

RECORDINGS OF CONSTITUENCY PUBLIC HEARINGS OF AMAGORO
CONSTITUENCY HELD AT AMAKURA SOCIAL HALL ON 5TH AUGUST 2002

PRESENT

Com. Pastor Zablon Ayonga

Com. Dr. Abdirizak Nunow – in the Chair

Com. Mutakha Kangu

SECRETARIAT IN ATTENDANCE

Samuel Wanjohi

Program Officer

Hellen Namisi

Asst. Program Officer

Grace Gitu

Verbatim Recorder

Charles Ekisa

District Coordinator

The Meeting started at 09.35 a.m. with Com. Abdirizak Nunow in the chair

Charles Ekisa: The crew that is with the commission, the senior Chief wa area hii ambaye anasimamia, district officer wetu katika division ya Amukura, members of the constituency constitutional committee, the leaders of the district in Teso, hasa katika tarafa ya Amukura, mabibi na mabwana, hamjambo

Audience: Hatujambo

Charles Ekisa: Tungependa kuanza shughuli zetu za siku hii kwa maombi. Ningeomba mmoja wetu atuweke mbele ya Mungu. Susan Emukule tafadhali.

Susan Emukule: Tujiweke tayari tuweze kuomba. Kwa jina la Baba, la Mwana na la Roho Mtakatifu, amina. Baba yetu uliye mbinguni, jina lako litukuzwe, ufalme wako ufike. Utakalo lifanyike duniani kama mbinguni. Utupe leo mkate wetu wa kila siku, utusamehe makosa yetu, kama tunavyo wasamehe na sisi walio tukosea. Usitutie katika mashawishi lakini utuokoe maovuni, amen. Baba ningependa kukushukuru siku ya leo, kwa kutupatia nafasi ya kuwa hapa Amukura. Ningependa kukushuru tena, kwa sababu ya kuleta commissioners wetu siku ya leo. Siku ya leo naiweka mbele yako, maoni ambayo tutatoa hapa tuwe pamoja nawe, uweze kutuongoza tukianza na tukimaliza. Haya yote naomba kwa jina la Baba, la Mwana na la Roho Mtakatifu, amen.

Charles Ekisa: Asante sana Susan. Kwa mara nyingine tena ningetaka kuchukua nafasi hii kukaribisha Commissioners wetu katika tarafa ya Amukura. Ninajua ya kwamba mumetoka mbali, kwa sababu tulipoachana kule Chakol, mlienda kupumzikia mbali kidogo. Karibuni sana. Programme yetu ya leo, ni kwamba Commissioners wako tayari kabisa kuchukua maoni yetu kuhusu marekebisho ya katiba. Vile tulivyoanza katika civic education, tuliambiwa ya kwamba serikali yetu tukufu, imetupatia nafasi ya kuweza kuunda katiba ambayo itatufaa sisi, sasa na nyakati zinazokuja, ili watoto wetu na wajukuu wetu waweze kufaidika katika katiba ambayo tutaunda sisi wote kama Wanakenya. Kwa hivyo sitaki kichukua muda mrefu. Tuko na programme kidogo hapa ambayo pengine wengine wenu mmeshapata. Ikiwa hamjapata, mtaipata sasa hivi.

Tuko hapa na Chairman wa constituency constitution committee, ambaye atanena kidogo tu akikaribisha wageni wetu, halafu Chief wa area utaweza kukaribisha wageni kwa sababu hapa ni kwako. Msimamizi wa district officer wetu katika tarafa ya Amukura yuko hapa, pia ataweza kuwakaribisha Commissioners kuanza programme ya leo. Kile tu ningewaomba ni kwamba sisi kama wakaazi wa wilaya ya Teso, leo ni siku ya mwisho ambayo commission yetu imetupatia tuweze kabisa kuwasilisha maoni yetu. Ningewaomba nyinyi ambao mumefika na ninajua wengine wako njiani, muweze kuanza kupeana maoni yenu kinaganaga.

Hakuna kusema kando kando. Sema ile uko nayo, commissioners wako tayari kuiandika chini. Ikiwa wewe umeiandika tayari, utapeana hayo maandishi, lakini Commissioners baadaye, watapeana taratibu ambayo tutafuata katika kuwasilisha maoni yetu kwa siku ya leo. Kwa hayo machache, ningependa kumkaribisha Chairman wa constituency constitutional committee, akaribishe wageni. Asante.

Samson Olubai: Commissioners wetu, viongozi walioko hapa, msimamizi wa Do, Chief, pamoja na wengine ambao wako hapa, viongozi wa tabaka mbali mbali, mimi kwa jina naitwa Councillor Samson Olubai. Kwa wakati huu tuna hii jukumu la kuchangia kwa hili jambo la kurekebisha constitution au sheria yetu kuu, katika nchi. Mimi ni Mwenye Kiti kwa constituency yetu. Kwa kufupisha Commissioners, la kwanza hata ijapo sio mwisho, ni shukrani kwa wakati huu wote tumeshughulika hapa Teso, tumemaliza Chakol, tumekuwa Malaba juzi na leo tuko hapa. Kila kitu kimeenda vizuri na tunashukuru kwa jambo hilo. Hata leo, nina hakika viongozi walioko hapa watakuwa pamoja nasi na watakuwa huru, wataweza kusikiza maoni na ile taratibu ambayo nyinyi mtawaambia wafuate. Kwa upande wetu kama wakaazi wa hapa, langu ni kwamba nasisitiza lile jambo Coordinator amesema, nalo ni kwamba, tuwe open kwa sababu hatutapata wakati kama huu tena wa kufikiria na kuchangia katika uundaji wa katiba ambayo itatusaidia sisi na vizazi vijavyo.

Kwa hivyo ni muhimu mkisema yote. Hakuna wakati wa kufikiria pengine nikisema yale yanayohusu ama inaguza serikali, pengine mimi nitakosea. Hakuna hivyo, ni juu yenu kuzungumza kila kitu kwa ile njia ambayo mnafikiria ifanyike kwa constitution. Kwa hayo, ninawakaribisha nyinyi Commissioners tena, mnakaribishwa. Viongozi wako tayari kusaidia sisi wote. Pengine kuonyesha kwamba tunawakaribisha (*mam kinomakinoni kesi akani, kenomakisis akani ape, ape, are, auni kogoloto*) tuwapigie makofi. Nilikata Kiteso kidogo, akan ni mkono, kwa hivyo najua Pastor hapa anataka kujua Kiteso kidogo. (*kinomata akani*). Sasa ni wakati wenu, tunawakaribisha.

Tunakaribisha Chief wa area.

Osui Adungo: Commissioners wetu watukufu, viongozi wote wa Amukuru pamoja na Wateso kwa jumla pamoja na wananchi, hamjambo. Yangu ni kukaribisha commissioners hapa kwetu. Kwa niaba ya watu wangu tungependa kusema tuko na furaha kubwa, kwanza kabisa kwa kutambuliwa kuwa kama Wakenya wengine. La pili ni kupewa nafasi kama a small tribe ku-contribute kwa kitu kikubwa kama hiki. Sisi hatuna mengi, tumekuja tumejiandaa vizuri, tuko tayari kuasilisha maoni yetu na tungependa mjisikie nyumbani. Hata baada ya hii session, ubaya iko pastor hapa, iko ile uji ya wazee mnakaribishwa kwa hiyo (*kojakinosi ebe ijasi osi ore*)

Audience: *Teso dialect*

Osui Adungo: Mjisikie mko nyumbani. Pengine Chief anaweza akaongeza kidogo.

Speaker: (?)

Chief: Langu ni kukaribisha wageni, karibuni nyumbani. (?) Karibuni. Senior Chief unakaribishwa uongee, halafu ukaribishe wageni. Asanteni.

John Ikokonyi: Commissioners wetu, Chairman wa Amagoro Review commission, Coordinator wa Teso district, officials ambao wameandamana na commissioners na wananchi kwa jumla, hamjambo?

Audience: Hatujambo

John Ikokonyi: Majina yangu ni John Ikokonyi, mimi ni Senior Chief kutoka Renit Location. Nasimama hapa kwa niaba ya DO wa Amukura, ambaye yuko nyumbani kwa matatizo fulani. Kwa hivyo kwa niaba yake na kwa niaba ya wakaazi wa Amukura division na kwa niaba yangu mwenyewe, ningependa kuchukua hii nafasi kuwakaribisha wageni wetu

ambao ni ma-Commissioners hapa katika division ya Amukura, nikisema karibuni. Kwa niaba ya DO pia, ningelipenda kusema asante kwa kuchagua Amukura iwe center yenu ya kuchukua maoni kutoka kwa wananchi. Amukura ni division moja katika Teso district, kwa hivyo kwa niaba ya wakaaji wa Amukura ningependa kusema asante sana kwa kuchagua Amukura kuwa center ya kuchukuwa maoni ya watu.

Sisi watu wa Amukura, tumepewa nafasi nzuri ya kusema yale ambayo tunataka kuambia commission. Ni siku moja njema, kwa sababu hatutapata siku kama hii tena. Kwa hivyo ningependa kusema, tutoe maoni yetu, tusije tukaficha ingine ili kesho tuanze kulaumiana. Kwa hiyyo, nachukua hii nafasi kusema karibuni na muwe tayari ku-contribute mbele ya Commissioners. Thank you very much.

Charles Ekisa: Sasa tutakaribisha Commissioners wetu ili waweze kuendeleza taratibu yote ya kuchukua maoni. Karibuni sana Commissioners.

Com. Pastor Ayonga: Nataka kuchukua wakati huu kuwakaribisha nyinyi nyote ambao mumefika hapa kwa kutuletea maoni. Lakini kabla sijafanya hivyo, sisi Wakisii tunapenda kusalimu watu, hatukaribishi watu bila ya kuwasalimu. Nikiwa Teso, Mkisii anageuka anaanza kusema ‘yoga osikira’. Siku ya leo tumekuja hapa jinsi ambavyo imesemekana ni siku ya mwisho katika Amakura division na katika Teso District. Tumekuwa sehemu zingine za Teso, tumechukua maoni ya maana sana. Tumekuwa na watu wazuri na siku hii ya leo ya kumalizia, natumaini tutakuwa na watu wazuri kuliko wote ambao tumeona katika Teso. Kwa maana tunataka kuanza kazi na hatutaki kupoteza wakati mwingi, ningependa kuwajulisha kwenu wale Commissioners ambao tumekuja hapa. Kwa mkono wangu wa kushoto mwisho hapa, huyu ni Commissioner John Mutakha Kangu. Yeye ni jirani yenu na ni mtu wa mkoa wenu. Atakuja kuwapa salamu kutoka upande ule mwingine na kutoka upanda huu na yale yote ambayo anajua atayasema. Lakini kabla hajawasalimu, mwishowe nitamuuliza Commissioner Kangu awaeleze juu ya utaratibu wetu wa kukusanya maoni. Hapa katikati, huyu ni Dr. Abdirizak Nunow. Yeye ndiye ametoka mbali kuliko sisi zote na kwa maana

ametoka mbali tunataka kumheshimu leo awe Mwenye Kiti. Lakini pia ana salamu ambazo amebeba, ametembea nazo kwa mguu, wakati mwingine amepanda ngamia akibeba hizo salamu na tena wakati mwingine ametembea kwa ndege na hizo salamu. Wakati mwingine kama leo amezitembeza kwa gari. Hizo salamu zitakuwa za pekee, sidhani mtu yeyote ameshawasalimu namna hiyo, ni huyu tu leo.

Tunao pia wafanyikazi kutoka secretariat yetu, ambao wanatusaidia ili hii kazi ifanyike vizuri. Kule mwisho kuna Bwana Wanjohi, hebu usimame wakuone. Huyu, wale nyinyi wote mmeleta memorandum zenu ambazo mmeandika, ukisha toka hapa mbele, utaenda kule kwake, atakuandikisha register na pia yeye ndiye utampa hiyo memorandum yako na utaweka kidole kwamba memorandum ni yako na imechukuliwa. Yeye anatanza orodha ya namna hiyo. Ni mtu ambaye huwezi kumpita bila kupitia kwake. Halafu tuna hawa dada wasili, Grace. Grace kazi yake ni kuandika na tena anachukua maneno yenu kwa kile chombo (hebu waoneshe waone kwamba mambo yao hawapotei.) Hata sasa ninapozungumza ananitega, sikujua amenitega, amenitega tu. Kwa hivyo yeye kazi yake ni kutega na kushika maneno ya watu kwa kanda. Mnapotuona sisi hapa hatuandiki, msije mkasema lakini, watakumbuka yale yangu? Mbona niliona hawaandiki? Maneno yote yanaenda huko. Pia tunaye Hellen. Hellen ni Assistant Programme Officer na wanasaidiana na Wanjohi. Wanalinda mambo yote kuona kwamba mambo yamefanyika sawa sawa. Sasa, wacha tuanze kwa salamu na nitamuuliza Mwenye Kiti wa kikao hiki kwanza awasalimu ili Commissioner Kangu anapowasalimu, ataendelea na kutuambia tunafuata taratibu gani kwa kukusanya habari. Nunow.

Com. Nunow: Asante sana Commissioner Ayonga. Wananchi wa Amukura, yoga?

Audience: Yoga.

Com. Nunow: Salaam Aleikum?

Audience: Aleikum Salaam

Com. Nunow: Asante sana. tunafuraha sana kuwa nanyi leo na nimatumaini kwamba tutapata maoni yafaayo. Tungependa kukaa zaidi ila tu ni sababu chochote ambacho kina mwanzo lazima kiwe na nini?

Audience: Mwisho.

Com. Nunow: Kiwe na mwisho. Kutoka hapa, hatutoki, bado tutakuwa mkoani mpaka alhamisi. Kwani tukitoka hapa tutaenda Amuhaya Constituency kesho na kesho kutwa, kisha alhamisi tufanya round up kwa mkoa huu ambao ni Kakamega. Kwa hivyo tutakuwa nanyi kwa siku hii yote na Commissioner mwenzangu anawaeleza utaratibu ambao tutaufuata, kisha tuanze kutoa maoni kwani leo ni siku yenu. Yetu ni kufupisha maneno na kuhakikisha ya kwamba tunawasikiza. Kwa hivyo, karibuni na mjiandae. Asanteni.

Com. Kangu: Asante. Watu wa Amukura, yoga?

Audience: Yoga.

Com. Kangu: Mimi vile mmesikia naitwa Mutakha Kangu, natoka sehemu hizi upande wa Butere. Nimewahi kuwa hapa, huko Malaba mara mbili tukizungumza mambo ya civic education. Lakini hapa nakumbuka nilikuja St. Pauls zamani when I was a form two boy, tukiwa kwa mambo ya drama. That was a long time agon, 1978. nilikuwa najaribu kuangalia njia lakini nikakumbuka. So tuko nyumbani na tunataka tusaidiane, tusikie maoni yale mnatoa.

Utaratibu ambao tutaufuata nataka kuwaeleza kwa haraka. Kwanza, mkutano wa leo ni wenu wa kutoa maoni, si wetu kuwazungumzia nyinyi. Wakati wa civic education tulikuwa tunazungumza nanyi mnasikiza lakini leo mnazungumza nasi tunasikiza. Kwa hivyo tunataka kuzikiza kila mtu, wazee, wamama, vijana, walemavu, watu wa aina zote ambao wako katika

seheumu hii ya Amukura, watapatiwa nafasi ya kutoa maoni yao. Tunasema, ikiwa tulisema tutengeneze katiba ya kuhusisha maoni ya watu, lazima kila mtu apewe nafasi na wengine wawe wavumilivu. Tunataka tolerance, wakati mtu anajieleza mambo yake, jaribu usikize na umpe nafasi aseme. Hata kama hukubaliani na yale anasema, si sawa uanze kupiga kelele, kwa sababu ile machine mmesikia inanasa sauti, itanasa kelele badala ya maneno yanayozungumzwa. Kwa hivyo tuwe watulivu, tupatie kila mtu nafasi, ikiwa hukubaliani naye, utangoja wakati nafasi yako itafika ndio utasema, yale mwenzangu alisema sikubaliani nayo nami napendekeza mambo kuhusu jambo hilo yawe namna hii. Kwa hivyo tukifanya hivyo tutaenda sawa sawa.

Jambo lingine ni kwamba tunataka mkutano huu uwe na uvumilivu na tena freedom. Mjisikie ni mkutano wenu wakutoa maoni. Hata mkiona Bwana Senior Chief hapa leo, mkutano hii si wa Bwana Chief, ni mkutano wa tume ya kurekebisha katiba na kila mtu ana uhuru wa kuzungumza mambo yake, serikali na Wakenya walisema kuna shida kulingana na vile tunaendesha maneno yetu, kwa hivyo tukasema tukae kama Wakenya na tujadiliane na tuchunguze ili tujue shida inatoka kwa nini na suluhisho ni nini. Kwa hivyo mko huru na tangu tuanze kazi hii, tumekuwa tunawasiliana na watu wa provincial administration na wametusaikia kwa muda mrefu. Wanajua siku ya leo ni siku yenu ya kutoa maoni, kwa hivyo usione Bwana Chief hapa uanze kuhangaika, nikisema hivi ama vile, atakuja kunidhulumu baadaye. Hakuna maneno kama hayo, wametusaikia na wametuhakikishia. Haka kama unataka kusema hutaki provincial administration, wewe sema tu, isipokuwa tunajua sehemu mingi tumeenda watu wanatuambia hatutaki ile ya juu lakini Chief kabisa. Kila mahali, Wakenya wanaamini Chief sana, lakini sisemi msemi mnataka Chief, kama mnataka kusema tofauti, uko free. Si ni kweli?

Audience: Ndio

Com. Kangu: So you feel very free katika mkutano wa leo. Jambo lingine ni kwamba maoni tunachukua kwa namna tatu. Namna ya kwanza ni wale watu wako na maandishi na hawataki

kuzungumza lingine lolote kuhusu hayo maandishi. Ikiwa maoni yako ni aina hiyo, unatoka pole pole unakuja unapeana pale, wanaandikisha jina lako na unaweka sahihi. Ikiwa una shughuli nyingine utaenda na ikiwa unataka kukaa kusikiza wengine, unakaa. Namna ya pili ni kwamba kuna wale ambao wana maandishi lakini wanataka kuzungumzia hayo maandishi mbele yetu, wanataka kuyaeleza mbele yetu, wanataka kumulika yale yako ndani. Tutawapatia nafasi, lakini si sawa uje mbele yetu na uanze kusoma kila jambo umeandika. Tutataka utuelezee, ukimulika yale ya muhimu, kwa sababu kusoma yote, huenda ikawa mrefu na muda hautatosha. Tena tunasema ikiwa umeandika na umetupatia, tutaenda kusoma hata yale haujagusa ama kuzungumzia mbele yetu. Kwa hivyo unamulika ya muhimu halafu ukimaliza utapeana na uandike jina na uweke sahihi.

Namna ya mwisho ni wale ambao hawana maandishi lakini wanataka kuzungumza mbele yetu orally, tutakuruhusu ukae hapa, uzungumze na tunaandika yale unasema na kunasa sauti na itaangaliwa tuone inakuwa namna gani. Kwa hayo mambo tunasema, kuna muda. Kwa wale ambao wana maandishi na wanataka kuelezea, tunasema ujaribu kuzungumza ukitumia dakika tano. Tutakupa dakika tano ujaribu kueleza yale umeandika. Kwa wale hawana maandishi, tunapeana dakika kumi kwa sababu hatutakuwa na kitu kingine ambacho tutasoma, kwa hivyo lazima tusikize yale yote ambayo ako nayo. Tuko na discretion ya kuangalia kama watu hawajakuwa wengi, tunaweza kukupa muda lakini masaa ikianza kuelekea jioni na watu bado ni wengi, tunaweza kuanza kupunguza muda, ama tuseme huyu anaonekana ni opinion leader, anazungumza kwa niaba ya wengine, tunaweza kuongeza muda kidogo. Lakini ukisikia tukisema muda umeisha, fanya heshima ndio upeane nafasi kwa mwingine, kwa sababu tunataka kila mtu apate nafasi ya kuzungumza yale anataka kuzungumza.

Ukimaliza kuzungumza, huenda tukawa na swali moja ama mbili ya kufafanua yale umesema. Tutauliza na kama una majibu, utupe. Kama huna majibu, tena si lazima ujibu, unaweza kusema haujalifikiria na kwa hivyo uwachie hapo. Lingine ni kwamba lugha ya kuzungumza mbele yetu, hatusemi utumie lugha fulani, kwa sababu hiyo itakuwa inanyima watu nafasi, wale ambao hawawezi kujieleza sawa sawa kwa hiyo lugha. Kwa hivyo tunasema, uko huru

kuchagua ile lugha unafikiria itakuwezesha kujieleza mbele yetu bila shida. Ikiwa ni Kiswahili, ikiwa ni Kiingereza, ikiwa ni Kiteso, chaguo ni lako mwenyewe, uamue ile itakuwezesha kueleza. Ikiwa ni Kiteso, tutakuwa na watafsiri ili tuweze kuelewa yale unasema. Na mkiingia hapa, kuna meza pale na mtu ambaye anaandikisha majina. Tunatengeneza orodha pale na hiyo orodha ndio tunatumia hapa, kuita watu kuzungumza, sasa inakuwa wale wametangulia wanaitwa kwanza. Lakini tuna discretion pia ya kuangalia kama mama mzee, watoto wanataka kurudi shuleni na tuseme huyu tumpe priority apeana mambo yake ili aweze kuenda. Tukifanya hivyo, msilalamike ni kwa nini. Ndio sababu ninawajulisha mapema. Kwa hivyo tusichukue muda mrefu, muda ni wenu leo kuzungumza na ninawarudisha kwa Mwenye Kiti wa kikao cha leo halafu tuanze kuwasikiza.

Com. Nunow: Asante sana Commissioner Kangu. Nafikiri zote tumefahamu utaratibu ambao tunaotaka ufuatwe leo, sio?

Audience: Ndio

Com. Nunow: Sawa sawa, sasa ukipewa nafasi, ukisikia nakupigia meza, sio ati unakimia na kunyamaza, malizia ile point ambayo umeanza. Sawa? Ili usianze point mpya. Ile point uko, malizia kwa dakika moja hivi. Yaani namaanisha time yake imekwisha, lakini haimaanishi unyamazie point ambayo umeianza na hatukufahamu, malizia hiyo point kisha utampa mwingine nafasi. Tutaanza sasa. Wale wana memorandum, tafadhali utuangazie hiyo memorandum tu, just give us highlights, because we will read that memorandum, neno kwa neno kwa hivyo hamna haja kurudia tena, kwani itachukua muda wa watu kutoa maoni yao na haitaongeza faida. Tutaanza na Joseph Opakasi.

Joseph Opakasi: Commissioners, viongozi wa tabaka mbali mbali kutoka.....

Com. Kangu: Ni vizuri uanze na kutaja jina (?)

Speaker: (?)

Com. Kangu: Ingia tu into the Subject matter yako.

Joseph Opakasi: Asante sana Commissioners. Jina langu ni Joseph Etiang Opakasi. Mimi ni officer wa elimu huko Butere, Mumias district. Nina mapendekezo na ninataka kuomba nitoe hayo mapendekezo kwa lugha ya Kiingereza.

First, we feel your coming is going to assist alot of Kenyans, so that good governance will be realized in this county. We are sure and aware that we are undergoing a very difficult time in this country and with the coming of the elections, alot of things are being said and I am sure it is only this constitution that will bring all the anomalies that have afflicted this country in the past. I want to register and record that we would like to go to the elections with the new constitution. This is because it is very crucial. If we go to the elections with the new constitution, it will give everyone an opportunity to participate actively and the anomalies that have been there in the past will have been removed.

I want to talk on nomination or on those people who will contest elections in this country. I want to suggest that everybody should be free to contest elections in this country, either a civil servant, a teacher working in an organisation, everybody should be given an opportunity. What is important is that they should ask for leave. Me as civil servant, if I want to contest for elections, I should ask for six months unpaid leave, so that I can come and contest the elections, after that, if I win, I go to become a Councillor or a Chief or an MP. If I don't, I resort back to my previous position because the present condition or regulation is oppressive. If you don't go through, you have become un-employed and it becomes a very big problem.

Secondly, there are many contenstants who cause fear. We have experienced alot of fear during elections. The contestants cause fear; they recruit gangs of people to harass people, to harass opponents. I am proposing that any opponent, any candidate who harasses opponents

should be disqualified if not, should be arrayed in a court of law. In many cases, it is this rich contentants, who cause fear among people and so I am proposing that also their wealth should also be reviewed. They must declare their wealth before they contest. The government should finance all viable political parties in this country and they should be limited. We have 48 parties in Kenya, some are just confusing people. We should work like in America or the European countries where there are 2, 3, 4 or 5 parties. The constitution should say we have a maximum (?) of 5 or 6 parties, those are strong parties. Like in Germany for example, they have a few parties and like in America there are 2 or 2 parties.

Com. Ayonga: What do you say in your case

Joseph Opakasi: In Kenya?

Com. Ayonga: Yes

Joseph Opakasi: We should have a maximum of 5 parties so that they don't confuse people and the government should finance all political parties. Presidential candidates should have running mates like the Vice Presidents. The Vice President should be a running mate and should have a tenure office and he should not be like the scenario we are having in this country whereby a President nominates then discards them in the next minute. It should be like in America, you prepare the President that runs with you, stand well with him and it becomes good for the government, the country and that particular person.

I want to come to the local administration. The position of Chief, Assistant Chief and the elders should all be elective positions. The Chief should be elected. They are very important people and should remain in their positions, but they should be elected and they should have a minimum qualification of C-(Minus), so as to lead people and advise people accordingly. The position of district officer should be scrapped, as it is serving no purpose in present Kenya. The Chief should report directly to the DC. Harambees have become a tool of political

advancement and harassment. They should be banned or regulated. It has become a reserve of few because the rich use harambee to frustrate other people. People who have stolen money elsewhere come to the harambee and use it as a ladder for towering over other people and harassing them.

I am an education officer and I want to talk about education. 8-4-4 system of education has produced very many (?) Kenyans, some of who don't end up anywhere. The government must introduce a program, the constitution should introduce a program where all form fours, should be attached to some kind of program, either in the Ministry of labour, Ministry of Lands, in the army, national youth service, in workshops, everywhere. In all ministries, people should be attached to learn skills. Our 8-4-4 system of education says, 'by the end of the course the learner should have acquired skills.' That has not been realised in our education system. People come and do nothing. Some should be attached in the Ministry of Labour, Ministry of Health, Ministry of Local Government, Ministry of Education, untrained teachers, everywhere, so that those form fours who leave school, should all be occupied. Here in Teso, most of the form fours have become "boda boda". Infact that is the only thing that is catering for their lives. That is the only skill they can use. If I want to come here, I hire one boy to carry me here and that is the only skill he seems to have acquired. We are wasting alot of manpower and resources.

These countries like Israel, Korea and China have developed fast because of involving every able-bodied person in that country. Every body should be involved, so that the youths resources should be tapped. When others go, there should be other people with talents to come up. Pre-school education in Kenya should be formalized. It is formalized okay, but the teacher should be employed by the government. Primary education should also be compulsory. The government should introduce free secondary education for day schools in Kenya. Infact that should be emphasized, free secondary education for day schools, only provincial and national schools should pay fees because most of the people are poor.

Teacher training should be C and C- for KCSE. Many people cannot get C. University education should be C+, as it is today and all those with C+ should be admitted in the universities. The board of governors should be abolished in schools. The schools should be run by parents associations, because board of governors don't care about schools.

Com. Nunow: You go ahead

Joseph Opakasi: Many board of governors' don't serve a useful purpose. The parents' association and sponsors should be incharged of secondary schools with supervision from the Ministry of Education through the district education board. The district education boards should have representatives from teachers of secondary and primary. The discipline of teachers should be handled by the district education board and not TSC because it takes long to handle teachers cases in TSC. Where there is a discipline case, a teacher should hire a lawyer to represent him.

No girl should get married before the age of 18. All girls must get married after acquiring education at the age of 18. Gender equality should be emphasized in this country. Rural electrification should be intensified and power taken to schools, because Information Technology should be taught in all our primary and secondary schools.

Health, this should be expanded to village level. Every health centre should have a resident doctor. Chemists should be controlled and manned by qualified personnel not like now where every chemist has anybody who cannot differentiate between piriton and valium, you can see the problem. The provincial hospital must have all necessary drugs to treat diseases. Cost sharing should be stopped in hospitals, because 52% of Kenyas are poor and they live below poverty line, so the cost sharing should be stopped

Com. Nunow: Can you make one last point?

Joseph Opakasi: Finally, I will say that those detected of having HIV/AIDS should be treated free. I want to say that, Bwana Commissioners, income tax should be charged from 40,000 and above. Those people who earn 40,000 and above should pay income tax because there is a lot of taxation. Pension; those who retire should get 75% retirement benefit as pension.

Com. Nunow: That is enough. May I have the microphone?

Joseph Opakasi: Thank you very much Mr. Chairman. Those are a few but I had a few more. Thank you very much.

Com. Nunow: Tafadhali ujiandikishe. Please don't compel me to confiscate the microphone from you, because Mwalimu has taken 14 minutes and he should have taken 5 because he has the memorandum and I am not going to allow that, because if start with that then we will have a problem later rushing those who come late. If now we start by balancing it and everybody taking his time, then I think everybody will have equal time, otherwise we will be compelled to be giving people in the afternoon two minutes, which is not fair. Osili Adungu? Karibu. Una memorandum mzee?

Osili Adungo: Nina memorandum

Com. Nunow: Tafadhali tuangazie tu key points kwa sababu tutasoma yote

Speaker: (inaudible)

Osili Adungo: My names as you have already said are Osili Adungo; I am a Councillor at Malaba town council. My memorandum is going to centre mainly on local government but I may also touch a few points here and there on other topics. Mr. Chairman, I am saying that it is a good opportunity for us to be here today and we thank God for allowing us to be here. I

am also saying that local government system in this country has served a sufficient.... Many people would wish to dismiss it, that it has served no purpose, I am saying it has served its purpose. At least it had been established and it has work not only even as a political springboard, but that is the purpose that has been achieved and it has done well.

The current constitution does not provide for local government system and that is very sad. There is not mention except perhaps when you are talking about trust land

.....*End of side A tape 1*

Osili Adungo:.....embodied the local government system in the constitution, a chapter should be set for local government. Three to four government tiers should be allowed and that is the county council, the municipal council, the town council and the fourth one is the city council. I am not emphasizing city council, because I don't see the meaning except that it is a courting kind of title, it has no legal emphasis or framework in our present system. I don't even know what it means to be a city council, so it could as well remain county council, municipal council, town council but if you like it we should also have city council status.

Local government elections be delinked from the national and Presidential elections. Local government elections should be on its own because it is extremely involving and they cover a large area. Mayors or Chairmen should be executive or quasi-executive. I am saying quasi in the sense that in some areas, it might not be possible to get professionals who are Mayors or chairmen therefore, in that case they should be quasi, being helped by professionals to run their local authorities. A Mayor or a Chairman should be in office for a whole term period of 5 years and he should be elected through universal sufferage by the residents of the area. He should be a person that is impeacheble while in office for his wrongs, because this is a man whose term is not going to be short. Therefore when he commits wrong in the office he should be impeached.

The running mates of the Chairman or Mayor shall be the Vice Chairman or deputy Mayor. He should have a running mate, a type of person that has interest of running the council in the absence of the Mayor, but who has not aspired to take over because when the position falls vacant, it is not automatic that he becomes the Mayor or Chairman within that term or if he becomes then, he only runs for the term that is remaining. Upgrading and establishment of the local authorities should be initiated by the residents of the area, not just a minister or somebody else, but the residents themselves. It should be handled by a commission of the local government assembly. I am saying there should be a local government assembly, to be established just below the national assembly. Nomination of Councillors should be limited to one third and that nomination should take care of special cases that the elected members will not have taken care of.

There should be a local government commission quite separate from the public service commission, from any other commission, to handle cases of local authority employees. Local authority shall levy and collect revenue from local sources. Financing of local authorities should be revenue from local sources and 30% of the national revenue shall be allocated to local authorities, to be shared out on the basis to be determined by the local government assembly that I had mentioned before.

Structures of government; Kenya has its own experience of federalism. It had it when we had majimbo and we also note very well; we have also had experience in our other neighbouring third world countries, where they had a lot of problems with federalism. Therefore, I am saying we are not ripe for federalism; we need a kind of government that is decentralized, that is you devolve powers to local authorities sufficiently. Why do I say so, this is because local authorities have performed very well, they accommodate all types of people and they get on well without problems. Should we go to majimbo, it will be very difficult to demarcate even boundaries and therefore we shall be calling for chaos if we allowed majimbo. You can see what is going on now (?) elections. I think the best is to devolve powers to the local authorities.

We need a unitary government with parliament, President, Vice President, Prime Minister with one deputy or Prime Minister. A strong autonomous local government system. It is through autonomous local government system with powers and not concentrated on one person, that we can succeed in this country. Essentially, the local government assembly should be established and it shall serve among others as a link between legislative of assembly that is the central government and the local authorities. It will determine viability that is periodically on local authorities because it will be evaluating. It will determine the basis of sharing resources to and among local authorities.

On legislature, parliament should be the land's highest law making body. Therefore, my recommendation on parliament is that the life of parliament should remain 5 years, MPs salaries should be determined by an independent body less the commission especially appointed every 5 or 10 years for that purpose. There is not point allowing the MPs themselves to determine their own salaries. Parliament should make only constitutional appointments.

Finally, qualifications for being an MP should be a Kenya citizen who has lived in the country for at least 5 years. You can be a Kenyan citizen but you have been outside for the whole period of your life, but then you should live for at least 5 years in the country, if you are a citizen for you to qualify as an MP. He should attain the minority age and has not been convicted for criminal offense in the last 5 years and has attained at least form 4 and above standard of education. The parliament should declare a state of emergency and not just one single person. An MP should attend at least 20 hours of sitting every week. We have seen cases where people make technical appearances, but there should be enforcement that at least 20 hours per week or else should show cause why the salary should not be deducted for the shortfall of attendance.

We should have only 10 public holidays in this country. We are spending alot of time

holidaying and this should be spelt in the constitution, so that nobody can wake up one morning and say I am creating my own public holiday. This should be New Year, Good Friday and Easter Monday, Labour Day, Madaraka Day, Idd-ul-Fitr, Kenyatta Day should be called Freedom Fighters' Day, Jamhuri Day, Christmas Day and Boxing Day. If that is embodied in the constitution, there will be no increases at random.

There should be a President elected directly by the universal suffrage and his constituency should be the whole country, but not to say he comes from a particular constituency. There should not be provincial administration at the level of PC. The provincial administration should start at the district level, for security purposes particularly.

The electoral system and process; defections from one political party to another should really be brought to an end. If one goes to convince people to elect him with the policies of a particular party, when he goes there he changes his own mind and begins practising his own things but he remains an MP. I think that is unfair because this person is now not serving his people for the purpose for which he was elected. The term of President, parliament and local authority together with election dates and the swearing in of the President should be specified in the constitution or by some law if the constitution does not specify.

The current geographical constituencies should be maintained because they have served the purpose and we need to retain them. Election for the year 2002 before the constitution review should not depart from the current constitutional provisions. That is to say the constitution has been amended several times in between, there is no point to say your commission should also bring some overcoating to enable elections to be carried out, I am not for that. The commission should go full swing to complete its work without allowing to be used just to please those who want to be elected.

Management and use of natural resources. The basic health services should be accessible to all Kenyans freely. Primary education should be free and compulsory while secondary and

higher education should be established. Social security should be paid to every Kenyan who has no means of livelihood. Management and protection of natural resources should be a joint state responsibility and the communities where the resources are located, who should share equitably the benefits accrued from the national resources. If we are not careful one day, some people will come forward and say we are selling oxygen, they are now selling water. For you to drink good water in Kenya you must buy it and others will come to sell good oxygen because the whole place will be polluted. So water sources should be protected, forests should be protected against destruction, minerals should be protected against over exploitation, flora and fauna against extinction and air against pollution.

The constitution should provide for period (20 years) evaluation of performance or review of organizations covering other spheres of life e.g. religious organisations. A lot of resources are going to religion. If you go round here, one area where we have put up several churches with our own money and efforts are churches, but we are not getting the benefit from the churches. How holy are we in Kenya? I am saying the constitution should bring an evaluation whereby the performance of a religious organization should also be gauged, because we are putting a lot of resources on these institutions.

When it comes to culture, our constitution should go a mile, to protect us against importation of culture. Minority opinions are acceptable but things like homosexuality, lesbianism, etc. I think the constitution should rule them because presently no Kenyan community has that culture but as time goes on and since we are saying we have minority views, maybe one day we shall be tempted to allow importation of those bad cultures.

Finally Bwana Chairman, I would like to mention about land. Non-citizen should own land only for short term or lease basis, for at most 5 years or on rental basis and land governed by pre-independence treaties or agreements should be reviewed through a special commission. I am not for the so called absentee landlords and something should be done about it. Various landlords should be harmonized because I understand there are several of them. I think time

has come for the various landlords should be harmonized.

Elders should handle disputes and their decisions should be registered with the competent courts of law. When Wazees complete their work, what they decide upon, should be registered with a competent court of law within the same area. Land administration and management should be reverted to local authorities, i.e. where you have trust land, that land should be administered and looked after by the county council of those areas.

Vulnerable groups, I have already mentioned something about that and with that, I will not wait until you force me out of the seat. But if you get more time, I will be glad to be allocated more time to come and stress some of the points I have not touched. Thank you very much

Com. Nunow: Thank you very much. There is a question.

Com. Kangu: Now Councillor, you have expressed concern that our people seem to be over investing in churches and yet no benefits come from that and I think it is true. If you look at the money that goes into some of the church structures, you could easily put up a cottage factory that can employ 20,30,40 people. What is your proposal, how do we deal with this problem because it is real?

Osili Adungo: Mr. Chairman, that is why I said that I think we should be evaluating the performance of these organizations on either periodically, annual basis or some period of time. By that, I mean, maybe a commission or a body should be established to regulate our religious institutions. I am also saying that whereas we are talking about investments, we are also talking about how much they are confusing the minds of our people, because many of them have sprung up and they have been turned into commercial organizations rather than even spiritual organizations that teach people well. There should be a body to regulate them, which can filter all the information you are asking from the people and maybe out of that, something can come out on how these organizations can be run to benefit our people more

than they are benefiting today.

Com. Nunow: Another clarification, you mentioned that MPs should at least have 20 sittings to justify their salaries. Is that 20 sittings a month and if so, then the current parliament sits 4 times a week that is 2 sittings on Wednesday, 1 sitting on Thursday and 1 sitting on Tuesday. Then 4 sittings a week will make only 16 sittings a month. Is it 20 hours of sittings or 20 sittings that are in that kind of manner? Please clarify that for us so that we know exactly what you are mentioning.

Osili Adungo: I said for an MP to earn a salary, he should have a minimum of 20-hour sittings in a week. People work for 35 hours or more in a week and that is in regular employment and I am saying an MP should also have a minimum of 20-hour sittings in a week for him to earn a salary. In other words, at the end of the month, one should work out and if an MP has a short of sittings or hours, then the salary should be deducted accordingly. I am also saying absence of 8 continuous sittings as the case is today, should disqualify a person from being an MP.

Com. Nunow: For the 20 hours a week to be realized, it means they need to be full time, rather than meeting two half days and one full day, because that is what they are doing now.

Osili Adungo: Mr. Commissioner, if one sat down and calculated the salary the MPs earn and the number of sittings, infact you have mentioned one important thing. They sit in the afternoon and not in the morning and they earn, leaving alot of business undone. It should be regulated in a manner that is not just sitting in the morning or in the afternoon; at least they achieve 20 hours sittings in a week.

Com Nunow: As the minimum?

Osili Adungo: As the minimum. Otherwise, they are doing alot of nothing but earning alot

of money.

Com. Nunow: Thank you very much Councillor Adungo. We will be happy to get your memorandum as you sign the register for us. William Emijo Ijaa? Then let us have Otit Chrisantus prepare after him.

William Emijo: Bwana Commissioner, mimi kwa majina ni William Emijo. Maoni yangu kuhusu mahari katika Teso district, iwe kama local administration act. Kwa kusaidia ma-parties upande wa mvulana na msichana. Katika mahari, iwe ng'ombe tano, mbuzi nne na shilingi 300. Kwanini ninasema hayo? Maana tumeona mengi inatendeka katika district yetu. Msichana anaweza kuoleka, lakini anakaa muda fulani. Unajua kifo kinaweza kuja kwa kila mtu, lakini akifa, wazazi wa msichana lazima wanadai mahari na hakuna mahali popote wanaweza kusimamia. Huko wata-force kuuza udongo. Mvulana yuko lakini udongo ukiuza, wale wachanga watapata nini? Wataenda kujenga wapi na pengine ploti ni ndogo? Ndio ninapendelea ya kwamba iwe act katika local administration. Sisi Wateso hata ingawa tuko poor, mimi naomba Bwana commissioner, iwe kama act fulani katika local administration. Hii itasaidia two parties wakati msichana atakapo oleka.

Com. Nunow: Endelea Sir.

William Emijo: La pili, kuweka kuhusu mahari ni kusaidia watu wa Teso district ndio iwache kuleta collusion katika mahari ya watoto wavulana na wasichana. Mvulana anaweza kumwoa msichana na halafu amuache na hakuna guidance yoyote itakayo kuwa hapo. Tunaomba ya kwamba iwe cultural act, ambayo inaweza kusaidia parties zote mbili katika Teso district. Ni hayo tu, asante.

Com. Ayonga: Juzi tumeambiwa na Wateso wengine kwamba mnataka katika constitution hii, mila za Kiteso ziwachiwe nafasi yao. Wateso wafanye jinsi mababu zao walivyokuwa wanafanya

Audience: Ndio

Com. Ayonga: Na sasa wewe, tafadhali hatupigi makofi, hapa leo sio political rally hapa tuko kotini. Sasa wewe leo unatuambia tuweke hii kitu katika act ili tuanze kufungia Wateso na hali Wateso wametuambia wanataka wafuate mila zao. Sasa wewe unaona je?

-Hii mahari ya ng'ombe tano, mbuzi wanne na shilingi mia tatu iende iandikwe katika act na iwe sheria ya Kiteso.

Audience: Hapana

Com. Ayonga: Hatutaki nyinyi mujibu, hayo ni maoni yake.

William Emijo: Asante sana Bwana Commissioner. Sababu fulani inanipa fursa hii mbele yenu, iwe ni ya usaidizi, maana mila yetu, mimi sijaongea ya kwamba katika mila yetu tutatoa hii. Maana kila kitu kinahitaji kuwa na act. Hata tukitengeneza mila yetu, lazima mila vile vile iwe na sheria yake.

Com. Nunow: Asante sana. Otiti Chrisantus?

Chrisantus Otiti: Asante sana Commissioners kwa kuja leo, kutembelea sisi hapa Teso, tarafa la Amukura. Jina langu ni Otiti Chrisantus. Leo ninafurahi sana kuwaona na kwa kuja kututembelea. Nyinyi mlisema tutumie lugha yoyote na ninataka kutumia Kiteso

Com. Nunow: Endelea (?) ndio yule anakuja

Chrisantus Otiti: Kuna vitu kama tatu ambazo nataka kuzungumzia.

Com. Nunow: Okay

Chrisantus Otiti: Hii mambo ya *akiro kamana*,

Translator: Anataka kuongea juu ya shamba

Chrisantus Otiti: *amana eraiti nangi*

Translator: Hili shamba ni langu

Chrisantus Otiti: *kere naki ipangi*

Translator: Ama ni la babangu

Chrisantus Otiti: *Aso ipangi kebukotwana*

Translator: Na baba amefariki

Chrisantus Otiti: *kidarau koinakine ijo amicr*

Com. Nunow: Subiri kidogo, peana microphone kwa translator ndiyo akushikilie (?)

Chrisantus Otiti: *amana na nangi*

Translator: Shamba ni langu

Chrisantus Otiti *kere naki ipangi sasa ipangi atwana ekotoi eong akisitaka ipangi*

Translator: Na wanataka mimi nimshtaki baba yangu ambaye amefariki.

Chrisantus Otiti: *aso itunga lukaduket kangin yote ejeneti ikokungin nika mta*

Translator: Watu wa area hiyo wanaelewa kwamba huyu mtoto ni wa mzee fulani

Chrisantus Otiti: *tena inyena atenikina eong akisitaka ipangi*

Translator: Ni sababu gani nimshtaki marehemu na hali lile shamba ni la baba yangu?

Chrisantus Otiti: *Papa ketwana ikote ayi isi ijo ejori kalokatwana kotini*

Translator: Sisi Wateso tunaamini ya kwamba baba kama amekufa, unawezaje kuenda kuongea na maiti kule kotini?

Chrisantus Oti: *Ejasi bobo ache akiro nu akotongo alimokin osi*

Translator: Kuna lingine ambalo nataka kuongeza

Com. Nunow: Angependa nini kwa hilo jambo kwanza?

Chrisantus Oti: *Ibore niakotongo mum orai eraiti amana nangi ejenete imojong lukadukete mumongo kasi akisitaka ipangi.*

Translator: Anasema hivi, kwa kusema kweli, shamba kama ni langu na ni la baba yangu, haina maana mimi niende kotini kushtaki babangu.

Chrisantus Oti: *na wajirani wanajua hiyo*

Translator: Na jirani wanajua hivyo.

Chrisantus Oti: *Ejiyi Eministry department loenyarite ebe education adult*

Translator: Ameingia kwa point ingine ambayo ni ya elimu ya watu wazima.

Chrisantus Oti: *ebalai kokenya kipokono kidau ijo amojongu mum kigirio ijo asoma, abokonye itunga ngulu lu isisianakino aigirite apelumu kamakosi kane mumeong kanyut igirite itwan ipebonide.*

Translator: Wale watu wa elimu ya 'ngumbaru' wanaenda kwa elimu. Wakipata elimu, wamehitimu na hawaendi popote kupata kazi, wanaandikwa wapi watu ambao ni wa ngumbaru wapate kazi?

Chrisantus Oti: *na apesai ngun awaste natin akipiakin asoma ache.*

Translator: Na hiyo pesa imepotea bure ya huyu mwanafunzi kuenda kupata elimu ya 'ngumbaru'.

Chrisantus Otiti: *Asiong ibore ni anyarite provincial administration*

Translator: Sasa ni utawala wa mkoa.

Chrisantus Otiti: *etwani ngolo emum asoma*

Translator: Hebu eleze tena

Chrisantus Otiti: *Asio ibore ni enyarite provincial administration*

Translator: Anataka kuongea juu ya utawala wa mkoa.

Chrisantus Otiti: *PC emum asoma.*

Translator: PC hana kazi

Chrisantus Otiti: *nare*

Translator: Anasema hivi

Chrisantus Otiti: *DC ejasi kasoma*

Translator: DC ndio ana kazi

Chrisantus Otiti: *echief ayari aripoti namaka DC*

Translator: Chief anapeleka report kwa DC

Chrisantus Otiti: *DO de emamu asoma*

Translator: DO naye hana kazi

Chrisantus Otiti: *Aso ibore nienyarite eprovince lo eraiti ekabila*

Translator: Mikoa ya ukabila

Chrisantus Otiti: *nare ebalai ebe western province ibaluhya ejasi. Kalenjin ebe rift valley*

ikalenjin ejasi ebe nyanza ekotoi ayaun iboro luka majimbo. Abo siong luche akuna.

Translator: Sasa huko Western Province Kakamega, ni Waluhya ndio wako hapo, kutoka Rift Valley ni Wakalenjin ndio wamechukua mamlaka huko, na sisi wengine wadogo hakuna.

Com. Nunow: Tafadhali muwe mnazungumza kwa microphone, mara iwe kwa huyu.....

.....*End of tape 1*

Chrisantus Otiti: *ejasi asoma nuakotong alimokin osi ajasi emojong lueplokito aloro enyarite ileaders luka erea itunga ngul ekotokina koinakine ibore idiosi nare kec itunga ngulu akonyene kaserikali chut nare ejenete ichani kitunga kaluka ipisiete kec.*

Translator: Kuna wale watu wanaitwa elders, wazee wa kijiji. Hao watu ndio wanafanya kazi nyingi sana, kwa hivyo serikali ingeangalia shida zao, ili iwapatie marupurupu ili nao wajimudu kwa kazi yao.

Chrisantus Otiti: *aso alosiong namaka asewo nakinyana ijakaa kalu enyarite echiefu kiton assistant chief.*

Translator: Mimi ninaenda kwa upande wa naibu wa Chief na Chief vile wanatakikana wachaguliwe

Chrisantus Otiti: *Ibore na akotong asewo naki ijakaa Ejasi ijakaa iche mum kidolito apone lokagelun asoma esiete kec akitosoma apesai agwela asoma ngun asokonye kec mum itunga kemunosi kesi de yote kalaro kec. Akotong teni itunga lupekalaro kangini egelete ejakaiti ngoli*

Translator: Hawa ma-Chief na Assistants wao huwa na wakati wa kufanya interview, kwa hivyo angependelea wakati wa kuchagua naibu wa Chief ama Chief, iwe mlolongo, achaguliwe na watu.

Chrisantus Otiti: *Alosiong itunga lueyenite kojela*

Translator: Sasa anaenda kwa upande wa prisoners.

Chrisantus Otiti: *Akotokino serikali kikokine*

Translator: Ningependelea serikali ifanye hivi,

Chrisantus Otiti: *ayeniteong nare eong nes apolo kore nare engarakiti eong afamili angi engarakit eong ito angi akoru kore kane ajiong ajela konu serikali de ibore idiosi afamili angi ainanakini*

Translator: Ningependa, mimi kama nimeshtakiwa na nimefungwa, sasa niko na familia nyumbani. Niko na watoto na wazee ambao nilikuwa nawalisha. Sasa ningependelea serikali iingilie kuwasaidia hawa watu kwa njia yoyote, ili nao wajidumu katika maisha yao.

Chrisantus Otiti: *Aroko eong aji namakaluka aeyeno kangulu akotongo ejieni ijo apolori kona adeka na enyarite ukimwi na ekotoieongo naare ngini itwan ekote haki yake ajiong de ajela kobunene ajakait angi ajaikin kango kere aberu angi de aji ajela nes de abunore kere eong agei aberu angi de abunene anyunun eong kangin narer apo,lori adeka ido iddwe iche abuniongo kangina adumuni idwe iche kepokorosi mum eobng kajeni ngai kidoi idwe lu.*

Translator: Inakuwa hivi, kwa upande wa kuwa jela, nimefungwa na bibi yangu yuko nyumbani. Inatakikana bibi aje anione, ili nimalize haja naye kwa kuwa sasa kuna huu ugonjwa ambao umeenea wa ukimwi. Bibi anaweza kuwa na tamaa huko nyumbani na mimi niko jela na huko ametembea na amepata watoto. Wakati mimi natoka jela, napata hawa watoto wamekuwa wakubwa na hii inaweze kunitenganisha na bibi yangu.

Chrisantus Otiti: *Eitut eong nupe ajasi adis ngupe ngunu eyalamango osi noi kipupuni eong. Eong nes enyarite Chrisantus Otiti*

Translator: Hayo tu ndio ningeweza kuwapatia. Kwa majina ni Chrisantus Otiti. Asanteni.

Com. Nunow: Iko swali.

Com. Kangu: Bwana Otiti, kwa haya maneno ya wafungwa, ungependa iwe namna gani

kwa sababu mimi najua ukiuliza wazee hapa watakuambia, siku za ukoloni, wafungwa walikuwa wanapatiwa leave. Wanapatia leave wanaenda nyumbani, wana report kwa Chief, wanaona familia wiki moja wiki mbili tena wanarudi jela. Sasa wewe unataka tuwe na mpangilio aina gani? Mama ndio aletwe jela au mfungwa apatiwe nafasi ya kuenda nyumbani kuona familia?

Chrisantus Oti: *Euitut eong kangun de ejoka*

Translator: Mimi nafikiria hayo yote ni mazuri

Chrisantus Oti: *Euiltut kabongunene eong ore de kabongori konye eong ojela .*

Translator: Hayo yote ni mazuri. Kama mimi niko kwa jela, nipewe wakati wa kuja nyumbani nikutane na familia yangu.

Com. Pastor Ayonga: Niko katika jela bado. Umesame kwamba unapokuwa huko jela, serikali itunze watu wako huko nyumbani. Hukutuambia itawatunza namna gani na tena kama serikali hii itawatunza, je unaona uwezekano ambao watu wengi ambao ni irresponsible people wanalipenda kwenda jela ili mzigo wa watoto wao ambao hawaendi shule, ili serikali iwe inachukua that responsibility bwana akiwa jela?

Chrisantus Oti: *Eyitut ngun de ejoka konye ejej ayeno nesi itwan robbery with violence ngin araiti aronus mum seriakali kepedori akingarakin etwani kape kangolo ejai ajela ne yenio etwan kere adumun eong kajeno kere kibore kajokisi kodote akikamari eong asokonye eong nes lemu engarakit efamili ngolo.*

Translator: Kunakuwa vifungo vya aina mbili; moja ile ya robbery with violence halafu ile minor, ambapo mtu anapatikana na kosa ndogo kama kushikwa na busaa na anapelekwa huko. Sasa ingekuwa vizuri yeye apewe nafasi ya kuja nyumbani.

Chrisantus Oti: *mum kebalai neni apedori eong eraiti eong nes akorei ere ngol yote ikote konye itunga ngulu edumunete akingarasit ai.*

Translator: Amefungwa kwa minor case na yeye ndie aliyekuwa msaidizi kwa hiyo boma, ya kuelimisha watoto na kutafuta namna ya kujimudu kwa familia yake. Sasa hapo ndio anafikiria itakuwaje?

Chrisantus Oti: *mum eong kaji ore*

Translator: Na yeye hayuko nyumbani.

Com. Nunow: Asante Bwana Oti. Tafadhali ujiandikishe Rhonia Ichana Omwaro.

Fobian Ichana: *Eyalamikit eong icommissioners yote ki icordinators eong ko korir enyarite eong Fobian Ichana Omwaro.*

Translator: Pongezi kwa Commissioners pamoja na coordinator. Kwa majina naitwa Fobianos Ichana Omwaro.

Fobian Ichana: *Ibore akotong ejori etangazaete aredio ebe ingarakino siong igwalaisik*

Translator: Yale ambayo nataka kusema, nimesikia wakitangaza kwa radio, serikali ama NGOs wanasaidia wasiojiweza.

Fobian Ichana: *Sasa mum siong kiyanyunete iboro de ngulu*

Translator: Sisi hapa Teso, hatujawahi kuona chochote kutoka kwa serikali ama kwa yale mashirika ya kusaidia wale wasiojiweza.

Fobian Ichana: *Balasiong mum siong kibeyikito akoru*

Translator: Sisi hatuwezi kulima,

Fobian Ichana: *konye akisisia de isisito siong konye mere chut*

Translator: Masomo tumejaribu lakini sio sana.

Fobian Ichana: *eisit eong natin kila efisi koji egwalas de epe*

Translator: Mimi ningependelea kwa ofisi, disabled awe ndani.

Fobian Ichana: *Ageun kofisi kaloka kepresident abunore paka pwap ne*

Translator: Kutoka kwa ofisi ya President mpaka ofisi ya naibu wa Chief,

Fobian Ichana: *nes ebeikinete akiteresiong de tena*

Translator: Labda ndio tutaangaliwa vizuri.

Fobian Ichana: *along osi lu ilosiete kakejene itete siong mere bala itunga.*

Translator: Basi, nyinyi ambao hamukulemaa, mnatuangalia sisi kama sio watu.

Fobian Ichana: *konye siong de isaan ngupegul iraito siong de itunga.*

Translator: Na hapo kweli vile muundo wa Mungu ulivyo, sisi nao ni binadamu.

Fobian Ichana: *Nuangi kesi ngupengun bon*

Translator: Ni hayo tu machache.

Com. Nunow: Asante sana kwa maoni yako. Tafadhali apelekewe kitabu a-register. Nimuite Anthony Osiel from Kubet.

Anthony Osiel: Thank you Commissioners, I am Anthony Osiel Okisai

Com. Nunow: (?) the microphone (?)

Anthony Osiel: Anthony Osiel Okisai is my name. I want to talk on three capacities, one; as the Executive Secretary of Kenya Union of Post Primary Education Teachers. Two, I will also mention something as the Chairman of the District Social Development Committee, which is in charge of youth groups and self-help groups and I will talk as an ordinary

Kenyan.

On education, as the secretary, I want to mention the following: - that, the funds that are being wasted on adult education, should be transferred to foundational education. These funds can help us at the nursery and pre-school level, so that these teachers can be paid and they can give our children quality education. On secondary education. I suggest that the DEB should be chaired by an educationist, so that the person is aware of what he is chairing, because not all DCs have ever known much about education. Education for all and that is at primary level. We talk of free education but realistically it is not there, there are so many levies given to the parents. Therefore, the constitution should adopt the framework that can even give proper funding, so that we realise that free education at primary level. Talking about secondary school, I want to propose that they should also put an act in the constitution, the companies compensation act should be able to cover even secondary schools, because BOG has been given a lot of powers to govern the schools. I want to cite a case of a science teacher who gets injured in a laboratory due to lack of a fume chamber that the BOG has not provided. Therefore, it should be seen that the teacher when he is working in this unit called a secondary school; he is covered when he gets injured at work. We have even had cases where teachers are involved in road accidents, they end up pursuing this case independently with the insurance companies, but we want to suggest that now education is a very serious issue and if a teacher gets injured we should see that they are compensated by the ministry because the act governing secondary schools seems to be giving Board of Governors a lot of power which is mainly limited to interdicting and sacking teachers and not protecting them.

We also want to talk on specialization. Why can't the constitution see to it that there is specialization. Talk of unions; we know that we have several unions being registered even for private schools. When we talk of a union representing secondary school teachers, that union is having membership from the secondary unit, people who understand their problems. We cannot afford to have a primary teacher, also supposed to be representing problems of secondary schools. That is on education level. Go now to the ministry, how do we have a

mechanic becoming a Minister for Education? We want to see that appointments by the cabinet, by any ruling party that wins, should be vetted by technical committee so that relevant ministers are appointed to head relevant ministries.

I don't want to mention much about KUPPET, I want to talk about Social Development Committee and I don't have much here. I want the youth to be represented in every committee and above all, the land committee. We have what we call the land board chaired by a foreigner who institutes a lot of corruption on land transactions, he is transferred, and that is the DO. So we want the land board, youths should be in and the Chairman should be from the local community who is gazetted, if not then the Chief should be Chairman, because he can be accountable for his actions. But how can a foreigner chair your land problems? Corrupts you and he is transferred, it is very sad.

As an ordinary Kenyan, I would like to propose the following, that harambees should be outlawed. Across the world, countries have developed without this harambees. Our neighbouring countries, the development effect is growing and there is not harambee. Harambee has perpetuated a lot of corruption. You go to every office, there is a card, you want to pay schools fees, the Headmaster says there is a card here, you go to the DO to endorse a form for identification card, the person who has not become an adult, there is card. You go to the PS there is a card, so if it is outlawed, we can then centralize our resources to relevant sectors and see how we can develop, so that somebody does not think what to contribute the next Saturday, therefore going to the public coffers using all crook means to raise the money.

On elections, I want to mention on qualifications. There are parties here who suggested a graduate to be a President and people were not happy. We will need a person who can articulate every part, when questions or anything, is at least having adequate education. So the President should at least be a graduate. The Councillors and the rest should have an education level of at least being able to interpret documents.

Com. Ayonga: What is that?

Anthony Osiel: Form four

Com. Ayonga: Okay

Anthony Osiel: Thank you. Form four level of education is good for them. Then the powers of the President.

Com. Nunow: The MPs?

Anthony Osiel: The MPs, above form four

Com. Nunow: So what is that?

Anthony Osiel: Now that I don't support 8-4-4 system of education, I would say 'A' level if the constitution can also think about this system of education so that we go to our old system, so that we can have 'A' level and above then the MP can be able to represent the people.

The Presidential powers, I want to see more power from the legislature, because this is the political arm of the country. So that the idea of saying that the President is appointing almost everybody, we should have for major appointments of PS the legislature vetting. We should also have a case where for instance, when we need a parliament to dissolve, the parliament should be independent to decide its own dates, when to reconvene. We want a structured government, where the executive is mainly run by the Prime Minister. The President can perform ceremonial activities, because when we have a very powerful presidency, where we have what we call Presidential decree is given in a rally that goes contrary to what the policies of some ministries are saying. I am suggesting that the powers of the President be trimmed

and let these bodies be given independence of operation, the judiciary, the legislature and the executive and mainly the executive be driven by the Permanent Secretary.

Natural resources; there is a lot of secrecy on how the natural resources are being used in this country. For instance, if you asked anybody how much was got from mining last year and this is property for every Kenyan, these minerals were a fiasco and what was exported, how much was brought and how is it being used? Talk of forests, these are our natural resources. When they are being felled and sold to Kenya Power and Lighting Company, we want these tabulations, so that we know that we are benefiting. Otherwise if it is clouded in secrecy, we might be so rich but these riches are just being held by a few Kenyans. So we want openness in the tapping, sales and use of the funds from our natural resources.

The prisoners' productivity, I am not talking about going to prison like the other presenter. The productivity of prisoners is not benefiting Kenyans. The Prison Commissioners and what are using these people in their homes and farms, instead of using government land to put the prisoners to produce resources that can benefit this country. So the constitution should define properly how the prisoners are going to be productive to this nation. I have been walking around even in local prisons, I just see them. They are even supposed to feed themselves. If we can see that as one of our natural resources, the prisoners can produce a lot, then we can see if the constitution can protect that we will develop very fast.

Finally, the provincial administration has been mentioned. I don't see the role played by the PC, I don't see the role played by the DO. Our culture supported the Chief right from those days. We had our traditional Chiefs, but I am not also much for the Assistant Chief. That salary should be given to a reputable village elder. Those ones that are there now can serve their term because this is a gradual process. We should have an elder that is elected by the community, a person of sound mind, sound education who can earn that salary and he reports to the Chief. The Chief to the DC, the DC to the higher authority.

Minority groups should be protected by the constitution. I am sure the memoranda you have received from the communities in other cities you have been told about what the Tesos want so the minority communities where Teso fall should be protected. I beg to stop there and seek for a leave of absence.

Com. Ayonga: I need some clarification. When you talked about the DEB be chaired by an educationist, who is chairing the DEB now?

Anthony Osiel: The DC

Com. Ayonga: The DC

Anthony Osiel: Yah.

Com. Ayonga: The present Kenya that we have now, you would find that those officers who took higher offices had began from teaching. Most of the people we have, be it Permanent Secretaries, whatever and some PCs were educationists. Are you saying that if the DC was an educationist even before, he should not chair a DEB meeting, because he doesnt know, or are you saying we should avoid using them because we now have many educationists? Not as a matter of incompetence of a District Commissioner to be a Chairman?

Anthony Osiel: Thank you Commissioner. I think that one aspect here is whether you have been a teacher sometime, you relapse to redundancy in your level of thinking unless you are being rejuvenated by seminars. So, we are saying even if a DC was once a teacher, the period he has served in provincial administration might not make him very competent with the contemporary issues. So we better get a local person. I think there also I am bringing in the issue of local interest, the local person who is an educationist should chair, because like what I mentioned about the DO, this one will also transfer. Therefore, something that he might be chairing might not really be one, relevant because he is not always upto education issues and

two, the idea of locality. Because we want to cater for what we want within our own district.

Com. Kangu: The DC, why don't we have a local person as a DC? Why must we get someone from out there? If you read Okandi's book before he died he says the 'stranger officer approach in our country is what has destroyed us' because the stranger doesn't have the interest of the local people at heart. Why don't we have a local DC?

Anthony Osiel: I support the issue of the DC being there. Talking about a local DC means that the structure should be placed. Some districts have not had anybody going to Kenya Institute of Education and the DCs have always been appointed in rallies sometime. But if we say that we have manpower developed across the country, it means even within the Teso district we shall have a quality person for that position and I will say I will refer to him as DC there is no problem.

Com. Nunow: Thank you very much Bwana Osiel, please register yourself. Joseph Parpai Iseme.

Joseph Papai: Mimi ni Joseph Parpai Iseme. Ningependa kusema kwamba nina mambo nimeandika hapa. Nilikuwa Chairman wa county council zamani na nimetumika kwa administration kama senior Assistant Chief. Kwa hivyo nina mambo machache ambayo nataka kutaja ijapokuwa yametajwa, yametajwa mengi kwa yale ambayo yako kwa kartasi yangu. Lakini nataka kugusa kidogo yale ambayo mimi nafikiri yananiuma sana.

Jambo la kwanza ni juu ya wale wachache ambao tunasikia kila mara. Uvumi kama huo wa kuchukua wengine kuwa kama ni wachache, hasa Wateso kila mara huchukuliwa kama ni watu wachache katika Kenya. Ningependa kuhakikishia Commissioner ya kwamba, jambo kama hilo ni madharau wakati mwingine na ninataka ichukuliwe ya kwamba jambo hilo liwachwe. Wateso pia ni kabila moja ambayo imeishi Kenya hasa mbele ya wazungu kuja hapa. Wazungu walikuja na wakakuta Wateso wako hapa, kama kabila zingine katika Kenya,

na wameondoka na wakawacha Wateso na kabila zingine kama wako hapa pamoja. Kwa hivyo jambo la kusema ni wachache, hilo jambo linafanya kuleta madharau kwa watu. Mimi ningependa Wateso waheshimiwe kama kabila zingine zote. Inafaa commission iandike kwamba sisi tungetaka ikiwa wanagawa national cake ya maendeleo Kenya, Wateso pia wawe wakipewa haki yao kama watu wa kabila zingine. Jambo la kusema minority lisiendelee.

Nimeandika hapa na sitaki kuharibu saa nyingi. Nataka kugusia juu ya land control. Land control inatakiwa shamba lenyewe liwe la mtu na jamii yake na isiruhusiwe watu wa sehemu zingine kuja kuingia. Wanaweza kuingia hapo ikiwa watu wa hapo wamekubali baada ya scrutinize na kujua mahali ambapo anatoka, ni mtu mwema na mtu anayeweza kuishi na wale watu wa pale anataka kununua ama kuishi shamba hili. Pia serikali ikitaka shamba, inaweza kukubaliwa kuwa nalo, isipokuwa ilipe mwenye shamba, si kuchukua bure.

Jambo la watoto limekuwa jambo kubwa sana katika taifa letu la Kenya. Sababu yenyewe ni kwamba watoto wamewachwa wakirandaranda. Tukitaka kumaliza kurandaranda, ingefaa birth registration ikazwe katika rural na urban areas. Ijulikane kwamba mtoto akizaliwa, ni nani amemzaa na alizaliwa lini. Hakuna mtoto yeyote anayeweza kuzaliwa na asiandikishwe. Hiyo ikikazwa kabisa, mimi nafikiri hao watoto wa kurandaranda wataisha kwa sababu ikijulikana, kama register zinakuwa maintained kutoka kwa kijiji, na hiyo register iwe inakaguliwa kila mwezi, report itolewe kila mwezi kwamba watoto wamezaliwa hivi. Kwa kijiji itolewe kwa Assistant Chief, iende kwa Chief na hii report iwekwe, nafikiri watoto watajulikana wamezaliwa wapi na mambo ikitokea, mtoto kuwacha wazazi wake, watajua wazazi wake ni nani. Jambo kama hilo lingeweza kutusaidia. Nilikuwa na hayo machache, mengine mtasoma katika kartasi hii.

Com. Nunow: Asante sana Mzee kwa hayo. Nitamwita Didimus Ola Kitary na ningependa kutambua ambao walifika kama tumeshaanza, Chairman wa county council na Clerk wa Teso county council pia, karibuni. Asante.

Didimus Ola Kirary: Asante Bwana Chairman Commissioner. Kwa majina naitwa Didimus Ola Kirary. Mimi ni retired police officer. Yangu ingawa zimeguzwa haswa ilikuwa kwa land succession. Ningependelea badala ya vile mwenzangu alizungumza hapa, Chief na Assistant Chief wawe wanapeana burial permit ya aliyekufa. Kama baba amewacha watoto, huyo Assistant Chief, those relevant documents ambazo zinatakikana kuwa signed kotini, zingeletwa kwa assitant Chief, ili yeye atekeleze kwa sababu anajua hawa watoto, awapeleke kwa land control board kama constitution hii itawezesha kupitisha ya kwamba Chief asimamie hiyo. Kwa sababu mpaka wakati huu Commissioners, hata wakati tunazungumza hapa and the Chief of this area can bear witness ya kwamba, tajiri wengine ambao wana uwezo wanaenda ku-corrupt court. Kesi hiyo iko hapa na hata imefanywa kwa hii ofisi na wana-sign ile affidavit falsely, kwa sababu ana uwezo na kunyang'anya yule maskini shamba.

La pili, ningependelea watoto ambao wanarandaranda, wale disabled hasa ukienda Nairobi kwa street, unapata watu wanapiga guitar hapo and they are very active there, unapata mama kesho anabeba mtoto. Serikali wakati huu imewekea wanyama ardhi. If these people are disabled, kwa nini wasipelekwe kwa game park na wapewe shamba huko na zile zinazoitwa non governmental organisations zivasaidie huko. Ili sasa wakizaa huko, yeye ni kipofu na mtoto anaona na wapate elimu. Hawa watoto wamezoea zile vitu tamu na hata ukiwapeleka Starehe Boys Centre hawatakubali. Wamezoea kunyang'anya vitu vidogo vidogo and they don't have time to go and aquire education at Starehe.

Lingine, kuhusu maneno ya election, sisi kama jirani hapa teso, tungependelea mfano kama huo uwe kwa constitution yetu. President achaguliwe peke yake, so that there is not corruption. Kama ni wakati wa President, achaguliwe peke yake, ili sasa tukija kwa civic elections, county councils, municipal councils, city councils (?). Ningependekeza kwa constitution, hii kitu unaitwa mini budgets inanyanyasa sana. Kama financial year ya June imesomwa budget, ni nani anaongeza bei za vitu katikati ya mwaka? I feel it is heavy taxation to the common man. Hii kitu unaitwa leader act, African Liquor Act, you have gone through that constitution, did you see anywhere European Liquor Act? Sisi kama askari tulikuwa

tunatumwa kwenda ku-harass watu wa busaa. Busaa inatoka kwa jasho ya mkulima, kwa shamba lake, hainunuliwi. Wimbi tu inakatwa na ikishakatwa this man wants to relax and enjoy farm output yake, serikali inasema hapana. Mimi nilikuwa ninatumwa na ninakwenda kushika, nilikuwa ninafanya kazi. So tradition za watu zipewe nafasi na haki yao. Kwa hayo machache, asante sana.

Com. Ayonga: Bwana Retired Officer, umetuambia hawa watoto ambao wanarandaranda na umetuambia jinsi ambayo tungeweza kuwazuia wasiende wakirandaranda huko na kule, na kwamba serikali ingaliweza kutoa mashamba huko kwa bunga za wanyama, watoto hawa wapelekwe huko. Sijui kama wanapelekwa peke yao, ama wanapelekwa na wazazi wao? Hapo sikuelewa.

Didimus Ola Kitary: Asante Bwana Commissioner, waende na wazazi wao. Kwa sababu wakati huu ukifika hapo city square, unapata wanapiga guitar kabisa na usiku they are very active na kesho mama ni mja mzito. Kwa hivyo ningependekeza waende huko, ili sasa watoto wasizoe maisha ya streets. They should be born in the shambas and then the NGOs or the government iwasaidie. Asante Bwana Commissioner.

Com. Nunow: Asante sana Bwana Ola Kirary. Tom Omari?

Tom Omari: Thank you very much for this opportunity. My names are Tom Omari working as an Evangelist with the ACK Church. I have some things that I wanted to talk about, especially on Chapter 1 Section 1 of the Constitution of Kenya, that introductory statement whereby we are just told that 'Kenya is a sovereign state' while in other places actually, let's think of the USA, Germany, Uganda and others. Those people, that introductory statement has the people first, it has the people in its mind, while ours is talking about the sovereignty of the state. Therefore, I would like that, atleast a preamble be written on the introductory statement in our constitution.

The second thing that I wanted to talk about is about the election of the President and I am considering Chapter 2 Section 5, Sub-section 3f and Sub-section 5e of the constitution of Kenya. I wanted that place reviewed because when we talk of the President, we are told that he should garner atleast 25% of votes from 5 provinces, while we know that we have 8 provinces. Now, if we talk of 5 provinces, what about the 3 provinces? If it is 25%, what about the 75%? Therefore, I wanted that at least somebody should be elected on a popular vote which is about 51% and my suggestion was that, incase someone does not attain that 51% mark, then the second person and the first one should go for a run-off.

.....*End of tape 2 side A*

Tom Omari: The President should be a Kenyan by birth, a graduate from a recognized institution, should be a registered voter and should declare his wealth. The people should also know something about his background and should have a stable financial record.

Com. Kangu: Omari you said you are questioning the 25% in 5 provinces, you instead propose 51%. I would like to know whether is 51% in five provinces or at the national level?

Tom Omari: I said that he should be popularly elected by all registered voters in the country, not only in few provinces.

Com. Kangu: You see, the logic behind the 25% was to guard against having a permanent majority. For instance, if the way the Tesos are with the Luhyas, if you were to say the Western province people elect a leader for Western Province and you say 51%, the Tesos can be permanently in the minority and you can find a situation where the Luhyas are always imposing their person on the Tesos and it doesn't matter what they say, so that is what they were trying to look at and say. If you just say at the national level, you could put or three tribes together and get 51% and you keep the rest out completely. How do you deal with this?

Tom Omari: I am thinking of a President of a national outlook, I am not limited to tribal basis.

Com. Kangu: Unfortunately, Kenyans are very far from that. Kenyas are still very far from thinking nationally and it is not a secret, you can see. You say national outlook and it is possible for two tribes to put their votes together and get 51% whether the rest have completely voted against that person. Now, will you describe that person as having a national outlook, just because he has 51% of the votes? You see, because that is the problem we are concerned about, we would wish to have a national outlook but the reality on the ground is that we still think 'tribe'. So, how do we make sure even as we are operating as tribes, we do not have one tribe or a few tribes loading over the others, that we put in some safety measures and which are these safety measures.

Com. Nunow: Maybe you could take this together in the same view. If probably you wanted to strengthen national outlook, one would expect that you would go for a certain percentage in all the 8 provinces, instead of all the 5 to ensure that whoever makes it then indeed is a national leader, rather than asking for an absolute figure which can impose as my colleague said, by one or two communities in the country, perpetually delegating the others to the receiving end.

Tom Omari: Actually.....

Com. Ayonga: There will be one option (?). I want to help you. These two Commissioners have put you into a corner, which you were not prepared for. You can say this Omari, I wasn't prepared to answer those questions and that is the end of the story. You were not prepared but go and think about it and if at the end of the day you will have come up with an answer to that, write it down and Submit it to our register.

Speaker : (?)

Com. Nunow: Okay, thank you Omari. We have a pupil, Judith Ichoro. Judith karibu, utatuambia jina lako, shule yako na darasa lako halafu utupatie mapendekezo yako.

Judith Ichoro: Kwa majina naitwa Judith Ichoro. Natoka Koramol Primary School na niko katika darasa la nana

Com. Nunow: Which primary school?

Judith Ichoro: Koramol.

Com. Nunow: Class again?

Judith Ichoro: La nane

Com. Nunow: Okay, endelea.

Speaker: Una miaka ngapi?

Speaker: Kumi na minne

Com. Nunow: Endelea

Judith Ichoro: Nimekuja hapa leo kutoa maoni juu ya haki za watoto. Sisi kama watoto, kuna wazazi ambao hawapeleki watoto wao shuleni, ili kuimarisha maisha ya watoto hao mbeleni. Watoto hao watafanyaje ili hao pia wajenge maisha yao ya kiwazazi wakiwa wakubwa? Kuna mavazi ya kisasa ambayo haifai kwa watoto ambao bado ni wanafunzi wa shule. Kwa mfano, watoto wasichana ambao bado ni wanafunzi kuvaa longi, wavulana

kufunga vitambaa kwa kichwa.

La pili, mimi kama mwanafunzi ningependa kutoa maoni kuhusu kanda za video ambazo zinaonyesha sinema za wizi, usherati, msikubali watoto kuangalia. Naomba watoto wasiajiriwe kama hawajahitimu miaka kumi na nane. Ni hayo tu ambayo nilikuwa nayo.

Speaker: (inaudible)

Com. Nunow: Asante sana Judith, tungependa kukushukuru na tungependa kukujulisha ya kwamba leo, umejiweka katika orodha ya waliochangia ubadilishaji wa katiba wa nchi hii. Pengine vizazi vijavyo watajua kwamba yale uliyasema leo, yamechukuliwa na imesaidia nchi hii. Asante sana. consolata Olukere, huyo ndio mama wa kwanza.

Consolata Olukere: Kwa majina ni Consolata Olukere. Mimi ni mjane. Nimepitia mengi, mume wangu alikufa ukimwi, shemeji na mabibi zake walikufa ukimwi na kwa hivyo nimebaki na mzigo. Wakati wa matanga hayo yote, kuna wasimamizi wa serikali ambao walikuwa wakihudhuria hii matanga. Katika speech zao, wao huwa wanaagiza kutuchangia ama assistance fulani, lakini mwishowe hakuna mwenye anapatikana hata siku moja ku-visit hizo boma. Kwa ufupi, naomba serikali, kuna misaada kutoka sponsors, generous organisations and the government. Naomba kwamba kama misaada kama hiyo ikipatikana, sifikie the affected families, hasa ipitie kwa luguru na Chief not the DCs. Kwa mfano, juzi kulikuwa na hii kesi ya eradication of povety, hatujajua kama imeisha ama bado iko. Hiyo pesa, luguru aandikishe majina ya watu wake ambao wamekufa ukimwi au kwa namna yoyote, kifo ambacho kimewacha watoto mayatima na wajane kwa hizo boma. Tuitwe kwa seminar sisi wenyewe na watoto wetu na tufunzwe. Mimi ni mmoja wao na ninaongea juu ya ukimwi, nikitangazia watu kwamba mume wangu alikufa miaka saba iliyopita (1995). Nilipimwa mara mbili na nina ukimwi, lakini kwa vile niliapa mbele ya jeneza la mume wangu, nimekataa kuridhiwa kwa hivyo nimeomba Mungu aniongezee uzima. Mtu kama mimi nafaa nipewe kitu kidogo, ili niendeleze maisha ya boma langu na wengine kama mimi.

Kwa ufupi, nashukuru kuja kwenu, na nadhani mtatuangalia. Pia, kuna mifano mingine. Kuna wamama ambao hawakusoma, wamefiwa watoto wao wakiwa policemen. Niko na shemeji, dada ya bwana yangu. Alifiwa na kijana wake na mume wake ni mjuaji. Badala ya huyo mama kupewa benefits za kijana wake, mume wake alienda kwa DC Amagoro na akapewa hiyo pesa. Na laani yule alisimamia huo mpangilio wa malipo, kwa sababu huyo mama wakati huu ni maskini na hana hata mahali pa kuishi. Vitu kama hivyo ambavyo vimepita na watu fulani wamefaidiki, vinafaa virudiwe kuchunguzwa ili shamba la huyo mzee likatiwe huyu mama, afaidike ili naye apate sehemu hiyo kwa sababu alimharibia maishia. Angeoleka mahali pengine, angekuwa anafaidika. Ni hayo tu, asanteni.

Com. Nunow: Asante sana mama kwa maoni yako. Namuita Omagure Donald.

Donald Omagure: The Commissioner Sir, your chair is honoured. I am Omagure Donald. I will base on two classes, Judiciary and partially finance. The appointment of the Chief Justice, Judges of Appeal and any other judges should be approved by parliament, not the President. There should be parliamentary committee to vet the appointments and termination of terms for those above. There should be established constitutional code of supremacy. The AG should not interfere with the proceedings of the Controller and the Audit General.

In finance, parliament should prove all the government expenditures, the Controller, and the Auditor General should be independent and have security of tenure. Secondly on finance, reports of public accounts committee, public investments committee which disclose offences be automatically prosecuted by anti corruption and Controller general, not the President or the AG to elect commission on how to go over the proceedings of the public, whoever is corrupt. Because we see if the AG and the President engage on those basis, that is encouraging corruption. They should leave it for the Controller Audit General.

Point number three on finance, the language used should be simplified for the common man

to understand, because we do hear of the terms used in finance and they are hard terms for a common mwananchi to understand. Something like portfolio, kwa njia ya mashinani, mzee hawezi kujua hii ni nini. The language should be simplified for a common man to understand. The terms used in judiciary books if you go to court, should be simplified for the common man to understand also.

Frame on the procedure to arbitrate criminal cases, the procedures should be framed from the Assistant Chief, the Chief then the court. The Chiefs right to choose the clerk to be centralized; he should choose a clerk of his own liking. The judicial process should involve; I want to base on the judicial process whereby, there are some linkages we want to skip, the charge sheets of the police, there is no need of those sheets when you go to the police. If you are arrested, you should be arrested on suspicion of wrong doing and no charge sheets should be opened by police to avoid corruption. You know, if you go to the police with those charge, you are being bargained for, how much do you have, whom you are, what are you. To avoid those chains, after arrest, the accused should proceed to the prosecutor, a court of law then the accused pleads guilty or not guilty. A witness should be called to give evidence or be cross-examined, those are the proceedings I would like to be taken up. That is what I had, thank you.

Com. Nunow: Thank you very much Omaguria Tafadhali utupatie makaratasi pia. Councillor Vincent Okochil.

Vincent Okochil: Jina langu ni Okochil Vincent, Vice Chairman Teso county council. My dear Commissioners, ningependa constitution yetu mpya, ipeane limited powers for the presidency, isije ikawa kila kitu kinafanywa na mtu mmoja. There must be a limit to power. Hata ukiwa President, ukiwa judge, ukiwa MP, Chief, policeman ama nini, kuna vitu ambavyo huwezi fanya, kwa hivyo hata hiyo tunataka iangaliwe. There is a popular saying that goes, ‘power corrupts and absolute power corrupts absolutely’. Na tumeona kwa ma-Assistant Chiefs wengine hapa, vile wanafichwa kwa sababu ya hiyo sheria ya ukoloni.

A good constitution has to safeguard the rights of the people. Mimi nitaongea kwa jumla kuhusu Wateso, kwa sababu ndio mahali nailewa kabisa. Constitution inatakikana i-guarantee freedom of speech, movement, association and assembly. Lazima tuweze kuwa pamoja kama wananchi tukiwa tuna furaha. Hapa kwetu Teso, watu hawana justice nzuri. Tuna mila zetu zile zimekabwa na sheria ya siku hizi. Kwa mfano tuko na ile kitu inaitwa naming ya watoto, kupeana jina. Kupeana jina hapa kwetu ni ceremony moja kubwa sana. Inahusisha wazee, wakina mama na wote, hata vijana hapo ndani. Pia inahusisha maneno ya pombe yetu ya kienyeji. Lakini unapata sheria ile tunayo sasa, imekataza unywaji wa pombe na inaitwa sasa pombe haramu. So, we now don't understand pombe haramu na huwezi kununua hii ya duka uje nayo ku-name mtoto, sijui itakuwaje sasa.

Kuna kitu kingine hapa kwetu kinaitwa 'ekitai' yaani communal work. Sasa, hapa kwetu iko kitu kinaitwa tsetse fly na imetumaliza ng'ombe zote na bado ile communal work huwezi kuita watu na waje wale ugali watoke, you have to prepare this traditional beer, watu wakunywe. So, ninasema hivi, kwa hii new constitution, tuseme watu waruhusiwe kunywa pombe, lakini pengine wakati wa kunywa ndio uwe regulated.

Tukija upande wa udongo, hapa kwetu Wateso tumebarikiwa tuna udongo. Lakini unapata hapa, hatuna ule uwezo wa kupata mimea na kukuza mpaka iwe kitu. Tungependa iwe kwa constitution, ya kwamba sisi tuweze kupewa inputs za kuweka kwa hizo shamba, halafu wanaweza recover, so that it encourage sisi pia tufanye kazi nzuri kwa mashamba yetu. On top of that, vile vitu tunakuza ziwe na market instant, sio kitu ya kutafuta, unapanda pamba, inamaliza mwaka mzima kwa nyumba hata unakosa ile hamu ya kuweka. Tuwe na ready market ya vitu kama pamba, cassava, sim sim, wimbi, yaani unapanda kitu na una soko yake inagonja. Tukiangalia vitu kama coffee, coffee hapa kwetu, ukitembea hapa Bwana Chairman, just three kilometers away hapa Uganda, coffee inapandwa vizuri. Lakini sisi Wateso hapa bado tunashtuka kwa nini yetu ilikuja ikang'olewa na huko Central province, sasa coffee ndio ikawa ni matunda ya wananchi and we are all Kenyans. So tungependa hizo

laws za kufinya kabila ndogo ndogo hizi, ziondolewe.

When it comes to the elections, mimi ningesema hivi, good leaders are never imposed on the people. Vile tunaona sasa rais anafanya na Uhuru, sisi Wateso tunaangalia tu, hatuna yetu kwa sababu wanatafuta Wakikuyu, Wajaluo, Waluhya kwa sababu ya namba zao. Sisi Wateso ni ku-watch helplessly. The constitution should be able to support hata Mteso awe President. We should be able kufanya periodic competitive free and fair elections, sio kuja ku-bribe watu shilingi kumi ama hamsini, kuja ku-intimidate na kudanganya. Hio sio, tunataka sheria iwe straight hapo, mtu aongee tu maneno yake watu wakatae ama wampatie. On the same vein, ningependa local government iwe delinked from the central government, iwe a body, an entity of its own. Chairman kama huyu wangu, awe elected na wananchi na sio Councillors. Unaanza kupambana na Councillors na siku ile unakataa kuwasaidia? Wawe elected na hawa wananchi.

Councillors wenyewe, kwe sababu hapa ni mahali tunataka elimu nzuri, a Councillor should have a minimum of secondary school education. Hapana leta mtu ambaye haelewi hata kusoma Kizungu mbele ya wazee. Nominated Councillors waondolewe kabisa kwa sababu hao watu ndio wanatuletea taabu mingi hapa. Local authorities zinatakikana zipewe kibali ya ku-recruit workers and ku-fire. Tuko na clerks na watu wengine ambao wanajigamba, watu wanaiba na unaona and there is nothing you can do. The Councillors are very helpless, hawawezi kuwa-sack, that protocol inaleta taabu mingi. So they should be able to fired and hired wengine wapya.

Tukija kwa provincial administration, mimi na-suggest watolewe wote, kutoka PC wote, kwanza ma-Chief hawa. Jina la Chief libadilishwe liwe Local Leader. Chief analeta ukoloni. Power should be transfered to the local authorities na hawa local authorities wachague elder, ambaye anasimamia area hii na anachaguliwa na watu.

Audience: Ndio

Vincent Okochil: Nikija kwa polisi, mtu mwingine amesema hapa vizuri sana, police should be answerable to the people and not to persons. Chief ndie anakimbia kumleta ili ashike, it should not be like that. Kazi ya polisi sio tu kushika, they should also be able to do counselling. Tunasema mtu akishikwa, judgement yake itolewe the same day. Hapana kukaisha mtu kwa station wiki nzima, mna-negotiate na huyo mtu, that is wrong. Judgement itolewe siku hiyo hiyo. Nikimalizia tunasema, the form of government ile Wateso ama mimi napendekeza ni ile unitary. Kwa sababu tukivunja vunja, Waluhya hapa watatuwa kabisa iwe tu unitary kama vile ilivyo. Nobody should be above the law, hakuna binadamu anaweza kuwa above the law, sisi tutengeneze laws zile zinatu-affect sisi wote.

The constitution isije tena inaguzwa na watu wengine, not even MPs, even if it is an amendment, iwe ni amendment ukihusisha watu vile mmekuja saa hii. Kwa sababu wana-amend hii kitu mpaka ina loose original meaning yake. One would even be excused kufikiria saa hizi hakuna constitution Kenya hii, yet we have one in place. Unaweza ona Saitoti ako tu hivi hivi and he is the heir (?). Anyway, nikirudi hapo nasema corruption should be enshrined in our constitution. Yule ambaye anaiba ama amepatikana ameiba, wafuate hiyo mali mpaka spouse wake, next of kin wote wauze mali yao warudishe hiyo pesa hapo, that is what I suggest.

Civil servants should not engage in business, tumeona vile madaktari wanafanya hapa. Mtu amefungua chemist huko, anatutibu tena ana-refer wewe kwa chemist yake. They should not be involved in other business. The same civil servants should not be party in politics. Saa hizi, mimi ninajua hata nyinyi mnajua, kitu kikitokea saa hii, kila civil servant ataimba KANU na zile parties zingine zote ziko registered nani mwingine atasaidia kuongea? They should be non-partisan.

Tukirudi kwa minority tribes kama Wateso, the constitution should be very sensitive to our wishes. Wakati wengine Commissioners hata nyinyi fikirieni, Wateso zaidi ya elfu mia nane,

tuko na DC mmoja. If the constitution was very fair, surely tungekuwa na DC mmoja tu? tungekuwa na DO wawili tu, 800,000 people? So, mimi nataka muangalie hapo, so that you accommodate the interest of the minority tribes hapo ndani, tuwe pia well represented kisirikali. Asanteni sana.

Speaker: Ngoja kidogo Councillor. Ngoja kidogo.

Com. Nunow: Asante sana Bwana Diwani. Inaonekana tumekuelewa vizuri kwa hivyo hakuna swali. Tafadhali kama una maandishi tupatie, kama hauna ujiandikishe.

Vincent Okochil: Sina maandishi

Com. Nunow: Ujiandikishe kwamba umetoa maoni. Joseph Okitoi

Joseph Okitoi: Kwa majina ni Joseph Okitoi. Natoka (inaudible) na hiyo location ni mahali ambapo kuna mzoano mwingi. Hapa nitazungumza kwa dakika chache sana. Sisi Wateso, si wamwisho sana kwa population hapa Kenya na tumeishi Kenya hata kabla ya mzungu kufika, kwa hivyo Wateso wana lugha tofauti kabisa na watu wale tunaishi nao karibu. Sisi ni Nilohimites. Neno lile ninasema, sisi Wateso tunanyanyaswa, tukitazama vile tunachukuliwa kuwa wachache. Tangu mzungu aje na kuondoka, leo ndio ninaona Commission ikiwa ya pili kuja kuuliza masilahi, kutoka kwa watu. Ya kwanza ilikuwa ya mzungu and that was in 1962, before Uhuru. Kile ninataka kwa Commission yenu, muandikishe kuwa Wateso waheshimiwe plus their boundaries be respected fully, as Kenyans. Tunasikia kila wakati sisi tunatukanwa wanasema tuondoke Kenya, lakini sisi tuko hapa Kenya. Vile sisi tulikuwa tunachukulia ni hivi; location by location ilikuwa inachukuliwa kwa nguvu, kisha asubuhi yake, tunaona ingine inachukuliwa kwa nguvu na tunaambiwa leo kura ni kwa division ingine au kwa districi ingine, kesho ni hivyo hivyo na ndio wanasema sisi Wateso ni wachache. Tunataka tupate nafasi ya kupumua. Lakini kutoka mahali locations zile zilikuwa zinachukuliwa, nawaambieni Wateso wanataabishwa, hao ni

kama slaves. Treatment ya slavery iko sawa na vile Wateso wanaishi katika locations hizo.

Kitu ambacho kingetendeka, the surrounding districts, ikiwa kuna maneno yoyote kati yao na Wateso, wasidharau Wateso eti kuwa ni wa chini sana. Wateso tuna culture yetu peke yetu, ambayo si sawa na Waluhya ama Wahayo au na watu wengine Kenya nzima. Culture yetu ambayo tunayo, dancing yetu iko tofauti na ya kabila yoyote hapa Kenya. Pengine kesho kama hatutaandikishwa, mila yetu inaweza kupotoshwa au kuzuiwa, ati msifanye hivi ama hivi kama dancing yetu, kunywa pombe na kuna zile instruments ambazo tulikuwa tunatumia za Kiteso. Pengine kwa bahati mbaya kama hatutaandikishwa, tunaweza kuzuiwa na hizi ndio vifaa vyetu vya mchezo. Kuna Essos, Alutin, Alupepe, Harp (kamba tano), drum na hizo zote ni kutambua Mteso. Sisi Wateso vile nilisikia, mahari, tumeona ya kuwa, miaka chache uliopita, ilikuwa vigumu sana kupata msichana Mteso akinywa pombe ama akiwa malaya kwa ajili ilikuwa kuoa ni lazima, traditional marriage itengenezwe na hapo maneno makubwa sana yanapeanwa kwa mwanamke yule ameolewa. Kwa hivyo kukimbia kwa wanawake huku na huko hatukuwa nayo. Sisi Wateso tubaki na kuchukua mahari, kwa sababu tukiwacha mahari ndio kusema tutamezwa na kabila zingine ambazo ziliwacha hiyo zamani. Kuna kitu kingine ambacho ningesema hivi, kama sisi Wateso tulikuwa tunachagua mkubwa wa clan au tribe, tulikuwa tunachagua mtu mzuri kutoka clan, tribe na hivyo na sasa sisi area zile zimenyakuliwa, majina yetu yote imekwisha badilishwa. Kama mimi sasa Okitoi naambiwa badilisha jina liwe lingine.

Com. Ayonga: Uitwe nani?

Joseph Okitoi: Kabila ya hao ambao tunaishi na wao

Com. Ayonga: Endelea

Joseph Okitoi: Kwa hivyo, majina yetu yanaharibiwa. Hata ningeweza kuwaonyesha bila kuficha, mungeona kuwa kama location zile zilinyakuliwa, sisi tulikuwa na East Teso halafu

kesho yake tunaambiwa hapa ni North Bohayo. Naweza kuwaonyesha hata kwa kitabu ambacho kiliandikwa. Kwa ufupi, nimeandika machache hapa, mtaenda kusoma ili nisiharibu nafasi ya wengine. Basi wacha nilete kitabu niwaonyeshe.

Speaker: (inaudible)

Josph Okitoi: Hapa tu, page 11.

Com. Ayonga: Distict development?

Joseph Okitoi: District development book page 11, the map. That is the map. Look at this, East Teso

Com. Ayonga: Labda ungeweza kufanya photocopy ya hii?

Joseph Okitoi: Sawa sawa.

Com. Ayonga: Ili tuchukuwe, tukuwachie kitabu chako.

Joseph Okitoi: Sana

Com. Ayonga: Kuna mahali hapa tunaweza kufanya photocopies?

.....*End of tape 2 side B*

Com. Ayonga:ya page hii atuletee tutakapo kutana provincial round up.. kwa maana that is a very important document.

Com. Nunow: Umemaliza sio?

Joseph Okitoi: Nimemaliza.

Com. Nunow: Asante sana. Ningependa kukujulisha ya kwamba hii mambo ya mahari kulipwa, ambayo umesema ni katika mila ya Teso, tulisikia mahali kwingi ambako tumeenda. Wagiriama kule Malindi walituambia kwamba, usipolipa mahari, watoto sio wa mume. Huyu mtu hana haki ya ku-claim hao watoto kabisa, kama hajalipa mahari. Hiyo inaonyesha ni mila na umuhimu wa hio, sio kitu ambacho mtu anaweza kuamuka na aseme hii imeondolewa, kwa sababu ina maana kubwa na inashikanisha watu na ina tengeneza uhusiano mwema. Kwa hivyo musione ni nyinyi tu ambao mnasema, imesemwa mahali kwingi na mila nyingi na utamaduni mwingi, unalalia mambo ya mahari na hii inaleta jamii mbali mbali pamoja. Asante sana, tafadhali ujiandikishe na utupe hiyo karatasi umeandika. Oduari Chris.

Chris Oduari: Kwa majina ni Oduari Chris. I want to present a small part to the Commissioners. I am from this area and my part is very small. The people of this area feel that we should have a civilian oriented kind of government. This kind of government actually bestows powers on the citizenry. What is this power that we are talking that can be bestowed on the citizenry? We are talking on the power being the ability to carry and make decisions that are binding and if the people are actually given that power they will be able to help make decisions that are binding in their day to day affairs of the country. Why this form of government? Today's Presidential form of government in our country, has succeeded only in creating suspicion, hatred and many of such deep rooted Vices among the citizenry here in Kenya, hence creating personalities at the expense of the country.

This personality cult has enhanced such bad vices as corruption, power manipulation, tribalism, and psychopancy and even colonialism. It has denied people a say in the day-to-day affairs of their country. This has also gradually destroyed the very fabric of economic, political and social status of who will otherwise be the peoples' vibrant country. I recommend that we have an office of the ombudsman if actually this power is to be felt by the

people and that people also be taught to understand the essence, the functions and the effectiveness of such an office. Such that if it is properly functional, this office be able to decentralize power to the people.

In addition, with an effective office of the ombudsman, I will recommend that the government fully funds an office of an MP in every constituency in Kenya. Today you realize that most people in Kenya throng to the MPs homes and have made those homes their offices, the MPs offices such that at the end of the day when you are given a cup of tea down in the MPs house, your decisions or your own ability to be able to make a decision that could have helped you as an individual and also other people sometimes is compromised. We should wish that as an act, let it be enshrined that every MP has a constituency office, whereby he can tackle and talk to the people in the open.

With an effective of the ombudsman, we feel that everybody will feel and realize his place in the day to day affairs of the country. If we have such an office, it denies these MPs or the present kind of Presidential system of government, a chance to impose ideas that can otherwise not be managed by the people on the people. We believe that our point is taken and should be considered, so that power is felt by the people. Thank you. That is all I had for the Commissioners.

Com. Nunow: Asante sana Chris. Tafadhali ujiandikishe. Okaka Innocent. Karibu.

Innocent Okaka: Thank you Commissioners. My name is Okaka Innocent. I have a few points/suggestions to put across. Elsewhere you have been told that, land should belong to the community and I want to make this one categorical that, under whatsoever means, the land should be bought, if there is any way of buying by the people of that tribe and not any other foreigners to come around and try to intimidate the owners of the land. Because we have come to understand that, the kind of government that came in immediately after independence benefited those communities that had education for the first time and we realize that when the

railway reached Teso district, that's when education really took root and therefore we didn't have a chance to be in the first government. Therefore, it is those people who first got a chance to be in the government and amassed a lot of money and are now coming to intimidate Tesos by buying their land. We therefore recommend that our land is ours; we want intra-tribal buying of land, not inter-tribal.

The second thing is that we would like to have a situation whereby three quarters of the civil servants serving an area, should come from that area. I support Mr. Okondo's suggestion because we don't want foreigners to come around and they don't know our needs and are not sensitive to them. We want people from our community to have a bigger say in the administration. Another point is that, anyone who is in the office, through election should be subject to a vote of no confidence under whatsoever means. You can imagine what happened to the Kenya National Union of Teachers. If there was that chance, because it is the teachers who elected those officials, they could have been ousted out at the moment, because they have not done what the members are expecting of them. Therefore, I am recommending that whoever gets into an office through election, there should be that vote of no confidence if he is not delivering to the members.

Another thing is that, I would like to recommend the local authorities to belong to the community. Why am I saying this? We Tesos take a lot of pride in the local authorities like Malaba Town Council. There is a lot of money that that council is generating, but most of the money is going out to the central government at the expense of the welfare of the people the council itself. Constituency curving should be based upon the area covered because there are some areas that are unrepresented. For example, here in Teso, this is a vast place and we recommend that we would maybe be having more than one constituency. Another suggestion is that, there are so many commissions that have been set up in the country and some of them are crucial in a manner that, it enshrines all the people of the country. For example the Public Service Commission, the Teachers' Service Commission. I recommend that the Commissioners of these commissions should be people who come from all the corners of the

country to reflect the needs of its people. We don't want a scenario where one tribe takes so many people into a commission.

I also recommend that provincial administration, if there is any, to be put in place. All people should have an equal chance. If it is a PC, whatever we shall have recommended here that a PC's office should be scrapped and it hasn't been scrapped, then all tribes should have an opportunity to be there, because we are having a scenario whereby, one or two tribes are dominating the provincial administration. That is not right, we want a democratic country. I'm calling for the scrapping of directors of social institutions for example the Provincial Director of Education. I am recommending having a directorate in such an office and not a person who is a director. I recommend so many from different tribes to be involved in this office. For example, here in Western Province, we have different tribes that are put in but you only find one director and then that director will have to favour its community. We are saying no to this.

I recommend also the scrapping of the Permanent Secretary's office. There should be no chance for somebody to become a permanent someone in an office, it is very unfair and causes abuse of office. People should be there in a stipulated time and not be permanent there. That title of permanent secretaries should be scrapped.

Com. Ayonga: Now, is it the title you want scrapped and replaced by what? Will the services remain the same?

Innocent Okaka: I am recommending that the title be scrapped and be replaced by a group of people, who will serve the interest of all the Kenyans, because we want a scene whereby decisions are made by many people and not an individual.

Com. Kangu: Today, the holders of those offices have nothing nearer permanent. They are hired and fired on radio at will, so is it just the name, because as far as we know, those people

are some of the people whose jobs are so precarious, you never know when you will be fired?

Com. Nunow: Okaka, maybe you could finish your points then you could take up responding.

Innocent Okaka: Yah

Com. Nunow: Just run through your points first because your time is running out.

Innocent Okaka: Another suggestion is that for we Tesos, we have cultural unions for example, the Iteso Cultural Union. We are saying that we want our cultural union to have a bigger say, and therefore be involved in the running of the affairs of our community. The outgoing President should not be allowed constitutional to publicly campaign for a candidate who is going to run through. Because, in this scenario whereby the KANU President is going to go through the life just the same as the out-going President. I recommend that, there be put an age limit for voters, because if you come around and bring someone is over 100 years using a walking stick to come and vote, who is she or he voting for? That is somebody who doesn't even know what s/he is voting for, there should be an age limit, maybe 75 years or 70, so that those who are above that should only be opinion leaders trying to guide others and not vote.

Because this is a new constitution that we are making, we realise in the other constitution that some of us have not had access to it. We ask that the new constitution be exposed to the people to see whether what they recommended is in place. We want to have the constitution accessible to all Kenyans, either in an officer in an area where all people can have access or even in a public library. All types of liquor should be allowed. According to the little chemistry that I learnt in my secondary education, I find that it is only methanol that is dangerous to human life but all classes of ethanol whereby we have chang'aa is not

dangerous if you don't take a lot of it. Therefore "kumi kumi" which is methanol and we don't recommend, chang'aa is alcohol that we recommend people to drink and also this traditional brew.

Com. Nunow: Finally,

Innocent Okaka: Finally, on the same note, I want to give you an analogy of safari cane and chang'aa. What is the difference for those who have tasted safari cane and chang'aa? The content is the same and therefore I don't see the reason as to why chang'aa is not allowed. The final one is that police torture should be scrapped. If someone is given an arrest warrant, he should be taken directly to court to be proved guilty, because the Kenyan rule states that 'one is innocent until proved guilty'. This scenario where the police are harassing and torturing people in cells should be scrapped. Thank you.

Com. Nunow: I think you have been given a series of questions, there was Commissioner Kangu's question on the directorship and whether those people are not permanent they are appointed. They are hired and fired in very strange ways. Is it the services they render that you want to be all-inclusive or it is the title so that you have more people sitting there but the services remain the same. Then, on your last point you talked about police brutality. I can assure you that it is illegal already and all the torture that you people go through is illegal, not allowed by the law. So, I don't think how much more it can be made legal, so it is that implementation probably that requires to be enforced. You also talked about voting limit of people of 70 or 75. Doesn't it then mean that those above that age will not be represented and therefore, in a democratic society, when you exclude certain sections of society from representation and participation of election, then you are no longer talking about democracy. How do you reconcile that? Maybe you could take down the questions together.

Innocent Okaka: As per the age limit, I only say that these people should just be given a chance to be opinion (inaudible) dealers and those who suggest what they are thinking of and

therefore in such a manner we are saying that we are democratic because we have given them that chance to suggest on what they (?). Because somebody who is more aged should not be given that chance because he doesn't know what s/he is doing. When you bring a mzee who is walking with a stick, what do you think she is going to vote for? She doesn't know.

Com. Nunow: Endelea

Innocent Okaka: Permanent secretaries, I was suggesting that word to be scrapped because it means something different because if you are not permanent, if you are hired and fired, why should there be that name that you are the permanent secretary. Therefore, when I recommended that we need a group of people to run such an office, I think that could ensure some efficiency rather than an individual being in an officer and trying to serve us.... because we want people to get employment. You can find that a permanent secretary is clobbering alot of money, 65,000 entertainment alone, whereas other Kenyans have no money. This is very bad.

Com. Ayonga: Make another point

Innocent Okaka: There is nothing else I can put across.

Com. Ayonga: I have a question. Mr. Okaka, you talked about the cultural union of Teso people and I think one would assume that in a culture, the wazee have a very big say in the observation of the culture and here you are telling us that the wazees of 70 and above should not be involved in electing their leaders. Aren't you contradicting us? What is a culture without wazee? Is there a culture?

Audience: No.

Com. Ayonga: A culture that wants to wipe away all the wazees and leave it with their

children, younger people who do not even know about what the culture means. If I could ask this group sitted here today, how many are 70 years and above? You would see many people here and these people are still strong in their minds, they have got leadership qualities and infact, immediately after you, I am going to ask the Chairman to call for the elders now to speak. Thank you.

Com. Kangu: Mr. Okaka you have raised a very interesting point on deciding who can participate in governance already on the basis of age we exclude people below 18. Infact they constitute the greater part of the Kenyan population. Now you are saying we can also go up and exclude the upper level. My worry is, where do we put an end to this, because the other time we were in Nyanza, and someone told us that at every given time there are three groups of people. He said there are those who make things happen, those who watch things happen and the majority are those who just don't know what is going on, they are just there. Moreover, according to him he was saying, those ones should not be allowed to vote. So where do we put an end, I agree with you that governance requires certain qualifications and that is why we exclude people who are below 18, because we are saying their mental capacity hasn't developed to a level of participating, but the point is, where do we put an end in deciding who should participate and who should not?

Com. Nunow: This is not for you to answer, but what I am about to ask you is just a comment which is, in any institution someone has to take responsibility. I am pursuing the point where you say, a group of people to discharge the responsibility of the permanent secretary, with a view to having that group being representative of different groups and diverse interests. That is equivalent to saying that we should have a number of Presidents in the country, because there are many communities and one person then enjoying all those powers will not know what other people need. So let us have say 42 Presidents or 8 Presidents, because there are 8 provinces making decisions together, then the whole element of responsibility and accountability will disappear, because any group of people or entity must have some individual, one single individual answerable. That is why we have a Chairman of

board of governors, we have a Chairman in any group of any committee, that is why we don't have a constituency constitutional committee and a chair person, because that is the ultimate person answerable for that exercise, so that is for you to ponder about, you don't have to answer it but answer the rest.

Innocent Okaka: Thank you very much. As for the question of one the Commissioners that which is the age limit that they should give across, let me give you what I have been reading through. When you have to calculate the dependency ratio in a country, there is always an inclusion of the young people below 18 and those who are above 65 and this means that the production lot should have a bigger say, that is what I am trying to put across. Therefore, about the age limit, you can go out there and try to decide for yourselves but I suggest there should be an age limit. Thank you.

Speaker: (inaudible)

Com. Nunow: Thank you very much. Ujiandikishe tafadhali. Nitamwita Mzee Athenas Aluku.

Athenas Aluku: *commissioners ajasi eong kalakara*

Translator: Mimi nina furaha,

Athenas Aluku: *kanukusi adoluni teso district.*

Translator: Kwa kufika hapa pahali pa mkutano.

Athenas Aluku: *eong aria la lomuti kochakol division*

Translator: Mimi natoka sehemu za Chakol division.

Athenas Aluku: araiti lemu eong lokesianakinan

Translator: Nilikuwa mwalimu.

Athenas Aluku: *adawongo ka kwap kana ikaru luakaisi akanyikauni*

Translator: Nimemaliza, kwa umri sasa ni miaka themanini.

Athenas Aluku: *nesi abu eong kanyu akiro nu ipuwak noi alomun koteso kane nu ibusakiti
ajenuni ejokona akitodol*

Translator: Kwa vile umri wangu ulivyo, nimeona mengi ambayo nataka niwaelezee.

Athenas Aluku: *nuka akidoun ikoku*

Translator: Kuzaliwa kwa mtoto,

Athenas Aluku: *emamu ikoku ni emumu papakeng katongkeng.*

Translator: Hakuna mtoto ambaye hana baba na mama.

Athenas Aluku: *aumokito eong anyuni ebe abalasi itunga iche ebe ejasi idwe arasi toto
bon kiton papa bon.*

Translator: Nilishangaa sana kusikia wengine wakisema, mtoto hana baba, mtoto hana mama.

Athenas Aluku: *apugan nako kenya kojenu ebe ngin ikoku ejasi kapapa kiton toto.*

Translator: Serikali yetu ya Kenya lazima ijue ya kwamba mtoto yeyote lazima awe na baba na mama.

Athenas Aluku: *Iteso kedum apese akoki emum etelepat kejenuna mam ngini kerai toto*

Translator: Kwa Wateso, msichana akipata mimba ya kijana ambaye hajulikani, hiyo si desturi ya Wateso.

Athenas Aluku: *ibusakiti alimor nesi papakeng ki ikoku.*

Translator: Lazima huyo msichana atambue baba wa mtoto huyu.

Athenas Aluku: *kanukangun imamu ikoku emam papa emamu ikoku ni ejasi katoto bon.*

Translator: Kwa hivyo hakuna mtoto yeyote ambaye hana baba na mama.

Athenas Aluku: *Idouno ikoku ngini ejasi ipuchito luibusakiti asoma.*

Translator: Mtoto huyu akizaliwa, lazima kuna zile sherehe ambazo tunazipata,

Athenas Aluku: *Ipuchito kitoni ikisila.*

Translator: Sherehe za kimila.

Athenas Aluku: *kwape kiteso kerai ikoku ikatekit papa ikatekit ikoku ngina erai ekatekit.*

Translator: Kwa vile mtoto, baba akiwa mkatikiti lazima mtoto achukue jina la baba mkatikiti.

Athenas Aluku: *emamu aberu na ejasi kikoku bon.*

Translator: Hakuna mama ambaye anaweza kuwa na mtoto peke yake.

Athenas Aluku: *kanukangun ikoku erai nika papa toto erauni nako kitekere kapapa.*

Translator: Mtoto ni wa baba, kwa hivyo mama awe ni wa huo ukoo wa bwana.

Com. Nunow: Hallo, can we have silence.

Athenas Aluku: *karaute toto ibusakit toto ngini akitupu iponesho lukokitekere ko kileni keng.*

Translator: Kwa hivyo huyu mama akiolewa, lazima azifuate zile sheria za hiyo boma ya huyo bwana yake.

Athenas Aluku: ekirori kikoku elomuni kama kaluka kokitekere kalo emanyitore toto

keng.kitoni okitekere kapapa.

Translator: Mtoto akizaliwa apewe jina la hilo boma, kwa ukoo ya bwana.

Athenas Aluku: *imamu ikoku ni itesot ni edauni aparasia emamu kedumut ekiror.*

Translator: Hakuna mtoto ambaye anaweza kuishi bila kupewa jina.

Athenas Aluku: *kosodi kopalikisi itunga alimonokini ikulepeke ekiror ikoku emamu kingisto lukauriaka keng.*

Translator: Kwa sheria, hakuna mtu ambaye anaweza kumpa mtoto jina bila kupata idhini kutoka kwa wazazi wa huyo kijana.

Athenas Aluku: *kanukangun idwe kajokisi ejasi kekitekere*

Translator: Kwa hivyo watoto wote lazima wako na ukoo.

Athenas Aluku: *etelepane kitoni epesurane.*

Translator: Sasa, ujana na usichana.

Athenas Aluku: *etelepata bon nesi emanyi*

Translator: Ni kijana ndio anaoa.

Athenas Aluku: *mamu apese kemanyi.*

Translator: Msichana hana uwezo wa kuoa.

Athenas Aluku: *kojenutu etunga ebe adoto kona aberu de emanyiti ikilioko.*

Translator: Sio watu wafikirie msichana anaweza kuoa bwana.

Athenas Aluku: *ekiliokit bon nesi emanyi.*

Translator: Ni kijana ndio anaoa, sio msichana kuoa kijana.

Athenas Aluku: *iponesio ngulu ariokata.*

Translator: Desturi kama hiyo ni mbaya.

Athenas Aluku: *ibusakiti apugani ajenuni nu ebe mamu kejokuna aberu*

Translator: Ngoja kidogo

Audience: Noise

Com. Ayonga: Tafadhali, hatujui ni kitu gani nyinyi mnasikia ambacho kinawafanya kuongea wakati mzee anapoongea.

Speaker: (inaudible)

Com. Ayonga: Ngoja. Nadhani Commissioner Kangu alipoongea juu ya tararibu, bila shaka alisema kila mtu anaposema maneno yake tunayaheshimu. Mtu anaweza kuja hapa na aongee vitu ambavyo wewe hupendezwi navyo, lakini kwa muda ule tumempa, tunakata mnyamaze ili tuchukue maneno yake, na wewe itakapo kuwa nafasi yako, utakuja uongee namna yako. Si ndiyo?

Audience: Ndio

Com. Ayonga: Tafadhali tuonekane kwamba sisi ni watu wa heshima na tufuate heshima hiyo. Kama pengine kuna yeyote hapa ndani ambaye amechoka na anataka kuongea na rafiki yake maneno mengine, kule nje mimi naona kiwanja ni kikubwa. Unaweza toka pole pole mkaenda mkaongea huko. Hapa sio pahali penu nyinyi kuongoea. Hapa leo ni pahali petu sisi kusikia Wateso wakitoa maoni, ndio sababu imetuleta hapa. Ni kikao chetu, na yeyote ambaye ameingia hapa ndani, amekuja ili atupe maoni. Kama hauna maoni ya kutupa, njia ndio ile, lakini tunaamini ulikuja hapa kwa kutupa maoni. Si ndiyo maana yake mliacha kazi zenu?

Audience: Ndio.

Com. Ayonga: Na kama mliacha kazi zenu kuja kutupa maoni. Mbona tena muanze kupeana maoni? Sasa hiyo mnayofanya hapo ni mambo yenu na hii haileti heshima hata kidogo. Kwa hivyo wacha huyu mzee amalize maneno yake. Bahati mbaya ni kwamba sisi hatuosikii na hatufuati. Na tena, mnapo ongea inafanya kuwa vigumu sana kutosikia anayoyasema. Natumaini tutakubaliana na tuheshimiane na tufuate mila ya Kiteso, kwamba mzee akiongea, wazee na vijana wengine hufanya nini?

Audience: (?)

Com. Ayonga: Wananyamaza na kusikika mzee. Na akisha maliza, mzee mwingine asimame. Na kama kuna kijana ana busara, atanza kutuambia, la wazee, hapo ingiwa mnasema hivi, hii haitusaidii, tungalipenda hivi. Hiyo ndio kanuni. Mzee tunataka na wewe sasa, kwa kutusaidia, usituambie story tu za Wateso, jinsi walikuwa wanafanya hii na hii, tunataka pia utuambie sasa, tunataka jawabu la namna hii, ninapendekeza hivi. Pengine hayo maneno unayosema, sisemi kwamba si kweli, ni kweli lakini tunataka pendekezo. Wewe unatakaje? Na dakika zako ambazo zimebaki ni ile tu ambayo tunakupya ya juu, dakika mbili umalize.

Athenas Aluku: *elipiti eong apugan kochamaki iteso akitosoma iboro kwape ekototore iteso kokisila kec.*

Translator: Mimi naomba serikali ama katiba isaidie huu utamaduni wa Kiteso uwe vile ulikuwako.

Athenas Aluku: *kopokona konyete alipiti eong iteso kisisianakisi idwe kec ekipone loka akitolosite ikisila kec.*

Translator: Hasa kabisa, naomba Wateso wafundishe watoto vile wanaweza kufuata

utamaduni wao.

Athenas Aluku: apugani kiiki iteso akitosoma akituk kec kangoliwai.

Translator: Serikali ikubali Wateso waendeleo kuongea lugha yao bila kizuizi,

Athenas Aluku: *akisoma de ka agiri de*

Translator: Kuandika na kusoma.

Athenas Aluku: *ajasi ikitaboi lu ilesikino iteso kosukulino akitosoma teter ajenunete kojokani iboro kec.*

Translator: Kuna vitabu ambayo vimeandikwa kwa lugha ya Kiteso, kwa hivyo nasisitiza shule zitumie hivyo vitabu ili Wateso waendeleo kujua lugha yao.

Athenas Aluku: *mamu akirebokin imojonga ejori katukono kanuka etukonokinototore itunga ajenuni akiro nuka alosite kingarene.*

Translator: Naomba tena mkubali wazee nao waendeleo kujifunza, ama kueleza yale ambayo yanatakikana vijana wajue ni nini ambacho kinaendelea.

Athenas Aluku: *adisi ngun bere nuajasi kango.*

Translator: Ni hayo tu machache. Asanteni.

Com. Nunow: Asante sana mzee kwa hayo. Tafadhali mwelekeze pale ili aweze kujiandikisha. Festus Omoding.

Festus Oboding: My names are Festus Oboding, former county council Chairman of Busia County Council. Commissioners, I am very grateful to have this opportunity to come and give my views to you. I believe these views will go into our new constitution of this country. I would like to suggest the form of government that will be in the new constitution. This should be a unitary government. Why I suggest that it should be unitary government, we said

that because of the minority tribes in this country. So many people are talking about majimboism. Majimboism will make minority tribes in the country suffer ,because they will not be respected.

Leadership in the government; we should have a President and a Vice President, Prime Minister and two deputy Prime Ministers. Each of this should have different powers in running the government. I move to the judiciary, the courts in the country should remain as the arm but as far as Tesos are concerned, they should be a court of elders in Teso which will be dealing with affairs concerning the Teso tribe. In our current constitution, the cultural council of elders is silent and this should go to the new constitution.

I go to boundaries. In 1962, there was a commission from London, which came and identified the Teso boundaries and they have not been honoured. I am very sorry I cannot produce the map now, but it is there, which gives the boundaries of Teso apart from other friends of ours. And these boundaries that the London commission indicated, should be honoured in the new constitution as this will avoid the problems between the Tesos and our neighbours.

Land being a very sensitive issue, there should be a special Teso court of elders which will be looking into the problems affecting land because the current constitution is not really very clear on how land is being solved in the community. Land issues should not go direct to courts, the issues of land should be handled by the local elders who know how the boundary was being run. If such cases go to court, it becomes very expensive; a lawyer will need probably so much money from a person who is not able to raise that money and definately whoever is able, will take the land from this poor man and we shall not be safeguarding the poor men.

Ministry of health; there has been alot of problems; people in the country are dying simply because of cost sharing in the medical institutions. This should not appear in the new

constitution. This question of cost sharing in government hospitals should be abolished immediately. People should be treated as they go because when Jesus was curing people, he never demanded any payment at all, so we strongly suggest that cost sharing in government institutions should be scrapped.

In education, without proper education in the country because of our youth, the country will not develop, so I have suggestions. My suggestions are.....

.....*End of side A tape 3*

Festus Omoding:standard four, that is lower primary education. Then from 4-8, that is upper primary where our children will seat for national examination. Those who will qualify to go to secondary schools should go to form 1-6, not form 4. By then, we shall be producing able students to go to university, because we are forced to compete with other countries in the world. There are some countries that do not accept our students from form four to join their universities, so anybody who has finished form 6 is capable of being admitted to any other university in the world.

My final suggestion, I don't recommend, the question of recommendation is between you Commissioners. We just give our views and suggest. MPs are elected after 5 years. we do not see why they should be pensionable, they are politicians. Because when you are an MP, for the first five years, you are not sure of going back, so why should you be pensionable, which means you are going to earn the tax-payers money without doing nothing. Therefore, that question of MPs being pensionable, should not appear in our new constitution. Chairman of the Commissioners Sir, I think those are my few views, which I thought of presenting before you. It is now going to be entirely up to you to digest and see whether they are worthy of going to the constitution or not. Mine was to suggest and not recommend.

Com. Ayonga: Thank you mzee kwa maneno yako. Sasa hiyo karatasi yako utatuwachia

kule na uweke kidole kama kawaida

Festus Omoding: Thank you very much.

Com. Ayonga: David Papa. Anaye mfuata David Papa atakuwa Dick Omukanga. Tena mumeharibu.

David Papa: Mr. Chairman, this very esteemed Commissioners of the Constitution of Kenya Review Commission, I wish to give my views, about three issues, but before I do that, I was seeking your guidance. The next presenter is a town clerk in Kitale and he had some comment so he gave me his presentation so I don't know whether after mine I could take time to present his?

Com. Ayonga: You needed guidance.

David Papa: Ndio

Com. Ayonga: I will give you guidance. You will not present on his behalf, you will present by submitting his memorandum there. You would say I am now presenting a memorandum for xyz, then you would sign on his behalf, but for now, give us yours and you know you have only 5 minutes. Please battle with that, make your main points and then we allow you to present his.

David Papa: Thank you very much for the guidance. The three areas I am covering...

Com. Ayonga: First give your name.

David Papa: Sorry. My names are David Papa, I am a former educationist. The three areas I would like to cover in my presentation are one; recognizing and respecting of the rights and

equality of the minority groups of Kenya. Two, the need for some safeguards to protect the small tribes from the onslaught of the big fish and finally pension benefits laws need to be revised. It is my wish sir and prayer that in the new constitution of the Republic, more communities of this country will receive special attention and greater care both in spirit and later than hitherto. Now and then in the past, it has been so disgusting to hear and observe the extent to which some Kenyans think that they are more Kenyan than others are. They make utterances in the print media and act as though only they know whom the true Kenyans should be. We the Tesos, feel publicly abused by some neighbours and are regarded and classified as third-rate citizens and even branded Ugandans. This insults and intolerable acts should be checked and outlawed. Surely Commissioners, who in this country does not know that the basic truth is that all the people of Kenya are products of past history of ethnic migration and settlement in new areas. The colonial territorial boundaries that created Kenyas autonomy was an imposition by foreign imperialist powers. If there are any foreigners in Kenya not qualified to be Kenya citizens, these certainly cannot be the Teso who firmly established their homeland settlement in Western Kenya in the perion 1840-1880AD before imposition the position of British rule. It is with this in mind sir, that I move to appeal to this very distinguished and historically informed commission to give added emphasis to sections dealing with fundamental rights and equality of all Kenyan citizens and further enhance adequate protection for enjoyment of this rise and freedom utterances of the kind adhered to should begin to violate the rights of fellow citizens and remain an act against fellow countrymen. The significance of being one nation of many lives who are equal needs to be quaranteed in the constitution.

Some safeguards for the small communities. The truth of the matter is that in Kenya today, the tribal affiliations and considerations of the upper most factors in all considerations. The new constitution must become the guardian and good wise old man, that takes care of all alike, wishing to forget no one and favouring none either. Obviously, by sheer factor of numerical superiority, this has been inferiority; the Teso for instance should not be expected to compete favourably in an open market with the heavy weights like the Kikuyu. There is

need for some safeguards to be provided to protect the weaker communities.

The new constitution in my mind should entrench the spirit of district focus for the development of all. The district should become the focal point of all political, economic and social consideration. Government allocation of resources and provision of services should be on district quota basis. Every district, regardless of size and population members should be entitled to at least 2 voices in the national assembly, that is 2 MPs. Where an administrative division in one district qualifies to become a constituency, the same should apply in all other districts. While this should be the case, we in Teso district should be having 4 MPs and not one.

A glance at the national water registration figures also exposes the gross injustice metted out to small communities like the Teso. According to registration figures of 1997, Teso had a water registration numbering 52,923. Elsewhere, the figure is given as 53,291 and it is represented by only 1 MP. Looking at the neighbouring district of Busia Budalangi with a figure of 19,594 has 1 MP. Funyula with 25,221 has 1 MP. Futula with 28,576 has 1 MP and Amare with 1, a total of 4. For a little more clarification of this point sir, other interesting examples are as follows: - Tana River district for example with a voter registration of 53,575, almost like Teso has a total of 3 constituencies. Lamu with 31,674 registered voters has 2 MPs. Garissa with 56,789 voters has 4 constituencies, Wajir with 58,413 voters has 4 MPs. The commission surely should address itself seriously to these anomalies. My own suggestion to the commission is that, it should adopt the minimum number of representatives by each district in the first place, then the additional seats for districts should be based on other factors such as population, geographical factors and so on. The real success of the district strategy, the national government should be oriented to accept the district as the focal point, because they are closer to the people and more adequately reflect the wishes of the populace in each area. The government should execute its functions partially and fairly as the agent of all the people on the basis of equal treatment and distribution of services and also resources every where.

Third and last point, there is need to revise the pension benefits clause. The financial crisis that face the country in the last few years has confirmed that the pension benefit scheme as it operates is now outmodeled. There is need to revise the laws to harmonise them with the contemporary economic trends. The calculations of what a pensioner is entitled to each month, which was carried out at the time of retirement, should be reviewed periodically as is the case for officers still in service. This should take note of the fact that economic crisis, when they occur, affect everybody.

Com. Ayonga: Na ya mwisho?

David Papa: Revision in salary scale for serving officers, should proportionately upgrade the earnings of a pension officer as per the established job group. Let me conclude sir by requesting that the constitution should make an effort to eradicate favouritism and discrimination in rewarding citizens of services rendered to the republic. When in one country some public servants are awarded salary increases that are astronomical, 200% to 500% while others are awarded token increases of 5% to 20%, then there is a disease that our constitution needs to diaganise and find a cure. On a final note, the constitution should not forget the list of the brethren in (inaudible). They played a pivital in the affairs of the community but have been neglected and forgotten for too long. They should be paid like other public servants. That is my brief presentation. Thank you sir.

Com. Ayonga: Thank you (?)

Speaker: Ngoja kidogo, iko swali ya Commissioner.

Com. Ayonga: Bwana Papa, I would like you to do atleast more thinking. You have raised a number of issues, which we have heard in other places and you must think out solutions. One is the issue of the fact that we are a country that was lumped together by the colonialists,

people from different ethnic groups. Some big, others small. And the fact that we want, if we are going to live together, respect each other, take care of the interest of each other. And then the issue of the constituencies, you have emphasized the aspect of population and of course other aspects like geography has been taken into account (?) it is true, we have also been to other places where you get a very small population are people who occupy a very vast area. For example, Turkana district, which is the largest in this country, is bigger than Western province, Nyanza province and Central province put together and that district has 3 constituencies. Therefore, we really need to think and come up with good solutions.

The Americans had a similar problem, when they were doing their constitution. Some people were saying, let's go by the population, others were saying we must take into account other factors and they said we must balance and their solution was, let us have a bi-cameral system an upper house and a lower house. So, in the house of representatives, they went by population but in the senate, they went by states and they said whether you are a big state, a small state, a poor state, a rich state, each state will be represented by 2 senators in the senate. In that way, they have been able to balance between the big states or states that have bigger population or are richer than others and the fact that even the poor ones or smaller ones can have growth. Can we think of a senate that will have representatives from tribes on an equal basis, regardless of population or (inaudible)

David Papa: Your thought there Mr. Commissioner is kind of running in line with mine. When I was stressing the district with the focal point and I said of all political, economic and social considerations, perhaps that could be an idea that we could have an upper house but based on district and not province. Even here I am mentioning that basically each district should have 2 MPs.

Com. Ayonga: Why not (inaudible) because some districts (inaudible). We have a problem when we are saying, if you go federal, the Tesos will feel marginalized among the Luhyas. Therefore, even if you go district and you are a district that has two or three tribes, there will

be those who will feel being marginalized in the district. How do you (?) that?

David Papa: We are already having a similar problem in Mount Elgon. The Saboas were complaining they were being marginalized by the Bukusus and when they were given their district, certain Bukusus found themselves in that district and they are being marginalized and that is the strangest thing about human beings. That when you are on the receiving end, you complain but when you get an opportunity you also start marginalizing the small ones amongst you. how do we deal with this?

Com. Kangu: Well, I cant pretend we can find the answer in this sitting but I think the point we were making here as a community, that the overriding factor to us should be the community interest and that one should be given a lot of considerations. How to merge with this kind of cases you are mentioning, a bit of education then might be necessary. To educate people to be tolerant, because there is a limit to which we can accomodate even small communities. However, as for now, I think since Teso is a district, we could start from there.

Com. Ayonga: Thank you. You had that other one, which you read the name of the presenter and then you will sign on his behalf

Dick Papa: Mr. Chairman sir, the other presenter is Dick Omukanga who is a Town Clerk in Kitale. He has presented his paper covering three areas; provincial administration, elections and the land law. Thank you.

Com. Ayonga: Thank you. If you can present it there and sign on his behalf as well. Morris Karani? Morris Karani.

Morris Karani: Mimi naitwa Morris Karani. I am a former civil servant working with the Ministry of Lands and Settlement. I have 3 issues to put forward. One is about the protection of the members of the public. This one comes about when a suspect is being

arrested and taken to police cells and tortured. Later on, the man is found not guilty and is left for dead. Please Commissioners, it is my appeal that this type of law should not be encouraged to continue and I am appealing to this new constitution that, that kind of torture should be scrapped.

Secondly, we also have this issue of land succession. This land succession issue is very costly to the family because one has to look for a death certificate, file a case in court, which goes upto about 3-5,000 shillings and to a common man, this is very difficult. Please Commissioners, let there be at least a solution to this kind of act. Let it be ammended so that the Chiefs can be the end to this issue. After the death certificate, the Chief recommends and everything becomes final.

Thirdly, we have this issue of marriage, not really in Teso alone but this is nationwide. This marriage certificates are causing suffering to some members of the community. Today, if my son was working in Nairobi and he marries a Kikuyu, he walks to the DCs office and registers his marriage there, without the parents knowing. Incase of any death, the lady walks to court and succeeds everything and leaves the parents poor. So this kind of law, I suggest should be checked.

Com. Ayonga: We want you to tell us exactly what you want to happen. When your son marries in Nairobi and marries a Kikuyu, tell us what procedures would you like to take place, because they are going to be married and they are going to marry.

Morris Karani: In this case, if my son marries a Nairobiian, let them register their marriage in the birthplace of the husband, so that this can be known to the parents that my son and a daughter of so and so have married. So that incase of anything, even the father benefits.

Com. Ayonga: I don't know about marriages, because I am a pastor and I conduct marriages. When a boy or a young man wants to marry, he officially registers. He gives

notice of his marriage for anyone to see that and if there is any objection to come. I think this applies, I am asking my legal friend here Commissioner, and he tells me it is 21 days and since it is 21 days, you can notice that your son or daughter has made that necessary notice. The fact that you did not see the notice or you did not read the notice is going to cause problems. If you say they register here at home, that should be the responsibility of your son and if your son does not do that, how do you want someone else to force him? In addition, even if he registered that in Busia, lets take that as an example. That notice won't go to every constituency.

Morris Karani: Mr. Commissioner sir, I think I am talking from experience

Com. Ayonga: Yes

Morris Karani: I have even witnessed a Kenyan marrying a Ugandan and that was in Busia and this young man registered with the administration and later on the boy had an accident and he was Luhya and the lady who was Ugandan matched off with everything because she had a certificate. This is what I am talking about and it is not just for my benefit but also for the whole community. Thank you very much

Com. Kangu: Just one moment

Com. Ayonga: Ngoja kidogo, hapana kimbia

Com. Kangu: The issue you are raising I think it is getting clouded abit. The problem I know which Kenyan parents are raising and which you mentioned in passing is, whether parents have a right to inherit from their children and if they do and the spouse also has a right, whose rights take priority or how should they share between say my wife and my father, who should have first place? Whether my wife can inherit everything from me and leave my father with nothing. The current law which is English based, seems to give priority

to the widow, then moves to the children, before the parents come in and maybe that is the issue we need to address. As Africans, do we want to continue with that kind of system of inheritance or do we have our own African ways of inheritance, and if so, how do we provide for them to guard against that? I think that is the problem many Kenyan parents have, which is not whether their sons marry Kikuyu or Taita ladies in Nairobi and Mombasa or whether they marry in church. The fight always arises over property. So that is what you should be telling us. Do you think wives of your sons should inherit everything or do you want to share with them, do you want the law to provide that you share with them or what?

Morris Karani: Mr. Commissioner Sir, it is my suggestion that, the two parties benefit from the assets or whatsoever savings that were there, that is the lady, the children and the parents of the son and also of the lady. Two parties should be beneficiaries of this, because I don't intend to say that it is only one side to benefit. Also to sum up Mr. Commissioner Sir, just to put in something little, that in the new constitution, I also suggest that an office of the Prime Minister, be provided in the new constitution, because the issue of an executive President I think is causing some intolerable suffering to the members of the public. Thank you Mr. Commissioner.

Com. Ayonga: Christopher Omuge? After Christopher Omuge I am going to change times because we are already past one o'clock and when it reaches that far we change our timing.

.....*End of tape 3*

Christopher Odera: Asante sana. Kwa jina ni Christopher Odera na nina maoni, kuhusu Chief na Sub-Chief na Luguru katika area. Maoni yangu ni kwamba, unaweza kuta Chief anaendelea na kazi na anakula mshahara. Unakuta Sub-Chief pia lazima anafanya kazi na anakula mshahara lakini maoni yangu ni hivi, na huyu mzee wa area kama Luguru, kwa nini yeye anasahuliwa na serikali na yeye ndiye anajulikana katika area? Hata Sub-Chief hajui watu wa area, luguru ndio anajua.

Com. Ayonga: Kwa hivyo tuambie Luguru afanyiwe nini?

Christopher Odera: Nilikuwa naomba hivi, serikali ifikirie Luguru pia apate kitu kidogo yakumsaidia.

Com. Ayonga: Sema, mbona unaogopa? Tuambie unataka apewe mshahara.

Christopher Odera: Mimi nataka wapewe mshahara.

Com. Ayonga: Point hiyo imefika.

Christopher Odera: Kwasababu vile uko hapa Commissioner, ukienda nyumbani.....

Com. Ayonga: Wacha yangu.

Christopher Odera: Sawa sawa.

Com. Ayonga: Maoni yalioyokuleta hapa si mimi.

Christopher Odera: Okay. Nilikuwa naomba hivyo. Pia nina maoni ingine.

Com. Ayonga: Sema hayo maoni

Christopher Odera: Kuhusu watu wa kununua shamba. Mtu anaweza kununua shamba lako na inafaa aharakishe ili muende kwa Lands na mpate namba. Unaweza kumkuta anakaa tu kwa shamba lako na hana namba na wakati unapata shida kwa mfano umekufa, yeye atasimama hapo na kusema shamba hiyo yote ni yake na alinunua tu mahali alikuwa anahitaji, pia yeye apate namba. Naomba serikali ikumbuke mambo kama hayo kwa sababu watu kama

hawa wamenyanyasa watu wengi sana.

Com. Ayonga: Okay.

Christopher Odera: Maoni mengine ni kuhusu utamaduni wa Wateso. Kutoka zamani, hata mimi nilikuwa nikiona wazazi wangu kama wanatengeneza pombe ya kuuza. Wakati mwingine mtoto amefukuzwa shule na hakuna vile unaweza pata pesa ya kumnunulia vitabu au kalamu. Siku hizi, watoto wengi wanarudi kukaa nyumbani, kwa sababu ya vitu kama hivi bila wewe kujua kwa nini mtoto anakaa nyumbani. Umekosa mahali pa kutoa pesa na ukitengeneza pombe unasikia askari wanapiga hodi kwa boma lako. Pengine mtoto amefukuzwa na huna namna ya kupata pesa.....

Com. Ayonga: Sasa tuambie unatakaje.

Christopher Odera: Nilikuwa nataka hivi, hiyo maneno ya watoto kufukuzwa nyumbani, serikali ingesaidia wakina mama ili watengeneze vitu vyao vidogo vidogo vya kuwasaidia kununulia watoto vitabu.

Com. Ayonga: Asante. Sema watengeneze pombe, hapana kitu yao.

Christopher Odera: Watengeneze pombe. Kiswahili pia huwa namna hio.

Com. Ayonga: Neno la mwisho?

Christopher Odera: Neno langu la mwisho. Kuna shida ya magonjwa tofauti na watu wengi wamekufa sana. Unaweza kuona mimi ama bibi yangu amekufa na ameniwachia watoto. Mimi ninaweza kukosa njia ya kuwasomesha watoto na pia ninaweza kufa na niwaache watoto. Watoto watateseka na watu wanaweza kusema eti wana watu wao nyumbani. Kama nyinnyi nyote mmekufa, watoto bado watateseka. Watoto pia wanaweza

kufa kwa sababu ya kuteswa. Serikali pia ingefikiria kitu kama hicho.

Com. Ayonga: Asante sana. enda kule ujiandikishe. Niliwaambia kwamba ikifika baada ya saa saba tunabadilisha mtindo. Tunabadilisha mtindo kwa sababu najua hata Commissioner Kangu asubuhi aliwaambia kwamba nyakati zingine tunabadilisha mtindo. Mnaona jinsi nyumba imejaa?

Audience: Ndio

Com. Ayonga: Angalia nyuma muone

Audience: Tumeona

Com. Ayonga: Si nyumba imejaa?

Audience: Imejaa.

Com. Ayonga: Hao wote hawakuja kusikiza. Kuna wengine wengi kati ya hawa wanataka kuongea na kwa hivyo ili yeyote asije akaenda nyumbani na neno moja ambalo lilikuwa na maana, hasa hawa ambao wanaenda kusema tu. Unajua mtu aliye andika maneno, yeye tunaweza kumuambia saa imekwisha, andikisha hayo maneno yake na uweke kule, tutaenda kusoma. Lakini huyu mtu ambaye hakuandika kitu tutachukua kweli yake?

Audience: Hapana.

Com. Ayonga: Sasa ninataka kubadilisha mtindo namna hii, sasa tunaenda kwa dadika tatu. Tumekuwa tukiwapa dakika tano, lakini mumekuwa mkiongea kumi. Wengine mnaongea kwa kumi na tano, mpaka wengine wananungunika. Sasa itakuwa dakika tatu, na hizo tatu ni tatu tu, hakuna kwamba iko point ingine mimi nataka kuweka nguvu. Tayari mambo mengi

yamesemwa. Mumetuambia juu ya mpaka, juu ya pombe, jinsi utamaduni wenu unatakiwa uwe, mumetuambia juu ya kudharauliwa mnataka msiwe hivi, msiwe vile. Si hayo mambo mmetuambia?

Audience: Ndio.

Com. Ayonga: Sasa wale ambao mnakuja tunataka mtuambie kitu ambacho wengine hawajasema. Si habari ya kurudia kwa maana ulikuja kutoka nyumbani kwamba leo unaenda kuongea. Unaweza kuja hapa useme, ‘mimi naweka uzito wangu juu ya point ile ya kusema turuhusiwe tuwe na pombe yetu ya kienyeji. Ni hayo tu,’ unaenda kule unajiandikisha. Lakini kuja kutuambia ‘unajua utamaduni wetu wa Kiteso, toka baba zetu ilikuwa namna hii na hii,’ utamaduni huu tumeambiwa na sisi pia ni wasomi. Msidhani maneno mnayotambia hatuyajui lakini tunataka, yatoke kwa midomo yenu. Si ndio?

Audience: Ndio.

Com. Ayonga: Sasa nataka kuleta wale watoto wetu wa shule, ma-dotcom. Wapi wale wasichana? Nyumba imejaa na inakuwa vigumu kwangu. Wale watoto wa shule nataka mje hapa na ile mbio haijaonekana, mje msimame hapa ndani kuliko nje. Nataka wale wasichana waliotaka kuongea, tembea haraka. Sababu yangu ya kuwapa nafasi ni kwa maana nataka mrudi darasani. Wengine mnaweza kusimama hapa kando ikiwa hakuna nafasi ya kuketi. Tafadhali fanya haraka ili tuanze. Haya, wasichana mmetoka shule moja?

Students: Ndio

Com. Ayonga: Mumeongea juu ya mambo mnayotaka kutuletea, ama kila mtu alifikiria yake tu?

Students: Tumeongea

Com. Ayonga: Mumeongea?

Students: Ndio

Com. Ayonga: Kwa hivyo mna-representatives watakao sema on your behalf au kila mtu anataka ajisemee?

Students: Kila mtu anajisemea.

Com. Ayonga: Kila mmoja anaongea?

Students: Ndio

Com. Ayonga: Ngoja. Sasa nataka msikie hivi, ninawaita kwa this order na kila mmoja utatupa point yako moja. Kanani Jackline. Nikisema hivyo kuja mara moja.

Com. Nunow: Followed by Grace Adongo, Omuse Phillis, Omwidi Silvia.

Com. Ayonga: Anza mara moja. Sema majina yako na point ambayo (?). Unasema umetoka shule gani na darasa gani.

Jackline Karani: I am Karani Jackline from St. Marys' Amukuru Girls in form four.

Com. Ayonga: Endelea

Jackline Karani: I suggest that all Kenyans should get a share of the national cake. Example, when appointments are made, all areas should be considered e.g. Permanent Secretary come from Teso, directors are nominated MPs should be considered from all the

districts in Kenya.

Com. Ayonga: Thank you. Unaweza kuenda kule ujiandikishe. Next, Grace Adongo. Grace sema majina yako.

Grace Odongo: I am Grace Odongo from St. Marys' Amukura Girls and I am in form four.

Com. Ayonga: Okay, sema.

Grace Odongo: I suggest that the Presidential powers should be reduced, because you find that a President is the head of state at the same time he is the Commander-in-Chief and he is earning money there. Then the President can either dissolve or renew parliament and the appointing of ministers is done by the President. I suggest that the President should not appoint ministers because that leads to tribalism and nepotism, but instead the ministers are supposed to be voted for by all the Kenyans, so that they may be part of the parliament.

Com. Ayonga: Thank you so much. Enda kule ujiandikishe. Phillis Omuse.

Phillis Omuse: I am Phillis Omuse from St. Marys' Amukuru Girls and I am in form four. I am suggesting that a law to be enacted that ensures that all able parents pay fees for all children taken to school whether the man left the mother of the children or not. Primary and secondary education should be made compulsory for girls. I am suggesting this, because in this constitution that we are having, some parents discriminate girls and educate boys alone.

Com. Ayonga: Thank you. Enda kule ujiandikishe. Omwidi Silvia. Omwidi anapoketi, Vekaki Malavi awe katibu. Sema majina.

Silvia Omwidi: I am Silvia Omwidi from St. Marys' Amukura Girls. I am in form four. I suggest that this time round we have a woman to be our leader. We want female.....

Com. Ayonga: What leader? Say who?

Silvia Omwidi: The President

Com. Ayonga: Okay. Sema President

Silvia Omwidi: Females should also be given first priority when choosing leadership in many departments like companies. Next, mushrooming of many churches in Kenya leads to devil worshipping, so I suggest that many churches should be abolished in Kenya.

Com. Ayonga: Thank you. Next, yule Malavi Vekaki. Baada ya huyo Etyang Gladys awe tayari.

Vekaki Malasi: From St. Marys' Amukura Girls is Vekaki Malasi. I would like to suggest and it is a request for the government, to consider the teachers, primary and secondary in their salary. Because, since the teachers are the ones who play a good and big role in bringing up children and if they are not paid for their phrases, we as students suffer because we learn in panic and we are not satisfied, because we are afraid they will strike any time. So they should be considered. Thank you.

Com. Ayonga: Thank you very much. Next atakuwa Gladys Etwang. Baada ya Gladys kuna Laura Mwashumbe.

Gladys Etyang: I am Gladys Etyang from St. Marys' Amukura and I am in form four. I am suggesting that the government should consider education, but not money. You find that in employment opportunites, you find that the constitution of the past used to value money and not academic qualifications. You find that somebody who has passed and somebody who has not passed very well, when they go to seek for employment and the person who has not

passed very well has money, you find that the person will be given an opportunity in the job other than that who had passed well. So the government should consider academic but not to value money. Thank you.

Com. Ayonga: Thank you very much. Laura. Baada ya Laura, Sally.

Laura Mwashumbe: This is Laura Mwashumbe from St. Marys Amukura Girls, form four. I think it could be better if this KCPE pupils are distributed equally for people are not created with the same intelligence and so you will find those who have scored high marks are taken to national schools. From there, you find the same girls at the KCSE level pass and leave the rest in ordinary schools who fail.

Com. Ayonga: Thank you. Sally. After Sally we have Mercy Comex.

Sally Chikara: I am Sally Chikara from St. Marys Amukura girls and I am in form four. I suggest that, the Kenya government should enact a law, that anybody found guilty of defiling any girl especially, a school girl should be dealt with accordingly. If possible, that person should be hanged, since there are so many cases reported on daily basis on girls being defiled. Secondly, I suggest that the Kenya government should enact a law that, anybody found guilty of marrying a schoolgirl should be dealt with accordingly.

Com. Ayonga: Thank you. Next, Mercy Comex. Lets have silence please; lets have silence, watoto wetu wanafanya vizuri sana.

Mercy Comex: I am Mercy Comex from St. Marys Amukura Girls, I am in form four. My suggestion is, I wish the Kenyan government should not be importing second hand clothes or shoes because this is adversely killing our industries in Kenya, thereby rendering our learned people unemployed and the economy of the country declines. Thank you.

Com. Ayonga: Thank you Mercy. Nasikia hio industry imeandika watu wengi. Cynthia Segu.

Cynthia Segu: I am Cynthia Segu from St. Marys Amukura Girls and in form four. I suggest that the number of political parties should be reduced to at least two. Why do I say so? Many political parties have led to decline of the country's economy, because during campaigns, a lot of money is wasted which could be used in the country's development.

Com. Ayonga: Thank you very much. Elizabeth Wanyonyi. After Elizabeth tunataka Patricia Imo.

Elizabeth Wanyonyi: I am Elizabeth Wanyonyi. I suggest that.....

Com. Ayonga: Uko form gani?

Elizabeth Wanyonyi: I am in form four

Com. Ayonga: Okay

Elizabeth Wanyonyi: I suggest that the government should reduce high taxation of goods every year. This is whereby we see these imported goods, which come to our country, we find the government imposing high taxes and this reduces our economy.

Com. Ayonga: Thank you na wa mwisho ni Patricia Imo.

Patricia Imo: I am Patricia Imo from St. Marys Amukura Girls and I am in form four. In conclusion, first I will talk about AIDS. I think that these AIDS victims should be isolated from other people and kept in one institution where they will be fed and when they die they should just be buried there. If anybody with aids is spreading it maliciously, should be

caught and sentenced to death because that is one way of committing murder. Secondly, I would like to talk about discotheques, which are located around the schools. I think they should just be abolished, because they are not giving a conducive environment to the students. I would like to talk about condoms. These condoms are not that effective and they lead to prostitution and immorality. Because people say that since condoms are available, we can do anything. Thank you.

Com. Ayonga: Thank you. Wale watoto wa shule mmeona nimewafanyia ambacho nimefanya, kwa maana tuko sensitive kwa watoto wetu wa shule, ma-dotcom. Sasa mnaweza kuenda darasani. Je, mlikuja na mwalimu?

Students: Ndio.

Com. Ayonga: Wapi mwalimu wenu yule mlipigania mshahara?

Students: (inaudible)

Com. Ayonga: Mwalimu, husikii watoto wamesema vizuri juu yenu ili muongezwe pesa? Sasa na wewe una neno la kusema?

Speaker: (inaudible)

Com. Ayonga: La. Kama huku-prepare for that, don't. I am just asking you. Okay. Mwalimu asante sana kwa kutuletea watoto wa shule yako. Sasa mnaweza kutoka at your own pleasure, ili Subject ile iliyobaki, mitihani inakuja na watoto wanasumbuliwa na ma-disco kando ya mashule, wacha waende wasome. Kwa hivyo watoto, mnaweza kuondoka pole pole na heshima zenu za shule. Kuna kitu kingine ambacho nitafanya after watoto. Kuna mama yeyote hapa, kwa maana unajua jua linapo elekea pande hii, kuna watu ambao we want to get rid of, na watu hao ni wamama. Wamama hawa tunataka waende, sijui hapa kwa

Wateso kama wamama wanachuna mboga au ndio wanaleta ng'ombe kutoka malishoni, waje kukamua na mkienda wanaume mnywe maziwa. Kama ni hivyo si tuwape nafasi?

Audience: Ndio

Com. Ayonga: Halafu kuna watu wengine pia. Kuna wazee. Ninaposema wazee, I mean wazee. Ningewapa hao wazee na wamama dakika moja moja, kwa maana kuenda mpaka nyumbani itachukua muda, ili na wao wapate nafasi. Kuna yeyote ana-complain juu ya hio?

Audience: Hapana

Com. Ayonga: Sasa wamama mko wapi wale ambao mlikuja hapa kuongea na hatujafikia mahali pa jina lako? Kuja hapa mbele. Kuja, mtakaa hii bench, ile bench. Kama unajua wewe ni mama na una point ambaya unataka utoe ambayo bado mwanaume hata mmoja kuisema. Mama tunataka useme jina lako na tafadhali utuambie kitu ambacho wanaume hawajasema kutoka asubuhi, hicho tu.

Clementina Aucho: Kwa jina ni Clementina Aucho Enyusat na nina points nne ambazo ninataka kuongea. Ya kwanza nataka kuongezea juu ya rights ya watoto na their security. Kitu cha kwanza, watoto kila mara huteseka, wengine wanapata mimba ya waalimu wao na tunataka hao waalimu ambao wanafanya watoto kuwa bibi zao, wakigunduliwa wafutwe.

Com. Ayonga: Okay, hiyo ni piont.

Clementina Aucho: Rape cases. Wale ambao wameguswa na wale ambao wamepatikana kwa hiyo, wafungwe maisha kwa sababu hatujui kama wapeana mtoto ama yule ameguswa ukimwi. Hii ni kama kuua. Wale watoto ambao wazazi wao wamewa-neglect ama wamekataa kuwapa haki yao, pia wapate adhabu na wafanywe kujua kazi yao ni nini kwa watoto. Watoto ambao wazazi wao wamekufa hasa kwa huu ugonjwa wa ukimwi, serikali

ijaribu kuwatetea na kuwapa usaidizi ule ambao unaweza kusaidia maisha yao. Wale watoto ambao wanafanya kazi, maids, herdsboy na wengine, wapewe protection ya kutosha na ikiwezekana wahakikishe hao pia wanaandikishwa kwa ofisi ya kuandika kazi na wazazi wao wapatikane na waeleze kwa nini hao watoto wahako shuleni. Wale watoto ambao wanapatikana wakirandaranda pia, wengine wako na wazazi, inatakikana hao pia wazazi wao wapatikane na shule yao igunduliwe iko wapi na wenye kusaidia watoto kama hawa.

Pointi yangu ya pili, nitaongezea juu ya disabled hata ingawa walisema. Ya kwanza, list ya hawa watu haijulikani kwa location au kwa division. Tungeomba serikali yetu, ifikirie juu ya hao watu na wafungue ofisi fulani kwa district, ambayo ina-coordinate the disabled. Wapewe usaidizi wa kuwasaidia kutembea na pia wale wamesoma wapewe kazi kulingana na hali yao. Sponsorship ya elimu ya watoto wao iwe complete. Kwa mfano mkisema bursary, mtoto ambaye amepita na baba yake au mama yake ni disabled, akisaidiwa bursary ya shilingi elfu moja kwa shule ya secondary, mtakuwa mmefanya kazi bure, kwa hivyo kama ni kusaidia, wapewe full support. Wanaume wengine hujifanya na usiku hufanya hao disabled kuwa mabibi, kwa sababu wanaona haya mchana, wanajifanya kwamba si hao. Wakitambuliwa, wafanywe kujua ya kwamba responsibility ya kusomesha watoto kama hao na kulinda hao wamama, serikali isaidie. Juu ya hayo, nasema pia hawa waongezewe usaidizi kuhakikisha kwamba, kuna kazi ambayo wanaweza fanya na njia ya kufanya hiyo kazi na materials, wasaidiwe na serikali.

Com. Ayonga: Ya mwisho mama

Clementina Aucho: Ya mwisho ni womens rights. Wamama pia wanafaa wapate usaidizi, wahakikishe ya kwamba wanaelimishwa kama watoto wengine kwa boma. Security ya hao wamama, kwa mfano wife beating and mistreatment. They need protection. Land ownership; hao wamama pia, wapewe haki hasa wasichana kama vijana pia wapewe shamba kwa boma. Next of kin; wakati mwingi bwana akifa, matata inaanza kwa mortuary. Relatives wa bwana huwa wanachukua burial permit na ID card na hata kama ni ku-process rights za huyu

marehemu, inakuwa ngumu sana kwa mama, kwa hivyo serikali ijaribu kuona namna ya kuwasaidia hawa wamama, ili wapate haki yao bila kusumbuliwa sana.

Polygamy. Ukweli ni kitambo polygamy kwa mila ya Kiteso ilikuwa na maana. Wakati huu unaweza kupata mtu anakuwa na bibi sita hata nane. Bahati mbaya, yeye huya ana-abandon the first the first houses or the rest. Sasa serikali ione ya kwamba, kwa vile wewe unapenda wanawake wengi, hata kama kuna yule mwanamke utachukia, hakikisha kwamba watoto wake wamesoma na kila mtoto apate haki yake whether you love the mother or not. Lngine ni mahari payment. Hapa tulisema ya kwamba tunataka kuabolish naye sisi wamama tunasema ya kwamba, kulipa mahari is a commitment to the relationship and respect to both sides, kwa hivyo hatuna kiasi ambacho tunapitisha, hiyo itategemea hali na pia wazazi wanajua ya kwamba, afadhali mtoto wake aishi kwa furaha kuliko kulipwa mahari. Kwa hivyo maneno ya mahari iwachwe tu, kwa sababu it is a commitment and another way that the two sides visit each other and know each other.

Com. Ayonga: Asante sana.

Clementina Aucho: Sasa, ya mwisho nataka kuongea kidogo juu ya corruption. This corruption is an infectious disease, which needs sincere reconsideration. It is a funny act that points at others and not at oneself. Many of us practise it in many different ways, thus bringing more confusion. In other word, I give an example of this corruption we are talking about. Police who are drunkards arrest pombe makers. For sure, who is better than the other? If beer or alcohol is bad, can the government ensure that its officers start by being kept away from pombe.

Com. Ayonga: Okay imetosha sasa.

Clementina Aucho: I will leave the rest (?)

Com. Ayonga: Kwa maana utazuia wamama wengine kupata nafasi

Clementina Aucho: Sorry. Thank you very much.

Com. Ayonga: Hiyo karatasi yako utatupa tuende kusoma. Nataka wale wamama wengine muelewe. La kwanza wanaume, wamama wanapo ongea, wacha na wao waongee. Nyinyi mumeongea kutoka asubuhi. Lakini mbona mkisikia hii habari ya msichana kupewa shamba katika boma, ninaona mnataka kusimama kutoka kwa viti, hamkai sawa sawa?

Audience: Laughter

Com. Ayonga: Hebu niwaambie kitu. Mnajua mimi ni Pastor na nitaanza kuwahubiria saa hii. Mnajua hawa watoto ambao tulio nao ni baraka kutoka kwa Mungu.

Audience: Ndio

Com. Ayonga: Hao watoto tulionao ni baraka kutoka kwa nani?

Audience: Mungu.

Com. Ayonga: Na hawa watoto, Mungu atatudai juu yake. Kwa maana wewe na mama hamkusema mtazaa msichana au nyinyi hapa Wateso mnajua njia?

Audience: Hapana.

Com. Ayonga: Si mpaka sa hii hamjui njia.

Audience: Ndio.

Com. Ayonga: Hawa watoto ni wa Mungu, si watoto wenu. Nyinyi ni walinzi tu, mnawalinda. Kwa hivyo kama iko shamba, Kenya nzima inatuambia sasa, kila mtoto ana baba na mama. Si ni nyinyi hapa mumetuambia muda mfupi uliopita, kwamba hawa watoto wanaitwa machokora wanajulikana baba zao na mama zao?

Audience: Ndio.

Com. Ayonga: Mbona sasa tufanye watoto wetu machokora, watoto ambao wamekuwa wazima na wewe mzee na wewe mama, hawa watoto wenu mkigawa shamba, wote wafikirie ni watoto wenu. Kuna mambo ya zamani siku zile, Wateso mlikuwa wachache na kila msichana aliyezaliwa alikuwa ni kama hotbread ambayo unatoa kwa meko na kuna mtu tayari hapa anachukua, sasa si namna hiyo. Tena, sehemu zingine za Kenya sijui wasichana wa Wateso wanafanya nini, lakini watu wameanza kutambua kwamba wasichana wakati unazeeka wanakufikiria sana.

Audience: Ndio.

Com. Ayonga: Wazee nataka mjue hivyo. Hata wasichana hawa ndio wamekuja wakajengea baba zao na mama zao nyumba, kwa hivyo mfikiri sana. Wamama wakisema hivyo, msiwe karibu mtoke kwenda kuangalia ng'ombe mliwacha wapi. Sasa na nyinyi wamama, mnajua ni vigumu kuja kumwambia mama kwamba simama au kumshika mkono na kumtoa hapo kwa kiti. Unaposema ni neno moja ni neno moja. Na niliwapa hii nafasi ili mwende kutafuta mboga. Hawa wazee ni wazuri saa hii, lakini wakirudi nyumbani ukimuambia ulikuwa hapa, ataanza kukuambia ndio ulikuwa kule, lakini ulijua nitakula nini. Kwa hivyo hebu tufanye na hayo kabla constitution haijabadilishwa. Kwa hivyo sema neno lako moja.

Margaret Guga: Kwangu nina point tatu

Com. Ayonga: Sema majina.

Margaret Guga: Kwa jina ni Margaret Guga. Kwa sababu wanaume wa siku hizi wametudharau, tunataka nasi wanawake watupatia namna ya kuishi kwa boma. Unapata mwanaume mwingine ametoa shamba lote na kuuza na hapo nyumbani unabaki wewe peke yako na watoto, hakuna shamba na amemaliza kuuza shamba na akanywa pombe.

Com. Ayonga: Kwa hivyo unatakaje?

Margaret Guga: Nataka wakatazwe kuuza mashamba.

Com. Ayonga: Utawakataza kwa njia gani?

Margaret Guga: Nataka serikali iangalie hapo.

Com. Ayonga: Hebu nikusaidie mama. Unajua wanaume hawa ukiwaambia kitu hapa, watasikia saa hii na wakitoka hapo nje, tena ni lugha ingine. Pengine wewe ungependa kusema kama kuna land title ikiandikwa, kama pahali pengine wamama wanatuambia kwamba muwe mnaandikwa majina mawili, ili mmoja asiweze kuuza shamba bila ya wengine kujua. Eh?

Audience: (inaudible)

Margaret Guga: Point yangu ya pili,

Com. Ayonga: Hiyo hujasema.

Margaret Guga: Nataka kwa shamba, kama mume wangu anaenda kuuza shamba, hiyo title deed iandikwe mwanamke na mwanaume.

Audience: eeh

Margaret Guga: Sasa mmoja akitoka kuuza shamba, mpaka mwingine pia akubali ndio auze

Com. Ayonga: Sawa. Endelea

Margaret Guga: Ya pili, tunataka serikali itusaidie na wasichana wetu. Itusaidie na mavazi rasmi kwa sababu tunaona kila nchi ina mavazi yake. Hapa kwetu Kenya hatuna mavazi rasmi na kila mtu yuko na mavazi yake. Unasomesha mtoto vizuri na wakati ule mtoto anarudi nyumbani unapata ile mavazi amevaa ni longi kama baba yake.

Audience: ndio

Margaret Guga: Tunataka waondoe hiyo. Msichana akipatikana kama amevaa longi na nguo ambayo ina upasuko itolewe. Sisi wamama ndio tunawafundisha.

Com. Ayonga: Na unataka avae nini? Mavazi rasmi ni mavazi gani?

Margaret Guga: Nataka watoe kwa sababu hata zamani walikuwa wanava tight kidogo, lakini ikatolewa. Nataka huyu msichana akipatikana kwa hiyo boma, tunataka serikali itusaidie kwa katiba. Msichana ambaye anapatikana na hiyo nguo hata sokoni, apasuliwe na ikataliwe.

Com. Ayonga: Haya, (?) ya mwisho.

Margaret Guga: Langu la mwisho ni hili; sisi wanawake tunaweza kuzaa mtoto na tuishi naye kutoka akiwa mdogo lakini mwaname atapeleka huyo mtoto bure na hatakupatia kitu chochote. Tunataka katiba itusaidie, mwanamke asiwe wa bure kwa sababu baba yake alinioa na mali na sasa mtoto akachukua bure.

Com. Ayonga: Mama mwingine. Hebu tuwe kimwa. Mama inaonekana una maandishi. Dakika ni moja na nusu tu. Sema majina.

Susan Emukule: My names are Susan Emukule and I have views from children. I am a retired nurse but now I am a trainer and a Councillor. I have views for children, and I would like to ask, with your permission Commissioner, to read through and then I will give my oral presentation for the women issues.

Com. Ayonga: Can you read through them for one and a half minutes?

Susan Emukule: I will try. I will try to be very first.

Com. Ayonga: It has to be one and a half minutes. That is one thing we must agree

Susan Emukule: Okay

Com. Ayonga: Because we are going to read that in the office

Susan Emukule: Okay.

Com. Ayonga: All we want from you in the written document, is to highlight, to tell us kwamba katika hii, kuna hii na hii.

Susan Emukule: Okay, I will try to do that. These are views of children from Amagoro Primary School. I happen to be a parent there and a committee member and they gave their views, for me to come and read them. Majority of children have been failed by their parents and families and this is basically true of parents and families who are destitutes and therefore they can not provide for quality education, food, housing and appropriate parental support and

love for their children. In the light of this scenario, the state through the constitution should have an obligation to assist parents in meeting their responsibilities. They are suggesting that such assistance, should focus on strengthening community based organisations in the provision of credit facilities, organizing marketing channels for farm produce and streamlining communication networks amongst other people based development layout.

The care and protection of children demands for collective responsibility, hence the constitution should provide for pluralistic approach to development, protection and care of the children where all relevant stakeholders are brought overboard with the children being at the centre. Much as we admit that the present day welfare for children, will be the leaders of tomorrow, it may also be right to suggest that they could also be the future best criminals, if not best cared for and protected today. Therefore, the childrens appeal in the constitution is to ensure the relevant international standards, touching on the right and welfare of children to be well spelt out in the constitution and be addressed effectively through relevant bodies.

Allow me sir to note with concern, that the bias of the highest order in education provision for children in Kenyan schools currently, especially when you consider rural and urban schools. Take for instance the issue of electricity or library services and hours of concentration in urban schools and the same in the rural set up where there is no electricity or library services, yet examinations are nationwide. Therefore the children are saying, as a way forward through the constitution, the constitution should give a bottom-up approach to development, to develop greater emphasis and deliberately create room for all relevant stakeholders, to play a leading role in faster distribution of key resources in rural areas. In addition, the constitution should provide relevant or free relevant and compulsory education at primary level. More important is the children desire that any future trials for change, and they were referring to the syllabus, should be initially carried out in the rural areas before adoption of the new technology is done countrywide. It is immoral and immortal to try new technologies in the schools with well endowed facilities in the urban set up and assume that the less facilities endowed schools are ever ready for adoption of the new changes.

Now, think of your teenage girl or boy against the odds of sugar-dadysm or mummysm. What happens to the hit-and-ran men who impregnate the girl-children and run away without an appropriate intervention from our laws. Children are suggesting, through the constitution that a very severe and deterrent punishment or penalty should be preferred against perpetrators of child abuse, especially in terms of rape, incest, early marriages and impregnating of the children. The constitution should not allow for complexities and discrimination in the administration of law in this regard.

Biased general references, tilted domestic duty allocation, preference in the provision of education and early marriages are just but a few examples of the out moded or archaic cultural practises still perpetuated by a few communities in this district. Besides, orphans and vulnerable children often face an addeed abuse of being Subjected to add labour in forms of herding, babysitting, gardening and (?) return for food and shelter. This is often done by insensitive masters who care less for their welfare and protection. Therefore, children would like to suggest that a childrens watchdog body, which is grassroot based and should be legal, be responsible for prosecuting child abuse related cases and we should be provided for in the new constitution.

.....*End of side A tape 4*

Children propose that, the constitution should empower the media groups to highlight and sensitize the communities towards closer observance of the childrens rights. Lastly, to address the cultural barriers and harsh attitude of parents towards their errant children, the children are proposing that the constitution should allow for the establishment and development of guidance and counseling centres for parents and children at grassroot level.

Bwana Commissioner Sir, if you could give me one minute now to give my views as a woman. In terms of the land issue which is very sensitive here in Teso, the women are

proposing that title deeds should be written in both the woman's and man's name. Two, the current land law is archaic, i.e. it is outmoded and therefore it should be scrapped and we are suggesting that, women should sit in land board meetings as it is and for the time being, there are no women who sit on land boards so we are suggesting that respected women should be allowed to sit on the land board.

The other issue is domestic violence and I want to say without fear, that there is a lot of domestic violence here in Teso, because I counsel a lot of women who have been violated. We are saying that all the conventions and treaties, which have been signed by our government from UN bodies, should be domesticated by the constitution. Followed by this, we should have a gender commission which should not be under the Ministry of Culture and Social Services, because there is one now which is not effective. We are saying we should have an independent gender commission, which should have a lot of truth.

Another thing, for the constitution supremacy, if there has to be any amendment, it has to be by 95% of all the sitting members of parliament. In terms of leadership, we are saying that women are capable, we have gone to school and we are able to lead and we are saying there should be a special reference for women and they should be given a third of all elective posts, in parliament and in the local councils.

Lastly, I want to say in health, women and children should be given free medical help, which should be given indiscriminately without fear or favour. When it comes to basic human rights, the current constitution is very quiet. It doesn't say anything in terms of health, in terms of food and we are saying there should be very clear policies on how poverty should be fought and women who till the land, more than 80% of agriculture is done by women. Women should be given access and they should be allowed to control the resources, which they accumulate. Thank you so much sir.

Com. Ayonga: Thank you. Asante mama. Nilikupa dakika nyingi kwa maana unasimamia

watoto wengi. It is in that light that I gave her more minutes na pia anasimamia wanawake. Sasa kuna yule mama mwenye nguo, si ni mmoja amebaki? Wewe kuja utuambie neno lako moja na muende kutafuta mboga. Lakini unaweza kaa tu, ukipenda.

Mary Jane Oile: Asante Bwana Commissioner. Yangu ni juu ya watoto.

Com. Ayonga: Jina lako kwanza.

Mary Jane Oile: Kwa majina naitwa Mary Jane Oile. Natoka Amukura division, Kutur location.

Com. Ayonga: Endelea.

Mary Jane Oile: Asanteni sana. Langu ni juu ya watoto na wakina mama, lakini vile nimeona, wenzangu wamesha ongea juu yake, hapo naomba msamaha, sita-repeat tena hapo. Lakini nitaongezea juu ya bursary.

Com. Ayonga: Okay, endelea.

Mary Jane Oile: Hapo tunaonelea ya kwamba, bursary ikitoka mahali ama msaada wowote ukitoka kwa shule ama ukija kwa shule, wanaanza kwanza kupeana kwa familia ambazo ni tajiri na maskini wanawachwa nyuma. Nilikuwa nataka nijue kwa nini kuna huu ubaguzi.

Com. Ayonga: Kama iko ubaguzi, tuambie tutautoa huo ubaguzi namna gani?

Mary Jane Oile: Nataka serikali iangalie na ijue inaweza kufanya nini juu yake.

Com. Ayonga: Lakini mama kama mtu anakubagua si useme amekubagua, na unataka ufanyiwe hivi na vile. Unataka tena serikali?

Mary Jane Oile: Nilikuwa napendekeza hivi, kama msaada uko pamoja wapee wale watoto maskini na wa tajiri equal maanake tumeona ya kwamba watoto maskini wanawachiliwa nyuma sana kwa hilo neno la bursaries. Point yangu ya pili ni juu ya women groups. Msaada ukitoka juu ama ukitokea pahali, sisi hapa Teso district hatupewi, tunabaguliwa, kwanini.

Com. Ayonga: Kwa nini?

Mary Jane Oile: Ndio nataka mtusaidie sisi wakina mama, sana sana women groups. Kama kuna msaada ama kitu kama loans ili sisi pia tupate haraka bila kuchukua muda mrefu ukingoja loan na hujui itafika siku gani. Pengine una haja ya kuanza biashara yako kidogo ya kufanyia kazi ya samaki ama ya jua kali, unaona ile loan unataka inaenda muda mrefu sana na huwezi kuipata haraka. Serikali itufikirie pia kama wakina mama wa groups. Yangu ni hayo tu. Asanteni.

Com. Ayonga: Asante sana. Mama, uende kule ujiandikishe. Sasa nilisema baada ya hao, yule mzee ambaye umevaa green, ulitaka kuongea hapa mbele? Huyu?

Speaker: *Victor Karani*

Com. Ayonga: Hebu tuwe kimya.

Victor Karani: *eyalama eong noi luke commissioner adoluni lolo toma Amukura.*

Translator: Nashukuru Commissioners kuja hapa Amukura leo.

Victor Karani: *abunore ngina. Akiror angi anyarite victory Karani Osiepuna*

Translator: Majina ni Victor Karani Osieta.

Victor Karani: *nu ajasi kango enerata luipuwak konye mamongo kasi akinere ngun.*

Translator: Watu wengi wameongea yale ambayo ningengea na sitarudia.

Victor Karani: *abalango ne commission karare ijo nes ipupi ichani kitunga kijokisi nyo imamar kitunere siongo de kane.*

Translator: Commissioner, wewe ndio umekuja kuangalia maslahi ya watu wote, mbona huwezi kuchukua maslahi yetu vile vile?

Victor Karani: *katemasi akiroto na akotongo aliimun abalango ne ejei viwandai luedukite otaunini lu epolok.*

Translator: Yangu ni kwamba, kuna viwanda kubwa kubwa ambavyo vimejengwa kule sehemu za town.

Victor Karani: *kotoma oviwandai ngulu elosienenete idwe lukane koteso kane alosite asoma ngina kalototo ngina kebit mamu kedumunenete asoma nu epedorite asoma.*

Translator: Viwanda hivi, watoto wa hapa Teso husafiri mpaka huko kwa sababu ya kutafuta kazi, lakini wakifika huko, inakuwa ngumu kwao kupata kazi katika viwanda kama hivyo.

Com. Ayonga: Kwa hivyo unapendekeza nini?

Victor Karani: Mimi napendekeza hivi, kwa nini hawawezi kuleta kiwanda kimoja au viwili upande huu wa Western?

Com. Ayonga: Sema unapendekeza viwanda viletwe hapa.

Victor Karani: Viwanda viletwe hapa, watoto wetu pia wafaidike. La pili, mimi nauliza kwa sababu ya watoto wale wa shule.....

Audience: (inaudible)

Com. Ayonga: Mnyamaze.

Victor Karani: *Akiro nuka kidwe kaluka esukuli.*

Translator: Anataka aongee kuhusu watoto wa shule.

Victor Karani: *kedolo ikoku ikaru ishirini na mbili.*

Translator: Mtoto akifika miaka ishirini na mbili,

Victor Karani: *ebuni akote akipande abalai ebe kisitakai ikoku ngin.*

Translator: Akienda kutafuta ile kipande ya kitambulisho, anashtakiwa kwanza.

Victor Karani: *nyo emamare kipalikinare ikoku ngin inyekinere ikoku ngin kodau esukuli kere konye ebuni akitolosite kakote ekipande?*

Translator: Mbona huyu mtoto hawezi kukubaliwa amalize shule, baadaye ndio arudi kushughulikia mambo ya kutafuta kipande?

Victor Karani: *nakiuniete*

Translator: La tatu,

Victor Karani: *einakiiti serikali aberu apolou ne epolo noi*

Translator: Serikali imewapatia wakina mama

Audience: (inaudible)

Translator: Uwezo wa kazi

Victor Karani: *kemanya etwani aberu ketwana etwana ngolo elosi ademakin aberu ngin amali lokere kangolo.*

Translator: Bwana wa huyo mama akifa, wanaenda kunyang'anya huyu msichana au bibi ile mali ambayo ilikuwa ya bwana.

Speaker: Huyu mwanamke akija apate hii mali na anahama na hiyo mali.....

Victor Karani: *kere aberu nako mombasa kama basi huyu mwanamke akisha pata hiyo mali anahama na hiyo mali . kemanya etwani aberu aberu ngin agelara ledumuni amali ngolo adumu apaki ne losia akigwoto kapesai kanguni koikari.*

Translator: Huyu mama baada ya mume wake kufa, mali yote ambayo ilikuwa kwa boma hio, yeye huenda nayo yote kwao.

Victor Karani: *kinyekini ikanachana ketwani kangolo kane itangatangaete along emamu email ebore ipede kotoma ore neni agwoto eberu kemali kec.*

Translator: Na anawacha jamii ya huyu mtu hapa nyumbani bure, wakitangata bila usaidizi wowote.

Victor Karani: *nakiwongonete*

Translator: La nne,

Victor Karani: *abalango ebe kolema serikali ekipone loke iboro kotoma odukai.*

Translator: Nataka serikali ishughulikie mambo ya bei za bidhaa ndani ya maduka.

Victor Karani: *enyanyasat itunga lukodukai itunga noi kiboro kalu egwelanaro.*

Translator: Wenye biashara hapo dukani, wananyanyasa wananchi sana, kwa sababu ya bei.

Com. Ayonga: La mwisho?

Victor Karani: La mwisho,

Com. Ayonga: Sema na Kiswahili mzee. Kiswahili chako ni safi sana

Victor Karani: Kiswahili changu?

Speaker: Sema kwa kiswahili.

Victor Karani: La mwisho ninasema hivi. Wanyama kama nyani ni mali ya serikali. Nyani wameharibu mimea yetu, kwanini serikali haiwezi kuchukua hatua ya kutoa hao wanyama wasiharibu.....?

Com. Ayonga: Nyani waondolewe?

Victor Karani: Waondolewe.

Com. Ayonga: Wapelekwe msituni?

Victor Karani: Mahali ambapo serikali, wanasema ati ukiua umefanya kosa.

Com. Ayonga: Asante sana mzee. Sasa unaweza kujuandikisha.

Com. Nunow: Kuja mzee wangu

Com. Ayonga: Si uende uandikishe mzee. Huyu tu ni kuandika. Mzee kama umesimama, nani atakuambia uketi?

Cornelius Obwangor: Jina ni Otane Cornelius Obwango. I support the Teso Cultural Union, Kenya chapter, in all their views. My views are one; the age of the President, Prime Minister and education level should be 50 years and above and a graduate. Pili, anybody who has worked in the government, when you are given a notice to quit or to be retired, your

benefits should be worked. When you get the retirement notice, your benefits should be calculated along with the National Social Security Fund, so that at the end of the notice, you get both your benefits that have accrued also towards NSSF, because these days, with the current situation, you may die before you get any benefits. Travelling to Nairobi and all those offices, which are now, corrupt and do not even wish to do anything good for a worker to benefit after retirement.

Basic rights in terms of an ordinary man in the countryside. For Tesos here, I would like to suggest to the commission, that marriage arrangements go to the ancestral area, where the parents, the father of the boy and the parent of the girl communicate effectively to make a better marriage. These days, our girls and boys have picked themselves on the market thus bringing diseases like AIDS, which has killed many of our people.

Speaker: Thank you very much.

Cornelius Obwango: You can see that our small population but because of deaths, we cant avoid deaths but we would like to avoid it in this manner now. On inheritance, we no longer like to inherit women of those who have gone because most women like the very odd situation which we met here early in the morning, it is true that we no longer need inheritance of women now, it should be outlawed. Land acquisition by strangers should be scrapped. Land acquisition on Teso soil, should be scrapped from strangers who are trying to induce the low-income personalities, who have no money. They begin to give them 100 shillings until somebody accepts to sell his land and when he sells it, he goes to the corrupt land offices and takes the whole piece of land. You have no legal backing here at all.

British laws have loaded us down. Now that the commission here, the first one of its kind to take up the duty of assembling facts for our new constitution, we should recognize your position and that all the facts you have collected on an ascending order from wananchi to the top should merit wananchi in Kenya. Decentralize and scrap the post of DO because I am

giving an example of Amukura division which is 39 years old and it means also about 39 District Officers who have been here and there has not been any planning at all to see this place develop. The place is just a bushy as it was 39 years ago and all these structures you see here are as a result of wananchi's efforts. In addition, cost sharing and all harambees, which has brought a lot of corruption in the country, be scrapped. The position of MPs, County Councillors should a member of parliament be absent in three consecutive sittings, he should be recalled home and taken on a referendum, together with the Councillors. We would like the commission to avoid getting land grabbers in Teso district because they are already here. We would like urban areas like Malaba and Busia Township to remain an entity of these people. They have gone to the public office by the back door and finally acquired the land.

Mr. Chairman of the commission, we would like direct links between the Chief and DC. Let this locality, the lowest ladder of elders of the land, be paid that small establishment of a district officer, because one district officer's salary can pay over 30 local area elders or even up to 60 people, because these are the freedom fighters we are talking of today. Other areas talk of freedom fighters, why don't we guard against the freedom fighters of our land here? They have fought, they have brought uhuru, and what have we given them in return? Mr. Chairman, there should be free education from form one to form four because most of our children right now have not gone to school. In this district with 15 secondary schools, our own children are not there because they are not able to pay the fees. The fees are very exorbitant. Mr. Chairman, there is no provision in this British handed over constitution on acquisition of land for schools, for institutions like hospitals, there is no provision. If a grabber or a land grabber came here, he would take away all the hospitals land, the schools and some minor centers of interest. We would like a provision, which should be legal to protect these particular institutions in this particular part of Teso district.

Finally, we would like all the British laws, I suggest Mr. Chairman, they be removed from legal protection in the old constitution and in the new constitution, they be not entrenched.

Thank you very much Commissioner.

Com. Ayonga: Enda pale ujiandikishe na utuachie memo. Francis Zakayo. Niliposema dakika moja na nusu, Francis Zakayo utafanya hivyo?

Francis Zakayo: (?)

Com. Ayonga: Hapana huwezi kutaka iwe mbili. Sasa hapo tunaingia vita. Wewe tuambie ile point haijasemwa.

Francis Zakayo: Nashukuru Mwenye Kiti wa katiba. Kwa majina naitwa Francis Zakayo Otee. Mimi ni mchungaji. Nilitaka kuzungumza kuhusu mamlaka ya Rais. Upande wa mamlaka ya Rais, napendekeza mamlaka ya Rais, aweze kuwa chini ya sheria. Rais asije akawa juu ya sheria, kwa sababu madhara yoyote tunayokutana nayo katika nchi yetu ya Kenya yanatokana na haya mamlaka. Ikiwa Rais amepatikana na makosa, lazima tuwe na sheria ambayo inaweza kuturuhusu sisi wananchi kuwa na uwezo wa kubadilisha Rais akiwa amefanya makosa makubwa ambayo yana aibisha nchi kwa jumla. Tena napendekeza upande wa Rais, lazima awe mtu ambaye amechaguliwa na wanachi kwa muda mrefu, si muda ambao ametoka leo na kesho anapendekeza mtu mwingine kuwa Rais. Kwa hivyo wananchi hawawezi kujua ni Rais wa aina gani na ataongoza nchi namna gani. Lakini akiwa katika bunge, tutaweza kutambua anaweza kuwa Rais wa maana.

Nikienda upande wa utawala, huu ndio upande tunataka sisi wananchi tuweze kupewa uhuru sana. Kuanzia kwa mikoa, kwa PC. PC, DC, DO, Chief na Assistant Chief wanachaguliwa na ofisi ya Rais, lakini hapo katika hapo hatuoni demokrasia. Kwa maana, huyu ambaye tunamchagua sisi wananchi hawakumbuki. Kwa hivyo tunataka hawa watu wachaguliwe na wananchi, kwa sababu wanawahudumia wananchi. Ikiwezekana kwa mlolongo ama kwa siri. Kwa upande wa elimu, kuna hii shida tunaona, wazee ambao wamezeeka wanarudishwa. Ame-retire na anasema anaenda kufanya contract na kuna mtoto amemaliza form four,

amemaliza chuo chauwalimu, mwingine ameenda university. Badala ya kuajiri huyu mtoto kazi, anaajiriwa yule ambaye ame-retire. Ningependekeza hivi, ikiwa mtoto amesoma na amemaliza chuo cha walimu na akikaa nyumbani kwa muda mrefu, kuwe na sheria ambayo inaweza kumruhusu ashtaki serikali kwa sababu amemaliza ngazi ambayo serikali ilikuwa imepeana.

Lingine, kwa watoto ambao wamemaliza university, hawa watoto wamesoma na hiyo ndio ngazi ambayo serikali imeweka, ile ngazi ya mwisho ya elimu ni university. Huyu mtoto amemaliza university na anarudi nyumbani na mzee ameza shamba na mali yote kumfundisha huyu mtoto. Kwa hivyo lazima tuwe na sheria inayoweza kuruhusu mtoto huyu akikosa kazi, ashtaki serikali na ilipe.

Nikimalizia, ninataka kusema hivi, lazima mamlaka haya yote yarudishwe kwa wananchi kwa sababu wananchi ndio mwisho. Isije ikapatikana kwamba mtu ana mamlaka ati yeye ndiye mkubwa na wakati idara yoyote ama bunge inavunjwa, yanarudishwa kwa wananchi na kwa hivyo, inastahili wananchi wapewe mamlaka zaidi katika nchi yetu ya Kenya. Mungu awabariki

Com. Ayonga: Can we have the students from St. Pauls Amukura Boys? Can we have Moses Okalo?

Moses Okalo: My names are Moses Okalo, I am a student at St. Pauls Amukura High school and I am in form four. My views about the constitution review are, I would like while you are continuing with your process you should look into this, the Presidential powers, you see the President while still in office, he cannot be sued unlike America where the President whether in office or not cannot be sued. The President in the office cannot be sued because he is above the law and being above the law, he can look down upon many people in society. Whether he commits suicide or does any mistake, the court of law cannot go against him. When he leaves the office, most of them go into exile.

Secondly, I would like to talk about curbing corruption among the policemen. To curb corruption, we need to pay this policemen on the 15th day of the month and the end month and also their salary to be increased so that these policemen cannot go around in the village and if they find you with a mistake, they want 20 shillings, 100 or 1,000. In addition, there is a problem of early marriages in this country. This is because there are no laws governing at what age to marry. I would like Mr. Chairman and his team to look into that so that there should be a specified age at which somebody is supposed to marry. My proposal is, if it is a woman, she should marry at the age of 27 unlike in some societies whereby when a girl has just reached adolescence, she is married off.

Lastly, there is a problem....

Com. Ayonga: And boys?

Moses Okalo: Boys should marry at the age of 30. That is when people are mature enough. Not after finishing form four now like me, I go to marry, it is not possible. I would like to talk about this issue of legalizing abortion in this country. A girl can get pregnant at an early age and she is forced to keep it yet when she could have aborted that child, she could have been very useful in some area and in the university when a girl becomes pregnant, the boy and the girl are sent away. You see, you are sending away potential Kenyans who could have been very useful in some areas.

Com. Ayonga: Lastly.

Moses Okalo: Lastly, I would like to talk about giving of bursaries. In Kenya, we are encouraging people to give birth to many children because we are giving bursaries to people who are unfortunate. If you know you are poor, don't give birth to many children. Atleast the number of children born in a family in Kenya should be 2 and the poor people, if you

have given birth to 7 or 8, you should not be given bursary, you should know how to take care of them, because you are the one who produced them. Thank you.

Speaker: Come here kijana.

Com. Ayonga: Can we have Collins Oroni?

Collins Oroni: I am Oroni Collins from St. Pauls Amukuru and I am in form four. I salute you all. Before the constitutional review commission, I would like to say that the constitution in a way does not give students their rights and freedoms effectively. The students should also be given a chance to represent themselves in the BOG and PTA meetings, because we realize that all the issues that are implemented in the PTA and BOG meetings are all meant for the students benefit, so it will be better if the students are also involved as members of PTA and BOG meetings.

Secondly, the present constitution actually does not favour equal distribution of resources in the country, because if you look at the distribution of resources in the country, particularly the public universities, you will realize that they have not been distributed equally. For example in Western province, we don't have any public university and this leads to humiliation when people from Western go to other countries. Similarly, the industries should be distributed equally in all parts of the country, because we have realized that in the delocalization of industries, whereby the industries are concentrated only in one place, mainly in urban areas has led to rural-urban migration, which has actually resulted to social decay and also lack of employment in rural areas. This is because the youths who are energetic and could engage themselves in development in rural areas have moved to towns in search of jobs.

I would also like to talk about the taxation system of the government. In the present constitution, I want to believe we have the regressive type of tax system. This is a tax system whereby, the government takes a lot from the poor and little from the rich. Therefore I urge

the Commissioners to put this into implementation, whereby we have a progressive type of tax system where a lot is taken from the rich and little from the poor. This will reduce the income inequalities, thus fostering development all over the country.

Similarly, in way, I want to say that the government is encouraging the increase in population in the country, because the population policies are not very strict.....

.....*End of tape 4*

Collins Oroni: in the number of children per couple. I think the government should state the exact number of children per couple, for this will reduce dependency ratio among the people.

Com. Kangu: That is all?

Collins Oroni: That is all, thank you.

Com. Ayonga: What about the children who do not belong to couples? Do you really need the number of children per couple and we know there are many of our girls and boys this days who don't have to be a couple to have children. How do we deal with that?

Collins Oroni: As far as that is concerned, I think the government should just bring in a law, whereby getting children out of wedlock should be banned and is punishable. Thank you.

Com. Kangu: Martin Oketa? Martin Oketa.

Martin Oketa: I am Martin Oketa from St. Pauls Amukura High School. To the constitution, review process...

Com. Kangu: Form what?

Martin Oketa: I am in form four. To the constitutional review process I would suggest that on the judiciary arm of the government, I would like to air out my view that in addition to the district magistrate court, the resident magistrate court, the court of appeal and the high court, there should be an introduction of the constitution court, where those judicial officers who fail to exercise their powers as pertains the constitution should be sued and should be answerable. This is just for the purpose of enhancing the rule of the law of universal suffrage for all people. Another thing, the judicial service commission should also consider age in appointing the judicial officers. This is a situation where you get that very young people are appointed as judicial officers yet they rely on other peoples views in making and that is why you get very many cases pending in courts and not attended to.

I would like to say the judicial act; the adjudicator act should be dropped because this gives the judicial officers more power than any other body in the central government. The judicial officers should be answerable to the executive and the legislature because they are under the constitution. I am against their payment because they are paid very high, and this is mainly done to protect them from participating in corruption but we see them continue being corrupt. So, instead of paying them so high, the salary should be reduced and the allowances should be reduced also and the constitution should just provide a rule that participation in corruption by a judicial official can lead to certain consequences but not paying them highly like that.

My reaction on the local government is that I would like it to be autonomous because this will ease the decision making and implementation of decisions because when the local government decides on certain projects, it takes too long for implementation of that project as they are waiting for the signatory from the Minister for Local Government. Another thing is that the local government officials, the Mayor and other officials in the local government should be appointed by the public and not as it is. This enhances the public participation in the ruling of the local government.

Lastly, I would like the citizens to have a right to disregard their Mayor or their Councillor, whenever he does not fulfil his promises or when he/she becomes corrupt, then the Councillor should be done away with.

Com. Kangu: Frankline Opuko.

Frankline Opuko: My name is Franklin Opuko from St Pauls Amukuru High School, I am in form three. I salute you all. In my views, I would like the new constitution to consider the following views. The current constitution has been allowing members of parliament to carry out their duties but in regard, they have been failing to do so. Therefore, we would like a constitution that will give the citizens a right to do away with non-performing members of parliament, by electing another member of parliament, who will carry out his responsibilities effectively.

Secondly, in the current constitution the members of parliament have been doing their work according to the instructions from their political parties. So we would like a constitution that will enable the members of parliament to do their work according to the instructions from the citizens. One of the objectives of the current constitution is to raise the living standards of its people but it is ironical that the government is not effective in doing this. So we would like a constitution that will improve the living standards of the people. We would also like the President not to influence the citizens to accept his or her proposals, but instead he should allow the citizens to decide for themselves. In this I mean, the President should be neutral. The government should also establish special corruption courts, headed by a reputable judge and to suspend all public officials charged in court overdraft. The current constitution has not reinstated the Chief justice powers to discipline errant members. To ensure that a high standard of discipline is maintained in the judiciary, we would like the Chief justice to be given powers to discipline errant judges and magistrates. That is all.

Com. Kangu: Thank you very much Franklin. Can we have Nicodemus Okwabwai?

Nicodemus Okwabwai: Nafikiri yale yote nilitaka kuongea,

Speaker: Jina lako nani?

Com. Kangu: Imeongewa.

Nicodemus Okwabwai: Mimi ni Nicodemus Okwabwai kutoka hapa. Yale yote nilitaka kuongea yamegusiwa kwa hivyo nina jambo moja tu ambalo ningependa kuongezea. Sisi kama watu wa border, tuko na shida sana, kwa sababu tunashambuliwa. Mara kwa mara tunashambuliwa na wenzi wetu kutoka ng'ambo, wakiwa armed na kwa hivyo tunataka usaidizi. Usaidizi ni upande wa defence. Tunataka, ikiwa itawezekana, sisi tupewe trained homeguards ili waweze kushambuliana na hao majambazi. Hiyo ndio nilikuwa nataka kuongezea.

Com. Kangu: Asante sana.

Speaker: (?)

Com. Kangu: Ngoja tu, nitaita majina. Silvester Siatikho.

Silvester Siatikho: I am Siatikho Silvester from St. Pauls Amukura High school. I am in form three. My first point is about the role of members of parliament. Currently, we have members of parliament who are dormant and they do not perform their roles according to our expectations. This drags behind the social economic development of this country. In refence to this, we would like to have a constitution that lays rules governing the role of ministers or the members of parliament. For instance, if there occurs a decrease in the country's agricultural production due to crop based diseases, then the minister for Agriculture should account for that. We hope that when this is put into consideration with the new constitution,

then the members of parliament will have total commitment to their roles.

Secondly, in the current constitution, it doesn't need one to be a doctor for him or her to be a Minister for health. Therefore, in such cases, problems of mismanagement of various ministries occur. Consequently, we would like to have a constitution that lays rules regarding the appointment of these members of parliament or ministers in particular. To exemplify this, one should have a degree or high education in the areas concerned to the respective ministry for him or her to be appointed a minister.

Currently in Kenya, we have the so-called leaders who we elect. We look at them as our role models. These leaders engage in corrupt deals through which they acquire wealth and presently, such undecorous means of wealth acquisition is not well defined with the law. In the new constitution, we would like such individuals to disclose fully how they acquired their wealth lest they be taken to court and be sentenced accordingly. With that, I would like to thank you very much.

Com. Kangu: Can we have George Otiti?

George Otiti: Kwa majina naitwa George Otiti, mstaafu kutoka kwa wizara ya habari na utangazaji. Mwenye Kiti na ma-Commissioners wetu wa tume, asante sana kwenu kwa kuja hapa leo. Ningependa kuwatumia rambi rambi zetu kuhusu mwenzenu Daktari Ombaka ambaye aliaga dunia. Baada ya hayo, ni maoni yangu kuhusu urekebishaji wa katiba ya Kenya. Naanza kwa kugusa tu kwa kuwa sitasoma zote. Kwanza kabisa nataka kugusa kuhusu maisha ya watu wakongwe, yaani elderly people. Ikiwa baba ama mama hapa Teso ni mkongwe, wamesahauliwa sana kama vile sehemu zingine za Kenya ambapo ,wakongwe wanalindwa sawa sawa kwa kupatiwa utunzaji mzuri, pahali pa kuishi, chakula, mavazi na kadhalika.

Kwa upande wa walemavu, ningetaja machache kuhusu walemavu. Walemavu

wamebaguliwa kwa chochote, wametengwa kutoka kwa watu wazima wakidhaniwa hawajiwezi kufanya kazi ile watu wazima nawaweza kufanya. Kwa hivyo serikali ifikirie kuwasaidia hao walemavu, ili wao pia wajimudu maishani mwao, kwa kifedha na kwa vyombo vya kufanyia kazi ya mikono. Nikigusia kidogo upande wa maskini, Teso ni nchi ambayo serikali imewaacha maskini kabisa, kwani hakuna usaidizi sana kama sehemu zingine nchini. Msaada ukitokea, watu wa kufaidika ni wale kutoka sehemu za bonde la ufa, mkoa wa kati, mashariki na hata pwani, huku, tukijikamua wenyewe. Katika katiba yetu, kuwe na namna ya kulinda watoto haswa mayatima ambao wazazi wao wamekufa.

Kwa upande wa kazi, hapo pia tunabaguliwa. Sijui kama ni kwasababu kabila letu ni ndogo. Kama huna mtu yeyote mkubwa ambaye yuko kwa kazi fulani, huwezi ukapata chochote ama lazima upitie njia ingine ya kutoa TKK, yaani kitu kidogo. Hapo, hakuna cha elimu ambayo wataangalia hapo, kama huna chochote, hakuna cha kupata. Mengine nafikiri mtasoma katika memorandum hii.

Tuwe na viti vilivyotengwa kwa makundi maalum, kama wakina mama, vilema, vipofu na kadhalika. Kuhusu haki ya kimsingi, katiba ilinde haki ya uhai na hukumu ya kifo ibaki vile vile ilivyo. Katiba ilinde haki ya wananchi, kupata elimu ya lazima bila malipo yoyote, kutoka shule ya msingi hadi kidato cha nne. Masilahi ya walemavu yalindwe kwa ukamilifu na katiba. Kuhusu haki ya ardhi na mali, anayepaswa kumiliki ama wa mwisho kabisa ambaye ana haki ya kumiliki shamba ama aridhi ni jamii ya mahali hapo. Serikali haina uwezo wa kutoa ardhi kwa lazima kwa lengo lolote. Cheti cha kumiliki shamba ipeanwe bure bila malipo yoyote. Katiba ihakikishe haki ya kila Mkenya kumiliki ardhi yake. Wanaume na wanawake wasiwe na uwezo sawa wa kumiliki ardhi.

Kuhusu tofauti ya kikabila na kitamaduni, nchi ya Kenya inachangia katika ujengaji wa utamaduni wa taifa na tuwe na lugha moja ya taifa katika katiba na itambue na kuendeleza lugha za kienyeji. Maofisa wa uma ni lazima walazimishwe kutangaza vile walipata mali walionayo.

Com. Kangu: Jaribu kumaliza.

George Otiti: Nikimaliza, kwa upande wa kazi, mtu awe na kazi moja tu kwa kuwa unaweza pata mtu mmoja akiwa na kazi karibu kumi na zote analipwa mshahara. Ni hayo tu na yametayarishwa nami Otiti Christopher George (OCG) kutoka kataya oturu tarafa la Amukura.

Com. Kangu: Gadd Ojala. Wewe ndio mwalimu wa wanafunzi?

Gadd Ojala: Thank you very much. I have the following views to put across.

Com. Kangu: Name please.

Gadd Ojala: I am Gadd Ojala, deputy Head Teacher, St. Pauls Amukura. There is a problem in this district as concern education. You will find that quite a number of kids fail to go to schools because they fail to meet the fees. I suggest that all the civil servants, me inclusive to be taxed some percentage of our pay, that should go to educating of the kids especially in primary and there should be very good accountability of the money that is raised.

On the management of schools, I want to suggest that the PTAs should have an upper hand as compared to the BOG. I say this because the PTA members have their kids in that school and will have the interest of the school at heart, so I think if the PTA is given an upper hand they will actually develop their respective schools.

Lastly, I wanted to talk about farming. In this areas and especially this district, we can boost farming if it is made compulsory. If we use the provincial administration to ensure that each farmer cultivates three quarters of their land and put it into arable use, we can have enough food for this country but looking at the situation at the moment, most people are not very

serious with their farming. Thank you very much.

Com. Ayonga: Bwana Ojala, you said in order to help the poor children who are sent away from school civil servants including you should be taxed. Knowing what Kenya is like and a little while ago we said we are highly taxed than any other person in the world, we are one of the highest and Ojala, you say you are a teacher. You teachers are in the pipeline crying of your salaries, in other words, you are underpaid, that is what you are complaining about. Would you like to suggest how much of tax you would like see done while you are what you are?

Gadd Ojala: I suggest 1% of the basic salary should be taxed from all civil servants and that should go to educate the kids, especially in primary schools so that we can buy basic items like chalk and so on.

Com. Ayonga: Thank you. Next person, do we have someone here by the name Kanoti Isike? I don't know whether you are sticking to one and a half minutes that I gave earlier, Kanoti Isike.

Kanoti Isike: Asanteni sana. Yangu ninapendekeza hivi, kuna makosa mengine ambayo katika katiba ambayo iliendelea, ilionekana ya kwamba kuna makosa ambayo yako juu ya mahakama kwa sababu kuna watu wengine wanaweza kupelekwa jela kabla ya kupitishwa mahakamani. Kwa hivyo ningependa kila kosa, mtu apelekwe na afungwe kupitia mahakamani. Mtu akishikwa, anafaa kwenda remand kwa wiki moja, kwa sababu mtu kama huyu anafaa kuchukuliwa kama hana kosa, mpaka apatikane kuwa na kosa. Watu wa remand huwa wanateswa, wengine wanakufia jela, kama hawana hatia na kwa hivyo tunataka katiba ambayo inatengenezwa iangalie jambo kama hilo.

Com. Ayonga: Unataka watu wawe katika hio jela kwa wiki moja?

Kanoti Isike: Nataka mtu awe rumande kwa wiki moja.

Com. Ayonga: Akiendelea kuteswa?

Kanoti Isike: Hapana.

Com. Ayonga: Eeh?

Kanoti Isike: Asiteswe kwa sababu mtu ambaye atakuwa rumande.

Com. Ayonga: Hatusemi hivyo? Nani aliwauliza maswali nyinyi kutoka huko mjibu? Mimi sijawauliza maswali mnijibu, ni huyu ninaye muuliza. Ungetakaje?

Kanoti Isike: Ningependa, mtu akiwa rumande asichukuliwe kuwa ana kosa kwa sababu huenda hana kosa na anawekwa rumande, kosa lake likichunguzwa. Akipatikana ana kosa, ashtakiwe.

Com. Ayonga: Okay. Endelea.

Kanoti Isike: Hatutaki Wabukusu watutairi, kwa sababu kutairiwa si kimila kwa Wateso kwa hivyo Wabukusu waangalie mila yao, wasitulazimishe kuinga kwa mila yao.

Com. Ayonga: Okay.

Kanoti Isike: Ma-Chief na manaibu wao wajengewe ofisi na serikali, kwa sababu ikiwa Chief wa Nairobi anakaa mahali pazuri, tunataka Chief wa Teso pia, ajengewe ofisi na tukiingia kwa ofisi yake tuheshimu, kwa sababu wengine hawana ofisi mpaka leo. Kama ni Chief wa Kenya, wote wawe sawa.

Com. Ayonga: Okay.

Kanoti Isike: Ni hayo tu.

Com. Ayonga: Asante sana. Wabukusu waacha kuwatairi. Natumaini kama Wabukusu wako hapa wamesikia.

Audience: Ndio

Com. Ayonga: Hiyo haitakikani. Next, huyo alikuwa Kanoti Isike, sasa Ambrose Etyang. Ambrose Etyang, tuambie lile ambalo halijasemwa.

Ambrose Etyang: Bwana Commissioner,

Com. Ayonga: Sema majina yako.

Ambrose Etyang: Ambrose Etyang. Bwana Commissioner, tuna furaha vile mmekuwa hapa siku ya leo. Tutazidi kukupa matatizo yetu. Ministry ya Labour inatakiwa iwe hapa Amagoro, wilayani Teso. Bwana Commissioner, tunataka watupatie court hapa Amukura kwa sababu ilikuwa na mahakama yake na ikahamishwa hadi Busia. Tunaomba Amukura court, tunaomba waturudishie mahakama yetu. Tunaomba tuwe na Amukura Town Council, Angurai Town Council na Chakol Town Council. Malaba iwe Municipality. Bwana Commissioner, wakati huu kuna tofauti ya kijana na msichana. Nikisema hivyo, pengine sijazaa kijana, nimezaa wasichana peke yake. Nikifa, msichana hawezi kurithi shamba la baba yake ama la.

Com. Ayonga: Unatakaje?

Ambrose Etyang: Msichana arithi, mimi nimezaa wasichana.

Com. Ayonga: Ndio. Sema wasichana waridhi mashamba ya baba zao

Ambrose Etyang: Wasichana warithi mashamba ya baba zoa

Com. Ayonga: Endelea.

Ambrose Etyang: Bwana Commissioner, tunataka tupate wabunge watatu, Amukura iwe constituency, Amagoro iwe constituency.

Com. Ayonga: Si hawa wamefika wawili?

Ambrose Etyang: Na Charkol. Bwana commission, tunaomba kila wilaya iwe na mahakama yake. Pia tunaomba Ochofia District hospital, ipanuliwe badala ya kupeleka wagonjwa Bungoma. Ambulance ya Ochofia kuchukua mgonjwa Bungoma, wanalipisha shilingi mia tano, hakuna pesa na hakuna usaidizi katika health centres zote. Malipo ni taabu, tunanunua dawa na hatuna pesa. Hatutaki majimbo, ikiwa majimbo itakuwa sisi Wateso hatutaki, tunaunga central government mkono.

Com. Ayonga: La mwisho?

Ambrose Etyang: La mwisho, hapo awali tulikuwa na paramount Chief Raphael Okisae na sasa wamemsahau na hata jina lake halikumbukwi. Teso district ilikuwa na paramount Chief mmoja na tunataka hio position irudishwe.

Com. Ayonga: Thank you very much. Ujiandikishe kule. Sasa namtaka Pastor Evans Omuse.

Evans Omuse: Majina yangu ni Mchungaji Evans Omuse wa African Inland Church

Amukura. Box 53, Amukura. Ningependekeza wabunge maalum kumi na wawili, wabunge sita wachaguliwe wa kwanza awe kijana, wa pili mama, wa tatu mzee, wa nne Mchungaji, wa tano kutoka kwa makabila madogo na wa mwisho awe mlemavu.

La pili, ningependekeza kuabudu, tuwe na tume maalum, ambayo itaitwa Church Commission na katika hiyo tume, tuwe na waakilishi katika kila wilaya. Pia katika mashirika ya serikali, ya binafsi na pia ya kigeni, tuwe na wachungaji kama washauri wakuu au ma-Councillors. Katika ofisi cha Chief hadi ofisi ya Rais, ambayo inahusika na utawala wa mkoa, ninapendekeza tuwe na wachungaji ambao ndio watakuwa wakikalisha kikao, ili tuweze kurekebisha mambo mengi kwa sababu tunapokuwa na wachungaji, mambo mengi yanaenda sambamba.

Mwisho ningependekeza ya kwamba katika hawa watu kama DC na PS, tuwe na wachungaji ambao watakuwa kati yao, wakati mtukufu Rais anachagua akiwa ndio mwenye mamlaka hiyo, tuwe na mchungaji mmoja.

Com. Ayonga: Ambaye ni nini?

Evans Omuse: Ambaye ni DC, PC na kuendelea hata PS ama minister. Katika wadhifa hizo kubwa, tuwe na mchungaji at least mmoja ambaye ataweza kusaidia zaidi katika mashauri au katika counselling. Kwa hayo nasema mubarikiwe.

Com. Ayonga: Toa hiyo karatasi yako ya (?) Zakayo Soimodoit. Kama nimesema jina lako vibaya, ukuje tu. zakayo.

Speaker: Hayuko.

Com. Ayonga: Okay, sawa sawa. Michael Buramis halafu kuna Jafa Emodi. Jafa naona una maandishi, tunataka tu utumulikie yana nini na pia utuambie yale ambayo hayajasemwa

halafu (?)

Jafa Emodi: Asante sana Mwenye Kiti

Com. Ayonga: Victor Buluma awe karibu.

Jafa Emodi: Wa Tume ya marekebisho ya katiba. Yale ambayo yameandikwa hapa sitaguzia ila tu kuna machache ambayo nitapendekeza, kwa sababu hii karatasi nitawapa ili muende mkasome. Kuna pendekezo ambalo ninapinga katika katiba ya sasa kwamba sheria ya kunyonga mtu itupiliwe mbali. Kwa sababu pengine huyu mtu hana hatia, labda pengine amekosa fedha za kumhonga hakimu, kisha huyu mtu anahukumiwa anyongwe, ilihali inafikia wakati wa kutoa msamaha wa Rais, na inapatikana kwamba huyu mtu amenyongwa. Kwa hivyo nasisitiza sana ya kwamba tume ya marekebisho ya katiba itilie mkazo, ili hii sheria itupiliwe mbali.

La pili, nataka neno democrasia ibainike wazi kwamba ni democrasia. Kwa mfano wale wabunge wetu wanapokuja kuhutubia wananchi ama kufanya campaign, sisi raia ndio tunaumia na tunataka tume ya marekebisho ya katiba, itilie maanani kwamba hawa watu wakienda kuhutubu mahali popote, waende katika team. Kwa sababu wakienda katika team, itazuia chuki, fitina na pia umwagikaji wa damu. Wataenda kama wanasiasa ambao wameelewa democrasia. Kila mara wakileta vifo ni kwa sababu kila mtu anaenda na watu wake na akifika kule anasema muniunge mkono, wale wengine wakija, mpige sasa hivo sisi tunagawanywa katika misingi mbali mbali na tunahimiza tume itilie mkazo kabisa, hao watu watembee katika team, chama cha utawala pia na wapinzani wote, yeyote yule anayetaka kuwaania kiti cha bunge.

Com. Ayonga: Thank you.

Jafa Emodi: La tatu,

Com. Ayonga: Hiyo ni ya mwisho.

Jafa Emodi: La tatu, tunataka Wateso wapeane mfalme wao na huyu mfalme asihusike na serikali, ahusike na Wateso peke yake na achunge kabila la Wateso na sheria zao. Kwa mfano, kuna mila za Wateso ambazo, huyu mfalme akichaguliwa, atahifadhi na kufufua utamaduni wa Wateso. Kwa mfano, Wateso wana maajabu fulani ambayo inaweze kuvutia watalii kutoka nje. Hawa Wateso wanafufua watu waliokufa na kuenda kuwaweka katika mti. Leo huyu mfalme akipatikana hapa, na awe na mahali pake pa kuishi kama makao makuu ya Wateso, ili hawa watalii wakija anawaambia, sisi hapa huu ndio utamaduni wetu na sisi hapa hufufua watu na mahali hapa ndio tunaishi. Unaona watalii wanaweza kuletea Wateso pesa nyingi na hii itafaidi pia serikali.

Com. Ayonga: La mwisho.

Jafa Emodi: La mwisho, nataka kukuhakikishia kwamba Uislamu ni dini ambayo inaabudu Mwenyezi Mungu ila sio dini ambayo inatekeleza ugaidi. Kuna wale wanasema Uislamu ni dini ya ugaidi, wala si wacha Mungu. Kwa hivyo inatakikana itambulike katika katiba kwamba hao Waislamu ni wacha Mungu.

Com. Ayonga: Asante sana. Unasema Wateso wapewe mfalme?

Jafa Emodi: Mfalme

Com. Ayonga: Mfalme anaitwaje kwa Wateso?

Jafa Emodi: Mfalme anaitwa Kabaka.

Com. Ayonga: Kabaka?

Jafa Emodi: Eh.

Com. Ayonga: Hayo ni maoni yake. Asante, ujiandikishe pale. Sasa vijana mnaweza kuona wazee wakiwemo wanakumbuka nasikia. Wazee mnasema anaitwa je?

Audience: Emormor

Com. Ayonga: Emormor?

Audience: Emormor

Com. Ayonga: Sasa mkiseme wazee wasikuwemo, Emormor hiyo itajulikana je?

Audience: Emormor

Com. Ayonga: Emormor?

Audience: Ndio.

Com. Ayonga: Thank you. Next, wapi Victor Buluma? Na baada ya huyo Victor kuna Donald Mac. Nataka utoe lile neno ambalo halijasemwa kama hili la Mfalme wa Wateso limesemwa.

Victor Buluma: Asante sana Bwana Commissioner. Nina machache zaidi hata kama yamesemwa, nitayasema kwa ufupi zaidi kwa sababu yamenichoma tangu.

Com. Ayonga: Unaharibu dakika badala ya kusema hayo uliyonayo. kama yanakuchoma, chomeka upoe.

Victor Buluma: Kwa majina naitwa Victor Buluma, mimi ni mzaliwa wa hapa Teso. Naongea kwa desturi za Wateso. Kwanza, Rais akikosa tunataka pia achukuliwe mahakamani, kulingana na kosa lake.

Com. Ayonga: Hilo tumesikia.

Victor Buluma: Pili, Chief na manaibu wao, wachaguliwe kwa njia ya mlolongo kulingana na mahitaji ya wananchi, ikiwa hawataweza kupewa transfer na serikali. Tatu, liguru ndiye mwanzilishi wa kila jambo lakini anasahaulika. Tunataka apate mshahara kwa serikali.

Com. Ayonga: Hilo limesemwa kutoka aSubuhi.

Victor Buluma: Nne, katika mila za Wateso, tunataka pombe ifanywe halali kwa sababu ni desturi. La tano, wafanyikazi wa serikali wasishikilie kazi zaidi ya mbili, kama ni mingi ni mbili, kwa sababu vijana wengi tumesoma, tumetembea na viatu vimeisha lakini hatuna kazi.

Com. Ayonga: Kwa hivyo unataka je?

Victor Buluma: Tunataka mfanyikazi wa serikali asishikilie kazi zaidi ya mbili ili pia tupate nafasi.

Com. Ayonga: Sawa sawa. La mwisho?

Victor Buluma: La mwisho, wafanyikazi wafisadi, tafadhali serikali isiwape transfer, wafutwe kulingana na makosa yao, ili wengine waichukue wadhifa huo na mwisho kabisa, tunapendekeza, mtu yeyote mzima kuanzia umri wa miaka kumi na nane, akimpa msichana mimba, lazima amchukue na kama sivyo, mimi naona huyo mtu aweze kupeana usaidizi kwa huyo msichana, mpaka atakapo zaa na mtoto afikie umri wa kwenda shule. Kisha amchukue

huyo mtoto, kupunguza garama.

Com. Ayonga: Thank you.

Victor Buluma: Asante sana Commissioner

Com. Ayonga: Donald Mac? Donald Mac?

Speaker: (?)

Com. Ayonga: (?). Pasili Baraza?

Pasili Baraza: Niko.

Com. Ayonga: Mzee tulia hapo. Huyu Donald Mac hayuko kabisa?

Pasili Baraza: Mimi kwa majina naitwa Pasili Baraza Omacharu, retired police officer na Councillor. Maoni yangu ni kwamba sisi Wateso ni watu ambao tunadharauliwa katika Kenya lakini wakati wa kura, sisi pia tuko hapo. Kama uchaguzi uliopita ama wale ambao wako kwa bunge, kama kiti cha President, tulipiga kura kama watu elfu thelathini na sita ya President peke yake. Pia, watoto wetu wanasoma lakini je, mbona sisi tunabaguliwa Kenya? Kama kiti hiki cha Ambassador, hakuna Mteso yeyote ambaye amekaribia hicho kiti na kabila zingine katika Kenya wamenusa.

La pili, kama hiki cha PC, Wateso hawajawahi kupata hicho kiti. Je, sisi ni wakaazi wa Kenya, ambao tumepiga kura au tutasimama wapi?

Com. Ayonga: Hebu nikuambie Mzee, nataka nikusaidie. Sisi usituulize maswali au usijiulize maswali yasio na majibu. Hayo ni mambo ambayo unajua kwamba viti fulani

Mteso bado kanyaga hapo, si ndio?

Pasili Barasa: Ndio

Com. Ayonga: Sasa, tunataka utuambie unatakaje.

Pasili Barasa: Nataka kusema tunataka kiti cha balozi angalau Mteso apate.

Com. Ayonga: Mteso awe balozi.

Pasili Barasa: Awe balozi.

Com. Ayonga: Ndio, hivyo ni vizuri.

Pasili Barasa: Ya pili, Mteso awe PC pia

Com. Ayonga: Awe PC?

Pasili Barasa: Awe PC.

Com. Ayonga: Sawa.

Pasili Barasa: Wateso tuko kwa shida. Kazi ya majeshi, polisi, APs na prison. Kule headquarters inaandikwa siku fulani itakuwa ya kuandika.....

.....*End of tape 5 side A*

Pasili Barasa:.....watu wa army, lakini kuna ubaguzi kama huna ndugu yako na huyu ndugu yako ni pesa na hakuna mtu yeyote aliyechukuliwa kutoka Amukura na Chakori

division. Kwa hivyo naomba, ikiwezekana, serikali ingechukua kutoka kila division, kama watanakiwa watu ishirini, kila division itoe watu kama watano.

Com. Ayonga: Asante sana. La mwisho mzee?

Pasili Barasa: Pia ninasema, kwa Wateso kuna mila ingine ambapo mtu ameowa bibi na pengine amezaa naye watoto wawili, watatu au mmoja na ametoka na kuenda kuolewa mahali pengine na huko amezaa watoto wengine. Baada ya kukaa huko kama miaka thelathini, arobaini ama ishirini, akisikia wewe umekufa na ulikuwa na mali, utaona huyu bibi atakuja na anataka kurithi hii mali na yeye sasa ako na boma mbili. Nataka hiyo maneno iwe katika katiba.

Com. Ayonga: Iwekwe aje?

Pasili Barasa: Iwekwe kuwa yeye ameenda kwa boma lingine kuolewa, asije kufuata kurithi hiyo mali mahali alitoka.

Com. Ayonga: Sasa maliza mzee.

Pasili Barasa: Nikiongeza tena.

Com. Ayonga: Ya kumalizia.

Pasili Barasa: Yangu ya mwisho ni hivi, mtu aki-retire kwa kazi, serikali ikiongeza nyongeza ya mshahara, ingekuwa ikiongeza hata kwa wale ambao wame-retire maana wamesaidia serikali kwa njia mzuri na pengine wanapata pension. Serikali iangalie hiyo maneno.

Com. Ayonga: Hiyo ni point mzuri sana mzee na tumeipata Kenya nzima.

Pasili Barasa: Hiyo ndio yangu ya mwisho

Com. Ayonga: Asante

Pasili Barasa: Asanteni kwa kunisikiza.

Com. Ayonga: Enda kule ujiandikishe. Stanley King'lei? Stanley King'lei ni aje, na afuatwe na Jacob Ekwenye. Tena ningependa kuwakumbusha wale mlio na memorandum, ambao mmekuja nyuma, si lazima wewe ukae hapa na memorandum yako, ikiwa si lazima uje kuongea juu yake. Unaweza ku-Submit your memorandum kule, ujiandikishe, uweke sahihi na utoke urudi nyumbani. We have that provision. Kama una memorandum yako na unataka kui-Submit unaweza kuja straight hata sasa hivi, enda kule ujiandikishe na utoke.

Stanley King'lei: Mimi ni Stanley King'lei na nitazungumzia upande wa Ministry of Education. Unapata walimu wanapata mshahara kutoka kwa education, lakini wafanyi kazi wa shule hiyo hawapati pesa kutoka kwa education. Kwa upande wa health, kuna cost sharing, unalipa pesa na unapatiwa chloroquin ya 30 shillings ile ungenunua madukani. Ukilazwa, unapata hicho kitanda kina watu karibu kumi mna-share kitanda moja na umetoa pesa ya cost sharing.

Com. Ayonga: Kwa hivyo unataka je?

Stanley King'lei: Hapo tunataka maneno ya cost sharing iondolewe.

Com. Ayonga: Okay. Final point?

Stanley King'lei: Nikirudi upande wa commissions, commissions hapa Kenya zimeharibu pesa mingi sana. Hata ukiangalia hilo gari ambalo liko hapo nje ambalo Commissioners' wanatumia, tyre yake peke yake nikiuza, itanilinda miaka zote. Ni hayo tu.

Com. Ayonga: Asante. Utajiandikisha na wakati unapoenda kujiandikisha, ile gari ni ya serikali na tukimaliza kazi hapa kwenu itarudi huko. Pengine ni kwa maana hujui mahali ambapo tunapita, unafikiri ni lami kama hapa. Tumeenda mahali ambapo hata hii gari inashindwa kupanda na gari hiyo imenunuliwa kwa kazi haikununuliwa kwa watu, ni kazi ambayo inafanya. Ikimaliza hiyo kazi, gari inarudi kwa wenyewe. Asante. Jacob Ekwenye, dakika yako moja na nusu ndio utumulikie yale ambayo ulionayo na hawajasemwa hapo mbeleni.

Jacob Ekwenye: Asante. Kwa majina ni Jacob Ekweny. Yale nataka kusema ingawa imesemwa ni kuhusu basic rights. Mtu anaweza kushikwa na polisi na anapelekwa kwa cell na aishi hapo miezi tatu, bila kupelekwa kotini. Unakuta huyu mtu anateswa zaidi hata choo pekee yake ni shida na wanakaa zaidi ya watu kumi na hicho chumba kinafungwa na hakuna dirisha.

Com. Ayonga: Hiyo tunajua. Tuambie kile unachotaka.

Jacob Ekwenye: Sasa mimi nataka choo iwe private, ili mabusu wapate kujisaidia kule nje hapana ndani ya cell.

Com. Ayonga: Cell iwe na choo

Jacob Ekwenye: Private.

Com. Ayonga: Mahali mabusu wanakaa, wakae kama watu?

Jacob Ekwenye: Wakae kama watu wengine.

Com. Ayonga: Sawa sawa

Jacob Ekwenye: Tena, mabusu wanafaa walale kwa matandiko vile wengine wanalala.

Com. Ayonga: Okay,.....

Jacob Ekwenye: Wasilale kwa simiti halafu (?) inachibuka.

Com. Ayonga: Tunaelewa.

Jacob Ekwenye: Yah. Kwa sababu mabusu wanapata shida sana.

Com. Ayonga: Sisi ni Wakenya na tunajua hayo kwa hivyo tuambie tu pendekezo.

Jacob Ekwenye: Pendekezo langu, wanatakikana wapate matandiko, wapate matibabu ya kutosha,

Com. Ayonga: Sawa.

Jacob Ekwenye: Wapate chakula cha kutosha na Commissioners mara kwa mara, wawe wakienda kuangalia shida ya mabusu ndani ya cell

Com. Ayonga: Ndio.

Jacob Ekwenye: Hapana kukaa tu na kuandika, bila kuangalia hawa watu, wanateseka.

Com. Ayonga: Asante.

Jacob Ekwenye: Unaweza dhulumiwa wakati mwingine, unapelekwa kotini na wanakaa miaka tatu rumande. Wakisha kaa miaka tatu, wanapelekwa kotini na wanasema wewe hauna

hatia na unatoka. Sasa, hakuna njia yoyote unaweza kushtaki yule mtu ambaye alikidhulumu ama hakuna njia yoyote ambayo unaweza shtaki serekali.

Com. Ayonga: Kwa hivyo unatakaje?

Jacob Ekwenye: Nataka kuwe na njia ya kushtaki serekali ili ulipwe hizo expenses.

Com. Ayonga: Sawa.

Jacob Ekwenye: Ndio. Tena, kuhusu ukimwi, hili ni janga moja ambalo limeua watu wetu hapa.

Com. Ayonga: Tunajua.

Jacob Ekwenye: Watoto wetu wengi wanakaa nyumbani kwa ajili wanakosa pesa kwa sababu wazazi wote wamekufa. Kwa hivyo naomba serikali ipate njia ya pesa, kama ni usaidizi, utoke huko Nairobi na ifike mpaka kwa Chief, si kwa DO ama DC, ifike mpaka kwa Chief, kwa maana ndio anajua huyu mtu amekufa na ukimwi na watoto wake wako na wapatiwe usaidizi.

Com. Ayonga: Thank you.

Jacob Ekwenye: Yah.

Com. Ayonga: Sasa toa hiyo makaratasi tupatie tafadhali.

Jacob Ekwenye: Ikwishe?

Com. Ayonga: Tunataka kila mtu apate nafasi

Jacob Ekwenye: Okay. Asante's Commissioner.

Com. Ayonga: Nelson Aapa? Ni wewe?

Speaker: Hayuko

Com. Ayonga: Hayuko. Elias Munyane?

Audience: Hayuko karibu

Speaker: Elias Munyane?

Com. Ayonga: Ameonekana?

Audience: Hayuko.

Com. Ayonga: Basi. Tunaendelea. Sebastian Irari. Sebastian Irari?

Audience: Hayuko.

Com. Ayonga: Vitallis Baraza?

Audience: Hayuko.

Com. Ayonga: Bonaventure Omsolo? Yuko?

Speaker: (?)

Com. Ayonga: Si uje mbele. Nataka utupe memo yako na kama kuna neno unataka kusema la kumulikia, mulika na utupe memo.

Bonaventure Omsolo: I am Mr. Bonaventure Omsolo from Teso County. I had three issues but I realized most of them had been raised so there is not need but jsut to add on, I will talk on local government. I realize in the local government act, as it appears in the constitution, the functions of the Councillors has not been very clear and I suggest that they should be clearly defined in the constitution. As per the functions, which have not been clear, I also suggest that their functions should be clear to foster development in their wards and then there should also be ceremonial policy making. While it has also been a problem between the civic body and the Chief officers, whereby I suggest that, the Chief officers purely remain as implementors of the policies which have been made by the Councillors and secondly should be administrative.

On the same note, as you have always been hearing in the papers, there has been alot of wrangles in the local authorities. As far as that is concerned, I suggest that at least there should be a clear clause in the constitution, on how the indiscipline cases should be dealt with. Also on the same note, though it has not been very clear, I propose the name of the local authorities, especially like the counties, as it is in other areas, it should not be called a district council for the counties. I know I don't have to talk about the stand because alot has also been talked. I know there is need for local authorities to be given autonomy, because as far as the way things are at the moment, the solutions they usually make are not biding because they have to seek for approval from even the minister, but if they are given autonomy, they should be able to make their own resolutions and once they have been made, they should be binding at that particular moment. Also I know we have been having problems in the local authorities and I suggest that we shoul have an independent local authority service commission which will be dealing with the issues pertaining to personnel and admininstrative issues.

On the other hand, I have on basic rights, I know most of the issues have been raised, but I

feel, especially where somebody has been arrested and detained in police custody. If he will be proved not guilty, at least that person should be compensated for damages.

Com. Ayonga: Thank you.

Bonaventure Omsolo: I still have to continue.

Com. Ayonga: You still have (?)

Bonaventure Omsolo: I still have, but I think most of the things that are here, I can just present my memo instead of wasting time.

Com. Ayonga: Thank you so much (?). Victor Omasete. Victor Omasete? Yuko? Do we have.....

Victor Omasete: Niko hapa.

Com. Ayonga: Uko wapi? Dakika moja na nusu. Elikana Oteba? Do we have Elikana Oteba? Omasete endelea.

Victor Omasete: Asante Bwana Commissioner. Kwa majina naitwa Victor Omasete. Niko na maoni yangu na mengine yamesemwa.

Com. Ayonga: Sema yale ambayo hayajasemwa.

Victor Omasete: Ya kwanza, angalau nilikua nataka nifafanue kidogo kwa upande wa Administration, pendekezo langu ni kwamba, elder wa kijiji na Chief achaguliwe na wananchi kwa miaka tano. Hapo tena kwa upande wa administration, upande wa askari, kwa sababu zamani vile askari walikuwa wanatembea na Chief, hatukuwa na shida hii ya uizi ama

matatizo katika kijiji, ndio nilikuwa napendekeza kwa upande wa police, wasiwe wanatembea peke yao katika kijiji, wawe wanatembea na kiongozi wa kijiji. Kwa sababu huu uizi, hata askari naye huwa anapatikana kule na nilikuwa napendekeza ikiwa askari anakuwa suspected katika kijiji, mamlaka iwe kwa wananchi kupata askari peke yao kama wako katika kijiji, bila kiongozi wa kijiji, huyo askari achukuliwe hatua na afutwe kazini.

Com. Ayonga: You have made your point. Askari wakija katika kijiji waje na mzee wa kijiji

Victor Omasete: Ndio

Com. Ayonga: (?) the problem

Victor Omasete: Yah

Com. Ayonga: Enda kwa ingine.

Victor Omasete: Lingine, katika upande wa kazi, mtu mmoja asiwe na kazi nyingi vile imesemwa lakini mtu akistaafu astaafu kabisa na asiwe anataka kazi ingine, kwa sababu kuna vijana ama watoto ambao wamesoma, wapewe hiyo nafasi. Wasiwe wana-retire na anarudi tena kutafuta kazi ingine.

Com. Ayonga: You have made your point.

Victor Omasete: Aki-retire a-retire kabisa. Mtu ambaye amefanya kazi kwa serikali asipate kazi ingine.

Com. Ayonga: Point ya mwisho?

Victor Omasete: La mwisho, mtu mwenye kununua shamba la mwingine, mahali ambapo

anatoka, atoke na barua ya Chief wa area hio na akija kununua mchanga katika area ambayo anakuja na apatikane na makosa kwamba yeye ni mwizi ama ni mchawi katika hicho kijiji, mamlaka ipewe kwa wananchi wa area hiyo, wamfukuze bila kulipa zile pesa alizokuwa amelipa. Hiyo ndio ya mwisho, asante.

Com. Ayonga: Enda ujiandikishe kule. Dismas Ologe? David Aunya? David Aunya?

Audience: Hayuko

Com. Ayonga: Halafu Cornel...

Speaker: Mimi niko.

Com. Ayonga: Wewe ni nani?

Speaker: Josphat (?)

Com. Ayonga: Wewe ni David?

Speaker: I am Joseph (?)

Com. Ayonga: Tuko na Cornel Omuria Karani? Eh?

Speaker: (?)

Com. Ayonga: Quinto Etyang? Quinto Etyang?

Audience: Hayuko

Com. Ayonga: Hayuko. Benjamin Etianga. Benjamin Etianga? Hayuko?

Audience: Hayuko.

Com. Ayonga: Quintos Achu. Ni wewe? Itika kijana. Akifuatwa na Robert Etyang. Robert Etyang yuko? Kuja hapa mbele. Unaweze kuendelea, Quintos endelea.

Quintos Achu: Thank you Commissioners. I am Quintos Achu. As a Kenyan, I feel that we should have a preamble that states, 'we the people of Kenya declare to live with respect towards each other and recognize our ethnic diversity as an asset and strive to ensure personal dignity to every Kenyan and a right to an economic livelihood and respect for our basic rights to every Kenyan'. To add on that, on the directive principle of the state policy, I feel that we should strive to uphold democratic governance at all times and all issues. Governance to be affected constitutionally.

On constitutional supremacy, it is my mind that amendments to the constitution must involve all Kenyans and not a certain percentage of MPs to vote for amendments. Constitutional select committee, when need arises to be appointed by parliament. On defence and national security, we need transparency in forces recruitment by making open the required figure nationally and at district level so that it should be distributed fairly among all locational levels, to avoid favourism and bias towards other areas. The security unit should be established by the constitution, to avoid (?) from a personal army. There should be a separate defence ministry to check misuse of arms. I feel that a civilian security committee should be established to monitor the arms and the nearby police units together with the DO to check misuse of arms. All arrests should be effected with warrants.

The regular police should be equipped fully with ready up-to-date communication based to police and all localities with accordance with a call of duty. The functions of the APs should strictly be with the provincial administration at locational level according to the Chiefs'

instructions on security matters. Thank you.

Com. Ayonga: Thank you. Enda ujiandikishe kule. Robert Etyang? Robert Etyang, tunataka utuambie yale hayajasemwa.

Robert Etyang: Kwa majina ni Robert Etyang. Nina mapendekezo machache ijapokuwa zingine zimesemwa. La kwanza ni hali ya makesi katika ofisi ya DO, ambazo zinastahili kupelekwa kwa liguru huko kijijini, kwa sababu bwana DO hajui mpaka wangu na wa mwenzangu uko wapi. Kwa hivyo ninapendekeza hizo kesi zirudishwe nyumbani.

La pili, naomba hii mambo ya ID cards iwe ni kitu cha kila siku ili watu wapate vipande kila siku kwa sababu ya masukumano. La tatu ni hii hali ya madhehebu. Hapa Teso, kuna madhehebu mengi na hiki ndicho chanzo cha ukimwi na ninapendekeza ya kwamba wagonjwa wote wa ukimwi wapewe uniform, ili watambulike hao ni wagonjwa.

Com. Ayonga: Nani atalipia hiyo uniform?

Robert Etyang: Serikali. La nne, nataka kuongea juu ya judiciary. Judges huwa retired at 74 years lakini napendekeza waende retire at 50 years.

Com. Ayonga: La mwisho?

Charles Etyang: La mwisho, kuna sheria ambayo iko kwamba mwanamke, kama kwa mfano kama nimeowa mwanamke kutoka Uganda na sheria inasema kwamba akienda kuzalia huko, huyo mtoto ni Ugandan citizen. Napendekeza sheria kama hiyo itupiliwe mbali.

Com. Ayonga: Asante sana.

Charles Etyang: Asante.

Com. Ayonga: Charles Odera.

Charles Odera: Kwa majina ni Charles Ekisa Odera. I have worked with the public service commission as an agriculturalist and I have worked with BAT Kenya. Currently, I am the chairman of Retirees in the district. I have a few points to make. One is the management of our economy. I think the current constitution does not address well how our economy is managed, as we know, our economy is mainly agricultural in nature, even our industries are agro-based. Currently, our farmers are facing unfair competition from outside because of importation of cheap maize, rice and so our own products do not have good market in the country because of that unfair competition.

Com. Ayonga: So (?)

Charles Odera: Sorry. Commissioners, I have the following suggestions to make. One, I would request that in our constitution, the farmer should be protected. Our industries should be protected. Two, the price of inputs currently in the farming industry is very expensive and our farmers cannot afford the inputs. So I suggest, to jumpstart our economy which is agriculturally based, the government should set aside some funds which will go to the farmers through the local authorities as a revolving fund. This is to mainly help the farmers buy inputs. I am sure if we do this, our economy can easily pick up because right now the agricultural sector is almost dead and even the industrial sector.

The second thing I would like to say is this question of local authorities. In the local authorities, I have the following suggestions; I would suggest that the chairman of the local authorities becomes the chairman of DDC. The current chairman of DDC is the District Commissioner and the DC does not come from within the district in most cases and I would suggest that the chairman of the local authority, becomes the chairman of the DDC so that he is aware of what happens in that area. Two, 50% of the members of the DDC should be

locals because they know what they want in that area. Three, this question of language test for MPs and councilors; I think it is not necessary if the minimum qualification is met.....

.....*End of tape 5*

Charles Odera: and it has already been suggested by other colleagues of mine. A councilor or even MP should be above form four and I would urge that it should be a division 4 or D+ with a pass in English. If that criteria is met, then we don't need to test them because already they know the language. I want to go very fast because I have written most of the things. The last thing is about the question of strikes – there are a lot of strikes currently in Kenya. I think the reason is, I have also been affected by the way. The reason is because we don't have a body in Kenya which addresses on the salaries of these people and so I suggest a commission, which I may call Job Evaluation Commission be formed. The work of this commission, is to look at the remuneration of all the government workers and all those in parastatals, so that the salaries are harmonized and this should be a continuous exercise. I am sure if this is done, this question of strikes will not be there. That is what I would like to say. Thank you very much.

Com. Ayonga: Thank you. that is a good point. Now, if you can Submit the memo, it is written?

Charles Odera: Yes

Com. Ayonga: Okay. Submit it. Emmanuel Sokia Omusaka? Silvanus Okia Omukaka? Mark Ejakaiti? Mark Ejakaiti? James Emorut (?) Andrew Oroni? Festo Amoiti? Dakika moja na nusu utuambie lile neno ambalo halijasemwa.

Festo Amoiti: Asante sana Commissioner wetu. Kwa majina naitwa Festo Amoiti kutoka Amukura Division. Maoni yangu ni tatu. La kwanza, Wateso ni maskini zaidi na kitu

ambacho kinafanya sisi tuwe maskini ni rais wetu Moi, kwa sababu tangu aingie kwa kiti, hakuna hata siku moja amekuja kutufanyia harambee.

Com. Ayonga: Hiyo ni point moja.

Festo Amoit: La pili, sisi tukipigana na majirani wetu, inapitia kwa rais wetu Moi kwa sababu amekataa kuamua mambo ya mpaka, kusema mwisho wa Wateso na jirani wenu ni hapa. Sasa anataka vita itoke, ndio atume askari waje wanyanyase Wateso.

Com. Ayonga: Okay.

Festo Amoit: Jambo la tatu, mimi ni mkulima. Sisi wakulima tumepata taabu sana kwa sababu hata tukilima miwa, hatulipwi pesa, tukilima chochote, hata tunapeleka kwa society na hata upande wa maziwa, yote imekwisha. Sasa hii ndio inatuletea sisi wakulima umaskini kwa sababu tumeona watu wanapigania mshahara na sisi wakulima tutapigania nini?

Com. Ayonga: Umetuambia point tatu mzee.

Festo Amoit: La mwisho,

Com. Ayonga: Oh, sasa ni nne

Festo Amoit: La mwisho, sisi ambao tunataka kufanya uchaguzi mwaka huu hatupendelei ya kwamba tuchague mtu kwa sababu ya utajiri wake, labda kwa sababu ya elimu yake, tunataka wananchi wachague mtu ambaye anaweza kuwaongoza, yule ambaye ana kipawa cha uongozi. Mtu anaweza kuwa na elimu lakini hawezi uongozi. Hio ndio ya mwisho.

Com. Ayonga: Asante. Jiandikishe kule mzee. Joseph Omuse. Si tulikuwa na hili jina tena Joseph Omuse.

Joseph Omuse: Joseph Omuse

Com. Ayonga: Ni wewe? Haya, hii nafasi ni yako. Yule anaitwa Josephat Aunya.....

Joseph Omuse: Asante sana mkubwa Commissioner pamoja na wazee ambao....

Com. Ayonga: Sema majina yako

Joseph Omuse: Kutupatia maoni hii.

Com. Ayonga: Majina yako?

Joseph Omuse: Kwa majina naitwa Joseph Omuse Ikaulero. Mimi ni mzaliwa wa hapa Amukura. Pendekezo langu katika hii katiba mpya, ningesema ya kwamba policeman ambaye anashikilia mamlaka ya polisi, angekuwa na namba kwa shati yake. Sio ile namba ya pin, hiyo namba iwe imabandikwa kwa shati yake. Other APs pia wawe na hiyo namba na iwe juu shati.

Com. Ayonga: Hiyo tumeelewa mzee.

Joseph Omuse: Kwa sababu,

Com. Ayonga: Tunaelewa sababu.

Joseph Omuse: Asante. Point yangu ya pili, ningependekeza mashamba, watu ambao wanaweza kurithi mashamba wawe ni wale watoto wenye hiyo boma. Mambo ya mashamba ihusishe watu wa nyumbani kama liguru na wengine, kwa sababu sisi tunanyanyaswa sana kupitia njia ya matajiri ambao wanakuja kunyanyasa na kunyang'anya na kufanya pricing, ili

akunyang'anye hilo shamba kwa sababu wana power ya pesa. Napendekeza mtu arithi shamba lake kwa njia ya kutosha, isio kuwa ya uongo na hio mambo ya mashamba isiende kwa ma-Chief, iende kwa liguru na wazee wa boma.

Com. Ayonga: Sawa. Point ya mwisho?

Joseph Omuse: Ya mwisho, ningependekeza kesi ya mtu ikiwa imeenda kotini ama amepata advocate ama kesi ni yake kivyake, hiyo kesi ifanyiwe uchunguzi kamili ili huyu mtu ahukumiwe. Ni hayo tu, sina mengi.

Com. Ayonga: Thank you very much. Next is Joseph Aunya.

Speaker: Joseph Anunya?

Audience: Ameenda.

Com. Ayonga: Halafu kuna Joseph Kapes.

Speaker: Joseph Kapes (*Teso Dialect*)

Audience: Ameenda.

Com. Ayonga: Andrew Omuruoni?

Speaker: Andrew Omuruoni?

Com. Ayonga: Peter Obuori?

Speaker: Peter Obuori?

Com. Ayonga: Peter, hii nafasi ni yako, toa ile point hatujasikia.

Peter Obuori: Asante sana ma-Commissioners. Langu,.....

Com. Ayonga: Majina kwanza.

Peter Obuori: Kwa majina ni Peter Obouri. Langu la kwanza ni kwa idara ya michezo. Tunataka katiba ya Kenya, kwa sababu michezo imezorota Kenya sana, especially upande wa kandanda, inasaidia serikali kuleta pesa ndogo ndogo. Tunataka katiba ambayo inavyoundwa sasa, coach ambaye atachaguliwa, afike kwa kila district, national coach afike kila district. Pale, tunataka tuwakilishwe kwa kila district katika national team kama Harambee stars, kwa sababu wachezaji wengi wamebakia katika zile tribes ndogo ndogo. Hivi sasa unaona Nairobi peke yake ndio inacheza national team.

La pili, kuna idara zingine za serikali, kuanzia mwanzo hata wakati wa Kenyatta, zilikuwepo. Kuna zingine zimekua mstuni kama Wizara ya (?) ya kutengeneza mabarabara hii, zingine zimekuwa msitu mpaka manyumba imemezwa na nyasi na bado wanakula pesa ya serikali. Tunataka vingine viundwe. Tunataka katiba, kwa sababu watoto hawana pesa ya kusoma, pesa zingine zitasaidia watoto wale maskini.

Com. Ayonga: Sawa. Next.

Petr Obuori: La tatu, tunataka zile tribes' ndogo ndogo pia, wengine watakufa bila kupata minister. Tunataka waakilishwe, wakati Mzee anateuwa minister, President aangalia wengine pia. Minister ana qualification gani ambayo inapitishwa kusema huyu mtu anafaa minister? Inatakikana katiba hiyo iangalie Kenya yote, ili kila upande uwe na minister na ndio kwasababu maneno ikitengenezwa, inapatikana ni sawa sawa, hakuna corruption.

Com. Ayonga: Okay.

Peter Obuori: Asante sana Commissioner.

Com. Ayonga: Thank you

Peter Obuori: Mimi sina mengi.

Com. Ayonga: Enda kule ujiandikishe. Stephen Etyang? Kuna Francis Idewa? Francis Idewa?

Speaker: Yuko hapo nje.

Com. Ayonga: Anafanya nini nje? Sisi tunafanya kazi ndani.

Speaker: Francis Idewa.

Com. Ayonga: Stephen Etyang uko tayari?

Speaker: He is not there

Com. Ayonga: Kuna Crescent Imai.

Crescent Imai: Niko

Speaker: Crescent Imai.

Com. Ayonga: Njoo hapa

Speaker: Etyang amesema alipeana memo

Com. Ayonga: Alipeana?

Speaker: Ndio

Com. Ayonga: Okay.

Crescent Imai: Asante sana Bwana Commissioner. Kwa majina naitwa Crescent Imai na nimezaliwa hapa Teso.

Com. Ayonga: Tuambie maoni ndio.....

Crescent Imai: Maoni yangu Bwana Commissioner, nataka mtusaidie. Mzee kwa boma akifa anawacha watoto, lakini hao watoto wanataka kupata title deed ya hiyo shamba ati waende washtaki kaburi.

Maoni ya pili, katika Kenya nzima, kuna wale watu ambao hawakusoma, lakini wana damu ya siasa na ikisemekana Kenya hii ati kama wewe hukusoma huwezi ukasimama kwa chama chochote ambacho unataka usimame na hukusoma na wananchi wanataka kunichagua, lakini wamenikomesha, sitasimama. Tafadhali Bwana Commissioner, siasi ni akili au siasa ni damu?

Jambo langu la tatu Bwana Commissioner, ningepomba hivi, sisi ambao tunaishi karibu na mpaka, tunaona tofauti ambazo zipo kati yetu na nchi ya jirani na ukienda sehemu za Uganda, unapata watu wamesoma na wako na elimu ya kutosha. Wengine wanasoma kwa njia ya uuzaji wa chang'aa, wamama wanasomesha watoto kupitia kwa chang'aa lakini hapa Kenya wanakata chang'aa ati ni pombe haramu.

Com. Ayonga: Unatake je?

Crescent Imai: Mimi ningetaka mruhusu Kenya iwe kama Uganda.

Com. Ayonga: Hii ni Kenya na hatutaki kufanya Kenya iwe kama Uganda. Tuambie kitu ambacho unataka tufanye.

Crescent Imai: Nataka mlete mtindo kama wa Uganda na iwe hivyo. Kwa sababu ukipata mali pali ambayo iko Uganda, kama hapa Kenya.

Com. Ayonga: Ya mwisho?

Crescent Imai: Jambo langu la mwisho,

Com. Ayonga: Hakuna?

Crescent Imai: Lipo Bwana Commissioner. Unajua vile ulianza kuniuliza, ndio nikaruka.

Com. Ayonga: Endelea.

Crescent Imai: Asante Bwana Commissioner. Sitachosha na mengi lakini ningependelea hivi, kulingana na desturi ambayo iko hapa Kenya, tumeshinda. Ukiwa na kesi na ikichukuliwa kwa DO, bwana DO anakupigisha bei

Com. Ayonga: Eh?

Crescent Imai: Bwana DO anakupigisha bei. Ikiwa kesi imefika kwa DO itakuwa bei ndio inakupiga, badala ya kupeleka kesi kotini. Ukienda police station ukishikwa na wakikuweka pale, unapata bei ndio hiyo. Tumeshindwa koti ni gani na DO ni yupi au police station ndio

gani?

Com. Ayonga: Okay.

Crescent Imai: Bwana Commissioner,

Com. Ayonga: Hiyo unatakaje?

Crescent Imai: Ikiwa mnaweza kutusaidia, mtusaidie katika Kenya hii. Sisi wale ambao tuko nyuma hapa, tunaumia sana.

Com. Ayonga: Sasa sema ya mwisho. Imekwisha?

Crescent Imai: Bwana Commissioner, sitakuchokesha na mengi. Wanatunyanyasa hapa sana. asante sana.

Com. Ayonga: Thank you

Crescent Imai: Oh! Kuna jambo la mwisho. Bwana Commissioner, wengine hapa ni wakulima lakini kulingana na masharti ambayo iko hapa Teso, tunaumia. Hatujui kama President anajua wala hatujui kama mbunge wetu anajua. Ukiangalia hata upande wa ukulima, sisi tunalima tobacco. Unajua kuna wakati ambao tobacco ilikua nzuri, lakini wakati huu ukilima, mvua inakuja kuharibu tobacco na hii ikiharibika na umechukua loan pale, watakuja kushika hata kitanda chako na malazi ndani ya nyumba. Sijui hio ni desturi gani ambayo iko hapa Kenya na tunaomba tafadhali mtusaidie. Asante sana.

Com. Ayonga: Thank you so much. Kuna Josephat Busera. Halafu nataka huyu Vincent Peter awe karibu.

Josephat Busera: Mimi Bwana Commissioner, tuna shida upande wa Teso....

Com. Ayonga: Majina yako?

Josephat Busera: Jina langu ni Josephat Ouma Busera. Shida yetu hapa Teso, kwanza sisi ni wakulima wa miwa na kuna Kenya Sugar Authority ambayo imetoka na tukawa na Sugar Board Authority na wakati walibuni hii Sugar Board Authority mwezi wa nne, walisema kwamba miwa yetu itapimwa ikiwa katika mashamba yetu, ili ikifika kuenda kwa kiwanda, iwe chini ya Kenya Sugar Authority na tunaona hiyo tu ilikuwa ni propaganda na haifanyiki. Kwa hivyo tunaomba kwamba miwa yetu ipimwe katika mashamba yetu, ili hata ikiharibikia njiani iwe chini ya Sugar Board Authority.

La pili ni kulingana na mazingira yetu. Mazingira haya hapa Teso, hatuna ng'ombe. Hii ni kwa sababu ng'ombe ziko, lakini zinakufa bila sisi kujua sababu. Tumeona kwamba haya makaratasi ya polythene, Kenya imekuwa kama dumping place ya polythene papers. Tunaona hawa wafanya biashara wanachukua short cut na hii short cut inaua mifugo yetu. Mama anaenda sokoni, ananunua sabuni na anaenda kufua na kwa sababu hiyo sabuni alikuwa ameeka ndani ya polythene paper, ataenda tu na aanze kufua nguo zake na kuitupa hiyo polythene. Ngombe ikinusa hii karatasi, itakula na ife.

Com. Ayonga: Kwa kifupi unasema polythene papers ziwachwe na tutumie mifuko ya makaratasi?

Josephat Busera: Asante. Hivyo ndivyo tunataka.

Com. Ayonga: Hicho ndicho ulikuwa unataka?

Josephat Busera: Kabisa.

Com. Ayonga: Hebu sema hivyo.

Josephat Busera: Ninasema tuwache mambo ya polythene papers, tutumie kaki.

Com. Ayonga: Okay.

Josephat Busera: Halafu, pia tunaona Kenya tunayotaka ni tupewe elimu ya bure kutoka shule ya nursery mpaka secodary school.

Com. Ayonga: Okay

Josephat Busera: Ya pili,

Com. Ayonga: Ya tatu

Josephat Busera: Okay. Ya tatu, magonjwa. Kuna magonjwa kama kifua kikuu na kweli kama huna pesa ni vigumu kutibu na kwa hivyo tunaomba serikali, ule mwito wa freedom kwamba Kenya tumepata uhuru, tufukuze ugonjwa, tufukuze ujinga na njaa. Kwa hivyo pia tunataka, upande wa agriculture, Kenya hatuna mbegu wakati huu. Hata ukiuliza ma officer wa agriculture hapa Teso, hakuna variety ya mbegu atakuambia ambayo inafanya vizuri na tunajaribu tu kubahatisha. Na tunajaribu kupanda hata na mbolea, haifanyi vizuri na kwa hivyo tungetaka serikali ifanye utafiti wa kutosha na hao ma-officer wa agriculture watuambie ni mbegu gani inafaa katika wilaya ya Teso.

Com. Ayonga: La mwisho?

Josephat Busera: Mwisho nikimalizia, tuko na ndugu zetu polisi na tunawapenda. Lakini ni maajabu kwamba kuna siku nilikutana na polisi usiku wakaniambia mambo ni mawili; usiku ni wa mwizi ama polisi, eti kama wewe si mwizi, wewe ni polisi na kwa sababu si kuwa

mwizi ama polisi, ilinibidi kunyamaza na tulitembea nao sana usiku na ilikuwa mbali na wakasema kuna baridi, kwa hivyo nitoe kitu kidogo ambacho sikutoa. Sasa walitembea nami sana, lakini mahali waniwachia na ilikuwa usiku, ilikuwa mbali na singeweza kuenda nyumbani. Ilinibidi nilale polisi, kwa sababu ya security yangu. Kwa hivyo tunaomba Kenya police wapate training ya kutosha.

Com. Ayonga: Wawache hiyo tabia....

Josephat Busera: Wawache tabia mbaya ya kusema usiku ni wa polisi ama mwizi. Asanteni.

Com. Ayonga: Thank you. nenda kule ujiandikishe. (?) nimesema Vincent Peter?

Speaker: Vincent Peter (emamu)? Hayuko.

Com. Ayonga: Fidel Castro.

Speaker: Fidel Castro.

Com. Ayonga: President wa cuba?

Speaker: Ndio huyu

Com. Ayonga: Ndio huyu? Hata hana jina letu la Wateso? Okay, Fidel tunataka utufanyie kwa ufupi, utuambie yale ambayo wengine hawajasema.

Fidel Castro: My names are Fidel Castro. As pertains to the CKRC, I have the following to pass across. First, pertaining to the Presidential powers, they have to be trimmed. For example, the clause of the President being above the law should be abolished. The

Presidential powers of hiring and firing parastatal heads and Chiefs should be abolished and by so doing, the appointment of all these parastatal heads should be taken over by the Public Service Commission and they should be appointed on merit and not political basis.

Secondly, the judiciary should be streamlined. For example, all dependents and all criminals should be assigned lawyers for justice to all. Security of tenure for those holding public offices should be assured. Presidential appointees for example ministers, parastatal heads, judges and others should be vetted by the parliament to be approved. And lastly, all those responsible for embezzlement of public resources and economic crimes should not be pardoned and should be prosecuted regardless of their political positions in the society.

Com. Ayonga: Na mali walio pora?

Fidel Castro: Yote irudishwe.

Com. Ayonga: Okay

Fidel Castro: Thank you.

Com. Ayonga: Thank you. sasa tuna Jervas Opisi Dindi.

Speaker: Dindi?

Com. Ayonga: Halafu tuna Paul Odeke?

Paul Odeke: Sir.

Com. Ayonga: Paul kuja mbele na Paul anapojitayarisha, Benson Wanjala Imwana?

Speaker: Benson Wanjala Imwana?

Benson Wanjala: Niko

Com. Ayonga: Imwana yuko wapi?

Benson Wanjala: Niko

Com. Ayonga: Kuja hapa.

Paul Odeke: Jina langu ni Paul Odeke na mimi nimezaliwa Amukura. Mimi ni Chairman wa KANU wa hapa, division ya Amukura.

Com. Ayonga: Okay. Endelea.

Paul Odeke: Pendekezo la kwanza, sisi Wateso ni kitu kimoja tu, hakuna kitu cha pili. Kama ndege yangu iko juu ya miti na inataga mayai na kutoa watoto, nafikiri kama hawa watoto wamekuwa tayari, mimi baba wa watoto hawa naweza kuwaonyesha mtu ambaye ninataka. Hakuna mtu anayeweza kupinga ama kuniuliza swali. Swali langu kwa hayo maneno linasema, Mzee wetu Baba wa Taifa ameshachagua mtu, lazima sisi raia, Wateso wa hapa watafuata huyo mtu. Hilo ndilo pendekezo langu la kwanza.

La pili, sisi Wateso, kama msaada unakuja kidogo haufiki kwa raia. Wakubwa wa hapa ndio wanachukua. Kama mkopo unakuja, ile duka imejaa ndio inaingia lakini ndipo yule mtu maskini hawezi kulipa.

Com. Ayonga: Kwa hivyo tufanye nini mzee?

Paul Odeke: Lazima mimi niwape nyinyi report ndio hiyo maneno iweko ndani mtengeneze.

Com Kangu: Mzee wewe unaona shida inatoka wapi? msaada inakuja na inapotelea?

Paul Odeke: Msaada unakuja kwa mikono ya watu wa security.

Com. Kangu: Wakubwa?

Paul Odeke: Wakubwa.

Com. Kangu: Mnh?

Paul Odeke: Na hiyo ikiletwa njaa inawaka kabisa. Kweli hata kama wewe unafikiria, wanaweza kukupa gorogoro moja kwa watu wanne?

Com. Kangu: Unajua shida ambayo tuko nayo mzee, ile sheria ambayo tunapata inasema tuandike katiba ambayo itasaidia kueneza demokrasia kwa sababu uongozi bila demokrasia ndio umeletea watu hii shida unasema, vitu vinakuja, wakubwa ambao hamkuwachagua wanachukua. Na wewe sasa unatuambie turuhusu mtu mmoja kutuchagulia mtu mmoja na sheria inasema tuandike katiba ambayo italeti demokrasia.

Paul Odeke: Ndio. Sasa pendekezo langu hapo linasema, kama nyinyi mnaendele na katiba, ni kitu mzuri kifahamisha wananchi wote ndio sisi tuone kama katiba yenu ni nzuri. Sitaamini, kwa sababu ile katiba inakuja wakati huu, katiba hiyo inataka kuwasaidia wananchi na nini?

Com. Ayonga: Okay. Ya mwisho?

Paul Odeke: Pendekezo la mwisho, katiba hii itengenezwe na sisi tukitaka kufanya katiba mpaka wananchi wakubali hayo maneno.

Com. Ayonga: Ndio maanake tumekuja hapa.

Paul Odeke: Ndio maana mumekuja hapa.

Com. Ayonga: Ndio.

Paul Odeke: Tunawashukuru kwa kufika hapa na kuchukua maoni ya hapa Teso Na ninasema kwa maoni yangu, wale watu wa security wasifanye kama wale watu wanasema tumetoka Uganda kuja kuingilia watu hapa, mahali pao na kusema eti sisi ni watu wa Uganda, kumbe ni watu wa hapa. Huo ndio tunasema lazima kama nyinyi, hii katiba mpya iangalie hayo maneno na ichunguzwe sawasawa. La nne, sisi hapa hatuna mtu ambaye ametusimamia na tunataka mtu atusimamie hatutapoteza morale maanake jirani wetu wanatufinya vibaya sana. sasa vile tulipewa district lakini hatujapatiwa mpaka na hao bado wanakazana. Kwa nini hamchukui Sub-Chief na Chief na kutuambia nyinyi rudini upande huu au nyinyi upande huu? Sasa tunangojea nini, Mzee awache kazi na achague mtu mwingine akuje kuondoa hayo maneno?

Com. Ayonga: Tumesikia.

Paul Odeke: Umesikia?

Com. Ayonga: Ndio.

Paul Odeke: La tano, kama Moi anatuonyesha sisi, yeye mwenyewe aje hapa na mtu wake aje atuonyeshe mtu tutakaye pigia kura.

Com. Ayonga: Sawa sawa

Paul Odeke: Hakuna kusema mtu bure anakuja hapa. Kama Kamotho arudi kwa kiti chake. Zamani huyu Raila, baba yake alikuwa makamu na anaweza kuzungumza ndani ya bunge na sisi tuamini lakini Kamotho arudi kwa kazi yake.

Com. Ayonga: Kazi yake gani?

Paul Odeke: Alikuwa kazi ya kusimamia chama

Com. Ayonga: Mnh. Arudi?

Paul Odeke: Ndio. Sisi hatutaki ubaguzi wa hasira na kuleta watu wengine

Com. Kangu: Mzee akionyesha mwingine badala ya Kamotho?

Paul Odeke: Eh?

Com. Kangu: Mzee akionyesha mwingine badala ya Kamotho?

Com. Ayonga: Tena tukatae?

Paul Odeke: Ndio ninasema Mzee ndio ataendelea na kazi yake mpaka kwa miaka tano kama anafundisha yule mtoto.

Com. Ayonga: Asante.

Paul Odeke: Mzee aendelee?

Com. Ayonga: Aendeleee.

Paul Odeke: Moi mwenyewe, miaka hii?

Com. Ayonga: Tano.

Paul Odeke: Tano kama anafundisha yule mtoto

Com. Ayonga: Ndio

Paul Odeke: Mtoto wa nani? wa kenyatta. Hapana mtu mwingine.

Com. Ayonga: Asante sana. sasa mzee enda ujiandikishe kule. Ulisema wewe ni Chairman wa KANU wa hapa?

Peter Odeke: Ndio Sir.

Com. Ayonga: Thank you. Benson Wanjala?

Speaker: (?)

Com. Ayonga: Ni wewe? Dakika moja na nusu.

Benson Wanjala: Asante Bwana Commissioner. Kwa majina naitwa Benson Wanjala Imwana. Nitagusia maneno matatu hivi. Kitu cha kwanza, hii katiba mpya ambayo mmleta mumefanya vizuri sana, kwa sababu powers za President, zipunguzwe.

Com. Ayonga: Okay. Lingine.

Benson Wanjala: Sababu ya kupunguzwa ni hii.

Com. Ayonga: Tunajua sababu.

Benson Wanjala: Sababu ni kwamba kuwa above the law na kuna Attorney General ambaye anatakikana awakilishe hicho kiti kama mkuu wa sheria. Kwa hivyo commission iangalie hapo. La pili, inatakikana mtu wa Kenya asiitwe 'mkimbizi' kwa sababu ana ID card ya Kenya.

La tatu, kufuatana na hii katiba mabaya munaunda, ni nzuri kwasababu nafasi ya Sub Chief mpaka kwa PC, raia wanaumia, wakitaka msaada hawapati kutoka kwa hawa watu na wanapata mshahara na afadhali iwe ni kuanzia kwa liguru, Chief mpaka DC wafanye kazi.

Com. Ayonga: La mwisho? Tupe lingine.

Benson Wanjala: Nimefika tatu sasa naomba commission ichukue hiyo maneno nimeongea.

Com. Ayonga: Kuna Charles Oduori. Charles Oduori aje mbele halafu afuatwe na Vincent Adida. Njoo ukae kwa hiki kiti kando ya (?).

Charles Oduor: Asante sana bwana Commissioners na wale wote ambao wanasikiza.

Com. Ayonga: Majina?

Charles Oduor: Kwa majina naitwa Charles Oduor. Neno langu ni moja tu na linahusiana na law courts. Katika law courts, tunatumia lugha ngumu sana ambayo inataka wale wataalamu, yaani professionals wale wanaelewa hiyo lugha. Sasa pale kotini, kuna corruption between the magistrates upto the judges in the high court na upande ule mwingine, wakati mwingine tunakuwa na advocates, ambao wanaelewa hiyo sheria na wameelimika kwa hiyo maneno. Watu wengi wamefungwa na wengine wamekufa kwa ajili ya ignorance.

Com. Ayonga: Kwa hivyo unataka je?

Charles Oduor: Ninawaomba kama wasimamizi wanaotembelea hii tume ya katiba, tuwe na a body ambayo inaweza kuwa enacted ambayo itakuwa independent katika all courts from the district level to the high court. Wakati proceedings zinaendelea in all courts, inakuwa pale independently iki-monitor the progress of proceedings ikiwa inatetea pande zote, kwa defendant na akisikiza vile advocates wanaendelea na hiyo kesi, ikiwa yule magistrate is conducting the case kulingana na ile hali ambayo huwa inatendwa.

Com. Ayonga: Kwa hivyo anakuwa kama kachero?

Charles Oduori: Yeye pale anakuwa kama mtu anasikiliza kujua ukweli uko wapi, so that in case there is any problem, yeye anaelewa. There are times when you realize magistrates come together, magistrates na advocates wanakutana na wanaelewana na mimi niko ignorant about law, I will just be taken and then within sometime nitagundua maneno yamekuwa mabaya na nikienda ku-complain wanasema ignorance has no defence. I had only one point. Thank you Sir.

Com. Ayonga: Okay. Wewe sema majina yako na uendelea

Vincent Adinda: Kwa majina naitwa Vincent Adinda. Nina mambo matatu ambayo nataka ninene ili wewe kama Commissioner na group yake mkaweze kutusaidia. Jambo la kwanza ni kuhusu mambo ya maendeleo. Tunaelewa kuwa uchumi umedhuru kila sehemu lakini jambo la maana ni kuwa tumeona katika Kenya, sehemu nyingi zimeweza kufaidika kutoka kwa hiki kikundi hiki cha NGO. Wamekuwa wakisaidia watu ili kuweza kuinua maisha yao na jambo la kushangaza ni kuwa katika hii familia ya Wateso, wamegandamizwa sana kwa sehemu hiyo. Watu wako chini na si kwa sababu watu pengine hawajasoma lakini inapatikana kuwa wale viongozi ambao wanahusika katika hizi NGO si wa jamii hii, ni watu ambao wanatoka kwa jamii ingine.

Com. Ayonga: Una recommend nini?

Vincent Adinda: Ninaomba kuwa, wale viongozi ambao wako, wasiwe wanabagua, wangeweza pia angalau kuinua Wateso, hasa kwa upande wa maendeleo. Vile tunavyoona kwa Wateso, nyumba zao nyingi ni za nyasi na sio kwa kupenda kwao. Tumeona katika sehemu nyingi, watu wanapewa loan ndogo ndogo, ili kuweza kujenga nyumba ambazo ni za mabati. Wangeweza kupewa loan kama hizi, ili watoke kwa hiyo sehemu ya nyumba za nyasi ili waweze kuishi katika nyumba za mabati, ambapo moto wa gafla usiweze kuwarudhu sana.

Jambo la pili ni kuhusu uongozi. Uongozi wetu, hili jambo ambalo anasema corruption, ni kwa sababu ya watu kutotii. Kwa upande wangu naomba kuwa kama watu wangeweza kutii kulingana na neno la Mungu. Hatungekuwa na hili jambo la umaskini na corruption. Ningeomba kwamba nyinyi kama commission, muwasilishe hili ombi letu kama Wateso. Wale watu wa kuchagua viongozi, wawachague viongozi ambao wanamcha Mungu, wale ambao wanatii neno la Mungu, hao ndio wanaweza kumaliza haya maneno ya umaskini na corruption.

Jambo la mwisho ni kuwa, hata kama limegusiwa nitapitia tu juu na liko upande wa (?). kwa keli, mimi ni kijana mdogo lakini yale mambo ambayo nimepata kulingana na historia ya Wateso, ni kuwa hawajapata kiongozi ambaye angeweza kuwaakilisha na wakaweza kusikika. Jambo ambalo limefanya wasiweze kusikika ni kuwa hawajapewa constituency yao kulingana na umati wa watu. Wamejaribu kuwasilishe hili neno kwa commission, lakini ni kama wale ambao wanahusika wamejaribu kuwanyanyasa. Nashukuru kwa kuja hapa na utaweza kulichukulia hili neno maanani. Wateso wanaomba waweze, hasa watu wa Amukura hapa waweze kupewa constituency yao, sio kuwa hawajasoma. Wateso ni watu ambao wamesoma, lakini jambo ni kuwa wale watu wa kwanza ambao walibahatika kwenda mbungeni, ndio wamekua wakitumia vifua na kunyanyasa wale wadogo ambao wangekua.

La mwisho ni kuwa, katika hiyo sehemu, hawa watu wapewe constituency yao, ili watu wa

Amukura pia waweze kuchagua mtu ambaye wameona anamcha Mungu na anaweza kuwakilisha mambo yao katika uongozi. Ni hayo tu.

Speaker: (?)

Com. Ayonga: Je, jina lako ni nani?

Speaker: (?)

Com. Ayonga: Una maneno unayotaka kusema na hayajasemwa?

Peter Ekait: Ndio. Peter Ekait.

Com. Ayonga: Hukuweko wakati tulikuwa. Sema majina (?)

Peter Ekait: Asante sana Bwana Commission. Kwa majina naitwa Peter Ekait.

Com. Ayonga: Okay. Sema hiyo point unataka kusema.

Peter Ekait: Mimi naongea kama liguru. Maoni yangu ya kwanza, tuko na shida sana bwana Commissioner

Speaker: (?)

Peter Ekait: Sasa unapata kwa location ama DO anaweza kuja na sisi hatuna mshahara. Unapata Chief na Assistant Chief wanatuuliza ati tuchange kitu DO anakuja kwa mkutano na sisi hatupati mshahara.

Com. Ayonga: Kwa hivyo unatakaje?

Peter Ekait: Hatutaki hiyo maneno ya sisi kukusanya pesa ama kurudi kwa wananchi, tuwache.

Com. Ayonga: Lakini pia hutaki kupewa mshahara?

Peter Ekait: Tunataka mshahara.

Com. Ayonga: Siuseme hivyo.

Peter Ekait: Cha pili.

Com. Ayonga: Hujasema.

Peter Ekait: Tunataka tupate mshahara pamoja na uniform. Mbona hawa watu wa watchmen.....

Com. Ayonga: Si mbona.....

Peter Ekait: Tunataka mshahara pamoja na uniform.

Com. Ayonga: Haya, point ingine.

Peter Ekait: La pili, kuna mambo ya Madaraka Day, unapata tunakusanya pesa na serikali inaleta pesa wakati wa Madaraka Day, sikukuu hiyo na sisi hatuna namna ya kupata mshahara. Unaona kwa kijiji kingine ni wakongwe tu na wajane na sasa wanasema muende mukusanye pesa huko nyumbani kwa wananchi. Sasa tutapata namna gani hiyo pesa? Hiyo mambo ya kukusanya pesa iwachwe.

Com. Ayonga: Mzee, lakini si umesema hiyo point kwamba habari ya kukusanya pesa iwachwe.

Peter Ekait: Ndio.

Com. Ayonga: Hiyo point imekwisha.

Peter Ekait: Ndio

Com. Ayonga: Sasa unalingine? Mshahara uongezwe na uniform upewe.

Peter Ekait: Ndio

Com. Ayonga: Na habari ya kuchanga pesa iwachwe

Peter Ekait: Iwachwe.

Com. Ayonga: Sasa umebakisha nini?

Peter Ekait: Liguru wana kazi nyingi sana

Com. Ayonga: Hapana. Ndio maana yake utapewa mshahara

Peter Ekait: Ndio. Nafikiri ni hayo tu.

Com. Ayonga: Asante.

Peter Ekait: Asante sana.

Com. Ayonga: Kwa nini kuna mkono juu?

Speaker: Nilikuwa nimechelewa kidogo

Speaker: Hapa mimi nilijiandikisha, huyu (?)

Com. Ayonga: Eh?

Speaker: Nilikuwa nimechelewa

Com. Ayonga: Nyinyi wacheni niendeshe mkutano. Hamjui ninaenda kusema nini.

Audience: Okay.

Com. Ayonga: Kama ulichelewa hiyo ni makosa. Unajua jaji akisimama koti inaendelea?

Audience: Hapa.

Com. Ayonga: Wale ambao mumeinua mikono, hebu inueni tena nione. Mbona hiyo mikono inazidi? Je, mlikuwa mumejiandikisha?

Audience: Ndio

Com. Ayonga: Jina lako litapatikana kule?

Audience: Ndio

Com. Ayonga: Na lisipo patikana?

Speaker: Mimi ni namba mia moja na moja.

Com. Ayonga: Namba mia moja na moja kuja hapa. Wewe namba yako ni gani?

Speaker: Yangu ni 48

Com. Ayonga: 48 songa hapa.

Speaker: Yangu ni 200

Com. Ayonga: Yako ni 200? Na wewe songa hapa. Tena mwingine mwenye namba? Wewe ni namba ngapi?

Speaker: 28

Com. Ayonga: 28? Na ulikuwa wapi?

Speaker: Nilikuwa nimechelewa.

Com. Ayonga: La. Si kwamba ulichelewa, ulienda pahali. Kuja hapa lakini. Ninaweza kuona mtu ambaye hana namba. Mbona unainua mkono juu tena ukarudisha?

Speaker: (?)

Com. Ayonga: Eh? Si wewe uliongea?

Audience: Aliongea.

Com. Ayonga: Na tena unataka nini?

Speaker: Nilikuwa nimesahau nikiongea.

Com. Ayonga: Hapa, hakuna kusahau. Kama umesahau uje kwa constituency ingine. Ama hilo ulioandika na ulio sahou, upewe karatasi uandike.

Speaker: Haya, leta karatasi.

Com. Ayonga: Eh. Na yule?

Speaker: Sijajiandikisha lakini (?)

Com. Ayonga: Hujajiandikisha?

Speaker: Ndio

Com. Ayonga: La. Hiyo sifanyi. Nyinyi.....

Speaker: (?)

Com. Ayonga: Upewe karatasi uandike kama unataka. Sasa nyinyi ambao mumejichelewesha kwa namna moja ama ingine, dakika ni moja tu na hebu niwambie, nikikuambia unarudia ukubali tu kwa maana maneno yote tumesikia. Nitastajabu kuona mtu akituletea point mpya. Sema majina yako na dakika ni moja.

Timothy Ekesa: Asante sana Commissioner.

.....*End of tape 6 side A*

Timothy Ekesa:.....tena delegate. Kwa hivyo Bwana Commissioner ile maneno kweli mimi nimeona tangu nizaliwe. Nina miaka hamsini sasa. Powers za President zipunguzwe.

Com. Ayonga: Hiyo imesemwa kutoka asubuhi.

Timothy Ekesa:Commissioner, mungeweka sheria ya kusema dini ifanyiwe siku yake peke, siku moja kwa wiki kwa sababu madini yamejaa hapa hata mtu hawezi kulala,wanapiga ngoma na hata kama wezi wanakuvamia, hauwezi kusikia.

Com. Ayonga: Kwa hivyo unataka je?

Timothy Ekesa:Sheria iwe ya kusema mwisho wa dini ni saa kumi na mbili au siku moja kwa wiki kama Jumapili kama sisi Catholic Jumapili.

Com. Ayonga: Na SDA wafanye je na hao wanaabudu siku ya Saturday?

Timothy Ekesa:Ya Saturday ni sawa, catholic pia Sunday yah, halafu hizi zingine za usiku, sheria ingewekwa mwisho wake ni saa kumi na mbili.

Com. Ayonga: Kwa nini hio ya usiku.....

Timothy Ekesa:Ya usiku hii.

Com. Ayonga: Okay, hiyo ni point.

Timothy Ekesa:Ningependa tena, habari ya elimu, mimi nina watoto watatu. Wengine wako primary na wengine secondary. Sheria ingetusaidia sisi hapo, tusomeshe watoto mpaka 8, halafu serikali isomeshe kuanzia form 1 mpaka form 4, kwa sababu hapo ninashindwa kulipa.

Com. Ayonga: Hebu nikuambie, kutoka asubuhi tumeambiwa elimu ya bure, kutoka nursery mpaka darasa la kumi na mbili. Kwa hivyo hiyo tumeshaongea juu yake.

Timothy Ekesa:Kwa hivyo, kweli Bwana Commissioner, kama nikurudia nitarudia. Tuheshimu mila ya watu, culture ya watu tuiheshimu.

Com. Ayonga: Hiyo tumeambiwa.

Timothy Ekesa:Kweli Bwana Commissioner, sisi tumeuza hata ng'ombe hata nini, kwa chakula yako tu na mtu anakuja kukuuliza sasa wewe unafanya nini? Mimi nafanya nini kwa boma yangu saa hii jioni? Wametupa shida hata kuenda ngambo hii na ma-guard wameuwa watu wetu huko, wamechukua maji yaani kuna mto ndogo. Kwa sababu sisi tuko jirani hapa na wale watu wanatengeneza hio kitu mpaka watu wetu wanaenda huko. Tunge ona sheria iwe ikiendelea na hiyo maneno.

Com. Ayonga: Sawa.

Timothy Ekesa:Commissioner

Com. Ayonga: Hiyo ya.....

Timothy Ekesa:Tungepunguza tena powers za wanawake. Wanawake wengi wamepewa kazi kubwa sana. kama unapea mwanamke kazi ya bunge, mwanamke anakaa kwa bunge mpaka usiku, nani atapika chakula? Nani anaangalia watoto? Mungepunguza. Mungewapa kazi mpaka saa kumi na mbili waende nyumbani.

Timothy Ekesa:Okay.

Speaker: Wanasema wazee wasaidie

Timothy Ekesa:Ndio

Speaker: Kupika chakula.

Timothy Ekesa: Hapana, la.

Com. Ayonga: Wewe nilikupa dakika moja na umemaliza mbili tayari

Timothy Ekesa: Asante sana. Bwana commissioner, iko sasa mila nyingine. Kama sisi hapa, pengine sisi hapa kama huyu anapea bibi yangu mimba, hiyo maneno naona ipelekwe kotini. Tungeweka sheria ya kusema rudisha hiyo maneno kwa wazee nyumbani ili atoe *iluku*. Zamani sisi tunaita *iluku*, atoe ng'ombe na kondoo.

Com. Ayonga: Ndio

Timothy Ekesa: Ndio sisi tunatengeneza. Kwa nini tunapeleka kotini?

Com. Ayonga: Sawa. Sasa wewe leta hiyo, tunataka hiyo karatasi. Yule mwingine anaye mfuata?

Timothy Ekesa: Asante sana

Com. Ayonga: Mumeleta maneno mazuri sana.

Anthony Kaptain: Asante sana Commissioners. Kwa majina ni Anthony Kaptain na mimi ni Councilor. Waheshimiwa Commissioners yangu hayatakuwa mengi, manake mengi yamerudiwa na nikiongea pengine nitakuwa narudia mengi, lakini ningependa tu nipeane maoni yangu kuhusu afforestation. Hizi natural resources ambazo ningependelea hasa kwa

Teso, manake milimi yote mkiangalia waheshimiwa Commissioners, kama ungekuja hapa miaka kumi na tano iliyopita, ungekuwa umestaajabu kuona mabadiliko ambayo yako. Kwa hivyo ningependa sheria iwekwe ya kulinda misitu yetu, hata ku-develop misitu ili iwe kielelezo cha watu wa sehemu hii.

Sehemu zingine za chemchemi ya maji, tuna shida kwa sababu wakati huu hapa Teso, land hii imekuwa private one na ningependa regulation, I mean hizi sheria zitolewe na ziwe zinawakilishwa hapa kwa local authorities, ipewe nafasi ya kulinda hizi chemchemi ili isiwe tu mali ya mtu mbapo mtu anaweze kuitumia vile anavyoweza. Ningependa kuwe na hii protection pia. Wakati tulipokuwa tukiongea maneno ya watoto, tuko na shida. Tumesema hao watoto wana wazazi, lakini ni kwa njia gani ambayo tunaweza kuwasaidia watoto? Pendekezo langu lilikuwa ni, local authorities kwa kuwa hao watoto wanatoka hapo, wapewe jukumu la kutenga, kama ni kwa ile mazungumzo yao, watenge kiasi fulani ambacho kinaweza kuwasaidia hao watoto mayatima, ili hii shida ya watoto kurandaranda isiweko. Because ninajua tu ile care ambayo tunaweza kuchukua nyumbani, ndio inaweza kuwasaidia hawa watoto kupata elimu, hawa watoto kupata matibabu, manake kuna watoto wengine ambao tuko nao ambao ni orphans na tukiwawachilia namna hiyo tunapata chokora.

Nikimalizia, ningeguzia upanda wa education. Education hii wakati tulipokuwa tukisoma, kulikuwa na nyakati ambazo tulikuwa na careers. Careers hizi zilikuwa zina-identify mwanafunzi yule angependa kuwa pengine daktari, angependa kuwa nurse ama police. Nafikiri tukianzisha hiyo tena, tunaweza kupata watu ambao watakuwa waaminifu, watakuwa wamejitolea kufanya kazi, kuliko vile tunafanya saa hizi, manake tunachukua nafasi tu kwa sababu hatuna lingine. Nayo hii nafasi pia tukipata lazima iwe ya pesa. Kwa hivyo napendekeza kuwa watoto wanapokuwa na vile wamechagua wenyewe kile ambacho wangependa kufanya, wapewe nafasi ya kuendeleza.

Kwa upande wa administration, ningependekeza tuwe na DC, Chief na tuwe na liguru, maanake hii itapunguza ile duplication ambayo tuko nayo. Kwa country councils wakuwe na

authorities wapewe autonomy ili wapate kujiendelesha kikamilifu. Ni hayo tu ambayo niko nayo Commissioners, singependa kurudiarudia. Asanteni kwa kunisikiza.

Com. Ayonga: Thank you so much. Sasa yule wa mwisho. Sema majina yako.

Andrew Emirone: Jina langu ni Andrew Emirone. Nina points zangu hapa kama nne, tano hivi.

Com. Ayonga: Usirudie ambazo zimesemwa lakini.

Andrew Emirone: Zingine zina.....

Com. Ayonga: Yafaa utuambie zile ambazo hazijasemwa. Kama huyu ametuambia vitu juu ya afforestation na hakuna mtu ambaye alikuwa amesema.

Andrew Emirone: Tafadhali naomba radhi, kwa vile nilikuwa nje sikujua sasa ni gani zimesemwa.

Com. Ayonga: Sasa, ambao tumeita, nikikuambia hiyo imeshasemwa, usiendeleo kuongeza

Andrew Emirone: Okay, asante. sasa point zangu hapa kwa vile nimeandika, ya kwanza nilikuwa nataka kugusa juu ya corruption katika government yetu ya Kenya. mimi naona, Kenya sisi ni tajiri na kama si corruption, hatungekuwa na hii uchumi inaenda chini. Ni kumaanisha hii corruption, kwa maoni yangu ningependelea kama sheria inaweza kuwekwa ya kusema ya kwamba, mtu akipatikana ambaye anaweza kufanya corruption katika serikali na kula pesa ya serikali bila sababu, inatakikana anaposhikwa, mali hiyo yote ambayo alichukua, irudishwe kwa serikali ili watu wengine wafaidike. Sana sana kwa serikali ya Kenya, ni common man ndiye anaumia na sasa hizo pesa zikipotea unakuta mtu amefanya corruption na serikali inamfuta kazi. Inapomfuta kazi anaenda kukalia hiyo mali.

Com. Ayonga: Unataka ifanyiwe nini?

Andrew Emirone: Mimi nataka huyu mtu ashikwe na hiyo mali irudishwe kwa government.

Com. Ayonga: Sawa sawa

Andrew Emirone: La pili, treatment ya serikali katika nchi yetu ya Kenya kwa jumla. Kwa upande wangu sioni ni vizuri. Districts zingine Kenya kuna shida, kwa mfano kama hii district yetu ya Teso tuko na shida. Ukiangalia hii district ya Teso, tuko na mashamba kubwa na machemchemi hizo lakini serikali haiwezi kuja kuangalia hii shamba inaweza kusaidia watu wa Teso, kuleta kama scheme ya mchele, tunaweza kulima na tupate pesa hata ya kusomesha watoto lakini unaona hakuna hatua yoyote ambayo serikali imechukua hapa Teso. Hio ndio ninaomba serikali kama inawezekana, treatment kwa watu wote kama Wanakenya wajaribu kutuangalia sisi Wateso hapa na watuletee industries zozote au project yoyote inayoweza kutuendeleza.

Com. Ayonga: Umesema point serikali ilete industries hapa karibu.

Andrew Emirone: Haya.

Com. Ayonga: Ya mwisho sasa.

Andrew Emirone: Point yangu ya mwisho, lakini sio ya mwisho lakini umesema ya mwisho

Com. Ayonga: Ya mwisho.

Andrew Emirone: Asante sana. Kitu kingine ambacho nimeona, upande wa education naonelea hivi, serikali ingerudisha shule na sisi tulipe school fees, kwa vile ninaona kwa

district zingine kuna shida ya masomo. Unaona mashule zingine zinakuwa equipped vizuri na vitabu na pia mijengo. Kwa maoni yangu, kama serikali inaweza kurudisha masomo ya zamani, watu walipe school fees. Serikali i-equip mashule na vitabu na ma-desk na kila kitu na mtu akilipa pesa na mtoto akienda shule, nafikiri anaweza kusoma vizuri.

Com. Ayonga: Basi. Wewe ume-make point yako kwamba school fees irudishwe wakati watu wengine wanasema tupate free education. Asante. Enda ujiandikishe. Tafadhali.

Andrew Emirone: Asante sana.

Vincent Opuwa: Thank you Mr. Commissioner. I am Vincent Opuwa and I am the leader of the youth in this district. I would like to make some highlights. One, if the....

Com. Ayonga: Did you come late or were you here since morning?

Vincent Opuwa: I was here since morning.

Com. Ayonga: Okay, then you know what has been said and what has not been said.

Vincent Opuwa: Sorry. I have not been very close to the proceedings sir.

Com. Ayonga: Okay, then when I tell you what has already been said, so that we save time.

Vincent Opuwa: I agree with that. Okay. Thanks. One thing I want to mention is that can the constitution help and ban vetting of youth seeking national IDs here in Teso district, the vetting process? Because the youth are (?) stays here and there. Vetting starts from the liguru and his elders, moves to the Assistant Chief and his elders, the Chief and his elders to the DO and his elders. So, if this boy was born from this same community, he has grown up here and he is schooling here or he has dropped out of school, why should he be vetted when he is

seeking for an ID card?

Com. Ayonga: So what do you recommend?

Vincent Opuwa: I recommend that it should be banned by the constitution.

Com. Ayonga: Okay. Next point.

Vincent Opuwa: Something else on the executive, we the youth of this district propose that the Chiefs and their Assistants as it has been proposed, be elected by the common man. We also suggest that they should be transferable to other different places of work for effective and quality services. For you will find this young man is underated in his own community. Old men do not actually accept the young boy like me to be their leader, so there is a tendency or negative attitudes from the elders, towards these young leaders so we are advocating for young turks today.

Com. Ayonga: Okay, next.

Vincent Opuwa: Well, there is an animal in Kenya called corruption. We the youth of this district feel that there are some areas, if the constitution can guide and protect, will be reducing corruption in Kenya. one is the Ministry of Health. If the constitution can ban all private hospitals, clinics and chemists, we will have quality services in the government institutions. For this reasons we said is that, you will find that if drugs are brought into a hospital, the very doctors who work there have private clinics somewhere and private chemists. The drugs disappear in a very few days to those personal institutions and if you go to hospital you are told, there are no drugs here and you are referred to a private clinic somewhere, to a private chemist somewhere and the drugs are from this government institutions.

Com. Ayonga: So what is your recommendation?

Vincent Opuwa: I recommend that all private medical institutions be banned by the constitutions.

Com. Ayonga: All private?

Vincent Opuwa: Medial institutions.

Com. Ayonga: Be banned?

Vincent Opuwa: Yes.

Com. Ayonga: That is your recommendation. Next and the last.

Vincent Opuwa: Second last, sorry. Last but not least, this land and property rights. As I mentioned earlier on, I also recommend here that private land surveyors also be banned by the constitution because the reasons are the same as I mentioned about the ministry of health. In winding up, this is about the judiciary. The same applies. If you are targeting to do away with this animal I am calling corruption, we should not have advocates in Kenya because the government already has judges and magistrates then why should we then extend hand having private lawyers? These are the people who are causing corruption. Allow me on one minute to give an example. I witnessed a case, a person killing another, he was arrested and taken to the police station and he is remanded. But because this man, the murderer here, has money and advocates, he was able to hire an advocate. The case went on and the man was still in remand and it was reduced to manslaughter. After some time the man was released, claiming that there was no evidence. Supposing this advocate was not there and we held the government magistrates or judge, whom could this man have hired to reduce the case from murder to having no evidence? Therefore, I recommend the idea of advocates be abolished in Kenya.

Com. Ayonga: In other words you say we abolish the Kenya School of Law.

Vincent Opuwa: No really the school of law.

Com. Ayonga: Why should we take our boys and girls to.....

Vincent Opuwa: Maybe what.....

Com. Ayonga: To the university and they study law then they go to the Kenya School of Law.

Vincent Opuwa: What I would like to say is this, if our Kenyan young boys and girls go to the university or to the school of law and thereafter, they should be accommodated by the government.

Com. Ayonga: Thank you. Those are your recommendations. One question .

Com. Kangu: Why will you want people to elect Chiefs and Assistant Chiefs? I would think because people want to be ruled, by people they have elected themselves. If that is the reason, why will you elect your Chief in Amukura, then tomorrow he is transferred to Chakol, and you are brought someone you didn't elect.

Vincent Opuwa: Personally as I said the transfer of Chiefs and their Assistants, I still recommend that. The community elects these leaders, but not all of you in that community will accept and like this man and his services. As with the little experience I have gathered, we Africans and let me say maybe we Tesos, they value most services from a foreigner but not an indigenous person from that community. So if somebody is posted from Chakol to work here in Amukura, they will respect and honour him and his services than me who was born and grew up in this community, I school here, people know my reputation whether it

may be bad sometime, but they will not accept me fully.

Com. Ayonga: The bible says a prophet will not be respected in his own country.

Vincent Opuwa: Even Jesus was denied in his own community.

Com. Ayonga: Yes but he still became the Saviour of this world.

Speaker: (?)

Com. Ayonga: I think I am coming to the end of this session. Kuna aliye na swali? Thank you. now, on behalf of my colleague here Commissioner Kangu na staff yetu ya secretariat, I want to take this opportunity to thank you the people of this place. It has been a very interesting sitting that we have had here in your place. We have had very many and different views from all of you. You noticed in the morning and during daytime, noon and afternoon, we were full to capacity and then we had an overflow through the windows and out there and you have all listened very carefully and I think we have listened to you too, very carefully. If we didnt listen, then that ka-machine has done its best for what it was created for. Now, first I want to thank those of you who prepared this place, the District Coordinator, your team of 3Cs, the Provincial Administration which even if they say, Bwana Senior Chief kwamba mtolewe kazi mchaguliwe na watu, mumefanya kazi nzuri kwa kushirikiana nasi CKRC kwa kuweza kufanya this possible. Tumetosheka na tunawashukuru nyote na nyinyi pia kwa kuwacha kazi zenu na kuja hapa. Mimi kama mtu ambaye amekuwa hapa kwa mara ya kwanza, nimejifunza machache lakini mengi pia, kwamba hapa Teso mambo yako hivi na vile. Pia nikaja nikapata tumeoa msichana wenu, kwa hivyo nikija hapa muwe munaniheshimu kama shemeji. Tutaona huyo msichana utamaduni ambazo amebeba kuenda huko, nikimpata nitamuambia kule wanatunza utamaduni wa Kiteso na wewe tunza zetu hapa, lakini sisi tunasema mtoto ni mtoto, awe ni msichana ama ni wa kiume, kila mtu apatiwe haki yake. Mzazi ni mzazi wa wote na watoto ni Mungu ametupa, ni baraka kutoka kwa Mungu na tusije

tukawabagua hapa katika hali yetu ya, sijui tunaiita nini. Hii habari ya kuwa ni mbanifu kwa kutoa kitu ampe mwingine, anajifikiria sana, self considerate. Unajifikiria peke yako, na hawa watoto matunda yako unaanza kuyaona ni mengine, hebu tuwaangalie wote.

Zaidi ya yote, constitution yetu iwe na kazi ya kutuunganisha Wakenya kuliko kutugawanya. Kama constitution haiwezi kutuunga tuitwe Wakenya wala sio Wateso au Wakisii au Waluhya au Wajaluo, basi hiyo haitakuwa constitution nzuri. Constitution ni ile ya kunifanya nikikuona, naona ndugu yangu, naona dada yangu, naona shemeji yangu, tutakula pamoja na tuishi pamoja anywhere in Kenya without being discriminated. Constitution yetu iwe ndio dawa ya kuua ukabila na kuua unyumba, kuua clanism ndipo tutakuwa na constitution nzuri. Lakini hayo yote tutayafanya ikiwa Mwenyezi Mungu atatupa ule uwezo na tukimuangalia yeye tukijua sisi wote after all, when all is done sisi ni wana na binti za Mungu. Hatuwezi kuenda ile mbingu ambayo tunatazamia kama hapa duniani tunaangaliana na macho, nikikuona naangalia pande ile au nikipita najifanya sikukuona nakazana kuenda pande hii, hatuwezi kuuona ule mlango wa mbinguni hata kidogo. Lazima tuwe na mbingu mpya hapa duniani. Lazima tufurahiane kwa kukutana na kusema oh! Nime miss kuenda huko Amakura. Kule Amakura kuna watu wangu huko, marafiki zangu, ndio tukikutana mahali fulani, tunakumbatiana kwa salamu na kufurahiana. Je, una neno la kusema wewe Bwana District Coordinator? Una neno kidogo? Ndio maana useme hilo neno na ili Senior Chief atufungie mkutano, kwa maana yeye ndiye ametulinda hapa siku nzima, akatulisha, ametulinda hapa ki-security na chairman naye aseme mawili ndipo tuombe tutoke.

Charles Ekesa: Asante sana Commissioner Pastor Ayonga. Ningechukua nafasi hii nitoe shukurani zangu nyingi kwenu Commissioners na team yenu yote ambayo mumekuja nayo. Nafikiri kwangu kazi nzuri imefanyika na ningeshukuru sana wale wote tumesaidiana nao kufanikisha hivi vikao, ambavyo vimekuwa katika wilaya ya Teso. Nafikiri tumeridhika kama Wateso kwamba, commission yenye imeteuliwa kuangalia mambo ya katiba imefikiria vizuri na kazi ambayo nyinyi Commissioners mmefanya, tumeona kwamba mmekuwa wanyenyekevu kabisa, ingawa wakati mwingine tumekuwa na vikwazo hapa na pale,

nimeona ya kwamba mmefanya kazi nzuri sana. Shukrani kwa wale wote ambao wamesaidia hasa provincial administration wamewezesha kazi yetu kama district coordinators, kuwa rahisi sana.

District Social development office pia imesaidia sana. Ukiona hall kama hii iko katika mikono ya District Social Development Office na wamesaidiana sana na sisi kufanikisha kazi hii. Asanteni sana kwa jumla kwa kazi nzuri mmefanya. Sasa chairman wa CCC atasema jambo na Chief wetu atatufungia mkutano wa leo. Ningeomba mmoja wetu Chief akimaliza, atuweke mbele za Mwenyezi Mungu, kwa sababu nafikiri kwamba sio kwa upendo wetu ati tumeweza kukaa hapa na kumaliza vizuri, ni kwa upendo wa Mungu. Ningeomba mmoja wetu aweze kutuweka mbele ya Mungu. Asante.

Samson Olubayi: Mimi kama chairman wa CCC, langu litakuwa fupi. Kwa upande wa commssioners, sisi kama wakaazi wa hapa tumeridhika na ile kazi mumejanya, kwa sababu tangu juzi, Malaba, Chakol mpaka leo, wakati mwingine mimi, kama mzee wa hapa ambaye nina hasira, wakati mwingine hawa watu wangu wanapotoa maneno hivi ningelisema hapana, hapana fanya hivyo, lakini ni maajabu you have been accomodative kwa chochote ambacho wakaazi wamejaribu kusema, umejua kitu cha kufanya. Tunashukuru zaidi kwa jinsi umetupa hiyo nafasi.

La mwisho ni kwamba, kwa upande wetu wakaaji wa hapa, letu kama committe yenu, tunashukuru. Singekuwa na furaha kama pengine ikiwa saa nane, hawa Commissioners wanakuwa watu ambao wanauliza sasa wapi watu ambao tungeongea nao au wangetupa mawaidha. Wingi wenu na hata Commissioners nawaambia, kama ingekuwa kupeana dakika tano, najua tungeondoka hapa mid night, lakini kwa sababu ya kupunguza kama ilivyoanzishwa, tulipoanza kulikua na formula kwamba ikifika afternoon tutapunguza. Kama haingekuwa hivyo, tungekuwa na nafasi kidogo zaidi. Nawashukuru wananchi kwa kuja kwenu na viongozi mbalimbali. Mwisho, kwa upande wa provincial adminstration, Bwana Senior Chief utapeana shukrani zetu kama committee kwa ofisi ya DO kwamba tumeshukuru

zaidi kwa coverage ambayo mmetupa kwa njia mbali mbali. Kwa hayo, nashukuru na kukuuliza useme moja au mbili. Asante.

John Ikokonyi: Commissioners wetu, Coordinator, Chairman na viongozi mbali mbali, mimi pia nachukua hii nafasi, kutoa shukrani zangu kwa niaba ya division, kwa Commissioners kwa kukaa na kuchukua maoni ya watu tangu asubuhi mpaka wakati huu. Asanteni sana, mmefanya kazi nzuri. Na kwa wananchi ambao wamekuja hapa kutoa maoni yao mbalimbali, pia nataka kutoa shukrani kwa sababu ya kuja nakutoa maoni. Najua tumezungumza na ni jukumu la ma-Commissioners sasa kuenda kuweka maoni yetu kwa sheria. Kwa hivyo, mimi kwa niaba ya DO, ningependa kusema asanteni sana ma-Commissioners, officials kutoka commission, chairman, coordinator na wote ambao mumekuja hapa. Asanteni sana. May God bless you, thank you very much.

Charles Ekesa: Mtu moja ambaye anaweza kutuomba? (*aji ni ebeikini agamakini oni*)

Samson Olubayi: Hebu tupate kuomba, naomba nyinyi nyote msimame. Wale wakatoliki (na wengine?)

Kwa jina la Baba, la Mwana na la Roho Mtakatifu, amina. Ee Mungu Baba Mwenyezi, tazama wakati huu ambapo tumefikia kikomo. Ee Mungu Baba Mwenyezi, tungependa kukurudishia shukrani, kwa maana umekuwa nasi mwanzo wa mkutano huu wetu. Ee Mungu Baba Mwenyezi tunasema ni asante na shukrani sana. Ee Mungu Baba Mwenyezi yote ambayo tumeongea hapa, Ee Mungu Baba Mwenyezi uweze kutuma roho wako Mtakatifu ili atangulie mbele ili yote yapate kutekelezwa. Ee Mungu Baba Mwenyezi, wale wote ambao wametoka mbali hasa ma-Commissioner na wale wote wa Constitution Review ninawakabidhi mikononi mwako, ili uweze kutuma roho wako mtakatifu aweze kuwa nao ili aweze kuwalinda wasafiri salama, wafike na wazidi na kazi yao pamoja na roho mtakatifu. Tunaomba hayo yote kwa njia ya Kristu Bwana wetu. Kwa jina la Baba, la Mwana na la Roho Mtakatifu, amina.

