



EAST AFRICAN COMMUNITY

EAST AFRICAN LEGISLATIVE ASSEMBLY (EALA)

Official Report of the Proceedings of the East African Legislative Assembly

79TH SITTING – SECOND ASSEMBLY: FOURTH MEETING – THIRD SESSION

Wednesday, 14 April 2010

The East African Legislative Assembly met at 2.30 p.m. in the Chamber of the Parliament of Rwanda, Kigali.

PRAYER

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

(The Assembly was called to order.)

SPECIAL SITTING OF THE ASSEMBLY

PROCEDURAL MOTION

The Chairperson, Committee on Legal, Rules and Privileges (Mr. Frederic Ngenzebuhoro, (Burundi): Mr. Speaker, sir, I beg to move:

That, this House, pursuant to the provisions of Article 55 of the Treaty and Rule 11 of the Rules of Procedure, do resolve to hold its sittings in Kigali, in the Republic of Rwanda.

Ms. Byamukama (Uganda): Seconded.

Mr. Ngenzebuhoro: Mr. Speaker, Sir_

WHEREAS Clause 1 of Article 55 of the Treaty provides that the meetings of the Assembly shall be held at such times and places as the Assembly may appoint;

AND WHEREAS Rule 2 of the Rules of Procedure provides that the seat of the Assembly shall be at Arusha in the United Republic of Tanzania;

AND WHEREAS sub-rule 7 of Rule 11 provides that the Assembly may, on a resolution adopted by a majority of its Members, decide to hold one or more sittings elsewhere within the Partner States, other than at its seat;

NOW, THEREFORE, this Assembly do resolve as follows:

That pursuant to the provisions of Sub-rule 7 of Rule 11 stated above, the Assembly shall hold sittings in the Chamber of the Parliament of Rwanda from today Wednesday, 14th April 2010 up to Thursday, 22nd April, 2010.

Mr. Speaker, sir, I beg to move.

(Question proposed)

(Question put and agreed to)

The Speaker: Honourable Members, amidst us today is His Excellency Paul Kagame, President of the Republic of Rwanda. *(Applause)* I have, in accordance with the provisions of Article 54 of the Treaty, invited him to address this Assembly. I would now like to make the following proclamation to welcome the presence, in the Assembly, of the President of the Republic of Rwanda. *(Applause)*

PROCLAMATION

The Speaker:

WHEREAS Clause (1) of Article 54 of the Treaty provides that the Speaker of the Assembly can invite any person to attend the Assembly notwithstanding that he or she is not a Member of the Assembly; if in his or her opinion the Business of the Assembly renders his or her presence desirable.

AND WHEREAS in the opinion of the Speaker, the attendance and presence in the Assembly of the H.E. The President of the Republic of Rwanda is desirable in accordance with the Business now before the Assembly.

NOW THEREFORE, It is with great pleasure and honour, on your behalf Hon. Members, to welcome the presence of the President of the Republic of Rwanda in this Chamber.

- (Applause) -

WELCOME REMARKS BY SPEAKER, EALA

The Speaker: Your Excellency, President Paul Kagame, President of the Republic of Rwanda; the Rt. Hon. Vincent Biruta, President of the Rwanda Senate; the Rt. Hon. Rose Mukantabana, Speaker of the Parliament of Rwanda; Hon. Dr. Diodorus Kamala, Chairperson, Council of Ministers of EAC; the Hon. Ministers and Members of the EAC Council of Ministers; Members of Parliament and Members of the East African Legislative Assembly; the Secretary General of the East African Community; Members of the Diplomatic Corps; Distinguished guests; Ladies and gentlemen.

I have the distinguished honour to warmly welcome Your Excellency to today's Sitting. I thank you very much, your Excellency, for accepting my invitation to address this August House today, and for your government to have accepted to host us here for the next two weeks. *(Applause)*

Your Excellency, we are meeting in Kigali at a time when Rwanda is marking the 16th Anniversary of the genocide against the Tutsi, which took place here in 1994. The Assembly has and will be participating in a number of national events to express our anguish, and boundless grief for those who lost their lives, and to express our solidarity and shared determination to learn from and never to repeat the lessons of past failures. *(Applause)*

Your Excellency, we commend you and your government for the positive developments and policies that you have adopted to put the past behind and to seek reconciliation and a new future full of hope, unity and determination. It is no wonder that, for this and for other great things that you have done for this country you have recently been named one of the top one hundred most influential persons in the World. *(Applause)*

Your Excellency, we take pride in you and in the Members of the Summit of the Heads of State of the East African Community for taking the bold step of signing the EAC Common Market Protocol on 20 November 2009 in Arusha in Tanzania, well within the targeted timeframe of 2010. On this account, we therefore congratulate you and the Summit of the EAC Heads of State for successfully signing the Common Market Protocol. We assure Your Excellency that the East African Legislative Assembly will do all it can to enact the necessary pieces of legislation to operationalise the Protocol.

Your Excellency, we also thank you, your Minister of EAC affairs and that of Finance for fulfilling Rwanda's obligations to the EAC within a record time. Rwanda was able to pay up her full dues within the first half of the Financial Year, an act highly commended and appreciated. *(Applause)*

Your Excellency, in the course of the next two weeks, we shall be considering the following business: Participate in a symposium on genocide organized by the Parliament of Rwanda and visit the Rebero Genocide Memorial site; Debate and passage of the following Bills; the EAC Competition (Amendment Bill, 2009); the EAC Elections Bill 2007; the Lake Victoria Basin Commission Bill; the reconsideration of the CASSOA Bill.

We also intend to consider various reports of the Committees on the oversight work they have undertaken in the last four months, as well as to ask the Council of Ministers a number of parliamentary questions regarding the EAC agenda.

Lastly, I wish to report to Your Excellency that this Assembly is dedicated and committed to its role as the legislative organ of the Community. We pledge our unwavering support and commitment to work closely with Your Excellency in your individual capacity and as the Summit of EAC Heads of State; the Council of Ministers and other Organs and Institutions of the Community until the EAC dream of a United East Africa is realized. *(Applause)*

Finally, Your Excellency, the people of Rwanda will this year go into general elections to choose their leaders. We wish the people of Rwanda success and peaceful elections, and we assure you that the people of East Africa are with you. We pledge to do everything possible to support you in this noble cause. *(Applause)*

At a personal level, if you choose to stand, Your Excellency, I take this opportunity to wish you all the very best of luck and success. *(Applause)*

Your Excellency, it is now with great pleasure and honour that I execute my humble duty to welcome you to address this August Assembly today, Wednesday, 14 April 2010. *(Applause)*

ADDRESS BY HIS EXCELLENCY THE PRESIDENT OF THE REPUBLIC RWANDA

The President of the Republic of Rwanda (Mr. Paul Kagame): Thank you, Mr. Speaker, Sir.

Honourable Abdirahin Abdi, Speaker of the East African Legislative Assembly; Speaker of the Senate, Hon. Vincent Biruta; Speaker of the Chamber of Deputies, Hon. Rose Mukantabana; the Secretary General of the East African Community; Honourable Ministers of the East African Community; Honourable Members of the East African Legislative Assembly; Members of the Diplomatic Corps; Distinguished Ladies and Gentlemen. Good morning. *(Applause)*

I am pleased to be here to address the East African Legislative Assembly gathered here today, and I wish to thank you for coming to Kigali and making it the venue for this important meeting. We also appreciate that you have come to be with us during this period, when our nation remembers the people who perished here in 1994. That is why it is gratifying to learn that one of the items tabled for discussion is about how to continue rebuilding unity in Rwanda following the genocide. We look forward to your insights and recommendations. *(Applause)*

Today, I would like to address an issue that you will be deliberating on during this session, namely, the Common Market, and your role in ensuring its prompt realisation. But, let me start by acknowledging the commendable progress being made in achieving our common objective of regional integration.

More East Africans are recognizing that widening and deepening our ties will not only enable increased trade and business for everyone's benefit; it will also facilitate increased educational and cultural exchanges among our peoples. Nonetheless, I think we would all agree that much remains to be done, and as members of the East African Legislative Assembly, you have an important role to play, especially as we move towards the Common Market and full economic integration. *(Applause)* In particular, I wish to highlight the key areas in which you are responsible for driving the implementation of the Common Market in your capacities as representatives of the people, as overseers, and as legislators. Let me start with your "representation" role.

As you know, we rightly say that the East African Community is people-centred and should be private sector-driven. We also agree that the Common Market is an indispensable tool for the East African Community to operate, grow and develop, through initiatives like the Customs Union and the forthcoming Monetary Union. However, these three pillars will not operate fully and function properly if we do not engage with a wide range of stakeholders in the private sector, the civil society, the academic community, and professional associations, but obviously the people have to be the focus.

From my point of view, whatever we do in the name of our communities, we should ensure popular ownership of the whole process. In the case of the Common Market, it is important to educate our people about its merits and benefits, and dispel lingering perceptions that may be false. *(Applause)*

The prospect of the free movement of labour, goods, services and capital, and the right for East Africans to live in any part of the Community, has produced unfounded fears that these developments may lead to increases in unemployment, higher taxes, loss of land and other adverse consequences. In your role as the people's representatives, it is important to foster understanding that the Common Market, if properly implemented, may present challenges but will lead to increased benefits, both economic and social, for all East Africans. Secondly, in your role as overseers, you should ensure that the Common Market is properly implemented according to the law signed by all member states.

As I have noted before, not only does the Customs Union need to enable free movement of goods and services across our borders, it should also ensure that various non-tariff barriers are removed to reduce the cost of doing business and to make our region more competitive.

Unfortunately, we have yet to completely remove these barriers, and we do not have much time left before the Common Market comes into force, so we must act quickly to implement relevant Council and Summit resolutions to speed up the integration process.

This same sense of urgency should apply to the infrastructure projects such as railroads, broadband, and air transportation, which are critical to a fully functional Common Market, and which could be progressing much faster.

Your oversight role calls you to ensure the effective implementation of these projects. And as you examine the East African Community budget, I urge you to consider these projects seriously. However, in all this, we must insist on transparency and zero tolerance for corruption.

Regarding governance oversight, I am pleased that you have developed the East African Election Observation Manual, which establishes common standards to enhance the credibility and legitimacy of our electoral processes and outcomes, and should further strengthen our democracies.

Finally, in your legislative role, I wish to encourage you to continue enacting laws that facilitate the proper functioning of all Organs of the East African Community, particularly those that facilitate effective implementation of the Common Market. I have no doubt that you will debate the bills during this session with the usual candour and wisdom. *(Applause)*

In conclusion, let me encourage you all to work together to remove existing impediments to our regional integration and the socio-economic transformation of our people. Our countries have chosen to cooperate within the framework of this Community and the challenge now is to make it grow and prosper. The test of our success will ultimately be the improvement in the welfare and livelihoods of our citizens. We must exploit all the opportunities available to make the East African Community a success. *(Applause)*

Before I say thank you and everything that goes along with it for listening to me, I wish to make a small correction about what happened yesterday during an event that I did not attend. I hear that somebody took advantage of that occasion to read a UN report that talked about East Africans and others in a light that probably should not have been the case.

First, I wish to say that some of the things that were dealt with during that event, which was supposed to be an official event – the one who raised issues about East Africans not being helpful according to the UN report – first of all, I don't believe everything said in the UN report is the truth so anything attacking the East Africans is not correct. And for somebody to highlight it during such an event is wrong. *(Applause)*

On the contrary, I think Rwanda has everything to be grateful for to our brothers and sisters in the East African Community. *(Applause)* Secondly, any matters arising out of such a report and other issues sometimes should be left to some of us the leaders who manage these affairs, and not for everybody to take it upon themselves to make such pronouncements. *(Applause)*

So, in short, I am disassociating myself, our Government as well as our people from such things. *(Applause)* All of us in Rwanda have been hurt in many ways, and we have to sort that out, but it should not provide ground to hurt others in the process. *(Applause)*

I thank you all for your kind attention, and it is with great pleasure that I now declare this meeting of the East African Legislative Assembly open. I wish you a very happy stay in Kigali. *(Applause)*

VOTE OF THANKS

Mrs. Catherine Ngima Kimura (Kenya): Thank you, Mr. Speaker, Sir, for the opportunity.

Your Excellency, Paul Kagame, President of the Republic of Rwanda; Hon. Speaker of the Senate; Hon. Speaker of the Chamber of Deputies; Hon. Speaker of the East African Legislative Assembly; Hon. Ministers and Chairman of Council; Hon. Members of Parliament of Rwanda; Members of the East African Legislative Assembly; Members of the Diplomatic Corps; Invited guests; Ladies and Gentlemen.

It is an honour for me to stand before you to move a vote of thanks on behalf of the East African Legislative Assembly, particularly being here in this lovely city of Kigali and in this lovely Chamber. *(Applause)*

Your Excellency, I want to take this opportunity to thank you, and through you, the people of Rwanda for the hospitality they have shown us since our arrival. Some of us have been here during the last week attending some Committee meetings, and I can tell you that we do appreciate the hospitality we have enjoyed. *(Applause)*

I want to specifically thank the Speaker of the Chamber of Deputies for availing these lovely premises for us to hold our meetings in, in the next two weeks. We thank you, and we do appreciate the gesture, and I believe that we will hold very fruitful discussions in this lovely environment.

Your Excellency, I know our Speaker has talked about our association with and our support for you during this time, but I want, on behalf the honourable Members, to identify with the people of Rwanda during this time as you commemorate the 16th Anniversary of the 1994 Genocide. *(Applause)* Indeed, let it be a reminder to all of us, and particularly to us the people of East Africa that we have a responsibility not to let this happen again in our region. *(Applause)*

We have a responsibility to guard the cohesion of our society, to build on those things that unite us, and to do away with those that tend to divide us. Indeed, Rwanda has set a shining example. Like the phoenix that rises from the ashes, it is a country that has gone through difficult times but has taken its place in the League of Nations. It is through your wise leadership and vision that Rwanda is where it is today, Your Excellency. *(Applause)* And even as you go through this commemoration, however sad it may be, it is a time for reflection and happiness that the people of Rwanda are now enjoying peace after many years of war. *(Applause)*

So, congratulations to you, Your Excellency. We continue to pray for you and for this country that you will continue to offer the kind of leadership in this region that has been recognised worldwide. As East Africans, we associate ourselves with you and we are proud that we are members of the same Community. *(Applause)*

Your Excellency, the East African Legislative Assembly indeed appreciates the role you played as Chairman of Summit during a difficult time when the issues of the Common Market were being discussed. There were challenges and hurdles, but you saw to it that the work was finished, culminating in the signing of the Common Market Protocol on 20 November 2009 in Arusha by the Summit. We witnessed your committed leadership, making sure that the barriers and hurdles were broken, and we look forward to the operationalisation of the Common Market. *(Applause)*

Rwanda has been a committed member of the East African Community. You have set the pace and the agenda that we need, in a timely manner, to adhere to the Treaty. We have no time to waste. Our people are probably more anxious than the leadership to make sure that the Community functions properly for their benefit. Maybe we as leaders are taking time to see the benefits, but as you have rightly said, the Community is people centred and private sector driven. Therefore, it is our people who are seeing the benefits long before we see them. Ours is to make sure that we facilitate this integration for them to get the gains that they so much desire to better their lives. *(Applause)*

Your Excellency, we continue to have challenges. We know that our people are experiencing difficulties, sometimes in getting work permits, but Rwanda has led in this particular area. We only hear good things that getting work permits in this country and equal opportunities for employment has already started. We want to congratulate the Government and the people of Rwanda for facilitating the people of East Africa to bring in their investments and skills to help build this country. My challenge is that the rest of us within East Africa – in Kenya, Uganda, Tanzania and Burundi- should follow suit and make sure that people who want to work or invest in one or the other of our Partner States are facilitated without delay. Thank you, indeed, for showing the way. *(Applause)*

Your Excellency, you have challenged us on our areas of representation and oversight. I want to assure you that we shall take those roles with the seriousness that they deserve. We are cognisant of the fact that unless we carry out our role, we will impede the work of the Community. So, I urge my colleagues to take seriously the challenges that His Excellency has presented us with; that we take our roles seriously in those areas, and in particular as they pertain to the operationalisation of the Common Market.

You have talked about sensitisation, and about our people taking ownership of the Common Market. Your Excellency, I believe that in our various countries, the relevant Ministries of East African Community are undertaking sensitisation exercises to make sure that the people of East Africa fully understand what is ahead, and the gains they are supposed to get. For those countries that may not have started, and for where it may be slow, please take on this challenge that we have been given today; that we need our people on board as July 2010 comes along.

Your Excellency, all I can say is that the East African Legislative Assembly will take responsibility to ensure that the necessary legislation and regulations are in place for the proper functioning of the Common Market, the Monetary Union when it comes on board, and of all the other institutions of the Community.

Finally, let me congratulate you and the leadership that you have shown in this region in as far as the protection of the environment is concerned. It is amazing...I get to the airport and I have to leave my plastic paper bag there! I wish all of us could do the same so that our environment is protected. Indeed, one can see it in this city; such a clean city. It is an inspiration to some of our cities. It is an inspiration to be here and to see how a city can be clean. Yes, it is challenging and difficult, but you have shown us that it can be done and we appreciate that. *(Applause)*

Your Excellency let me take this opportunity to wish you success, and to wish the people of Rwanda peaceful elections. I believe that the kind of governance that we have seen in this country given that we observed the last elections is democratic and transparent.

I want to thank you for gracing this occasion. I want to wish you good health and success as you drive towards the vision that you have set for this country.

Thank you very much, and may God bless you. *(Applause)*

COMMUNICATION FROM THE CHAIR

The Speaker: I thank you, very much, hon. Kimura.

Honourable Members, we have come to the end of business today, but before I adjourn the House, I would like to make a few announcements. First, we shall have a group photograph with His Excellency right outside the Chamber. Since His Excellency is going for another function, I would request the Members to hurry up a bit.

For the other invited guests, the ushers will show you to the next venue.

ADJOURNMENT

The Speaker: I now adjourn the House until tomorrow at 2.30 p.m.

(The House rose at 11.15 a.m. and adjourned until Thursday, 15 April 2010 at 2.30 p.m.)