



EAST AFRICAN COMMUNITY

EAST AFRICAN LEGISLATIVE ASSEMBLY (EALA)

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

SECOND MEETING - FIRST SESSION - THIRD ASSEMBLY

Wednesday, 5 September 2012

The East African Legislative Assembly met at 2.30 p.m.

*In the Old Chamber of the National Parliament of Kenya, Nairobi,
Kenya.*

PRAYER

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

(The Assembly was called to order)

ADMINISTRATION OF OATH

The Speaker: Hon. Members, I rise to notify you that a member of the East African Community Affairs from the Republic of Rwanda, the Assistant Minister of EAC from the Republic of Kenya and the Counsel to the Community is present and would like to take their seats in the House.

Their names are:

Hon. Monique Mukaruliza

Hon. Peter Munya

Hon. Wilbert Kaahwa

However, in accordance with Rule 6 of the Rules of Procedure of this Assembly they cannot sit or participate in the proceedings of the House until they take oath or affirmation of allegiance to the Treaty as members of the Assembly.

Rule 6(3) specifically states that when a member first attains to take his or her seat other than at the first sitting of a new House, she or he shall be brought to the Table by two members and presented by them to 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 members to present them to the speaker in the following order:

We shall start with Hon. Monique Mukaruliza.

(Oath administered)

(Applause)

The Speaker: I would now like to invite Hon. Peter Munya into the House

(Oath administered)

(Applause)

The Speaker: I wish now to invite Hon. Wilbert Kaahwa to come into the House.

(Oath administered)

(Applause)

COMMUNICATION FROM THE CHAIR

The Speaker: Hon. Members, I rise to make the following communication.

1. I welcome you to this 2nd Meeting of the 1st t Session of the 3rd Assembly. I also welcome you back from your respective capitals where you undertook Committee Sessions and Committee meetings.

2. The House Business Committee sat and approved the Annual work plan, so I urge you to get copies and adjust your other programmes accordingly.

3. During the induction Workshop in Nairobi, every Member was assigned/opened an EAC/EALA email account. Members are urged to utilize or make active their e-mails since all the important information concerning EAC/EALA will be posted on these email accounts. In the same breath, Committee reports will be emailed to Hon. Members' emails at least a day or two before the presentation of the report to the House to enable Members study these reports to enhance effective debate. *(Applause)*

4. Committee Sessions are very important since that is where most of the House's work is generated. Members are urged to attend the Committee Sittings and requested to keep time.

5. Hon. Members who have not submitted their particulars to the Public Relations Office are urged to do so to enable the PRO's department to produce an EALA Directory 2012-2016.

6. I kindly ask you to join me to congratulate Hon. Emmanuel Nengo on his beautiful wedding occasion in Bujumbura on 18th August, and we pray for good health for him and his dear wife in this new Status. *(Applause)*

7. Since the First Sitting in Arusha, the Speaker has participated in several activities, and has also assigned some members to participate in other activities on behalf of the Assembly.

Allow me to mention just a few.

- I participated in the Rio+20 Summit in Rio and addressed a side event organized by EAC and I salute the Secretary General for that event.

(Applause)

- At the invitation of the Rt. Hon Speaker of the Chamber of Deputies and the President of the Senate, I joined the Republic of Rwanda in Commemoration of 50 years of Independence and 18 years of liberation. We congratulate our Brothers and sisters in Rwanda upon their 50 year anniversary.

(Applause)

- The Republic of Burundi also celebrated their 50 years of Independence. I was unable to attend but I sent a message of good will. We also congratulate them.

(Applause)

- The EAC Media Summit took place in Kigali Rwanda, and I was honoured to present a paper on the Role of EALA in the implementation of the Common Market;
- I joined the President of East African Court Justice, Judge Justice Nsekera, at the official opening of the EACJ Court Sub-registry in Rwanda. This is an important step towards bringing institutions of Justice nearer to the People;
- At the invitation of the Speaker of Pan African Parliament, I participated in the Africa's Speakers forum which took place last week in Midrand, Johannesburg. It was a very an important event and our brothers PAP are also seeking to get legislative powers which we are enjoying as EALA. We shall give them support.

In addition, I undertook important visits and made courtesy calls to various personalities and these visits were aimed at increasing EAC/EALA visibility and to create awareness among these leaders about EAC and to enable them be part of the bigger EAC network on advocating for the EAC integration among the citizens. These kinds of visits and courtesy calls will continue during the time whenever I get an opportunity in order to enhance the knowledge about the benefits of EAC integration.

The visits were intended to bolster the publicity of EAC because every time you are there at least the media is and EAC is being

talked about and these are envisaged to enable the realisation by integrating our people particularly when they highlight the opportunities of a bigger market; and emphasizing the people-centeredness and business-driven nature of the integration process. Some of the personalities I visited are important opinion leaders who command a big following of people in their Ministries and the courtesy call made them more sensitized about the EAC and many made commitment to be part of the crusade to popularize the EAC.

It was observed that many offices visited knew very little or had scanty information about the EAC integration and I highlighted the four stages of integration and the two so far implemented namely the Customs Union and the Common Market and the benefits envisaged in the integration of our people and the challenges so far. I appealed for their support and many affirmed this support. The offices visited were in 5 main categories:

1. Government leaders in their right including,

- H.E Yoweri K. Museveni President of Uganda (and a Member of EAC Summit);
- H.E Ssekandi Vice President of Uganda,

(Applause)

- Rt. Hon. Kadaga Speaker of Parliament of Uganda,

(Applause)

- His Lordship Justice Benjamin Odoki, Chief Justice of Uganda,

(Applause)

- Rt. Hon. Kategaya, Minister of EAC Affairs,

(Applause)

- Rt. Hon. Alhaji Kigongo, NRM Vice Chairman.

(Applause)

2. At the level of EAC summit, I was honoured to meet with EAC leaders including:

- H.E Mwai Kibaki President of Republic of Kenya and Chair of the Summit,

(Applause)

- H.E Paul Kagame, President of the Republic of Rwanda.

(Applause)

3. At the Business Sector level, I met with:

- Hon. Sendaula Gerald, Chairperson of East African business Council;
- Visited to Quality Chemicals Uganda in Kampala, the manufacturers of Pharmaceuticals in particular, the Anti-malarial and HIV/AIDS drugs;
- Also met was H.E Gordon Wavamuno, the Chairman of Spear Group of companies and Wavah Group of Companies;
- Mr. Metha of SCOUT Sugar Corporation of Uganda Limited expressed his wish for EALA to visit the industry at Lugazi.

4. The other category is for Cultural Leaders, I met the Katikiro (Prime-Minister) of Buganda Kingdom who met along with the Speaker of the Lukiiko and 7 Ministers of Buganda Government. They were grateful and appreciated the information regarding EAC integration and also wished to participate in the Cultural week provided information is sent out in time.

5. The other important category is the religious leaders and the faith based leadership in Uganda.

- These included, Dr. Cyprian Kizito Lwanga, the Archbishop of the Catholic Faith in Uganda;
- Bishop Luke Orombi, the Archbishop of the Anglican Church;

- Bishop Kityo Luwalira Wilberforce the Bishop of Namirembe Diocese,;
- Sheik Shaban Mubajje, the Mufti of Uganda;
- Sheik Kayongo Zuberi, the supreme Mufti of Kibuli;
- The Head of Pentecostal and Born again Churches in Uganda Pastor Mitala Alex, and the Head of SDA church in Uganda.

During all these visits, important EAC items which symbolized the existence of EAC community, like the EAC Flag, the EAC Anthem, the EAC Treaty, and the Protocol on Common Market were handed over.

These items were greatly appreciated and a formal invitation was given to EALA to again visit them when they are in Uganda.

A full report will be contained in the report of the Speaker-100 days soon to come.

I thank you.

PAPERS

The Chairperson of the Committee on Accounts (Ms Jacqueline Muhongayire): Madam Speaker, I beg to lay on the Table the Capacity Building Workshop Report of the Committee on Accounts on the Role and Mandate of the Committee on Accounts.

Madam Speaker, I beg to lay.

The Chairperson of the Committee on Agriculture, Tourism and Natural Resources (Isabelle Ndahayo): Madam Speaker, I beg to lay on the Table the Capacity Building Workshop Report of the Committee on agriculture, Tourism and Natural Resources on the Role and Mandate of the Committee held in Moshi on 12th to 15th August 2012.

Madam Speaker, I beg to lay.

FOR THE CONSIDERATION OF THE REPORT OF THE COMMITTEE ON ACCOUNTS ON THE CAPACITY BUILDING WORKSHOP ON THE ROLE AND MANDATE OF THE COMMITTEE

MOTION

The Chairperson of the Committee on Accounts (Ms Jacqueline Muhongayire): Madam Speaker, I beg to move_

THAT, the Capacity Building Workshop Report of the Committee on Accounts on the Role and Mandate of the Committee be adopted.

Mr. Abdallah Mwinyi: Seconded.

Ms Muhongayire: Madam Speaker, I thank you for this opportunity.

The Capacity building workshop on Accounts was held in Kigali Rwanda from 29th July to 1st August 2012.

Introduction

The East African Legislative Assembly (EALA) is one of the organs of the East African Community (EAC). EALA's core functions referred to in Article 49 of the Treaty include inter alia legislative, oversight and representation. Performing post audit review is one of the oversight role of EALA as per Article 49 of the Treaty establishing EAC.

In conformity with Article 49 of the Treaty, and the Rules of Procedure, especially rule 79 (1) and (2), Annex 5 A, the Committee on Accounts is mandated to:

i) Carryout a post audit review and scrutiny of the expenditure incurred by the EAC Secretariat, the Organs and Institutions of the sums appropriated in annual budgets approved by the EALA upon presentation by the Chairperson of the Council of Ministers of the EAC.

ii) Carryout out post audit review and scrutiny of the expenditure on the basis of an annual audit report of the Audit Commission, pursuant to provisions of Article 49(2) (c) and 134 of the Treaty for the Establishment of the EAC.

iii) Carryout post audit function that encompasses the need to monitor the implementation of the budget in a manner similar to

internal audit, pursuant to Rule 72(1) of Rules of Procedure of the Assembly.

iv) Present a report with recommendations to the House for debate and adoption.

The Third Assembly commenced on 5th June, 2012. In recognizing the importance of the review and the need for members to carry out their oversight role efficiently, the Committee on Accounts held a two day capacity building workshop on auditing and accounting skills at Lemigo Hotel, Kigali, Rwanda from 29th - 31st July 2012.

Madam Speaker, the following Members of the Committee attended the workshop:

1. Hon. Jacqueline Muhongayire (Chairperson)
2. Hon. Abdullah Mwinyi (Member)
3. Hon. Abubakar Ogle Abdi (Member)
4. Hon. Adam Omar Kimbisa (Member)
5. Hon. Bernard Mulengani (Member)
6. Hon. Chris Opoka-Okumu (Member)
7. Hon. Dr. Nderakindo P. Kessy (Member)
8. Hon. Emmanuel Nengo (Member)

9. Hon. Jeremie Ngendakumana (Member)
10. Hon. Mumbi A. Ng'aru (Member)
11. Hon. Pierre Celestin Rwigema (Member)
12. Hon. Saoli Ole Nkanae (Member)
13. Hon. Straton Ndikuryayo (Member)
14. Hon. Suzan Nakawuki (Member)
15. Hon. Yves Nsabimana (Member)

Madam Speaker, the Committee on Accounts requires additional skills and understanding in financial management and audit concepts to enable them to upscale their mandate in the examination of the annual audited accounts and make recommendations to the Assembly.

Madam Speaker, the objectives were to:

- i) Understand the Audit Commission Report;
- ii) Be able to interpret financial statements and their presentation;
- iii) Appreciate the role of EALA Committee on Accounts in the Accountability process;

- iv) Learn relationships between the Audit Commission, EAC Secretariat, EALA and Committee on Accounts;
- v) Enhance understanding of common audit findings and their implication;
- vi) Acquire knowledge on audit processes and methodology aiming at carrying out a comprehensive review of the EAC Audited Accounts;

Madam Speaker, the workshop was participatory in nature, characterized by:

- i) hands on practical exercises
- ii) group discussions
- iii) simulations; and
- iv) paper presentations on accounts and audit skills.

The above was facilitated by experienced resource persons namely Mr. Obadiah Biraro, The Auditor General of the Republic of Rwanda; Mr. Alex Rugera, The Deputy Auditor General of the Republic of Kenya; Mr. Julius Birungi, The Senior Monitoring and Evaluation Officer for EAC Secretariat; and Mr. Moses Turatsinze, The Monitoring and Evaluation Officer for Rwanda Development Board.

Madam Speaker, during the workshop, the topics of the papers presented revolved around the:

- i. Role of the Audit Commission;
- ii. Understanding Audit Report;
- iii. Relationship between the EAC Secretariat, Audit Commission and EALA;
- iv. Common Audit Findings and their impact on Audit process, by Mr Obadiah Biraro, The Auditor General, Republic of Rwanda;
- v. Collection of Members expectations;
- vi. EAC Accounts/Financial Statements and Overview of the EAC Audit process;
- vii. Role of the EALA in the Accountability process at EAC, by Mr Alex Rugera, The Deputy Auditor General, Republic of Kenya; and
- viii. Monitoring & Evaluation, by Mr Julius Birungi, The Senior Monitoring and Evaluation Officer for EAC Secretariat and Mr Moses Turatsinze, The Monitoring and Evaluation Officer for Rwanda Development Board.

Mr. Gahiza Steven, a freelance consultant, was our rapporteur.

In the opening remarks of the chairperson, the mandate of the Committee and the objectives of the workshop were highlighted. Further, it was indicated that from the budgetary trends, requirements are expected to rise as the EAC Secretariat embarks

on the implementation of the EAC Development Strategy (2011-2016). As the mandate of the Community is growing, there is need for the Committee on Accounts to intensify its work: strengthening its relationship between EAC Secretariat and the Audit Commission, and enhancing the skills of its members; so as to be in a position to fulfill its mandate.

The workshop was officially opened by Hon. Juvenal Nkusi, The Chairperson Public Accounts Committee for Rwanda Parliament (Chamber of Deputies); who welcomed the Committee to Kigali. He appreciated the role of the Committee and pledged his cooperation.

Hon. Nkusi shared with the Committee: the mandate, experiences and procedure of Public Accounts Committee of the Rwanda Parliament. He wished the Committee a successful workshop.

To meet the objectives, the facilitators started by collecting the Members' expectations of the workshop. The expectations were as follows:

- Enhancement of their skills and knowledge in accounting and auditing practices;
- Updating on challenges of the audit exercise in the EAC;

- Understanding their interpretation of the financial statements and the budget execution oversight;
- Evaluating and understanding of the EAC audited accounts;
- How to interrogate the audit report and write a meaningful report;
- Learn to analyze expenditure statements and books of accounts; and
- Know the concept of value for money audit.

The above expectations then gave rise to the following topics:

a) The role of the Audit Commission

The Audit Commission is comprised of the five Auditors General of the EAC Partner States. It is an independent Commission that reports to the Council of Ministers, who in turn cause such reports to be laid before the Assembly within six months of receipt, for debate and for such other consultation or action as the Assembly may deem necessary. The committee was informed that the role of the Audit Commission is to go through the use of every penny using a certain medium. This is to ensure that the Financial Statements comply with International Accounting Standards.

b) Understanding the Audit Commission's Report

Members were briefed on what constitutes accounts visa vis: balance sheet, cash flow, income and expenditure. A practical case was done on The Lake Victoria Basin Commission Partnership Fund (LVBC PF) Financial Statements for the Year ended 30th June 2010.

c) Relationship between the Audit Commission, EAC Secretariat, EALA and Accounts Committee

The Committee was informed that there was need for regular interaction with: the Audit Commission, EAC Secretariat and EALA; and this could be facilitated by housing an Audit Committee in Arusha.

d) Common Audit Findings and their Impact on Audit Process

On this topic, it was emphasized that the EAC accounting system and Assembly's recommendations should be institutionalised to ensure efficiency and effectiveness.

e) EAC Accounts/Financial Statements and Overview of the EAC Audit Process

Members were introduced and briefed on the audit cycle. They were also informed of the need for the audited accounts reports to be timely tabled before the house every financial year.

f) Role of Accounts Committee in the Accountability Process.

The Committee was informed that its main role among others is consideration of post audit reports of EAC organs, institutions and projects, to ascertain the economy, efficiency and effectiveness.

g) Value for Money Audit

Members were informed that there is need to expand the scope and mandate of auditing of EAC Organs, Institutions and Projects to include performance audit, environmental audit and value for money audit.

h) Interpretation of Financial Statements

Members were briefed on the role and importance of interpreting financial statements.

i) Financial Management and Control

Members were informed that this is an internal control mechanism that comprises the control environment and procedures that management establishes to ensure orderly and efficient conduct of business.

j) Monitoring and Evaluation

A presentation was made on the power of measuring results. If results are not measured, failure and success is not differentiated and if success is not recognized, then it is not

awarded and failure may not be corrected. If results can be demonstrated, there is an automatic public support.

Monitoring indicates 'if you are doing things right' while Evaluation answers 'if you are doing the right things and if there are better ways of achieving the same or better results'.

Madam Speaker, the Committee considered the following observations and findings:

- i) The members' knowledge and skills on accounting and auditing procedures were inadequate to fully execute their mandate.
- ii) The Audit Commission is limited to financial audit only due to budgetary constraints.
- iii) The Submission of accounts is not timely.
- iv) The Audit Commission is financially constrained.
- v) The Committee cannot assess the EAC organs, Institutions and projects without on- spot visits.
- vi) The interactions between the Audit Commission, the EAC Internal Audit Unit and EAC Monitoring and Evaluation Unit are not sufficient.

Recommendations

Madam Speaker, Sir, the Committee recommends that:

i) There is need to take members through several training workshops on accounting and auditing procedures and practices to enable them to perform their oversight role efficiently and effectively.

ii) EAC scope of audit should be expanded to include Management Audit, Environmental Audit and Value for Money Audit. The EAC Secretariat should create a budget for the Audit Committee

iii) The Audit Commission should expedite the Protocol on Operationalisation of Article 134 of the Treaty.

iv) A budget line should be created for Audit Commission to facilitate thorough auditing of the EAC organs and Institutions.

v) The Committee should make more on spot visits to the EAC organs, institutions and projects.

vi) There should be a regular and enhanced working relationship between the Audit Commission, the EAC Internal Audit Unit and the EAC Monitoring and Evaluation Unit.

Conclusion and acknowledgement

After this important training workshop, it was noted that the Committee's ability to execute its mandate was improved. During the workshop, the members of the EALA Committee on Accounts made a courtesy tour to the Rwanda Parliament buildings, where they got a chance to observe a Senate Plenary Session for few minutes.

The Committee wishes to acknowledge all support extended by: the Office of the Rt. Hon. Speaker, the Office of the Clerk, the Ministry of East African Community in Rwanda and AWEPA in coordinating and facilitating the activity.

Madam Speaker, I beg to submit.

(Applause)

(Question proposed)

Mr. Mwinyi: Thank you very much hon. Speaker. I would like to use this opportunity to congratulate my colleague and the Chairperson of the Committee, Hon. Muhongayire for an eloquent address before the House and highlighting the key important factors of the functions of mandate of our Committee. I have not much to add other than to urge my colleagues to work studiously and to urge for more funding and time in order for the Committee

and this House to execute its functions and mandate of oversight effectively in all the Institutions of the EAC.

Hon. Speaker, I thank you and support the motion.

Mr. Bernard Mulengani (Uganda): Thank you very much Madam Speaker, for the opportunity. I want to thank the Chairperson of the Committee and on the onset I want to declare my interest, I am a member of the Committee. I have a few things to basically add on what the Chairperson has put on the floor. On page 4 under c, we as a Committee proposing and I know that the Secretary General has accepted to house the Audit Commission and the point I want to emphasize here is that putting offices without moving to put the Audit Commission as the resident and creating a commission that is resident, autonomous from the Partner States is not enough.

Madam Speaker, to this effect and I want to urge the Secretariat and the Council of ministers to move very fast on the protocol if need be to bring in place the issues of the Audit Commission at the regional level.

Madam Speaker, under (f) where we are talking about the role of the Accounts Committee in the accountability process, it is similar to where we are saying that the mandate of the community is growing and there is need for the Committee on Accounts to

intensify its works. Strengthening its relationship between the Secretariat and the Audit Commission and enhancing skills of the members.

Madam Speaker, if the Accounts Committee and the Audit Commission in its current format, it is going to remain without support of other accountability agencies. We are aware that the Community since its inception its budget has grown from \$2m today up to \$140m and the Accounts Committee with the Audit Commission will not accomplish issues of accountability in the Community. So I want to urge the Council of Ministers and the Secretary General to kindly accomplish the issues of accountability. We shall need a regional police, regional prosecutors, regional Inspectorates of governments.

This is the only way we shall accomplish. I know that within the Community we have staff Rules of conduct and procedure but themselves in that category can't accomplish issues of accountability because of the rate at which the Community is growing. We appreciate that the Community is growing and issues of accountability shouldn't be left in the hands of the Staff Rules and Conduct to handle.

As the former Chairperson on Accounts and that an opportune moment I will raise a question in that direction. There was something very contentious but it's because we were at the close

of the Second Assembly and I don't know up to now what has been taken. To me as the former Chairperson on Accounts Committee, the issues of donors sending auditors without consulting the Audit Commission should stop because the Community is ours and it is not for donors. If they don't want to give us their money because we are stopping them to audit us, let it be after all the percentage of money that comes through development partners is for consultancies and workshops.

Madam Speaker, there was a move to fund and the committee raises this in the report-to fund the Audit Commission at the regional level. I want to use this opportunity much as it's a report to also seek clarification how this has gone because it is out of proper funding that we shall solve the irregularities and inconsistencies the Audit Commission is facing. You find one Partner State having the capacity to sponsor their Audit Commission to do the entire auditing of the Community. Some Partner States even up to today are unable to sustain their Audit Commissions in auditing the Institutions and Organs of the Community.

I don't want to mention states here but I am aware that there are some states who can't sustain holding their representatives, the Audit Commission for more than one month continuously. It is creating a problem in the Audit Commission and so I want us to

move very fast to ensure that this funding that was proposed at the regional level comes in place.

Madam Speaker, with those few additions, I want to support the report. Thank you.

The Speaker: Thank you very much Hon. Mulengani and I know the Secretary General has been taken note. May I invite the Secretary General to take the floor.

The Secretary General of the EAC (Amb. Dr. Richard Sezibera):

Thank you Madam Speaker for the opportunity. First of all, I wish to thank the Committee on Accounts for a job well done and I want to thank you Madam Speaker for facilitating this work. I think training and capacity building for this Committee one of the first actions of this Assembly shows how important the Assembly takes its oversight committee and commitments and I welcome this strong leadership by the House.

Madam Speaker, we are at the Secretariat we are glad to be with this work and we pledge to work with the Committee as they carry out their important mandate.

I am glad to also report and I think it has been raised in the report and on the floor that the Audit Commission does every important job but they also need support and facilitation. I am glad to remind the House that this House created a budget line

for the Audit Commission during the last budget and this House funded it to the tune of \$150,000 this financial year. Clearly this is not enough for the work that this Audit Commission has to carry out but it is a beginning and I look forward to having more resources available for the Audit Commission to do its work.

Madam Speaker, I also wish to report that at the Secretariat, the Audit Commission has a permanent office and we have found staff to help them as they carry out their work and as we move to our new headquarters in the month, the Audit Commission will even have bigger space for the work they have to carry out and will have increasing capacity to do the work that they do. So we shall continue to support them because the work that they do is crucial.

Madam Speaker, the EAC is probably the most audited regional organization, certainly on the African continent but may be even in the world and we welcome it. It's the most audited because as has been raised on the floor of the House, a number of our Partners have audits of programs and projects that we carry out together and this should be supported; I don't think we should say no. It's a good thing that if you are building a road and you are in building this road with support of the African

Development Bank or the World Bank that you carry out a regular audit of where you are with that project is welcome.

I think we should we should welcome more such audits because this doesn't take away from the responsibility of the Audit Commission to audit the same projects and programs and in fact it gives them a good basis for them to carry out their audit and therefore the Audit Commission is superior to all other audits that we carry out as a community.

So projects and programs are audited but we also have an internal audit function which this House has expressed the need for this internal audit function to be strengthened and the internal audit is being strengthened. They are carrying out internal audits and internal audit reports are results in management decisions which I think have helped this Community.

In addition to these internal audits, then we have the statutory audits by the Audit Commission.

Madam Speaker, I am also glad to say that the Council has now established the Audit and Risk Committee. We all wanted an Audit and Risk Committee to make sure that the internal audit function, functionally reports to the Audit and Risk Committee while continuing to administratively report to the Secretary General as the Chief Accounting Officer of the Community. I

welcome the establishment of this Committee and I have to say operationalisation of the Audit and Risk Committee and developing a risk profile for the community is a key performance indicator for internal audit function this financial year.

The Audit Committee also laid before Council at its last sitting in Bujumbura, last week, the Audited Accounts for Year ending 30th June 2011. I look forward to an efficient transmission of these Accounts to the Assembly by the Council as the Treaty provides for. So I would like to say that the audit function for the community is on the right track and I want to support the Committee itself. I welcome the determination by the Audit Commission to carry out performance, environmental and value for money audits. We have had discussions with the Audit Commission on this and I welcome this move and I think this will also help our community as we manage our resources better.

Madam Speaker, with these few remarks, I beg to support.

(Applause)

The Speaker: Thank you very much, the Secretary General. May I invite, the Chairperson of the Committee to reply.

Ms. Muhongayire: Thank you Madam Speaker. I wish to thank members who have given their relevant observations on this

report. I wish to thank Hon. Mwinyi, Hon. Mulengani and the Hon. Richard Sezibera.

Madam Speaker, I have a few comments on the interventions. First of all, I wish to thank the EAC for the positive progress already done. I also wish as the Committee has recommended to have regular interaction between the EAC Secretariat, Internal Audit, Monitoring and Evaluation Unit and the Audit Commission to share the progress and the decisions already taken and the implementation of such decisions because while we were in Kigali, this information was not released.

We don't know exactly the structure, the system of reporting. We would wish have enough information about this Audit and Risk Committee and to know the structure and the relationship between the EAC Secretariat management, the Council of Ministers and the Audit Commission. I think these bodies (the Audit Commission and the EALA Committee on Accounts, the Internal Audit function and the Monitoring and Evaluation) must work hand in hand. It is not the work of police; it is for the benefit of East Africa. We need to share information on time in order to move together.

Sharing information shouldn't only be between the committees; it should be the same between the EALA and other departments of EAC Secretariat and connect regularly for the benefit of the integration process.

The Committee on Accounts relies on the internal audit unit, monitoring and evaluation unit at Secretariat level. This was just capacity building and I think in future during our appropriate meetings to share our work and how we can complement each other.

Madam Speaker, regarding the auditors from international development partners, I know when the Secretariat is negotiating projects and programs you come up with an agreement and I think on the matter of auditing it should be clear on how the auditing will be done concerning the projects and programs at the EAC level because Article 134 is clear.

If I can read "it shall be the duty of the Audit Commission to verify that any contribution received or revenue collected by the Community have been allocated and distributed in accordance with this Treaty and to include the certificate to VAT effect in its report" we can't say no to include the exercise of auditing in the projects and programs but this doesn't mean it has already been done because it is the mandate of the Audit Commission at the end to certify that the projects and programs have been completed or implemented as it has been negotiated in the agreement.

Madam Speaker, I think this was just the report of the workshop and we should be clear on how to operationalise this Article of

the Treaty because I remember the time we were in Bujumbura auditing the audit reports of the Audit Commission we were given a report from the auditors of the development partners for the Committee on Accounts to give our opinions and that time the Audit Commission refused to take into consideration that opinion because they didn't give their opinion as Audit Commission.

So we can't say no to keep that provision in the negotiations. The Counsel to the Community is here and I think we need a clear advice on the working relationship between the Development Partners' auditors and the Audit Commission. It is positive but this linkage must be very clear in order for the Audit Commission to give clear opinion on those audits from the Development Partners.

Madam Speaker, this is very important because more than 70% are coming from Development Partners and that budget is so high and so we need a clear system of audit.

I wish to thank the Deputy Secretary General for the big progress which has been done.

I wish also to thank the members who have contributed to this report and we wish to have workshops and trainings on this issue.

Madam Speaker, I beg to submit.

(Applause)

(Question put and agreed to)

**AGRICULTURE, TOURISM AND NATURAL RESOURCES COMMITTEE WORKSHOP
REPORT ON THE CAPACITY BUILDING ON THE MANDATE OF THE COMMITTEE**

MOTION

The Chairperson of the Committee on Agriculture, Tourism and Natural Resources (Isabelle Ndahayo): Madam Speaker, I beg to move;

THAT, the Capacity Building Workshop Report of the Committee on agriculture, Tourism and Natural Resources on the Role and Mandate of the Committee be adopted.

Madam Speaker, I beg to move.

Dr. Odette Nyiramilimo: Seconded.

Ms Ndahayo: Madam Speaker, the Committee thanks the Rt. Hon. Speaker of the East African Legislative Assembly for her continued support to the new Members of the 3rd Assembly and particularly to those of Agriculture, Tourism and Natural Resources committee, for having given them the opportunity to build their capacities in order to enable them fulfill their mandate.

The Committee further appreciates the warm welcome of the Regional Administrative Secretary of Kilimanjaro Region, Dr. Faisal H. H. Issa, during their courtesy call to the Regional Commissioner's Office.

Special appreciation goes to the Resource Persons: Hon. Safina Tsungu Kwekwe and Hon. George Francis Nangale both former Chairpersons of the Committee and Dr. Nyamajeje Weggoro, Director of the Department of Productive Sectors of the East African Community Secretariat, who accepted to share their knowledge and experiences with Committee Members, in the areas of cooperation under the mandate of ATNR Committee in particular and that of the Assembly in general. Their presentations were resourceful and met the expectations of Members.

The Committee also thanks the Association of European Parliamentarians for Africa for its continuous financial support, and Members of staff of EALA for a job well done.

The committee also thanks its Members for having attended this important activity; their contributions and full participation shown that they are really committed to their work.

Madam Speaker, the Agriculture, Tourism and Natural Resources Committee is one among 7 standing Committees of East African Legislative Assembly. At the beginning of the third Assembly, it

was imperative that new Members of the Assembly be trained on their duties in both committee and the whole house business. Thus, a two days' workshop was organized in Moshi Kilimanjaro Region on 12th to 15th August 2012, and was facilitated by AWEPA with Resource Persons being the former Chairpersons of the outgoing similar Committee and by the Director of the Productive Sector of the East African Community Secretariat.

The objective of the workshop

Madam Speaker, the workshop was primarily aimed at creating greater awareness and building capacity of new Parliamentarians on the mandate of the Assembly and that of the Committee on Agriculture, Tourism and Natural Resources in the integration process of the East African Community. It was also an opportunity for Members to learn and understand the main areas of cooperation and their status to inform future Committee activities.

Methodology

Madam Speaker, the workshop sessions were interactive, drawing lessons from practices of the previous similar Committee and the salient issues rising thereof. These were used to enhance participants' understanding of the roles and sectors they will focus on while executing their mandate. Presentations were made

by resource persons previously involved in the work of the Committee and who have knowledge of the areas and their status which are the focus for the Committee. At the end, Members agreed on the way forward by creating a more practicable way of organizing the work of the Committee by creating sub-Committees, to allow Members get more involved.

Opening

Madam Speaker, the workshop started with a prayer as usual in East African Legislative Assembly's activities. Thereafter Chairperson of the Committee officially opened the work shop by welcoming Members and facilitators at that occasion, she reminded Members the objectives of the workshop and called up on them to follow and participate actively because it was a good time for them to identify different gaps, challenges and opportunities in key sectors to be handled by the Committee through consultation with facilitators and former Members of the Committee.

Therefore, participants expected to come up with a better understanding of the current situation of the key sectors and to forge a way forward allowing them to embark on the work without delay. The Chairperson wished the Committee fruitful discussions and hoped that at the end of the workshop, Members would have understood their role in the Committee and in the integration

agenda and the main areas of cooperation on which Committee work is focused and this would enable them discharge their mandates successfully.

Presentations

Madam Speaker, during the workshop, we had four presentations:

Honourable Safina K. Tsungu's two presentations:

- A. The first presentation was focused on the mandate of the Committee enshrined in the Treaty and in the Rules of Procedures of the Assembly and the practical use of those Rules of procedure to generate the work of the Assembly in plenary sessions.

Thus, the committee on Agriculture, Tourism and Natural Resources draws its mandate from Articles 5, 49, 59, 101, 105-116 of the Treaty and Rules 79 and Annex V of the Assembly's Rules of Procedure. As a result, at every stage of the integration process of the East African Community, the committee should scrutinize how the above Articles of the Treaty are implemented (through legislation, oversight of the Community and Partner States projects and programs on areas of cooperation and representation of the interests of East African citizens) by the EAC organs and institutions and within Partner States.

B. Her second presentation was based on the Rules of Procedure of the East African Legislative Assembly. In her introduction, she said that:

- Rules of Procedure shouldn't be used to suffocate freedom of expression nor intimidate others from contributing in the Assembly (Committee and Plenary).
- Points of clarification, information and order should be used to bring to light useful information and discipline into debates by interrupting a Member currently holding the floor.
- However this shouldn't be overdone (especially the former) as it may put off some Members from contributing for fear of interruption of their flow of thought. No interruptions whatsoever allowed during a Member's maiden speech.
- Rules 60-71 focus on Private Members' bills- individual Member or Committee bills under legislative procedures;
- Steps for processing bills, questions and answers to the Council are spelt out in Part VI-
- Rules 17- 25 were pointed out.
- Resolutions and Motions are in Part VIII
- Rules 26-35 (motions & amendments).

- On Leave of absence and petitions, a Member shall not be absent without leave by the Speaker and shall not be absent for 7 consecutive sittings without written permission of the Speaker. If this so happens, a Member shall be referred to the Committee on Legal, Rules and Privileges for investigation.

Presentation by Hon. George Nangale, former EALA Member, 1st and 2nd Assembly and former Chairperson of the Committee on Agriculture, Tourism and Natural Resources.

Madam Speaker, Hon. George focused his presentation on Specific Roles of Members of the Committee on Agriculture, Tourism and Natural Resources and discussed the following:

The Representation role is exercised by members in consulting and networking with National Assemblies and Governments, probing and seeking clarifications of issues through Question Time, moving motions for Assembly Resolutions and submitting Petitions from the public, holding Public Hearings and Public rallies.

The Legislative role lies in moving Private Member's Bill, contributions on the floor of the House during debates and Committees considerations; whereas the Oversight role is mainly focused on Members' participation in Standing or Select Committees through which they monitor if East African Community

Secretariat and Partner States are executing the adopted measures or laws.

According to the Rules of Procedures, Members serve for two and half years in a Committee before fresh nominations are conducted.

The presentation briefed Members Committee on the Avenues through which the Committees can Functions by referring to Rule 79 of the Rules of Procedures and Functions of the Agriculture Tourism Natural Resources (ATNR) Committee according to Annex 5 of the Rules of Procedures.

In order to work effectively , the second East African Legislative Assembly Committee on Agriculture, Tourism and Natural Resources realized the magnitude of work within its mandate through a decision to form four sub-committees and allocate priority areas for each sub-committee to address in each of its two and half years tenure.

Advantages of such an arrangement were to ensure effective shared responsibilities among Members and providing an opportunity for the Committee to simultaneously work on various fronts, and yet remain focused. Committee Members were free to choose which sub-committee to join, but emphasis was experience, knowledge and passion in the sub-sector. Each sub-committee was

formed by three to four Members and the Committee Chair was a Member in all sub-committees. Thus, four Sub-committees were formed and each came out with its own priority areas.

Priority areas of the Sub-committee on Agriculture and Food Security included:

- Common strategy for food security;
- Role of agriculture in the changing climate- issues of adaptation and mitigation of climate change;
- Livestock development as a strategy towards food security (though this one was not exploited due to lack of means);
- Foreign Direct Investment (FDI) in agriculture.

The Sub-Committee on Tourism included the following priority areas:

- Tourism and Wildlife Management Bill;
- Sector familiarization which explored implementation of EAC Hotel classification and challenges and opportunities in the sector.

Third EALA Committee on Agriculture, Tourism and Natural Resources can follow up implementation of a protocol which was being developed, and the issue of single visa, EAC as a single tourist destination.

The Sub-Committee on Energy and Extractive Industries included the following priority areas:

- Familiarization of extractive industries focused on mining in Tanzania and oil exploration in Uganda;
- Extractive Industries Transparency Initiative (EITI);
- Mining, Gas and Oil legislation processes

Third EALA Committee on Agriculture Tourism and Natural Resources can follow up these priorities, and possibly adding the issue of Uranium safety management, trans-boundary extractive resource management, development of renewable energy and access to efficient energy sources.

Priority areas of the Sub-Committee on Environment and Natural Resources included:

- Issues of climate change
- Lake Victoria Basin Commission Programmes
- Trans-boundary Ecosystems Management Bill
- Polythene Material Control Bills. The Committee was advised to follow up on these priority areas and possibly address issues of biodiversity - wetlands, forests, semi-arid areas management; and look into the issues of ecosystem services- fisheries, wildlife management and pastoral practices.

Madam Speaker, In conclusion, Hon. Nangale informed the Committee that the roles of Members of EALA are unique and challenging at this point in time when the EAC integration process is passing through its critical stage - the Common Market- He gave the following reasons to that statement:

- Many national laws need to be revised, but the speed is snail motion-like;
- Community laws are necessary to address trans-boundary common management issues, but there is no consensus on the intern Sovereignty mindset among national bureaucrats which is deep-rooted; ceding powers to Arusha requires more than simply political will;
- The EAC integration process is not a top priority in the regional media menu. Local politics, Constitutional reforms and Presidential tenure terms are the media top priorities in East Africa
- Like any other Parliament, EALA Members are nominated by political parties in their Partner States. However, identities, groupings, even debates based on political ideologies or discourse are not practiced at EALA. At the European Parliament ideological alliances or grouping are live and forceful.

- The question is, if it is not EALA, then who is providing the political management leadership at regional level in East Africa as we move towards the ultimate political federation?

The Third East African Legislative was advised to ponder on these issues though the previous legislatures did not and follow up on all priority areas.

3.2.3 Presentation by Dr. Weggoro Nyamajeje on the EAC Projects and Programs under Productive Sectors and their Status

In his presentation, Dr. Weggoro focused on the main areas of the Productive Sectors Department particularly on the main objectives and achievements in those areas and he did not forget to talk about their collaboration with EALA.

These areas are the following:

Agriculture and Food Security

Madam Speaker, the Sectors under Agriculture and Food Security draw their mandate from the Treaty of Establishment of the EAC on Articles 105,106,107,108,109 and 110 which cover:

Seed multiplication and distribution; livestock multiplication and distribution; plant and animal diseases control; irrigation and water catchments management; and food security.

The Sector's main objective is to promote value addition, productivity and agricultural supplies to realize cross border trade for sustainable food security.

Environment and Natural Resources

The region is endowed with a variety of natural resources including: waters, minerals, genetic resources, forests, land and soil, climate and their derivatives. These are either aquatic or terrestrial, and categorized as trans-boundary or national ecosystems.

The objective of the Environment and Natural Resources Sector is to promote conservation of environment and sustainable exploitation of natural resources in the Community.

Tourism and Wildlife Management

The main objective of the sector is to diversify tourism products to maximize benefits and equity from Tourism and Sustainable Utilization of Wildlife resources. Cooperation in Tourism and Wildlife Management is spelt out in Articles 115 and 116 of the Treaty

Energy, Industrialisation and small micro-enterprise (SMEs) sectors

The implementation of EAC Energy Projects and Programs draws its mandate from Article 101 of the Treaty for the Establishment of the East African Community.

The objectives of the Energy Sector is to increase access to sufficient, reliable, affordable and environmentally sound energy sources in the Region; to promote all aspects of fossil fuel sub sector; to promote petroleum exploration, production and development; to develop regional power market of the Power Sub- Sector

Energy sector is organized into three sub-sectors, such as: New and Renewable Energy Sources, Energy Conservation and Efficiency, Fossil Fuels and Power.

Courtesy Call on the Regional Commissioner of Kilimanjaro Region

Madam Speaker, the main issues on which Members exchanged with the Regional Administrative Commissioner were the general information on Moshi town, its history, its Economy namely, its natural resources, its cleanness and its politics.

Members were informed that Moshi is the most overpopulated region of Tanzania reason being that there are a lot of immigrants. They learnt that the region also has many attractions namely National Parks such as Nkomazi and Nyumba ya Mungu, Lake Chala which is unique in its nature (its waters come

from down and there are never floods even when it rains), the biggest tree in the region, which some Committee Members visited at the end of the workshop.

The main challenge of Kilimanjaro region is that there are many immigrants coming in big numbers and these movements are difficult to control. He requested Members to involve intervention of Kenya to control together with Tanzania movements of people on that side of East African Region.

Emerging Issues from the Interactive Sessions

Madam Speaker, after presentations Members intervened to bring in observations, formulate recommendations and ask questions which revolved around the following:

1. Some African countries remain guided by conservatism by keeping food habits. The case of Zambia used to have maize as the only main food was raised. With immigrants' movements, Zambia learnt about other cultures and started to diversify its agriculture. As a result, there is need to improve food production by avoiding conservatism as it brings in food habits which hamper food production development; hence, diversifying food production helps to ensure food security.

2. In some areas of the region, people may die of hunger whereas the food is available in the region due to the fact of being located in an inaccessible area. Therefore, there is need to develop road infrastructure to ease food movement/ distribution in the region.

3. The East African Region has much potential in minerals though these can constitute a source of insecurity. The East African Community Partner States shall have a harmonized model regional law to help East Africans in handling their resources at their own interest. EALA being the legislative arm of the Community should then develop that regional law which harmonizes all national laws on those resources whose raw materials are taken by foreigners for their own development.

4. The agriculture sector suffers from land grabbing by foreign investors who produce for their own countries not for the EAC citizens. The Committee therefore should follow up this issue in its activities as a matter of urgency.

5. Some countries signatories to the River Nile Initiative complain that they are not allowed to use waters of that

river for irrigation whereas it is a useful natural resource of the region. There should be review of the Agreement on the River Nile Initiative between signatories to allow equitable use of its waters for irrigation in agriculture. There should be also creation of a strong body (Authority) to negotiate on all issues of water and other shared natural resources to avoid misunderstanding and insecurity in the region. Subsequent to this, EALA should adopt a Resolution urging Partner States to put in place an Authority which will negotiate wholesomely on agreements related to natural Resources like oil, gas and other resources. (The Committee is responsible for this).

6. The Committee should follow up on all adopted laws to know their status during this process of assent. The Committee therefore should ask questions to Council to know the status of laws adopted by EALA and initiated by the Committee on Agriculture, Tourism and Natural Resources.

7. The Committee should introduce a Motion of Resolution urging Partner States to engage in the Bio-gas resource use as it is a usable energy resource. EALA should then adopt

that motion urging Partner States to engage in such a programme. There is therefore need of Awareness raising by EALA chapters on their Partner States on the existence of a Norwegian funding to the height of 70 per cent so that they can adhere and pay the 30 per cent to ensure energy security.

8. Extractive Industries have been a source of development in developed countries whereas it is a curse in underdeveloped countries. Members of the Committee should therefore ensure these resources are not a curse by watching on a transparent management of funds from extractives by Partner States through their oversight role.

9. EALA should get avenues of interacting with the Summit of EAC Heads of States through amendment of the Treaty as Members have pertinent issues to address to the Summit which are hampering the integration process such as issues of protocols; one interaction consisting of speech delivered on the status of the Community is not enough to handle issues of a whole Community.

10. Members should be aware of underfunding of key areas of development of the region as, they are funded by donors at the height of 90 per cent. Members of the Committee should ask a question on this concern.

11. The Committee should adopt a resolution expressing the need to institutionalize the inter-organ meetings similar to the Kigali one where the Kigali spirit was seen as a good example to advance the integration process.

12. With regard to Foreign Direct Investment in Agriculture, the Committee has to be aware of the need to be constant in what we sign as agreement and therefore make well informed decisions wholesomely.

13. The Committee's main challenge being lack of funding, there is therefore need to keep in touch with former Partners per area as follows; in Food Security; Kilimo Trust and Freidrich Ebert Stiftung (FES); on Extractive Industries, National Democratic Institute (NDI) was the

main Partner; Green Economy: Forum for Agriculture Research in Africa (FARA); on Trans-boundary issues: United Nations Environmental Programme (UNEP) and African Union Commission (AUC).

14. A Member of the Committee was informed on an outbreak disease attacking maize in Kenya and asked facilitators what should be the solution. The Committee was advised to consult Kilimo Trust to find solutions on the outbreak disease attacking maize in Kenya referred to as nuthrosis (viral/fungal disease). The Committee had a concern that the outbreak could overspread on the whole region.

15. Members complained about some decisions of the Finance and Administration (F & A) Committee of the EAC saying that it makes the work of the Community difficult and this slows down the pace of the integration process. They agreed on the need to summon Council to get clarification on reasons urging F&A to make the Community almost non-existent.

16. Kilimanjaro Region is experiencing a lot of movements of non-East African immigrants who are crossing through the border between Kenya and Tanzania towards other destinations. It was necessary that Kenya intervene in the control of movements of people from its side to help Kilimanjaro region stop movements of immigrants.

Madam Speaker, with regard to the Rules of Procedure of the Assembly and the way they are used in the plenary sittings, Members raised the following key questions and observations:

- EALA Rules of procedure seem to have most influence from the Commonwealth system whereas the Assembly is a regional Parliament whose Members are from different backgrounds. This calls for review of those Rules; another complement to this observation was to state that no Parliament works on other Parliament's Rules unless they are amended. A Member of Legal and Rules Committee agreed to transmit this message to her Committee for consideration.
- Members proposed an amendment on the quorum needed for the House to sit by saying that the needed number is three Members per Partner State.
- Members were keen to see introduction of new electronic methods in the plenary instead of distributing piles of documents. They argued that it is more practical and more

economical too. They recommended EALA to be electronically friendly.

- Some Members were of the view that the current way of giving the floor to Members during debate in the House is not democratic as you have to catch the eye of the Speaker when talking.
- Members asked why motions in the House have to be seconded and the answer was that the reason is to involve the whole House on the motion moved.
- Some Members were of the view that the way of giving the floor to Members during debate in the House is not democratic as you have to catch the eye of the Speaker when talking.
- One Member argued that writing your intervention in the House is good as it allows have coordinating ideas and saying it is not good to avoid Members not to use this channel.
- Members were advised to be proactive, to ask questions to Council at least once per plenary session to make themselves relevant to the work of the Assembly

Observations and Lessons Learnt

Madam Speaker, from Presentations by all facilitators, the Committee learnt the following lessons:

1. The roles of Members of EALA are unique and challenging at this point in time when the EAC integration process is passing through its critical stage of implementation of the Common Market Protocol; the main tasks awaiting them are here enumerated:

- Many national laws need to be revised, but the speed is snail motion-like; therefore Third EALA Members have to influence fast tracking harmonization of laws to come up with regional laws which will allow programmes to be implemented and the integration process to reach its final phase.

- Community laws are necessary to address trans-boundary common management issues, but there is no consensus on the intern Sovereignty mindset among national bureaucrats which is deep-rooted meaning ceding powers to Arusha requires more than simply political will; therefore Members have to influence national politics namely those related to allocation of budgets to key sectors of development such as Agriculture and livestock.

- The EAC integration process is not a top priority in the regional media menu. Local politics, Constitutional reforms and Presidential tenure terms are the media top priorities in East

Africa; as a result, third EALA has to thoroughly involve the media into the work of the Community in order to succeed integration by awareness raising among East Africans.

- Like any other Parliament, most East African Legislative Assembly Members are nominated by political parties in their Partner States. However, identities, groupings, even debates based on political ideologies or discourse are not practiced at EALA. At the European Parliament ideological alliances or grouping are live and forceful. Consequently, EALA members should play correctly their role of politicians by influencing politics namely on pertinent issues such as allocation of enough budgets to key sectors of development for the East African Region.

2. Members have learnt that it is extremely important to know which articles of the Treaty and of the Rules of Procedure empower them and allow them execute their mandate properly.

3. Members were informed that affecting the work of the Committee through grouping themselves into Sub-Committees is a prerequisite for success in executing their mandate.

4. Members learnt that partnering with Business Community and private sector namely the farmers' associations, tourism and environment agencies and other development Partners has made the

work of the Committee vibrant and the new Committee resolved to maintain the relations with them.

5. The custom of undertaking stand - alone tours to Partner States will improve the representation role of Members of the Committee as they help them to know the real needs of the people they represent and act accordingly.

6. Understanding the Rules of Procedure of the Assembly will allow Members to contribute to the debate in the House and make the work of the Assembly successful

7. Close collaboration of the Committee with the East African Community Directorate of Productive Sectors has made the work of the Committee a success namely at the level of the oversight role. This should be kept by the Committee as a good practice.

8. By sponsoring bills on areas of focus for the Committee and at every stage of Integration will make Committee Members relevant and important role players in the furtherance of the integration process.

9. Outreach programs engaging line Ministries and lobbying will make areas of focus for the Committee develop and benefit citizens of East Africa whom they represent.

10. Working as a bloc the way it was done with Rio+20 Conference on Sustainable Development should be overspread on other areas of co-operation.

11. With the shared responsibility of EALA and the Summit in the legislation process, Members should use this power to influence politics such as in allocation of budgets to key areas of development for the Region.

12. From all presentations and discussions, the Committee learnt priority areas on which to focus their attention during their tenure of five years and this can assist the Committee to make its plan of activities. They are, but not limited to, the following:

For the Sub- Committee on Agriculture and Food Security

- Liaise with Farmers 'Associations;
- Explore the area of Genetically Modified Organisms (GMOs)
- Follow up on the outbreak disease for maize in Kenya and liaise with Kilimo Trust in search for solution
- Work on food banks and irrigation;
- Follow up on Foreign Direct Investments in Agriculture to avoid land grabbing

- Tackle the area of Livestock as it contributes to the Food security
- Keep previous partners in the domain of Agriculture and Food security namely, Kilimo Trust and Freidrich Ebert Stiftung Foundation (FES)
- Follow up with Secretariat on Sanitary and Phyto-Sanitary Protocol and Bill in preparation.
- Explore irrigation methods and advocate for implementation to develop Agriculture in the region.

For the Sub- Committee on Tourism

- Follow up on implementation of Tourism and Management Protocol being developed by EAC Secretariat
- Follow up on the status of the Tourism and Wildlife Management Bill adopted by EALA
- Follow up on issues of single visa and EAC as a single tourist destination
- Follow up on Hotel classification

For the Sub- Committee on Extractive Industries and Energy

- Explore usage of Biogas energy
- Focus on trans-boundary Extractive Resources Management

- Focus on development of other renewable Energy and access to efficient Energy Resources

- Follow up on Projects and Programmes under implementation in the EAC Secretariat under Energy, Industrialization and Small and Medium Enterprises.

For the Sub- Committee of Environment and Natural Resources

- Follow up on review of laws on minerals and possibly sponsor a regional law to handle natural resources of the region

- Address issues of biodiversity, wetlands, forests, semi-arid areas management

- Urge review of the River Nile Initiative and initiate a proposal of creation of an Authority responsible for wholesome negotiation on agreements related to environment and Natural Resources

- Look into economic system services such as fisheries, wildlife management and pastoral practices

- Follow up on Lake Victoria Basin Commission Bill (the status) and all projects and programs related to Environment and Natural Resources

- Follow up on all projects and programmes under implementation in the EAC secretariat related to Environment and Natural Resources
- Follow up on Climate Change
- Work on Disaster Risk Reduction

Way Forward

Madam Speaker, In order to make every Member to efficiently serve his Committee, the Committee resolved to form sub-committees, based on the knowledge background, education and interest in the areas of concern for the Committee Members. This has proved to be effective as per the previous experience of the outgoing Committee.

Therefore, the way forward agreed upon by committee Members is the establishment of four sub-committees which are:

1. Agriculture and Food Security
2. Tourism and Wildlife
3. Environment and Natural Resources
4. Extractive Industries and Energy

Recommendations

Madam Speaker, the Committee recommends the following arising from the workshop presentations and discussions:

1. The East African Community Partner States should lift the ban on the sale of food products as Food Security involves availing food to areas where it is needed through trade of agricultural products. They therefore have to ensure the movement of food within the East African Community region to make it food secure by creating feeder roads to allow food products reach areas which are inaccessible today.

2. Governments of EAC Partner States should allocate enough budgets to key sectors of development like agriculture which is the basis of survival of majority of East African citizens, instead of leaving it depend on donor-funding. They should at least implement the Maputo Protocol, to which they are signatories, which requires all governments to allocate 10 per cent of their budgets to the agricultural sector.

3. Partner States should increase Budget allocation for productive sectors in order to allow the work of the directorate to be effective and efficient;

4. Ratification of the Protocol on Environment and Natural Resources Management is a prerequisite for the implementation of

projects and programs under this sector. This Protocol was signed in 2006 by the Republics of Kenya, Uganda and the United Republic of Tanzania. So far, only the Republics of Uganda and Kenya have ratified this Protocol; The United Republic of Tanzania should ratify this Protocol to allow implementation of related projects and programs.

5. The Council of EAC Ministers should urge the EAC Secretariat to finalize negotiation on the issue of EAC Partner States to be considered as a single tourist destination to allow the region benefit from international tourism as the region has interesting and varied tourist products. The entire Assembly should pass a resolution requesting fast-tracking of the process of implementation of this issue;

6. The East African Legislative Assembly should take advantage from Article 132 of the Treaty to influence appropriate budget allocation at regional level to the productive sectors which constitute the basis of economies of EAC Partner States;

7. The East African Legislative Assembly should organize outreach activities whose objective should be to engage all line Ministries responsible for productive sectors in their countries to analyze together reasons hampering these sectors to prosper, yet being the cornerstone of East African countries 'economies;

8. The East African Legislative Assembly should embark on rallies whose main objective is to dissipate the fears linked to loss of sovereignty which is in the intern mindset of majority of East African citizens, elite included, to ease implementation of the Common market Protocol and other remaining phases of integration.

9. Knowing that the region has many water resources, Members recommended that there is need to develop irrigated agriculture.

10. The Committee should focus also on Livestock sector as it contributes to ensuring food security. The previous Committee did not work in this area yet it is an important one.

11. The Committee should do the follow up on the law adopted by the Assembly on Trans-boundary Ecosystems management to avoid conflicts between States such as the one happening on Lake Nyasa in Malawi. It should do the same for other laws initiated by the Committee and adopted by the Assembly.

12. The Committee should continue liaising with former partners from the private sector namely the farmers' associations, tourism agencies like Birdlife International environment agencies like United Nations on Environment Programs and Secretariat of the Convention on Biological Diversity, United Nations International Strategy on Disaster Risk Reduction,

African Union as well as National Democratic Institute, Washington DC.

13. The Committee maintaining the undertaking of stand - alone tours to Partner States to learn about areas of focus and enhance the representation role of the East African Legislative Assembly.

Conclusion

Madam Speaker, the capacity building workshop on the mandate of the Committee was a success. The Committee was satisfied by the work done by Committee Members namely their interventions and their regular presence during the entire workshop.

The resource persons did a wonderful job that met the expectations of Members in understanding the core areas of focus for the Committee, the main challenges and solutions. However, the Committee took note of the complexity of the work of the Committee. It is incognizance of the enormous task that the members decided to work through subcommittee. While closing, the Chairperson invited Members to think about bringing motions to be moved in the House at least a motion from each Sub-Committee.

Madam Speaker, I beg to move that this report be adopted with its recommendations.

I thank you Madam Speaker. *(Applause)*

The Speaker: Thank you very hon. Ndahayo for that detailed report and I want to congratulate you because it has been a very long report.

(Question proposed)

Mr. Christophe Bazivamo (Rwanda): Thank you Madam Speaker for this opportunity. As a member of this Committee, I rise to support the report. In addition, on the issue of the issue of food security, I wish to emphasize the need of availing food products wherever they are needed by East African citizens as a matter of equal treatment in all Partner States.

Therefore, instead of banning sale of food products, Partner States should take increase of food products demand as a market opportunity for the products and then invest more in Agriculture and livestock towards increase of food products for internal consumption and for export.

Madam Speaker, we all know that increase of production in a well organized trade and food market generate increase of income for farmers and the factual improvement of their livelihood and of course this is what Partner States target to achieve for their citizens.

In conclusion, Madam Speaker, it is important to note that Partner States should invest not only in agriculture inputs and

in assuring the availability and affordability for farmers but we also have to invest in organizing better their internal and external markets and then to avoid limiting market opportunities to the farmers by banning exports of food products.

Madam Speaker, I want to emphasize we need to have fertilizers production plants to ensure fertilizers affordability for our farmers instead of exporting raw material and importing expensive agriculture inputs.

Madam Speaker I support the report and I thank you. *(Applause)*

Mr. Saoli Ole Nkanae (Kenya): I thank you very much Madam Speaker for this opportunity. I would like to start by congratulating you as a member of this Assembly and secondly I want to congratulate you for being the first lady Speaker of this House and you will go into books of history. *(Applause)*

Madam Speaker, I know we elected you and your honour and our honour. I know with your credentials and what you have done so far, you will take us to the final goal of the political federation. *(Applause)*

Allow me and I will also be proud to be a member of the Third EALA to accomplish that and to be associated to have achieved that goal.

Madam Speaker, since this is my maiden speech, allow me to pay tribute to the Late Minister for Internal Security and Provincial Administration, Prof. George Saitoti. I am doing this because he was my Chairman in Party for National Union (PNU) and as soon as we were sworn in he did only other thing other than nominating me and being elected to this House. He died on the 10th June 2012. He was a gallant man of this soil, a president that never was and I salute him in death.

Having said that hon. Members, I am a member of the Committee on Agriculture and we were told in Kenya there is a disease which is devastating maize and which is the food we eat in most of our houses. The disease is called necrosis, a viral disease/ fungal even the experts have not known no wonder people are saying it is *ukimwi ya mahindi*.

Madam Speaker, agriculture is the backbone of our economy as East Africans. I am a practical farmer and since I started doing farming things are growing from good to worse. First of all, there is a conflict of interest, I till the land, I rare and I love animals and the two cannot go together. You till the land and the animals overgraze. It is high time our governments although we blame the colonialists, we used to have ranches to produce beef. If you don't take care of that we shall buy meat in these five countries like gold and we shall end up eating

what we call chicken every day until you are not interested. So we go to beans.

Madam Speaker, on tourism, I was born and brought up among animals. When I was young we used to see the gazelles among our goats but right they are not there. You can only look for them in the national parks. Thank God the government of Kenya and the government of the Republic of Tanzania have maintained the largest migration of mammals in the world and that is the immigration of the Serengeti Mara. 200 animals move every from day from April to August to Kenya and then they go back to Tanzania and those animals are the wild beast, giraffes, cats and elephants for that matter.

Those majestic animals if we don't take care of our children will know them as dead. As Parliament we must emphasize on those things. I personally I come from the Community where we live with those animals but we don't benefit much but I find a picture of Masai in Europe in a hotel standing so nicely but we don't have a share of that advertisement. *(Applause)*

So it is for us either to protect that kind of exploitation and survive.

Lastly Madam Speaker, on natural resources, right now discoveries of oil and gas in mushrooming. I am wondering why it

was never there before. Was it a deliberate way the Europeans were not giving us those gadgets so that we can discover them- (laughter- I think the best thing now we can do is to look for security because the influx of people who would like of people who would like to own those things will be too much and may lead us into conflict.

Madam Speaker, I would like to end by thanking our able Chairperson. Thank you very much. (Applause)

The Speaker: Thank you very much hon. Nkanee and we add our voices to the message of condolences we have already sent over to your party and to the people of Kenya. I now invite hon. Odette.

Dr. Odette Nyiramilimo: Thank you Rt. Hon. Speaker. Since it is my first time to rise in third Assembly, I wish first of all to congratulate you upon your election as the Speaker of this August Assembly. (Applause)

I wish to congratulate all my colleagues here before the closure of the Second Assembly, we were all wishing to come back and I wished all the friends to be here and now I think it was good that most of us didn't return because now I have got new friends. (Applause)

It is a good practice that parliaments also be renovated at every term.

Madam Speaker, let me as well thank the members of Kenya the Kenya Chapter for the good reception we have benefited since our arrival in this town of Nairobi and also I thank and congratulate President Mwai Kibaki for having opened our session yesterday.

(Applause)

Coming back to the Committee, I am a member. Madam Speaker, we are very happy to be in that town of Moshi which is one of the cleanest cities of the EAC.

(Applause)

The Mayor of Moshi City banned the polythene materials and so there is no plastic bag being sold in the shops and you find all the streets, even non paved streets are very clean. That is a very good progress and we wish all the towns of East Africa be as clean as Moshi.

(Applause)

The region of Kilimanjaro where we were is a very attracting region as we put it in this report and I think we don't know enough of our region. We were very happy to be there to be able

to visit the biggest tree because we were told that it was the biggest tree in the world. I think it has more than five meters width and we took pictures and I hope you will be able to see our beautiful pictures of that special tree.

We also learnt that there are many other attractions in the same region and we think as a committee in charge of Tourism we should know more about whatever that is attracting in our community so that we help at sensitizing tourists to come and visit especially tourists coming from within our Community.

Madam Speaker, I would like emphasize on some issues that were raised in this report. We talked of having interactions with the Summit of Heads of States. So far we have heard already a few years that there would be an amendment of the Treaty and we wish these be included in the amendment that EALA should be represented when there is Summit of Heads of state as one of the biggest institutions of the EAC and we should also present the progress. I mean our representative who should may be the Speaker. We should make also presentation of the progress of the work EALA is executing.

As you have seen Madam Speaker, we have put in place a kind of a plan of action for the Sub-Committees. Of course this plan of action doesn't that we received for the year. It compliments because I think what we received as you stated yourself and what

was decided by Chairpersons of the Committees with the House Business Committees will be done at the same time to compliment what has been planned and we do that from our homes by communication or by preparing the questions and Bills and we hope this will be supported by EALA Speaker and the Clerk of the Assembly.

With those few remarks, I support the motion and I thank you for listening.

Mr. Leonce Ndarubagiye (Burundi): Thank you very much Madam Speaker for the opportunity. I stand up to also insist on some issues that were discussed in Moshi and I would like to state that I am a member of this Committee.

I just to remind the House the essential points that were discussed in this House regarding food security we must always know or keep in mind that food security means physical and economic access to sufficient, safe and nutritious food for all the citizens all the time.

(Applause)

I would also like to remind this House about production. We should also keep in mind that when our countries were colonized, the white man came here and found our fore fathers tilling the

land with hoe manufactured locally. When they left 50 years later, we are still using the hoes but imported. After 50 years of independence, some parts of our countries in our region is still tilling with the hoe. We must definitely modernize agriculture.

There is no single country in the world be it America or Europe that developed without developing the rural area because that is where the majority of the people are. Once the rural area is modernized definitely the country is being developed and we shall also keep in mind that because of Climate Change water crisis is just before us. We must be very reasonable in managing our water resources.

It is not enough to produce enough food, we must also make sure that infrastructure especially the railway and the electricity is available to make sure that the food reaches the market.

Finally Madam Speaker, we must also control our population growth. If you have 2 to 3% of the population, logically you must have 6 to 10% of the economic growth so that we can sustain life of the new born.

Madam Speaker, I beg to support the report.

(Applause)

The Counsel to the Community (Mr. Wilbert Kaahwa): Madam Speaker, allow me first of all to warmly congratulate you upon being elected to serve the EALA and upon your subsequent and deserved election as Speaker of EALA with a high mandate to ensure that the Third EALA achieves on the responsibilities entrusted to it by Article 49 of the Treaty.

(Applause)

Madam Speaker, allow me also to congratulate those members who served in the Second EALA and who have since been re-elected members of the Third Assembly.

(Applause)

I wish also to thank those new East Africans who have been elected to serve in the Third EALA.

(Applause)

Madam Speaker, I cannot forget to also congratulate members of the Council of Ministers whose continued membership in the Assembly is well entrenched by the provisions of Article 48 of the Treaty.

(Applause)

Madam Speaker, coming to the order on which this motion is based, allow me to thank hon. Isabella Ndahayo whose resilience

and steadfastness in presenting a lengthy and very detailed report is nothing but very admirable.

(Applause)

I also congratulate the members of the Committee who contributed in one way or another in coming up with observations and recommendations contained in this report and which have been ably presented by the Chairperson of the Committee.

Madam Speaker, much as this report is a report on capacity building and it suits the purpose of the workshop to enhance capacity of the members of the Committee and to some extent the entire membership of this August House, the report raises a few issues which I need to comment on so that once adopted the report is wholesome and based on well informed positions. In that regard, Madam Speaker, I have five interventions and the topic emerging issues from the interactive sessions. I have two interventions on the topic in the report headed "observations and lesson learnt". I also have one or two interventions on the recommendations.

Madam Speaker, regarding the emerging issues which is item 4 of the report; I will specifically refer to item number 3. According to this item- "the East African region has much

potential in minerals though these can constitute a source of insecurity. The EAC Partner States shall have a harmonized model regional law to help East Africans in handling their resources in their own interest" I would like to advise the House that with respect to the concerns of the Committee it's not one regional law that will be sufficient because the matters referred to regarding resources of the EAC Partner States are matters of a range from chapter 15 of the Treaty to chapter 21 of the Treaty. In that regard you cannot talk of one regional law, it must be regional laws.

Secondly, as far as regional laws are concerned, it is not a mandate and the interest of this August House to come up with model laws. This House is empowered by Article 49 to enact legislation. The negotiation of model laws is a different aspect under Article 126 of the Treaty and comes up with standard laws which will be emulated by Partner States when they are enacting legislation but your interest as a House should be to enact regional laws and that is the basis of the responsibility you have under Article 49 of the Treaty. Aim at enacting legislation and not at coming up with model laws.

The second intervention under that topic is based on my observation on paragraph 5 where by the Committee informs the House that some countries signatories to the River Nile

Initiative complain that they are not allowed to use waters of that river for irrigation where as it is a useful natural resource of the region. I believe it will be in the interest of this House to learn from the Committee which exactly those countries are because when you talk of the Nile Basin you are talking about countries signatory to 1929 and 1955 agreements. You are also talking about countries in the Nile Basin Initiative. Countries which go beyond the EAC as we know it. Countries like Eritrea and Ethiopia. So which countries exactly is the committee referring to so that when the House adopts it this part of the report is wholesome.

Madam Speaker, the third intervention I want to make is with regard to the subsequent paragraph 6 where by the Committee is reporting that the Committee should follow up on adopted laws to know their status during the process of assent.

Under Article 49 of the Treaty, this August House enact laws, it doesn't adopt laws. The word adoption of laws is strange in the workings of this Assembly and I would encourage and kindly request the Committee to substitute the word enacted for the word adopted so that what the Committee is referring to is enacted laws.

Regarding the status of assent, I believe that this is within the province of the Rt. Hon. Speaker to follow up on the assent

with the Heads of State. Article 63 of the Treaty puts this process between the Rt. Hon. Speaker's office and the offices of the different Heads of State.

The fourth intervention I have is on paragraph 11 under the same sub-heading. The Committee states in its report that the Committee should adopt a resolution expressing the need to institutionalize the inter-organ meetings similar to the Kigali one where the Kigali spirit was seen as a good example to advance the integration process.

Madam Speaker, I would like to assure this August House that the Kigali spirit lives. It has not died. My reason for saying so is that on the basis of the Kigali spirit a forum of the Heads of EAC Organs and Institutions was established and it exists and it meets regularly except on those occasions when like in other for a meetings may not be able to take place. The forum exists and it has rules of procedure and it exchanges very useful views like now the forum has scheduled its meeting for Friday this week. Now basing on that information, it may not be necessary at this point in time when the Kigali spirit is still alive and the forum is steadfastly discharging its obligations to come up with another resolution for another spirit.

The Speaker: Clarification hon. Mulengani.

Mr. Mulengani: Madam Speaker, the clarification I want to seek on that is how is the Assembly going to benefit from the decisions of the forum?

Mr. Kaahwa: Madam Speaker, if you go back to the Kigali spirit, this forum is not a decision making body. However, the forum exchanges views and makes appropriate recommendations for the decision making bodies to the extent that the Rt. Hon. Speaker is a member of this forum. The views expressed by the forum through her are translated to the House through the office of the Speaker. And that applies to the other Organs for example the Council of Ministers and the EAC Institutions.

Madam Speaker, under the heading of emerging issues and interactive sessions, the committee expressed a lot of views regarding the Rules of Procedure for this House. The Rules of procedure adopted by this House under the powers entrusted in this House by Article 6 of the Treaty. Article 6 doesn't make these rules biblical or Quran in nature to the extent that they cannot be amended. They can be amended and indeed this is one of the functions of the Committee on Legal, Rules and Privileges according to Annex 5 of the Rules of Procedure.

Madam Speaker, I don't want to go into the merits and the demerits of some of these proposals. I have my own views but since the recommendation is taken up by the relevant committee,

I will express those views when the committee meets and I am member of that Committee.

Madam Speaker, I now come to intervene on observations and lessons learnt and as I promised. I have two interventions. The first one is what the committee has numbered as- let me read it out "members have learnt that it is extremely important to know which articles of the Treaty and of the Rules of Procedure allow them or execute their mandate properly" All I can say in this regard is that Article 49 as far as legislative powers, the supervisory role and oversight functions of this Assembly are concerned is very clear and the provisions of Article 49 by the process of Article 6 of the Treaty translated in the Rules of Procedure. I agree with the Committee that we need to learn the powers of the House and the base will be Article 49 of the Treaty read together with the Article 6 of the Treaty both of which are actualized in the Rules of Procedure.

Regarding the formed Sub-Committee on tourism, one of the recommendations that this subcommittee will be charged with follow up on the implementation of the tourism and management protocol; for purposes of this report and enriching this debate, I would like to propose that we add the word 'conclusion' because you cannot talk about implementation before an instrument is in place. This protocol is still a draft being

negotiated. Therefore, I advise the report should refer to follow up on the conclusion and implementation of the protocol. Much of the emphasis should be on the conclusion because the conclusion which is basically negotiation has taken a bit of time.

Lastly, Madam Speaker, there is one recommendation which is numbered 4 " ratification of the protocol on environment and natural resources management is a prerequisite for the implementation of projects and programs in this sector" that statement cannot be again said but I can see the concerns of the Committee. The concerns of the Committee rhyme with the concerns of the Council of Ministers. This protocol was negotiated and concluded as is indicated here correctly in 2006 by the three countries which were then members of the Partner States of the Community before Rwanda and Burundi joined the Community.

In order to bring the protocol into force it had to be ratified by those signatories of the protocol. Indeed when Rwanda and Burundi joined in, it was anticipated that the ratification process be finally resolved within a short time and Rwanda and Burundi acceded to their queue communiqué which mentioned the Protocol as being part of the illegal system of the Community. Now all Partner States subscribe to this Protocol but until that Protocol is ratified by the original members who negotiated and

signed it, it has not yet been into force and this has been the concern of the Council of Ministers in several meetings. So entirely agree with the observation of the Committee in that regard I just wanted to bring out the information that it is not only the Committee which is concerned, the Council of Ministers is equally concerned.

Madam Speaker, with those few words, I support the motion.

(Applause)

The Speaker: Thank you very Hon. Kaahwa for the important interjections that you have made and I hope the Chairperson has taken note so that at an appropriate time there are able to be adopted within the report. At this juncture I wish to Invite Hon. Ombasa

Mr. Ombasa Joseph Kiangoi (Kenya): Madam Speaker, I want to congratulate you before I proceed for being elected a member of this August Assembly and as our Hon. Speaker.

(Applause)

I want to congratulate you further for the opening and In this regard I want to salute His Excellency, the President Mwai Kibaki who is also the Chairperson of the Summit for the commitment he made in his address.

Madam Speaker, when I listened to His Excellency, Mwai Kibaki, I got some how lost because at a certain stage I have been thinking that the often stated lack of political will is at the top but the Chairperson of the Summit elaborated yesterday and very clearly that the Summit is willing to implement and the Protocol should be implemented.

So I wonder at what stage this implementation stales if the Chairperson of the Summit is saying that and I believe what he's saying he means it and I know that other members of the Summit support it. So there must be a stage may be at the Council of Ministers, may be at the beaurocratic stage of the ministry but that needs to be investigated and information found.

Madam Speaker, I want to note that the Committee on Agriculture Tourism and Natural Resources has done a wonderful job and in particular they have expounded on areas which cover almost the whole of their mandate. I want to encourage them to pursue their mandate as contained in their report and in particular to address the issue of food security.

Food security is a concern of all East Africans and it is important for the survival and the way we address this issue is of paramount importance in the area of research we need to share research as East African states and in this regard, I would urge this House to find ways of legislating to cater for the sharing

of research and the issue of things like the maize disease that has occurred in Kenya would perhaps have been addressed at an early stage.

Madam Speaker, the Committee went further and noted certain impediments and in this regard I am referring to the Rules of Procedure. The Rules of Procedure of this House need to be amended so that they can be in conformity with the Treaty and the best parliamentary practices because I am a member of the Legal Rules and Privileges Committee, I think I will leave it at that so that we can address it at an appropriate time.

The Committee of Agriculture is encouraged particularly to partner with the organization such as agricultural shows. Here in Kenya we have very established agricultural shows that have run like 100 years and executing your mandate on awareness perhaps the Committee should look at the possibility of partnering with agricultural shows in East Africa. I am sure we have done one in Tanzania and I know there are agricultural shows everywhere.

Madam Speaker, on the issue of funding, it is my considered opinion and I believe that I am right that no country or organization can exist purely on donor funding.

(Applause)

It is of great concern to me when it is reported for about 70% of the EAC is donor funded. If we are to be serious with the Community which we are then we are to address the issue of funding. In this regard, Partner States should increase the amounts of money and so it is urgent that it is considered and the Chairperson of Council of ministers is here, I am sure he will channel these views to the right place. It is urgent that funding be found from Partner States contributions to run the affairs of the Community.

Madam Speaker, with those few remarks, I support the report of the Committee.

(Applause)

The Speaker: Thank you very much Hon. Ombasa. I appreciate that time is not very much in our favour, so allow me to invite the Chairperson Council of Ministers, Hon. Sirma and then the Chairperson of the Committee will start to wind up.

The Chairperson Council of Ministers (Mr. Musa Sirma): Thank you Madam Speaker. First and foremost is to take this opportunity to congratulate you for being first lady in our Partner States to sit on that chair.

(Applause)

It is a big honour and having said that as you know in your meetings of speakers of EA, you are aware that currently the status of the gender balance is seriously tilted towards women and we do appreciate that and we do embrace them as our dear sisters and we hope that you will drive the agenda of EA wholesomely and put our countries together.

Madam Speaker, I would like to thank the Chairperson of the Committee for having had a wonderful session of understanding apart from their role as a committee of agriculture but also their role as members of EALA.

(Applause)

You have taken time so that you can be able to deliver what you have been given by your member countries to do on behalf of their citizens. The role that you have is enormous. The oversight role done by Committees is important to the survival and accountability of every state and here you are given oversight and also legislative requirements of the Community. Before we had the Accounts Committee and I am going to table the report of the audit as has been mentioned by the Secretary General. It will be upon you to scrutinize and ensure that the

monies we vote to the Community is utilized properly unless you take that role then the Community will suffer.

Madam Speaker, we do understand that most of our Partner States depend on agriculture and may now we hear of oil and gas and we don't even know the potential. We are only told they are there but we have not seen that drop of oil. Let us forget about what we have not seen. Let us concentrate in what we have and what we are used to and that is agricultural based.

I would like the Committee in their work to formulate or develop apart from the accounts legislation to be able to cover the EAC Partner States and especially to be able to remove the non-tariff barriers which we do develop or put in place. You find a Partner States in competition because they are dealing in the same produce.

I want to take the few examples which we have. When you bring tea from Rwanda and Burundi and those countries are subjected to a taxation which is unnecessary to go through to the market in Mombasa. We thought these countries are one. What is the taxation for and yet we want to support those countries to be able to do the needful and support their agricultural base. When the Mastermind Tobacco is taking their produce to sell in Southern Sudan you find competition within Uganda, a company

which is there will impose a longer route, leave alone the tax for the company to make losses.

Those are so many NTBs. You need to really support us inform of either legislation or we do the necessary enlightenment to our Partner States to understand that this Community having embraced and signed the Common Market Protocol we do not need to renegotiate the Protocol since it is there. Why do we renegotiate using NTBs. Why do we have to have bilateral agreements when we have a Common Market Protocol.

We have been discussing about beef with Uganda on a bilateral basis. Why are we discussing about beef and yet when you go to the Masai region or the Pokot region between Kenya and Uganda you do not know which cows belong to Kenya and which cows belong to Uganda because there is cattle rustling and you find all the cattle at times taken towards Uganda and next day they are brought back. The cows in Masai Mara graze all over, they don't even need visas. They just cross the border at will. Why are we discussing these products that there is a problem of mass cow disease somewhere I hear- there is another problem on the other place and yet the Common Market Protocol has given us that opportunity to be able to market our goods.

I also visited the Commissioner of Kilimanjaro and he's complaining about too many people crossing from Kenya. I thought

the issue of free movements of persons has been allowed. Then why are you complaining unless you are telling me there are other foreigners because the other day I was told there were some people who are being detained in Moshi for having crossed the border. What is wrong with crossing the border? You just need to present your document and you go across. If they are crossing without documents then that is an offence. But we envisage in the Common Market that in future we do not need documentation. We just need to work with our identity cards and we move forward as one community.

Madam Speaker, this Committee being charged with tourism, trans-boundary ecosystem and environment and being very much aware that the community had adopted 15th of September as a Mara day and you pray a key pivotal role on the celebration on the Mara day and we shall be commemorating the 4th Mara day in Kenya next week. I have also seen your concern on the budget on Partner States on agriculture, the Maputo declaration none of the states has been able to achieve and to really sensitize and ask our Partner states to have this dream achieved so that we are no longer going to import food from the Europeans or the Americans who would always look at us in serving the African States.

When you talk about we do not need to depend on donors, you should start first you do not need to depend on donor food what

feeds you first because you have the potential to be able to produce so that you can refuse the money later but when you are okay. You cannot refuse the money and yet you have not produced the food. You must start with one first. Let us first become self sufficient in food and I hope as the Committee wrote in their report that we need to lift the ban on seeds. I think it has been lifted so far and I think it was an issue where Tanzania didn't want to have maize crossed but they crossed anyway and also Kenya was trying to refuse to give seeds so that people don't grow another crop of maize elsewhere which have also been lifted because there is free trade people are looking for bigger markets and that has to be done.

Madam Speaker, on the single tourist visa which a key driver to the economy of EA. We need this one stop visa for East Africa and I can assure you that the Council has deliberated on this and we are in full support of one single tourist visa and further to that you cannot only do the single tourist visa without domestication air travel within our Partner States so that we bring down the cost of travel within EA. When you are going to Kigali or Kampala you pay equivalent to that person who is flying to Dubai or almost near going to London.

(Applause)

Why should we be doing that when we can even be crossing by bus? We would even be saving the countries resources by travelling by road because these travels are too expensive and therefore the solution to it is domesticating our travel within EA Partner States. That will reduce and make tourism a lucrative business to all the states because we have everything to see in Partner States.

Madam Speaker, with those remarks I beg to support.

(Applause)

The Speaker: Thank you very much the Chairperson Council of Ministers and because of time we will not be able to allow more debate. I have recognized Hon. Okumu, Hon. Ngenzebuhoro and Hon. Mulengani. I beg that you bear with me. At this juncture let me invite the Chairperson, Hon. Ndahayo to wind up.

Ms Ndahayo: Thank you Rt. Hon Speaker. I will try to be very brief. First of all, I would like to thank all hon. members who have contributed to this report. I agree with most of the interventions made by different contributors and I support the idea that we should emphasize on availing food in our region. Partner States of the EAC should invest more in the area of food security and especially they should also invest in fertilizers so that we have increased food production.

Madam Speaker, availability of internal markets is also very critical as we discuss increased production of food.

I would like to thank the following members by naming who contributed to this report:

Hon. Bazivamo

(Applause)

Hon. Nkanae

(Applause)

Hon. Nyiramilimo

(Applause)

Hon. Ndarubagiye

(Applause)

Hon. Kaahwa

(Applause)

Hon. Kiangoi

(Applause)

Hon. Sirma

(Applause)

I thank you for your contributions.

I would like to say something about the maize disease in Kenya. It is stated in our report that we should consult Kilimo Trust in order to help our region to find a solution for this disease but I would also like to request the EAC Secretariat to help me in order to limit the spread of this disease in the region.

Madam Speaker, I also support the idea that the Partner States should try and get a solution in order to secure our natural resources so that we can limit insecurity which can result from mismanagement of these resources.

I would also like to comment on the creation of Sub-Committees for the work of our Committee. This is not contrary to the Rules of Procedures of the House and its main objective it to have an

effective shared responsibility of members so that it will help us to remain focused on the area which we should deal with. I think this can also be helpful to other Committees of the House.

Madam Speaker, I would like to comment on Kilimanjaro movement of people. If we say that in Kilimanjaro there is uncontrolled movement of people it doesn't mean that we are against the right of free movement of persons. We are talking about the movement of non-EAC citizens. This is a big problem and if we don't take care of this movement it can result into insecurity in our region.

I also want to say that all your contributions will be taken into consideration and I thank you.

Madam Speaker, I beg to submit.

(Applause)

The Speaker: Thank you very much Hon. Ndahayo. Hon. Members the debate has been very fruitful.

(Question put and agreed to)

ADJOURNMENT

The Speaker: Hon. Members I want to thank you for the long afternoon. It has been a very fruitful deliberation. We have come to end of our business today. I wish to adjourn the House to tomorrow 2:30 and we said let us keep time. Thank you very much House stands adjourned.

(The House rose at 5.18 p.m.)