



## **EAST AFRICAN COMMUNITY**

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

#### **The Official Report of the Proceedings of the East African Legislative Assembly 127<sup>TH</sup> SITTING - THIRD ASSEMBLY: FIFTH MEETING – FOURTH SESSION**

**Wednesday, 9 March 2016**

*(The East African Legislative Assembly met at 2.30 p.m. in the Mt. Kilimanjaro Auditorium of the Bank of Tanzania Building in Dar-es-salaam, Tanzania)*

#### **PRAYER**

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

*(The Assembly was called to order)*

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#### **COMMUNICATION FROM THE CHAIR**

**The Speaker:** Good afternoon, honourable members. I take this singular opportunity to welcome you to this plenary meeting here in Dar-es-Salaam. I would also like to take this opportunity to congratulate you and most specifically the members who were part of the organising committee of the Nanyuki Series seminar.

I think this seminar was over and above very successful and dealt with a very topical matter of elections and adherence to election legal framework in the region.

In a very special way, I would also like to extend my appreciation to the national parliaments of the five Partner States especially the Rt. hon. Speakers of the national assemblies for facilitating the members who came and took part on the seminar.

Honourable members you will realise that this calendar year, we will hold two Nanyuki series. Nanyuki series is supposed to be in November and that therefore means that the next Nanyuki series seminar is this year in November. Therefore, the organising committee that has been working on the same will not be dissolved. You will have to continue working now for preparation for the next Nanyuki series.

This is compounded by the fact that we shall be celebrating the tenth anniversary of the Nanyuki series. So it is expected to be a little stronger than usual.

It is also in this year that we shall be celebrating the 15<sup>th</sup> anniversary of the Assembly. It is this calendar year also that we shall be having the next Inter Parliamentary games. The Republic of Kenya has already shown indication that they would like to host this.

You also know that on the principle of the rotation of Nanyuki series, the next one is supposed to be in Kenya so for us, it is more or less a good coincidence that the Parliament of Kenya would like to host the Inter Parliamentary Games that can easily combine with the Nanyuki series.

Honourable colleagues, as the Commission we sat and restructured the board for the *Bunge la Afrika Mashariki* magazine. We think that the magazine should now go to another level where it can be self-sustaining and more inclusive in terms of the contributors of the articles and introduce certain aspects of Kiswahili in the magazine.

Still in the same spirit of how we change leadership in the Assembly, the new board members appointed by the Commission are hon. Nsabimana Yves, hon. Byamukama Dora, hon. Abubakar Ogle, hon. Dr. Kessy Nderakindo Perpetua, and hon. Rwigema Celestin.

These members were carefully chosen and the Commission discussed the merits of why they should be on this board. I have appointed hon. Ogle Abubakar, who is a professional journalist because my administration and the administration of the Commission would like to tap the best out of every skill that is available in this Assembly to chair this board. I wish you well in your duty as a board.

Fourth, the Commission also discussed the question of our Inter Parliamentary Games, which so far have advanced so much in terms of the sporting disciplines, which have increased in number. There are suggestions that came from the seminar that we held in Kigali for inclusion of more games but this shall be decided in the Speaker's Bureau meeting, which will take place next month.

The Commission also agreed that the leadership of the Inter Parliamentary

Games at our level should be selected annually on a rotational basis, which is the principle of how we do leadership here. We have two persons who represent us in the regional organising committee that is always appointed by the Speaker through the Commission. Then we have the leadership at the various sporting disciplines: football, netball and otherwise.

We have agreed in the Commission that the sporting members of that particular discipline will sit and elect their own leadership but will follow the principle of rotation or tap the best from the different members who are available.

Finally honourable colleagues, the Speaker, as per the Commission position, has directed the Clerk to take audit of our work as per our code of conduct passed by this House to release the performance reports to the Speaker and the office and send copies to Madam Abela Kamuzora for further scrutiny. I thank you so much.

## **BILL'S SECOND READING**

The East African Community Disaster Risk Reduction and Management Bill, 2012

*(Business interrupted on 26 January 2016,  
resumed)*

**The Speaker:** Honourable members, you will remember that this debate was adjourned on the request of the Chairperson of the Council of Ministers, and she outlined a number of reasons why she was requesting for the adjournment.

At this juncture, I would only invite the Chair, Council of Ministers to give us a brief review of our position on the matter before we proceed with the debate. Chair, Council of Ministers.

**The Minister in the Office of the President, East African Community Affairs, Burundi (Ms Leontine Nzeyimana) (Ex-Officio):** Thank you, Mr Speaker. On behalf of the Council, I would like to indicate the position of the Council on this matter.

The position of the Council is that we do not have any problem with the Bill. It should continue as per the procedures. If there are amendments, they will come after but we should not interrupt the continuation of the Bill. Thank you, Mr Speaker - *(Applause)*.

**The Speaker:** Honourable colleagues, I would like specifically to extend my appreciation to the Chair, Council of Ministers and the members of the Council for getting to this position and I pray that this should be the spirit with other private members' Bills as well because there are always opportunities to address gaps that will arise. Thank you so much.

I now invite the Chair to refresh the minds of this House before I can resume the debate.

**The Chairperson, Committee on Agriculture, Tourism, Natural Resources (Mr Christophe Bazivamo) (Rwanda):** Thank you, Mr Speaker. Honourable members, I am very happy because of this new development, and I want to recall that – *(Interruption)*-

**The Speaker:** Chairperson, sorry for the interruption. I hope the members do have the report, because it is going to be very difficult for us to debate if members do not have the report. Do you... Thank you so much. Chair proceed.

**Mr Bazivamo:** Thank you, Mr Speaker. As said, this Bill was presented in 2013 and many times discussions have been had but you will remember that this Bill was at the stage of the second reading. This was

moved, the report was presented and it is up to us to continue as planned by our rules.

The East African Community Disaster Risk Reduction and Management Bill, 2013 is there to help our Community in dealing with all risks, which come either from natural problems or from man-made problems.

We know that we have many disasters, especially coming from rain here and there in our Partner States, and the Bill, as presented, actually deals with operational principles and guidelines for disaster risk reduction and management. Here we have clauses on comprehensive disaster risk reduction and management, clauses on humanitarian principles in disaster risk reduction and management; we deal with issues on human dignity and non-discrimination, information, consultation and participation among others.

The second part deals with institutional arrangements.

As I said, the report was presented and it was about to be debated and at this juncture, if you allow, Mr Speaker, I would request the mover to give some details and highlight the main elements which are in this Bill before we enter in the debate. Thank you.

**The Speaker:** Thank you so much, Chairperson. I think the mover of the motion can come in at the end when the debate has ensued. The most important aspect here was for you to refresh the members' minds on the report of the committee on the Bill and then the committee reports are debated and we take a vote on it.

Before we take a vote, the mover will be given a chance to make comments on the report of the committee. So honourable members, the motion on the floor is that the East African Community Disaster Risk

Reduction and Management Bill, 2012 be read for the Second Time. Debate continues as was interrupted. Debate is open.

**Mr Mike Kennedy Sebalu (Uganda):** Thank you very much, Mr Speaker. Since I am making my maiden contribution in this session, allow me to thank the President, the government and the people of the United Republic of Tanzania for their usual hospitality and warm reception wherever we are in this part of the Community.

I would also like to thank the Prime Minister who presided over a very important session yesterday.

Mr Speaker, allow me to thank the Chair, Council. This is unprecedented, and it must be taken very seriously for Council to come out clearly to indicate that they do not want to stand in the way of very important business before this House. I think it is best practice that should be emulated for other Bills that are yet to come before the House.

You know, Houses operate by precedence, and it is a very good one, which should be recorded, acknowledged, appreciated and recognised that in future, this kind of engagement should always apply.

This Bill is an extremely important Bill and we have had heads of state chair Summit at different stages of its enactment, pronouncing themselves positively. I remember when we were in Arusha and the Chair, Council then, His Excellency Uhuru Kenyatta came out specifically to indicate that it is a law that we need to be passed – *(Interruption)* -

**The Speaker:** Hon. Sebalu, maybe for the record, you may wish to correct that Excellency Uhuru is Chair, Summit not Chair, Council. Please.

**Mr Sebalu:** I beg to apologise, and let that be withdrawn. Definitely, my intention is not to misrepresent, so for the record, I take

your advice, Mr Speaker. The Chair, Summit, in no uncertain terms, implored the House to explore ways of having the Bill fast tracked so that we are able to mitigate the different disasters that have befallen the region.

With such a pronouncement from a Chair of Summit and many others at that level, it is a clear indication of the importance of such a Bill. The frequency of disaster that have struck the region in almost all our Partner States because there is no single Partner State that can claim not to have suffered a disaster at one point or the other.

Definably as people's representatives, EALA promotes the interests, welfare of the East Africans and the best-case scenario in terms of promoting good welfare is to create an environment that is less of disasters, and when we put in place a legal framework for response and intervention across the region, definitely this is the best way to go.

Parliament in its wisdom took the right path, and that is why I want to acknowledge the contribution of the mover - who did so on behalf of the committee - for the kind of work that has been put in to ensure that we have this kind of law on our statute books.

Mr Speaker, the need for this law is not something that I need to over emphasise. It is timely, it is necessary, it is desirable, and it should have been passed yesterday. But, even passing it today is not too late and that is why I want to thank Council for giving us a no objection so that we can go ahead and have this law passed and implemented within the region whereby we will have made our contribution to the welfare of our people.

Mr Speaker, I beg to support the Bill and call upon all members of this House to share this strategic view and vision of the committee so that we can have such a progressive law operating in our

jurisdiction. Thank you, Mr Speaker - *(Applause)*.

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

**Ms Judith Pareno (Kenya):** Thank you, Mr Speaker. I wish to submit that it is important that we conclude the business of this Bill and I thank the Chair, Council for coming out today to allow us to proceed in the manner that they have suggested.

Mr Speaker, it has been more than two years since this Bill came before this House, since we adjourned debate and I want to say that when we went round and did public hearings, I want to quote what I heard from submissions from the Kenya Parliament Integration Committee. They said, "This Bill should have been enacted yesterday." That was two years ago.

As we went round, the same was echoed in most of our Partner States that we really needed a Disaster Risk Reduction and Management Bill. In fact at the time when we did the public hearings, I remember the Republic of Kenya also submitting that they were actually also trying to do a similar law and this Assembly has taken more than two years to conclude such an important law and after hearing from the East Africans about the urgency of having such a law.

I therefore thank the Council of Ministers, although belatedly, they have come to support us in this Bill. I want to say that it has taken us quite some time to understand what the concerns were. You remember Mr Speaker when we had the last plenary. This House had actually resolved to give the Council of Ministers more time to be able to make submission and give some input in this Bill. I want to say that so far, as a committee, we have not seen any input, if anything, and we expect that we will have favourable amendments in support of this Bill.

Mr Speaker, at the time when we did this Bill and at the time when we were doing the public hearings, we had the disaster in Burundi where we had the burning of the major market in the capital. We had thereafter a disaster in Kenya where we had the fire burning down almost the entire part of Jomo Kenyatta international airport. We had floods here in Dar es Salaam. We still had another disaster in Kenya in the Westgate attack and by this time, this committee and this Assembly was struggling to have this Bill passed to be able to address such disasters that are of regional nature.

I want to say that as much as we have appreciated that this is very important, disasters will not come knocking. They do not give you notice, they just come like we have seen before and I rise to support that we support this Bill, that we pass it and we hope that any amendments that will be brought should be amendments that are going to strengthen the Bill to serve East Africans better.

For this reason, Mr Speaker, I support that we pass the Bill. *(Applause)*

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

**Mr Saole Ole Nkanae (Kenya):** Mr Speaker, I thank you for giving me this opportunity to contribute to this Bill. Mr Speaker, last year was reported to be the hottest year in two decades, and it is still being reported that the Antarctica and the Arctic are releasing water at a rate of 30 million cubic metres into the seas. It is expected that in the next five years, some cities in the coastline may submerge because of this release of water.

It is also expected - because of global warming and because of pollution - that tornadoes and cyclones will be more frequent. Normally it takes about four to 10 years for a tornado or a cyclone to come but it has been said that now it may be a yearly

issue. Therefore, this Bill is very necessary and very important.

As I was telling somebody yesterday, we do not need to regret later that the Third EALA never passed this Bill because of the disaster coming and we are not prepared. Therefore, I urge members that let us not delay the passing of this Bill as it has been reported that it has been under incubation for the last two and a half years. Now it needs passing.

Mr Speaker, it is also reported that the United Nations is expecting this Bill, and we might benefit from it. Therefore, I stand to support this Bill. Failure is not an option for this particular Bill so I support the Bill. Thank you, Mr Speaker. *(Applause)*

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

**Ms Dora Byamukama (Uganda):** Thank you, Mr Speaker. I would like to add my voice to those who have spoken before me by thanking the United Republic of Tanzania for their warm welcome and to our colleagues who have also welcomed us very graciously.

Mr Speaker, I would like to refer to the record because I have heard that this is a very good precedent. When you look at our *Hansard*, you will find that time and again in the last three years we have raised concern about the delay. So, my clarification is that yes, it is a good thing that the Council of Ministers has come on board, but on the other hand, we have, over the last three years, also raised concern about the unnecessary delays.

I would like to salute hon. Patricia for her persistence and endurance in ensuring that this Bill is enacted into law. Mr Speaker, I would also like to thank your leadership for sticking with the committee and making sure that this Bill comes to this point. *(Applause)*

Mr Speaker, when you undertake studies in management, there are two aspects that one comes across. The first aspect is that when you are a leader, you do the right thing and when you are a manager, you do things right. In some cases, this is a very delicate balance, and I would like to say very clearly that we have had some degree of confusion as to when the members of the Summit give specific directives and then the Council of Ministers drags its feet. I think that maybe we need to find a way of streamlining how to act in such instances.

What comes to my mind is the issue, for example, of the *EAC Cross Border Legal Practice Bill*, which is also hanging somewhere in the archives. I hope that at some opportune time, we will not delay such important Bills because, as I said before on the *Hansard*, disasters will not wait, and there was really no harm at all in having a law that would reduce risks and help us manage the risks.

Mr Speaker, let me just raise an issue that I would like to consider and maybe put before the Council as we pass this Bill. This is the issue, which is captured in Clause 1 of the Bill. In most of our Bills, we say, for example, "*This Act will be cited as the East African Community Disaster Risk Reduction and Management Act, 2013, and shall come into force on such a date as the Council, may by notice published in the gazette, appoint.*"

Mr Speaker, this has been a big hurdle. It has been one of the biggest hurdles that we have had. Therefore, I would like to implore this House to consider this in the next financial year as we budget so that we do not have any excuses from the Council of Ministers for not acting on this.

Let me give an example. When you look at the East African Parliamentary Institute, which was established under a law enacted in 2010, if my memory serves me right, you will find that it is only as recent as... I think

maybe a few weeks ago, that we brought clear guidance on publication of notice of in the gazette. This was six years later.

So, this week we may actually pass this law but it may take up to 2020 before we get notice published in the gazette, if we go by that precedent. Therefore, I would like to implore the Council of Ministers - because it is very important that we work in harmony- that these Bills are given the kind of seriousness and attention that they deserve, and that sometimes when the House is doing the right thing, we ask the Council of Ministers to give us some space to exercise our leadership role.

With these comments, I want to thank you.  
(*Applause*)

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

**Ms Sarah Bonaya (Kenya):** Thank you, Mr Speaker for giving me the floor, and I would like to start by thanking the government and the people of Tanzania for the hospitality they have given us for the period we have been here. We are the most vulnerable and the most afflicted region and continent. Mostly we are never prepared institutionally, legally through legal instruments or even with technical expertise to deal with the issues of prevention of disasters and risk management.

I know in developed countries they can predict earthquakes before they occur, they have the scientific competence and technological advancements and as a region, those are the issues we should be looking at. How do we even prevent these disasters and forestall them before they even occur? How do we reduce and mitigate the risks involved and how do we manage the process?

I remember when we had the bombing of the American embassy in Kenya, we had to

sit and wait for...we did a little here and there while our East African counterparts were watching. Of course, they tried to help here and there but we waited for Israel and other countries to come in with their technical know-how and expertise to ease our burden.

As a region I think we owe it to our citizens and to ourselves and the future generations that we should be more prepared in the face of disasters, especially natural disasters, which we can see increasing by the day, globally and as a region. So if we do not prepare to save our future generation- I think this is one area that we have failed as a region and I also recall issues where we have instances of God forbid, air disasters. We have to sit and wait for other agencies from somewhere else to come and take charge and do things on our behalf.

I think we need to change our mind-sets and attitudes and know that we have to take responsibility for all these disasters that happen around us because our friends are there when they can but when they cannot, we should not look blank. We have to pull synergy and be able to come together as a region and do what we can.

I would like to thank the minister for giving support to this Bill. She has said you can always improve the Bill later, it is not cast in stone so instead of stopping this very critical instrument from being developed for use in the East African region. So, I would like to support the Bill. Thank you.

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

**Mr Omar Adam Kimbisa (Tanzania):** Thank you, Mr Speaker. I also would like to add my voice on the importance of this Disaster Risk Reduction and Management Bill.

Mr Speaker, disasters in this region are of various types. There are those, which we call man-made disasters like war, fire, and

a recent one of terrorism and drought. Drought in the past used to be a natural disaster but now if you look at it critically it is a man-made disaster.

Apart from the man-made disasters, there are natural disasters as floods, tsunamis, name it. All of these have one thing in common. That is disasters do not care when to come, how to come, where to hit. Day or night, morning or evening, they do not care. They just come and hit hard sometimes.

Because of that, when we come here and talk about issues like this, literally we are not speaking for ourselves. We are presenting the people of East Africa. It does not depend on our own whims and fantasies. We are reflecting what we see, what people say, what we are experiencing in our own areas. Therefore, our issues have to be taken seriously, because we are not coming here to stand and speak just to tick a day away. We are saying what people are saying, doing and experiencing and we are a true reflection of our population.

Mr Speaker, the impact of disasters. If a disaster hits here and the same kind of disaster hits in the Netherlands for example, there is a difference. Even if the magnitude will be the same, the difference is our countries have not invested in a coping mechanism. The same disaster for example if it hits the Netherlands, the kind of coping mechanism you will find there and that is what we call risk reduction, will be very small, much as the disaster is the same.

Why? Because they have invested a lot in the coping mechanism and that is exactly what we are saying here. Disasters are here, let us invest in the coping mechanism, let us invest in the risk reduction activities so that when disaster strikes, at least we can minimise deaths and destruction of property and otherwise.

Therefore, I think that much as this Bill has been dilly-dallying for quite some time, let

us move forward, invest in it and try to see that we do something, which will help our countries. It was need then, we need it now and it will be needed in the future. Thank you, Mr Speaker.

**The Speaker:** Thank you so much, hon. Kimbisa.

**Ms Valerie Nyirahabineza (Rwanda):** Thank you very much, Mr Speaker for allowing me to contribute to this important debate. From the onset, let me join my colleagues who spoke before me in thanking the government and the people of the United Republic of Tanzania for the warm welcome and hospitality accorded to us and for the facilities put at our disposal for us to undertake our work very smoothly.

Let me also thank you, Mr Speaker for being consistent and steadfast in promoting the spirit of integration. By saying this, I would like to thank the Council of Ministers, like my colleagues said, for it pronounced itself and decided that this Bill should finally see the light of day.

Mr Speaker, it is a shame for an outsider, an ordinary citizen to hear that it has taken us two years to conclude this very important Bill. I thank my sister, hon. Patricia. I know how passionate she is about this issue. When we were together in our country, she used to say, "Over my dead body. These issues of the environment are going to be dealt with." I know that she will consistently pursue this issue up to the end.

Mr Speaker, when our founding fathers signed the Treaty for the establishment of the East African Community and when the Community became bigger as some countries like Rwanda and Burundi joined, they acceded to the Treaty. By so doing, they accepted to cooperate in different areas, one of them being cooperation in environment and natural resources management.



This Bill is in line with the cooperation. It is cooperation in the area of management of the environment.

Under Article 112 of the Treaty, specifically sub clause (d), it is clearly stated that, “For purposes of Article 111 of the Treaty, the Partner States undertake to cooperate in the management of the environment and agree to take the necessary disaster preparedness management protection and mitigation measures especially for the control of natural and man-made disasters and these include ... bio hazards, floods, earthquakes, marine accidents, drought ad bush fires and so on.”

Mr Speaker, as my colleague ably mentioned, this region is not short of disasters. I think there is no need for me to enumerate them because my colleagues who spoke before me have ably explained them. However, the reason as to why this Bill has to be passed as soon as possible is for us to abide by the principles of the Treaty and to be ready whenever any incident of that nature occurs.

Therefore, it is better that we go through the Bill and fine-tune it, if need be, although I am very confident, knowing the expertise of my dear sister, hon. Patricia, the mover of the Bill, and knowing the expertise of our colleague members of the Agriculture Committee. Also knowing the competence and expertise, which was offered by the Council of Ministers. Our work has become easier. Even the amendments are just going to enrich the content of the Bill.

We must work hand in hand for this Bill to be passed as soon as possible. I know for sure that the Heads of State, who have always called upon us to pass this Bill in order to mitigate the disasters that may occur anytime, will assent to it without any hesitation. And since you announced to us yesterday that the heads of state are of the view that Bills could be assented to

whenever there is a sitting of the Summit, things are going to be fast-tracked and expedited. We should count on them, but we have to play our part. So, I am not opposing the allegations and recommendations by some stakeholders and member with regard to the Bill, but I know that everything has been taken care of, and the amendments thereof are in line with the spirit of cooperation enshrined in the Treaty.

With those few remarks, I support the Bill, and I urge my colleagues to do the same. Thank you very much.

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

**Mr Martin Ngoga (Rwanda):** Thank you, Mr Speaker. May I also add my voice to applaud the United Republic of Tanzania and our colleagues from Tanzania for a very warm reception? It is a great moment to be in this city. For some of us it is a comeback. We have been missing it.

Mr Speaker, I also want to thank the Council for allowing this process to go on and move forward. This is the kind of Bill that should not have been delayed at all. When I was trying to prepare for this discussion, I noticed that the latest ranking by the World Risk Index – every member of the East African Community, including the new South Sudan are all ranked in the red zone meaning that we all stand a high degree of risk according to the latest ranking. What it means is that this Bill has been... we cannot find any justification as to why we delayed it even for a day.

Mr Speaker, when you look at the areas covered by this Bill, which means the area that is covered by this general subject of risk management, is very cross cutting in nature. It touches every aspect of life. It is probably one area where our social classes carry very little meaning. No one is risk

averse. When disasters happen, we are all affected.

Therefore, I would like to thank the member, hon. Patricia who brought this Bill and as hon. Valerie said, everyone here knows her own personal convictions and long struggle in this area so we could not have found a better source than hon. Patricia. Thank you very much.

Mr Speaker, our hope is that we are not going to delay any further unduly. We need this law very urgently because it is about our people. It is a reflection of who we are and how prepared we are to protect the lives, not just other citizens' lives but our own lives as well. It is a proper definition of the leadership and how much importance we attach to the lives of our people. So thank you very much and we hope we shall be passing this Bill into law very soon.

**The Speaker:** Thank you very much, hon. Martin Ngoga. Maybe I will let hon. Patricia to say something before I give the floor to the Chair of Council to respond.

**Ms Patricia Hajabakiga (Rwanda):** Thank you, Mr Speaker. I thank the United Republic of Tanzania under the leadership of His Excellency John Pombe Magufuli for the warm welcome. Some of us are already feeling at home.

Mr Speaker, I am not going to debate once again because I already did on the very first day, but I just wanted to thank you, Mr Speaker, the members of the Committee on Agriculture, Tourism and Natural Resources, and all the other members who have continuously encouraged me.

Let me also thank the Council of Ministers...I think it is because of the nature and complexity of matters of disasters, as the hon. Ngoga has just elaborated, that probably they wanted to have an improved version of what we have. But as the Chair of Council stated earlier, it

is not an end. There is no permanent law. Even constitutions are changed and amended. If there will be a reason that there is something new and important that needs to be brought in future, I believe that this Assembly will continue beyond the Third EALA, and that we can always, as an Assembly, amend to make it even better than how it looks today. Nothing is 100 per cent proof. An amendment of any kind is welcome as we go into the Bill itself and even in future.

Let me say that apart from the people of East Africa and us, this Bill has also really attracted the international community interest. If you can allow me, I want to read a little thing that was written to me last week as we were coming to Arusha from the United Nations Office for Disaster Risk Reduction in Geneva. It says, "*Dear hon. Patricia, we are pleased to contact you to congratulate you for your excellent work, you and your colleagues for advancing the EAC Disaster Risk Reduction and Disaster Management Bill at EALA. We propose a phone call with Lillian – That is a person there – focal point for UNICDR parliamentary initiative and myself at your soonest convenience, preferably this week, so that we can talk about the initiative on the 2016 activities as a follow up to Shanghai framework of action, which was passed by everybody including ourselves.*"

This is just one of them, but I have received so many calls since we began the journey that I believe this is an area where we can easily get support without touching the budget of the EAC, of our own Partner States. We will probably be the very first region - just as we were the very first region in the whole of Africa that is vibrant and robust, to pass such a Bill apart from the Asian countries that had to pass it because of the nature of disasters they are facing just like us. We are supposed to be protecting our people and ourselves.

Thank you, Mr Speaker and once again, I want to thank my colleagues for supporting the Bill. I think the Chair will do the rest of the acknowledgements. Thank you very much.

**The Speaker:** Thank you so much, members for debating the report of the committee. I now invite the Chair of the committee to respond.

**The Chairperson, Committee on Agriculture, Tourism, and Natural Resources (Mr Christophe Bazivamo) (Rwanda):** Thank you, Mr Speaker for this opportunity. I thank the United Republic of Tanzania and the President of Tanzania for the warm hospitality in this great republic. I also thank our colleagues, members of the Tanzania chapter for the warm hospitality in this great city of Dar-es-Salaam.

Mr Speaker, I would like to highlight once again the importance and object of this Bill, which is to provide a legal framework for intervention and assistance of people affected by climate change and natural hazard related disasters and to protect the natural environment through integration and comprehensive disaster risk reduction and management practices in the Community.

As highlighted on many occasions, this Bill is based on the understanding that each Partner State bears the primary responsibility to reduce and manage disasters in its territory but that regional and international support and cooperation may sometimes be required to supplement domestic efforts.

Mr Speaker, I would like to thank the Council of Ministers, once again, for the new developments as have been highlighted, and to thank all members who have taken the floor, for the support.

As you have heard, everyone supports this Bill and I request all members and everyone to support this Bill until it is finalised.

I take this opportunity to thank all the members who have intervened but also to thank the ones who have not had the opportunity to intervene and I know that everyone supports this Bill.

Mr Speaker, I thank hon. Mike Sebalu, hon. Pareno, hon. Nkanae, hon. Dora, hon. Sarah, hon. Kimbisa, hon. Valerie, hon. Ngoga and finally the mover of this Bill for her consistency and commitment when it comes to matters like the one on the table.

Mr Speaker, I would wish once again to advise everybody to support this Bill when it comes to adopting it clause by clause at Committee Stage. I thank you also, Mr Speaker for the consistency and support that you have given to this Bill since the beginning.

At this juncture, I wish that we take the next stage of this Bill. I thank everyone.

**The Speaker:** Thank you, hon. Christophe Bazivamo, the Chairperson, Committee of Agriculture, Natural Resources and Tourism.

Honourable colleagues, the motion before this Assembly is that the *East African Community Disaster Risk Reduction and Management Bill, 2012* be read for the Second Time.

I now put the question *that East African Community Disaster Risk Reduction and Management Bill, 2012* be read for the Second Time.

*(Question put and agreed to.)*

THE EAST AFRICAN COMMUNITY  
DISASTER RISK REDUCTION AND  
MANAGEMENT BILL, 2013 READ A  
SECOND TIME.

**The Speaker:** Honourable members, for purposes of record, it is 2013 and not 2012. At this stage, we are supposed to move to the Committee Stage and go clause by clause, but this we shall undertake tomorrow for the reason that we will have to dispose of one other business and adjourn the House for me to undertake another assignment, which is very important for this Assembly as well. I thank you so much.

**MOTION FOR A RESOLUTION OF THE ASSEMBLY TO CONGRATULATE THE REPUBLIC OF SOUTH SUDAN FOR JOINING THE EAST AFRICAN COMMUNITY**

**Mr Peter Mutuku Mathuki (Kenya):** Thank you, Mr Speaker. I move that this Assembly do resolve to congratulate the Republic of South Sudan upon joining the East African Community. I beg to move.

**The Speaker:** Seconders? Hon. Dora, hon. Celestin, hon. Bazivamo, hon. Ussi, hon. Hafsa Mossi, hon. Bucumi, hon. Sarah, hon. Patricia, honourable Doctor, hon. Leonce, hon. Sebalu, hon. Valerie and all the members who are in this House supporting this motion.

Hon. Mathuki, please proceed and read your motion.

**Mr Mathuki:** Thank you very much, Mr Speaker and honourable members for supporting this motion.

Mr Speaker, before I start, let me also join my colleagues to thank and congratulate the government of the United Republic of Tanzania for hosting us in Dar-es-Salaam and for the President, Dr Magufuli for ably sending the Prime Minister, hon. Majaliwa who joined us yesterday and gave us very wise words. He said that our presence here translates into making laws that will reflect the interest of citizens and that is what we are doing.

That being the case, I will go to the motion, but before I start, Mr Speaker, I think it is a big honour for the Community because now – *(Interruption)* -

**The Speaker:** Hon. Mathuki, read the motion then after that, I will give you a chance to justify. In that justification, you can make other statements associated to the motion as you may wish.

**MOTION**

**Mr Mathuki:** I stand guided, Mr Speaker. I will go straight to the motion.

*“WHEREAS Clause 1 of Article 3 of the Treaty for the establishment of the East African Community allows Partner States to grant membership to the East African Community to any country that applies to be a member and;*

*AWARE that on the 10 November 2011, the Republic of South Sudan applied for admission into the East African Community;*

*AND WHEREAS Clause 3 of Article 3 of the Treaty provides for conditions, under which the applying country must fulfil in order to be considered to be admitted into the East African Community;*

*NOTING THAT the East African Community conducted a verification mission to the Republic of South Sudan between the 15<sup>th</sup> and 31<sup>st</sup> July 2012, and negotiations between the EAC Partner States and the Republic of South Sudan were carried out between March and October 2015 at the EAC Headquarters in Arusha, Tanzania;*

*AWARE THAT the 17<sup>th</sup> Ordinary Summit of the EAC Heads Of State held on 2 March 2016 in Arusha, United Republic of Tanzania received a report of the Council of Ministers on the negotiations for*

*admission of the Republic of South Sudan into the East African Community and decided to admit the Republic of South Sudan as a member of the EAC;*

*CONVINCED that the accession of the Republic of South Sudan into membership of the East African Community will enhance cooperation and integration between the Republic of South Sudan and other East African Community Partner States and;*

*AWARE that the joining to the East African Community will enable the Republic of South Sudan to benefit from the existing advantages which are being enjoyed by the people of East Africa such as the Customs Union, the Common Market and soon the Monetary Union and Political Federation;*

*NOTING FURTHER that the joining of South Sudan into East African Community will foster integration and confidence building, promote membership, get access to vibrant markets of around 162 million people, provide potential growth for business and general economic development and as a step further towards coveted African unity among others;*

**NOW THEREFORE, THIS ASSEMBLY DO HEREBY RESOLVE AS FOLLOWS:**

1. *Congratulate the Republic of South Sudan for joining the East African Community;*
2. *Urging the government of South Sudan to expeditiously sign the Treaty of Accession and deposit the instrument with the office of the Secretary General."*

Mr Speaker, I move – *(Applause)*.

**The Speaker:** Thank you so much, hon. Peter. You can proceed and justify your motion, having read it to the House fully.

**Mr Mathuki:** Thank you very much, Mr Speaker. I would like to start by admitting that officially now we have six members of the East African Community, South Sudan being the latest in the bloc, having an advantage of close to 162 million people in the market.

In fact, before we proceed, I would like to congratulate His Excellency Dr Sezibera because it is during his tenure that the East African Community has grown to have six members. That will go in history and it is a very rare opportunity. It is never that easy, but now Mr Secretary General, as you prepare to exit, you are leaving a bigger bloc and a bigger Community and we shall always owe that to you – *(Applause)*.

Mr Speaker, thank you also because it is during your tenure and honourable members, as EALA Three, that again we have six members in the Community. Mr Speaker, soon I am sure you and the Secretary General will be looking or resources to take members to South Sudan so that we can participate in bringing people on board.

In fact, I propose that we do a maiden visit led by you, Mr Speaker and the Secretary General to South Sudan, so that we can appreciate and inform the citizens of South Sudan that we have come. That can only be possible - and I am sure that would be very important - before His Excellency the Secretary General leaves. He would want to lad all of us to South Sudan in Juba, possibly in April, Mr Speaker, depending on availability of our time because I know that the resources are there and I am sure you would not want that to be done by anyone else.

If you give birth to a baby and you leave, it would not be right. You must visit and see that the child is growing, Mr Secretary General. We would be very encouraged to join you to visit Juba and that would be encouraging to the people of South Sudan

to appreciate, as they join, that their brothers and sisters from other Partner States would be coming to encourage them and sensitise them and make them understand the benefits of them being part of this big family.

Mr Speaker, without taking much time, hoping that the SG has taken note of those recommendations; it is obviously true that the joining of South Sudan to the Community has enormous benefits and advantages and one of them is access to the infrastructure – *(Interruption)* -

**Dr Ndahiro:** Thank you, Mr Speaker. I wanted to seek clarification at this point in time when we know that the Summit recently admitted South Sudan. Shouldn't we be congratulating the Summit at this point and after South Sudan has joined fully then we congratulate them because the process has just begun. How do we start congratulating a member who has not fully joined legally? Thank you.

**The Speaker:** I take it that this clarification is directed more to the Speaker who has put the matter on the Order Paper than to the mover of the motion. This is an expression of political good will by this Assembly. The joining of a Community and the accession program is ongoing. It does not hurt the process for this Assembly to express its congratulations to the Republic of South Sudan. I think the prayers of the mover in the second part of the motion are very encouraging, and I believe that is what guided the Office of the Clerk and the Office of the Speaker to have this motion on the Order Paper.

Honourable, proceed.

**Mr Mathuki:** Thank you very much, Mr Speaker and thank you very much, hon. Ndahiro for that. I think you have done justice to that clarification. On that note, I also congratulate members of the Summit

for having sat and decided that South Sudan becomes part of – *(interruption)* -

**The Speaker:** Hon. Peter, are you amending your motion to put the third prayer? I do not think. That is part of your debate.

**Mr Mathuki:** It is part of my debate, Mr Speaker. As I conclude, I was just analysing the benefits so that we appreciate them. And for purposes of record, I am sure this will also help the citizens of South Sudan to understand, as they join the East African Community, what they will accede to.

We are talking of infrastructure and we are saying that South Sudan, being a land locked country, still has challenges to do with their infrastructure but by joining the East African Community, they will be able to access infrastructure that is available in other Partner States.

Mr Speaker, we are talking of the product, which South Sudan is producing which is oil. They are not able to make money out of this product simply because of the issues of transport through the Sudan. Now they will be able to use the Partner States, for example the Lamu project using that corridor to transport their oil and therefore accessing infrastructure.

Mr Speaker, we are talking of the issues of decision-making. They will be able to access meetings in the Community and therefore taking the advantage of understanding how other Partner States are operating. Therefore, in terms of policy and laws, they will be able to benefit from this.

They will be able to access the East African Development Bank and therefore able to access credit for example. That will be critical in terms of their development.

They will be able to access the Inter University Council for East Africa services and therefore when you come to education,

they will be able to compare themselves and other Partner States and that will be good for the public in South Sudan.

We are talking of regional standards that we have already set and it becomes critical for them to again come and appreciate so that whatever they do, they do within the EAC standards and I think that is good for the Community.

When you come to harmonising, we are talking about factor mobility and we are saying that when it comes to movement of people and labour, it becomes easy for citizens of other Partner States who are working in South Sudan. They have a number of challenges, but by them joining the Community, it becomes easier for other citizens to freely enjoy and offer services to the benefit of that particular country.

We have said that the product that earns a living for South Sudan is oil but now with access and opening of the market, they will be able to go into other areas like agriculture and trade and services like finance and so on. We must appreciate that there will be a number of costs to joining the Community, but now the net effect of their joining the Community will be positive. I think we encourage them to embrace and prepare themselves into appreciating that there are things that they must do right, and those will be things like respecting the Treaty to ensure that they observe aspects of good governance, and to ensure that everything is done in line with the standards that we have set in the Community.

Mr Speaker, they will also be able to learn. Look at countries like Rwanda for example that joined in 2007. Rwanda has shown critical improvement and they have taken advantage of their being members of the Community. If they take this positively, I am sure it will be to their advantage of them being members of the Community.

Mr Speaker, I would urge my colleagues to add our voices in encouraging South Sudan to be part of this big family of the East African Community. I thank you, Mr Speaker.

**The Speaker:** Thank you, hon. Peter the mover. Honourable members, as you take the floor, I think it must be made clear that the political decision to admit South Sudan to EAC has already been done by the Summit. What is left is administrative which includes the Accession Treaty signing and so on. So let us debate from that perspective.

As procedure may require, honourable colleagues, the motion before the Assembly is for a motion for a resolution of the Assembly congratulating the Republic of South Sudan upon joining the East African Community. Debate is open.

**Ms Dora Kanabahita Byamukama (Uganda):** Thank you, Mr Speaker. I would like to support the motion for a resolution of the Assembly to congratulate the Republic of South Sudan upon joining the East African Community.

By way of preamble, yesterday afternoon I wrote a note to the Clerk and your office seeking to move a similar motion. Little did I know that hon. Mathuki had gone before me and as the saying goes, great minds think alike and from the support of this Assembly, I think we have many great minds here? I thank you for finding time for it on the Order Paper.

Mr Speaker, I would like to speak to two issues only and the first issues I would like to refer to is in respect to Article 3 of the Treaty. When you look at this article -and I am glad that the Council of Ministers determined that South Sudan qualified to join the East African Community - there is adherence to principles of good governance. This is definitely an on-going process and like all of us, none of us can

really say that we have completely adhered but I believe that by the Republic of South Sudan joining the East African Community, they will even be in a better position since we have set benchmarks.

The second aspect is contribution to strengthening integration within the East African region. Mr Speaker, I think this goes without saying because as we know very well, this combined with geographical proximity and the fact that we are inter dependent based on historical reasons is a very important point.

Mr Speaker, I would like to dwell on this point of geographical proximity and relate it to the fact that we are all Africans and that Europeans created these borders. So, the people who come, for example from Northern Uganda like your good self, sir will find that you speak the same language as the people of South Sudan. It is just like us from the South West speak the same language as some of the people in the Republic of Rwanda. So, it is very important that we admit our neighbours, especially South Sudan into the East African Community. By so doing, we shall actually be in a position to admit other countries, including Sudan itself, Ethiopia, and sooner than later, I hope, Somalia. I hope hon. Ogle has taken note of this.

Mr Speaker, the other point under Article 3 is the issue of a market drive economy. I would like to say that the figures that have been given by hon. Mathuki look like the figures of the current East African Community. I think the figures that we should now be talking about are in the range of 170 million, if my mind serves me well.

Considering that we have one of the highest birth rates in the world as Africa, I believe that even as we sit here today, these figures are increasing. Therefore, this aspect of having big numbers and big potential is very important especially when we come into the globalisation and the economics of the world.

Mr Speaker, I would like to conclude and just talk very briefly in support of the motion in relation to our experience especially that of the second EALA. The second EALA and the Assembly, because it continues, had the privilege of sending good will mission, just before the referendum in 2010. I actually have a report of the good will mission here with me whereby we picked some of the best practices including very good civic education, four people voting per polling station – This is under the referendum of 2010.

Therefore, this Assembly has been in touch with the people of South Sudan. We were even able to meet with the then Rt. hon. Speaker – I think his name was Wani - and I can remember that we were with hon. Leonce and hon. Frederic, and we had a very good time because the South Sudanese were very gracious in ways that we cannot express.

I would like to say that during this visit, one of the things that we observed, especially during the referendum was that there was a slogan which said, “We are going”. They gave out t-shirts with these words. The question we were asking was, “Where are you going?” they we resaying, “We are going to East Africa, we are going home.”

So, it is no wonder that even when South Sudan received independence in 2011, one of the first things that it did was to apply for membership in the East African Community. The least we can do is to welcome them with open arms because as far as I am concerned, and as far as the procedure set by Council goes, all that needs to be done is for South Sudan, which has been dying for the last five or so years to be able to assent to this particular aspect of joining the East African Community to deposit the instrument with the Secretary General.



So, for me the rest is procedural. They have had observer status and therefore, we should be able to welcome our brothers and sisters to the East African Community where they truly belong.

Mr Speaker, let me end on another note whereby hon. Frederic Ngenzebuhoro and I were actually able to fly to several parts of South Sudan. We went to Jongle, Yambio, and another place, which he will say, but what we saw was like a miracle. It was like the Garden of Eden because there was plenty of fish, the soils were rich, the people were big, tall and ebony like. They were like those described in the Bible. I believe that that is where the Garden of Eden is.

Really, the wealth of the people and the fact that South Sudan has so much wealth is going to be a big contribution to the East African Community.

Mr Speaker, I would like to conclude here, but just like hon. Mathuki, the Chair of the Legal, Rules and Privileges Committee has said, I implore and humbly request the Council of Ministers to support this House to be able to deliver this motion by hand to the people of South Sudan, and in particular, to the Parliament of South Sudan, so that they can see how we are anxious to receive them – (*Applause*).

Mr Speaker, talking from a personal experience, the excitement, the euphoria, the happiness that the people of South Sudan had even as they claimed their independence, is something, which has never left my mind. I know that this joining of the East African Community has also brought a lot of joy amidst some degree of confusion which I know will go away because now they are part of a bigger family and we will be able to sort out our problems together.

My hope and prayer is that in my lifetime, I will be able to see the entire African community united as one and politically

federated and I would like to quote the words of His Excellency President Museveni who said, “This is important for the African survival, it is important for the African security and it is important for prosperity.” I beg to support, thank you.

**The Speaker:** Thank you so much, hon. Dora.

**Ms Judith Nayiai Pareno (Kenya):** Thank you, Mr Speaker. I rise to support this motion and I thank my brother, hon. Peter Mathuki for coming up with this motion.

Mr Speaker, we are grateful that we have another brother or sister state coming in, and I think this is all for the benefit of this Community in terms of the markets, the population that we are going to make and in terms of our economy.

Something came to mind when I thought of this motion. Mr Speaker, there was a time that we had an agriculture activity and that was the first time I met hon. Jessica Eriyo who is our DSG. I was speaking in Masaai as I was making a phone call home. She listened and after I had finished, she told me, “But you are speaking my language.” I told her, “*Mheshimiwa*, I am speaking Masaai and not your language.” She told me that she could hear everything I had said. I asked how and where she came from.

The hon. Jessica Eriyo told me that her mother originated from South Sudan and from the northern, part of Uganda, and that she could hear all that I was saying.

Mr Speaker, I would pronounce and say “*engongu*”, which in Masaai is the eye, and she says, “*Kongu*”. I say, “*Engume*” and she says, “*Kume*”. I say, “*Enkiok*” and she says, “*Kiok*” so we could just communicate. So, somehow, having thought about that and having told me that the people from South Sudan where her mother originated also speak that language, I think that we are simply receiving or re-

joining with our brothers and sisters. How else do you explain me talking Masaai and South Sudan speaking the same language?

It simply means that we are brothers and sisters; that we are one big family; that we are just re-joining and coming back together, having been separated by those boundaries that were brought to us. I think that we are just welcoming them back home, or they are welcoming us back home, because we were once one. To me, I think this is for the benefit of this Community; it is for the benefit of our economy. The bigger the family, the bigger the cake that we will share and the bigger the space that we will have.

So, I congratulate the Republic of South Sudan for joining us. I congratulate them for actually meeting the set standards, or for meeting the terms and conditions for them to be admitted into the East African Community. I am sure that by the time they are admitted, they have gone through or they are yet to go through and we encourage them to be able to join us and meet all they have to meet on this journey. I think it is good for us. Thank you, Mr Speaker.

**The Speaker:** Thank you so much, hon. Pareno.

**Ms Maryam Ussi Yahya (Tanzania):** Thank you very much, Mr Speaker. First of all, let me take this opportunity to welcome you all in Dar-es-Salaam. Feel at home. Hon. Zein is not here but he once translated for you that Dar-es-Salaam means the place of peace so feel at peace. Also at the weekend you can go to Zanzibar, it is just 25 minutes from here to relax.

Mr Speaker, I am standing here to support the motion to congratulate South Sudan for joining East African Community. They are joining at the right time. Indeed, by them joining it will enhance our cooperation and integration between them and us because they have become part of us.

I would like to quote the Vice President of South Sudan who said during the Summit – He looked very excited and said, “Let no one claim that South Sudan is anybody’s but East African.” They belong to East African Community.

Mr Speaker, South Sudan is joining us, they are excited, they have good intentions, they are expecting a lot in EAC, politically, economically and socially.

However, Mr Speaker, South Sudan is joining us after EAC has already been through the Common Market and Customs Union, which has not been fully realised. So, I believe that this is a reminder for us, former and current members of EAC that we need to up our game and increase sensitisation of our people. I believe that someone in Morogoro still does not know if he can sell his crops in Uganda.

So, we need to increase sensitisation and by supporting this motion, I would also like to urge the Council of Ministers. They are in a better place to fund the Partner States to increase awareness of our people so that they realise the trade benefits in the East African region. I am saying this because there was a lot of talk in the streets. Many people do not know that the South Sudan talks have been going on for a long time. It is a long process until they have been admitted but because our people are not aware, some are worried, scared and asking, “How come South Sudan has been admitted?”

It is because of lack of awareness so I would like to urge the Council of Ministers and ourselves because one of our roles is the representative role and we can use our role to sensitise our people. It is time especially to increase the awareness of our people to realise the benefits of trade in the East African region. I support the motion, Mr Speaker. I thank you.

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

**Mr Martin Ngoga (Rwanda):** Thank you, Mr Speaker. I will be very brief. I want to support the motion but also propose an amendment.

Your explanation gives a proper caption of what the Summit did than the mover of the motion gave so I propose that we substitute “joining” with “admitted.” I think what was done was admission. The joining will happen when the final process is done.

Otherwise, substantively, I support the motion and I just want to make a few more comments. I want to salute the Summit for admitting South Sudan in the Community. This decision is in line with what we want to achieve as a Community. The bigger the size of our market, the more we stand to benefit collectively, not just South Sudan but all members of the East African Community. It is about the people of South Sudan because our Community is people-centred.

Mr Speaker, there has been expressions of some scepticism from different commentators, most of them alluding to some political challenges going on in that republic but we have a duty to explain that East African Community is a family where problems are solved. We are not a family that runs away from problems. So, the next step is for us to help the Republic of South Sudan to deal with those challenges as quickly as possible so that the people of South Sudan and others in the East African Community can benefit from the full potential of their membership. That is our next immediate challenge and it is a collective challenge for all of us.

Therefore, I am looking forward to the Republic of South Sudan dealing with whatever they have to do so that they can complete the process, so that they can comply with some transitional measures that we know were also decided and so that

they can catch up with all the members of the Community. The faster they can move and the more we can help them to catch up with us, the better.

Mr Speaker, with those few remarks, I thank hon. Mathuki for the Motion.

**Ms Hafsa Mossi (Burundi):** Thank you Rt. Hon. Speaker for giving me this opportunity. I want to thank His Excellency John Pombe Magufuli for graciously sending His Excellency the Prime Minister to come and address us. This is in recognition of the role of EALA in the integration process and we thank him very much for that.

On the motion, I want to congratulate the heads of state - the Summit - for having admitted in principle the Republic of South Sudan to join the family. I also want to congratulate the leadership of the Republic of South Sudan for having had the thought, a few months after having attained their independence, to join this vibrant regional economic bloc.

Mr Speaker, there could be no better time for South Sudan to join the Community: at a time when we are implementing the Common Market, the Republic of South Sudan has amplified the promise of increased trade and since our Community is private sector oriented, it is going to have value addition to our Community.

Mr Speaker, I am very happy to see South Sudan joining this Community. I remember a few years back when I was not a member of this Parliament, I was on an assignment in South Sudan and when they knew I was the Minister in Charge of East African Community Affairs, they were very excited. They had so many questions and you could see that they really wanted to join this Community. Therefore, I congratulate them and welcome them as a new member.

As has been said by other members, I think South Sudan was naturally a member of this Community because two members of this Community: two Partner States share borders with South Sudan so the integration in East Africa started way before. It is only that we are formalising it.

Mr Speaker, some people are arguing about the challenges that the East African Community is likely to face because of the political issues that South Sudan has. I want to assure them that this Community has shown leadership and commitment because the latest peace accord in South Sudan was signed in this land, in Tanzania, which is one of the members of this Community and I think we have proved that we can help other African countries.

Now that South Sudan is one of the members of this Community, we can even do more to make them feel like a member of this family but also to sustain peace and development. Thank you, Mr Speaker.

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

**Mr Abubakar Ogle (Kenya):** Thank you, Mr Speaker for recognising me at long last.

Mr Speaker, I wanted to remind my honourable colleague, hon. Maryam, initially, of the meaning of the name Dar-es-Salaam. When we were young, lively, and energetic journalists in those days, and we had certain code names for our cities in this region. We used to call Nairobi “Nairobi robbery” because of the rate of crime there was in Nairobi then. In the same vein, we used to call Dar-es-Salaam “Dar is the slum.” (*Laughter*) So much has changed since. Of course, Dar-es-Salaam is no longer a big slum. It is a very lively city, and I am very happy to be here for our plenary session. (*Laughter*)

Mr Speaker, I was at the Ngurdoto retreat when His Excellency President John Magufuli communicated this historic

announcement about South Sudan’s admission to the East African Community. An hour before that, a leading journalist from a leading regional newspaper called me to inform me about the admission of South Sudan to the Community. I said I did not know, and that I did not have any communication or idea about it. She went further to say - there is an agency in Kenya called Ethics and Anti-Corruption Commission (EACC), and she was telling me that henceforth the East African Community should not be the EAC, but the EACC - East African Conflict Community.

She was referring to the admission of South Sudan, a conflict prone country, into the Community. She was also referring to the unfolding political and humanitarian situation in Burundi, and the imminent admission of Somalia, which would transform the EAC, not into a Community per se, but into a conflict Community.

Well, that was the humorous part of it but in their wisdom, the Summit thought of other considerations. Of course, there was the important element of expanding our market. I want to salute them for that. However, did we have to? While the spirit of trying to expand our market is appreciated, we should not at the same time isolate the other very critical principles in the Treaty of this Community like good governance, rule of law and all those kinds of things.

It appears to therefore, although I cannot say anything much about this, that the focus of our admission is principally based on those economic and trade principles and nothing else. I think we have to have some clarity about the future of this Community. I have no qualms about the admission of South Sudan into the Community or even Somalia, a country that has not had any government for the last 30 years but there must be some very clear principles about what this Community really means.

Are we so narrow minded and focused on trade and expanding our markets only? What happens to the very important principles of rule of law and governance? On that basis, Mr Speaker, I cautiously want to support this motion. Thank you.

**Mr Fred Mukasa Mbidde (Uganda):** Thank you very much, Mr Speaker. Thank you, the United Republic of Tanzania for the warm welcome and for the maintenance of our persons here while deliberating on very important matters.

I associate myself with the amendment sought by hon. Ngoga to the motion within which spirit I would humbly seek to conduct debate.

Mr Speaker, the admission of South Sudan should have been done yesterday. I support it. In fact, my worry is that we are not even angry that they left in the first place because Africa was one until partitioned by Europeans. So the anger should be directed to those who partitioned us as we welcome people back from the partitioning.

Mr Speaker, the admission of South Sudan into the fold of the East African Community has many advantages. We have market access to yet more than 12 million people in South Sudan, a resource base that, after completion of all instruments of accession, will benefit from the Common Market. So, there will be free transfer of human and other resources from South Sudan.

However, all these may be nothing if certain particulars are not observed, like rights and freedoms, equal opportunities, social justice and good governance. All these are actually absent where there is war.

Politics has been defined to include two limbs: There is politics in general and politics with bloodshed. They say that when politics in general grows to a stage beyond which it cannot proceed, then war must

break out to resolve the contradiction. This has created a cycle within the East African region, and this must be avoided by establishing one major organism called good governance. So, I associate myself with all those that have the clamour for good governance within the EAC.

Mr Speaker, as we welcome South Sudan, let us also tell them who we are. In the event that they find solace in joining us, obviously, they will have to be jubilant over the achievement, but in the event that they think, there is food for thought, then they can as well delay the accession. I hope that the government lives within the precincts of the time required for them to accede and to deposit instruments with the Secretary General's office.

Mr Speaker, the East African Community is continuously losing the good will to offer good governance. It is getting extinct, and this is something that this Assembly must look at. Even where we had term limits, established as a mechanism for change of power, they have been removed or they have remained. But, of course, the conduct of those leading the countries where term limits have been removed is such that the same individuals lead the countries for long.

Where there are limits, the same parties or the same families want to lead for long. So, the whole of East Africa is again beginning to have a problem because a contest that refers to removal of a current leader is a deadly contest. We do not want them to lose power; we want them to hand over so that only those that have reached their limits can go. It happened in Kenya, and I think it can happen anywhere.

Therefore, Mr Speaker, South Sudan has had problems but notable was one that occurred...I think it was on 15 December 2013. Just a disagreement over the manner of voting, under the Sudan Liberation Council. Whether the voting should be by

show of hands or by secret ballot- led to a war, which they are still trying to solve. There is a problem.

Even Kenya had a similar problem some time back when there was a merger between Raila and KANU. The manner of voting also caused a problem.

Therefore, East Africa must be serious. We cannot talk of markets where there is war; they do not exist. Therefore, counting persons and calling them a market – *(Interruption)-*

**Ms Byamukama:** I hesitate to seek clarification from my learned brother, hon. Mbidde. I will not go to term limits, but when you look at the motion, you will find that the East African Community undertook a verification mission to the Republic of South Sudan between 15 and 31 July 2012, and subsequently the Council presented a report, which I think must have taken into account the verification mission. We could be assisted by the Council of Ministers if they could give us some more background on this verification exercise.

The other clarification is, is peace or war a preserve of certain geographical spaces or people? I think this is really something that is not static and, therefore, maybe I need clarification on that. Thank you. *(Interjection)*

**The Speaker:** Just before hon. Ngoga takes the floor, I think the clarification is more to the Council to update and give information on the due diligence that the process went through. However, this Assembly is not by any standard questioning the processes that were undertaken. This is just to request information to members on the due diligence that took place to reach this debate. Council will be given an appropriate moment to say a few things during the course of the debate.

**Mr Ngoga:** Mr Speaker, I appreciate the substantive concerns that the honourable member has, but I want to seek clarification as to whether in his opinion people who are economically integrated, which we are seeking to achieve as a Community, may not be the source of good governance, and may not be the strong force to address political issues that may be.

**The Speaker:** Thank you so much, hon. Ngoga.

**Mr Mukasa Mbidde:** Can you please repeat?

**Mr Ngoga:** I want to know whether it is not the case that people who are economically integrated can actually be a source of good governance.

**Mr Mukasa Mbidde:** Mr Speaker, when we were studying the transfer of heat in primary school, they told us that heat could be transferred by conduction; that you only need to burn one part of the metal and by conduction, all molecules will obtain heat. Clearly, the particulars that you are integrating matter a lot, because there could be transfer of heat from the source to the end of the road – *(Laughter)*.

Mr Speaker, there was also another clarification from hon. Dora. You have guided about the due diligence that was undertaken and we await the particulars, but this Assembly also has its own due diligence to do in the event that South Sudan successfully joins the East African Community. We shall continue within the precincts of Article 6 and the rules of the House. This is not in any way intended to stop them from coming in; we were awarded with the powers to do so.

Whether war or peace is a preserve of certain communities, what I can say is that the causes are the same. Whether it is a preserve or not, it is, actually, not correct. However, the causes are similar, and when

you look at the East African Community, and particularly Africa as a whole, you will find many particularities in terms of causes of conflict.

I can tell you that if you have ever visited a zoo - a zoo is a part of that confinement where wild animals are kept - they are fed very well, and they are given mangoes and bananas, depending on what suits their appetite. Every visitor gives them something, but if you want to know the importance of freedom in a zoo, just open the cage. Despite what they are given every day, they will just run away because freedom is better.

Therefore, if East African Community leaders do not look at freedom as something substantial, then there is going to be chaos. Of course, what we call markets are just a number of people that later on will be defined, not as markets but as a collection of persons that have been put somewhere for purposes of being fed themselves.

In my opinion, Mr Speaker, as we admit South Sudan – *(interruption)* -

**The Speaker:** Hon. Mbidde, I hope the insinuation of a confinement, the coming together, or the definition in terms of geographical location of the East African Community, is not an analogy of a zoo, and, therefore, denying freedom to the East Africans. I think that analogy needs to be put in perspective. Thank you.

**Mr Mukasa Mbidde:** Mr Speaker, the only reason I brought out the analogy of a zoo was to indicate the importance – *(Interruption)*-

**Dr Ndahiro:** Thank you, Mr Speaker and thank you, hon. Mbidde. I think that a collection of people...historically we have seen it happening elsewhere, and unless you give us other historical evidence...But we know for sure, that United States came together. They were different states with

different policies and different ideologies but now they are a single United States of America, which is progressive - *(Applause)*.

**Mr Mukasa Mbidde:** Mr Speaker, I think we are talking about different things. We seem to be agreeing on the two but we do not know that they are actually different. What I am talking about is the importance of freedom, despite availability of resources and anything else.

I can give you the example of the former Libyan leader. Every Libyan child born automatically had access to the resources in Libya, so, how can you explain why certain sections of the people in Libya were happy when Colonel Gaddafi was killed? It is because there was something fundamental that he left out, and that was the freedom for those that have the appetite to lead, to lead also – *(Laughter)*. I thank you very much Mr Speaker, and I support the motion.

**Dr. Ndahiro:** On a point of Order, Mr Speaker.

**The Speaker:** Thank you very much, hon. Mbidde. Hon. Dr Ndahiro, I request that the mis-order that could have occurred can no longer obtain because the member is off the floor. So we have order now.

**Mr Abdullah Mwinyi (Tanzania):** Thank you very much, Mr Speaker for giving me this opportunity to contribute to a very important motion.

At the onset, and because it is my first time on the Floor since this august House arrived in Dar es Salaam, I would like to take this opportunity, on behalf of my colleagues and my countrymen, to welcome you all to the “Haven of Peace”; Dar-es-Salaam - *(Applause)*.

As the name denotes, the inhabitants of this major city are peaceful. They welcome peace, they are pro-peace, and if peace was

conducted - as per my colleague's explanation- like a metal, this is the right place to be as it would be conducted – (*Applause*).

Mr Speaker, I would like to take this opportunity to congratulate the Summit on a historic decision. Some of us who have been following these events did not expect that the Republic of South Sudan would be fully admitted in the last Summit meeting. I am supportive of their decision. I believe it has a strategic foresight in relation to the positives being much greater than the perceived negatives that we see currently.

That said, I think it is an important position to re-look at our Treaty in relation to our Community. As the motion stipulates, Article 3(3) provides for the conditions of admission, and the drafters of the Treaty were of the view that these conditions are not just on admission. They must be sustained for any member state to remain as a member. I must commend because a number of these conditions centred, forced acceptance into the Community as a treaty. You must accept the Treaty if you are coming in.

The second condition -and I do not think it is by accident that it has been put as number two - is adherence to universally acceptable principles of good governance, democracy, the rule of law, observance of human rights and social justice. That being critically important to any government, it is why we are having this discussion in Dar es Salaam, the haven of peace. Peace is critical for the betterment and for the success of this Community.

My two colleagues, hon. Ogle and hon. Mbidde, I think, raised fundamental and important points, some of which are being discussed elsewhere, but unlike hon. Ogle, especially, we tend to shy away from speaking them in such areas like before this august House. My particular point on this is that we really need to look at the Treaty. We

have conditions, and members must adhere to those conditions. They may come in, but when there are issues within the framework of the Treaty, it becomes very difficult to resolve them. I do not know whether it is the deficiency of the Treaty or the political will, because in any family whenever there are positive signs, it is for the family to come and say, "Congratulations"; "well done", and at the same time, it is for the family to point out when there are issues.

I think the East African Community has been very good at commending but has not been as effective at pointing fingers to a family member or a particular country or a particular grouping where certain things have not been done right.

Principles of enforcement within this Treaty need to be looked at, and I think this is an opportune time, when a new member comes in, to re-look at what we have been able to do right and well, and look at those elements within this Community where we are not able to do as well. Look at the Treaty; let us think about how effectively we can be at correcting one another. After all, a family must be in a position to encourage one another but also be forthright and clear when a member of the family has gone off the rails. I think that is an important element.

Secondly, Mr Speaker is in relation to the current structure of our integration process. Hon. Maryam stated that we are in the Customs Union, and we have agreed in the format and in the manner, and when implementing the Common Market Protocol, it is very clear that the Customs Union, the progression within the time since we started, has been much more effective than how far we have reached with the Common Market.

In my opinion, I believe that there is a fundamental and strategic bottleneck in the Treaty that has contributed to the slow pace of the implementation of the Common



Market. The Customs Union is coordinated from Arusha. We have institutions in Arusha to coordinate this. The Common Market is fully implemented by the Partner States. There is a complete mismatch. We need to be clear. Again as I said – *(Interruption)* –

**Ms Byamukama:** Mr Speaker, I want to thank hon. Mwinyi for giving way. I do not dispute what he is saying, but I think that on the issue of the implementation of the Common Market, when you look at Article 76(3), which provides for the establishment of a Common Market, it states that *“For purposes of this Article, the Council may establish and confer powers and authority upon such institutions as it may deem necessary to administer the Common Market.”*

Wouldn't this be an East African institution and therefore help in administration? I just wanted to bring this to the fore. I thank you.

**Mr Mwinyi:** Thank you very much for this information. It is pertinent information yet the Common Market Protocol is very clear. I cannot remember the Articles off head but it is clear that the implementation of the Common Market Protocol rests with the Partner States. The interpretation of the Common Market Protocol sits with the respective judiciaries of the Partner States and not the East African Court of Justice. This is in complete contravention to this Treaty itself. In fact, that particular point is before the East African Court of Justice for adjudication.

I am bringing this matter up because we have just admitted a new member, and I think this is the opportune time to re-look at our Treaty, and see what we have done correctly and where the weaknesses are in order to correct those before other Partner States come on board.

We anticipate Somalia to come in, maybe there could be an application from Ethiopia,

the Democratic Republic of Congo. Going South, I have not heard of Malawi or Zambia being interested, but you never know.

**Mr Leonce Ndarubagiye (Burundi):** Thank you Mr Speaker. Now after the admission of South Sudan into the EAC, our Community will have a territory of around two million square kilometres. There is no country in the world that can have two million square kilometres without many natural resources. Definitely all big countries have large reserves of natural resources.

Therefore, all we need for the future of our children and grandchildren to be well off, to live well, is political will to hasten political federation, and then to create wealth with determination by creating railways, electricity, and modernising agriculture. This we will do together with South Sudan.

As we are so happy to know that the Summit has instructed us to hasten the Political Federation, all we need is to be determined to achieve that and to create wealth and live well. We can do this. The natural and human resources exist; all that is needed is good will.

I congratulate hon. Mathuki for bringing in this motion, and I thank you for giving me the floor. Thank you very much.

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

**Mr Frederic Ngenzebuhoro (Burundi):** Thank you, Mr Speaker. Allow me first to thank the people of Tanzania and its leaders for the warm welcome we have enjoyed since we came here.

I would also like to take this opportunity to congratulate the people of South Sudan and its leaders for concluding this process. I must confess that for me it is a very important day with this motion because we are concluding a process we have supported

for a long time as an Assembly. I will not come back to what others have already said.

I also take this opportunity to commend the work done by the task force and the leadership of the Secretariat because thanks to this work, now the accession is concluded.

I also take this opportunity to thank the Summit because they have decided to widen the Community further by accepting South Sudan as a member. For me, the application by South Sudan to join the East African Community is a very strong signal that the East African Community is on a good way to developing its citizens. If it were not on a good way, they would never have applied. That is a very important signal for me. It is also a signal that it is a real success in integrating the community. That is why many countries are now asking to come in because they see that the future is bright with the Community.

I would like to say that contrary to what my friend hon. Ogle has said, the coming in of South Sudan may also be an opportunity to have total stability in South Sudan. It can also be an opportunity to enhance peace and security. Why not? That is what I understand, and I would like to say that we must be realistic. South Sudan will be a good opportunity for employment, not only for the South Sudan citizens, but also for East African citizens. It can be possible because we have visited that country, and we know what they have as needs.

Let me say that South Sudan is a very big market for many citizens, and when we were there for the history, even before South Sudan became independent, many East African countries sent very high delegations to that country. I will never forget that when we were there, we met a high-level delegation from Kenya with nine ministers.

During the referendum, all the countries came: US, France – even France that does not speak English was there. Everybody was there so this country is very important, not only for East African Community but also for other countries.

Let us encourage them to ratify the instruments very quickly and wish them peace. I take this opportunity to thank my friend and the Chairperson of the Legal Committee for having brought this very important motion, and I would like to ask him to reconsider what is in (2) when he says, “*Urge the government of South Sudan to expeditiously sign the Treaty.*” I have a problem with this.

Is South Sudan going to sign the Treaty? I do not think so. South Sudan is going to ratify the Treaty; that is what I understand. If you understand that in my meaning, then we could better phrase this because to sign the Treaty of accession...we have one Treaty, which was signed in November 1999. That is what we understand when we talk about the Treaty, and it is in capital – (*Interruption*) -

**The Speaker:** Hon. Frederic, as a point of guidance, there is a Treaty of Accession that will have to be signed between the Republic of South Sudan and the Members of the EAC Summit, and they have delegated the Chair of Summit to do so on behalf of the Summit members.

**Mr Ngenzebuhoro:** Mr Speaker, what I wish to understand is this; are they going to sign the Treaty of Accession, or are they going to ratify the Treaty. Thank you.

**The Speaker:** They will have to sign. Ratification is always done after signing. It is an instrument of accepting the accession.

**Mr Ngenzebuhoro:** Yes, but not Treaty of Accession.

**The Speaker:** Thank you, your point is taken but technically that is the correct position.

Honourable colleagues, I have time constraints. There is a certain engagement that I have to undertake. Can you please avoid repeating, and even when you are repeating, summarise the repetition?

**Mr Jeremie Ngendakumana (Burundi):** Thank you, Mr Speaker. First of all, I would like to thank the people of the Republic of Tanzania as a whole, all protocol observed, for the warm welcome we have benefitted in this peaceful and beautiful city of Dar es Salaam.

Coming back to the motion, I would like to say that the people of the Republic of South Sudan have made a point. They came to realise that alone we are weak and vulnerable but together as a team we are strong, we are competitive and we are also able to complete each other.

The application and the admission of the Republic of South Sudan as a member of the East African Community are both acts of reciprocity. The Republic of South Sudan has a need to be a member of this Community because it is going to benefit from this Community. It will benefit from the experience and the good practices of this Community but it can also learn from this Community how to prevent the bad practices if need be.

The Community also needs the Republic of South Sudan because it is a big market. It will benefit from the human resources, the economic resources of South Sudan and that is why I was saying that this act of application and admission is an act of reciprocity.

I may say in other words what hon. Frederic said that the application from South Sudan is a kind of expression that it recognises the efficiency and the effectiveness of our

Community. It expresses that it has confidence in the future of this Community and that is why they applied to be a member. Without this confidence, the Republic of South Sudan would have chosen to step aside.

Mr Speaker, the admission of the new member of this Community is also a new step of this concept of widening and deepening this Community. Now it will not be a slogan as it used to be when we were joking. Now it is a reality.

I expect that we are going to benefit properly from this new member and as we congratulate the Republic of South Sudan for its admission, we may congratulate ourselves for having a new born in this Community. With this, Mr Speaker, I support the motion.

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

**Ms Sarah Bonaya (Kenya):** Thank you, Mr Speaker. I would like to add my voice to this important motion, and I would like to start by congratulating and thanking hon. Mathuki for moving this motion. I want to concur with him that we need to congratulate this baby of Africa for having had a successful application to join EAC and for having been found favourable to do the same.

I would also like to congratulate the Summit of the East African Partner States for having, through their wisdom, felt that it was all right to invite South Sudan to join us, and I think it will be beneficial to both parties. That union will be beneficial to all parties.

I consider this a very positive gesture that this will help in the many benefits that have already been elaborated in the motion. I would like to add that some people have shown pessimism in this union but in Africa, we have had the habit of being too judgemental against each other. We tend to

condemn, to castigate, to be critical and exclusive on the basis that whoever is not at par with what we expect should not be dealt with.

Actually all the continents of the world have come together and they are governed as central units, from the United States of America to Europe to Russia to China. It is only Africa, which is very badly fragmented and unprepared for the current wind of globalisation that is sweeping all over the globe.

Therefore, if we can build bridges instead of building walls of isolation to bring our brothers and sisters closer, to be able to work on our shortfalls and work on our strengths and weaknesses jointly, I think we will be doing justice to Africa and the many challenges that it is facing.

I think it is a very important milestone and a very positive gesture as I have already stated that we come together and learn to solve our problems and not to put our heads in the sand and pretend that things evolve naturally.

We need to create ownership and a sense of belonging to this new state. Where they have failed, those who are better experienced in certain areas can give them the vital lessons at different levels so we do not have to disown the members who do not measure up to our aspirations. We need to learn to nurture and motivate each other and build each other up because that is the greatest undoing of Africa where we have a negative mind-set of condemning each other.

So, in this I think I am very proud of our leaders in the region. In particular, with South Sudan I have a personal history because my late husband, when he was a Minister for Foreign Affairs in 1997 to 2001 worked tirelessly for peace in Sudan and personally I feel proud that today they

have won their independence and that they are also joining us as a big market.

Let us also hope that we do not just join each other as market for others, to be consumers as we have always been but to add value to our products so that the highways that we are creating will carry our own goods to the region. As we also relate with other players and partners in the globe, let us also look at ourselves and add value and quality to our integration process. Thank you. (*Applause*)

**The Speaker:** Thank you so much, hon. Sarah. Hon. Shy-Rose, you have two minutes because I can see hon. Bazivamo rising, and I do not want to deny him. This is a very historic debate. Two minutes to hon. Bazivamo as well.

**Ms Shy-Rose Bhanji (Tanzania):** Thank you, Mr Speaker, but that is not fair because if you gave others ten minutes – (*interruption*) -

**The Speaker:** Hon. Shy-Rose, the Speaker has a mandate to govern this House according to our Rules of Procedure. While you were not yet in the House, I communicated that I have another engagement that is very important for this Assembly, and that is why we cut the debate on the Bill short. So, the Speaker has guided as such. Please proceed.

**Ms Bhanji:** Thank you, Mr Speaker but I noticed that you did give more time to some of the members. (*Loud consultations*)

Thank you, Mr Speaker for giving me the floor. First of all, I wish to take this opportunity to welcome you, Mr Speaker and EALA members to Dar-es-Salaam Tanzania where this EALA session is taking place.

I thank the government of Tanzania for agreeing to host this session, and we feel

greatly honoured and privileged to welcome you all. Please feel at home.

Mr Speaker, since time is short, let me think quickly on how I am going to shorten my points. I wish to take this opportunity to welcome South Sudan to the East African Community, this is a welcome move, and maybe it was long overdue, even though there is still lack of peace and unity in South Sudan.

It is my prayer that they should aspire to build and strengthen peace and security in South Sudan in order to exploit trade opportunities that have now increased the population in East Africa from 140 million East Africans to 160-170 million East Africans.

We call upon the government and the parties in South Sudan to adhere to the peace agreement so that people can enjoy peace and trade relations.

Mr Speaker, since East Africa has now expanded its market, I want to urge all East Africans and Tanzanians in particular to take full advantage of the business opportunities in this youngest nation in the world. South Sudan has oil plus other potential areas of investment. It will be very good if we take full advantage because it will be useless to have such a huge population in East Africa and their various opportunities in trade and investment, and then neither nor we take advantage.

Lastly, Mr Speaker, I just wish that the decision to grant membership to South Sudan were communicated to EALA just for information so that we were not taken by surprise. The announcement was a big surprise and it was somehow embarrassing when people asked us about this development.

Otherwise, once again, I wish to congratulate the Summit wholeheartedly for admitting South Sudan to the EAC

Community, and I wish South Sudan all the best. I support the motion. *(Applause)*

**The Speaker:** Thank you, hon. Shy-Rose.

**Mr Christophe Bazivamo (Rwanda):** Thank you, Mr Speaker. I rise to support the motion. I congratulate the Summit for the admission of South Sudan and thank hon. Mathuki for bringing this motion in the House. I also welcome the Republic of South Sudan into the East African Community.

Mr Speaker, we know that the EAC integration process is a people centred process, and that parliamentarians are representatives of the people. Therefore, I would like to seek clarification from the Council of Ministers - or from the Secretary General - on what the role of the people and the role of parliamentarians is in the process of admission or accession of a new member into the East African Community.

I know this is a Treaty matter, but I think parliamentarians should be more involved in the process. In forthcoming amendment of the Treaty, I would wish this issue to be taken into consideration.

Mr Speaker, I support the motion, but let me also have another clarification from the Council of Ministers - or from the Secretary General on the issue of the East African Community new passport. Has it taken into consideration this accession? *(Interruption)*

**The Speaker:** Hon. Christophe, you are straying off the motion. The other business is not – I find it difficult to entertain it, please.

**Mr Bazivamo:** Thank you, I have finished.

**The Speaker:** I would like to ask the Secretary General or the Council, if they have something to say to the debate before I invite the mover.

**The Secretary General of the East African Community (Dr Richard Sezibera) (Ex-Officio):** Thank you, Mr Speaker. First of all, I wish to join all those who have thanked the government of the United Republic of Tanzania and His Excellency Dr John Pombe Joseph Magufuli for the warm welcome to Dar es Salaam. I also thank the mover of this motion.

Mr Speaker, I want to make just a few technical points. One, the Republic of South Sudan requested for admission into the Community on a fast track basis, and I think you can understand why. This is a new country that had just gotten independence, and which felt that they were coming home, as people have said.

This process was fast tracked. That application got onto the agenda of the Summit of the EAC heads of State on a fast-track basis, and the consideration of the Republic of South Sudan for admission was fast tracked.

The Council of Ministers set up a verification team, which did a very good job, but it was beyond verification. Working together with the team and the government of South Sudan, we looked for ways of strengthening the capacity of South Sudan to participate meaningfully in the Community. It was not verifying or just going through a checklist, but we were working with them to see how they could meaningfully participate in the Community. They did participate, even before they joined formally. We did work with them in strengthening their capacities in terms of revenue collection, customs management, financial integration, and so on.

I led a team to South Sudan a number of times to discuss with the government and others as to how this process can be done. At the end of the verification exercise, negotiations begun - the members of the

Council of Ministers are here - and the Council then decided that South Sudan met the threshold for admission and recommended its admission to the Summit.

The verification report is very detailed. The Report has very many pages on things that the Republic of South Sudan needs to do. So, for those who were worried about political and economic issues, this verification report is a detailed report and as part of the negotiations process, the Republic of South Sudan agreed to implement those recommendations with timelines. Therefore, I think the issues raised on the floor have been taken up.

On the role of the people and EALA in this process, I think the role of the people in East Africa in the accession process and in admitting other countries is to elect the people who will have the responsibility to admit countries into the Community. That is what the Treaty says. The Treaty is very clear that admission is by the Summit, so the role of East Africans is to elect the leaders who will take these decisions, and that I think is an important role.

Let me conclude with a small reflection on our Treaty. Article 2(1) of our Treaty says, *“By this Treaty, the contracting parties establish among themselves an East African Community herein after referred to as the Community.”*

I read this because if you look at our continent, we are the only body, which is defined as the Community. Every other REC has a qualification. ECOWAS is an Economic Community of West African States, SADC is the Southern African Development Community, and IGAD is an inter-governmental authority on something. We are the only ones who in our Treaty defined as a “Community”.

Article 2(2) says, *“In furtherance of the provisions of paragraph 1 of this Article and in accordance with the protocols to be*

*concluded in this regard, the contracting parties shall establish an East African Customs Union and a Common Market as transitional stages to and integral parts of the Community.”*

Therefore, we are a Community, that is why we are one people, one destiny, and South Sudan is part of this Community. Of course, trade is important, but trading arrangements are transitional. That is why it says “...*an integral part of this Community.*”

So, honourable members, as you welcome the Republic of South Sudan, I thought I should raise this matter. South Sudan’s admittance into this Community is not only about trade, although trade is an important component. It is not only about the areas of cooperation, which are laid out in this Treaty, including cooperation in peace and security, although that is important. I think it is more that South Sudan should be part of our Community, the East African Community, as defined under Article 2(1) of our Treaty.

With these remarks, I wish to support the Motion. I thank you - *(Applause)*.

**The Minister in the Office of the President in charge of the East African Community Affairs, Burundi (Ms Leontine Nzeyimana) (Ex-Officio):** Rt. Hon. Speaker, I thank the Government of the United Republic of Tanzania for the usual warm welcome we always receive when we are in Tanzania. *(Applause)*

Mr Speaker, I do not have much to say as the Secretary General has elaborated on how we went through all the steps until we accepted South Sudan to join us, but I just want to stress something that hon. Sebalu said.

It is true that every country has its own challenges but together we shall overcome them. I therefore call upon all the East Africans to welcome the new East African

citizens from the Republic of South Sudan the way Burundi and Rwanda have been welcomed - *(Applause)*.

I congratulate the citizens of the Republic of South Sudan, and I do support this motion. Thank you, Mr Speaker - *(Applause)*.

**The Speaker:** Thank you so much. Hon. Shem Bageine, would you like to say something as a member? This is a historical debate.

**The Minister of State for East African Community Affairs, Uganda (Mr Shem Bageine) (Ex-Officio):** Thank you very much, Mr Speaker. I have listened to members who debated this motion and I have taken note of the concerns that have been raised, but let me say something.

All the speakers have congratulated the Summit, and none of them has referred to the Council of Ministers who toiled through the verifications and negotiations – *(Laughter)*. I thought that at least for once some accolades would be given to us. It is only when we do not deliver that we are criticised. When we deliver, nobody says anything about it.

Mr Speaker, the issues that have been raised by a number of speakers, particularly in relation to the need to amend the Treaty, have been noted, and certainly we hope that we will get an opportunity to go through this and amend the Treaty in order to make our workings much easier.

It is not only in relation to acceptance of new members, but also in relation to other areas that require amendment of the Treaty so that in due course we can simplify our workings in the integration process

Let me also comment on my brother’s comments when referred to the zoo. We in East Africa have a principle of unity in diversity. We are all practising different

types of government under given constitutions, and even when we came into the Community, we had not the same types of constitutions under which we were governing the particular Partner States.

As long as people decide on the way they want to be governed through elections, and they decide whom to lead them, I think this should be accepted. It is not a question of one leader handing over to another person. It is rather the people themselves electing their leaders. If you do not win an election, you cannot start mourning about it. You wait for the next time until you win. The party in power cannot just hand over to the other party because that is not democracy.

Mr Speaker, I thought I would make these observations, and I think it is a great House that we sit in, with a diversity of views, which does not make us fight. I thank you.

**The Speaker:** Thank you, hon. Shem Bageine. I now invite the mover of the motion, hon. Peter Mathuki, to reply to the members. Please take note of the time.

**Mr Mathuki:** Thank you, Mr Speaker. Let me start by thanking the Council of Ministers for toiling towards ensuring that South Sudan is part of this Community. We know you do a lot, and I am sorry for taking what you do for granted. We respect that a lot.

Mr Speaker, let me start by thanking you for allowing this motion to be on the Order Paper. Let me also thank the Office of the Clerk for administratively allowing this to be in today's Order Paper.

Let me appreciate all members, who have ably debated this matter, for their contributions. I appreciate the feelings of some members who appreciated the aspect of other parameters like freedom, peace and so forth. I want to encourage all of us that we cannot deal with the situation as it is in South Sudan, or any other Partner State, without them being part of the Community.

It becomes easier to deal with them because they are part of the Community. The situations may even be worse if they are out of the Community. Once they are within the Community, it becomes easier because we would now have a moral obligation to ensure that we deal with the issues within those Partner States.

On that note, I want to start by thanking the seconder of this motion, hon. Dora, for ably thinking alike. She would have been the one to table the motion. I thank hon. Pareno for her contribution and for supporting the motion, hon. Ussi for her contribution, hon. Ngoga - and appreciate the amendments as he put them. We agree to have "admission" in the place of "joining". It is a linguistic issue to me, but for purposes of this and for the record, "admission" would be okay.

Hon. Mbidde, thank you so much. I can assure you that you will find freedom in South Sudan so you should not worry much. You being His Excellency the Vice President of a party, you will be critical in ensuring that peace is achieved.

Thank you very much, hon. Ogle or your observations and feeling that we need to do more about South Sudan. I think that the net effect of South Sudan joining the Community is positive. So, let us use our synergies and our talents to ensure that we encourage our brothers in South Sudan to feel at home within the Community.

I thank you, hon. Mwinyi, for your good remarks. Thank you, hon. Sebalu. As you put it, I am sure we can do better. We actually achieve better when we are together.

Thank you, hon. Leonce, you a man for integration. Indeed, this is the time, and I am sure it is good that South Sudan joins during your stay in the Assembly.

Thank you very much, hon. Frederic. I took note of your observation, but I think that



was clarified by the Speaker. Therefore, I do not think we need that amendment in this.

Thank you very much hon. Jeremie. Thank you, hon. Sarah Bonaya. Thank you, hon. Shy-Rose, thank you hon. Christophe Bazivamo.

I want to thank the hon. Dr Sezibera, the Secretary General of the Community, for explaining and taking us through the efforts that they have gone through as a Secretariat. We still insist that you go to the members of Summit and tell them every action has some costs. Tell them you need money to take these members during your time to do a maiden visit. Do not leave this baby to others; it is your baby. If you do not, others will, but it would have been better if you do it yourself in April - *(Applause)*.

Thank you very much, hon. Shem Bageine. We appreciate the role you played, even during your tenure as the Chair of the Council of Ministers. It is because of you that the welfare of these members is where it is today and. Therefore, we thank you so much - *(Applause)*.

Thank you, hon. Leontine, on behalf of the Chair, Council of Ministers, for the remarks and thanks to the Assembly for supporting this motion. I thank you very much - *(Applause)*.

**The Speaker:** Thank you so much, hon. Peter Mathuki, the mover of the motion.

Honourable members, the motion before the House is that this Assembly do resolve to congratulate the Republic of South Sudan upon its admission to the East African Community.

I now put the question that this Assembly do resolve to congratulate the Republic of South Sudan upon admission to the East African Community.

*(Question put and agreed to.)*

**The Speaker:** I would like to congratulate hon. Peter Mathuki for being quick at picking up this issue and bringing it to this Assembly, and all the members who seconded and debated this motion, which has been adopted by this Assembly.

In a very special way, I would like to congratulate the Summit of the EAC Heads of State for its wise guidance in our integration process, and for giving us the opportunity to serve in a bigger purview of Africa.

I would also like to congratulate the Council of Ministers for the great work they did. Behind every good political decision, there is a donkey running by the side. Therefore, there were some donkeys running day and night to make sure that this great political decision is reached. I congratulate Council for its great work. Honourable members, thank you.

With those words, I now adjourn the House to tomorrow at 2.30 p.m. The House stands adjourned. Thank you.

*(The House rose at 5:48 p.m. and adjourned until Thursday, 10 March 2016 at 2.30 p.m.)*