafanya kazi nzuri, tunajua Serikali haina pesa nyingi lakini nafikiri hata waalimu tungeomba kabisa kwa sababu juzi tumeongeza judiciary pesa. Bunge tunaongeza pesa. County council, juzi tumeleta hii pesa ya lactic, lazima pia waalimu tuwapatie kitu kidogo ili hao pia wafurahi. Na katika Serikali, appointments ya public officers, MD, judges lazima ipatie katika bunge.

Executive ita-nominate and then wataenda kwa kamati ya bunge kukagua hawa watu historia yao, nini na nini ili waendeleo kufanya hiyo kazi nafikiri hiyo italeta transparency mzuri kuliko vile mambo yalikuwa zamani lakini kwa hayo yote ningependa kuongeza tunaweza kuongea Katiba na tutapata Katiba mzuri na hata hii Katiba tunayo, sio mbaya sana, it has served this country lakini lazima tuangalie maneno ya uchumi wa nchi hii. Lazima tuangalie maneno ya management kwa sababu iko sheria nyingi haitumiki na tungependa kabisa sisi wananchi ni vizuri kuongea maneno ya wakubwa wanatumia ofisi vibaya. Lakini kama sisi wananchi hatuwezi kujua haki zetu huko wataendelea kutumia ofisi vibaya sisi wananchi pia lazima tuwe tayari tujue yale yanatakikana na tusaidie na ndiposa mimi naomba kabisa katika hii kazi ya kamati ya Katiba mpya, civic awareness lazima iendeleo na hata Katiba tukimaliza lazima turudi tena hapa kwa watu ili wasome Katiba wajue nini tumekubali kwa sababu kuna watu wengi watafikiria saa hii yale tumesema yote yatakubaliwa na haya tu ni mapendekezo. Tutapitisha bunge tena baada ya kupitisha bunge ndio itakuwa tayari tungependa umati tume yenu iendeleo na hiyo kazi na kama mtahitaji muda wa kutengeneza hii kazi mimi ningependekeza mpatiwe muda wa kutosha muendeleo na hiyo kazi na kama pia itabidi, bunge tuongeze. Na lazima tuongeze bunge. Ni maoni yangu.

Ningesema wilaya hii yetu ya Turkana tungependa tugawe mara tatu. Sababu utakuta wilaya zingine kama Thika kama wapi very small, hapa tungependa tugawe hii wilaya mara tatu, ili tupate wilaya tatu.

Tungependa pia kusema ya kwamba kulingana na provincial administration, tunahitaji reform kubwa hapo. Mimi naona ofisi ya chief inasaidia chief. Ukitoka ofisi ya chief unafika kwa ofisi ya DO. Mimi kwanza tarafa zangu nyingi hakuna DO na bado tunaendelea kuishi. Kwa hivyo hiyo inaonyesha hatuna haja na ma-DO. Tutoke kwa chief twende tu kwa DC na tukitoka kwa DC mimi pia sioni faida ya PC. Kwa sababu kama tunalia hatuna fedha katika nchi hii why do we want more layers? We should reduce some of these layers so that we can get more money to pay teachers, to provide medicine and to buy chokaa ya shule.

Mimi ningependekeza DO ifutiliwe mbali, provincial level itoke, ibaki from the chief to the district and then to the line ministry because, we want a lean government. Katika system ya formation ya prime minister, tungependa iwe parliamentary system. Mimi ningependekeza representative democracy. Kuna watu wengi wetu kwanza kwa NGOs wanaongea maneno ya popular democracy. Mimi Naongea maneno ya representative democracy ili sasa, chama ambacho kitabuni Serikali kiwe ni chama ambacho kina wajumbe wengi katika bunge. The party with the majority MPs will become the governing party na wata-appoint prime minister.

Tungependa pia tuwe na Senate as part of parliament. Parliament tuwe na Senate pamoja na house of representative kama vile tulianza wakati huu tulipata uhuru. Na katika kila wilaya na tukifanya boundary mzuri, tukiangalia maneno ya constituencies vile tumeamua hapa, kila wilaya iwe na senator mmoja na wawe watu wamekomaa sawa sawa, they are living testimony institutional memory tunaweka hawa huko na House of Representatives zibaki tu kama vile tuko sasa kama wajumbe. Nafikiri hiyo itasaidia sisi kwa upande wa checks and balances ambayo tunataka ili tuangalie.

Na nikimaliza, ningependa kuhimiza ya kwamba kwa kweli tukienda kwa kura bila Katiba mpya and I am just being sincere and speaking my mind, sisi tuko tayari kama KANU na kama individuals. Tuko tayari kwenda kwa kura wakati wowote. But I am imagining tukienda kwa kura na hii Katiba na hii mamlaka yote, tupate President mpya, it is so attractive. I will just see ukifanya kura that is the end of the Constitution reform kwa sababu wewe huwezi kunipatia haya mamlaka halafu uniambie itoke tena.

Kwa hivyo, kama kuna mtu pengine ambaye anajua amefanya wakati wake amemaliza na mimi nasema we need to recognize the fact that some leaders of this country fought for independence, they have done a major contribution to support us, we have reached where we have reached as a country. We cannot ignore that. That pre-independence generation ambayo tunaamini the last one ni Moi, they should not be subject to the two terms limit. Waendeleo kufanya vile Kenyatta aliendelea, apumzike siku Mungu atamuita.

And then baada ya hiyo sasa, katika hii Katiba mpya sasa, hii “dot com yetu” hii, sisi tunasema young turks can be subjected to the two terms limit kwa sababu they were born after independence and that to me, in my view, itasaidia ku-nourish and cement democracy because any constitution, the Constitution making process has to allay the fears of the current region and to think otherwise we are just wasting our time. And the institution of the presidency is equally important na lazima tuhakikishe ya

kwamba hii generation ya zamani we send them off properly and then we start a new generation ambayo sasa tutachukua section 59 ya Katiba tuweke calendar ya bunge as part of the current reform and that is already in the works.

Tungependa vyama to be reduced to three parties. Kwa sababu saa hii kila mtu anaamka asubuhi anataka chama chake. Kuna chama cha mtu binafsi, kuna chama cha clan, kuna chama cha ukabila, we want them, infact I am very happy, hii tunaona saa hii watu wako KANU na wako Ford People, wengine wako Ford Kenya na wako KANU, wengine walikuwa SAFINA na wako KANU. It is a healthy process kwa sababu we are trying to get an equilibrium in economic. They are trying to place themselves and finally, hata America, hata UK huwezi kusikia vyama karibu hamsini vile tunavyo katika kenya. You will only hear of about three or four prominent parties but actually the real parties are two. The conservative and the liberal in the UK. In America, the republicans versus the democrats, sasa utakuta hii ni democracy ambayo imekomaa since 18th century na imefika namna hiyo kwa hivyo hata yetu ijapokuwa I don't see even that being an issue because I think it will sort itself. Wale mmoja mmoja tutaacha hawa KANU ili tuendelee.

Katika wilaya hii ya Turkana, apart from ministrial posts sisi hatujawahi kuenda beyond the post of a DC. Na hata wale DC tuliona naye ni mmoja. Na sisi tunaamini ya kwamba hao watu ni wengi. Tungependa kabisa lazima kuwe na as part of affirmative action, unajua kuna kabila zingine wameonja onja hii vitu wanajua utamu na umuhimu na hawajui wanatupinga sisi lakini pia sisi tungependa tupate hiyo experience as a nation ili tuwe na ambassadors, tuwe na permanent secretaries, tuwe na MDs wengi ili tuwe tusaidie tuweze kusaidia watu wetu na Waturkana wajue we are not condemned to be a small man that being a Turkana is not an inequality that you can rise to become anything you want in this particular country. Na nilikuwa nimependekeza tupate constitutional development fund kwa sababu hii ita-remove ile burden, mjumbe anapata saa hii ama councillors na viongozi wengine. So that tuwe na fund hiyo ambayo tunaweza kusaidia mambo.

Halafu mwisho kabisa, tungependa tuwe na mobile polling stations. This is a migrant population na pale watapigia kura pahali walikatia kura ni tofauti na pahali watapigia kura. Wakati tunapiga kura unaangalia kama wanatoka hiyo polling station ama bado. Ingekuwa tu tutafute namna ku-reduce hiyo fraud ya kudanganya. Kama ni hiyo mark tuhakikishe lakini tuhesabu mtu pahali ako. Mimi naona ita-improve hata registered, hata wale watu wanakuja ku-vote kwa sababu lazima tupendekeze pia kama sheria ni haki yako na lazima upige kura. Hiyo katika sheria, iko nchi zingine zinafanya hivyo, lazima uende upige kura. Kwa hivyo yangu ni hayo na tumeshukuru mmekuja Turkana mara mingi Katiba ilifanywa Lancaster haikufika hapa sisi pia we are part of the great republic na tunafurahi wakati mnakuja hapa ili tuweze kusema mambo ya watu wetu na muendele kutusikiza. Asante.

Com. Bishop Njoroge: Watu wamekuja hapa na wameshuhudia, kuna wakati wabunge wakichaguliwa wengine hawarudi kwa constituencies zao na wamechaguliwa na tumesikia maoni kwamba watu wanasema Mbunge asiruhusiwe kumaliza miaka mitano kama hafanyi yale aliyochaguliwa au harudi kwa constituency yake. Ningependa kusikia maoni yako. Uligusia kidogo kwa party mtu akitoka katika hali ya party lakini hiyo sikusikia.

Hon. Ekwe: Mimi najua Turkana wajumbe huwa wanarudi nyumbani. Hilo swali litategemea vile watu wanaweka umuhimu wa kazi na ni wananchi. Kazi ya mjumbe ni kama kazi tatu. Iko ile muhimu ni kwenda bunge, na pia kuna kazi ya kuja nyumbani pengine uwe na mikutano hapa na pale. Inategemea if your constituency is that rural and some people don't mind u missing parliament, and they want you to be around, then that is what makes them tick and an MP will try to respond to that but there is also a constituency ukiona kama wenzetu wa upinzani kazi yao ni kupiga mdomo, hakuna hata harambee wanafanya, hakuna hata maendeleo wanaletea watu, hawashirikiani na NGOs ama watu fulani, na bado wanachaguliwa kwa sababu watu kama mheshimiwa Anyona, wameongea na watu wao wanasema kazi yao ni kupiga mdomo.

Kwa hivyo hiyo inategemea vile constituency iko but mimi ningependa as part of civic education ili watu pia wajue kazi ya mjumbe ni nini kwa sababu kulingana na vitabu tumetengeneza Katika bunge sijui kama ziko hapa as part of education. Inaeleza na ina narration (Nipatie hiyo karatasi bwana coordinator) inaeleza vizuri hiyo kazi ya mjumbe ni nini. Now, watu wetu ambao wanatuchagua wakijua kazi ya mjumbe ni nini nafikiri tunaweza kuelewana na hawa. Kuna moja kwa Kiswahili na ingine kwa Kiingereza. Inaitwa the house for all Kenyans. Na ile ya Kiingereza raise from west minister to the Kenyan bunge.

Sasa hii inaonyesha historia ya bunge letu na pengine if this can become part of the civic education nafikiri tutasaidiana kwa sababu mara mingi waheshimiwe wanaumizwa kwa mambo ambayo hayawahusu hawa. And also I think there is basically a collapse in the executive in terms of providing services sasa inakuwa kila mtu watu wakipigana wanaenda kwa mjumbe. Kama mtoto amefukuzwa shule from std. 1 hajui hata baba yake ama uncle yake anaenda kwa mjumbe and I think these are things we need to restructure.

Com. Bishop Njoroge: Mheshimiwa nataka kukushukuru kwa ajili ya maoni haya ambayo yamekuwa ni maoni ya muhimu na tena kukubali kukaa kwa muda huo wote na kukaa na wananchi wako na kutoa maoni. Hiyo inaonyesha kwamba hata nyinyi mnatilia maanani kazi tunayoifanya.

Kaituko: The next presenter is Jackson Lokwato. Fika haraka, Anafuatwa na Edan John Mark, Noah Lochuch will be the third in line.

Jackson: Asante sana Commissioners na ningependa ku-recognize presence ya councillor wangu wa Lorgun Bwana Latan na ningeanza kwa kupeana maoni yangu ama kwa kuchangia kwenye hii kamati moja kwa moja nikiusia zaidi juu ya wasiojiweza. Kwa hivyo (Kiturkana). Ningependa kuguzia juu ya utamaduni wa Waturkana dhidi ya walemavu. Kwa kusema kweli, utamaduni tunaheshimu, ndio lakini tukiangalia bwana Commissioner tunaona kwamba utamaduni haikutilia maanani sana walemavu. Mtu mlemavu, angezaliwa katika jamii ya Waturkana ilikuwa inaonekana kama bahati mbaya na kwa hivyo kwenye hii Katiba mpya ningependa Waturkana ama kwenye utamaduni wa Waturkana wajaribu kuweka maanani sana walemavu. Asaki ngiturkana kingarakinae alowai kladaang kangolo sodi ngitunga daang toliwor sawa awadaang ne eliwor iche itwaan

epolot kuliko itwaan iche awadaang

Na nikigusia pia kwa upande wa ofisi ya walemavu ambayo iko Nairobi, kuna Rehema house one, Rehema House two. Ukiangalia kwa hiyo association of the disabled si unaona hapa katika wilaya ya Turkana, sisi wenyewe hatujawahi benefit kabisa kwenye hiyo cake ambayo ilikuwa na presidential initiative. Sisi hatuja-benefit. Tunaambiwa nenda kwa social services. Kwanza hizo ofisi za social services ziko hapa. kwa hivyo Tunapendekeza ofisi yetu iwe independent katika district level.

Ofisi yetu ya walemavu iwe katika district level tusipitishwe pitishwe tena kwa mambo ya social services kwa sababu hata majamaa ndio wametufinya sana. kwa hivyo tunahitaji ana independent office ambayo inaweza kushughulikia mambo ya walemavu kwa sababu pesa iko. Rehema house ina-generate a lot of millions but yet Mturkana hapa mimi nikiwa mmoja wao we are not benefiting.

Nikiongea kwa upande wa elections – mambo ambayo yamegusiwa hapa ya kwamba kusiwe a nomination, mimi nataka nomination ikuwe. Kuwe na special groups kama walemavu. Sisi ndio ikiwa ni kwa Constitution itakuwa ni afadhali kwa sababu kwa sasa hivi President ana-nominate ma-MP ambao tu wanaweza ku-sing. Haya mjumbe naye akija ana-nominate nini, ma-councillors ambao wanaimba tu juu yake lakini walemavu wanaachwa na ni ukweli kabisa.

Tukiangalia kwa upande wa sexual abuse na hii ningependa kabisa iwekwe kwa maanani sana. unapata ya kwamba mwanamke ambaye saa zingine ni disadvantaged kwa njia moja au nyingine, labda ni Mwenda wazimu, mtu mzuri anamwendea usiku halafu anamfanyia mabaya ama anamfanyia mazuri kwa interest yake mwenyewe hatimaye yule mama anapata mtoto. Kwa hivyo tunataka kwenye Katiba mpya aswa kwa walemavu na wale ambao labda wako disadvantaged katika hii Katiba mpya, huyo mtu akigunduliwa aletwe hadharani ndio dunia ione ya kwamba huyu ndiye alifanya yale. Kwa hivyo, tunataka katika hii Katiba mpya ifanyike hivyo.

Kwenye Katiba mpya ikiwa mwanaume anaweza ku-rape mwanamke ambaye ni mlemavu mimi sioni hata haja wa-hang yeye. Akuwe castrated especially kama ako na virusi vya HIV na ugonjwa hatari hakuna haja. Wacha tu akuwe castrated lakini dunia wajue ya kwamba huyu jamaa ndiye alifanya hivyo kwenye hiyo Katiba mpya. Tukija kwa government buildings and structures, sisi walemavu kuna mahali pengine sana tumekuwa disadvantaged kwa sababu saa ingine umeenda na wheelchair yako, saa ingine na crutches zako pengine unataka kwenda kumwona bwana DC unataka kumwona mkubwa fulani, labda MP. Sasa ni saa ngapi utaingia na wheelchair yako ndani ya lift kwenda huko juu? Kwa hivyo Tunapendekeza kwenye hizi buildings ambazo ni mrefu ama nini kuwe na kaofisi chini ambayo sisi tukienda labda tunaitiwa yule mtu anakuja tunaongea. Nashukuru sana ofisi ya DC ya Turkana kwa sababu hata / walifanya mzuri hawakumaliza ile gorofa. Kwa hivyo hizo structure wajaribu watengeneze kwa mfano as a resource center hapo, unakuta iko stiff sana. Mimi nitapanda saa ngapi na ma-clutches zangu. **(Kiturkana)**

Tukija kwa upande wa education na ningependa hapa pia iangaliwe sana kwa walemavu. Kwa upande wa education, mlemavu usimwone tu namna hiyo kwamba amelemaa. Wengine wao ni geniuses. Infact they are even buried talents. Na kwa hivyo ni lazima tuwapatie nafasi ya kwanza na elimu kwa walemavu mimi nasema hivyo at least iwe ni ya bure. Iangaliwe kabisa from primary level mpaka kwa university. Nashukuru hata chairman wa Kidusa ako hapa. Kwa hivyo ni lazima upatie mlemavu nafasi ya kwanza na hata kwa upande wa bursaries wapatiwe nafasi ya kwanza wasome kwa sababu labda hiyo tu ndio bahati yao.

Jambo ambalo mimi ningependa kusema bwana Commissioner na ningependa ku-commit myself to this, mimi I have never regretted ya kwamba ni kwa nini mimi niko mlemavu na singependa mlemavu yeyote a-regret.

Kwa hivyo kwa upande wa elimu tumekubaliana namna hiyo na hata ma-councillors wetu pamoja na wajumbe ambao tutawachagua kwa hiyo next Parliament ni lazima waangalie katika Constitutionyao, katika maoni yao ya kwamba kuna watoto walemavu wasaidie. Otherwise Waturkana bado wako kwa ile culture ingawaje mimi nikiongea hapa kama secretary wa disabled hapa basi hata mimi mwenyewe nitachunguza na nikiletea mjumbe habari ama councillor na akatae kusikia maoni yetu tutakutana hata kwa voting, kwa sisi hatuna cardi. **(Kiturkana)**

Tukiangalia kwa upande wa afya nikimalizia (namalizia bwana Commissioner, na unajua walemavu ungewapatia nafasi mrefu kidogo. unajua tumekuwa marginalized kwa muda mrefu bwana Commissioner). Tukiangalia kwa upande wa afya, mimi pia ningependekeza katika Katiba mpya ya kwamba walemavu wapatiwe matibabu ya bure. Hatusemi ya kwamba we are taking advantage of our disability. We are not taking advantage but the thing is kuna vitu ambaye in human society ni lazima wa-realize. Si ni ukweli? Na kwa hivyo kuna magonjwa fulani fulani ambayo labda ni chronic diseases including HIV and AIDS kwa hivyo dawa ikipatikana walemavu wapatiwe nafasi ya kwanza ama mnafikiria hawawezi wakapata? **(Kiturkana)** kwa hivyo ndio tunasema wapatiwe nafasi hiyo ya kwanza katika matibabu including virusi vya HIV, magonjwa kama vile cancer na vingine, ni lazima tupatiwe nafasi hiyo.

Bwana Commissioner, ningependa kukushukuru sana lakini kwenye hii Katiba mpya nitashukuru kwa sababu hata mimi nikipata unga tutapambana na wanaume.

Kaituko: John Mark was the next person but we are going to call maendeleo ya wanawake because they are living for some other place.

Jeniffer: Mimi ni Jeniffer Akai Tioko na ninawakilisha maendeleo ya wanawake katika mjadala wa mageuzi ya Katiba. Kuna mambo tofauti tofauti tumekuwa tukijadiliana na kama vile tumewasikia wenzetu wakinena bwana Commissioner tunaomba hata sisi utupatie nafasi kwa sababu kuna yale ambaye tungependa tuzungumze na tujadiliane. Kuna yale ambayo yanatuchoma zaidi, ama aje akina mama?

Nitaanza na haki ya ardhi na mali. Ni nani, anayepaswa kumilik? Sisi katika kikao chetu tukaona ya kwamba, yule ambaye anaishi mahali pale ama mwenyeji anastahili kumiliki ardhi hiyo na mali. Na kuna hili swali ambalo tulijiuliza wenyewe tukasema, je Serikali iwe na uwezo wa kutoa ardhi ya mtu binafsi kilazima kwa lengo lolote. Sisi wenyewe tukaweza kujadiliana tukaona ya kwamba ni lazima Serikali iweze kumhusisha mtu binafsi ambaye ni mrithi wa mahali pale ili waweze kujadiliana na hata kuelewana kuhusu ardhi hiyo ili waweze kusikilizana ndiposa mtu huyo aweze kutoa ardhi hiyo kwa moyo ambao ni moyo safi. Sio tu kusukumwa na kuambiwa wewe mama toka hapa tunataka ardhi hii. Hapana ni lazima tuweze kuhusishwa tujadiliane na sisi wenyewe tuisalimishe ile ardhi kwa moyo ambao ni moyo safi.

Haki za jamii na tofauti za kitamaduni – sisi tumeangalia katika kitamaduni yetu hapa Turkana inachangia, kwani sisi kwa sauti moja tuliweza kuongea kwamba baadhi ya sheria ambazo zinatekelezeka sambamba na sheria ambazo tunazo katika tamaduni zetu.

Usalama – tumeona ya kwamba ni kitu ambayo imerudisha wilaya hii yetu ya Turkana nyuma sana. sisi tumekuwa maskini sana kwa sababu ya hii mambo ya usalama. Tunauliza Katiba mpya ambayo inatekeleza hivi sasa ya kwamba usalama katika mipaka yetu iweze kuangaliwa sana. Serikali waweze kutuma kikosi ama majeshi ambayo inaweza kukabiliana na mambo ya mpakani. Kwa sababu utakuta ya kwamba yule ambaye anaumia ni mama na mtoto.

Katiba pia ihakikishe ulinzi dhidi ya tamaduni zinazobagua. Sisi tuliangalia na tukaona ya kwamba tamaduni ambazo zinabagua. Sisi katika kikundi chetu tulionelea katika hakikisho (nifafanue bila kusoma, wacha niende kwa lugha) tumeweka mstari wa mbele lugha yetu ya Kiturkana iweze kufunzwa kila mtoto aweze kuiongea na lugha ambayo ni ya taifa iwe ya Kiswahili.

Uraia ama mraia mwema – tumeangalia ya kwamba katika utaratibu na sheria hapa nchini kenya, Serikali ichukue wakati wake kumwelewa raia kikamilifu bila kubagua huyu na yule. Kipande kitamtambulisha kuwa huyu ni raia halisi, passporti, cheti cha kuzaliwa. Tukiangalia pia upande wa Serikali, sisi tuliweza kuangalia kwamba Serikali nzuri ni ile ambayo inajali raia wake, inajali masilahi na hata inajali maisha ya watu wake. Mahakama, tungependa Katiba iweze kuelewa kwamba viwango vya kila mtu sio sawa. Utakuta ya kwamba mtu akifikishwa mahakamani, kuna yule tajiri na kuna yule maskini. Sisi tuliona kwamba kesi zote ziweze kupita katika ofisi ya DO wa tarafa. Ama ipitie chini ikielekea juu. Ile ambayo itakuwa ni mbaya zaidi, iweze kupelekwa kule juu lakini tulikuwa tunaomba ya kwamba mahakama pia ianzie pale chini. Isiwe tu ni pale kotini kabisa.

Sisi tuliweza kuona ya kwamba rais achaguliwe na watu awe ni mtu ambaye anajua uongozi ni mtu ambaye amekuwa katika kipindi cha ujumbe kwa muda mrefu na pia awe ni mcha Mungu. Tunaweza kulindwa na kuhakikisha haki za watoto wetu. Sisi tuliweza kuangalia ya kwamba watoto wetu, sisi tuliweza kuangalia ya kwamba watoto kwa mfano ikiwa kutakuwa na mahakama moja ambayo inashughulikia haki ya watoto kwa mfano watoto wa kisichana wakinajisiwa ama wakipatiwa mimba na mtu, huyo mtu anafaa kukamatwa na awekwe ndani hata zaidi ya miaka kumi na zaidi kwa sababu anastahili hata na kupigwa faini na viboko kwa sababu yale anayoyafanya sio muhimu.

Haki ya akina mama – sisi pia tunadai haki zetu. Tunataka tuwe mstari wa mbele kupewa nafasi kwa ugombeaji wa viti vya bunge usawa na wanaume pia. Kazini, masomoni na hata jamii.

Unajisi – swala hili likabiliwe vikali katika Katiba yetu kwani mtu akipatikana amefanya hivyo anastahili kufungwa na hata kunyongwa. Walemavu: Umeona ya kwamba wamedhurika na hata kuna uwezekano hata wamewekwa pembeni. Tukiangalia Serikali tunaomba ya kwamba Serikali iwape vifaa tofauti tofauti hao walemavu na kuna watu wa viwango tofauti kama viwete, vipofu hata na bubu na wengineo. Wana haki sawa na watu wengine. Kwa hivyo wahusishwe kwa mambo yote na hasa kuelishwa na hata wajue haki zao na Katiba iwasawazishe.

Haki za kimsingi – hapa sisi tumeweza kuangalia na kwamba wajane kuwa baada ya waume zao ama mume wake akifa yule mjane awe na haki ya kurithi mali ya mumewe. Isiwe tu atanyanganywa na kutupwa kule nje. Sisi tunaomba wakati kama itakuwa ni bahati mbaya mume afe sisi tunaomba ya kwamba tupewe haki katika Katiba kuweka mkazo ya kwamba lazima pia wamama waweze kurithi, isiwe tu ni jamii ya upande wa bwana ndio itaweza kurithi na kumfukuza yule mama. Kwa hivyo tunaweka mambo hayo kuwa na makali. Mama ambaye ni mmoja katika familia, pengine huyu mama ni mmoja na hana bwana. Tulikuwa tunaomba ya kwamba Serikali iweze kuangalia kwa upande wa elimu, huyo mama naye aweze pia kusomesha watoto wake na aweze pia kuwa sawa na wale watu wengine.

Watoto mayatima - mtoto anaweza kuwa yatima, kwa wazazi wake wote kufa ni kwa ajili ya ugonjwa wa ukimwi ama pengine anaweza kupoteza wazazi wake akiwa mdogo. Huyu mtoto Serikali ichukue jukumu kuwasaka na Serikali iwasaidie kwa hila na mali, kusoma wawe mstari wa kwanza. Pia iwajengee mahali pa kuishi na hata mahitaji mengine ambayo itakuwa imekumbana na wao. Sisi hatukuwa na mambo mengi. Nafikiri nitakomea hapo, ninashukuru, ningekuwa na mengi zaidi lakini nimeweza kukata kukata.

Kaituko: John Mark Edan is the next presenter.

Edan: My names are John Mark Edan and I am going to make a presentation on behalf of the proposed Turkana professional caucus and I will go straight to the point. The next Constitution of Kenya should have above other things a well-defined preamble that sets out our national vision and underline our sovereignty as a state and the supremacy of the constitution.

The directive principle of the state our Constitution should have principles and values that guide public policy formulation and implementation and the above principles should be binding and enforceable in law.

On constitutional supremacy – the next Constitution should do away with the 65% majority vote provision, which allows the Parliament to alter any part of the constitution. This should be done by the people of Kenya through a referendum. That

referendum shall be called by an independent constitutional Commission created for this particular purpose.

On citizenship, the next Constitution of Kenya should make sure that issuing of ID cards is decentralized to the lowest administrative level and preferably that should be done at the locational level.

Borders and insecurity – our boundaries should be clearly demarcated and protected by the new Constitution and the government must secure our boundaries using military and paramilitary units and not police contingence today. The government of Kenya should protect Turkana in the same way in which it protects other Kenyans and actually the areas that have been rendered inhabitable by insecurity are the most fertile in this district and our people cannot access them for other development purposes.

Systems and structures of government. Government must decentralize essential services and develop us to the districts and the local authorities. This effectively means that we do away with the unitary system of government and be replaced preferably by a / federal system whose basic unit is the district.

We advocate for a parliamentary system of government where the Prime Minister is the head of government. The order of this office shall be elected by the MPs from a party in the majority system in parliament.

The presidency we propose shall remain ceremonial. On the judiciary, we propose that a supreme court should be established to replace the court of appeal. This will also serve as a constitutional court. To interpret arising constitutional issues.

The Constitution should also ensure that all Kenyans have access to judicial services by decentralizing the courts system with the high court of Kenya sitting at every district headquarters and other subordinate courts sitting at the divisional headquarters.

On the issues of land ownership of land should be community based and actually every community should be given a title deed so that they decide about what to do with the piece of land that they have. The locals should also benefit directly from land given to international organizations for various purposes and the two examples I have mentioned are like the UNHCR has some piece of land for hosting refugees in Kakuma. But the Turkana community doesn't benefit in any way even in terms of taxation or something like that.

The other example is in UNICEF in Lokichogio. These benefits should be in form of employment. Social amenities like schools and hospitals. On national resources, we propose that the new Constitution should clearly define in terms of percentages how the government shares out benefits accrued from the exploitation of natural resources between the central government and the communities where such resources are found.

On the issues concerning basic rights, the Constitution should clearly protect security, health care, water, education, shelter food and employment as basic rights for all Kenyans. That is the only one I will touch on amongst the six other points we have here.

On the executive, we propose that the presidential tenure should be fixed to two terms of five years each and the new Constitution should also provide for the impeachment and the removal of our President for misconduct while in office.

On the same we propose that the positions of the D.O and the P.C should be scrapped. Maybe for the time being we retain the D.C but he should have less power and should be a civilian, lacking powers like disciplining or sacking chiefs.

On the legislature we propose that being an MP should remain a full time occupation and that another chamber should be created that is the senate. Or rather it should be introduced so that we give the older citizens of society some thing to do instead of following your way at home and taking busaa.

The Constitution should also permit for a coalition government. The next Constitution should also not have powers of extending its lifespan. This is where I disagree with mheshimiwa here. It should be us extending the lifespan of Parliament not you.

There should be a right of recall of MPs due to under performance. I disagree with you again.

And moving to some of the last issues we raised, Mayors and council chairmen should be elected directly by the people and these should be persons other than elected Councillors. We would want to make this office a bit competitive. So once you have elected the Councillor, the Mayor should be somebody who has some experience in the management of public matters and they should serve for five years.

The language test for councillors and other qualications like education. A councillor should be at least somebody who has been to form four so that they can read and write in Kiswahili and English at the same time.

On electoral system and process – we propose that the number of constituencies in Turkana district be increased from the present three to six and that the creation of constituencies should take in other concerns not just population alone. We also propose that civic parliamentary and presidential elections should be held separately and preferably they should be held over one week instead of what we are doing now in a single day. And also we should introduce in the new Constitution mobile polling stations especially in pastoralists districts.

The election date should be specified in the Constitution as a five-year calendar event and nobody should be able to determine the dissolution of Parliament alone.

On constitutional Commissions, institutions and offices, we need additional constitutional Commissions, institutions and offices to safeguard an enforced constitutional provision. And the things that we propose are like the human rights Commission. The gender Commission, and anti-corruption Commission and a land Commission to deal with issues of land in Kenya.

Also there is need to have a minister of justice or constitutional affairs as distinct from the attorney general and as such the powers of the Attorney General to enter in all instances and in all cases. Should actually be scrapped that has been abused and most of these culprits are walking around here with most of these cases are on sole and with that I think those were my only submissions.

Kaituko: There was no Luchuch somewhere. Yusuf Mohammed we give him. Okey, Yusuf.

Yusuf: This is a memorandum of Lodwar Muslims Jamia Mosque. Presidential elections state elected president, creation of Prime Ministers office and representation of marginalized communities in the national cake. Creation of ombudsman office.

Judiciary – chief Kadhi should be appointed by Muslims. Should have masters’ degree in Islamic sharia, five years term in office. Should have committee of Kadhi to oversee the work. The other Kadhis, at least they should have a degree in Islamic sharia, ten year five years and should carry out other duties concerning Muslims also.

Education – free education for all. Freedom of worship in schools and other learning institutions, mode of dressing and prayer also.

Human rights – respect of people, irrespective of race, status and religion. I think that is said in Kiswahili and I finish there. Thank you.

Com. Bishop Njoroge: Ningetaka tupate Noah Lochuch.

Noah: Thank you for giving me this chance to highlight my views. My names Noah Lochuch the way you have said and I just want to present some few points here and there about the Constitution review.

The first one is about the parliamentary extension. We see that in the Kenyan laws the Member of Parliament is expected to at least to have five years in the current Parliament and present government and we have seen that there is a possibility of the government extending the period of the Parliament or the member of the Parliament in the house and we have the rules governing this Parliament so I suggest that the Parliament should not extend should be stipulated with the time that has been outlined by the law.

Another point is constituency development. An MP should be elected in any constituency as per his or her development. First of all, the development that MP makes in his constituency should be implemented through him to the government and if the government doesn't comply with the constituency complain about the development of the constituency, the government should back the MP either verbal or written to the constituency that the government to produce a very general reason as to why the development they need have not been implemented.

Another point is the creation of offices of the MPs. The creation of the offices of the MPs should be in every constituency or resident constituency. This is because we have got various problems of the constituency of a certain MP of which they need in any time to solve their problems. Maybe their problems are very domestic and some are very complex so the MP should be very near to solve the problem.

Another point is about education in Turkana, this is about the tertiary institutions available in Turkana district. Due to the geographical kind of position of this district, the government has ...

Com. Bishop Njoroge: (inaudible)

Noah: Due to the geographical location of the district, the government has been neglecting the issue of providing tertiary institutions in our district. So, I recommend that the government should provide tertiary institutions like polytechnics in our district to provide education for the people who have not qualified for positions in the university just tertiary institutions in general.

Another point is about the drug abuse. What I recommend about the drug abuse.... cigarette smoking especially the B.A.T the government should scrap out these bodies, which are trying to manufacture drugs like cigarettes because these things have affected the economy of the youth as well as their well being or health.

Another point is the creation of non-recognized NGOs in Turkana district. We have got the NGOs that are operating in Turkana district which are not recognized by the people of this area but we find that these NGOs are operating in Nairobi in the name of Turkana and benefiting themselves from Nairobi. So, these NGOs before they operate they should make us aware that they are existence and they should give their reason of which they are situated in certain areas. I think that is all.

Com. Bishop Njoroge: Thank you very much. Alemu Jones.

Jones: Thank you Mr. Commissioner, my names are Alemu E. Jones. Okey, I am only here to present two views.

One is under infrastructure. You know in the first place Turkana; they have been locked out of the infrastructure. This is to say,

especially under the electronic media, our people or / who are here they are not accessed to what is happening globally. So, I recommend the government to be establishing up or to be erecting up this booster so that our community be linked with the international and what is happening all over.

The other thing is about the transport. You know one thing is this it seems also since independence the Turkana have been locked out of the special treatment of the government, that is our travel from here to Kitale takes too long for somebody to get there: So I recommend the government to be making or soliciting some funds that will have to enable the construction of the better roads and the other thing is this, I also want the government to be making things like you know like in Turkana here we are using generator and in the meanwhile we are very optimistic that our river is here and our electricity is being generated from here. So I would want the government to rationalize this power generation towards the district.

The other thing is about the enjoyment of the national cake. It seems as if this particular cake is very individualistic to some individuals. Why is it that? I recommend the government to be diverse in these views, rationalizing these things to allow the minority tribes so that even them will have even distribution of this national cake in the future. That is all.

Com. Bishop Njoroge: Can we have Gabriel Lopodo?

Gabriel: My name is Gabriel Lopodo an ordinary citizen. Before I make my contributions let me put my request to the CKRC that the final document after we have made our presentation should be simplified and be brought back to us as feedback. Maybe after you have finished your work you are likely to disband and probably cannot be able to get assurance that you are going to give us the feedback and the final document should be translated to different languages according to the number of tribes that we have in Kenya because the Constitution is people's document it should be brought to the people.

The first point is about the electoral process. I propose that voting should also be done in instalments to cover for the nomads and also civil servants. For example we could be having 29th December as a voting day which can be made a national day but two days prior to the main elections, we could be able to have elections for the civil servants for example the military officers and other workers who could be locked out of the exercise during the actual voting day. And also, they have mentioned the issue of mobile stations for the nomads. I also suggest that the electoral date be set by the electoral Commission of Kenya because at present they can be used by the some parties or any other party, which could be in power as a weapon electoral weapon.

People have spoken about the issues of special interest groups and they have said we have had people mentioning we should have seats for special interest groups like the disabled the women but nominating people to represent these people should not be it should be left to themselves. They should, if they want to have a MP for the disabled they should be left to elect that person to represent them. If we want to have a nominated MP for women, the women should be left to elect whoever they

would want to represent. You know somebody mentioned maybe the President nominating somebody to represent you it is unfair.

The issue of constitutional amendments, at present we have 2/3 majority which is allowed to make constitutional amendment. At present, after electing an MP there are some certain issues which are very sensitive to be left in the hands of the MP who are at present our Parliament there is politics of survival. So when I elect you it doesn't mean that I have given you all my rights. I should be left to decide what should go into the constitution. So that means, a body like the Commission of Kenya review Commission and the Kenyan Human Right Commission should be expanded and be left in place to undertake constitutional amendments.

I am also mentioning about the issue of recalling MPs who have abandoned their constituencies. I tend to think that MPs as spokespeople but not implementers. If at all we can be able to say the MP is not performing and we try to recall him, who want to engage our people in unnecessary elections. He can be representing our views but the government is not implementing. I have another parameter to access whether my MP is performing or not. So the MP should be left to complete his term. So, for example it can be used as a weapon by maybe the ruling government and the government in place to sabotage MPs in the opposition constituencies. For example, you can bring about the projects in your constituency but the government doesn't implement. Does it mean that the MP has failed? It is the government, which is in place, which has failed not the MP.

I would also want to mention something about the prisons department. I think the name should be changed from prisons to a department of conventional services and funds to be sent to rehabilitate prisoners.

Prison gates should also be open to the public because at present there is a people do not know what is happening in prison as sometimes we mistake and say they are torture chambers. Lastly, I am through thank you.

Kaituko: Thank you daktari. Now, can we have John Gateri? Where is mwalimu John Gateri, he is gone. Steve Oyoo. He is also gone. Boaz Teria.

Boaz: I am Boaz Teria as the announcer has said. I have three points here to help you this afternoon, the first point is about the customary law on Turkana and about the person who has killed another. In Turkana, if you kill somebody, the animals of the entire family, all of those animals are taken and they are put under one complicated ward called Ekori. This Ekori I think should be scrapped from the customary law of the Turkanas. It should be scrapped from the customary laws of the customary laws of Turkana whereby the family of the person that has killed somebody is subjected to abrupt poverty. So, the person that has committed that crime who has killed somebody should be subjected to law but not the family being subjected to abrupt poverty.

The second point is on the issue of the trustland or no man's land. This trustland or no man's land should only be limited to areas where towns have not reached. That is to say, areas in urban centers should have title deeds so that the owners of those plots are able to claim those plots as their own as their securities incase of any problem that that person might have. Unlike the way it is today whereby the local authority of the area and governing the area has full authority over the entire land.

Another point, is that after this process we want these laws to be made public in one way that is to say that all the Kenyans should be made aware of what has been passed and what is in the books of law so that the courts will not charge us over this law they call ignorance. You have been charged under ignorance of law au kutojua. Je, tutajuaje tusipoambiwa.

Tunapendekeza hii sheria iwe wazi na iletwe kila mahali. Kama ni kuingia kwa shule tuambie wanafunzi ni sawa. I think those are my views this afternoon.

Com. Bishop Njoroge: Now, we will have our last person to talk to us Mr. Emoru. Mwalimu.

William: My names are Ejore William. I think I will use both Kiswahili and English where necessary. I think I feel to contribute also to the Constituion of Kenya Review: One the side of education, the disabled have to be considered also in fair distribution of any acquisition of education aspirations.

What I mean is that, 98% of the disabled children are not fully taken to schools and the two

Percent is only by either the church or by the Euoupeans who have been enlightened andtherefore the government should take the necessary action to see into it that the child who has been taken also to school and also this should be compulsory point and a compulsory one .

The second point is going to the right of a disabled child in the side of inheritance, You find that when the parents die you find that whatever is being distributed among the so called the physically able children, borded children child is left aside and I request therefore, to put into the Constitution that the first priority goes to that physically disabled child.

The third contribution I also want to put across in the Constitution of Kenya is socially the so called physically disabled modern people have been marginalized especially in areas of marriage. What I mean is that sometimes, the marriages for the disabled people are disowned by the parents either and I can quote for example, there was a problem between the marriage of this prominent Mary Atieno who is a blind lady wanted to get married to a teacher lecturer and the parents of the so called physically able bodied man refused they said that man should not marry that disabled girl but I wish to inform the public that the government to take initiative of giving civil education to the people that the marriage also for disabled people to have a positive

acceptance from the other side has to be recognized .

Another point again that I want to put to the Constitution of Kenya is that we want the government to apply the public law and PL94 what I mean is that in America there is a law where the parents and the government to provide the disabled children with all basic necessities both physically academically and socially morally and even medically to be given all attention and here in Kenya I request the government to give anokay to the ministry of education to give every disabled child in a class a tutor . what I mean is that for example a person like me I remember recently when I was in kise we were three blind student among who were sighted but you find that sometimes we are unable to read this prints and those prints of yours but the government in America provide every student with a reader and therefore we request the government to this at the Constitution that every student in a class should have a reader fully interpreting what is there in printable too this child so that it may put in their own media of pricing and reading. Thank you.

Because I am also a human being there are some others affecting me just like the other people we request people who are carrying this duties to have that Constitution being respected the Constitution of former boundaries have to be respected because it has caused certain problems not only in turkana but also I place like nyandarua we heard there was some dispute over the land and therefore due to this report we request the 1996 boundaries to be respected so that we may curve down the problems which are existing in the country and then finally I as a turkana i happen to speak on behalf of other turkanas that we request for the Constitution to be respected I know that Constitution is there and that what we are mentioning here is there also but it is not being respected that is a fact but we want again to emphasise the issue of bringing this foreigners to certain areas is not bad but how can create a problem in the area which was having another problem then you create another problem over it are you not finishing or killing or destroying everything which is there and I want to support that in that the turkana as a district has a little resources and therefore if (inaudible) people who are suffering in both physically ,socially etc the you will find that even the little resources which was in that district will end up getting finished and the Turkana will have problems therefore I recommend that the refugees to be resettled in those areas where may be you will not have a lot of difficulties than taking to turkana or garisa where there is a lot of problems thank you.

We have been requesting since not even today we have been asking many forums in Nairobi if possible because we had requested we need the Constitution to be in prayer .thank you

Com Com. Com. Bishop Njoroge Njoroge Kariuki: Mwalimu you have not told us whether you are married nine times for whatever that means . now wainachi ndugu zetu na dada zetu tumefurai sana kwa ajili ya wakati ambao tume kuwa pamoja tumesikia maoni yenu kama sheria ambayo inasema kwamba nilasima twende kila mahali tutaenda tutaandika report na draft bill na tukisha andika tutaiteta hapa ili muweze kuakikisha yale muliozungumza ndiyo imengia katika ile report sawa . tumefuraia tunaowaombea mungu mbaki salama na sisi mtaendelea kutuombea ili kwamba tuende salama . kwa hivyo tunatumaini tutarudi hapa tena na hiyo report na draft bill ili muweze kuona yale yote muliozungumuza ndoyo imeingia kwa nini muliona mjume alikuwa hapa si kweli halafu akaka wapi ? akatoa nini? Hii ni mambo yetu ya waKenya hakuna mkumbwao na hakuna mdogo hata maisha ya wabunge iko mikononi mwenu vile mtasema juu ya katiba sawasawa kwa hivyo kwaherini na mungu awabariki nitampatia co.ordinator aseme machache na atuitie mutu aombe.

Cor. Odiator: Asante sana commioner Com. Com. Bishop Njoroge Njoroge Kariuki mimi ningependa kuruduishia wale

wote ambao wamefika hapa siku ya leo shukrani kubwa na nimefurai kwamba ile civic education tulifanya hapa nikama matunda yni msuri sana manake tumetoa memorandum nyingi sana na tumetoa maoni msuri msuri. Kwa hivyo sasa ni juu ya makomishona kwenda kutengenesahiyo kuwa sheria . kumalisia ningependa kuita mzee mmoja akuje aombe kwa lugha yetu ya kiturkana .

Prayer in kiturkana:

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