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1. **DISTRICT CONTEXT**

Turkana North constituency is in Turkana district. Turkana District is one of 18 districts of the Rift Valley Province of Kenya.

1.1 **Demographic Characteristics**

District Deputation by Som	Male	Female	Total
District Population by Sex	224,548	· ·	450,860
Total District Population Aged 18 years & Below	116,398	111,156	227,554
Total District Population Aged Above 18 years	108,150	115,156	223,306
Population Density (persons/Km ²)	7		

1.2 Socio-Economic Profile

Turkana District:

- Together with Samburu, are the least densely populated districts in the province;
- Has the least primary school enrolment in the province at 26.7%, being ranked 18 in the province and 66 nationally;
- Has the least secondary school enrolment in the province at 5.0%, being ranked 18th in the province and 65 nationally;
- Experiences the following main diseases: Malaria, respiratory tract infections, diarrhoea diseases, skin diseases and infections, and eye infections;
- Has 91 of 1000 of its live babies dying before the 1st birthday, being ranked 34th of 44 of the nationally ranked districts;
- Has a life expectancy of 42.3 years, being ranked 45 of 45 of the nationally ranked districts;
- Turkana district has 3 constituencies: Turkana North, Trukana Central, and Turkana South Constituencies. The district's 3 MPs, each cover on average an area of 22,796 Km² to reach 150,287 constituents. In the 1997 general elections, the ruling party KANU won two of the parliamentary seats, Turkana Central and Turkana South, with 96.70% and 77.71% valid votes respectively. In Turkana North, FORD-K won the parliamentary seat with 53.30% valid votes.

2. CONSITUENCY PROFILE

2.1 Socio-Economic Profile

Turkanas are mainly pastoralists although there is some fishing activities along the lake.

2.2 Electioneering and Political Information

This is the only constituency in Turkana that voted in an opposition member of parliament. A civic education conducted by Catholic Church has had some impact. Campaigns in the past have

been marred by violence. Clanism is also an issue in elections and so is development record. In 2002, the National Rainbow Coalition took the seat.

2.3 **1992 General Election Results**

1992 TOTAL RE	GISTERED VOTEI	RS	18,533			
CANDIDATE	PARTY	VOTES	% VALID VOTES			
Japheth Ekidor	KANU	7,663	96.23			
Julius Akal	FORD K	138	1.73			
Loolel Ekarau	DP	162	2.03			
Total Valid Vote	S	7,963	100.00			
Rejected Votes		452				
Total Votes Cast		8,415				
% Turnout		45.41				
% Rejected/Cast		5.37				

2.5 1997 General Election Results

1997 TOTAL REGISTERED VOTERS			26,433
CANDIDATE	PARTY	VOTES	% VALID VOTES
John Munyess Kiyonga	FORD K	7,098	53.30
Japheth Ekidor	KANU	6,218	46.70
Total Valid Votes	Total Valid Votes		100.00
Rejected Votes		153	
Total Votes Cast		13,649	
% Turnout		50.96	
% Rejected/Cast		1.14	

2.6 Main Problems

Like Turkana Central the main issue is insecurity in the area. The issue of disarming pastoralists is sensitive as, when they have firearms, they raid neighbors in order to acquire livestock. When they are disarmed the neighbors raid the weakened communities.

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 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 constitution was carried out between 19^{th} February 2002 and 24^{th} June 2002

4.1. Phases in civic education

Stage 1 is the only phase that has been covered. This is the stage preceding 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

- Introduction to civic education
- Constitution
- Constitution making process
- The government of Kenya
- Emerging issues
- Structures and systems of government
- Governance

5. CONSTITUENCY PUBLIC HEARINGS

5.1 Logistical Details

5.1.1 Date and Number of Days for Public Hearings

- a) Date(s): 27th June 2002
- a) Total Number of Days: 1

5.1.2 **Venue**

- a) Number of Venues: 3
- a) Venue(s): i. Lokitaung Stadium
 - ii. Kakuma Stadium
 - iii. Lokichogio

5.1.3 **Panels**

- a) Lokitaung Stadium Commissioners
 1.Com: Dr. Githu Muigai
 2.Com: Bishop B.N. Kariuki
- a) Lokitaung Stadium Secretariat 1.Mr. G. Nakholi -Programme Officer 2.Mr. Wambua Kagamua -Assistant Programme Officer 3.Mary Babu -Verbatim Recorder

a) Lokichogio Stadium – Commissioners

- 1. Com. Tobiko Keriako
- 2. Com. Kavetsa Adagala

a) Lokichogio Stadium - Secretariat

- 1. Solomon Mukenion -Programme officer
- 2. Ouma Ochieng' -Assistant Programme Officer
- 3. Regina Obara -Verbatim Recorder
- a) Kakuma Stadium Commissioners 1.Com. Ibrahim Lethome 2.Com. Mutakha Kangu

a) Kakuma Stadium - Secretariat 1.Jane Mbao - Programme officer 2.Dancun Mutai - Assistant Programme Officer

5.2 Attendance Details

Category	Details	Number
Number of People Who Presented		75
Total Attendance		
	Male	63
Sex	Female	12
	Not Stated	0
	Individual	63
Presenter Type	Institutions	11
	Not Stated	1
	Primary Level	25
	Secondary/High School Level	27
	College	4
Educational	University	4
Background	None	0
	Not Stated	13
	Other (Adult Education/Vernacular/Madrasa/Informal Education)	2
	Memoranda	0
	Oral	61
Form of	Written	8
Presentation	Oral + Memoranda	0
	Oral + Written	6
	Not Stated	0

5.3 CONCERNS AND RECOMMENDATIONS

The following are the recommendations made by the presenters in Turkana Central. The recommendations were collated around 43 areas of concern, from the Preamble to National integrity/identity. Only areas where recommendations were made in the constituency are covered. The numbers in parentheses represent the number of times the recommendation (bulleted) was made, either orally or through written memoranda. Each count on a specific recommendation was picked from an individual, a group or an organization. Where a presenter made different recommendations on the same area of concern, each recommendation was counted separately. Where no number appears in parentheses, the recommendation was made only once.

5.3.1 PREAMBLE TO THE CONSTITUTION

- The preamble should reflect our national vision, aspiration and togetherness. (2)
- The preamble should reflect the involvement of Kenyan citizens in making the constitution
- The common experience should be reflected that is the common struggle to gain independence.
- The constitution should have a preamble. (4)

5.3.2 **DIRECTIVE PRINCIPLES OF STATE POLICY.**

- The constitution should state that the government should be voted out if it does not yield to the expectation of the people before the expiry of its term of office.
- The constitution should have guiding principles on how the country should be run.
- The democratic principles should be the government by the people for the people.
- Values to be included are peace love and unity.
- Principles should not enforce laws instead they should be natured.
- The constitution should provide that the law shall apply in a non-discriminatory manner to all Kenyans.

5.3.3 CONSTITUTIONAL SUPREMACY

- Parliament should amend the constitution through a 65% majority vote. (2)
- The constitution should be amended through 75% majority site.
- The 65% for amendments of the constitution should be replaced with 90% votes.
- Parliament power to amend the constitution should be limited. (3)
- Parts in the constitution relating to the judiciary, ECK and national security should be beyond commanding powers of parliament.
- Sections of the constitution should be beyond the amendment by parliament
- Independent commissions should be established to conduct referendums.
- NGOs and organization that are youth and disabled oriented should conduct the referendums.
- A constitution commission should conduct national referendum
- A national referendum should be conducted by the constitution of Kenya review commission.
- The constitution should provide for its supremacy over all other laws in the land.
- The constitution should provide that a constitutional amendment shall only be through a public referendum. (4)
- The constitution should provide that both parliament and people shall be involved in amending the constitution.
- The constitution should provide that a 2/3 majority in parliament should do amendment to the constitution.

5.3.4 CITIZENSHIP

- Anyone born in Kenya should be considered as an automatic citizen. (5)
- Foreigners who have lived in Kenya for over 10 years and willing to become citizen should be given automatic citizenship.
- The constitution should ensure all Kenyans are treated equally and fairly in all levels of

life.

- Anybody who has stayed in Kenya for 20 years should be given citizenship.
- A child born of one Kenya irrespective of gender should be entitled to automatic citizenship. (5)
- Obligations of a citizen should include paying taxes and electing leaders.
- All Kenyan citizens should have a right to vote.
- Kenyan citizens should have the right to own land.
- A Kenyan citizen should have a right to be protected by the constitution.
- Citizens should have a right to own land, free education, healthcare, security and right to vote.
- Kenyans should have the obligation to defend their country, and right to live anywhere and a right to live anywhere in the country.
- The rights and obligations of a citizen should not depend on the manner in which citizenship is acquired.
- The constitution should provide for dual citizenship. (2)
- The Kenyan constitution should not allow dual citizenship. (2)
- Kenyan citizens should posses national ID and birth certificate so as to prove their citizenship.
- The constitution should provide that birth certificate, ID cards and passport be used for identification. (5)
- Screening cards should be limited to Islamic communities. Passports, birth certificates, and driving licenses should be issued free of charge.
- A refugee act should been enshrined to ensure security and safety of all refugee.
- Refugees should be relocated from Turkana district.
- Refugees should go back to their countries.
- The constitution should restrict the influx of refugees and dangers posed by their presence in Turkana.
- Refugees living in Kenya should be issued with some form of identity cards. (2)
- The constitution should confer to all persons born of Kenyan parents automatic citizenship.
- The constitution should confer automatic citizenship to all persons legally married to Kenyan citizens. (4)
- The constitution should confer automatic citizenship to all persons who have stayed in Kenya for a continuous period of more than five years.
- The constitution should provide that the Somalis be granted citizenship after living in Kenya for five years.
- The constitution should provide that citizenship should be by birth, naturalization and through marriage. (2)
- The constitution should provide that a passport should be enough for identification.
- The constitution should provide that refugees should be issued with some form of ID cards to allow them travel without being harassed by the police.
- The constitution should provide that national ID cards, passports and be issued free of charge and should be decentralized for easier access. (8)
- The constitution should provide that ID cards should be issued to citizens irrespective of place of birth.
- The constitution should provide that passports and driving licenses should be charged fairly.
- The constitution should provide that a birth certificate be considered adequate for

self-identification.

5.3.5 **DEFENCE AND NATIONAL SECURITY**

- Discipline forces should be established by the constitution. (6)
- Police reservist should be done away with.
- The government should provide properly trained personnel to serve and defend the people of Kenya.
- The constitution should allow discipline of all forces by interdiction, dismissal and trials to determine status.
- Disciplinary forces should be taken to civil courts. (2)
- Salaries of police force should be reviewed. Police stations should be restructured.
- Court martial should be empowered to deal with discipline cases of the armed forces.
- There should be job description for various departments of the armed forces.
- The Security Council should declare war.
- The president with consultation from parliament should have powers to declare war.
- The president should have powers to declare war. (2)
- Parliament should be mandated to declare war.) 2)
- The constitution should provide that the executive has no power to declare war. (2)
- The constitution should permit use of extraordinary powers. (2)
- Parliament should have the authority to invoke emergency powers. (3)
- Parliament should be consulted before effecting emergency powers. (2)
- The armed forces should construct roads.
- The constitution should provide for the disarmament of people with illegal arms especially at the borders.
- The constitution should provide for the restructuring of the police force.
- The constitution should provide for the posting of military personnel to the borders including the border towns.
- The constitution should provide for the decentralization of the chain of command in the military to improve efficiency.
- The constitution should provide for an increase in salaries of the police force.
- The constitution should provide that the president should be the commander in chief of the armed forces. (9)
- The constitution should provide that the formation of the disciplined forces be entrenched in the constitution.
- The constitution should provide for the creation of disciplinary committees in the armed forces to improve discipline.
- The constitution should provide that Kenya police reservists should be deployed in rural areas.
- The constitution should provide for the provision of arms to citizens to improve security.
- The constitution should provide that the army, G.S.U as well as the police should be deployed to the border and not the reservists.

5.3.6 **POLITICAL PARTIES**

- Political parties should play a role of community development and initiating income-generating projects. (3)
- Political parties should play a role of upholding and respecting the constitution,

participate in budget making, appointment of various unions commission, democratization of the nation, uphold basic human fundamentals rights.

- Political parties should play a role of manifestation enforcement acting as watchdogs and correct mal-practices.
- The constitution should regulate management and conduct of political parties. (6)
- The number of political parties should be limited to five.
- There should be a limit to the number of political parties in Kenya. (3)
- There should be only 4 political parties in Kenya. (4)
- Political parties should be funded from donations.
- Political parties should be financed from the public funds (7)
- The state and political parties should relate to one another when it comes to economic, security and development issue.
- Political parties should be transparent and accountable and corruption free.
- Political parties should be registered by registrar of society and should be nationalist and not tribal.
- Political parties should be financed only if they are not formed on tribal lines.
- The state and political parties should work together to ensure and promote common good. (3)
- Political parties should remain servants of the state.
- Political parties and the state should be two different entities.
- The state and political parties should common interest in the development of parties.
- The constitution should limit the number of political parties in the country to 3 and these parties should be self-financing. (5)
- The constitution should provide that political parties should be funded by the central government. (6)
- The constitution should limit the number of political parties to two. (5)
- The constitution should provide that MPs should not be allowed to defect from one party to the other.
- The constitution should provide for only four political parties.
- The constitution should provide that the conduct of political parties shall be regulated.

5.3.7 STRUCTURES AND SYSTEMS OF GOVERNMENT

- The constitution should abolish the parliamentary systems of government
- There should be a ceremonial president. (2)
- A hybrid system should be adopted.
- A unitary system of government should be retained. (4)
- Power should be devolved to the districts and local authorities. (8)
- The constitution should provide for the removal of the president due to misconduct.
- The attorney general should be appointed by the president and should enjoy tenure of office.
- The attorney General should be entrenched in the constitution.
- The constitution should provide for a parliamentary system of government with the prime minister as the head of government. (4)
- The constitution should provide for a federal system of government. (6)
- The constitution should provide for a presidential system of government. (5)

5.3.8 THE LEGISLATURE

- The constitution should provide for a coalition government.
- Appointments should be vetted by parliament i.e. judges, parastatal executives, permanent secretaries, national Security Council and police commissioners. (6)
- The legislative should vet judicial appointments.
- Parliament powers should be expanded. (3)
- The parliament should set the commencement date for bills or Acts that are enacted by the parliament and the president.
- Parliament should have limited powers over its own procedures. (7)
- Age requirements for voting should be 18 yrs and above.
- Age requirement for contesting for presidency should be at least 30 yrs.
- An MP should have attained the age of between 18-55 yrs.
- A parliamentary candidate should be 25 yrs and above.
- Parliamentary candidates should be 30 yrs and above. (2)
- A presidential candidates should be 40 yrs and above.
- A presidential candidate should be between 35 and 65 yrs.
- The voting age should be retained at 18 years.
- Contesting for parliamentarian should be 21 years
- Members of parliament should be professional with a diploma level of education and above.
- An MP should be a diploma holder and should be fluent in both Kiswahili and English.
- MPs should be holders of form 4 certificates and fluent in English and Kiswahili.
- Language tests for parliamentarian candidate are not adequate. They should have post secondary training. (3)
- Parliamentary candidates should be fluent in English and Kiswahili. (2)
- Moral and ethical qualification for parliamentarian candidates should be introduced. (5)
- People should have the right to recall their MPs.
- People should petition the electoral commission, should register their votes of no confidence in their MP by forwarding their names and signatures. 50% of votes or more should be sufficient.
- People should recall their MPs through a vote of no confidence signed by 65% of the registered voters. The documents should be forwarded to the speaker for the national assembly through clerk of national assembly.
- The MPs should always act on the basis of conscience and convections or instructions from the constituents or parties. (3)
- MP's should serve for one term of 5years.
- MPs tenure of office should be fixed to two five year term. (2)
- Salaries of MPs should be determined by parliamentary service commission. (3)
- An independent commission should be established to determine the salary and benefits of MPs. (6)
- MPs salaries and benefits should be determined by a body consisting of auditor general, professionals etc.
- The concept of nominated Mps should be abolished. (5)
- The concept of nominated Mps should be retained (3)
- Affirmative action should be employed to increase women participation in parliament. Constituencies should be paired so that one constituency elects a man and the other a woman. The constitution should provide for reservation of 50% of parliamentary seats.
- Women participation should be increased through nomination. (5)

- MPs in a multiparty state should respect each other's political opinion, debate on objective issues of national importance, be free to give constructive critics, and the opposing views should complement those on the other political divide.
- MPs. should have the state interest regardless of party nomination.
- The constitution should not allow for a coalition government
- If the dominant political party fails to raise the requisite number of MPs, then a coalition government should be allowed.
- The constitution should permit for a coalition government (7)
- We should continue with a multiparty system in both the legislature and executive. (4)
- There should be two chamber of parliament (bicameral) i.e. the House of Representatives and senate.
- There should be one chamber of parliament.
- Parliament should be able to remove the executive through a vote of no confidence motion with a quorum of 25% simple majority. All the executive members should then dissolve themselves upon such a move including the ministers.
- Parliament should have power to remove the president through a vote of no confidence. (2)
- The president should have power to veto legislation by parliament, when such legislation is in conflict with the constitution. (2)
- If the legislative feels that the president is undermining its constitutional creation and functions then it should have power to override the president's veto.
- The legislature should have power to override the president's veto power. (2)
- The constitution should provide for a code of conduct for MPs. (5)
- The constitution should provide for a reduction in powers of the MPs.
- The constitution should provide that the public should have power to recall a non-performing MP within the five-year term. (5)
- The constitution should provide that MPs should work full time. (10)
- The constitution should provide that MPs should have offices at the location, division and district levels for easy reception of people's views. (9)
- The constitution should provide that the president should not veto bills passed by parliament.
- The constitution should provide that the president should not have a right to dissolve parliament. (4)
- The constitution should provide that MPs should be graduates.
- The constitution should provide that the parliament should appoint judicial officers as well as other government appointees.
- The constitution should provide that there should be nominated MPs.
- The constitution should provide that the public should be involved in determining the salary of MPs.
- The constitution should provide that the MPs should serve for a maximum of two terms.
- The constitution should provide that a MP should not seek a permit to hold a public meeting.
- The constitution should provide for the AG to be elected by MPs.

5.3.9 **THE EXECUTIVE**

• The constitution should specify the qualification for the presidential candidate. He should be a Kenyan citizen, a person of good conduct, enthusiastic in discharging public duties,

of sound mind, a university graduate and above all have good morals. (5)

- The president should serve for 5 years only
- The president should make appointments of ambassadors and permanent secretaries.
- The president should appoint ministers.
- The president should be in charge of national and internationals events as a symbol of national unity etc.
- The constitution should specify the function of the president.
- The president should not be above the law. (4)
- The constitution should provide for the removal of the president due to misconduct. (8)
- Parliament and the president should share their powers. (2)
- The president should rely much on the parliament before making most of the crucial national decisions.
- Presidency and parliament should be separated entities, where most power should be drawn from parliament. (2)
- The president should vet ministerial appointments.
- The president should be an ex-officio member of parliament.
- The president should not be a member of parliament. (9)
- District focus for rural development should be improved.
- The attire currently in use by the administration officers should be completely removed.
- The powers of the provincial administrator should be checked.
- The positions of the PCs, Dos and assistant chiefs should be removed.
- Chiefs and Daces should remain.
- Provincial administration should be retained to implement government policies.
- The chief's role should be to initiate development. Recruitment of PC, DC, and DO should be announced through the media. Recruitments should be done at district level.
- Provincial administration should be restructured to govern at each province; commissioners at districts, Dos and chiefs should be replaced with civic leaders.
- Provincial administration should be retained. The post of DO's should be abolished; chiefs should be elected directly by the people.
- Chiefs should be elected directly by the people. Dos should be scrapped
- The DC and P.C should be appointed by the president. These posts should be advertised in the media.
- District boundaries should be revived.
- A ministry of pastoral affairs should be established to assist in pastoral issues. (3)
- There should be a ministry established to deal with the interests of people with disabilities.
- Pastoralism issues should be entrenched in the constitution.
- The constitution should limit the powers of the president. (5)
- The constitution should provide that the president should serve two five-year terms. (12)
- The constitution should provide that the provincial administration be abolished. (8)
- The constitution should provide that the village elders be remunerated.
- The constitution should provide that provincial administration officers be elected by popular vote. (12)
- The constitution should provide that the president should be 40 years and above.
- The constitution should provide that the president be over 35 years and not an MP.
- The constitution should provide for the division of Turkana district into two.
- The constitution should provide that women should not become chiefs.
- The constitution should provide for the abolition of the office of the D. O.

- The constitution should provide that parliament should appoint the provincial administration officers.
- The constitution should provide that the Prime Minister be elected from the majority party.
- The constitution should provide that the president should have at least two degrees.
- The constitution should provide that the president shall have at least 5 years experience in public service.
- The constitution should provide for the regulation in the number of chiefs in the country.
- The constitution should provide for the abolition of the office of the provincial commissioner.
- The constitution should provide that the president shall not enjoy any immunity.
- The constitution should provide for at least 7 Turkanas to be appointed as Permanent secretaries.

5.3.10 **THE JUDICIARY**

- Criminals should attend court within 48 hrs of being arrested.
- District magistrate courts should be elevated.
- Subordinate courts should be opened in other parts of the district.
- Magistrate should be posted to all divisions. (3)
- District magistrate should be uplifted to 3rd class. Mobile courts should be introduced
- District courts should be established in Lokichogio.
- The judicial structure is not adequate.
- There should be a high court in Turkana Court.
- Christian judges should be appointed in the courts of law.
- District court in Lodwar should be promoted to senior court.
- There should be Supreme Court, which should be highest court in the land supervising the operations of all other courts. (4)
- A constitutional court should be created as a division of the Supreme Court handling matters related to the constitution. (4)
- The appointment of the chief justice be approved by the parliament and should have clear support of the judiciary as being one fit for the office. Appointments of judges and other officers of the judiciary should be appointed on the basis of merit. (3)
- There should be a judicial service commission to employ judicial officers.
- The law society of Kenya and the judicial service commission should liaise in formulating the qualifications of all the officers in the judiciary.
- Minimum qualification for judicial officers should be a degree in law.
- Minimum qualification for judicial officers should be a university degree and15 years of experience.
- The chief justice as the head of the judiciary should have protection of tenure.
- The tenure of judicial officer should be fixed.
- An established code of ethics should be defined for judicial officers
- There should be an independent commission established to discipline judicial officers.
- Judicial powers should not be vested exclusively on courts.
- Courts should be brought closer to the people. Court dealing with minor crimes (lower courts) should be established at least at the divisional head quarters.
- In cases where the population is scattered mobile courts should be created be serve them.
- The constitution should ensure access to courts through civic education.

- The constitution should guarantee access to legal aid for all Kenyans. The cost of legal services should be reduced. (2)
- There should be no provision for judicial review of law. (2)
- Village elders should be paid by the government and should have O' level education, should be above 30 years, married, should have paralegal training and should be elected by the people.
- Minor cases should be solved by council of elders
- Council of elders should handle issues of land disputes.
- The constitution should provide for introduction of village courts.
- The constitution should provide for a properly defined period of detention in the police cells.
- The constitution should provide for courts to be established closer to the Turkana people.
- The constitution should provide that chiefs should not be allowed to arbitrate disputes.
- The constitution should provide for the recognition of mob justice as an alternative to courts of law.
- The constitution should provide that the chief justice should be elected by parliament.
- The constitution should provide for establishment of a council of elders to try petty criminal offences

5.3.11 LOCAL GOVERNMENT

- Mayors and councils chairmen should serve for 2 years. (2)
- Councils should not work under the central government but the legislature. (4)
- Councils should have a minimum education qualification of KCPE/CPE certificate. (5)
- The mayor should have a minimum education of a university degree. Councilors should have KCPE certificate.
- Councilor should be fluent English and Kiswahili. (8)
- Age requirement for contesting civil seats should be at least 21 yrs
- Moral and ethical qualification for councilors should be introduced. (6)
- People should have a right to recall non-performing councilors. (7)
- Nominated councilors should be retained and priority should be given to disabled, churches organization and the youth.
- Councilors remuneration should be determined by the government
- A local service commission should determine the remuneration of councilors.
- An independent local authority body should be retained. (4)
- Nomination of councilors should be retained for the vulnerable groups, youth, disabled and women.
- The nomination of councilors should be reserved for women.
- The concept of nominated councilors should be abolished. (5)
- Councils should be dissolved by the president or the minister or local government (2)
- Revenue collected within councils should be used to develop and manage those councils. (2)
- The constitution should provide that all elective positions in the local government, including the position of the mayor and the chairman of the Country Council, be filled by direct popular elections (12)
- The constitution should provide that the mayor and the chairmen of county councils serve for five-year terms. (8)
- The constitution should provide for the funding of Local authorities by the central

government.

- The constitution should provide that councilors should hold at least an O level certificate. (6)
- The constitution should provide for the revision of the salaries of the mayors and councilors and be payable by the parliamentary commission.
- The constitution should provide that 85% of the revenue collected from the local councils should be used to develop the councils while the rest should go the central government.
- The constitution should provide for the elevation of Lokichogio to an urban council to ensure adequate representation.
- The constitution should provide for Kshs 10,000 as nomination fee for councilors.
- The constitution should provide that county council should be allowed to operate independent of the central government.
- The constitution should provide for the councilors to be paid by the central government. (3)

5.3.12 THE ELECTORAL SYSTEM AND PROCESS

- The representative electoral system should be practiced. (4)
- The simple majority rule should be used as a base of winning of the election. (5)
- The electoral process should not be designed to increase participation of women in parliament.
- Candidates who fail to be nominated by the party should not be allowed to seek nomination from another party. (4)
- Defection between parties should be abolished. (4)
- Electoral commission should be appointed by parliament.
- The rule of 25% representation in five provinces for presidential elections should be retained. (4)
- 30% of election seats or positions should be reserved for women. (3)
- Seats should not be reserved for specific interest groups. (2)
- The current geographical constituency system is not satisfactory.
- There should be more constituencies in Turkana based on population.
- Demarcation of constituencies is not satisfactory. Turkana North should be divided into four other constituencies. (5)
- There should be a review of the current constituencies with the aim of increasing them.
- The constitution should establish more wards for effective representation. (3)
- The number of constituencies should be increased and the current wards should be retained.
- Civic parliamentary and presidential election should be conducted separately. (8)
- Civic parliamentary and presidential election should be held simultaneously. (2)
- Voters should be allowed to vote anywhere in any polling station
- Free and fair election should be practiced. (2)
- There should be mobile polling stations. (3)
- The electoral process should be simplified i.e. people should vote with ID card or passport. Registration of voters should be continuous.
- The election date should be specified in the constitution. (3)
- The presidential election should be through an electoral college.
- The presidential election should be done directly through secret ballot. (3)
- The qualification for electoral commissioners should be 10 years of experience and a

university degree.

- The electoral commission should be appointed by parliament.
- The executive should propose electoral commission.
- The Electoral commission should be independent.
- Electoral commission should not be a permanent office.
- Electoral commissioners should be impeached from office incase of misuse of the office. (2)
- Electoral commission should be funded through budgetary allocation.
- Counting votes should be done at polling stations. (4)
- The constitution should expand functions of the electoral commission.
- The constitution should clearly stipulate the election date of general elections.
- The constitution should provide that once votes are cast, counting and announcement of the results should be made at the polling station.
- The constitution should provide presidential, parliamentary and civic elections should be held at different times.
- The constitution should provide that electoral constituency boundaries should be established on the basis of not only population size but also on the existing communication.
- The constitution should provide for the Turkana North to be split into 4 constituencies.
- The constitution should provide for voting to be done through an elector's card, the national ID or a birth certificate.
- The constitution should provide for the creation of 8 constituencies in Turkana district.
- The constitution should provide for a defecting councilor to be fined Kshs.100, 000.
- The constitution should provide for a defecting MP to be fined 2 million shillings.

5.3.13 **BASIC RIGHTS**

- The constitutional provisions for fundamental rights are not adequate. (2)
- The provisions for fundamental rights should include economic social and culture rights.
- Freedom of working should be entrenched.
- The constitution should entrenched freedom of worship without restricting on dual worship. (2)
- Land occupation by the people should be a right.
- The constitution should provide for freedom of association, expression and movement. (3)
- The death penalty should be abolished. (4)
- Death penalty should be retained.
- The constitution should protect the basic rights of its citizen. (3)
- The government should ensure that all Kenyans enjoy their basic rights. (4)
- Every Kenyan should be able to seek and find protection from the government
- Home guards should be given guns and more than one hundred and fifty bullets in order to ensure security. The GSU should be deployed along the boundaries to provide security to the people.
- Water should be availed to every household free of charge. (13)
- Education should be free for all children even the disabled.
- The constitution should provide for free education. (7)
- The constitution should provide for decent shelter for all Kenyans. (3)
- The government should provide relief food to the drought stricken areas.
- Employment opportunities found in a specific region should be offered to the local people for their region.
- The constitution should provide for equal employment opportunities for all. (8)
- The constitution should provide for establishment of offices in rural areas for the administration of pension benefits. (4)
- Free and compulsory education should be offered up to secondary school level. (8)
- The constitution should provide for free and compulsory primary education. (5)
- The constitution should provide for free and compulsory education up to university level. (8)
- Civic education should be a continuous process.
- Kenyans should have access to information. (6)
- The constitution should be written in simple language
- All workers should be guaranteed the right to trade union representation. (3)
- The constitution should include in the basic needs equal opportunities and protection from abuse for all.
- Other rights include conjugal and matrimonial.
- The constitution should guarantee free education from primary to secondary.
- The constitution should provide that electricity be provided in all rural areas.
- The constitution should provide for the freedom of expression and association.
- The constitution should provide for the government to ensure food security. (4)
- The constitution should guarantee the security of all Kenyans. (17)
- The constitution should provide for free and compulsory formal education up to university level. (8)
- The constitution should provide that the constitution be written in vernacular languages.
- The constitution should provide for free basic health care. (14)
- The constitution should provide for the government to drill boreholes in the pastoral

communities to improve on water accessibility.

- The constitution should provide for freedom of worship.
- The constitution should provide girls who drop out of school due to pregnancy should be allowed to resume studies and perpetrators take care of the child.

5.3.14 THE RIGHTS OF VULNERABLE GROUPS

- Women's rights are not fully guaranteed in the constitution.
- Women's rights should be enshrined in the constitution with respect to participation in all affairs of state.
- Women's right should be addressed through empowerment of the girl child and equity in labour market opportunities through training.
- Rights of people with disability are not fully taken care of. (2)
- The rights of vulnerable groups should be spelt out clearly in the constitution with respect to free education.
- All basic rights should be provided to all disabled persons. People with disabilities should be provided with items that make them lead a normal life.
- People with various forms of disadvantaged should be represented in parliament. (3)
- Establish centers to deal with disabled children.
- Children should have a guaranteed right to education and inheritance of property.
- Children's bill should be enshrined in the constitution and supplied in all government organizations to create awareness about the rights of children and penalties governing the bill.
- There should be equal education opportunities for both boys and girls. (2)
- The constitution should protect children against child labour. (3)
- The constitution should guarantee and protect children rights.
- Pastoralists especially Turkana, Somalis and Samburus should be considered as vulnerable groups. They have been isolated and marginalized in all spheres of development.
- A special day should be set for land clashes and the perpetrators of ethnic cleansing to reconcile and forgive one another.
- The aged people of society should be considered as vulnerable groups.
- The constitution should make affirmative action in favour of women. (3)
- The government should provide transport to the prisoners after the term back to their homes.
- Suspects should not be in police custody for more than five hours.
- The constitution should provide that victims of bomb attacks, raids and banditry should be adequately compensated.
- The constitution should provide for the physically impaired be give priority in employment.
- The constitution should provide for the physically impaired be represented by nominated MPs.
- The constitution should provide for the pastoral children to be given alternative education in the Kraals.
- The constitution should provide that children of marriages not solemnized traditionally to be recognized.
- The constitution should provide for the girl child to receive education free of charge.
- The constitution should provide for the protection of the girl child from male predators.
- The constitution should provide for the government to create welfare fund for widows.

- The constitution should provide for equal protection of men under the law just as women.
- The constitution should provide that the girl child's rights be protected and abusers be strictly punished especially the rapists should be imprisoned for 19 years.
- The constitution should provide for the customary fine of 31 animals to be upheld for those who impregnate young girls.
- The constitution should provide for the refugees to be relocated from Turkana to elsewhere.
- The constitution should provide for the creation of orphanage in Turkana.
- The constitution should provide for the creation of the minority and vulnerable groups.

5.3.15 LAND AND PROPERTY RIGHTS

- The individuals and the local community should have the ultimate ownership of land. (2)
- Foreigners should not be given access to land in Kenya.
- The local community should have ultimate ownership of land. (10)
- The individual should have ultimate ownership of land
- The government should not have power to acquire private land for any purpose. (2)
- The government should have the authority to compulsorily acquire private land for any purpose, the affected should be compensated. (7)
- The government or local authority should have no power to control land use unless levies of land is put in dangerous practices.
- Fines should be imposed on idle land for the period land is idle.
- Transfer of land and inheritance should be handled at lower levels of authorities, district and locations. (2)
- The powers of traditional laid managers such as elders, councils should be recognized.
- Land inheritance laws should respect the nuclear family (spouse and children)
- All public land that has been grabbed should be repossessed by the state and given back to the original owner.
- The wife and children of the deceased should inherit the land automatically. (2)
- The government should provide title deeds to individuals and not allotment letters.
- There should be 100 acres of land for private use and 150 for business purposes.
- There should be a ceiling on land ownership. (3)
- There should be a ceiling on how much land an individual should own i.e. 50 acres maximum.
- Individuals should have more than five acres each.
- A non- citizen should acquire land only if he has stayed in Kenya for more than 10 years in the country.
- Non-citizens should acquire land on lease only. (2)
- Non-citizens should not own land in Kenya. (3)
- Title deeds should be available at district or divisional levels.
- The government should speed the process of land registration to avoid the future conflicts.
- Each individual owner of land should be given a title deed.
- The cost of land should be standardized and reduced. Title deeds should be free.
- Transfer of land should be done at divisional level in presence of chief, DO, and councilors. (2)
- Men and women should have equal access to land. (8)
- The pre independence land treaties and agreements should be retained. (7)
- Pre-independence land treaties should not be maintained.

- Land brought from white settlers should be re-allocated to the local communities.
- Any Kenyan should own land anywhere in the country. (4)
- All Kenyans should be guaranteed access to land. (5)
- The trust Land Act should be repealed and such management of Trust land be given back to the communities. (5)
- The constitution should provide that the trust land be vested in the community.
- The constitution should provide that husband should own land in trust for the wife and children.
- The constitution should provide that council of elders should deal with land disputes.
- The constitution should provide that the land should be communally owned.
- The constitution should provide that the concept of trust land should be scrapped.
- The constitution should provide for individual ownership of land.
- The constitution should limit land acreage owned by an individual as well as companies.
- The constitution should provide that allocation of trust land to individuals should be done with consultation with the local people.

5.3.16 CULTURAL, ETHNIC AND REGIONAL DIVERSITY AND COMMUNAL RIGHTS

- •
- Kenya's ethnic diversity and cultural diversion do not contribute to our national culture. (2)
- Cultural and ethic diversity of the Kenyan people should be protected and promoted in the constitution. (5)
- The government should allow churches to appoint a board that is in charge of registering bodies (board of religion).
- Land rights, customary issues, property inheritance and dowry dilemma should be captured. (2)
- Handicrafts, art-crafts, languages, traditional norms, folk tales, medicines, construction of shelters, games, beliefs, economic activities should all be captured.
- The constitution should reserve cultural norms associated with adultery and cohabiting because they ensure morality is upheld.
- The constitution should protect the interests of pastoralists with respect to empowerment economically, education, security and market for their products and livestock.
- Ethnicity should be dealt with by fair distribution of jobs services and nepotism be punishable. (4)
- The constitution should protect against the discriminatory aspects of culture. (4)
- The constitution should provide for wife inheritance.
- English and Kiswahili should be the national languages. (2)
- Indigenous languages like the Ngaturukana should be recognized and protected. (3)
- The constitution should provide the Kiswahili language to be national language.
- The constitution should provide that all forms of marriages be equally recognized by law.
- The constitution should provide for promotion and protection of indigenous languages.
- The constitution should provide for the protection of a peoples' mode of dress, hairstyle, as well as religious certificates.
- The constitution should provide for funding of women groups.
- The constitution should provide that widow inheritance shall be voluntary.
- The constitution should provide that marriage certificates should be issued to persons

married under the customary law.

• The constitution should provide that cohabitation fee imposed by the Turkana customary law should be abolished.

5.3.17 MANAGEMENT AND USE OF NATIONAL RESOURCES

- There should be power sharing on the raising and distribution of financial resources and management of human resources between the public executive and parliament.
- Legislature should have power to raise and distribute finance and human resources. (4)
- Powers to raise, distribute and manage financial and human resources should be left with the executive. (2)
- Parliament should play the role of establishing and distributing proceeds from resources to all parts of the country. (7)
- The local government should have the power to enforce environmental laws.
- There should be competent tax officers, fixing of the tax rates, privatization of high cost projects and fuel levy appropriation aid. (2)
- Public finances should also be raised from parastatal and international aid.
- There should be equal representation of all ethnic groups in running the government providing free education and health facilities.
- The constitution should ensure equitable distribution of national resources as per population figures in the region. (5)
- The government should apportion benefits between the central government and the communities where such resource are found. (12)
- The constitution should compel the government to apportion 60% of benefits from a particular place to the local communities
- The Turkana should benefit from land taxes paid as a result of allocations for the airport, NGOs, the refugees, UN bodies etc.
- The controller and auditor general should run the office without political interferences.
- The executive should appoint the controller and auditor general .
- Parliament should appoint the controller and auditor general to take control of public finances. (3)
- Parliament should have a role in budgeting. All government expenditure should be recommended and supervised by parliament.
- Parliament should set up a commission to over see the appropriation of public funds and should enact penalties for those who misappropriate funds.
- Parliament should establish mechanism that show transparent and accountable management of national resources.
- Ministers should be appointed on the basis of merit. They should have required professional credentials.
- Improve the terms and the working conditions, creation of appraisal in public sectors, having clear job description and the vocational training of the personnel. (3)
- Remuneration in the public service should be commensurate with one's qualification (3)
- Public officers found guilty of mishandling public funds should be suspended from work.
 (4)
- Public officers should declare their assets. (4)
- The constitution should provide for equitable distribution of national resources.
- The constitution should provide for a minimum salary for government jobs.
- The constitution should provide that civil servants should retire at 45 years.
- The constitution should provide that qualified personnel should man parastatals.
- The constitution should provide that the District Focus for rural development should distribute the available resources equally.
- The constitution should provide that the NGOs should preserve 80% of the job

opportunities to the local communities.

- The constitution should provide for the marginalized districts to be allocated 50% of the national budget.
- The constitution should provide that communities be given first preference in benefiting from local natural resources.

5.3.18 ENVIRONMENTAL AND NATURAL RESOURCES

- There should be no dumping of toxic products and no grabbing of range lands
- Health hazards should be taken into account before extraction of the minerals.
- Environmental protection issues that should be included in the constitution should be water resources, forests, minerals, and wildlife conservation. (4)
- The government through NGO's should be allowed to ensure that environmental protection laws are adhered to. (4)
- Natural resources should be owned by the state.
- All natural resources in Turkana North should remain the property of the people of Turkana North. (9)
- The local community should be involved in all matters regarding to the use of resource within specific areas.
- The community should protect the environment and conduct community awareness through mobilization exercises on the importance of the natural resources.
- The community should have a say in the management and protection of natural resources. (4)
- Community should enforce laws on natural resources.
- Natural resources should be protected by the constitution. (3)
- Responsibility for management and protection of natural resources should fall on village elders and forest guards. (4)
- Local committees should be charged with the responsibility of managing and protecting the environment at locational level.
- The local community through elected leaders and government officers should manage the natural resources.(4)
- The constitution should provide for protection of water catchments areas.
- The constitution should provide that grazing lands and water catchments areas should be gazetted.
- The constitution should provide for development of irrigation schemes to substitute relief services.
- The constitution should provide for the local people to manage the natural resources.
- The constitution should ban the refugees from cutting trees and destruction of the environment.
- The constitution should provide for the protection of wildlife.
- The constitution should provide for the compensation of wildlife victims by up to Kshs.1, 000,000.

5.3.19 **PARTICIPATORY GOVERNANCE**

• NGO's and civil society organization should have a role to play in governance i.e. civic education projects and addressing peoples problem. (3)

- NGO's should adopt local policies and technology appropriated to the local needs and conditions
- Civil society organizations should address, advocacy of human rights, national unity and advocacy of girl child education.
- The state should not regulate the conduct of civil society organization.
- The following issues should be addressed i.e. production of civil society officers, co-ordination of civil society mandate and the relationships between civil society and local communities.
- NGOs should abide by rules of local communities, respect culture of the hosting community, employ pure locals and they should share services to the hosting communities.
- The government should monitor and regulate activities of NGO's and civil society organizations.
- The state should regulate the operation and conduct of civil society organizations. (2)
- The government should stop harassing civil society organizations including the media unless they are confirmed to be corrupted or to compromise security.
- There should be a religious institute answerable to the government that should define the role of Christian legal process and ensure legal registration of religious bodies.
- The constitution should institutionalize the role of civil society organizations with regard to creation of awareness influencing policy, monitor delivery of services. e.g.
- There should be a mechanism to ensure maximum participation of women through affirmative action and respect for women's opinion
- Funds should be set aside to make women take part in governance.
- There should be youth representatives up to national decision-making forums. The constitution should respect youth's opinion.
- Youths should be funded by interested groups so as to promote their status in governance issues should
- The minority groups should be represented in all national forums. There should be equity in distributing national human resource opportunities to increase participation of the minority groups.
- The constitution should create and encourage forums for senior citizens from local to national levels to seek their opinions on national issues.
- The constitution should provide for the participation of religious organizations in governance.
- The constitution should provide for government to fund NGOs working in the community.
- The constitution should provide for the Islamic NGOs to be allowed to operate in Kenya.
- The constitution should provide that women and youth groups to be funded by government.
- The constitution should provide that committee of church elders should be involved during registration of new churches.
- The constitution should provide that the district security committee should be expanded to include the local people.

5.3.20 INTERNATIONAL RELATIONS

• The conduct of foreign affairs should not be exclusive responsibility of the executive. Parliament through the relevant arms should participate.

- International treaties and agreements on human rights and other issues pertaining to the local people should have automatic effect in domestic law.
- The constitution should provide for a ban on importation of locally manufactured goods.
- The constitution should provide that the Kenya-Somali border should be clearly demarcated.
- The constitution should provide for the creation of a police post along the Kenya- Uganda border.
- The constitution should provide for the return of property stolen by the neighboring countries.
- The constitution should provide that UNHCR should provide for the children left behind by refugees.
- The constitution should provide that UNHCR should compensate for the negative impact caused by refugees.
- The constitution should provide that no international treaty or convention should be signed in an international forum without consulting the local people.
- The constitution should provide that refugee camp should be relocated after 10 years.

5.3.21 CONSTITUTIONAL COMMISSIONS, INSTITUTIONS AND OFFICES

- There should be constitutional commission and offices established by the constitution. (6)
- A gender commission should be established. (4)
- A leaders commission should be established
- There should be a pastoralist affairs commission
- There should be a vulnerable groups commission
- There should be a HIV/AIDS commission
- There should be a environmental protection commission
- An independent commission should be established to manage disasters such as famine, El nino and HIV/AIDS
- There should be establishment of ecumenical, justice and peace commission.
- There should be a minister of justice responsible for ensuring that rights are adhered to.
- There should be the ministry of justice and/or constitutional affairs distinct from the attorney general.(2)
- The constitution should provide for a constitutional office to enlighten the people at the constituency level.
- The constitution should provide for a commission to oversee the education sector, which should be de-linked from the executive.
- The constitution should provide for the creation of permanent human rights commission (7),
- The constitution should provide for the creation of a land commission (6)
- The constitution should provide for the creation of an anti-corruption commission.(6)
- The constitution should provide for the establishment of the office of ombudsman. (8)

5.3.22 SUCCESSION AND TRANSFER OF POWER.

- The ombudsman should be in charge of executive powers during presidential elections. (2)
- The speaker of the national assembly should be in charge of executive powers during presidential elections.
- The Attorney- General should take charge of executive powers during the presidential

elections.

- Presidential elections results should be declared once one has obtained 25% votes at least the 5 provinces.
- The chairmen of the electoral commission should declare presidential elections results as soon as results are ready. (2)
- Results of presidential elections should be ensured at every polling station.
- The incoming president should assume office after a period of 90 days of announcement of the election results.
- The incoming president should assume power one month after the election results to allow the outgoing president to leave. (2)
- The incoming president should assume office immediately. (2)
- The incoming president should be sworn in by the Attorney General in the presence of MPs'
- The chief justice should swear in the incoming president. (2)
- There should be a written document signed by both the outgoing and incoming president in the presence of the chief justice.
- The constitution should provide for the former president in terms of security.
- The constitution should provide for a former president's welfare.
- The outgoing president should be immune from legal process. (2)

5.3.23 WOMEN'S RIGHTS

- Women should have a right to inheritance and succession of their husband's property. (5)
- Civil marriages should be abolished.
- There should be automatic issuing of marriage certificates from the DCs office.
- Women should have a right to custody of the children in case of divorce or separation.
- Fathers should ensure women of child support and maintenance in education clothing, food and medical services until the children are of age.
- The constitution should protect women against domestic violence.
- The constitution should provide for non-discrimination of women in inheritance matters.
- The constitution should provide that women to stay with the children upon separation with a spouse.
- The constitution should provide that a person who impregnates a girl should either marry her or take care of the child.
- The constitution should provide for the widows to inherit their husbands' property.
- The constitution should provide for the government to check domestic violence.

5.3.24 **NATIONAL ECONOMIC**

- The government should regulate and control prices of commodities. (3)
- Christian religious studies should be taught with resources in primary schools social ethics but should not replace CRE.
- Electricity should be supplied to all region of Kenya. (2)
- Energy from Turkwell Gorge should be provided to the Turkana community. (2)
- Kenya army should be deployed to the Kenya border to ensure protection of lives and property.
- The government should provide for repair and maintenance of roads in rural areas.

• The government should provide physical, economic, and social infrastructure in the rural areas. (3)

5.3.25 **NATIONAL OTHER**

- The constitution should provide that civil servants should participate in fundraising.
- The constitution should provide that the refugees compensate the local communities for using their resources.
- The constitution should provide for the government funding of development projects in the arid areas instead of supplying transient relief services.
- The constitution should provide for establishment mobile schools.
- There should be intense education on HIV/AIDS
- Communities possessing illegal guns should be disarmed.
- The GSU and administration police should be deployed along insecure borders to beef up security. (5)
- The police shouldn't harass the public. They should not search people's homes without warrants.
- Kenya police should be given more arms to protect the citizens.
- The constitution should protect innocent women and children from harassment and other punishment due to tribal clashes.
- Turkanas should be given guns to protect themselves.
- The government should protect the many lives lost as a result of raids by beating up security personnel.
- The Kenya military army should be posted at all border towns.
- Councils should be established to be in charge of day today community affairs.
- A police post should be established at location to ensure.
- Kenyan boundaries should be redrawn.
- Family planning should be enshrined in the constitution to check on population growth.

5.3.26 **SECTORAL**

- The constitution should provide that collection of levies in schools be abolished.
- The constitution should provide for scrapping of cost sharing among pastoral communities.
- The constitution should provide for establishment of mobile veterinary clinics.
- The constitution should provide for the marginalized districts to be allocated 50% of the national budget.
- The constitution should provide that communities be given first preference in benefiting from local natural resources.
- The government should offer grants to pastoralist so as to improve agricultural and livestock industry. The Kenya meat commission should be revived.
- The government should provide free veterinary drugs for livestock. (2)
- The constitution should help people in arid areas irrigate their lands.
- Sustainable agricultural projects should be initiated in the marginalized areas so as to ensure sustainable food provision.
- Modern primary education schools should be introduced in pastoral regions.
- Nursery school teachers should be paid by the government The government should provide transport for teachers in arid areas and their salaries should be brought closer to

where they work.

- Girls who become pregnant should be allowed to go back to school after giving birth.
- The constitution should provide mobile schools for nomads. (2)
- Islamic children should be taught Islamic education.
- Adult education should be revamped.
- The government should manage and provide medicine in hospitals.
- The government should provide for maternity facilities in government hospitals. It should also provide drugs in hospitals.
- The constitution should provide mobile clinic to nomads groups. (3)
- Health facilities should be made easily accessible even in the village.
- The government should improve audio-visual communication in all parts of the country.
- The government should provide a booster in Turkana to ensure access of the media to the people.
- The government should give loans to unemployed youth to start business.
- The constitution should assist people with disabilities to establish small enterprise businesses for survival through interest free loans.
- The government should exploit the oils and minerals found at Lorain Chafan.
- Telecommunication network should be established.
- The government should compensate people for destruction caused by wild animals. (2)
- All wildlife animals should be kept in one game park or reserve in Turkana. (2)
- The constitution should reduce land under national parks, game parks to increase acreage under agriculture. (3)

5.3.27 **REGIONAL**

- Kenyan boundaries should be clearly marked to avoid disputes.
- The Kenyan Sudan border should be clearly demarcated.

5.3.28 **BILLS**

• The constitution should entrench the recently enacted children's bill and ensure it is fully implemented.

5.3.29 STATUTORY LAW

- The constitution should provide for a minimum rape penalty of 7 years imprisonment.
- The constitution should provide that local brews be legalized and licensed.

5.3.30 **GENDER EQUITY**

• The constitution should emphasize gender equity.

5.3.31 ECONOMIC/SOCIAL JUSTICE

- Families of people killed and property lost due to massacre should be compensated. (11)
- The government should compensate families who lost properties for their loved ones during Lokichogio bombings.

5.3.32 NATURAL JUSTICE/RULE OF LAW

• The constitution should outlaw detention without trail for more than one day. **APPENDICES:**

Chairlady

Secretary

Appendix 1: Members of the Constituency Constitutional Committee

- 1. Hon. John MunyesMP
- 2. George Eyanae Kaituko DC
- 3. Mary Lomojo
- 4. Alex Lopungurei
- 5. Cllr. Lucas Eleyo
- 6. Alice Narewa
- 7. Paul Louren
- 8. John Lowa
- 9. Mary Akunoit
- 10. Aite Nakuwa

Appendix 2: Civic education providers (CEPs)

- 1. Lokituang youth group
- 2. Turkana pastoralist development organization
- 3. Comm. Alice Yano
- 4. Irene Masit
- 5. Solomon Mukenia
- 6. Catholic peace and justice commission
- 7. District coordinator
- 8. Constitutional constituency committee

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

[]				I abiah a aia
100110TNRV	Cosmas E. Rimati	СВО	Written	Lokichogio
	COSITIAS E. RITTAU	СВО	vvnuen	Multi-Purpose Co- Loarengak Women
200050TNRV	Losiri Clement	СВО	Memorandum	Group
30002OTNRV	Losiri Clement	СВО	Post	Loarengat Youth
40014OTNRV	Mary Elekan Etiangan	СВО	Written	Lotetelei Women Group
400140111111			VIIILEIT	Lokichogio Youth
50010OTNRV	Moses Epong Lojao	СВО	Written	Association
600010TNRV	Nicholas Kerio	СВО	Memorandum	Lowarengat
70040ITNRV	Aemun Francis Lore	Individual	Memorandum	Lowarongat
80013ITNRV	Akanyou Ocholok	Individual	Oral - Public he	
90028ITNRV	Alex Apem	Individual	Oral - Public he	
100026ITNRV	Alexander Lama	Individual	Oral - Public he	
1100200TNRV	Anonymous	Individual	Written	
120022ITNRV	Atori Eliko	Individual	Oral - Public he	
130073ITNRV	Bernard Lobuir	Individual	Oral - Public he	
140063ITNRV	Betty Chemtai	Individual	Oral - Public he	
150046ITNRV	Carlistus Ekai	Individual	Oral - Public he	
160056ITNRV	Charles Eregae	Individual	Oral - Public he	
170018ITNRV	Cllr. Ewaton Erokony	Individual	Oral - Public he	
180061ITNRV	Cosmas Taale	Individual	Oral - Public he	
190039ITNRV	Cosmus Orte	Individual	Memorandum	
200045ITNRV	Croaken Kiyong'a	Individual	Oral - Public he	
210068ITNRV	Daniel E. Nanok	Individual	Written	
220053ITNRV	Daniel Ekidor Emoja	Individual	Oral - Public he	
230011ITNRV	David Eilen	Individual	Oral - Public he	
23001111NRV 240062ITNRV	David Ellen David Karu Naumo	Individual	Oral - Public he	
250081ITNRV		Individual	Oral - Public he	
260071ITNRV	Dismus Ebenyo Ebei Andrew	Individual	Oral - Public he	
270006ITNRV		Individual	Oral - Public he	
280009ITNRV	Ekai Logwa Ekal Ndome	Individual	Oral - Public he	
-				
290077ITNRV	Ekuam Lele	Individual	Oral - Public he	
300005ITNRV	Ekwe Ebongony Natoo	Individual	Oral - Public he	
310092ITNRV	Eliud Kamaret	Individual	Oral - Public he	
320086ITNRV	Emanikor Kukosem	Individual	Oral - Public he	
330090ITNRV	Emase Lokorio	Individual	Oral - Public he	
340082ITNRV	Emoja Edome	Individual	Oral - Public he	
350017ITNRV	Erastus E.	Individual	Oral - Public he	
360014ITNRV	Eunice Chepkemoi	Individual	Oral - Public he	
370066ITNRV	Francis Loyitipu	Individual	Oral - Public he	
380036ITNRV	Francisca Asimit	Individual	Oral - Public he	
390043ITNRV	George Nakoi Ekalale	Individual	Oral - Public he	
400041ITNRV	Hellen Msee	Individual	Oral - Public he	
410019ITNRV	Isaiah Natoye	Individual	Oral - Public he	
420016ITNRV	Jackson Ewoi	Individual	Oral - Public he	
430020ITNRV	James Ekai	Individual	Oral - Public he	
440030ITNRV	James Rayo	Individual	Oral - Public he	
450002ITNRV	Japheth Ekidor	Individual	Memorandum	
460079ITNRV	Jeremiah Lodung	Individual	Oral - Public he	
470023ITNRV	John Alura	Individual	Oral - Public he	
480088ITNRV	John Billa	Individual	Oral - Public he	
490065ITNRV	John Ekisil Tikamu	Individual	Oral - Public he	
500010ITNRV	John Ekutan Lubwin	Individual	Oral - Public he	

5 1	0003ITNRV	John Okundi	Individual	Oral - Public he	
	0003HNRV 0044ITNRV	Johnson Chegem Lopuwa			
		· · ·		Oral - Public he	
		· · · · ·	Individual	Written	
	0087ITNRV		Individual	Oral - Public he	
		,	Individual	Oral - Public he	
		, , , , , , , , , , , , , , , , , , ,	Individual	Oral - Public he	
	0004ITNRV		Individual	Oral - Public he	
	0001ITNRV		Individual	Written	
			Individual	Oral - Public he	
	0059ITNRV	<u> </u>	Individual	Oral - Public he	
	0012ITNRV		Individual	Oral - Public he	
	0078ITNRV		Individual	Oral - Public he	
			Individual	Oral - Public he	
	0080ITNRV	,	Individual	Oral - Public he	
65	0024ITNRV	Lupali Emeremi Lomongin	Individual	Oral - Public he	
	0084ITNRV	Maria Lochunamong	Individual	Oral - Public he	
67	0035ITNRV	Mariam Matayo	Individual	Oral - Public he	
			Individual	Oral - Public he	
69	0029ITNRV	Mary Akidor	Individual	Oral - Public he	
70	0072ITNRV	Mary Ekelan Etiangan	Individual	Oral - Public he	
71	0052ITNRV	Mary Lomojo Ewoi	Individual	Oral - Public he	
72	0060ITNRV	Michael Leng'or Nabuin	Individual	Oral - Public he	
73	0038ITNRV	Moses Ikwel Achok	Individual	Written	
74	0051ITNRV	Moses Lokirodi	Individual	Oral - Public he	
75	0047ITNRV	Moses Lorinyok Damien	Individual	Oral - Public he	
76	0074ITNRV	Musa Lemuya	Individual	Oral - Public he	
77	0008ITNRV		Individual	Oral - Public he	
78	0094ITNRV	-	Individual	Oral - Public he	
79	0076ITNRV		Individual	Oral - Public he	
			Individual	Oral - Public he	
	0042ITNRV		Individual	Oral - Public he	
	0091ITNRV		Individual	Oral - Public he	
			Individual	Oral - Public he	
			Individual	Oral - Public he	
	0058ITNRV		Individual	Oral - Public he	
	0015ITNRV		Individual	Oral - Public he	
	0021ITNRV	.	Individual	Oral - Public he	
	0054ITNRV		Individual	Oral - Public he	
	0064ITNRV		Individual	Oral - Public he	
-	0031ITNRV		Individual	Oral - Public he	
	0048ITNRV		Individual	Oral - Public he	
	0057ITNRV		Individual	Oral - Public he	
	0032ITNRV		Individual	Oral - Public he	
	0055ITNRV		Individual	Oral - Public he	
	0050ITNRV		Individual	Oral - Public he	
	0033ITNRV		Individual	Oral - Public he	
	003311NRV 0089ITNRV		Individual	Oral - Public he	
	006911NRV		Individual	Oral - Public he	
-		0	Individual	Oral - Public he	Morld Vicion
100	0007OTNRV	Chris Erukudi	NGO	Memorandum	World Vision
			Other Institutions	Written	Mogilla Tech. Youth Associat
	0004OTNRV	Hon. John Munyes Kiyong		Memorandum	FORD (K)
103	0006OTNRV		Pressure Groups	Written	Lokitaung Youth Group
104	0012OTNRV		Religious Organisation	Written	Catholic Loki

105	0003OTNRV		Religious Organisation	Written	Catholic Justice
			Religious		
106	0009OTNRV	Mohammed M. Hamed	Organisation	Written	Loki Muslim Community
			Religious		
107	0008OTNRV	Rev. Simon E. Longelech	Organisation	Written	Loki Pastors Fellowship
					Natumamong Women
108	0015OTNRV	Alice Narewa		Written	Group

Appendix 4: Persons Attending Constituency Hearings

S.N.	Name	Organization/Address	Form of Submission
1	Rev Simon E Llongelech	Loki Pastors Fellowship-Box 38 Loki	Written
2	Mohamed M Hamed	Loki Muslim Community-Box 8 Loki	Written
3	Moses Epony Lojao	Lokichogio Y Ass- Tel 0722 66 7996	Written
4	Cosmas E rimat	Lokichogio M Co op Society-Box 44145	Written
5	Fr. Jacob Lolelea	Catholic Loki-Box 44 Loki	Written
6	Wifred L Eloto	Mogilla Tech Youth Ass-Box 15 Lokichogio	Written
7	Mary E Etiangan	Loteteleit W G -Box 1 Lokichogio	Written
8	Alice Narewa	Natumamong W Group-Box 1 Lokichogio	Written
9	Daniel E Nanok	Box 38 Lodwar	Written
10	Paul Ekuchei	Box 14 Lokichogio	ORAL
11	Peter Kuchei	Box 44 Lokichogio	ORAL
12	Ebei Andrew	Box 44145	ORAL
13	Mary Ekelan Etiangan	Box 1 Lokichogio	ORAL
14	Bernard Lobuir	Box 44 Lokichogio	ORAL
15	Musa Lemuya	Box 75 Lokichogio	ORAL
16	William Ligoi	Box 1 Lokichogio	ORAL
17	Oliver E Lowoyon	Box 1 Lokichogio	ORAL
18	Ekuam Lele	Box 1 Lokichogio	ORAL
19	Lotome Chammah j	Box 44 Lokichogio	ORAL
20	jeremiah Lodung	Box 44 Lokichogio	ORAL
21	Loworo Loenya	Box 44 Lokichogio	ORAL
22	Dismus Ebenyo	Box 39 Lokichogio	ORAL
23	Emoja Edome	Box 1 Lokichogio	ORAL
24	Kokuro Iruyo	Box 1 Lokichogio	ORAL
25	Maria Lichunamong	Box 1 Lokichogio	ORAL
26	Lotukoi Lopeto	Box 1 Lokichogio	ORAL
27	Emanikor Kukosem	Box 1 Lokichogio	ORAL
28	Justus Ethuru	Box 20 Lokichogio	ORAL
29	John Billa	Box 11 Lokichogio	ORAL
30	Simon Anam	Box 44 Lokichogio	ORAL
31	Emase Lokorio	Box 1 Lokichogio	ORAL
32	Peter Edot	Box 11 Lokichogio	ORAL
33	Eliud Kamaret	Box 1 Lokichogio	ORAL
34	Kulach Ngikasukow	Box 1 Lokichogio	ORAL
35	Nakodonyang Emoni	Box 1 Lokichogio	ORAL
36	Mark Emuria Lolim	Box 1 Lokichogio	ORAL
37	Chris Erukudi	Wuod Vision-Box 436 Lodwar	Memorandum
38	Joseph Kuchal nangiro	Box 2 Kakuma	Written
39	Moses Ikwel Achok	Box 436 Lodwar	Written
40	Cosmos Orte	Box 48 Kakuma	Memorandum
41	Aemin francis Lore	Box 23 Kakuma	Memorandum
42	Hellen Msee	Box 23 Kakuma	ORAL
43	Paulina natir	Box 1 Kakuma	ORAL
44	George Nakoi Ekalale	Box 30 Kakuma	ORAL
45	Johnson Chegem Lopuwa	Box 406 Lodwar	ORAL
46	Croaken Kiyong'a	Box 436 Lodwar	ORAL
47	Carlistua Ekai	Box 23 Kakuma	ORAL

48	Moses Lorinyok Damien	Box 23 Kakuma	ORAL
49	Riuhar Ewei	Box 1 Lokichogio	ORAL
-13 50	Paul Aminy	Box 2 Kakuma	ORAL
51	Samson Otieno Owino	Box 21 Kakuma	ORAL
	Moses Lokorodi	Box 69 Kakuma	ORAL
53	Mary Lomojo Ewoi	Box 23 Kakuma	ORAL
54	daniel Ekidor Emoja	Box 31 Kakuma	ORAL
55	Phillip Nayelel	Box 21 Kakuma	ORAL
56	Sammy Ekal Adome	Box 519 Lodwar	ORAL
57	Charles Eregae	Box 23 Kakuma	ORAL
58	Robert Loyelei Bob	Box 83 Lodwar	ORAL
59	peter Lotethiro	Box 499 Lodwar	ORAL
	Lokai Ebei ignatiua	Box 23 Kakuma	ORAL
61	Micheal Lengor Nabuin	Box 44 Kakuma	ORAL
62	Cosmos Taale	Box 8 Kakuma	ORAL
63	David Karu Naumo	Box 31 Kakuma	ORAL
	Betty Chemtai	Box 39 Kakuma	ORAL
65	Regina Itwara	Box 39 Kakuma	ORAL
66	John Ekisil tikamu	Box Lokichogio	ORAL
67	francis Loyitipu	Box 26 Kakuma	ORAL
68	Stephen Biwott Kisorio	Box 48 Kakuma	ORAL
69	Nicholas Kerio	Lowarengak -Box 25 Loki	Memorandum
70	Losiri Clement	Loarengak Youth-Box 25 Lokitaung	Memorandum
71	Kenyaman Eriongo	Catholic Justice-Box 15 Lokitaung	Written
72	Hon. John Munyes Kiyong,a	FORD (K)-Box 41842 Nbi	Written
73	Losiri Clement	Loarengak Women Group -Box 25 Lokitaung	Memorandum
74	Paul Lobolia	Lokitaung Youth Group-Box 15 Lokitaung	Written
75	Lobeck James	Box 9 Lokitaung	Written
76	Japheth Ekidor	Box 310 Lodwar	Memorandum
77	John Okundi	Box 1 Lokitaung	ORAL
78	Jacob Achuka	Box 15 Lokitaung	ORAL
79	Ekwe Ebongony Natoo	Box Lokitaung	ORAL
80	Ekai Logwa	Box Lokitaung	ORAL
81	Loka Lelio	Box Lokitaung	ORAL
82	Musa Longolei	Box Lokitaung	ORAL
83	Ekal Edome	Box Lokitaung	ORAL
84	John Ekutan Lubwin	Box Lokitaung	ORAL
85	David Eilen	Box Lokitaung	ORAL
86	Loo Okonyen	Box Lokitaung	ORAL
87	Akanyou Ocholok	Box Lokitaung	ORAL
88	Eunice Chepkemoi	Box 26 Lokittaung	ORAL
89			
	Peter Lotiang	Box 12 Lokitaung	ORAL
90	Jackson Ewoi	Box 12 Lokitaung Box Lokitaung	ORAL
90 91	Jackson Ewoi Erastus E		O R A L O R A L
90 91 92	Jackson Ewoi	Box Lokitaung	ORAL
90 91 92 93	Jackson Ewoi Erastus E Cllr. Ewaton Erokony Isaiah Natoye	Box Lokitaung Box 12 Lokitaung Box Lokitaung Box 15 Lokitaung	O R A L O R A L O R A L O R A L
90 91 92 93 94	Jackson Ewoi Erastus E Cllr. Ewaton Erokony Isaiah Natoye James Ekai	Box Lokitaung Box 12 Lokitaung Box Lokitaung Box 15 Lokitaung Box 35 Lokitaung	O R A L O R A L O R A L O R A L O R A L
90 91 92 93 94 95	Jackson Ewoi Erastus E Cllr. Ewaton Erokony Isaiah Natoye James Ekai Philip Eker	Box Lokitaung Box 12 Lokitaung Box Lokitaung Box 15 Lokitaung	O R A L O R A L
90 91 92 93 94	Jackson Ewoi Erastus E Cllr. Ewaton Erokony Isaiah Natoye James Ekai	Box Lokitaung Box 12 Lokitaung Box Lokitaung Box 15 Lokitaung Box 35 Lokitaung	O R A L O R A L O R A L O R A L O R A L

98	Lupali Ameremi Lomongin	Box Lokitaung	ORAL
99	Peter Ekale	Box 15 Lokitaung	ORAL
100	Alexander Lama	Box 62157 Nbi	ORAL
101	Peter Lochomin	Box 1 Lokitaung	ORAL
102	Alex Apem	Box 15 Lokitaung	ORAL
103	Mary Akidor	Box 15 Lokitaung	ORAL
104	James Rayo	Box 15 Lokitaung	ORAL
105	Reuben Ekore	Box 15 Lokitaung	ORAL
106	Saida Hassan	Box 1 Lokitaung	ORAL
107	Selina Tioko	Box 199 Lodwar	ORAL
108	Josephine Asimi	Box 1 Lokitaung	ORAL
109	Mariam Matayo	Box 12 Lokitaung	ORAL
110	Franciisca A Asimit	Box 16 Lokitaung	ORAL