



EAST AFRICAN COMMUNITY

IN THE EAST AFRICAN LEGISLATIVE ASSEMBLY (EALA)

Official Report of the Proceedings of the East African Legislative Assembly

44TH SITTING - SECOND ASSEMBLY: THIRD MEETING – SECOND SESSION

Thursday, 11 December 2008

(The East African Legislative Assembly met at 2.35 p.m. in the Chamber of the Parliament of the Republic of Uganda)

PRAYER

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

The House was called to order.

PAPERS

The following Papers were laid on the Table: -

by Ms. Dora Kanabahita Byamukama) (Uganda):

The Report of the House Business Committee on the Study Tour to the German Bundestaag and the European Parliament

by Mr. Dan Wandera Ogalo (Uganda):

The Report of the House Business Committee on the Study Tour of the Indian Parliament

QUESTIONS FOR ORAL ANSWER

Question for Oral Answer Reference: EALA/PQ/OA/18/2008.

Ms Lydia Wanyoto-Mutende (Uganda): Asked the Chairperson Council of Ministers of the EAC_

“The Treaty for the Establishment of the EAC provides that a Customs Union shall be the First stage in the process of economic integration. Therefore, the EAC regional integration commenced with the coming into being of the Customs Union, which has been in existence for over three years now. It has been stated by the Secretary General in various fora that the EAC Customs Union has been a major success and has boosted regional trade with benefits accruing to Partner States. Similarly, it is the precursor of the EAC Common Market and the other stages of integration.

Could the Chairperson of the Council of Ministers:

- a) give a full account of both the qualitative and quantitative trends in the evaluation of the Customs Union;*
- b) Inform the august House on the full implementation schedule up to 2010, the targeted date for a fully-fledged Customs Union, and state whether we are on track and where we want to go after 2010.”*

The Minister for EAC Affairs, Rwanda, and Chairperson, EAC Council of Ministers (Ms Monique Makaruliza): Mr. Speaker, during the questions for oral answer session of EALA on 10 December 2008 the following supplementary questions were raised from the floor of the House:

- 1) Whether Section 112 of the EAC Customs Management Act on preferential treatment of COMESA and SADC goods will apply after the expiry of its time frame after 31 December 2008;
- 2) What qualitative and quantitative trends are in the evaluation of the EAC Customs Union; and,
- 3) What measures and interventions are being made to address the non tariff barriers in EAC?

As I promised, I have prepared written answers that I will hand over to the Clerk.

The Speaker: Honourable Minister, I thought we were going to have both a written and oral answer. I thought there were specific questions asked that you were to reply.

Ms Makaruliza: Mr Speaker, on the first supplementary question, the initial provision on application of preferential treatment on COMESA and SADC goods was amended by EALA under the EAC Customs Management Act, 2008 – *(Interruption)-*

The Speaker: Hon. Members, the Minister could say something but she cannot read the answers. I think we need to give time for the power to come back. You could take your seat hon. Minister. I will suspend proceedings until the problem is rectified.

(The House was suspended at 2.45 p.m. on resumption at 3.20 p.m._)

Ms Makaruliza: Mr Speaker, the initial provision on application of preferential treatment on COMESA and SADC goods was amended by EALA under the EAC Customs Management Amendment Act, 2008. The amendment extended the period for the application of preferential treatment to 31 December 2008.

The threshold of 31 December had been considered adequate time for EAC as a block to develop and conclude trade arrangements with COMESA and SADC in order to address the challenges of multiple memberships of the Partner States in other regional economic communities (RECs). This would be in pursuit of the Summit decision of 2002 that EAC negotiates as a block in regional, multilateral and international trade arrangements. The EAC, COMESA and SADC have since 2006 been engaging in a tripartite framework where, among others, the issue of establishing trade arrangements is a priority.

This tripartite arrangement culminated into a Tripartite Summit in October 2008, where the heads of state pronounced that the three RECs would establish a Free Trade Area (FTA), and ultimately a customs union. The Summit accordingly gave directives on the process to be undertaken, leading to the formation of a free trade area, which means that there will be no tariffs on goods traded between EAC, COMESA and SADC, which falls in line with the provision under Section 112 of the EAC Customs Management Act.

As indicated earlier, the tripartite arrangement would provide a solution to the threshold under Section 112, which would be brought to the EALA for consideration and enactment.

Mr Speaker, as the discussions for a tripartite trade framework was being considered it was found necessary to preserve the preferential arrangement existing between the East African Community Partner States in COMESA and SADC to avoid trade disruption and the negative effect of reverting to the application of the EAC common external tariff rates.

A proposal to amend Section 112 of the EAC Customs Management Act was considered by a team of customs and legal experts in March and April 2008. The Sectoral Council on Trade, Industry, Finance and Investment considered and adopted the proposed amendment of the EAC Customs Management Act recommended by the experts in September 2008.

The Council of Ministers thereafter endorsed the Sectoral Council decision on the matter at its meeting held on 13 September 2008. The proposed amendments were deferred for final drafting by the Sectoral Council on Legal and Judicial Affairs, which is scheduled to meet on 18th January 2009, and thereafter, the amendment will be tabled before EALA for debate and enactment.

Mr Speaker, sir, given that the timing for the enactment for EALA will be after the threshold of 31 December 2008, and this may have negative effects to the long established trade between the Partner States and the member states of COMESA and

SADC respectively, the Council of Ministers, as an interim measure, decided to invoke Article 12 paragraph 3, together with Article 39 (c) of the Protocol establishing the Customs Union. Accordingly, the Council reviewed and approved measures on the application of the EAC Common External Tariffs under Article 12 paragraph 3, thereby staying the application of the common external tariff rates on COMESA and SADC goods up to the time when EALA will enact the amendment.

This means that the interim decision of the Council will apply until February, 2009, when the amendment is expected to be passed. It is also expected that the ongoing tripartite trade initiatives to establish a FTA with COMESA and SADC will have a legal institutional framework, which will complement the process of EAC establishing trade arrangements with other regional economic activities as a block.

On the second supplementary question, according to the EAC Trade Report, there has been significant increase in intra and extra EAC trade for the period since the Customs Union commenced. Similarly, investment flows and revenue collection have been registering positive growth. The intra trade amongst the three Partner States implementing the Customs Union registered an increase in trade over the period.

In 2007, the increase was 30 percent above that of 2004. A 22 per cent increase was registered in 2007 over that of 2006. Although Kenya maintains the biggest share of exports to the other Partner States, there has been a significant increase in exports from Tanzania and Uganda to Kenya. Uganda exports to Kenya increased from US\$14 Million in 2004 to US\$19 million in 2007, an increase of 64 percent. Similarly, Tanzanians export to Kenya has increased over the same period from US\$27 million to US\$100 million.

Over the same period, Kenya's exports to Uganda and Tanzania have increased from US\$ 472 million to US\$500 million, and from US\$228 million to US\$331 million respectively. This means that the level of trade deficit for Tanzania, Uganda and Kenya is narrowing.

Mr Speaker, revenue performance for all the five Partner States has been above target since the Customs Union commenced. Similarly, the year to year growth has been significant over the period. In 2007, the revenue growth was 33 percent for Uganda, 32 per cent for Kenya, 35 per cent for Tanzania, 12 percent for Rwanda and 4 per cent for Burundi.

Although the tax rates under the Customs Union were reduced or removed, the continued increase can be explained by the high turnover in business, and a regime conducive to trade created by the Customs Union. This is contrary to the fear expressed before the Customs Union that revenues would decline.

In the same regard, the investment flows in the region have been on a steady increase, with the biggest growth in terms of value being 245 per cent in 2006. This increase in investment project resulted into job creation with a significant increase of 30 percent in

2007. The increase in investment can partly be attributed to the predictability of the trade regime created by the Customs Union.

Mr Speaker, a comprehensive analysis and details of the trends in trade and investment are contained in the trade reports of 2005, 2006, and 2007, which will be availed to EALA by the Secretariat.

On the third supplementary question, the Partner States, under the EAC Protocol Establishing the Customs Union, undertook to remove the non tariff barriers (NTBs) and not to impose any new ones that hamper trade in the East African Community. The Council has accordingly, since 2005, been making policy decisions and interventions to address the various NTBs in the Community. Partner States regularly report cases of NTBs experienced in the region to the Council. This has drawn the attention of the Chairperson of the Summit who, on his initiative, commissioned an evaluation mission in the Northern Corridor.

In order to establish a strategic solution to the non tariff barriers, the Council adopted a mechanism for monitoring, reporting and addressing non tariff barriers. The mechanism establishes national monitoring committees, which have now been launched in all the five Partner States. The Secretariat has been conducting training of the committee's members since August 2008, and an operational framework has been agreed on.

The mechanism also categorises NTBs into clusters, which measure tries to address the same. A format for reporting NTBs by stakeholders has been developed and piloted. A regional monitoring committee has been established.

Due to the growing concern over cross border delays in the movement of goods, congestion at the ports and delays along the route, the Council has decided that a 24-hour working cycle be implemented at the ports and key border stations; road blocks along the transit route should be removed; the waiting of cargo along the transit route should be rationalised, and the business visa on persons transacting business across the borders should be removed.

In this regard, during the Council meeting held in September 2008, Partner States undertook to undertake the above measures. Rwanda and Uganda have removed the roadblocks on their routes, while Kenya and Tanzania have undertaken to do the same.

A 24-hour working cycle is operational at Mombasa, Malaba, Busia and Katuna. A team of EAC staff are currently undertaking an evaluation mission from Mombasa to Kigali by road to ascertain the implementation of the above decisions. A similar mission will be undertaken from Dar-es-Salaam and the northern border towns of Tanzania and Bujumbura. The Secretariat is also developing modalities which will uniformly apply in Partner States for the operationalisation of these measures, especially the 24-hour working arrangement.

In addition, an initiative to establish one-stop border posts has commenced to remove duplication and delays in cross border movements. The Partner States, in collaboration with the Secretariat, are working on improving the infrastructure of these border posts. A legal and institutional framework for the one-stop border posts is to be developed in 2009.

The inter connection of customs systems in 2009-2010 for all the five Partner States will further enable electronic exchange of information and enable advance cargo declaration and clearance prior to arrival of cargo. This project is expected to considerably reduce delays in the movement of cargo within the EAC. The Secretariat has developed customs regulations and harmonised customs forms in order to facilitate trade. Partner States, with the support of development partners, are undertaking special interventions to address infrastructure bottlenecks, which hamper trade. I thank you.

Mr Dan Wandera Ogalo (Uganda): Mr Speaker, I want to thank the Chairperson of the Council for the answer on the first question. However, there is a fundamental principle here on how we choose to do our work in the Community. It is necessary that we correct these measures and become a region which adheres to the law rather than a region which flaunts the law.

Before I put my supplementary question, I want to say that I am aware that the Council sat on the 22nd of October this year, and invoked Article 12(3) of the Protocol on the Establishment of the EAC as read with Articles 14(1), 14(3), 14(5) and 16 of the Treaty. Unfortunately, in reaching that decision, the Council decided to take over the role of this Assembly. That to me is a very dangerous thing to do when we are trying to create a region which respects the rule of law.

The Minister has referred to Article 12(3) which reads: *“The Council may review the common external tariff and approve measures designed to remedy any adverse effects which any of the Partner States might experience by reason of implementation of this part of the protocol, or in exceptional circumstances, to safeguard the Community interests.”*

Mr Speaker, this Article 12(3) of the Protocol for the Establishment of the East African Customs Union is in two parts; the first part states that the council may review the common external tariff structure. The operative words are “the external tariff structure”. That external tariff structure is to found in Article 12(1), which reads: *“The Partner States hereby establish a three band common external tariff with a minimum of 0 percent, a middle rate of 10 percent and a maximum of 25 percent.”* In other words, in order to make Article 12(3) applicable, the Council would be reviewing that structure in Article 12(1), which is not what they did.

In the second part of Article 12(3), which reads: *“and approve measures designed to remedy any adverse effects which any of the Partner States may experience by reason of implementation of this part of the protocol”*, the operative words are “this part of the protocol”. In other words, you have to go back and look at all that is under part (d) of the protocol. Part (d) of the protocol provides for the tariffs between the countries and how

they would be progressively reduced. For example part 4 requires that goods from the Republic of Kenya into Uganda would go from 10 percent in the first year, 8 percent in the second year up to 0 percent. So, it is this article which the Council can review and put in measures in order not to have adverse effects on the Partner States.

The next matter which the Chairperson of the Council has dealt with is Article 39(c) of the Customs Union Protocol. 39 (c) reads: *“The customs law of the Community shall consist of the relevant provisions of the Treaty, this protocol, regulations and directives made by the Council, applicable decisions of the Court, and Acts of the Community by the Legislative Assembly.”*

What we are considering here is an Act of the Assembly. That is what the Council is staying, and apparently, it is staying it by reasons of 1(c) which provides for regulations and directives of the Council. This therefore means that the Council can effectively amend an Act of the Assembly by directive. This does not make sense.

Once we have chosen the laws as they are put here, the Council cannot come and say, now for us we are making directives to stop an Act of the Assembly. With due respect, I don't know how that could have crossed anybody's mind. There could be a conflict between the Treaty and the law, but what we have here is not a conflict between the Treaty and the law. Unfortunately, it is a conflict between the law and the directive that the Council is going to keep. That to me is very perturbing.

The Chairperson of the Council also referred to Article 42(2). Mr Speaker, there are two methods provided by the Treaty on how we shall do our work. There are Treaty amendments or protocols under Article 150 and there are the Acts of the Assembly under Article 49. These are two different methods of doing work. Once we go into making a law under Section 112 of the Customs Management Act, there is no way to mix it up with the powers of amending protocols under Article 150. Once we do that under Article 49, which provides for the powers of the Assembly to make laws, the only way is to amend.

Early this year, the Council of Ministers came to the Assembly and the Assembly amended. Why they would now not follow that method and decide to suspend the operation of an Act of the Assembly beats my understanding. *(Interjection)*

The Minister, East African Community Affairs, Kenya (Mr Jaffah Kingi): Mr Speaker, on a point of order, under Parliamentary procedure, once a question has been answered by the Chairperson of the Council, it is up to the member, if he deems it fit to ask a further supplementary question, to do so. What the member is currently doing is to give a lecture. He rose to ask a supplementary question, which he has not posed yet. What is the member's question so that the Chairperson can answer?

According to Rule 17 (4), a question shall not be made in the pretext of a debate. Certainly that is what the member is doing, so he is out of order. *(Laughter)*

The Speaker: Honourable Minister, you cannot rule whether he was out of order or not. *(Laughter)* But I want to say that the Minister quoted some Articles of the Treaty what the member is doing is not debating but just explaining what those Articles are because the Minister did not read out those articles, and I don't think they can remember them. So, he is just pointing out what those articles are before he puts a question. Honourable Ogalo, you may continue but put your question.

Mr Ogalo: Thank you for the very wise ruling, Mr Speaker. My first question to the Council - since the Council seems to want the question, I will now ask them. The first question is, does the Council of Ministers think that it is within the rule of law to take over the powers of the Assembly and amend an Act of Parliament by their directive?

Secondly, the Minister quoted Article 16 of the Treaty. It reads, *"Subject to the provisions of this Treaty, the regulations, directives and decisions of the Council taken or given in pursuance of the provisions of this Treaty shall be binding on the Partner States, on all organs and institutions of the Community other than the Summit, the Court and the Assembly within their jurisdictions."*

In view of the fact that the East African Court of Justice, in the *Case Reference 1 of 2005: Mwatela vs. the Secretary General* in which the Court said that the Council has no right to give directives to the Assembly, does the Council of Ministers believe that by giving us these directives in this case they are complying with the decision of the five Judges of the East African Court of Justice?

The third question is that the Chairperson cited Article 14, which provides for the functions of the Council. 14(1) states that *"the Council shall be the policy organ of the Community"*. 14(3) (d) reads: *"For the purpose of paragraph (1) of this Article, the Council shall, subject to this Treaty, give directions to the Partner States and to all organs and institutions of the Community other than the Summit, the Court and the Assembly"*. This Assembly already made its decision by an Act of Parliament, is the Council comfortable that they can give us a directive in view of this provision?

Lastly, Rule 62(1) of our Rules of Procedure reads: *"Where the House determines on a motion by any member that a particular Bill is of an urgent nature, the Bill may be introduced without publication."*

62(2) reads: *"Copies of the Bill referred to in sub rule (1) shall be distributed to members and the Bill may be taken through all the stages in one day, notwithstanding anything in these rules."*

The question I have here, from the answer of the Minister is, when the law expires, like in the case of SADC and COMESA, on the 31st December 2008, and the Minister, in his answer, said that the law will be brought to the Assembly in February, such that in between January and February before we pass that amendment there will be a vacuum, does the Council of Ministers believe that they could take advantage of this provision and within one day actually amend this law without breaking the law?

Ms Mukaruliza: Mr Speaker, the Council is well aware of the mandate of the East African Legislative Assembly to enact and amend the Acts of the Community. The amendment has already been proposed and will be tabled before EALA. The review which the Council has invoked is in respect of the EAC common external tariff. The amendment of Section 11(2) is to be brought to this House for amendment at the next session. In the circumstances, the Council deemed it necessary to take interim measures.

The Speaker: I do not know whether you answered that question. You say ‘interim measures’, but on what? I think the Member asked you three questions on whether the Council has the right to give a directive. He was very clear on the Council directives, using Article 12 of the Protocol and Articles 14 and 16 of the Treaty. Is the Council mandated to do those things? I think the Counsel to the Community, who seated next to you, can help you. I wish you could do the same for the House, but continue. *(Laughter)(Interjection)*

Mr Oyondi: My point of order is based on Rule 21(3) of our Rules of procedure, which says: *“The Chairman or any other member of the Council of Ministers shall ensure that questions are fully answered to the satisfaction of the member, and that the answers are concise and relevant to the subject of the question.”*

For the last few days I have been in this Assembly, I have seen the Chairperson grilled left right and centre while the other ministers are seated, possibly laughing, though I cannot say that we could hear them, when the chairperson is being grilled. Mr Speaker, may I suggest that the Chairperson allocates questions to these ministers, and let them also struggle and get answers? When shall we hear them talk?

The Speaker: Hon. Oyondi, I think that is why the Minister from Kenya is rising to answer the questions. I think she did not answer to our satisfaction and that is why he is going to answer. And if you look at Rule 21 (1), the Chairperson can also request the other ministers to say something if they so wish. *(Applause)*

Mr Kingi: Mr Speaker, I arise not to answer the question posed, but just to agree with the member who has referred us to Rule 21(3). In fact, yesterday I was seated here and I consulted with the Counsel to the Community -because I wanted to contribute to the answering of questions- as to whether we can relax with one so that we can be given an opportunity to chip in to the answers being given by Chairperson of the Council. It is not that we are just seated here, inside us we are willing to give answers but it is only that we have to speak through our Chairperson. We have to give the Chair due respect, and it is only when the Chair requests for our help that we will gladly be able to answer the questions.

The Speaker: Hon. Oyondi, they are not just seated there. (*Laughter*)

Ms Mukaruliza: Mr Speaker, the Council has taken note of the concern of hon. Ogalo. The Council has not taken over the power of the Assembly, and has no right to give directives to the Assembly. I regret the anomalies which have happened, but that will be rectified with the tabling of the amendment to this House in its next session.

The Speaker: I think another question that was asked was whether you are going to call an immediate session before the 30th or 31st of December to rectify this anomaly, and what you are going to do between January and the end of February? What happens between now and the next session of the Assembly in February?

Ms Byamukama: Mr Speaker, I just want to add that we have a problem because we have an Act, the East African Community Customs Management Act, 2004, which has a timeline, and because of that, if by 31st December 2008 the Partner States have not complied, they will be in breach of this very Act to which they assented, and also in breach of the Treaty, which they signed, and which may actually call for action.

So, what do we do with this imminent breach? Do we let it lie, or is this the time for the Council of Ministers to act in accordance with Article 143, which provides for sanctions? Mr Speaker, this is not the first time that we are having a breach; we have had a breach when it comes to the remittance of funds to the EAC, and this trend of breaching what we have agreed to do will continue unless action is taken. So, we are asking, what do we do with this breach?

Mr Mike Sebalu (Uganda): Mr Speaker, in the answer we were told that what is provided are interim measures, but in my understanding, even interim measures must satisfy the requirements of the law. So, are these interim measures legally binding if they do not conform to the requirements of the law?

Ms Hajabakiga: I wonder whether the Counsel to the Community cannot advise this Assembly on the matter under discussion.

The Speaker: It is the Chairperson of the Council of Ministers to answer the question, but the Counsel to the Community can advise her from where she is.

Mr Kingi: I will attempt to answer.

The Speaker: So have we relapsed from Rule 21(1)?

Mr Kingi: I thought we just agreed that any minister can chip in. Let me give a general view of the relationship between the organs. Under the separation of powers, we have the legislature, which is represented here by EALA, and the judiciary, which is the East African Court of Justice. Of course, if there are any excesses committed by one of the organs, the other should be there to correct it. If we need any judicial intervention, we rush to the Court; if we need any ratification by way of legislation, we come to EALA. So, I believe the breaches that have been cited by the member are not bigger than all of

us; we can be able to address them. And what I advise as a way forward, let us come up with a list of those breaches or those excesses by the Council that the member is stating so that we can maybe immediately have a committee composed of representatives of EALA and of the Council to see to it that these breaches are addressed immediately, other than waiting until February – *(Applause)*.

The Speaker: I think the House likes what you are saying, and that is the way forward. *(Applause)*

Ms Wanyoto: I would like to inform hon. Kingi that these excesses have been committed before, and this is just a repeat of a breach of the law. This Assembly has been to Court over the excesses of the Council, and a breach of the law is one of them. The ruling of the Court was very clear, and it is available. That is why we are asking what happens between now and the end of the year because you have breached the laws before, and we have gone to court over the matter. The Council should know that there was a whole list of issues that the Assembly had failed to negotiate with Council in the past, and it took the East African Court of Justice to resolve the impasse. This is just a repeat.

The Speaker: Honourable Members, I would like to add that this is a new Council. It is new face, a younger face. It is a face that keeps its worth, and I hope it will keep its worth on this one. So, I think we can look for a way forward for the EAC by solving this matter. The Council sees that there is a problem, so let us see how we can solve this problem together. *(Applause)*

Mr Mwinyi: Mr Speaker, further to your comment on the matter, I would wish to propose to the House that as the matter was known to all parties -the dates were clear- a motion for an amendment could have been brought in good time. I want to propose that a select committee be set up, made up of Members of the Assembly, to investigate the reasons as to why the Council has put this Assembly into this predicament.

The Speaker: That is a proposal; we will look at it. I do not think there is any question to this. You have heard what the Minister has said, he will see how to rectify it and so we should move forward. I think we can ask the next question - *(Ms Wanyoto rose_)*

The Speaker: Is it on the same thing? You asked the question; maybe you have something to say.

Ms Wanyoto: Mr Speaker, I had a supplementary question to the previous question and I did not hear from the minister's answer any mention of progress in the institutional convergence in the implementation of the Customs Union.

Mr Speaker, as you all know, every border post of the Partner States has about four offices: the revenue authorities; the bureau of standards, the veterinary associations and other related associations; and they also have customs and immigration. The purpose of giving the 2005-2010 space for the full implementation of the Customs Union was meant

to create institutional convergence of these institutions in our Partner States to enable them facilitate trade in terms of speed, and also in terms of efficiency.

In the past few months, we have seen a lot of fights on the borders of our Partner States, in the press, for example when milk from Tanzania could not cross to Kenya because the bureau of standards from Kenya had refused it; and when the grain from Tanzania could not get into Kenya or the reverse; or when the chicks from Kenya could not come to Uganda. And there has been glaring silence from the Council of Ministers and also from Arusha.

As members of this Assembly, we have been having difficulty to explain the implementation of the Customs Union in terms of institutional convergence, which would ensure that the internal trade works within the Customs Union framework. I did not hear any growth in terms of institutional convergence, which would definitely ease trade in terms of fresh foods, in terms of the examples I have given, and in terms of the in-fights we see in the press at the borders, and also in terms of the glaring silence from the Council of Ministers on internal trade.

Another thing that I did not hear mentioned in this implementation phase, Mr Speaker, is the issue of progressive commitments in policy statements. I have had the opportunity to read through policy statements in many of our Partner States. In the last financial year, we took off time to get these documents, but we did not see special provisions for areas that would facilitate trade on our borders. I want to give two quick examples; one is the issues of scanners.

You may want to say that borders are open for 24 hours, but if they do not have scanners and infrastructure in terms of management at the borders, then we will not achieve what we want to achieve because, at the end of the day, the delays will still be there because, whether it is on the green channel or the red channel, goods are offloaded one, by one from the trucks, and you have between 50 - 100 trucks at the border post at any one time, and the managers, the officials of the immigration and customs, have not been facilitated in terms of scanners and other systems that are supposed to help them quicken the process.

I think, apart from Kenya, Uganda and Tanzania -I did not see the one of Rwanda- there is still no specific facilitation towards easing the checking of goods across the borders in terms of the paper work. Even the faces of the border posts are still as traditional and archaic as ever. There are still delays, although we want to welcome the directive of the Kenyan Government for their border posts to operate for 24 hours. I have not seen it work on the Ugandan side, and I come from the border area.

Ms Makaruliza: Mr Speaker, we appreciate the concern of hon. Wanyoto, but the same concern has been taken into consideration by the Council in setting up a team of experts from the five Partner States to undertake an evaluation mission of the implementation of the Customs Union, and so comprehensive report will be availed to this august House.

The Speaker: I think the Minister has had enough heat today. Maybe she will give the documents that you want.

Question for Oral Answer Reference: EALA/PQ/OA/21/2008.

Ms Lydia Wanyoto (Uganda): Asked the Chairperson, Council of Ministers_

“Among other benefits of the integration is the equitable distribution of resources and sharing of common services like education:

- a) Is the Chairperson of the Council of Ministers aware that discrimination is widespread in the enjoyment of common services?*
- b) Is the Chairperson of the Council of Ministers further aware that discrimination in the education sector is widespread, especially in the structure of fees on the account of one Partner State treating students from other Partner States as foreign students and therefore subjecting them to higher fee structures?*
- c) What is the Council of Ministers doing to reverse this trend?”*

Ms Makaruliza: Mr Speaker, the Council of Ministers is aware of some discrimination in the enjoyment of common services like education at different levels. Discrimination runs contrary to the spirit of integration and the ideals enshrined in the Treaty. To this extent, the Council of Ministers has decided that Partner States should harmonise fee structures and related requirements at the different universities and tertiary institutions and other levels of education.

The Fifth Sectoral Council on Education, Science and Technology; Culture and Sports sitting in Arusha in May 2008 noted that whereas the Council of Ministers under Council Decision EAC/CM/9 decision number 48, had adopted the recommendation of the governing board of the Inter University Council of East Africa that the East African students attending a university in a Partner State university other than their own be charged the same fees as the locals, has not been adhered to by some universities that continue to charge fees discriminatively. The Sectoral Council on Education Culture and Sports will closely and systematically follow up on the Council decision in this matter. Furthermore, the Inter University Council for East Africa, in discharging its functions of coordinating higher education, is following up this matter with a view to reversing the discriminatory trends in the sharing of educational resources.

Mr Speaker, this matter is also one of the issues being addressed in the ongoing negotiations on the draft EAC Common Market Protocol. It has a bearing on key features of the Common Market. The finalization and subsequent implementation of the Common Market will effectively reverse this trend on sharing of common services in education and other sectors. The harmonization of the education systems and training curricula that is being conducted will address the issues that pertain to anything impinging on the discrimination in the provision of educational rights from pre-primary to university level.

Ms Wanyoto: Mr Speaker, I would like to thank the Chairperson, Council of Ministers for the response she has given to my question. I have one supplementary question. While

we are in the process of harmonizing and working on issues of the education sector in the East African integration process in respect to the Common Market negotiations, I would like to know what mechanisms and arrangements the Council of Ministers has put in place in the mean time to avoid such occurrences like the one that happened at Makerere University recently, where students from one of the Partner States, the Republic of Kenya, went on a strike in respect of fee structures? What mechanisms are in place so that we avoid future disruptions of this nature?

Ms Makaruliza: Mr Speaker, decisions have been taken by the Council, but now the Council will urge the Sectoral Council on Education to make a follow up on the implementation of all the decisions taken in this matter.

Mr Bernard Mulengani (Uganda): Mr Speaker, arising from the answer given, I want the Minister to inform this House on the manner in which the harmonization is going to be done. Is the harmonization going to be based on the fee structures in the Partner States, or is it going to be done regionally so that all universities in the region charge the same fees?

Secondly, arising out of the harmonisation of the fee structures, there is a salient issue regarding subsidies given to students by the different Partner States. Is the Council also considering harmonising the subsidies that the various Partner States are giving to their students?

Mr Abdullah Mwinyi (Tanzania): Mr Speaker, in reaction to the supplementary question from hon. Mulengani, I would like to put some light by giving the current situation.

A group of experts on education matters from the Partner States have put in place a plan and drawn a roadmap for the conduct of a study on the modernization of the education systems and training curricular in the Partner States. One of the functions of the study is to address discrimination and other barriers currently experienced in the education systems. We are also going to support the sensitisation of the local community on the process of modernization, and how the new system, when adopted, will be exhibited for the benefit of all.

The Speaker: Honourable Member, I think the Minister has already answered your question; I think she answered your question in the first answer when she said that the Council has urged the Partner States to charge all students similar fees.

In essence, it is not a question of a regional fees structure; it is from Partner State to Partner State. These are the issues she said the Sectoral Council is going to discuss. Let us go to the next question.

Question for Oral Answer Reference: EALA/PQ/OA/22/2008

Ms Lydia Wanyoto (Uganda): Asked the Chairperson, Council of Ministers_

“The Assembly takes special recognition of the institutional development of the EAC. Over the years, it has played a crucial role in enacting the necessary laws for the furtherance of the integration process, as well as passing several motions to give EAC organs and institutions special status. Towards that end, this Assembly, in February 2008, debated and passed a motion for a resolution of the Assembly urging the EAC Council of Ministers to upgrade the positions of the Clerk, the Counsel to the Community and the Registrar of the East African Court of Justice to executive level in the structure of the EAC. Could the Chairperson of the Council inform the august House of the progress made to date to operationalise that resolution of the Assembly?”

The Chairperson, Council of Ministers (Ms Monique Makaruliza): Mr Speaker, the resolution urging the Council to upgrade the positions of the Clerk of the EALA, the Counsel to the Community and the Registrar of the East African Court of Justice to executive level within the institutional framework of the Community was brought to the attention of the Council during the Council’s 15th Ordinary meeting held on 17th-18th March 2008. The Council appreciated the importance and responsibilities which these offices carry, pursuant to the provisions of the Articles 48, 69 and 45 of the Treaty respectively. For example, the office of the Counsel to the Community is the office from which all organs and institutions of the EAC get legal advice, and it carries crucial responsibilities, as far as our institutional development is concerned.

Mr Speaker, the Council considered and debated these policy matters and noted that the pursuit of this resolution to a logical conclusion at this point in time would be tantamount to a review of the current organisational structure, which is contrary to the directive made by the heads of state at their 5th Summit held in Kampala on 20th June 2007, against reviewing the structure of the East African Community. The Council therefore deferred any development aimed at upgrading any positions within the current structure until a review is conducted across board through an objective job evaluation exercise, and directed the Secretariat to undertake such a review and submit a report. The Council has directed the Secretariat to expedite this process.

Mr Speaker, the Secretariat has embarked on a review of the structure to address this matter and other aspects of institutional development, largely associated with the admission of the Republic of Rwanda and the Republic of Burundi. The issue will be further pursued in the context of a general review of the staffing structure in terms of levels, job descriptions, growing demands and responsibilities.

Ms Wanyoto: Mr Speaker, I have two issues to discuss, but before I do that, I would like to say that the Minister’s response does not answer my question, because the gist of the resolution on these three offices was based on a big anomaly that was identified in the structure. There is a big anomaly that cannot wait for the formal overhauling of the structures of the Community. It cannot even wait for the negotiations on the Common Market. I would therefore like to request the Chairperson of the Council of Ministers to revisit the resolution and give this august House a relevant and appropriate answer.

Ms Dora Byamukama (Uganda): Mr Speaker, I would like to pose a supplementary question, and this is in line with our working methods. When this august House passed that resolution, we had the Council of Ministers present. It would have been prudent, at that particular time, for them to have informed us that this should await the restructuring of the Secretariat. So, for the Council of Ministers to come back and talk about the restructuring process of the Secretariat after a motion of the House has been passed does not augur well for our working methods. So, I would like to hear, more concisely, from the Council of Ministers, whether they did not have this information, because they were party to this particular resolution.

Mr Mulengani: Mr Speaker, I rise to give information to the Minister. As you rightly said, these are new ministers and the faces are new, so it is possible that there is some information that they do not know.

I am privileged to be on the Committee on General Purpose, where we established that whenever issues concerning the other two organs of the Community, namely the Assembly and the East African Court of Justice, are brought up, the point of the formal procedures of handling issues, is advanced. The information that I want to give is that the General Purposes Committee found out that the Sectoral Council of Ministers in charge of Security sat and passed a communiqué to form a body on peace and early warning, which was created and put under the Deputy Secretary General in Charge of Political Federation. They went further to form other bodies to the level of directorates. Why is it that when the Assembly and the East African Court of Justice ask for particular offices to be put at those levels they are always told to wait for the restructuring to come into place?

The Information I am giving the Minister is that it is possible to create such bodies and offices in the Secretariat without waiting for restructuring, but it is not possible for other organs. Why is it so?

The Speaker: Was that information or a question at the end? (*Interjection*) - Honourable Member, I think you have given them too much information. Can you let the Minister first digest that?

Ms Wanyoto: I thank you, Mr Speaker, for your indulgence. I also want to give further information that as recently as a few weeks ago in the Munyonyo Summit of the EAC Heads of State; a new office of Deputy Secretary General was created. It did not wait for the restructuring, so we cannot accept that answer.

Mr Gervase Akhaabi (Kenya): Mr Speaker, as the Chairperson of the Council of Ministers and her team are conferring, could they consider what hon. Kingi has said that there are three arms, so to say, of the East African Community: the executive, the legislature and the judiciary. And considering that the Secretary General is the administrative head of the Secretariat, the Registrar of the East African Court of Justice is the administrative head of the judiciary, and the Clerk of the Assembly is the administrative head of the legislature, could the Minister tell this Assembly whether it is in order for the administrative head of the legislature and the administrative head of the

judiciary to be subordinate by three or four ranks to the administrative head of the Secretariat?

Ms Makaruliza: Mr Speaker, we found this matter very pertinent, and as Council, we will look at it in view of implementing the resolution, which has been passed by this House. *(Applause)*

MOTION FOR A RESOLUTION OF THE ASSEMBLY

Ms Dora Byamukama (Uganda): Mr Speaker, pursuant to Article 59 of the Treaty and Rule 26 (1) of the Rules of Procedure of the Assembly, I beg to move that this Assembly do resolve to urge the Partner States for a peaceful resolution of the conflict in the eastern Democratic Republic of Congo. I beg to move.

Dr. Aman Kabourou (Tanzania): Seconded.

Ms Byamukama: Mr Speaker_

“WHEREAS under Article 5(3)(f) of the Treaty for the Establishment of the East African Community, the Partner States have agreed to cooperate in the promotion of peace, security and stability within, and good neighbourliness among the Partner States; and,

WHEREAS in view of Article 124(1) of the Treaty the Partner States have agreed that peace and security are a prerequisites to social and economic development within the Community and vital to the achievement of the objectives of the Community,

IN THIS REGARD the Partner States agree to foster and maintain an atmosphere that is conducive to peace and security through cooperation and consultations with a view to prevention, better management and the resolution of disputes and conflicts between them; and,

WHEREAS the Partner States have agreed and undertaken to plan and direct their policies and cooperate, among others, in matters of defence, security and legal and judicial affairs for their mutual benefit,

RECOGNISING that an estimated 250,000 civilians in the DRC have fled their homes and are living in desperate conditions in some countries of the East African Community following the latest outbreak of violence in the eastern part of the country, which has a direct and indirect impact on the economic and social development of the entire Community with serious peace and stability implications within and beyond the Community;

CONSIDERING that the estimated 250,000 civilian refugees will join the more than 1 million already displaced in the region, raising fears of another humanitarian disaster and the grave consequences it may have on the economic development, peace and security and social stability of the region; and,

CONSIDERING further that the DRC government has accused some of the East African Partner States of backing the rebels located in the Eastern Congo;

NOW THEREFORE, this Assembly do resolve to_

- 1. Urge for a peaceful resolution of the conflict and commend and support the current peace process for Eastern Congo being negotiated by the United Nations Special envoy H.E Obasanjo, H.E Mkapa and the EAC Partner States;*
- 2. Urge the governments of the East African Community Partner States to adopt a common mechanism to address this problem and any other issues with the potential to disrupt the peace and security of the region;*
- 3. Urge the Government of Uganda, which recently secured a temporary seat on the UN Security Council, to relay the concerns of the East African Community,*
- 4. Request the Council of Ministers to provide quarterly reports to the Assembly on action taken in respect of this resolution.”*

I beg to move.

The Speaker: Honourable members, the proposal on the floor is that this Assembly do resolve to urge the Partner States for a peaceful resolution of the conflict in Eastern DRC Congo. The debate is open.

Dr Aman Kabourou (Tanzania): Mr Speaker, the issue of the Democratic Republic of Congo (DRC) is truly very touching to most of us because it is a humanitarian problem there in that, although only 200,000 people have been mentioned to be suffering under this most recent upsurge in the fighting, more than 200,000 people are actually suffering, and this is because some of them - or even most of them, we could say - do not come to refugee centres. They hide in the forests, and so it is very difficult to know exactly how many people are being affected. Nonetheless, it has no relevance, because, why are they suffering?

They are suffering because right now in the Congo there are more than 20 fighting armies; anything from the *Mai Mai* to Nkunda to the government army. Everybody who wants to fight – (*Interjection*) - and the LRA (the Lords Resistance Army) are there. So, everybody just takes a chunk of the Congo and they fight for it, and the ordinary people suffer a lot because of these malicious intents.

What we have in the neighbouring state of Congo is almost tantamount to fiefdoms. Somebody just grabs a piece of the territory, declares it his or her own territory and proceeds through. Twenty armies fighting in the same country at the same time for different reasons simply defies logic! You can ask why they are fighting: Some are stealing minerals, some are there to destabilise the government, and some are there to just rape people. I went to Bukavu and there are whole hospitals dedicated to caring for these women who have been raped, and they are in the thousands. I saw this with my own eyes; it is very hard to believe what is going on in the Congo.

Now, unfortunately for us in the EAC, the DRC borders four of our Partner States: Burundi, Tanzania, Rwanda and Uganda. This must be a concern to all of us because every time there is an eruption in the Congo, we end up taking care of the people who flee their country, and this is very difficult.

The people are displaced, and they do not have any idea what to do so they simply sit there and wait. And as neighbouring countries to the DRC, what are we supposed to do? Should we just sit back and wait for these people to finish one another or should we engage with all the forces? As hon. Byamukama has said, two of our Partner States have been accused of engaging in the war sites in the Congo. We do have a moral obligation, therefore, to say, and not only to our Partner States but also to the Congo government itself, to find a peaceful settlement of the conflict. *(Applause)*

I personally come from close to the Congo -we are just separated by about 50 km of water- and every time there has been a war, we have been getting refugees in Kigoma since 1964 - Kabila himself lived in Kigoma for 30 years - and it is very destructive. To date we still have refugee camps in Kigoma and Kagera; we have thousands of the Congolese staying there, not knowing what to do. It really concerns me that we could just sit back and say let us wait until the things settle down. I do not think they will ever settle down as long as the Congo is an attractive place for many reasons for thieves, and for those who want to have their own fiefdoms. All of them just go there. And, certainly, if there is anything we can say about the Congo, it is that this is a failed state. And if this is a failed state, it requires all of us to intervene to see what we can do.

I know that the Congo is a sad story because the creation of the Congo itself was almost like a joke. The Europeans go to Berlin, they sit and they say, "Africa has a lot of resources, we should divide up Africa and exploit the resources." So, the British take their part in East Africa, the Germans take their part wherever they want, the French certainly take a huge chunk, and we are told there will be a state called the Congo Free State, which was given to King Leopold, as a non governmental administrator; not even a nation. Not until 1907 did the Americans and the British decide that they should take the colony from Leopold and give it to the government of Belgium. And why did the Americans do this; why did they want a free state and choose to give it to this philanthropist called Leopold, King of the Belgians, a country which itself existed under international agreements? Belgium didn't have an army, it had nothing in particular and was simply a nation established by international agreements, and yet they gave them one of the biggest areas in Africa. That was because the big powers wanted to come and exploit the resources of this Congo Free State!

Now, we can talk about the Katanga region, Northern Zambia etcetera. If you look into history, as far back as 1900, the biggest investor in the Congo has been and still is the United States; not even Belgium. And because of that, they have destabilised the whole region -the so called Great Lakes region- and now we just see puppets jumping up and down, fighting over whatever was left by the colonialists.

My own perception is that -and I have said this even to the Congolese - maybe it is time now for the Africans to sit down and ask themselves whether the Congo is really a country. Why not divide up this territory into several countries and maybe that way they can find a way to rule themselves sensibly; why not?

If you listen to all these internationalists, they will tell you. The Congo is as big as the whole of Western Europe, and yet we have 26 nations in Western Europe and only one so called Congo people, ruled from Kinshasa! They do not even speak the same languages as those people in Katanga or in Northern Congo, and yet they claim to be one nation, and we are sitting here wondering why they are fighting all the time? They will have to fight.

I am sorry about what is going on in the Congo, I want and wish for our East African Community to get involved, if for no other reason than for the fact that we border the Congo – four of our partner states are neighbours of the DRC - and that whatever happens in the Congo constantly affects our welfare. We spend a lot of money taking care of these refugees and we even get a lot of trouble from those who have no purpose in life. Once they have been disrupted in their former lives, they come to Tanzania, Rwanda, Uganda or Burundi and they do not respect our rules or laws; they do what they want because they do not feel obligated to abide by these rules and laws, and this costs us socially. We end up with a lot of crime and even diseases. I am sure that many of you members will remember the *Ebola* epidemic and others; they all came from the Congo!

I do not really want to say much about this, but only to suggest that if necessary we should sit together and see what can be done for the Congo. What do we say? Most of these people have come from Tanzania, Rwanda or Burundi and they are enrolled and the next time another leadership group comes up in Eastern Africa, they will send new people there to rule. And the moment you do that, you will always have conflict.

I beg that the EAC considers this seriously and, if possible, should suggest to the powers that be in the Congo that perhaps it is time to divide up and have a federal state instead of a unitary government.

Mr Dan Kidega (Uganda): Mr Speaker, war is bad, and that is why I rise to support this motion. I thank hon. Byamukama for bringing this motion. I wonder what has gone wrong with the leadership of Africa. In every part of Africa where there are resources, there is confusion, and this confusion, which is always centred in the resourceful parts of the African continent, is, most times, not African made. It is therefore very important for the current leadership of the continent to sit down to review the causes of conflict on the continent. If they studied the continent from Cape Town, to Khartoum, up to Cairo, in all those places where there is conflict - from Darfur, to Congo, to the Central African Republic and the conflict that was in Southern Sudan - they would find that all these are resource-based conflicts, and yet Africa remains the poorest of all the continents of the world.

Mr Speaker, there is a problem with the leadership of Africa, and if it does not wake up, I think there is going to be a second colonization of the continent, and this colonization is not going to be brought through guns but through the manipulation of our minds and the conquering of our own leaders on whom we bestow power, and they go and dance and drink with the people who want to conquer us again.

The memory of what was happening in Southern Sudan is still very fresh in my mind. I come from the Northern part of this country, Uganda, and half of the community that I come from lives in Southern Sudan; just like what is happening in Congo. The leadership of the rebellion in Congo has a name from a community from East Africa. All these things show to me that this community which stretches over Uganda, Kenya, Tanzania, Rwanda, Southern Sudan, and Eastern Congo is actually a nation, and if we do not rise to this kind of natural definition of a nation, we shall not sort any problems of Africa – (*Interjection*).

Ms Byamukama: I just want to give further information, which he may be aware of, that one of the causes of the conflict in Congo -as he rightly said- is management of resources, but the other cause is that of existence of negative forces. And amongst these forces are people like Kony who has been terrorising Northern Uganda and is also currently causing terror in the DRC; there are the *Interahamwe*, and there is also the FDLR (Force for the Democratic Liberation of Rwanda). These are some of the causes.

Mr Kidega: I thank the hon. Byamukama for that information because I have personally suffered as a result of the lack of governance in parts of Congo. There is a little man called Joseph Kony who has been harassing my community in Uganda for over ten years because he enjoys safe haven in the DRC in an area where there is no critical governance.

I just mentioned that the memory of Southern Sudan is still fresh in our mind – there were many problems with the northern part of Sudan until the Naivasha Agreement, and since then calm has returned to that country. Why can't our leaders, together with us, learn from what has happened in Southern Sudan and do the same for Congo? I totally buy the argument of hon. Kabul that for calm to return to that country, looking into the demarcation of governance of that country is very important.

The other aspect I am looking at is Article 3 of the Treaty for the Establishment of the East African Community, which provides for the acceptance of new members to the Community. Congo qualifies by more than 50 percent of the parameters provided in the Treaty. One of the things that the Community should look at is drawing Congo on board as part of the East African Community so that we can create a mechanism for dealing with conflicts, governance and expansion of the control of this region. Without doing that, East Africa shall be lamenting as a Community, but if we draw them on board, we shall have to develop mechanisms of working together and sorting out conflicts, be it in Congo or in any other country.

Based on that, I support the motion. Thank you.

Mr Mike Kennedy Sebalu (Uganda): Mr Speaker, I thank hon. Byamukama for bringing this very important subject to the attention of the whole House. I want to inform the House that the Committee on Regional Affairs and Conflict Resolution of the East African Legislative Assembly has been engaged with this subject for a while. We have had two meetings; one was in Burundi where, among other things, we discussed the causes of conflict and peace building in the region, and the issue of the DRC was at the centre of our discussions. We made a number of recommendations in our report, which we will be bringing to the House. When we were in Kibuye, in Kigali, the same issue took centre stage. What I am trying to say here is that the issue of the DRC remains a watershed in our regional security architecture, and whatever considerations that we have as individual countries, as a Community in terms of a region, we need to look at the issue of the DRC with a lot of interest, if we want to come up with a lasting solution for peace in the region.

We are in the process of integrating, and integration mechanisms are driven by certain parameters. Some are driven by economic considerations, others take what we call the hegemonic view whereby one big nation with a given setting provides leadership and resources, and they work together towards enhancing their objectives. But the most sustainable and critical ones have been driven by security considerations. As individual nations within the East African Community, we are small, so, in order to come up with a regional workable mechanism of ensuring security, it becomes paramount for us to build synergy from the different Partner States so as to be able to work out a regional mechanism to ensure that a bigger geographical area is secured in terms of the neighbouring states.

So, when you look at the DRC, it ceases to be a neighbour of Uganda, Rwanda, Burundi and Tanzania individually. It should then be looked at as a neighbour of the East African Community. And once you look at it that way, you marshal resources and you work out mechanisms of dealing with security concerns in that region collectively, and that way you are bound to come up with a sustainable way of dealing with the problem of –
(*interruption*) -

Ms Wanyoto: Mr Speaker, I would like to give information that there already exists a mechanism, which the five countries of the EAC are signatory to. There is the International Conference on the Great Lakes Region (ICGLR), which is specifically meant to handle issues of security, peace, stability and development. It has its headquarters in Bujumbura in Burundi, and it is headed by Ambassador Miamura. One of the goodwill ambassadors for this regional mechanism is His Excellency Benjamin Mkapa.

So, the information I would like to give is that such a regional mechanism exists, and there are projects and programmes already started. We are honoured, as the EAC that this particular framework is headed by Kenya right now and, therefore, I think this motion is imperative just to push the impetus of the already existing mechanism.

Mr Augustine Chemonges Lotodo (Kenya): Mr Speaker, the hon. Wanyoto has just brought out – has just informed the House that there are regional mechanisms – *(Interruption)* -

The Speaker: I think the Member was just informing hon. Sebalu, so it is hon. Sebalu who should say whether he accepts the information or not, first.

Mr Lotodo: I wanted to seek clarification from her because – *(Interruption)* -

The Speaker: You are not on the floor; Hon. Sebalu is on the floor. The information was given to hon. Sebalu.

Mr Sebalu: Mr Speaker, I do appreciate the information given by hon. Wanyoto. Actually I was moving in that direction. I do appreciate the International Conference on the Great Lakes Region and I know it has those mechanisms, but that is a much bigger arrangement. But where we come in as EAC is that the Conference has come up with some projects - actually about 33 of them - for peace building, and because the Conference embodies SADC, the EAC, and COMESA to certain extent, some of these projects have specifically been identified to be implemented by these individual blocs, and to my knowledge, none of the projects within the EAC have so far been implemented. Mr Speaker, that brings about the problem of having projects and programmes on paper which are not implemented, and where we do not - *(interruption)* -

Ms Patricia Hajabakiga: Mr Speaker, further information is that apart from the International Conference on the Great Lakes Region, there are a number of other mechanisms set up by this region, including the Tripartite Joint Commission, which includes the Republic of Uganda, the Republic of Rwanda, the Republic of Burundi and the DRC itself. Actually, yesterday they came up with a final communiqué of the meeting, which was being held in Kigali, and they are also looking at this issue. So, it is not that there are no mechanisms and efforts. I think I concur with hon. Kidega that we should look at solutions beyond the mechanisms, because probably – *(Interruption)* -

The Speaker: Honourable Member, now you are debating - *(Laughter)*-

Mr Sebalu: Mr Speaker, I just think I should be understood in context - *(Interruption)* -

Mr Mugisha Muntu (Uganda): I need some clarification from the Chairman of the Regional Affairs Committee. We are aware that SADC has taken a common position on Congo. I would like to seek clarification from the Chairman of the Regional Affairs Committee whether there has been any official brief to your committee from the Council of Ministers as to whether the EAC has got a common position on Congo or not.

If they have not, are you aware of any preparations for them to do so or not?

The Speaker: I think they have heard and they will answer later on.

Mr Sebalu: I think they will answer, but just to put it squarely, I am not aware of any common position, because that has to be communicated officially. And, actually, that is the point that I wanted to bring, and I wanted to illustrate it using two examples which we know very well, because this motion and resolution just underscores the fact that we need to see East Africa working together and speaking with one common voice on matters of security regarding any of our neighbours, the Congo being one of them. We want to see a common position in this direction.

We have got an example of Somalia. There was an agreement for us to send peacekeeping forces to Somalia, but to the best of my knowledge, only two member states went there. This is a clear example of looking at these issues in terms of “it is bordering so and so, let them do it”, and my view is that that will not help us at all. Any threat to a neighbour means a threat to the region, because any part of the Partner States of the EAC is a neighbour. So, if it is Tanzania which is threatened, we should come together with one voice; if the insecurity is on the border with Kenya, like the Somali pirates, it is an issue that will affect all of us.

Recently oil prices went up because of that menace and it has now upgraded to a level of an international crisis, but I have not seen East Africa coming as one to look at that issue. Because it borders a neighbour, therefore it has got effects that are serious to the entire region.

So, this resolution should awaken the consciousness of our leaders. Let us move as one on matters of security in respect of areas bordering any part of the Community. I do appreciate the argument of hon. Kidega because any neighbour is a potential member of the Community, if we choose to expand, and that neighbour fulfils the requirements of sharing a border, having an elected democratic government and other considerations. So, these are issues that we need to look at.

We need to be proactive, instead of being reactive, in matters of security. East Africa should speak as one voice on any matter of security concern within our neighbourhood as a region. So, I wish to support this motion, and I pray that it will have very positive effects in terms of the security concerns of the region. (*Applause*)

Dr Sabine Ntakarutimana (Burundi): Mr Speaker, thank you for giving me this opportunity in this august Assembly to join other speakers who have supported this motion moved by hon. Dora Byamukama. As mentioned in the pan African news, we see that it is the civilians who are the victims of rebel attacks, and as you know, in my country, Burundi, we have gone through many years of conflict, and my experience is that innocent people, particularly children and women, lose their lives, and many are exposed to different epidemics such as cholera, as is the case in Mozambique now.

Mr Speaker, if it is possible, our Community should really contribute in the process of stopping the conflict in the DRC, as it was said by my colleagues.

I beg to support this motion. (*Applause*)

Mr Leonce Ndarubagiye (Burundi): Mr Speaker, I rise to support the motion, and to give a remark on one paragraph in the resolution. In the information that hon. Byamukama gave to hon. Sebalu, she mentioned some of the causes of the war in the Congo, therefore, I think it would be better to delete the phrase which reads: *“considering further that the DRC government has accused some of the EAC Partner States of backing the rebels located in Eastern Congo”* and instead mention explicitly in this resolution the causes of the war in Congo. (*Interruption*)-

Ms Byamukama: Mr Speaker, the war in the DRC is not a new war. It has been ongoing and it has been there for quite some time. It actually was called “The War of Africa on the African continent.” It has variously drawn in some of the countries in the past. At one time it drew in Uganda, it drew in Burundi; it drew in Rwanda. It has drawn in all the countries, and this information is there for everybody to see. But this particular crisis has come up as recently as of August. So, it has a history and it has not gone away.

So, for us to keep on hiding our heads in the sand and not acknowledge that the very reasons for the conflict in Congo that I have mentioned - lack of control of that particular area of the country; the issue of resources; the issue of existence of negative forces which draws in everybody who is interested in peace, because when I mention Kony, when I mention the *Interahamwe*, when I mention FDLR - definitely touch on countries which you know very well, so there is nothing to hide. If we are not clear, if we do not come out openly, we shall never resolve these issues.

So, I am just insisting that this information is well known and there is nothing to hide.

Dr Aman Kabourou: Mr Speaker, according to the resolution of Thursday, 20 November 2008, these two countries of Rwanda and Uganda were specifically mentioned by the European Union.

Mr Ndarubagiye: I agree with what they have said but whatever we deciding here concerns the East African Legislative Assembly. That is why sometimes we need to be specific the motion. I am not refusing to fully support the motion, but I was just proposing some amendments.

The Speaker: What are the amendments you are proposing?

Mr Ndarubagiye: I was saying that after the paragraph which reads *“considering further that the DRC Government has accused some of the EAC Partner States of backing the rebels”*, the reasons why the war is still going on should also be mentioned so that there is a fair distribution of responsibilities.

The Speaker: I do not see any amendment there. Maybe you can think about it and bring it later.

Mr Augustine Lotodo (Kenya): Mr Speaker, I just want to add my voice to support the resolution on the floor of the House, and I will suggest a way forward, but before I do that, I just want to say that there are very many “briefcase” NGOs in most parts of East Africa purporting to be addressing peace issues and although we know that there have been very many conflicts in East Africa, I don’t know of any which has been resolved. Considering that there are mechanisms in place, like this one we have been told about of the Great Lakes Conference, can I be given an example of one issue or conflict that has been resolved in East Africa? That is a challenge to the Council of Ministers, because the Chairperson of Council promised that she is going to bring a protocol on peace and security in April. I hope that will not just end up like these other bodies which are saying that they are addressing peace but nothing comes out. You only need to read the newspapers from across the East African countries; there are conflicts everywhere, and most of these Partner States have not even taken measures to address those conflicts. So, as much as I support what hon. Dora has proposed and supported by hon. Kabourou, I really doubt if we are really ready to address conflicts in the manner articulated by the earlier speakers.

The Speaker: Hon. Harelimana. But please be brief as many people want to talk.

Mr Abdul Karim Harelimana (Rwanda): Mr Speaker, I will be brief as usual. Mr Speaker, I thank hon. Byamukama for coming up with this motion. I just want to give brief information about what has been happening in Congo. The EAC Heads of State met in Nairobi just last month to discuss the issue of Congo and to make a resolutions to solve the entire problem peacefully. President Kagame was there, President Museveni, President Kikwete, the President of Burundi, and even the President of the DRC himself was there. Resolutions were made. Hon. Patricia talked about meetings that are taking place even now in Kigali and in Nairobi to talk about the DRC, and resolutions will come up.

Mr Speaker, I think our major problem now is why all these resolutions cannot be implemented. Why can’t the DRC be made safe after all these resolutions? This is the major problem, and I think the answer to that is partly that there is lack of leadership in that country. Sometimes we say that country is just on the surface there without any people. This is my fear.

In supporting this motion, I would ask hon. Byamukama to remove the last paragraph of the resolution, which says that the DRC government has accused some East African Partner States for backing the rebels located in Eastern Congo. This is just an accusation, and we cannot base our points on that. So, if this is removed, I think the other resolutions are good, and we can support them, Mr Speaker.

Ms Margaret Zziwa (Uganda): Mr Speaker, I want to thank hon. Byamukama for this very important motion, and I want to support it. I also want to add my voice to those Africans who have expressed their frustration over the conflicts on the continent. I applaud the mechanisms in place, and specifically I want to add my voice to commend the mechanisms put in place by the Great Lakes Region Conference, which process I have also had the opportunity to participate in. I want to emphasise that the issue of peace

and security is central in any integration process, and that the collapse of a state is always manifested by its failure to control its borders.

Mr Speaker, during the Women's Conference in Kigali, issues of humanitarian crises were highlighted, and particularly those committed on women and children, which included rape and other atrocities, and, Mr Speaker, I want to air the concern that under the humanitarian crises, the issue of the women suffering during war is not even considered as urgent. So, I wish to propose that the issue of humanitarian crises is highlighted in this resolution. Cholera is already an epidemic in Zimbabwe, and we feel that sooner or later it will become a problem in the areas where the refugees are. We salute Uganda for at least putting in place a good legal framework for refugee. We need to continue supporting it, but we also need stronger humanitarian – *(Interruption)*-

Ms Byamukama: Mr Speaker, I just want to give information that this morning it was reported that in Nakivale, one refugee from the DRC Congo has died and 14 cases of Cholera have been reported. It was on the morning news today, so what you are saying is true.

Ms Zziwa: I thank you very much, hon. Byamukama, I was actually about to mention that. In addition, there is also fear of the deadly Ebola because of the transient populations.

Mr Speaker, I also want to say that the causes of these conflicts should actually not be swept under the carpet. When we visited the Republic of Rwanda, we had the opportunity to visit Nyanza, and we saw the maps of the historical kingdoms. I want to say that when a tribe thinks that it is insecure, it will fight for its survival. So I want to urge the African leaders to go back to the drawing board and re-do the Berlin conference boundaries. I think we do not need to hide our heads in the sand. We need to confront that issue because it is one of the challenges of Africa.

Mr Speaker, I want to support the motion and say that the issues of negative forces should also be squarely addressed. I want to thank hon. Byamukama for the motion.

Mr Reuben Oyondi (Kenya): Mr Speaker, I rise to support the motion. Since the slaying of the first prime minister of the Congo, Patrice Lumumba, by the then leader Chombe assisted by Joseph Mobutu, there has been no peace in the Congo. Congo was once one country when it was served by Congo Brazzaville and Congo Kinshasa. The Kinshasa side has had problem after problem - *(Interruption)*-

Mr Leonce: Actually, the two Congos were two different states. Thank you.

Mr Oyondi: Mr Speaker, we have had problems in Congo with all the leaders. They have changed names trying to get peace. Congo Kinshasa was changed to Zaire but no peace came. Gen. Joseph Mobutu himself changed his name to Mobuto Sese Seko but no peace

came. Others have also joined in doing the same... Laurent Kabila came in. So, my appeal to army generals or personnel wherever they are is to keep peace. If you rule by the edge of the sword, biblically you will be removed by the edge of the sword. You cannot live forever.

The people who are suffering now are the women and the children. They are moving in big numbers from Congo to East Africa. Some are coming to Uganda, others to Burundi, Rwanda. They don't come with food.

The Speaker: Please speak into the microphone.

Mr Oyondi: They do not come with food but with empty stomachs and the food they are eating is from here. They are fed and given all other necessary amenities that they require as human beings. So, my advice and appeal to army generals wherever they are in Africa is to stop this kind of thing.

Laurent Nkunda, if he wants to win elections, let him talk to the people and marshal them, and then wait for the elections win and become a leader of the Congo. Why fight? It doesn't make sense, because one day a junior officer will get annoyed and say now I am going for Laurent Nkunda! What is going to happen? Killing after killing!

Mr Speaker, my colleagues have urged the East African leaders to come together and persuade the people of Congo to keep peace. When you die with your sins, nobody is going to pray for you to be forgiven by God. You must pray for the forgiveness by your own moth. The people being killed now, some of them are being killed with their sins; no forgiveness! So, I am appealing to the leaders of East Africa, and more so, the President of Uganda and the President of Rwanda, to put their heads together and try to persuade the Congolese people so that they can keep peace.

Mr Speaker, I beg to support motion.

Ms Safina Kwekwe (Kenya): Mr Speaker, first of all I want to congratulate hon. Byamukama for this very appropriate motion. It is in the right place with the right people.

Mr Speaker, what the motion seeks to do is not anything out of the ordinary because, already, as we have been told, leaders of the East African region have been party to the negotiations that are already ongoing. For me, I don't think that the DRC is a lost cause. It is not a lost cause because everybody in the East African region can benefit greatly from the DRC Congo.

Mr Speaker, if Congo is peaceful, Congo can power the entire East African region because it has the potential to give us electricity, to feed us and to do great things. The inaction of East Africa is tantamount to feeding an ogre that will come and consume it. I don't see why we have to persuade the leaders of East Africa. They should be able to see that it is the right thing for them to do because Congo can either become the curse of

East Africa, or it can become the saviour of East Africa, if we so wish. So, Mr Speaker, I beg to support the motion as it is.

The Speaker: I would like to call hon. Dora to reply. There are some questions that were asked of you, so you can reply.

Ms Byamukama: Mr Speaker, I want to thank all those who have supported this motion, and to reiterate that the essence of bringing this motion was to urge for peace in the peace process which has already commenced, as I stated earlier. Indeed, the tripartite framework has done some good work: the Nairobi meeting is going on; the Great Lakes region is meeting.

Mr Speaker, there has also been concern about the need to upgrade the mandate of MONUC (United Nations Mission for the DRC), and also to increase the forces by 3000. We have also noted the need to urge Uganda to utilise its current status on the UN Security Council to give information and effectively lobby for the support of peace initiative resolutions. We also pray that there is more humanitarian assistance, and that in particular, a safe corridor is created for refugees so that they are not caught in the crossfire. These are usually vulnerable groups, the children and women. Indeed, the very first picture we saw was of a woman who was carrying a baby on her back and holding another baby's hand and she was walking past a soldier and looking terribly scared. The other pictures we have seen, of course, were of people sleeping out in the open, and the concerns raised by my colleagues are real.

Finally, Mr Speaker, we implore the East African Community Partner States and the DRC and all the friends that we have in the African community and beyond to critically look at the causes in order to come up with a lasting solution to this problem because if the causes are not addressed, we shall continue fighting, and whether one country is accused today, another may be accused tomorrow. So, it is not a matter of which country; I think we should look deeper and further. Moreover, we have an interest in the situation, like hon. Sebalu said, because we all border the DRC and also to invite DRC to join us in the Community. This is for the good of the region. This Assembly – (*Interjection*) - No thank you; I am concluding.

Mr Speaker, I want to say quickly that when you look at Article 49 (2)(c) of the Treaty for the Establishment of the EAC, it states that the Assembly shall hold an annual debate on the report to be submitted to it by Council on progress made by the Community in the development of its common foreign and security policies. Article 124 goes ahead and talks about what we should do.

I would like to thank Members who have supported the motion, and, Mr Speaker, I beg to move.

Ms Nusura Tiperu: Mr Speaker, I thank the hon. Byamukama because indeed the motion she has moved is a noble one, and so it must be supported. I do support it too, but there was a request put to her to which she has not reacted. I just want to seek

clarification on that because I think it was a genuine request; the request of removing one of the paragraphs.

The Speaker: Hon. Tiperu, I think all members know the rules, and I think we discussed this matter yesterday for two hours in the Committee of the Whole House where members saw the way to move amendments to Bills, to reports and everything. If there is no writing of the amendments...Well, I now put the question that the Assembly do resolve to urge the Partner States for a peaceful resolution of the conflict in Eastern DRC.

(Question put and agreed to.)

MOTION

FOR A RESOLUTION OF THE EAST AFRICAN LEGISLATIVE ASSEMBLY TO URGE THE EAC PARTNER STATES TO DEVELOP EAST AFRICAN COMMUNITY INTERGRATED POLICIES AND LAWS ON ENERGY SECURITY

The Chairperson, Committee on Agriculture, Tourism and Natural Resources (Mr George Nangale) (Tanzania): Mr Speaker, Pursuant to Article 59 of the Treaty and rule 26(1) of the rules of procedure of the Assembly, I beg to move that this Assembly do resolve to urge the EAC partner states to develop an EAC integrated policy and laws on energy security. I beg to move.

Mr Leonce Ndarubagiye (Burundi): Seconded

Mr Nangale: Mr Speaker_

WHEREAS the East African region is endowed with energy resources including abundant fossil fuel and renewable energy resources;

AND WHEREAS under Article 101 (1) of the Treaty for the Establishment of the East African Community, the Partner States have undertaken to adopt policies and mechanisms to promote efficient exploitation, development, joint research and utilisation of various energy resources available within the region;

AND WHEREAS in view of the fact that Article 101(2)(f) of the Treaty, the EAC is required to promote measures that supply affordable energy to people, taking in cognisance the protection of the environment;

AND WHEREAS the Partner States have undertaken the East African Power Master Plan and the Regional Renewable Energy Utilisation Plan;

RECOGNISING that effective and efficient utilisation of the abundant energy resources in Partner States shall impact on the economic and social development of the entire Community;

CONSIDERING that regional cooperation in the areas of energy has the potential to the leverage external support for financing the huge investments needed to develop the energy infrastructure;

AND CONSIDERING further that renewable energy resources, including solar, wind, hydro, biogas, municipal waste energy and others have potential for income and employment generation over and above contributing to the supply and diversification of electricity generation resources;

NOW THEREFORE, this Assembly do resolve:

- 1. To urge Partner States to develop integrated policy and laws on energy security, taking into account the potential regional energy resources available, energy utilisation, trading, management plans, investment financing and transparency, petroleum and gas pipeline networks, energy efficient schemes, rural electrification rollouts, affordability to the people of East Africa and protection of the environment.*
- 2. Urge the Partner States to promote generation of electricity from renewable energy sources through various instruments such as the feeding tariff adopted in Kenya and elsewhere."*

I beg to move.

The Speaker: The proposal on the Floor is that the Assembly do resolve to urge the EAC Partner States to develop an East African Community integrated policy and laws on energy security. Debate is now open.

Mr Leonce Ndarubagiye (Burundi): Mr Speaker, I rise to support the motion, and I thank you very much for giving me this opportunity to second the motion tabled before the House by hon. George Nangale on an integrated policy and laws on energy security for our East African Community.

In the early years of the last century, one European statesman said that energy plus rail equals development. He was proven right because all European countries followed his motto and made all the success in economic development through these two fundamental factors, which proved to be of tremendous importance in this realisation.

You may recall that the present European Union started as a union between France and Germany, based on steel and coal; in other words, a union of energy and a product of energy. That was a long time before they decided to unite on the basis of many other economic factors, and before including all the nations.

The importance of energy in the development of a country cannot be over emphasised as it is too obvious. We all aspire to develop our countries for the welfare and benefit of our people. We can therefore affirm that energy is a vital and key factor in the process.

When you look at the satellite map of our globe, you see how electricity is distributed and you will notice that most parts of Africa is in darkness, except some points representing big towns here and there, especially in South Africa. Thus, almost all African villages are in darkness. The most painful thing in all this is that we have all the necessary potential to produce electricity and other energy, be it through hydro dams, geothermal capacities, petrol and all the petroleum products, solar energy, bio fuel or natural gas. Even uranium is disseminated in different – *(Interruption)* -

Ms Byamukama: Mr Speaker, I notice the member is reading from some text, and when you look at Rule 38 (6) of our Rules of Procedure, it says “*No member shall read his/her speech, but may read short extracts from written and printed papers in support of his/her argument.*” I would like to ask, can we be availed the copy of the speech? Is he in order to read without giving us the speech?

The Speaker: Hon. Byamukama, I think the honourable was just referring to a piece of paper. He was not reading. *(Laughter)*

Mr Ndarubagiye: I thank hon. Byamukama for making the remark. Some of us happen not to be very fluent in the language she has mastered so well and sometimes we need to quote from a piece of paper. *(Prolonged Laughter)*

The Speaker: Hon. Ndarubagiye, I protected you so continue.

Mr Ndarubagiye: I thank you, Mr Speaker, and I beg to support the motion. *(Laughter)*

Ms Safina Kwekwe (Kenya): Mr Speaker, I can see that this motion is being supported fully with arms and legs. I also beg to support it fully, *mkono na mguu*. I support the motion as moved by Hon. Nangale because issues of power and energy go hand in hand with investment, and when we talk of promoting East Africa as an investment destination, we talk of industrializing East Africa as part of the dream that we have encompassed in our strategic direction, 2006/2010. We cannot do that without energy.

The potential we have as region is large. We have what is God-given to generate our own energy. If you look at the potential of wind power, we have, where my sister hon. Bonaya comes from, if that potential that is in Turkana can be tapped, we can be able to, not only generate power for ourselves, but we can also export the same to our needy neighbours.

The issues of having an integrated approach to power generation is not a matter of request but it is an obligation, because the EAC Treaty itself obligates the Partner States, as has been pointed out in Article 101 of the Treaty, to come together and come up with mechanisms that will see how the region can develop energy for itself to meet the needs of the East Africans.

I want to touch on the public private partnerships that have been encouraged in other fields. The same can be done in the energy sector. I am sure if this was explored, instead of everyone going on their own and competing with one another, if we could generate

enough enthusiasm among the East Africans, we would have people competing for public private partnerships to develop the energy sector; but there has to be motivation.

I support the motion because it will not only create mechanisms; it will not only establish frameworks for people to cooperate in East Africa, but I hope it will also motivate people to participate in the energy creation sector. (*Applause*)

Mr Dan Wandera Ogalo (Uganda): Mr Speaker, I fully support the essence of this motion, which is to urge the EAC Partner States to do certain acts, which, if they are done, will improve the quality of life of the people of East Africa.

Hon. Nangale has ably quoted Articles 101 and 102 of the Treaty for the Establishment of the East African Community, which deals with energy. And, indeed, as members who have contributed before me have ably submitted, energy is critical to development. However, I have only one point to make on this issue.

This Treaty was entered into on the 30th November 1999, and it is coming to ten years since it came into force. It covers all areas of government activities in our Partner States, including energy, but almost ten years later, why are we still urging Partner States to do certain things which they should have done long ago? We know, for example, that the EAC Power Master Plan has been in our books for a long time.

I think that there are two things which are a problem, and that is why all areas in this Treaty have not made much progress. We have agriculture, forestry, natural resources, environment, animal husbandry; everything is here, but I believe perhaps it is the way we are structured that we are not able to accomplish some of the things we should have in the last 10 years. Perhaps one of the ways is to divide up the activities in the Treaty into sectors. Mr Speaker, at the next meeting of this Assembly, I will be requesting the Summit to invoke the provisions of the *Summit, Delegation of Powers Act, 2008* which has just been passed, to allow the Council of Ministers to divide the activities in this Treaty.

We have got five ministers, and if each minister had a docket for which he was responsible, there would be concentration in that area. If, for example, energy is under hon. Kategaya, he would be putting all his efforts on the question of energy. (*Applause*) I hope that the Council of Ministers will support the Assembly when we request the Summit to divide up these activities and create sectors for which ministers will be responsible.

The second reason why these matters seem to have not moved much is the question of the budget. We are urging the Partner States to do certain things, but we could do them if we moved away from the system of the budget being financed by contributions, to a more realistic method of raising revenue. I hope that the Council of Ministers, in considering why we have to pass this resolution by simply arguing, will also look at the question of the budget.

With that Mr Speaker, I beg to support the motion.

The Speaker: I think this motion has received overwhelming support, and since time is running out, I would like to put the question on the motion that the Assembly do resolve to urge the Partner States to develop an EAC integrate policy and laws on energy security.

(Question put and agreed to.)

The Speaker: Hon. Members, we have come to the end of business today, but before we adjourn, I would like to make a few announcements. I would like to remind you of the cocktail we have this evening with the Speaker of the Parliament of Uganda, the Rt. hon. Edward Ssekandi at 7.30 p.m. at the Sheraton Kampala Hotel. I hope every one will be there by 7.00p.m. I think you have all received your cards. Please do not be late.

Secondly, I would also like to remind you about the invitation to attend the closing ceremony of the *Second Uganda Rwanda Education Workshop*, which is being held at Hotel Africana tomorrow. The function will start at 9 a.m. and who ever wants to attend should be there before then. I think there are some invitation cards which will be given to you later on this evening, at the reception. Please do not be late if you are going to attend that function.

I would also like to remind you to take your programme for our visit to Kiruhura district. I think we will be leaving here at around 10 a.m. on Monday. So you should be ready to leave at the appropriate time.

Before we get to Monday, there will be a briefing to EALA members on Saturday, the 13th December at the Imperial Royale Hotel. I hope all the members will be there because of what is happening after the session on the Common Market. Those are the announcements I had to make.

Finally I would like to thank all the members of the Assembly. It has been a long year, but it has come to an end. I think this is the last meeting this year. We have done quite a bit as an Assembly, and I would like to congratulate you all for all the hard work you have put in during this year.

I would also like to thank the Chairperson of the Council, and I guess the whole Council also. I would like to thank the Minister and Assistant Minister from Tanzania; I would like to thank hon. Kingi, hon. Munya, and more so hon. Mukaruliza. *(Applause)* As an Assembly we have worked with many chairpersons of Council, and I must say that for a person who was in both the last Assembly and in this Assembly, it has been a pleasure working with her, because it is very rare to find that once you discuss something with the Chairperson of Council, that decision is implemented. I would like to say *asante sana*. *(Applause)*

I would also like to thank her and the minister for Burundi, specifically, because I think since they joined the Assembly they have not missed a meeting. We have had ministers for East African Community –but I will not mention any names- who never attended our meetings. I would like to say that these two ministers have always been here. So I would like to say *asante sana*. (Applause)

Finally I would like to thank the government of Uganda, the honourable Members of Parliament from Uganda, and especially the Speaker of the Parliamentary of Uganda for allowing us to use of the facilities. Since we arrived here, they have accorded us warm hospitality. It is the second time we are sitting in this chamber, and I must add that the members of – I think you have seen a lot of the members of the Parliament of Uganda here. It is because they are still in session, but the Speaker gave us this Chamber, and we have been using it for the last two weeks even though they should be in session. All I would like to say is *asante sana, asante sana*. (Applause)

ADJOURNMENT

The Speaker: I would now like to adjourn the house *sine die*.

(The Assembly rose at 5.59 p.m. and adjourned sine die)