



EAST AFRICAN COMMUNITY

EAST AFRICAN LEGISLATIVE ASSEMBLY (EALA)

Official Report of the Proceedings of the East African Legislative Assembly

24TH SITTING – SECOND ASSEMBLY: SIXTH MEETING - FIRST SESSION

Wednesday, 14 May 2008

The East African Legislative Assembly met at 2.30 p.m. in the Old Chamber of the Kenya National Assembly

PRAYER

*(The Speaker, Mr. Abdirahin, in the Chair)
The Assembly was called to order.*

COMMUNICATION FROM THE CHAIR

MOTION

THAT, the thanks of this Assembly be recorded for the concise exposition of the public policy contained in the Address of the Chairperson of the Summit on the State of the East African Community, on 26th February, 2008.

(Resumption of Debate interrupted on 13 May 2008)

Dr. F. Lwanyantika Masha (Tanzania): Mr. Speaker, Sir, at the outset, let me also join you in congratulating the Members from Rwanda and Burundi for joining us. In fact, I am with them and, indeed, impressed and assured that we are going to have a wonderful time with them here. I also wish to express our appreciation with the Government of Kenya and the Speaker for hosting us here in this wonderful assembly. As I heard some of our men colleagues say, they wished we could move this thing to Arusha. I do not have much to say except that I have to start by expressing regret that I was not present in the Assembly when the President of Uganda, Chairman of the Summit made his statement. However, I am impressed and wish to support fully most of the elements in his statement.

Mr. Speaker, Sir, let me say something about the consequences of the events in Kenya to which the President made reference and which really gave us some thoughts as to what can be done to stop those kinds of things happening again. I was privileged by your invitation for me to lead the goodwill delegation to Kenya after the violence. One of the major recommendations, on the basis of what we found out, was to recommend that one

of the ways to avoid these kinds of events is, perhaps, to consider seriously, removing the question of elections from the administration by Member States. We did recommend and we hope this will be considered by Member States that there should be established an East African Electoral Commission to do two things: First, is to supervise the election of EALA Members whenever this occurs in the parliaments of member states. Secondly, to help manage national elections of parliaments in Member States, thereby removing the nationality element, including all that goes with it, that might affect either the impartiality of those managing and administering the elections and also remove an excuse for any determination by such a commission being challenged on the basis purely of political considerations. I, therefore, wish to suggest that, perhaps, in the course of the year, the Assembly considers the possibility in consultation with other parliaments in the region for the establishment of an East African Electoral Commission to do those two functions.

The President of the Summit made it very clear what the goals of the Community are. We saw them as the economic integration of the region developing very strong regional economic bloc and secondly, doing everything towards an establishment of an East African Federation.

Mr. Speaker, Sir, on page 8 of the Draft of the Statements which have been given to us, President Museveni outlined what he saw as the main functions of EALA in this process. I would beg your indulgence if I can just read that one paragraph for purposes of emphasis. After indicating what is needed in East Africa and where we are going, he said: "It is against this background that I urge this EALA to gauge its future role in taking East Africa to greater heights of achievement. The tenure of this Assembly will seize some momentous developments within ambitious programme of the said East African Community Development Strategy, including planned institutional development, the infrastructure development works, general programme expansion towards a common market and monetary union. Last, but not least, the process has already began of the review of the Treaty. On accommodating the present and future demands of the expanding programme in membership of the community, he said he would call upon this distinguished Assembly to readily embrace this challenge and strategic commitment to develop the Community".

The President is asking us to ensure that whatever we do in the course of the time of this Assembly, we are involved in the planned institutional development of the community. What are these institutions? If the goal is to go to economic integration in the political federation, then we have to ensure planned institutional development of institutions that will become the institutions of the Federation of East Africa. We are being charged with the function of developing the elements of the future institutions of the Federation. Among these, would be as I assume, the Ministries that will become Ministries of the Federation, institutions such as the Victoria Commission Basin and other institutions that we may consider necessary in the relevance for a future East Africa as a political entity. He is asking us to be involved in the development of the work programme towards the common market and monetary union and in the same statement he has given a kind of a timetable for some of these things to take place. The Common Market is supposed to take place by 2010 and the Monetary Union by 2012. I would, therefore, hope that whatever

plans and developments we do, as well as whatever plans the Secretariat is doing to us, we will have those targets in mind and be asking us to develop or to pass legislation for institutions of the framework for the achievement of these things in that time. So, you work with targets and you have the goals and you see how you go to those goals. It is on that basis that when we come to discuss the Budget, I will be saying whether the Budget is leading us to that reaction.

Mr. Speaker, Sir, he wants to tell us about the intentions to have an East African Federation that acknowledges what took place in the course of the consultations they held. Nonetheless, it remains the goal of the Community to have a political federation after the monetary union. I would like to think that he was also telling us that we should be involved in the move towards preparations that are necessary to reach a political federation and I think we should be part of that engagement to ensure that our governments and societies are geared towards accepting that political federation. On that note, I wish to as he did, to say that efforts for foreign policy co-ordination, co-operation in defence and regional peace and security, are commendable efforts. I hope the secretariat will take those aspects very seriously.

Mr. Speaker, Sir, I would like to say that the statement of the President of the Summit was not just paying advice to the Assembly. They must be talking among themselves as presidents about what their role is in achieving these targets, which he has set for us. Now, if you ask the Assembly to plan institutional development of the Community, to work for common market and monetary union, I would, perhaps, also ask our member states and governments to be thinking not so much of asking us to pass legislations which merely asks the co-ordination of matters, but asking us to pass legislations which actually builds institutions for the future.

We have a number of legislations which have been brought to us in the course of the year which seem not seek the development of institutions, but rather harmonise relations and co-ordination of certain aspects of the work done by member states. That is how we ended up in the previous legislature with the Customs Union Act. Instead of setting up an East Africa Customs Administration, it ended up setting up a co-ordination or harmonisation sort of loose instrument and left all the work to member states to do. That way, we are not doing what the President of the Summit is asking us to do. At some point, we were being asked to pass some other legislation again to merely co-ordinate and harmonise things; have more talk and talk and leave the work done by our member states.

I would like to say that when we reach a point where we are talking of, for example, the institutionalisation of railway system in East Africa, we will have an East African Railways Administrations run by the Community, and not the Community merely harmonising this. In the past, it was possible because we already had this. We had the Postal Administration, which was run by the Community in the past. We had the Railways Administration, which was run by the Community in the past and not only one but all of these organizations. So, we should be moving towards actually having organisations and entities administered by the Community rather than this mere harmonisation effort.

Mr. Speaker, Sir, I fully agree with the President on his insistence that we must bring on board our people in East Africa to accept the federation and whatever we are setting up. They should also feel that the money which is being spent to do this work, including sustaining ourselves as Members of Parliament or the Assembly is not their money and the only way to do that is through a vigorous, effective and information machinery, that is a public information system. I regret and I am a little unhappy to say that in the years I have been associated with the Community so closely, I have not seen any effective public information machinery. There are a lot of stories that people tend to hear. Indeed, one of the reasons for coming to a capital such as Nairobi to hold our sessions is that the people of Kenya would know that we are here and they would get much closer to what we do, so that they can own the decisions we take. However, how much of this is taking place? How much do the people of Kenya know that we are here to work? How much has the media been mobilised to cover this wonderful story that is going on today here in Nairobi for the next two weeks? There is a need in the course of reviewing the Budget, to see whether that Budget for next year does target itself to a serious programme of public information.

Mr. Speaker, Sir, let me end with a few procedural notes. I notice that two documents were tabled before the Assembly yesterday and I expected or assumed that we would be talking about all of them, including what was tabled as the annual report of the East African Community for the years 2006/2007. Certain things maybe need to be expressed by example. I understand in the rules of procedure we have a reference to how we should be dressed if we are here. Of course, if Dr. Masha came in slippers and swim wear it would still be the same Dr. Masha and, probably, he would say the same words but it will be considered a dishonour to this Assembly. Probably, I would be thrown out of the Assembly. If I may quote the language of my learned ones the lawyers; they would say you came in undressed.

If you go to a serious body such as the assembly and submit a document such as this one here, as the annual report of the organization, I cannot find any simpler or humbler word than to say that it is a lack of respect to the organization - (*Applause*).

I would have expected the report of the organization to the assembly to be a report of the Secretary-General. However, this is not even a report of the Secretary-General. If you look at the second piece of paper, it is from the Department of Communication, something not even a name or a title to whoever sent it here is shown. The annual report references seem to have been stamped in there. If you go through the whole thing, some of the way it is presented, you wonder – (*Interruption*) -

The Speaker: Dr. Masha, this document was referred to a committee; I think we will have an opportunity to go through it next time when we have a report from that particular committee. So, I think you should restrict yourself to---

Dr. Masha: Thank you, Mr. Speaker, Sir, for your intervention. I respect. I only made reference to it because I thought the two documents were to be treated together in the

course of discussing the report. However, whoever was involved in this problem got the message - (*Laughter*). If there is an opportunity for me to repeat myself with an even sharper tongue, I will do it when that report comes up. To be honest, I find it rather unquestionable that a serious body such as this is giving these kinds of documents.

With those few remarks, I wish to support the substance of the statement of the President of the Summit and hope we will do justice and what the President has asked us to do. Thank you very much.

The Speaker: Hon. Members, before we continue, I would like to acknowledge the presence of the Speaker of the National Assembly of Tanzania, Mr. Samuel Sitta - (*Applause*).

Dr. Gharib Said Bilal (Tanzania): Thank you, Mr. Speaker, Sir, for according me an opportunity to make a few remarks concerning the Motion on the Floor of the House. First of all, let me also join my colleagues in expressing my sincere gratitude for the hospitality since our arrival into this good City of Nairobi. Let me also congratulate the newly elected hon. Members, our brothers and sisters from Rwanda and Burundi for having been successfully elected to join this Assembly. I want to tell you that from wherever you are or were, you have now been elevated to greater heights that require you to perform more noble assignments. It has been amply suggested from the speeches made yesterday at dinner and from the Speech that we are debating this afternoon.

Let me go to the substance of this debate. Let me begin by saying that the speech made by the Chairman of the Head of the Summit has really encouraged us, as hon. Members of this Assembly. I want to agree that it has established even more clearly, the beacons as we go through our journey to realizing the wishes and aspirations of the people of East Africa. I have only a few remarks to make concerning the speech.

First of all, let me go to the issue of infrastructure. It has already been stated here, in substance, but I want to go into generalities. We all realize that the infrastructure is the peace talk of any experts to bring together people in a region and expand activities. In this case, as we embark on the Common Market, the importance of creating better roads, transport facilities and better communication infrastructure cannot be more emphasized. I want to commend the Chairman of the Summit for his emphasis on the infrastructure.

Secondly, the day before yesterday during the Press conference, we were made to believe there is some foot dragging in embracing the aspirations of the political federation. I think it was pointed out to Tanzania. I do not want to sound nationalistic here, but I am really satisfied by the way this issue has been handled. I want to say that what we have in politics, sometimes we have to be very careful of what we read from the media. There is hype and there are facts. As we sift through, we have to be very careful of what is hype and what is facts. The Chairman of the Summit has so eloquently expressed this issue of the media. We have to be very careful with the media because it can break or make the efforts towards integration. We were made to believe that sometimes, out of our frustrations or patience for unity, that probably, the best way to achieve unity is through

fast tracking the federation. You will agree with me that Tanzania can top in the issue of whether to federate or not with more than 80 per cent of those asked responding to the affirmative.

On page 3 of the speech by the Chairman of the Summit, I want to underscore the wisdom of the Summit realizing that the regional consultative process delivered a verdict of broad public support for the idea of federation among a majority of people. What I want to emphasize here is that Tanzania's quest for political federation should be judged by the statistics that are contained in the report. As we grapple with many problems surrounding East Africa at this time, I wish to say that we are no longer having teething problems. We are past that. However, you will still agree with me that we have a number of problems confronting us as a community. It is more prudent than second-guessing oneself when we urge that we should go slowly and go into fast tracking the phases rather the process as it is. I want to commend the Summit for coming to that conclusion, that they should take a common stand and allow the phases to be realized rather than fast tracking the process of the federation the way it is.

Mr. Speaker, Sir, there is also the issue which the speech touched upon of the importance of bringing to the surface the activities and EALA as a whole. We need to bring people in phases. As we go to our constituencies, we are always asked whatever we do here, they are not aware of. What on earth are we doing here? What is this Assembly doing with respect to the interests, activities and lives of people? You will agree with me that at this historic occasion taking place here, where we have our brothers and sisters being sworn in for the first time to join this Assembly, we do not see it in the front page, second page or even the third page of major newspapers. We were complaining and somebody told me that it was on the fourth or fifth page. The speech has already eloquently suggested the importance of bringing the media into the fore if you want the efforts and aspirations of this important organization to be understood by the majority of people in the region.

I want to finish by bringing to our attention how noble it is to be part of this Assembly. We are required and expected to measure up to the trust and confidence expected of us by the Speaker of the National Assembly of Kenya and also by the Chairman of the Summit. I believe that we will rise to the occasion and meet our objectives and the people's aspirations.

With those few remarks, I beg to support the Motion.

Ms. Dora Kanabahita Byamukama: Thank you, Mr. Speaker, Sir, for giving me this opportunity to support the Motion. Before I do that, I would like to also reiterate our appreciation, which had already been given on our behalf by Mr. Kidega, and to state that we are very grateful to the public of Kenya, the Kenyan Parliament, and in particular, to our colleagues who came all the way to the airport to make sure that we were escorted with honour into the City of Nairobi. Like we say in Uganda, quoting one of our previous leaders, when you come to Uganda, we shall revenge.

This being my maiden address in a fully constituted EALA, I would like to congratulate our sisters and brothers from Burundi and Rwanda. I would like to give some background to how excited and how happy we are by clearly informing our sisters and brothers from Rwanda and Burundi that since July, 2007, when the two partner states were accepted into the Community, we have kept the item on Administration of Oath on our Order Paper, in the hope and belief that they would be sworn in as soon as possible. But as you may note, if you conceived in July, 2007, by now the baby would be about three months old and sitting. So, basically, what I want to say is that we should put it into practice such that when we take on commitments, they are executed in good time. Nevertheless, I want to say that we are very happy to have you with us. Indeed, increment in numbers also means increment in potential. Therefore, we, as a Parliament, will be able to execute much more than we have done with you now in Parliament.

Mr. Speaker, Sir, I beg your indulgence. Let me just comment on what the Republic of Rwanda has done, in particular, by breaking the record and setting the trend of sending to EALA five women out of nine hon. Members - *(Applause)*.

This is a great success and I would like all the other member countries and partner states to bare this in mind. When you look at Article 50 of our Constitution, it says that the National Assembly of each partner state shall elect, note, from among its hon. Members, nine members of the Assembly who shall represent, as much as it is feasible, the various political parties, shades of opinion, gender and other special groups. I would like to say that when you consider as much as it is feasible bearing in mind all the other aspects, we, as women, make up, at least, 50 or 51 per cent in most cases of the East African Community. Therefore, this should be taken into account.

I would also like to commend, again, the Republic of Rwanda for sending us a person with disability. This is very important because I know, for example, in Uganda, persons with disability make about 10 per cent of our population. These are our brothers and sisters and this goes to emphasize that disability is not inability. We would like to commend this practice and we hope that the other partner states will emulate this excellent example set by Rwanda.

I would not like to name and shame those countries that have sent us a minimum of three women. However, I would like to send a clear signal that we are watching. Next time round, they should take cognizance of the fact that we are seriously watching what they are doing.

Permit me to make a comment or two on the issue before us, especially in respect to what my colleague, Mr. Bilal, made note of yesterday. When you consider Article 11 of the East African Treaty for the Establishment of East African Community, it has two major functions of the Summit. It states that the Summit shall give general directions and impetus to the development and achievement of the objectives of the Community. It goes on under Article 11(3) to state that the Summit shall review the state of peace, security and good governance within the Community and the progress achieved towards the establishment of a political federation of the partner states. Therefore, I would like to say

that when we, as EALA, under your proactive, action oriented and excellent guidance, invited the chairpersons of the East African Heads of State, we had borne in mind these two aspects. At this particular time, we had problems going on within Kenya. Some of us who had come to observe elections in December and had to be escorted out of Kenya, very much felt acutely in need of a state of EA address; most particularly, the need to review the state of peace, security and good governance as is mandated in the Treaty. Therefore, I would like to salute you for having had the vision, implemented it and also for setting a record and trend where by we shall have the Summit addressing the Assembly thus giving direction and impetus; and also reviewing the state of peace, security and good governance within the Community.

Mr. Speaker, Sir, I would like to comment on the speech made by the President of the Republic of Uganda. Before I do that, let me again salute him for responding positively to our invitation. I would also like to salute him for being the very first Chairman of the Summit of Heads of State to address the Assembly on the state of the East African Community. For us, who live in Uganda, we are keenly aware of his revolutionary spirit, and are very glad that this spirit is being spread into the East African region. He is a trendsetter and his speech clearly highlights and shows that he is a visionary leader, who has the capacity, along with the other brothers and sisters, to lead East Africa to greater heights.

I would like to make reference to only two of his points, because the other points have been alluded to by my other colleagues. The first one is on page 5, where he makes note of the issue of inter-connectivity of the East African region. Permit me to quote. He says: "God put East Africa together; no man or woman should put them asunder. It is like a house where the bedroom is in another country, the sitting room in another country and the guestroom in another country. To go to the bedroom you need a visa."

I would like to state that I was saddened when we went to the airport to receive our sisters and brothers from Rwanda and Burundi, and were informed that they required a visa to come to this Assembly. Since we have become partners, I would kindly ask that something be done to make sure that we do not need a visa to go to any of the EAC partner states.

The other issue that I would like to make reference to is on page 8. On this page, the Chairman makes note of the fact that we have an opportunity, because we are in the process of reviewing the Treaty for the establishment of the East African Community. Therefore, we need to accommodate present and future demands of the expanding programme and membership of the East African Community. He, therefore, called upon the Assembly to embrace this challenge and pledge for commitment to develop the Community.

I would like to implore the Members of Rwanda and Burundi, who just joined us, to take time to look at some the proposals that we have made towards amendments to the Treaty. We believe that they will have some issues to add, which will definitely enrich the amendments.

I would like to end on a note where the Chairperson of the Summit talked about bold visions. On page 12, he states that bold visions need bold actions to match the word. I would like to clearly state that we have now been emboldened by increased numbers and the capacity to handle conflicts. In the light of what happened in Kenya, I would like also to take this opportunity to salute President Kibaki and Prime Minister Raila Odinga for putting Kenya before them. They will go down in history as men who put Kenya before themselves.

On this note, I beg to support the Motion.

Mr. Christopher Nakuleu (Kenya): Mr. Speaker, Sir, I wish to take this time to congratulate hon. Members from Burundi and Rwanda for having successfully gone through the electioneering process, and been successfully elected to this Parliament. I will be brief.

First, I wish to talk about the speech by the Chairman of the Summit. The speech by His Excellency, Mr. Museveni, was timely because it came at a time when Kenya was undergoing an election crisis. That was a time when regional leaders were supposed to come together and save the situation. When the Chairman gave that speech, he was giving a political direction for the posterity of this region. I would wish to concur with hon. Masha on the issue that in future we, as a regional Parliament, should move towards creating an East African Electoral Commission. That will help to harmonise and supervise the electioneering process, and, in the event that one leader who is defeated decides to cling to power by force, then we should also look forward to having an East African Force as in West Africa. In his speech, he touched on the issue of us moving from subsistence to commercialized agriculture. You will realize that most of the countries in the region have not developed the agricultural structures very well. Instead, they only produce food, which is meant for consumption. You will realize that what is happening in Kenya now, in some parts of Molo and Trans-Nzoia, is that there are so many people who are concentrating on agriculture but they lack modern techniques.

Mr. Speaker, Sir, also in his speech, he emphasized on the use of the media. As we speak now, I do not know if there are people from the East African mass media houses. As a Parliament, we have not given the secretariat the mandate to employ some. The President emphasized the use of media as a mode of sensitization and creating awareness across the region. Otherwise, the people of East Africa will not know what we do whenever we have sessions. So, it is important to develop a network of media through which very useful information will be disseminated.

I wish to commend His Excellency on discussing issues on the service industries. You will realize that the Western World has moved from agriculture to the service industry. That will form the basis upon which the most educated people in the region will get employed. So, I wish to commend him for that. He also touched on stratified agriculture, in the sense that we should not embark on horizontal agriculture. This is because movement of people horizontally may end up creating tribal tensions. That is what is happening in Molo, and some other parts of the region. So, he advised us that we should

embark on vertical agriculture, which creates vertical migration that leads to the movement of factors of production from farm to factory, or from farm to industry. It is also very useful for us, as a Parliament, to embrace those techniques and enlighten the people of this region, so that they can adopt modern issues.

Mr. Speaker, Sir, in his speech, the President also emphasized the need for political federation. He also gave figures on the surveys conducted across the region. Those figures show the eagerness of the people across the region for a federation. He gave specifics; an example is the issue of the common market, which we are anticipating to attain by 2010 and the monetary union, which we are anticipating to attain by 2012.

With those few remarks, I beg to support.

Mr. Dan Wandera Ogalo (Uganda): Mr. Speaker, Sir, thank you for giving me this opportunity to contribute to the Motion. Let me also begin by welcoming our colleagues from Rwanda and Burundi. I also thank the National Assembly of Kenya for according us hospitality and the opportunity to debate in this august Chamber.

Hon. Members, it is a great opportunity for us to debate the address on the status of the region through a speech delivered by the Chairman of the Summit. Before I go to that, I am a bit puzzled, because at the time when the Chairman of the Summit made his presentation, we did not have the Secretary-General, a member of this House, with us. We thought that the Secretary-General, being the link between all the organs, should have been present at the presentation of the speech; nor is he present when at this time, when we are swearing in 18 Members of this Assembly. I think this calls for re-examination of how we do our things, and what authority we give to this debate. Is a speech by the Chairman of the Summit a minor matter? We have to categorize it. We can do that by seeing how people react. Even Ministers are here, but the Secretary-General, who was purposely made a member of this Assembly by the Treaty, is not here. I do not know what happened but there should be an explanation at a later stage.

Mr. Speaker, Sir, I will go to page 3. There is an important statement by the Chairman of the Summit in paragraph four. He states: "Over the first year, the Summit has been seized of the critical issue on the strategic direction of the EALA. The process towards the establishment of the political federation of East Africa as well as the steps in building a single and strong regional economic block remain the two major goals of our regional organization. These are intended to cope with the powerful movement of globalization, and put a stop to the perennial marginalization of our economies and societies within the world economic and power systems".

I will not talk about the federation, but about a single and strong regional economic block. It is clear that the summit had given a lot of thought to us having one major economic block. I commend the Summit for recognizing that it is important that we operate as one economic block; with the market of over 100 million people, there is a lot to be gained. My emphasis on this single economic regional block would change the mode of asking certain questions. Things I would have been expected to be raised in the speech, I did not see them. But in my humble view, these were critical matters concerning the issue of a single economic block, which ought to have been addressed. In

addressing those steps, we would be able to determine whether we are in the right track to create one single economic block. Unfortunately, the evidence seems to suggest otherwise. It is these steps which should be in the speech, so that this Assembly and our Committee on Trade interrogate them, so that we can really achieve what the Summit wants us to achieve. The Summit is not there all the time because it works through organs. This Assembly is important in the process of ensuring that we achieve what the Summit has set as an impetus.

The first weakness, which should have been addressed, is the question of the creation of one authority. I am now going to talk about the customs union, which we say we have finalized. The question of one single customs authority--- When the last Assembly was enacting the Customs Management Act, it pleaded with the Council of Ministers that we required one strong central authority to manage customs. In their wisdom, the Ministers thought we were not right, and insisted in each country dealing with its customs management. The question, which would come to mind, would be: Is that towards building one strong economic block or does it distract us from that? That is one matter that I would have expected the speech to address. One would have thought that from 2004, when that law was made, the Council of Ministers should have agreed with the Summit to move towards one strong block. Unfortunately, up to now, each partner State is managing its own customs, and then we are saying that we have got a Director of Customs in Arusha. What does he do if he has no authority over all these customs services? We have the Directorate of Customs in Arusha, but what does it do if we have no authority over auditing customs. For me, I would have expected the speech to interrogate this so that we can see where we are. Our Committee on Trade can work on this matter and see whether we can build from there. This is because the 2001-2005 Strategic Plan specifically provided for one Central Customs Union Authority. We distracted from it. The Council did not want it. The Summit wants it and the Assembly tried to agree with the Summit on it, but the Council said no.

The second issue, which distracts us from the question of one strong economic bloc, as the Summit would like us to have, is the question of belonging to multiple regional blocs. Tanzania is in the Southern African Development Corporation (SADC), Rwanda, Uganda and Kenya are in the Common Market for Eastern and Southern Africa (COMESA). It is not possible for us to maintain one strong economic bloc of the Community when we have one leg here and another leg there. It is impossible. What kind of customs will you have when you are in two different economic blocs? It does not make sense. This is because SADC is an economic block and COMESA is an economic block. East African is also an economic block and the countries of East Africa belong to different economic blocs.

Mr. Speaker, Sir, and hon. Members, the first Assembly sought to deal with this problem. In 2004, it enacted in the Customs Management Act, a provision giving Uganda and Kenya two years to quit COMESA. It gave the United Republic of Tanzania two years to quit SADC. Those two years ended on the 31st December 2006. But none of these countries have ever made any effort to move and the Summit is telling us we want one strong economic bloc, but we belong to different economic blocks. I would have expected

the Speech to address this matter. Why we cannot deal with provisions of the law when this Assembly enacts them--- In fact, when the time elapsed, the Council of Ministers did the unthinkable. They said they were amending an Act of this Assembly by some instruments somewhere and purported that they would continue to be in SADC and some of them would continue to be in COMESA. Surely, it is impossible to think that anyone can think that you can amend an Act of an Assembly or a Parliament through some other instruments other an amendment by the Assembly itself. But the Council of Ministers got away with that.

The Counsel to the Community (Mr. Wilbert Kaahwa (Ex-Officio): On a point of information, Mr. Speaker, Sir. May I inform the hon. Member who is on the Floor that regarding the issue of multiple memberships and the provisions in the East African Customs Management Act on the deadline for membership of partner states in the different regional blocs, this august House had passed the East African Customs Management Act whose effect was legally to amend the date originally set in the East African Customs Management Act, 2004. Thank you.

Mr. Ogalo: I thank you for the information. It would have been good if you informed the House at what stage that amendment was made, whether it was made before the expiry of the time or after the expiry of the time. We are only helping you because the Council had messed up. You should be saying thank you for getting us out of this hot soup instead of giving me this information.

Mr. Speaker, Sir, and hon. Members, here, we have the Summit giving the East African Community directions. You must be one entity and one strong economic bloc. Here, the Council of Ministers is perpetuating something, which negates that. I would have expected the Speech also to address the question of collection of customs at the entry points such as Dar Es Salaam, Yumbe and Mombasa. These are things, which are there in the 2001-2005 Strategic Plan. These issues were not addressed.

But I want to conclude by saying that on the question of Customs Union, we seem to be moving at cross-purposes. We do not seem to be having a clear direction from the Community. This is because what the Summit is directing us to do or put into effect is being negated by the Council. So, we seem to be moving at cross-purposes. I would, therefore, call upon this Assembly to rise to the occasion and restrain the Council of Ministers so that the Assembly, the Council of Ministers and the Summit are all speaking one language. It is in this House where the hon. Member from Rwanda mentioned this morning in our informal meeting, that it is this House which had political supervision over these matters of the Community. If we do not have political supervision of matters of the Community, we would have failed in our responsibility and duty. So, it is therefore, important that we rise to the occasion and serve the people of East Africa.

The second issue, which was addressed by the Chairman of the Summit, is found on page 4. This is the one I want to address. There are very many others. This one says: The East African Authority decided to maintain a united position on this matter by directing for the fast-tracking of the common market to be achieved by 2010.

That is the directive of the Summit. I welcome this directive because, definitely, it is pushing us towards a faster integration process. However, this question of the common market has a history. That history would have required this speech of the Chairman of the Summit to interrogate and see why we had those problems and how we can overcome them.

Mr. Speaker, Sir, the Chairman says on page 4 that, “it is, therefore, most gratifying to note the good progress of the ongoing negotiations for the common market. The swift progress we are making in the common market negotiations is commendable”. These are very strong words and I sincerely hope that we are making swift progress. I would have been happy if I had seen in this Speech those steps, which we are moving very swiftly towards the common market. I say so---

Ms. Byamukama: Thank you, hon. Speaker and hon. Ogalo, my colleague for giving way. I would like to get clarification from hon. Ogalo as to whether the Chairman of the Summit could have deviated from the Article 11 of the Treaty for the establishment of the East African Community which gives the Summit the function of giving general direction and impetus to the development and achievement of the objectives of the Community. In this context, may be I would like to hear from him as to whether the Chairman could have been in a position to give more detailed account of what is expected is a general direction and impetus.

Thank you.

Mr. Ogalo: Mr. Speaker, Sir, and hon. Members, I do not see any point of deviation here because the direction and impetus is given. What I am just calling for is what would have been my expectation in this Speech. I have reasons for that. The reason for that, I would give you so that hon. Byamukama can understand. If you go to the East African Community Development Strategy, 2001-2005, and you go to the matrix, you would find that the Common Market was supposed to have been achieved in 2002. It is here signed by all the three Presidents then. They set themselves to achieve the East African Common Market in 2002. The matrix begins at page 57 and you would find the particular matter on the common market on page 58. It is because of that, that we are six years late. I was expecting that he would be able to address those issues. You cannot be six years late and simply say: “We are making swift commendable progress”, without trying to address those things. That is all what I am trying to say. But, we are of the view that six years is a short time and we need not to interrogate it, so be it.

Mr. Speaker, Sir, there are certain things which are obviously required in a common market and which are preconditions for a common market. The first and most important is the issuance of national identity cards in the partner states. I do not know about Rwanda and Burundi, but I know that Uganda and Tanzania do not have. It, therefore, means that if you have a common market and you are saying there is free movement of persons, somebody from Malawi or Zambia can cross the Tanzania border and come into East Africa and even purport to be an East African, if you do not have an identity card. These are the things which I was expecting but the Chairman did not mention in his Speech. Maybe, the Chairman of the Council of Ministers, if he is here, will be able to

assist us. If you are talking about a common market, you must talk about internationalization of the East African passport so that I can go with the East African passport and be recognized internationally. These were the things I expected to see in the Speech. I expected the harmonization of the labour laws and policies, investment incentives and policies.

Mr. Speaker, Sir, and hon. Members, these are the matters which I have raised about the Speech. Maybe, it can assist us in the future. The technocrats who draw these speeches should assist the Summit to see how best we can also be assisted in order to push the Community forward. If we do not know these problems and we are just told we are making swift progress, the Assembly will not be able to debate the status of the common market.

Mr. Speaker, Sir, the third issue which I want to address on the Speech is found on page 6, where the Chairman of the Summit says: I am, however, glad that our brothers in Kenya are handling the problem with maturity. We condemn the violence that took place in Kenya. It was unfair on the affected families. It was also unfair to the neighbouring countries. The violence was ideologically confused. Indiscriminate violence is reactionary". I fully appreciate the statement of the Chairman of the Summit that violence is not an answer. Matters of politics must be solved through speaking. I say so and I give you an example of electoral violence and politics.

We had our Independence in Uganda in 1962. We were supposed to have our first general elections in 1967. In 1965/66, the Prime Minister and the President disagreed and resorted to violence. So, we did not have elections, which were due in 1967. In 1971, we again resorted to violence through a coup as a way of solving our political problems. When Mr. Idi Amin took power, he wanted to have elections in two years. Soon thereafter, he told us to forget it. He made it very clear and said: I am President for life. *Maneno ya election au kupiga kura* forget! So, we lived with that until 1979 when the gallant sons and daughters of Tanzania helped us to get rid of the man called Amin Dada. So, we went for an election in 1980, hoping we were going to solve those problems. We finished an election. There was an opposition and a ruling party in the House. But, again we went to war over the elections for five years.

So, if violence were the measure, Uganda would have been very progressive, economically, socially and everything. So, I fully associate and agree that the question of violence has no place in the modern world. Instead, we must build institutions which ensure that we do not fall back to violence. It is the only way forward. So, many people lost their lives in Kenya and properties were destroyed. People were also internally displaced; For what? That is what the Speech should interrogate. I think we should go into the details why, so that we can be able to solve those problems and try to avoid them from happening again. But if we simply condemn the violence and the *status quo* remains, the violence will come back to us. I really must commend the people of Kenya for having stepped back from that brink which Ugandans know it does not pay. It is not worth it! But the challenge is to build institutions which will ensure that people do not resort to violence. So, what is the role of the East African Community? That is what I

would want the Speech to contain. What is our role when a partner state has those kinds of problems? We must put in place institutions, which will make it impossible for those things to happen. Then, we can move forward as a stable region. As the Chairman of the Summit correctly noted, if it happens in one country, it will affect all the others.

Mr. Speaker, Sir, and hon. Members, one such way will be to create an East African Authority of wise men, who are respected, who whenever there are problems, they can come up and solved the problems. Six years ago, in the same very Chamber, I made that suggestion. But unfortunately, it was not well received

Mr. Speaker, Sir, lastly, I would refer to page 8. For me, this is what is very critical and important for this Assembly. The Chairman of the Summit says: “ It is against this background that I urge you, the East African Legislative Assembly, to gauge its future role in taking East African to greater heights of achievements”. This Assembly should take East Africa to greater heights of achievements. The term of this Assembly would see some momentous developments within the ambitious program of the Third East African Community Development Strategy, including and I want to emphasize, planned institutional development, major infrastructure development, works, general program expansion towards the common market and monetary---

Mr. Speaker, Sir, finally I want to talk about what is referred to as the common market and monetary union. I will skip the next sentence. I call upon this distinguished Assembly to regulate and embrace this challenge and the strategic commitment to the development of the community.

On page 12, the Chairman of the Summit says: “I would therefore, urge you in this Second Assembly, to envisage a singular commitment to promote the course of regional integration and devolvment in East Africa for the benefit of the President and the future generations. I extend my confidence in your commitment and preparedness for this task”. The Summit in those statements has given what it thinks this Assembly should do. It is a great task, which is upon us, and the question will be whether we have that commitment, the courage or strength, to look at East Africa and build one strong East Africa. Time will come when decisions have to be made; difficult decisions, but decisions which will require us to listen to our own conscience and not to listen to other political stakeholders outside the House. The confidence of the Summit is in this House. Will we be able to live up to it or shall we let the Summit down?

I propose, hon. Members, that in matters of building the Community, we should have no compromise. In matters of building the Community, we should do everything within our powers because the buck stops with the Council of Ministers and us. Everybody will either look to us or to the Council of Ministers. The failure of the East Africa Co-operation will be attributed to one of those two bodies; the Council of Ministers or us. I hope we shall rise to the occasion. Thank you, Mr. Speaker, Sir.

Ms. Safina Kwekwe Tsungu (Kenya): Thank you, Mr. Speaker, Sir, for this opportunity. I would also like to take this opportunity to congratulate our new brothers and sisters, Assistant and Deputy Ministers who have joined the Legislative Assembly.

I would like to commend His Excellency hon. Yoweri Museveni for being the first Chairperson of the summit to operationalise Article 11 of the EALA Treaty. Indeed, that is a clear demonstration that the summit has taken its role of giving direction and impetus to the community.

Mr. Speaker, Sir, it is common wisdom that not knowing one's destination is worse than not knowing the way. Indeed, in his speech, the Chairperson of the summit indicated the destination that he wants this Community to go. He provided in the dichotomy, the political federation and a single strong economic block. It is, therefore, the responsibility of the other institutions and organs of the Community to find the way to that destination. That is why I want to make reference to the Speech of the Chairperson on page 2, where he laments that the Community has a combined population of 130 million people, a land area of 1.8 million square kilometres but with a combined GDP of a miserable USD41 billion. Even though the size of the East Africa economy is still embarrassingly small, he says that the potential is great. Indeed, this is what I would like to draw inspiration from, for myself and for this Assembly, that the potential is great.

Mr. Speaker, Sir, the Chairperson makes reference the Third Development Strategic Plan for the EAC 2006-2010. He also makes reference to two other documents, which are speeches he gave. I would like to draw my debate from these three documents. From you, hon. Speaker, the message is clear. There are four fundamental areas that as a community, and as legislative organ, we must address ourselves to. First, we must address ourselves to peace and security. Peace is an imperative. Security is an outcome. Therefore, as a community, we must address ourselves to this because it is the basis for the second, third and fourth issues that the Speech highlighted.

He also talked about industrial development, investment promotion and infrastructure development. When we talk about industrial development, which I would like to dwell on, this Assembly must realize that there is need for East Africa to put emphasis on industrial development if we are ever to see East Africa as a peaceful and secure region. Why do I say so? It is because of the way that our economy is structured, the regional economy that relies heavily on agriculture, and therefore, puts a lot of strain on land use. Without moving from that, we shall not have peace and security and, therefore, we shall not have industrial development.

Mr. Speaker, Sir, when I look at industrial development, I see two things: I see technology and entrepreneurship. A combination of these two gives us a product, which is industrial development. But who do we see in the East Africa region as the agents to move the region of East Africa from an agro-based economy to an industrial based economy?

Previous speakers have talked about this issue, but I would like to add my voice and bring on board a very particular ingredient that all partner States cannot afford to ignore. These

are the young people. It is the young people, who will be the vehicles of industrial development. It is the young people that are the foundation and the movers or the drivers of industrial growth, which are the small and micro enterprises. Without putting emphasis on this, the issues of peace and security will never be actualized.

Mr. Speaker, Sir, as we move towards a single strong economic block, we cannot ignore the issue of raising capital. EALA must rise to the occasion and put in place, mechanisms that will enable a brother or sister in Burundi to raise capital in Kenya, Uganda or Tanzania to do business anywhere in this region. Therefore, the issues of capital markets management cannot be underscored.

We need to harmonize laws. When we want to do investment promotion and promote East Africa as one single investment region, we cannot afford to have laws that will contradict this dream. Labour laws are very crucial, particularly in the phase we are in, that of the common market. If as an investor, I feel that I can move from Kenya to Burundi because I will get cheap labour, and yet we are saying that we are creating a single strong economic block, that defeats that purpose. Therefore, this Assembly must rise to the occasion and make sure that those laws that will defeat our efforts towards realizing a single strong economic block are actually taken into account and this legislative body takes responsibility to ensure that we have laws that will support the realization of the dream.

In conclusion, the Chairman of the Summit said that one of the problems that ail our region is the poor and short-sighted political architecture within the region. I could not agree with him more because the Kenyan experience was the best example we have had. Political architecture within the region has to be revisited. If we do not do so, we are heading towards failure.

Thank you again, Mr. Speaker, Sir, and welcome to our sisters and brothers from Burundi and Rwanda and our Assistant Ministers and Deputy Ministers.
Thank you.

Mr. Clarkson Otieno Karan (Kenya): Thank you, Mr. Speaker, Sir, for giving me this opportunity to add my voice to the debate on the Speech by the Chairman of the Summit. Before I go to the Speech, let me take this opportunity to congratulate the Kenyan Government and the National Assembly for the reception they have given us and their ability to allow us to use their Chamber. We further wish to congratulate hon. Members from Rwanda and Burundi and the Ministers who were sworn in yesterday. We welcome them to the community of East African Legislative Assembly.

Finally, I wish to congratulate you for the manner in which you have seen it fit to include the debate of the Speech by the Chairman of the summit to the EALA Calendar. I know it was not an easy task but you lived up to it and today, you have delivered the Speech. I wish to congratulate you, Mr. Speaker.

Mr. Speaker, Sir, I want to concur with hon. Wandera on a number of issues because the Speech of the Chairman of the Summit has narrated a number of issues, which are worth

attending to, so that the EALA community moves on as a block. Most of our guests yesterday, in the name of Speakers of the National Assembly, told us that we must now face the challenge and move away from the inability of not doing our work. If you read the Speech of the Chairman of the Summit on a number of pages, hon. Wandera narrated and highlighted the work, which this Assembly has to undertake and as the Chairman of the Summit, he would not have highlighted that point if he did not have the capability.

I might not be able to talk about most of the issues raised, but I want to talk about an issue, which he talked about. I think he borrowed it from the Bible. That what God has put together, no man should put asunder. I just want to add that in the same Bible, it is also said that it is only death that can separate us. I want to urge this Assembly that anyone who wants to break the patriotism of East Africa should be referred to as death. It is the duty of this Assembly to kill that death and to restore the integration process of the EAC. That Assembly is you, hon. Members.

Mr. Speaker, Sir, this brings in the question of challenges which are facing us. If we are not able to address these challenges, no matter how eloquent we address this Assembly and support the issues raised by the Chairman, we will go down in history as those people who never worked to push this Assembly to its destination. At this point, it is upon this Assembly to take up the challenges, do some surgery and be able to take up what is rightfully theirs so that even if we fail to take this Assembly to its rightful destination, the records will show that the Assembly worked but there were some bottlenecks.

Today, we have on record, the Speech of the Chairman of the Summit narrating all issues, which are supposed to be done, and highlighting the role of the Assembly. We also have the speeches - even if some were not written - of all our guests saying that we should stop lamenting and that we should take up our challenges head on. If we do not do that, those records are there. It is upon this Assembly to throw the ball back to the courts of the people who said we have the power to do it. The only way to do it is to rise to the occasion, and be able to do what we are supposed to do and ensure that if there will be any weakness or failure; it will not be in the court of this Assembly. That is the only thing I wanted to highlight because all the issues the Chairman raised are issues which can be sorted out if we have proper institutions. Are we going to take it up? Are we going to say we do not have powers? And if we do not have powers, how are we going to get those powers? So, if those powers are not there, enact laws that give you those powers so that you are able to take up those challenges. Otherwise, it will be a bit difficult situation for Members of the Second East African Legislative Assembly if we do not move the Assembly as challenged by the Chairman of the Summit. So, I want to urge you, that no matter how eloquently you support issues which are raised which is a reality, and do not implement, hon. Members of Parliament, do not think you will run away from the failure. I want us to succeed, and we must come up and take up the challenges, whether it means not supporting your national Government, but you should support this Assembly to ensure that the East African National Assembly performs its functions.

With those few remarks, I support the Motion.

The Counsel to the Community (Mr. Wilbert Kaahwa) (Ex-Officio): Mr. Speaker, Sir, I thank you for giving me the opportunity to contribute to this important Motion, in the sense that for the first time, the Chairperson of the Summit delivered an Address on the state of the East African Community. My contribution will be threefold. I will start by applauding the sitting of the East African Legislative Assembly in this beautiful City in the sun and then welcome the new East African Assembly Members and finally support the Motion by drawing on the theme of the Address.

Mr. Speaker, Sir, it is my humble and singular honour to congratulate you on presiding over a purposefully enlarged East African Legislative Assembly. I say purposefully with intent, bearing in mind that Article III of the establishment of the East African Community enlarged the Community than the three-country membership. The solemn process, which East Africans witnessed yesterday when new Members were dully sworn in, is to me another clear milestone in the development of the Community. It is also a manifestation of the foresightedness of former Presidents Daniel arap Moi, Ali Hassan Mwinyi and Yoweri Kaguta Museveni who in the late 1980s saw it fit and inevitable to revive co-operation.

The sitting of the East African Legislative Assembly in Kenya eloquently symbolizes your commitment to live by the provisions of Article 55 of the Treaty, whereby in addition to sitting in Arusha, the headquarters of the Community, the Assembly may sit at such other venues as it may deem fit. I am sure this includes Fort Portal and Kasese.

Mr. Speaker, Sir, the Sitting of the East African Legislative Assembly in Nairobi, Kenya is yet another feather in the cup of the Legislative Assembly to reach far and wide in the East African region in accordance with the Community's people-centred trust provided in Article 7, Paragraph 1(a) of the Treaty for the establishment of the East African Community.

Regarding our sitting here, let me join my hon. Friends in thanking the Speaker of the National Assembly of Kenya, Hon. Kenneth Marende, the National Assembly of Kenya and the Government of Kenya for graciously enabling us to sit in this historical venue whose ambience should facilitate our deliberations. I wish to extend a very warm welcome to the new Members of the Assembly who will henceforth sit and participate in the Community's Legislature, whose output over the years has served to implement not only Article 49 and 9 of the Treaty in principle, but indeed, the whole Treaty of the establishment of the East African Community in general.

Mr. Speaker, Sir, a few days ago, if I had met the hon. Members from Burundi and Rwanda, I would have said *abasisi bachu mrakadza nadzu*. This means that you are most welcome. But now I feel very comfortable that I can see them and welcome them as fellow hon. Friends in this august House.

I wish to congratulate the hon. Ministers who were also sworn in as Members of the House following the amendment of Article 48 of the Treaty. Let me say that by the spirit of the provisions of Articles 57 and 58 of the Treaty, we the *ex-officio* Members are

subject to what lawyers would call a permanent injunction, in the sense that we cannot relate to the determination of a quorum in the House and we cannot also vote. However, I would like to assure my hon. Friends and Ministers that, apart we stand for a very big role in this House and we will effectively do so as *ex-officio* Members.

Mr. Speaker, Sir, given the Community's long enshrined objective of creating a large trade and investment area existing on the premises of the tested and unassailable foundations of regional peace, stability and tranquillity, the involvement of parliamentarians from Burundi and Rwanda in the Community's legislative process is a short in the arm of our organic integration process. This is reflected, if you allow me to quote from the Chairperson's observation in his address on Page 4, where like hon. Tsungu pointed out, the Chairperson had occasion to say: *"Today, the East African Community embraces a strong and large market of a combined population of 120 million people, has a land area of 1.8 million square kilometres with a combined GDP of US\$41 billion. This reflects the enlargement of the Community not only at the level of this organ, but overall, within the institutional framework of the Community"*.

Mr. Speaker, Sir, specifically turning to the address of the His Excellency the Chairperson, I want to thank His Excellency for an inspiring well thought-out, effectively fathomed and well timed Address on the state of the East African Community. In an African setting, once an elder has spoken, like His Excellency did, some of us may not pretend to add on, summarize or paraphrase the elder's address. Nonetheless, I wish to observe that semantically, the Address exuded the Chairperson's long cherished views on Africa's problems in general, and the East African Community's shortcomings in particular.

In this regard, I note in the Address His Excellency the Chairperson's concern over first of all, the unduly long wait for an industrial revolution by our region. Secondly, is the Chairperson's concern regarding failure to utilize our common heritage to build and sustain strength in the realization of loftier ideals; and thirdly, I note in the Address, the Chairperson's concern over the long duration seemingly ahead of us as far as economic and ideological independence are concerned. Fortunately, these are the problems, which we encounter in discerning between political substance and political form.

Mr. Speaker, Sir, taking all these into account, I wish to laud the Chairperson for having ably underscored the need and inevitability of the integration process. If you may allow me, let me again refer to page 5, which my honourable Friends have referred to.

On page 5 of the Address, the hon. Chairperson, bearing in mind the post-election violence in Kenya that affected the whole region, including Rwanda, Burundi, Southern Sudan and DRC Congo, emphasized the need and inevitability of unity and integration.

In conclusion, let me invite this august House to note that on page 12 of the Address, His Excellency the Chairperson, while imploring this august House to discharge its functions and mandate had this to say: *"Visions which have a tendency to fly about wherever one turns today, are invariably conveyed in mere words. But bold visions, real visions, need bold actions to match the words"*. It is in that regard that he continued to say: *"I would*

therefore, urge you in this Second Assembly to evince a singular commitment to promote the course of regional integration and development in East Africa for the benefit of the present and future generations”.

Mr. Speaker, Sir, this leads me to urge this august House, the expanded East African Legislative Assembly, to sustain the momentum it has set itself in not only discharging its legislative functions but also playing an oversight role regarding the advancement of the EAC in accordance with the Community.

Mr. Speaker, Sir, the statement of the chairperson also constrains me to urge all the other organs and institutions and persons in the employment of the Community. To recall the words of the late honourable chairperson of the Counsel, the late James Wapakhablo when he addressed the first assembly in June 2002 and moved a Motion which was very well supported, all the organs and institutions of the Community and the people of East Africa were enjoying making sure that the implementation of the treaty is on course for the benefit of East Africa. We, therefore, have to reflect on our common vision and mission and expected contributions jointly and severally. Our common mission is to realize integration principally, basing on the ideal provided in the Preamble of the Treaty, Article 3, 5, 6, 7 and 8 of the Treaty. Our proceeding on this historic journey, however, requires us to remember that we are discharging obligations for the benefit of the people of East Africa. We should constantly ask ourselves what is there in what we are doing that is for the benefit for the East African Corporation.

Mr. Speaker, Sir, allow me to draw a lesson from one of the prominent sons of the Republic of Kenya and indeed of the East African region. That is hon. Prof. Peter Anyang'-Nyong'o. I must say at the beginning that we have had a lot of interactions with the hon. Prof. Peter Anyang'-Nyong'o. He, others and I were involved in the negotiations and drafting of the treaty for the EAC.

At another time, as you may recall, he was the lead litigant in East Africa Court of Justice Ref.No.1 of 2006 where the election of some of my honourable friends in this House was being challenged. He was the lead litigant. I was on the other side. I was part of the respondent counsel. However, that is history and we are not going to relate to that. The essence which I want to refer to is where the learned professor in July, 2005, was invited to address students at St. Andrews Secondary School, Turi, in Molo in the Rift Valley in the Republic of Kenya. He was invited as the guest speaker and we were there with among others, hon. John Omut and hon. Lydia Mutende, as parents. Hon. Prof. Peter Anyang'-Nyong'o was addressing young girls and boys who had finished there IGCSE and were going out for further studies and ultimately, out into the public service. He said, “You young people have had the benefit of quality education. You are going out and eventually you will come to replace us in the service of the community. As you go out to amaze the world with your qualifications in law, education or whatever calling you would get, you have always to ask yourself, what ties you with your community?” You will be educated people but you should always ask yourselves, “What are the ties that bind us with the population”. He used the words he said. They should ask themselves what the ties that bind them to Imchiga in Mchale are, what the ties that bind them to Chagga in

Rombo are and what are the ties that bind them to a Luo in Rarieda? These were his words.

At that time, Burundi and Rwanda were not yet members of the Community. If it was at this time and given the fact that St. Andrew Turi is an international school with children from all over the region and the world, he would have added, “what are the ties which bind you younger people to the people in Chankuzu or the people in Gitaranga”. He would have added that.

Mr. Speaker, Sir, let me observe with all humility that the address of the chairperson of the summit on the state of the EAC fits the bill of implementation of the treaty. He implores us, just like the children were implored, to ask ourselves, what it is that we are doing for the population.

Mr. Speaker, Sir, with those few words, I wish to support the Motion that the thanks of this honourable House be recorded for concise provision of public policy contained in the address of the chairperson of the summit on the state of the EAC on the 26th February, 2008. Thank you, Mr. Speaker, Sir.

Ms. Lydia Wanyoto-Mutende (Uganda): Thank you for according me an opportunity to make a contribution to the Motion on the Floor of the House. I would like to appreciate, like we have always done, the warm hospitality of the Government of Kenya, the Kenya National Assembly, and the Members of Parliament, the Executive of Kenya, the people of Kenya and our colleagues from the Kenya Chapter for the warm reception we always get when we come to do our duties in Kenya. I want to thank you very much. But, while on that, I would like to also acknowledge that this culture of the Kenyan hospitality did not come out of the blue. This culture had people that identified with it. One of those that have really supported this Assembly since its inauguration is the former Speaker of Kenya, the Hon. ole Kaparo. As we thank the hon. Kenneth Marende and the Members of Parliament of Kenya, we also want to remember the foundation that the Hon. Speaker, ole Kaparo laid to support the East African Legislative Assembly (EALA).

Hon. Colleagues, it is the Kenya National Assembly that was the first Parliament to welcome EALA Members and give it a vote in their budget, so that we were able to familiarize ourselves, as Members of Parliament, in Kenya. I do not know of any other partner State and National Assembly that has put aside money specifically in their budget to familiarize EALA Members and bring them to their Parliament, like the National Parliament of Kenya did under the leadership of the former Speaker. So, we want to appreciate the continued culture of this new Parliament, but we should not forget the history that began in 2001.

Hon. Speaker, Sir, in the same spirit, I would like to pay tribute to the late Mr. Samuel Ndindiri, the former Clerk of the National Assembly of Kenya who was, of course, the chief technocrat of the Assembly. You know, what technocrats can do in terms of receiving and supporting you, if they do not want you around them. So, to me, I think Mr. Ndindiri should go in history as an East African. Every time we came to Kenya as

Members, he availed us the staff. He was available to us. We received support and got space. As a chief technical officer of this National Parliament of Kenya, he really supported EALA to grow from its day of birth to now when we come to Kenya and know that we are at home. So, hon. Speaker, on my own behalf, I would like to pay tribute to you colleagues from Kenya, because some of us were not able to join you at that time. But, please, be assured that we were with you at that time when that happened. We hope that God gives him eternal peace.

As I conclude on that note, I would also like to appreciate the role and contribution our former Ministers of East African Community from Kenya played. As Members of the former National Assembly, I will remember hon. John Koech who was our Minister. I wish him all the best in his future endeavours. We also remember the role the short-lived Minister, hon. Dr. Machage, played when he was with us. We also wish him good luck in his new assignments in the new Ministry he has moved to.

I am raising these issues because there are issues of leadership that had been raised in the President's speech. One reason leaders do not want to leave offices is because they do not want to be forgotten. It is a fact we must deal with. One day they are filled with power, praise and security cover, yet tomorrow, they are not even in a speech. They are not anywhere in our corridors of talk or appreciation. So, we should learn to go with the Kenyan culture of appreciating people, so that even if they go, they will read on HANSARD that somebody remembered the Assembly, but I did a role to do with East Africa. So, we would like to congratulate and appreciate the role the Kenyan office bearers had in the last Parliament, as we also thank those who have taken over the new offices, having upheld this culture.

Hon. Speaker, Sir, I proceed to congratulate the new Ministers who were sworn in yesterday. *Karibu sana kwenye Bunge la Afrika Mashariki*. We would like to congratulate you for having joined this Assembly and to keep this as an example, that we should make the Treaty work for us. Where we think that amendments are necessary, they should be progressive. We should make sure that these amendments work in the interest of building the community. I cannot imagine, hon. Peter Munya, now our Minister, sitting in the gallery now in Kenya, because a few months, he would not be in the House. The media would catch him in the Gallery being a Minister of East African Affairs coming here to listen to us, but he could not be a Member of the House. So, even if he would not come I would just be in my office or the National Assembly. But he is here with us because he is a Member of the House. It is good for him. It is also good political mileage for him for his constituents to know that he is a Member of two Parliaments. He can be here for one hour, go to answer Questions on the other side for two hours and then come back. He is working. This is accountability. So, they will not ask you why you are not in your constituency during the course of this week. You were serving two Parliaments in Nairobi. So, the issue of amending the Treaty to serve progressive efforts of the Community cannot be overemphasized.

To our honourable colleagues from Rwanda and Burundi, you saw our excitement since you came. We are really happy that you have been able to join us. I just wanted to add

one issue, that we even have not amended the rules of this House, because we were waiting for you.

In the culture where I come from, traditionally when you get married, you are supposed to cook food for your family. But you are told on your marriage day that you never serve food before your husband comes back. I do not know why they imagine that men should be away until they return home to eat. But that is their saying; that you cook food, keep it under fire and wait for your husband. If he is going to drink, you should wait until he comes back at 11.00 p.m. or midnight. Sometimes you have to wash his feet because some of them hardly wear shoes, and then you serve dinner. But that was the way to also make men come home early.

This is because if a man knows that his wife has not had dinner with the children, then he will take one or two beers or two large bowls of alcohol and then return home, so that dinner can be served. So, it is the same spirit upon which we, as an Assembly, said we were not going to amend the rules of the House until our colleagues from Rwanda and Burundi come. Otherwise, any new Assembly has a requirement to amend and work on its own rules that will govern the House for the five years. So, on that note, you can imagine we have stayed with old rules for the last so many months, so that you can join us and have the collective amendments of the rules that will govern us for the next five years. *Karibuni sana.*

Mr. Speaker, Sir, as I turn to the Motion on the Floor, I would like to state here and appreciate the role the media, especially the Kenyan media, has played since we came. Yes, I have heard some of my colleagues raising the issue of coverage. But I have seen so much coverage since we came, both on the electronic and print media. Again, where I come from, meat is a delicacy. We are not cattle keepers. I am told actually cattle keepers do not eat meat. They keep the cows. They look after them and take only milk. Where I come, from we eat the cow. If we see a cow, we shall eat the meat. It is a delicacy and we have to slaughter every cow that is around us. But if the meat is little, you do not complain that it is little, you actually first of all take the meat, eat it or put it under your armpit, and then you complain for more.

What I am saying is that we are coming from Arusha where there is no media coverage at all to our beautiful debates, pronouncements and serious commitments. Ever since we came, I have seen in the Daily Nation--- Actually, in today's *Daily Nation*, the editorial has EALA. Not everything finds its way to the editorial. So, I was excited and thought that we should formally recognize the role the media has played the times we have been here. I have seen it on television and even in the print media. Today, it is in the editorial; so this little that you think we have got, we should really appreciate. I want to stand here and be counted that I have appreciated the Kenyan media coverage of the EALA, and more so, that *The Daily Nation* has found it necessary to give us the whole day. The editorial is the summary of the day's statement of a print media. *The Daily Nation* has given its day to EALA.

Hon. Members, I think it would not be fair not to appreciate and recognize this space in the print. We did not pay for it. Editorials are never paid for. It is the day's catch for the print. So, I thought I should make that contribution and invite Members to read today's editorial which talks about our urge to meet the communities of East Africans and our challenges. It has summarized our aspirations. So, honourable colleagues, I have a copy here. Those of us who were not able to buy one or cannot have a budget for the media for themselves, we can share so that we think on the same table and appreciate the role the media has played these two days we have been here. I also saw Mr. Mwinyi giving a flower to his booked friend yesterday. It is a full picture. Those things do not come easily in the Press. It is in today's *Standard*. So, honourable colleagues, I thought I should raise that.

Mr. Speaker, Sir, I would like to go to page 2 of the President's East African address to us. He did state right from paragraph 1, when he said that to be Members of Parliament and to be elected as Speaker, as part of us, is a great honour. He also said it was trust. He said it was a responsibility, which had been bestowed upon us and the confidence to meet the challenges. To me, these are very strong words.

Hon. Speaker, through your leadership, I think we are on the right track. Since we were inaugurated, we have been able to bring together Speakers of the region. That should be telling us the bringing together the mindsets of all the legislatures with time and their leadership. It is very important that this culture of speakers meeting often--- It should be actually institutional. The Executive meets. It is in the Treaty, in the budget and everywhere. So, I think we should also put an institutional mechanism, clearly to enable our Speakers to meet, so that the legislature also grows.

We have institutional mechanisms of the Speakers' meetings. I do not know how we should call them because the others are Summits and Council of Ministers meetings. Maybe, we should call them forum, but we need an institutional arrangement that is on a calendar for our Speakers to meet and grow the legislative agenda and arm of the Community. On that note, hon. Speaker, I congratulate you for living to the expectations of the challenges ahead of us by hosting and ensuring that every time we have important meetings like this, our Speakers in the region are with us.

The second issue I wanted to raise is on page 3. I just wanted to ask the House a question. How long should we listen to speeches that talk about the business of the potential of East Africa? I think as Members of this House, we should start thinking very hard and maybe, put Questions or Motions to unpack the potential. We cannot continue sitting down to listen to people who have been in leadership since Independence, 20 to 30 years. In their speeches, they are also confident to come and tell us that there is potential. So, if we are given five years in leadership, can we sit down and unpack a bit of this potential so that we do not have it just in our speeches. That is the question I want to put to this House. I think outside here, we should be able to do something, so that we do not continue having this question or statement of potentiality without effect in the speeches.

Mr. Speaker, it is actually very absurd that we are making a contribution on this Motion when our senior Ministers are not here. For some of us who were in the first Parliament, it is a very painful experience. Honourable colleagues, the East African Community used to be under the ambit of the Ministry of Foreign Affairs. We hardly got Ministers. We would come here and speak to ourselves. So, we launched as an Assembly and said: “No, this cannot continue. We must have our Ministers here.” The Ministers for Foreign Affairs were very okay and said they were too busy. They were the source of their countries abroad. So, they could not come to the EALA. So, we used the formal channels to ask for Ministers, specifically, for the East African Community. That failed because it did not have the support of the Secretariat. You have heard that the Secretary-General is the Secretary to Council, but also he is the one who is our link to Summit. It never got through the rightful agenda. So, we made delegations.

We organized memoranda and met Presidents, State by State to say: “We want Ministers in charge of the East African Community, so that they can be with us in the House and chart the agenda of the Community. What is happening now? Ever since we got the Ministers for East African Affairs, they have also began to be absent. So, to me, this is disturbing. I do not know whether we should redefine what type of Ministers we need, because the purpose the EALA went all its way to all the State Houses of East Africa was to have Ministers attend the Assembly. The last time, we had all Ministers away. They had arranged to go to India. We had a sitting without them. This time around, they are in China. Is it by coincidence that when the EALA is sitting, there is an EAC Ministerial tour or visit to mobilize for East Africa abroad? I think we need to investigate this, because they are supposed to be in the House at the time when we are here. It is the reason we pushed for their appointment.

Some of us became very unpopular. They were saying: “Oh, they think we are not enough to be Members of Parliament, they want to be Ministers.” I said: “I do not mind being a Minister. But we need Ministers for the East African Community.” So, we could stretch our necks to get this portfolio, we have to benefit from it. It is just not fair. To me, if in the next meeting, Ministers do not attend this Assembly, I think we need to look at our Rules or do something. We cannot continue having sittings of the Assembly without Ministers who are responsible for the East African Community. This is the Ministry we fought for and so, we should own it! This is the Ministry we fought for and they should be here. For me, there is no excuse why they are not here. The fact that they organize tours at a time when the Assembly is sitting is not right, acceptable and fair. This is because we asked for these Ministries. They are ours! So, on that one, I have raised my voice but I hope I will be heard, because they are not here anyway. I hope their colleagues will be able to communicate because we want the full length of the Bench of the Ministers in the House, including their colleagues from the same Ministries.

The other issue I wanted to raise is the issue of overcoming the setbacks. This comes from the Kenyan problem that we had. His Excellency did mention in bold that, indeed, it is in times of crisis that we can test and demonstrate the capacity of our regional organization to overcome any setbacks and remain firm and steady. To me, the question in this issue is the entry points. At the time Kenya had a problem, we all knew what the problem was and where it was. But the biggest challenge was the entry point. People did

not know how to start getting to Kenya. We waited for 20 people to die, 300 people to cross to Uganda and fuel crisis to hit Uganda and Rwanda--- We were all asking ourselves in whispers. When we asked the Ministers, they said that they were doing quiet diplomacy under the scene. So, I think while we are calling for the East African Electoral Commission, it should have started yesterday. We should also chart ways on entry points when there is a crisis. We must attend to a crisis in time. It is not fair that we saw Kenya get into trouble for three weeks before we could get Kofi Annan here and bring peace to Kenya. We cannot afford to have two to three people to die before we attend to this. I have seen people have now become silent about what happened in Rwanda in 1994. All the speeches about joining--- I never said them. They were said by our leaders. They were saying: "Rwanda and Burundi are joining the East African Community so that the brotherhood would save us from looking on while others are suffering." Others dared say that maybe, the genocide in Rwanda would not have taken place if they were part of the East African Community. Now, are we not ashamed that just the other day, Kenya, a senior Member of the Community, had problems and we could not intervene?

So, I think as Parliament, we should put our minds together and propose ways of quick entry points to crisis. If there is famine, we should be there. If people are killing each other, we should not begin writing proposals and going for African Union (AU) summits. We have been going for the African Union (AU) Summit and making shuttle diplomacy phone calls behind the scenes. If somebody is hurting another, why do you want to go under the table? Tell him or her straight in the face and sort that matter right there so that people can see! That is what being an East African means. Where I grew from, when a man was beating his wife, you would run to the house and break the door and tell him; "stop!" He would not be guessing that, okay, when he finishes beating her and you open the door, then we shall talk to him. The teeth of the woman could have fallen out, the eye would have been swollen, so what are you saving?

So, hon. Colleagues, I think our entry points should be that, if it means breaking the doors of the partner States, then we should do it to save our neighbours and ourselves! I am sorry, I am giving gender-related examples, but that is where I come from. That is the best example I can give. You cannot wait for your neighbour to be clobbered to death because a door is locked! Diplomatic missions are talking; you cannot come, yet, it is only a few people who have died over small domestic clashes. We must get away from such things and solve problems while we are still relevant to the cause.

Personally, I feel very embarrassed because we had to look on when Kenyans were suffering. It was really terrible, because we did not have entry points, which were clear! I wish we could all, collectively, solve our problems without those impediments of diplomacy and political clouts around us. That is when we shall be real and realistic to our people and also relevant to our people.

Mr. Speaker, sir, I have also read the present annexure to his statement. It is the same story of backwardness, globalization, lack of industrialization and things we have not done. I think we need to get away from that, in my opinion, and do the small things that we need to do, but we should be visible in the things that we do.

Finally, Mr. Speaker, Sir, I want to move on to page 4, which is the last page that talks about the common market. A lot of progress has been made. My comments on this topic, hon. Members, are that it is high time as East Africans, to do things that are visible. There was so much talk about the Customs Union, and up to-date, people ask about the Customs Union. Is it visible? When they had problems, the cargo of the business community from Mombasa could not cross to Uganda because they were not protected by any law or regional arrangement and we had the Customs Union in place! They lost their goods and paid more taxes!

So, what are we doing with the Customs Union, which is already in place? It is not useful to the people and it is not visible! Now, I am being told here that the Common Market has made big progress and you, hon. Colleagues, have any of you thought anything about the Common Market? That is good, I need that information! For me, I have not seen or felt that the Common Market has taken root, or that it is going to be real and visible; and that it is going to benefit the common people. Because it has fundamental pillars relating to people crossing borders, identification, and free movement of goods—I have not seen those things even in terms of media and free coverage of debates! I have not seen them! I am an honourable Member of Parliament of the East African Legislative Assembly (EALA). If I am standing here and I am telling you that I have not seen these things, then who has seen them?

So, hon. Colleagues, I end by saying that I stand to fully support this Motion. But I think we should take off time and take very strong choices and move on them. If we want to move things, we must be visible, we must be real and we must get away from big statements, which we cannot realize or account for.

Thank you very much for listening to me, hon. Speaker and hon. Colleagues.
I beg to support.

Dr. Aman Kabourou (Tanzania): Thank you very much, Mr. Speaker, Sir, for giving me this opportunity to address the first full Assembly of the EALA, having been constituted by all the five member States. Before I do anything, let me, once again, congratulate the new Members, that is both from Burundi and Rwanda as well as the—I do not know whether I should call them “junior” or “deputy” Ministers from the partner states who will be becoming Members. Well, I do not know!

Mr. Speaker, Sir, from the very beginning, I am sort of glad that the Chairman of the Summit addressed our Assembly and challenged us to rise to the occasion and see to it that East Africa is making progress in terms of integration *et cetera, et cetera*. But before I go any further, let me just say...and this is not really malicious at all, but that, perhaps, this could be another setup that the Assembly has been put into. Once again, I appreciate the hon. Chairman’s commitment to seeing to it that the Assembly is recognized, has a lot of powers *etc, etc*, and that it can do well.

But, Mr. Speaker, Sir, looking at page 8, which is the last paragraph, where the Chairman talks about the beginning of the process of reviewing the Treaty for the Establishment of the East African Community of 30th November, 1999, he just talks about that and he says that he is very happy that this will take place. So, if this takes place, things will work! There will be no problems. But I do not see anywhere the Chairman committing himself and the Government of Uganda for saying that, perhaps, this time around Article 150 of the Treaty itself will be looked into so that the amendments do not, necessarily, have to come from the Government! Thus, the Assembly, too, will have say in this. I think the Chairman of the Summit should have told us or given us some kind of hope that even the new amendments will be in our favour instead of just praising us and telling us how important we are! But, you know, the Rastafarians say: “The harder they come, the harder they fall”. So, we are being set up so that we can fall very heavily, and I do not like this at all!” (*Laughter*)

Once again, Mr. Speaker, Sir, on page 10, which is the second paragraph, allow me to just read the paragraph: “During the time I have been leading Uganda, I have been dismayed and if you, by the failure of the political strata, the administrative cadres as well as other elements of the elite; religious, cultural, *et cetera*, *et cetera* in identifying the strategic weaknesses of Africa, let alone resolving them--”

This is what the Chairman said! As a matter of fact, we are set up because we have these people running the East African Community (EAC)! These are the same people who failed for centuries to do anything! The saddle they are being given for running the EAC-- This is what the President is saying. He has been ruling for the last twenty-something years! He must know! And what we have, hon. Speaker, as an Assembly, we are told that we are very powerful, we can do this, that, that and that, but at the moment, these guys whom the President or the Chairman already knows has made it almost impossible for us to work! Our own rules which are mandated by the Treaty say that we are supposed to work for 120 days, and these guys say “No”. These same guys! They are just saying “No!” (*Laughter*)

What do we hear here? When we come here, somebody actually even attempts to justify this and says: “But we need to have programs to show this”! Which programs does the Kenya National Assembly show the Kenyan people for them to say that; now, you can work for 365 days a year? Which programs does the Tanzanian Parliament have to show the Tanzanian people so that they can say: “Well, you can work for six months in a year”? Which program? No, the Treaty says you can work for 120 days! That is what the Treaty says! The Chairman of the Summit knows that, he has not said anything about that and he has not questioned why the Secretariat, whoever it is, the FNA—These guys, whom he already knows, have done to us! We cannot work! And with this set up, we should just expect to do these wonders! When? In ten days? No, I like what the Chairman said. I think it is proper that we work this way in the sense that it is good for the top leadership to address these type of assemblies and give us hope and some kind of road maps. But, again, we have to be realistic! What is going on at the moment? Is what we are being told to do really feasible? Perhaps not! So, this is my concern, hon. Speaker.

Mr. Speaker, Sir, coming to the issue of industrialization, I applaud the Chairman for his bold statement of our failures, strategic weaknesses—I am not just very sure where we jump in into this industrial process: Is it at the basic coal smelting or at the high-tech—At what level? When do we begin this process? I would like to see our strategic plan directing us to that aspect of industrialization that is up to date. We could all go back to the 18th Century Industrialization where we had all this--- In other countries, and I will not mention them, they even have prisoners working in these industries and they make a lot of money! Prison labour! Do we want to allow this in East Africa? I do not know, because we want to be industrialized!

I like the issue of agriculture and I think it is only fair that people have to move from eating all the food and living--- Once again, this is an old story because, historically, we know that people have become civilized through agriculture. You produce enough to have a surplus and, once you have a surplus, this allows for other people not to engage in the same activity but to specialize in other things; for example teaching, religion, industry, *et cetera, et cetera*. Unfortunately, hon. Speaker, in East Africa, we have seen that a majority of our people are still engaged in agriculture and they cannot even feed themselves! We still have to depend on food coming in from elsewhere! It is a shame! We need to increase the productivity of our own farmers. We should not run away from agriculture. We should make it more efficient and from there, these things will sort themselves out. For example, in the United States of America, it is only 0.7 per cent of the population that is engaged in agriculture. That helps other people to get engaged in other activities. They do not have to all be in agriculture! The same is true in Europe and in the so-called “industrialized nations” where they can even actually afford to give subsidies of two dollars a day to their cows because they can feed themselves. (*Laughter*)

Mr. Speaker, Sir, other aspects of life have been touched on because a lot of these things have been said and I appreciate! I agree with the Chairman, I uphold his coming to us and, you know, and giving us pep talk about issues. But on the question of security in the region, I fully/fail to agree with my colleague, hon. Wanyoto about this business of being impotent. I mean, we were impotent! Kenyans were killing themselves and we were engaged in quiet diplomacy. The Chairman, hon. Museveni, said something: “I want to support this--- No, no, no do not do--- But let us just say that what we are doing is not enough. I should applaud the Chairman, hon. Museveni, here, for what just happened a few days ago, and I think this is a good move. We have heard in Burundi, a new Member State into the community, some rebels have started fighting again. About 200 people have died so far, and quite a lot of destruction has been reported. Yes, President Museveni, as the Chairman of the Summit called a meeting in Kampala, I think, President Kikwete went there and President Kagame, perhaps? They talked and I do not know what they said, because it seems like the war is still continuing in Burundi! People are still dying! Honestly, it is a shame! Where do you get statements talking about the war in Burundi and how we will destroy and finish you? They are coming from Dar es Salaam! Yes! This guy is fighting in Burundi and living in Dar es Salaam! In a member State! This is what we do not want! We want to be serious!

Hon. Members, what is the point? We just saw some documents from the Budget Committee telling us that Burundi and Rwanda have no money and that they will pay later. But they have to maintain armies; 50,000 or 100,000 soldiers! They are eating into the capability of Burundi! Why? Because some rebels are loose and they can live wherever they want in the East African Community! Now, if these guys were living in France, we would say “Wow”, you know, the French are malicious. They want to destroy the Africans. But these guys are living in Dar es Salaam, and this is where their statements are coming from! We want to stop this! This is not a laughing matter! Those guys should be arrested, put in prison and told: “If you want to do this, you go to Portugal. If you still want to do this, you go to Indonesia. You do not do this from Africa! You do not kill Africans using an African, Member State country as your base!”

Mr. Speaker, Sir, all I can say is that I am upset. What the hon. Chairman told us in Arusha needs follow up. Like I said, I am not sure what they said in Kampala because, supposedly, this is Government information, but as Members of the EALA who are also being told that some of the funds that have been contributed by our Member States have to go to something called “Security Council/Committee” *et cetera, et cetera*, we begin to wonder what--- You begin to wonder what the EAC Security Committee does. Why do they need money? We have a war there! We have to say stop!

Mr. Speaker, Sir, I do not want to get very upset and, therefore, I just want to say that I support the Chairman of the Summit, but I want a follow-up to be obvious. We want to know where we are going from here.

Ms. Nusura Tiperu (Uganda): Thank you very much, Mr. Speaker, Sir. I am glad that the Almighty made it possible for your eyes to catch me. I have been raising my hand up for a very long time.

Mr. Speaker, Sir, I would like to join my colleagues in support of the Motion. I want to thank you and the House Business Committee for having chosen Kenya as our venue. Our being here since our arrival indicates that Kenya is now stable; the cry of the whole world. It is always said, “*Hakuna matata Kenya.*” In the recent past, people were scared of Kenya, but the fact that we have been here and very peaceful, I can now confirm to the whole world that Kenya is the Kenya we used to hear about.

Mr. Speaker, Sir, I also want to thank the new Coalition Government of Kenya for having given recognition to the EALA by ensuring that the Prime Minister and his deputy attended our opening ceremony. I saw hon. Odinga, the Prime Minister and hon. Uhuru Kenyatta, the Deputy Prime Minister. I was really impressed that we had an opportunity to have interface with these people at a closer range. That must really be commended.

I also want to thank the Speakers for having been present; those who were here in person and as well as those who were not here like the Speaker of Uganda who did his best by sending a delegation that ably represented him. So, I want to thank all the Speakers of our partner States for having made it possible to be here at a time when we are swearing in Members of Parliament from Rwanda and Burundi who we have been waiting for, for a very long time.

I want to take this opportunity to congratulate the new Members from Rwanda and Burundi. I would like to tell them by saying: *Avantu vanje ba Burundi nu Rwanda, muko muko*. That is a short statement conveying my congratulations.

Mr. Speaker, Sir, if you look at the composition of the House now, I must say that EALA has had a big change. The outlook is going to be better than what it was before. If you look at the names of Members, especially those from Burundi and some from Rwanda, most of them have an element of Godliness. So, I think there is going to be God's providence in this House. So, our deliberations will even be better than before. I want to congratulate them and I want to thank them for being here.

I am also proud of EALA in its current state because it is one of the Parliaments in the region or the world with at least 40 per cent women representation. That is not an easy percentage to achieve, but the fact that the member-States did their best, with Rwanda taking the lead, EALA must really be commended.

Mr. Speaker, Sir, I want to support the Motion. I want to thank the Chairman of the Summit, President Yoweri Kaguta Museveni for his state of the region's address. I am very proud of the fact that, for the first time, we had close interaction with the President. The EALA exhibited a sense of organization. It also showed the world that we now have the capacity to host Members of the summit at any one moment. That direct interface makes me proud because we are now going into a face when you can say gone are the days when information is brought to this House when it is distorted. We now have direct information from the Chairman of the Summit. We can now also give him our recommendations live from the House. That makes me very proud as an individual. I am really praying that this state of the region's address is institutionalized, legalized and made operational. It should be an event that never misses from now onwards.

As parliamentarians, often times, we may have issues to raise and in your wisdom, hon. Speaker, you might say that a Member of Parliament should not raise a particular matter because it does not appear on the Order Paper. I am happier because in the state of the region address, we Parliamentarians will be getting an opportunity to raise issues that affect our constituents. I will have the platform to speak on behalf of Uganda. I will have the platform to speak on issues of economics, agriculture and so on. The only platform that we will have now is through reaction on the state of the region's address.

Mr. Speaker, Sir, yesterday when Minister Mohamed Abood was responding, he said that we should be able to come up with recommendations. It is on that basis that I decided to come up with a few recommendations that I hope will be taken into consideration. Before I go to the recommendations, I want to comment briefly on the Presidential Address.

I want to confess that the day the President was addressing Members of Parliament, he was very happy. We saw it. He showed that he had confidence in the EALA. He was very happy of the fact that Rwanda and Burundi were going to be part of the Assembly. I think it is a dream that he has always longed for. I could see it in him and I want to thank him for the

spirit of brotherhood. He was concerned about the crisis in Kenya and I am glad that today, Kenya is peaceful. The President and the Chairman of the Summit was worried about the way the whole world was focussing on Kenya. Of course, as people of East Africa, that was going to affect our investment opportunities. If you look at his Speech, it is his hope that the region remains stable so that we can continue attracting more investors and we are able to do business as we have always done. I will not go into details about the President's Speech because many of my colleagues have already made their comments on the Speech.

Mr. Speaker, Sir, let me now take this opportunity to make a few recommendations. First and foremost, I think that Kiswahili should be made a compulsory subject in all the primary schools among the member-States. This is very important because when the President was addressing EALA, he made some comments in Kiswahili. That is an indication that, actually, he benefited, maybe, during the days when he was in Tanzania. So, then what happens to a kid in Uganda who cannot access Tanzania and is in a school where English is taught throughout. So, I hope we shall come up with a recommendation to make Kiswahili compulsory and a penalty to those countries that do not take that.

My second recommendation is that the three organs of the EAC should have a compulsory yearly interface with the Chairman of the Summit. These include the EALA, the Judiciary and the Secretariat as has always been.

The third recommendation is that there must be a clear system of checks and balances amongst the three organs of the Community. In view of the increasing mandate of the community, it is important that the number of days for sittings of Members of Parliament be in line with the rules of procedure.

The other recommendation is that the Secretariat should work with Parliament, which is the people's representative, in ensuring that we increase the awareness of the East African people on the strategic issues involved in the East Africa integration process. We need a lot of advocacy, but for as long as Parliament is not involved, we will have problems. So, I want to consider that a very serious recommendation.

Mr. Speaker, Sir, when the new Members of Parliament were being sworn in, I am glad that one Member with disability from Rwanda was sworn in. That puts a lot of challenge to Parliament. I was in the Ugandan Parliament where we have all interest groups among which are those of people with disabilities. If we have a Member of Parliament who has a problem, it is important that Parliament budgets for interpreters and helpers for those Members of Parliament who need your support.

I want to confess to you that we have Members of Parliament with disability in Uganda and when we rate Members of Parliament who are actually the best in performance, they normally appear among the best ten. They are very good, especially if assisted. Their documents must be translated in the language that they understand for those who cannot see. For the deaf, there needs to be someone to interpret the proceedings in sign language. All in all, what I am saying is that these Members of Parliament must be supported and assisted to become effective in the House.

Mr. Speaker, Sir, my justification for having proposed Kiswahili to become mandatory in all the primary schools in the region, is for the fact that as we consider increasing volumes of trade, it is important that to have a medium of communication. Without a language that can be understood by the people within the region, then trade will become very difficult. Today, we have a generation of people who do not know Kiswahili, but I am worried that our leaders in the region might be sued for making the next generation fail to know Kiswahili.

My justification for saying that the Secretariat should work with Parliament in ensuring that they increase advocacy and letting people know about the strategic plan of the EAC is because the Secretariat has done a lot of work; they have done branding as was said in the last Budget. I hope my colleagues are familiar with that. They have done a lot of outreach programmes. They have done consultations in Uganda and East Africa in general and even outside the region. They have implemented various projects. They have developed relations with a number of multi-lateral and bi-lateral organizations, but their work still does not have a lot of impact in the region as my colleague, hon. Lydia Wanyoto said. For me, that is because the Secretariat has deliberately left the organ that is its link with the people. That organ is Parliament. So, if the Secretariat works with Parliament to ensure that this mission is achieved, then we will go a long way in making people realize the work we are doing.

Mr. Speaker, Sir, a case in point is when we led a delegation to Rwanda and Burundi to sensitize Members on the mode of election and so forth, when we arrived in Rwanda, the Speaker's delegation and whatever he said was on the headlines. I think that is very important. If Parliament is left out, the Secretariat members will go to a country, conduct workshops, come out and nothing will appear in the newspapers. If Parliament is involved, then the media will capture more than it has been capturing.

I would like to conclude by thanking my colleagues for all the remarks they have made. I also want to thank the President for having accepted your invitation. I would like to thank all Members of Parliament for the manner in which they received the Chairman of the Summit. For us, Members of Parliament from Uganda, you made us very proud and you showed us that you were very happy about the leadership of the Chairman of the Summit.

I thank you very much and I would like to come back to Kenya because we have had a good time in Kenya.

Dr. James Ndahiro (Rwanda): Mr. Speaker, Sir, let me take this opportunity first, to extend our sincere appreciation to hon. Members, the Speaker; in particular, for the warm welcome to us and confidence the whole House has strived to build in us. We are very grateful - *(Applause)*

We are new in the House and we cannot pretend to be able to contribute to the Motion as people who have seen it some year's back. However, we are assuring you that as we get used to you and the matters in the House, really, we are going to be real partners, equal Members and you are going to see our contribution.

I also would like to commend the work and Speech by the Chairman. I believe his Speech contained words of wisdom. The content is challenging. We must, however, put it in the context of our regional affairs. I have been honoured to be a Member of the sub-sector committees, which discusses some of the issues in the Report. This includes issues about the COMESA, commercial, justice and other issues. What I would recommend, therefore, is that we encourage a link between the Secretariat or the sector Committees with the Assembly. It seems the information flow is not there. What I have learnt from the debate is that really, everybody is enthusiastic. We want to achieve results. Nonetheless, we cannot achieve the results we want if we are not sincere with ourselves and if we do not debate openly on some issues that probably would require us to go an extra mile to deny ourselves some pride and work towards total transformation of our economics.

If you look at the East African affairs, and in considering the Speech of our Chairman, the philosophy behind this is in our old texts of Economics; the Adam Smith Theory, the competitive advantage of nations and so on. All those things are there. Now, we are talking about the regional integration, but people are dying of hunger out there. We have the means of production. We have the land, but we are not utilising what we have for the benefit of our people. If we are talking about regional integration, this really focuses on small issues but important to our people. How do we ensure that each person from East Africa goes to bed at night with a full stomach? That is key - (*Applause*)-

How do we ensure that each person in East Africa can open a business anywhere, anytime? If we are serious about entrepreneurship, then we should make it possible for our young entrepreneurs to search around for opportunities. If he finds opportunity in Kigali, he can open a business there and be treated like any other Rwandese. That is the only way we can confidently say that we are taking a direction that will lead us to total integration. If you look at the Common Market Strategy, companies should be able to raise capital anywhere in East Africa. Is that the case today? No, it is not. For example, you will remember the *Safaricom* issue where some people were denied the chance to buy shares in *Safaricom*. Is that what we want? If we are looking at one regional economic bloc, we should look at the institutional framework, the legal framework, the monetary issues and the regulatory systems. Then, maybe, I would use a two faced approach: One, to harmonize whatever we have and secondly, build the institutions. Otherwise, if you build the institutions before you scan your own systems and try to put together the systems, the institution will not last.

I would also like to support the Motion and assure Members of this House that after we have read through all these documents and interacted with you more, we will have serious debate on these issues.

Thank you very much for the honour.

Ms. Catherine Ngima Kimura: Mr. Speaker, Sir, let me, first, start by thanking you and the House Business Committee for choosing to have this Session in Kenya at this particular time. We needed to showcase our country. We needed to show our partners in the region that we have come through fire, but we have survived. I believe that the confidence that you have shown, as the Speaker of EALA, in bringing this meeting to

Kenya, is, indeed, a welcome measure by Kenyans. I speak as a Kenyan for this particular moment.

May I also take this opportunity to welcome all the Assembly Members to Nairobi and to Kenya? I hope you will have a very good stay. On the same note, let me welcome our colleagues from Rwanda and Burundi who have joined the Assembly. We have been waiting for them. Indeed, we are very grateful that they have joined us. The same goes for our Ministers and Assistant Ministers who have joined us and who were sworn yesterday. Welcome to the Assembly.

Mr. Speaker, Sir, a lot has been said about the Chairman's Speech on the state of the East African Community. I would not like to repeat some of the issues that have been raised. One of the areas I would like to talk about is that of industrialization, specifically manufacturing of primary goods in our countries. We have an enlarged market, with Rwanda and Burundi coming on board. Producing bicycles for a population of 20 million is not the same as producing bicycles for 120 million. The economies of scale speak for themselves.

Therefore, let us hope that this Assembly, having been challenged by the Chairman of the Summit, will rise to the occasion. Indeed, the time of lamenting that certain things are not happening and others are happening will be over. We shall show the way in nurturing a transformative leadership, which will see this region compete very well with other trading blocs.

In this regard, let me turn to the Chairman's Speech on page 11, where he says: "*The political integration of East Africa, in the form of a federation would accelerate the process of industrialization and modernization, because of the bigger market being a more attractive investment destination and more clout in trade negotiations with other strong countries or blocs such as USA, China, India, Russia and the European Union.*"

Mr. Speaker, Sir, we cannot over-emphasize the issue of being competitive or having clout in negotiating. We know what we have gone through in earlier years as we negotiated bilateral agreements and multilateral agreements. We were taken advantage of because we are small countries. We did not have the capacity because we negotiated individually. With an enlarged population and an enlarged pool of experts in the region, we should have an edge in terms of negotiating some of these agreements. We have been challenged, in terms of how to shift from agriculture to industry and sciences, so that our youth, who are now the majority in our countries, can enjoy employment and better standards of life. We need to put in place appropriate policies to reflect what the Chairman is talking about in this Speech.

We know that some of our common external tariffs have not reflected the needs of the various countries, or even the region. Our tariffs have tended to benefit finished consumer goods as opposed to the primary goods that would be brought here, so that we add value to them and create employment. I am talking about industries like the motor industry, where you bring in kits that are finished in the country. You do not have to re-invent the

wheel to make cars in this country or within the region. What you need is to bring the components at tariffs that are very different from the tariffs we are charged when we bring in a car, so that we can encourage our manufacturers to start car assembly plants for this region. The same goes for components like television sets as well as tractors. I am asking our Council of Ministers, specifically those who deal with tariffs, to come up with tariffs that are conducive to creating employment within the region. There is no reason why a ready-to-drink bottle of juice should attract the same tariff as a bottle of concentrated juice, for which I can put a plant here in Nairobi, add value to it and create employment in the process.

So, even as we talk about industrialization, let us not think of the very major industries. We shall arrive there, but let us start with the primary commodities, in terms of aligning our tariffs. At the same time, let us see which areas we can benefit from in our agriculture by value adding. Why should our coffee, tea and pyrethrum be exported as raw materials to create employment elsewhere? So, we need to take on board the Chairman's challenge to this Assembly. He specifically said that the Second EALA has a role to play in bringing the East African Community to higher level. The only way we can bring it to a higher level is by creating employment, opening up our borders for labour and services and making sure that various countries are not starved of capital when there is capital in a neighbouring country. Those are the areas that will bring this Community to a higher level, as challenged by the Chairman.

Therefore, let us be proactive. Let us not, five years down the line, lament. Let us see how we can work with the technocrats. Let us see how we can work with the Council of Ministers to operationalise the policies that are in this document. One would wish to see what the Strategic Plan of the East African Community says with regard to some of the issues that have been raised here, particularly with regard to competitiveness of our goods, industrialization, and how they hope to achieve the Monetary Union and deal with the issue of capital within the region.

With those remarks, I beg to support.

Dr. Didas Masaburi (Tanzania): Thank you, Mr. Speaker, Sir, for giving me the opportunity to contribute to the Motion on the Speech by the Chairperson of the Summit. I would also like to add my voice in congratulating our colleagues who were sworn in yesterday, including the Deputy Ministers.

Mr. Speaker, Sir, I would like to contribute along the line which Mr. Tsungu talked on and take over from where Mr. Wandera stopped with regard to the issue of mechanism for violence control. I believe that in order to have a good industrialization environment and whatever else we want in the integration of East Africa, we need to have a violent-free region. Therefore, it is high time we considered the mechanism for resolving political conflicts in the region. It is stated in the Strategic Plan that a think-tank for retired presidents will be established. It is high time we had that think-tank established. We should also be involving the EALA in ensuring that conflicts are resolved as they arise. We cannot have a good economic bloc without peace and security.

Therefore, in order to ensure that we have peace and security within the East African Community, we should have a very clear mechanism of dealing with those who will cause political conflicts within the region. This may include imposing sanctions on the countries that may refuse to abide by the rules that will be in place. If escalation of violence is not checked, the contents of the Speech on page five will be meaningless. The post-election violence in Kenya and the over all mishaps that happened, could be a clear indication that what God has put together could be put asunder by lack of peace and security. We witnessed how a head can be chopped off from the neck, how a neck can be chopped off from the chest and how the limbs can be chopped off from the stomach, *et cetera*.

Therefore, I beg to support this Speech. However, I would like to stress the need for us to put in place a very clear mechanism of conflict resolution, especially those arising from political developments. Thank you.

Mr. Abdul Karim Harelimana (Rwanda): Thank you, Mr. Speaker, Sir, for giving me the Floor. First of all, I want to thank the hon. Members who are present and you, Mr. Speaker, Sir, for the sympathy you showed us, as new Members from Rwanda, especially for the way you received us right from the airport on the day before yesterday. Everyone who spoke here mentioned Rwanda and Burundi as new Members and showed appreciation for our coming to the House. I thank you very much for that.

I would like to take this opportunity to also thank the Government of Kenya, the people of Kenya, Members of Parliament of the National Assembly of Kenya and the Kenyan Cabinet for the warm welcome they accorded us also.

Rwanda requested to become a Member of the East African Community right from 1996. However, our request was not accepted during that time. After the RPF came to power in Rwanda on 4th July, 1994, we also requested in the following year to become a Member of the East African Community. The promise was given by the then presidents of the three Member founder States, namely, Uganda, Kenya and Tanzania. All this shows that Rwanda has been very keen about joining the East African Community, because it bears in mind the benefits of becoming a Member State of this Community.

We, as a country, were accepted as full Members of the East African Community in July, 2007, but we were unable to join the Assembly immediately. As stipulated in the Treaty, all Member countries, especially the founding Member States, have to sign the ratified Treaty. However, Kenya took some time, because it was preparing for elections. After the elections, they had some political problems, which delayed the ratification of the Treaty by them. Immediately after getting the documents from Kenya – which arrived only a week ago – preparations were made. We were elected on Monday, this week. On the same day we were elected, in the afternoon, we arrived here - (*Applause*).

This shows that the Rwandese were very enthusiastic to join the East African Community (EAC). I promise this House, on behalf of my colleagues, that we will work hand in hand

with all hon. Members. The team, which is before you, comes from different backgrounds and profiles, which are not very low. Four of them are ex-Ministers, one of them is a former Deputy Speaker, one is a former Executive Secretary of the Electoral Commission of Rwanda (ERC) and one is a former hon. Member of Parliament. The one who came in to represent the youth was a Customs Officer and an ICT expert. Dr. Ndahiro, who was on the Floor a few minutes ago, is an Economist. He has a PhD in Economics. With this experience, I am sure that we will contribute to the betterment of our people and as heads of the EAC, as the Chairman of the Summit wished in his speech - *(Applause)*.

Mr. Speaker, Sir, we support fully the Motion that is before us, especially where it is talking about solving the problems which happened here in Kenya. I am a Member of the AMANI Forum, Rwanda Chapter. We were called upon by the Executive Secretary in Nairobi, the headquarters of AMANI Forum, which is a Parliamentary forum for peace in our region. I was the head of the delegation from the Great Lakes Region. We toured the country before, during and after the elections. We came back on 13th January, 2008. So, we saw what was going on in this country. People were being killed and properties destroyed. Other people were being chased from their homes. It was a disaster. For us who come from Rwanda, we know how bad things start. They start from a small thing, just a spark, and then it can continue up to the killings of up to over one million people. That is why, when we were here, we were doing our best to give our example to the people of Kenya. With others who were with us, we made recommendations to different parties. We met officials of the Party of National Unity (PNU), the Kenya African National Union (KANU), the Vice-President and Minister for Home Affairs, Ministers and other people. We told them what we had found out and gave them our suggestions on the way forward. Fortunately, when His Excellency Kofi Anan came here, I think, because of what I heard from him, he took our recommendations and used them to solve the Kenyan problem. Now, Kenya is safe! *(Applause)*

Mr. Speaker, Sir, though we were not here when the Chairman was delivering his Speech, being curious of what was going on in the House, we followed up on the same in full using different mediums. That is why we support the Motion. We are asking other hon. Members to do the same. Thank you.

Assistant Minister for EAC Affairs, Burundi (Mr Deogratias Ndugwimana (Ex-Officio): Thank you, Mr. Speaker, Sir. Honourable Members of the East African Legislative Assembly, as a new ex-officio Member of the EALA, and on behalf of the new hon. Members of the EALA, I would like to deeply thank all hon. Members of the EALA who arrived before us. I recognize their warm welcome, support and encouragement until now.

Mr. Speaker, Sir, referring back to the Speech by the Chairman, I share completely the vision developed in that Speech. That is a very challenging vision that must be handled with responsibility and dedication. Even if I agree with all the proposals developed in the Speech, some aspects and sectors have not been highlighted sufficiently.

Mr. Speaker, Sir, going through the Speech, we do not see clearly how the different organs and institutions of the EAC should contribute today to resolve national conflicts and conflicts which could occur in the future. Here reference is made to the recent crisis in Kenya, our host country, where the Secretariat has been for mediation, to facilitate negotiations between the parties in conflict. The EAC should develop its own strategy and mechanisms to prevent and resolve conflicts that can occur in the party States.

Mr. Speaker, Sir, Burundi and Rwanda joined the Community only recently. They need special and specific efforts to be deployed by the Community to support them. Here I am thinking about a marshal plan like the one that benefited Europe after the Second World War. With a marshal plan, Burundi and Rwanda should be able to fast-track integration, so that they are at the same level of integration as the three founder States of the EAC in the near future.

Mr. Speaker, Sir, I would like to conclude by assuring hon. Members of our commitment to work hand in hand with them. Thank you - (*Applause*).

The Assistant Minister for East African Community, Kenya (Mr. Peter Munya(Ex-Officio): Thank you, Mr. Speaker, Sir, for giving me this opportunity to also say a few words in relation to the Speech by the Chairman of the Summit. I would also like to congratulate all the new hon. Members, like me, who have become members of this Assembly. I also pay tribute to the old hon. Members, from whom we have a lot to learn.

Mr. Speaker, Sir, from the outset I would like to say that I am very inspired by the very considered contribution that hon. Members have been making for the time that I have been here. I am sure this will really go a long way in assisting the Council and other decision-making organs of the Community to know how to come up with solutions that will make the Community move forward.

Mr. Speaker, Sir, the Speech by the Chairman was very inspiring and visionary. In fact, it reminds us of the speeches made by the founding fathers of the East African States, and other African States whenever they met during the first meetings of the former Organization of African Unity (OAU), when they were considering the issue of integration in Africa. This issue of integration is really not new. It is something that was considered by the African States. In fact, they were thinking of bringing the entire Africa together in a federation. If you read the Chairman's Speech and the speech that was made by the then Head of State of Ghana, you will see a lot of similarities. Even if it is not word by word, you will notice that feeling that Africa should be together. If we are together, we are stronger. If we are apart, we are weaker. If I can paraphrase what the then President of Ghana, Dr. Kwame Nkrumah said, is that if we stick together, we will prosper. If we stay apart, we will be cleared one by one. I cannot get the exact words that he used, but that is what he meant.

Mr. Speaker, Sir, the bulwark against imperialism was for Africa to stick together. There are people who think that imperialism ended when we got independence. That is not true. Stronger economies want to take advantage of smaller countries and economies.

Therefore, integration for Africa is a must. There is no choice about it. There is no other solution. If strong economies that can stand on their feet like Germany, Britain and France still feel the need to come together as one Europe, so that they can reap the benefits of being together, what about small countries that are struggling to even assert themselves as nations like Kenya? These are countries, which have problems of feeling that they are one country. Do they have a choice? Those developed countries have survived many years as nations, yet they feel that they will get greater benefits if they cede sovereignty and become larger entities. What about the countries that were created the other day by the *Wazungus*? They decided to call them Kenya, Tanzania and so on, yet we find ourselves being very defensive and wanting to remain atomized. We want to be alone, yet we cannot reap much from being alone. The Chairman captured this when he said: "If you remain alone, you will be an amputee, and you will not be able to walk properly." I am not saying that there is anything wrong with being an amputee. Nobody wants to be an amputee.

Mr. Speaker, Sir, what the Chairman was saying when he stated that God has put us together, we can use other words and say that when Kenya feels a cold, Uganda suffocates, Rwanda sneezes, Burundi develops pneumonia and Tanzania shows the need for urgent medical attention! (*Laughter*)

I am just trying to follow up from the colourful language used by the Chairman of the Summit.

Mr. Speaker, Sir, we have made great strides in integration. But there is also the need to identify some of the challenges. I know there is not enough time to be able to identify many of them. The Chairman talked about short-sighted political architecture. He said that is the problem of Kenya. I would like to say that our Community is suffering from poorly designed institutional architecture. That is where our problem is. Our institutions are very weak. There is also no clear mandate that these institutions are given, to be able to carry out their mandates without other institutions coming in to water down that mandate. That is, in my opinion, the problem with the legislative Assembly. Which mandate does this legislative Assembly have that is so completely independent, that it can carry it out without reference to other organs of the Community? We have a very weak Secretariat that may not be able to implement decisions and oversee the implementation across the States, let alone enforce them. If we talk about enforcement we are going further. So, these are some of the weaknesses in the way the Treaty was drafted and designed that makes it very difficult for us to be able to move forward.

Mr. Speaker, Sir, if we compare ourselves with the European Union (EU), for example, the competencies that are given to the court, the court is able to carry them out. The competencies that are given to the Commission, which is a similar institution to the Secretariat, the Commission is completely able to do it, and is given the leeway to do it. But if you look at our system, we must always make reference to the Summit, the Council and so on. Even when there is a dispute, the Secretariat cannot directly go to the court; it has to go back to the Council. The Council then comes back and the person with whom the Secretariat has a problem will be sitting in the Council. So, the Council has to use

diplomacy to resolve the matter. Finally, if it fails completely, the Secretary-General has to be given the leeway to go to court. So, we have a problem where we seem to be avoiding dealing with disputes head on. We want to use diplomacy to deal with disputes.

Mr. Speaker, Sir, we want the critical matters and decisions of the Community dealt with through diplomacy. I am not saying this is necessarily wrong and maybe, that is why we have survived. The drafters feared the pitfalls of the previous Community. I am sure, they were trying to be very careful and cautious, so that the community picks root slowly, given our circumstances. We have to be able to look at the problems directly and continue solving them, so that reach where we want to go.

Mr. Speaker, Sir, in summary, the Community lacks what is called supra-nationality in law because the member or partner states have not been able to cede sufficient sovereignty to the Community? So, every decision has to still go back to the member states to decide. So, if we move on like that, that is, you want to maintain your identity and yet you want to integrate, you cannot have it both ways. You have to decide if you want to completely remain sovereign dealing with all your matters as a state or decide that for integration, you have to cede certain powers and competencies to the Community, so that you can act now as one unit. This is where we have not yet reached. I think you will not be able to have a common market without some decision being made on that critical matter. I am sure we have the capacity to do so. I know we have the will to do so also. All we need is to just get more courage as we move along, so that we be able to make this very key decisions, so that our Community can continue growing. However, I am not being pessimistic. I am just trying to just point out a few problems that I may have noticed by reading the treaty. I am sure we have the capacity and the will to move on, so that East Africa can prosper.

Mr. Speaker, Sir, finally, I heard somebody talking about East Africans. I want to differentiate between East Africans and East Africanists. An East African is somebody who lives in East Africa and is born here. He may not be interested in East Africa being one. An East Africanist is one who shares the ideas of a one united East Africa. So, that one becomes an East Africanist like a Pan-Africanist; that is, one who shares the need for a prosperous and integrated Africa. An East African is just somebody living in Africa who, probably, wants to have a community around his tribe or clan and has no interest in any commonality between the East African countries. So, I think we need to pride ourselves in being East Africanists.

Thank you, Mr. Speaker, Sir. (*Applause*)

Mr. Speaker: I now call upon the Minister to reply.

The Assistant Minister for East African Cooperation, Tanzania (Mr. Abood (Ex-Officio): Mr. Speaker, Sir, first of all, allow me to join previous hon. Members to thank and congratulate our dear brother and sisters from Burundi and Rwanda for joining this Assembly. I would also like to express my appreciation to the people and the Government of Kenya for their warm welcome since we arrived here in Kenya. I thank you again for giving me this opportunity to reply to the Motion which I moved yesterday. First and

foremost, allow me to recognise the hon. Members who were able to contribute to this Motion. In this regard, I applaud hon. Akhaabi, hon. Masha, hon. Said Bilal, hon. Dora, hon. Christopher, hon. Wandera, hon. Tsungu, hon. Otieno, hon. Kaahwa, hon. Wanyoto, hon. Kabourou, hon. Tiperu, hon. Kimura, hon. Masaburi, hon. Abdul Karim, hon. Ndugwimana, and hon. Munya. Thank you, hon. Munya for the philosophy of East Africanist.

Hon. Members, on behalf of the other Members, they have shown us a spirit and commitment of this House for the development of East Africa. The contribution and recommendations they made here today, to us in the Council, I can say is a vision for a new East African Community. On behalf of the Council, I would like to say that we are taking these recommendations and contributions as a challenge and to find out the way forward for strengthening our Community. I do believe that the perception of our Chairperson was really one to which we wanted to see the changes in our Community and preparedness and trust in each other. All contributions show that all Members support it and they are ready to work together to implement what was agreed on in our Community, especially in implementation of our Third Development Strategy. That will be our main focus in the Council, Secretariat and all Members. As I was explaining here, it shows they are positive to the implementation of this development stage. The Members emphasised on economic, political, security, gender and media issues and in enhancing productivity in the region and strengthening our integration. This is all we are dreaming to implement. Again, allow me to thank the Members for their commitment.

Mr. Speaker, Sir, I started with hon. Akhaabi whose insisting regarding the tourism development in our region, I fully agree with him that the importance of tourism in our region is paramount. In that regard, we will do our best to resolve the problem prevailing and to put in place the necessary policies for implementation. Currently, we are implementing the East African Tourism Marketing Plan and Strategy through continued promotion of EAC single tourist destination. We will put more emphasis on it to make sure that we are building very strong tourism development in our region.

Mr. Speaker, Sir, regarding hon. Masha, on institutional framework, there is the need to streamline the establishment of institutions and in some cases, largely on account of organic nature of the Community, but legislation has not decided the establishment of institutions. I would like to assure the House that in all such instances, the Council has been guided by the Treaty. Efforts are underway to address this institutional problem and dissemination of public information by the Community, a project of re-branding the Community and improving on outreach and information dissemination.

Mr. Speaker, Sir, hon. Dr. Bilal commended the Chairperson---

The Speaker: Hon. Minister, please, summarise.

Mr. Abood: Okay, Mr. Speaker, Sir. Hon. Speaker, the issue of legislation is established in this Treaty and we follow what the Treaty says. That is why I mentioned that we in the IFAD, tolerate on what hon. Masha said by underlining the problem. Do, I still continue on that issue? Can I repeat it again?

The Speaker: I just said could you, please, summarise your whole contribution.

Mr. Abood: Mr. Speaker, Sir, hon. Bilal commended the Chairperson for highlighting the role of infrastructure in economic development. Most of the Members do insist on the integration process and solve the problem existing within East African Community. I would like to say to the Members that we are prepared to take all what they have said here and submit to the Council for consideration.

I beg to move. Thank you, hon. Speaker - *(Applause)*.

The Speaker: Hon. Members, I now put the Question, that the thanks of this Assembly be recorded for the concise exposition of the public policy contained in the Address of the Chairperson of the Summit and State of the East African Community on 26th February 2008.

(Question put and agreed to)

ADJOURNMENT

The Speaker: Hon. Members, we have now come to the end of business today. I would like to make a few announcements before we adjourn. First and foremost, there is the Freedom from Hunger Walk, which is on Saturday, and we have to register as members. I think the chairperson will bring around the list for the different chapters so that we can register. I think the registration process has started.

Secondly, the House Business Committee will have to stay behind since we have a small meeting after the session. I also want the chairpersons of the different chapters to also stay behind for a brief meeting. I would also like to say that the function that was there for tomorrow at lunchtime has been moved to the evening. With those few remarks, I would like to adjourn the House until tomorrow at 2.30 p.m.

(The House rose at 6.30 p.m. and adjourned until Thursday, 15th May, 2008 at 2.30 p.m.)