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## 1. DISTRICT PROFILE

Mandera Central constituency falls within Mandera district.

### 1.1. Demographic Characteristics

District Population by Sex	Male	Female	Total
	131,062	119,310	250,372
Total District Population Aged 18 years & Below	81,829	71,533	153,362
Total District Population Aged Above 18 years	49,233	47,777	97,010
Population Density (persons/Km <sup>2</sup> )	9		

### 1.2. Socio-economic Profile

Mandera district:

- One of Kenya's northern most districts
- 76% of the district's population live below the poverty line
- Has high levels of monthly mean income, ranking 7<sup>th</sup> nationally
- Borders both Ethiopia and Somalia
- Has borders with neighbouring countries which are quite porous and the cross movements are a cause for concern and insecurity in the region
- Has one of the lowest school enrolment rate in the country at 18.1 % for primary and 4.7% for secondary school enrolment.
- Has a high infant mortality rate, standing at 72 deaths per 1000 live births

Mandera district has 3 constituencies: Mandera West, Mandera Central, and Mandera East. The district's 3 MPs each cover on average an area of 8,825 Km<sup>2</sup> to reach 83,457 constituents. This is a KANU stronghold. In the 1997 general elections, all the three parliamentary seats were won by KANU.

## 2. CONSTITUENCY PROFILE

Mandera central comprises of Elwak, Wargadud, Shimbir-Fatuma and Kotulo locations of Elwak division. Ashabito, Rhamu, Rhamu-Dimtu and Girissa locations of Rhamu division of Mandera district.

### 2.1. Demographic characteristics

Constituency Population by sex	Male	Female	Total	Area Km <sup>2</sup>	Density/ persons per Km <sup>2</sup>
	49,785	44,335	94,120	11,584	8.1

## 2.2. Socio-Economic Profile

Pastoralism is the major form of economic activity. Majority of the constituents are nomadic pastoralists who keep on moving from one place to another in search of pasture and water.

## 2.3. Electioneering and Political Information

The Ghareh clan comprises 60% of the population in the constituency while the rest are Degodias. The outcome of elections is determined by clan politics, candidates must seek support from powerful groups of local elders, merchants and the local elite. Winners usually rely on the support from Degodia clan who seemingly field their own candidates in every general election to break the Ghareh dominant position. Mandera central constituency is pro-KANU although FORD-K and other opposition parties have attempted to field candidates in the past general elections.

## 2.4. 1992 ELECTION RESULTS

1992 TOTAL REGISTERED VOTERS			15,356
CANDIDATE	PARTY	VOTES	% VALID VOTES
Mohammed Noor	KANU	5,649	59.99
Ali Abdi Baricha	FORD-K	3,768	40.01
<i>Total Valid Votes</i>		<i>9,417</i>	<i>100.00</i>
Total Votes Cast		9,417	
% Voter Turnout		61.32	

## 2.5. 1997 ELECTION RESULTS

1997 TOTAL REGISTERED VOTERS			18,340
CANDIDATE	PARTY	VOTES	% VALID VOTES
Adan Mohammed Nooru	KANU	5,661	51.18
Abdikadir Adan Abdullah	SAFINA	3,588	32.44
Mohammed Ali Farrah	FORD-A	1,709	15.45
Alihaji Ali Abdi Baricha	FORD-K	85	0.77
Abdi Haji Yussuf	NDP	8	0.07
Ali Haji Hassan Husseini	LPK	5	0.05
Alikheyr Abdi Mohammed	FORD-P	5	0.05
<i>Total Valid Votes</i>		<i>11,061</i>	<i>100.00</i>

Rejected Votes	107
Total Votes Cast	11,168
% Voter Turnout	60.89
% Rejected/Votes Cast	0.96

## 2.6. **Main Problems**

The constituency is burdened by an influx of refugees from war-torn Somalia. Bandit attacks are also frequent. Poor infrastructure coupled with lack of water and pasture makes the region one of the most inhospitable in the country.

## 3. **CONSTITUTION MAKING/REVIEW PROCESS**

### 3.1. **Constituency Constitutional Forums (CCFs)**

#### 3.1.1. **Philosophy**

The Constituency Constitutional Forum (CCF) plays a very significant role in the review of the constitution. It is designated as one of the organs ‘through which the review process shall be conducted’ - (sec. 4(1) of the Constitution of Kenya Review Act, Cap.3A). The importance attached to the CCF arises from the recognition of the need to involve the people fully in the review of the constitution. Only through such participation of the public will the new constitution reflect the preferences, hopes and aspirations of the people. It would also increase people’s knowledge of constitutional issues, and facilitate their familiarity with the provisions of the new constitution. Additionally, the process, enhances the legitimacy of the constitution among Kenyans and their sense of ownership over it. In these ways the proper implementation and safeguarding of the constitution will be facilitated.

#### 3.1.2. **Composition and Establishment**

The 1997 Review Act had provided for district forums ‘to mobilize communities at the local level for the purpose of civic education in preparation for the Commission’s work and to perform such other duties as the Commission may assign’ - (sec. 12A (6). The District Forums were to consist of members elected to represent locations, religious organizations, and the disabled, in addition to MPs and members of every local authority in the district. The Act contained several provisions prescribing minimum qualifications for membership and regulating the operations of the District Forums.

The Select Committee of the National Assembly, which reviewed the Act in early 2000, decided to replace the District Forums with Constituency Forums to get views ‘directly from the people in the constituency without necessarily going through the rigours of an election to determine the members of the forum’. It thought that this would provide for a more popular form of participation. It recommended on the simplification of the forum to avoid elections. The Select Committee envisaged the constituency forum as and ‘open forum with no specific structures’, which should be ‘flexible and easy to manage’. Its opinion was that the ‘existing leadership comprising Members of Parliament, councilors, community based organizations, religious groups and individuals should be able to present views and opinions directly from the grassroots’ ( *The*

*Report of the Parliamentary Select Committee Reviewing the Constitution of Kenya Review Act, 1997*, April 2000). It removed the regulatory powers of the Commission over the forum, its role being confined to the 'facilitation' of the forum. It also changed the function of the forum from the facilitation of civic education to also include facilitation and the collection of the views of the public on proposals to alter the constitution.

In view of the limited role of the CKRC in the establishment of the CCF's, the CKRC prepared and gazetted Guidelines for the operationalization of the constituency constitutional forums. The Guidelines stipulated that all the residents of a constituency would constitute the CCF. The CCF is described as one of the organs 'through which the review process shall be conducted' - (sec.4(1)). The CCF was thus one of the principal ways in which the views of the public were to be obtained.

In order to coordinate and facilitate the activities of the CCF, a Constituency Constitutional Committee (CCC) was to be established. The Guidelines proposed its membership to consist of 10 persons, of which three would be ex-officio: the local MP, the chair of the County Council in which the constituency is located, and the District Coordinator. The Guidelines stated that the membership would be as broad and representative of the people of the constituency as possible and recommended that at least a third of the committee should be women.

### 3.1.3. **Functions of CCF**

- Facilitation of collection of the views of the public at the constituency level on proposals to alter the constitution; and
- Debate and discussion of the views of the members of the public on proposals to alter the constitution.

In performance of these functions, the CKRC was required to visit all constituencies (Sec.18 (1)(a)).

### 3.1.4. **Functions of CCC**

- The functions of the CCC were mainly facilitative and advisory, the primary aim being to enhance the effective participation in the ownership of the constitution review process by the people at the constituency level;
- The CCC was also mandated to promote, facilitate and monitor civic education at the constituency level in collaboration with the District Coordinator and civic education providers;
- Additionally, the CCC had to ensure that the constituency had access to all information relevant to the review process in coordination with District Documentation centers; and
- Finally, the CCC was also mandated with the task of dissemination of the report of the CKRC. It was to be assisted in this by the District Coordinator, who was also its accounting officer, in relation to funds that were made available to it by CKRC.

It is important to emphasize that the Guidelines were advisory, and the local community was free to modify them to suit local circumstances. For example, the size of the CCC could be increased when and if adequate representation and diversity required it.

### 3.1.5. **Date of Commencement of Work**

The Constituency Constitutional Forum (CCF) was to run for an initial period commencing November 2001 up to September 2002. Accordingly, each Constituency Constitutional Committee (CCC) should have been constituted at the very latest by the end of November 2001. The Constituency Constitutional Forum was to be operational by that time.

### 3.2. **District Coordinators**

#### 3.2.1. **Mandate/Terms of Reference**

- Be the local grass root representative;
- Perform the generalization activities in the district;
- Be in charge of the documentation center/s in the district, facilitate its/their respective management, ensuring they are stocked and are easily accessible to the public and also organize their safety and security;
- Gathering any relevant local information and materials for the purpose of constitution making;
- Facilitate the identification, classification and organization of the physical and electronic retrieval and dissemination of information and materials for constitution making;
- Supply such information needed by local constituency forums and committees;
- Liaise with other documentation centers nearby and others for information;
- In collaboration with constituency committees, identify and arrange venues for public hearing whenever the CKRC visits the constituencies in their area;
- Facilitate regular meetings of the constituency committees and involve local people as much as possible in discussing constitutional issues;
- Source and identify other key personnel that the CKRC may wish to consult or engage in its work;
- Identify and arrange for simultaneous local translations, sign language users, procurement and hiring of public address systems, transport and communication facilities for CKRC's meetings in the district;
- Monitor the implementation of civic education by civic education providers in the district;
- Facilitate the formation of constituency committees with guidance and assistance of CKRC; and
- Perform any other tasks as directed by CKRC.

#### 3.2.2. **Criteria for Appointment**

- Diversity in the composition, taking into account ethnicity, age, religion and professional or occupational background; and
- Appointees had at least attained Kenya Certificate of Secondary Education or its equivalent.

## 4. **CIVIC EDUCATION**

Civic Education in the constituency was carried out between 15<sup>th</sup> February, 2002 and 25<sup>th</sup> May, 2002.

### 4.1. **Phases covered in Civic Education**

Stage one:- Is the only phase that was covered. This is the stage preceding the collection of

views. This stage dealt with information, knowledge, skills and virtues that enabled Kenyans have an informed choice and present their views on constitutional review.

#### 4.2. **Issues and areas covered**

Constitution:- Definition, History, types and Models of  
Structure and Systems of Government  
Basic rights, right of vulnerable groups  
Constitution making process  
Democracy  
Political Parties  
Electoral Systems

### 5. **CONSTITUENCY PUBLIC HEARINGS.**

#### 5.1. **Logistical Details**

##### 1. **Date and Number of Days for Public Hearings**

- a) Date(s) 03 June 2002 and 04 June 2002
- b) Total Number of Days:

##### 2. **Venue**

- a. Number of Venues: 2
- b. Venue(s):
  1. Rhamu
  2. Elwak

##### 3. **Panels**

###### a. **Elwak - Commissioners**

1. Com. Alice Yano
2. Com. Nancy Baraza
3. Com. Isaac Lenaola

###### b. **Elwak Secretariat In Attendance**

1. Joash Aminga - Programme Officer
2. Regina Obara - Verbatim Recorder
3. George Wachira - Asst. Prog. Officer
4. Gore - Muslim Asst.

###### c. **Rhamu – Commissioners**

1. Com. Salome Muigai
2. Com. Dr. Mosonik Arap Korir

###### d. **Rhamu – Secretariat**

1. John Watibini – Programme Officer
2. Caroline Ndindi – Assistant Programme Officer
3. Mahammed Fenz – Ass. Programme Officer (Muslim)

4. Martina Odhiambo – Verbatim Recorder
5. Olad Ebrahim – District Co-ordinator

## 5.2. Attendance Details

Category	Details	Number
<b>Number of People Who Presented</b>		122
<b>Sex</b>	Male	103
	Female	19
<b>Presenter Type</b>	Individual	90
	Institutions	8
	Not Stated	24
<b>Educational Background</b>	Primary Level	23
	Secondary/High School Level	24
	College	9
	University	3
	None	1
	Not Stated	52
<b>Form of Presentation</b>	Memoranda	6
	Oral	86
	Oral + Memoranda	29
	Oral + Written	1
	Other (Adult Education/Vernacular/Madrassa/Informal Education)	10

## 5.3. Concerns and Recommendations

### 5.3.1 PREAMBLE

- The preamble should be simple and clear.
- There should be a constitutional Preamble,(3).
- The preamble should express the Sovereignty of all Kenyans.
- The preamble should state that Kenya shall always be a democratic state.
- The preamble should stipulate women as important agents of change.
- The preamble should spell out the broad socio-economic values of the Kenyan state.
- The Preamble should espouse the values of equality, justice and tolerance.
- The preamble should recognize the equality of all Kenyans, appreciating their diverse cultural values.
- The preamble should recognize the cultural and ethnic diversity of Kenyan population.



- The preamble should include diverse heritage.

### 5.3.2 **DIRECTIVE PRINCIPLES OF STATE POLICY.**

- The constitution should provide that the law shall apply in a non-discriminatory manner to all Kenyans.
- The Constitution should recognize values such as honesty, sovereignty and unity.

### 5.3.3 **CONSTITUTIONAL SUPREMACY.**

- The constitution should provide for its supremacy over all other laws in the country.
- The constitution should provide that a constitutional amendment shall only be through a public referendum,(10).
- Certain parts of the Constitution such as provisions on citizenship, religion, and appointment of constitutional offices should not be amended by Parliament. Public referenda should be conducted by the ECK.
- Referenda should be conducted by an independent body appointed by government,(3).
- Parliament's power to amend the Constitution should be limited,(4).

### 5.3.4 **CITIZENSHIP.**

- The constitution should confer to all persons born of Kenyan parents automatic citizenship, (12).
- The constitution should provide for dual citizenship,(4).
- The Constitution should enshrine the duties of a citizen,(3).
- The constitution should provide for dual citizenship for nomads.
- The Constitution should enshrine the rights of a citizen,(3).
- The constitution should not provide for dual citizenship,(6).
- The constitution should confer automatic citizenship to all persons legally married to a Kenyan citizen irrespective of gender, (11).
- The constitution should provide that a non-Kenyan child adopted by a Kenyan citizen shall automatically qualify for Kenyan citizenship.
- The rights and obligations of a citizen should not be affected by the manner of acquisition,(2).
- The constitution should confer automatic citizenship to all persons legally resident in Kenya for a period of not less than 7 years.
- Citizenship should also be acquired through registration, (2).
- The constitution should confer automatic citizenship to all persons legally resident in Kenya for a period of not less than 10 years, (3).
- The constitution should confer automatic citizenship to all persons legally resident in Kenya for a period of not less than 5 years, (3).
- The constitution should provide that proof of citizenship shall be by way of either National identification cards, birth certificates and passports and shall be easily acquired at District level, (12).
- The constitution should provide that there shall not be screening cards or discrimination in the issuance of ID Cards, (6).
- The constitution should abolish the use of ethnic/tribal references in government records especially during registration of persons.
- A Child(ren) borne to (a) Kenyan parent(s) should be entitled to Kenyan citizenship,(4).
- Muslims should not be discriminated against in the issuance of identification documents,(13).

### 5.3.5 DEFENSE AND NATIONAL SECURITY.

- The constitution should provide that military personnel shall pursue foreign militants and bandits into neighboring countries..
- The constitution should provide that the president shall not be the Commander in Chief of the armed forces,(6).
- The constitution should provide that cases of indiscipline shall be arraigned in court.
- The constitution should provide that the president shall be the Commander in Chief of the armed forces.
- The constitution should provide that the minister in charge of defense shall be the Commander in Chief of the armed forces
- There should be provisions for the establishment of a Disciplinary Committee for Disciplined Forces.
- The constitution should provide that police brutality shall be against the law thus liable to prosecution in the courts.
- The constitution should provide that ungazetted barriers shall not exist.
- The constitution should guarantee security in pastoralist areas.
- The use of extraordinary powers during emergency should be abolished,(3).
- The constitution should provide that Only Parliament should have the power to declare war.
- The constitution should provide that Only Parliament should have the power to declare emergencies,(4).
- The constitution should provide that Parliament should have the power to declare emergencies through at least 80% vote in Parliament.
- The executive should not have exclusive power to declare war, (2).
- The executive and legislature should act together in invoking emergencies,(2).
- The Constitution should establish the Disciplined Forces,(4).
- The constitution should provide for the review of the police act.

### 5.3.6 POLITICAL PARTIES.

- The constitution should limit the number of political parties in the country to 3, (3).
- The constitution should limit the number of political parties in the country to 2.
- The constitution should limit the number of political parties in the country to between 3 and 5.
- The constitution should not limit the number of political parties, (3).
- The constitution should limit the number of political parties in the country to between 5 and 10.
- The constitution should limit the number of political parties in the country to between 40 and 50.
- Political parties should finance themselves through subscriptions and donations, (3).
- The constitution should provide that the government does not finance political parties, (3).
- The constitution should provide broad guidelines requiring that political parties have a national outlook.
- The constitution should provide broad guidelines requiring that composition, management and policies of political parties are gender sensitive.
- The constitution should provide broad guidelines for the contribution of political parties in socio economic welfare including civic education, (2).

- The constitution should provide for consociational democracy.
- The constitution should provide broad guidelines for the management, formation and conduct of political parties,(6).
- The constitution should provide guidelines requiring political parties to be ideology based, (2).
- The constitution should provide for funding of political parties from the public coffers, (6).
- The constitution should provide guidelines for access to all political parties to government facilities.
- The constitution should provide for public funding of political parties as long as such parties have at least 40% support of the electorate.
- The state and political parties should work as partners in nation building, (3).
- The constitution should provide for public funding of political parties as long as such parties have representation in parliament and have a demonstrable substantial following.
- The constitution should provide for equal access of all political parties to Government resources.

### 5.3.7 **STRUCTURES AND SYSTEMS OF GOVERNMENT.**

- The constitution should provide for a parliamentary system of government with a prime minister as the head of government.
- The constitution should provide for a parliamentary system of government, (7).
- The constitution should provide for a federal system of government, (12).
- The constitution should not provide for a parliamentary system of government.
- The constitution should not provide for a hybrid system of government.
- The constitution should not provide for a federal system of government.
- The constitution should provide for a coalition government with representation of all parliamentary political parties at both levels of government, (7).
- The constitution should provide for a government of National Unity composed of all parliamentary political parties.
- The constitution should provide for a Federal system of governance for administration purposes.
- The constitution should provide for a unitary government for the purpose of resource allocation.
- The constitution should provide that where a government of National Unity is formed, the nominee of the party with the majority of seats in parliament shall become the Prime Minister.
- The constitution should not provide for a Majimbo system of government, as it would hinder national integration.
- When the constitution provides for a Majimbo system of government, the sub-national units should correspond to the boundaries of current provinces.
- The constitution should provide for a unitary system of government.
- The constitution should provide for a Unitary system of government with a ceremonial President and an executive Prime Minister.
- The Constitution should provide for the election of the Prime Minister by Parliament from the majority party , (3).
- The Constitution should provide that the Prime Minister shall have legislative functions in Parliament, (2).
- The Constitution should provide that the Prime Minister should be the Head of Government

and should appoint cabinet ministers and other senior officials, (3).

- The constitution should retain the presidential system of government, (2).

### 5.3.8 THE LEGISLATURE

- The constitution should provide for a bicameral parliament, (5).
- The constitution should provide for a unicameral parliament.
- The constitution should provide for a two-chamber parliament. The Upper House should comprise five members from each, of the country's eight provinces and should be charged with the duty of supervising the president.
- The constitution should give Parliament power to remove the president through impeachment or vote of no confidence, (4).
- The constitution should give Parliament power to vet all constitutional appointments including Prime Minister, the Cabinet, and Judges, (5).
- The constitution should give Parliament power to check other organs of government, (2).
- The constitution should give Parliament power to supervise the Judicial Service Commission and the Public Service Commission.
- The constitution should give Parliament sole power of approval of public expenditure as well as the salaries of MPs.
- The constitution should provide the Supreme Court to determine MPs remuneration and allowances.
- The constitution should provide for an independent public commission to decide on the salaries of MPs, (9).
- The constitution should provide for the Supreme Court to decide on the salaries of MPs.
- The constitution should provide for a Parliamentary Select Committee to decide on the salaries of MPs.
- The constitution should provide for the Executive to decide on the salaries of MPs.
- The constitution should give Parliament power to control its own calendar, (2).
- The constitution should provide that corrupt MPs shall be arraigned in the Supreme court.
- The constitution should provide that MPs shall serve on a part time basis, (6).
- The constitution should provide that MPs shall serve on a full time basis, (2).
- The constitution should give Parliament power to control its own operations through the standing orders, (2).
- The constitution should give parliamentary committees the power to prosecute.
- The constitution should provide that parliamentary sessions shall be transmitted on the state television.
- The constitution should give voters the right to recall non-performing MPs through petition, judicial process, Electoral Commission, referendum, vote of no confidence, Commission of Inquiry or collection of a required number of signatures from the MPs constituency, (14).
- The constitution should provide that MPs shall act on the basis of conscience and instructions from the electorate, (3).
- The constitution should provide that MPs shall not serve for more than two terms of 5 years each, (3).
- The constitution should provide that MPs shall not serve for more than two terms of 4 years each, (3).
- The constitution should provide that the salaries of MPs shall depend on their professional qualifications.
- The constitution should provide that MPs shall not serve for more than three terms.

- The constitution should provide that Parliamentarians have a university degree, (11).
- The constitution should provide that Parliamentarians have at least O level or Diploma education, (2).
- The constitution should provide that Parliamentarians undergo language tests, (4).
- The constitution should provide that Parliamentarians shall be morally and ethically upright, (2).
- The constitution should not provide moral and ethical qualifications for Parliamentarians, (2).
- The constitution should provide that Parliamentarians shall be aged above 21 years,(3).
- The constitution should provide that Parliamentarians shall be aged above 30 years,(2).
- The constitution should provide that voters shall be aged above 15 years.
- The constitution should provide that Parliamentarians shall be aged above 40 years.
- The constitution should provide that Parliamentarians defecting from their political parties shall be disqualified from contesting in the ensuing elections, (3).
- The constitution should provide that parliament shall have the sole responsibility of allocating government funds and financial expenditures.
- The constitution should provide that parliament shall be subjected to controls by the people, (2).
- The constitution should provide that Parliamentarians shall be subjected to controls by stipulated Parliamentary Rules.
- The constitution should provide that at least 30% of Parliamentarians shall be women,(2).
- The constitution should provide that at least 25% of Parliamentarians shall be women.
- The constitution should provide that parliamentary elections shall not be staggered.
- The constitution should abolish the concept of nomination of MPs, (4).
- The constitution should retain the concept of nomination of MPs albeit for marginalized groups, (3).
- The constitution should provide that the president shall not have the power to dissolve parliament, (4).
- The constitution should provide that legislation by parliament shall not be the subject of presidential veto, (4).
- The constitution should provide that MPs should have offices in their constituencies, (3).

### 5.3.9 **THE EXECUTIVE.**

- The constitution should provide for a ceremonial president who should not belong to any political party and should be elected by popular vote, (2).
- The constitution should provide that the president should be subject to the law, (4).
- The constitution should provide that the president should be a university graduate, (6).
- The constitution should provide that the president should possess at least O level education.
- The constitution should provide that the president should be morally upright and married.
- The constitution should limit the powers of the president, (8).
- The constitution should stipulate the duties and functions of the president,(2).
- The constitution should limit the duties of the president to that of Commander in Chief of the armed forces and appointment of cabinet ministers.
- The constitution should provide for the impeachment of the president for misconduct, corruption and misrepresentation, (2).
- The constitution should provide that the president shall serve a maximum two five year terms, (4).

- The constitution should provide that the president shall serve a maximum two four year terms, (3).
- The constitution should provide that the president shall serve a maximum of a term of four years, (2).
- The constitution should provide that the Provincial Administration is accountable to the people.
- The constitution should provide that the Provincial Administration be abolished.
- The constitution should provide that Provincial Administration should be abolished and its role be taken over by the local government.
- The constitution should provide that the president shall not be an elected MP.
- The constitution should provide that the president must be a Kenyan by birth.
- The constitution should provide that the president shall be between 40 and 70 years.
- The constitution should provide that the president shall be between 30 and 60 years
- The constitution should abolish the provincial administration structure of government, (4).
- The constitution should restructure the provincial administration, in areas such as qualification, conduct, recruitment and deployment, (7).
- The constitution should establish ministries including those particular to Religious affairs and Defence
- The constitution should provide for the election by popular vote of provincial administration officials, (8).
- The constitution should provide that the provincial administration be abolished and its role should be taken over by the local government.
- The Constitution should provide that the President shall be ceremonial, (6).
- The Constitution should provide that the President may dissolve Government.
- The Constitution should provide that the Vice President shall be elected by Parliament.
- The constitution should provide that provincial administration officers be elected by popular vote.
- The constitution should provide that the Chief and the Assistant Chief be elected by popular vote by members of the respective administrative location.
- The constitutions should provide that the prime minister shall be elected by three quarter majority and half of all religions.

#### 5.3.10 **THE JUDICIARY.**

- The constitution should provide for the independence of the judiciary.
- The constitution should provide for a permanent constitutional court, (2).
- The constitution should provide for a supreme court, (4).
- The constitution should provide that Kadhi's Court shall have a Chief Kadhi with qualifications including the attainment of the age of 40years and a degree in law with a concentration in Islamic Sharia, (17).
- The constitution should provide that the Chief Kadhi shall also exercise non judicial matters of the Islamic faith, (2).
- The constitution should provide for a levy- free access to judicial service.
- The constitution should provide for a Judicial Commission elected by the people to oversee the functioning of the Judiciary.
- The constitution should stipulate that Kadhi Courts shall have equal rights and powers as the other courts, (25) .
- The constitution should stipulate that Kadhi Courts shall have appellate jurisdiction, (7).

- The constitution should stipulate that Kadhi Courts shall have jurisdiction to determine all matters covered under Islamic law including penal law, (9).
- The constitution should stipulate that Kadhi Courts shall not have appellate jurisdiction.
- The constitution should stipulate that Kadhis should be elected from among Imams/ Muslim scholars by the Muslim community, elders or the Muslim scholars, (11).
- The constitution should provide that Kadhis shall be appointed by the Judicial Commission in consultation with the Muslim community, (2).
- The constitution should provide that Judicial Officers found guilty of misbehavior be disciplined through judicial process or a Parliamentary Committee, (3).
- The constitution should provide that the Judicial Commission Services shall be responsible for appointing Judges, (3).
- The constitution should provide that Parliament shall be responsible for appointing Judges, (3).
- The constitution should provide that the Public Services Commission shall be responsible for appointing Judges.
- The constitution should provide that the Judicial Commission Services constitute holders of a degree in Law.
- The constitution should provide that Judicial Officers be holders of a degree in Law, (3).
- The constitution should provide that Judicial Officers serve for between 2-5 years, (2).
- The constitution should stipulate that Islamic law shall be enacted.
- The constitution should provide that Chief Kadhis shall have equal powers as chief justice
- The constitution should provide that Kadhis Court should be empowered to handle all criminal matters, (7).
- The constitution should provide ADR mechanisms like the council of elders to handle all customary matters.
- The constitution should provide that Judicial authority is exclusively vested in the courts.
- The constitution should provide for access to judicial process and courts, (3).
- The constitution should provide for the jury system.
- The constitution should provide for the provision for legal aid as of right to deserving persons, (3).
- The constitution should provide that Kadhis Court should be established in the lowest possible administrative unit, (2).
- The constitution should provide for judicial review of legislative action.
- The constitution should provide for the establishment of mobile courts in pastoralist areas.

### 5.3.11 LOCAL GOVERNMENT

- The constitution should provide that the positions of the mayor and the chair of the Country Council, be filled by direct popular elections, (19).
- The constitution should provide that all local authority by-laws be adopted by way of a referendum.
- The constitution should provide that Local authorities should be empowered by the central government through grants, cooperation, and payment of the councilors from the consolidated fund, (3).
- The constitution should provide that Local authorities should be autonomous.
- The constitution should provide that mayors and councilors shall serve for five years.
- The constitution should provide that mayors and councilors shall serve for two years, (8).
- The constitution should provide that mayors and councilors shall serve for a year.

- The constitution should provide that mayors and councilors shall serve for three years.
- The constitution should provide that mayors and councilors shall serve for 20 years.
- The constitution should limit the power of the Ministry of local government to dissolve local councils, (2).
- The constitution should grant the power of the central government to dissolve local councils, (2).
- The constitution should provide that councilors have a minimum of O' level education, (13).
- The constitution should provide that councilors have a minimum of university education.
- The constitution should provide for language tests (Kiswahili and English) for civic election candidates, (4).
- The constitution should provide moral and ethical qualifications for civic election candidates, (3).
- The constitution should provide that civic election candidates must have attained the age of 30 years, (2).
- The constitution should provide that civic election candidates must have attained the age of 40 years.
- The constitution should provide that toll stations and barriers shall not exist.
- The constitution should stipulate that the electorate shall have the mandate to recall a non performing councilor, (11).
- The constitution should stipulate that salaries of councilors shall be determined by the central government,(2).
- The constitution should stipulate that salaries of councilors shall be determined by the local governments.
- The constitution should stipulate that salaries of councilors shall be approved by the courts.
- The constitution should stipulate that salaries of councilors shall be determined by the public.
- The constitution should abolish the concept of nomination of councilors, (5).
- The constitution should retain the concept of nomination of councilors albeit for special interest groups not elected to the councils, (5).
- The constitution should prohibit the practice of defection by councilors, (2).

### 5.3.12 **THE ELECTORAL SYSTEM AND PROCESS**

- The constitution should provide that in a presidential election, the winning candidate must get at least 50% of the votes cast.
- The constitution should retain the 25% vote requirement in at least five provinces for election as president, (10).
- The constitution should provide for clear rules for the creation of parliamentary constituencies, which should include a consideration of the geography and population, (2).
- The constitution should establish more parliamentary constituencies in North Eastern Province, (2).
- The constitution should provide for Independent candidates for local government, parliamentary and presidential elections.
- The constitution should give political parties power to decide the date of a general election. The date of a subsequent general election should be arrived at by consensus by all political parties upon the immediate finalization of a general election.
- The constitution should prohibit candidates who fail to be nominated by their political parties from seeking nomination through a different party.



- The constitution should allow candidates who fail to be nominated by their political parties to seek nomination through a different party, (2).
- The constitution should allow the practice of crossing floors or defection between political parties.
- The constitution should provide that votes be counted at the polling station.
- The constitution should provide that Presidential and Parliamentary elections be held on separate dates. In all cases, presidential elections should be held first, (2).
- The constitution should provide that Civic and Parliamentary elections shall be held before the Presidential elections.
- The constitution should provide that Civic, Parliamentary and Presidential elections shall be held simultaneously, (2).
- The constitution should provide that Civic and Parliamentary elections shall be held simultaneously.
- The constitution should provide that voting be done by secret ballot.
- The constitution should provide for a representative system of elections, (2).
- The constitution should provide for reservation of seats for the disabled, (3).
- The constitution should provide for reservation of seats for Muslims to enhance their participation in governance.
- The constitution should abolish the simple majority rule.
- The constitution should retain the simple majority rule
- The constitution should clearly stipulate the election date of general elections, (7).
- The constitution should provide for the autonomy of the Electoral Commission.
- The constitution should provide for the funding of the Electoral Commission from the consolidated fund.
- The constitution should provide a clear criterion for the appointment of commissioners to the Electoral Commission.
- The constitution should provide that the appointment of commissioners to the Electoral Commission shall ensure representation of all provinces.
- The constitution should provide that election of commissioners to the Electoral Commission be subject to appointment, vetting and approval by parliament, (3).
- The constitution should provide that commissioners to the Electoral Commission shall possess a minimum of a degree from a recognized University, (3).
- The constitution should provide that ballot boxes be transparent.
- The constitution should provide that constituencies must be created by parliamentary approval. Those constituencies, which might have been created through other processes, must be abolished.
- The constitution should provide that the election date for the next general election be announced when parliament reconvenes for its last sitting before the term is over.
- The constitution should provide the electorate with a right to petition any election at all levels.
- The constitution should stipulate that electoral boundaries shall be based on geographical area.
- The constitution should provide that nominations shall be awarded to marginalized and vulnerable groups.
- The constitution should provide that the presidential elections shall be held separately from parliamentary.

### 5.3.13 BASIC RIGHTS

- The constitution should guarantee the protection of the human rights of all Kenyans.
- The constitution should guarantee the right to life, (2).
- The constitution should abolish the death penalty, (4).
- The constitution should retain the death penalty albeit only for persons convicted of murder, (2).
- The constitution should provide freedom and protection of all religious groups.
- The constitution should provide for freedom of religion and belief, hence Islamic practices and Islamic Sharia Laws should be practiced in Kenya.
- The constitution should provide for the provision of educational bursaries and scholarships.
- The constitution should provide for the employment of all university graduates.
- The constitution should provide that education shall be subsidized under the Kenya schools equipment scheme.
- The constitution should provide for government financing of the teaching and development of sign language in all schools and institutions.
- The constitution should enshrine women's rights including those from minority communities, (2).
- The constitution should enshrine the rights of persons with disability including the right to support infrastructure, (18).
- Civic education should be entrenched in the constitution and should be a continuous process
- The constitution should provide for the freedom of movement and residence anywhere in the country.
- The Constitution should guarantee basic needs such as education, water, healthcare, food, shelter and security,(13).
- The Constitution should guarantee the provision of water and food in arid areas through government efforts, (12).
- The constitution should provide for the protection of all Kenyans from torture and intimidation.
- The constitution should provide for the protection of the individual from all forms of discrimination including the bases of religion, culture and so on in all spheres including employment, (8).
- The constitution should provide for freedom of occupation and employment, (12).
- The constitution should require government to create an enabling environment for the creation of employment opportunities, (5).
- The constitution should guarantee social security in old age, retirement and disability, (5).
- The constitution should guarantee the security of all Kenyans, including the duty of government to take special measures to address the security of nomads, (12).
- The constitution should provide for free and formal education for all, (36).
- The constitution should provide for free and compulsory education for all, (3).
- The constitution should provide for free basic health care for all in both rural and urban areas, (11).
- The constitution should guarantee every Kenyan, equal and non-discriminative treatment by the law irrespective of gender, ethnic or racial background.
- The constitution should built schools and integrates secular education with Islamic religious teachings.\*\*\*\*\*
- The constitution should provide that workers remuneration and allowances shall be reviewed after a term of five years.
- The constitution should provide that poverty eradication shall be the responsibly of the

Government.

- The constitution should protect the right of prisoners and allow Muslims prisoners to dress according to culture.
- The constitution should outlaw detention without trial.
- The constitution should protect the right of Muslims and allow Muslims to dress according to their culture, including in schools, as this is part of freedom of belief, (5).
- The constitution should provide that the government shall take responsibility of compensating citizens for property and life lost due to insecurity.
- The constitution should guarantee the individual's right to privacy.
- The constitution should stipulate that it is the right of all citizens to grow and develop economically.
- The constitution should guarantee citizens access to information through demystification of the constitution and the writing of it's text in local languages, (4).
- The constitution should provide for Madrassa system of education.
- The constitution should provide that in arid and semi arid areas the government shall provide mobile health facilities, mobile animal services and mobile schools.
- The constitution should provide for sanctions against persons whose actions are inimical to fundamental rights and freedoms.
- The constitution should provide that pension and retirement benefits shall be disbursed more efficiently and promptly.
- The constitution should provide that the government shall guarantee security and protection of lives, private and public property.
- The constitution should provide that fundamental rights and freedom shall be amended by way of referendum.
- The constitution should provide for the freedom and rights of religion and worship, (5).
- The constitution should provide for the right of Muslims to observe Friday as a worship day.
- The constitution should provide for freedom of association, (2). The constitution should

#### 5.3.14 **THE RIGHTS OF VULNERABLE GROUPS**

- The constitution should provide for government rehabilitation of street children.
- The constitution should abolish the practice of female genital mutilation and other practices such as wife inheritance which are discriminatory to women, (5).
- The constitution should provide affirmative action in favor of the disabled in all public facilities and opportunities, (8).
- The constitution should provide for the establishment of an institutional framework for the provision of support for the disabled, (9).
- The constitution should provide for the establishment of a fund for the disabled which should attract 15% of government revenue.
- The constitution should provide for the establishment of an institutional framework for the provision of support for homeless and orphaned children, (7).
- The constitution should provide for government buildings structurally sensitive to the needs of the disabled.
- The constitution should provide that the deaf and disabled are allowed to drive.
- The constitution should provide for special identification cards for the deaf.
- The constitution should provide for affirmative action in favor of the needy, women, orphans, aged, HIV positive and mentally sick persons, (3).
- The constitution should provide for protection of unmarried women against all forms of

gender abuse.

- The constitution should provide for reparations for injustices occasioned during the exercise of emergency powers.
- The constitution should protect Child rights including the freedom not to be forced or subjected into an early marriage, (3).
- The constitution should protect the rights of the aged, (2).
- The constitution should protect and promote the rights of pastoralists,(3).
- The constitution should protect and promote the rights of the poor and persons living in marginalized areas, (2).
- The constitution should protect and promote the rights of prisoners to consortium.
- The constitution should provide for the establishment of the Children’s cabinet, which should be composed of representatives of children from all parts of the country.
- The constitution should provide for the protection and education of the girl child, (3).
- The constitution should provide for the protection of vulnerable groups in case of insecurity.
- The constitution should provide that expectant mothers have four months time maternity leave and special care.
- The constitution should provide for affirmative action for women in elective positions.
- The constitution should provide that prisons shall provide proper serenity and proper rehabilitation services.
- The constitution should stipulate that imprisoned Muslims should be allowed to practice their cultural, ethnic and communal rights, (7).
- The constitution should provide that vulnerable groups be nominated to parliament

### **5.3.15 LAND AND PROPERTY RIGHTS**

- The constitution should vest the ultimate ownership of land in the people and by extension the local communities, (6).
- The constitution should vest the ultimate ownership of land in the individual.
- The constitution should vest the ultimate ownership of land in the communities and the government.
- The constitution should guarantee the right of any Kenyan to own land in any part of the country.
- The constitution should provide that all government/trust land lying idle should be distributed to the landless.
- The constitution should provide that government may only acquire land compulsorily for public use and upon adequate compensation.
- The constitution should provide that government may control the use of private land for purposes of efficient use thereof, (2).
- The constitution should provide that there should be equal distribution of land and property.
- The constitution should provide that Kenyans shall own land and settle anywhere in the country, (4).
- The constitution should provide that individuals shall not own land beyond a certain quantum.
- The constitution should give the government the right to acquire all fallow land for development purposes.
- The constitution should provide equal access and ownership to land for both Kenyan men and women, (4).
- The constitution should provide that land shall only be owned by original inhabitants for

security purposes.

- The constitution should provide that communal land ownership shall be administered by a council of elders.
- The constitution should provide that matters of transfer and transmission of land shall be dealt with by a council of elders or local leaders, (2).
- The constitution should provide that transfer and transmissions are registered promptly and the title documents evidencing the title issued, (2).
- The constitution should provide that foreigners are barred from owning land, (4).
- The constitution should provide that pre-independence land treaties, boundaries and claims shall be recognized, (4).
- The constitution should abolish pre independence land treaties.

### **5.3.15 CULTURAL, ETHNIC, REGIONAL DIVERSITY AND COMMUNAL RIGHTS**

- The constitution should provide for the freedom of ethnic practices as long as they are not inimical, discriminatory, or repugnant to morality and natural justice, (2).
- The constitution should protect and promote cultural diversity, (7).
- The constitution should protect, respect and promote minorities and distinct groups, (4).
- The constitution should incorporate Madrassa and Koranic teachings in secular curricular.
- The constitution should provide that it is against Islamic religion to pay tax.
- The constitution should provide for the retention of Kiswahili as the national language.
- The constitution should recognize all the native languages.
- The constitution should provide that intoxicants are banned in Muslim areas
- The constitution should stipulate that Friday and Idd-ul-Adha are recognized holidays for Muslims.
- The constitution should provide for the establishment of traditional boundaries.

### **5.3.16 MANAGEMENT AND USE OF NATIONAL RESOURCES**

- The constitution should provide for equitable distribution and allocation of national resources through mechanisms such as need based grants to the provinces, and retention of a percentage of the revenue collected in provinces therein, (12). The constitution should provide for the allocation of at least 10% of the government revenue to North Eastern Province, (4).
- The constitution should provide that all government services and facilities be accessible to all Kenyans without discrimination.
- The constitution should provide for the full participation of MPs in the preparation of the national budget at all stages.
- The constitution should provide that public officers convicted of corruption be also made to repay the full amount of monies embezzled.
- The constitution should provide that all appointments to civil service must be based on merit.
- The constitution should provide that all persons in or aspiring to be in public office declare their wealth.
- The constitution should provide that infrastructure shall be the mandate of the government.
- The constitution should provide for appointment to the cabinet through merit.
- The constitution should provide that all elective public positions have a retirement provision of a maximum 55 years.
- The constitution should provide for a one person-one job policy.

- The constitution should provide for government protection of pastoralism as an economic activity.
- The constitution should provide farmers with the freedom to market coffee through their own channels.
- The constitution should provide for government role in the marketing of Kenyan products.
- The constitution should provide that farmers be paid directly for their agricultural produce.
- The constitution should provide that admissions to government schools be strictly based on merit.
- The constitution should provide for the review of the education system in order to enhance the quality of the education provided.
- The constitution should provide for strict enforcement of employment on merit in all public institutions.
- The constitution should provide that emergency relief food be distributed by a parliamentary committee.
- The constitution should stipulate that arid areas shall have special budgetary provisions.
- The constitution should provide for the creation of Kenya Meat Commission and its sustenance.
- The constitution should provide that there should be equitable distribution of funds from natural resources.
- The constitution should provide that it is the responsibility of the government to bridge the gap between the rich and the poor.
- Livestock Diseases Control Act should be repealed.
- The government should provide for mobile schools.
- The Constitution should allocate 20% of the national budget to North Eastern Province.
- The constitution should provide for the establishment of District Financial and Management Control Boards.

### 5.3.17 **ENVIRONMENTAL AND NATURAL RESOURCES**

- The constitution should provide that communities be given first preference in benefiting from local natural resources.
- The constitution should provide that citizens be protected from wild animals.
- The constitution should provide for the protection of forests.
- The constitution should provide for a commission to oversee the management of natural resources.
- The constitution should stipulate that the government should protect natural resources and the environment through agents such as committees, (3).
- The constitution should stipulate that natural resources be owned by the people, (2).
- The constitution should stipulate that pastoralism shall be recognized as an economical activity should be retained.
- The constitution should provide for the provision of exploitation of mineral resources available in the regions.

### 5.3.18 **PARTICIPATORY GOVERNANCE**

- The constitution should provide for the participation of religious organizations in governance.
- The constitution should institutionalize the role of non-governmental organizations in governance.

- The constitution should regulate the conduct of non-governmental organizations.
- The constitution should promote the role of women, youth, persons with disability, the elderly and minority groups in, and participation in governance.

#### 5.3.19 **INTERNATIONAL RELATIONS**

- The constitution should provide that all the conduct of foreign affairs be vetted by parliament.

### 5.3.21 **CONSTITUTIONAL COMMISSIONS, INSTITUTIONS AND OFFICES**

- The constitution should provide for a truth and reconciliation commission.
- The constitution should provide for a Gender Commission.
- The constitution should provide for An Anti Corruption Commission.
- The constitution should provide that constitutional commissions be set up by parliament or with the approval parliament.
- The constitution should provide for a commission to oversee the education sector, which should be de-linked from the executive and should be answerable to the National Assembly.
- The constitution should provide for a commission to oversee the human rights situation in arid areas.
- The constitution should provide for the office of the Ombudsman.
- The constitution should provide for the office of a Minister for Justice distinct from the Attorney General.

### 5.3.22 **SUCCESSION AND TRANSFER OF POWER.**

- The constitution should provide for security of a retiring president.
- The constitution should provide that retiring/outgoing presidents should hand over the instruments of power to the Chief Justice in the interim period before the next president is sworn in.

### 5.3.23 **WOMEN'S RIGHTS**

- The constitution should provide that women have the right to ownership and inheritance of property, (2).
- The constitution should provide that marriage laws should be harmonized.
- The constitution should provide that fathers ensure women of child support and maintenance, (2).
- The constitution should outlaw all forms of domestic violence, (4).

### 5.3.24 **REGIONAL POLICY**

- The government should enter into regional agreements to promote trade.

### 5.3.26 **NATIONAL ECONOMIC POLICY**

- The government should promote rural electrification programs, (2).
- The government should promote the decentralization of factories to undeveloped areas or localities where raw materials are situate, (4).
- The government should be required to develop strategies for poverty reduction, (2).
- The government should be required to develop physical infrastructure from the collected revenue, (14)

### 5.3.27 **NATIONAL OTHER POLICY**

- The government should be required to set aside funds for the management of HIV/AIDS.
- The government should enact legislation for the testing of the HIV status of all Kenyans, (3).
- The government should be required to institute mechanisms to check Police excesses and



inertia to ensure security of all, (6).

- Legislation should stipulate the penalties for corruption and the mode of enforcement thereof, (5).

### **5.3.28      **SECTORAL POLICY****

- The government should provide prop the agricultural and livestock sector through support infrastructure and incentives, (22).
- The government should provide compensation for pastoralists who lose their livestock to natural disasters, (3).
- The government should establish marketing institutions and boards for agricultural and livestock products such as the Kenya Meat Commission, (19).
- The government should be required to revive ailing or collapsed industries or government concerns, (13).
- The government should be required to establish irrigation projects in North Eastern Province.
- Islamic religious education should be recognized and funded by the government, (11).
- The government should be required to establish mobile schools for nomadic pastoralists, (6).
- The government should be required to decentralize colleges, universities to all provinces, (6).
- The government should be required to lower admission requirements for students from, (4).
- The government should reinstate the Kenya School Equipment Scheme, (5).
- The government should not levy taxes on land.
- The government should prohibit doctors in public service from engaging in private practice, (3).
- The government should be required to provide medical facilities and personnel, (2).
- The government should be required to provide information to all citizens through the state media, (2).
- The government should be required to provide compensation for victims of straying wild animals and to contain wildlife in conservation areas, (16).

### **5.3.29      LEGAL SYSTEM**

- The government should recognize customary laws and practices.
- The government should be required to provide stiff enforcement of laws against the use of drugs including beer, (4).
- Statute law should require rapists hanged, (3).
- Statute law should require rapists imprisoned for life.
- The Indemnity Act should be repealed.
- Statute law should outlaw abortion.
- Islamic law should apply to all Muslims including in North Eastern Province, (14).
- Statute law should outlaw prostitution, (2).

### **5.3.42      ECONOMIC JUSTICE**

- There should be equity and justice for all.

## APPENDICES:

### Appendix 1: Members of the Constituency Constitutional Committee

- |                            |                       |
|----------------------------|-----------------------|
| 1. Hon. A. M . Noor        | MP                    |
| 2. Olad I. Farah           | DC                    |
| 3. Bare Hassan             | Chairman              |
| 4. Cllr. Osman Abdulle,    | Chairman, Mandera CCC |
| 5. Rahma Mohammed Ibrahim  | Women Rep             |
| 6. Sahara Mohamed Ali      | "                     |
| 7. Sheikh Dahir adan Mahad | Religious Leader      |
| 8. Hussein Ibrahim Wako    | Elders Rep            |
| 9. Abdi Haji Yussuf        | Opposition Rep        |
| 10. Ahmed M. Jari          | Professional Rep      |

**Appendix 2: Civic Education Providers (CEPs)**

1. Western Support Management Team
2. Igra Self Help Group
3. Dawa River Development Association
4. Habita International
5. Norda
6. ARIDA
7. AL HIDAYA
8. Northern Aid
9. Maendeleo ya Wanawake Organization – Mandera
10. Supreme Council of Kenya Muslim (SUPKEM)
11. Kenya National Union of Teachers

**Appendix 3: Persons presenting memoranda and/or making oral submissions.**

1	0004OMCNE	Abdi Sheikh Mohamed	CBO	Written	Ashabito Youth
2	0010OMCNE	Ali Mohamed Sheikh	CBO	Written	Shimbir Fatuma All Women
3	0009OMCNE	Ali Mohamed Shekh	CBO	Written	Shimbir Fatuma Youths.
4	0011OMCNE	Ali Mohamed Shekh	CBO	Written	Shimbir Fatuma Pastoralists
5	0007OMCNE	Mohammed Ibrahim.	CBO	Written	Pastrolists Views - Elwak
6	0012OMCNE	Musa Hassan	CBO	Written	Bokola Youth Development
7	0021imcne	Abdi Ali	Individual	Oral - Public he	
8	0095IMCNE	Abdi Haji	Individual	Oral - Public he	
9	0004imcne	Abdi Haji Mohamed	Individual	Written	
10	0075IMCNE	Abdi Ibrahim	Individual	Oral - Public he	
11	0121IMCNE	Abdi Maalim	Individual	Oral - Public he	
12	0119IMCNE	Abdi Qafar Adan	Individual	Oral - Public he	
13	0044IMCNE	Abdi Salan Ibrahim	Individual	Oral - Public he	
14	0008imcne	Abdiaziz Shikg Maad	Individual	Written	
15	0057IMCNE	Abdifatah Ismail	Individual	Written	
16	0123IMCNE	Abdikachi	Individual	Oral - Public he	
17	0115IMCNE	Abdirahman Haji	Individual	Oral - Public he	
18	0068IMCNE	Abdirashid	Individual	Written	
19	0087IMCNE	Abdirizah Adan	Individual	Oral - Public he	
20	0052IMCNE	Abdisalam Hassan Musa.	Individual	Oral - Public he	
21	0030IMCNE	Abdiya Mahamoud.	Individual	Oral - Public he	
22	0069IMCNE	Abdullahi Hassan	Individual	Written	
23	0001IMCNE	Abdullahi Madey Adan	Individual	Memorandum	
24	0101IMCNE	Abdullahi Mustafa	Individual	Oral - Public he	
25	0093IMCNE	Abdullahi Shabura	Individual	Oral - Public he	
26	0054IMCNE	Abdulrahim Adan	Individual	Oral - Public he	
27	0040IMCNE	Adan Abdi	Individual	Oral - Public he	
28	0106IMCNE	Adan Ibrahim	Individual	Oral - Public he	
29	0099IMCNE	Adan Isaack	Individual	Oral - Public he	
30	0051IMCNE	Adan Mohammed Noor.	Individual	Oral - Public he	
31	0027IMCNE	Adou M.	Individual	Oral - Public he	
32	0019imcne	Adow Alio Abukar	Individual	Oral - Public he	
33	0103IMCNE	Ahmed Ali	Individual	Oral - Public he	
34	0066IMCNE	Ahmed Dugal	Individual	Written	
35	0012IMCNE	Ahmed Hillow Abdi	Individual	Written	
36	0094IMCNE	Ahmed Mohamed	Individual	Oral - Public he	
37	0025IMCNE	Ali Abshiro Hevin	Individual	Oral - Public he	
38	0058IMCNE	Ali Hassan Omar	Individual	Written	
39	0114IMCNE	Ali Mohammed	Individual	Oral - Public he	
40	0079IMCNE	Alibashir M. Adan.	Individual	Oral - Public he	
41	0107IMCNE	Alinoor Magow.	Individual	Oral - Public he	
42	0118IMCNE	Alio Gedow Musa	Individual	Oral - Public he	
43	0104IMCNE	Amina Ibrahim	Individual	Oral - Public he	
44	0070IMCNE	Amina Ibrahim	Individual	Written	
45	0055IMCNE	Amina Ibrahim Abdi.	Individual	Oral - Public he	
46	0003imcne	Anonymous	Individual	Written	
47	0002IMCNE	Anonymous	Individual	Written	
48	0013IMCNE	Barre Hassan Ibrahim	Individual	Written	
49	0086IMCNE	Cllr. Khalid Ahmed	Individual	Oral - Public he	
50	0102IMCNE	Dahir Mahad	Individual	Oral - Public he	

51	0050IMCNE	Dore Abdi Birik	Individual	Oral - Public he	
52	0111IMCNE	Dube Alio Garay	Individual	Oral - Public he	
53	0120IMCNE	Dugal Ali	Individual	Oral - Public he	
54	0032IMCNE	Farah Mohamed	Individual	Oral - Public he	
55	0047IMCNE	Fatuma Adan Hussein.	Individual	Oral - Public he	
56	0034IMCNE	Fatuma Ibrahim	Individual	Oral - Public he	
57	0122IMCNE	Golo Ibrahim	Individual	Oral - Public he	
58	0059IMCNE	Habiba Musa Hassan.	Individual	Written	
59	0036IMCNE	Haji Abdullahi	Individual	Oral - Public he	
60	0022IMCNE	Haji Hussein Abdi Alo	Individual	Written	
61	0060IMCNE	Hajira Ali	Individual	Written	
62	0053IMCNE	Halima Ibrahim	Individual	Oral - Public he	
63	0105IMCNE	Hassan Gura	Individual	Oral - Public he	
64	0113IMCNE	Hassan Ibrahim	Individual	Oral - Public he	
65	0009imcne	Hassan Ibrahim Haji	Individual	Written	
66	0109IMCNE	Hassan Jafar	Individual	Oral - Public he	
67	0045IMCNE	Hassan Mohamed Adan.	Individual	Oral - Public he	
68	0090IMCNE	Hassan Sheikh	Individual	Oral - Public he	
69	0048IMCNE	Hon. Adan M. Noor.	Individual	Oral - Public he	
70	0056IMCNE	Hussein Abdi Hassan.	Individual	Oral - Public he	
71	0035IMCNE	Hussein Abdillahi	Individual	Oral - Public he	
72	0108IMCNE	Hussein Abdirahman.	Individual	Oral - Public he	
73	0061IMCNE	Ibrahim A. Abdi.	Individual	Written	
74	0100IMCNE	Ibrahim Hassan	Individual	Oral - Public he	
75	0084IMCNE	Ibrahim Hassan Osman.	Individual	Oral - Public he	
76	0042IMCNE	Ibrahim Ibrahim Abdi.	Individual	Oral - Public he	
77	0096IMCNE	Ibrahim Muktar	Individual	Oral - Public he	
78	0091IMCNE	Ibrahim Sheikh	Individual	Oral - Public he	
79	0067IMCNE	Isaack Ismail	Individual	Memorandum	
80	0062IMCNE	Isaak Hassan Abey	Individual	Written	
81	0038IMCNE	Issak Gabo Abdi	Individual	Oral - Public he	
82	0039IMCNE	Issak Mohamed	Individual	Oral - Public he	
83	0110IMCNE	Kassim Adan Ali	Individual	Oral - Public he	
84	0031IMCNE	Khadija Khalif	Individual	Oral - Public he	
85	0024IMCNE	Khasim Hussein	Individual	Oral - Public he	
86	0005IMCNE	Kherah Abdullahi	Individual	Written	
87	0097IMCNE	Maalim Ibrahim	Individual	Oral - Public he	
88	0085IMCNE	Maalim Isaack	Individual	Oral - Public he	
89	0074IMCNE	Maalim Ismail	Individual	Oral - Public he	
90	0089IMCNE	Maalim Mohamed	Individual	Oral - Public he	
91	0077IMCNE	Maalim Musa	Individual	Oral - Public he	
92	0092IMCNE	Mana Haji Khalla	Individual	Oral - Public he	
93	0072IMCNE	Mohamed Abdulahi.	Individual	Oral - Public he	
94	0116IMCNE	Mohamed Ali Tulla.	Individual	Oral - Public he	
95	0124IMCNE	Mohamed Ibrahim Alio.	Individual	Oral - Public he	
96	0049IMCNE	Mohamed Idris	Individual	Oral - Public he	
97	0020imcne	Mohamed Madker Haji	Individual	Oral - Public he	
98	0006IMCNE	Mohamed Osman Abdiye	Individual	Memorandum	
99	0065IMCNE	Mohamed Robow	Individual	Written	
100	0078IMCNE	Mohamed Sheikh	Individual	Oral - Public he	
101	0043IMCNE	Mohamed Sheikh	Individual	Oral - Public he	
102	0083IMCNE	Mohammed Ali	Individual	Oral - Public he	
103	0081IMCNE	Mohammed Mollu	Individual	Oral - Public he	
104	0028IMCNE	Mohamoud Abdillahi.	Individual	Oral - Public he	
105	0117IMCNE	Mohamud Alas	Individual	Oral - Public he	
106	0011imcne	Noor N Eymoi	Individual	Written	

107	00371MCNE	Nuno Mohamed	Individual	Oral - Public he	
108	00711MCNE	Olad I. Farah.	Individual	Written	
109	00821MCNE	Omar S. Ali.	Individual	Oral - Public he	
110	00331MCNE	Osman Mahmoud	Individual	Oral - Public he	
111	00631MCNE	Rama Mohamed	Individual	Written	
112	00231MCNE	Rashid Adna	Individual	Written	
113	00881MCNE	Rashid M. Ahmed.	Individual	Oral - Public he	
114	00411MCNE	Saadi Alinoor	Individual	Oral - Public he	
115	00461MCNE	Sahara Mohamed Ali.	Individual	Oral - Public he	
116	01121MCNE	Shala Abdallah	Individual	Oral - Public he	
117	00731MCNE	Sheikh Mohamed Abdul	Individual	Oral - Public he	
118	00761MCNE	Shekh Ali	Individual	Oral - Public he	
119	01251MCNE	Siyad Haji Dahir	Individual	Oral - Public he	
120	00071mcne	Siyad Hassan	Individual	Written	
121	00261MCNE	Suleiman Mahmoud	Individual	Oral - Public he	
122	00801MCNE	Yusuf Abdul	Individual	Oral - Public he	
123	00291MCNE	Yusuf Mohamed	Individual	Oral - Public he	
124	00641MCNE	Zainabu Isaak	Individual	Written	
125	00030MCNE	Fatuma Haji Dahir	NGO	Written	MYWO
126	00020MCNE	Habiba Issak	NGO	Written	Habiba International
127	00050MCNE	Abubakar A. Ali.	Other Institutions	Memorandum	Dawa River Dev Association
128	00010MCNE	Osman Abdile Sheikh.	Other Institutions	Memorandum	Mandera County Council
129	00080MCNE	Ali Mohamed Shekh	Religious Organisation	Written	Shimbir -Fatuma Religious Gr
130	00060MCNE	Haji Abdi Noor	Religious Organisation	Written	Muslim Society

#### Appendix 4: Persons Attending Constituency Hearings

No.	Name:	Address:	No	Name:	Address:
1	Haji Abdinoor Ali	N/A	174	Hussein Abdullahi	N/A
2	Sheikh Abdullahi	N/A	175	Abdirisack Maalim	P.O. Box 58 Mandera
3	Sheikh Mohamed Haji	N/A	176	Issack Ahmed	N/A
4	Maarim Ismail Abdinoor	N/A	177	Ali Mohamud	N/A
5	Hillow Abdi Ibrahim	N/A	178	Abdinoor Moh'd	P.O. Box 5 El-wak
6	Sheikh Ali Alio	N/A	179	Issack Mohamed	P.O. Box 56 El-wak
7	Maalim Mursal	N/A	180	Abdirashid Maalim	N/A
8	Haji Hassan Omar	El-Wak	181	Moh'dnus Abdirahma	N/A
9	Mohamed H. Alio	N/A	182	Adan Hassan	N/A
10	Ali Nur Mayod	Katulo	183	Adan H. Maalim	N/A
11	Yussuf Adaw	El-Wak	184	Mana H. Kala	N/A
12	Ali Mohamed Sheikh	El-Wak	185	Habiba Musa	N/A
13	Mohamed Molu Hussen	N/A	186	Rahma Moh'd	N/A
14	Mohamed Ali Ahmed	N/A	187	Mohamud Okon	N/A
15	Mallow Abdullah	N/A	188	Jimale Okow	N/A
16	Maalim Issack Mohamed	N/A	189	Salat Huka	N/A
17	Ibrahim Hassanow	N/A	190	Ibrahim Hassan	N/A
18	Abdufatah Ismail	P.O. Box 23 El-Wak	191	Siraf Ali	N/A
19	Abdifauz H. Mohamud	N/A	192	ussein Abdi Hassan	N/A
20	Omar H. Abdimursal	N/A	193	Sheikh Hassan Ali	N/A
21	Abdullahi Hussan	N/A	194	Haji Hassan Manur	N/A
22	Hussein Abdirahman	N/A	195	Rashid Osman	N/A
23	Haji Hassan Omar	N/A	196	Abdi Ismail	N/A
24	Sheikh Issack	N/A	197	Abdinasir Barak	N/A
25	Mohamed Ibrahim	N/A	198	Ahmed Edin Hassan	N/A
26	Hussein Abow	N/A	199	Shakur Adan	N/A
27	Abdirizack Adan Abukar	N/A	200	Hassan Ali Kassim	N/A
28	Abukar Ali Hussein	N/A	201	Issak Alio	N/A
29	Ali Adan	N/A	202	Ibrahim Abdow	N/A
30	Kullow Ibrahim	N/A	203	Mohamed robow	N/A
31	Adan Mohamed	N/A	204	Golo Ibren	N/A
32	Abdirahm Issak	N/A	205	Ismail Maalim	N/A
33	Abdi Ali	N/A	206	Sheikh Ahmed Abdi	N/A
34	Rashid Abdi Ibrahim	N/A	207	Maalim Ibrahim Adan	N/A
35	Ibrahim Alio	N/A	208	Issak Alew	N/A
36	Ibrahim Issak	N/A	209	Adan Issack	N/A
37	Hassan Sheikh	N/A	210	Yussuf Hassan	N/A
38	Ibrahim Sheikh	N/A	211	Sheikh Mohamed Haji	N/A
39	Haji Abdikadir	N/A	212	Mohamed Hamza	N/A
40	Alio Gabow	N/A	213	Omar Sheikh Ali	N/A
41	Issak Adan	N/A	214	Abdirahman Maalim	N/A
42	Abdikadir Adan	N/A	215	Mohamed Sala	N/A
43	Abdulla Shabur Adan	N/A	216	Mohamed Mohad	N/A
44	Haji Hussein	N/A	217	Abdikadir M. abdi	N/A
45	Haji Ahmed Mohamed	N/A	218	Hassan Haji Abdullahi	N/A
46	Haji Abdiker	N/A	219	Alio Mahad Dido	N/A
47	Moh'd Issack	N/A	220	Issack Abdi Ibrahim	N/A
48	Ibrahim Muktar	N/A	221	Bashe Dukal Ali	N/A
49	Ibrahim Issack	N/A	222	Adan Billal	N/A
50	Hauka Abdulla	N/A	223	Issack Musa	N/A
51	Abdirahma Moh'd	N/A	224	Hussan hassan	N/A
52	Abdi Adow	N/A	225	Sheikh osman Sheikh	N/A
53	Abdi Ibrahim	N/A	226	Shahiya Abdullai	N/A

54	Moh'd Abdi	N/A	227	Amina Haji Ibrahim	N/A
55	Moh'd Ibrahim	N/A	228	Adan Mohamed	N/A
56	Hussein Adan	N/A	229	Osman Issack	N/A
57	Adan M. hussein	N/A	230	Abdilatif Ibrahim	N/A
58	Moh'd Sheikh	N/A	231	Moh'd Musa	N/A
59	Ibrahim Bure	N/A	232	Issack Ismail Sheikh	N/A
60	Adan Moh'd	N/A	233	Ahmed Ali	N/A
61	Abdi Adan	N/A	234	Adan issack Mohad	N/A
62	Ismail Abdirahman	N/A	235	Mohamed Yakub	N/A
63	Ali Issack	N/A	236	Ali Mohamud	N/A
64	Musa Hassan	N/A	237	Rashid Adan Issack	N/A
65	Nurrow Ibrahim	N/A	238	Fatuma omar	N/A
66	Halima Abdullahi Adan	N/A	239	Dube Alio	N/A
67	Mohamed Abdi khaliff	N/A	240	Mohamed Mohad	N/A
68	Al'io Maalim Adan	N/A	241	Bishar ibrahim	N/A
69	Ali Abdulla Moh'd	N/A	242	Ismail Ahmed	N/A
70	Issack Alio	N/A	243	Abdul Ali	N/A
71	Abdullahi Bake Hussein	N/A	244	Ibrahim Adan	N/A
72	Kassim Adan	N/A	245	Mohamed Mohamud	N/A
73	Hassan Hussein Garaj	N/A	246	Adan kala Moh'd	N/A
74	Issack Maalim Dahir	N/A	247	Muktar Alew	N/A
75	Ibrahim Adan Abdi	N/A	248	Mohamed Hassan	N/A
76	Abdullahi Ali Shakeij	N/A	249	Adan Somo	N/A
77	Billow Shabello Abdi	N/A	250	Mohamud Alas	N/A
78	Mohamed Tulla	N/A	251	Ismail Rashid	N/A
79	Adan Osman	N/A	252	Issack Hassan	N/A
80	Ali Salt Hassan	N/A	253	Mohamed Ahmed	N/A
81	Maalim Nur ali	N/A	254	Hassan Abdullahi	N/A
82	Haji Hussanow Osman	N/A	255	Mohamed Ali	N/A
83	Hassan Osman	N/A	256	Ibrahim Abdirahman	N/A
84	Abdirizale Ismail	N/A	257	Mohamed Adan	N/A
85	Issack Hassan Abbey	N/A	258	Ali Sheikh	N/A
86	Alio Baji	N/A	259	Maalim Ibrahim Adan	N/A
87	Adan Ibrahim	N/A	260	Issack Nurrow Abdi	N/A
88	Osman Issack Ali	N/A	261	Yakub Abdigay	N/A
89	Ali Maalim Eden	N/A	262	Ayud A. Duale	N/A
90	Adan Ibrahim	N/A	263	Adan Hussein	N/A
91	Adan Issack	N/A	264	Maalim Billow	N/A
92	Mohamed Teno	N/A	265	Maalim Adan Adan	N/A
93	Abdirashid Haji	N/A	266	Hussein Ibrahim Barrow	N/A
94	Ali jBashir Maalim	N/A	267	Kennedy osyeko	N/A
95	Issack Mohamed Sheikh	N/A	268	Keneth Goriora	N/A
96	Hajira Ali	N/A	269	Kimotho Mogodu	N/A
97	Barwaka Maalim	N/A	270	Ismail Issack	N/A
98	Abass Mohamed	N/A	271	Enow Alio Edin	N/A
99	Mustafa Adan	N/A	272	Abdinoor Hassan Abdi	N/A
100	Abdullahi Issack	N/A	273	Mohamed Issack	N/A
101	Abdul Aziz Moh'd	N/A	274	Adan Mohamed	N/A
102	Alio Edin	N/A	275	Mahumed Sheikh Ali	N/A
103	Seifudin alio	N/A	276	Maalim Abdi Ali	N/A
104	Mohamud Mohamed	N/A	277	Farahaya hassan	N/A
105	Issack Ali	N/A	278	Habiba Ali	N/A
106	Mohamed Issack	N/A	279	Charles Musok	N/A
107	Abdi Ali	N/A	280	Ibrahim Abdi Kuno	N/A
108	Hassan Alio Maalim	N/A	281	Hassan Osman	N/A
109	Hussein Yussuf	N/A	282	Maalim Hassan Ibrahim	N/A



110	Abdullahi Mustafa	N/A	283	Abdullahi Maalim Athman	N/A
111	Adan Khalif Ibrahim	N/A	284	Stephen Muhengere	N/A
112	Abdi Hassan	N/A	285	David Muchoki	N/A
113	Abdi Fatah Ahmed	N/A	286	Hassan Abdullai Osman	N/A
114	Ibrahim Issack	N/A	287	Mahamed Osman	N/A
115	Mohamed Adan gino	N/A	288	Hussein Ibrahim	N/A
116	Abdi Alio Mohamed	N/A	289	Hussein Ahmed	N/A
117	Adan Issack	N/A	290	Rashid Maalim Moh'd	N/A
118	Ahmed Mohamed	N/A	291	Mohamed Hassan	N/A
119	Mohamed Ali	N/A	292	Joel Kithka	N/A
120	Abdi Intalo	N/A	293	Hussein Abdullahi	N/A
121	Abdullahi Hassan	N/A	294	Allow Maalim Hussein	N/A
122	Ali Gedo Musa	N/A	295	Hussein Abdirahman	N/A
123	Issack Moh'd Kulle	N/A	296	Abdullahi Nurrow	N/A
124	Alio Hassan	N/A	297	Ahmed Musa Hassan	N/A
125	Adan Abdulla	N/A	298	Hassan Abdinoor	N/A
126	Ahmed Dera	N/A	299	Mohamed Abdikarim	N/A
127	Abdullahi Ibrahim	N/A	300	Nurow Abdow Hassan	N/A
128	Ali Bashir Moh'd	N/A	301	Allow Abdi Mohamed	N/A
129	Habiba Hassan Abdi	N/A	302	Issack Omar	N/A
130	Rahna Abdulla	N/A	303	Ali Mohamed Sheikh	N/A
131	Hassan Shaban	N/A	304	Abdikheir Issack	N/A
132	Mohamed Hussein	N/A	305	Abdullahi Billow	N/A
133	Gedo Hassan	N/A	306	Haji Dahir Adan	N/A
134	Nurrow Abdulla	N/A	307	Cllr. Ahmed Ali	N/A
135	Abdirahman Banda	N/A	308	Issack Ismail Sheikh	N/A
136	Medina Abdi Roble	N/A	309	Hassan Gura	N/A
137	Adan Ibrahim Alio	N/A	310	Adan Ibrahim	N/A
138	Alio Maalim	N/A	311	Alinoor Mayow	N/A
139	Alio Hussein	N/A	312	Amina Ibrahim	N/A
140	Yussuf Issack	N/A	313	Kasim Adan Ali	N/A
141	Hussein Alio	N/A	314	Dube Alio Garay	N/A
142	Abdinaline Hussein	N/A	315	Bashey Dugal	N/A
143	Senaba Issack	N/A	316	Habiba Musa	N/A
144	Abdikhar Dika	N/A	317	Amina Maalim	N/A
145	Hassan Issack	N/A	318	Abdullahi Hassan	N/A
146	Abdinoor Ibrahim	N/A	319	Abdi Qafar Adan	N/A
147	Abdikher Adan	N/A	320	Abdiker Ali	N/A
148	Abdirizaa Adana	N/A	321	Hassan Ibrahim	N/A
149	Salat Hassan	N/A	322	Rashid Adan Issack	N/A
150	Hassan Nure	N/A	323	Ahmed Adan	N/A
151	Bashir Mohamed Ali	N/A	324	Abdulla Shabura	N/A
152	Mohamed Sheikh Abdi	N/A	325	Shanya Abdulla	N/A
153	Abdullahi Hussan	N/A	326	Cllr. Hussein Ibdirahman	N/A
154	Osman Abdi	N/A	327	Ali Mohamed	N/A
155	Mohamed Ibrahim	N/A	328	Mohamed Samow	N/A
156	Ali Muktar	N/A	329	Issack Hassan	N/A
157	Hussein Abukar	N/A	330	Mohamed Hassan	N/A
158	Alikheir Abdi	N/A	331	Adan Issack jari	N/A
159	Feras omar	N/A	332	Ibrahim Ali	N/A
160	Abdullahi Muktar	N/A	333	Noor Osman	N/A
161	Abdirashid M. Mohamed	N/A	334	Dugai Ali	N/A
162	Hassan Maalim Moh'd	N/A	335	Abdirahman Haji	N/A
163	Alio Hassan	N/A	336	Hassan Abdullahi	N/A
164	Osman Hassan	N/A	337	Mohamed Tulla	N/A
165	Hassan Adan	N/A	338	Maalim Hassan Abdi	N/A

166	Hassan Jafar	N/A	339	Ali Issack	N/A
167	Ismail Abdirahman	N/A	340	Hassan Gabow	N/A
168	Issack Edin	N/A	341	Mohamud Alas Abdulla	N/A
169	Abdi Ismail	N/A	342	Alas Hassan	N/A
170	Mohamed Hussein	N/A	343	Abdullahi Adan	N/A
171	Hussein Haro	N/A	344	Ali Gedow	N/A
172	Mohamed Samow	N/A	345	Abdi Maalim	N/A
173	Mohamed Kala	N/A			