



EAST AFRICAN COMMUNITY

IN THE EAST AFRICAN LEGISLATIVE ASSEMBLY (EALA)

Official Report of the Proceedings of the East African Legislative Assembly

111TH SITTING - THIRD ASSEMBLY : SECOND MEETING – FOURTH SESSION

Tuesday, 13 October 2015

The East African Legislative Assembly met at 2:43 p.m. in the Mini Chamber, County Hall, Parliament of Kenya in Nairobi.

PRAYER

(The Speaker, Mr. Daniel F Kidega, in the Chair.)

(The Assembly was called to order)

COMMUNICATION FROM THE CHAIR

The Speaker: Good afternoon, honourable members. Honourable members, I have very encouraging news at my desk that members are very actively participating in the sports training. I am encouraged and the managers of the training, specifically hon. Mulengani, have appealed to my office to re-echo to those who have not yet joined them that please do join them. As you may know, we do not have time. The games are more or less next month in Kigali. Please do the practice in all the sporting items that are listed for the Inter Parliamentary Games.

Honourable members, on Friday, I was invited, on your behalf, to attend the 53rd anniversary of independence of the Republic of Uganda. We congratulate the Republic of Uganda on the self-rule and the good leadership of their country.

Honourable members, I was also honoured by being awarded a medal, the medal of Independence of the Republic of Uganda. This medal is not specifically because of me; it is because of you that it was awarded, that you allowed me to be your servant and supported me in serving you so I congratulate you upon that achievement – *(Applause)*.

Lastly, honourable members, I would like to take this opportunity also to recognise our special guests who are in the gallery and these are members of Parliament of Uganda who have come to visit us to see how we conduct our business. They are as follows: hon. Maxwell Akora, hon. Angelline Osegge, hon. Margaret Makhoha, hon. Stephen Kangwagye, hon. Boaz Kafuda, Miss Justine Namubiru, staff and Mr Anuga James, staff of the Parliament and Mr Bakwega Emmanuel, staff of the Assembly. You are most welcome.

PAPERS

The Speaker: Honourable members, I will adjust the Order Paper to skip the laying of the report by the Legal, Rules and Privileges Committee. They will do that tomorrow. I now call the Chairperson, Council of Ministers to lay the report.

The Minister for EAC Affairs, Burundi (Ms Leontine Nzeyimana) (Ex-Officio): Mr Speaker and honourable members, in accordance with the provisions of Article 134(3) of the Treaty for the Establishment of the East African Community, I beg to lay on the table the following audited financial statements of the East African Community Organs and Institutions for the Financial Year ended 30 June 2014; the Audited Consolidated Financial Statements of the East African Community, which includes the accounts of the East African Community Secretariat, the East African Legislative Assembly, the East African Court of Justice and projects, the audited financial statement of Lake Victoria Basin Commission, the audited financial statements of the Lake Victoria Basin Commission Partnership Fund, the audited financial statement of Civil Aviation, Safety and Security Oversight Agency (CASSOA) and the audited financial statement of Inter University Council for East Africa (IUCEA) and the audited financial statement of Lake Victoria Fisheries Organisation.

Mr Speaker, each of the Organs and Institutions has a management letter, which forms an integral part of the audit report. Mr Speaker, I beg to lay.

The Speaker: I refer the various reports as laid to the Committee on Accounts for consideration.

MOTION FOR THE CONSIDERATION AND ADOPTION OF THE REPORT OF THE EALA COMMITTEE ON REGIONAL AFFAIRS AND CONFLICT RESOLUTION ON THE GOODWILL MISSION TO THE BURUNDI

REFUGEES IN KIGOMA, TANZANIA AND EASTERN PROVINCE OF RWANDA

The Chairperson, Committee on Regional Affairs and Conflict Resolution (Mr Abdullah Mwinyi) (Tanzania): Mr Speaker, I beg to move that the report of the Committee on Regional Affairs and Conflict Resolution on the good will mission to Burundi refugees in Kigoma, Tanzania and the Eastern province of Rwanda be adopted.

Mr Speaker, we had already laid this report in our previous session in Kampala, Uganda, and we were due to read the report and, perhaps, to debate it. I beg for your guidance.

The Speaker: Thank you, hon. Mwinyi, the Chair of the committee. Having been duly laid and seconded, it was due for debate. At this juncture, I have to invite the chairperson of the committee to present the report to this House. Procedure, Chair, Legal.

Mr Mathuki: I thought the Chair of the committee did a motion, which ought to have been seconded, and after the motion is seconded then he proceeds to present the report.

The Speaker: The Chair has reminded this Assembly that that was done in the sitting that was in Kampala. The report was laid – Just a second, let me seek guidance from the Clerk.

Thank you so much. For avoidance of doubt and for clarity, it will not hurt. I will request the Chair to move and then it is seconded which I know is not a problem. Please do move, Chair.

Mr Mwinyi: Thank you for your guidance, Mr Speaker. I beg to move that the report of the Committee on Regional Affairs and Conflict Resolution on the good will mission to Burundi refugees in Kigoma,

Tanzania and the Eastern province of Rwanda be adopted.

The Speaker: Seconder? Hon. Chris, hon. Peter, hon. Taslima, hon. Dora, hon. Hafsa Mossi, hon. Dr Martin, hon. Rwigema, hon. Sarah and all the members standing. Chair, proceed and present the report.

Hon. Chair, desist from being interrupted. Present the report.

Mr Mwinyi: Thank you very much, Mr Speaker for your guidance and protection.

Mr Speaker, the Assembly is enjoined by the Treaty under Article 6(d) to promote the fundamental principles of a Community which include adherence to good governance, principles of democracy, the rule of law, accountability, transparency, social justice, equal opportunities, gender equality as well as the recognition, promotion and protection of human and people's rights in accordance of the provisions of the African Charter on human and people's rights.

1.0 Introduction

The Assembly is enjoined by the Treaty under Article 6 (d), to promote the Fundamental Principles of the Community which include, adherence to good governance, principals of democracy, the rule of law, accountability, transparency, social justice, equal opportunities, gender equality as well as the recognition, promotion and protection of human and people's rights in accordance with the provisions of the African Charter on Human and Peoples Rights. The same treaty, under Article 124 enjoins the EAC Partner States to foster regional peace and security by, among others, promoting and maintaining good neighbourliness, evolving and establishing regional disaster management mechanisms, and establishing mechanisms for management of refugees.

More than 100,000 Burundians had fled their country since April 2015 to the neighbouring countries of the Democratic Republic of Congo (DRC), Rwanda, Tanzania and Uganda following violence precipitated by disagreement over the interpretation of the Arusha Accord and the Burundi Constitution on the issue of presidential term limit. Refugees report the main reasons for their flight as harassment, threats from the *Imbonerakure*, arbitrary arrests and the threat of violence.

Consequent to this development, and pursuant to the above provisions of the Treaty and the Rules of Procedure, the East African Legislative Assembly (EALA) appointed a Goodwill Mission comprising Members of the Committee on Regional Affairs and Conflict Resolution, to undertake on-spot visits to the refugee camps in the Republic of Rwanda and the United Republic of Tanzania to assess the situation.

2.0 Objectives

The Goodwill mission intended to -

- (i) appraise itself with the humanitarian situation on the ground;
- (ii) express solidarity with the affected people of Burundi; and,
- (iii) assess the amenities available to the refugees in the two countries.

3.0 Methodology

In carrying out its mandate, the Committee employed various methods, which included the following:-

- i. Review of literature on the Burundi crisis;
- ii. Review of media reports including radio, print and electronic;
- iii. meetings and interactions with various stakeholders in both Kigoma Region in Tanzania; and Kigali and Eastern Province in Rwanda i.e. government officials,

- both local and international humanitarian agencies, refugees and the media; and,
- iv. Field visits to the two Partner States' selected refugees' entry points and camps.

4.0 Findings And Observations

4.1 Kigoma - United Republic Of Tanzania

The Tanzania team arrived in Kigoma on Monday, 1 June 2015 and met Colonel (rtd.) Issa Machibya, the Regional Commissioner and his Team at the Regional Commissioner's headquarters in Kigoma on Tuesday 2 June 2015.

- (a) The Committee witnessed and familiarized itself with the refugee situation upon their entry, reception at transit points and the refugee camps. The Committee noted the challenges, concerns and fears during these stages.
- (b) The Tanzanian authorities decided to send the Burundi refugees to the Nyarugusu camp. The Nyarugusu camp already holds 58,077 Congolese refugees in the camp. These refugees have been at the Camp from 1996. This camp was designated for a maximum of 50,000 refugees. As there was no alternative site available, a further 51,095 Burundian refugees were added on to the Nyarugusu camp, more than doubling its capacity.
- (c) It was evident that the Nyarugusu camp faced very serious security challenges and that it was overstretched in the provision of shelter, food, water, sanitation, clothing and all basic amenities.
- (d) The Committee was further informed of similar dire conditions prevailing in a makeshift refugee camp at Kagunga (a tiny fishing village on the shore of Lake Tanganyika) where an estimated 100,447 Burundi refugees were crammed.
- (e) There were 32 deaths because of a cholera outbreak at the Kagunga village at the time the Committee visited.
- (f) The Committee further established that the Burundi refugees have often fled into Tanzania severally in 1972, 1993 and the present day because of political crisis in the Republic of Burundi.
- (g) The Committee commends both the governments of the Republic of the United Republic of Tanzania and people of Kigoma region in particular, for accepting to host refugees from Burundi. This is a display of the spirit of East African Community and Pan Africanism.
- (h) The Committee commends the UN agencies led by UNHCR, other humanitarian agencies, religious organizations, international rescue committee (IRC), Oxfam, Action Aid, Plan International, Tanzania Red Cross and TWESA for assisting the Burundi refugees.
- (i) The Committee further noted the need for the UN and other humanitarian agencies to take into account the basic needs of the hosting communities. These communities, especially in Kigoma, are regularly called upon to receive numerous refugees from the Great Lakes Region. The refugees remain in the communities and they are facilitated by the United Nations agencies and other donor organizations. The refugees receive medical, educational and other amenities. Overtime, this has created tension with the local communities, as they may not have the same facilities.
- (j) The Committee noted with concern that a number of refugees are second or third time refugees. This

raises questions on the reintegration of these refugees in their home countries.

50.6% of the refugees were female and 49.4% were male as depicted in the Table 1 below:

- (k) According to the Nyarugusu Camp Coordinator, as at 3rd June, 2015

Table 1: Disaggregated data of the refugee population as at 3 June 2015.

Age	0-4	5-11	12-17	18-59	=>6	Total	% of Total
Female	4,418	5,435	4,686	9,375	381	24,295	50.6%
Male	4,316	5,795	4,462	8,806	333	23,712	49.4%
Total	8,734	11,230	9,148	18,181	714	48,007	100.0%
% of female	50.6%	48.4%	51.2%	51.6%	53.4%		

4.2 Eastern Province, the Republic Of Rwanda

The Team arrived in Kigali, Rwanda on Sunday 31, May 2015 and paid a courtesy call on the Ministry of Disaster Management and Refugee Affairs on Monday 1, June 2015. The team also visited *the Mahama Refugees' Camp in Kihere District on Tuesday, 2 June 2015* Visit to *the Gashora Refugees Reception Centre in Bugesera District, Eastern Province Wednesday, 2 June 2015.*

- (i) The Burundi refugee population in the Eastern Province of Rwanda as at 1st June 2015 stood at 28,634. Of these, there are over 12,000 children including 5,000 unaccompanied minors. Approximately 68 women had delivered while in camp.
- (ii) The rate of refugee influx into Rwanda was higher between early April and mid-May 2015. The figures fell dramatically over a few weeks towards end of May 2015. However, we were informed that the numbers were again gradually picking up.
- (iii) The Committee visited and inspected shelters accommodating

refugees and other facilities provided to them. It was observed that there was piped water provision at the camp, which was funded, by UNDP, boreholes, nutritional centres, and health facilities with 110 community health workers.

- (iv) The Committee witnessed various implementing partners present at camp playing different roles notably;-UNHCR for provision of basic services; UNICEF, ADRA and WFP for food supplies; World Vision for water and sanitation; Plan International and ICRC for Children protection; Care International for children education; Red Cross for family tracing, while the military and police were ensuring security in and around the camp among other partners.
- (v) The Committee also observed at the Gashora Asylum Seekers Reception Centre that the refugees were being received, biometrically registered and given non-food items and ready food to eat.
- (vi) The Committee also observed the following challenges;-
- a) Scattered reception centres and entry points including Bugesera, Rusizi, Nyagatare

- reception centres, as well as Gisagara, Nyaruguru, Ngoma, Kirehe. These different points pose a challenge of distribution of food, shelter and other humanitarian basic services;
- b) receiving very weak and hungry people especially children some of them with very acute malnutrition at a rate of 25 percent; reception of too many people in a very short period;
 - c) too many unaccompanied minors (UAM) approximately 920;
 - d) shortage of timber and shelter for construction;
 - e) shortage of water in the refugee camps;
 - f) unregistered refugees scattered in families and towns;
 - g) refugees moving with their livestock; and,
 - h) different education systems that is affecting the school-going children.
- (vii) The Committee further observed that the government of Rwanda together with different development partners had put in place the following measures to address the above challenges:-
- a) Expansion of Bugesera reception centre and the construction of Rub Halls in Mahama refugee camp to cater for the increased number of refugees.
 - b) The distribution of porridge and soup containing Corn, Soya and Beans (CSB++) for children aimed at reducing malnutrition.
 - c) Conducting a comprehensive immunization program for children against polio and measles.
 - d) Training of Community Health Workers and Mobilizers on Water, Sanitation and Hygiene (WASH), House Visits among others.
 - e) Provision of water trucking and water boreholes in the camps with capacity of 15 litres per person per day.
 - f) Gazetting quarantine sites, and increased awareness on selling the animals and keep money, and vaccination of local animals.
 - g) Exploration of availability of more space of 50 hectares of land to accommodate the influx.
 - h) Carrying out orientation program to school going children since June 2015 and subsequently formal education commencing in 2016.

5.0 Recommendations

In light of the above observations and findings, the Committee recommends the following:

- (i) In conformity with Article 124 (3) of the EAC Treaty on "*Regional disaster management mechanisms*," the East African Community should establish a regional mechanism for disaster preparedness, which would respond and coordinate humanitarian efforts in any Partner State.
- (ii) The EAC Partner States should expedite the enactment of a regional legal framework for the management of refugees.
- (iii) The EAC Partner States should harmonize their laws on how to handle intra-refugees matters in the region.
- (iv) The EAC Partner States should support immediate interventions towards attaining sustainable peace in Burundi and the EAC at large.

- (v) There is need for EAC Partner States to emulate the republics of Rwanda and Uganda in establishing specific ministries responsible for handling refugees' affairs;
- (vi) There is need for the Republic of Burundi and the Republic of Kenya to ratify the EAC Peace and Security Protocol, which has already been ratified by the Republic of Rwanda, the United Republic of Tanzania and the Republic of Uganda to expedite its implementation.
- (vii) Infrastructure related to health, education, road, water, environment and security in the communities hosting refugees should be developed and supported by the EAC Partner States to avoid feelings of resentment and unnecessary conflicts with the host communities.
- (viii) The Committee commends the work done by the governments of the United Republic of Tanzania and Republic of Rwanda, development partners, both local and international, humanitarian agencies as well as civil society organizations in hosting the Burundian refugees.
- (ix) The EAC Partner States should develop policies for the re-integration and resettlement of refugees into their countries.
- (x) The Assembly should consider affording the Committee an opportunity to visit Burundi in the near future in order to interact with, and engage the various stakeholders on the causes of the refugee crisis.

6.0 Acknowledgements

Finally, the Committee would like to thank the following personalities and institutions for having facilitated the Goodwill Mission the two EAC Partner States:

- (a) The Rt. Hon. Speaker EALA for facilitating and making sure that the Committee got the funding on time to enable it to carry out its oversight function in the two EAC Partner States.
- (b) The Government Officials of in the two Partner States for the warm reception, hospitality and courtesies extended to the Committee during its activity.
- (c) The various stakeholders for turning up in large numbers to share with the Committee the challenges in handling the crisis on the ground.
- (d) The Office of the Clerk for the timely mobilization of the necessary logistics that enabled the Committee to execute this noble assignment in time; and,
- (e) All Members of the Committee for their active participation in the Goodwill Mission exercise from the beginning to the end.

I thank you hon. Speaker.

The Speaker: Thank you so much, hon. Mwinyi, the Chairperson of the Committee on regional Affairs and Conflict Resolution.

Honourable members, the motion before the Assembly is that the report of the Committee on Regional Affairs and Conflict Resolution on the good will mission to Burundi refugees in Kigoma, Tanzania and the Eastern province of Rwanda be adopted. Debate is open.

Ms Dora Byamukama (Uganda): Mr Speaker, thank you very much for giving me this opportunity. I would like to confess from the offset that I am a member of the Committee on regional Affairs and Conflict Resolution and that I was privileged to go

to Kigoma on this particular good will mission.

I would like to highlight some three issues or maybe expound on what has been said. First and foremost, I want to thank you, Mr Speaker for your wisdom and for the support given by this Assembly for us to be able to visit the people who were in the refugee camps in the United Republic of Tanzania from the sister Republic of Burundi.

It is said that a friend in need is a friend in deed and I believe that the people of Burundi are not only our friends, they are our sisters and brothers and therefore we did the right thing to be able to express solidarity with them at this particular point.

Mr Speaker, I would like to go quickly to the first point on the issue of mechanisms at the EAC level that should be put in place. You will recall, Mr Speaker that in the second Assembly, hon. Odette Nyiramilimo brought to the House and the House did pass a Bill on conflict resolution and management. I would like to kindly implore this House to find some time to reconsider this Bill which lapsed so that we can have an EAC conflict resolution mechanism which will enable us to address such issues because obviously from what has been read, there is need for continued interaction with the people of Burundi in order to ensure that everybody feels secure and safe in their country.

Mr Speaker, when I look back at what we did especially in Kigoma, I remember very vividly the faces of the young children and they were very many, the faces of the women and the desperate look in all the faces of the refugees and I would like to say that somehow I felt a little bit impaired in that the committee did not have any kind of package to hand out to these refugees.

Therefore, I believe that once we have this support mechanism at the EAC level, we will be able not to wait for other entities like

UNHCR, which was doing a very good job there, but we will also be able to come in as East Africa and to come to the plight of these people who are in refugee camps.

Secondly, Mr Speaker, I would like to highlight the issue of the EAC Protocol on Peace and Security, which underscores the issue of good governance but more precisely to call upon this House and the EAC Council of Ministers specifically to adopt the Protocol on Good Governance.

As you will recall, four out of five countries have already signed on to this Protocol of Good Governance so I would like to implore the Partner State which has not signed on to this particular protocol to do so because most of these issues that we come across especially when it comes to issues of refugees emanate from challenges in the area of good governance.

Mr Speaker, there was mention of the issue of harmonisation of refugee laws. You will note that from the report, some people have been in camps for almost 20 years and when a person is in a camp, they cannot carry out any agricultural activity, they are really almost like they are in a prison. You will also note that other countries like the Republic of Uganda no longer have camps. They just have settlements whereby people are actually allowed to cultivate and to be able to do a few things, which they would not be able to do otherwise.

Therefore, I would like us to look at this issue on harmonisation of refugee laws critically so that we are able to treat East Africans as East Africans wherever they may be found.

Mr Speaker and honourable members, I actually look forward to a time when people who are displaced within the East African Community are no longer called refugees but are called internally displaced persons and are treated as such because if we are moving towards Political Federation, we cannot continue to treat each other as aliens,

as foreigners and refugees. So, I look forward to a time when we shall be able to look at each other as IDPs in such instances and this be treated in such a manner.

I would like to quickly turn and conclude on the issue of the host communities. I would like to add my voice to that of the chairperson who thanked the United Republic of Tanzania and especially the people of Kigoma and in particular under the leadership of retired Colonel Issa Makiryia.

He welcomed us very warmly, he was very receptive and he was clear about what he would like us to do as a Community and I would like us maybe to take some time to look at the development plan of Kigoma because he really sold it to us as well as utilisation of Lake Tanganyika as an East African Community. In this way, such a community will actually feel better positioned to handle the issue of refugees.

He also brought out the fact that for example some schools have to stop the school calendar in order to host refugees and it pointed to the fact that they need to have more infrastructure in form of roads and buildings. So the host communities do sacrifice and there is need for us to look at Kigoma and other areas which host refugees more critically in order to enable them considering that for example Kigoma has been hosting refugees for a number of times and may continue to do so.

Mr Speaker, I would like to end on a light note in that by going to Kigoma, we were able to acquaint ourselves with a very beautiful part of East Africa and this is a historical part where Livingstone met Stanley. If you can remember, he said – Livingstone I presume and we were able to enjoy some of these historical sites. I hope that we as an Assembly will at one time find opportunity to go to Kigoma and to some extent appreciate what Kigoma has to offer and support their development plans. I thank you.

The Speaker: Thank you so much, hon. Dora.

Ms Shy-Rose Bhanji (Tanzania): Thank you, Mr Speaker for giving me the floor. Since it is my first time to speak in this Nairobi session, I wish to express my gratitude to President Uhuru Kenyatta for his welcoming remarks through the Speaker of the Kenyan Senate, hon. Ekwee Ethuro and for his visionary outlook on East Africa. It is very encouraging.

Mr Speaker, I will be unfair for not thanking the government, the Parliament and the people of Kenya for their very good hospitality and good facilities accorded to us. It has always been a very warm welcome whenever we are in Kenya. *Asanteni sana.*

Mheshimiwa Speaker, allow me also to congratulate you for the commendable award that you received from the government of Uganda. Congratulations to you, Mr Speaker.

Now I wish to give my comments on the report of the Committee on Regional Affairs and Conflict Resolution. First, I wish to commend the committee for taking the initiative of visiting these two camps in Kigoma, Tanzania and the Eastern province of Rwanda. This occasion gave EALA an opportunity to play a positive role by showing solidarity to the affected people of Burundi.

I take this opportunity to congratulate two governments of Rwanda and Tanzania for accepting to host the refugees. Mr Speaker, hosting refugees is a very taxing job especially taking into account that the governments have to bear financial costs and in terms of social activities. Nevertheless, the two governments of Rwanda and Tanzania played a key role in hosting these refugees. This is indeed a truly East African spirit. I thank you, Mr Speaker.

The Speaker: Thank you, hon. Shy-Rose.

Ms Isabelle Ndahayo (Burundi): Thank you, Mr Speaker. I rise to support the report. First of all, I would like to thank the Committee on Regional Affairs and Conflict Resolution and the office of the Speaker for having organised this good will mission to see Burundi refugees in Kigoma, Tanzania and the Eastern province in Rwanda.

You have the African spirit of solidarity. A friend in need is a friend indeed. You have shown this. This committee went there with a good will message. They appraised the humanitarian situation. What they did was very good, but I think they missed one important stakeholder in this activity in order to have a complete and clear picture of the situation and why these people ran away.

I think it was very important to meet stakeholders from Burundi, including local authorities and the local population. I thank the committee very much because this is one of the recommendations they made, and I would like to request the Office of the Speaker to organise this so that this committee visits the Burundi side in order to meet authorities and local people to see what the situation is there and what improvements have been made in the security situation.

Mr Speaker, I would also like to thank all the countries that host Burundian refugees for the support they are giving to the refugees. The support that they are giving to the refugees is very commendable because it is a very big burden to them to accept such big numbers of refugees in their territories, considering that they have to rearrange their management. Therefore, the job that they are doing is commendable. I would like to ask them to continue and to go beyond and provide security to these refugees and protect them against any kind of abuse and recruitment, which may happen. You will remember that the time when we were talking about human trafficking, we said that refugee camps in

most cases are the targets for this kind of recruitment. So, these countries have a big job to do concerning this. The region should also make sure that they protect these refugees wherever they are.

Mr Speaker, let me talk about repatriation of the refugees. In case there are some volunteer refugees who want to go back to their countries, I think a tripartite mission should be organised including host countries, Burundi refugees and also UNHCR in order to facilitate these refugees especially in this very important period where schools have opened doors in Burundi and where it is also a very important time for the agricultural system. Therefore, they should go there in order to help others deal with food security and the fight against malnutrition, hunger and so on.

Lastly, there is an issue that I want to raise here about the spread of messages, which may constitute threats and cause such situations. Mr Speaker, in the region we need to have a policy regarding media and social media. Last time we got a Bill on electronic transactions but there is an issue about these electronic messages, the social media.

Mr Speaker, I am not against technology development but if this kind of media is not well controlled, it can play a very bad role in insecurity. Therefore, I think the region should look at it as we have an experience of what happened in Rwanda in 1994 with FDLR where it helped and contributed to the genocide. Thank you, Mr Speaker.

The Speaker: Thank you, hon. Isabelle.

Ms Hafsa Mossi (Burundi): Thank you, Mr Speaker. First of all, I want to thank the Government of the Republic of Kenya for hosting us and for what they have done to receive us ever since we arrived here.

I also want to thank you, Mr Speaker on the report about how you were very sensitive and very positive about this issue, which

took us to the Republics of Tanzania and Rwanda. I went to the Republic of Rwanda. As much as I noted that we commended how we were received, I specifically want to thank the Republic of Rwanda for the way they received us and for the way they received refugees; their response, the preparedness and it was really warming our hearts to see how refugees were treated in the Republic of Rwanda.

To this day, I do not think there is a case of disease, which was reported in the camps, and I think this was because the measures had been taken and because maybe they have a ministry, which is dedicated to risk management, and I think, other countries should learn from this experience.

Mr Speaker, I strongly support the recommendations made by the committee and I am one of them especially the recommendation calling upon the region to come up with a regional framework to manage refugees. We were talking about the burden that the local communities are handling especially in the United Republic of Tanzania and I think among other things, this legal framework can help in dealing with this.

Mr Speaker, I am also in favour of having another mission to complete our mission in the Republic of Burundi because we have heard about what the refugees were talking about; the reasons why they fled their country but it is also important that we go to Burundi and witness for ourselves what is going on in that country.

Mr Speaker, one of the recommendations is that other East African Partner States who have not ratified the East African Peace and Security Protocol do so, so that we can avoid creating more refugees in our region.

Mr Speaker, with the approval of my Chair, I would like to propose an amendment, which I will hand over to the Chair later, which is to do with the reinforcement of the early warning mechanism in our region.

With those few words, I beg to support, Mr Speaker.

The Speaker: Thank you so much. Honourable members, our Rules of Procedure require that if you have any amendments, you draft them and forward them to me and give a copy to the Chair for ease of follow up.

Ms Susan Nakawuki (Uganda): Thank you very much, Mr Speaker. Allow me first of all to add my voice in appreciating the Committee of Regional Affairs for the job well done. Thank you for acting on our behalf. I know when you went as a committee they saw the East African Legislative Assembly and not just the Committee of Regional Affairs.

Mr Speaker, allow me also to inform this august House that I was among those few members who recently travelled to the Republic of Burundi with the Committee of Agriculture. I would say that before we arrived in Bujumbura, we did not know what to expect. Everyone was scared and we had even resolved that we would strictly confine ourselves to the hotel where our meeting was to take place and this was last month, mid-September.

I would like to inform the Assembly that what we found there was not as bad as what we read. Actually, we found people were carrying on business as usual, shops were open, the Parliament was sitting, and banks were open. I even went to the market and shopped Kitenge in the evening. Therefore, we should not go without giving credit to the government of Burundi for making sure that peace and security is restored in that country.

Mr Speaker, I would also like to say that the refugee problem is worldwide. It is not unique to the Republic of Burundi but it is all over the place but the question apparently is how do we manage the problem? How do we tackle the crisis? At

the East African Community level, how are we able to handle the problem?

Mr Speaker, as the Chairperson of the committee was reading the report, I was so keen on the partners who were involved in addressing this problem but they read UNDP, Red Cross, Care International. I waited for EAC and it was not forthcoming. I do not know whether it was an oversight on my part but I have even gone ahead to peruse through and look out for EAC's involvement at least in Kigoma and there is none. No wonder even when the committee went to Kigoma, they went empty handed – *(Interruption)* -

Ms Byamukama: I would like to inform my sister that after our mission, the EAC followed up by sending support to Kigoma, so, I think the record should capture this. Nevertheless, she is right in saying that there should be a mechanism for looking into other issues and for it to be continuous. Thank you.

Ms Nakawuki: Thank you, hon. Dora for the information. I actually take it as it is very helpful, but what I am saying is that if you are an African, and you go to the hospital to visit a patient empty handed, you will not be seen in a very good spirit. The gesture would be there but there would be something lacking. At least if you carry a fruit, or whatever you can carry.

I am glad that the committee's going to Kigoma was an eye opener to the Community that we acted but Mr Speaker, every time we have had the Budget, we have raised the issue of the Contingency Fund to cater for any emergencies that may occur in the region and it has never been adhered to. It has been a song and continues to be a song. What next? Are we just going to keep on like chatterboxes, talking and nothing being done, and then we let things pass by?

Mr Speaker, I am grateful that the committee, in their recommendation have

the first recommendation as establishing a regional mechanism for disaster preparedness. Mr Speaker, I remember when we had our plenary in Dar-es-Salaam in a motion I moved, that time it was on Ebola, I had a similar recommendation. How are we going to manage such emergencies? Today it is refugees, the other day it was Ebola, now there was Cholera in the same camp they went to visit. How are we going to manage this?

Therefore, I would request that we put a time frame in which Council of Ministers is supposed to act because it is very hard for you to anticipate that a big emergency is going to occur so we have to be prepared as a Community at all times.

I have just been reminded that El Nino is also coming in Kenya but how prepared – *(Interruption)* -

The Speaker: Honourable member, the El Nino is depicted for the whole region particularly the Eastern Africa region.

Ms Nakawuki: Thank you very much, Mr Speaker. Yes, it is true for the entire East African region, but as a region, how are we prepared for the El Nino that is knocking on our doors? Are we ready for it or we are just seeking God's intervention and that is it?

Therefore, what I am trying to say is let us give a time frame within which the Council of Ministers should act when it comes to this mechanism on disaster preparedness so that we are not taken by surprise. I thank you, Mr Speaker.

The Speaker: Thank you.

Mr Peter Mathuki (Kenya): Thank you, Mr Speaker. Let me start by thanking you and your office for allowing time for this report to be tabled and debated because it is a very important report that gives us an insight of the situation facing our brothers and sisters in refugee camps in the region.

Mr Speaker, I also thank the Chair of the committee and the members for coming up with a very good report because that gives us a picture of what is happening.

On a very light note, I would be very happy to be a refugee in Rwanda because in Rwanda, you enjoy those kinds of facilities where you are given 15 litres of water per day in line with this report. That is commendable, and that is to congratulate the Republic of Rwanda and the United Republic of Tanzania for agreeing to accommodate our brothers who were displaced from other parts of the Partner States.

Mr Speaker, why would there be refugees in camps for more than 20 years; from 1996 or so? Is the situation so bad that when the political situation normalises, they cannot be taken back? I think these are some of the very practical questions we need to ask ourselves as political leaders as it is very important.

I do appreciate the burden of refugees. We in Kenya are in such a situation because of geography. Neighbouring countries where the aspect of refugees burdens us therefore it is not anything to envy and I think it is important as a Community that we take a deliberate measure to take care of this situation because if we do not, we find ourselves in a bad situation.

It is also important that as an Assembly we stood in solidarity with the people of Burundi because it was necessary. Remember, it is our mandate and responsibility to ensure that we take care of the interests of the citizenry, and when we hear them cry and go into camps, it becomes a challenge. Therefore, we did the right thing as an Assembly to go and assess the situation facing our brothers and sisters in those camps.

Very quickly, what is the role of UNHCR? I think they need to up their game in addressing the issues that are facing

refugees in this region because that is very important. They come with resources but no results so I think it is high time that some of these institutions and organisations up their game because it is very important.

Mr Speaker, I want to associate myself with the report and take up the responsibility. We know the situation that it is not good. Today it is Burundi, tomorrow it is another Partner State so as leaders in this region, what are we doing about this? I think that is a big challenge. Let us now face the situation as political leaders and look at the situation; issues of good governance.

Mr Speaker, I chair a committee that is dealing with issues of good governance and I know that that is cardinal to this region and therefore very important. Possibly I propose to the Chair of the Committee on Regional Affairs as he undertakes some of this that it is important that he also includes some members of the Committee on Legal, Rules and Privileges because that way, we will be able to balance the issue of rights, good governance and also assessing the situation in the region. I thank you, Mr Speaker.

The Speaker: Thank you so much, hon. Peter.

Mr Mike Sebalu (Uganda): Thank you very much, Mr Speaker. I want to join my colleagues in saying that we are already feeling at home in Nairobi courtesy of the magnanimity of the President, people of Kenya and more so our colleagues, the chapter members so we are not complaining, just be assured. We are home and we are always glad to be here.

Mr Speaker, I rise to support the report and I want to declare that I am a member of the committee and I was part of this mission. Before I go into the details of my few comments that I want to raise, I also want to join hon. Susan that I was in Bujumbura with the Agriculture Committee and indeed to quote the permanent secretary of the

Ministry of EAC Affairs, they were indeed as a ministry delighted that EALA had broken the jinx.

There was this feeling that Bujumbura is a no-go area, that you cannot do any business there. In his communication, which was on behalf of the minister who was upcountry swearing-in the governors, the Permanent Secretary categorically thanked EALA - and I want this to be on record - that they were very thankful for EALA's attitude of ensuring that we go and do business in that capital, and we did do our business there.

I think the situation is getting better, we need to encourage and pray for them and give them the morale to ensure that they continue doing what is necessary to get the situation to better. I was able to watch my football in the famous Havana place and I was in good company of many expatriates. You know I was also strategic; you go where the whites are. So, I was there and it was all well.

Mr Speaker, my comments are as follows, that we need to look at this situation in the perspective of certain instruments that are available, some of which we have proposed as a Parliament and in particular, I want us to pay special attention to the following.

Like my colleague, hon. Dora stated, the Good Governance Protocol, we need to do an audit. Would the situation be the same if all these instruments were put to application optimally within this region? As a Parliament, through our oversight function we need to engage and ensure that when we have instruments or policies that are put in place, they are meant to cure some lacuna. If they are not applied and we end up in a situation like the one that we have, are we being truthful to ourselves?

So let us look at the Good Governance Protocol. What was it meant for? It was meant to do something good in the region. Why aren't we putting it to good use? Let us look at the Peace and Security Protocol

and in this case, I really want to encourage Burundi to sign it tomorrow because it is imperative that we are part of an arrangement that ensures peace and security. To have this debate without Burundi being part of the signatories is a bit of an embarrassing situation but that must be put right so that we have all the Partner States signing and the protocol signing the purpose for which it was developed.

The Conflict resolution Bill as proposed by hon. Odette is something we need to revisit because we really need to cut the supply chain of conflict and such instruments would be useful for us to ensure that we operate well.

Then there is the Disaster Management Bill moved by honourable which is available- I think this gives us a very good precedent. When we get to deal with it, we should do so with the seriousness that it deserves because many issues that have been raised fall within the realm of disaster and we should be good on that, given that we have an instrument in place to deal with that.

Mr Speaker, after making those comments regarding the review and the audit of existing or proposed instruments that we have in place as a region, I would also like to thank the Government of the Republic of Rwanda. I was part of that team that went to Rwanda. Ministries, departments and agencies that are relevant to the subject of refugees were all up in synergy to ensure that they collaborate well. There was a lot of coordination and the process was very professionally handled. It was pleasing to note that although the refugees found themselves in somewhat difficult situations, the situation on the ground was welcoming. They were taken care of, both from the viewpoint of medical welfare, the children were looked after very well and the facilities were in place to ensure that they lived a decent life even out of their homes.

However, it was a bit of an experience that was really disturbing and we should do all

that we can to prevent refugee situations because when we were at the reception centre, there was an elite middle class family that came up. I think that they were caught up upcountry so they could not make their way to the capital. We were told that the affluent in Burundi took off by air to Nairobi, to Kampala, some to Brussels but this was in that category of the affluent and the child was asking very difficult questions to the mother: “Are we going to stay here? Is this the place where we are going to stay? Where are we going to swim from?”

Those of us who were in Eastern Rwanda will remember that family. The child was asking very disturbing questions to the mother who had to get ways to encourage the young man to appreciate that the situation is not so good but life will have to continue. That experience really touched me and as leaders, we really must do whatever we need to do to ensure that our people are not subjected to those conditions.

Mr Speaker, I want to conclude by saying that as a region, we really need to look at the issue of refugees in the context of East African Community where we have a Common Market, free movement of people. Right of residence, right of establishment so the question of fast tracking our agenda and the last pillar of our integration is something that we need to appreciate because I find it disturbing to hear an East African being called a refugee within the Common Market.

I think it is a bit disturbing so let us do whatever we need to do beginning with those areas like the instruments we have. Let us make them applicable and let us all be on board in terms of ratifying and signing so that we create a better situation. At the end of the day, we owe it to the East African people to give them an enabling environment for them to enjoy their rights and closeness as a people.

Mr Speaker, I do support the report and I request that we all support it and make good this mission.

The Speaker: Honourable members, this report has attracted a lot of interest so let us be brief to allow everybody to debate.

Ms Judith Pareno (Kenya): Thank you, Mr Speaker. I rise to support this report by the committee and I thank them for coming come up to respond to the situation quickly as it occurred.

Mr Speaker, I was a bit concerned because we seem to have responded very fast as an Assembly and as a committee but for some reason, we are debating this report six months down the line. So, I was just wondering, because when you visit a camp in such a situation of such magnitude of humanitarian need, they will see you as coming to give very quick solutions because some of these situations are very desperate and they need very quick answers.

I am thinking that in future when as we visit and respond to such very desperate situations that need quick interventions, we should give priority to the reports in terms of how we act. I was just thinking that suppose we had made in this report recommendations for quick intervention, like the amenities that the report talks about that we wanted to improve on this and we are recommending that quick action be taken? Then we come later, and we are unable to debate in good time.

I understand the nature of our Assembly that we might not have had very many plenaries in between although we had one in Kampala but I am just thinking that such situations would require very quick responses and therefore, priority to such reports should be given and committees ensure that the reports are ready in good time.

Mr Speaker, this brings me to the issue of election observation because this situation

arose out of election issues and good governance. When I went to look at the practice of this Assembly, it was always the Assembly to take lead in terms of election observations and reports of such observations were always tabled and debated in this Assembly.

However for the last two years I think, we have not debated a single report from any of our observation missions. We are just about to go on an election observation mission in Tanzania, and if these reports are done to help us as East Africans, if we go and observe such situations and we are able to make such recommendations, then I think it is time we got the opportunity as an Assembly to make sure that whenever we go for these missions, we ensure that we take the lead, as it used to happen in this Assembly, and ensure that those reports are tabled.

I am wondering, the three or so missions we have gone to - Where are these reports? We have not debated them, they have not been tabled like has been the tradition of this House. Have we abandoned those traditions that the first Assembly had, the second Assembly had and now we are in the third Assembly? I am thinking that we need to – *(Interruption)* -

Ms Bhanji: *Mheshimiwa* Speaker, I remember I was a commissioner at the time when the team from EALA presented their report. It came in the Commission, we had debated it and I remember it was *Mheshimiwa* Hajabakiga who had laid that report if I am not mistaken. I remember we had an extensive debate in the Commission because there were two conflicting reports, one from EAC and one from EALA so that was one of the reasons the debate did not take place but I remember we had agreed that the report should be laid down not to be debated.

Ms Hajabakiga: Thank you, Mr Speaker. I would like to say that I never tabled a report on any observer mission because I never

participated in any of the observer missions. Maybe the one I will be going to will be the one, which is scheduled for Tanzania for next week. However, I know that hon. Bazivamo was the one who tabled that report.

I would also like to say that in that Commission meeting, which I also attended, we thought that the observer mission report is not ours as a House; it is an EAC observer mission report. We wondered how we could debate a report, which is not ours. I think that is what was agreed. We did not debate it.

The Speaker: Thank you, hon. Patricia for the clarification that the report was laid in this House by hon. Bazivamo but not debated.

Honourable members, before hon. Pareno takes the floor, it is important that I bring this clarification to the House that the Office of the Speaker, together with the Commission engaged with the Council of Ministers and the Secretary General on this matter of the EAC observer missions.

We came with the following positions:

1. The observer mission is an EAC mission and not just an EALA mission, and that is why the mission includes others and not just the EALA members.
2. On the issues of leadership of the mission, a proposition was presented to us that eminent persons who are East African lead this mission. On your behalf, we engaged with Chair, Council of Ministers and the Secretary General and we eventually agreed that yes, the leadership can be taken by the eminent person but the vice chairperson of the mission shall be from EALA. That is the compromised position we reached at as far as we are now with the Chair, Council of Ministers and the Secretary General.

My proposal was that if the Secretary General and the Council of Ministers insist on an eminent person, then EALA should provide a co-chair of the mission. My whole intention was to make sure that there should be a mechanism through which this Assembly can have the report find its way to this House and the only way we can do it is when the observer mission is done and that is why we always make sure that the Chairperson, Committee of Regional Affairs or Legal are part of the mission and can process this report through those committees and bring it either for laying or for debate in this House. Hon. Pareno, hon. Sebalu would like to give you more information. Do you take it?

Ms Pareno: Yes.

Mr Sebalu: Thank you very much, Mr Speaker. In addition to what the Speaker has stated, I just want the House to appreciate the fact that when a mission goes out, the host country election management body invites a mission. So, when the reports are finalised, the principal consumer of the report is the host election management body, and then the reports are transmitted to all the election management bodies that had been invited because you go on invitation and the idea is to help that election management body to improve their performance depending on the gaps that you may have seen and also to be complemented on areas of best practice.

Mr Speaker, I thought that that information would also be useful.

The Speaker: Thank you. Election observation is not the main stay of our debate. Please proceed with the report.

Ms Pareno: Thank you Mr Speaker and I thank you, honourable Members for all the information that I have received from all of you, but the gist of it is that we should own our report and a report of this House is only a report after this House has resolved and adopted that report. Therefore, to me, the

guidance by you is relevant that we should have a report that is tabled and possibly debated by this House.

Mr Speaker, I want to say that at least now for our recommendations it is good that we have the Legal Committee coming up with an activity to track how these recommendations, like the very good ones that this committee has made, are going to be effected. I also think that is an improvement in terms of ...yes, we have seen what has happened with the refugees, we have seen their humanitarian situations, we have made recommendations and we shall follow up on those recommendations through the Legal Committee of this House to ensure that they are effected.

I have noted and read the first recommendation of this report, it talks about Article 124 of the Treaty, and this takes us back to many issues that we have with how the Council of Ministers is handling the Bills that emanate from this House and the recommendations made by this House.

Mr Speaker, this is a humanitarian issue but right before this House is a Bill; the Disaster Risk Reduction and Management Bill, which is pending. Mr Speaker, you remember that you allocated us time as a committee for us to meet with the Council of Ministers to agree on the way forward regarding this Bill, which handles all these disasters including the one of refugees.

However, again, we are unable to move forward because the Council of Ministers is sitting on this Bill, having taken it up from the mover and this House. To this day, the Bill is pending without any way forward yet this is one important Bill that would help us in terms of handling some of these disasters that occur. You know, disasters do not knock; they just come like this particular one on Burundi – *(Interruption)* -

The Speaker: Hon. Pareno, maybe I should volunteer some information. I have met

with the Chair, Council of Ministers and the mover of the Bill. This Bill is going to find itself on the Order Paper this week. Thank you. Proceed.

Ms Pareno: Most grateful, Mr Speaker that at least we have a way forward after it has been pending for two years as the Committee of Agriculture has been waiting to process that Bill. So I think these are some of the things that we need to check and as my honourable sister says, El Nino is knocking. It is another disaster coming. Are we ready to implement what we have talked about in terms of implementing the disaster issues that we are handling?

So Mr Speaker, I support this report and commend the committee for giving us a way forward in terms of how to handle our refugees. Thank you, Mr Speaker.

Mr Chris Opoka-Okumu (Uganda): Thank you, Mr Speaker. First of all, I would like to thank the government of Kenya, the Parliament of Kenya and the Kenya chapter for making it possible for us to enjoy all the facilities and the comfort we have enjoyed in Nairobi.

Being a member coming from Uganda, I would like to take this opportunity to re-echo the welcome that has been given by the Speaker to the members of Uganda Parliament who are sitting in the Gallery.

Mr Speaker, I rise to support the report and I would like to declare from the outset that I am member of this committee and I did participate in this good will mission going to Kigoma.

Mr Speaker, I have listened attentively to what my colleagues have commented, especially on the question of the Burundi refugees. I would like us to appreciate what the refugees go through. I have been a refugee myself so I know what it means being a refugee. The 1951 International Convention on the status of refugees defines the state of a refugee as a person who is outside the country of his residence

or country of origin due to fear of persecution on the grounds of religion, political opinion social grounds and so on.

You can see that the cornerstone of refugees is fear so whether colleagues have gone to Burundi and attended football matches as said somewhere; the point is that the refugee in Rwanda or Tanzania is there because of fear so the onus is for us to create a climate that does not give rise to refugees in this region.

Article 6 enjoins us to have good governance and it has been enumerated what the cornerstone of this good governance is. We are enjoined to promote the fundamental principles of the community, which includes adherence to good governance, principles of democracy, the rule of law, accountability, transparency, social justice, equal opportunities, gender equality as well as the recognition, promotion and protection of human and people's rights in accordance with the provision of the African Charter of human and people's rights.

This is the beginning of this report, which means that the committee takes it very seriously. If we do not create a climate that does not give rise to refugees, then we will not have refugees going through the suffering that we have seen of these refugees. Although they enjoy very good welcome in both Rwanda and in the United Republic of Tanzania - what is going on in their minds back at home when news comes everyday...These are serious matters that we must consider.

We have seen of recent footage of the Syrian refugees clamouring in Western Europe. We have seen bodies of babies awash on the ocean beaches. Do you think those parents would love to have their children face this? Do you think these people would like to cram onto these boats to cross the oceans?

So I think we need to create a very good climate and I think the recommendations that have been made by the committee and as members have spoken – If the leadership in our countries of the Partner States can take seriously the obligations that rise upon them because the convention of 1951 last creates obligations on hosting countries. One of the things hon. Mathuki has raised is that he could not believe how refugees can stay for 20 years in a camp.

Now we could pick lessons learnt from other countries. Do you really have to have refugees for 20 years in a camp? Can't they be absorbed in the community of the hosting country? If they cannot be absorbed, they cannot have a life that they can see that their life has changed from where they have run away.

It is very important for our region as we are moving towards Political Federation – We are one people, brothers and sisters. If somebody has run away because of certain fears, why don't we give them opportunities to enjoy the same sort of lives that citizens are enjoying?

In Uganda when I was growing up, we experienced so many refugees from Rwanda and other countries and we went to school with some of them. They went to university and took professional courses just as any other citizen and I think that is very important.

Therefore, I think reintegration of the refugee in the ordinary life of the hosting country is very important. If it is not done, it is very sad. I have been told very heart wrenching stories of an experience of my honourable colleague and good friend, hon. Patricia having separated from family. It is a terrible life so Mr Speaker, my recommendation is very simple, that we should adhere to the Treaty in Article 6 on good governance. Thank you very much.

The Speaker: Thank you so much. I had appointed the order of speech. The next is

hon. Taslima. Please do not take more than four minutes.

Mr Twaha Taslima (Tanzania): Thank you, Mr Speaker. I will try as much as possible to be brief. I would like to start by saying that I am a member of this committee and I support the motion.

Mr Speaker and honourable members, being a refugee is equal to having your human dignity cut by half or even less than half. I went to the camp in Rwanda and I saw how those people were, it was horrible. It is a thing that we must try as much as possible in the human race to eradicate as soon and as fast as possible.

In the report, there is recommendation number nine on page seven, which says, "The East African Community Partner States should develop policies for the reintegration and resettlement of refugees into their countries."

This thing could be of much help for everyone concerned in the East African bloc. If a refugee for example is told that having stayed for five years in a certain refugee camp, he can now be naturalised and live in that country to integrate with the local population there, definitely that will change his life, change his family's life and I am calling upon the people concerned to think about that.

On this particular point, I recommend the Tanzanian government. I remember it has integrated many people from the neighbouring Congo, Rwanda and Burundi in thousands. I remember the last was not less than 1500 by President Kikwete in Kigoma. He naturalised these people and they are now Tanzanian people just like any other.

The other thing is that of political integration. The sooner it comes, the better for eradicating this problem because under the politically integrated East Africa, we will certainly reduce very much the effect and even the occurrence of people who are

refugees. We will minimise it, I am sure because if you look at what is entailed in the report concerning political integration, you will see that it will harmonise things and the sooner it comes, the better for our people.

Thirdly, I support the idea of the committee visiting Burundi itself to have an insight of the problem from the source. I think it will be more meaningful and resourceful. Thank you, Mr Speaker.

The Speaker: Thank you so much.

Ms Emerence Bucumi (Burundi): Thank you very much, Mr Speaker for giving me the floor. First of all, I would like to congratulate the Chair of the Regional Affairs and Conflict resolution Committee for the job well done.

I also want to thank you, Mr Speaker, for allowing the committee to conduct that mission to visit refugees in our neighbouring countries, the United Republic of Tanzania and the Republic of Rwanda.

Mr Speaker, I would sincerely like to thank our sister countries which have accepted to receive our brothers and sister refugees. You know that to be a refugee can happen to anyone at any time but that is not my wish.

Mr Speaker, I would like to make a clarification on the term "*Imbonerakure*" which came many times in the media, and whose interpretation is not right. I want to come on that term because it is also in this report. For members who do not know the meaning of *Imbonerakure*, those are young men and women with ages comprises between 18 and 35 years in the ruling party. Those young people belong to a league called *Ligue des jeunes Imbonerakure du Parti CNDD-FDD* meaning the Youth League of the CNDD FDD Party. For the sustainability of any party, there is need to put in a place such a league or a forum. I think that exists in many countries.

Mr Speaker, I remember that time some Burundians led the country, there were serious rumours saying that the war is at the door but it was not true. It was simply electoral fever, which happens everywhere there are elections.

It is very important for both the governments in our EAC region to avoid violence during election time. As my colleagues said, I support the report and the recommendation especially the idea of how to deal with refugee crises and Partner States who have not ratified the Protocol on Peace and Security to do so as soon as possible.

Mr Speaker, once again, I support the report and I thank you very much.

The Speaker: Thank you very much, hon. Bucumi.

Mr Fred Mukasa Mbidde (Uganda): Thank you very much, Mr Speaker. I will also take this opportunity to thank the Chair of the committee for this report, and particularly because the trend is actually better for the committee that we are now handling matters that are immediate, touching East African soil and it does not matter however sensitive they are, there is some work that we always do. I will take this opportunity to thank you, honourable chair and Mr Speaker for this kind of administration.

When you look at the report particularly paragraph two of the introduction, it is extremely clear and emphatic. I have skipped paragraph one because it was ably addressed by my colleague, hon. Opoka. Paragraph two we are looking at the causes of refugees. It is extremely important for us to address the causes. We do not want to recommend that refugees should be accorded good education, schools, discos—they are not supposed to be where they are. Why are they there? That question must be addressed. If this Assembly is seeking to have solutions established, I think that must

also be looked into or else we are going to be tainted with proceeding under a situation that is extremely unpalatable.

We have been reading this paragraph and it gives details of the following: One, arbitrary arrests, two, *Imbonerakure*, which has I think been addressed by hon. Bucumi. It will now take me to a recommendation that has changed the whole of it. I had supposed the recommendation but because this has been disputed then this Assembly will need to have a select committee to look into the security situation and the likely causes of refugees in Burundi.

Therefore, *Imbonerakure* is a youth group according to your submission, which youth groups are always with every political party. Their activities are what we shall need to look into by a select committee. Like hon. Nakawuki is saying, I was once a leader of the youth wing of my political party so being a youth winger is not an offence.

There is a third one, the threat of violence. When I looked at the available literature on record, the Office of the UN High Commissioner for Refugees Working Paper No. 26 defines this violence as, "Organised violent activity for political goals." I do not know whether the report seeks to adopt that kind of definition, but in the event that it does, we shall go ahead into what we should recommend that this Assembly should do.

Mr Speaker, there are two things that must be looked into if a member of this Assembly is supposed to do our work. One, good governance. Two, Article 49(2)(d) with respect to what the Assembly needs to do together with Council to address any such anomalies by way of having reports brought before the House and recommendations that would create what I think we would call a conducive atmosphere between Council and EALA for purposes of addressing the same.

In my opinion, if you do not address the cause and you begin to treat refugees wherever they are including establishing mobile hospitals, in my opinion, you will not have solved this problem for good. Therefore, this Assembly needs to be more than what it has been. For example, I know that there is a new government in Burundi but there is no motion in the Assembly that has congratulated the new leader. So I know a debt is not bad for as long as you know the debtor but we are failing to know the debtor so we are even failing to know to whom we can address what we are saying.

For me I know the President so I will tell him. We need to be an Assembly that is extremely emphatic. I know where he is – (*Interruption*) -

Ms Byamukama: Mr Speaker, I thank my brother hon. Mbidde for giving way and I am giving him information, which he already knows but maybe for the good of the House.

As you are aware and I would like to tell the House, in the EAC we have a situation room. We have an EAC Situation Room, and I think that as a committee this is one of the places we visited. So, maybe what he is driving towards, especially on the issue of causes, is the issue of, for example, knowing what is happening in the region and which has the potential to cause conflict and an early warning mechanism.

So maybe another recommendation would be to find a way of receiving reports from the situation room so that these reports can be tabled in the House for consideration and further action. Thank you, hon. Mbidde.

Mr Mbidde: Thank you very much, hon. Dora. That is additional to what my submission is actually targeting and I will take it entirely. However, this Assembly needs to know that behind our job, there is the lives of the East Africans, and when you look at Article 6(d), it is talking of rights that must be respected, and these rights are

embedded under the African Charter for Human and People's Rights. Let us look at Article 5, the right to dignity, the right to invariability in Article 4, the right of residence in Article 12, right to peace in Article 23. They are many. What this Assembly needs to do for purposes of compliance with the Treaty for the establishment of the East African Community is to make sure that these rights are respected throughout East Africa.

Personally, Mr Speaker, I have two problems. They are not majorly problems but it is actually who I am. One, I come from an Opposition political setting. That means I have very high affinity to freedom. The tropism I have for freedom is almost more than that of incumbents.

Two, I am also blessed with the DNA of refugees so I know that this can cause a new country, it can cause a new loss of lives, it can cause a problem. Therefore, these must be addressed. I do not want us to behave like one of the Nigerian rich men who actually wanted – He had taken long without tasting bush meat and we were told that since he had an aircraft, he dispatched one of the captains to go and fetch for him bush meat. When he landed in one of the areas where bush meat would be collected, the hunters immediately felled down an elephant and insisted on manoeuvring it into the aircraft. The captain told them, there is no way I can put this into the aircraft in addition to you people and you think it can move.

The hunters told him, “these are things that we have done before”, so having listened to those who have done things before, of course the captain agreed and incidentally, they manoeuvred the elephant and the two hunters and they were now heading to the rich man for purposes of payment. Overlooking a hill, the aircraft failed to go up so it fell on the ground and while crawling, the captain landed on one of those that told him they had done it before.

He asked him, where do you think we are? The man told him, we are just one and a half miles away from town because this is exactly where we fell the other time. Therefore, what the man was trying to recite is what caused the problem the other time.

Therefore, we cannot be an Assembly that keeps on reciting what caused the problem by again having it interpreted as the normal course of life. We must not repeat mistakes, if mistakes are available to cause further problems.

Therefore, the problems are not beyond repair, Mr Speaker. I am concluding by giving one recommendation that this Assembly establishes a select committee to look into the likely causes for the refugee problem in Burundi and reports – It can be refined but I am suggesting that a select committee is established because we have had a report produced but we have heard interpretations that are also persuasive against what is provided. The meaning is that this Assembly needs a select committee under our rules to be established for purposes of looking into this matter further for better recommendations to be put in place. I beg to move, Mr Speaker.

The Speaker: Thank you so much. Honourable Chair, while you were not in your seat, there was an amendment to the recommendations by hon. Mbidde to the effect that there be a select committee to look into this matter of the refugee situation in the Republics neighbouring Burundi. The onus is on you as the committee whether you lack the capacity to do it and we create a select committee then we shall proceed that way. Hon. Bazivamo.

Mr Christophe Bazivamo (Rwanda): Thank you, Mr Speaker for giving me this opportunity. I would also like to thank the President and the people of Kenya for the warm hospitality.

I would also like to congratulate you for the medal you had been awarded.

Mr Speaker, I rise to support the report with its amendments, which have been suggested by many. I will also propose another recommendation.

Normally when you have refugees, it is a live sign that there is a problem. We cannot have refugees and at the same time say, we do not have any problem in our region. It is not only in Burundi, I think there are other countries that are also suffering the same problems.

Mr Speaker, as it is good to visit refugees, I think it is better to have no refugees to visit. On the other hand, refugees from conflicts never have good living conditions as suggested by some before because the primary aspiration is to enjoy life and all rights in their own country. Even if they are integrated, they are not happy because they miss their country.

Mr Speaker, I once again want, in line with recommendation one of the report, to emphasise and insist on the fact that EALA should have a kind of facilitation but a flexible one, to allow members to intervene in advance by diplomacy or advocacy to stop any conflicts in preparation and so prevent refugees to-be.

For that reason, allow me, if the Chair of the committee accepts, to propose another recommendation. It says, "EALA should have a budget line towards conflict prevention and advocacy to allow the House to assess causes of potential conflicts and advocate timely for preventive measures before conflicts happen." I beg to move, thank you.

The Speaker: Thank you so much.

Mr Emmanuel Nengo (Burundi): Thank you, Mr Speaker for giving me this opportunity to speak about this important report.

Mr Speaker, it is my first time to speak in this session so let me thank the government and the people of Kenya for their hospitality that they always give us while we are in this beautiful country.

Secondly, I congratulate you, Mr Speaker, for your decoration and your great achievements as Speaker of EALA.

Thirdly, Mr Speaker, I would like to put on record that I am a member of the Regional Affairs and Conflict Resolution Committee and I would like to let you know that I participated in this good will mission in Kigoma. However, I was refused from reaching the refugees in the camp. The justification of the UNHCR was that because I am from the country where the refugees came, I could not visit.

I would like clarification for next time. If we have that kind of situation, how can it be handled?

Coming back to the report, I think that it is very important for me to – (*Interruption*) -

The Speaker: Hon. Nengo, before you proceed, there is a very serious matter here that I would need the Chair to clarify to me under what circumstance a member of a committee- When we serve in this Assembly, we no longer represent our countries, we represent the people of East Africa. Under what kind of regulations...You will respond to that in your response eventually for the members to be clear.

Hon. Hafsa said she was in the Rwandan side and she was allowed access so we need to get the clarification for purposes of the future.

Mr Ngoga: Thank you very much, Mr Speaker. Now that the Chair will be required to this, I just want to add to a set of facts so that we have a complete set of facts and that we have the same understanding of them for us to make that task earlier. I would very respectfully stand to be

corrected by hon. Nengo if I go wrong in my attempt to reflect on what happened.

I think what happened was that the Chair was approached and asked to seek the opinion of the honourable member whether it would be appropriate not to be there. It was not given as an order, his opinion was sought and in my view, he had a possibility to challenge that.

Another thing we were told was that there had been a preceding visit by ministers responsible for EAC Affairs and that the same situation had happened with respect to the minister from Burundi so I think we need to have the complete set of facts so that we can have a proper approach. I think it was not an order as such. It was advice. The UN staff was saying that it would be a good idea if members who are likely to confront some emotional situations- I want to be understood. I am not expressing my opinion, I have my own opinion about it but this is not what I am saying.

They were saying, there are some members who may find it extremely uncomfortable for them, let us say in a situation where you meet your relative there or something like that.

The Speaker: Thank you. Hon. Nengo, proceed.

Mr Nengo: Thank you, Mr Speaker. I think I raised that for the future.

Regarding the report, I support the report specifically the ninth recommendation that says, "The EAC Partner States should develop policies for reintegration and resettlement of refugees into their countries."

I am coming back to this recommendation because Mr Speaker, I tried to interact with some refugees in Kigoma and as said by the Chair of the committee, there are some who were refugees in 1972, 1993 and recently. Therefore, for me, I found that for those who were refugees many times, they have a

lot of trauma because while you are a refugee, you receive many stories, bad or good, which sometimes make refugees, feel some kind of trauma.

Therefore, to facilitate them to be well integrated while they are repatriated, it could be better if they receive some kind of civic education, counselling services and enough material support. I think that can help them to be well reintegrated.

As I am waiting to see those refugees come back in their country, I wish to see EALA visit them to see how their current life should be. I thank you, Mr Speaker.

The Speaker: Thank you so much, hon. Nengo.

Dr Martin Nduwimana (Burundi): Thank you, Mr Speaker. I will be very brief. I was part of the team that went to Kigoma and I just want to thank you, Mr Speaker and the House for the conception of the idea that it was important for us to be there. Yes, we missed the point by going empty handed but the presence was also very important. We can correct this in future.

The Speaker: Hon. Martin, for the record, it was a good will mission so your hands were not exactly empty. You had the good will.

Dr Nduwimana: Yes, we had a loaded heart. Thank you. When we were in Kigoma, I remember telling the honourable Chair that it was an emotional experience for me because when I looked at the young children who were there, I mirrored myself. I was not yet born when my parents became refugees but I grew up in the family of refugees so I know that there can never be any amount of comfort that can be created out of refugeeism. At the end of the day, there is no place better than home.

So these host countries have done their best to create as, as comfortable conditions as they can under the circumstances and this is an imperative of the international

obligations we have but most importantly, the obligation we have as brothers and sisters and neighbours. There is no alternative to what these host countries are doing. The only way is to do even better.

I welcome the proposals that have been made here to pursue any other part of this mission that we think we have not done because it was just the beginning and the challenge ahead is massive so any other mission that we can undertake or any other approach that we can add on to what we have done would be most welcome.

Most importantly, I want to express my support to what hon. Isabelle has said. A joint approach not necessarily tripartite - These are not issues that can be confronted in isolation. There must be joint mechanisms to follow up on the evolution of the situation with a view of having these refugees eventually go back home and to do so in accordance with international laws and obligations.

Regarding the concerns of possible misuse or misconduct of refugee camps, those are genuine concerns but I believe that the issue of refugees is not new in our region so the host countries know how to handle those situations. I have no fear that it can happen in any of the countries that are hosting these refugees.

To conclude, I also wanted to thank the honourable Chair. I know the team in Rwanda was ably led but the one that I had the privilege to be in- Hon. Mwinyi, your ability to interact with the leadership and the refugees- we even had lunch with the refugees.

It would sound a bit cynical for me to share the experience but to have the feel of their situation and indeed the fact that one is in refugeeism, in a deep forest is pathetic. No comfort can be created there. You are surrounded by massive land that you are not allowed to cultivate. You spend the whole day doing nothing when you are not sick.

I remember hon. Sarah kept asking, why can't you allow these people to do some small farming, not necessarily for production but at least as an occupation? So, there are so many issues that need to be addressed but most importantly, we do not need to have refugees in our region.

The Speaker: Thank you so much, hon. Ngoga. Honourable minister, I will give you finally to say a few things before the chairperson comes to wrap up.

Ms Nancy Abisai (Kenya): Thank you, Mr Speaker. I will speak for a less time because most of what I wanted to say has already been spoken about. I know this has been said, but I will add my voice to thank you, Mr Speaker, for actually giving this committee the opportunity to undertake this important activity and for the committee having undertaken this activity. Most of all, I want to thank you, Chair for a very excellent report and the committee as a whole.

I would like to propose an amendment to the recommendation and this is on (7) which says, "In light of the above observations and findings, the committee recommends the following: infrastructure related to health." I wanted to suggest that "infrastructure related to health" should be specific to maternal and health care facilities. I say this because if you look at the observations at the refugee camp, they have talked about 68 women delivering in camps. Do they have any facilities for maternal health care? I do not think so.

You have talked about 5000 unaccompanied minors. There is need for us to have specific healthcare for these two groups because these are the ones who suffer most in terms of conflict and war so if we could take that up, I would really appreciate it.

Two, I would like to say that apart from just saying "developing policies", we should say "Policies, laws and enforcement

mechanisms” or “reintegration and resettlement of refugees”.

In Kenya, we have a refugee camp that has been there for ages and I do not even think that it is about to go anywhere. You cannot keep people in refugee camps for years without knowing how you are going to resettle them, as my colleagues have said. You can never be comfortable in a refugee camp no matter how much they would try to make the facilities good.

Therefore, it is important to see how to look at these issues of integration and resettlement of refugees. Mr Speaker, I thank you. I am going to write it down, thank you.

The Speaker: Thank you so much.

Mr Leonce Ndarubagiye (Burundi): Thank you very much, Mr Speaker for giving me the floor. I also support the report and I am grateful that they did a good job but as said before, they should have seen all the stakeholders including the Government of Burundi and the people in Burundi. Anyway, I think it is on the programme and I wish to encourage them to do so.

What I would like to request the chairperson of the committee to accept a small amendment on point 9. “The EAC Partner States shall develop policies for the immigration and resettlement of refugees into their countries or make it easy for acquirement of the local nationality if they so wish.”

By saying this, I think we are promoting the integration of the five East African Partner States except for Tanzania and Kenya, I think the other three countries have known a serious problem of refugees. These would never have existed if we had united in the past. Now is the time for us to hasten the integration process and become one East African Federation. Thank you very much. That will be the solution to all those problems we are facing.

The Speaker: Thank you very much, hon. Leonce. Can you please submit this good amendment in writing?

Ms Agnes Mumbi Ng’aru (Kenya): Thank you, Mr Speaker. I would like to congratulate you on receiving a medal. That decoration is a statement by itself. Wherever we are in every Partner State, if you are awarded that medal, it is something that you keep for life. It is not given to people who are hoping but to people who are doing a good job for the country.

I stand to support that motion and especially to the Chair and the committee for two reasons. One is because they were courageous enough. I wish the Chair would just listen to me congratulating him for courage to come up with such a strong report. It looks like you really took time to select the words to use in this report and the reason I say that is because most of us have been in government and out of government and we when you are working with your colleagues, you do not want to hurt them, you want to be mild.

You are also talking about governance, there is maybe a ... member, and you want to be mild so it was not an easy thing to do and figures do not lie. From your report, you have enumerated, like my colleague, hon. Nancy said, that 68 women give birth in a refugee camp, some 5000 unaccompanied children, and 32 dead over cholera.

A refugee camp that has walked a journey from 1972 to 1993 to 2015 takes a lot of courage and wisdom. For a committee to bring this kind of report actually, to speak to the situation and bring it in the open that we need to talk and as we sit to talk about this problem, I hear voices that it looks like it is normal. There is no normality in a refugee situation; it is not there.

For me, that we are almost immune to death, even of one person is very scary. That we can say 32 people are dead and because it is not me or my relative or somebody I know, we can speak like that Partner State – Things are almost back to normal. So, you did a good job as a committee. Your recommendations are very good and I hope we will take it further. I do not know how it can be done. I do not need to write and add another recommendation, but I am informed...hon. Dora was talking about the Situation Room, and I hope that as an Assembly we can also get information from that Situation Room so that as we speak, we also know that the problem of refugees and internally displaced persons who are going through the same thing can be talked about freely without covering some of the feelings that we are trying to cover.

Out of respect for my brothers and sisters, the situation of refugees is almost all over in East Africa, and it is nothing to be proud of. Like hon. Mbidde said, you did not have to have this situation there. Of course, it can be made more comfortable, but we know the cost. Each one of us knows the cost, and yet we are kind of very nice not to talk about it. We should be given an opportunity, maybe not in this sitting – Look for an opportunity to tell each other from every Partner State that, can we address a, b, c, d. Call it by its name. If it is a member of the Summit, let us write those things down and then communication be taken to them so that thinking about congratulating them and yet people are dying- I find it very difficult and I am speaking from the bottom of my heart.

I find it difficult because as I congratulate that person, a mother somewhere is crying because they have lost a child, they have lost a husband, they have lost a relative. Let us be a bit serious about this issue.

The committee did a good job, continue, and I hope you will be given an opportunity

to say it with the bitterness that needs to come with it and sometimes anger and straightforwardness that needs to come in this report. I thank you.

The Speaker: Thank you so much, hon. Mumbi. I invite the honourable minister to make a statement and then the chairperson to respond.

The Minister in charge EAC Affairs, Burundi (Ms Leontine Nzeyimana) (Ex-Officio): Mr. Speaker and members, first of all allow me to thank the Government of Kenya for the warm welcome extended to us and all the facilities provided to us in order to carry out our business since our arrival here in Nairobi.

As a member of this Assembly, I would like to thank you, Mr Speaker for having allowed this committee to visit the refugee camps in these two countries and for all the facilities accorded to this committee as they carried out their business properly.

I thank the chair of this committee for the work well done and all the members of this committee.

As a member of the Burundi Government, I thank the EAC for the effort made in order to help Burundi to sort out what is happening in Burundi. The Community organized different summits, the very last summit was held on 6th July, and this Summit appointed His Excellency Yoweri Kaguta Museveni as a facilitator in the Burundi dialogue.

The dialogue started and, unfortunately, the electoral process interrupted it. However, on 29 September, a presidential decree did put in place a national coalition for inter Burundian dialogue and this commission is made up of different stakeholders such as political parties, religious leaders and the civil society. Burundians were very comforted to hear that there is a national

commission, which will only deal with inter Burundian dialogue.

Concerning refugees, many are returning. They started coming back when children had their national exams for primary schools so parents brought their children to do exams and they stayed. Others came to do their exams in secondary schools for higher education and they stayed.

The Burundi government is calling once again the summit to make a follow up of different decisions and recommendations, which were made in the previous times. Mr Speaker, I have noted that Burundi has not yet ratified the Peace and Security Protocol. I make my promise that when I go back home, I will make a follow up and make sure that this protocol is ratified. My promise is a promise. You can remember there is a time I made a promise about charges on residential permits and I have good news that this had been eliminated. So I will make sure that this promise that I am making in front of this august House is honoured.

Mr Speaker, I thank you very much for how you are undertaking your business, and I would like to congratulate you for the medal that you got recently. I thank all the members for the support they have provided regarding this report: the comments and recommendations. I thank you very much.

The Speaker: Thank you so much, honourable minister who is also the Chair, Council of Ministers in this sitting for the good remarks and for the promise you have given to this House. I now invite the Chair of the committee to wrap up.

Mr Mwinyi: Thank you very much, Mr Speaker. I would like to thank, at the onset, the following members who had contributed. As expected, this report generated a lot of input and all the input has been productive and constructive.

Mr Speaker, I would like to thank hon. Dora Byamukama, hon. Shy-Rose Bhanji, hon. Isabelle, hon. Hafsa Mossi, hon. Susan Nakawuki, hon. Mathuki, hon. Sebalu, hon. Pareno, hon. Chris Opoka, hon. Twaha Taslima, hon. Emerence Bucumi, hon. Mbidde, hon. Bazivamo, hon. Nengo, hon. Martin Ngoga, hon. Nancy Abisai, hon. Leonce Ndarubagiye, hon. Mumbi and the Right honourable minister and Chair, Council of Ministers.

Mr Speaker, as you can see from my desk, I am inundated by notes and comments so I beg your pardon in attempting to respond to each individual contribution as far as I can. There are some contributions that require some amendments that have been put forth so if I overlook somebody's comments, it is not deliberate because I have been inundated by a number of contributions.

To start with, hon. Dora had no recommendation. There was not anything in terms of changing the report itself. I thank you for your solid contribution. Hon. Shy-Rose the same.

Hon. Isabelle recommended that we make a visit to Burundi and if you notice as part of our recommendations that was part of it so we would request your good offices to avail us an opportunity to visit the Republic of Burundi on these particular matters.

Further to that, there is a recommendation from hon. Mbidde that also touches upon this. Hon. Mbidde requested that we constitute a select committee to look into the causes of this refugee situation. I respect that position but my position would be that if you look at our report, the objectives were very clear. The objective was to appraise ourselves on the humanitarian situation on the ground, express solidarity with the affected people of Burundi, and to assess the amenities available to the refugees in the two countries.

That said, I believe this report covers those objectives but there is an extra objective of looking into the root cause. I think the committee is sufficiently endowed to do this activity as a committee activity and I believe that a select committee, one is not necessary and two, would send a wrong message.

Select committees usually address entities to look into the wrong doings of particular individuals or a situation. This is not the case. This is a fact-finding mission, the Committee of Regional Affairs has the mandate, and it will be very happy to do that as a stand-alone committee.

Hon. Pareno raised the issue of the delays of the report. I would like to point out that this report was laid in Kampala and when a report is brought before the House, it is the discretion of the Commission and the office. We are very pleased to bring the report at any given time allotted to us and at any given moment, we would have been very pleased to bring this report before the House.

Further, there are a number of recommendation changes in the report. I will try to go in chronological order so that I do not get confused. The first recommendation came from hon. Bazivamo. I beg your indulgence in reading it. "EALA should have a budget line towards conflict prevention and advocacy to allow the House to assess causes of potential conflicts, an advocate timely for preventive measures before conflicts happen."

I think Organs and Institutions of the Community have specific mandates and laws attached to them and the mandate of the East African Legislative Assembly is stipulated in the Treaty. In whatever activity we need to do, it has to fall within the ambit of that mandate. In brief, the mandate of any Parliament, EALA included, is legislative, it is representative,

it is oversight and we have an extra mandate here of linkages with Partner State parliaments.

This particular activity, if I look at it and if it is refined in terms of its recommendation, can sit on the oversight function. However, the manner in which it is written, it is like an extension of the mandate to the parliament itself. So in the limited time that I have here, it is difficult for me to coin it and fine-tune it to fit in within the larger ambit of our mandate.

However, if I am going to take the essence of it, it is that we must have a budget line that will assist us in case of such individualities, and when we have committees or representation by yourself to particular affected areas, we must have something to deal with. Is that the gist of it? Therefore, perhaps we can talk towards that specific amendment, but you, Mr Speaker, will guide me.

The second recommendation – Bear with me, Mr Speaker.

The Speaker: It is okay. To help you, there was a submission from hon. Nancy circulated to me, hon. Leonce and hon. Hafsa and they have been sent to me.

Mr Mwinyi: I will start with hon. Nancy. Unfortunately, some of these letters may not be amendments. Hon. Nancy on recommendation number seven; infrastructure related to health with emphasis on child and maternal health care facilities. SO to add that on to this and recommendation nine, "The EAC Partner States should develop policies for reintegration, resettlement into their countries. EAC Partner States should develop policies, laws and implementation frameworks for reintegration and settlements of refugees in their countries."

I think these recommendations are solid and they touch upon the essence of this report

and I would accept them and they would form part of this report. This is the select committee recommendation, and hon. Leonce Ndarubagiye...I cannot locate – *(Interruption)* –

The Speaker: I can help you; I have it here. It is on the aspect of acquiring local nationality if they so wish, integration into the local community.

Mr Mwinyi: With your permission, hon. Leonce, the proper word is naturalization and I think that is a solid recommendations. We shall take that on board.

Mr Speaker, I believe that I have dealt with the specific recommendations, and finally, I would like to thank – *(Interruption)* -

The Speaker: Honourable Chair, before you take your seat, did you deal with that of hon. Isabelle on the issue of repatriation? That EAC should initiate a tripartite mission that is including UNHCR, Burundi and host country to study – Something like that. Did you get it from honourable ...?

Mr Mwinyi: I remember I responded to it unless – *(Interruption)* -

The Speaker: In essence, you have accepted them as presented.

Mr Mwinyi: No. Could you repeat that, Mr Speaker?

The Speaker: The honourable member has sponsored three proposals as presented to me.

Mr Mwinyi: In her submission, there were no three recommendations but there were written to you directly without coming to me so I am not aware of which recommendation-

The Speaker: Let me paraphrase them for you: That there should be a tripartite mission involving the UNHCR, Burundi

and the host country in modalities of repatriation on voluntary basis of refugees. Two that EAC should put in place a legal framework on media and look at modalities, especially social media, to limit its negative impact on our society. While we salute the work done by the Republic of Rwanda and United Republic of Tanzania, development partners and other stakeholders in hosting and supporting refugees, we nonetheless recommend that further measures be taken to protect against the kind of abuse including recruitment into wrong forces or wrong groups – *(Interjection)*.

Hon. Ngoga, it is now on the onus of the Chair – It is at this point that you enjoy a lot of authority, Sir on behalf of your committee to understand these recommendations and amendments, accept them to disregard them. Please proceed.

Mr Mwinyi: On the tripartite recommendation, this report is based on timelines. Our issue was to appraise ourselves on the humanitarian situation on the ground, express solidarity and assess the amenities. There was no position at any given time, that the refugees were ready to be repatriated back to their host countries.

I think this recommendation can come into play if that was overwhelming sentiment on the ground but at that particular time, it was not. It may have changed but at that particular time, that was not the case. So, on that basis, I think we will not accept that recommendation.

Second, the EAC legal framework in relation to social media. That one is a thorny issue. I do not think it is within the mandate of this committee, nor of the Assembly, to legislate upon use of social media in this region. It would be ill fitting in this report and I refuse that recommendation.

Unfortunately, I did not understand the third one very clearly and what its essence was.

The Speaker: If I got it well, it was that the refugees should be protected from being accessed by wrong groups that may recruit them into other activities.

Mr Mwinyi: I am not at liberty to put the liberty to put the recommendation because I am not aware of such third parties. We can only report on facts that we have seen. That was not apparent at the time and I will reject that recommendation.

Mr Speaker, finally, I would like to use this opportunity to thank most sincerely, the Government of the United Republic of Tanzania and the Republic of Rwanda for their professionalism, their commitment – (*Interruption*) –

The Speaker: Sorry, Chair. I think the amendments were being brought to me without copying to you. There is one from hon. Hafsa, which says, “The East African Community to reinforce the early warning mechanism to address the issues of insecurity where it might destabilize the region.”

Mr Mwinyi: Reinforcing early warning mechanisms is the proper thing to do, and it would fit in with the gist of our report and with what we saw. However, the wording, if you allow me to re-draft- The principle is acceptable but the wording does not sit in correctly. Thank you.

The Speaker: I think the Clerk’s desk will help us streamline the wording but if you have accepted the principle, that is okay.

Mr Mwinyi: Are there any other recommendations that I have-

The Speaker: That is as far as the Chari can help you.

Mr Mwinyi: Thank you very much, Mr Speaker. Again finally, I would like to take this opportunity to thank the Government of the United Republic of Tanzania and the Republic of Rwanda for their professionalism and commitment beyond the call of duty in dealing with this refugee crisis. The manner in which the respective offices and development partners dealt with this allowed a potentially difficult situation, especially in Tanzania with the Cholera outbreak, to be managed extremely well.

Mr Speaker, I also wanted to bring to your attention Article 59(3) (c) of the Treaty. It reads as follows, “That the Assembly shall hold an annual debate on the report to be submitted to it by the Council on progress made by the Community in the development of its common foreign policy and security policies.”

Why I raise this particular article is that it sits squarely with this discussion. One, the Assembly shall- It is mandatory. In this particular Assembly, we have not had this discussion. We take this opportunity, as a committee, to invite the Council of Ministers to appraise this Community. It sits within our mandate, but this discussion and this report on foreign and security policies have to be brought before this august House annually.

I believe that can deal with many of the aspects that we have been dealing with here today in this particular report and this discussion would have been an annual event, and in any case in relation to any security issues or foreign policy issues of the EAC.

Mr Speaker, finally I would like to take this opportunity to thank your office for enabling us to take part in this activity and to thank my colleagues who assisted me throughout the report writing, as well as during the activity itself, and most sincerely, the hon. Zein who chaired the

sub-committee that went to Kigali, in Rwanda.

Mr Speaker, I beg to move.

The Speaker: Thank you so much, hon. Mwinyi, Chairperson of the committee and the committee members. Before I put the question, 59(3) (c) is purely your docket as a committee. Can you let the office of the Speaker know what you need me to do for you for you to take the Council in your work of oversight?

I would be pleased as the Speaker to help the committee undertake their oversight function in relation to this specific provision of the Treaty.

Honourable members, the motion on the floor is that the report of the Committee on Regional Affairs and Conflict Resolution on the good will mission to Burundi refugees in Kigoma, Tanzania and Eastern Province, Rwanda, as amended, be adopted. I put the question.

(Question put and agreed to.)

The Speaker: Honourable members, we have on the Order Paper some questions to the Council of Ministers but we have our good friend and partner, the private sector of Kenya that has invited us for a working dinner and I choose my diction very carefully, a working dinner this evening starting at 6.00p.m. With the traffic in town now, if we proceed further on this business, we will not make it in time to our host. We will push this to tomorrow and proceed with it.

So, we will have dinner with the private sector at the Serena at exactly 6.00 p.m. I call upon the Sergeant-at-Arms to work with relevant authorities to make sure the vehicles that will deliver members to the hotel do so with a bit of clearance.

Two, honourable members, tomorrow we are so honoured to host His Excellency President Uhuru Kenyatta, the President of Kenya to address the Assembly at 10.00 a.m. I kindly request you to read the administrative memo that has been circulated to you but most importantly, to keep time to make sure we are all seated at the Senate Chambers at exactly 10.00 for him to come at 10.30 a.m.

I thank you so much and as a reminder again, sports training is on. Members, please participate. The number of sporting items has been increased, and it includes chasing chicken. The one who catches it will eat it.

The dinner includes the staff of the Assembly. We have extended invitations, please honour the invitation of the private sector who are part of the East African Business council. I guess they have their invitations and that they are aware.

Honourable members, with those remarks and good work well done, I adjourn the House to tomorrow at 10.30 a.m. The House stands adjourned.

(The House rose and adjourned to Thursday 14 October 2015 at 10.30 a.m.)