



EAST AFRICAN COMMUNITY

IN THE EAST AFRICAN LEGISLATIVE ASSEMBLY (EALA)

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

104TH THIRD MEETING – FOURTH SESSION – SECOND ASSEMBLY

Tuesday, 1st February 2011

The East African Legislative Assembly met at 9.30 p.m. in the Old Chamber of the Parliament of Kenya, Nairobi.

PRAYER

(The Speaker, Mr. Abdirahin Abdi, in the Chair)

(The Assembly was called to order)

PAPERS

The following Papers were laid on the Table:

By the Chairperson, Committee on Legal, Rules and Privileges (Mr. Fredric Ngenzebuhoro):

The Report of the Committee on Legal, Rules and Privileges on Assessment of Adherence to the Treaty by Partner States.

By the Chairperson, Committee on General Purpose (Ms. Sebtuu Nassor)

The Report of the Committee on General Purpose on the Workshop on a Policy Framework towards improving the Status of the Youth in East Africa.

MOTION

FOR CONSIDERATION AND ADOPTION OF THE REPORT OF THE COMMITTEE ON AGRICULTURE, TOURISM AND NATURAL RESOURCES ON THE REGIONAL DIALOGUE ON THE POLITICS OF FOOD SECURITY IN EASTERN AFRICA REGION

Ms. Safina Kwekwe (Kenya): Mr. Speaker, Sir, I beg to move:-

THAT, Report of the Committee on Agriculture, Tourism and Natural Resources on the Regional Dialogue on the Politics of Food Security in Eastern Africa Region be adopted.

Ms. Jacqueline Muhongayire (Rwanda) : Seconded.

Ms. Kwekwe: Mr. Speaker, Sir, I would like to start by thanking the people and institutions that made it possible for the Committee to hold the workshop on the Politics of Food Security in Eastern African Region that was held on the 6th to 17th of September 2010. African culture says that if you do not thank you are the child of the witch.

The Committee wants to recognize and appreciate the East African Legislative Assembly and the Fredrick Herbert Foundation for having organized a regional workshop gathering participants from Eastern African countries which included Kenya, Uganda, Tanzania, Ethiopia, Sudan including Southern Sudan and Djibouti. The Committee also expresses its appreciation of the hon. Speaker of the EALA for nominating members of the sub-committee on Agriculture and Food Security to attend the conference and for facilitating it in partnership with FACE.

Mr. Speaker, Sir, we wish to thank all the country delegations for their useful insights into the prevailing food security status in their respective countries and for the lessons that were shared across the larger Eastern Africa region and further appreciate the partners from the Eastern part of Africa and beyond for the participation in the conference aimed at examining the role of politics in food security.

Finally, the Committee would like to extend its appreciation to the experts and other resource persons for having facilitated the conference and having shared their knowledge with the participants.

Mr. Speaker, Sir, the conference participants as I earlier said were drawn from the Eastern Africa countries. They included Member of Parliaments especially the Member of Agriculture Committees from National Parliaments, representatives of Government Ministries and departments and private sector. Others were from the academia, farmers associations and particularly the East African Farmers Federation, civil society organizations and development partners.

The Committee of Agriculture, Tourism, and Natural Resources was ably represented by Hon. Jacqueline Muhongayire, Hon. Karan, Hon. Manasse Nzobonimpa, Hon. Kate Kamba, and me.

This conference was to:-

- i. Examine the role of politics in food security crisis in Eastern Africa.
- ii. Establish responsibility of the household community and states in the genesis of food insecurity.
- iii. To identify practical interventions to address food insecurity in Eastern Africa.

Mr. Speaker, Sir, we know that many countries in the Eastern part of Africa are constantly in the grip of complex emergency situations. This more often is believed to be conglomeration of political, economic, environment and social factor that combine to create conditions in which famine is a constant threat.

That many discussions and analysis on food security have tended to focus on the technical issues of agriculture development, which include climate change, research and techniques, new crops, and storage issues. However, less emphasis has been put on the political economy and frequently down play the role of international politics in the genesis of food security and famine, which is linked to the market dynamics of supply, demand, and price. Instead, the environment of conflict is always sited as the key course of food insecurity in African countries. Therefore, this workshop sort to understand the less discussed role of politics in food security and to bring the politics of food security into the mainstream dialogue aimed at finding lasting and sustainable solution to the problem of food insecurity in Eastern Africa.

We know that approximately 80 per cent of the people living in the region depend on agriculture yet many Eastern Africa States are not food importers. The food deficit in these countries are attributed to several challenges that undermine efforts to increase agricultural productivity which include poor governance, under-capitalization of agriculture, poor infrastructure, weak linkage between agriculture and other sectors, inadequate funding of research, climate change, inadequate use of yield-enhancing practices and technologies, unaffordable policies and regulatory environment and low land and labour productivity. Even though agriculture is clearly the mainstay of political economies in most of Africa scant efforts have been made to deliberately leave national and regional agricultural strategies to create synergies. While, the national or regional policies that exist could be regarded as the evidence that countries have at least recognized the necessity of transforming the agriculture sector to drive the question remains why then are all the countries in Eastern Africa are food insecure?

Mr. Speaker, Sir, there were presentations and country reports but before that there were opening statements that were made by the Chairperson of the EALA Committee on Agriculture, Tourism and Natural Resources who did this on behalf of the Speaker and the Kenya Minister for Agriculture Dr. Sally Kosgei.

The Speaker in his address noted that the forum would give an opportunity to the participants to examine the impact of work being done by existing regional and national institutions in Eastern Africa States to actualize agricultural policies and strategies. He also noted that the forum will help examine how governance structures and instruments such as the comprehensive African Agricultural Development Programme contribute to

the realization of food security or the perpetuation of hunger and want in the Eastern Africa region.

There were key expectations raised by the Speaker in his address which include the hope that the deliberations would enable the participants to analyze how to incorporate food security objective and related policies into planning process, linkages and synergies between regional and national agricultural development and food security strategies and have the opportunity to look at the implications and impact of foreign trade investment in agriculture and on food security in the larger Eastern African region.

Mr. Speaker, Sir, in the statement by the Minister for Agriculture for Kenya , it was observed that 80 per cent of the rural population depends on agriculture and that 33 per cent of the population in sub-Saharan Africa is food insecure. Both the Minister and the Speaker concurred that poor governance, under-capitalization of agriculture, corruption and mismanagement of public funds, conflicts, high food prices, poor infrastructure et cetera are key challenges affecting attainment of food security position in most African countries.

Mr. Speaker, Sir, both speakers' argued that efforts to attain food security situation in Eastern Africa must focus on the following issues:

- Taking decisive action on the politics of food security.
- Address affordability and distance.
- Enhance strategic food reserves.
- Provide incentives of inputs and credit to farmers.
- Increase the budgetary allocation for agricultural sector to ten per cent in consonance with the Maputo declaration.
- Ensure market and market information.
- Promote value addition, research and development.
- Strengthen agricultural institutions.
- Embrace modern agricultural technologies.
- Enter into effective and mutually beneficial bi-lateral trade agreements.

Mr. Speaker, Sir, there were seven background papers and I would like to give a key highlight of these. The first paper was on Land Tenure and Ownership Regimes in a select of countries in Eastern Africa and the implication of that on national food security.

In this Paper it was averred that a review of land issue in five countries of Eastern Africa shows that almost all of them have or are about to finalize their national land policies. That provides guidance regarding land management and use and a new land tenure and ownership regimes.

In principle, therefore, Eastern Africa member States are coming up with new legislations, legal frameworks, policies, and institutions to guide their countries towards efficient sustainable and equitable use of land for prosperity and posterity. This is in appreciation that the large number of Eastern Africa people depend on the use of land for

their livelihoods and food security thus agricultural productive team makes a major contribution to growth, development and livelihoods.

The observations that were made include:

- 1) Agricultural land is increasingly becoming a commodity and that the linkage between land tenure and food security goes beyond simple direct production.
- 2) That there is a direct relationship between land tenure security and investments and land tenure systems and poverty.
- 3) That food insecurity, vulnerability and famine can lead to loss of productive assets of poor farmers.
- 4) Lack of land and food leads to conflict.
- 5) Land acquisition in most Eastern Africa countries is happening without public scrutiny begging the question of transparency in the whole exercise. The question that remains to be answered is; whose land is it that is being leased to the foreign investors.

The second Paper was on Lease and Sale of agricultural land to foreign investors and it was begging to answer whether this is a threat to food security or an opportunity for transfer and foreign direct investment.

This Paper provided the context and perspectives of the effect of land leases and sales on food security in Eastern Africa; although the focus was mainly on Kenya. It identified that the trends and drivers of farm land rush in Africa which were given in the terms of scales of deals and that this has shifted in focus from cash crops to staple and bio-fuel crops. It has shifted from land leases to private deals to Government-to-Government deals and the shift from international specialization and trade to protectionism.

The Paper identified five avenues through which foreign land rush would affect Africa. These are as follows:-

- 1) Weak land governance in most host countries and associated problems these are some of the avenues through which land rush could affect Africa.
- 2) Increased dependency and food importation.
- 3) The effect would be increased food insecurity through adverse impact on exports of food products from African countries to food efficient countries such as the Middle East as food security of the latter would preclude food importation from the former. Unfavorable competition with domestic producers. Rises in food prices due to competition due in both product and input markets. Land competition will up land price increasing the poor to sell their pieces and speculative buying. Increased water source depletion which could further climate change and climate change related and associated social economic complications.
- 4) Encouraging production in Africa but processing abroad thus no job created.
- 5) Increase environmental damage resulting from more pressure on farm land, clearance of most forest, destruction of available natural resources and emission of more green house gases.

Mr. Speaker, Sir, there were recommendations that were made arising out of this.

- 1) It was recommended that there should be suspension of further foreign farmland acquisition and investment and bring in inclusiveness.
- 2) Governments to ensure food security of its people through affirming revolution and by Governments converting resources on food imports as investments to develop food sovereignty.
- 3) Governments to undertake energy revolution by ensuring sustainable energy consumption, promote efficient vehicles and invest in efficient public transport systems.
- 4) Land use should be subject to prior full environmental and social impact assessment including impasse on bio-diversity, natural resources, genetic erosion, food sovereignty and gender implications. In addition, local communities should be involved in such assessments.
- 5) Land needs to be subject to full legal liability of companies and investors through the inclusion of clear, legally binding and enforceable obligations on the investor. The investor should pay into an obligatory liability fund to cover for faces of none compliance.
- 6) Independent and participatory exposed impact assessment involving all groups in the society should be made at pre-defined intervals.

The Third Paper was exploring gender issues in food security strategy. It focused mainly on EAC instruments on food security and the IGGAD instrument on food security. It was noted that most food producers in the EAC operate at the subsistence or smallholder level. These farmers have very limited access to modern technology and generally, they lack tangible investments in capital. This is common knowledge.

It was also observed that household food and nutrition security relies heavily on rural food production, largely a pre-occupation of women and this contributes substantially to poverty alleviation. It was emphasized then that sustainable agriculture, rural development and food security cannot be achieved through efforts that ignore or exclude women who constitute more than half of the rural population and more than half of the agricultural labour force responsible for most of the household food production in the EAC.

It was observed that development strategies are clearly more equitable, effective, and sustainable when they consider the different needs, constraints, opportunities, and practice of men and woman.

That recognition of men's and women's valuable and distinct skills and knowledge can help to shape policies and programmes that contribute to both economic growth and equity objectives.

That food security issues should be contextualized within agenda framework taking into account the differential burden borne by women in social economic spheres, the cultural issues that affect full participation of men and women in agricultural production and development.

The gender blindness of the agriculture and food security policy instruments and programmes of the EAC, inter-Governmental authority of development and KADIP contributes to the perpetuation of food insecurity in Africa. Therefore, gender mainstreaming implies technically demanding task. We need to establish and equip gender offices both at the EAC and IGGAD so that they can be able to mainstream gender into the realization of food security within the regional integration block.

We got another presentation from the EAC secretariat which was on the Common Food Security Strategy. In this presentation it was noted that despite the frequent pockets of food shortages and hunger in the EAC region and below optimum production the region on average produces adequate food for its population moreover most of the food statistics used to assess food supply and adequacy underestimate the extent of supply because they do not fully take into account food commodities or products from livestock, fisheries, other marine and aquatic products, horticultural products and forestry products.

Mr. Speaker, Sir, this instrument, the EAC Common Food Security Strategy, identifies integrations for attaining food security in the region. This is related to priority areas which include provisions of enabling policy, legal and institutional framework, increasing food access and availability in sufficient quantities and quality, improving stability of food supply and accessing the EAC region, enhancing the efficiency of utilization, promoting investments in the agricultural sector, improving efficiency of agricultural input, enhancing free movement of food in the region, increasing food production by enhancing productivity, improving and accelerating the implementation of policies strategies and programmes and enhancing regional integration and harmonizing food security policies within the EAC member States.

These priority areas identified in the common foodstuff security strategy of the EAC are in congruence with the intervention proposed by the Eastern Africa Grain Council which also participated in the workshop. The EAGC emphasized the need for improved market access for grain value chain actors particularly small holder farmers and small scale traders.

Mr. Speaker, Sir, it was argued that this can be attained by creating a well functioning and free regional grain trade through structured trading, strengthening market information systems, improving security along the borders and equitable and targeted financing of agricultural sectors.

Others would include; improving policy and trade environment and undertaking capacity building of the grain value chain stakeholders.

Mr. Speaker, Sir, there was a presentation from the IGGAD which was on the inventory on policy measures for food security and prioritization in the IGGAD region. This Paper noted that food insecurity is caused and manifested in various ways such as:-

- The risky nature of food production and distribution in general.
- Poverty throughout the region.

- Poor systems of communication around the region which inhibit both domestic and cross-border trade.
- The rapid population growth which puts pressure both on the resource available in rural areas and the food supplies reaching urban areas.
- Diseases such as HIV/Aids and malaria.
- Advanced consequences of climate change which is responsible for a greater variability of rainfall, more frequent droughts and a lowering of the water table of the region.

The Paper then noted that food security policy have gone under re-appraisal through the IGGAD region and renewal among IGGAD member States. This re-appraisal fall into different categories but the most prominent of them are:-

- That there is generally a rethinking of agricultural policies across the IGGAD.
- There is a re-thinking of social protection across the region.
- There are new arrangements to help needy households to achieve food security.
- There is increasingly disaster and risk management.
- There is growing impetus towards regional cooperation especially on cross border trade risk management and food reserves.

According to the IGGAD, the policies required to address food security issues lie in agriculture, the agricultural trade, poverty and social protection mechanism to address both chronic and transitory food insecurity. Others are:-

- Improving markets.
- Ensuring gender equity and equality.
- Capacity building.
- Infrastructural development.
- Making markets to work efficiently.
- Adherence to the Maputo Declaration.

There are numerous opportunities for improvement particularly in the areas of cross border trade whereby investments are needed in the roads and other infrastructure, improvement of border procedures, agreement on mutual tariffs, development of food reserves, a re-orientation of economic and social policies to make a serious intervention on poverty and inequality and amicable conflict resolution.

From the six country reports there were a number of perspective that were thought to be the courses of food insecurity in Eastern Africa region. These include:-

- Weak policy implementation.
- Weak coordination of policy security intervention.
- The poor prioritization of actions.
- Inadequate resource allocations.
- Limited stakeholder improvement and participation in policy processes.\
- Interplay between national and international politics.
- The inadequate and inappropriate agricultural sector incentives.
- The absence of strong political will and political coherence to promote agricultural production and food security.
- The poor post harvest handling.
- Inefficient markets.

- Negative attitudes and perception about agriculture.

Mr. Speaker, Sir, there was a plenary discussion and recommendations arose thereof. These recommendations are:

- i. There is need for East African Community States to develop and or adopt comprehensive integrated definition of food security beyond agricultural products to include other parameters to include food composition and reasonable quantities of food calorific intake. Discussion on food security should also take cognizance of HIV/Aids and other disease such as malaria. These recommendations are specific to the EAC.
- ii. That food security issues should be contextualized within a gender framework taking into account the differential burden borne by men and women in social, economic and political spheres and specifically conduct an audit of the EAC agriculture and food security instruments so as to mainstream gender.
- iii. Good governance is the backbone of progressive and efficient systems and therefore, promotion of democracy and the rule of law, stepping up the fight against corruption, disaggregating agricultural budgets, prioritization of actions and effective expenditure targeting are of paramount importance in delivering the region from hunger and deprivation.
- iv. There is need for an East African regional approach to infrastructural development and promotion of security across the border to enhance the free movement and marketing of food commodities and eliminate cartels particularly within the agricultural sector.
- v. There is need to build capacities and recognize the critical role played by human capital amongst others in achieving sustainable food security.
- vi. The EAC region should undertake research to provide evidence on how land is acquired for lease and or for sale to foreigners in Partner States and establish a regional code of ethics to inform landless and lease transactions while safeguarding the food security concerns of the region. As a matter of urgency, the EAC should be sure that partner States should embrace registration of land by adopting modern land tenure management information systems.
- vii. Need to investment in the development of livestock farming and fisheries, cross border marketing and trade in fish and livestock and the commensurate products so that expand the food supply base for the region.
- viii. EALA needs to come with regional legislation on food security what will cure the possible violation of the right of food.
- ix. Revive the production and consumption of the so-called orphaned food crops such as cassava, potatoes due to their high nutritional values and relative ease of production.
- x. The EAC should develop a comprehensive database of all food security policies and programmes being implemented during the region, their effectiveness, and relevance to facilitate effective policy formulation and follow on actions.
- xi. Stakeholder involvement and participation in policy implementation, monitoring and evaluation and reporting should be guaranteed at all levels.

In conclusion, the EAC partner States need to adopt appropriate agricultural technologies. They need to invest in alternative agricultural production methods of irrigation. They

need to build extension packages across the sub-region and establish storage activities at the farm level to reduce post-harvest losses and ensure quality maintenance standards along the quantum from the farm to the stores and then to the market.

The region should build synergy to minimize on resource wastages of agricultural resources arising from duplication and this should be complemented by partner States moving towards meeting the Maputo Declaration of allocation ten per cent of the national budget to the agricultural sector.

The EAC leadership should remain committed to implementation of the EAC plan of action on agriculture and food security and to keep the partner States in check toward achievement of the national and regional food security goals.

I beg to move.

(Question proposed)

Ms. Jacqueline Muhongayire (Rwanda): Mr. Speaker, Sir, thank you for affording me this opportunity to contribute to this Report before the House.

First of all I would like to thank the Government and Parliament of Kenya for all the facilitation and all the warm welcome provided to us since our arrival in this beautiful country of Kenya.

Mr. Speaker, Sir, as we all know agriculture is an important pillar of African economies. Agriculture increases the overall economic growth and trade balance improves. Food security is a very important tool to the achievement of the MDGs targets.

As stipulated on page four of this Report, the food deficit in East Africa are attributed to different challenges that undermine effort to increase agricultural productivity. Among the things I can mention as challenges is the weak coordination as already said and weak intervention on the area of food security strategies and implementation.

There is also the under capitalization of the agriculture and poor infrastructure and weak linkages between agriculture and the other sectors like the private sector. In addition, inadequate funding of research and dissemination has been mentioned.

Climate change has also been noted and unfavorable policy and regulatory environment and low land and labour productivity.

Mr. Speaker, Sir, according to the EAC Treaty Article 110 provides that the partner States shall establish a mechanism for exchange of information on demand and supply surpluses and deficits, trade and forecasting information.

It should also develop modalities to have timely information on market prices. Also to harmonize food supply, nutrition and food security policies and strategy and to initiate and maintain a strategic food reserves.

According to the EAC development strategy it is provided that the partner States should promote value addition productivity and competitively.

Mr. Speaker, Sir, among the strategic intervention provided in the EAC development strategic plan it is provided that the implementation of the East African Agricultural and Rural Development Policy and Strategy that has been developed by the EAC secretariat it is stipulated that the partner States should establish an early warning system for food insecurity and monitor food shortage. It should strengthen partner States' agriculture, livestock institution, farmers associations, traders and processors associations and to promote joint negotiations on agriculture issues at regional and international level.

The Common Market Protocol in its Article 45 it provides that corporation in agriculture in food security among others, the partner States shall undertake, promote and encourage private sector participation in agricultural commercial activities and provision of support services. It is also important to establish an agricultural development fund.

It is in this regard that the EAC has adopted the comprehensive African Agricultural Development Programme born from the Maputo Declaration as an instrument to contribute to the realization of food security. But CADAP has shown weak adopting. CADAP requests partner States' to allocate ten per cent of the national budget to the agricultural sector.

Mr. Speaker, Sir, the allocation of the ten per cent of the national budget is not enough in itself. Members of Parliament at national and regional levels must ensure that this ten per cent is allocated adequately and make a follow up with the CADAP implementation according to the main pillars of CADAP as an instrument.

It is also evident that the 12th Ordinary Summit of the EAC Heads of State under recommendation 26 have directed that the food security action plan 2011 – 2015 and the climate change policy be reviewed by the Council of Minister to take into consideration other relevant ideas and proposal and submit the report by April 2011 when the Summit is supposed to sit.

Mr. Speaker, Sir, I think the recommendation done by yourself in the last meeting to interact with the Council and the Committee on Agriculture be informed on the main guidelines and main orientation of this policy is welcome. I think the Council of Ministers have accepted to appear before the Committee and to have enough information about this action plan and policies and strategies.

Mr. Speaker, Sir, it has also been noted that all strategies and policies that can ignore the role and contribution of women in the rural development and the issue of food security cannot let us achieve sustainable food security and development in terms of agriculture.

As Members of Parliament, we have a great role and contribution to food security and sustainability.

Mr. Speaker, Sir, with those few comments I beg to support the Report.

Dr. George Nangale (Tanzania): Mr. Speaker, Sir, may I take this opportunity to join my colleagues; I am also a Member of Agriculture, Tourism and Natural Resources Committee.

You will recall that in February 2010 this House adopted a comprehensive report on food security strategies. This report resulted from a thorough research study done by Kilimo Trust and enriched by inputs from Members of this Assembly, Member from the National Assemblies from the partner States, other stakeholders including farmers in East Africa. The Report was an input to the EAC discussion document at the EAC Food Security Summit in December in Arusha.

Going back to this Report on politics of food security, the Committee has raised ten recommendations. I would call upon the Council of Ministers to take these recommendations seriously and incorporate them in the East African action plan on agriculture and food security.

Mr. Speaker, Sir, the conclusion of this Report provide five basic items:

- i. The need to modernize agriculture through mechanization.
- ii. The need to invest in alternative agriculture through irrigation.
- iii. The need to strengthen market linkages.
- iv. The need to build extension services packages.
- v. The need to establish storage facilities.

Mr. Speaker, Sir, allow me to go a bit nostalgic and probably philosophical on these issues. I want to dwell on the philosophy of Zamani. Is old really gold? In one of the books I wrote; the Politics of Partnership, I dwelt on this matter at length.

Mr. Speaker, Sir, modernization of agriculture is not a new idea in East Africa. During the post-independence days companies like Lonrho and others brought in the region hundreds of tractors for cultivation. In Tanzania, for example, you would see many tractors in convoys moving from one region to the other for example in Shinyanga in Arusha and Kilimanjaro etcetera. Tanzania for example ventured in large scale wheat plantation schemes in Basutu in Arusha using modern tractors, combine harvesters and tractors.

In East Africa we are endowed with agricultural colleges and universities which provide state of the art agricultural studies. Today if you go to South Africa, Botswana and other parts of Southern Africa you will find most of the faculties at the universities actually managed and run by East Africans while we remain as we are. What I am saying is the issue of modernizing agriculture in East Africa is not a new idea.

Secondly, the issue of irrigation; going back to 1970s and 1980s our countries invested in large-scale irrigation farming. In Tanzania, for example, there were schemes like Kapunga Rice Farm, Mbarare Rice Farm, Kilimanjaro and many more. So the idea of irrigation is also not new.

On market linkages, in 1960s and 1970s Tanzania had strong cooperative societies for example KNCU, Victoria Federation, Igembe-Sabo and many others. These provided linkages to markets. Companies like Neshto Milling, Unga Ltd with all the silos around the region we are facilitating market and distributing food around East Africa.

In the areas of non-foods like textile, you will recall that most cotton produced in other parts of East Africa was taken to Jinja Textile Mills. There we got the Jinja garment and Khaki, which was very famous those days.

Mr. Speaker, Sir, extension services is not a new idea. I recall that my grandfather was telling me about Chief Undikia who was one of the Bw. Shamba, the extension officers in 1940s moving around the villages using a 250cc motor bike. That was in 1950s and 1960s. Therefore, this is also not a new idea.

Storage facilities; you will find that most of the storage facilities in rural areas in East Africa are 30 to 40 years old. This is because of the increase in population and the facilities have deteriorated due to age. In the rest past, we have not dwelt into rehabilitation and building new facilities.

Mr. Speaker, Sir, what I am saying is that the East African plan of action on agriculture and food security is an ambition piece of declaration. In Tanzania, we have our own Kilimo Kwanza right now. So really, what we need is implementation. All what we are talking about, if we are not going to implement as has been for the last 20 or 30 years, nothing will happen. I call upon the Council of Ministers and all of us to look into this matter very seriously. If there is one thing we can do to make the EAC have meaning to our people, we should ensure that food is there on the table and it is a right for each and everyone in East Africa.

Thank you.

Ms. Dora Byamukama (Uganda): Mr. Speaker, Sir, I want to thank you for giving me an opportunity to debate this Report. From the onset, I would like to say that I support it fully and to thank the Committee for once again bringing to the Floor a very important issue in respect to a basic human right.

Mr. Speaker, Sir, the right to food is not only a basic fundamental right but also an issue of dignity. If you cannot feed yourself, you have no right to call yourself a human being worth of any dignity. This is very fundamental to all of us as human beings.

The second issue is that this right to food that is mentioned in this Report impacts on other issues. I would like to point out the fact that if you do not have adequate food as you grown up, you are not physically retarded but can also be mentally retarded. Therefore, this leads to serious challenges especially when it comes to issues of maintaining such people in the African continent and elsewhere.

Having said this I would like to make some few comments. The Treaty is very clear on what we should do in respect to food security. After ten years, we do not have concrete action to show that we are moving towards ensuring that we have food reserves. I would

like to hear from the Committee whether there were any indications or from their work there are food reserves which have been strategically put aside to assist East African people to ensure that we have food security.

I would like to move on to some of the recommendations. The first recommendation I would like to make comments on is the recommendation that food security issues should be contextualized with gender framework. Sometime when we talk about gender, we lose out on being very specific. I would like to talk about an issue, which I always talk about. This is an issue of women owning property, in particular land, an example one time I was given by His Excellency President Museveni whereby women who had been growing rice started having output was decreasing. When they did investigations as I said before they found out that the women were actually planting boiled rice and therefore, there was no harvest. What was the reason? The reason was that when they would have bumper harvests, the men would marry second wives, drink more alcohol and therefore, this was infringing in their rights as well. The issue of food security is very closely linked to women as a group. I do not want to call it a gender issue. Unless women have a right to land, unless women are given incentives to grow food, we will have a big problem. These people feed families and all of us in the African continent and beyond. I would like this to be brought out very clearly.

The other issue I would like to mention is with regard to recommendation number seven. EALA should come up with regional legislation on food security and deal with possible violations of the right to food; I would like to categorically state that not all our Constitutions provide a right to food. If you look at the Constitution of the Republic of Uganda we do not have a right to food nor do we have a right to health. When you look at the international conventions to which it is provided as a right. I think at this point in time we need to bring it to fore of all the partner States that we are signatories to the right to health and the right to food. If they are not in our Constitution, when we come up with the Bill of Rights for EAC we should categorically state this right to food and put in place measures to punish those who do not ensure that this right is respected.

Mr. Speaker, Sir, I would also like to comment on recommendation number eight which talks about revived production and consumption of orphaned food crops due to their nutritional values and ease of production and also link it to the issue of East African Food Security Policies. May be the Committee would tell us something about the issue of Genetically Modified Organisms. I am not sure whether all our partner States have a policy in respect to GMO. I would like to say this very clearly because when you talk about issues seed banks and other issues especially even food security without looking at this particular policy on GMOs, I think we shall be missing a point. I believe that the Committee must have discussed this issue. We need to interrogate it further to understand how we shall deal with GMOs and how they can impact on food security.

Fourthly, I would like to make mention of the issue of Maputo Declaration of allocating ten per cent. I believe that the Committee has facts and figures; how are the East African Partner States doing in this regard. We would like to hear from you on the percentages so that when we meet the Heads of Summit, when we talk we urge our Governments to commit to allocating ten per cent. This is because we know that not all of our

Governments have adhered to allocating ten per cent. We would like to categorically name and shame those who have not. I know it is the majority but we want to be very sincere with ourselves on this particular issue. We cannot have it on the books, we cannot commit, and yet in practice we are doing other things.

Mr. Speaker, Sir, I would like to conclude by some picture which has never left my mind. This was when we were traveling around Lake Victoria, the very first trip we did as an Assembly, when we went towards the shores I think it was towards Homa Bay, we found that the people of East Africa were resorting to boiling fish bones and the fish is exported. It is good to have a good demand, but if we supply and leave Africans taking soup from fish bones, what does it mean? I would like to urge all of us, especially this Committee, to interrogate on our export policies. We may be meeting the quota which we promised when it come to supplying international markets with certain foods, but what do we do for our own economies. Where does that leave us when it comes to feeding ourselves and especially our children?

I thank you.

Mr. Clarkson Otieno-Karan (Kenya): Thank you Mr. Speaker, Sir, for giving me this opportunity to highlight a few issues on the Report.

Before I do that, I would want to declare that I attended this workshop and I fully support the sentiments expressed by the Report and the recommendation there in.

Mr. Speaker, Sir, yesterday, when Hon. Muntu was contributing, he kept on saying “we Africans” he dwelt on that a number of times that I started thinking that he is developing hatred for Africans. When we attended the workshop, the statement, which was read on behalf of the Minister for Agriculture, raised some fundamental issues, which also gave me an impression of asking what is wrong with us Africans. We are in general agreement that agriculture is the main stay of this region. If it is the mainstay of this region and we underscore that what takes to have production is not out of our means. It is within the reach of our Governments. All these years why are they not able to produce enough food?

I read a story where some Arab countries which lack good soil for agriculture where even importing soil to do horticulture. This region has land and water. The issue is that of governance which was raised by the statement by the Minister for Agriculture. What is wrong with governance? I want to jog the mind of this House on the recent problem in Tunisia and how it started. It was about food. A vendor who was selling some items on the road side had his goods confiscated and he became so hopeless because that is how he used to get his food and he burnt himself. That can show you how lack of food is serious. The people in the East African region, I think that should be a wake up bell for us so that we take the issue of governance for the benefit of our people with the seriousness that it deserves.

Mr. Speaker, Sir, I also know of some homes where people have slept without eating because they had no water to cook food. In this region, we have adequate rainfall. You will see serious rainfall for one full week but the next week you will see women carrying

buckets to follow that water to the lake. This is water that would have been stored for them to use when there is need. These are all issues of governance.

Mr. Speaker, Sir, I can remember that when the Lake Basin Development Authority was established there were all sorts of study for agricultural production. There is however a problem in African States; these things are being repeated year in year on. The studies reveal nothing new apart from the original studies, which were done. They are in the files of the LBDA and nobody is using them. When people wake up they do proposals on how studies should be done. This has turned us to professional beggars. I understood why Hon. Muntu kept asking what is wrong with us Africans.

The Maputo Declaration; why do Governments sign a declaration and append their agreement to a declaration, which they do not want to implement? If it was agreed that our budget for agriculture should be increased to ten per cent, surely what we provide for are they more important than production of food? The Government must do proper research to change the perception of our people. When we had a workshop with Kilimo Trust one of the officers who was lecturing said that in East Africa when you hear people talk about lack of food in essence they are talking about shortage of maize. Research has revealed that there are other crops, which can equally do well within this region. What needs to be done is to sensitize the population not to rely on maize. Sometimes you can have two crops failures. What is wrong with Africans? I can now also ask that question which Hon. Muntu kept asking.

Mr. Speaker, Sir, there have been warnings that there is going to be serious drought. Two years ago you could not afford seeing how cattle died because of drought. It is now going to happen again. We have talked about insurance for the cattle keepers, farmers, but these issues, which are so pertinent to the lives of our people; you find they take too long in drawing boards, lectures, seminars on something, which has been identified as the way to go. Why do our Governments not find it necessary to implement these issues instead of doing about ten workshops on an issue, which has been identified and concluded?

The speech which was read on behalf of the Minister for Agriculture raised issues of governance. These are the reasons we lack food. There is capitalization of agriculture. We also do not meet the Maputo Declaration which is the least declaration.

I would believe that these issues which are being raised are not out of the scope of our Governments. They should be able to implement them.

I want to conclude by the council of Ministers, who present our partner States to start implementing most of these obvious things. They should not wait until the population becomes hopeless and start behaving in unruly manner.

Mr. Speaker, Sir, East Africa does not lack basic things which can enable us to produce food. Our policies should be looked into. You find that sometimes people die in North Eastern Province because of lack of basic food items which are in plenty and are rotting in the Rift Valley. What does that highlight? It calls for me saying what is wrong with us Africans. If food is next door, it is rotting, and neighbours are dying because of lack of

food, do you need research to be able to know that food should be transported from Rift Valley for the people in North Eastern Province to have food? We should be sensitive to the plight of our people because that is why we are leaders. We were not given the leadership positions for glory to ourselves to fly from capital city to capital city; eating good foods in hotel, while the people we purport to represent are suffering.

I have already said I was part of this workshop. Food security workshops and papers have been there for a long. In the last Summit, it was an agenda but it had to be postponed because there were some other input which came in. they, therefore, had to be consolidated. That was wastage of time.

I beg to support.

The Speaker: Hon. Karan did not say whether his seminar was also wastage of time.

Ms. Catherine Kimura (Kenya): Mr. Speaker, Sir, thank you for giving me this opportunity to contribute to this very important debate on food security. As the hon. Dora said the issue of food is a human right for each human being.

Mr. Speaker, Sir, the Treaty is very clear on issues of food security and food production. If we go from Article 106 which deals with seed multiplication and distribution, Article 107 on animal multiplication and distribution, Article 108 on plant and animal disease, Article 109 on irrigation and water catchments management and Article 110 on food security. All those issues deal very specifically on what this Treaty intended to be done as far as food security is concerned. We cannot talk about food security without talking about how we produce our seeds and correct seeds. We cannot talk about food security, worrying about livestock farmers who year in year out face issues of drought and seeing their livestock die as is happening right now in North Eastern part of the country. We cannot talk about food security and worrying about plant diseases and animal diseases and on the issue of irrigation and water catchments.

We call ourselves an agricultural country yet every so often, we suffer food shortage. We import food, we lack distribution mechanisms as Mr. Karan has said to move food from the surplus areas to deficit areas. However, much as we cry about drought in this country, the management of water resources leaves a lot to be desired. We are very happy to produce horticultural food to export to Europe. We are very happy to produce flowers to adorn the homes of Europeans all in the name of bringing in foreign exchange earnings. Then the same foreign exchange earnings are used to bring in food because we have not seen it fit to irrigate for food items. What a contradiction and what a shame for a region that calls itself agricultural based to be going around begging and importing food! Part of this is because we are not managing our water properly and for the right reasons. I have never seen, in my areas, a field of maize being irrigated. I have seen French beans and coffee being irrigated and flowers all heading to for the export market.

When it comes to our food items and diets, we have relied too much on one item called maize and yet we are unwilling to spend that water in irrigating large tracts of maize so that we know come drought we have a supply. However, we need to change our diets.

The Report has talked about orphaned crops. I call them not orphaned but traditional food crops. I stand to be corrected about the use of food crops and the survival of Uganda during the very bad years of Idi Amin. One of reasons I believe the Ugandans survived is because they could feed themselves using traditional crops such as bananas, cassava, millet and all that. a country that cannot feed itself cannot survive the ravages of war. You have an unhealthy population and therefore people cannot fight. They would faint.

I remember during our tour of the border by the Committee on Communications, Trade and Investment, we came across lorries and lorries of cassava, yet when we have shortage of maize here or any other place we are unwilling to eat cassava flour. We would rather import yellow maize from America instead of saying we will eat the cassavas and the bananas. I was amazed the other day I was in a supermarket and there were very beautiful pumpkins. I asked the attendant where the pumpkins had come from because they were many. Believe you me I was told they had come from DRC. Kenya importing pumpkins from the DRC! A very simple crop to grow and should be in every homestead as part of food security. In my growing years, I remember we never lacked pumpkins in the garden, we never lacked arrowroots, and we never lacked sweet potatoes because they were regarded as food security items. We never ate them when harvest of maize, potatoes and beans. Those were specific to the time you were running out of maize or beans. That is the time we ate these crops. What has happened, we are not encouraging the planting and the use of the orphaned crops. We need to relook under this East African Development Programme. What is it we can do to encourage the change of diet for our people so that traditional crops are part and parcel of our diet?

Mr. Speaker, Sir, another one I remember very recently on this issue of traditional food crop, a very senior member of this Community, we were having a buffet and there were arrow roots. He told me that it is not until very recently when he went to the supermarket and saw this arrowroot; he had eaten them in hotels he would pick and they taste nice, he never knew how they look like in their raw form. I am talking about somebody who is about 60 years. He goes to the supermarket and sees plenty of this and people are buying and asks, "What is this?" and he is told it is an arrowroot. Therefore, he decided to buy, took it to his wife, and said these things we are always eating in hotels and I have never known. They taste very nice you should be cooking them more often. Therefore, it is lack of knowledge of what we can produce to enhance our food security.

I want to thank this Committee for bringing us all these issues. So we need diversification both in terms of what we can call food crops and the kind of food that we eat so that we stop this reliance on maize and become beggars day in day out.

Mr. Speaker, Sir, the other issue here that we have and has really impacted on our food security is the fact that we import most of our inputs. We import our fertilizers. We import our machinery and sometimes we import even the seeds and yet the Treaty talks very specifically about food multiplication. So as the Council of Minister considers how to operationalize those Articles that are in the Treaty we want to be very sure that the issue of inputs for this country can be looked into. How can we produce fertilizer or how can we get alternative items to substitute fertilizers? How can we producers of simple mechanical implements that are not costly so that we move away from the hoes, pangas

to improve on productivity. We do not have to wait for the very heavy machinery that our farmers cannot afford. I believe as part of our industrialization process we should aim at producing machinery that is affordable to our ordinary farmers.

The Committee call for certain actions by the Council of Ministers. We need a paradigm shift in so far as food security is concerned.

I beg to support the Report of the Committee.

Ms. Kwekwe: Mr. Speaker, Sir, I want to thank the hon. Members who have contributed on this debate. Indeed, food security is a matter that determines not just the dignity of an individual but also the dignity of a nation and therefore, the dignity of a region like the EAC. It demands a lot of weight from everybody including a House like this. I thank you very much for your useful contributions.

There are several issues that were raised that I would like to quickly make comments on. There was the issue of whether East Africa has food reserves. As I speak, I know that as a region we do not have consolidated reserves. Individual partner States have their own national reserves. Sometimes those reserves cannot last the entire period of need. We seen for example in Kenya we have the National Cereals and Produce Board that is charged with the responsibility of collecting food from farmers so that it can be used or sold when there is scarcity. However, there have times when even the NCBP itself has had no food in stores. Today, we are talking of hunger in Turkana and people boiling skins in Karamoja yet there is food that is rotting in parts of this region. So even the boards that are charged with taking care of the needs of East Africans in terms of storing foods have had their own weaknesses. The same can be said of the Eastern African Grain Council (EAGC). It also faces the same challenges. What the EAGC is trying to do and I believe they have been in discussion with the Directorate of Productive Sectors, is to use the EAGC as a vehicle to bring together the East African region. The EAGC goes beyond the EAC region. It goes all the way to Ethiopia down to Malawi. It has a larger constituency. They are discussing to see how it can spear head what they call pilots particularly on what they call warehousing receipting systems. This is whereby farmers can be able to store their food and instead of the board selling on behalf of the farmer, the farmer can sell when the time of need has arrived. Therefore, the board is not a middle man. It stores on behalf of the farmers. Currently it is the board that buys from farmers at a price that is set. Like now it is Kshs2,500 per 90-kg of maize in Kenya and sell at the time of need at a market price that could be twice or may be less than that.

I want to clarify that, as a region we do not have food reserves but partner States in their little ways have the national initiatives that contribute national food reserves.

On the second issue of GMOs I want to comment that there has been debate within the region; in Uganda there was debate from 2004, Kenya has been debating from 2005 and Tanzania has been debating it from early 2000. The debate is on whether to embrace the GMO technology. The debate is still on and the jury still out. At least what is coming as a matter of convergence within the region is that if we are to go GMO then we must breed our own as a region. We have institutions and universities which are already genetically

engineering some food crop seeds for animals and human so that incase it is the way to go, we have our own home-grown species. Relying on foreign supply is suicidal. Therefore, there are ongoing trials within our institutions of research and universities but I am not aware of any country that today has passed a law that says, yes we go GMO or no, we cannot go GMO. The debate is still on and it can take too long. In the United Kingdom (UK) it took ten years.

The Speaker: *Mheshimiwa*, please, summarize!

Ms. Kwekwe: They took ten years. GMOs are sold by the UK but only in a few stores.

On the issue of the budgets and the status, the best performing is Tanzania with seven per cent which is still less than ten per cent. There are some countries that give three per cent of their budget. We are not doing very well. What I wanted to clarify is that even the ten per cent that is put aside as agricultural budget it matters what is it that the budget is put for. Ethiopia has 13 per cent and going to 15 per cent next year but they are food insecure. Why? Because they put money on four wheel drive vehicles and that is budget for agriculture. Where do we put the money in? There are good examples like Malawi. So the issue of politics which this paper is all about--- If in Malawi in the last five years have managed to be food secure not just for maize but also rice. Why? It is because we have the top leadership of the country. The Minister for Agriculture is the President himself.

The things that really matter for the development of a country are bellies that are full and people who are enlightened has been seen to be so important that the Chief Executive of the country himself is in charge. That shows how politics can work for food security or against food security. If you do not put importance in the issues of food security, the result is what we are experiencing now. We need to make hay when the sun shines. We know every time we have seasons of good harvest, which are always followed by seasons we have terrible harvest. The cycle has been set every four years; we will have at least two years of good harvest and another two years of bad harvest. We need to go the Biblical way; if seven cows could be eaten by – *(Interruption)* -

The Speaker: *Mheshimiwa* I told you to summarize.

Hon. Kwekwe: I am summarizing, Mr. Speaker, Sir.

Even us as a region should be able to know that there are years that we will expect famine and we should be prepared for that. I beg that this Motion be adopted.

(Question put and agreed to)

Resolution Adopted.

MOTION**FOR THE CONSIDERATION AND ADOPTION OF THE REPORT OF THE EAC OBSERVER MISSION TO THE REFERENDUM IN SOUTHERN SUDAN**

Hon. Abdul Karim Harelimana (Rwanda): Mr. Speaker, Sir, I beg to move:-

THAT, The Report of the EAC Observer Mission to Southern Sudan Referendum be adopted.

Dr. Aman Kabourou (Tanzania): Seconded.

Mr. Harelimana: Mr. Speaker, Sir, the Report itself is somehow long and I want to summarize it as follows. I plead that the HANSARD take note of the full Report.

On 7 January 2011, the EAC Observer Mission traveled to Juba in Sudan at the invitation of the Southern Sudan Referendum Commission to observe the Southern Sudan referendum held in the whole of Sudan and eight other countries in the Diaspora from 7th to 17th January 2011.

Mr. Speaker, Sir, the January 9th to 15th 2011 referendum marked a major milestone in the ongoing development of Southern Sudan, a region rich in terms of cultural diversity, mineral resources, agricultural wealth and a long tradition of fighting for autonomy, democracy and social justice. Historically the people of Southern Sudan grappled with the machinations of Egyptian invaders in the early 19th Century, endured ignominy of the British conquest from the late 19th Century, and from the mid 20th century had to grapple with the agenda on the Central Government based in Khartoum. In February 1953, the United Kingdom and Egypt concluded an agreement providing for Sudanese self-government and self-dissemination. With the consent of the British and Egyptian Government Sudan achieved independence on 1 January 1956 under a provisional Constitution.

The Constitution was silent on two crucial issues for Southern Sudan; the secular or Islamic character of the State and its federal or unilateral structure. However, the second Sudan civil war began in January 1983 when Southern soldier denied rather than follow orders transferring them to the north.

Mr. Speaker, Sir, a look at the process, which culminated in signing of the CPA in Naivasha Kenya 2005, will clarify that far from being a separatist agenda of the Southern Sudanese, the 2011 Referendum is firmly anchored on the peace process itself. It is important to note that the 2011 Referendum is one of the items the two parties; Khartoum and Juba, to the Naivasha Agreement pledged to implement. The following are the major milestones that set the stage for the referendum:

- a) The Machakos Protocol Chapter I signed in Machakos Kenya on 20th July 2002. It was an agreement between the SPLM and the Government of Omar Al Bashir on the broad principles of government and governance of Sudan.

- b) The protocol on power sharing – Chapter II – signed in Naivasha, Kenya on 26th May 2004. Neither of the principles upon which SPLM will share power with the national Government in Khartoum.
 - c) The Agreement on Wealth Sharing – Chapter III – signed in Naivasha Kenya on 7th January 2004 was a critical milestone given the fact that there is substantial chunk of mineral, agriculture and human wealth of Sudan residence in the south.
 - d) The protocol in the resolution of the conflict in Abieyi area – Chapter IV – signed in Naivasha, Kenya on 26th May 2004 was a major peace building initiative of the former military diligence.
 - e) The protocol in the resolution of the conflict in Southern Kurdufan and Blue Nile States – Chapter V – signed in Kenya on 26th May 2004 consolidated the agreement around Abieyi.
 - f) The agreement on security arrangements – Chapter VI – signed in Naivasha, Kenya on 26th September 2004 was the further deepening of the conflict transformation process underway.
 - g) The permanent ceasefire and security arrangement implementation modalities and the appendices signed in Naivasha, Kenya on 30th October 2004, was the consolidation of the peace making process.
 - h) The implementation modalities and global implementation matrix and appendices signed in Naivasha Kenya on 31st December 2004 simply set the stage for the final completion of this agreement signed on the 1st January 2004 in Naivasha, Kenya.
- 1) Mr. Speaker, Sir, following the invitation of the Southern Sudan Referendum Condition the EAC dispatched an observer mission of 15 EALA Members drawn from the five partner States of Burundi, Kenya, Rwanda, Tanzania and Uganda. The observer mission carried out its activities from January 7th to 17th 2011. This mission was a follow up to a fact finding mission on the state of preparedness for the referendum which had been carried out from 10th to 12th 2010. The mission was led by myself and made up of 15 delegates comprised of: Messrs. Ndarubagiye, Nzobonimpa, Ngenzebuhoro, Otieno-Karan, Lotodo, Nakuleu, Habumeremyi, Masha, Kabourou, Sebalu, Muntu and myself; and Mss Muhongayire, Kate Kamba and Byamukama. Mr. Charles Kadonya was Secretary to the Mission.

Objectives:

The overall objectives of the mission were to ascertain:-

- a. Whether the referendum was conducted in peaceful, free and fair atmosphere.
- b. Whether the outcome of the referendum reflected the will and aspirations of the people of southern Sudan.
- c. Whether the referendum meets the benchmarks set out in the Southern Sudan Referendum Act (2009).
- d. The African Charter on Human and People's Rights, the AU Declaration on the principals governing democratic elections in Africa, the UN Declaration on human rights and the International Covenant on Civil and Political Rights.
- e. To gather best practices which can be adopted and replicated to a rich future processes of this nature.

In carrying out this mandate the mission employed various methods which included the following:-

- a. Review of literature on Southern Sudan Referendum process.
- b. Review of media reports including radio, print and electronic.
- c. Meetings and interactions with the media and various stakeholders.
- d. Field visits to polling centres in the locality.
- e. Towards the end of the polling period the mission had an interaction with His Excellency Gen. Salva Kiir Mayardit, the Vice President of Sudan and the President of Southern Sudan on the referendum process.

Observations and Findings:

Mr. Speaker, Sir, activities undertaken by the observer mission the pre-election period included the following:-

- a. Press conference with the local regional and international media.
- b. Collaboration meetings amani forum members Kenya Chapter.
- c. Meeting with the referendum coordinating team of the Government of Southern Sudan.
- d. Acclimatization tour of the city of Juba.
- e. Meeting the Southern Sudan Referendum Bureau.
- f. Interaction with governors of States.
- g. Meeting with security organs.
- h. Collaboration with other observer missions.
- i. Opening of the referendum voting at the Late Dr. John Garang' Mausoleum Poling Centre and later on deployed in two various poling centres which is the most populated in terms of voters.

Mr. Speaker, Sir, the southern region has a population of around 8 million and predominantly rural subsistence economy, Southern has been embroiled in conflict resulting in major destruction and displacement since independence. The conflict has severely affected the population of the south resulting in over two million deaths and more than four million people displaced between 1983 and 2005. The Southern Sudanese practice mainly indigenous traditional believes although Christian missionaries have converted some. The south also contains many also contained many tribal groups and

more languages than are used in the north. The Dinka whose population is estimated at more than one million, is the largest of the many black African tribes in Southern Sudan. The Chiluk and Eloa are among the nilotic tribes. The Azande, Bor and Joluo are Sudanese tribes in the west and the Acholi and Lotoli live in the extreme south extending into Uganda.

According to new census results released in early 2009 Sudanese population reached an estimated 41.1 million.

Mr. Speaker, Sir, the data released by the Southern Sudan Referendum Commission, data centre management unit in Juba indicate that in total 3,330,618 people registered for the Southern Sudan Referendum. Among this 3,753,815 were registered in the ten Southern Sudan sets of upper Nile, Njonglei, Unity, Warab, Northern Baharenbasan, Western Baharenbasan, Lakes, Western Lekotorio, Central Lekotorio and Eastern Lekotorio.

The total number of polling centres reported by the SSRC was 2,638. The distance between one centre to another was estimated to be one to 50 miles while average number of registered voters per polling centre ranged from 2,500 to 3,300..

Mr. Speaker, Sir, the mission noted the following during the pre-referendum period:-

- i. Prominent presence of local and international media and extensive coverage of the referendum process by local, regional and international media.
- ii. Presence of high visibility of publicity material for separation sign that included billboards, banners, posters and car stickers.
- iii. General environment of calmness, peace and tranquility.
- iv. High enthusiasm for separation as evidence by hosting of separation flags on flags, chanting and singing slogans of separation in different places such as market and trading centres.
- v. High influx of Southern Sudanese from the Diaspora and Northern Sudan flocking back home to vote.
- vi. High presence of local and international observer mission including those from the UN, EU, AU, IGGAD, ICGLR, CATT, Amani Forum, Symposium of Episcopal Conference of Africa and Madagascar, China and Japan among others.
- vii. Presence of high profile personalities including former American President Jimmy Carter, former UN Secretary-General Koffi Annan, Senator and former USA Democratic Party Presidential Candidate John Kerry, former South African President Thabo Mbeki, former Tanzanian President Benjamin Mkapa, former President of Burundi Pierre Buyoya amongst others and His Excellency Gen. Omar Albashir the President of Sudan and His Excellency Gen. Salva Kiir Mayardit the First Vice President of the Republic of Sudan and the President of the Southern Sudan made statements of commitment to respect the outcome of the referendum.

Findings and observations during the voting period

Mr. Speaker, Sir, observations and findings during the voting period included the following:-

- a) Polling centres were clearly identified by a yellow flag with inscriptions and writings on posters.
- b) Opening was on time at 8.00 a.m. in the morning at polling centres observed.
- c) Opening procedures were properly followed and conducted in an open and transparent manner and witnessed by all stakeholders.
- d) There were adequate voting materials.
- e) Polling centres were adequately staffed.
- f) His Excellency Salva Kiir Mayardit, the Vice President of the Republic of Sudan and the President of the Southern Sudan Government voted at the late John Garang' Mausoleum polling centre. He thereafter made a statement calling upon both Khartoum to protect southerners in the north and Juba to protect the northerners in the south and foreigners.
- g) John Garang' polling centre where Gen. Salva Kiir cast his vote attracted a higher number of local and international observers' mission as well as high profile personalities such as Senator John Kerry.
- h) Referendum officials exhibited knowledge regarding rules of procedures of opening, closing and counting.
- i) Arrangements were put in place to facilitate voters identify their specific polling stations.
- j) Women in some polling centres were allotted their own lines separate from men.
- k) Assistance was extended to special groups including mothers with children, expectant mothers, the disabled, the elderly, the sick and the illiterate.
- l) Referendum observers received cooperation from all the stakeholder that included the staff of the Referendum Commission, security, political parties and voters.
- m) Presence of large numbers of voters across all ages and gender at the time of opening some of whom at been at polling stations as early as 3.00 a.m. in the morning.
- n) High emotions expressed by the people of Southern Sudan as they cast their votes. These emotions ranged from tearful outbursts, ululations and kissing of the ballot papers and the ground as well as chants of joy people standing patiently on queues on the hot sun to cast their votes.

Set up of Polling Centres and Procedure for Voting:-

- a) Polling centres or stations were conveniently arranged to allow smooth flow of the voting process and ensue secrecy of the ballot.
- b) Transparent ballot boxes were used.
- c) Numbers of registered voters ranging from 2,500 to 3,000 at polling stations were too big to handle.
- d) Places were provided for both voters and observers.
- e) Gender representation in the management of the referendum process was evident.
- f) High participation by the youth in the management of the referendum process.
- g) Referendum officials exhibited team work and commitment to their work.

- h) Some polling centres visited were far apart and voters had to travel long distance as far as five to six miles to vote. Some had to be ferried from islands.
- i) Security at all polling stations visited was guaranteed.
- j) The voting procedure was transparent and involved the following processes:-
 - a. The voters presented the voters card.
 - b. The name identified in the voter register.
 - c. The voter marked thumb-prints in the voters list.
 - d. The voter is issued with the ballot paper.
 - e. The voter card is punched after signature.
 - f. Voting by thumb print.
 - g. Casting the ballot in a booth which could host four voters in secrecy.
 - h. Dipping of the finger in indelible ink.

Voter Turn-up

The voter turn up in Southern Sudan ten States was high with enthusiastic voters turning up in long queues under the hot sun ready and determined to cast their votes. Voters turn up in the Diaspora was evidently high as per the electronic media transmission through the period. Pictures of people voting in the USA showed long lines of voters braving the cold winter to cast their votes. There was presence of large numbers of voters across all age and gender at polling stations especially on the first, second and third day. The voter turn up had a large number of voters ranging between 75 to 91 per cent of registered voters in the polling stations visited.

Closing:

Mr. Speaker, Sir, during closing, in the polling stations the mission observed that:-

- a) Closing was done on time and in an orderly and peaceful manner.
- b) Closing witnessed by participating agents observers and the media.
- c) Counting of votes cast was clearly determined by the number of ballot papers used.
- d) Ballot were sealed and kept in a place to which observers were invited to witness.

Mr. Speaker, Sir, in the immediate post-referendum period the mission observed the following:-

- a) Vote tallying started after polls closed at 6.00 p.m.
- b) All centres visited by the mission on the last day of voting reported low turn outs.
- c) The counting process was largely monitored by local and international observer missions.
- d) The SSRC reported that the preliminary as would be is closed to the public on January 31st 2011.
- e) The AU, EAC, EU, CATT Centre and all other observer missions issued both positive statements concerning the conduct of the referendum.

Mr. Speaker, Sir, in view of the observations and findings the mission recommends that:

- a) Order and peace exhibited in the referendum process be maintained.
- b) The outcome of the referendum be respected by all parties.

- c) Continued civic education be undertaken for the all population in the Government of Sudan on the post-referendum phase.
- d) A mechanism be institutionalized to ensure equal opportunity for Southern Sudan citizens on the post-referendum period.
- e) All parties commit themselves to handle the post-referendum issues as per the time lines spelt out in the comprehensive peace agreement.
- f) The international community continues to support the implementation of the comprehensive peace agreement regarding the outcome of the referendum.

Mr. Speaker, Sir, in conclusion, the mission ascertained that:-

- a) The referendum was conducted in a peaceful, free and fair atmosphere.
- b) We acknowledge that the delegation would like to thank the following personalities and institutions for having facilitated the mission to observe and witness an African country exercise right to self determination and engage in complex and sustained process of peace and nation building, democratization, reconstruction and development:-
 - i. Yourself, Mr. Speaker.
 - ii. The Government of Southern Sudan in general and coordinating team.
 - iii. EALA for funding the mission.
 - iv. All Members who made the mission for accepting a short notice call to travel to Juba to witnesses an African country exercise its right to self determination and engage in complex process of peace and nation building, democratization, reconstruction and development.

Mr. Speaker, Sir, I beg to move.

(Question proposed)

The Speaker: Hon. Members, I would like to remind you that, as you are aware, we are sharing the Chamber with the Kenya National Assembly which is meeting this afternoon. We only have until 12.00 p.m. for our business today. Therefore, please, be brief. Do not be repetitive and see how we can go through this Report as quickly as possible.

Ms. Margaret Zziwa (Uganda): Thank you Mr. Speaker, Sir. I want to take this opportunity first and foremost to thank the Government of Kenya, the Speaker of Kenya, National Parliament of Kenya and Members for their hospitality.

Secondly, I want to congratulate and thank hon. Abdul Karim with the Committee on Regional Affairs and the observer mission to Sudan for the good Report, which has enabled us to appreciate and understand fully the process and the exercise of the referendum in Southern Sudan.

Mr. Speaker, Sir, allow me to congratulate the people of Southern Sudan and the Government of Southern Sudan for enduring the long process of achieving self-governance which they were able to put into reality through the ballot. I want to express my appreciation and gratitude that the long aspiration of the people of Southern Sudan

was able to be exercised and put on record that they wish to be self governed. I want to say congratulations.

I noted two very important aspects. First and foremost I was privileged to be part of the preparatory team which visited Southern Sudan. I was able to appreciate that there was a lot of sensitization amongst the people. This actually evidently showed that the people were aware of what they wanted to do. I think we need to congratulate all the parties, which helped them in that preparation. Secondly, they were very aware of the Agreement, which had been signed, and the content therein. They were committed to seeing this Agreement implemented. I think we need to congratulate them again about that. even the areas where there were still complaints like the border issue in Abeyie amongst others there was a lot of patience exhibited both by the Government and the people even where there had been issues or instances of bombing they showed a lot of patience. Even in the instance of income sharing they showed patience. I wish to salute them because if they had reacted negatively may be the voting in the referendum would have been disturbed. So, we salute them for that.

I want also to mention that this Report has shown us that despite the difficulties which may have existed for example long journeys the voter turn up was very good. This shows the enthusiasm which the people of Southern Sudan have made. Now that the people of Southern Sudan have spoken, we salute them.

We wish them the best as they move in this very important period of the post-referendum. We want to pray that they manage the governance issues which follow the referendum and pray that they are able to take the country to great heights. More importantly, I want to say that at an appropriate time when they present their wish to join the EAC I want to call upon all of us to support them. They feel they want to belong to the EAC.

Thank you.

Mr. Gervase Akhaabi (Kenya): Mr. Speaker, Sir, I take this opportunity to again welcome all the Members of the EALA to Kenya. Again, add that as the President stated you are invited to visit Kenya after our meeting. Kenya has very many beautiful things to see and enjoy.

Mr. Speaker, Sir, on this Report I wish to thank the observer mission to Southern Sudan. They bring out the true historical perspective within which the CPA was entered into. With this historical perspective in mind and what the people of Southern Sudan have done from this referendum, it is an expression of the determination of a people to free themselves and remain free. We congratulate the people and Government of Southern Sudan and also congratulate the Government of Sudan under President Al Bashir for enabling this process to be concluded in a peaceful atmosphere.

Even as of yesterday, the Government of Sudan under President Al Bashir has expressed its full commitment to adhere to and respect the results of the referendum in Southern Sudan. We thank the Government and people of Sudan for this reaffirmation of this commitment.

Mr. Speaker, Sir, this Report concludes what many of us here in Kenya saw; the referendum process in Southern Sudan was conducted peacefully and in accordance with the legal instruments that the people of Sudan had agreed upon themselves. This is a manifestation of the willingness by the people of Southern Sudan to embrace democratic practices. We, as the people of East Africa and members of the EAC should give encouragement and help them nurture this democracy.

Mr. Speaker, Sir, it is not going to be easy for the people of Southern Sudan. As Hon. Zziwa has stated the people of Southern Sudan have expressed the interest to be part and parcel of EAC. This is not a simple matter. People of Southern Sudan and the people of East Africa are virtually the same people. If you look at northern Kenya, the Turkana and the northern eastern Uganda the Karamoja; these and the people of Southern Sudan especially in Bor and southern parts towards Ethiopia are the same people. You move a little towards the west, the areas bordering Acholi in Uganda, they are the same people. The people of Southern Sudan have lived with us in East Africa for a very long time. Many of the people of Southern Sudan some of whom have gone back do not know of any other home apart from their homes in Kenya and Uganda and partly in Ethiopia. So they are part of us. Therefore, I would request that in the recommendations that we make, we make an additional recommendation for the EAC to remain engaged in helping Southern Sudan to develop both economically and socially and to embrace democracy and democratic principles and practices so that it may gain its rightful place in community of nations.

We as EAC should help this country and make a recommendation that EAC participates effectively in helping them to be absorbed in the international community.

I beg to support.

The Speaker: Hon. Members, I am looking at Members who were not part of this Report.

The Assistant Minister for EAC Affairs, Mr. Peter Munya (Kenya): Mr. Speaker, Sir, I am standing to support this Report on behalf of the Council of Ministers. This is a Report of an observer mission. It is not controversial. It is very comprehensive. The Members did a very great job; I want to congratulate them for this very good work. It is our responsibility to have good neighbourliness with our neighbours and friends who live around us. One way of doing this is undertaking a diplomatic exercise like this when an important exercise is taking place in a neighbouring and friendly country to the East African people. This was a good thing.

The international community has supported the results of the referendum the outcome of which has already been announced. 99.9 per cent of the Southern Sudanese people voted for independence. This was expected. These are people who have suffered many years of oppression and war. They have fought determinedly to free themselves from shackles of oppression and marginalization. That struggle has come to fruition by this historic vote. This is a unique vote in the sense that most fight and win in a war for independence.

These once have fought and at the end of the day laid down their arms and voted for their independence.

It is also unique in the sense that this is also the second African country after Eritrea to split from another country. African countries have been averse to communities within themselves asking for independence. If you look at the former OAU Charter and even the current one discouraged cessation. It is understandable if it was encouraged we would create chaos in East Africa. If we encourage anybody who feel different from other people within their country to say they want to be independent you can imagine what kind of chaotic situation we would create in Africa. Southern Sudan case is very unique and that is why it has been given that exception to the general rules in international law and especially the regional African law. It is because of the history of Sudan. As the leader of the mission observed, Southern Sudan was never considered part of Sudan from the very beginning. It was just taken over. It was never legally incorporated under the Sudan.

They have been independent people operating on their own even when the colonial powers were operating there. Because of the brutality and differences in culture and religion in the two regions, it is on order that the Southern Sudanese take over their destiny and start growing their country.

We support this Report and closer cooperation between the soon to be independent county of Southern Sudan and the EAC.

Dr. George Nangale (Tanzania): Mr. Speaker, Sir, may I also take this opportunity to commend the Committee for the Report and the historical work done during this important activity in Southern Sudan. For some of us who were following the news in the media, particularly the Kenyan media; citizen and others, we were moved by the events and we are happy to learn that the process went peacefully. We are getting now that the majority of the voters voted for separation to establish a new nation. I hope that when the new country is celebrating *Uhuru* day the entire EALA will be there. I think plans can be made so that all of us do celebrate with our brothers and sisters.

Mr. Speaker, Sir, as a new nation we need to participate in providing both service and production services to our brothers and sisters. I will call upon East Africans to mobilize themselves and take the opportunity to support our brothers and sisters in Southern Sudan as they build their new nation. I am told that some East Africans are already there. I want to appeal to my fellow Tanzanians in particular to stand up and start looking for those opportunities in Southern Sudan. You know when our nations were being built during colonial days there was deliberate effort by people from outside Africa that is why we have a lot of Indians and Pakistanis in our countries. They came and took the advantage or opportunities. We are not going to Sudan for advantage; we are going to help our brothers and sisters.

Thank you.

Dr. Aman Kabourou (Tanzania): Thank you for this rear opportunity for the person who went to Southern Sudan three times. Actually I just wanted to stand and say that we should be careful when we think of the Southern Sudanese Government and the new nation in Africa. We should not be misled into believing that anyone either the Government of Southern Sudan has been a victim. I look at this as an African solution to African problems. These African problems had been created by the colonialist and the Africans have sat back and said, "Let us resolve these problems ourselves". That is why the whole process of CPA was undertaken in Kenya. The Sudanese came to Kenya, sat down and resolved their problems. Eventually the issue has been settled in a democratic way rather than continued fighting. To me this is very good. I am equally happy because Amani Forum was represented and we have learnt a lot.

One of the problems with Amani Forum is that it is being slowly squeezed out of the peace processes in the region. But their presence there became an encouragement to Africans trying to find solutions to African problems.

I looked at the revolt of Southern Sudan against the Sudanese Government has already been said by Hon. Munya, it is a revolt against Europeans who tried to impose something that was natural. Of course, it is interesting when we talk about this adherence to colonial borders. I do not like it very much myself because it seems like a double standard to me; in Europe we have seen more than 20 new nations created since the Second World War and it is all being done by referendum. I do not find this to be an anomaly at all, if people feel they do not belong and they can vote peacefully, I do not see any problem.

In that respect, I am one of the African people who think, the process could also continue.

I want to support Hon. Akhaabi's recommendation to be included in this recommendation; the EAC should look at the Southern Sudanese as a brother and be helped, technically, legally etcetera. We should continue to commit ourselves, as we have done, following up the referendum so that the Southern Sudanese would not find themselves in isolation from the international community.

Having said that, I want to ask the House to support this Motion and support it together with the amendments brought by Hon. Akhaabi.

The Speaker: Hon. Members, we are running out of time. I am sorry to say we have Questions and I know all the Members standing up are in the Committee. Therefore, I think your views have been taken up by the Report.

I only allowed Mheshimiwa Kabourou because he has been there three times and has lived the tales.

Mr. Harelimana: Mr. Speaker, Sir, I appreciate the contributions made by hon. Members; Zziwa, Akhaabi, Munya, Nangale and Kabourou, because they are supporting and want the Report to be adopted.

Hon. Akhaabi, supported by hon. Kabourou came in with additional recommendation that the WAC do take practical steps to assist Southern Sudan to be integrated socially,

economically and politically in the community of nations as a viable entity. I think that this recommendation can be taken.

I beg to move.

(Question put and agreed to)

Resolution adopted.

QUESTIONS FOR ORAL ANSWERS

QUESTION REF: EALA/PQ/OA/01/2011

Mr. Abdul Karim Harelimana (Rwanda) asked the Chairperson, Council of Ministers:

During its 12th Ordinary Meeting held at Ngurdoto Mount Lodge on December 3rd 2010, the Summit of the EAC Heads of State received a Report of the Council of Ministers regarding the finalization of the development of the EAC Anthem and approved “Wimbo wa Jumuiya ya Afrika Mashariki” as the EAC Anthem.

Could the Chairperson, Council of Ministers inform this august House:-

- (a) If there are any concerted efforts to popularize the anthem in the EAC Partner States?*
- (b) If there exists any legal requirements that necessitate the East African Legislative Assembly to enact a law which will enforce the anthem within the EAC Partner States?*

The Assistant Minister for EAC Affairs, Kenya (Mr. Peter Munya)(Ex-Officio): Mr. Speaker, Sir, I beg to reply.

(a) During the 12th Summit of East African Heads of State held on December 3rd 2010 the Summit approved *Wimbo wa Jumuiya ya Afrika Mashariki* as the East African Community anthem. In order to ensure that the anthem is popularized and becomes fully operational in all the East African partner States a comprehensive popularization programme for the anthem has been prepared by the secretariat and shall be presented to the Sectoral Council on the Education, Science and Technology, Culture and Sports for consideration and approval for implementation.

(b) Mr. Speaker, Sir, like in the case of all other symbols of the Community there is a legal necessity for the EALA to enact an appropriate law on the EAC Anthem. In this regard, a Bill is being prepared and will soon be introduced by the Council to this august House for the enactment of a law, which will guide the application of the EAC anthem within the EAC Partner States. The law will provide for the proper use of the anthem, create offences for its misuse or abuse and prescribe penalties for such misuse or abuse.

Ms. Dora Byamukama (Uganda): Mr. Speaker, Sir, this is a question I have raised on a number of occasions and I am glad my brother Abdul Karim has brought it up. I would like the Minister to be specific; what is the gist of this *Wimbo wa Jumuiya ya Afrika Mashariki*?

Secondly, how long will it take or when specifically will the law be brought so that we can start singing this anthem? I think sensitization is good but it should not take too long because I know for a fact that it is over three months since this was adopted. We do not want to wait any longer.

Mr. Munya: Mr. Speaker, Sir, I will start with the last question. The target is to present the programme and the law to the next Council for its approval and for it to be brought in the next sitting of this Assembly. That is the proposal.

The anthem embodies the aspirations of the East African people to unity to love one another, to interact with one another and all the aspirations as envisioned in the Treaty. That is what the song is all about. I would propose that you play the song in the next sitting so that Members can hear the melody and enjoy. They should start feeling that they are part of this new spirit that is being brought by the new anthem.

The Speaker: We were hoping that the Hon. Minister was going to sing it for us.

Mr. Reuben Oyondi (Kenya): Mr. Speaker, Sir, for the purpose of popularizing this EAC anthem, would the Minister undertake to inform the Council to pass on the message to the Heads of States that anytime their national anthems are played the song can also be played for the purpose of popularizing it?

Ms. Zziwa: Just a clarification; since now the anthem is finished to we need to have it laid on the table? Is there a requirement to gazette it? Could you kindly help us to appreciate what procedure we have to have it so that we are able to know when to start?

Mr. Munya: Mr. Speaker, Sir, on the last question that is what we are working on; on the law. It is an emblem of the EAC so of course we will have a law that will stipulate how to deal with an emblem. So I do not think laying it on the table is part of it but it could be. We are working on that law. I also undertake to see whether the other recommendations made can also be incorporated in the law. East Africa is run by law, so we can incorporate the recommendations that it should be sung when others are being sung, then it will be. We are working on the law that will be approved by the Council then brought to the Assembly. You can also have your input in the law once it is brought here.

Mr. Harelimana: Mr. Speaker, Sir, I thank the Members who have come up with supplementary questions because they are pertinent. I thank the Minister for the answer he has given. We are waiting to meet in Kigali to listen to it and maybe read its words which I am sure, as he has said, are as per the aspirations of the EAC people.

The Speaker: Next Question!

Question Ref:EALA/PQ/02/2011

Mr. Abdul Karim Harelimana (Rwanda) asked the Chairperson, Council of Ministers:-

Article 125(1) of the Treaty states that in order to promote the achievement of the objectives of the Community as set out in Article 5 of this Treaty particularly with respect to the promotion of peace, security and stability within, and good neighbourliness among the Partner States, and in accordance with Article 124 of this Treaty, the Partner States agree to closely cooperate in defense affairs.

Can the Chairperson, Council of Ministers inform this House:-

- (a) When (if at all) and to what level have the above named articles been implemented in light of the regional insecurity?
- (b) Why, despite a heavy presence of foreign navies in the Indian Ocean and the Gulf of Eden, piracy has increased and extended further south into the territorial waters of the EAC Partner States seriously impacting on the socio-economic livelihoods and security of the peoples of East Africa due to sky-rocketing of prices of goods shipped via Dar-es-Salaam and Mombasa ports as a result of high premium charged to ships cruising through the Indian Ocean waters?
- (c) What mechanisms or precautions have the EAC Partner States put in place to curb regional threats in the midst of destabilized neighbours like Somalia that has become an international problem, as the survival of EAC depends on the safety of its trade routes and that any problem within any EAC Partner State or its neighbour affects the entire region?

The Assistant Minister for EAC Affairs, Mr. Peter Munya (Kenya): Mr. Speaker, Sir, I beg to reply:-

(a)The Treaty provisions namely Article 5(1) and Article 5(3) (f) and Articles 124 and 125 of the Treaty have been implemented and continue to receive serious attention of the Council as well as the Summit. Indeed, even prior to the signing of the Treaty for the Establishment of the EAC the original EAC partner States had concluded a Memorandum of Understanding on cooperation defense on 30th April 1998. This MoU was reviewed into a context that was signed on 30th November 2001. The establishment of the defense liaison offices at the EAC secretariat in February 1999 was a result of that MoU. During the first ten years defense cooperation in the EAC has intensified through collaborative military training, joint military operations, technical assistance, exchange of military intelligence, military visits and annual sports and cultural activities. Of strategic have been the joint command posts and field training exercises which have rotated in the East African partner States and which have involved Rwanda and Burundi in the past two years following the entry into the Community of these partner States.

Join military and police operations have covered cattle rustling and rescue operations in the face of disasters. I should add that since last year, defense cooperation has been extend in areas such as combating HIV and Aids in the defense forces. In the light of

deepening cooperation in the defence sector the MoU is now being upgraded into a protocol. A draft protocol has been finalized and will be reviewed by the Sectoral Council of Legal and Judicial Affairs for legal input in March this year. Once this protocol is approved and ratified defence corporation is expected to move to a level where the cooperation of a mutual defence pact would subsequently be possible.

Mr. Speaker, Sir, it is important also to recognize that four of the five EAC partner States are part of the East African standby brigade. Tanzania is a member of the Southern Africa standby brigade. In the context of this situation there is ongoing thinking on the need to establish an EAC standby force. The ratification of the protocol will help to ship policy around these objectives.

(b) I wish to inform this august House that the piracy problem in the Western Seaboard of the Indian Ocean is well faced by the EAC leadership; political and military. It is also a subject of continuous attention at IGGAD and AU councils and summits. Evidently, the problem is huge and its negative impact on the East African economy is of serious concern. Suffice to state that there are efforts and measures in place to address the problem at regional and continental level. IGGAD is the focal REC charged with addressing this menace in the context of seeking an effective and lasting solution to the Somali political crisis. However, the EAC has also taken up the matter with a view to finding a collective approach in dealing with the piracy menace. In November last year the Chiefs of Defence Forces and Chiefs of Military Intelligence from the five East African partner States met in Zanzibar specifically to chart out ways and means of tackling piracy in the international waters of Kenya and Tanzania. The Report of that meeting was put before the last Summit that met in Ngurdoto, Arusha on 3rd December.

(c) The answer I have given previously has partly covered this part “c”. however, I may add that in the context of the Al Shabab terrorists attack and raids in the East African region and the enduring piracy threat, the EAC, IGGAD and AU are working closely with the international community to ensure that the shared economic and trade interests are not jeopardized. Following the Al Shabab tragic attacks in Kampala last year, the EAC Sectoral Council on Defence and the Sectoral Council on Inter-State Security have laid down measures leading to the establishment of much closer anti-terrorism corporation. In this regard, there have been a number of joint military, police and intelligence operations in the region directed at ensuring that terrorism is arrested.

As this Assembly also knows very well Uganda and Burundi Defence Forces are heavily involved as part of peace keeping forces in Somalia. Tanzania has also offered the Somalia Government support for training of the Somalia Police Force. Ultimately peace and stability in our region in the context of the Somalia instability rests in the final solution of the Somalia political impasse.

Mr. Harelimana: Mr. Speaker, Sir, I thank the Minister for the answer. However, I still have a few questions. I can see that the Chiefs of the Military Intelligence and so on, met in Zanzibar but do we know the core course of piracy itself? It started some few years ago. It did not start immediately with the problems of Somalia.

Secondly, can the Report which was submitted to the Council in Ngurdoto in December last year be laid on the table of the House so that we can know what is in it?

Mr. Munya: Mr. Speaker, Sir, pirates are criminals who operate in the sea. So if you ask me what causes criminality or what makes somebody to become a criminal those causes are known. I do not think there is any peculiar course for somebody to become a pirate or a bigger criminal and go to the sea if you have the instruments of operating in the sea. Of course, insecurity and collapse of Government in Somalia has contributed heavily to this piracy problems; because many of the operators are from that country without a Government. As I said in my answer, the ultimate solution to that problem will be the reestablishment of civil order in Somalia. That is what we need to concentrate on even as we struggle to deal with that problem the final solution is solving the problem of Somalia. As long as Somalia has no Government then all sorts of criminals have an heaven to operate from and will course insecurity within the East African region as they do through the Al Shabab and other terrorists and also in the sea.

This problem is not just an East African problem, they disrupt shipping lines in the Indian Ocean for the entire international community and international community is dealing with it. It is a problem for all of us who are involved in international trade. We are struggling to deal with it as I have explained. The international community is also struggling to deal with it.

Mr. Speaker, Sir, the Report tabled to the Summit cannot be released because the Summit is still ceased of it. It is a security report that can only be released if the Summit says so. We do not even access it. What we have is information that it is with the Summit and they are discussing it.

Major-General. Mugisha Muntu (Uganda): Mr. Speaker, Sir, considering the negative effects that piracy is causing to trade in East Africa region and the different countries that are participating in Somalia now; Uganda and Burundi have troops on the ground and Tanzania is going to train their police force. After such a long time of this Assembly raising this question and asking for a common approach on all issues of conflict around this region as East Africa, are we likely to see an establishment of a Somalia desk under EAC?

Consistent with Article 2(c) which talks about regional instability are we also likely to see an establishment of a Southern Sudanese desk and possibly a liaison office? Now that the referendum is over, we are likely to keep monitoring what could rise. This Assembly, if you go through the HANSARD---

The Speaker: Mheshimiwa ask your question, please!

Major-General. Muntu: If you go through the HANSARD this question has been raised over and over. We would like to get a common approach as EAC.

Mr. Munya: Mr. Speaker, Sir, Gen. Muntu's recommendation of establishing desks for Southern Sudan and Somalia at the EAC level will be considered. Suffice to say there is a common approach to the problem. I have elaborately explained how we are dealing with

the problem as a community. I have said the Somalia problem is being dealt with under the auspices of IGGAD which we are all members. I have said that our defence forces meet regularly to look at the common security challenges that are affecting us and need a common approach. I have already said that a protocol to give a common approach to our problem is already finalized. The answer is already given.

The Speaker: Are all our countries in IGGAD?

Mr. Harelimana: Mr. Speaker, Sir, I think Tanzania is not a member of the IGGAD and Rwanda also.

Anyway, I thank the Minister for the answers I think it is good to continue doing some research about this issue until we see our region becomes safe and peaceful. We should not allow these people to destabilize us not only on the waters but also on our land.

ADJOURNMENT

The Speaker: Hon. Members, we have come to the end of business to today. I now adjourn the House until, Thursday 3 February 2011 at 9.00 a.m.

Tomorrow, the Kenya National Assembly is sitting the whole day and so we are not meeting.

(The House rose at 12.00 p.m.)