



EAST AFRICAN COMMUNITY

IN THE EAST AFRICAN LEGISLATIVE ASSEMBLY (EALA)

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

71ST SITTING - SECOND MEETING: THIRD SESSION - THIRD ASSEMBLY

Tuesday, 25 November 2014

*The East African Legislative Assembly met at 15:45 p.m. in the
County Hall, Nairobi, Kenya*

PRAYER

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

(The Assembly was called to order)

COMMUNICATION FROM THE CHAIR

The Speaker: Honourable Members I welcome you to today's sitting.

I wish to express our deepest condolences to the Speaker of the Senate - Senator Ekwee Ethuro, Senators, Members of Parliament of Kenya National Assembly, the leadership and Party of ODM and CORD, the constituents of Homa Bay and the family of the late Sen. Gerald Otieno Kajwang upon the abrupt passing on of this illustrious, patriotic and visionary Kenyan who passed on in the

ambits of duty. We mourn with you; and pray to the almighty to give you strength and comfort during this trying time. May the soul of Senator Kajwang rest in peace.

Hon. Members, yesterday this country and indeed East Africa woke up to the news of the slain of 28 Kenyans at the hands of the terrorists. We continue to condemn those heinous acts inflicted on the people of Kenya and other peace loving East Africans. We mourn with the country, the families and colleagues of the fallen Kenyans many of whom died in the precincts of duty.

We urge the Government of Kenya to continue with the efforts to bring the culprits of these acts to book and we pray that God Almighty grants the souls of the departed external rest.

May we observe a minute of silence in honour of the departed.

(A moment of silence was observed.)

Hon. Members, the Motion regarding the Hon. Shyrose's removal from the Commission by Hon. Byamukama;

These are my comments and rulings On it:

- (1) Drawing on the basis of Rule 14 (3). I rule that this Motion was an infringement on a Member's right and was an abuse of the Rules of the House.
- (2) The Motion could not fit in Rule 31 (1) as prayed by the Mover then as a matter of public importance - noting that the alleged quarrel took place in the bus in Brussels. Thus not covered anywhere within our Rules of Procedure.
- (3) The motion was never brought to the notice of the Speaker; it was just placed at the Clerk's table at the time when the Chair of the Committee of Legal, Rules and Privileges was called to proceed under a different motion and intent was to ambush the Speaker to move another motion showing bad-faith on the part of the Mover.
- (4) Even where the Speaker reminded the Mover about my earlier ruling on the matter of procedure, this ruling was completely disregarded.
- (5) The efforts which had been expressed by the Member on which the Motion was moved to be heard under Rule 41

on personal explanation which was communicated by the Speaker was also disregarded and never heeded to.

- (6) I rule that this Motion not be proceeded on and also I rule under Rule 25 (1) that in order to preserve the sanctity of the House on confidential matters; that the motion and the debate be excluded from "journals of the House and from the verbatim report proceedings of the House".

The Sergeant At Arms can proceed to investigate any threats to Members allegedly committed outside the Assembly and report the matter to the relevant security organs including the Diplomatic Police.

You can proceed.

REPORT OF THE WORKSHOP ON THE RULES OF PROCEDURE OF THE ASSEMBLY
FOR THE PURPOSES OF AMMENDMENT

Hon. Opoka-Okumu, I had received a request by the Clerk, that this report is not ready. If you want to move on the report of hon. Okumu-

(Members stood in their places.)

Then I suspend the House.

Mr Abdul Karim Halerimana: It's your right.

The Speaker: House suspended.

(House was suspended at 14:52 p.m. upon resumption the Speaker in the Chair_)

The Speaker: Hon. Members when we adjourned we were moving on item number two on the report of the House and hon. Opoka was supposed to move-

(Members stood in their places)

Hon. Members the speaker should be heard in silence and when all members are seated.

The Members: No

The Speaker: Hon. Members we are moving on item number two -
(Interruption) -

The Members: No!

The Speaker: Then I adjourn the House to tomorrow 2:30 p.m. and I instruct the Clerk to please circulate the report of the Committee of the Workshop so that we are able to internalize it. House stands adjourned.

*(The House rose at 3:23 p.m. and adjourned until Wednesday, 26th
November, 2014 at 2.30p.m.)*