



## **EAST AFRICAN COMMUNITY**

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### **IN THE EAST AFRICAN LEGISLATIVE ASSEMBLY (EALA)**

#### **The Official Report of the Proceedings of the East African Legislative Assembly 30<sup>TH</sup> SITTING - THIRD ASSEMBLY: FIRST MEETING – SECOND SESSION**

**Wednesday, 21 August 2013**

*The East African Legislative Assembly met at 2.30p.m. in the Chamber of the East African Legislative Assembly, EAC Headquarters in Arusha, Tanzania.*

#### **PRAYER**

*(The Speaker, Dr. Margaret Nantongo Zziwa, in the Chair.)*

*The Assembly was called to order.*

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#### **COMMUNICATION FROM THE CHAIR**

**The Speaker:** Hon. Members, allow me to welcome you to today's sitting, the First Meeting of the Second Session of the Third Assembly seated here in our new Chambers in Arusha. Since our last sitting in Kampala, I wish to convey the following messages. I wish to congratulate you upon a successful Nanyuki Conference which was held in Entebbe, Uganda and I want to take this opportunity to thank His Excellency Yoweri Kaguta Museveni, the Chairperson of the Summit for granting us the honour of his presence and the words of wisdom he gave us when we were in Entebbe. I think that deserved a clap. *(Applause)*

Allow me to also congratulate you, hon. Members and thank you upon a successful capacity building workshop which we held in Mombasa last week and I want to say that we are better capacity built than we were in the First Meeting of our Third Assembly. Notably I want to congratulate and thank you for taking off time to visit the Governor of Mombasa hon. Joho who received us so well and also progressively updated us on how the city of Mombasa is taking care of the interests of the East Africans.

In the same breath, I want to thank the Kenya Ports Authority for receiving us as the Third Assembly to Kenya Ports Authority and also taking us through the progress made especially in improving that important facility; the gateway to East Africa.

Allow me again in the same breath to congratulate you and to thank the Commission and all of you, hon. Members for a successful Global Parliamentarians on Habitat which we held for the last two days here in Arusha. Notably allow me to thank His Excellency the Vice President of the United Republic of Tanzania hon. Dr Bilal for honouring us with his presence and officially opening our conference.

Allow me also to thank the Regional Commissioner and the Mayor of Arusha for actively collaborating with us so that we successfully held a very significant and important conference of Global Parliamentarians on Habitat.

Let me also take this opportunity now to recognise some of the guests we have amidst us and I want to take the opportunity to welcome you. With us in the gallery, allow me to recognise hon. Safia Nalule. She is the Woman Member of Parliament representing Persons with disability from Uganda. Allow me also to welcome and recognise hon. Suleiman Jafo. He is a Member of Parliament of the Kisalawe Constituency. This is a coastal region in Tanzania and he serves on the Committee of Foreign Affairs. Allow me also to recognise and welcome hon. Leticia M. Nyerere. She is a Member of Parliament from the United Republic of Tanzania. She is a person from the Special Seat and we welcome you. (*Applause*) Also amidst us allow me to recognise and welcome the Regional Commissioner of Arusha, hon. Magesh Mulongo. You are most welcome, Mr RC in our new Chamber.

Allow me also to recognise and welcome the Mayor of Arusha, His Worship Gaudence Limo. (*Applause*) You are most welcome.

Again amidst us is the DC of Arusha, thank you for joining us. Allow me now to recognise specifically two other distinguished guests from the International Institute of Social Studies; Prof. Dr Leo Dehan. Professor, are you in the Chamber yet? Okay, I think I will introduce him when he is here because they are the partners who have come to join us in our work. He is here along with Dr Muhammed Salim of Social Studies from The Hague, University of Erasmus in Rotterdam.

Allow me also to recognise the Principals of Mt Meru University. Kindly stand up if you are in the Gallery...you are most welcome. Also, present is the Principal of Mukumira University, the Principal of Nelson Mandela University, and the Principal of the Institute of Accountancy in Arusha. You are most welcome. (*Applause*)

Allow me also to mention that amidst our distinguished guests in the Gallery are members of the Rotary Club of Arusha. You are most welcome and at an appropriate time we shall have a special resolution to recognise the work of Rotary not just in the United Republic of Tanzania but throughout Africa.

Hon. Members, after the recognition of our distinguished guests, allow me to just make one other personal or individual recognition. First today is the birthday for hon. Susan Nakawuki. Happy

birthday, Susan! Secondly, allow me and the whole House to extend our sympathies to hon. James Ndahiro who lost his dear sister. James, sympathies to you! Allow us also to extend our sympathies to hon. Rwigema. He also lost his dear sister. Our sympathies! I was informed last week.

With regard to administrative arrangements, I want to inform you, hon. Members that the Commission has held a series of meetings including the one which was held with the Chairpersons of committees and important decisions have been arrived at, including but not limited to the annual calendar. I want to also say that the calendar has started rolling. I want to welcome back the Members of the committee on General Purpose who participated in the pre-budget of the East African Community. This is an annual activity which begins at the beginning of the year so I want specifically to thank you. The rest of the details we are going to share on them so that you are able to know more and perhaps a circular will arise from the Speaker's office or the Clerk's office.

I am also informed that the district governor of district 9211, Mr Emmanuel Katongole is with us. You are most welcome to Arusha. I want to add that Mr Katongole is the Executive Director of Quality Chemicals in Uganda, producers of the malaria medicines and HIV/AIDS medicines and we had a privilege of visiting that important industry, I and hon. Okumu and I want to say that at an appropriate time, we shall come back as an Assembly to visit you. Thank you very much for the good work you are doing. *(Applause)*

### **LAYING OF PAPERS**

The following Paper was laid on the Table: -

by Ms Judith Pareno (Kenya):

The Report of the EALA Women MPs Leadership Training held in Uganda from 24<sup>th</sup>-26<sup>th</sup> June 2013.

**The Speaker:** Thank you very much, hon. Judith Pareno. That report can be committed to the Committee on General Purpose to look at critically and in particular to note the recommendations made therein.

### **MOTION FOR A RESOLUTION OF THE ASSEMBLY TO URGE THE EAC PARTNER STATES TO PROVIDE SANITARY FACILITIES AND PROTECTION FOR GIRLS IN THE EAC REGION**

**Dr. Odette Nyiramilimo (Rwanda):** Thank you, Rt. hon. Speaker. I beg to move that this Assembly do resolve to urge the EAC Partner States to provide sanitary facilities and protection for girls in East African Community. I beg to move.

**The Speaker:** Seconder? Hon. Judith Pareno, hon. Susan Nakawuki, hon. Patricia Hajabakiga, hon. Nancy Abisai and hon. Mbidde. Proceed.

**Dr. Nyiramilimo:** Thank you, Rt. hon. Speaker. Before going into the motion, I would like to thank you on a personal note on how you took care of me when I had broken my foot and I wish to thank all the Members here present including the Secretary General of EAC, Members of the Council of Ministers, Members of this House because I felt I was in a family and that helped at the first healing of that broken foot and that is why you see me standing straight. I think you saw that last time at Mt Meru Hotel two days ago. Thank you all very much.

Now the motion: *Motion for A Resolution of the Assembly to Urge the EAC Partner States to Facilitate Girls with Sanitary Pads and Hygienic Facilities in Schools.*

*'Pursuant to the provision of Article 92 of the Treaty for the Establishment of East African Community, Partner States undertook to cooperate in the field of health and*

*CONSIDERING that the platform of action developed at the United Nations Fourth World Conference on women reaffirmed that all human rights; civil, cultural, economic, political and social including the right to development are universal, indivisible, interdependent and inter related and*

*FURTHER EXPRESSED in the Vienna declaration and program of action adopted by the World Conference on human rights*

*REAFFIRMING THAT the human rights of women and girl children are inalienable, integral and indivisible part of universal human rights, the full and equal enjoyment of all human rights and fundamental freedoms by women and girls is a priority for governments and the United Nations and is essential for advancement of women*

*CONSIDERING both the Declaration of the Rights of the Child and the Convention of the Rights of the Child guarantee children's rights and uphold the principle of non-discrimination on grounds of gender*

*AWARE THAT various conventions and linked action plans elaborate on women's sexual and reproductive rights but do not explicitly talk about menstruation as one of the most stigmatised and socially constructed silent curses that affect a third of the world's population throughout the developed and developing world*

*KNOWING THAT menstruation is the natural monthly occurrence of genital bleeding in healthy girls anytime between the ages of eight and 61 until the period of pre-menopausal adult women*

*FURTHER KNOWING THAT while poor menstrual... in developing countries and particularly in the East African Community has been and is a sufficiently acknowledged issue and that poor girls often have no access to sanitary products and as a result due to fear of embarrassment attend school irregularly, perform poorly and in some cases drop out of schools*

*ACKNOWLEDGING THAT in different studies conducted in East African countries, girls were found to be distressed or uncomfortable because of using poor protective materials during menstruation and these distracted them from full participation in class and also afraid of being*

*teased by both boys and girls in case of an accidental leak or fearing some negative attitudes, myths and/or taboos about menstruation*

*FURTHER ACKNOWLEDGING THAT menstrual pains, big flows of menses and lack of washing facilities and privacy in schools' toilets are the main causes of girls' absenteeism*

*NOTING THAT school participation of girls in particular in the region lags far behind compared to boys in the higher forms in secondary schools, absenteeism leading to poor academic performance and subsequent dropping out of school resulting into persistence of gender disparities despite deliberate government efforts to ensure equal rights to all*

*FURTEHR NOTING that the low educational status of women result into limited knowledge, skills and technology to compete equally with men for available opportunities in all sectors*

*ACKNOWLEDGING THAT menstrual hygiene is fundamental to the dignity and wellbeing of women and girls and an important part of the basic hygiene, sanitation and reproductive health services to which every woman and girl has a right*

*FURTHER ACKNOWLEDGING THAT many girls and women in EAC countries are still using dirty and old pieces of cloth and toilet papers among others to contain menstrual flows exposing them to health hazards yet reducing the cost of sanitary pads would increase the number of users thus improving health conditions.*

*TEHREFORE EALA do resolve to urge the EAC Partner States to:*

- 1. Improve access, quality and affordability of sanitary pads in the East African Community by abolishing taxes on sanitary pads and promoting local production of low cost sanitary pads.*
- 2. Follow examples of the Member States of the Republic of Kenya and United Republic of Tanzania that have already abolished taxes on sanitary pads.*
- 3. Sensitise people of EAC on the normality of menstruation and dismiss taboos and fears amongst the youth.*
- 4. Ensure availability of clean toilets and washrooms to girls in all schools.*
- 5. Avail sanitary pads and pain killers in all schools and distribute them to girls whenever needed.*
- 6. Introduce reproductive health curriculum including menstruation in schools from pre-primary, primary to secondary level.'*

I thank you, Rt. hon. Speaker and I beg to move.

**The Speaker:** Thank you, hon. Odette. Since you are seconded, you can proceed to give justification for your motion.

**Dr. Nyiramilimo:** Thank you, Rt. hon. Speaker. I will let my colleague give the justification as she supported the motion and prepared for it. Thank you.

**The Speaker:** Thank you. Hon. Judith Pareno?

**Ms Judith Pareno (Kenya):** Thank you, Rt hon. Speaker. I beg to justify this motion and to support it fully. The issue of sanitary pads or sanitary facilities for girls and our women is a very pertinent issue. It is a very touchy one. We are all affected by it in one way or another.

We all have our little girls, our sisters and in fact the very hurdle that impacts on our girls when it comes to their development, when it comes to their education starts right from this particular period when they start having their menstrual cycle. This will determine how we handle our girls right from this age; at the tender age is the way that will determine how they will be in life, what confidence they will get, what kind of education they will face and hurdles that they will face as they go through life.

Madam Speaker, we are saying once we sort out the issue of sanitary facilities for girls right from the early age then we will be sorting out the person as a whole; the girl as a whole. We will be boosting the confidence of this girl, we will be boosting the cleanliness and how this girl will take herself. We will even be boosting her education qualities and educational achievements as a person and I think as an Assembly, we stand to be challenged to see how best we can legislate, how best we can move this agenda forward and be able to help our girls as they grow.

As has already been said by the mover, we know that a lot of our girls miss school. In fact the other day there was a survey that I read and it said that especially for the poor girls, they miss school one week every month so you can imagine calculating one week every month for the whole period that this girl is going to be in school. How much has this girl missed? How much of education has this girl missed?

Madam Speaker, we are saying you want to compare this same girl who is missing school one week every month to the peers, the fellow young boys who are also our little boys and you want to compare the kind of education that they are going to get. It will not be compared because this one has been missing school and the other one has been attending school yet they are people from the same family.

We are saying that we need to upgrade and be able to give them equal opportunities so that they are also able to get the basic education and the basics that we need for improving their lives.

Madam Speaker, we are saying that most of our Partner States I am aware especially Kenya and I think one more Partner State has been able to zero rate even the imports of these sanitary pads. We even have a program in some of our countries where we are giving free sanitary pads for these girls in schools and we are saying, why not be able to provide for the rest of the East Africans? We are saying we are one people having the same destiny so we should treat all these girls equally all over East Africa.

So for peace purpose, we are saying this is a good motion that should be supported by all of us. We should try and have the same standard for all of us and the same standard for our girls so that we have the best for them.

So why this motion? We are saying to give them an easy time in school, to give them an easy time everywhere and to boost them in life because they will be able to participate in everything. We are also saying we will then have been able to help both the poor and the rich because most of those who suffer are actually from the poor so in terms of upgrading them, we will be able to put them on the same level as those who are from the rich families because the poor ones suffer more. For that reason, we are saying this is a good motion that we need to copy the same standards all over and I do support this motion.

**The Speaker:** Thank you very much, hon. Judith Pareno. Members, debate is open.

**Mr. Abubakar Zein Abubakar (Kenya):** Thank you, Rt. hon. Speaker. I stand to support this motion. This is a very important motion and the only sad thing is that it is coming now, it should have come much earlier. In Kenya for the last three years, the government has been providing budgetary allocation for provision of free sanitary pads for school going children and the program had some teething problems but now it is working well.

I would like also to commend Tanzania for doing the same and urge the other Partner States to approach this matter as a human rights issue. The rights of girl children are also a human right. More importantly, to work hard to ensure that school going children who are girls are able to study and pursue their normal daily activities with the ease that is required so that they can concentrate on their education.

I do not think it is too much to ask from our Partner states to do this which is a fundamental right but a noble intervention that will safeguard school going girl children in our region. This will also be a vote of confidence to all school going girl children in our region who happen to be the majority of our children. So when we are doing this, we are actually doing it for the majority of our children in all the five Partner States.

The health implications have already been articulated well so I would like to summarise my intervention by saying that I am sure this motion will get overwhelming support from this House and I beg and pray that my colleagues, hon. Members will do just that. Thank you very much, hon. Speaker.

**Mr. Abubakar Ogle (Kenya):** Thank you, Madam Speaker. Right from the outset may I say that I also fully support the important essence of this motion?

With the permission of the mover, I wanted to suggest an additional recommendation to these ones. I entirely agree with all the recommendations except that some of them are very ambitious and possibly unworkable in the circumstances obtaining in our economies. You know we are very poor and I am not sure whether our governments are possibly in a position to provide free pads and pain killers to schools and all these things. But what I wanted to add would have been maybe if there could be alternative, cheaper forms of pads and not the usual ones that are available. Ones which are cheaper and healthy and we can possibly make a recommendation that

the East African Community Member States make a deliberate effort to ensure that there is maybe even a manufacturing plant somewhere in the region to ensure that there is mass production of these alternative cheaper pads for these young girls.

In fact the challenge that faces girls in the rural countryside of most of the East African countries may not even be something to do with sanitary pads itself. They are facing the challenge of Female Genital Mutilation and that requires a more integrated approach than just sanitary pads. So we could also have an alternative cheaper, integrated form which can attend to both girls who could have been damaged during FGM process and all those kinds of things. Thank you, Madam Speaker.

**The Speaker:** Thank you very much. I recognise that you have brought in yet another very important area of concern and I think the mover and the Women Forum and hon. Dora can work out something in the area of FGM.

**Mr. Fred Mukasa Mbidde (Uganda):** Thank you very much, Madam Speaker. Hon. Members, I equally support the motion but in the interim I would propose an amendment for purposes of premising it on the very Treaty provisions that are material in the circumstances.

Madam Speaker, permit me to propose an amendment that will buttress this motion under Articles 5, 6, 117 and 118 of the Treaty in lieu of Article 92. We may remove Article 92 and buttress this motion under the Articles I have proposed, Madam Speaker because when you peruse the motion, you discover that they are extremely appropriate in the circumstances.

Madam Speaker, I equally support the motion. (*Interruption*)

**Mr. Kaahwa:** Thank you, Madam Speaker. Allow me also to thank hon. Mbidde for giving way. For purposes of further improvement and with regard to the provisions he has cited, I would like to point out that Article 92 of the Treaty is not quite relevant to this motion because Article 92 provides for cooperation in civil aviation and civil air transport which processes I am sure have no bearing to the subject of this motion.

Madam Speaker, in addition to the provisions which hon. Mbidde has ably cited, I think the most relevant provision as a premise for this motion is Article 118 of the Treaty which obliges Partner States to cooperate in matters of health activities which include the subject matter of this motion. I thank you.

**The Speaker:** I think hon. Mbidde has taken the information. Proceed.

**Mr. Mbidde:** Yes, Madam Speaker. I thank the honourable Counsel to the Community for the further information. That way we shall have this motion premised on the best substantive legal provisions of the Treaty.

Madam Speaker, my other addition would be on the recommendations, if acceptable by the mover would be for purposes that this Parliament can talk about it but monitoring mechanisms can only be established and thought about for purposes of achievement of the same either by way of peer review establishments and that would obviously be the work of Council to think about.



Finally the girl child is usually the raw material where the finished products are the leaders of the EAC who are women and I know that they have always performed the best. When you look at all assemblies, when you look at presidents even in Africa and East African Community as a regional economic community is almost ahead by way of competing terms on all the regional economic communities and it has been because of the decisions we have occasionally taken.

They say that development of a regional economy and peoples is just like hunting. You do not just stand by the roadside and expect animals to keep coming and generally jumping into your net. So as we ably work to see that we can have an able bodied population of women that have achieved all in life, this is the basis at which we must be in position to think about the same. I support this motion, Madam Speaker. It is able, it is the best motion and it is well placed within the human rights architecture of the East African Community. I support the motion.

**The Speaker:** Thank you, hon. Mbidde.

**Ms Nancy Abisai (Kenya):** Thank you, Madam Speaker. I rise to support this motion and agree with my colleagues who have spoken but I want to also point out that I rise to support looking at not just the Vienna declaration that clearly spelt out women's agenda. There was the Nairobi forward looking strategies that identified women's health and girls' health as an issue that needs to be addressed.

The Beijing Platform of Action; 12 critical areas of concern identified the same. The Beijing Plus Five examined and looked at this as an issue that still needs to be worked on with many states and of course not going into many other declarations but most recently the theme on the 2012 International Women's Day on the Gender Agenda which also focused a lot on the girl child and the rights of the girl child. I think this motion could not have come at a better time.

The issue of the motion is an economic and socio-cultural right in every way and the way it has been brought out because it is one of the reasons why we have poor performance of girls. Girls in school who do not perform well- One of the reasons that have been cited is because of lack of sanitary towels when they miss school and some of them if you look at the period, it is almost a month or so within a year and that is too much.

The discrimination and stigmatisation that comes with it because of some cultural issues and I would like to mention a community within the Partner States which when a girl is going through this period, they dig a hole for the girl and the girl has to sit in that hole for all the time she is going through this and that is a very bad culture but it is happening within our East African region in this century. I think that is something that is actually unacceptable. The digging of a hole for a girl to sit there until the time when she will be through with this period, I think that is an inhuman thing to do.

As a way of looking forward, I fully support the motion especially on the reproduction health curriculum for simple reasons. It is also a cause of diseases for girls. One, there are some schools which tell girls to use cloth and these cloths are sometimes not well washed and is a cause of diseases for girls. Some girls have actually suffered even in the later years because of lack of education around the menstruation period.

Secondly, some mothers are still very shy and do not talk to their own daughters about this, and you will find that most girls suffer because they lack information. A budgetary allocation is something that needs to be factored into this because even if we pass this motion and we do not include that we must have a budgetary allocation towards this that is the only way it can be actualised. I know it is being done in Kenya but like my colleague has said, it is still not enough because of the budgetary allocation. So that must be taken care of.

With that, Madam Speaker I beg to support. Thank you.

**The Speaker:** Thank you very much, hon. Nancy for that information because I think it helps us to improve on our motion.

**Ms Mumbi Ng'aru (Kenya):** Thank you, Rt. hon. Speaker. I stand to support this motion and thank the mover hon. Odette for bringing this to the floor of the House. The speakers before me especially of the male gender, thank you so much because you are the uncles, fathers and grandfathers and when we have to deal with it at that level, it becomes easier- And husbands. Thank you. It becomes easier especially to deal with the aspect of sensitising in the rural areas where the mover of the motion talked about taboos and cultural issues that really affect girls during this menstruation period.

I know it has happened in Kenya and Tanzania and we have been thanked about it but I urge all of us to think about the rural remote areas even in our own country. The girl child is still suffering, they have not had access even to this facility which has been zero rated in our country.

It is important that as we speak as Members not just to think about the girl child probably in the urban areas or the more advanced rural settings. As we speak about the success of the program in Kenya, I say it without any fear of contradiction that the girl child in 70 percent of the Kenyan population is not able to access this facility. Therefore it is important as we think and I agree with the Assembly and especially one of the Members who talked about low cost. How can we bring these sanitary pads at an affordable rate and produce them en masse to reach to the very interior of the rural areas across the East Africans region.

I would also urge the manufacturers of the sanitary products to really take care of the health issue in the sanitary pads especially at the manufacturing stage. It is not a story that we hear. We have been users as women and we know that if you dismantle the sanitary pads, sometimes even the sanitary pads having not been used, it looks very untidy and it is unhealthy and as we speak about it, I think it is important to talk about the issue of health at the production stage to make sure that our girls as users, women as users are able to retain and groom their health without having the infections that are carried on during the production period at that level.

I also want to support the mover and urge that the region probably having taken Kenya and Tanzania as people who have zero rated and moved into the area of making it accessible- I would urge those that have not joined in the queue to learn from our mistakes. I am not contradicting myself but I know it has been used as a political tool in Kenya and therefore you find that it works well just around elections then after that it dies out.

Members, menstruation does not know when you have elections and when you do not have and this should be a program that is throughout the period and throughout when the girls need it. I beg to support it, thank you.

**The Speaker:** I wanted to start concluding on this very important motion.

**Ms Shy-Rose Bhanji (Tanzania):** I thank you, Madam Speaker for giving me the opportunity to also contribute to the motion. Before I submit my views to the motion, I wish to express my profound happiness that for the first time we are finally sitting in this august House here in Arusha as an Assembly which is the headquarters of the EAC. We should all feel at home.

Allow me Rt hon. Speaker to commend the German Government who did contribute to the funding of this building. This building as we all know has comfortably houses us with good offices, good meeting rooms and this beautiful chamber.

Madam Speaker, let me also convey my sincere gratitude to His Excellency Jakaya Mwisho Kikwete, the President of the United Republic of Tanzania for allocating this piece of land for the headquarters of the EAC building.

Lastly Madam Speaker, allow me to express my sincere sympathy and sadness towards the Nairobi airport fire which happened recently. We commend all the efforts of the Kenyan government who proactively normalised the travelling situation via Nairobi. This was an unfortunate event, we fully sympathise and we wish our partner State Kenya fast recovery and everything back to normalcy.

Madam Speaker, let me now go back to the motion. I wish to stand here in full support of the motion. Let me begin by commending the governments of Kenya and Tanzania that have abolished the taxes on sanitary pads. As we are sitting here, we are all aware that most families in our countries especially in the rural areas can hardly afford to send their children to school let alone to look for money to buy sanitary pads.

We all are aware that these sanitary pads cost quite a fortune and most of the times are not affordable. Therefore I support the motion.

Madam Speaker, this motion is most welcome to me. However I wish to have seen more data and research as to how much these sanitary ads cost in each Member country but nevertheless, I do commend all the efforts undertaken.

Madam Speaker, the issue of quality should not be compromised. As we are sitting here to debate and pass this motion, we must make sure that if we do resolve that these girls deserve to be given sanitary pads, the issue of quality should not be compromised. Sanitary pads should have a good quality, be user friendly and also affordable. In this globalised era, we need to also enjoy good products. That is all from me. Madam Speaker, I thank you once again for giving me the opportunity.

**Ms Sarah Bonaya (Kenya):** Thank you, Madam Speaker. I would also like to add my voice to this very important motion affecting the girl child in the region and I would like to start by

congratulating and thanking the mover for moving this very important motion that affects all our daughters all over the region.

I would want to reinforce the issue that has been mentioned by the speaker who has just spoken before me, the issue of research and this time not on the sanitary towels but about the girls and the impact of this very normal reproductive health occurrence on the girl child in terms of health, school drop outs and in terms of missed opportunities for these girls. In our Treaty Article 6 on the fundamental principles of the Community, it states the issue of human rights and equal opportunities and gender equality. I think this very natural and normal occurrence of the girl child really undermines the rights of these girls and the opportunities they enjoy.

So through our education system, we need to follow up on this maybe even through serious research on the impact on the girls in this region and the rate at which they drop out and of course not forgetting the huge health implication. Some of them become barren from infection but also might lead to early marriage and of course with the other myriad of health complications that come with early marriage. So this is not a small matter. Actually we need to take very seriously and study and come up with concrete decisions on how to ensure they get their opportunities.

**The Speaker:** Before the next speaker takes the floor, I would like to recognise Dr. Leo Dehan, Director of the International Institute of Social Studies in The Hague, you are most welcome. And also to recognise Prof. Muhammed, the Deputy Director, Research Affairs.

(..... inaudible.....)

**The Speaker:** May I invite Dr Martin Nduwimana to also debate?

**Dr. Martin Nduwimana (Burundi):** I thank you so much, Rt. hon. Speaker for giving me the floor and I stand to support the motion and to commend the mover of that motion. Thank you, honourable Dr Odette. I support the motion as a member of this Parliament but also as a medical doctor.

In supporting the motion, I would like to invite the mover and this august Assembly to consider this motion not only as it is entitled and related to girls in school but be extended to all girls and women of this region. Two reasons, which are very easy to understand: The first one is the fact that in our region the majority of our population is girls and women and the majority of young girls and women are not in school while the need of sanitary pads and hygienic facilities concern every girl and woman so why not extend to all those people?

The second reason is that in the motion itself, if you look at the six resolutions or articles, you will find that the fourth, fifth and sixth concern specifically the girls in school. The three others; the first, second and third which to me are the most important are of general application; to improve access, quality and affordability, to sensitise East African people on menstruation and so on are generally speaking related to every woman and girl in this region.

That is why if the mover accepts and the House also, I want to propose that the title be amended by generalising the target of this motion and I would propose 'motion for a resolution urging the

EAC Partner States to facilitate girls with sanitary pads and hygienic facilities especially those in school' - something like that.

I have a second proposal or amendment and it is related to the sixth resolution or point; to introduce reproductive health curriculum including menstruation in schools from pre-primary, primary to secondary level. I think that it would be better. I am not a specialist of English but it could be better if, between 'including' and 'menstruation' we put 'curriculum on menstruation in schools'. It would be better otherwise one could understand that we want to include menstruation in schools. Thank you so much.

**The Speaker:** Thank you so much, Dr. Martin and I know hon. Dr Odette, the mover of the motion is taking note of these. Let me take Dr Sadala Abdallah and I will beg your indulgence. I have seen Members who had wanted to contribute but I beg your indulgence that we proceed. I have seen hon. Christophe Bazivamo, hon. Kimbisa, hon. Susan Nakawuki, hon. Patricia, hon. Kizigha but I beg your indulgence.

**The Assistant Minister for East African Cooperation, Tanzania (Dr. Saadalla Abdallah):** Thank you so much, Madam Speaker. In my preamble I would like to support the speech which was given by hon. Shy-Rose Bhanji on the utility of this good building and august House.

I rise to support the motion on the floor and I would like to thank my colleague, Dr Odette. In fact if you had not given me a chance to stand and say something she would have said something bad to me. Anyway I support her and commend her for bringing this motion in this House for debate and resolution.

Madam Speaker, I myself happened to treat girls and women who are affected by using non hygienic towels and other stuff during their menstruation. It is very sad because they are infected in their private areas and some of them suffer from very severe bacteraemia, we call it sepsis which ends in death. Unfortunately some of them if they survive end up with permanent destruction of their private areas.

Furthermore, these young girls become psychologically affected with very severe moods that also affect their learning capacity and therefore poor performance. There is no good word to talk but facilitating them in all aspects right from the availability of clean and quality pads, encouraging our governments to penetrate deep country and make the pads available and if possible, free of charge.

Madam Speaker, I commend my government the Tanzanian Government and the Kenyan Government. I do not know what is happening in the other three governments but the Council of Ministers will take care of it and if possible will try to convince ministers of Finance in the pre-budget sessions to include availability of these hygienic pads and be accessed into their countries free of charge.

Madam Speaker, I would like to inform this august House that in Tanzania not only are pads availed free of charge or tax they are also special women teachers allocated to girls in the day and boarding schools to facilitate and train them on the special hygienic and ganoid care. They are the mentors and they are doing a very good job.

After saying these words, lastly I would just like to say that the Council of Ministers will take care and take on board all the resolutions plus amendments raised here and will make sure that they are going to be positively agreed in all our governments.

Off record Madam Speaker, I would just like to request Members of this House also to advocate the promotion of male circumcision to both children and adults because it also helps in good care and especially prevention of HIV/AIDS. Thank you so much, Madam Speaker for giving me the chance and I beg to support the motion.

**The Speaker:** Thank you so much, Dr Abdallah. I am seeing the Chairperson of Council standing and I think that he is giving us further commitment.

**The Minister of State for EAC Affairs, Uganda and Chairperson, EAC Council of Ministers (Mr. Shem Bageine):** I would like to add my voice to those who spoke in support of this motion and I want to believe that the entire House is without exception in support of this very important motion.

Madam Speaker, I would like to take this opportunity to recognise efforts by two service organisations namely the Rotarians and the Lions Club International who I know have been trying to help in this field of provision of sanitary pads particularly to the poor in the rural schools. I happen to be a member of one of the service clubs and I have been involved in this program.

Madam Speaker, I do not think it is asking for too much to get these sanitary pads provided to the girl children free of charge. Just like we have moved in the direction of provision of free primary and secondary universal education, I think the same thing could be done for these girl children.

Madam Speaker, I note what the two Partner States of Kenya and United Republic of Tanzania have done in terms of zero rating any materials used in the production of pads and I think it should be a uniform policy throughout the Community i.e. the other Partner States should be urged to follow suit.

We as Council of Ministers have taken note of this fact and we will take it up as a matter of interest because it does go deep in affecting the growth of our children and particularly those girls who later on become the mothers of our nation.

I think it is important and some speakers did touch on this, that we introduce skills for growth in our schools with particular emphasis on addressing this particular issue. We have concentrated too much on academia and children passing with high grades in maths, science and the others but without being given an opportunity to learn about how they grow including the changes that take place particularly in girls.

I think it is important that again we look at this and introduce skills for growth in schools so that we can help our children to understand and to see what happens in terms of menstruation as a natural phenomenon that they should not feel shy about.

Madam Speaker, with those few words I once again support this motion and I will take it up in my Council to see what else we can do to help including advising the Partner States to budget for the provision of these pads. I thank you.

**The Speaker:** Thank you very much, Chair, Council. I now wish to invite hon. Odette to reply, taking note of the proposals of amendment made by Dr Martin. Chairperson, General Purpose Committee on the heading and taking note of the proposal by hon. Mbidde and the hon. Kaahwa on the reference of provision of Article 92 instead of Article 118 and taking note of the proposal by hon. Ogle on recommendation five where he thinks that availing was string and maybe you could think of adding a phrase there of providing alternative or cheaper provisions. Look at the way you are going to move. The floor is yours, hon. Odette.

**Dr. Nyiramilimo:** Thank you, Rt. hon. Speaker. We want to thank all those who spoke in support of the motion and also those who did not speak but wanted to support the motion. I specifically want to thank hon. Judith Pareno, hon. Zein, hon. Ogle, hon. Mbidde, hon. Kaahwa, hon. Nancy, hon. Mumbi, hon. Shy-Rose, hon. Sarah Bonaya, hon. Martin Nduwimana, hon. Minister Abdallah and hon. Chair, Council.

I would wish to say that in most of what was said on commending and explaining the reason why we need this motion but I wish to go back only to the amendments that were proposed. The first amendment as proposed by hon. Mbidde. Of course I did not mean the Article 92 of the Treaty even though we have some women pilots in the Treaty but I did not intend to talk of that. It was a typing error. Actually I had put in my draft 118; I do not know how it came to 92.

The second amendment by hon. Nancy Abisai, I take it and we should urge all the Partner States to make budgetary allocation in their year budget for sanitary pads. I think that is taken.

Hon. Mumbi also- (*Interruption*)-

**Dr Ndahiro:** Thank you, Rt. hon. Speaker. I wanted to give information to the mover of this motion that requiring all Partner States to provide these essential things to our sisters free is good but there are different models being used in our Partner States. It is not true to say that Rwanda is among the countries that do not do this but the model is quite different. Rwanda uses an insurance model whereby all citizens access health insurance and each family has health insurance extending to the entire family. Therefore young children and young girls can access not only those specific items even beyond that. Unless you are suggesting that we get rid of the health insurance and adopt this model you are suggesting here. Thank you.

**The Speaker:** Dr. Ndahiro, I think your information is very relevant except you know health insurance is normally to those unknown. The menstrual cycle is always known and it may not be covered in the insurance policy but I think Dr Odette can inform you accordingly.

**Ms Nyirahabineza:** The sanitary pads are not part of the insurance scheme. They do not give. Even when you are in hospital delivering a baby, you do not even receive, you have to take yours.

**The Speaker:** Dr. Nyiramilimo.

**Dr. Nyiramilimo:** Thank you, Rt. hon. Speaker. Hon. Ndahiro really made me laugh because health insurance has never given sanitary pads. Never! The other amendment that was proposed by hon. Mumbi to urge the Partner States to ensure that manufacturers make healthy sanitary pads is also taken. This is a very good suggestion.

Hon. Dr Martin proposed to amend the title and I totally agree. I first of all thought of girls at school but also women and girls who are not at school need to be protected and therefore we only remove 'in schools'. It might read 'Motion for a resolution urging the EAC Partner States to facilitate girls with sanitary pads and hygienic facilities.' That is a good amendment.

What hon. Ogle proposed is already in the first resolution. The second part of the first resolution which says, '... and promoting local production of low cost sanitary pads'. So I think that was already taken care of.

I think these were the amendments, Madam Speaker. I want to sincerely thank the two members of Council of Ministers for their support. As Dr. Abdallah said, it is very important that this issue be taken care of because it is a real threat for the good health of women in the region and I am happy that the Chair Council promised to urge the other three Partner States that are not waiving the taxes to do so but I welcome the suggestion that sanitary pads should be given free in all schools to make sure that all the children at school do not have absenteeism we talked about and they can have at least equal rights as boys in the same level. Thank you, Rt hon. Speaker.

**The Speaker:** Thank you very much, hon. Odette for taking those amendments. Hon. Members, the motion on the floor is that this House takes the motion for a resolution to urge the Partner States to provide sanitary facilities and protection for girls in the East African Community Partner States. I now put the question.

*(Question on Motion put and agreed to.)*

**The Speaker:** Hon. Members, as we move to the next item, I want to seek your indulgence that I amend the Order Paper slightly and item number five comes next on the Order Paper and then item number four will become item number five. This has been occasioned by the fact that the Rotarians are in the gallery and they would wish to attend to one of those very important humanity activities in the next 30 minutes. So I beg your indulgence that we consider item five on the Order Paper first.

#### **MOTION FOR A RESOLUTION OF THE ASSEMBLY TO PAY TRIBUTE TO THE ROTARY INTERNATIONAL FOR THEIR HUMANITARIAN SERVICE EFFORTS**

**Mr. Mike Sebalu (Uganda):** Thank you very much, Madam Speaker for your indulgence and consideration. I beg to move a motion for a resolution of the East African Legislative Assembly to pay tribute to the Rotary International for the humanitarian service around the world in general and East African Community region in particular. I beg to move.

**The Speaker:** Seconder? Hon. Zein, hon. Nakawuki, hon. Mbidde, hon. Mumbi. Proceed, hon. Sebalu.



**Mr. Sebalu:** Once again I would like to thank your office and your personal consideration for this matter. Madam Speaker and hon. Members,

*‘WHEREAS Article 7 of the Treaty for the Establishment of the East African Community on operational principles of the Community recognises that the principles that shall govern the practical achievement of the objectives of the Community shall among others include people centeredness*

*WHEREAS Article 5(1) of the Treaty for the Establishment of the East African Community on the establishment of the East African Community further states that the objectives of the Community shall be to develop policies and programs aimed at widening and deepening cooperation among the Partner States in political, economic, social and cultural fields, research and technology, defence, security, legal and judicial affairs for the mutual benefit and*

*WHEREAS the Speaker of EALA addressed a sensitisation workshop of Rotarians on the EAC integration where Rotarians committed themselves to work with EALA in championing the integration agenda*

*NOTING THAT Rotary International is a worldwide organisation of business, professional and community leaders who provide humanitarian service, encourage high ethical standards in all vocations and help build good will and peace in the world*

*FURTHER NOTING THAT Rotary was the first service club and is still the oldest and biggest service organisation in the world with the first Rotary Club having been founded in Chicago USA on February 23<sup>rd</sup> 1905*

*APPRECIATING THAT as of 31<sup>st</sup> March 2013, there were 1.2 million service minded men and women; Rotarians in over 200 countries in the world, 34,380 clubs, 9,899 Rotary Clubs comprising of youth between the ages of 18 and 30 years who constitute 227,000 membership, 15,570 interact clubs, those are students in schools and constitute 350,000 membership with 7,498 Rotary community corp; those are people who support Rotarians in the work and they constitute a membership of 100,720*

*FURTHER APPRECIATING THAT Rotary Clubs meet weekly in local areas across the world with interesting information and programs dealing with topics of local and global importance, membership reflects a wide cross section of community representation and clubs address critical issues at home and broad by providing health care and medical supplies, clean water, food, job training, youth development and education to millions of people in need. Rotary focus areas include water and sanitation, basic education and literacy, peace and conflict resolution,. Economic empowerment, maternal and child health*

*AWARE THAT the Rotary Foundation is an essential arm of Rotary which each year provides some US\$ 100 million for international scholarships, cultural exchanges and humanitarian projects large and small that improve the quality of life for millions across the world*

*FURTHER AWARE THAT Rotary is committed to the Polio eradication and works with national and international health organisations towards the goal of eradicating Polio around the world where more than 1 billion children in developing nations, East Africa inclusive have been immunised against Polio through Polio eradication grants. While Rotarians through their clubs and personal contributions have raised over US\$ 2 billion for this campaign, the initiative of the 2013-2018 Polio eradication and end game strategic plan is worth US\$5.5 billion*

*NOW THEREFORE this Assembly do resolve to:*

- 1. Commend the Rotary International for their drive to provide humanitarian service that includes water and sanitation, basic education, literacy, peace and conflict resolution, economic empowerment, maternal and child health.*
- 2. Further commend the Rotary International for the initiative of the 2013-2018 Polio eradication ND end game strategic plan worth US\$ 5.5 billion.*
- 3. Urges Rotary International to increase the overage of its humanitarian services within the East African region and especially those areas which are in dire need.*
- 4. Commend the District Governor, District 9211, Emmanuel Katongole for his drive to increase the membership of Rotary Clubs in order to widen coverage if its services.*
- 5. Urges the Rotary District 9211 to enhance the partnership with the East African Legislative Assembly in championing the cause of a people centred East African integration.'*

Madam Speaker, I beg to move.

**The Speaker:** Thank you very much, hon. Mike Sebalu. Hon. Members, the motion on the floor is that this Assembly do resolve to pay tribute to Rotary International for their humanitarian service around the world in general and in East Africa in particular. Debate is open. Hon. Sebalu, do you want to give justification?

**Mr. Sebalu:** Thank you very much, Madam Speaker. Like already indicated by the Chair, Council who has already shared my views with regard to these two service organisations; Rotary International and Lions Club International, I do appreciate the work done by both clubs and I do appreciate them but for purposes of this motion, I want to concentrate on Rotary International given that the district governor is also in the House and the work they are doing is commendable.

Madam Speaker, I am proceeding on the understanding that it is always very good practice to acknowledge, appreciate and recognise those that do good in our region and in this case I want to appreciate the work that is being done by Rotary International in all our Partner States. I just want to briefly share with the Members a few of the undertakings that are being made within the region in the interest of time.

You will appreciate, Madam Speaker and hon. Members that our integration agenda is people centred and we need to work in collaboration with all those that play a supplementary role in

ensuring that the welfare of our people is up to date and up to scale. For purposes of this resolution, I have pointed out Rotary International in this regard.

We have various projects that have been undertaken in all our Partner States and I want to begin with the Republic of Rwanda. The biggest public library in that country in Kigali has been put in place by efforts of the Rotary Clubs in Kigali and it has gone a long way in matters of alleviating illiteracy and enhancing education within that country. For purposes of example I am going to pick one from each Partner State.

In Bujumbura, Rotary is doing great in terms of water and sanitation and it has enhanced the welfare and livelihood of the people in that country and they have got projects that are scattered across the country. In Tanzania there are many projects and even in Arusha where we are, at the moment the district governor is going round the clubs visiting many of the projects that are being undertaken but allow me to identify just one. In Dar es Salaam, Muhimbiri hospital the Rotarians have put up a Cancer ward for children and this is also being constructed. It is worth over US\$ 1 billion and just this weekend there is going to be a Cancer run where money is being mobilised for that purpose. In Kenya they are going to build a cancer hospital. They are not even building a ward but they are going to build a cancer hospital, state of the art and a lot of mobilisation is being done to ensure that this is done.

In terms of Polio, the single effort in this regard Rotary has done commendably well and we are so close to the eradication of Polio to the extent that even very powerful foundations like the Bill and Melinda Gates Foundation have partnered with Rotary International to work towards the move to eradicate polio on the globe.

So in the interest of time, I just wanted to mention these highlights but they are so many in areas of water and sanitation, in empowerment of women with microfinance, in areas of education, in areas of conflict resolution and peace building. So basically these people are doing a great job. They are within our communities, they work within our countries and capitals and as a regional assembly, the best we can do is to associate with their cause and ensure that we support them and appreciate what they do.

Madam Speaker, you will appreciate that in Uganda there was a sensitisation workshop that was organised by a Rotary Club and that is the Rotary Club of Bukoto who organised business and professional persons, about 400 of them and these are opinion leaders within Kampala. They invited you, Rt. hon. Speaker to address them on issues of East African integration because they believe that the people are the beneficiaries of the integration agenda and they need to play their part in ensuring that they make a contribution.

You may remember, Madam Speaker that they volunteered and pledged to work with EALA in matters of sensitisation and other areas where they can be found appropriate to ensure that they complement this effort. So they reached us out and that is what responsible service minded people are.

So Madam Speaker, I just want to close my submission by saying that they are worthy of our association, our support, recognition, appreciation and acknowledgement. Madam Speaker, I beg to move.

**The Speaker:** Thank you very much, hon. Sebalu.

**Mr. Zein Abubakar (Kenya):** Thank you, Rt hon. Speaker. I will be short. I would like to appreciate and commend the work of Rotarians in the East African regions particularly in terms of local philanthropy. There are many people who feel that giving is a foreign ideology but it is not. Rotarians have done a great deal in mobilising local citizens in the East African region to participate in giving and providing service but also in providing solidarity with those who are less fortunate in our society.

I would also like to commend the work that is being done by Interact Clubs among students in terms of building discipline and also growing a culture of giving back to society.

I would also like to challenge Rotarians including hon. Sebalu who is a distinguished Member of this House to do more. For the past years, we as a Community have not been able to fund to the extent that we would wish to especially the social sector. Always in our budgetary processes, the social sector is demanding more. The role that can be played by service clubs and those who are able to mobilise, not only international resources but local resources and getting local citizens interested in the integration process would be – (*Inaudible*)

**Ms Byamukama: - (*Inaudible*)** - or more years. I have not been recruited into this particular family but now I am fully convinced. Therefore his point on number four, which is to increase membership, is well taken. I am looking forward to an EALA Rotary Club in a short while which I hope we shall all subscribe to.

Secondly I would like to make note of this new way of doing things which I believe will take us far because when you make partnership with entities like Rotary Clubs, it has a multiplier effect. Therefore maybe we should also look to partnering with other entities like Red Cross which do this kind of noble work so that we do not seem to be singling out Rotary Club since I believe it is also non-partisan. I think it is a noble aspect that has been brought to the House and therefore I look forward to other entities being brought on board.

Finally, I would like to pay tribute again on the issue of number four and this is in respect of Mr Emmanuel Katongole for his drive to increase membership. He actually happens to be my neighbour in Kampala and I would like to say that the work he has done in Uganda, especially in the area of Quality Chemicals whereby there are drugs for malaria which kills hundreds of people every day in the East African regions and these could be over 500 because I know for a fact in Uganda we lose about 134 or so and therefore I would assume that if you multiply this by five countries, we lose over 500 people.

So this work is highly commendable and I believe that the fact that he is a district governor will definitely yield a lot of positive results as well as banking on the fact that he has also produced some drugs which assist in alleviating the impact of HIV/AIDS on people.

Finally, I would like to thank you again, Rt hon. Speaker and as I said before, I hope that hon. Sebalu will take this particular motion further by recruiting more members and as I said, I will gladly be part of this team. I thank you again and I beg to support the motion.

**The Speaker:** Thank you, hon. Dora.

**Ms Nancy Abisai (Kenya):** Thank you very much, Madam Speaker. I rise to support this very important motion and to say just briefly that the number one thing is that the East African Community is considered developing countries and the work of Rotarians can therefore not be ignored when we are talking about development agenda especially in the areas that they have supported; water and sanitation, basic education and literacy, peace and conflict resolution, economic empowerment and also maternal and child health.

I want to say therefore that I hope the Rotarians will not get tired especially now within the region where there are some countries which have been given an alert of a polio outbreak. This is a serious one and I would like to then say that in recommendation three, I wanted to urge the mover of the motion, apart from just saying 'especially those areas which are in dire need' to make special reference to refugee camps because there is a lot of disease outbreaks in refugee camps and I think they need a lot of assistance.

Thirdly, I would also like to say that apart from just the state of the art heart clinic, the Rotarians are also doing a very commendable job in the areas of diabetes, youth and women empowerment and also the spinal injury centre that was being developed. It is actually being supported a lot by Rotarians. It has actually realised a lot of resources and support from Rotarians but please let us not forget the outbreak of Polio and see what we can do about it.

With that Madam Speaker, I beg to support. Thank you.

**Mr. Fred Mukasa Mbidde (Uganda):** Thank you very much, Madam Speaker. I equally second the motion. Madam Speaker, I also reiterate thanking the District Governor under number four for the work done.

Madam Speaker, it is not because, considering our cultural background he is my brother as a clan member, but I appreciate that we belong to the same DNA of conviction that the EAC-

Hon. Dora, that the complementary approach by Rotary to the aspirations of the Community especially in as regards promotion of the human resource here in the East African Community Partner States should be equally and continuously and interminably thanked that Rotary should generally be thanked continuously for purposes that you have illuminated the course of the EAC in terms of this endeavour which is our aspiration.

Madam Speaker, we thank Rotary. Just like hon. Dora, I have not also been ambitiously recruited in this endeavour but I fell that I am now filled with the necessary capacity and urge to quickly join. But Madam Speaker, we must commend especially in as regards the contribution of the Rotary to peace. Rotary contributes to peace in all the regions in a different manner from what politicians do. For them they believe that peace is not only the absence of war and provision of social services is exactly another complementary procedure towards illuminating peaceful

endeavours in Partner States and we thank Rotary for having continued to provide such services that are required within the state parties and Partner States depending on the regions we are talking about.

Madam Speaker, in respect to the EAC, we thank them for what they have done. The contribution in terms of provision of shelter- Madam Speaker, shelter has been defined as a right but which usually is not out rightly provided for in many treaties, constitutions and laws but generally taken as the right to property. But shelter, Madam Speaker, is one of the other aspirations of peoples that Rotary Club has generally made to come to be achieved and I think we must continue to thank them.

We continue, just like the mover of the motion has done, to urge them to continue doing the good work and even multiply the urge and strength which they have been using. Madam Speaker, we believe that when you are being chased by a fierce wild animal, the question of speed governors cannot arise. In the same vein, we continue to urge, because of the problems we still have in the EAC Partner States in the provision of services for which Rotary Clubs have been a protagonist. We urge you, Governor to continue and do the same for posterity of the EAC. We thank you and I support the motion.

**Mr. Abubakar Ogle (Kenya):** Thank you, Madam Speaker. I also wish to associate myself with the sentiments of support from my fellow colleagues. I also appreciate and recognise the extensive community and humanitarian service that has been rendered by Rotarians over the years. Very briefly I just want to say that Rotary Club, by virtue of the fact that it has the word 'club' after it, evokes certain emotions. I can tell you honestly when I was in college earlier the perception we had about Rotary was that it was an exclusive clubs of Indians sitting somewhere in Nairobi Jimkana or Parklands or something and maybe contributing to the changes of their dinners, maybe just take this to the poor guys out there.

For a long time, that was my impression of Rotary Clubs, that this was a rich man's club, an exclusive club. It was detached from the base. I say base to mean Rotarians have not been where help was required most in the rural areas where my sister Bonaya and I come from in the North, we have never heard of Rotary Club, we have never seen them there. They talk about their- I expect to see Rotary Club dirtying their hands, not only in Northern Kenya but in Turkana, in Karamoja and just leave the cities. Unless that happens, we will continue perceiving Rotary and Rotarians as that exclusive club. It is my wish that the mover, as a leading Rotarian, is able to communicate that position. Thank you, Madam Speaker.

**The Speaker:** Chairperson of Council, who I know is also a distinguished Rotarian.

**The Minister of State for EAC Affair, Uganda and Chairperson, EAC Council of Ministers (Mr. Shem Bageine):** No, I am not a Rotarian, I am a Lion. Madam Speaker, I would like to thank Rotarian Sebalu for bringing this motion to this House. Quite often we see people working for us and we do not appreciate the kind of assistance they give to our populations.

I would like to defer from hon. Ogle that even if the Rotarians were giving service in cities and so on, it is still a service to our people. But what I do know is that efforts have been made for the service clubs to go up country and set up clubs that can help to assist our people.

One important aspect that we must note is that our governments do not have enough resources to provide the health services that we always commit ourselves to. Therefore the coming in of Rotarians and indeed my own club, Lions International, is a recognition that government cannot reach everybody and they fill that gap and I want to commend them for this very noble effort.

Madam Speaker, I would like to urge Members of this august House to lead by example and join any of these organisations and through them, help our people. It is not good enough for us to come here and speak eloquently and then we go home and do nothing. I think we must lead by example and I would like to see each one of us join these service club organisations and together we help the less fortunate members of our community including the rural areas that hon. Ogle was talking about.

With these remarks, I support this motion and commend the work that Rotarians are doing within our Community. I thank you.

**The Speaker:** Thank you very much, Chair Council. I now invite hon. Sebalu to reply.

**Mr. Sebalu:** Thank you very much, Madam Speaker for your indulgence and I would like to thank all the Members who have contributed including hon. Ogle for his view. I think it has been very well answered by the Chairman, Council of Ministers. One thing that I want us to appreciate is that Rotary is making its contribution so the question would be, what is your contribution? For them they have made theirs. What is yours and if you answer that in the affirmative, that would be a good collective effort/.

The clubs may operate in the urban areas but the services and the projects that they undertake are within rural areas and in communities. I just want to give an example of Arusha, which is definitely not Dar es Salaam but there are clubs here which are serving the neighbouring rural areas in terms of water and sanitation, in terms of health, education and other projects around this community.

Allow me, Madam Speaker, to appreciate the effort. I have talked to a number of colleagues about my Rotary interests and I want to declare that there are two members from Tanzania who have already indicated to join Rotary and these include hon. Shy-Rose. She is identifying a club in one of the clubs in Dar es Salaam and hon. Mwinyi has also indicated to do so. My friend hon. Kidega has identified a club in Uganda in Ntinda and he is working out modalities of joining. So we really need to embrace this because then we will be leaders who are leading from the front.

To say that Rotary Club is for rich people- I do not consider myself a rich man, definitely I am not. But I want to declare that out of my small savings- In Rotary there is what we call Paul Harris fellow. This is someone who has made a contribution of a thousand dollars towards the Rotary Foundation, which foundation then returns this money to help our people. This humble Mike of yours has made a contribution so far of US\$ 10,000 to that foundation. Within our own Rotary nomenclature, I am referred to as a major donor. (*Laughter*) But I am just a simple EALA

Member earning very marginally and surviving marginally but it is not about the money. The richness is in the heart, it is not in the bank balance because I know when I look around, there are guys who can donate that as loose change given their bank balances. So it is in the heart.

Madam Speaker, I just want to close by saying that this is for professional and business leaders and when I look amongst all the EALA Members, you are either top professionals or top businessmen. Actually you are a combination of the two so you are over qualified. You should join this and be part of taking humanity to another level.

Finally, we operate on what we call the four-way test. Listen carefully to what it says. In everything we think, say or do, first, is it the truth? That is a question we keep asking ourselves as Rotarians. Second, is it fair to all concerned? That is the second question. The third is, will it build good will and better friendship? That issue you are thinking about or which you are doing, will it build good will and better friendship? And the fourth is, is it beneficial to all concerned? Now who among you would not want to be associated with such a philosophy and make your contribution to humanity?

With that Madam Speaker, I beg to move and I want to thank all the Members who have made contributions in support. Even those who have raised issues, those are issues that we need to look at as Rotary. Maybe we have not explained ourselves well, maybe we have not packaged ourselves well but the issue is that the work of Rotary is aimed at helping the plight of the poor amongst the poor and in all situations.

When we had a problem after the Kenya elections in 2007, actually Rotary as a service organisation came out in full swing and took a lot of supplies to the Rift Valley. They took supplies of all requirements and these are clubs from Tanzania, Uganda, Rwanda and Burundi. They were all available to identify with the plight of the people then who were displaced and were suffering.

So it is a well-intentioned organisation, it is for good purposes and I want to close by inviting all of you to join the nearest club in your area of residence or even in Arusha because you can join any club either at your place of work or at your place of residence. Madam Speaker, I would like to thank you for this time and to thank all Members for their indulgence and their involvement and the interest they have displayed in supporting this motion. I beg to move.

**The Speaker:** Thank you very much, hon. Sebalu for this very important motion. Again I want to recognise and welcome Mr Katongole for the work you have done and the Rotarians who are in the gallery.

Hon. Members, the motion on the floor is that this Assembly do resolve to pay tribute to Rotary International for their humanitarian service around the world in general and East Africa in particular. I now put the question.

*(Question on motion put and agreed to.)*



**MOTION FOR A RESOLUTION OF THE ASSEMBLY URGING THE EAC PARTNER STATES TO PROTECT THE AFRICAN ELEPHANTS FROM INDISCRIMINATE KILLING FOR THEIR IVORY**

**Mr. Abubakar Ogle (Kenya):** Thank you, Madam Speaker. I beg to move a motion for the resolution of the Assembly urging the East African Community and Partner States to take urgent concerted action to end the slaughter of elephants for trafficking of ivory. Madam Speaker, I beg to move.

**The Speaker:** Seconder? Hon. Nkanae, hon. Taslima, hon. Murunya, hon. Leonce, hon. Patricia. Hon. Peter Mathuki. Proceed, hon. Ogle.

**Mr. Ogle:** Thank you, Madam Speaker. Ever since this motion was mooted, some fundamental developments have happened in the region. One, the Tanzanian government through its Ministry of natural resources and Wildlife has indicated that they were going to use the armed forces of the United Republic of Tanzania to combat poaching. That is a very positive development.

Secondly, the Kenya Government embarked on a major campaign against poaching and the one program that was rolled out through the First Lady of the republic of Kenya, Ms Margaret Kenyatta is a program called Hands off our elephants and it is doing very well.

Thirdly, as I speak, the President of the Republic of Kenya is on a state visit to China and one of the issues on the agenda, which he discussed with the Chinese authorities, was on wildlife protection. I am glad to say here that the Chinese Government have since committed huge resources in helping our Partner State called Kenya-

**The Speaker:** Hon. Ogle, I am constrained. I think you should be reading the motion. Read the motion so that eventually during your justification you can give us this information.

**Mr. Ogle:** Thank you, Madam Speaker.

*'AWARE THAT the East African elephant population is gradually declining as a result of indiscriminate poaching for their demands and if not checked, it will lead to their gradual disappearance and therefore a decline in the economic and heritage value of the EAC Partner States and even beyond the African continent*

*RECALLING THAT this Assembly has previously adopted resolutions and enacted the EAC Eco Tourism Bill in support of wildlife and heritage conservation*

*CONCERNED THAT the crisis is unprecedented, coupled with escalating international demand for ivory with highly sophisticated criminal network against a background that the EAC Partner States Wildlife Authorities are insufficiently funded to carry out their activities and to motivate their staff at all terms*

*DEEPLY CONCERNED THAT investment in wildlife law enforcement in the region is already inadequate for existing threats and entirely inadequate for dealing with emerging threats as a result of the increase in and sophistication of criminal cartels and poaching networks and the*

*trafficking of ivory in the region could only occur with high levels of corruption and impunity which in itself is facilitated by the weak laws of our region*

*DEEPLY CONCERNED THAT the EAC regions especially in Kenya, Uganda and the United Republic of Tanzania has become a source of illegally trafficked ivory or is a major transiting country for ivory from other countries and represent at least 64 percent of the total volume of ivory seized around the globe*

*DEEPLY CONCERNED THAT the local, regional and global levels, ivory is being exchanged for money, weapons and ammunition that support local and regional conflicts capable of disrupting entire communities and more so their economies and eco systems which will in turn undermine the individual security*

*FURTHER CONCERNED THAT the experimental one off sales of ivory have triggered renewed demand for ivory in China that are fuelling the slaughter of elephants across Africa and as the demand for ivory in Asia exceeds the supply causing the price of ivory to rise exponentially and thus it is the driving factor in the killing of elephants across Africa*

*RECOGNISING THAT no African elephant is immune to the on-going slaughter of elephants to feed ivory demand in the Far East and that any workable solution to the crisis facing elephants must involve a coordinated effort by the government of elephant range states transiting countries and demanding countries*

*NOTING THE FACT THAT the EAC region has a global responsibility to help the decline of elephants; The decline of elephants prior to 1989 was halted through the leadership shown in the East African region calling for a worldwide ban on internal trade in ivory*

*FURTHER NOTING THAT the global ban of trade in ivory resulted in a decline of demand and recovery of elephant populations across the continent*

*WELCOMING the creation of the International Consortium for combating wildlife crimes involving UNEP, Interpol, the Lusaka Task Force, World Customs Organisation, the World Bank and other efforts of international conservation caucuses and*

*COGNISANT THAT clear targets have been identified and agreed to by local and international agencies which if implemented, effectively can reverse this trend. We also realise that the Rio plus 20 conference on sustainable development, the national and regional economic and social council commitments of the various Partner States, elephants in the ... rapid response assessment, recommendation for action by UNEP, CITUS, IUCN traffic and note with appreciation the recommendations of the UNEP report CITUS African Action Plan submitted by the African Elephant reinstate in 2010, the UNEP Global Initiative for illegal trade and wildlife and timber*

*COMENDING the United Republic of Tanzania and the Republic of Uganda for enacting new legislation which elevated penalties for wildlife crimes in response to the crisis facing elephants*

*CONGRATULATING the United Republic of Tanzania, a party to CITUS for withdrawing its proposal to down list the elephants from appendix one for consideration at the 16<sup>th</sup> Conference of the parties*

*NOW THEREFORE that this Assembly do resolve as follows:*

- 1. We affirm our commitment to protecting the wildlife of the region as our sacred duty for this and future generations.*
- 2. We strongly condemn those threatening our wildlife by organising or engaging in acts of poaching and illegal dealing of ivory and other wildlife products.*
- 3. The EAC Partner States be urged to recognise elephant poaching and ivory trafficking as a national and regional crisis and as an economic crime.*
- 4. We strongly urge the EAC Partner States to enact, harmonise and comprehensive legislations that...*
- 5. That Partner States scale up engagement with regional and global enforcement agencies in order to crack down on key cartels and continue to use the service provided by LITF, International Consortium and in combating wildlife crime UNODC, CITUS, Interpol, World Bank and the ... foundations*
- 6. The EAC Partner States to cooperate to identify wildlife crime hot spots and conduct coordinated investigations and undertake joint crackdown on corruption and any other corrupt tendencies that abate poaching of elephants for their ivory.*
- 7. The EAC Partner States do adopt ivory crisis outreach campaigns to educate major stakeholders including customs officials, revenue authorities, the Police, transporters, Judiciary, air and sea ports, general public, those with permits, tourists and other targeted communities.'*

Madam Speaker, I beg to move.

**The Speaker:** Thank you very much, hon. Ogle. Can you move to give justification for your motion?

**Mr. Ogle:** Madam Speaker, in view of the interest this motion will generate from Members, I have asked my colleague and friend, Mr Peter Mathuki to second the motion and give that justification and then I will respond to the Members later. Thank you.

**The Speaker:** I can see a new approach to our rules but hon. Peter Mathuki, you can proceed.

**Mr. Peter Mathuki (Kenya):** Thank you very much, Madam Speaker. Let me, right from the beginning support the motion and also Madam Speaker, congratulate you personally for hosting, in the last two days, a very successful conference of the Global Parliamentarians on Habitat. I think such conferences assist us not only in building our capacities but also assist us to interact

with our colleagues from other partners and of course discuss matters that are very important to citizens. *(Applause)*

On that note, Madam Speaker, I congratulate you and of course my colleagues, Members of this Assembly for actively participating.

Madam Speaker, the motion does not need us to belabour much because we all know in most of the Partner States of the EAC, tourism is a key foreign exchange earner and therefore it becomes very important for all of us to passionately protect our resources within the region to ensure that nobody in anyway would want to mess with them. I think it is very important and therefore encourage other Partner States in the region to follow the government of the United Republic of Tanzania and the Republic of Tanzania in terms of legislation in reaching or putting legislation that would obviously support these efforts because it is very important.

History will judge us very harshly if during our time as legislators we do not do what is right and what is just and therefore it is very important and what we are supposed to do is to encourage and promote legislation that protects our resources within the region.

In the interest of time, allow me to support this motion so that I give room to others to support. Madam Speaker, allow me to say something. I am heavy at heart as a Member of this august House. I say so because as I came into this House today, and having been on break for the last two or three months, integrity of this Assembly has been put at stake. It has been put at stake if the reports we have been reading in the media is anything to go by.

Madam Speaker, as Members of this Assembly, we swore and we are duty bound to protect, defend and uphold the integrity of this House and of course the Treaty.

When we read in the media and we hear our constituencies; citizens of East Africa put serious questions on our integrity as Members and question our cohesiveness as Members of this Assembly, it is very worrying and that is why I thought, Madam Speaker I must put this for purposes of records and therefore, Madam Speaker say that it is fair for all of us as Members to admit that business may not be as usual simply because all of us the issues that we raise and if at all we mean business and we are talking of integration and saying that our duty is to drive the EAC agenda-

**The Speaker:** Hon. Peter Mathuki, whilst the reasons and the concerns are very pertinent, I think it would have been proper for you to move either through a motion so that we are able to have the opportunity to debate and reflect properly on those issues. They could even have come as issues of public interest or as issues of personal explanation. But as it were, I think let us dispose of this very important motion so that it is not derailed with yet other very important issues. So I beg that we confine ourselves to this motion and then later on at an appropriate time, you can actually bring your motion and we debate on the issues you are bringing to the fore. So conclude.

**Mr. Mathuki:** Much obliged, Madam Speaker. I only felt this because it is a matter of public importance that I felt I should, for the love of the Assembly, Madam Speaker.

**The Speaker:** Hon. Peter Mathuki, you have been guided by the Speaker so-

**Mr. Mathuki:** Madam Speaker, then I will conclude by saying that it is very important for this House to stand firm and support any legislation in our Partner States that promotes to protect the resources but at the same time ensure that we all protect the integrity of the House. Madam Speaker, I support the motion.

**The Speaker:** Okay, I will take hon. Murunya.

**Mr. Bernard Murunya (Tanzania):** Thank you, Madam Speaker. I rise to support the motion. Fortunately I have been in this industry for quite long and I know how the wildlife is really suffering from poaching.

Tourism in East Africa is mainly wildlife based so it is important and paramount that we protect these elephants so that we can boost our tourism industry in East Africa.

Madam Speaker, I do know that there is in existence a joint patrol system between Kenya and Tanzania to protect these animals; elephants, Rhinos and what have you but despite these efforts, poaching has been on the increase. So it is important and paramount that we have some mechanism of trying to protect these very important elephants that bring in foreign earnings for our countries.

Madam Speaker, I recently read in the media that during the last CITUS meeting, the East African countries that is Tanzania, Kenya and Uganda have been given time to come up with proposals and plans of how they think they are going to combat poaching. So if this international organisation finds out and sees that poaching is on the rise in East Africa, it is important that we people in the region work hard to see how we can help our Partner States to make sure that poaching is reduced. I support the motion, Madam Speaker.

**Ms Patricia Hajabakiga (Rwanda):** Thank you, hon. Speaker. Let me also thank you for the very well concluded conference on GPH which we had yesterday and also concur with hon. Shy-Rose that we are sitting for the first time officially in our Chamber hoping that next time when we sit here, we will have those screens which they promised because when you announced the people in the gallery, we were unable to see them. So I hope those screens will be availed by that time.

I stand to support the motion and I want to refer Members to Article 116 of the Treaty on wildlife management and it reads as follows, “Partner States undertake to develop a collective and coordinated policy for the conservation and sustainable utilisation of wildlife and other tourist sites in the Community. In particular, the Partner States shall harmonise their policies for the conservation of wildlife within and outside the protected areas.’

I just wanted to quote that. Therefore, this motion is very important especially in the absence of the policy. I want to thank hon. Ogle for bringing this important issue. If you may recall, Rt hon. Speaker, the Second Assembly did attempt to introduce a Bill and actually passed the Bill on tourism and wildlife management. Unfortunately, I do not know its fate today.

We all know that all the Partner States have ratified the bio-diversity convention and other related instruments like CITES and others which have been mentioned in the motion. We also

know that the EAC is rich in bio-diversity, and probably the richest in the whole of Africa if you compare with other regions. Therefore it is prudent that we actually protect these resources especially those which are in danger of extinction.

Let me say also, as hon. Murunya has pointed out, almost all our countries depend on conservation tourism as a result of this very important habitat for wildlife for our foreign exchange earnings to support our economies. Therefore, it is so critical that they are protected.

I am here to support the motion but I have two amendments to the motion. One is on the title if the hon. Member would agree that we add 'resolution of the Assembly urging the East African Community and Partner States to take urgent concerted action to end the slaughter of elephants for trafficking of ivory and protect other endangered species'.

I am raising this because we have others. We have the rhino, which is almost at the verge of extinction, we have very few remaining. We have the mountain gorillas which we find in Uganda, Rwanda and DRC, they are the only ones in the world so I thought if we can just add a little bit on the title so that it also includes other endangered species, we would have made our motion richer.

In my second amendment, I would wish that on page two, third paragraph where it says, 'further concerned that the experimental one off sales of ivory'. I am afraid to mention a country; China, Asia or wherever when we do not have data and we do not have substantiated records and information on whether China is the one which is making this whole issue in the world or in East Africa. So I would wish that we remove that paragraph as it does no harm on the motion but it will make our lives safe because this resolution goes everywhere and we may not want to have a fight with the Chinese for a reason which does not add nay value to our motion.

Thank you, Rt. hon. Speaker. If the mover agrees, I would wish that we have those two amendments. Thank you.

**The Speaker:** I will have hon. Nkanae. I request that if you are a bit brief then we shall be able to take as many members as possible.

**Mr. Ole Nkanae (Kenya):** Thank you, Rt. hon. Speaker. I will be brief. One, may I thank my colleagues particularly hon. Shy-Rose Bhanji and hon. Hajabakiga for having recognised this new facility and thank those who made the effort and for also mentioning what we underwent in Nairobi as a result of the disaster in our airport and for also mentioning that element of China.

Our President yesterday was given over US\$ 400 billion to make roads and electricity so do not endanger that.

Madam Speaker, may I thank my fellow nomad and pastoralist, hon. Ogle. As pastoralists, we do not kill animals unnecessarily, not even eating that wild beef. For your information ladies and gentlemen, I want you to know what an elephant is. An elephant is next to us in the lineage of evolution is number three next to the apes, who are number two in terms of evolution; those of us who believed in some science. I am a biologist, a zoologist and botanist.

The elephant is the largest mammal that roams this earth. It is only challenged by the whale which swims in the high seas. Why do I say this? The elephant is a very intelligent animal and it was seen in India in this century when there was a tsunami. A day before the water hit the coast of India, there was an epi-centre of volcanic activity in the Indian Ocean and the elephant moved to the hills because they detected that and they knew the waters would come. People were surprised that the animals had gone to the hills and the following day there were no homes.

The same animals we call *odontoid africanansis* because of those tusks, which have become their evil. For your information ladies and gentlemen, as I said it can help us detect calamities beforehand. As Masai, during a long drought and you see elephants come out of the forest, go and bring your animals wherever you have taken them because the rains are coming and it will happen.

The same animals make sure they weed the forest so that we human beings who are weird introducing fires cannot burn. Natural habitat, they do it. We do not know why they know that human beings may burn and they are in the forest during the dry season.

Madam Speaker, this animal is related to an animal called a mammoth which grew extinct in the earlier centuries when human beings- I read in history where they were saying early man made a home in a cave and the animal in the neighbourhood was a mammoth, a relative of the elephant. Are we prepared to see the animals which were 16 million in the 18<sup>th</sup> century, roaming the Sahel which has now been claimed by the Sahara desert up to Kruger Park and they are in thousands. To be specific, I think they are hardly 30,000. I am saying this because most of our people, particularly in the county where I come from depend on these animals to educate our people, particularly those who have gone to the university. So the extinction of this elephant or the lion is a threat to our human race.

Ladies and gentlemen, are we prepared to have our children know that there was an animal called an elephant or a rhino in the past and it has become history? It has been obliterated on the face of this earth. I am begging that we pray and preach to our governments to make sure whatever remains in the parks and in the zoos are retained and they make them produce more.

Madam Speaker, as I conclude, this same animal- As I said our ladies if you have never seen the elephant, they have their mammary glands where yours are and they mourn the dead by producing tears and they bury by bringing branches and putting them there. So sympathise with that animal as your relative. So I support the motion, Madam Speaker.

**The Speaker:** Thank you very much, hon. Nkanae.

**The Counsel to the Community (Mr. Wilbert Kaahwa) (Ex-Officio):** Thank you, Madam Speaker. While standing to support the motion, ably moved by hon. Abubakar Ogle, let me observe that there is a recurrent fibre in the motion's eloquent prose in the sense that in the preambular paragraphs, the motion seeks to enhance awareness of the adverse effects of poaching and in the penultimate paragraphs, the motion seeks to emphasise the need to redress the situation.

It is in this regard that I was enthused when my honourable friend Patricia Hajabakiga cited a relevant provision of the Treaty which gives emphasis and strengthens this motion. With your permission, let me read it out because it is one of those provisions of the Treaty that are not very lengthy. Article 116 provides for wildlife management:

*“The Partner States undertake to develop a collective and coordinated policy for the conservation and sustainable utilisation of wildlife and other tourist sites in the Community. In particular, the Partner States shall:*

- a) harmonise their policies for the conservation of wildlife – underline the words conservation of wildlife - within and outside protected areas.*
- b) exchange information and adopt common policies on wildlife management and development – underline the last four words; wildlife management and development.*
- c) coordinate efforts in controlling and monitoring encroachment and poaching activities- underline the words encroachment and poaching activities.*

Let me also point out, Madam Speaker, for the benefit of this august House that the East African Community Development Strategy 2011/2012 to 2015/2016, in the priority area number three to be addressed by the Partner States during this five year period, there is reference to adoption of a regional approach in the protection of wildlife resources from illegal use and practice. I am citing these provisions and going a little bit beyond what hon. Hajabakiga did because they give emphasis. They strengthen the usefulness and importance of this motion. Therefore Madam Speaker, given that background and taking into account the running approach on dealing with poaching, I would suggest an amendment to the motion.

My amendment is meant for purposes of strengthening the very basis of the motion. I therefore suggest that as a second preambular paragraph, we have a paragraph which starts, “Aware that the East African elephant population is gradually declining...” I am now proposing an amendment which takes into account the relevant provisions of the Treaty and those of the development strategy to state as follows: ‘Further aware that the East African Community Partner States are, under Article 116 of the Treaty for the establishment of the East African Community, obliged to collectively and coordinate efforts in controlling and monitoring wildlife encroachment and poaching activities;’

I suggest that amendment and improvement for purposes of strengthening the basis for this motion. Madam Speaker, I support the motion.

**The Speaker:** Thank you very much, hon. Kaahwa. The next is hon. Taslima. I encourage you to be brief as this motion seems to have attracted a lot of interest among the Members and I wish to give them chance.

**Mr. Twaha Taslima (Tanzania):** I thank you, Madam Speaker. I am always brief as you know so today I am going to be briefer. Madam Speaker, I commend hon. Ogle very much for this important motion. I also would like to propose an inclusion at least of a rhino because I do not have statistics with me here but as we all know, the rhino has faced almost extinction in parts of



Africa, so much so that we must be showing our great concern over this. So I would like to propose that if Mr Ogle would be ready to do that; at least the two animals be mentioned in this proposal.

The second one is at the heading and inside there especially on page two where it starts with 'further concerned'. We have the word 'slaughter'. I am a bit disturbed about the word 'slaughter' because slaughtering an animal is something, which is good and allowed so I would go for killing other than slaughtering because in some of religions you cannot eat the meat of an animal unless it is slaughtered. Now if we are talking about slaughtering elephants, it is like we want to eat them. Therefore it should be killing rather than anything else.

Another one is on page two, the third line from the top. We are talking of having weak laws in our region but at the same time, we have commendations on page three where we commend United Republic of Tanzania and Uganda for the good enactments that have elevated penalties for wildlife crimes. Instead of having the words 'weak laws in our region' we better say 'weak laws in some of the Partner States in the region'.

Lastly Madam Speaker, on page four resolution three, we are saying 'the EAC Partner States be urged'. We better do it the way it has been done in number four where we say 'we strongly urge' rather than 'the EAC Partner States be urged' because there is nobody else to urge them, it is for us to urge them. Therefore the way it has been written in number four should also be written in number three. I thank you, Madam Speaker and I hope I have been brief.

**The Speaker:** Thank you very much.

**Mr. Leonce Ndarubagiye (Burundi):** Thank you very much, Rt hon. Speaker for giving me the floor. I wish to commend our good friend, hon. Ogle for tabling this motion. I am one of those witnesses of extinction as our friend hon. Ole Nkanae said. When I was young, I saw one or two lions in Burundi, I saw elephants and leopards. Today I can go all over Burundi with my son and he will never see such a thing. It is extinction.

So this has happened there and it can happen anywhere if it is allowed to kill or massacre all over the country as it has been. During the colonial times there was no conservation policy and wild animals were hunted as free game.

I also wish to say that sometimes in a small country like Burundi or eventually other countries of the same size, the demography can also be a reason for either extinction or immigration of the animals. When I was a young boy in Burundi we were maybe one and a half million. Today we are almost 10 million. I wonder if there can be a place for a wild animal today. When you compare with a country like Denmark which you know very well, in the 1900s they were four million. In 2000 they were 5 million. You can imagine the difference.

Rt. hon. Speaker, let us do everything we can to stop this extinction or poaching of our animals and let us be very cooperative to all of us the five countries so that we stop this slaughter. Thank you very much.

**The Speaker:** Thank you.

**Mr. Abdul Karim Harelimana (Rwanda):** Thank you, Madam Speaker for giving me this opportunity. I take this chance to thank our brother hon. Ogle for coming up with this motion and I support the ideas brought by hon. Patricia.

I may look nostalgic but there is an African saying that if you do not talk to your father, you will never know what your grandfather did. Of course we build on history to know where we are and to go ahead with modernisation and development.

Madam Speaker, in the early '60s, there was a forest in the area called Bugesera in Rwanda where elephants were a big population there. In Northern Rwanda as you go to Gisenyi, in between Ruhengere and Gisenyi, forests and volcanoes used to cross the road up to Lake Karago. It is no longer there. Elephants were so many in that area. Now in the whole of the country, we count only slightly above 100 elephants.

You can imagine where we had thousands, now we count a small number above 100. All of this is not only by poaching but also sometimes it involves some government agencies. Poachers are very greedy, they want money, they want to sell but how do they get out of the country with these tusks; the ivory? We have borders, customs, revenue authorities and security people and immigration. We have all of these at the borders and our ivory is still taken out. Why? Is it because these people are not aware of what is going on? I fear that there is some kind of corruption which takes place and that is why we will continue to see this bad behaviour continue to happen.

My humble request is that as we are debating this issue here in the House and as we are urging the Partner States to take proper action to see that we can at least stop it where it is today, we also need to sensitise these government agencies to do their work properly.

Madam Speaker, in short I beg to support the motion.

**The Speaker:** Thank you.

**Mr. Adam Kimbisa (Tanzania):** Madam Speaker, thank you for giving me the floor and I want to sincerely thank my friend hon. Ogle for bringing this timely motion. I rise to speak on this particular issue with a lot of passion and therefore I declare my interest that I was born under the foot of an elephant, grew with them, sometimes I fought with them because they would come to destroy our crops and other times I was in their way as children.

Madam Speaker, elephants are a symbol of Africa, not only for East Africa but the whole of Africa. Elephants do attract tourists all over the world and therefore are a source of income. Of course that income is used to eradicate poverty in our countries and who knows, some of the income might have been used for the furniture we are sitting on. Of course the money which goes to the poachers does not find their way to these facilities. The money which is paid by tourists finds its way to our region and to our people.

Madam Speaker, it is also true that the number of elephants is dwindling day after day, more and more. In business there is a value chain and a linkage because a buyer cannot do without the poacher and the poacher cannot do without – *(Interruption)*–

**Mr. Sebalu:** Thank you very much, hon. Kimbisa for giving way. In support of the idea you are putting across, one time I was in Dar es Salaam and I was in the company of a prominent business person, one of the people of an Indian group- the Chief Executive of Toyota in Dar es Salaam. He told us a very interesting story. In China there has been a strong lobby group to de-campaign against the use of ivory so that the market is not enhanced. What was interesting is that there is another lobby group which keeps on packaging information regarding the elephant to the effect that elephants shed their ivory seasonally like the trees shed leaves and they were trying to counter that by saying that they shed ivory to give an impression that some of the ivory taken is not from killed elephants but it is shed. So you can imagine how far it can go for people to justify their trade.

**Mr. Kimbisa:** Thank you very much, Madam Speaker. I think that is a very good piece of information and I think my minutes have not been taken by him.

Madam Speaker, with this value chain of poachers, transporters and buyers, there are those within our means. Let us deal with the poachers, they are here with us. Poachers and collaborators are within the region, they are within our means and we can deal with them squarely. The governments can deal with them squarely.

Also the transporters are from within not from without. We can deal with them within the region either with laws or whatever. The buyers are equally to be condemned and they are from without but of course we shall need an international community to deal with them from our own pushes and efforts.

Madam Speaker, I really appreciate and support the motion. On a very light touch and off record, the mover of the motion targeted the Chinese as big buyers but conveniently he forgot that his tribesmen are the big poachers also but he did not mention them. Otherwise I support the motion, thank you very much.

**The Speaker:** Thank you very much, hon. Kimbisa. I know very well that hon. Nkanae was very informative on the tribes people of hon. Nkanae himself and hon. Ogle. So I think we will deal with that as a way of proceeding that we want to protect these animals.

Hon. Members, I want to draw your attention to Rule 12(1) and say that I want to start limiting the time considering that we are soon getting out of time. In that regard I will just give the floor to hon. Kizigha, hon. Kessy and hon. Kiangoi will end in that line so that we are able to see how we conclude this day. I have caught the eye of hon. Shy-Rose and hon. Zein but bear with me in lieu of Rule 12(1). Thank you.

**Dr. Perpetua Kessy Nderakindo (Tanzania):** Thank you, Madam Speaker. After what you have said, I am going to try to be brief. Just to go back to what we did in Mombasa about capacity building, I would like to remind Members about what the deputy Speaker of the National Assembly of Uganda, hon. Oulanyah said about drafting of laws to avoid the misinterpretation by those who have bad intentions.

As our motion looks, it is talking about elephants and their indiscriminate killing or ivory. For those with bad intentions, they will question, what if they kill them for meat and not for ivory?

So I will ask my colleague, hon. Ogle to say ‘indiscriminate killing’ and maybe say, because he is talking about the transportation of ivory, also maybe talk about stopping, curbing or protecting the trafficking of ivory. This is for those with bad intentions in reading the law.

Secondly, I would like to remind the Members that as technology goes on, we are becoming a village so we get a lot of aid from other countries because we are one people and one world. We owe the world to preserve what is on the world. It is not for us but for humanity, it is for the whole world so we owe the world to protect the elephants. It is not for East Africans but for the whole world. Thank you, Madam Speaker.

**The Speaker:** Thank you very much, hon. Kessy.

**Ms Angella Kizigha (Tanzania):** Thank you very much, Madam Speaker for giving me the floor. I also thank and congratulate hon. Ogle for bringing this motion in the House. The East African Community region mentions countries like Kenya, Tanzania and Uganda as a major source of illegal trafficking of ivory for other countries especially in Asia. Although we are not sure which countries in Asia are the best sellers or buyers of this kind of stuff, I cannot mention Chinese but I do not know which countries.

Madam Speaker, conflict in the region, from my opinion, is the major source of this problem which promotes poaching by rebels. According to CNN and BBC World News, LRA, Congo and Central African Republic were mentioned regarding these issues. Again in my opinion, more training needs to be given to protect wildlife especially to wildlife authorities and to make sure also that the game warders are well paid in order to avoid this kind of business.

Madam Speaker, we need to deal with foreign interest in elephant ivory and to know exactly what the substitutes of this elephant ivory because we know that in this kind of business they are always making ornaments and nothing else. We also need to start a global campaign against the use of ivory by international organisations for making ornaments and so forth.

As I conclude, we need a regional law passed by East African Legislative Assembly to protect wildlife generally. Madam Speaker, I beg to support the motion. Thank you.

**The Speaker:** Thank you, hon. Kizigha.

**Mr. Joseph Kiangoi Ombasa (Kenya):** Thank you, Rt. hon. Speaker for the opportunity to contribute also. I felt the urge to contribute to this motion because I read recently in a local newspaper that the Kenya Wildlife Service was saying that they were finding it very difficult to contain poachers. I wondered whether all the elephants, rhino and the other endangered species would be completely wiped out.

Madam Speaker, I support what hon. Patricia was saying that we expand this motion to include the rhino and the other endangered species so that we deal with this matter conclusively and all at once. If it were not for Africa’s natural resources, nobody would touch Africa. But the interest that the other nations of the world have in Africa is because of Africa’s natural resources.

We should make a concerted effort to ensure that those natural resources, particularly the wildlife are preserved. For this reason, I want to appreciate and thank the Masai of Kenya and East Africa in general and the other tribes that happen to be in the vicinity of those wild animals for preserving them.

Madam Speaker, what is required in my view is stringent punishment. We should consider it as an economic crime as the hon. Ogle has said and I commend him for bringing this motion. It is an economic crime which should call for tougher sentences and punishments to ensure that this thing is eliminated from the face of Africa so that we can continue having these natural resources for the benefit of ourselves and the future. I thank you, Madam Speaker and I beg to support.

The Speaker: Hon. Members, you will appreciate that this is a very important motion and also drawing from the concern raised by hon. Patricia Hajabakiga that an equally important Bill had been brought before the Second Assembly, that notwithstanding, I think it is important that our motion is ably supported and I think you have done justice to it.

I was about to imagine that the Chair of Council caught the Speaker's eye but that notwithstanding – (*Interruption*) -

**The Minister of State for EAC Affairs, Uganda and Chairperson, EAC Council of Ministers (Mr. Shem Bageine):** Thank you very much, Rt. hon. Speaker. I want to thank the mover of this motion for bringing it up and also the comments several speakers have made.

I want to believe that we have laws in place, which are designed to protect wild animals; the elephant and the others and I want to believe that as a Community, we should not simply harmonise our policies but actually harmonise the laws that go to protect this wildlife. The problem as I see it, is lack of enforcement of the existing laws, obviously brought about by greed for money by those who engage in poaching.

It is therefore important that as a Community, we look into these laws, harmonise them, have an East African law to protect wildlife and then work out ways and means of ensuring that we enforce this law which will also involve hunting down those who engage in trading for example in ivory.

I support this motion and let us as an Assembly work together to promote an East African approach to protecting our wildlife. I support the motion, thank you.

**The Speaker:** Thank you very much, Chair Council. I invite hon. Ogle.

**Mr. Ogle:** Thank you, Madam Speaker. I wish to register my huge appreciation to the members who so passionately contributed to the motion. In the interest of time I will be very brief, sorry if I am not able to mention all your names but the amendment suggested by hon. Partita first regarding the removal of the word 'China' I do not think it does any harm to the import or essence of the motion and it is agreeable to me. But I just wanted to give some factual background about the whole thing. It is not a coincidence that 95 percent of all trafficked ivory is finding their way into mainland China but I have no problem if the name China is deleted.

I am not in the business of picking quarrels with our new partners in development. I am deliberately saying that in double quotes because it depends on what one understands by that but anyway, I have no objection to the word 'China' from that paragraph.

I have also thoroughly considered the amendment, which was suggested by the honourable CTC in view of the existing laws and whether we could incorporate 'further aware that the Partner States are, under Article 116 of the Treaty of the Establishment of the East African Community, obliged to collectively coordinate efforts on controlling and monitoring wildlife encroachment and poaching activities' in the second paragraph and the rest of the wording can remain that way. I think it also does justice to the import of the motion so it is also equally agreeable to me.

I just wanted to respond to some few others. I would like to thank hon. Nkanae for that very historical perspective of the elephant and perhaps for the information of hon. Kimbisa and I say this with a light touch also, I am not taking any offence but I was equally born under the elephant. When I was going to school, my home was not far off from the school I went to. It was about a mile or two and I would always go under a herd of elephants and on the way back and they could not hurt us. But you cannot get even a single elephant in that place today.

They did not disappear because of the Somalis. I come from a family of environmentalists myself, my grandfather was a comrade of Joe Adamson and Elsa and there is a book on that, a lot of my grandfather's history and how he contributed to the protection of wildlife.

That aside-

**The Speaker:** Give chance to hon. Ogle to summarise because as you are aware, it is coming to 6 o'clock and our first day should not begin on running late. So hon. Ogle-

**Mr. Ogle:** the weaknesses of the laws and the legislation I was referring to was a point that was raised by hon. Taslima is that what is happening currently is if someone is found poaching and is taken to court, he is fined a mere US\$ 500 something in the region of 30,000-40,000 in all the Partner States. The highest is I think Kenya which imposes a fine of 40,000 or about two or three months in jail. There has never been an instance where both have been imposed. One incident I want to refer to is there was a poacher who was found trafficking ivory in Kampala, he was taken to court, promptly paid the 30,000 and the next thing he crossed over to Kenya and killed an elephant. He was found with ivory in Masai Mara. So 40,000 is peanuts. That compares dramatically to Kenya Airways which goes to South Africa and if it carries any passenger without that Yellow Fever card, it is the responsibility of the airline to pay US\$ 2000 and in addition they must get back with that passenger.

But Kenya Airways are the ones who are taking all these people who are transiting and dealing with this at the airport and nothing happens to them. There are no laws that will penalise Kenya Airways for carrying a poacher or a person who is trafficking in ivory. They will just get away with it. But for a Yellow Fever card, they will pay US\$ 2000 and get back with that passenger.

That is how weak our statutes are so we must be very serious about what we intend to do. Apart from that, I just want to thank the Members for all their contributions and it is really appreciated. Thank you, Madam Speaker.

**The Speaker:** Thank you very much, hon. Ogle. Hon. Members, the motion on the floor is that this Assembly do resolve to urge the Partner States to protect the African elephants and other endangered wildlife species including the rhino from indiscriminate killing for their ivory.

I now put the question.

*(Question put and agreed to.)*

### **ADJOURNMENT**

**The Speaker:** Hon. Members, you will appreciate that the business of the day has been very exciting and we have effectively utilised our time. I do not want to have remaining items on the agenda but as you will appreciate the next items are equally very exciting and we may not have proper lighting as we proceed. So I beg that the remaining items... *(Inaudible)*