



EAST AFRICAN COMMUNITY

IN THE EAST AFRICAN LEGISLATIVE ASSEMBLY (EALA)

The Official Report of the Proceedings of the East African Legislative Assembly 123RD SITTING – SECOND ASSEMBLY: FIRST MEETING – FIFTH SESSION

Thursday, 15 September 2011

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

PRAYER

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

(The Assembly was called to order.)

PAPERS

- (i) The Report of the EALA Delegation to the Polish EU Presidency Seminar
(By Mr. Dan Kidega (Uganda))
- (ii) The Report of the Committee on General Purpose on Formulating Strategies to
Combat Youth Unemployment in East Africa
*(By The Chairperson, Committee on General Purpose) (Ms. Sebtuu Nassor
(Tanzania))*

QUESTIONS FOR ORAL ANSWERS

Question Ref: EALA/PQ/OA/23/2011

Ms. Jacqueline Muhongayire (Rwanda): Asked the Chairperson Council of Ministers:-

“In the answer to Question Ref: EALA/PQ/OA/032/2011, the Chairperson Council of Ministers made a categorical reference to the proposed EAC Development Fund (EAC-DF), as being one of the measures to address imbalances in the EAC Partner States arising from the implementation of the Common Market Protocol. The establishment of the EAC-DF is therefore a very important process in our integration efforts and should be concluded by now, since the protocol was signed in 2009 and implementation commenced in July 2010.

Could the Chairperson, Council:

- (i) Update this august House on the status of the EAC-DF (What has been done), how much is left and what time the Council needs to conclude it?*
- (ii) Inform this august House how the EAC-DF will address the imbalances that may arise. Could she give insights into how the fund will operate?”*

The Minister for EAC Affairs, Burundi, and Chairperson EAC Council of Ministers (Ms. Hafsa Mossi (Ex-Officio): Mr Speaker, I beg to reply.

Mr Speaker, in principle, the Council at the 23rd Council meeting, established the EAC-DF and further adopted the policy framework and protocol. The Council referred the policy framework and the protocol to the Sectoral Council on Legal and Judicial Affairs for legal input, and to stipulate clearly, the relationship between the Fund and the Council of Ministers.

The Fund will be hosted by EADB as a juridically independent institution, and the assets of the Fund shall be kept separate from those of the bank. The Secretariat, upon adoption of the policy framework and draft protocol by Council, has now embarked on developing a management contract between EACDF and EADB and a resources mobilisation framework as part of the process of operationalising the Fund, and progress will be reported to the 24th meeting of Council scheduled for November 2011.

In terms of the Fund's governance structure, the Fund shall consist of the Governance Council, Board of Directors, and Fund Management. The Governing Council shall be composed of Ministers responsible for Finance from EAC Partner States, and the Council shall be the Fund's ultimate authority and shall submit its reports to the EAC Council. The Board of Directors shall be composed of Partner States' Permanent Secretaries of Ministries responsible for Finance, the EAC Secretary-General, Director-General EADB, and development partners subscribing to the Fund. The Director of the Fund who shall be appointed by the Governing Council and shall be a legal representative of the Fund shall conduct the day-to-day management of the Fund.

Programmes and Projects to be supported by the Fund

The projects to be supported include infrastructure, industrial capacity, energy production, ICT, agriculture, and food security. The Fund will support and invest in ventures that are geared towards addressing environment and natural resources among others.

In terms of EAC-DF addressing the imbalances that may result from implementing the EAC Common Market, the Fund is envisaged to create a facility for providing structural adjustment support to Partner States. For financial losses envisaged to be short term and

directly related to the budget, the Fund is expected to provide balance of payment/budget support within the framework of policy based support operations.

Ms Muhongayire: Mr Speaker, from recent media reports, it is said that the bank may have financial problems. Could the Chairperson inform the august House that there are clear measures considering the safeguard of the Fund and the interest of stakeholders? This Fund should be completely separated from the bank.

Ms Mossi: Mr Speaker, we know that the bank is experiencing some problems with regard to a case with Blueline. This is why I said the Fund should be kept separate from the assets of the EADB.

The Speaker: Next Question!

QUESTION REF: EALA/PQ/OA/24/2011

Ms Jacqueline Muhongayire (Rwanda): Asked the Chairperson EAC Council of Ministers:

Recalling the answer of the Chairperson of the Council of Ministers to question Ref: EALA/PQ/OA/030/2010, the Chairperson of the Council made mention of a study on road transportation and other modes of transport. Therefore, cognizant of the fact that the study forms an integral part of the preparatory activities towards the implementation of the East African Trade and Transport Facilitation Project whose main objective is to reduce the cost of doing business in the region and thereby contributing to the overall economic development and competitiveness of the Community;

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

- i. What the TOR's of this study are?*
- ii. When this study is to be completed and whether it is still within the agreed timeframe for completion; and if not, when it is likely to be concluded?*
- iii. Update the august House on the progress in respect of each of the TOR's?*

The Minister for EAC Affairs, Burundi, and Chairperson EAC Council of Ministers (Ms. Hafsa Mossi (Ex-Officio): Mr Speaker, I beg to reply.

Mr Speaker, I wish to acknowledge having indicated to this august House during my answer to question, ref: EALA/PQ/OA/030/2010 on the subject matter, that the EAC was executing studies on the EAC transport strategy and a roads development programme and transport facilitation programme as integral parts towards the Community's endeavour to reduce the current transport costs in the region.

Mr Speaker, the East African Community region has a road network of about 15,000 kilometres of mixed grade quality covering five priority corridors and selected links. Two of the corridors are transit routes passing through coastal countries and serving three landlocked countries. The EAC is desirous of ensuring that the priority corridors facilitate trade and enhance the competitiveness of the region and more so for the landlocked countries in international trade. Therefore, there is need to develop a comprehensive medium to long term strategy to improve the road transport infrastructure and policies in the region as a way towards reduction of the costs of transport in the region.

- a) The EAC Transport Strategy and Roads Development Programme:

The objective of developing an EAC Transport Strategy and the Roads Development Programme is to provide the EAC with a strategic and prioritized framework for the development of transport systems in the EAC. The main focus of the strategy is road transport, railways transport, ports, inland waterways, civil aviation including airports, and logistics.

Following some delays, mainly related to the disruptions of the Community work in 2010 by the electoral and constitutional making processes, the consultants have delivered, at no extra costs to the EAC, the draft final report of the study, which was considered by the experts in Zanzibar between August 29th and September 2nd 2011 and recommended for adoption by the Sectoral Council of Ministers responsible for Transport, Communications and Meteorology in October 2011.

The consultants have developed the following outputs and deliverables of the foregoing study, which will be presented to the Sectoral Council on Transport Communications and Meteorology in October 2011 for consideration and adoption:

1. An EAC Transport Strategy up to 2018 covering policy and programmatic interventions in roads, railways, maritime and inland waterways transport and civil aviation and airports development and logistics;
2. An EAC Regional Road Sector Development Programme up to 2018 covering priority interventions and maintenance profiling of the EAC priority road network;
3. A calibrated computerized regional transport demand model that will be used to estimate future road transport capacity demand and hence investments; and
4. EAC regional roads geo-database using geo-coding and Geographical Information System (GIS) to be used for planning purposes.

b) The Transport Facilitation Project Study

The objective of the transport facilitation study is the development of a framework for the implementation of the provisions of the EAC Tripartite Road Transport Agreement. The final report of the study is expected in April 2012, and it will comprise a framework for the implementation of the Road Transport Agreement.

Ms Muhongayire: Mr Speaker, what measures has the Council instituted to streamline the various studies in order to avoid further delays, and to increase the project absorption capacity? Secondly, could the Chairperson avail the written answer to the rest of the Members?

The Speaker: You mean the answer that the Minister just read? I think if you look at the documents, you might find the answer there. I had a hard time finding it but I managed to find it. It is not there. Anyway, the Minister should avail the written answer.

Ms Mossi: Mr Speaker, I wish to apologise for not having distributed the revised answer. Some officers on the relevant subject arrived yesterday and so the revised answers could not be distributed.

The Speaker: Honourable Members, you were given the answers yesterday. Do not say “no” because all of us have the same documents. You were given the answers. Maybe you misplaced them. I do not want to say you lost them because Members of Parliament do not lose anything, but you were given them yesterday and maybe you misplaced them. So, proceed, honourable Minister.

Ms Muhongayire: Mr Speaker, I have a copy of the answers for yesterday. The responses given cover up to the question by hon. Byamukama – *(Interruption)* -

The Speaker: Hon. Muhongayire, are you questioning the Speaker’s ruling? Do you have a supplementary question?

Ms. Muhongayire: No sir.

The Speaker: Very well, next question.

QUESTION REF: EALA/PQ/OA/25/2011

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

“Aware of the provisions of Article 121 and 122 of the EAC Treaty that women play a crucial role towards the process of socio-economic transformation and sustainable growth and that it is impossible to implement effective programmes for the economic and social development of Partner States without the full participation of women; and further aware of their role in business, agriculture, industry and trade:

Can the Chairperson of the Council of Ministers inform this august House:

- (i) Whether a protocol is being developed for the Sector;*
- (ii) Whether there is any plan to introduce a Bill to support the Sector;*
- (iii) Whether the Council has any plans to support national and regional women business associations within EAC region so as to enhance their effective participation in trade and development*

The Minister for EAC Affairs, Burundi, and Chairperson EAC Council of Ministers (Ms. Hafsa Mossi (Ex-Officio): Mr Speaker, I beg to reply.

Mr Speaker, I am pleased to inform you that the development of an EAC protocol on gender equality is part of the priority actions of the EAC Development Strategy 2010-2011/2015-2016, which was adopted by the 23rd Meeting of the Council held in Arusha from 5 to 9 September 2011. The protocol is set to have been adopted by December 2012.

Mr Speaker, I wish also to inform this august House that a draft protocol on gender equality was considered by the third Meeting of the Forum of Ministers responsible for Social Development held in Nairobi from 29th June to 6 July 2011. While considering the report of the third meeting of the Forum of Ministers responsible for Social Development, the 23rd Meeting of the Council of Ministers held in Arusha from 5 to 9 September 2011 directed the Secretariat to take this matter to the Sectoral Council on Gender, Youth, Children, Social Protection and Community Development which is scheduled to take place from 7 to 11 November 2011.

Once the protocol has been adopted, it would be the basis of formulation of a Bill to support the implementation of that strategy.

In addition to the above-mentioned process, a gender audit of EAC policies, programmes and institutions and EAC organs and institutions is being carried out in order to guide an institutionalised mechanism for mainstreaming gender into all strategic interventions of the Community. The major expected outputs of the gender audit/diagnosis will be an operational plan for mainstreaming gender in the EAC together with tools for building capacity of key EAC staff to enable them formulate and implement policies and programmes which take into consideration the gender dimensions. The gender audit is expected to be completed by January 2012.

Mr Speaker, with regard to the policies and plans for supporting women in business, I am pleased to inform you that the new EAC Development Strategy 2011-2016 has included the development of a policy and law for promoting women in development and women business. In this context, a high-level conference on the role of women in socio-economic development and women in business was held from 5 to 6 August 2011 in Kigali, Rwanda. More than 350 participants from EAC Partner States drawn from various sectors including Governments, Parliaments, the private sector, and civil society organisations attended the conference. The recommendations of the conference will be tabled for consideration to the first meeting of the Sectoral Council on Gender, Youth, Children, Social Protection, and Community Development scheduled to take place in October 2011.

Mr Speaker, the EAC Secretariat is also working closely with the East African Business Council and the national businesswomen's organisations on the follow-up of the recommendations made during the above-mentioned conference.

Ms Wanyoto-Mutende: Mr Speaker, I would like to thank the Chairperson, Council of Ministers, for her response. There is an issue that is very important, and I believe that it may not wait for January 2012 when issues of the protocol are concluded. I would like to ask the Chairperson, Council of Ministers when they would be able to avail to us, the rest of the stakeholders, the EAC figures and facts in terms of disaggregated data on women who are doing business in East Africa. I am asking this question because they have been overtaken by the events of the Customs Union, which is now already in implementation, but also the Common Market which is on going. Can this be done before January 2012?

Ms Mossi: Mr Speaker, I am not in a position to say when we will have this document done, but I will make sure this issue is fast-tracked to have it before the date that was mentioned by hon. Wanyoto.

QUESTION REF: EALA/PQ/OA/27/2011

Ms Lydia Wanyoto (Uganda): Asked the Chairperson, Council Of Ministers:

Taking into consideration the comprehensive nature of Article 92 of the Treaty regarding civil aviation and civil air transport, and aware that the CASSOA Act only covers a section of this Article mainly on safety and security oversight;

Can the Chairperson of the Council inform this august House-

(i) *Whether the protocol, since it is more detailed, provides a sufficient legal framework for the entire sector for items not covered in the CASSOA Act;*

(ii) *If not, what is the Council doing to ensure that the entire Article 92 is operational?*

The Minister for EAC Affairs, Burundi, and Chairperson EAC Council of Ministers (Ms Hafsa Mossi) (Ex-Officio): Mr Speaker, I beg to reply.

The Protocol for the establishment of CASSOA only provides for matters related to the provisions of Article 92 requiring implementation of measures promoting the development of safe and secure civil aviation in the EAC region. In this respect, therefore, the CASSOA Protocol and the Act, which is developed based on the Protocol, sets up a legal institutional framework for the strengthening of aviation safety and security in the region and within the Partner States. Hence, the overall legal framework establishing CASSOA is not sufficient to support the implementation of the cooperation in civil aviation infrastructure and services envisaged in the EAC Treaty, and neither was it the intention of the Council while establishing CASSOA.

Mr Speaker, Article 92 of the Treaty covering civil aviation and civil air transport covers four broad areas of civil aviation cooperation among the Partner States. These areas reflect the structures of the civil aviation authorities and operations in the Partner States. The broad areas covered under Article 92 are:

- (i) Safety and security regulation;
- (ii) Economic regulation;
- (iii) Infrastructure and service provision (airports and air navigation services); and,
- (iv) Human resources development.

The Council notes that these four areas of co-operation require different legal, institutional, and implementation platforms for their realisation. The overall coordination for the implementation of collaboration activities under civil aviation is done by the Secretariat through its Department of Aviation under the Directorate of Infrastructure. At the apex of the Council's established structures is the Sectoral Council on Transport, Communications, and Meteorology (TCM), which has the overall mandate on the implementation of the projects and programmes within the respective sectors. The specific structure that assists the TCM is the Sectoral Committee of the Heads of Civil Aviation and Airports Authorities. The Council has, therefore, put in place the following arrangements to implement the projects and programmes under civil aviation overseen by the above structures:

The Council established CASSOA with the mandate to promote the development of a safe and secure civil aviation in the region and assist the Partner States in meeting their state and international obligation under the Chicago Convention and its annexes related to aviation safety and security oversight. One of the functions of CASSOA, therefore, is the harmonisation and implementation, within the EAC region, of aviation safety and security regulations as a means of uniform implementation of international standards and recommended practices related to safety and security of civil aviation. The CASSOA Protocol and the Act are the legal frameworks for the operations of the agency and is governed by a board, which includes the Directors-General of Civil Aviation in the Partner States.

Mr Speaker, economic regulation in civil aviation relates to matters in the domain of competition, liberalisation of services, consumer protection, market access (covering capacities and frequencies) and pricing among others. An Air Transport Subcommittee oversees the implementation of the above matters. To date, the subcommittee has completed the draft framework for air transport liberalisation in the region. The subcommittee is currently reviewing the air transport competition provisions necessary for air transport liberalisation.

Mr Speaker, service provision covers mainly, aircraft operations (airlines and other air operators), airports, applicable services, and air navigation services. The implementation of co-operation activities covering these sectors is coordinated by the EAC Aviation Sectoral Committee of the Heads of Civil Aviation and Airports Authorities. On-going projects and programmes in this area include the establishment and operationalisation of the EAC Unified Flight Information Region; the implementation of the Search and Rescue Agreement; implementation of the recommendations on the Global Navigation Satellite Systems (GNSS) pilot study; and implementation of the regional priority airport projects.

Mr Speaker, human resources development in aviation covers the span of the very specialised training requirements in the sectors, including pilots, engineers, air traffic control officers, and safety and security inspectors, among others. Honourable members should note that human resources development is an integrated matter covering all the areas stated above and will recall that the previous Community had specialised training schools for these disciplines including Soroti Flying School in Uganda for development of skills in piloting and aircraft maintenance engineers, and Nairobi's East African School of Aviation in Kenya for the development of skills in air navigation service for air traffic controllers and air navigation technicians in particular. This is an area that the Council of Ministers is seriously looking at with a view to establishing sufficient training infrastructure in the region for the growing aviation sector.

The principals of the aviation training schools and academies and directors/managers of human resources are the technical arm of the Committee. The Committee is developing the draft East African Aviation Training Organisations (ATOs) three-year Strategic Plan and a project proposal for the rehabilitation of the East African Aviation Training Organisations.

Mr Speaker, in conclusion, allow me to refer this august House to the Protocol on the Establishment of the East African Common Market. Article 38 of the Protocol, related to the co-ordination of transport policies, requires the Council to, within three years upon entry into force of the Protocol, make regulations applicable to air transport among others. Therefore, in addition to the above on-going initiatives and efforts in implementing Article 92 of the Treaty, and as required by the Common Market Protocol, the Council of Ministers will develop regulations and/or amend the existing ones to further implement all the remaining provisions of Article 92 of the Treaty.

Ms Wanyoto: Mr Speaker, when this Assembly was debating and passing the CASSOA Bill at that time, there was a very firm promise and commitment that they would be following up with relevant Bills and regulations. That was the promise by the then Chairperson of Council of Ministers; specifically to handle issues of Article 92(2) that talks about opening and having joint air services. We took cognisance of the fact that the most expensive cost of doing business is travel. We were able to highlight that air travel is one of those areas that is

causing the business of the Community to compete within the region because of the high cost of doing business.

The Speaker: Hon. Wanyoto, please ask your supplementary question.

Ms Wanyoto: The question is, when will those Bills come to this Assembly to finalise the issues of Article 92 and the Protocol?

Ms Mossi: Mr Speaker, I can only promise that we are going to do whatever we can to fast track those Bills, but I cannot give a specific answer today as the matter will be put before the relevant Sectoral Council.

Ms Wanyoto: Mr Speaker, I accept and thank the Minister for her response. I also note that this Assembly deserves responses pegged on timeframes.

The Speaker: I think that was more of a comment than a question. Next Question!

QUESTION REF: EALA/PQ/OA/29/2011

Ms Margaret Nantongo Zziwa (Uganda): On behalf of Ms Nusura Tiperu (Uganda), asked the Chairperson, Council of Ministers the following question:

The EAC Treaty for the Establishment of the EAC is emphatic on the need for the EAC to closely cooperate and work closely with the civil society and private sector in a number of areas to deepen and widen the EAC integration agenda.

Could the Chairperson of the Council inform this House -

- (i) of the measures the EAC has adopted to pursue this;*
- (ii) if there is a dedicated budget at the EAC Secretariat to enable EAC organs and institutions to access funds for promoting networks with the civil society and the private sector. If not, when shall this be introduced?"*

The Minister for EAC Affairs, Burundi, and Chairperson EAC Council of Ministers (Ms Hafsa Mossi) (Ex-Officio): Mr Speaker, I beg to reply.

I am pleased to inform this august House that the participation of the civil society and the private sector is being strengthened through various institutionalised mechanisms such as the annual meeting of the Forum of Ministers responsible for Social Development, the annual investment conferences, the biennial EAC Symposium and the annual Media Summit, among others.

In addition to these institutionalized mechanisms, an EAC strategy for private sector investment promotion and a draft EAC civil society mobilization strategy, have been formulated and are undergoing commentaries and consultations at the Partner States' level. The proposed Civil Society Mobilization Strategy is set to be completed by June 2012, while that of the Private Sector Investment Promotion is targeted for completion in the first quarter of 2012.

As crosscutting issues, the private sector and the civil society are also integrated in the various meetings of experts, Sectoral Committees, workshops, and forums with stakeholders

for formulation or validation of proposed policies, programmes, and projects, including sensitization programmes at regional and national levels.

Mr Speaker, I wish to inform this august House that currently, there is no dedicated budget to enable EAC organs and institutions promote networks with the civil society and the private sector. Given that these sectors have been given prominence in the fourth EAC Development Strategy 2011–2016, the Council will explore the possibility of mobilizing sufficient resources for the activities planned to promote civil society and private sector participation in the Community.

Ms Zziwa: Mr Speaker, the private sector ably talked about by the Minister does not fully fall under the ambit of civil society. We have a lot of agitation from a lot of civil society bodies and I welcome the idea that in the 2011/2016 development strategy, funds are availed to bring forth civil society which help marginalised groups and different agendas.

The Speaker: I think that was a comment and not a supplementary question.

Honourable Members, before I go to the next item, I would like to recognise the presence of hon. Pierre Damien Habumuremyi, the former Member of EALA and now Minister for Education in Rwanda. *(Applause) Karibu Mheshimiwa.* As you can see, he really misses us. He was actually sitting inside the Chamber but he had to be reminded he is no longer a Member of EALA. *(Laughter) Karibu sana Mheshimiwa* and we wish you well in your new endeavours. *(Applause)*

MOTION

FOR A RESOLUTION OF THE EAST AFRICAN LEGISLATIVE ASSEMBLY PARLIAMENT TO URGE EAC PARTNER STATES TO CELEBRATE THE INTERNATIONAL DEMOCRACY DAY ANNUALLY

Ms Patricia Hajabakiga (Rwanda): Mr Speaker, I beg to move that this Assembly do resolve to urge the EAC Partner States Parliaments to celebrate annually the International Day of Democracy, which falls on 15th September.

Mr Dan Kidega (Uganda): Seconded.

Ms Hajabakiga: Mr Speaker,

“WHEREAS on 30th November in the year 1999 the EAC Heads of State appended their signatures to the Treaty in which Article 6(d) binds the contracting parties to the principles of good governance, including adherence to the principles of democracy, the rule of law, accountability, transparency, social justice, equal opportunities, gender equality as well as recognition, promotion and protection of human and people’s rights in accordance with the provisions of the African Charter on Human and Peoples rights;

AND WHEREAS the EAC Partner States undertake to abide by the principles stated in order to aim for universally accepted standards of human rights as stipulated in Article 7(2) of the Treaty for the Establishment of the EAC;

NOTING that in January, 2007 the Heads of State and Government of Africa, being determined to promote and strengthen democratic principles within member states, adopted the African Charter on Democracy, elections and governance;

CONSIDERING that since the International Day of Democracy was instituted by the UN in 2007 and that more than 75 Parliaments have staged special events to mark the occasion;

BELIEVING that 15th September is an invitation for every country to reflect on the meaning and significance of democracy;

RECOGNISING that a truly living democracy depends on the active contribution of citizens' participation and shaping their political future and cooperation within political institutions thus being a decisive factor for the smooth functioning of democratic institutions;

NOW, THEREFORE, THIS HOUSE RESOLVES THAT:

- 1) Pursuant to the requirements of the Inter-Parliamentary Union, this Assembly and Partner States' Parliaments do celebrate annually the International Day of Democracy which falls on 15th September.
- 2) A dialogue between Parliaments and citizens, especially the young people, be conducted under the theme, 'What do citizens expect of their Parliaments?'

Mr Speaker, I beg to move.

The Speaker: Honourable Members, the motion on the floor is that the Assembly do resolve to urge the EAC Partner State Parliaments to celebrate annually the International Day of Democracy, which falls on 15th September.

(Question proposed)

Mr Daniel Kidega (Uganda): Mr Speaker, I would like to thank hon. Hajabakiga for moving this important Motion. This Motion has its roots in a Motion moved earlier on by hon. Byamukama. The uniqueness of this is that this is an annual event and this Motion is asking the EAC Partner States to celebrate this date.

Mr Speaker, democracy is a very important aspect of human rights and good governance. When there is no democracy in a country or an entity where people are being governed, naturally, the people being governed would be very uncomfortable and it will lead to confusion. Democracy is not necessarily regular elections. We have seen so many countries in Africa and beyond that carry out regular elections and the winners even get majority votes but yet confusion erupts after the elections.

This Motion seeks to tell the leaders of this region to find time to reflect on our deeds on the aspects of democracy. It gives them the opportunity to reflect on what they have done or have not done and how we can move forward.

It is very important that when people are being governed, we should allow them to criticize their leaders and allow them to be part of the group that sets the agenda of what is supposed to be done in their country. I strongly believe that all the Partner States' Presidents are democratic because all of them are democratically elected and they are in strong support of this Motion. The only thing lacking is the practice of celebrating or commemorating this day

in our capitals. This is what is supposed to be done to help our people realise and know that democratic practices are cherished in the Community.

Mr Speaker, I beg to support the motion.

Mr Abdullah Mwinyi (Tanzania): Thank you very much, Mr Speaker. Democracy is not an ideology; it is an ideal. Simply put, democracy is government by the people for the people. Every ideological thinking professes to be democratic. Communists, if you ask them, will tell you they are democratic. Fascists profess to be democratic. Every known form of governance would profess that they are democratic. However, this principle is not uniform globally. I remember once the former President, Nyerere, was talking about democracy at Edinburgh University and he said democracy is not like coca cola, where you have the same formula the world over.

Mr Speaker, because of the different interpretations of democracy, it makes it critical for Parliament to celebrate and to talk about democracy on the 15th of September. It gives the people an opportunity to speak constructively with those they have elected to have a clear understanding of what democracy is and what the people expect from their leaders. I, therefore, lend my full support to this Motion and I hope that the Partner States will henceforth commemorate this day to allow our people to discuss it comprehensively. With these few remarks, I beg to support.

Mr Mike Sebalu (Uganda): Mr Speaker, I thank the mover of this Motion but I just want a bit of clarification. I agree with the principle of having this done, but how do we oversee the details of its implementation? What do we have in mind?

Different Partner States may look at this issue differently. When you look at the Motion, there is a section on page 2, which says, "*Believing that 15th September is an invitation to every country to reflect on the meaning and significance of democracy*". The Partner States could be out there reflecting; you do not have any measure to tell whether they have not reflected or not. We need to come up with a clear way we want this undertaken; otherwise, if we leave it open it may become difficult to oversee proper implementation, which may vary from country to country.

Furthermore, I want to get a feedback from the Council of Ministers because they are our link to the Partner States. This Motion was moved earlier on and adopted by this House. Was there any follow-up on the same to see that it was implemented? I am concerned about the practicality of enforcing this. What standards do we put in place? Democracy is looked at differently from different perspectives. Even different countries may do it differently. So, how best do we do it to achieve the objective that has been stated? Besides, what about EALA; don't we need to celebrate this day ourselves? Why are we telling Partner States to do it without including ourselves? Aren't we democrats ourselves? Why do we tell others to do things we do not want to do? I think we really need to make it – (*Interruption*) -

The Speaker: Hon. Sebalu, have you read this Motion or you are just debating? Have you seen the first prayer? We are celebrating it today with this Motion!

Mr Sebalu: That is a perfect answer because I was concerned about us telling others to celebrate it when we have not done it either.

The Speaker: Hon. Minister, you will have the opportunity to answer later on. Proceed, hon. Sebalu.

Mr Sebalu: Mr Speaker, the real issue was about the feedback from the Council of Ministers because they should be of good use as a linkage with the Partner States. Also, there is the issue to do the practicability in terms of having guidelines in order to bring this matter out significantly without leaving it to the dictates of the different players.
I thank you.

The Speaker: Hon. Sebalu, you do not have to have a cocktail to celebrate. You can celebrate in many ways also.

Ms Hajabakiga: Thank you, Mr Speaker, for supporting me in giving an answer to hon. Sebalu. I will only look at the two issues he raised. One is about the standard. First, this is a resolution; if you refer to paragraph four of the Motion in which the United Nations instituted this International Day of Democracy in 2007, there are standards and explanations as to what democracy is. That is what we will have to follow because it derives its origin from this declaration.

As to how we can practically do it in the EAC, if you remember last year's Motion, which I need not repeat, you had requested the Council of Ministers to pass it on to Parliaments of the Partner States so that they can celebrate annually the same event of 15th September.
I thank you.

(Question put and agreed to)

Resolution adopted.

MOTION

FOR THE CONSIDERATION AND ADOPTION OF THE REPORT OF THE COMMITTEE ON GENERAL PURPOSE ON FORMULATING STRATEGIES TO COMBAT YOUTH UNEMPLOYMENT IN EAST AFRICA

Ms Sebtuu Nassor (Tanzania): Mr Speaker, I beg to move that the report of the Committee on General Purpose on Formulating Strategies to combat Youth Unemployment in East Africa be adopted.

Mr Stratton Ndikuryayo (Rwanda): Seconded.

Ms Nassor: Mr Speaker,

Introduction

Under the provisions of Article 120 (c) of the Treaty for the Establishment of the East African Community, the Partner States undertake to closely cooperate amongst themselves in the field of social welfare with respect, to among others, the development and adoption of a common approach towards disadvantaged and marginalized groups including, children, the youth, the elderly and persons with disabilities through rehabilitation and provision of, among others, foster homes, healthcare, education and training.

The General Purpose Committee of the East African Legislative Assembly held, in Kigali, on April 8th and 9th 2011 a workshop on formulating strategies to combat youth unemployment in East Africa. The workshop was a response to one of the prominent and recurring concerns that emerged out of the workshop held in Kigali by the same Committee on a policy framework towards improving the status of youth in East Africa. This Committee report was tabled and adopted by the House in February 2011. It drew attention to considering youth unemployment as a persistent global problem that needs urgent solutions.

Objectives of the Workshop

The general objective was to analyse the problem of youth unemployment in East Africa and formulate strategies to combat the problem. Specifically, the workshop aimed at:

- analysing the situation and level of youth unemployment in East Africa;
- looking at and analysing the youth-labour employment phenomena in the context of the EAC Common Market Protocol;
- investigating the causes of youth unemployment and identifying necessary policy and strategic remedies to inform harmonization prospects within Partner States;
- sharing and discussing success stories, best practices, from other economies and regions and focusing on possible remedies and actions;
- discussing and analysing the EAC projects, policies and programmes put in place to address youth unemployment and their outcomes; and
- conducting field visits to youth employment creation projects in Kigali.

Opening Session

The Minister for Youth Affairs of the Republic of Rwanda, hon. Protais Kabanda Mitali, opened the workshop. He stressed the importance of looking into the causes of youth unemployment, sharing experiences and best practices among Partner States, and searching for alternative solutions for poverty eradication amongst the youth. The Chairperson of the Committee in her opening address echoed these sentiments. She emphasized the need for concerted efforts towards meeting the employment needs of the youth and subsequently towards the achievement of the MDGs.

Presentations

The EAC Presentation on EAC Projects and Programmes aimed at Combating Youth Unemployment

From the presentation by the Principal Gender and Community Development Officer, Ms Perpetue Miganda, it was noted that:

- Illiteracy, low education levels, and insufficient vocational training programmes are among the causes of youth unemployment in the East African Partner States. This is notwithstanding the fact that Partner States have introduced vocational training programmes and other mechanisms for eradicating adult illiteracy within the Community;
- The EAC Common Market can create and strengthen opportunities for citizens to participate in the integration process. Hence, the EAC promotes and encourages the process of development and implementation of policies, strategies and programmes, which promote and sustain peace and security in Partner States and enhance private sector participation;

- The EAC Forum for Ministers for Social Development was established in 2007 to serve as mechanism to consider all issues pertaining to social welfare and development within the Community.
- The EAC secretariat and the Partner States underscore the importance of improving living conditions of citizens. However, creation of job opportunities for the youth has been undermined and slowed down by the population growth rate (3 per cent in the last 15 years) coupled with economic recession, adverse weather conditions occasioning recurring droughts and flooding, amongst others, hence perpetuating unemployment and underemployment of the youth.

The above mentioned contribute to hindering self esteem in the youth and their general wellbeing, consequently causing teenage pregnancies, HIV/AIDS and other child deviances. To address all these issues, the EAC Partner States are attempting to involve the youth in the policy making process. However, lack of requisite skills, inadequate capacity and low levels of education have denied the youth of the full benefit of their participation.

The Situation of Youth Employment/Unemployment and Response by Partner States Governments

The Republic of Burundi

Burundi is characterized by rapid population growth (3.7 per cent) and uncontrolled demographics, school dropout, slowdown in economic trends as well as unsuitable education systems, which do not match with the people's aspirations. These are the key factors contributing to the youth unemployment phenomenon. While 51.1 per cent of Burundians are youth who are considered as a formidable drive force for development, 14 per cent of youth are unemployed and only 1 per cent of school graduates can be given jobs in the public sector. In order to overcome such unemployment challenges in youth, the Government of Burundi put in place various mechanisms including the following:

- Establishment of a training period for first employment seekers in 2009. Subsequently, 150 young professionals have benefited from the initiative annually;
- A national fund for the promotion of youth entrepreneurship has been institutionalised;
- The National Youth Council of Burundi was established in 2007;
- Consultation and cooperation with CONFEJESS has galvanized support for youth income generating projects. So far, 19 youth projects have been funded.

The presentation outlined the need to work in collaboration with the Community to create jobs, for example on soil erosion control, road construction and maintenance, etc - and increase training centres to ensure self-reliance. In addition, the Government of Burundi has to undertake a behavioural and mindset change campaign so that the Burundian youth get motivation to create and appreciate self-employment opportunities.

The Republic of Kenya

The youth bracket in Kenya is between 14 and 34 years old, and 72 per cent of the unemployed population is below 30 years old. Unemployment in youth is due to illiteracy, insufficient skills or training skill mismatch, world economic slowdown and overall change in economic trends. The youth unemployment rate, currently standing at 66 per cent of the

population, is increasing rapidly thus contributing to underemployment, increasing the pool of the working poor, and gender inequality in labour force absorption.

As a response to the aforementioned challenges, the Government of Kenya undertook the following:

- Established the Ministry of Youth and Sports.
- Initiated Kazi Kwa Vijana (KKV) programme. In 2008, the programme engaged youth in different productive jobs such as tree planting, roadwork, brick baking, hairdressing, etc. Since the initiative was started in 2008, over 200, 000 jobs were created through individual enterprises and group ventures.
- Established polytechnics to develop the skills needed for the promotion of industrial sector.
- Set up a programme for the youth to penetrate foreign labour market by encouraging Kenyans to seek jobs abroad such as in Asian countries, through the provision of ticket or transport fees loans.
- Established youth empowerment Centres in all constituencies to ensure capacity building through youth internships, attachments and volunteerism.

The Republic of Rwanda

About 40.2 per cent of Rwanda's 12 million people are between 14 and 35 years old (the age bracket for youth according to the country's definition), and 75 per cent of the population is below 30 years of age. The average age for jobseekers is 22 years and in 2007, 240, 000 people got jobs while projections indicate that in the next five years, there will be one million jobseekers. People are largely employed in the informal sector, the equivalent of 4.1 million people.

In Rwanda, the challenges with regard to employment include:

- Limited employability skills
- Limited job opportunities
- Large informal sector
- Limited entrepreneurship capacity coupled with limited access to finance
- Issues of unity and reconciliation
- HIV/AIDS, use of drugs/ drug abuse
- Juvenile delinquency, etcetera.

The aforementioned are particularly made worse by the fact that the youth have a biased attitude towards traditional agriculture and the lack of sufficient support structures for employment creation. To correct the situation, the Government undertook the following:

- The establishment and operation of the National Youth Council;
- The promotion of education, information, and communication technology (ICT)
- A technical and vocational training policy was adopted as well as establishing vocational training and teacher training centres in almost every district. Among such centres also is the IWAWA Rehabilitation and Vocational training centre for the youth.

Effort has been made to develop the private sector and to encourage entrepreneurship. Training formats and skills packages are being linked to the labour market via cooperation and collaboration initiatives like the Youth Employment Network (YEN), job creation, and provision of skills for employability fostering entrepreneurship and self-employment among the youth. A Small and Medium Sized Enterprises Fund was established as well as COOJAD, a youth-owned and operated microfinance institution, which has provided the youth with 3,500 loans.

The United Republic of Tanzania

The country's labour force is made of 53.7 per cent of the population, and 68 per cent of these are between 15 to 35 years old. In 2006, 16.6 million people, i.e. 88.3 per cent, were employed by creating employment opportunities in the rural areas.

Solutions to address unemployment challenges in Tanzania were presented as follows:

- Formulation and adoption of the National Employment Policy in 2008, which puts emphasis on the promotion of gender equality and involvement of all stakeholders. The National Youth Policy had preceded this policy in 2007 and the Government worked out the National Youth Employment Action Plan whose implementation is underway.

The employment policy is based upon the principles and foundations contained in MKUKUTA/MKUZA, the National Strategy for Growth and Reduction of Poverty, in relation with the Tanzania 2025 vision, which highlights key factors and indicators for youth welfare and employment.

An initiative to reduce the level of youth unemployment includes the promotion of a volunteering spirit in the youth; the establishment of a national employment service agency (TAESA); and the creation of the National Youth Development Fund, which provides soft loans to the youth through SACCOs. Unemployment rates remain high in urban areas due to limited resources for the implementation of government policies, lack of labour market information system, inadequate requisite skills including computer literacy and the tendency of the youth to be averse to the agriculture sector.

Youth Employment: Current Initiatives, Challenges and Successes Recorded

The current initiatives in the EAC include:

1. The integration of youth programmes in the EAC Development Strategy (2010-2016). There are also on-going consultations on the EAC youth policy and processes for the establishment of the EAC Youth Council. Other initiatives include the formulation of an EAC social development programme; the initiation of the first report on the attainment of MGDs by EAC; organisation of Juan Kali/Kazi Nguvu exhibitions for informal entrepreneurs and SMEs, which include youth; the integration of a youth component into the recent EAC Food Security Plan; and the development of a regional decent work programme.
2. The EAC Secretariat has initiated collaboration with civil society organisations, especially youth organisations, like Africa Youth Trust. It is also working towards the organisation of a youth forum to be held annually. The Community is also going to initiate regional cultural festivals, which will involve the youth.

3. Additionally, for the Community to provide grounds for well-researched and informed policies in terms of employment, the EAC has urged the Partner States to carry out manpower surveys.
4. There is a project proposal on empowering local communities through modernization of cross-border shared markets. The biggest number of beneficiaries will be the youth and women.

Despite the EAC's efforts to address the problem of youth unemployment, the Community still faces a number of challenges including:

- Lack of social policy;
- Inadequate human and financial resources for the whole social sector;
- The lack of an effective strategy for planning together and addressing issues of the Community as one body; and
- Lack of a long-term vision as to the kind of EAC citizen the Community needs.

Pursuant to the challenges enumerated above, the EAC needs to consider the following:

- (i) There is a need to sustain a multi-sectoral approach for addressing youth unemployment
- (ii) Youth employment should be looked at as a cross-cutting issue when embarking on all processes of planning for social development and welfare
- (iii) EAC needs to put in place structures and processes which help Partner States to plan together and work out strategies and priorities as a Community
- (iv) There is also a need to have, both at local and regional level, systems and mechanisms of regularly collecting and sharing information on youth employment/unemployment issues as well as on the implementation of policies and strategies related thereto
- (v) There is still need to sensitize youth on the existing opportunities within the region and towards behavioural and mindset change in order for them to optimize decent employment opportunities they may come across and avoid elitist approaches
- (vi) Through the EAC Inter-University Council, education systems and curricula should be revisited to be geared toward providing the youth with adequate skills, early career orientation, and self-employment
- (vii) The informal sector should be uplifted and graduated into a formal job creation sector, thereby the need to promote and enhance vocational training and polytechnics.
- (viii) The EAC and the Partner States have to give more prominence to empowering youth entrepreneurship by establishing more mechanisms and schemes which allow easy access to resources by the youth.
- (ix) There is need to set up a monitoring and evaluation mechanism for all the fora and consultations on youth employment.

Field Visits to Kanyinya and Batsinda Areas

All the EALA Members visited Kanyinya, one of the suburbs of Kigali City, and participated and contributed to the Government of Rwanda's initiative to eradicate grass-thatched houses. This marked the beginning of EALA's 10th anniversary. The scheme, aimed at ensuring decent housing for Rwanda's citizens, also makes rural areas attractive to the youth and could be used as an avenue for job creation and to spur development.

In Batsinda, the Committee visited a youth project whose members are largely uneducated youth engaged in income generating activities including poultry keeping and rearing of rabbits. In addition to such activities, the co-operative, with its 250 households, has attracted infrastructure like a health facility and a conference centre for the improvement of their livelihoods and those of the surrounding communities. The co-operative, KOPUBU, raises 1,000 layers. This provided a good example for the team that youth, even the uneducated ones, can initiate, and manage small-scale business that benefits the Community.

Recommendations of the Workshop

Arising from the workshop proceedings and the field visits, the Committee recommends the following:

1. Governments need to improve the welfare of the youth by allowing them to participate in policymaking processes. Partner States' youth policies should be harmonised and should inform the development of a harmonised regional youth policy.
2. There is also need to set up clear steps to promote education beyond primary school education.
3. The Community should also promote and protect youth from physical harm.
4. The Secretariat and Partner States have to increase investment in youth development and empowerment and to consider EAC population growth and immigration policies;
5. The EAC needs to invest in the development of the "software" component of employment creation so as to combat youth unemployment, e.g. develop skills that match labour demands, and put emphasis on relevant courses - university, college, vocational and all training institutions.
6. The EAC should devise model trainings to encourage and motivate entrepreneurship.
7. The EAC needs to invest in support services such as access to credit; encouraging patient capital to fund youth projects; organisation of entrepreneurs (cooperatives) to promote production and access to markets; investment in infrastructure, amongst others.
8. The EAC Partner States need to create awareness on available opportunities in the region. This will deal with the perception that mobility within the region is difficult. They need to address rigidities in career pursuits etc.
9. The EAC and the Partner States need to give more prominence to empowering youth entrepreneurship by establishing more mechanisms and schemes which allow easy access to resources by the youth.
10. The Community needs to use the informal economy to create decent jobs through government support to the informal sector, policy and fiscal tools.
11. Reforms need to be carried out in the national agricultural policies to overcome structural barriers.
12. The EAC and the Partner States need to support youth participation in policy formulation by providing funds and building organisational capacities.
13. There is a need to address gender issues in youth employment schemes and programmes through:
 - a) Policy and strategy changes/harmonisation;
 - b) Model training/apprenticeship and craftsmanship;
 - c) Investment in support services, such as access to credit capital, and partnership with private sector.
14. The Community also has to address the impact of HIV/AIDS, for example through workplace policies and programmes.

15. The EAC Partner States should adopt comprehensive employment programmes, job training and experience, specialised training on core business, entrepreneurship skills, job search assistance.
16. The EAC and the Partner States need to conduct regular labour market surveys to provide valid updated statistics to help plan and address manpower issues.
17. The EAC Partner States should develop and collaborate with the private sector as a means to address employment through internships and partnerships.
18. The EAC should institute education and training reforms to appreciate and develop talents, potential and gifted skills over and above formal education.

In addition, the Committee would like to note, with appreciation, that certain recent significant developments have taken place in the Secretariat since the Kigali meeting and these include the following:

One, the EAC Development Strategy (2010-2011/2015-2016), which was been adopted by the 23rd Meeting of the Council of Ministers held from 5th to 9th September 2011, has integrated the following four strategic interventions with regard to mainstreaming youth into EAC policies, programmes and projects:

- (i) A policy and legal framework for the youth established by Dec 2012;
- (ii) Macroeconomic sector policies and programmes aligned to reflect youth issues by June 2016;
- (iii) Bi-annual exchange programmes on employment opportunities for young people organised by June 2013; and
- (iv) An EAC training centre for skills development for the youth in the region established by June 2016.

In this regard, the proposed youth policy and its implementation plan have integrated the details of activities to be carried out in the sector. The draft policy is expected to be considered by the newly created Sectoral Council on Gender, Youth, Children, Social Protection, and Community Development.

Mr Speaker, the third meeting of the Forum of Ministers Responsible for Social Development was held in Nairobi, Kenya, from 29 June to 6 July 2011. The Forum considered the following: the status of implementation of previous recommendations; consolidated national reports on social development; the draft social development framework; the draft report on the achievement of the Millenium Development Goals in the East African Community; the draft Civil Society Mobilisation Strategy; and the proposal for an EAC protocol on gender equality.

While analysing the status of implementation of previous decisions and recommendations, the Forum of Ministers directed the EAC Secretariat to expedite the process of establishing the EAC Youth Council and EAC Women Council within a period of one year after all Partner States have in place the national youth councils and women councils. They urged Partner States to address new challenges such as new skills development, food security, and climate change; and they urged Partner States to commit adequate funding for social development programmes.

The report of the 3rd meeting of the Forum of Ministers responsible for Social Development was thereafter presented to the 23rd Meeting of the Council of Ministers held in Arusha from 5 to 9 September 2011.

Mr Speaker, the Committee would like to inform the House that the Council of Ministers took note of the recommendations of the third meeting of the Forum of Ministers responsible for Social Development, and directed the Secretariat to take the specific recommendations to the relevant Sectoral Councils for adoption and implementation (*EAC/CM 23/Directive 34*).

In view of the above highly commendable strategies for the youth in the EAC region, there is a need to allocate a substantive budget and human resources to the department in charge of youth. While the Community is undertaking an institutional review, it is crucial to create posts for youth and children, the East African Youth Council together with the East African Women Council, as per the decision of the 18th meeting of the Council of Ministers, which is yet to be implemented. In the meantime, project staff should be attached to the sector.

The Committee would like to recommend to the Council of Ministers to re-allocate funds to the social sector as recommended by this Committee in May 2011 during the budget session to specifically:

- finalise the policy and legal framework for the youth by 2012;
- convene a meeting of experts to finalise the draft youth policy; and
- convene a regional youth forum with stakeholders on the final youth policy, and organise bi-annual exchange programmes on employment opportunities for young people to be organised by June 2013.

Finally, the Committee recommends that the Council of Ministers ensures that all the above commendable efforts and initiatives be implemented in the given timeframes.

Mr Speaker, I beg to move. (*Applause*)

The Speaker: Honourable Members that was the longest summary I have ever heard.
(*Laughter*)

(*Question proposed*)

Mr Straton Ndikuryayo: Thank you, Mr Speaker, for giving me the opportunity to contribute to this Motion.

Mr Speaker, I am seconding this Motion because it touches on a very important matter. We all know that in Africa, including East Africa, young people make up a big percentage of the population. However, most of that population of youth is either unemployed or under-employed, and in some cases overworked, according to the core labour standards.

This report has highlighted many issues regarding those three phrases that I mentioned above. The one I need to raise is that of working experience. When the youth graduate from universities or schools, it is difficult to access jobs because employers ask for experience. As a definition, working experience is proof that someone has been working in a particular field. So, you cannot have that working experience without getting a chance to work even on permanent or part time terms, or even as an intern or a volunteer.

Mr Speaker, I want to share with the Members one experience mentioned in the report from the Republic of Burundi, where I had a chance to visit the Ministry in charge of youth. They have a good internship programme where students graduate and register with the Ministry and the Ministry looks up places in various institutions, both private and public. It gives them

some monthly stipend of about 50,000 Burundian Francs, they do their internship for six months, and then they are given a certificate. That certificate is considered as a working experience. That is a good example we can borrow and see how we can improve on it in order to address that challenge of working experience.

Mr Speaker, I want to speak on the issue of the age bracket of youth, which is not harmonised in Africa. In Kenya, youth is between 15 to 30 years old; Burundi, from 15 to 40 years old; Rwanda is from 14 to 35 years old; Uganda is from 18 to 35 years old; and Tanzania is from 16 to 35 years old. The harmonisation of the age bracket of the youth can facilitate us to have clear statistics of youth in the whole region, which can help us to come up with clear plans.

Mr Speaker, if youth are gainfully and productively engaged, they will become a potential resource for EAC growth and social development. But how can the EAC engage them? According to the report, the response is simple, because there is a good political will the decision is taken but the issue is the implementation.

Mr Speaker, when we talk of harmonisation, I think it means putting together the best practices from our Partner States or elsewhere to come up with a clear strategy or policy on this issue. There is need for the Community to have a coordinated approach on the youth unemployment agenda and to subject our policies and strategies to continuous review in order to shape our future better.

Mr Speaker, finally I would like to thank the EAC Secretariat and the Council of Ministers for integrating youth programmes in the EAC Development Strategy 2010/2016.

I beg to second the motion. (*Applause*)

Dr Odette Nyiramilimo (Rwanda): Thank you, Mr Speaker. I also support this Motion and I am a member of this Committee.

I would like to thank you, Mr Speaker, for accepting, in your wisdom, to bring this Session to Kigali. I want to tell the honourable Members how proud I am as an East African when you, honourable Members, are happily staying in Kigali. I wish that you could come here even when you are not a Member of EALA. Hon. Akhaabi bid me goodbye a while earlier, but I do not want you to say goodbye; you will be coming back. In Kirundi they say, “*Nakagaruka*” or “come back as soon as possible”.

Mr Speaker, in this workshop, we heard about the youth numbers in our Partner States; of course we knew it, but the youth are more than 60 per cent, and about 70 per cent of them are unemployed. This is the labour force of our nation, how can we develop if the labour force is left behind? I would like to call on all of us, especially the Council of Ministers, to do whatever is possible to help the youth to be integrated in the policies in the different Partner States.

We are happy that at least they were included in the strategic plan. When you read Article 120 of the Treaty, of course, they did not forget the youth, but it is sad that the youth are considered disadvantaged and marginalised – “...including children, youth elderly and persons with disabilities”. It is unfortunate that the youth, who are supposed to be the workforce, are being considered as people who are disadvantaged. We should consider them as the future and the advantaged people to be put to work.

Mr Speaker, I want to give a suggestion on the EAC Development Strategy, which says that by the year 2016 we should have a training centre for skills development. Of course, it is already adopted but it does not limit us from doing it next year or in two years to come. Why don't we have the training skills centre established by 2013? That question is directed to the Council of Ministers.

Mr Speaker, I beg to support and urge all Members to support the Motion. (*Applause*)

(Question put and agreed to)

BILLS ***Second Reading***

The East African Parliamentary Institute Bill, 2011

Ms Dora Byamukama (Uganda): Mr Speaker, I beg to move that “*A Bill for an Act to establish the East African Parliamentary Institute and to provide for related matters*” be read a Second Time.

Mr Abdullah Mwinyi (Tanzania): Seconded.

Ms Byamukama: Mr Speaker, the *East African Parliamentary Institute Bill (2011)* is premised on four main grounds. The first is the Treaty. Article 5 of the Treaty, which provides for the objectives of the Treaty, requires us to deepen and widen co-operation amongst Partner States. This deepening and widening can only be done more efficiently when we have harmonised policies and practices.

Secondly, the Treaty provides the Assembly with a unique function, which is not delegated, to most Parliaments; this is the function of establishing linkages with National Assemblies. This particular function obligates us to put in place avenues that can enable us to work together and to be able to move the process of legislation together in a more organised manner.

The second premise is based on the fact that there has already been some work, which has been accomplished. The idea of an East African Parliamentary Institute is not new. This idea was initiated in the First Assembly. As you are aware, seed money has been received. This Assembly has been part of a consultancy whereby we had Clerks from the National Assemblies and we had our own Members of Parliament make their contribution to the establishment of the institute.

Furthermore, there have been consultations between the Clerks and the Speakers in the different bureaus. We have also had some Members of this Assembly visit India and in particular the Lok Sabha whereby they understudied how training for staff, Parliamentarians, and others who interact with the Assembly do this.

Mr Speaker, we also have a strategic plan, which clearly states that this institute will be established. I know for a fact that the Council of Ministers and the Summit at different levels and times have been able to discuss the issue of the East African Parliamentary Institute. So, this is an idea whose time has come.

Mr Speaker, allow me to highlight a memorandum, which was signed by Speakers of all the National Assemblies and your good self, Sir, which confirms, and to a large extent illuminates, the principles and the justification as to why we should have this East African Parliamentary Institute.

It says in the preamble:

“WHEREAS the National Assemblies of the Republics of Burundi, Kenya, Rwanda, Tanzania, Uganda and EALA enjoy close political, historical, cultural and other ties as consummated by the signing of the Treaty for the Establishment of the EAC by the Partner States on 30 November 1999;

RECOGNISING the need for training for Members of Parliament due to periodic elections where a sizeable number of sitting Members lose their seats and new ones are elected;

AWARE that many of those elected to Parliament do not have any form of training in legislation or representation - the core roles of any Parliamentarian - and the fact that it takes close to two years for the newly elected Members to familiarise themselves with the procedures and operations of Parliament;

CONSCIOUS that the bedrock of Parliament as an institution is the staffs, which are more permanent to the institution and provide a linkage from one Parliament to the next;

COGNISANT that there is no institution in the region that provides legislative training, and that Parliamentarians and staff have to be sent abroad at exorbitant costs for such training and because of these costs, emphasis is on short term and affordable courses, making the training received in most cases insufficient;

AWARE that the region is grossly ill equipped in training facilities with regard to legislatures and provision of research and appropriate information to the legislatures;

NOW, THEREFORE, the regional Parliament determines to strengthen their legislative institutions, build awareness about democracy and democratic institutions, and resolve as follows:

- 1. To establish the East African Parliamentary Institute, which shall become an institution of the EAC;*
- 2. Commit that the regional Assembly shall finance the institute with effect from the financial year 2009/2010;*
- 3. The headquarters of the institute shall be in any Partner State of the Community upon its successful application to host the institute in accordance with the EAC procedures.*
- 4. To adopt the attached as the general guiding institutional framework for the establishment of the institute.*
- 5. To urge the Council of Ministers and EALA to enact an East African Parliamentary Institute Act.”*

Those who signed are hon. Gervais Rufyikiri, President of the Senate for the Parliament of Burundi; hon. Pierre Ntavyohanyuma, Speaker of the National Assembly of the Republic of Burundi; and for the National Assembly of the Republic of Kenya, hon. Kenneth Marende; for the Parliament of the Republic of Rwanda, hon. Vincent Biruta, President of the Senate;

for the National Assembly of the United Republic of Tanzania, hon. Samuel Sitta; for the Parliament of the Republic of Uganda, hon. Edward Ssekandi; and for the East African Legislative Assembly, hon. Abdirahin H. Abdi. (*Applause*)

Mr Speaker, it is with this conviction that I have no reasonable doubt that this august House supports this Motion and that this institute be established. I am just an instrument; I am actually implementing a directive and I believe I am in order.

Mr Speaker, my third point is in regard to the nature of our work. Our work is unique. As has been stated, we have a high turnover and as a supra-national body, we have to make the linkages. More importantly, when you consider that a few years ago our sisters and brothers from Rwanda joined us, this is an opportune time for us to learn from each other. I believe that this institution will help us get the best practices, move ahead, and implement a unique East African culture, which we shall be proud of.

Mr Speaker, my fourth and last point is in connection to institution building. A few days ago, this august House was discussing the issue of continuity and sustainability. We are all mortal; we shall go. But when we build an institution, we will be sure that what we will have done will be carried forward. So, this particular institution will be our legacy. It is the first of its kind and therefore it is a novelty.

Hon. Kimura said we should pat ourselves on the back more often. At one time, we had officers from SADC Parliament who came over to understudy how we have been able to achieve what we have achieved. The African Union is a strong admirer of EALA. I can go on and on and I would sound as if I am bragging, but these are facts.

On the issue of institution building, there could be some challenges, but as I said before, we already have seed money. We were even thinking that it could start small, as a virtual centre where we could have training through telecommunication, video-conferencing, and thereafter move on to more training which is physical. However, I believe that since the Partner States have committed to contributing to the wellbeing of this institution, they will be in a position to second Members of Parliament and staff to undertake training. I know for a fact that all Parliaments in the region have funding for professional development and capacity building.

Mr Speaker, on the issue of the institution, the scope of what we do will obviously be determined by what we need to do and what is happening around us. Basically, as I said, we could begin small and thereafter expand. I know for a fact that apart from providing for capacity building, this institution, as was mentioned by one of my colleagues, will be a centre, which can also be used for interactions, confidence building, etc. There is no other way by which we can integrate better than by doing this.

Let me give an example. Out of the five Presidents of the EAC, three have been trained in the region. President Kibaki did his studies in Makerere University and every time we meet him, he always refers to Makerere University. President Yoweri Museveni did his training in the United Republic of Tanzania. He confesses that in his house if they were to vote, there are more Tanzanian-born than Ugandan-born people are. President Paul Kagame of the Republic of Rwanda had to leave Rwanda, for reasons, which we all know, and he did his training in Uganda. So, this kind of interaction, whereby you have staff or Parliamentarians from the region interacting, sharing a meal, dancing and laughing, is something, which we cannot underrate.

With those few comments, I would like to thank all those who have helped bring us to this point. I believe that we all agree to the fundamental principle of getting this institution established and I hereby implore my colleagues to support this noble mission. I thank you.
(Applause)

The Speaker: Honourable Members, the motion on the floor is that the *East African Parliamentary Institute Bill, 2011* be read a Second Time.

(Question proposed)

Chairperson, Committee on Legal, Rules, and Privileges Mr Frederic Ngenzeuhoro (Burundi): Mr Speaker, it is an honour for me to present to this august House the report of the Committee on Legal, Rules and Privileges on the *East African Parliamentary Institute Bill, 2011*.

Introduction

The Treaty for the Establishment of the East African Community empowers the Summit to establish institutions of the Community to perform specific functions and act within the limits of the powers conferred upon them. In this context, and pursuant to Article 59 of the EAC Treaty and rules 64, 65, 66, 67 and 68, of our Rules, the *East African Parliamentary Institute Bill, 2011* was developed and introduced in the House on 7 September 2011 by hon. Dora K. Byamukama to provide a legal framework to enable the Summit to establish the East African Parliamentary Institute (EAPI) to, among other things:

- (i) Provide training on parliamentary procedures and practices;
- (ii) Establish a mechanism for capacity and skills development of law makers, parliamentary staff and other stakeholders in order to promote professionalism; and
- (iii) Promote recognition and respect for parliamentary democracy in the EAC region and beyond.

It is on the above premise that the Committee presents its report on the Bill for consideration and adoption by the House. At the same time, the Committee is convinced that this Bill will assist the Council and the Summit to expedite the process of establishing the Parliamentary Institute since much of the work will already have been streamlined by the Bill.

Background

The quest for the establishment of the East African Parliamentary Institute has been a matter of great interest to the Parliaments in the EAC region and the Council of Ministers. The origin of was in 2004 when the Parliaments of the three original EAC Partner States agreed to work together to establish a regional institute which would be a centre of excellence for parliamentary training for Members of Parliament, parliamentary staff, national and regional civil servants and other stakeholders.

The Parliaments of Rwanda and Burundi further took up the matter when they joined the EAC, which culminated into a memorandum signed by all the Speakers of the EAC National Parliaments and the Speaker of EALA to establish the EAPI.

This matter generated great interest in the Council, which placed it on its agenda with a view to making the appropriate recommendation to the Summit. In the meantime, the mover of the Bill took cognisance of the positive spirit exhibited by the Council and, therefore, proactively introduced a Bill to facilitate the Council. This is to simplify the process for them to make appropriate recommendation to the Summit.

Acknowledgement

The Committee would like to register its appreciation to the Hon. Speaker of EALA and the Council of Ministers who met with the Committee on the Bill on 14 September 2011, and the Office of the Clerk EALA for the administrative arrangements and support.

Observations and Amendments by the Committee

Part III - Institutional Arrangements

The Committee observes that there was an apparent lack of involvement in the organisation and running of EAPI by the Speaker of EALA, the Clerk, and the Assembly in general. The Committee therefore proposes an amendment to have the Speaker of EALA as head of the Board of Trustees and the Clerk of EALA as the Chairperson of the governing council as well as the secretary to the Board of Trustees.

The Committee also notes that the functions of the institute should include facilitation of harmonisation of parliamentary laws, procedures, and practices in the region. The functions of the institute would include anything aimed at promoting its function but subject to the approval of the Board of Trustees.

The Committee further observes that the title “Rector” was more appropriate for the administrative head of a training institute than “Executive Director” was, and therefore proposes to amend the title.

Part III – Staff of the Institute

The Committee observes that with regard to the tenure of office of the Rector, it is not advisable for lack of provision for re-appointment to the office since the development and establishment of an institute of such high calibre is a process that should be given time to take effect and grounding. The Committee recommends for the Rector to be allowed reappointment for a further five-year term.

With regard to terms and conditions of service of the staff of the institute, the Committee proposes that these be determined by the Council of Ministers in accordance with the rules and regulations of the East African Community.

Part IX – Miscellaneous

The Committee finds it necessary for the annual report mechanism to include reports being transmitted by the Governing Council to the Council of Ministers who will in turn submit to the Assembly for debate.

The Committee, therefore, presents its report to this august House for consideration, debate, and adoption subject to the amendments hereto attached.

Mr Speaker, I beg to move. *(Applause)*

Ms Jacqueline Muhongayire (Rwanda): Thank you, Mr Speaker, for giving me the opportunity to contribute to this Motion. Before I make my contribution, allow me to extend my condolences to East Africans for the loss of life in the ferry disaster in Zanzibar in which over 200 people perished, and the fuel pipeline disaster in Nairobi where over 100 perished, as well as the Bududa mudslide in Eastern Uganda where several people were buried alive. These are grave disasters and may the souls of those who perished rest in eternal peace.

Mr Speaker, I wish to thank hon. Byamukama for moving this important Motion. As has been said in the report, this Bill follows the memorandum of understanding signed between the Speakers of the National Assemblies of the Partner States. One of the Speakers who signed the Memorandum of Understanding is here present with us, hon. Samuel Sitta. He signed when he was Speaker of the United Republic of Tanzania. I thank the Speakers who signed this Memorandum of understanding for their bright vision.

As we know, the main functions of Parliaments are representation, legislation, debate, and approval of budgets, oversight, and debate on issues of general interest to the people of East Africa. As we know, Members of Parliament, especially those of EALA, come from different schools and different systems. Some Parliaments are unicameral; others are bicameral. In the EAC Partner States, we have slight differences in terms of parliamentary, political, and judicial backgrounds. I, therefore, fully concur with the report of the Committee.

Mr Speaker, the relevance and necessity of such an institute is well ground in the Treaty objectives. The EAPI will enable the beneficiaries and different stakeholders of the Community to better appreciate their role and place in the overall context of the Parliamentary system, leading to informed articulation of issues and responses on parliamentary affairs.

Mr Speaker, not all Members elected at national and regional levels have the requisite training in legislation process, oversight, representation. Some of the new Members can take half of the term to familiarise themselves with the procedures and operations of Parliament, despite the saying that ignorance of the law is no defence. It is important to have such an institution in the region that provides such training in legislative oversight and budgetary process; functions, practices, traditions, procedures and operations of parliament; as well as parliamentary democracy. If parliamentarians and staff have to be sent abroad for such training, EAPI would be a regional one-stop centre for such continuous training and development of skills. It would bring on board different stakeholders of the Community in the process of integration.

Mr Speaker, in 2008, I was part of a delegation who did a study visit to India. We visited the Parliament of India, which is bicameral. India is renowned for its strong Parliamentary democracy. They have a similar institute known as Bureau of Parliamentary Studies and Training. We should also have a similar institute so that we can enrich the establishment of this EAPI. So, I fully support the Motion.

Mr Speaker, I beg to support the motion. *(Applause)*

Ms Regine Katabarumwe (Burundi): Thank you, Mr Speaker, for giving me the Floor. I fully support the Motion because the Community needs the institute. The EAPI is important in building capacity and strengthening democracy and good governance.

Mr Speaker, the Community is growing and it is important that we build support institutions. As we know, EALA is an important organ of the Community and as we celebrate the tenth anniversary in November, it is important that EALA will have established this institute.

With those remarks, I beg to support the Motion. (*Applause*)

Ms Valerie Nyirahabineza (Rwanda): Thank you very much, Mr Speaker, for giving me this opportunity to contribute to this important Bill. First, I would like to thank hon. Byamukama for coming up with this important Bill, which is aimed at creating the EAPI.

Mr Speaker, as we all know, this institute is well grounded on very important pillars, including the Treaty, several consultations and the strategic plan. Most importantly, it is grounded on a memorandum of understanding that was signed by the Speakers of our National Assemblies and yourself, Sir. I congratulate you for this.

Mr Speaker, I support this Motion not just because I am a Member of the Committee, but I am very passionate about the uniqueness of this institute, which is that, it will help Members of Parliament as well as the staff. This will be the only way to enhance the competences and knowledge of Members and staff. All the work they will be doing will be helped by a very strong orientation programme to be provided by this institute.

With those remarks, I beg to support the motion and hope that the Council of Ministers will equally support it. (*Applause*)

Mr Abdullah Mwinyi (Tanzania): Thank you very much, Mr Speaker, for giving me an opportunity to say a few things on this Bill. It leaves me with very little to say as my learned friend, hon. Byamukama, has so comprehensively and eloquently given a background to this Bill and hon. Ngenzebuhoro, the Chairperson of the Committee, supplemented and mentioned all that needed to be said.

However, I have two points to make. First and foremost, I want to express my excitement at the opportunity of having such an institute. The Partner States come from different parliamentary heritages; I think this is unique in our region. Three of us are from the Commonwealth heritage and the rest are from a different heritage. I think for the very first time, through this institute, we may be in a position to create our own unique heritage by picking what is best from both backgrounds and creating a unique East African parliamentary heritage through the formation of this institute. This could be a global first; it is uncharted territory and it is not that often that we have such an opportunity.

Secondly, I want to urge the Council of Ministers to support this Motion. It is common knowledge that the Executive, which in our regional set-up is the Council of Ministers, views a Private Members' Bill with a lot of suspicion. This particular Bill is grounded on a very strong foundation and it is aimed at supporting them in their activities. If we had left and waited upon the Council of Ministers to bring their Bill in the 2010/2011 Financial Year, I do not think we would have any activities here. We hope that through our concerted

presentation, they will take this on board and strongly support it and view it as help and not a hindrance or a means of interfering with the day-to-day activities.

With those two points, I support the Motion and I thank you. (*Applause*)

Ms Nusura Tiperu (Uganda): Thank you very much, Mr Speaker, for giving me this opportunity. I want to thank hon. Byamukama for the Bill and thank the Chairperson of the Committee for his report.

Mr Speaker, I would like to be counted among those who are in support of this noble cause. Looking at the kind of people we interact with on a daily basis, you can clearly see that the Bill is demand-driven.

Mr Speaker, I also support the Motion because recently we have had induction courses on-going in all the Parliaments; a case in point is that in the Ugandan Parliament and we also had one in the Parliament of Tanzania, all indicating that this is a sector that needs to be catered for. So, a formalised mechanism to ensure that the politicians of the region are helped is a really a justifiable cause.

Mr Speaker, I support the Motion because the Bill has overwhelming support not only from ordinary citizens but also from Speakers of the region, including you. That alone humbles me into supporting the Motion and I request Members to do the same.

Mr Speaker, looking at what the institute will do and considering the fact that we have a growing number of politicians in the region, not only Parliamentarians but also Governors, youth councils and so on - (*Interruption*)-

Mr Dan Kidega (Uganda): I stand on a point of information, Mr Speaker. Thank you, hon. Tiperu, for giving way. It is also a fact that in this region, the standards for joining politics as stipulated in our various laws differ. In Uganda, for example, for one to be a Member of Parliament, they must have A' levels or equivalent, which may not be the same in other countries. So, the creation of this institute will help to build harmony in terms of comprehension and appreciation of work within the political domain.

Apart from that, most civilised and developed communities in all other sectors have strategic institutes to which they take their people to train first before they are employed in that area. Even in this region, we have one of the Partner States, which has excelled in that area. In Kenya, within the Ministry of Foreign Affairs, there is a strategic institute. Before you are deployed to the Foreign Service, you go to that strategic institute to be trained to be ready. From universities or colleges, you are not given the necessary skills. So, this is really a relevant institution.

Ms Tiperu: Thank you very much, hon. Kidega, for that vital information.

Mr Speaker, as I was saying, there are a growing number of politicians in the region including those in local governments, in the councils, and now we are proposing regional women and youth councils. Having all these categories of leaders without a particular institution that can train them really means the region needs such an institute. Even if someone is a graduate or a doctorate holder, there is no institution in particular that teaches people about parliamentary practice, etiquette and so on and yet you are supposed to behave

in an honourable manner and dress in a particular manner. So, I think an institute like this will really be appreciated.

In conclusion, the institute will have alumni of great leaders, including you, Mr Speaker. You have served us well as the Speaker of the East African Legislative Assembly yet you did not go for any training. So, we would like to utilise some of the knowledge and experience that you have accumulated, and the only avenue is to have such an institute so that we have alumni of such calibre to educate the rest of the politicians to do a better job for all the citizens.

I support the Motion. (*Applause*)

Mrs Catherine Kimura (Kenya): Thank you, Mr Speaker, for giving me the Floor. May I right at the outset thank hon. Byamukama for this very well thought-out Bill? What this Bill does and what the institute will do is really to recognise that politicians and people who work in Parliaments have a profession. It puts Parliamentarians at the same level as any other profession, and, therefore, people who need to be trained, as we train accountants, civil servants and so on.

I am glad that hon. Kidega took the words out of my mouth that within our region, all such institutions are there to develop the skills of the different professionals. Some of us have come into politics and jumped into the deep end. We have had to learn the hard way. So, for posterity, we want people to benefit from what this Parliament is doing today - putting politicians on a higher level of professionalism as well as the people who work in Parliament.

Mr Speaker, the passion with which hon. Katabarumwe supported this Bill cannot be ignored. I appreciate where she is coming from because she has come from a different background. Rwanda and Burundi came in and joined three Partner States that came from the same parliamentary background, and here they were and they did not know whether to bow to the Speaker and so on, and nobody told them that this is the way it is done. So, I can appreciate that for our region with people who have come from different parliamentary backgrounds, this institute is very timely – (*Interruption*)-

Mrs Margaret Zziwa (Uganda): On a point of information, Mr Speaker, I thank hon. Kimura for giving way. I want to give information concerning professionalism in this very important Bill. The institute is going to help a great deal in benchmarking. Considering that there would be no way of evaluating the performance of this Parliament and there are no set marks where you could say that this Parliament should perform from this level to that, it would be an important aspect because the institute will have the professional mandate and qualifications to be able to give this benchmarking. I think it is a very important point on professionalism of this very important task we do which in most cases-

The Speaker: That is enough, hon. Zziwa. I think she got the point.

Ms Kimura: Mr Speaker, as I conclude, earlier on we passed a Motion here on democracy and the need to recognise 15th September. Here we are putting in place an institution whose key role, among others, will be to promote the recognition and respect of Parliamentary democracy in the EAC region and beyond. That is a very noble objective, which I hope we can achieve.

We need, in this region, to honour parliamentary democracy, and how fitting it will be for incoming politicians to appreciate, in a formal manner, what parliamentary democracy is all about. As I said, we wade through the water to find out what it is all about and here we are saying the institute will impart this kind of knowledge.

Mr Speaker, I am happy that those of us who do not know what bicameral parliaments are shall be learning what they are all about, even as Kenya is moving to this kind of parliamentary democracy.

I support this Motion and I thank both the Chairman of the Committee and the mover of the Motion.

Mr Bernard Mulengani (Uganda): Thank you very much, Mr Speaker. I want to add my voice to those that have supported the Motion and to say that I also support it.

Mr Speaker, this institute may not limit its training to the region. Just as we have seen our staff members go overseas for training, we may also receive people from out of the region to get training in this institution.

Mr Speaker, I have been convinced by the mover and the Chairman of the Committee that the Speakers of the Partner States' Parliaments as well as the Speaker of EALA signed a memorandum. The people they are referring to did not do this as individuals; they did it on behalf of institutions, which are organs that are beneficiaries of the facility. It is likely to be extended to local governments. I want to implore that it would be tantamount to loss of confidence in the people who were involved in the initiation of this idea if any of us stood up to object to this Bill.

Mr Mike Sebalu (Uganda): Mr Speaker, the information I would like to give is to the effect that one of the Speakers who participated in the formulation of this noble exercise and agreed on this institute is a Member of EALA now. I would implore the Council of Ministers not to embarrass him and renege on an earlier position he took when he was the Speaker. So, I just pray that Council of Ministers is mindful that their colleague had an earlier commitment that he needs to stand up to at this point in time.

Mr Mulengani: Thank you very much for the information, hon. Sebalu.

Mr Speaker, if what we are saying is being challenged, then I wonder who would be the best stakeholders to consult.

Lastly, hon. Sebalu gave information that I wanted to refer to. I was thinking aloud; assuming that we had a scenario where all Partner States' Presidents had eventually appointed former Speakers who signed this memorandum to be Members of the Council of Ministers, I wonder what the situation would be.

Mr Speaker, I want to implore the Council of Ministers to support this Motion. Most Private Members' Bills have had an uphill task in terms of acceptance by the Council. Please let this Bill sail through unopposed and let us establish the institute.

Mr Mike Sebalu (Uganda): Thank you very much, Mr Speaker. I add my voice to that of Members of who have risen to support the creation of such an important institution in our region. More specifically, I want to thank the mover, hon. Byamukama, for putting up a very

good case in justifying the creation of this institute. Definitely, this is an institute that we ought to have had yesterday, but even then tomorrow is not too late for us to have it in place.

Mr Speaker, I just want to make my comments in view of two specific aspects. One is on innovation and creativity. As a region, we need to appreciate innovation and creativity. The fact that we have come up with such a unique institution within our region is something that needs to be supported because it is going to give us visibility globally. There are certain strategic things you must do in order to attract the attention of the rest. As a region, just creating an institution of this strategic nature will give us a certain level of visibility that we have hitherto not enjoyed. So, it is in the interest of all of us as progressive East Africans to support this, and the Council is no exception in this regard. So, this is something we must give our full support to as a region.

We have gone out to institutions, some of them really not that serious, but you find us going there and paying a lot of money to go and attain some level of expertise in those institutions. Now, when we put our heads together as a region, we shall get our experts, and we are not short of experts. Even many Members here can serve in that institute as visiting lecturers and instructors, given the level of experience that has been gained here. So, it is a very strategic institute that needs to be supported.

Mr Speaker, I have not witnessed a process that has been consultative like this one has been. When they mentioned all the Speakers being party to this process, including yourself, and all of them signing, I do not think anyone can come and disown the memorandum of understanding. I do not think anything like that can happen. It was consultative and it involved all the stakeholders concerned, and the best thing to do is to be very honourable and give it total support.

We should not deviate from this principle. I think the Council of Ministers are with us on this one. This is because even the Council of Ministers will be beneficiaries of this institute. Definitely, it will be available for all of us. When you are done with the Council work, you can retire to the institute and impart knowledge to the upcoming leaders. So, we need an area where your knowledge base will conglomerate and add value to the skills and expertise of leadership in the region.

Mr Speaker, I beg to support and I would find it difficult to hear anyone not supporting it.

The Minister for EAC Affairs, Burundi and Chairperson EAC Council of Ministers (Ms Hafsa Mossi)(Ex-Officio): Thank you, Mr Speaker, for giving me an opportunity to contribute to the Motion on the Floor. The idea of having a parliamentary institute is very noble and forward-looking in as far as capacity building is concerned. It will give us, East Africans, an opportunity to have an institution of reference in the region and maybe in Africa. I cannot find better words than what has been said by the Honourable Members to express how important this institution is.

The Council of Ministers has gone through three fundamental issues with regard to establishment of this institution. One is the establishment of an institution within an institutional framework. Two is institution arrangements, staffing matters and financial provisions.

After consultations amongst ourselves, we thought it would be better for this Bill to be read for the Second Time during our Second Meeting of this current Session for the sake of more consultation, taking into account that consensus in the EAC is a virtue that has put our name very high in Africa. So, we implore that we get consensus on this issue. We are not questioning the importance of putting in place this institution. It has been said that we will benefit ourselves and even others from other regions will equally benefit. For this reason, the Council of Ministers is unable to proceed meaningfully. However, I would like to assure Members that we would be more comfortable if this Bill was read for the Second Time in November. I thank you.

The Speaker: Honourable Members, I would like to inform the Council of Ministers that the Bill has already been read for the Second Time. So, the Bill is properly before the House. However, if you are asking for adjournment of debate, you can go ahead and do so. But currently the Bill is at Second Reading.

I would also like to remind the Council of Ministers that this House does not make decisions by consensus. We all do not have to agree. A matter is debated and put to a vote. So, if you are moving a Motion for adjournment until November, please proceed.

Mr Mulengani: Mr Speaker, I arise on a procedural issue and seek your guidance. If the Chairperson Council of Ministers refers to issues of consensus, would it not be appropriate for the Council to go further and tell this House who deviated from the consensus and the reasons that were advanced, so that we are guided for the future?

The Speaker: I think that will be clear when the Chairperson brings the Motion for adjournment.

Ms Dora Byamukama (Uganda): Mr Speaker, yesterday the Chairperson Council of Ministers did respond in the affirmative that the principle of consensus no longer pertains. Today, when the principle of consensus is being flagged, I do not appreciate where we are coming from.

However, I would like to say the following: One, when you look at the Bill, this is a joint effort; it is not only about EALA. Clause 1 states that, "*this Act may be cited as the East African Parliamentary Institute Act, 2011 and shall come into force on such date as the Council may by notice publish in the Gazette*". The point I am making is that the Council is squarely placed in the midst of this particular process.

More importantly, I also know that this issue has been before Council before and as we have noted that consultations among stakeholders were held, - Speakers, staff - and even a consultancy was undertaken. So, it would make us more comfortable if we could have the issues on which consensus must be built raised on the Floor of the House. Short of that, I find it difficult to appreciate what has been advanced by the Council of Ministers.

Secondly, I want to thank the Council of Ministers because of recent I think we are moving together. I want to implore the Council to move amendments to the Bill at a later stage. This is a law and it is not cast in stone; amendments can be brought on board any time, any day. I am well aware that all the Ministers present agree on the principle. Therefore, if we agree on the principle, what matters is the institutional arrangement, the scope and other issues.

Mr Speaker that is what I would like to say for now.

(The Minister for EAC Affairs, Kenya (Mr Musa Sirma) stood in his place)

The Speaker: Hon. Sirma, you are standing up when your Chairperson has already responded to all the questions. I think if the institute were in place would have helped in terms of how we progress procedurally. *(Laughter)*

(Question on the Second Reading put and agreed to)

Bill read a Second Time.

BILL'S
Committee Stage

The East African Community Parliamentary Institute Bill, 2011

Clauses 1, agreed to.

Clause 2, agreed to.

Clause 3, agreed to.

Clause 4

Mr Ngenzebuhoro: Mr Chairman, I beg to move that Clause 4(b) be amended by inserting the words “parliamentary staff” after the word “lawmakers”; and (f) be amended by adding the words “as assigned by and subject to approval by the Governing Council” at the end.

(Question of the amendment proposed)

Ms Byamukama: Mr Chairman, I concede to the proposed amendment to Clause 4(b) but not 4(f). The words “as assigned by and subject to approval by the Governing Council” are superfluous. When we state, “do such other things that be necessary for the promotion of the functions of this institute under this Act”, it also includes this assignment. Therefore, I do not see any value addition, with due respect, and I would appreciate if the Chairperson could concede to this.

Mr Ngenzebuhoro: Mr Chairman, I concede.

(Question on the amendment put and agreed to)

Clause 4, as amended, agreed to.

Clause 5

Mr Ngenzebuhoro: Mr Chairman, I beg to move that Clause 5(2) be amended by deleting the words “rotate in the same manner as the other organs and institutions of the Community” and inserting in place thereof the words, “is the Speaker of the East African Legislative Assembly”.

(Question of the amendment proposed)

Ms Byamukama: Mr Speaker, I concede to the amendment.

(Question on the amendment put and agreed to)
Clause 5, as amended, agreed to.

Clause 6

Mr Ngenzebuhoro: Mr Chairman, I beg to move that Clause 6 (2) be amended by deleting the words “rotate in the same manner as the board of trustees” at the end and replacing them with the words, “be the Clerk of the Assembly”.

(Question of the amendment proposed)

Ms Byamukama: Mr Chairman, I concede to the amendment.

(Question on the amendment put and agreed to)
Clause 6, as amended, agreed to.
Clause 7, agreed to.
Clause 8, agreed to.
Clause 9, agreed to.

Clause 10

Mr Ngenzebuhoro: Mr Chairman, I beg to move that Clause 10 (2) be amended by deleting “Executive Director” after the word “a” and before the word “and” and replacing it with the word “Rector”; (3) (b) be amended by deleting the words, “facilitate the Governing Council in implementing” at the beginning and replacing them with the words, “Implement the decisions of the Board of Trustees”; and (3)(c) be amended by adding the words “and Board of Trustees” at the end.

(Question of the amendment proposed)

Ms Byamukama: Mr Chairman, I accept the proposed amendments with exception to Clause 10(2). The introduction of the term “Rector” is appreciated. However, after consultations and after checking a thesaurus, encyclopaedia, and dictionary, I got to understand that the term “Rector” could have religious connotations. It could be a cleric in charge of a college, religious house, or congregation. I also understand that in French speaking countries, a rector is a high-ranking official in the university. So, in light of the fact that we could have confusion as to whether this is a religious institution or not, and for the sake of clarity, I would plead with the Committee to maintain “Executive Director”.

Secondly, we have nomenclature in the Community whereby we have Executive Directors for CASSOA and other bodies. Therefore, when you come up with a new terminology like “Rector”, even placement of the Executive Director in the circumstance may present some challenges. So, this is also for consistency. I would therefore implore the Committee and the Chairperson to take into account these issues and leave the clause as it was, as “Executive Director”.

Mr Dan Kidega (Uganda): Mr Chairman, I concede to the argument raised by the mover of the Bill. However, there is uniqueness in the institution we are creating; it is a training institution. The other ones are governing institutions. I appreciate the clarity that needs to be

built within this law for the Anglophones and the francophone, so I would like to propose “Principal”. I think that is quite appropriate for an institution of learning and it gives it the impetus of learning.

Mr Abdullah Mwinyi (Tanzania): Mr Chairman, I appreciate the religious sensitivity shown by my colleague, hon. Byamukama, and the need for conformity of positions within the Community. Although hon. Kidega’s alternative is much more politically correct, the term “Principal” denotes a lower level. We have principals in primary and secondary schools; these are headmasters. This is a major institution. So, I would support hon. Byamukama’s contention that we remain with a nomenclature that is already known within the Community and stick with “Executive Director.”

Mr Kidega: Mr Chairman, for conformity to the law and the practice in the Community and for the status of that office, I concede.

Mr Ngenzebuhoro: Mr Chairman, I concede. The most important thing is not how we call the office but what that person will do.

*(Question on the amendments put and agreed to)
Clause 10, as amended, agreed to.*

Clause 11

Mr Ngenzebuhoro: Mr Chairman, I beg to move that Clause 11(2) be amended by deleting the word “not” between the word “shall” and the word “be” and adding the words “for a further five year term” at the end.

(Question of the amendment proposed)

Mr Abdullah Mwinyi (Tanzania): Mr Chairman, it is the practice currently in the EAC institutions, e.g. LVBC and CASSOA, that the heads of those institutions serve a term of five years non-renewable. I am not sure if this is a Treaty matter, but if that is the practice, let us adhere to the practice. I stand corrected otherwise.

The Speaker: Maybe you can say “in accordance with the staff rules and regulations of the EAC” if you want to go that route.

Ms Patricia Hajabakiga (Rwanda): Mr Speaker, while I agree that it has been the practice in the EAC to give such officers five years non-renewable terms, this is a unique institution. It is more academic, and establishing an academic institution of this nature requires enough time. Five years is not adequate. I would plead that we give the person the chance for re-appointment for a further five-year time. If the person is useless, they can always be removed.

The Speaker: Hon. Hajabakiga, the term “useless” is not Parliamentary.

Ms Byamukama: Mr Chairman, it is as if hon. Hajabakiga took the words out of my mouth, of course except the word “useless”. This august House is on record for having challenged the CASSOA Bill on the premise that it was limiting the Executive Director to serve a period of five years. Some of the arguments raised were that, in year 1 he is acclimatising; in year 2, he starts working; in year 3, he starts scanning the horizon for new opportunities. So, we talked about the insecurity and the attendant problem.

Our hands were tied at that time because the CASSOA Act also had a protocol, which had already confined us to legislate for only one term, but I still believe it is a challenging issue. Therefore, for the issue of consistency, for what we believe in this House and for practical reality, I would like to urge that this House concede that the Executive Director is given a further five years.

Dr James Ndahiro (Rwanda): Mr Chairman, with due respect, I rise to oppose that suggestion simply because it is in this House that we always say that we have to create a new culture in our Community. There is nobody with monopoly of knowledge. We cannot say that five years is short. Let that person serve five years and leave it to others. I appreciate that it is an institute of higher learning, but even the IUCEA is also five years. I think we should create a single culture of getting people to offer what they can offer in a specific time and leave, otherwise we will have people in power forever and ever. I thank you.

The Speaker: Hon. Ndahiro, there is no question of forever and ever here; we are talking about two five-year terms.

(Question on the amendments put and agreed to.)

Clause 11, as amended, agreed to.

Clause 12, agreed to.

Clause 13, agreed to.

Clause 14

Mr Ngenzebuhoro: Mr Chairman, I beg to move that Clause 14(1) be amended by deleting the words, “upon the recommendation of the Board of Trustees” and replacing with the words “in accordance with the staff rules and regulations of the EAC” at the end.

(Question of the amendment proposed)

Ms Byamukama: Mr Chairman, I concede to the amendment.

(Question on the amendment put and agreed to)

Clause 14, as amended, agreed to.

Clause 15, agreed to.

Clause 16, agreed to.

Clause 17, agreed to.

Clause 18, agreed to.

Clause 19, agreed to.

Clause, 20 agreed to.

Clause 21

Mr Ngenzebuhoro: Mr Chairman, I beg to move that Clause 21 (1) be amended by adding the words, “who shall forward it to the Council of Ministers for onward transmission to EALA for debate” at the end.

(Question of the amendment proposed)

Ms Byamukama: Mr Chairman, I agree with the content of the amendment but to make it more succinct, I propose that we draft it as follows: “The Institute shall submit quarterly

reports on its activities and operations to the Governing Council. The Governing Council shall submit annual reports to the Council of Ministers for onward transmission to EALA.” We should not determine what EALA does with this report and I think that makes it clear.

We had also agreed with the Committee that the Executive Director on a quarterly basis should present reports of the Institute to the Board of Trustees. I believe the Chairperson may have missed out this one.

Mr Ngenzebuhoro: Mr Chairman, I concede.

(Question on the amendment put and agreed to)

Clause 21, as amended, agreed to.

The Title, agreed to.

The Chairman: Honourable Members, I have small problem in the way we do out things. We have a Bill here, which has been moved as a Private Members’ Bill. I can see the Council of Ministers have reserved their comments, but the bigger problem I have is with the Counsel to the Community. The Counsel to the Community is not Counsel to the Council of Ministers. I have observed that he is very enthusiastic in helping this House when the Council is supporting a Bill. But from what I saw, as soon as we came to consider this Bill, he walked out. He has now come back and he has not helped this House in any way on this Bill. I think it is not fair to this House. I think this happened before, about two years ago when we were in Kampala, Uganda. I think he should behave as Counsel to the Community, not Counsel to the Council of Ministers. *(Applause)*

MOTION FOR THE HOUSE TO RESUME

Ms Byamukama: Mr Chairman, I beg to move that the House do resume and the Committee of the whole House reports thereto.

(Question put and agreed to)

(The House resumed, the Speaker presiding_)

REPORT OF THE COMMITTEE OF THE WHOLE HOUSE

Ms Byamukama: Mr Speaker, I beg to report that the Committee of the whole House has considered the *East African Parliamentary Institute Bill, 2011* and passed it with amendments.

ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE HOUSE

Ms Byamukama: Mr Speaker, I beg to move that the report of the Committee of the whole House be adopted.

(Question put and agreed to)

BILL’S *Third Reading*

The East African Parliamentary Institute Bill, 2011

Ms Dora Byamukama(Uganda): Mr Speaker, I beg to move that “*A Bill for an Act to establish the East African Parliamentary Institute and to provide for other related matters*” be read a Third Time and do pass.

Mr Abdullah Mwinyi (Tanzania): Seconded

(Question put and agreed to)

Bill read a Third Time.

The Speaker: Honourable Members, we have come to the end of business today. I would like, first and foremost, to thank all of you for your active participation for the last two weeks. I think we have been rather busy and the enthusiasm has been great. I know most of you have not had an opportunity to say something but it only because of the limited time, but you will still have the opportunity in our other sittings.

I would also like to make the following announcement to the steering committee for the 10th Anniversary. We have a meeting. I know initially you were told that the meeting was to start at 10.00 a.m. but it is now going to start at 8.30 a.m.

Finally, I would like to thank the Parliament of Rwanda for having given us this facility. The President of the Senate, the Speaker and the staff have really facilitated us well as an Assembly for the last two weeks and I thank them again.

This might be the last time for the Second Assembly to sit in Kigali, even though we have been invited to come for an extra-ordinary session. But I know you will be back in the Third Assembly to come and sit in this beautiful Chamber.

Finally, I would like to thank the Ministry of EAC for having also facilitated our work here in Kigali and for the excellent dinner that they provided for us the other night.

I thank His Excellency Paul Kagame for addressing this Assembly. I must say that of all the Heads of State, he is the only Head of State who has actually addressed this Assembly every time that we have come to this Partner State. We thank him for that. *(Applause)*

Honourable Members, I now adjourn the House *sine die*.

(The House rose at 6.00 p.m. and was adjourned sine die)