



EAST AFRICAN COMMUNITY

IN THE EAST AFRICAN LEGISLATIVE ASSEMBLY (EALA)

The Official Report of the Proceedings of the East African Legislative Assembly

THIRD ASSEMBLY: FOURTH MEETING - SECOND SESSION

Wednesday, 23rd January 2014

(The East African Legislative Assembly met at 2.30 p.m. in the Chamber of the Parliament of Uganda, Kampala, Uganda.)

PRAYER

(The Speaker, Ms Margaret Nantongo Zziwa, in the Chair)

(The Assembly was called to order)

COMMUNICATION FROM THE CHAIR

The Speaker: Hon. Members, I wish to welcome you to today's sitting and I want to thank you for this marks the end of this week. Thank you for being very enthusiastic about our proceedings.

Secondly, following the consultation with the Committee of Regional Affairs and the chairpersons of the chapters, there is adjustment in the program of the weekend. You will be informed accordingly. There is some adjustment in the program, please take note. Thank you very much.

LAYING OF PAPERS

The Chairperson, Council of Ministers (Ms Phyllis Kandie): Madam Speaker, I beg to lay on the table the EAC annual report for the year 2011-2012.

The Speaker: Thank you very much, Chairperson, Council of Ministers. Let the report be committed to the relevant Committee of General Purpose. Dr Nduwimana Martin, kindly take charge.

THE EAST AFRICAN COMMUNITY DISASTER RISK REDUCTION AND MANAGEMENT BILL, 2013

RESUMPTION OF DEBATE OF A MOTION WHICH WAS INTERRUPTED ON 28TH AUGUST 2013

Ms Patricia Hajabakiga (Rwanda): Thank you, Rt hon. Speaker. I beg to move that the resumption of the debate interrupted on 28th August 2013 on the Second Reading of the East African Community Disaster Risk reduction and Management Bill, 2013 be resumed. I beg to move.

The Speaker: Seconder? Hon. Dr Odette, hon. Isabelle, hon. Pareno, hon. Nancy, hon. Tiperu, hon. Bazivamo, hon. Celestin Rwigema. Proceed, honourable. Substantiate whether we should actually-

Ms Hajabakiga: Thank you, Rt hon. Speaker. I think I need to be guided because when we adjourned the debate, I had already made my submissions and the Chair had already read the report. I need to be guided on what procedures because I was not advised by the Clerk.

The Speaker: Thank you. I just wanted you to mention that the chairperson undertook to come back on the floor so that I call on the Chair. So now I will invite the Chair, Council of Ministers to advise us.

Ms Kandie: Madam Speaker, I take the opportunity to thank you, the R thon. Speaker of the Parliament of Uganda, the government and the people of the Republic of Uganda for hosting the East African Legislative Assembly during the Fourth Meeting of our Second Session.

I also wish to thank you for having ably and successfully steered the East African Legislative Assembly during the year 2013. The score card presents a bright future for the Assembly and a picture of achievement as far as this august House is concerned in carrying out its oversight functions.

I wish you and the rest of the hon. Members a prosperous and productive year ahead. On my part, I assure you of my continued support for the timely achievement of the goals and projections of the legislative assembly.

Madam Speaker, you will recall that during this august House First Meeting of this session which took place on the 19th - 31st August 2013, the East African Community disaster Risk Reduction and Management Bill, 2013 which had been introduced by hon. Patricia Hajabakiga, pursuant to Article 59(1) of the Treaty for the establishment of the East African Community was moved for the Second Reading.

The objective of this Bill, in the debate on which I contributed, is to provide a legal framework for intervention and assistance for people affected by climate change and natural hazard related disasters and to protect the natural environment through integration of a comprehensive disaster risk reduction and management practices in the East African Community.

As I did point out, the objective of the Bill is so important and appealing to the Council of Ministers given the imperative for this region to collectively and affectively reduce and manage disasters.

Madam Speaker, after informing the august House that upon consultations among the ministers responsible for East African Community Affairs and the EALA Committee on Agriculture, Tourism and Natural resources, I successfully moved a motion to adjourn the debate in order to allow the Council:

- (a) To consult and consider the policy implications of this Bill.
- (b) To pursue the ratification of the East African Community Protocol on Peace and Security which among other objectives, provides for cooperation in disaster risk reduction, management and crisis response.

The coming into force of the protocol would assist in articulating the relevant institutional arrangements under the Bill.

- (c) Take over the Bill for appropriate amendments and subsequent reintroduction as a Council of Ministers Bill.

Madam Speaker, I wish to further inform this august House that by his letter reference ORG/1/2 dated 17th September 2013, the Secretary General informed the Partner States of this development and requested for their comments.

At its 28th meeting held on the 28th November 2013, the Council of Ministers noted that it was appropriate for the Council to take over the Bill, cause necessary amendments and consider re-tableting it in this august House at a later date.

I am pleased to report that the Council has:

- (a) Agreed to take over the East African Community Disaster Risk Reduction and Management Bill, 2013 and reintroduce it in the legislative assembly after review and necessary amendment.
- (b) Directed Partner States to submit comments on this Bill to the Secretariat by 31st December 2013 and
- (c) Directed the Sectorial Council on Environment and Natural Resources to thereafter consider the East African Community Disaster Risk Reduction and Management Bill, 2013 and give policy guidance.

As I stated while moving the motion of adjournment, the Council of Ministers and the Partner States need to consult and analyse Clauses 19-28 of the Bill vis-à-vis relevant provisions of the Treaty and the EAC Protocol on peace and Security which was signed on 16th February 2013.

In taking over the Bill, the Council of Ministers has undertaken to reintroduce the Bill with such changes as may be necessary as soon as the Protocol is ratified.

By his letter reference SGN/4/2 dated 17th December 2013, the Secretary General requested the Partner States to submit comments on the Bill by 31st December 2013 as directed.

The comments have been received as of now. The Sectorial Council on environment and Natural resources which will, along with other relevant sectorial councils, consider the Bill is scheduled on the 27th – 31st January 2014.

This chronology of events shows that the Council and all offices involved are actively following up this matter.

Madam Speaker, as of now therefore, the Council of Ministers is not yet ready to produce the promised revised Bill. I know how discouraging the state of affairs may be. I also vividly recall the sentiments made by the hon. Hajabakiga and hon. Ndahayo, the Chairperson of the Committee on Agriculture, Tourism and Natural Resources on this development.

However, there is need to take into account that:

- (a) After my moving the motion to adjourn the debate in August, the Council of Ministers did not meet until November 2013.
- (b) The nature of the Bill requires handling at technical level by relevant sectoral councils under the guidance of the sectoral Council on environment and Natural resources.
- (c) The Partner States have not yet accomplished the process of ratifications of the EAC Protocol on Peace and Security. They are to do this by the 16th February 2014.
- (d) The Council of Ministers will definitely introduce the Bill in the very near future.

Madam Speaker, given this development, I crave your indulgence for more time pending further debate of the Bill and the progression of the Third Reading. I also request this august House to appreciate the circumstances as outlined and on the basis of which I request leave of this august House to move a motion under Rule 34 of the Rules of Procedure that the motion of the Second reading be withdrawn.

Once the Council of Ministers – (*Inaudible*) – Thank you.

The Speaker: Thank you very much. I do not know whether that last bit was captured on the *Hansard* because I think there was some power fluctuation. May I invite you to go back on the floor and read that last bit of the motion so that we are able to capture it on the *Hansard*.

Ms Kandie: Okay. Madam Speaker, given the development, I crave your indulgence for more time pending further debate of the Bill and the progression to the Third Reading. I also request this august House to appreciate the circumstances as outlined and on the basis of which I request leave of this august House to move a motion under Rule 34 of the Rules of Procedure that the motion for the Second Reading be withdrawn.

Once the Council of Ministers is ready with a revised Bill, I will move a motion to introduce it. Thank you.

The Speaker: Thank you, Chair, Council. Hon. Members, the Chair, Council has moved a proposal of a motion that the Bill be withdrawn under Rule 34. Does she have a seconder? Seconded by the CTC, by Minister Burundi, Minister Tanzania, Minister Rwanda.

I think it is a very important debate and we need to pronounce ourselves on it. So debate is open on this very important proposal that the Bill be withdrawn. Debate is open.

Mr. Abubakar Ogle (Kenya): Madam Speaker, thank you. In view of the importance of this Bill and appreciating the minister's position that she seeks an adjournment of debate on the matter, her indications are that it shall be reintroduced in the near future. The near future is an open ended thing. Could the Chair of the Council possibly tell us exactly what time they intend to do so, so that we have an idea of the time line when this thing will be reintroduced? Thanks.

The Speaker: Thank you. Perhaps hon. Hajabakiga you may make some comments on this motion.

Ms Hajabakiga: Thank you, Rt hon. Speaker. I would like to thank the Council of Ministers and the present Chair, Council of Ministers for a lot of effort they have made in agreeing on how this Bill should be handled after August last year.

However Rt hon. Speaker, if you remember the request at that time in August which was exactly on 18th if I am not mistaken-

The Speaker: 29th August.

Ms Hajabakiga: Yes, 29th August. The same request was tabled by the Council of Ministers but this August House opted for adjournment of debate while waiting to see the commitment that actually that Bill will come on the floor of the House and at that opportune time I can withdraw the Bill when I am assured that it has come.

Rt hon. Speaker, this has been necessitated by the old promises that we have always been receiving from the Council of Ministers that we withdraw Bills and that they are going to reintroduce and they have never done so. A point of example is the Bill which was the Council Bill on Lake Victoria basin Commission which has never come back for the past I do not know how many years since 2008.

So taking into account the importance of this particular Bill to East Africans, I would agree as a mover of the Bill once again to adjourn the debate but not to withdraw the Bill. Thank you, Rt hon. Speaker.

Mr. Zein Abubakar (Kenya): Thank you, Rt hon. Speaker. I stand on my own behalf and on behalf of the Committee of regional Affairs and Conflict resolution. Obviously the mover would know that our committee has an interest in this Bill given that part of the mandate on security, conflict resolution as well as defence falls within the mandate of our committee.

I have two things to say. One to the mover of the motion and thank her for the initiative of moving this motion up to the level it has reached. I would like to thank her again for accepting that we could defer the debate on this important motion on the Bill until the Council of Ministers is able to complete the consultations and bring a substantive Bill before us.

I would like to say that I would seek the indulgence of the mover that given that we are in a window that allows us to complete the ratification process of the Peace and Security Protocol and that obviously would have an impact on this Bill, that we give it a little more time so that once that protocol has also been adopted, it can have a framework for implementation on some of the aspects of the Peace and Security Protocol.

To the Chair, Council of Ministers, allow me to take this opportunity to thank you and welcome you as Chair, Council and to say in my humble belief that we are very proud of Shem Bageine but I am sure absolutely without any shadow of doubt in my mind and heart that you are up to the task and that you will take us to a level that was left by hon. Shem Bageine and even higher.

But to you, Madam having said that, please let us be judicious about this so that once we have looked through the process of the ratification of the protocol, we will not rest and we will hasten to bring a Bill that will properly put in place an institutional framework to address the question of disasters in our region. I thank you, Madam Speaker.

The Speaker: Thank you very much. Perhaps let us also hear from the Chairperson of the Committee so that we are able to- And then the Secretary General.

Ms Judith Pareno (Kenya): Thank you, Madam Speaker. When I saw on the program the Bill coming back, I was very happy and I said it is good news to the whole House and also to all EAC citizens waiting for the Bill because I saw their reaction when we were undertaking public hearings on this Bill. So for sure this Bill is long awaited by the East Africans because of its importance as it is coming to save their lives.

Madam Speaker, I would like to remind that up to the stage where the Bill is now, we have spent a lot of resources including time, human resources and financial resources. If you look at the comments received by Partner States stakeholders, people need it too much because they are observing a lot of disasters in our region.

So I would like to say that I also do not support the withdrawal of the Bill up to this stage.

Last time I said that in February I would bring a question to ask where this Bill is but unfortunately it was on the program and it is not resolving the problem so I would like to ask the Council that instead of proposing to withdraw the Bill, to give us another appointment so that we can have an action being done in order to have this Bill. Thank you.

The Speaker: Thank you very much. I had given the Secretary General but I can see hon. Tiperu also standing on the floor but hon. Secretary General.

The Secretary General (Amb. Dr Richard Sezibera): Thank you, Rt hon. Speaker. Madam Speaker since it is the first time I take the floor, I wish to first of all wish you, Rt hon. Speaker and the members a very happy new year. May it be fruitful and prosperous for all of you, hon. Members.

Madam Speaker, I would like to pay tribute to my Chair emeritus, hon. Shem Bageine for his excellent leadership and to welcome hon. Phyllis Kandie as the new chairperson and to say that in the few months- the one month or so that she has been chairperson, I can confirm the sentiments of this House that she is an extremely dynamic chair and I have no doubt in my mind that she will take us even further.

I am extremely happy that I have three Chairs of Council so far in this plenary. As Secretary General I had the hon. Hafsa Mossi who is seated here. The ones present in Chamber I have hon. Hafsa Mossi, hon. Shem Bageine who is coming soon and I have hon. Phyllis Kandie so this is a special sitting for all of us.

Madam Speaker, I also wish to congratulate the mover of this Bill. I think it is a very timely Bill. In fact it is so important as you have seen from the report by the Chair of the Council of Ministers that the Council took it up very fast. By Council speed I think this is record speed given its importance. But it is not only the Council who have taken up this question of disaster risk reduction in our region because you might recall that the Summit itself in their last sitting in their communiqué directed Council to expedite all that Council needs to take; all the actions they need to carry out to make sure that we have a proper framework for disaster risk reduction and management in our region. So this is a matter which has been taken up by Council and by the Summit and there is no doubt in my mind that when the Chair of Council says very soon, she means very soon.

Secondly Rt hon. Speaker, I do know that there is now a new system of following up of implementation certainly by the Summit of their decision in addition to the obligations by the Council to report to EALA. Council will also have to report to the Heads of State every six months on the decisions taken by the Summit and this, given the importance it has received, I think will be part of their report. Although I understand the sentiments of delays, I think in this particular Bill we will certainly work with Council as much as we can to make sure it is expedited and brought back to the House and the reports thereof go to the Summit and to the people of East Africa. So I support the idea that we give it more time to enable work and justice to be done to this Bill.

Madam Speaker, I thank you for your kind attention.

Ms Nusura Tiperu (Uganda): Thank you very much, Madam Speaker for giving me this opportunity. I would also like to thank the mover of the Bill, the hon. Hajabakiga who is the Chairperson of the Rwanda chapter and the former Minister of Environment in Rwanda. As members of the House, we were privileged to benefit from the experience of hon. Patricia and when she brought in this Bill, we were very happy and hoping for the best especially as far as issues of disaster are concerned.

Madam Speaker, I wish to join my colleagues in welcoming the new Chair, Council and as women of East Africa we are very proud of her. As women of EALA, we pledge total support for her and I believe we shall be working alongside the men to ensure that issues of integration are achieved and fast tracked as per the expectations of the East Africans.

Madam Speaker, this Disaster Risk reduction Bill is very crucial and when we talk about disaster, we all know that the region has been prone to disasters like terrorist attacks like what happened in Nairobi. There is scare all over the region. We have had landslides like the case in

Mbale. We have had markets being burnt like the market in Burundi and many others and we feel that we need to intervene very quickly as East Africans when any issue of disaster happens.

Madam Speaker, when you follow the presentation of the Chair, Council and you look at the chronology of events that have so far undertaken since they requested for more time; things like consultations being undertaken through the Secretary General's office, things like the request to involve the sectoral Council of Ministers, among others, you clearly see that it is no longer lip service but a commitment to a matter so pertinent to our heart that the Secretariat through the Council undertaken as a matter of regional importance.

Madam Speaker, the fear from my colleague the hon. Hajabakiga is also the fear of most of us. That at times Bills are taken like that and then they disappear. For as long as the Council Chair gives an assurance that this Bill will resurface as per her request and she gives us a time line, I think it is a very noble thing for the Council to take on this Bill and give it the nature it deserves because when you talk about security involvement in a particular law, we need thorough consultation.

When the committee did stakeholder consultations, the population is very interested in this Bill and so with the outmost guarantee and assurance from the Council and in view of the fact that we need to involve the Partner States properly and the Council needs to use its resources and structures to bring in a revised Bill pertinent and measurable to the demands and desires of East Africans, I would request that we accept the minister's plea and pray that this Bill is brought within the shortest time possible.

Allow me to conclude Madam Speaker by joining those who have congratulated the former Chair, Council the honourable Shem Bageine. I did serve in this very House with hon. Shem Bageine during the sixth Parliament and when he took over as Chair, Council or as our Minister for EAC, I had no doubt in my mind.

Madam Speaker, on behalf of my colleagues and myself, I want to say that the honourable Chair has been very available to all of us. He has been a likeable person, a team player, he is good willed, very honest and we want to thank him for that. We will miss him but we have also got assurance that the Council will continue working together and we are proud because of the manner in which he received the new Chair Council.

I also want to say that the manner in which the new Chair, Council has started conducting business is a clear indication that the pace set will be maintained. *Asanteni sana.*

The Speaker: Thank you very much, hon. Tiperu. I can see hon. Members that there is another angle to the motion. Hon. Hajabakiga is coming in with a request that rather than withdrawal, can it be a further adjournment? I was thinking that if the Chair, Council can move to accept or reject this position then it will give us direction to how we should move otherwise the motion as it stands is we move to withdraw but if you think that you can move in the direction of

appreciating the concerns of hon. Hajabakiga, hon. Isabelle and perhaps hon. Ogle who is even asking, what time are you talking about then you could come to the floor to pronounce yourself to the amendment of your motion.

Just to let you know that in case this opportunity is given because if the question is put and some members are not very happy with the withdrawal, the motion can go either way and at times we would like to get what is the best for all of us so that is why this opportunity of amending your own motion is being proposed or is just pushing to ask you to pronounce yourself on it.

Ms Kandie: Madam Speaker, let me appreciate the contribution of the members regarding this motion. Hon. Amb. Ogle did request for a time frame for when we will reintroduce this motion and I agree with him entirely. What we are struggling with here is actually the specifics of it mainly because it involves a lot of sectors, groups that we have to consult and I think that is the only bit that we are struggling with in terms of giving the specifics but we appreciate that proposal.

I also recall that what hon. Patricia has just brought to this august House; her recollection of the debate. It is true that the Lake Victoria Basin Bill I am informed has taken quite a long time for it to be reintroduced to this august House. But I would like to repeat and hopefully convince you by the end of it that what I have already stated regarding what the Council has promised that in this particular Bill, we would like to adjourn it at this juncture and not withdraw it.

I would also like to assure you that the Council will hasten its work and not stall it. I would also like to thank hon. Zein for his analysis of the necessary steps that are required to ensure that the Bill is reintroduced and now we are now actually adjourning it because we have to await the Protocol on peace and security so that is a very important input.

I would also like to thank hon. Isabelle Ndahayo, the Chairperson of the Agriculture, Tourism and Natural Resources Committee for pointing out the importance of the Bill and to appreciate that the resources that are required- Indeed this Bill will touch on policy issues and the budget and those are considerations that we must take on board and a lot of preparatory work has gone into this Bill.

The explanations and updates by the hon. SG are also very important and they are appreciated. They have served to indicate to this august House exactly where we are regarding this Bill. The Council and the ministers will give direction as to when and will follow up when this Bill will be brought back to this august House.

And so the able contributions of the members here today and the kind words coming from hon. Tiperu are equally appreciated. She did outline the concerns that she had that the Council has been slow in the past in bringing back the Bills that they have withdrawn.

In addressing this matter, we have agreed as the Council of Ministers and the Chair that we will adjourn and in total and we would like to thank all the members who have supported this motion. Perhaps my concern would be when we will actually reintroduce the Bill since we have just withdrawn and the date that we commit to this, taking into account all the contributions-

The Speaker: Hon. Chair, I think you have been able to guide or at least give us the next position. That you have accepted that instead of withdrawing, let us adjourn. So the Chair, Council will work with the Office of the Speaker and the mover of the Bill to see when again this Bill will be reintroduced. Considering that by that time perhaps you will also be ready.

We appreciate that within our rules, no time frame when a Bill is adjourned is given but I think you will be conscious of the members' concerns and wishes and work expeditiously. So I think you should rest your case.

Ms Kandie: I thank you for that guidance, Madam Speaker.

Ms Hajabakiga: Rt hon. Speaker, I just wanted to give information that the honourable Chair Council and appreciating that she has accepted to withdraw the initial motion of withdrawal and going to the new motion-

The Speaker: She has amended.

Ms Hajabakiga: Yes, she has amended the motion for adjournment. We are not alone in this world. I would say that we received international support with this particular Bill especially in the public hearing and that we did public hearings with the same stakeholders from our Partner States and from the promise of the outgoing Chair, Council, hon. Shem Bageine who I appreciate his dedicated effort to have and make sure that it came on the agenda of the Council in November that we need to speed it up so that we support not only East Africans but also indicate that together with the whole world, we need to deal with the matters of disaster. It is information I wanted to give, Rt hon. Speaker that as they deal with it, they also take cognisance of how many people were involved in this matter. Thank you.

The Speaker: Thank you very much. Hon. Members, I think we need to pronounce ourselves on the motion that the debate on this Bill be adjourned again.

(Question put and agreed.)

QUESTIONS FOR ORAL ANSWER

QUESTION EALA/PQ/OA/3/33/2013 TO THE CHAIRPERSON, COUNCIL OF MINISTERS

Ms Dora Byamukama (Uganda): Madam Speaker and hon. Members, I beg to move that Council of Ministers responds to Question EALA/PQ/OA/3/33/2013:

The East African Community initiated the Institutional Review process in 2009. It is now four years down the road without any information about its progress.

Could the Chairperson, Council of Ministers inform this August House the status of the EAC Institutional Review Process and the timeline for its completion? Could he also inform the House about the process of addressing the structural challenges since the process appears to have stalled?

I beg to move.

The Chairperson, Council of Ministers (Ms Phyllis Kandie): Madam Speaker, at the 20th extraordinary meeting held in April 2009, the Council of Ministers directed the Secretariat to undertake a comprehensive study of the Community and propose institutional reforms aimed at transforming the Community into an organisation that will effectively and efficiently discharge the expanded mandate of the integration process of the Community.

In addition, the 21st Meeting of the Council held in November 2010 directed the Secretariat to:

- (a) Expedite the finalisation of the institutional review of the EAC organs and institutions in line with the road map that had been presented and
- (b) Convene an extraordinary meeting of Council by the end of March 2011 to consider the final report.

At the 24th meeting, the Council directed the Secretariat to engage a consultant to undertake a detailed review of the institutional review in the next financial year. Accordingly, at its 26th meeting of the Council of Ministers which was held in Nairobi on 19th to ... 2012, the Council took note of the progress made on the institutional review exercise, revised and approved the terms of reference for the engagement of the consultants for the review of the institutional review.

Madam Speaker, the following subsequent developments have taken place:

- (a) The Secretariat has engaged the external consultants WYG International on the 21st January 2013. It began the assignment on the same day.
- (b) On 20th March 2013, the consultants presented their inception report to the Secretary General. It was accepted and they proceeded with the assignment which will be of two phases. The first phase; structural analysis, functional analysis, decision making and work processes and the second phase which is job/work load analysis, staffing issues and financial implications.
- (c) On 4th June 2013, the consultants presented the first draft report to the Secretary General for validation and eventual consideration.

(d) On 8th to 19th June 2013, the retreat for the honourable ministers/Cabinet secretary and permanent secretaries responsible for the East African Community Affairs was held and the institutional review consultants presented a draft report composed of the first phase which is the analysis and recommendations on a functional and structural analysis on the EAC institutional framework, policy and decision making process and institutional work process. It briefly indicates how the second phase staffing implications which is job/work load analysis, job description, grading and financial implications or cost assessment would be approached to finalise the institutional assessment.

It does not cover those elements in detail. However because they are conditioned by the decisions that Partner States need to make on key strategic options recommended in the first phase related to structures and functions, the retreat:

1. Appreciated the consultancy was still work in progress. Noted the need for the Council to take decisions on key strategic issues raised in the interim report and recommend that these decisions be taken by the Council at its 27th Meeting.
2. Advised the Council to consider extension of time for the consultants to finalise outstanding work.
3. On the 12th to 13th August 2013, the institutional report validation workshop for the first phase was successfully conducted with a representation of all Partner States as well as the EAC Organs and institutions.
4. On the 31st August 2013, the final institutional review report on structure and functions with proposals from the consultants to address the structural, functional and decision making challenges was presented to the 27th meeting of the Council of Ministers.

The institutional review is work in progress and therefore there is need for Partner States to study the consultant's report and appreciate the proposals which have been made.

At the 15th Summit which was held on 30th November 2013, the heads of States directed the Council to conclude the institutional review and report to the Summit at the 12th Extraordinary Summit in April 2014. The matter is on the provisional agenda for the second quarter session of Ministers responsible for EAC Affairs which is scheduled for the 13th to 14th February 2014.

Considering that the outcome of the first phase which is the structural analysis, the functional analysis, decision making and work in progress is to inform and guide the second phase; staffing implications i.e. job/work load analysis, job description and grading and financial implications cost assessment, the review has been suspended pending the consideration at the first phase. Thank you.

The Speaker: Thank you, Chair. Hon. Dora supplementary question.

Ms Byamukama: Madam Speaker, I would like to thank the Chair, Council of Ministers for her response and I just want to raise one particular issue in relation to her statement on page two that the institutional review is work in progress and therefore there is need for Partner States to study the consultant's report and appreciate the proposals made.

My question is, Madam Speaker this institutional review is for the East African Community. Why are Partner States being drawn in to study and also appreciate instead of it focusing on consultations with EAC Organs and institutions? I think there is a big challenge here because the autonomy and the capacity of the EAC Organs to be able to operate may be constrained by this.

Finally Madam Speaker is the issue of the suspension pending consideration of the first phase. I think this conflicts with the report to the Summit in April. So will this report be made to the Summit as was envisaged or will this suspension take precedence?

Ms Kandie: Thank you, Madam Speaker. The question put to the Council of Ministers and to me is, why involve Partner States. Partner States are really key stakeholders in this and they need to understand the implications of this and so we felt that it was very important that they understood exactly what the proposals that were coming from the consultants were and especially with regard to the budget implications at the end of the day. So they really need to understand and appreciate why we felt that the Partner States were involved in this.

With regard to the suspension, I just want to assure the hon. Member that this decision to suspend was taken before the Summit. Obviously the direction of the Summit will override this decision. Thank you.

The Speaker: Supplementary question? Since there is no other one-

Ms Byamukama: I did not get an idea as to whether the Organs and institutions of the EAC will be involved. EALA for example is very unique. We have a very unique function and therefore we cannot be lumped with other Organs and institutions. There is a rush to go to Partner States. How about involving institutions and Organs of EAC?

Ms Kandie: Madam Speaker, I would like again to assure the hon. Member that all Organs of the EAC will be involved in this matter. It is a very important matter and it is just that at some stage perhaps when we get the first draft and we are sure that this is the time, we can involve EALA and the Organs we will do so. But I just to show that we will involve and we have always involved all the organs. Thank you.

The Speaker: Thank you. I think it is important because we should not treat it as a way of defence but I think let us take it as information so that these institutions and Organs like EALA and the EACJ should be involved. I see hon. Mulengani very quickly.

Mr. Bernard Mulengani (Uganda): Thank you, Madam Speaker for the opportunity. I just wasn't to raise a supplementary question. As we heard, there were a couple of institutional

reviews that were put in place way back in 2004, 2006- I do not recall very well. It would be good if the Chair, Council can give information on the amount of money that has been sunk in this institutional review.

The Speaker: Okay, I would look at that as a substantive question other than a supplementary but I do not know whether the Chair has a comment on it. Maybe you will give an answer when you have looked at it.

Ms Kandie: Thank you, Madam Speaker. I would like to assure the hon. Member that we can give the figures. We do not have them with us here but we can do the research and give the exact figures to this honourable House. Thank you.

Mr. Mike Sebalu (Uganda): Thank you very much, Rt hon. Speaker. I am wondering at the pace at which the institutional review is moving. I am wondering whether we will not need a review of the institutional review itself.

The Speaker: Chair Council, you need to assure the members. You have the floor.

Ms Kandie: Madam Speaker, I would like to assure hon. Sebalu that this is the last of the reviews. *(Laughter)* And I assure you that this is going to be thorough. We will look at it critically and ensure that they have done a good job so that we do not have to redo it again. Thank you.

The Speaker: The good thing is that you are on the *Hansard* so one time somebody will pick the *Hansard* and say the minister assured us. So that is even very encouraging.

QUESTION EALA/PQ/OA/3/34/2013 TO THE CHAIRPERSON, COUNCIL OF MINISTERS

Ms Dora Byamukama (Uganda): Madam Speaker and hon. Members, could the Council of Ministers respond to question ref EALA/PQ/OA/3/34/2013: *The Council of Ministers decided to extend the jurisdiction of the East African Court of Justice in 2005 in accordance with Article 27(2) of the Treaty.*

Could the Chairperson Council of Ministers inform this August House what action has been taken to this effect?

The Chairperson, Council of Ministers (Ms Phyllis Kandie): Madam Speaker, it is true that at its 10th meeting held on 9th August 2005, the Council of Ministers decided to extend the jurisdiction of the East African Court of Justice beyond its current jurisdiction. The court's current jurisdiction is limited to ensuring adherence to law in the interpretation and application of and compliance with the Treaty for the establishment of the East African Community.

Madam Speaker, you will recall while answering question EALA/PQ/OA/3/13/2012 which was also asked by hon. Baibu Kwama, hon. Shem Bageine as then the Chairperson of the Council of

Ministers did extensively inform this august House on the steps being taken to operationalize the extended jurisdiction of the court as envisaged under Article 27 (2) of the Treaty.

However, on account of subsequent developments on the matter, I will augment the answer as appropriate. For purposes of following up on the Council's decision, the Secretariat prepared a draft protocol to operationalize the extended jurisdiction of the courts. The draft Protocol for the operationalization of the extended jurisdictions was therefore considered at national and regional consultative workshops involving such key stakeholders as the offices of the Attorney Generals, the Judiciaries, the law reform commissions the bar associations, the East African Court of Justice, the East African Legislative Assembly, the business community, civil society among others.

Madam Speaker, the development of the draft protocol as reflected in the decisions taken at subsequent meetings of the Council and the sectoral council has necessitated further and wide consultations by the Partner States.

These consultations which are on-going will consider policy matters that pertain to the nature and extent of the extended jurisdiction of the Court of Justice including the following:

1. The impact of expansion of the county membership of the East African Community to include the Republic of Burundi and the Republic of Rwanda both of whose legal systems differ from other Partner States common law systems.
2. The reconstitution of the Court of Justice following amendments in 2006 of Chapter 8 of the Treaty.
3. The need to make the Court of Justice a fully operational Organ of the Community in view of the Court's growing role as a regional judicial forum and the extended jurisdiction.
4. A proposal that pending the attainment of a Political Federation, the application and interpretation of the universal human rights original jurisdiction and appellate powers in matters of human rights should be a primary obligation of national courts and the same be left at national level.
5. Appellate jurisdiction of the Court of Justice may necessitate amendments of some of the Partner States Constitutions and other relevant national laws given the Partner States different court hierarchical structures.
6. The fact that some judges currently serving on the Court of Justice would be considering, on appeal, matters they had already considered in their Partner States.

7. The East African Court of Justice lack of capacity, given the fact that by virtue of Article 140 (4) of the Treaty, the East African Court of Justice judges are still serving on an ad hoc basis.

Madam Speaker, following a resolution adapted by this august House in May 2012 upon the Summit to consider extension of the jurisdiction of the court to cover crimes against humanity, the Council directed the Secretariat to prepare a comprehensive paper and table it before the sectoral Council on legal and judicial affairs.

At its 14th meeting which was held on the 24th October 2012, the sectoral Council on Legal and Judicial Affairs took note of the Secretariat's comprehensive technical paper but differed consideration of the said paper pending further revision and comments by the Partner States.

The sectoral council therefore:

- (a) Directed the Secretariat to revise the comprehensive technical paper on extending the jurisdiction of the East African Court of Justice taking into account all relevant aspects of internal crimes such as genocide, crimes against humanity, terrorism and war crimes and highlighting lessons from other jurisdictions that are in the process of addressing such crimes in order to assess the capability of the East African Court of Justice to address all the challenges related to international crimes and circulate it to the Partner States for comments.
- (b) Directed the Partner States to submit comments on the revised comprehensive technical paper to the Secretariat in preparation for consideration of the paper by the sectoral council.

Madam Speaker, the outcome of the Partner States consultations on both the draft protocol and the comprehensive technical paper have informed and further guided on the extension of the jurisdiction of the East African Court of Justice.

Generally, the Partner States expressed a view to extend the jurisdiction to cover only trade and commercial disputes at this point in time. As a result, the Council at its 28th meeting directed the Secretariat to expedite the preparation of the draft protocol to cover trade and investment matters associated with the East African Monetary Union.

It also directed the sectoral Council on Legal and Judicial Affairs to expedite the deliberations on the feasibility of extending the jurisdiction to cover crimes against humanity.

Madam Speaker, at the 15th Summit of the EAC Heads of state which was held in Kampala on 30th November 2013, the heads of State approved the Council recommendations to extend the jurisdiction of the East African Court of Justice to cover trade and investment as well as matters associated with the East African Monetary Union.

On human rights matters as well as crimes against humanity, the Summit directed the Council of Ministers to work with the African Union on this matter. I thank you.

The Speaker: Supplementary question, hon. Dora.

Ms Byamukama: Madam Speaker, I would like to confess that I do not have a supplementary question but I crave your indulgence. Let me also appreciate the hon. minister, the Chair, Council of Ministers and congratulate her. I believe that contrary to what was said yesterday, all of us have the capacity to execute notwithstanding biological differences because yesterday there was mention of a cock and hen and chicken. I believe that we all have capacity and I believe that she will build on the excellent work performed by hon. Shem Bageine. I thank her again and I thank you.

Mr. Abubakar Ogle (Kenya): Madam Speaker, long before the African Union pronounced itself on the matter of the ICC facing the Kenyan president and the Deputy, the Attorney Generals of the Partner States of East Africa wrote to the international prosecutor of the ICC seeking to be enjoined in that case facing our President and Deputy President as amicable as courier.

Their principal argument then was that this matter could be referred to the region and be dealt with at the Arusha Court. Will that not be reason enough to seek to expand the jurisdiction of the East Africa Court of Justice to include human and criminal jurisdiction beyond the trade and investment issues the minister was talking about? Thank you.

The Speaker: Hon. Ogle, whilst the issue is related, I think you should make a substantive question because this is a matter which is very cardinal in its principle standing so that whilst you bring it forward to the Council, they can also extend it forward to the Summit. I do not know whether the Chair, Council has something to add.

Can you please prepare a substantive question to the Council so that they are able to deal with it expeditiously and independently? This information is important but at least it has informed us on the position of the Summit on this matter. So prepare an independent question so that it is dealt with.

MOTION FOR A RESOLUTION OF THE ASSEMBLY TO PAY TRIBUTE TO THE LATE NELSON MANDELA

Mr. Mike Sebalu (Uganda): Rt hon. Speaker and hon. Members, I beg to move a motion for a resolution of the Assembly to pay tribute to the late Nelson Mandela. I beg to move.

The Speaker: Seconder? Hon. Hafsa Mossi, hon. Bucumi, hon. Nyerere, hon. Dr Odette, hon. Abdul Karim, hon. Zein and on this side I can see right from hon. Kiangoi, hon. Mathuki and hon. Shy-Rose, hon. Ussi, hon. Rwigema and hon. Kimbisa. Proceed.

Mr. Sebalu: For purposes of the record, the official seconder is hon. Zein.

The Speaker: Thank you. Hon. Zein as the seconder.

Mr. Sebalu: Thank you very much, Rt hon. Speaker and hon. Members of this august House. I want to start by wishing you a productive and eventful 2014. I do not want to limit it to a happy new year because it may be a happy year but without any serious qualitative and quantitative developments. You can be happy begging and the year goes. So let it be productive.

Secondly, I also want to congratulate the Chair, Council and I want to give unequivocal support which is not gender biased. So I just want to support her as an East African.

Thirdly I want to also commend hon. Shem Bageine and with his permission I want to clarify something especially for those who might not be members of this House because they may be wondering. People are giving a lot of praises to hon. Shem Bageine but they end up by saying shame Bageine. So shame is not a statement, it is a name. Because someone may be wondering, after praising someone then you say shame. Those out there should appreciate that.

Madam Speaker, a motion for a resolution of the Assembly to pay tribute to the late Nelson Mandela.

“WHEREAS the world still mourns the death and celebrates the legacy of the late Nelson Madiba Mandela born on 18th July 1918 and died on Thursday 5th December 2013 at the age of 95

APPRECIATING that 10th May 1994, Nelson Mandela was inaugurated as the Nation’s first black President after democratic election and served for only one term until 1999 during which period he worked tirelessly, advocating for reconciliation among all South Africans and struggled to write the evils of racism, poverty and injustice, this transformed him into an international hero with impeccable leadership qualities, a freedom fighter who with humility, purity, generosity, magnanimity and readiness to serve, stood and worked for the rights, honour and dignity of the oppressed people

NOTING WITH SADNESS the demise of the late Nelson Mandela, the first ever fully democratically elected President of the Republic of South Africa who despite 27 years of imprisonment remained resolute, refusing offers to renounce his struggle against oppression in exchange for freedom and became widely viewed and respected as a symbol of the anti-apartheid movement

RECALLING WITH DISMAY that the Republic of South Africa adopted the apartheid policy in 1948 at which mostly the black indigenous people were targeted and segregated

AWARE OF THE LEADING ROLE the late Nelson Mandela played in order to end the apartheid policies in the Republic of South Africa, which activities had earned him life imprisonment in

1964 that he partially served at Robin Islands and later at Usmo prison. He overcame violent persecution for his belief that every individual deserved to live in a society where injustice would not be tolerated.

RECALLING WITH PRIDE the actual conviction of the late Mandela was against domination by a particular race against another, an ideal for which by his own words, he was prepared to die was amazing and brought South Africans through a very difficult transition which could have gone in very different violent direction. His message of reconciliation must endure and be taken as a model for African countries and the world.

RECALLING THAT Nelson Mandela dedicated his entire life to the liberation of not only South Africans but went further to unite all voices for freedom in every corner of the World with incomparable courage. Through his work and sacrifices, President Mandela taught the world that the fight for peace, equality and justice can be won.

RECALLING how the resoluteness of Nelson Mandela created a critical mass of Africans and African states including those of East Africa to rally behind his call to end apartheid. Among these being the United Republic of Tanzania as one of the front line states and the Republic of Uganda that established military training camps in their territories to fight the apartheid regime when need arose

AWARE of the great role played by President Nelson Mandela in the peace process for the republic of Burundi

REMEMBERING the overwhelming and glowing tribute that poured out from people of all walks of life and from all over the world during his memorial services and thereafter

NOW THEREFORE do resolve as follows:

- 1. To join the rest of humankind in expressing our deep felt sympathies for the loss as we also continue celebrating the life of this gallant son of Africa.*
- 2. Call upon all human beings to value the ideals of free and democratic societies at which all human beings are respected and treated equally.*
- 3. Encourage the people of the Republic of South Africa to bear the irreparable loss of the beacon of hope for the dignity of people throughout the world regardless of race, colour and creed.*
- 4. To thank the Heads of State of the EAC Partner States for their participation in the funeral ceremonies of the late Nelson Mandela for and on behalf of the people of East Africa.*
- 5. To pray to the Almighty God to grant the late Nelson Mandela eternal peace.”*

Madam Speaker and hon. Members, I beg to move.

The Speaker: Hon. Members, hon. Sebalu has moved this very important motion. Can you proceed to give justification to your motion?

Mr. Sebalu: Thank you very much, Rt hon. Speaker and hon. Members of this august House. First of all, I would like Members to appreciate that we are proceeding the way we are given the nature of our time table in that at the time of the demise, we were not in session and therefore we were unable to timely pay our tributes at the time. Nonetheless, it is incumbent for us to put it on record that as an Assembly, we did pay tribute to the gallant son of Africa. So I want all of us to appreciate the way we are proceeding and even for purposes of those that might not be members of this House and may not know how we operate, they may have a feeling that we are doing it belatedly. To us it is actually timely because this is the first time we are meeting ever since the late Mandela passed on.

Madam Speaker, I just want to begin by saying that the challenge that I faced as a mover in preparing this resolution was not in determining what to include. The challenge was in determining what to include and not what not to include. So there is a lot that can be said about the late Nelson Mandela. You cannot be short of what to say and that is the challenge.

In other words, it was to do with managing the surplus and not the deficit about Mandela. Those of us who are in leadership therefore are challenged as we still live to do whatever we can do within our powers to create a lasting legacy for ourselves so that when a time like this comes, people are not managing a deficit about you but they are managing a surplus about your personality, about the times of your personality and what you have been able to do.

So the late Nelson Mandela is among the crop of those human beings that are celebrated and appreciated from different perspectives. You can approach this tribute from any angle and you will make a lot of sense in terms of your contribution.

Madam Speaker, we will appreciate that the late Nelson Mandela can be looked at from different perspectives. You can look at him from a political perspective where his achievements are as many as there are people talking about his political life. You simply cannot exhaust his political achievements, his political engagements, his political participation, his political foresight, his political focus- It is simply something good to write home about.

You can look at Nelson Mandela from the view point of a statesman because there is this very popular saying that for a politician, the focus is always on the next elections. As we are in EALA, our focus may be on 2017 for the time being. So because you need to manage the next phase and be able to continue redefining your political relevance but to a statesman, a statesman goes beyond the next election and looks at the next generation.

So as Nelson Mandela went through 27 years of imprisonment, he was not looking at the next election because even the possibility of it was rather remote but he was looking at the next generation meaning that his sacrifice could make a contribution in liberating humanity at some point in time. He had that belief, that faith and that conviction and that is another angle in which you can appreciate Nelson Mandela.

You can appreciate him from a human rights point of view; a human rights defender in his own right, staking his only asset in life and that is life. Now the degree at which someone is ready to offer his life for the benefit of others is definitely a high degree of measure in terms of commitment and in terms of resilience.

You can look at Nelson Mandela from the point of view of a sportsman. There is what in sports language they call Madiba magic. He was simply amazing when it came to sports and supporting sports. I just want to say that if it was not for Mandela's participation, maybe the World Cup may never have been played on the African soil at the time it was done. It had to take a Mandela to get the World Cup on the African soil. It is something that they had never conceived even within the debate of those people. So it had to take that magic of a man of Mandela's stature.

You can look at his as a brand. Actually Mandela was a brand and he will remain so because there are so many things where the comparable measure is on the Mandela brand. You are very understanding like Madiba. You are patient like Madiba. You are accommodative like Madiba. You can reconcile like Madiba. So he is a brand in terms of good virtues and they are many. The list is endless when it comes to Madiba.

But he also came out and became an interesting personality in terms of the industry of fashion and design. He came up with the so called Mandela shirt and it was indeed a very popular one and I want to give you a very good- I am a beneficiary of that design. When I was in Uganda and I was campaigning in 2001, I took a portrait in that Madiba design shirt and in my campaign it became so easy to identify me because my agents were simply saying, the other one in the Mandela shirt and it worked miracles. At the end of the day, I walked home and dry with all the votes because I associated with a popular design and fashion and it is going to remain around for some time.

So he was a man of creativity, a man of innovation because once a time we believed in the western model of dress but he said look, you can be African and still remain decent. You can be original in your dress code and make an impact and indeed Madiba did.

Madiba as a lawyer, definitely in terms of the profession you will appreciate his legal arguments, his value to the profession, his commitment to his profession and he did it with distinction and decorum.

Madiba was a family man- he was a family man and indeed he was very proud of his clan. At times when we get to some of these big positions, things like clan are not given a lot of attention

but Madiba would always subordinate himself. Even when he was President, he would go for clan meetings and subordinates himself to the clan leaders and he would definitely go by what they decide-

The Speaker: I know the surplus is challenging you but the evening is also-

Mr. Sebalu: Okay let me just conclude with a few things because I am managing a surplus. Rt hon. Speaker, we can look at a few thoughts that Madiba had. On facing the death penalty, Nelson Mandela spoke from the dock and the culmination of the Rivonia trial in April 1964. “During my lifetime, I have dedicated myself to this struggle of the African people. I have fought against white domination and I have fought against black domination. I have cherished the ideal of a democratic and free society in which all persons live together in harmony with equal opportunities. It is an ideal which I hope to live for and to see realised. But if need be, it is an ideal for which I am prepared to die.”

That is a serious lesson and later on I am going to sue that to make my conclusion of the tribute but before I do so, there is something where I want us to pick interest. On the US led attack on Iraq September 2002, Madiba had this to say, “We are really appalled by any country, whether a super power or a small country, that goes outside the UN and attacks an independent country. No country should be allowed to take the law into their own hands.”

Now something is very interesting and I want us to share it. When the leaders from the West were paying tribute to Nelson Mandela, they were in a way trying to castigate African leaders who were equally paying tribute to Mandela for the good person that he was. The insinuation was that African leaders are paying tribute to Mandela but they are not doing what Mandela wants to do. But what is interesting is, who were these people that were working outside the UN parameters to go and attack independent countries?

Look at the case of Saddam Hussein, his weaknesses notwithstanding. Someone is saying they are weapons of mass destruction, you investigate, you do not find any but people have been killed but you do not hear the ICC being called upon to deal with someone. These are double standards.

Go to Libya, there is a rebel group that comes up. It is fighting a legitimate government. This rebel group is propped up, a no fly zone is declared, fighter jets, America and all the others come in, Gadhafi as a President is killed, the country goes in a mess but no one is willing to take responsibility. But when they are on the podium, paying tribute to Nelson Mandela, they are not mindful of his statement where he discouraged any country going outside the parameters of the UN to attack an independent country. Those are double standards and as leaders, we should never be part of such double standards.

Madam Speaker, finally I just want to say that the biggest lesson I want to share with you is believing in what you want. Believing in it to the extent that you are ready to die for it. We have

something we believe in and I believe we will live up to the test of time when it comes. We have the East African integration moving up to a Political Federation. Are we ready to promote it to the best of our ability as something we believe in? Are we ready to protect it jealously as something we believe in? Are we ready if need be, prepared to die for it? So this is something that I want to hear from my very good friends, members of the East African Legislative Assembly.

That is the biggest lesson. We ought to learn from the life and personality of the late Nelson Mandela. Let us die for the Political Federation. Let the Summit die for it. Let the Council of Ministers die for it. Let EALA members die for EAC integration. Let the Secretary General die for the same and let the staff die for East African integration. With that, we will have paid tribute to the late Nelson Mandela. I thank you, Madam Speaker for your indulgence. Personally I am ready to die for it. *(Laughter)*

The Speaker: Thank you very much, hon. Sebalu. Hon. Members, the motion on the floor is to pay tribute to the late Nelson Mandela. Debate is open.

Mr. Zein Abubakar (Kenya): Thank you very much, Rt hon. Speaker. It is a great privilege for me to be asked by the Chair emeritus-

The Speaker: I will just ask if we can use five minutes each then as many of us-

Mr. Zein: Thank you, Madam Speaker I will try to be precise. I was just saying that it is a great pleasure and privilege to be asked by hon. Sebalu to officially second this motion.

First to start by thanking you, Madam Speaker and your office and the Office of the Clerk for giving us an idea of what business would come and by doing that, giving people an opportunity to prepare themselves and I know that hon. Shy-Rose was very passionate about this so thank you very much, Madam Speaker.

The danger of speaking about an African and World icon like Nelson Mandela has just been displayed by the performance of the Chair emeritus, hon. Sebalu. But I would like to focus myself in what in drama and theatre we call points of dilemma or in a different language, a point where the protagonist faces a point of no return. The decision that they will make will alter the direction of the storm.

So allow me to start with a few examples in the life of Mandela where he had to make decisions that were of the nature of point of no return or as drama says, dilemma points.

The first one was ANC was faced with a dilemma to declare an arms struggle or not and there was a philosophical debate within the leadership of ANC and you will recall at that time there was a strong cadre in the ANC who had also strong roots and traditions in the church. So for them it was very difficult to say we can wage war and shed blood in order to free ourselves.

But Mandela came from the other school of thought and I am happy to recall in this House that he said, Kenyans have demonstrated to us that it is possible to do this through the Mau Mau. He also gave the example of Nigeria and the arms struggle in Nigeria and he gave a very passionate interview which made the young British man who was interviewing him an instant celebrity. He asked him a direct question, are you going to take part in arms struggle? He said, what do you want us to do when you are faced with a brutal regime - and I am paraphrasing - that is killing our people, what do you want us to do?

That is how *omukonto wesizwe* was born. That was one of the dilemma points and that was a moment of point of no return.

The second one was when he was dragged to the docks and asked if he believes in those words and if he said those words. He had a dilemma. They had told him quietly that if you recant them, we could give you a lower charge but he gave that famous speech which was quoted by hon. Sebalu here. He just avoided the death penalty very narrowly and it was commuted to life imprisonment.

Fast forward, Madam because you told me five minutes and I am the official seconder so you will allow me a bit of flexibility but fast forward, he is in jail for these many years and the question of we want to release you. Because of international pressure and the action of a country like Tanzania which was a leader in the frontline states and other African countries including my own country Kenya, and all well-meaning people in the South and in the World, when the pressure became unbearable, the regime in South Africa felt we should release this old man in case he dies in our hands.

So he was offered to be released and of course as a human being I am sure if I was in his shoes this is a dilemma point. Can I go back and meet my beautiful young wife who I have not seen for a long time? And my children? But he said no, I will not go free if the other members who were thrown in jail with me do not go free with me. Dilemma point. Point of no return.

The next one fast forward. The brutal apartheid regime wants to talk. Should we talk to them and how should I break the news to my fellow comrades in the struggle? How should I break the news that could we consider? This is the time to talk and lay down our arms. Dilemma point. It took a Mandela to convince the others and say, it is time to talk.

The Apartheid regime was like, if you want to talk, pre-condition number one you must renounce violence. He said no, we will not renounce violence until we have had proper understanding and a structured way of talking and understanding possible outcomes of this talk. Dilemma. They said okay fine. We will not un-band you. You are still a banned organisation. He said no we will talk. How can a banned organisation talk to you? Dilemma.

Then I am fast forwarding for three more examples of this philosophy.

The Speaker: You have one minute.

Mr. Zein: One is in that conference of negotiating for peace, one day an angry President de Klerk came to the conference and gave a brutal statement and called ANC names and said a terrorist organisation. Do not forget that Nelson Mandela was called a terrorist; a terrorist organisation that has blood on his hands. He spoke and everybody was quiet. The old man stood angrily and quietly, walked to the mic and looked at de Klerk in his face and eyes and told him, shame on you. A President of a brutal regime that has more blood than any other regime in Africa dare talk to us about blood in the hands, shame on you. And I am not talking about Shem Bageine.

He told them, shame on you and he told De Klerk off and listed all the nasty crimes that that regime had made it possible to visit among the people of South Africa. Those young fire brands in the audience said yes, Mandela is not dead he is alive. We had thought he had compromised but he is here.

The second last point I would like to make has to do with the dilemma that faces many a greater leader. When is the time to hang up your gloves? Mandela was a boxer so this is a right simile. When is it that it is right to hang up your gloves? Mandela, after consulting his heart and listening to himself thought he can only serve one term. I assure you, Madam Speaker and many will tell you there were many pressures from ANC for him not to step down because they said we were not ready. After the mother of Chris Hani, who can take over? Because only you or Chris Hani could have taken us forward.

Mandela said, ANC is bigger than me, South Africa is bigger than me and he served for only one term. That is not to say anything about other leaders. Every leader has a time to consult their heart and their people and say, what is the right time to hang their gloves.

Lastly Madam Speaker, let me speak on a personal note because hon. Sebalu talked about family. One of the greatest dilemma that Mandela faced was walking with his wife then Winnie Mandela facing terrible and serious charges together with the Mandela Football Club including kidnapping and the old man graciously walked with his then wife to the court and faithfully sat every day in that court until the judgement came and I am sure it was a dilemma point for him.

That led to separation and divorce and it is good to say it was a dilemma point but *Mzee* also found new love and he lived again. So let me finish by quoting the Luo people of East Africa. They have a saying loosely translated, bury my bones but keep my words. So I hope that we will be able to keep the words of *Mzee* Mandela.

I thank you very much, Madam Speaker for giving me this opportunity to make a contribution.

The Speaker: Thank you. I have been gracious to the mover and the seconder. I beg that the next members when they get the opportunity keep to five minutes because you can see many members.

Mr. Charles Nyerere (Tanzania): Thank you, Madam Speaker. A lot has been said about this great son of Africa Madiba Nelson Mandela. Heads of States, Presidents, Kings, poets, rock stars and just recently my two colleagues. Madam Speaker, five minutes for me is enough but please just do not start my clock now.

To speak about Mandela five minutes is enough. A lot has been said and I cannot talk more than what they have already said. Noting that my clock is not yet started, to you and my colleagues, happy New Year. My colleagues, you came back here very shining especially the EALA ladies. You look very good.

Madam Speaker, you are way off my league and the ladies of EALA who are in the Council are way off my league by my colleagues here, you look very beautiful congratulations.

My special congratulations to hon. Jacqueline Muhongayire. She was a colleague of ours. We know how capable you are. We miss you in a way but President Paul Kagame makes sure we do not miss you altogether. Welcome back as our minister.

My congratulations to the hon. Phyllis Kandie. I remember when she came here, we were here in Kampala and the EALA ladies wanted to take the show on their own. I grabbed the flower bouquet from hon. Tiperu and said, I am going to be the one who is going to present the flower to this new honourable because ladies do not keep us away and I think I was right because she is now our Chair but I do not think she remembers what I did but it is okay.

Madam Speaker, now you can start my clock. Mine is my personal experience with Nelson Mandela. In his life and my life, I only shook hands with Nelson Mandela twice and on these twice, he was not the President of South Africa.

As soon as he came out of jail, I remember in less than 10 days he was in Dar es Salaam and I made sure I was there positioned somewhere so that I could get this opportunity and I positioned myself very well and I got that chance. Winnie Mandela was there and I also got this chance. We even took a picture.

He went away and then became President. Madam Speaker, I can assure you that it is not easy to see Presidents and heads of State. If you hang around there, there will always be somebody to ask you, what is your business around here? So it is best to keep away because you are not the President and if you are not even the aide of the president or his minister, you avoid a lot of unnecessary questions. So I missed him then.

The second time I had a chance to say hullo and shake hands I had more time with him because it was after *Mwalimu* Julius Nyerere had passed away and he could not immediately come to the

funeral so he took another day of his own and when he came to the home village of Butyama where *Mwalimu* Nyerere is now laid to rest, I was the master of ceremony and you can just imagine. We had a lot of talk with Nelson Mandela. I was saying now sir we go here, now we go there and he made a lot of jokes.

I remember one joke. He was telling me young man, did you see me on TV the day I was about to come out? I said yes we stayed for quite some time, it was nearly three hours. He said yes, you must have been there. Now this is what I wanted to talk to you about. We were having lunch in the village. I know people waited for me for a long time out there but I was saying good bye to my jailer. He had jailed me for so long and we became friends and I was not sure when I was going to meet him again. I never knew what my life was going to become like later on so I was saying good bye to my jailer and I needed all the time. And then he said the white men also came and I said, guys please give me time to say good bye to my jailer.

So we had many of these talks. Shaking hands with somebody depends on where you are and what you are doing and where this person is at that moment. For example I have shaken hands only once with my beloved head of State president Uhuru Kenyatta. I am a very hopeful person because I am alive and kicking and my president has good health. I will beat the record that I made with Mandela with him but it all depends on where you are at that moment.

May I sadly say this fact? That I believe that President Thabo Mbeki of the Republic of South Africa may have shaken hands with Nelson Mandela many more times than me but there are people who are in this world who shook hands with Nelson Mandela many more times than President Thabo Mbeki because of the circumstances.

May I also sadly say that I believe the present President of South Africa His Excellency President Zuma may have shaken hands many more times with Nelson Mandela than me but I believe there are people in this World who did so many more times than President Zuma although he was the President of South Africa.

Sadly I also believe and I think it is true that there are people who shook hands more times than Winnie Mandela and Graca Machel although they were his wives. Who were these people? The guys who were in jail. The man stayed there for 27 years. You wake up, you say hullo to your room mate or your neighbour for 27 years. There is no way the wives of Nelson Mandela could catch up with that time.

This is my last statement and I think it is just five minutes more. That the man stayed there for so long and when he came out, he chose not retribution. What we should learn from Nelson Mandela is forgiveness. The rest has been said and this is all I can remember of the man; forgiveness. God bless Mandela. I say one hundred percent I agree with this motion. Thank you.

The Speaker: Thank you very much.

Mr. Abubakar Ogle (Kenya): Thank you, Madam Speaker. A motion of this nature regarding the apartheid struggle I think it is very prudent for the House to remember the other heroes of the struggle; Walter Sezulu, Mbeki, Kathranda, Erias Masoweli, Andrew Mulangeni and above all, the most important person in the struggle against apartheid who paid the ultimate price Steve Bantu Biko, Chris Hani and Tokio Segwale. These were the true liberators of South Africa against apartheid.

Madam Speaker, let me also say that I have had the privilege and honour to have interviewed the late Nelson Mandela. In fact I have had the extra privilege of having had breakfast with him and his indomitable wife, Winnie Mandela, Archbishop Desmond Tutu and Serenamufosa. I had the privilege of one and a half hours interaction with that great man. You could not fail to feel the presence of such an iconic and towering figure. That was the unmistakable impression you get while sitting with Mandela.

But it is very easy again to shout and repeat the chorus of the greatness in the man; how good he was, how charismatic he was, what a good liberator he has been, how forgiving he has been and all those accolades everybody has been talking about since his death but then there is a down side to Mandela. In trying to talk about the legacy of the man, you must analyse the whole thing in totality.

Let us begin from the beginning. When Mandela was released or before he was released from Robin Island, he was taken to a place called Paulsmore prison, a place that is contained in the motion. At that point, he was negotiating with his jailers P.W. Botho, De Klerk and all the Boers and it appears Mandela may have ceded a lot of ground. When he told us at the Rivonia Trial; the one you quoted, that he was going to do everything to ensure that there was justice and equality in South Africa, he did not live true to those words. When he negotiated with his jailers, I think the agreement was, we will cede political power, we will give authority to some black man, some African.

That is what the world out there feels but then you are not going to disturb the status quo. Such that even when he assumed the presidency in 1994, Mandela presided over one of the most unequal countries in this world. South Africa today is one of the most unequal states in the world after Brazil. The black majority are living on hardly five percent of their original land, the land that has been forcefully taken away from them. So you wonder, what was the fight? What was the struggle for? It was futile and I think on that aspect, Mandela was a failure and we must be honest about it. Mandela failed us. He did not deliver what he had gone out to do. He did not.

Secondly Madam Speaker, when the colonialist Boers first came to South Africa, they had a certain belief or world view about Africans. As far as they were concerned, Africans were permanently hewers of wood and rowers of water made by God to serve a special race called the white man. That is what is, by and large, existing in South Africa today. In fact a huge population of South Africans who are working on the white farms; those big plantations are not

even paid money. They are paid something called a tot of alcohol. That kind of abuse is not happening anywhere in this world. What is obtaining in South Africa today is worse than what the media were telling us about; this is for blacks and there was a passage for whites and a passage for blacks. What is happening down there in the plantations is worse.

Now Mandela knew that. He may have negotiated that with his jailers but he did nothing for the four years he was the President. So in that aspect he was equally a failure.

One other thing that Mandela bequeathed this World is what is called the Truth and Justice Reconciliation, a model commission thing we have adopted in even Kenya, Malawi- I do not know whether Uganda adopted that thing but through reconciliation, let people come together, let truth be told, let us reconcile. Reconcile over what when you have not addressed the background or issues that really caused all this injustice? That is a very bad legacy he has bequeathed this world. Truth and justice has not addressed South Africa and it has not helped anybody. This is something that we are apparently just jumping on almost everywhere.

Thirdly Madam Speaker, during the time of his presidency, President Mandela bowed to public sensibilities and taboos. He did not speak about HIV/AIDS which was killing 600 South Africans a day. That translates to about nine massacres a day. He did not. But you know what he did? He stood out in public and joined the campaign of what was fashionable then. Something called the gays, lesbians and homosexuals. He said these are human rights. He did not want to engage in any public education about HIV. In fact he was presiding over Africa's strongest economy. His country would even have afforded to give those people free retroviral drugs but he did not- (*Interruption*)

The Speaker: I wanted hon. Ogle to wind up and then I will give you substantial time to make your point. So wind up hon. Ogle in one minute.

Mr. Ogle: On another note, Mandela was created – he was a manufactured project by the same guys who jailed him, who called him a terrorist and then all of a sudden he was an icon; a man we must all as Africans aspire to be like. He was almost like a manufactured project. And then they gave him some very unique moral status but he did not use that moral status to stand for the man who stood for him when there was apartheid in South Africa. He did not stand for Muammar Gadhafi. On that score, Mandela was also a failure.

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

Ms Valerie Nyirahabineza (Rwanda): Thank you very much, Madam Speaker. I will be very brief. It is not so easy to talk about an icon like Nelson Mandela as many of my colleagues who spoke before me have alluded to. I have three or four points to speak about him. Nelson Mandela has always been true to his promise in the sense that he has always been fighting for democracy, peace, harmony and he had a sense of togetherness. Actually Nelson Mandela never wavered in his devotion to democracy, equality and earning. We all agree that despite terrible provocation,

he never answered racism with racism and his life has been an inspiration to all who are oppressed and deprived and to all who are opposed to oppression and deprivation.

My second point is that Nelson Mandela loved children so much. You could have seen that every time Christmas or any special occasion was coming, Nelson Mandela specifically on his birthday was always inviting children. I remember one day he had received children at his home and he made himself available to them and asked them to ask him a question. One child raised his hand and said, how did you become President of South Africa after so many years in jail? Nelson Mandela said, well I do not know how to describe the atmosphere but I became president simply because your mothers, your sisters, your brothers and your fathers decided to vote for me. I wish everybody had a good heart like yours.

So he considered children as honest people who cannot let anybody down, who cannot dislike others and not considering very many aspects of love, of fraternity and even that sense of togetherness.

Nelson Mandela was liked and this is my second last point. He was liked not only by black people but also white people. He was liked by different races. I had an opportunity to go to South Africa just a few days before he died and there was a trial going on in Cape Town about men who had tried to kill him when he was still president. When they were planning to kill him, another white man decided to go and make some personal investigation only to discover that those people were really planning to kill him so that he can disappear. That white man was not paid by the government. He said, I decided to come and inform the investigators and the intelligence that some people were planning to kill him. I would not have let him die because he has been fighting for peace, fraternity, harmony and a sense of togetherness.

It means that even if such a period happened in his life, I do not think that everyone was supporting what these white people were planning to do against him. So this is something that should be appreciated because his own achievements, his spirit, his sense of leadership that he has always offered, gave him the opportunity to be liked by even people who were supposed to be his opponents.

So when I was in South Africa, I was really impressed by the fact that that white man had actually recruited so many other white men to investigate together with him and to go and tell the intelligence about what was likely to happen in South Africa.

My last point is that it is my prayer that his soul rests in eternal peace. Thank you.

The Speaker: Thank you very much.

Ms Emerance Bucumi (Burundi): Thank you very much, Madam Speaker for giving me the floor. First let me wish you and all members a happy new year 2014.

Second Madam Speaker, I would like to thank His Excellency Yoweri Kaguta Museveni, the President of the Republic of Uganda for accepting to come and address his remarks to the Assembly during the opening ceremony of this session.

Third, let me thank Uganda chapter for the warm welcome. We feel at home as usual when we are here.

Fourth, I would like to congratulate the mover of this motion. I want to support this motion because as an East African of Burundi origin, I can say that the late Nelson Mandela was a gift given by God to the country like Burundi.

The history of Burundi especially during the civil war since the assassination in 1993 of the President is known by everyone here. The role played by President Mandela in the peace process for the Republic of Burundi could not be forgotten in our hearts. I remember the peace process was in the hands of Nelson Mandela since December 1999. I can tell you that his appointment was a victory for the Republic of Burundi.

Madam Speaker, his first priority was to terminate the Arusha process as quickly as possible. He was the first person to put pressure on the government to dismantle the development camps in Bujumbura called Bujumbura *Rirar*- Rural area of the province of Bujumbura. He was also the first person who allowed the political parties to become active and permit freedom of the press. By his strategy, the idea of negotiating with Hutu rebels which was being rejected in 1996 was more widely accepted.

It was President Mandela who convinced the former President of Burundi at that time called Pierre Buyoya to explain to his counterpart about the necessity of a solution for stability.

Madam Speaker, I can tell you that the name of Mandela will stay in the memory of Burundians. As the mover has mentioned, we have to pray to the Almighty God to grant Nelson Mandela eternal peace. Thank you once again, Madam Speaker and I support the motion.

The Speaker: Thank you very much, hon. Bucumi and you have kept the time so thank you very much, you have done very well.

Ms Hafsa Mossi (Burundi): Thank you, Madam Speaker for giving me the floor. First of all I would like to thank the mover for bringing in this motion. Indeed as others have said, it is very difficult to talk about an icon like Nelson Mandela but I will focus on three points.

When the late Nelson Mandela was just elected, I was living in South Africa and I could see how he devoted himself to try to convince black people to forgive and move forward. I remember once he was given an interview where the question was, what was behind this attitude towards white people; his oppressors. He said, "Hating clouds the mind. It gets in the way of strategy. Leaders cannot afford to hate."

I was really impressed to see how he tried to moderate bitterness to black people and at the same time reassuring white South Africans who had fears of vengeance.

My second point is as a Burundian. My country has benefitted a lot from his experience in peace making. If you do not know, Burundi has experienced three years and a half of isolation which has resulted in regional sanctions but also suspension of international cooperation. So Nelson Mandela breathed new life in Burundi and put Burundi back on the map and on the international agenda.

He did this because he took over from what the late *Mwalimu* Nyerere started. We pay tribute to *Mwalimu* Nyerere because if it was not for him and Nelson Mandela and the regional initiative, Burundi would never be the way it is today.

Madam Speaker, my last point is that the late Nelson Mandela not only brought peace back to Burundi but he is the one who brought on board women on the table of negotiation. For that there was a creation of all party Burundi women for peace conference and most of the proposals were included in the peace accord and we thank him very much for that.

Nelson Mandela was a visionary leader, a pan Africanist, a peace maker and we will always remember his courage, his commitment and dedication which will always inspire many people.

Madam Speaker, South Africa and the world will never be the same without Nelson Mandela. As Africans, he is our pride and hero. But also I want to take this opportunity to clarify on one point which was raised by hon. Ogle. He talked about the fact that in his opinion, Nelson Mandela did not do anything about HIV/AIDS. Indeed Nelson Mandela did something very important. He is the one who started talking about HIV/AIDS in South Africa saying that it is a reality and that his son had died of HIV/AIDS. I think that was a strong message in South Africa. Thank you very much, Madam Speaker.

The Speaker: Thank you very much. We will now move this side.

Ms Shy-Rose Bhanji (Tanzania): Thank you, Madam Speaker for giving me the opportunity to also pay tribute to Nelson Mandela. Since it is my first time to speak in this House, and since the New Year begun, let me begin by wishing all of you a very happy new year. We should be thankful to Allah that many did not make it cross over to 2014, one of them being the Minister for Finance in Tanzania *Mshemiwa* William Mugimwa and many others who did not make it. For that I would like to convey sincere condolences to the family and the government of Tanzania and the people of Tanzania and East Africa following the death of Dr. Mugimwa.

Madam Speaker, let me now add my voice in paying tribute to the first black president in South Africa. Nelson Mandela was a gallant fighter for the freedom and justice for all. Mandela stood out with conviction regarding the freedom of every South African and because of that conviction, Nelson Mandela was sentenced with hard labour for 27 years.

It is painful to note that this hero spent almost his entire life in prison before and after he came out of prison. He was jailed at the age of 46 in October 1963 only to be released in his '70s and became the President at the age of 72, dying at the age of 95. It is sad that his years of freedom were 24 years.

Madam Speaker, Nelson Mandela being a father of six children; four from Evelyn Mase his first wife and two from Winnie Mandela. Madiba was an absentee father for a long time because he wanted to fight for the welfare of the wider South Africans. For this absenteeism, his family suffered a great deal and I am sure none of us can understand or feel how his family felt for their father and a husband not being around at the time.

Mandela was a political icon not only for South Africans but for the whole of Africa and the world at large. Mandela was the most forgiving person because he bore no grudges against the white regime that put him in prison for 27 years. In one of his quotes, Mandela says, "As I walked towards my freedom, I knew if I did not leave my bitterness behind, I would still be in prison."

I would also like to say that Mandela refused to hate because he knew love would do a better job. In all his remembrance, there is a special place in Tanzania in supporting Mandela's crusade since 1962 when he visited Tanzania by then Tanganyika. He came to Tanzania to gather support for the liberation war and here I also want to pay tribute, like my fellow colleagues to the father of the nation *Mwalimu* Julius Nyerere because he was hand in hand for the struggle of liberation of South Africa. He facilitated *Mwalimu* Nyerere with a travel document as well as offering liberation camps to sharpen and offering skills to the freedom fighters from ANC.

Madam Speaker, from the Nelson Mandela profile, we can easily appreciate his life for all that he has done but all that we can say is Madiba was an African hero of South African liberation, a freedom fighter for a non-racial South Africa and a secular saint who propagated forgiveness, unity for everybody.

Finally I could go on in telling and appreciating Mandela's life but allow me to conclude by drawing vital and useful and relevant lessons that many leaders can borrow. He was not afraid to compromise for the sake of a larger goal and that ideas could not be contained in prison walls as stated by President Obama. Thank you, Madam Speaker and I support the resolution.

The Speaker: Thank you.

Mr. Celestin Rwigema (Rwanda): Thank you, Rt hon. Speaker for giving me the floor. As I have the floor for the first time, I want to start by recognizing and thanking President Museveni for his speech full of wisdom and inspiring all of us and given in a very practical way because it was really focusing on the way of doing business in an easier way.

I want to also thank the Uganda chapter for the warm welcome and stay since our arrival here in the beautiful town of Kampala.

Allow me to thank you also, Rt hon. Speaker and hon. Members who expressed their support to me while I was in hospital under eye surgery. I thank you very much.

Let me add one comment on this. Moshi is an excellent hospital for eyes and people do not know. Most people can fly to South Africa or India for more money not knowing that they have better care at home.

Coming back to this motion, I first thank the mover of the motion and of course I support this motion because when you have to talk about Nelson Mandela in five minutes or less it is very hard. Nelson Mandela is an icon for the whole world in everything positive. I want to focus on two things; on reconciliation and on democracy/.

On reconciliation, I want to focus on this because when you see someone spending 27 years in prison and then after ending that period without any kind of armed conflict, this is not done by everybody.

When I compare Mandela or the reconciliation done in South Africa and what has been done in my country Rwanda after the genocide, it is not so easy because reconciliation is not something that comes by itself. You have to work very hard which means that there are some steps for reconciliation. You have to make people recognize what has been happening in the country and they have to recognize that by themselves and they have to get genuine repentance for what has been done and they have to start repair and rehabilitation and then get the reconciliation. This is a very achievement that Mandela has done.

The second achievement that I appreciate from Mandela is democracy. Someone who has spent 27 years and after that he is elected as the first black President in South Africa and then spent five years only in power is special because recently during the burial ceremony, a question was asked to President Mugabe and he said, I agree with Mandela on almost everything but we disagree on land management and land policy. The journalist asked him, how about on democracy because you are the same age as Mandela and you are still struggling to stay in power. He said, no it is not up to me, it is up to my people because they want me to stand.

They asked him again, do you think South African people did not want Mandela to stay in power? And he did not get any answer.

I can go and spend more time if I was allowed but I want to thank because I do not want to forget that the Chair Council emeritus Shem Bageine- It was very impressive to be with him during our plenary session and I thank him very much.

I cannot also forget to welcome the new Chair, Council and to wish her the best and to recognize the good statement she made during the opening of the session. I support this motion, thank you, Rt hon. Speaker.

Ms Maryam Ussi Yahya (Tanzania): Thank you very much, Madam Speaker. First of all I would like to take this opportunity to wish you, Madam Speaker and all members a happy new year.

Also before I start my contribution, I would like to congratulate hon. Shem Bageine on his time with us. He was a new Chair but he was a very efficient Chair.

Madam Speaker, I would like to congratulate the mover of this motion; hon. Sebalu. Actually he was saying that we can pay our tribute to Nelson Mandela in different angles. I will go to the political angle as Nelson Mandela is one of my heroes. Actually when Nelson Mandela dies, it reminded us of the death of our father of the nation as well, the late *Mwalimu* Nyerere.

Madam Speaker, as a young person, I experienced post-apartheid live in South Africa because in 2000, it was my first time to start college in South Africa and I was there for the whole year. I experienced the post – Because there was segregation and discrimination before in South Africa but in 2000, ten years after apartheid and only six years after Mandela was the President, we were able to mix up as black and white students. We were taught by white teachers mixed with black teachers in the same college which was not there before. We were not forced to learn Afrikaans which was the language of instruction in South Africa. English was the medium of instruction.

So Madam Speaker, honestly I believe Nelson Mandela paved the way. He sacrificed his freedom so that the next generation like us could benefit and a generation from ourselves could benefit. So I can actually pay tribute to him as my hero because I have experienced the time and I was able to get good education which ten years before that I would not be able to.

Therefore I support this motion wholeheartedly. Thank you, Madam Speaker.

Mr. Jeremie Ngendakumana (Burundi): Thank you, Rt hon. Speaker. First of all I would like to wish yourself, Madam Speaker and all members all the best for this year 2014. May peace, love and good health be with you during the whole year in your family and in your respective countries.

Let me also thank the Uganda chapter for the warm welcome we have benefitted since we have been here in Uganda.

So many things have been said about *Tata* Madiba Mandela, about what he was, what he said and what he did. Allow me not to come back to this for the purpose of saving time but one will ask himself, all he did, what he was, what he said all this for what? 27 years in jail for what?

Madam Speaker, Nelson Mandela wanted South Africa to be the so called rainbow nation where white people and black people would live together enjoying the same rights. He wanted South Africa to be a nation where rule of law and human rights would be promoted and for this, he spent 27 years in jail. For this he fought.

For those values, he has been recognized as an important person and an icon for Africa all over the world.

Madam Speaker and hon. Members, one can ask himself, why now? South Africa is an equal society and Mandela spent 27 years fighting for an equal society. Let us understand that like an ideal for which Mandela has been fighting. We never have all over the world an equal society. We are fighting for it, we fight for an improvement. Let us say that Mandela wanted a society where all the citizens; white and black people would enjoy human dignity.

I would like to say that this word dignity is very important because it can be understood like a package in which all those human values and human rights are wrapped. Dignity can be understood like the key word of human rights. When one recognizes to you your human rights and dignity then there is no way he can refuse you all other rights.

Madam Speaker, hon. Leonce can inform us better but I have been told that in Burundi during the DRC things, there was a restaurant of white people. On the front door of that restaurant was written forbidden to dogs and black people. This meant that the respect or consideration given to Burundians at that moment was exactly like the one given to dogs. Which means that they did not recognize human dignity for the Burundians.

In South Africa and all over the world, people need this human dignity to be recognized and more than everything, people can be economically comfortable but without this human dignity, they will still frustrate it.

Madam Speaker and hon. Members, my humble prayer and request to us as leaders and as politicians is to do our best so that all our citizens fully enjoy their human dignity. I thank you.

Ms Nusura Tiperu (Uganda): Thank you very much, Madam Speaker. I wish to join my colleagues in seconding the motion that was moved by hon. Mike Kennedy Sebalu in reference to paying tribute to the late Nelson Mandela.

I wish to thank hon. Sebalu in a special way for an issue well thought, a debate well-articulated and I was more intrigued and happy when I heard contributions from hon. Zein and others.

I will be precise but allow me to say that this motion has been timely. It is well deserving and it has given us as EALA an opportunity to associate ourselves with the demise with a great man since we were not able to be present in South Africa.

Allow me also to use this opportunity, Madam Speaker to thank the members of Summit because we watched and we saw them represent us so even if we were not there physically, by them being there, we were proud of them and felt that our views and our presence was felt because all the members of EAC Summit were present at the funeral of the late Nelson Mandela.

Madam speaker, indeed as a continent the world lost a great leader, a patriot, a statesman, a grandfather, a man whose legacy is felt all over, a man whom people are proud to name their children after, a man who people now even have named many of their businesses by his name including country monuments. For example in Uganda we have the Mandela Stadium. We are proud and I think many more countries will continue to do so. This is an indication of a legacy and a life well lived. May his soul rest in eternal peace.

I will only focus on the good things about him because my faith bars me from speaking negative things about the dead because we are told if you say something negative about someone who has already died then you will have to go with that sin because you will not get time for you to apologise before him and it is wrong because he is not present to defend himself. By that, I will only focus on the good things about him and basically the issue of being an eye opener to this continent especially on the issue of oppression against the blacks.

We appreciate him for that struggle and that has kept us going as African leaders and I believe we have all said no to any other oppression and whoever thinks of oppressing Africans I think we have a lot to learn and they all know what we can do if such a thing came back.

I want to only focus on the contribution of Winnie Mandela Madiba Manikuzela. As a student, I loved and appreciated the role of Winnie Mandela. As a young girl, we all took Winnie as our role model. We loved the manner in which she continued the revolution. She called rallies, she spoke, she was an orator, she kept the dreams of her husband on and I think when we took her as a role model, it is the reason as to why some of us are politicians today.

When I watched the funeral, I was a bit sad because I thought an opportunity would be given to my icon Winnie to say something about her loved one but I did not see it happen. Maybe it was in another private session but for all the proceedings of the funeral that I watched, I did not see Winnie speak and I felt sad.

But Winnie indeed showed the contribution of women in a revolution. The contribution of youth was also shown by the manner in which the South African youth stood by the visions and ideals of Nelson Mandela.

With those few remarks, Madam Speaker I want to conclude there and say that he lived a life very well. His words are used, his quotes are used everywhere. Even when we fly in KQ, we now have magazines with quotations of Nelson Mandela and each word means volumes to all of us.
Asanteni sana.

The Secretary General EAC (Amb. Dr Richard Sezibera): Thank you, Madam Speaker. Nelson Mandela combined three key characteristics that are sometimes neutrally exclusive. One, he acquired iconic status; he is an icon. Two, he became a very successful brand and three, he was deeply human.

Nelson Mandela became an icon from before Rivonia, through the Rivonia trial and subsequent events after and I think this House has spoken eloquently about this status.

He also became a very successful brand. We all remember that image of Nelson Mandela in a jersey shirt of the spring box, a black man in a white dominated game in a deeply divided society that became in many ways, a reflection of the vision he had for South Africa so he was a very successful brand.

Madam Speaker, Nelson Mandela was also deeply human and it is that last aspect that I want to talk about. In the 1980s and 1990s, the children of the world were dying of vaccine preventable diseases. In fact in the 80s and 90s we were in many ways a lost decade for the children of Africa. Part of that was because financing and the global health architecture was not ready to deal with this issue. Financing for vaccines was less than US\$ 200 million a year and there was no sustained campaign for the children of the world to be vaccinated from vaccine preventable diseases.

Madam Speaker, in 2001, the Global Alliance for Vaccines and Immunisation, a global arrangement was born. Nelson Mandela then had retired from the presidency. He was being sought after by so many people to sit on their boards and to champion many causes. Nelson Mandela chose to be the first chairperson of the Global Alliance for Vaccines and Immunisation.

Because of his leadership which he eventually handed over to another great lady Graca Machel, who handed over eventually to the former President of Ireland Her Excellency Mary Robinson, vaccines that were available to the children of the wealthiest countries are now available to the poorest children in the world. There used to be a 15 year gap between the introduction of a vaccine in the West and its availability to a few of the children in the developing world. That gap has gone down to less than three years.

In 2001, the world was mobilizing only US\$ 200 million for vaccinating children. Today on an annual basis, the world is mobilizing US\$ 4.5 billion committed to vaccines and we see it in East Africa. Infant mortality is dropping, our children are living longer and this is partly because of the activities of Nelson Mandela.

I am proud to sit on the Gavi Alliance Board and to be part of their policy and program committee and on behalf of the children of East Africa, I wish to pay tribute to Nelson Mandela.

The Speaker: Thank you very much, hon. Secretary General. I wish to invite hon. Leontine Nzeyimana to represent the Council of Ministers.

The Minister of EAC Affairs, Burundi (Ms Leontine Nzeyimana): Thank you very much, Rt hon. Speaker. Since it is my first time to take the floor for this session, I would like to wish you, Rt hon. Speaker, colleagues, ministers, hon. Members a happy new year.

On behalf of the Chair, Council I will convey the good message that you have made to her; the remarks of welcoming her will be conveyed to her.

I stand here to support the motion and I thank the mover of this motion which is a very important one. Maybe the Council would have moved it but anyway-

As a citizen of East Africa from Burundi, I would like to recall the great job done by the late President Mandela in the peace making process in Burundi. President Mandela took over the role of the late President Julius Nyerere as mediator for peace talks for Burundi. Mandela was chosen to mediate the peace talks by the region Summit which was held in Dar es Salaam. The choice of Mandela was not just a mere choice. He was chosen among others because of his wisdom, his capacity in negotiation processes, in peace making and reconciliation.

The people of Burundi have benefitted deeply from his wisdom, his sense of forgiveness and tolerance. I have no doubt that the Burundian leaders who were negotiating at that time were inspired by the character of Nelson Mandela.

While enjoying the dividends of peace and security in Burundi, the people of Burundi will never forget the tremendous contribution made by President Mandela toward peace and stability in Burundi.

I would not finish my statement without paying tribute to the late President Mwalimu Julius Kambarage Nyerere who started as a mediator for peace talks. The peace talks started by Mwalimu Julius Nyerere led to a signature of Arusha agreement which is now a very important document used in Burundi.

Rt hon. Speaker and members, I thank you very much.

The Speaker: Thank you very much, hon. Leontine for that important role both of representing the Chair Council but also bringing forward the passion which the republic of Burundi held on the late Nelson Mandela. I wish to invite the mover of the motion hon. Sebalu to wind up in about two to three minutes so that we are able to-

Mr. Sebalu: Madam Speaker, I beg that we do the standard five – That will be done in five minutes with your indulgence.

Thank you very much-

The Speaker: Rule 12.

Mr. Sebalu: Thank you very much, Rt hon. Speaker and hon. Members. I want to begin on a light note. Hon. Rwigema raised a very important thing regarding President Mugabe at one point. He is one of the most humorous presidents. One time some journalists asked him, President Mugabe, when are you going to bid farewell to the people of Zimbabwe? He asked them, where are they going?

On that note, I want to thank my very able seconder, hon. Zein who did a very good job seconding the motion. I could not have had a better seconder formally. I would like to thank hon. Makongoro, hon. Ogle, hon. Valerie, hon. Hafsa Mossi, hon. Shy-Rose, hon. Rwigema, hon. Maryam Ussi, hon. Jeremie, hon. Tiperu, SG Dr Sezibera and the Chair, Council-

The Speaker: And hon. Bucumi.

Mr. Sebalu: And in a very important way I just wanted to do yours special. In a very special way, hon. Bucumi.

Most of the members were actually complementing. I just want to have comments to do with one member, Amb. Ogle who in his diplomatic way handled it the way he did. He is one man I respect for his views. I really respect him for his views but I think he also needs to ensure that he consults the right sources because hon. Hafsa Mossi has brought a very important aspect which I wanted to put on record.

Secondly, I want us to appreciate the late Mandela in two aspects with regard to making friends and I am going to quote. In one of his visits after assuming power, some of the countries that he visited were Libya and Cuba and for that he received a lot of criticism especially from Western capitals; the US and the UK. How do you go to such countries, how do you associate with such countries. In his response, he clearly indicated that it is not good to forget friends, especially those friends that stand with you in a very difficult time. He actually defied the campaign which involved even lobbyists to ensure that he does not go to Libya and Cuba because they thought that the Presidents of those countries would gain a lot of mileage from the visits.

He indicated that he had to go there even before he could consider going to any of the Western capitals because those Western presidents were calling him names. Actually they were calling his organization a terrorist organization and he said while you were calling me a terrorist, these people were always by my side and they stood with me. Now I do not see how you can say that he betrayed these leaders because that was a very strong commitment.

Secondly in my presentation, I also indicated that he condemned the practice of Western super powers going around and attacking independent governments. That he said when he was still a head of state. By the time the issue of Gadhafi came up, he had already retired and definitely engaging him at that level would be demanding too much. So he really stood with friends, he condemned the bad and he would always come out clearly and indicate it.

So I really want us to treat him fairly regarding that aspect. Nonetheless, I really respect the views of my celebrated friend. He raised a number of issues for which he is entitled but definitely there is one thing we can say. His positive side greatly outweighs his weak side and we are all human. None of us can be perfect but his attributes and contributions definitely outweigh his undoing.

Madam Speaker, finally I just want to quote that the late Nelson Mandela had this to say on love because this is something that should keep us moving as a human race, “None is born hating another person because of the colour of his skin or his background or his religion. People must learn to hate and if they can learn to hate they can be taught to love for love comes more naturally to the human heart than the opposite.”

That is very important. Wherever we are in leadership and whatever we do, I think that is an important lesson to learn.

Finally for us as a cadre and a generation of leaders, he had this to say on democratic future when he addressed the United Nations General Assembly in New York September 1998. “As I sit in Kuna and grow as ancient as its hills, I will continue to entertain the hope that there has emerged a cadre of leaders in my own country and region, on my continent and in the world which will not allow that any should be denied their freedoms as we were. That any should be turned into refugees as we were. That any should be condemned to grow hungry as we were. That any should be stripped of their human dignity as we were.” I believe we are that cadre of leaders that he was talking about.

Finally, I would like to thank Rt hon. Speaker for your indulgence and magnanimity in terms of giving this subject matter priority and allowing us an opportunity to pay tribute to one of the greatest men ever lived. With this I would like to thank you.

(Applause)

The Speaker: Thank you very much, hon. Sebalu. Hon. Members, the motion on the floor is that this Assembly do resolve to pay tribute to the late Nelson Mandela. I now put the question.

(Question put and agreed to.)

The Speaker: Hon. Members, we have come to the end of our deliberations today. I want to thank you for the commitment exhibited during the debate. Before I adjourn the House, I want to make one important announcement. This evening we do have a very important invitation from Quality Chemicals. They do remember your visit to Quality Chemicals when we were doing the oversight visit activity this last December.

That time was not adequate and they actually thought that we could have more time with them during the plenary. So I request that you humbly respect this invitation so that we are reciprocal

in approach. The dinner is at Sheraton, we are expected at 6.30 p.m. So House stands adjourned until Tuesday 2.30 p.m. House stands adjourned.

(The House rose at ... p.m. and adjourned until Tuesday 28 January 2014 at 2.30 p.m.)