



## 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 124<sup>TH</sup> SITTING - FOURTH MEETING – FOURTH SESSION – THIRD ASSEMBLY

Wednesday, 3 February 2016

*The East African Legislative Assembly met at 2:40 p.m. in the EALA Chamber, EAC Headquarters, Arusha, Tanzania.*

#### PRAYER

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

*(The Assembly was called to order)*

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#### COMMUNICATION FROM THE CHAIR

**The Speaker:** Good afternoon honourable members, this afternoon, once again, we are blessed by the presence of special guests. We have the pupils and students from Mama Maria Primary and Secondary school. They are led by their principal Mrs Rukiya Osiyeko and Mr James Matiki, the Executive Director of Kalonzo Musyoka Foundation that funds the school; the President of the Students Council, Miss Eveline Mwanziya and the Deputy President Miss Scholastica Harrison.

These students hail from Kitui County and they are a minority group in Kenya. This is a school, which is supported by the Kalonzo Musyoka Foundation. Hon. Members I thought that this is a good thing for us as leaders to give back to the community by helping disadvantaged communities. Most of

these children have faced difficulties; they are orphans, and they have faced unpleasant approaches to the upbringing of their lives. We salute the initiative and welcome you, students. *(Applause)*

**Mr Mathuki:** Mr Speaker allow me, under Rule 40 on “Personal Explanation”, and based on your communication, to make a very brief statement.

Mr Speaker, the children you have just spoken about are orphans and they have decided, through initiatives so that they could understand and get a bit of exposure on what East Africa stands for.

Mr Speaker, when I was coming in, they gave a small line, which I thought I should bring out so that we understand. They said, while they appreciate the Assembly for allowing

them to come in and appreciating you, Mr Speaker, they singled out Rwanda, I do not know why. They said when in Rwanda digitalisation of education is taking place from childhood to university level, in other countries laptops are only available to the university. Therefore, they are urging all of us as an Assembly as we move forward as a way of sensitising that we avail some of these facilities to some of them, particularly those who are less privileged.

They have gone ahead to say that *Al Shabaab* is a security issue in the Community, particularly in Kenya, and that the place where their school is situated, which is in the eastern part of Kenya which neighbours Somalia, is actually a victim. Therefore, they are saying that as an Assembly, it is important for us to participate visibly by speaking about the issues of security because that is affecting the Community. That is coming from these children, Mr Speaker.

They have gone ahead to say that we should put more effort on civic education. Coming here is therefore an opportunity for them. They have become agents of this Community in terms of taking education to the people, and they feel that as members, it is important that as members find ways of reaching out to the less fortunate in the Community so that they understand what this East African Community is about.

How do we say that it is a people centred Community when we are seated here and they have to come all the way to Arusha to see it when we are supposed to be the ones going to the people to understand?

Mr Speaker, I thought it is important and in line with this, I am sure it may not require debate but I felt it is important that we spell out as their representatives. Considering that they are orphans, it is important that we appreciate their efforts of getting their time to

come, visit, and see the Community. I thank you so much.

**The Speaker:** Thank you so much, hon. Peter Mathuki for being an effective representative of your people. I would advise you that for the Assembly to pronounce itself on this matter, I advise that you bring a substantive motion for consideration of these disadvantaged children so that members can express their sentiments on this matter because procedurally I am handcuffed and I cannot allow much debate on it.

But, I really urge that you bring a substantive motion on this matter, this being the kick-starting initiative. Thank you.

Honourable members, further, I would like to recognise our good friends, students from Tumaini University, Makumira led by their Speaker, hon. Daudi Maneno. The team that came yesterday as just part of the Parliament; you are most welcome.

I think we should put it on record that I would like to express my appreciation to the Public Relations Department of this Assembly for this sitting that has arranged to make sure that in every sitting we are having here, there are visitors in the gallery. I think this is very important and should continue. We recognise their efforts, thank you so much.

## PAPERS

**The Chairperson, Committee on General Purpose (Dr Odette Nyiramilimo) (Rwanda):** Mr Speaker, I beg to lay on the table the report of the committee on General Purpose on the EAC annual report for the year 2013/2014. I beg to lay.

## BILLS

**FIRST READING**

The East African Community Whistle Blowers Protection Bill, 2016

**Ms Margret Nantongo Zziwa (Uganda):** Mr Speaker, I beg to move that the East African Community Whistle Blowers Bill, 2016 be read for the first time.

**The Speaker:** Seconders? Hon. Maryam, hon. Shy-Rose, hon. Mumbi and hon. Nancy.

[THE EAST AFRICAN COMMUNITY WHISTLE BLOWERS PROTECTION BILL, 2016 READ FOR THE FIRST TIME]

**The Speaker:** Honourable members, I refer the Bill to the Committee on General Purpose for processing.

**BILLS****FIRST READING**

The East African Community Retirement Benefits for the Specified Heads of Organs Bill, 2016

**The Speaker:** Hon. Frederic.

**Mr Frederic Ngenzebuhoro (Burundi):** Mr Speaker, I beg to move that the *East African Community Retirement Benefits for Specified Heads of Organs Bill, 2016* be read for the first time. I beg to move.

**The Speaker:** Seconders? Hon. Peter Mathuki, hon. Nancy, hon. Dora, hon. Hafsa Mossi, hon. Maryam, hon. Shy-Rose, hon. Rwigema, hon. Chris Opoka.

[THE EAST AFRICAN COMMUNITY RETIREMENT BENEFITS BILL FOR SPECIFIED HEADS OF ORGANS BILL, 2016 READ FOR THE FIRST TIME]

**The Speaker:** I refer the Bill to the Committee of General Purpose for processing.

**MOTION FOR THE CONSIDERATION AND ADOPTION OF THE EAST AFRICAN COMMUNITY ANNUAL REPORT FOR THE PERIOD 2013/2014**

**The Deputy Minister for Foreign, East African, Regional and International Cooperation (Dr Susan Agnes Kolimba) (Ex-Officio):** Mr Speaker, I beg to lay on the table the East African Community Annual Report for the Period 2013/2014. I beg to lay.

**The Speaker:** Seconders? Hon. Leontine, hon. Kivejinja and honourable Counsel to the Community. Chairperson, present the report.

**Dr Kolimba:** Mr Speaker, a report on the – (*Interruption*) -

**The Speaker:** Point of procedure Chair Council.

**Dr Nyiramilimo:** Thank you very much, Mr Speaker. I think the East African Community Annual Report 2013/2014 had been laid on the table.

**The Speaker:** Thank you so much, chairperson for the guidance on procedure. I think the report is supposed to be presented by the Chairperson, Committee on General Purpose. I beg your pardon. Chair, Council of Ministers, I am sorry it is not you. It is the Chairperson, Committee on General Purpose supposed to present the report as earlier on laid.

**The Chairperson, Committee on General Purpose (Dr Odette Nyiramilimo) (Rwanda):** Thank you, Mr Speaker, in accordance with Article 48(3), 49(2) and 49(3) of the Treaty for the establishment of the East African Community and Rules 8, 9(c) and (f) and 81(2) of the Rules of Procedure of the Assembly, the EAC annual reports are considered by the Committee on General Purpose and adopted by the Assembly.

With regard to consideration of the EAC annual reports, the mandate of the Assembly is to among others; consider the EAC annual report in accordance with the Treaty provisions, which empower the Assembly to establish committees to consider matters of legislation, budgeting and oversight over projects and programs of the EAC.

## 1.0 INTRODUCTION

In accordance with Article 48 (3), 49 (2) and 49 (3) of the Treaty for the Establishment of the East African Community and Rules 81 (9) (c) and (f) and 81 (2) of the Rules of Procedure for the Assembly, the EAC Annual Reports are considered by the Committee of General Purpose and adopted by the Assembly.

With regard to consideration of the EAC Annual Report, the mandate of the Assembly is to among others; consider the EAC Annual Report in accordance with the Treaty provisions, which empower the Assembly to establish Committees to consider matters of legislation, budgeting and oversight over projects and programmes of the EAC. The Committee of General Purpose is mandated, among others, to carry out oversight on the progress made in the implementation of provisions that address matters of general application on the EAC in relation to its roles and functions.

The EAC Annual Report for 2013/2014 was tabled by the Council of Ministers before the Assembly on 2<sup>nd</sup> December 2015 in Kigali, Rwanda during the Third Meeting of the 4<sup>th</sup> Session of the Third Assembly.

The Committee therefore considered the Report from 10<sup>th</sup> to 13<sup>th</sup> January 2016, and on 1<sup>st</sup> February 2016, at the EAC Headquarters in Arusha, in the United Republic of Tanzania, and now presents its report to this August House for debate and adoption.

## 2.0 BACKGROUND

Consideration of the EAC Annual Report: For some time now, the Assembly has highlighted issues of format, quality of the content in terms of accuracy and depth as well as presentation, layout and requisite editing. Because of the above, the Assembly rejected the report of 2012/2013 in its Sitting of 13<sup>th</sup> May 2015 in Arusha, Tanzania during the Sixth Meeting of the Third Session of the Third Assembly. Following the rejection of this particular Report based on inaccurate facts, figures and poor quality, misrepresentation, lack of editing and overall reporting as well as late tabling of the report before the Assembly, the Committee sought to ascertain whether the standards and quality agreed upon with the EAC Secretariat and as recommended by the Assembly had been met.

Given that the EAC Annual Report is an audit on the progress on implementation of activities, programs and projects in a given financial year, the standards and requirements among others, include:

1. A Report that clearly gives qualitative and quantitative outputs and presentation on the status of the integration process;
2. A Report that contains instructive statistics, current financial statements and summaries relating to the implementation of the EAC Development strategy.
3. A report that clearly reflects challenges met, outlook in implementation of EAC activities, projects and programs.

## 3.0 METHODOLOGY

The Committee considered the EAC Annual Report for the year 2013/2014, the EAC Cumulative Implementation progress reports for the period July 2012 to June 2014, the undertakings by the Council of Ministers, as well as previous Annual Reports considered by the House. The Committee then formed

working groups to analyse the respective reports on the Organs and Institutions of the EAC. The Committee finally met with the DSG Planning and Infrastructure, Dr. Enos Bukuku and officials of the Directorate of Planning to discuss findings and seek clarifications on emerging issues.

#### 4.0 CONSIDERATION OF THE EAC ANNUAL REPORT FOR 2013/2014

##### 4.1 Submission by Dr. Enos Bukuku, EAC DSG, Planning and Infrastructure

In his submission, Dr. Enos Bukuku highlighted the following achievements, challenges and recent developments in the year under review with updates since publication of the report.

##### Progress with regard to the Monetary Union Protocol

Dr. Enos Bukuku informed the Committee that all Partner States have ratified the Protocol although the Bill for establishment of a Statistics Bureau is yet to be tabled before the Assembly. He added that the East African Monetary Institute would be established to operate independently and is later to become the East African Central Bank.

Dr. Bukuku further explained that the Statistics Bureau will have the function of collecting and reporting on statistics, which will go a long way in ensuring authentic data, is used in planning for the region.

Another Bill to be brought before the Assembly is the EAC Procurement Bill.

Another update was regarding the East African New General Electronic Passport, which was set to be launched during the November 2015 Summit will now be launched by the Heads of State in February 2016.

Dr. Bukuku concluded by highlighting challenges that have affected the pace and progression of the integration process and these include:

- Delayed conclusion of the Institutional Review Process;
- Challenges caused by slow and low remittances of contributions by the EAC Partner States and the need for follow up on commitments;
- Financial and Human Resource pressure due to expanding nature of integration programs. This is caused by the principle of consensus, which defines legally binding decisions as only those passed by consensus.

#### 4.2 FINDINGS AND OBSERVATIONS OF THE COMMITTEE

The Committee observed that editing, report layout, coherence, details and content required in the report had greatly improved as compared to the Reports for 2010/2011, 2011/2012 and 2012/2013. The Committee further expressed appreciation for the remarkable improvement in the EAC Annual Report for 2013/14 citing overall layout, presentation, content and relevance of information provided. The Committee was particularly impressed by the reports of the departments of Customs and Trade and Statistics, which contained relevant statistics and advised that this could be used as the standard format for other departments. Of particular interest, were relevant statistics and graphic representation on recent economic development in East Africa on pages 18,19 and 20 and recent figures on nominal GDP market prices up to the period under review on inflation, bank rates, budget deficit, as well as interactive trends on electronic media and outreach on the EAC website. Under education, there were relevant statistics of expenditure on

education as a percentage of GDP from 2005 up to 2012/2013 for all Partner States. The Committee specifically commended improved coherence of the report and more focused harmonization of outputs and achievements.

However, the Committee considered that there was still need to scale up improvements in the following areas:

- a) A need for more quality control to harmonise editing and style that would eliminate a disconnect/incoherence that is still discernible where more than one author/writer contributes to a document;
- b) There was need for a preamble that uses user friendly and simple language;
- c) A need for details on status of major Community Projects such as those under Infrastructure Sector. The details should include updates on status, causes for delays and other challenges under among others, Road network, Railway sector and the EAC Master plan. All references to any project also requires indication on finalization of implementation and respective timelines;
- d) The Committee observed that there are no challenges in the report and they were only mentioned by the DSG in his submission to the Committee. As it has been noted in previous reports tabled before the House, there is apparent hesitation to clearly point out challenges in the EAC Annual Report. An example was the contentions encountered in negotiations of specific International Trade Agreements, challenges of

staffing and legal framework and funding in LVFO and LVBC;

- e) Explanations need to be provided for delays on the conclusion of the Institutional Review and consequences of the long-time delay;
- f) Annual Reports should, as a matter of principle, contain Audited Accounts. The Committee, despite being aware of all the delays caused by the auditing process of the EAC Accounts, insists that the audited accounts need to be part of an annual report;
- g) A need to reflect the annual budget theme as a thread that runs consistently through the report. The Committee further observed that this would contextualize activities and achievements in the integration process with a specific reference to the budget theme as mentioned, the EAC Strategic Plan, EAC Vision and other necessary documents as appropriate.
- h) The Committee observed that the fact that the Assembly had rejected the EAC Annual Report for 2012/2013, in its sitting on 13<sup>th</sup> May 2015, should be of concern to the Council of Ministers as well as the Secretariat. This implies that while resources were used in producing the report, there are apparent gaps that need to be filled and this was possible. This being the second time this has happened, ideally, there should be follow-up actions such as a release of a statement to retract parts of the report and correct any information to fill in gaps identified in the Report.
- i) The Committee observed that the Council of Ministers has need to report on activities of all Organs of

the Community. This includes progress of implementation of Summit Directives.

With regard to the EADB, the Committee required clarity on the legal framework of the Bank and explanation on what stake the EAC has in it, particularly since the major shareholders are foreign countries.

- j) The Committee noted that while it is understandable that an annual report contains implemented activities, there is still need to forecast on future situations in the Community that may need earlier interventions such as the exit of EAC staff in a given year and its consequences. There is therefore need for a policy on recruitment and staff retention as a solution to the situation of understaffing and lack of a staff retention policy in the Community. The Annual Report is silent on this matter.
- k) The Committee observed that there is need for update on the status of implementation of EAC Protocols and other Instruments in a particular year. In this particular regard, the Committee noted with concern that there is harassment of Members of Parliament and EAC staff with vehicles bearing Diplomatic Numbers at numerous roadblocks along the Nairobi-Namanga Road with disregard to the East African Community Immunities and Privileges Act, 2004 as well as the EAC Headquarters Agreement.

In response to issues raised by the Members of the Committee, Dr. Bukuku gave the following explanations:

With regard to elements of coherence, editing, need for a preamble with user-

friendly language, details and harmony, he concurred with the Committee that this was necessary and would be done. He expressed appreciation for the Members comments on the significant improvements in the report and undertook to ensure even further improvements.

The DSG concurred with the Committee on the necessity for overall quality control of even the finer details on projects, the budget theme, as well as content including the audited accounts, which needed to be fast-tracked with the Audit Commission so that they are ready when the report is tabled.

With regard to the question on the need for details including challenges on among others, important negotiations in specific sectors, the DSG agreed that these would also feature during reporting for the year regardless of the fact that the challenges of the long-term projects were the same year after year.

With regard to the rejection of the 2012/2013 report, Dr. Bukuku acknowledged that the decision of the Assembly was significant and the practical follow up actions should be considered to amend the information already circulating in the public domain.

Regarding the status of the EADB as an Institution of the Community, Dr. Bukuku explained that it indeed is an institution whose ownership structure included, among others, the Partner States of the East African Community represented by the Ministers of Finance who are Members of the Board. He informed the Committee that the Bank was doing well in terms of dividends and provision of financial services for investment in the global financial markets and has even done some complex consultancy work for the Secretariat at no charge because of the technical aspects of information required in the banking sector.

He added that it was regrettable that the East African Partner States have completely failed to take up the shareholding they were offered and foreign investors have taken up the investment. This, on the other hand, is also commendable since foreign governments found the investment climate in the region favourable enough for them to invest.

However, to improve the investment climate further, there is still urgent need for harmonization of laws for full implementation of the Common Market Protocol, particularly commercial laws.

With regard to the harassment on the Nairobi-Namanga Road, Dr. Bukuku informed the Committee that he was not very familiar with the problem. He undertook to find out the situation on the ground and inform the Committee accordingly.

The Committee was satisfied with explanations given by the DGS P & I and his team.

## 5.0 RECOMMENDATIONS

The Committee therefore recommends the following:

- 5.1 That the Assembly urges the Council of Ministers to ensure further improvements in the Annual Report and all EAC documents by enhancing overall supervision and quality control as a measure towards sustaining high standards in all outputs of the Community;
- 5.2 That the Assembly urges the Council of Ministers to report on challenges so as to reflect the reality on the ground. Challenges should be clearly reflected including their gravity and the solutions to the identified problems.

Further, in this regard, the Council of Ministers needs to report on progress with regard to the interventions proposed as a result of impact of staff exit notwithstanding the institutional review process which is long overdue and is not a solution to this particular problem;

- 5.3 That the Assembly urges the Council of Minister to reflect all contemporary issues in the Annual Report including status of implementation of all Summit Directives, progress on implementation and negotiation on all protocols and other legal instruments under review in a given year;
- 5.4 That the Assembly urges the Council of Ministers to ensure follow up actions with the intention to amend, retract or correct any identified parts of the annual report that are erroneous and this be done in form of a publicized statement or addendum. This should be instituted and done without fail and not necessarily as a recommendation from the Assembly;
- 5.5 That the Assembly urges the Council of Ministers to ensure timely tabling of the EAC Annual Report to inform the subsequent budgeting process preferably by September of each year;
- 5.6 That the Assembly urges the Council of Ministers to consider that the Partner States take up more shares in the EADB to take advantage of the progressive and profitable investment benefits related to the status of the Bank.

## 6.0 CONCLUSION

The Committee appreciates the evident improvements in the Annual Report for



2013/2014 and commends the efforts by the Council of Ministers and the EAC Secretariat. The improvements are significant and laudable and should be scaled up and high standards maintained.

## 7.0 ACKNOWLEDGEMENT

The Committee would like to express appreciation to the Rt. Hon. Speaker, EALA for the opportunity to consider the EAC Annual Report 2013/2014, to the DSG P & I, Dr. Enos Bukuku and Mr. Julius Birungi, Senior monitoring and Evaluation Officer who interacted with the Committee. Members of the Committee on General Purpose and the Committee Clerk are commended for their hard work and input during the consideration of the Annual Report 2013/2014.

Mr. Speaker Sir, I beg to move.

**The Speaker:** Thank you so much, hon. Dr Odette, Chairperson, Committee on General Purpose for the clear and elaborate report.

Honourable members, the motion before the Assembly is that, the *East African Community Annual Report for the Period 2013/2014* be adopted.

Debate is open.

**Ms Nancy Abisai (Kenya):** Thank you, Mr Speaker. First, I would like to thank the Chair of the committee. I must say I am a member of this committee and it is good that the issues that we raised are all captured in the report.

I want to say that this report is a very big improvement of what we have had in the past. Maybe as an example because sometimes it is important to talk from a point of information, if members have copies, if you just go to your annual report and look at chapter one of that, these are the issues- and I am just doing this so that members can appreciate what point I am bringing forward.

If you look at the first page on introduction, chapter one, it has clearly captured the background, the EAC organs and institutions and the structure of the report. Anyone reading this report, who does not understand what the Community is all about will be able to know what the East African Legislative Assembly is, what the East African Community is, the Partner States that compose that Community, and what this annual report is all about.

These are the issues that we have been raising in the past and they have been captured very well. So as a committee, we felt that this report is a very big improvement from what we have heard in the past and I think those efforts should be acknowledged and lauded.

Secondly, Mr Speaker, we did also talk about some of the issues that were raised in the report. One, on the aspect of some of the challenges and recommendations, we did raise that there are some draw backs for members especially when they are travelling from several border points and in this one, I would like to focus on Namanga.

I think time has come when we need to re-think the registering of our vehicles. We all have EAC registration but I want to point out that EACJ has a different number plate so it is very easy even for the officials or the *askaris* along the road to identify that these vehicles belong to a certain institution.

I think it is important that the measures that we are recommending are looked at and put in place. As a committee, we discussed this and we felt that maybe even for EALA, it would be important to have those registrations as EALA so that it completely distinguishes honourable members and staff.

Why do I say this? It is difficult for – Well, I do not know how true this is but at one point as I was driving from Nairobi to Arusha, at some point some officer stopped me and

when they stopped the vehicle and we tried to talk to them, I said, “Listen we are members of Parliament...” they said, “How do we know? Everybody just passes here and says they are members of Parliament.”

So those are some of the things that we need to look into, not that we are disregarding in any way any member of staff of EAC. That is not the point but I think it is important for us to have that distinction for purposes of being able to manage that.

Mr Speaker, even as we talked about that, there are other challenges that were raised but maybe key in the report is to say that yes there was an improvement but the only thing that we need to make sure we do not do is not make it extremely technical. We did talk about a preamble for most of those paragraphs so that somebody reading the report would also be able to understand if we do not make it very technical.

Of course, we did not have adequate time, but we tried to do what we could. Those are some of the issues that I just wanted to raise, especially in relation to the challenges that we encountered. The ordinary citizen of the EAC would like to hear how these challenges are being dealt with, how has it been reported, what is being done about it.

So Mr Speaker, with those few remarks, I support this report.

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

**Mr Bernard Mulengani (Uganda):** Thank you, Mr Speaker for the opportunity to contribute on the report of the General Purpose Committee of which I am a member.

Mr Speaker, I rise to support the report, but initially I want to highlight generally, aspects in the report that we as a committee thought needed improvement in future for the betterment of the report. The Secretariat

would go further to give indicative budget lines in the respective sectors to inform the public but also the House on the performance of each sector within the Community and maybe go further to give graphical evidence like line graphs of bar graphs, statistical tables of where they are coming from and where we are. It would give a good analysis in the annual report of what that financial year has contributed to the integration process.

As we applaud the Trade Committee and the statistical department, maybe with some but of the resource mobilisation department, they tended to do that and indeed, when you look at the money they have received in the annual report, you can ably see the movement from where they were and where they are within that period under review.

It is good practice for people to be able to account in the annual report for the monies, not only in subjective matters but objectively also by showing that yes, we received this money and this is the position. Because, giving stories, as you would talk about the Holili road...we have been seeing this road since I came to EALA in 2007, but when you look at the report, it is giving us stories of the Holili road, and what they have done so far. It is not giving you the amount of money they have received in Holili-Taveta road since inception and what they have done in that portion of the year.

So, Mr Speaker, generally the report has improved but there is need for more improvement for us to be able to say objectively what is contained in the report.

Mr Speaker, to the report specifically, on pages 2 and 7, the committee is citing something to do with the rejection of the report. At the committee level, we had an argument. What does rejection mean in the context of Parliament, and what does consideration mean?

Mr Speaker, we may need to do some bit of – I think the Legal Committee should do some bit of capacity training for us to understand the concepts and words that are implied in parliamentary language because to me when we reject a report in Parliament, we have two options, either to reject or to approve.

When we reject a report, I think the report should be withdrawn from Parliament. What does it imply? It means that there is no report of the Secretariat in regard the annual report 2012/2013 in this House. What does it mean therefore? It would go further to imply that there is withdrawal of this report from the audience because it is not bearing correct and right content of the Community.

Indeed, we rejected it on that basis. This is why the deputy Secretary General goes ahead to accept in our report that yes, they will have to make a write up to amend.

I gave a joking example in the committee that if they woke up in the morning and printed the picture-

**The Speaker:** Hon. Mulengani, I think you are raising a matter that we need clarification on as well. When the report is laid in the House and it is referred to the committee for scrutiny, by our practice and Rules of Procedure that report is not yet out for public consumption. It should only go out for public consumption after the approval of the House.

If that is not being done then that is not correct. Therefore, by what you have raised, there was no report to be circulated last year because the House rejected it. Proceed.

**Mr Mulengani:** Mr Speaker, thank you for guiding. One thing I should inform you is that the committee was informed that this document had already gone out so we are reconsidering post mortems like the one we do in audited accounts.

Mr Speaker, the point I was raising again was when we reject, it should be withdrawn from both the House and wherever it might have been submitted. I think that Council needs to take very seriously our pronouncements in the House and maybe old accountable some of the technical people that are handling the particular things that are – are mishandling the resolutions of this House.

Mr Speaker, again I wish to refer to page 3 of the committee. We are talking about the outlook in the implementation of EAC activities. The committee is saying the outlook. When you look at the annual report, it does not prepare the Community to consider what is going to befall the Community in the coming years. It is an annual report, right but it should be able to take stock of what is happening to them in that year come two years or three years ahead so that they prepare.

The point I am raising here is in relation to members of staff, as an example that are due to retire come 2017. In the disguise of waiting for the institutional review, rendering offices vacant and therefore the Community performance going down day by day with an excuse of not having enough human resource yet we are costing everything to institutional review.

My argument has always been, institutional review came in place and the quarter system came in place with certain offices existing. What is the problem with continuing to replace these particular offices as we wait for the institutional review, that animal that has eaten a lot of money of this Community without end?

Therefore, to me the annual report- And I think they leave it out tactfully or maybe intentionally, unknowingly but deliberately for reasons that it will expose inefficiency to prepare for the Community. It is saddening that whereas we are at this moment

complaining of staff levels, we are waiting for 2017 then we start planning for staff recruitment. It is embarrassing for the Community.

I thought we have the most cream people in the Community who can plan and focus for the Community.

Therefore, Mr Speaker, the annual report does not give the futuristic look of the Community and we would urge them to consider that next time.

On page 5, we raised challenges that are glaringly lacking in this document and we do not know why but when I am left to think alone, I can give the reasons why they have decided not to include challenges. Even when you look at the Chief Executive's letter, no budget performance, no challenges- It is as if we are walking in day as usual. This is a very big challenge.

The other challenge I wanted to include but maybe was skipped but it was mentioned in the committee was that there is a challenge of Partner States delaying taking decisions whenever they do not send the right delegates for meetings. It has created a challenge.

Either they send people who do not take decisions in their countries or they send people who do not have effect on policymaking back home. It is a challenge. Or they send irrelevant people who are not in the line ministries that implement.

You remember the auditors raising issues of experts of everything where you find one person attending the Committee on Trade, Committee on Education, Committee on Agriculture, and Committee on Health. He is the expert from the Partner State constantly on everything.

Mr Speaker, if this thing is not solved, I do not think we shall move from where we are.

There is need to address these challenges and I am surprised that the annual report again left out such a challenge yet when we are in the Budget Committee, they keep on telling us some of those problems. When we are in audited accounts, they raise those challenges. They bring an annual report where they put a summary of the total progress of the Community but they are not mentioning what is refusing them to attain certain things.

So, it really makes me keep on defining what the problem is within the Community. Is it our timidity to say what we are facing or is it the competence of the people who are unable to express exactly what we feel we should express ourselves?

Mr Speaker, the committee on page 6 has also talked about the audited accounts. It was ably talked about; I will not go into that.

On page 7, I mentioned at the beginning generally on the issue of not representing the budget and I have mentioned the implications.

Lastly, Mr Speaker, I would like to say that we have challenges in the areas of – They are not reporting ably on the Common Market and the Monetary Union.

When you look at the annual report, they are not talking about those two pillars of integration properly to bring out the achievements at that time and what they intend to do exactly which is creating a problem in the area of knowing what we have to do.

Mr Speaker, I want to thank you and I support the report.

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

**Ms Shy-Rose Bhanji (Tanzania):** Thank you, Mr Speaker for giving me this opportunity and I wish to commend the Chair of the General Purpose Committee and the

entire committee for a very good report. I support this report fully.

I also wish to take this opportunity to commend and thank the Secretariat for the good and improved annual report. I remember I was a very big critic of this report together with my former members of the General Purpose Committee and other members. This is a good thing that there is a good improvement this time round and I think this should be maintained.

Mr Speaker, I would like to say that while this annual report is targeted to our donors and development partners I think it is also necessary that this report should be translated in Kiswahili and be distributed to the citizens of East Africa.

The report contains important information and because of lack of sensitisation and because of lack of enough funds for sensitisation – *(Interruption)*

**Mr Ogle:** Thank you, Mr Speaker and thank you, hon. Shy-Rose for paving the way. I think the Treaty is very clear that the language of communication in this Community is English so any other document in any other language is contrary to the provisions of the Treaty.

**The Speaker:** I think that is information that you have offered to hon. Shy-Rose.

**Ms Bhanji:** Thank you, hon. Ogle, but I beg to differ strongly with you because the Treaty says that English shall be the language of the East African Community while Kiswahili will be used as *a lingua franca*. Actually, many a time we are not doing as per our Treaty during seminars, during public hearings, and during the East African games. The language that is supposed to be used is Kiswahili. Mr Speaker, I was saying that the information – *(Interruption)* -

**The Speaker:** Hon. Shy-Rose, I think that is a very important point you have raised that we need to put clarity on. When we are offering official documents, they must be in English but in our work to reach out to the East Africans, Kiswahili is a very good vehicle of communication that we should emphasise until such a time that the Treaty is revisited. Yes, hon. Frederic.

**Mr Ngenzeuhoro:** Mr Speaker, there is a clarification I would like to put because Article 137 is clear. *“The official language of the Community shall be English. Kiswahili can be developed as a lingua Franca of the Community.”* Not “used” but “developed”. Thank you.

**Mr Kiangoi Ombasa:** Thank you, Mr Speaker, if I understood hon. Shy-Rose, she is saying this report is supposed to be disseminated to East Africans and for East Africans to understand it better, you can do it in any language. I could do it in the language called Ekegusi and hon. Shy-Rose is only saying, this report should be made in Kiswahili or can also be made in Kiswahili for purposes of reaching East Africans. It has not become therefore a language of the Assembly. Thank you.

**The Speaker:** Thank you. I think the clarifications are clear. Hon. Shy-Rose, the floor is yours.

**Ms Bhanji:** Mr Speaker, I thank all the members for the clarification but I would also like to commend all the heads of state who have always insisted that we should also give Kiswahili prominence in this Community.

Mr Speaker, having said that, I would like to raise my concern on the regrettable status of the East African Development Bank because partner States have failed to take major shareholding.

East African Development Bank is a big and huge investment in East Africa. It is so shocking to hear that our Partner States in EAC are minority shareholders. What is the problem? I repeat, what is the problem?

This is one tool that we have. We are supposed to take advantage of this bank. Our economies are poor, we are depending on agriculture as the backbone of our economies and we want to transform agriculture by depending on foreign aid. Mr Speaker, I think it is very important to give priority in this bank and our governments take major ownership in the shareholding.

If I can refer to this report, on page 7 I think the Secretariat needs to give us some clarity. The committee report is saying that with regard to the ADB, EADB, the committee required clarity in the legal framework of the bank and an explanation on what stake the EAC has in it particularly since the major shareholders are foreigners. We wish to be told in this Assembly on the clarity of EAC in EADB.

Mr Speaker, East African development Bank is a development finance institution with an objective of promoting development in East Africa. This bank was established in 1967 during the first EAC and then it was re-established after the re-establishment of the current EAC. I am referring to the ... because you can see even our forefathers, the founding fathers of the first EAC could see the importance of having or starting East African Development Bank but at the moment, you see the ownership of this bank and according to the website of the East African Development Bank as of December 2013, the ownership of the EADB showed that the government of Kenya owns 27 per cent, Tanzania 24 per cent, Uganda 27 per cent, Rwanda 1.0 per cent and the African development Bank itself owns 11 per cent and other shareholders are foreign partners.

So Mr Speaker, to conclude, I fully support all the recommendations in this report especially the last recommendation which says that, "The Assembly urges the Council of Ministers to consider that the Partner States take up more shares in EADB to take advantage of the progressive and profitable investment benefits related to the current status of the bank."

Other than that, I again support this report. I thank you, Mr Speaker.

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

**Mr Yves Nsabimana (Burundi):** Thank you, Mr Speaker. Mr Speaker and honourable members, I start by taking this opportunity in wishing you Mr Speaker, honourable members and staff a happy new year 2016, full of God's blessings.

To hon. Susan, the new member and the new minister from the United Republic of Tanzania, congratulations for the confidence put in you by His Excellency John Pombe Magufuli.

Mr Speaker and honourable members, when I looked at this report, I found that it is two years old. Now I ask myself, what added value can this report bring to the community? If someone says that the information in this report is useless, is it wrong?

Two, this Assembly had many times made recommendations to the Council of Ministers, to the Secretariat, and to all heads of institutions. It could have been good if we found this report a big chapter on the implementation of the Summit decisions, the Council of Ministers decisions, recommendations made by this august House but if you read this report, it is very silent on the implementation of those decisions and recommendations.

Three, the Community and especially this Assembly has been talking about sensitisation and being people centred. Mr Speaker and honourable members, I invite you to go to page 82 of this report. You will find a figure when we have the explanation of the expense of the Community. 98 percent of these expenses are in administrative meetings at the Community's expense and salaries, wages and employees benefits 98 per cent of the expenses.

A Community or a country to be seen by citizens its true investment. When you build a road or you bring a project of electricity to the people, they will see what that country or Community is. This report has more than zero per cent of investments or it is silent on investment.

My question is, are you doing our sensitisation? Are we doing what we are talking about being people-centred? That is my question.

Mr Speaker, I want to add that when I congratulated Madam Susan, I want to also congratulate the new deputy Prime Minister from Uganda and say, *karibuni sana*. Thank you very much.

**The Speaker:** Thank you, honourable.

**Mr Straton Ndikuryayo (Rwanda):** Thank you, Mr Speaker for giving me this opportunity to contribute in this report. I have two short and quick points. One is on page two on the introduction. I am seeking clarification from the Chair of the committee or the entire committee on the Article provision they referred to. I have no problem but on the issue of rules referred to under the Rules of Procedure of the East African Legislative Assembly, rules 8(9)(c) and (f), when you check the Rules of Procedure, there is no rule 8(9)(c) and 8(9)(f).

Rule 8 talks about the removal of the Speaker. I would like to hear from the Chair of the committee.

The second and last point is on page 6 on the findings and observations of the committee, number (f) where the committee said, "Annual reports as a matter of principle contain audited accounts. The committee, despite being aware of all the delays caused by the audit process of EAC accounts, insist that the audited accounts need to be part of the annual report."

Mr Speaker, I want to state that these are two different reports and that they are provided for under the Treaty under different provisions. Mr Speaker, the audited accounts, when you look under the Treaty, Article 134, are the mandate of the Audit Commission and the Audit Commission is provided for under Article 134.

This Article gives the power and mandates this commission to deal with the audited accounts and to produce an audit report.

Mr Speaker, if you go to Article 49 (2)(c), this provision also says, "The Assembly shall consider annual reports of the activities of the Community, annual audit reports of the Audit Commission and any other reports referred to it by the Council." So even the Treaty is clear on these two different reports. We cannot merge two different reports. We cannot take annual reports, borrow facts or data from the audit report, and put it under the annual report because these are very important in their nature. However, we can refer to it to comment on the annual report but I am not supporting this idea of taking the audit reports and putting them in the annual report. They are two different reports.

Thank you, Mr Speaker.

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

**Ms Valerie Nyirahabineza (Rwanda):**

Thank you very much, Mr Speaker for giving me the opportunity to contribute to this motion and from the onset, let me declare that I am a member of the General Purpose Committee and therefore, I support the report, however amended it will be.

Mr Speaker, before I go into details with regard to the report under consideration, let me state that it has always been a query from members, not only of the General Purpose Committee but also from the whole House in that we have been considering annual reports at times when the information provided therein is no longer relevant to inform the budgeting process or even other activities that this assembly has to do for the smooth implementation, be it of protocols or Summit directives or even Council decisions.

I am saying this because one of my colleagues, hon. Yves alluded to it when he said that this report under consideration is two years old. I know for a fact that the Council of Ministers has done well so far because I remember that at least when I joined the General Purpose Committee, we considered a report, which was, I think four years old and that was not relevant at all. It did not have any meaning at all.

Since the challenges and other information contained in the report have not only to inform the budgeting process but also the planning process, I think you will all agree with me that it is better that we consider these annual reports in time so that the information from the reports can inform be it the budgeting processes and the planning processes.

Mr Speaker, back to the report, on page three, given that the EAC annual report is on an audit on progress of implementation of activities, programs and projects, the standards and requirements among others include – and there are three points – the

report that clearly gives qualitative and quantitative outputs and presentation on the status of the integration process, two, a report that contains instructive statistics, current financial statements and summaries relating to the implementation of the EAC development strategy and three, a report that clearly reflects challenges met and the future outlook in implementation of EAC activities, projects and programs.

So I am actually basing my first intervention on this because the time when the report is laid and submitted to the General Purpose Committee for consideration has not met these requirements. So even if there is an improvement and even if we congratulate the Council of Ministers for at least putting more effort for us to get the annual report in less than one year but things should be worked out quickly so that we consider a report which gives us relevant information to inform the budgeting process and the planning process as I said.

On page 6 under findings and observations of the committee, like my colleagues said, there is need for more quality control to harmonise editing and style that would eliminate a disconnect or incoherence that is still discernible where more than one author or writer contributes to a document.

Mr Speaker, can I invite my colleagues to go through the report itself and look at page 31 of the report. This page talks about – at least the last paragraph- outreach and joint cross border sensitisation activities but look at the picture in the report. It shows His Excellency Uhuru Kenyatta interacting with people. I can see an official from the EAC Secretariat; I think he is a communications officer, if I am not mistaken. Therefore, you can see that there is no connection – there is a total disconnect between the information provided herein and the picture itself.



You remember dear colleagues, I think last year when we were considering and debating the report 2012/2013. This Committee on General Purpose revealed that there were so many inconsistencies in the report in terms of the information provided and the pictures showing the real activity.

You remember when hon. Straton and hon. Mulengani – I think they were shown as soldiers somewhere. I am glad that when you go through the report – (*Interruption*) -

**Dr Nderakindo:** Thank you, Mr Speaker and thank you, my colleague hon. Valerie for giving me way. I would just like to add on that that it is not only that, Mr Speaker. Surprisingly, they have your picture in this annual report of 2013/2014, something we have already said that they always put pictures which have no meaning while we know that a picture is worth a thousand words.

It has also shown that hon. Mwakyembe, our former Minister from Tanzania, an ex-officio member of this House, was sworn in, in that period they are referring to 2013/2014 while he was sworn in last January 2015. Thank you.

**The Speaker:** Thank you, hon. Kessy. Hon. Valerie, the floor is yours.

**Ms Nyirahabineza:** Thank you so much, Mr Speaker and I thank my sister hon. Kessy for the information. I remember that last year when we were considering this annual report, things were really bad. If the committee states that there is a big improvement, we know what we mean.

The Council of Ministers have made great efforts but I think they have to put more effort for such things not to appear anymore in the annual report. We had also proposed in the last annual report we discussed that they make sure that they set up a team in charge of

writing and editing before this document is in the public domain and I hope that the Council of Ministers, through the Secretariat has ably worked on that and this is clearly demonstrated by the big improvement in terms of facts being in tandem with some pictures.

On the same page 6, under (c), the committee said that there is need for details on the status of major Community projects such as those under the infrastructure sector. I do not want to read the whole paragraph but I am insisting on this because we all remember that we were lucky to be invited to an infrastructure summit which was held in Nairobi where their excellences, the heads of state made undertakings and came back to this issue of infrastructure in the EAC for this infrastructure to boost the economy of the EAC and uplift the lives of East Africans.

After that infrastructure summit, we had the opportunity to be addressed by our different heads of state. All of them came back to this issue and asked us to put the Council to task and ask them to give us a report as to where exactly the kind of level of implementation they have registered so far.

Therefore, this is very important to appear in a report so that we can see and measure the kind of progress they have made in terms of Summit directives and Council decisions.

On the same page under (d), the committee observed that there are no challenges. I think my colleagues who spoke before me have ably detailed it. When the DSG Dr Bukuku appeared before the committee, he mentioned many challenges. Unfortunately, none of them was incorporated in this report but luckily enough, after the interaction, we had with him, he accepted as you can see in the report that things are going to be changed and the challenges are going to be put in the report.

This is as important as considering the request I made when I stood up to contribute on this report. Those challenges can inform the committee and the whole House to pronounce itself when it comes to budget scrutiny and approval. Therefore, I hope things are going to be done smoothly and they are going to keep their promises.

On page 7 under (g), there is a need to reflect the annual budget theme as a thread that runs consistently through the report. Mr Speaker, every time we come here, when it is time for the Assembly to go through the budget and adopt it or approve it, the Council of Ministers reads us a specific theme on which all the activities and plans are going to concentrate for that very theme to be achieved.

However, it is not stipulated anywhere in the report where they say, "With regard to this specific theme, we did this and that, the challenges are this, the budget that was allocated to these different priorities were this, and the budget execution as of now is this."

So I think things are going to change accordingly and like we got an assurance from Dr Bukuku, I hope the Council is taking note of this.

My last point is on the same page. I think I spoke about that but before I sit, Mr Speaker, I would like to invite all my colleagues to look at the cover page of this report. It is written, "Free movement of persons, capital, labour, services, time line 2015: stay in the lane, stopping strictly prohibited."

I hope that whoever came up with this picture intended to tell East Africans that this was the wish of the Community to undertake all activities pertinent to the achievement of this motto or vision, "persons, capital, labour and services." So I am wondering, as a member

of the General Purpose Committee, whether all this has been reported upon.

Of course I went through the report but you can see that there are things which are not in tandem with this but in each case, it is also in line with what I said when I was requesting that the Council, whenever it brings an annual report next time, concentrates more or emphasises more on the theme of the year so as for us to measure the kind of progress we are making as a Community.

I thank you so much, Mr Speaker for giving me the opportunity. I once again thank the Council of Ministers for the improvement but let this House urge them to put more effort for the next annual report to be clearer and very comprehensive. Thank you so much.

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

**Mr Christophe Bazivamo (Rwanda):** Thank you, Mr Speaker for this opportunity. I rise to support the report but also to recommend that the presented report from the Council of Ministers be subject to amendment before publication so that all highlighted concerns can be corrected before publication.

Mr Speaker, in June 2003, our African head of state adopted the comprehensive African's agriculture development program, which aimed at improving agricultural performance as a heart to the economic growth and development in Africa.

This means that the economy of Africa is mainly or has mainly agriculture as a basis. If we develop agriculture, we can boost the African economy. This was a commitment by all African heads of state and this was in the Maputo declaration.

At that time, it was also agreed that for that purpose, at least 10 per cent of the GDP of

each country should be allocated to agriculture finance.

Of course, this has not happened and what we have seen is that it was actually important to recommit on that. In June 2014 in the meeting in Equatorial Guinea on the 26-27 June, our heads of state have come back on the issue of financing agriculture and recommitted to allocate at least 10 per cent of the national budget to agriculture development.

At that time, it was also decided and a strong commitment was given to make sure that by 2025, there is no more hunger in Africa; to stop or eliminate hunger by 2025. This was in Malibu. I will state other commitments later on that.

I appreciate East African Community in alignment with the Comprehensive Africa's Agriculture Development Program (CAADP) has developed the Agriculture Development and Food Security Policy and later on, the strategy and action plan Agriculture and Food Security Action Plan 2011-2015.

In all this, there was a trend to try to align to the CAADP program but what we see in the report here is when it comes to reporting on agriculture and food security, the Community is silent. So do we perform in this matter? How far are we? What are the challenges and what could be the way forward?

I would wish in future reports that people concentrate on this because if you do not go back to evaluate what you have done and plan accordingly, you risk forgetting and losing the vision. I say this because in Malibu 2014, it was actually committed. One of the strong commitments made was to conduct bi-annual agriculture review process that involves tracking, monitoring and reporting on progress so that people can know where we are.

When we are targeting stopping hunger in Africa by 2025, in 2015 or 2016, how far are we? So I think this element should be considered for the future so that we try to be in tandem and try to improve where we find it is needed.

In this report, what we see is that they have developed an East African Community CAADP compact in that period of 2013-2015. From 2003 until 2013-2014, this is almost 10 years. How and why has this taken so long? People should really look into it. When we say agriculture is a pillar or priority in our region and then it is not considered in our reporting accordingly, we can actually have some kind of hesitation when it comes to knowing if we are on track or not. For this, I wish that this is considered and looked into as this matter is of high priority. We should therefore report on it accordingly.

The last point is actually that there is not only one thing in the Malibu commitment. There is this 10 per cent, there is this reporting system, and there is the stopping of hunger in 2025 and other elements. This should be something to consider and follow up regularly to make sure that we do not suffer again or continue suffering from food insecurity in our region as climate change in this period is becoming more and more aggressive.

Mr Speaker, considering that, I support the report from the Committee on General Purpose. I congratulate the chairperson of the committee but I once again highlight the fact that the report should be improved before publication if we want to have a document which speaks about what is happening in our Community. Thank you.

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

**Ms Dora Byamukama (Uganda):** Thank you, Mr Speaker for giving me this opportunity. I would like to add my voice to

those who have thanked the Committee on General Purpose on the EAC annual report 2013/2014.

Mr Speaker, I have three comments. My first comment is on the issue of timeliness and this is one of the recommendations of the committee.

Mr Speaker, what we are considering is history to the extent that even when you look at the pictures of the heads of EAC organs and institutions, most of the people there are no longer in the service of the EAC so why are we debating this report at this time? Of what import will it be to the EAC because it is supposed to have some timely intervention for corrective measures and for us to be able to match toward the set plans and goals.

Therefore, the issue of timeliness should not be lost and I would like to urge the Council of Ministers to take this very seriously because if we continue debating history, it will not be an effective way of utilising our resources.

Secondly, Mr Speaker, I have some concerns I would like to raise in respect to the pictures, which were mentioned. When you look at the new plan, it has pictures of heads of EAC organs and institutions. Unless the Treaty has been re-written, and I do not think it has been amended, when you look at Article 9 of the Treaty, it says that it establishes organs and institutions of the Community and it states that they are hereby established as organs of the Community and then it lists them: the Summit, the Council, the coordination committee, sectoral committees, the East African Court of Justice, the EALA, the Secretariat and such other organs as may be established by the Summit.

Mr Speaker, it is obvious that some of these particular organs of the Community are not here, nor do we have the institutions. Therefore, the title that these are heads of

EAC organs and institutions are a misnomer. I would like the committee and those who produce the annual report to consider this because it misrepresents what Article 9 of the Treaty states.

Mr Speaker, my third point is on the recommendation of the committee, which is on page 11, 5.6 that states, "The Assembly urges the Council of Ministers to consider that the Partner States take up more shares in the EADB to take advantage of the progressive and profitable investment benefits related to the current status of the bank."

Mr Speaker, I would like to differ and put my reasons as follows. As an Assembly and as an organ of the Community, I find it a bit ridiculous for us to be urging Partner States to take up more shares in their individual capacity.

I remember clearly that this House at one point took on a recommendation of the Accounts Committee, which had suggested and proposed and their proposal was adopted that the EAC as a legal entity should actually buy shares in the EADB. Therefore, I hope that as we conclude this report, this particular stance will be retained because if we urge Partner States to take up more shares, we shall be promoting Partner States rather than integration at the EAC level.

I would like to remind the House that we have gone far. We actually negotiate as a bloc under the economic partnership arrangement; the EPAs. We actually are now doing shows – I think tourism as a bloc and we have the East African Joint Trade negotiations Act of 2008, I believe.

Therefore, I think for us to bring the EADB on board, the EAC, which is a legal entity with capacity to own shares under Article 4 of the Treaty should go ahead and own shares and we shall therefore be able to implement

Article 134 on audit of accounts because it will now be squarely an organ or an institution of the Community.

It seems that Article 9(3) of the Treaty which states that, upon the entry into force of this Treaty, the EADB established by the Treaty amending and enacting charter of the EADB is one of those organs but it seems that over time, this has been lost but is only respected in words.

So I would like to urge the committee to take on an amendment which would urge the EAC to buy shares so that they can be audited just like any other organ rather than perpetuating this individualistic aspect of urging the Partner States to buy more shares.

With these few comments, I would like to thank the Committee on General Purpose and this House for setting standards because I think for the first time in my about eight years in the EALA, I have seen an annual report which is akin to what we would like to see but for the few observations which have been made in terms of the wrong photographs and also the misconception about organs and institutions. I thank you.

**The Speaker:** Thank you, hon. Dora. Honourable Chair, Council of Ministers, would you like to respond to a few issues raised in the debate.

**The Deputy Minister for Foreign Affairs, East African, Regional and International Cooperation, Tanzania and Chairperson, EAC Council of Ministers (Dr. Agnes Suzan Kolimba) (Ex-Officio):** Mr Speaker, perhaps I will start with thanking the committee for the good work and we appreciate the recommendations made.

Perhaps I should go to the last but two speakers who said that in this report, there is nothing said on the issue of agriculture, food security and livestock sector. I think it is

reflected on pages 44/45 although we are taking note of the performance – *(Interruption)*

**Mr Bazivamo:** Thank you, Mr Speaker. I would like to give information that I have rightly highlighted this page saying that what is said is incomplete because they do not speak about the performances in our Community. Otherwise, the report has some elements. The East African Community CAADP compact is on this page. What I highlighted was, why is it done now when it could have been done in the past. This is almost 10 years after. Thank you.

**Dr Kolimba:** Mr Speaker, I thank you for the information but I still note that I was just saying that it is included but I am taking note of the advice he had given.

Going to the entire report and the recommendations made by the committee, as the Chair, Council, we will consider the recommendations and we think that they will help the Secretariat when they are preparing this report to be fully implemented and full of information and data required.

I would say that in future, we, meaning the Council, would ensure that when this report is submitted to the Assembly, it has the status, which we are thinking to give them the framework of the report itself, which will state the objectives, strategies, challenges and even the targets, which we have during the specific academic or financial year.

We also take note of the concerns, which were raised, and the advice given by the committee and we think that all of them have value. We have also been consulting here that we will ensure that the report, which is submitted to the Assembly, is timely and not a two-year report. It will be timely.

We are taking the concern which was raised that there are several pictures or photos which

are not reflecting the current issues like it is talking about the past issues but the photos are current. We are taking note of that and we will ensure that next time when we put photos, they relate with the issues, which are in place.

We also note the comments, which were made by one honourable member of this Assembly that the cover page should reflect the current issue. We are taking note of that. There was also advice that some of the members of EALA would like to see their cars have the EALA numbers. We will take this for consultation with the Tanzanian government to see what can be done.

Otherwise on the request or advice that the Council should have the report of the issues or activities which are planned for the financial year to be reported but we should inform you that we normally have this report prepared and we normally submit it to the Summit each year and we are also going to prepare that report to be submitted this February.

After saying so, we appreciate the committee members and the Chair for a good report and we know that this report will assist us and the Secretariat to make future reports to be better. Thank you.

**The Speaker:** Thank you so much, Chair, Council of Ministers. I now invite the Chair of the committee to respond.

**Dr Nyiramilimo:** Thank you, Mr Speaker. I first want to thank all the members who contributed starting with hon. Nancy Abisai, hon. Mulengani, hon. Shy-Rose, hon. Yves, hon. Straton, hon. Valerie, hon. Bazivamo, hon. Dora and the honourable Chair, Council of Ministers.

Mr Speaker, the contributions from members were mostly for clarification but I would go

straight to some questions like the questions posed by hon. Straton.

I have to apologise on the introduction because there is that rule of procedure number 8(9) (c) and it is a typing error which should be 81(1) (c) and (f) and 81(2). Therefore, it is just a typing error.

About the problem of putting the audited accounts in the report, I think it is very important when we have an annual report to have audited accounts to make sure that if we voted for the budget for that particular year, how was the budget utilised? Have the organs and institutions of the Community received the money they were supposed to receive? Have they spent that money for what they were supposed to utilise the money? So I think in a good annual report, it is good to have audited accounts; at least the summaries as hon. Dora says.

Most members alluded to the timing. I want to thank the Chair, Council because receiving a report after one or two years of that particular year that is reported on is not very helpful. Of course, we had to go back, read documents, and try to remember what was supposed to be done that particular year. Even for those who consider the annual report, it is very difficult to understand the issues and it is not very helpful for the use.

I thank the Chair, Council very much who has promised that from today they will come on time. We had even suggested that it should be around September because if we finish the financial year on 30 June, I think there months are sufficient for all organs and institutions to have written their annual reports if they do report progressively month by month or tri-monthly- I do not know how they proceed but I think they should, in three months, have provided a report that we can consider and then it can be published after. However, publishing it and then giving us a

document that is in the public domain that is something that is not very helpful at all.

Hon. Dora said that we are proposing that Partner States have shares in East African Development Bank but she thinks that it should be the Secretariat. I think that is what she meant or EAC as a whole. Maybe it can be a recommendation that replaces the Partner States because what we want is that the benefits of having that East African Development Bank are within the Community and we are not giving benefits to outsiders. So that is accepted and I think that the committee agrees that we put the EAC instead of specifying Partner States.

Hon. Valerie discussed the cover page. In the committee, we did not discuss this cover page. We all saw it, some members even alluded to it but I think the committee had appreciated the way this cover page was done. Maybe it is one of the staff of the Secretariat who found that we are on a progressing road, trying to put where we are today and how we could be progressing in the integration process and I think it is not the way it is put as a cover page. It is okay; I think we cannot discuss this much. This is not the content of the report anyway.

These were the comments that I wanted to make, Mr Speaker and again I want to thank you all and beg that you adopt the report. Thank you.

**The Speaker:** Thank you so much, hon. Dr Odette, Chairperson, Committee on General Purpose and the members of the committee for a job well done.

I would like to also thank the Chair, Council of Ministers and the members of the Council for the commitment they have made that there will be more improvement and timely submission of the report to this House. We hope that will be complied with and the promise will be made.

Honourable members, the motion before the House is that the East African annual report for the period 2013/2014 be adopted with the recommendation from the committee as amended. I put the question.

*(Question put and agreed to.)*

**The Speaker:** Thank you so much, I congratulate the Council of Ministers and the Secretariat. From where we have come, where we threw out the report a year ago and this time we have accepted with the few and with complements, I think that is work in progress. We congratulate you.

Honourable members, thank you for the good work for today. I now adjourn the House to tomorrow 2.30 p.m. House stands adjourned.

*(The House rose and adjourned to Thursday 4 February 2016 at 2.30 p.m.)*