



**EAST AFRICAN COMMUNITY**

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

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

**THIRD ASSEMBLY: SECOND MEETING - SECOND SESSION**

**Thursday, 31<sup>st</sup> October 2013**

*(The East African Legislative Assembly met at 2.30 p.m. in the Burundi National Assembly,  
Bujumbura, Burundi.)*

**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 want to welcome you to today's sitting. This is our last session sitting in Bujumbura and I want to take the opportunity to appreciate the Speaker of the National Assembly of Burundi, the staff and all the people who have facilitated our stay and who have enabled us to effectively perform our duties while here in Bujumbura.

It is important also to put on record our appreciation to the Rt hon. Speaker for yesterday evening's event. It was a very colourful event, very important and it actually went down to register the good working relationship and collaboration between the East African Legislative Assembly and the National Assembly of Burundi. Salutations to Rt hon. Pie Ntavyohanyuma and all the Members of Parliament of the National Assembly.

### ADMINISTRATION OF OATH

**The Speaker:** Hon. Members, I rise to notify you that the newly elected Member from the Republic of Rwanda is present and would like to take his seat in this august House. His names are hon. Kabahizi Celestine who was duly elected by Rwanda Chamber of deputies and his name was forwarded to the East African Legislative Assembly by the Speaker of the Rwanda Chamber of deputies to replace hon. Jacqueline Muhongayire who vacated the seat to become an ex officio Member of this House.

However in accordance with Rule 6 of the Rules of Procedure of this Assembly, he cannot sit or participate in the proceedings of this House until he takes the oath or affirmation of allegiance to the Treaty as a Member of the Assembly.

Rule 6(3) specifically states that when a Member first attends to take his or her seat other than at the first sitting of the new House, he or she shall be brought to the table by two Members and presented by them to the Speaker who shall then administer the oath or affirmation of allegiance to him or her.

I therefore request any two members of the House who know the new Member to present him to the Speaker to enable this distinguished Member to take oath.

*The oath was administered to:*

1. Celestine Kabahizi

**The Speaker:** Hon. Members, we want to take the opportunity to welcome hon. Celestine Kabahizi to the Assembly. Hon. Kabahizi is a long standing serving leader in the republic of Rwanda. This august House takes pride that the Rwanda Chamber of Deputies have identified you to be able to join us and augment East African Legislative Assembly and we look forward to working with you. You are most welcome.

## LAYING OF PAPERS

(i)

**The Chairperson, Committee on General Purpose (Dr. Martin Nduwimana):** Rt hon. Speaker, I beg to lay on table the report on the EAC Pre-budget conference for the Financial Year 2014-2015 held on 15<sup>th</sup> to 16<sup>th</sup> August 2013 in Arusha, Tanzania. I beg to lay.

**The Speaker:** Thank you very much, Dr Martin. Perhaps I will encourage Members at an appropriate time to get these reports and look at them as they are very important.

(ii)

**Dr. Martin Nduwimana (Burundi):** Rt hon. Speaker, I beg to lay on table the report on the delegation to the fourth EAC Scientific conference held on 27<sup>th</sup>-29<sup>th</sup> March 2013 in Kigali, Rwanda. Rt hon. Spekaer, I beg to lay.

**The Speaker:** Thank you very much, Dr Martin.

(iii)

**The Chairperson, Committee on General Purpose (Dr. Martin Nduwimana):** Rt hon. Speaker, I beg to lay on table the report on the induction seminar on sustaining parliamentary action to improve maternal, new born and child health held in August 2013 in Arusha, Tanzania. I beg to lay.

**The Speaker:** Thank you very much, Dr. Martin Nduwimana. I would like to add a rider that IPU was very appreciative to EALA for this very important seminar.

(iv)

**Mr. Mike Sebalu (Uganda):** Thank you very much, Rt hon. Speaker. Section 19 of the Administration of EALA Act requires the Commission to prepatate bi-annual reports to be presented to the East African Legislative Assembly. Madam Speaker, in fulfilment of that requirement, beg to lay on table the second bi-annual report of the East Africa legislative Assembly Commission for the period January to June 2013 and this is in pursuance to Section 19 of the Administration of the East African Legislative Assembly Act.

Madam Speaker, I beg to lay.

**The Speaker:** Thank you very much, hon. Sebalu and I want to thank the Commission for fulfilling that very important requirement of the EALA Administration of Parliament Act. Thank you.

(v)

**The Chairperson, Committee on General Purpose (Dr. Martin Nduwimana):** Rt hon. Speaker, I beg to lay on table the report of the East African Legislative Assembly on the conference on Millennium Development Goals and the 25<sup>th</sup> anniversary celebrations of the Global Parliamentarians on Habitat held in August 2013 in Arusha, Tanzania.

Rt hon. Speaker, I beg to lay.

**The Speaker:** Thank you, Dr. Martin Nduwimana for that very important report.

#### QUESTIONS FOR ORAL ANSWER

(i)

#### QUESTION EALA/PQ/OA/3/23/2013 TO THE CHAIRPERSON, COUNCIL OF MINISTERS

**Ms Angela Kizigha (Tanzania):** I want to ask the minister to answer the question reference EALA/PQ/OA/3/23/2013. Thank you, Madam Speaker.

**The Chairperson, Council of Ministers (Mr. Shem Bageine):** Madam Speaker, I wish to inform this august House that the issue of visa guidelines and issuance by each EAC Partner State is guided by the prevailing immigration laws, policies, administrative guidelines, manuals and other government directives which are reviewed as and when need arises informed by the circumstances which warrant such reviews.

Each country has different visa categories which range from transit, single entry, multiple entry, official, diplomatic, tourist, group tourist, business, education and medical visas.

The conditions attached to the issuance of whichever category are stipulated in the instruments I have mentioned above which prescribe the charges and the duration of the category of the visa to be issued and which differ from one Partner State to the other.

Madam Speaker, with regard to issuing visas on arrival, pre-conditions are specified in the visa regulations, policies and management guidelines of the Partner State.

Countries that require referral visa normally have their applications processed at the immigration headquarters ahead of someone's travel. In some cases, it may take over a month or two to conclude the visa processing requirements.

It is true that some Partner States have also enabled visitors to apply for their entry visas on line but since the visa payments have to be done at the entry point, the visa stamp or sticker is issued on arrival depending on the bilateral relationships existing between the particular Partner State and the nationals of the specific foreign country seeking to enter the destination.

Madam Speaker, the issuance of visas at the point of arrival does not necessarily abate irregular immigration and insecurity. In fact, the challenge of irregular immigration and insecurity is

contributed more by those who enter East Africa through the unmanned entry points than those who enter the countries legitimately.

Madam Speaker, the processes towards harmonising the visa regimes in the context of the Community are on-going. Upon the Council's directives, Partner States, Chiefs of Immigration offices continue to meet and deliberate on matters of mutual interest and propose on modalities for strengthening the modus for allowing them carry out their mandate as stipulated by their Partner States laws.

Partner States continue to install online bio data capturing and verification equipment at entry points.

Madam Speaker, the above outlined procedures notwithstanding, I wish to inform this august House that the processes towards harmonising the visa regimes in the Community are on-going. We are aware that not all Partner States have diplomatic presence in every foreign land yet applicants are from all corners of the world.

As such, we are developing a mechanism by which Partner States diplomatic missions will be processing visas on behalf of each other as contained in the Protocol on foreign relations coordination.

Madam Speaker, the guidelines will be worked out and where some Partner States have visa issuance instruments will require amendments, we shall ensure those areas are looked at.

The East African Community has also signed a Memorandum of Understanding with Interpol which aims at accessing assistance as a region including training, equipment, information, alerts management among others.

Furthermore, we are in advanced stages of operationalizing the EAC regional forensic centre to be hosted in Uganda which will also complement the Community's other multi-faceted interventions on among others, immigrations security.

Madam Speaker, it is therefore clear that all EAC Partner States continue to put in place measures aimed at guaranteeing security of visa issuance. They are also working together to share best practices and to continue to secure East African Community. I thank you.

**The Speaker:** Thank you, Chair. Hon. Angela Kizigha, supplementary question?

**Ms Kizigha:** Thank you, Madam Speaker. I am totally satisfied with the answer from the Chair, Council. Thank you, Madam Speaker.

(ii)

**Ms Shy-Rose Bhanji (Tanzania):** Thank you, Madam Speaker. I am now asking the Chair Council to answer my question reference EALA/ PQ/OA/3/24/2013. Thank you.

QUESTION EALA/PQ/OA/3/24/2013 TO THE CHAIRPERSON, COUNCIL OF MINISTERS

**The Chairperson, Council of Ministers (Mr. Shem Bageine):** Madam Speaker, the report cited by hon. Shy-Rose Bhanji may have been derived from the record of proceedings of the 18<sup>th</sup> meeting of the sectoral Council of Ministers responsible for EAC affairs and planning which took place in Arusha from the 18<sup>th</sup> to 21<sup>st</sup> June 2013.

The Community has prioritised the internationalisation of the new generation East African Community passport. The sectoral council at its 18<sup>th</sup> meeting adopted the minimum technical specifications of the passport and directed the EAC Secretariat to design a computer generated graphic new generation East African passport using the adopted minimum technical specifications and circulate the same to Partner States for comments.

The sectoral council further directed the Secretariat to convene a multi sectoral meeting of experts to develop the road map on the internationalisation of the new generation East African passport.

Madam Speaker, the Secretariat has also designed this new generation East African passport and has circulated it to the Partner States. Currently, there is no agreed upon road map by the Partner States on this process as the meeting of experts to develop the road map is yet to convene.

The development of the road map is expected to involve stakeholders and experts from the Ministries of Foreign Affairs, Finance, Internal Affairs and Security in order to give the process a broader perspective. However, the process has a lot of budgetary implications for the Partner States when it comes to the launch, production and issuance of the document.

It implies migrating from the current passport issuance machines and upgrade of technology or acquisition of completely new software and personalisation machines.

The Council will therefore need to direct Partner States to factor in their budgets, funds for rolling out the new generation East African passport. This will include procurement of the software, the personalisation machines, printers and booklets.

There will be further need to rebuild the capacity of few passport issuing officers on the usage of the new machines from East Partner State.

Madam Speaker, I wish to further inform this august House that the process of countries being linked up to pioneer the acceptance of the EAC passport is not necessary. This is because once Partner States have printed the passport, booklets and have commenced issuance to nationals, the passport issuing authorities will be obligated to inform the International Community of States through their missions abroad of the coming into use of the new generation East African passport and also provide detailed information on the security features of the passport and provide at least a specimen copy to all foreign nationals.

They shall also be obligated to provide a phase out program for the old generation national passports.

The Council will be expected to adopt a program to popularise the acquisition and usage of the new generation East African passport which will be implemented through the ministries responsible for East African Community Affairs, Immigration and Foreign Affairs at each Partner State level.

Partner States will be urged to educate citizens on the importance of using the new generation East African passport and further be encouraged as much as possible to acquire the East African passport in the spirit of the East African Community integration.

The current East African passport is still being issued by immigration departments in Kenya, Uganda and Tanzania. The republics of Rwanda and Burundi, after signing the accession treaties in June 2007 found the process of reviewing and upgrading the current passport in terms of enhanced security features and to conform with the International Civil Aviation Organisation recommended the standards for international travel documents on going.

Therefore the citizens from the two Republics of Rwanda and Burundi are utilising the lesser *passi* travel document in the region.

The agreed upon cost of an East African passport is US\$ 10 converted to the equivalent in the local national currencies.

The current number of issues passports by each Partner State is not available but will be provided in the next session of the Assembly after the next meeting of the chiefs of immigration scheduled to take place before the end of this year. The procedures and requirements to obtain an East African passport by the citizens of East Africa in each Partner State are the same as those for acquiring a national passport currently in force. Thank you.

**The Speaker:** Thank you, Chair Council. Supplementary question...

(iii)

QUESTION EALA/PQ/OA/3/25/2013 TO THE CHAIRPERSON, COUNCIL OF MINISTERS

**Ms Shy-Rose Bhanji (Tanzania):** Thank you, Madam Speaker. I am now requesting the Council to answer my question reference number EALA/PQ/OA/3/25/2013. Thank you.

**The Chairperson, Council of Ministers (Mr. Shem Bageine):** Madam Speaker, I wish to inform this august House that in June 2012, the East African Community and the United States of America resolved to upscale their trade and investment framework agreement into a trade and investment partnership that includes the following:

(a) A regional investment Treaty.

- (b) A Trade facilitation agreement.
- (c) Continued trade capacity building assistance.
- (d) A commercial dialogue between the East African Community and United States private sectors.

Both parties agreed that the trade investment partnership could also serve as a building block towards a more comprehensive trade agreement over the long term.

The East African Community deems the trade investment partnership to be important for the region for the following objectives:

- (a) Strengthening regional integration in the EAC.
- (b) Contributing to promoting value addition and addressing production, supply and trading capacity in the EAC region.
- (c) Creating a conducive investment climate in the EAC region.
- (d) Attracting targeted foreign direct investment from the US that contributes to income generation, employment and transfer of appropriate technology in the region.
- (e) Increasing intra-regional and international trade.
- (f) Enhancing competitiveness in trade.
- (g) Enhancing reliable and flexible market access.
- (h) Facilitating infrastructural investment within the region.
- (i) Enhancing industrialisation investment.
- (j) Creating a forum for EAC and US private sector interaction.

Exploratory discussions and information sharing were undertaken between the EAC and US in July 2012, September 2012 and April 2013 at the technical and senior officials level. Two ministerial meetings were also held on 19<sup>th</sup> October 2012 and 11<sup>th</sup> August 2013 which assessed the progress made and agreed on the next steps on trade investment partnership.

The following has been achieved to date:

- (a) A letter of intent establishing the EAC US commercial dialogue was signed by both parties on 19<sup>th</sup> October 2013. The letter of intent provides the principles and objectives that will guide the parties' cooperation in the commercial dialogue.



- (b) On 30<sup>th</sup> November 2012, a commercial dialogue was launched with a breakfast meeting which included the EAC SG, the acting US Secretary of Commerce, East African Business Council, EAC and US private sector operators and a ceremonial signing of the letter of intent during the EAC Summit.
- (c) Agreement on the terms of reference for the commercial dialogue which establishes modalities and priority topics for dialogue between the EAC and US private sectors as well as the public private sector dialogue.

The following are the agreed priority topics for the commercial dialogue, which will be reviewed every three years or earlier upon the request of either party.

- (1) Trade related infrastructure
  - (2) Agro processing, agro business
  - (3) Market access
  - (4) Service sectors including financial services, business process outsourcing, tourism and information communication technology
  - (5) Energy
  - (6) Trade facilitation
  - (7) Trade capacity building covering standards harmonisation, protection and enforcement of intellectual property rights and entrepreneurship development.
- (d) The first public private sector EAC/US commercial dialogue was held during the EAC US ministerial meeting on 11<sup>th</sup> August 2013 on the side lines of the AGOA forum in Addis Ababa.
  - (e) Discussions have been held on the US model bi-lateral investment Treaty. The parties reiterated that they are still in exploratory discussions which will determine whether or not to launch the negotiations on the regional investment treaty.
  - (f) Discussions have also been held on the proposed trade facilitation agreement and on trade capacity building assistance.
  - (g) A study is currently being undertaken to develop a regional framework for EAC engagement in trade and investment negotiations with third parties; United States, China, India, Turkey and Brazil which will provide inputs to EAC's positions on the Regional Investments Treaty once the discussions are formalised.

Madam Speaker, during the EAC US ministerial meeting on 11<sup>th</sup> August 2013, both parties agreed to launch formal negotiations on a trade facilitation agreement. They also added a fifth

component to the tip focused on sanitary and phyto sanitary measures and technical barriers to trade. I thank you.

**The Speaker:** Thank you very much, Chair Council. Hon. Shy-Rose, supplementary question?

**Ms Bhanji:** Thank you, Madam Speaker. I do not have a supplementary question but I just want to commend all the efforts between the ministerial council and the US Government in relation to promoting trade in the East African Partner States. This is a commendable move because like I keep on saying every day, trade is very key to this integration so this is a commendable effort.

(iv)

QUESTION EALA/PQ/OA/3/26/2013 TO THE CHAIRPERSON, COUNCIL OF MINISTERS

**Ms Shy-Rose Bhanji (Tanzania):** Thank you, Madam Speaker. I wish the Council to answer my question reference number EALA/PQ/OA/3/26/2013. Thank you.

**The Chairperson, Council of Ministers (Mr. Shem Bageine):** Madam Speaker, let me first of all thank the hon. Member for asking the question and indeed confirm that one of the effective ways of reaching out to the citizens of East Africa is through the mass media.

Live broadcasts of EALA proceedings will enhance its profile and leverage the image of the organisation while influencing and educating the public about their duties and functions.

I wish to inform this august House that the initiative to set up a mobile broadcasting unit for the Assembly was mooted by the Second Assembly to enhance its visibility. The original idea was to transmit EALA sessions and activities, carry out outside broadcasting and enable access to free on air broadcasting thus enabling interested TV stations to pick up the signal.

It was anticipated that providing feeds to media houses would also enhance relations with the media as part of the commitment to good governance, openness and accountability.

The Assembly reached out to development Partners to assist in the initial set up of the unit which was then estimated to cost up to US\$ 600,000. The African Capacity Building Foundation agreed to support the initial phase of the project to the tune of US\$ 159,995.

Following a directive of the House Business Commission to source for broadcast equipment, a tender for the supply, installation and commissioning of the equipment was issued by EALA/EAC appearing in the regional newspapers and on the website in September 2011. Two bids were received and after evaluation, AdWest Communication Limited won the tender to supply the equipment.

Madam Speaker, AdWest Communications Limited supplied the equipment which was received by the Secretariat on December 4<sup>th</sup> 2012. The process was delayed due to the lengthy nature of

procurement at the EAC and the corresponding delays and bureaucracies in clearing the consignment with the revenue authorities.

I wish to report that EALA has in its custody the following equipment: satellite dish, transmitters, uplink amplifiers, audio and visual mixers, cameras, a backup generator and mobile trunk cabinets.

The equipment however only enables EALA to undertake in house production of video (short documentation in other words) but it is not sufficient for live broadcasting. There are still outstanding equipment necessarily for the full commissioning of the broadcasting which includes the acquisition of the satellite space, their frequency, broadcasting studio screen, sub title creator machines, converters that enable relay from analogue to the digital television and the outside broadcasting van.

Should EALA be able to purchase the said key equipment, then it shall be able to fully commission the unit and commence work.

I am informed that the EALA Commission is considering the same and expects to engage a consultant.

Hon. Members, having said that, I wish to add that this is a long term investment or the Assembly and EAC in general. Due to constraints in funding, the best approach to realising the objective is by phasing it out in stages as is already being done.

The EAC will carry out the following activities once we are ready to roll out:

- (a) Market the fact that the Assembly/EAC is now free on air TV broadcasting to enable anyone with a decoder to hook in and view.
- (b) Interest the television stations to pick the signal during the plenary and air the same to the public.

Once the Assembly is done with the equipment, the matter of trained personnel to handle the unit shall be a priority. The staff complement required may include camera operators as well as transmission satellite technicians.

On the question of funding for the television stations to televise the proceedings of EALA, the Council hall indeed pursue the matter with the relevant authorities in each Partner State to budget for the same.

Broadcasting/televising is an expensive affair although given the importance of integration; the aspects can be explored and possibly worked out. At the moment, some of the Partner States have their arrangements with the national broadcasts which today have semi autonomy to televise the Parliamentary proceedings.

The parliaments are footing the said costs. Generally if we can interest the TV stations; national and private then they may offer to consider setting aside airtime for airing the integration.

Madam Speaker, I am further in agreement that there is need to raise funds to enable facilitate media to attend the plenary in Arusha. This again should involve the partnership with the media stations. One of the modalities through which we could address both challenges is by taking collaboration with the media agencies to the next level.

Already the EAC Secretariat hosts the annual EAC media summit bringing together EAC officials and media chief executives to discuss pertinent issues around integration. The matter should also be explored at the symposium.

Madam Speaker, I thank you.

**The Speaker:** Thank you, Chair Council. Hon. Shy-Rose supplementary question?

**Ms Bhanji:** Madam Speaker, I do not have a supplementary question but I just want to say a few words if you will allow me. Again I want to commend all the efforts that have been undertaken by the Chair Council to see to it that the public is well informed regarding EALA on-going activities. However, I still think there is need to give more push for the public to see how this parliamentary session is going on.

**The Speaker:** Then can you put it as a question in the shortest terms on what can be done? I think that would come in handy otherwise within the rules, after the question you can only put a supplementary question which should be very relevant and very short.

**Ms Bhanji:** Thank you, Madam Speaker. I wish to ask the Chair Council what immediate plans the Council has to enable EALA sessions to be televised live. I am happy with the answers that he has provided by I am not happy that part of our proceedings are like we are in meeting rooms; it is just like we are talking to ourselves. Apart from the limited media coverage that we get, we have to make sure that the population is well informed about what is happening in the EAC. Thank you.

**Mr. Bageine:** Thank you. Madam Speaker. The answer that I have just given talks about a move to interest TV stations, both nation and private to see if they could find a way of airing debates in the Chamber.

I entirely agree that there is an urgent need to get the proceedings of the Assembly aired live as a way of furthering information to the public and in the process enhancing integration but the problem we have is the financial constraints.

I will at the next meeting of the Council bring up this matter and we see whether we can find ways and means of raising the necessary funds in order to enable the equipment, which is already

with EALA to get used in the process of airing live transmission of the EALA proceedings.  
Thank you.

(v)

QUESTION EALA/PQ/OA/3/28/2013 TO THE CHAIRPERSON, COUNCIL OF MINISTERS

**Ms Shy-Rose Bhanji (Tanzania):** Thank you, Madam Speaker. I now request the Council to answer my question reference number EALA/PQ/OA/3/28/2013. Thank you.

**The Chairperson, Council of Ministers (Mr. Shem Bageine):** Madam Speaker, The Treaty for the Establishment of the East African Community, the implementation of which takes cognisance of the principles of variable geometry and complementarity does not prescribe the conclusion of bi-lateral agreements. In principle, some of these agreements are concluded as part of the implementation of the integration agenda.

According to the joint communiqués issued, the issue of tax harmonisation was not a subject of discussion during the tri lateral talks between the Republics of Rwanda, Kenya and Uganda held in Entebbe on 26<sup>th</sup> June 2013 and at the second infrastructure heads of state meeting held on 28<sup>th</sup> August 2013 in Mombasa.

The only reference to tax during the tri lateral talks was in the context of the single customs territory where the Partner States committed to strengthen the single customs territory and implement all the provisions therein where taxes will be collected to the entry points like Mombasa, Mpondwe etc.

Madam Speaker, the oil pipeline between Uganda and Kenya specifically Kampala and Eldoret is at a bi-lateral level. EAC only takes note of progress and is therefore not involved. There are no other agreements signed. I thank you.

**The Speaker:** Thank you, Chair. Hon. Shy-Rose?

**Ms Bhanji:** Thank you, Madam Speaker. I thank the Chair Council for his good answers but I have a supplementary question regarding the tripartite meeting in Kigali of three EAC Partner States of Uganda, Rwanda and Kenya. One of the agenda was on the single customs territory.

Since this falls under the EAC framework involving all five Partner States, can the Chair Council tell this Assembly why the three countries discussing a customs territory leave out two other countries of the Partner States?

Two, as the Chair Council may be aware, a team of experts met here in Bujumbura recently to work out the operationalization issues of single customs territory but now there are two meetings; one involving five Partner States of EAC and two involving three Member States which resolutions will be adopted by the experts. That involving the five Partner States or that involving the three Partner States.

Three, following the tripartite meeting of Kenya, Uganda and Rwanda, there has been speculation in the media, questions asked by the East Africans to the point of bringing confusion to this integration. Chair, Council where do you think this integration is heading to? Thank you.

**The Speaker:** Although they sound like they are fresh question, I will give the Chari opportunity to respond.

**Mr. Bageine:** Thank you very much, Madam Speaker. The first question relating to why the three countries in their bi-lateral meetings have been discussing the single customs territory is basically a consultative issue and there is no law or rule that bars two or three Partner States from consulting on issues that are before the Community as a region.

The meetings will not take decisions that will bind the other members who are not present in those tri-lateral meetings. The procedures as laid down in the Treaty will be followed and when the meetings are called, first of the Council of Ministers to receive reports from the teams of experts, those will inform the Council and guide the Council in taking a decision which will then be brought to the Summit for final approval.

The meetings will not receive formal reports from the tri-lateral meetings. The meetings will receive formal reports from the teams that have been discussing issues including the one that was held here in Bujumbura and whose report I have had the privilege of looking at... (*Audible*)... customs territory. As I said the other day, the discussions have reached an advanced stage and it is a matter of meeting and agreeing on the model to be followed which has been proposed as the destination model involving assessment and collection of taxes at the point of entry and late remitting the taxes to the destination country where goods will be destined.

Madam Speaker, yes there has been speculation in the newspaper about the tri lateral meetings and bringing in questions as to where the Community is heading. I have stated previously in this House that the meetings were primarily looking at implementation of decisions already arrived at by the Summit, by the Council of Ministers and also in respect of protocols which we have been trying to implement namely the Customs Union and the Common Market Protocol.

These meetings are enhancing the integration in that respect and are not contrary to the provisions of the Treaty in terms of the principles that will govern the operations of the Community and implementation of issues agreed upon.

Madam Speaker, I want to put my colleague's fears to rest that we are going to continue operating in accordance with the provisions of the Treaty and not outside the Treaty. I thank you.

**The Speaker:** Hon. Shy-Rose supplementary question?

**Ms Bhanji:** Thank you, Madam Speaker and I wish to thank the Chair Council for his well elaborative answers but I still have a supplementary question regarding the tripartite meetings and leaving the two countries; Tanzania and Burundi. This has left a lot of speculation like I said

in the media; on Twitter, Face book, in the newspapers, within the society of the Partner States and it is bringing a very big confusion in the society to the point that people are asking, where is this integration heading to? What is the need of three Partner States meeting while discussing issues concerning the framework of EAC? Why did the three countries meet in the first place? The first meeting took place in Entebbe, the second one took place in Mombasa and the third one took place in Kigali-

**The Speaker:** Hon. Member, I thought that the Chair explained the series of these meetings. That is why I would have expected that if you had a supplementary question then you should have put it.

**Ms Bhanji:** Madam Speaker, I was not satisfied with the answers given by the Chair Council even though they were very elaborative. This is because we have a duty. When we leave this Assembly we are being questioned left, right and centre regarding this issue. When we see media reports, this does not give a good image to the EAC integration. That is why I think it is very important for this Assembly to be given a thorough explanation regarding the tripartite meeting which also partly discussed issues concerning five Partner States.

In my view, I think all five Partner States if they-

**The Speaker:** Hon. Shy-Rose I think I can grant you permission to place another question so that the Chair Council can give you satisfying answers. I think it is important that the House is convinced or satisfied with the answers being given by the Chair, Council otherwise if you are not satisfied, I can grant you an opportunity again to put the question.

**Ms Bhanji:** Thank you, Madam Speaker. I accept what you are telling me. I have a small question. I wish to ask the Chair Council. Were the two Partner States; Burundi and Tanzania invited in the first tripartite meeting in Entebbe? In the other ones I know Burundi was present but subsequently the others- I wish to know if invitations were extended to all five Partner States. Thank you.

**Mr. Bageine:** Madam Speaker, the fact that these meetings are referred to as trilateral mean exactly that. If you were to invite the five Members then it would be the ordinary meetings of the various Organs of the Community.

These trilateral meetings by their nature as I said were originally called to expedite implementation of issues agreed upon and which affect the Partner States directly. For example if we talk about the railway line between Kenya and Uganda, it is a matter that is allowed for in the Treaty that they can do a joint development of such infrastructure.

As I said before, when the joint project between the United Republic of Tanzania and the Republic of Kenya on the road between Arusha, Namanga and Athi River was done, it did not involve the other Partner States.

Madam Speaker, I think we ought to understand and read the Treaty to understand the provisions therein that allow Partner States to do things the way they are being done involving the three Partner States.

As I said if I may repeat myself again, there is no rule in the Rules of Procedures of the Council, the Summit and for that matter in the Treaty itself that bar Partner States consulting on issues which are being discussed by the entire region.

As I have stated, the consultative meetings on the Political Federation, in the single customs territory, on the single tourist visa will be brought up by the Partner States to the formal Council meetings and Summit for them to deliberate on. They cannot take decisions as themselves because the three of them constitute the Community.

Madam Speaker, let us understand that there are situations where circumstances may force a number of Partner States to sit together and see how they can best implement what has already been decided upon and I think we should not escape this. Thank you.

**Mr. Leonce Ndarubagiye (Burundi):** Thank you, Rt hon. Speaker. I am definitely not satisfied with the answer from the Chair because he is under estimating the influence that those meetings held in Mombasa and Kigali can have on the other countries who were not present.

When you talk about bringing a pipeline from Mombasa to Kigali, bringing railway from Mombasa to Kigali and not reaching Bujumbura, it affects Burundi tremendously. We are totally dismayed by this way of integrating without Burundi and Tanzania. I am speaking on behalf of Burundi, thank you.

**The Speaker:** Chairperson Council, you may wish to respond.

**Mr. Bageine:** Thank you very much, Madam Speaker. As the Chairman Council of Ministers, I have not been involved in calling these meetings but I happen to know somehow and that is the basis of my giving the answers. I know for example that all the five Partner States were invited to participate in the development of the oil refinery in Uganda as co-financiers. I also know that an invitation in relation to the railway line was extended to Burundi although this apparently appears to Burundi that it was an afterthought but I know an invitation was sent to Burundi regarding infrastructure development with particular emphasis to the railway line.

So it is not a deliberate move on the part of the other Partner States. I think where a project affects a given Partner State that Partner State is free to join with the others and develop it in accordance with the terms that have already been agreed. So there is nothing deliberate to exclude anybody in that regard. I thank you.

**Ms Isabelle Ndahayo (Burundi):** Thank you, Madam Speaker. I would like to ask the Chair Council if he knows the reasons as to why they sent the invitation and this Partner State did not attend.



**Mr. Bageine:** Madam Speaker that is a very difficult question for me to answer because there is no way I am going to find reasons unless they are written as to why they did not attend the meeting to which they were invited.

**Mr. Issa Taslima:** Thank you, Madam Speaker. I have a question to ask the Chair, Council. When he was enumerating the meetings that have been held, he also talked of a meeting within which the Political Federation was discussed. I would like to ask him whether he is prepared to say that whatever talks that were taken on that meeting concerning Political Federation were wrongly taken up.

Another small question is whether the Council is prepared to try as much as it can to clear the air that has now been polluted somehow and things are not in a good mood almost everywhere in East Africa. Is the Council prepared to clear the air concerning these issues? Thank you, Madam Speaker.

**The Speaker:** Chair, Council, Members are concerned. They think that the tripartite is like a vote of no confidence in the EAC integration so you need to reassure them. Proceed, Chair Council.

**Mr. Bageine:** Thank you very much, Madam Speaker. I cannot and I should not state that it was wrong for the trilateral meetings to discuss issues like Political Federation. As I said and I will repeat myself, these are consultative meetings on issues that are being discussed through teams of experts, high level task forces that the Community set up.

As I said, there is no rule prohibiting anyone, two or three Partner States from discussing matter that is before the Community. The important thing to note is that the Council of Ministers is not part of those discussions and the Council of Ministers will wait for a report or reports from the various teams that we have set up and those reports will guide us in taking decisions.

These of course may be influenced by what the other Partner States have discussed and they bring their views to the Council in a formal meeting for discussion and finally taking a decision. So Madam Speaker, it was not wrong for the Partner States in the tri lateral meetings to discuss. They can discuss anything but it does not bind the Community as it is set up.

Madam Speaker, there is a lot of speculation. Yes I agree with the newspapers writing without checking their facts in some cases and others deliberately putting out misleading information for reasons best known to themselves. I think the Council of Ministers is being unfairly treated or asked questions that did not originate from the Council.

The Council of Ministers did not call these meetings and the Council of Ministers cannot therefore be expected to answer the reasons for the meetings, why they were held, why they discussed what was being discussed. I am only giving views on what I understand in accordance with the provisions of the Treaty where I can base my explanations which I think are honest and

true that no matter what discussions are held by various Partner States in their trilateral meetings, they will still have to come to the Community because they do not have another Community that they are having. I thank you.

**The Speaker:** The last supplementary question will come from hon. Bazivamo. The Rules do not provide for information but you can put a supplementary question.

**Mr. Christophe Bazivamo (Rwanda):** Thank you, Rt hon. Speaker. I want to ask if it was right for this House in previous meetings to request the Council of Ministers about many decisions which have been taken here in the House, decisions taken by the Summit about the implementation of the customs Union, Common Market. It has always been the concern of the House to fast track implementation. Is it now right when implementation happens, when ways to push forward what we wish to be implemented, is it then right to criticise it? Thank you.

**The Speaker:** I do not know who that question goes to. The supplementary question should have gone to the Chair Council and it should have been related to this. I want to say that within our Rules of Procedure, a Member is free to put a question to the Chair Council with regard to issues and matters that relate to the East African Community integration. So I think any Member is free to put a question with regard either to the speed or to the mode or approach of the integration. I think it is in that vein that the Chair Council gives these answers and I think it is in order.

There being no other supplementary questions, hon. Members we have come to the end of today's business. Before I adjourn, allow me to make two announcements. The first is that I want to emphatically remind you dear Members about the workshop on the East African Monetary Union Protocol which is going to take place at Royal Palace Hotel tomorrow Friday 1<sup>st</sup> November 2013.

The buses will pick you from your respective hotels at 8 a.m. Members note that this program has been adjusted. Instead of two days it has been adjusted to one day so I want to request and appeal to you to kindly keep time so that we are able to compress what we were supposed to do in two days in one day. Your cooperation in this matter will enable us to start early so that we are able to conclude whatever we have to do.

The second announcement I am making concerns the invitation which we have received from the Members of the EALA Burundi chapter. Hon. Members, you are invited for a dinner in your honour and more importantly I think the fact that we have had a new Member joining us, this will be a very important and good opportunity to celebrate his arrival.

So this evening at 6.30 p.m. at the Nanora Hotel, all Members are invited and kindly be present in person. I do not want to say the Chairperson of the chapter may do a roll call but I think it would be courteous and good manners that all of us are present. So I will also expect to see you there.

Finally, I want to thank you very much for the active participation you have shown in this important session; the Second Meeting of the Second Session of the Third Assembly which is now coming to an end here in Bujumbura.

I want to thank the Head of State, His Excellency Pierre Nkuruzinza for the honour he accorded us by his physical presence to this august House for officially opening our session and for importantly commissioning our strategic plan.

I want again to thank the Rt hon. Speaker of the Burundi National Assembly and all the vice deputies and all the Members of the Burundi National Assembly for according us space, facilities and all the assistance which we have received during this period when we have been in Bujumbura. We have been comfortably treated and we thank him and we are ever grateful. That deserves a loud clap. We should not take anything for granted.

Thirdly, I want to thank all the institutions of Government who have facilitated us during the time we have been here. You know very well hon. members that with your stature and status, the security agencies, protocol agencies are involved amongst others. I want to thank them and the hotels which have been accommodating us and thank all those particularly the Burundi chapter which has always been gracious.

I do not want to say but special mention to Dr Martin who has always gone out of his way when Members fell ill and he has offered medical and technical advice and physical presence in terms of comforting and counselling those who are in need of medical attention.

Lastly, I want to congratulate and thank both the netball and football teams of EALA. Every day the teams are growing stronger and bigger in size and presence and I want to invite the new Member to also join this very important team of the East African Legislative Assembly. Just for his information, there exist inter parliamentary games amongst all the Parliaments of the East African States and East African Legislative Assembly and come 7<sup>th</sup> to 12<sup>th</sup> December, we are going to compete again for a trophy and the Partner State which wins will have its flag fly highest.

The onus is on us as Members of the EALA to fly the East African Community flag highest and upon that, we cannot let down the flag having flown by it. So I want to encourage all of you Members to continue. I can see hon. Makongoro has not yet been registered in the football tournament so make sure that the team captain notices your presence.

I want to say that the team captains will prepare the program for the remaining period and we may be requested to have some camp meaning that time especially devoted for training so that by the time we reach Kampala, we are able to represent EALA in the best way possible.

With those very many announcements, allow me to thank our clerks, our members of staff who have also been diligently performing their roles during this period. With that, I wish to adjourn the House *sine die*.

*(The House rose at... p.m. and adjourned sine die.)*