



EAST AFRICAN COMMUNITY

EAST AFRICAN LEGISLATIVE ASSEMBLY (EALA)

Official Report of the Proceedings of the East African Legislative Assembly

16TH SITTING- FOURTH MEETING—FIRST SESSION – FOURTH ASSEMBLY

Wednesday, 25 April, 2018

*The East African Legislative Assembly met at 2:30 p.m. in the Pius Msekwa Hall,
Parliament of Tanzania, Dodoma, Tanzania.*

PRAYER

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

COMMUNICATION FROM THE CHAIR

The Speaker: Honourable members, I will make communication at the end. Therefore, I defer this item. It will come last.

East African Annual Report for the Financial Year 2014/2015.

The Speaker: Thank you, Chairperson, Council of Ministers. The report is referred to the Committee on General Purpose.

PAPERS LAID

THE EAC ANNUAL REPORT FOR THE
FY 2014/2015

REPORT OF THE DELEGATION TO
138TH IPU ASSEMBLY HELD FROM
24-28 MARCH 2018/ GENEVA,
SWITZERLAND

The Second Deputy Prime Minister/ Minister for EAC Affairs, Uganda (Dr. A. M. Kirunda Kivejinja): Mr Speaker, in accordance with the provisions of Article 59(3)(a) and (c) of the Treaty for the establishment of the East African Community, I beg to lay on the Table the

Dr Woda Jeremiah (South Sudan): Mr Speaker, in accordance with the provisions of Rule 89 of the Rules of Procedure of the Assembly, I beg to lay a report of the EALA delegation to the 138th Inter Parliamentary Union Assembly held from 24-28 March 2018 in Geneva, Switzerland. I beg to lay.

(Question proposed)

REPORT OF THE DELEGATION TO
THE 2018 GLOBAL PACT
FOR SAFE, ORDERLY AND REGULAR
MIGRATION HELD FROM
22-23 FEBRUARY 2018 IN NEW YORK

Mr Adan Mohammed Nooru (Kenya): Mr Speaker, I beg to lay the following papers on the Table. In accordance with the provisions of Rule 89 of the Rules of Procedure of the Assembly, I beg to present the report of the East African Legislative Assembly delegation to the 2018 Global Pact for Safe, Orderly and Regular Migration held from 22-23 February 2018 in New York. Thank you, Mr Speaker.

BILL

THE EAC MONETARY
INSTITUTE BILL, 2018

COMMITTEE STAGE

(Order for Committee read)

[The Speaker (Mr Martin Ngoga) left the Chair]

IN THE COMMITTEE

[The Chairperson (Mr Martin Ngoga) took the Chair]

The Chairperson: Honourable members, you will remember where we ended in our last plenary. Therefore, we are proceeding with the Bill in Committee Stage. I will take you through the Clauses one by one.

Clause 1

The Chairperson: Honourable members, I propose the question that Clause 1 be part of the Bill. There is an amendment.

The Chairperson of the Committee on General purpose (Mr. Omar Abdikadir Aden (Kenya): Thank you, Mr Chairperson. I beg to move an amendment on Clause 1 of the Bill by deleting the year 2017 and inserting the year 2018. I beg to move.

The Chairperson: Honourable members, I put the question that Clause 1, as amended, be part of the Bill.

(Question put and agreed to.)

Clause 2

Mr Chairperson, I beg to move two amendments on Clause 2.

Immediately after the definition of East Africa Central Bank, insert the following definition: "Fit and proper means possessing all the attributes to be taken into account in determining the suitability of a person to be appointed as Director General or Deputy Director General including the person's general probity, competence and soundness of judgement for the fulfilment of the responsibility of the office."

I beg to move.

The Chairperson: Thank you, honourable members. I now propose the question that Clause 2, as amended, be part of the Bill. I put the question.

(Question proposed)

(Question put and agreed to.)

Clause 3

Thank you, Mr Chairperson. I think by adoption of amendment two, holistically also included part (b) which also meant adding South Sudan into the definition. We voted for the whole Clause. There is no amendment on Clause 3.

The Chairperson: Honourable members, I now propose the question that Clause 3 be part of the Bill. I put the question.

(Clauses 3, 4, 5, 6, 7, 8, 9 and 10 agreed to)

Clause 11

Mr Aden: Thank you, Mr Chairperson. The committee has proposed several amendments to Clause 11. I beg to propose 11(a): Insert immediately after the words “Deputy Directors General”, the words “one in charge of finance and administration and one in charge of monetary and fiscal policy”.

On Clause 11 (2), delete the Clause and insert the following: “The Director General and Deputy Directors General shall be appointed by the Summit on the recommendation of the Council in accordance with EAC Staff Rules and Regulations following a competitive recruitment process.”

Mr Chairperson, on the same Clause 11, immediately after sub-Clause (2), insert the following new Clause: 2(a) “The Summit shall consider gender balance when appointing the Director General and Deputy Directors General.”

On the same sub-Clause 4, the committee proposes that sub-Clause (4) be deleted, the reason being it is the same as sub-Clause (2).

Mr Chairperson, in Clause 11(5), the committee proposes that we delete the words – *(Interruption)*

Ms Akol: Thank you, Mr Chairperson. Procedurally, as we move to amend Clauses, for every amendment, there has to be justification and it has to be on record. Therefore, I would like to know whether we are proceeding rightly. I see the chair of the

committee reading the amendment without giving the justification for the amendments.

The Chairperson: Part of the explanations could be embedded in the amendment itself and this could constitute justification. However, yes the chair will consider justifying where he believes that what he has put on record is not good enough to justify.

Mr Aden: Thank you, Mr Chairperson. Indeed hon. Akol is much in order. There should be justification for every amendment proposed. Because we were moving quickly I have short justifications and procedurally, quickly taking you back to proposal 11(1), the justification for that was to separate the functions of the two Deputy Directors General with one Deputy Director General handling technical and monetary policy matters –

The Chairperson: Does everyone have the document?

Mr Aden: This is a report that every one of you was given a copy of so most of you have.

The Chairperson: Was the report distributed? Clerk-at-Table, could you consider distributing the report to those who did not bring it? Next time when these documents are given, it is for a purpose. You should have them when you need them but if there is a member who does not have the report, it should be availed. Committee chair, you can proceed.

Mr Aden: Thank you, Mr Chairperson. I was reading the justification on the first amendment on Clause 11, which is the one that separated the two functions of the two deputies. That separation was to separate the functions of the two Deputy Director Generals with one Deputy Director General handling technical and monetary policy matters while the other Deputy Director

General handles operational and administrative matters.

On Clause 11(2) where the committee proposed the deletion of 11(2), there is an insertion of the following: “The Director General and the Deputy Directors General shall be appointed by the Summit on the recommendation of the Council in accordance with the EAC Staff Rules and Regulations following a competitive recruitment process.”

The justification is to merge sub-Clause (2) with sub-Clause 4 which are providing for similar matters and remove the duplication and repetition of the appointment process for the two positions.

Clause 11, immediately after sub-Clause (2), there was an insertion of a new Clause. Usually, insertion of new Clauses is done a bit later but I think because we are doing number 11 holistically, I propose that the House adopts the committee’s proposal of: “The Summit should consider gender balance when appointing the Director General and Deputy Directors General.”

The justification is to provide for gender balance in the top management of the institute.

Again on Clause 11(4), the committee proposed deletion of sub-Clause (4). When I was reading sub-Clause (2) earlier, I said the reason is that (2) and (4) were saying exactly the same thing so we deleted one.

On 11(5), delete the words “or Deputy Director General”. The justification is to remove the reference to Deputy Directors General since the qualifications of the Deputy Directors General are provided for in sub-Clause (6).

In 11(5) (d), the committee proposes the deletion of paragraph (c) and insert the following: “holds at least a Masters’ degree in the fields of Economics, Management, Business Administration, Finance,

Banking, Law or any other relevant field from a university recognised by a competent authority in a Partner State and...”

The justification there is to broaden the fields from which candidates may be sought for appointment as Director General.

On the same Clause 11, the committee proposes an amendment to sub-Clause (6) to delete paragraph (c) and insert the following: “holds at least a Masters’ degree in the field of Economics, Management, Business Administration, Finance, Banking, Law or any other relevant field from a university recognised by a competent authority in a Partner State and...”

The justification is to broaden the fields from which candidates may be sought for appointment as Deputy Directors General.

The committee proposes further amendment on Clause 11, immediately after sub-Clause (6) insert the following new Clause:

(6) “A person is qualified for appointment as a Deputy Director General in charge of monetary and fiscal policy if that person:

- (a) Is a national of a Partner State;
- (b) Is a fit and proper person of recognised professional standing in the Partner States;
- (c) Holds at least a Masters’ degree in the field of Economics, Management, Business Administration, Finance, Banking or any other relevant field from a university recognised by a competent authority in a Partner State and;
- (d) Has at least 15 years’ experience in the fields specified in paragraph (c), five of which shall be at management level.”

The justification is to provide for the qualifications of the Deputy Director General in charge of monetary and fiscal policies.

Further on the same Clause 11 sub-Clause (7), the committee proposes that that sub-Clause be deleted.

The justification is it is a consequential amendment. The definition has been proposed to be included in Clause 2, which provides for the definition, which is the definition of 'fit and proper', which the House earlier voted on to be included in the definition in sub-Clause (2).

On the same Clause 11 (1), we propose that we delete sub-Clause (1) and insert the following: "The Director General and the Deputy Directors General shall be appointed from different Partner States on a rotational basis."

The justification is to provide for the Director General and the Deputy Directors General to originate from different Partner States and to hold office on a rotational basis in accordance with the recruitment policies of the Community that are aimed at providing representation of all the Partner States in the staff of the Community.

I beg to move those amendments on Clause 11, Mr Chairperson. Thank you.

Ms Nakawuki: Mr Chairperson, I beg to differ on that matter. When you look at the initial draft of the Bill; Clause 11(c) for the qualification, it requires a Masters' degree in the field of Economics, Banking or Finance and now the proposal from the committee has included Management, Business Administration, Law and other relevant fields.

Mr Speaker, when you look at this institute that we seek to establish, which is supposed to come up with all the policies, framework, road map for the common currency of the Community, which is actually supposed to transform into the Central Bank of the Community, I do not think these other qualifications we are putting there will be in a good position to handle this job. Even our

Central Banks, when they are recruiting, the requirements are Economics, Banking or Finance. That should be the background.

Much as we might want to propose the lawyers to handle this top position, I understand we are learned friends and we are able to multi-task but this requires particular competence. If you do not have that particular background, you cannot ably fulfil the task required under this job.

Therefore, I would like to beg the committee to retain the qualifications as had been proposed earlier, at least for the professional competence part of it. I beg to move.

The Chairperson: Is it a motion?

Ms Nakawuki: I am proposing an amendment to the amendment of the committee.

The Chairperson: When you are proposing an amendment, I must have it in writing otherwise how will I frame the question when I do not have it?

In the meantime, the committee chair can respond. Anyone who wants to move an amendment must have it in writing and avail it to me.

Ms Nakawuki: Mr Chairperson, my proposal was for us to maintain what is originally in the Bill rather than adopting what is being proposed by the committee.

The Chairperson: Okay, it is open for debate. Could we dispose of one at a time or are we debating generally? Hon. Susan, yours is not a motion so it is a debate. Anyone who wants to debate on what she said? It is open for everyone.

Mr Noor: Thank you, Mr Chairperson. I think this amendment is not in any way diluting what was in the original Bill. The amendment is only enriching what was in

the original Bill. It is just an addition on the qualifications to that we can have more people participating in this process. The fact that this is an issue to deal with monetary and fiscal issues which require the qualifications of economists and maybe finance and banking, there are people who have studied business administration and management who can do even better than those people sometimes.

Opening it to other relevant fields does not mean that it dilutes the original Bill. The intention is only to enrich the Bill. For that matter, I think we are only opening it for a range of people to participate in this process and then the panel can be able to pick whoever is qualified for the post. Thank you.

Dr Makame: Thank you very much, Mr Chairperson. I am standing here to add my voice and support the submission by my brother hon. Noor and the Chair of the General Purpose Committee.

Mr Chairperson, these are administrative positions where you are overseeing the functioning of an organisation. Really, you do not need to have very specific qualifications and that is why the proposal is that you can have Management, Business Administration, Law and any other relevant field.

In addition, Mr Chairperson, I would like you to move your mind out of this building and look outside. You will remember one of your professors at the University of Dar es Salaam; Prof. Florence Looga was a Dean of Law and a guru in the field of law and he is now the Governor of the Central Bank of Tanzania. That is not something that should surprise anyone. Indeed, lawyers have been Central Bank Governors in England and even in the Federal Bank of America. We should therefore look at best practices and move with them. I submit, Mr Chairperson.

The Chairperson: Thank you, hon. Dr Makame.

Ms Akol: Thank you, Chairperson. Just to allay the fears of hon. Susan, I would like to concur with hon. Makame and hon. Nooru. I have been attending this committee for quite some time. I am not a member but I had interest in this Bill.

First, as said, this is a managerial position; it is not the technical bit of it. Secondly, this is a transitional institute. It does not mean that these staff are the ones going to transit into the East African Central Bank. They are only going to be the special purpose vehicle to aid the ultimate formation of the East African Central Bank so I think it is okay, there should be no problem.

Ms Mugenyi: Mr Chairperson, I also rise to support the amendment moved by hon. Abdikadir because when we restrict the highest levels of management, we run a risk of losing people who are very competent and experienced. Indeed if you look at the examples of Central Banks across the region and world, they are not necessarily headed by bankers only. I think that when a specific position comes up and it needs specific qualifications, say of a banker or someone in finance, the advert or the job description should be able to specifically say, we are looking for people with expertise in banking in particular when it is necessary.

Therefore, I think we should leave it open. It is top management. There will be people who have had experiences in different banks who will not necessarily hold these degrees who we might lose. We do not lose anything by widening it but we run a risk of losing out if we narrow it to a few disciplines. I thank you, Mr Chairperson.

The Chairperson: Listen to me, hon. Susan. I wanted to know whether there is any other member who wants to debate this. Hon. Susan you can come in. The rules say no one comes in twice on the same matter.

Since no one else wants to speak, you can have the floor.

Ms Nakawuki: Mr Chairperson, I would like to withdraw my proposal in favour of what everyone else has said because I am convinced.

The Chairperson: Thank you very much. Now that it is withdrawn, you have no reason to respond.

I propose the question that Clause 11, as amended, be part of the Bill. I put the question.

(Question proposed)

(Question put and agreed to.)

Clause 12

Mr Aden: Thank you, Mr Chairperson. I propose an amendment on Clause 12 by inserting, immediately after the word “institute” the following: “in accordance with the EAC Staff Rules and Regulations”.

The justification is to ensure that the recruitment of staff is done in accordance with regulation 20 of the EAC Staff Rules and Regulations which provide for competition, representation of Partner States, gender balance, need to secure the highest standard of efficiency and competence as well as complying with other principles and rules governing the recruitment of staff in the Community. I beg to move.

The Chairperson: That is rule 12? Does anyone want to debate it? I propose the question that Clause 12, as amended, be part of the Bill. I put the question.

(Clauses 12, 13, 14, 15, 16, 17 and 18 agreed to)

Clause 19

Mr Aden: Thank you, Mr Chairperson. This is an insertion of a new Clause actually which could come after usually – I do not want us to proceed.

The Chairperson: Correct. The new Clause should come at the end. I propose the question that Clause 19 be part of the Bill. I put the question.

(Clauses 19 and 20 agreed to.)

New Clause 19A

Insertion of a new Clause 19(a); dissolution of the institute

The Chairperson: Honourable members, I propose the question that Clause 19(a) be read for the second time. I put the question.

(Question, that the new Clause be read a second time proposed)

Mr Aden: Thank you, Mr Chairperson. This is an inclusion of a new Clause 19(a) after the current Clause 19. Insert, immediately after Clause 19, insert a new Clause as follows:

“19(a) Dissolution of institute.

(1) The institute shall stand dissolved upon the establishment of the East African central Bank.

(2) All assets and liabilities of the institute at the time of dissolution of the institute shall vest in the East African Central Bank.”

Mr Chairperson, the justification is to reconcile the Bill with Article 23 of the protocol for the establishment of the East African Community by providing for a transitional nature of the institute since it is intended that after doing the preparatory work for the Monetary Union, the institute will be transformed into the East African central Bank. I beg to move.

Ms Wanjiku: Mr Chairperson, I am looking at that amendment and it is not indicating the time so I am concerned. During that transition, at what time shall this institution remain dissolved?

Mr Aden: Thank you, Mr Chairperson. The new Clause 19(a) (1) says, “The institute shall stand dissolved upon the establishment of the East African Central Bank.” Thank you.

Ms Wanjiku: Mr Chairperson, I think for clarity, it would have required a further amendment to read, “The institute shall stand dissolved upon the establishment of the East African Central Bank Operations”. This is because the institution can be established but it is not yet operational. I feel like it is a bit ambiguous, subject to the chair’s further explanation.

Mr Aden: Thank you, Mr Chairperson. Hon. Wanjiku’s point is indeed an issue to ask about but this House is also going to legislate on the piece of legislation that will establish the Central Bank. That is the legislation that will set the timeline and framework during which the Central Bank will be established. Once that is established and that time is reached then this institute stands dissolved. I do not want to say much more on this. I beg to move, Mr Chairperson.

Mr Omar Adam Kimbisa (Tanzania): Mr Chairperson, much as I have understood what the chair says, there is a tendency that once people get employment in a certain organisation, they have no hurry to leave if they do not have a time limit.

The European Union for example did put a time limit of three years so that at least people run against time but if we put an open ended time, it can be there for 10 years, we keep on renewing because they have not finished this and that. People keep on rolling over and over because I am sure

they will be getting fat salaries. That will give them a reason to keep on in that situation and telling us, look we have not finished this and that, we have not contacted so and so.

Therefore, I would really urge you to put a time limit; maybe 4-5 years so that they work against time. Thank you.

Mr Kasamba: Thank you, Mr Chairperson. I would like to allay the fears of my colleagues. I think the protocol, which he is demanding – the establishment of this transitory institutional framework is very clear; that by 2024, the Monetary Union will be in place. Therefore, this is just a transitory institution, which is going to crystallise the establishment of the Central Bank.

As soon as we put the law in place and the establishment of the Central Bank, these will be dissolved automatically. I thank you.

The Chairperson: Thank you, hon. Kasamba.

Mr Nooru: Thank you, Mr Speaker. I think hon. Kasamba has covered what I wanted to say because the time line has already been covered by the protocol. It is already fixed despite the fact that it breaks no bone or makes no harm in maybe harmonising with the Bill so that it reads the same period. We left that out because it is already in existence but if it is put in tandem with the same protocol timeframe then there is nothing wrong with that.

The Chairperson: Hon. Wanjiku, do you want us to pursue the amendment to the stage of voting about it or you are persuaded?

Ms Wanjiku: I am not persuaded, Mr Chairperson, because I feel if we leave it open-ended, there is always a tendency of members intimidating a new institution. If we say that it will be dissolved within a period of let us say two years, they will

work within that time frame. Considering the time frame given as referred by hon. Kasamba, we are already out of time. This Monetary Union time frame was already given so what guarantee will the Community have that at that time, we shall work within time?

Mr Chairperson, I am not persuaded and I plead, if the committee would agree with me and many members can possibly intervene, we could suggest a specific time and say, it shall be dissolved in a period not exceeding three years.

The Chairperson: Since these are transitional measures and by the way, these are coming two years late, would this House be in a position to predict the precision of when the next steps will be in place?

If I want to contextualise this then I would request hon. Wanjiku to rephrase her amendment so that I can put it to vote. In order to refresh your minds, the committee chair said that the legal instrument that will establish the Central Bank at the right time would be the one to define when the Central Bank will be operational and that is what would mark the end of transitional institutions.

With that in mind, hon. Wanjiku, rephrase your proposed amendment and then I put them to vote.

Ms Wanjiku: Mr Chairperson, I wish to rephrase by saying: “The institute shall stand dissolved upon the establishment of the East African Central Bank within a period of three years.”

The Chairperson: Honourable members, I propose the question that the amendment on this Clause be done as phrased by hon. Wanjiku. I put the question.

(Question put and negatived.)

The Chairperson: I now propose the question that Clause 19(a) be part of the Bill. I put the question.

(Question put and agreed to)

Title

Mr Aden: Thank you, Mr Chairperson. On the Long Title, the committee proposes that it reads, “The East African Monetary Institute Bill, 2018”. I beg to move.

The Chairperson: I propose the question that the title, as amended, be part of the Bill. I put the question.

(Question put and agreed to.)

MOTION FOR THE HOUSE TO RESUME

The Chairperson Council of Ministers and the Second Deputy Prime Minister/ Minister for EAC Affairs, Uganda (Dr. A. M. Kirunda Kivejinja) (Ex-Officio): Mr Chairperson, I beg to move that the House do resume and the Committee of the whole House reports thereto.

The Chairperson: Honourable members, I put the question that the House do resume and the Committee of the whole House reports thereto.

(Question put and agreed to.)

REPORT FROM THE COMMITTEE OF THE WHOLE HOUSE

The Chairperson Council of Ministers and the Second Deputy Prime Minister/ Minister for EAC Affairs, Uganda (Dr. A. M. Kirunda Kivejinja) (Ex-Officio): Mr Speaker, I beg to report that the Committee of the whole House has considered the Bill entitled the East African

Community Monetary Institute Bill, 2018 and passed it with some amendments.

MOTION FOR ADOPTION OF THE
REPORT OF THE COMMITTEE
OF THE WHOLE HOUSE

The Chairperson Council of Ministers and the Second Deputy Prime Minister/ Minister for EAC Affairs, Uganda (Dr. A. M. Kirunda Kivejinja) (Ex-Officio): Mr Speaker, I beg to move that the report of the Committee of the whole House be adopted.

The Speaker: Honourable members, I now put the question that the report of the Committee of the whole House be adopted.

(Question put and agreed to.)

(Report adopted.)

Third Reading

THE EAST AFRICAN COMMUNITY
MONETARY INSTITUTE
BILL, 2018

The Chairperson Council of Ministers and the 2nd Deputy Prime Minister/ Minister for EAC Affairs, Uganda (Dr. A. M. Kirunda Kivejinja) (Ex-Officio): Mr Speaker, I beg to move that the East Africa Community Monetary Institute Bill, 2018 be read the third time and do pass.

The Speaker: Honourable members, I now propose the question that the East African Community Monetary Institute Bill, 2018 be read for the third time and do pass. I put the question.

(Question put and agreed to.)

(The Bill was read a Third Time and passed with amendments)

The Speaker: Honourable members, I declare that the East African Community Monetary Institute Bill, 2018 has been duly passed by this Assembly. *(Applause)*

Thank you. This is another milestone for this House and it is not just any other Bill, this is a very important Bill. You know the weight it carries in the process of leading this Community for the Third pillar of our integration journey.

Therefore, I would like to thank the Council of Ministers, on your behalf, for having initiated this Bill and I would like to thank the Committee of General Purpose who really did a lot of work on it. We appreciate you. I would also like to thank all those who participated before it came here and the process we have just undertaken together.

We look forward to an assent immediately as we embark on another Bill that the Council brought which is also related to this timeline of heading to the Monetary Union. Congratulations. *(Applause)*

THE ADMINISTRATION OF THE
EAST AFRICAN LEGISLATIVE
ASSEMBLY (AMENDMENT) BILL,
2018

Ms Susan Nakawuki (Uganda): Mr Speaker, I would like to move a motion that this Assembly, pursuant to the provisions of Article 59(1) of the Treaty and rule 64(5) of the Rules of procedure of the Assembly, do grant me leave to introduce a private member's Bill entitled, "The Administration of the East African Legislative Assembly (Amendment) Bill, 2018." I beg to move.

The Speaker: Secunder? Hon. Amb. Fatuma Ndagiza, hon. Maryam Ussi, hon. Wanjiku Muhia, hon. Dr Kalinda and all the members standing. Hon. Susan Nakawuki, justification.
Ms Nakawuki:

“WHEREAS the Council of Ministers, which is the policy organ of the Community granted financial and administrative autonomy to the Assembly at its 33rd Meeting held on 29 February 2016 in Arusha, Tanzania and;

WHEREAS ON 7 February 2018 the Assembly directed the Commission to immediately implement the administrative and financial autonomy of the Assembly and to develop the necessary instruments required to fully implement the autonomy of the Assembly and;

WHEREAS the Assembly is administered by the Commission” –

The Speaker: I am sorry for interrupting you. I was having a conversation with the clerk. Please continue.

Ms Nakawuki: *“WHEREAS the Assembly is administered by the Commission in accordance with the Administration of the East African Legislative Assembly Act, 2012, the Act in its current form does not support the financial and administrative autonomy of the Assembly and merely requires the Assembly, under section 4, to make recommendations to the Council on matters critical to the financial and administrative autonomy of the Assembly.*

WHEREAS the Commission has developed Staff Rules and Regulations to facilitate the administrative autonomy and give the Assembly full control over its staff, the Act does not empower the Assembly to make regulations on staff and other administrative matters and the financial rules and regulations provided for by section 18 of the Act are also issued by Council and not the Commission of the Assembly;

CONCERNED that the Administration of the East African Legislative Assembly Act, 2012, if not comprehensively reviewed and amended to support and facilitate the financial and administrative autonomy of the Assembly will greatly slow down and affect the implementation of the autonomy granted by the Council to the Assembly and hinder the Assembly and the Commission from properly discharging its mandate;

RECOGNISING that Article 49(1) of the Treaty provides for the Assembly as the legislative organ of the Community which enacts the legislation of the Community by means of Bills debated and passed by the Assembly;

AWARE that under Article 59(1) of the Treaty, any member may propose any motion or introduce any Bill in the Assembly;

RECOGNISING the rule 64(5) of the Rules of Procedure of the Assembly requires that a private member’s Bill shall be introduced first by way of motion to which shall be attached the proposed draft of the Bill;

NOW THEREFORE be it resolved by the Assembly as follows:

1. *That in accordance with Articles 49(1) and 59(1) of the Treaty and rule 64(5) of the Rules of Procedure of the Assembly, the Assembly grants leave to Susan Nakawuki to introduce a Bill to amend the Administration of the East African legislative Assembly Act, 2012 to provide for the financial and administrative autonomy of the Assembly and streamline the Commission to be able to support the autonomy of the Assembly.”*

I beg to move.

The Speaker: Thank you, hon. Susan. You have put your motion on the record. Now proceed and justify briefly.

Ms Nakawuki: Thank you very much, Mr Speaker. As we are all aware, the Council of Ministers, in March 2015, granted this Assembly administrative and financial autonomy. As you are further aware, the current Administration of EALA Act, which is supposed to guide the operations of the Assembly, if not amended, cannot support this administrative and financial autonomy, which was granted to the Assembly.

Mr Speaker, the Commission was mandated by the Assembly, during the January/February plenary in Kampala, to come up with a framework and laws that will guide this autonomous Assembly.

If we are going to be able to do this big task that was given to the Commission, we have to make sure that the laws we have in place are consonant with this autonomy that we have been given. Therefore, until the administration of EALA Act is amended, we are not going to be able to, for example, come up with staff rules and regulations for the Assembly, we are not going to be able to come up with our own financial rules and regulations because the current status of the Administration of EALA Act – the way the provisions are - all these powers are with the Council of Ministers and all we can do as an Assembly is to recommend to Council.

By virtue of the fact that the Council granted this autonomy to the Assembly, it is pertinent that we amend our current existing laws so that they can comply. I thank you.

The Speaker: Thank you. Honourable members, the motion before the House is that leave be granted to introduce a private

member's Bill to amend the East African Legislative Assembly Act, 2012 to provide for financial and administrative autonomy of the Assembly. Debate is open.

(Question proposed)

Ms Muhia Wanjiku (Kenya): Thank you, Mr Speaker. Indeed this is a good motion since we are looking forward to having the financial and administrative autonomy. We are all aware that EALA is a very important organ in the EAC. However, it has been derailed because of lack of autonomy. This Bill, being one of the key factors or the tool to enable us acquire that – indeed we have to support it as members as quickly as possible because time is not on our side. With these few remarks, I wish to support. Thank you.

The Speaker: Thank you. I do not see any other member willing to debate. I will now proceed and propose a question.

The motion before the House is that leave be granted to introduce a private member's Bill to amend the East African Legislative Assembly Act, 2012 to provide for financial and administrative autonomy of the Assembly. I put the question.

(Question proposed)

Question put and agreed to.)

MOTION

RESOLUTION OF THE ASSEMBLY TO URGE EAC PARTNER STATES TO ENSURE ELECTION OF YOUTH TO THE EALA AND IN THE NATIONAL ASSEMBLIES

The Speaker: Honourable members, normally before I proceed here, I try to have conversations with those who intend to move different motions and who have brought that to my attention. There has been an agreement between myself and the

intended mover that this particular item will be introduced in our next plenary in Nairobi. However, I put it on this Order Paper so that it becomes a priority when we convene in Nairobi.

However, I can check with hon. Jean Claude if that arrangement still stands. Put on the microphone.

Mr Jean Claude Barimuyabo (Rwanda): Mr Speaker, we discussed that idea and I found it very important. It is still valid.

The Speaker: Thank you very much. Let me tell you why we agreed that we defer this. This is a very important motion. First, I wanted it handled when there is no other competing interest in terms of press coverage so this particular session was going to cause competition with the bill we have just passed. Therefore, I thought it could come at a time when we are not going to stress the press in terms of how they choose their headlines. That is a matter of strategic communication.

Therefore, it will be handled in Nairobi. Let us proceed.

MOTION

RESOLUTION OF THE ASSEMBLY
URGING EAC TO PARTICIPATE AS
OBSERVER IN THE PROCESS BY
IGAD TO RESOLVE THE CONFLICT IN
REPUBLIC OF SOUTH SUDAN

The Speaker: Before we proceed, the comment I just made about the previous item is just one. However, there was another issue that some of those who seconded the motion were not around. Generally there was that agreement that no one should have an impression that we are trying to under rate the importance of this because I can see some facial expressions – Thank you. Hon. George, proceed.

Mr George Stephen Odongo (Uganda): Mr Speaker, in accordance with Article 59(1) of the Treaty and rule 26 of the Rules of Procedure of the Assembly, I would like to move a motion for a resolution of the Assembly for the East African Community to participate as observer in the process by IGAD to resolve the conflict in the Republic of South Sudan.

The Speaker: Second? Hon. Susan Nakawuki, hon. Dr Gabriel Aher, hon. Musamali, hon. Gabriel Alaak and all the members standing. Hon. Gorge –

Mr Odongo: Mr Speaker,

“WHEREAS the 23rd Extra Ordinary Summit of the Inter-Governmental Authority on Development (IGAD) heads of state and government that convened in Nairobi on 27 December 2013 appointed three special envoys assisted by a team of political and technical advisers to facilitate the resolution of the conflict in South Sudan and;

WHEREAS the IGAD led mediation process for South Sudan was set up by IGAD member states in response to the on-going crisis in the country which was triggered by events of 15 December 2013 in Juba which subsequently spread to other parts of the country;

AWARE that the Inter-Governmental Authority on Development (IGAD) has been convening high level talks with all the parties to the agreement on the resolution of the conflict in the Republic of South Sudan and other estranged groups under the high level revitalisation forum, which is intended to implement the revitalisation of the agreement on the resolution of the conflict in the Republic of South Sudan;

FURTHER AWARE that the high level revitalisation forum has so far conducted two phases of talks; phase one of the forum ended on 22 December 2017 after the

signing of the agreement on cessation of hostilities, protection of civilians and humanitarian access (COHA) and phase two was convened from 5-6 February 2018 for the parties to deliberate on governance during the transitional period;

WHEREAS the ongoing talks have been observed by member states of the African Union High Level Ad hoc Committee on South Sudan, the African Union Commission, the United Nations, European Union, Troca International Partners Forum and China and;

WHEREAS the Republic of South Sudan which became a member of IGAD in 2011 is also a Partner State of the East African Community;

RECOGNISING that under Article 124 of the Treaty for the establishment of the East African Community which provides for regional peace and security, the Partner States agreed that peace and security are prerequisites to social and economic development within the Community and vital to the achievements of the objectives of the Community and;

WHEREAS in accordance with Article 124 of the Treaty, the Partner States agreed to foster and maintain an atmosphere that is conducive to peace and security through cooperation and on issues pertaining to peace and security of the Partner States with a view of prevention, better management and resolution of disputes and conflicts between them;

RECOGNISING the need for the East African Community to closely follow and monitor the situation in the Republic of South Sudan and the talks aimed at resolving the conflict in the Republic of South Sudan and the implications of the conflict in South Sudan on regional peace and security;

NOW THEREFORE be it resolved by this Assembly as follows:

The Assembly recognises, appreciates and commends the Inter-Governmental Authority on development (IGAD) for the decision to spearhead and the effort to resolve the conflict and find a lasting solution in the Republic of South Sudan.

The Assembly calls upon all the parties involved in the conflict in the Republic of South Sudan to take measures to resolve the conflict peacefully and to observe and implement all agreements aimed at realising the cessation of hostilities and bringing an end to the conflict.

The Assembly authorises the Committee on Regional Affairs and Conflict Resolution, in consultation with the Secretary General of the East African Community, to engage the IGAD special envoy for South Sudan on the participation of the East African Community as observer in the ongoing peace process in the Republic of South Sudan.

The Assembly directs the Committee on Regional Affairs and Conflict Resolution to explore mechanisms under Article 124 and other provisions of the Treaty to resolve the conflict in the Republic of South Sudan as a Partner State of the East African Community.

The Assembly calls upon the Summit of the heads of state and government of the Community to prioritise the resolution of the conflict in the Republic of South Sudan in order to facilitate and promote regional peace and security."

I beg to move.

The Speaker: Thank you, hon. George. You have placed the motion on record. Now proceed and give justification.

Mr Odongo: Mr Speaker, the Republic of South Sudan was born out of a protracted struggle that lasted 21 years. It is estimated that close to about 2 million people lost their lives. Some of our colleagues who are in this House bear the scars of that struggle, both emotionally and physically. That country was born out of blood and I

identified with that struggle because indeed it was a struggle against Arab chauvinism. It was a struggle against hegemonic systems that made our black people to be slaves in their own country.

Several years of that struggle, this young country was born. It pains me and this Assembly and therefore the region that there has been a loud sounding silence of the East African Community when the people of that country continue to suffer. It is the spirit of feeling the pain of our people that has motivated me to bring this motion to this Assembly.

Mr Speaker, as we speak, between 2013 to date, it is estimated that 3.5 million people have been displaced. About 2 million of them have been displaced within South Sudan. 1.5 million of these people are living within the region as refugees. Their situation continues to deteriorate every single day. They continue to make loud noises that are not being heard. It is the responsibility of this Assembly to amplify the voices of these people.

We are here because we have been blessed by these people to speak on their behalf. How much blood do we want to be let before we can say, we have heard your voices? How many people must leave that country for us to realise that it is time for us to act? A 1.3 million population is an equivalent of Zanzibar. Just imagine 1.3 million Zanzibaris leaving that island – it will be empty. This is the situation that we are confronted with in South Sudan.

The IGAD process has already taken traction. However, it is taking quite long and it is very painful, especially for those that are suffering the brunt of this war; the children, the women, the elderly. It is for this reason that we are saying, as an Assembly, that we must plug ourselves into this process to get ourselves to understand the dynamics of this conflict and perhaps, make a deliberate effort as an Assembly and

as East African Community, to be part of finding a resolution.

It is for this reason that this Assembly calls upon all the parties that are involved in this conflict to recognise that there are those unarmed civilians, those very peaceful people, those who have not even thrown a grain of stone at each other who are suffering because we are refusing to make the right political decisions, we are refusing to make the difficult decisions. This Assembly should take the difficult choice.

I know the complications that come with it but we must be here to take the right strides. It is the reason why we have been elected. We were not elected to just cheer, we have been elected to look at the situations that confront us as a region and make the most difficult choices that ordinarily other people would not make.

That is why I am pleading with you, honourable colleagues, that this motion is about the sanity of our governance in the region. It is about the peace and security of our region. There is nothing that can take place tangibly in this region for as long as we have 10 million people who cannot sleep and wake up comfortably in their beds, who cannot provide the market that we are talking about.

We are saying we are making heavy investments in infrastructure, we are building roads, the standard gauge railway – for who are we building these if we have a huge population of people who cannot be productive? We are saying we are 170 million people. Which people are we counting if there are those who are outside the bracket of our population? Those who are not even within the spectrum of our consideration?

I think it is time that this Assembly puts its right foot forward and we have this resolution passed. I beg to move, Mr Speaker.

The Speaker: Thank you, hon. George. Honourable members, are you trying to vote before I put the question?

The motion before the House is that a resolution of the Assembly be passed urging the East African Community to participate as observer in the process by IGAD to resolve the conflict of South Sudan. Debate is open.

Dr Maghembe Ngwaru (Tanzania): Mr Speaker, thank you. I would like to congratulate the hon. George Odongo for bringing this very relevant motion. I would also like to congratulate the Assembly because finally we are now doing the kind of work that we are supposed to be doing so give yourselves a round of applause. This is the kind of work that we should be doing. *(Applause)*

I would like to put a small caveat – I am a member of the House Committee on Security and Regional Affairs so I was part of the discussion on this motion and I thought I should stand and throw my full weight behind it and say that I support it. My only small caveat, and we discussed this in the committee, is that we should intervene with just observing. We need to respect the sovereignty of the peoples of South Sudan. Our mere presence there and talking to the press will bring awareness and also in our resolutions, we urge the members of the summit to support the peace process.

This resolution couldn't have come at a better time since yesterday the hon. Dr John Pombe Magufuli was very blunt and open and said that there are issues within our Community and we as a Parliament need to stand up and tackle these issues. Therefore, this motion has come at the right time and I support it fully.

My only caveat therefore is that we need to respect the sovereignty of the peoples of South Sudan and observe. Our mere

presence there will show our concern and show our peoples that we care and we are fully behind them and we support them. Thank you, Mr Speaker.

The Speaker: Thank you. Honourable members, you know there is hon. Dr Arol Garang Aher Gabriel and Dr Garang Gabriel Alaak so the *Hansard* should always be careful.

Mr Gabriel Alaak Garang (South Sudan): Thank you, Mr Speaker for the opportunity. I am pleased that this issue has really generated a lot of interest and I really thank hon. George Odongo for having raised this issue.

I am also pleased that this issue has been raised by members of the other Partner States excluding South Sudan because we would have been seen as if we are biased in one way or another because there are two parties to the conflict. Therefore, I am pleased that this issue has come up from a member of a Partner State and all the members have shown a lot of interest in this motion. Thank you for showing such interest.

The problem that is happening in South Sudan is a result of a conflict that has been on for many years so it is a question of a struggle for power by people who have been fighting for a very long time; who have been very much used to the use of force or culture of war for achieving objectives.

The issue has been taken up by IGAD because IGAD was the first to negotiate the first conflict that resulted in a peace agreement in 2005. IGAD has a membership of about six countries of Sudan, Ethiopia, Kenya, Uganda, Somalia and Djibouti. The countries that are not members of IGAD who are in the East African Community are Tanzania, Rwanda and Burundi. Therefore, the interest here is to go and observe the talks so that the East

African Community understands what the real problem is. This is important and is an opportune time because the next talks will either take place sometime in May so I really support this motion that it has come at the right time.

Coming from the Republic of South Sudan, I support it because I want a solution to this problem. All the issues that have been mentioned by hon. Odongo, the problems of refugees and starvation are real in South Sudan. Thank you for having shown this interest.

Mr Speaker, I support the motion that we get an observer mission to the IGAD peace talks. Thank you.

The Speaker: Thank you. (*A member rose on procedure*) Procedure against who because there is no one who is substantively on the floor. Okay.

Dr Makame: Thank you, Mr Speaker. This House is getting old and I think as we are getting old, we are going through the procedures and we have to follow them. I am rising on rule 37(4). Allow me to read it out: *“The Speaker shall be addressed as either Madam or Mr Speaker as the case may be.”*

Mr Speaker, the reason why I am rising to point this out is we are saying honourable Speaker, right honourable Speaker on the floor. We can only call Mr Speaker or Mr Chairperson when we are in the Committee of the whole House. Thank you, Mr Speaker.

The Speaker: Thank you, Dr Makame. That is a good reminder but we often make these mistakes. When Dr Maghembe was on the floor, he referred to the President as honourable. He is His Excellency so the records are corrected accordingly. These mistakes happen and it is not in bad faith but of course, it is always good to observe the rules. It is a good reminder, thank you.

Ms Fatuma Ibrahim Ali (Kenya): Thank you, Mr Speaker, for allowing me to speak on this matter. I really support the motion by hon. Odongo in seeking a formal approval of the East African Legislative Assembly to be granted observer status and to address ourselves to the issues of conflict in our member states.

Mr Speaker, our Partner State of South Sudan has been recently admitted to the East African Community and is a member of our region. Therefore, anything that affects its citizens and resources is very crucial for our Community.

Mr Speaker, referring to hon. Makame's correction, I thought you are first a member of Parliament then you are a Speaker as an additional responsibility. I do not know whether I will manage to remember –

Mr Speaker, I support the motion, which is very timely and crucial for our Assembly to discuss a ravaging conflict that is affecting our Partner State. If you look at annex 5; the functions of committees and you look at section (e), the Committee on Regional Affairs and Conflict Resolution handles issues of conflicts within our Partner States. Therefore, this motion of seeking substantive observer status is very crucial for us.

Recently, when the mediation was ongoing in Addis Ababa, Ethiopia, any time I see a member from South Sudan I keep on asking, how is the negotiation going on? How is the mediation going on? Are there any resolutions? Unfortunately, they are not part of that process. That clearly tells us that we are worried about what is happening and we do not have a substantive position of either ran observer or a substantive partner in terms of part of the negotiations.

That puts us in a very awkward situation of not knowing what is happening in our Partner State. One reason why we are not

able to get quality information is that we do not have any status in the IGAD process.

Mr Speaker, if your committee of the East African Legislative Assembly is handling conflict and regional affairs and you have no mandate to participate or to observe then you might not discharge your duties as a standing committee of EALA.

I congratulate hon. Odongo for giving us this timely motion so that we have a formal observer status.

Mr Speaker, when you are an observer, the only difference is that you cannot give a substantive contribution but you are party to all the information and documents. Moreover, you can whisper to people who have substantive positions in terms of negotiations and you give feedback to the Assembly with substantive information.

As things are, we know very little and yet we consider this process very crucial for us. If South Sudan is not stable, all of us are not stable. I think EALA has been mandated to carry out legislation that will enhance sustainable development, coexistence and security.

Mr Speaker, I was working with a national commissioner for human rights and I have interacted with a lot of displaced people and refugees from South Sudan, Somali and other countries. The people of South Sudan want to go back and rebuild themselves. The kind of negotiations that are going on are never ending and this is a source of frustration for the citizens of South Sudan in particular. It also affects us Partner States. We are not happy about the deaths and destruction going on and the vicious cycle of people being displaced.

For us to give quality work, we could have even reformed or developed a better policy for us to inform the peace process being managed by IGAD. This Assembly is very crucial in terms of providing technical

support, legislative support and adequate information that will enhance or contribute to the negotiations. I am not suggesting that our observer status will bring miracles. I am only suggesting that our presence might change a lot of things and provide more insights and first-hand information as well as feedback to this Assembly on the appropriate deliberations and interventions so that we give an informed position to heads of state, to sectoral committees, the Council of Ministers and the Chairperson, Council of Ministers.

Mr Speaker, I support the motion. Thank you.

The Speaker: Thank you very much, hon. Fatuma Ibrahim. Give me a minute, honourable members, to recognise some of the visitors who are here. There is a visitor who has been invited by hon. Dr Makame and that is Mr Mwanamukasi Azi who is the National Executive Committee member of CCM, Zanzibar. Is he around? Thank you. It is minister, my apologies.

There are also visitors from the University of Dodoma. They are students invited by hon. Happiness Lugiko. Thank you, honourable for continuing to invite these young East Africans from the University of Dodoma to come and grace our proceedings. They are led by Mr Hamid Omar and Mr Asheri Yohana.

You are all most welcome and we are honoured to have you around.

Amb. Fatuma Ndangiza (Rwanda): Thank you, Mr Speaker. I rise to second the motion that has been raised by hon. Odongo on the resolution of the Assembly for the East African Community to participate as an observer status in the process by IGAD to resolve the conflict in the Republic of South Sudan.

Mr Speaker, the reason I second this motion is, first of all we discussed it as a Committee of Regional Affairs and Conflict Resolution

and we really felt that if in our two and a half year period we could be able to deliver on this very important issue of peace and security in our neighbourhood then at least we shall have a milestone as an Assembly and as a committee.

Mr Speaker, the issue of peace is just like the air we breathe. If there was no oxygen, we would not survive and for nation if there is no peace and security, you can never talk of a nation. You can never talk about socio-economic development. The issues of regional integration when one of our member states is living in a crisis is a dilemma therefore, peace and security are prerequisites. It is also a foundation for political stability, good governance and socio-economic development for South Sudan.

I happen to be a member of the EAC verification exercise during the time when the Republic of South Sudan had requested to accede to the EAC. In our interaction with the various stakeholders, especially the ordinary citizens but also politicians and the private sector, one of their expectations to join the EAC was for member states of the EAC to contribute to their peace and security.

Therefore, I think they have been watching and trying to understand why we have been so silent and we have been bystanders. I know that some members of IGAD are members of the EAC but this is not sufficient to say that we can sit and be bystanders when there is a crisis in the region.

When you look at the number of refugees, as already alluded to, both IDPs but also millions of South Sudan refugees outside their country, you cannot imagine the many orphans and widows, the destruction of both physical but also the psychological and traumatic experiences that the people are going through. It cannot be business as usual for this Parliament.

Therefore, I think we need to move forward and endorse this Bill. I was also happy that towards the end of this Bill, it is not only for us to request for us to be observers in the IGAD process. There is also a request to authorise the Committee on Regional Affairs to come up with other avenues on how EALA can meaningfully contribute to the peace process in South Sudan but also to urge the heads of state. This is very important because the issue of peace and security requires political will of our leaders but I am not worried about this because listening to what His Excellency President Magufuli said yesterday, the issue of peace and security was of paramount importance but I also remember when we were in Kampala that His Excellency Yoweri Museveni raised this issue. If the leadership of the Summit see that the issue of peace and security is a challenge for the region but also a priority for us then we are in order.

That is why I do not agree with my brother hon. Maghembe when he talks about caveat. We do not need to have any reservation on this because I think we are in order; we are doing our role and we were directed by the Summit to do so.

I just want to say that I support this motion and I urge all members to do the same. Thank you very much.

The Speaker: Thank you very much, hon. Amb. Fatuma.

Ms Mary Mugenyi (Uganda): I thank you, Mr Speaker. I rise to add my voice to that of hon. Odongo and many others who have supported the motion.

First, I must declare my interest because I am a member of this committee where the motion originates. We were elected not only to legislate but also to represent our people in the region but also oversee what goes on; the oversight function, in the Community.

I therefore think that it is a very serious omission that this organ of the Community, which is supposed to speak for the people and oversee what other organs are doing, is not part of this important negotiation for the peace of South Sudan.

South Sudan is very vital to the existence of many East Africans because it is not only the people of South Sudan that are suffering right now. When conflict continues to exist in that big country with enormous resources and wastage of life and resources, it also affects other East Africans.

If I can speak from the experience of being Ugandan, right now we feel the pain of South Sudanese. How do we feel it? Let me start from a personal selfish point of view. Business people from our countries have been doing business in South Sudan. They have, in one way or another, lost money; some have lost their lives trying to venture and do business that is normal to be done in another country of East Africa. Right now, the number of refugees that we continue to see suffering is just too much. It is emotionally touching, it is painful and I must say that as South Sudanese were able to host us during our time of conflict when Idi Amin was overthrown, we now experience their pain because we now host a number of refugees.

You can only speak for something if you have really seen it. These are people who are not poor, who are very proud and resourceful, are intellectually very capable but are living in other people's countries as refugees. I therefore think that of all the organs that should be able to speak for the cause and for the people that we are actually alleged by swearing to protect, to speak for and to defend, we should be there as members of Parliament.

Mr Speaker, I very highly support the motion and I hope and pray that you support us, Mr Speaker that the committee in charge

of peace and conflict resolution goes as observers to attend the peace mediation that is ongoing. I would also like to congratulate IGAD for the effort that has so far been done, for the achievements made and I know that it is much easier to step aside and think that people are probably not doing enough. We know that IGAD is doing enough and that our leadership is doing a lot to see peace prevail in South Sudan.

However, we are only saying, let us add ourselves there as representatives of the people. We tend to be very vocal. Let us use the media to be heard. When we toured the region, East Africans felt us. Let us also be felt during this very important effort of peace negotiations in South Sudan. I thank you, Mr Speaker.

The Speaker: Thank you very much, hon. Mary Mugenyi.

Dr Woda Jeremiah (South Sudan): Thank you, Mr Speaker. As we have alerted, I rise to support the motion raised by hon. Odongo who happens to have the same name as some of my relative so you can know that East Africans come from one nation because Odongo has the same meaning in my tribe.

I really support the motion and I would like to thank IGAD, AU and all the stakeholders who have been involved in the peace talks regarding South Sudan. However, I will really be comfortable as an East African when East Africa is involved in the talks.

Yesterday His Excellency, the President of the Republic of Tanzania, told us that there are some challenges that we are facing as a region and one of them is conflict. If we do not resolve our conflicts, we will not be able to enjoy our wealth. South Sudan is a wealthy country, I will not dwell on that because everyone knows that we have oil and natural resources but unless we have peace, we cannot invest or benefit the region.

One statement that has been told to us by the President is that we should share our experiences and wealth. I would also like to draw our attention to the fact that during the last Summit of the Heads of State, my President His Excellency Salva Kiir mentioned and highlighted the challenges that South Sudan is going through due to this conflict. Therefore, it was also a means of telling the Heads of State that they should be involved.

When we were in Geneva attending the refugee session, for me the event was personal as a South Sudanese. Therefore, I really rise to support the motion and I would also like the Secretary General and the Rt hon. Speaker to really support this motion. Thank you.

The Speaker: Thank you, hon. Dr Woda.

Ms Pamela Simon Maasay (Tanzania): Thank you, Mr Speaker. I stand to support the motion which was brought by my brother hon. Odongo. It is very true that in this region, some of our member countries are not stable. With this situation, I think we really need to stand and have a similar talk, to join our brothers and sisters and cry together. We should participate in the peace making dialogue to ensure that the situation across this region is stable.

It is not only South Sudan. We all know that some other member countries have problems but because hon. Odongo brought the South Sudan issue, maybe we can start with it and measure the success of whatever we are going to plan as a resolution of what we will participate in.

Participating in mediation will give us more information on what is happening and also we will be playing our role because our tasks in East African Community include to ensure that the main strategy of the Community, which is to make sure that we have progressive political, economic and

social activities, which are very strong and stable.

Our people who are doing business cannot be comfortable in areas, which are not stable. We all know that when we are hosting refugees, it is not a happy moment. Talking about refugee centres in our countries is not something to be proud of. We have to make sure that we become part of reducing these situations. We have to be part of ensuring that our region has zero refugee centres.

By saying so, as part of this House, I will recommend not only members from this committee to participate in the dialogue but also members coming from similar experiences; those who have undergone the same situation or who have ever participated in peace making dialogues. They can be part of this observation mission and share their experiences in how they succeeded or how they moved to make sure that peace became a reality.

Mr Speaker, I would like to support the motion and I beg this House to make sure that all members who we think have the capacity and similar competencies or experiences are part of this mission. They can join hands in this conflict resolution committee to go to join IGAD. Finally, they will bring us feedback in this House. This House again will come up with corrective actions for the whole region and not only South Sudan. Thank you.

The Speaker: Thank you very much, hon. Pamela.

Mr Jean Claude Barimuyabo (Rwanda): Thank you, Mr Speaker. I would like to thank my honourable colleague, Odongo, for moving this very important motion.

This Community is like a family. When one member of a family is suffering, the whole family faces the problem and they have to take measures to solve that problem

together. Mr Speaker, there are many reasons that can be referred to, to explain the relevance of this motion, some of which members have tried to explain. I will not go into the details and I will not say much about the reasons of supporting this motion or the reasons we can base on as an Assembly to get the observer status in the peace mediation of South Sudan. However, I can say here that EALA, as an oversight organ, has delayed to act on this issue in South Sudan. I think this action should have been thought about in the third EALA or in the beginning of our activities in the Fourth EALA because the issues in South Sudan have existed for a long time.

Mr Speaker, I rise to support this motion with a small amendment. On the proposed resolution (c) which states, "The Assembly authorises the Committee on Regional Affairs and Conflict Resolution, in consultation with the Secretary General of the East African Community to engage the IGAD special envoy for South Sudan on the participation of the East African Community as an observer in the ongoing peace process in the republic of South Sudan."

On this resolution, I propose an amendment that in this Committee of Regional Affairs and Conflict Resolution, members from South Sudan are excluded so that the report is not biased. Mr Speaker, I beg to support this motion with this amendment. Thank you.

The Speaker: Honourable members, we shall all have time and that is why I made sure that we deal with other matters very fast so that we can spend enough time on this one and that is why today I am not switching off the microphone.

Ms Oda Gasinzigwa (Rwanda): Thank you, Mr Speaker and it is good that you are starting with me not to switch off the microphone.

All in all, I will try to be brief because hon. Odongo has really explained this. I would like to take this opportunity to thank the Committee on Regional Affairs and Conflict Resolution but more particularly thank my brother hon. Odongo for taking time and going to discussions with the committee and coming up with this motion.

Mr Speaker, allow me to also thank you because this Assembly is taking another milestone where we are again focusing on important issues in our region. I do not want to mean that what we are discussing; other areas, are not important but I think if you talk about East African Community and if you look into the history of the member states of the East African Community, you will all agree with me that in one way or another, every member state has gone in this kind of situation and it will not be fair to our citizens and the Community which sent us here to speak on their behalf without seeing what is happening in our member states.

Mr Speaker, I will say I have experienced what the honourable members have been saying; the aftermath of all these issues coming either from the conflict or from any kind of genocide. In particular, I would want to say that I was a refugee when I was a young person

In particular, I was a refugee when I was young. I experienced the challenges my parents went through that period. These things are happening and South Sudanese have been saying they have a problem in their country. Mr. Speaker, Sir, allow me to thank EALA Members from South Sudan. - (*Applause*)

Most of the time when we have issues in our own countries. When our people give us this opportunity, when we are at the point of discussing them, we tend not to speak the truth. We tend to protect our seats and families and forget that we are here not because we are special, but because there are people out there who think that we can

be genuine enough to stand in their place when they are not there. Being here at this particular time, we can bring change to their wellbeing and livelihood.

I want to thank the Members of EALA from South Sudan. You are making change; you are here as a team regardless of your background and what happened in your country. You are here to ensure that together as a team, you make a change. Today, together as East Africans, we can work with you and see that change happens in our countries.

Hon. Speaker, if you talk about insecurity, you talk about not having socio economic development and not having peace in any country and all other things that you can imagine. Article 124 of our Treaty signed by our Heads of State, has an important component of regional peace and security. When we talk about this Treaty, sometimes read it and go through it, but what are we actually doing?

Therefore, I stand firm to support this Motion. The Fourth EALA is not going to do business as usual. When we are here, we will deliberate for the benefit of this community. We are here to deliberate for the benefit of this Community. We are not here to deliberate against anybody. We are here to make a change and to make our Africa one. This will start with East Africa. When it starts from regional blocs, then we are sure all the efforts at the African level will bear fruit. If we are not taking any steps at our regional blocs, then we will not add any value to the African Union (AU) initiatives. I am here to support this Motion. This is a good start and I am sure we will progress well because we have the Council of Ministers here who always talk about these issues in their meetings.

Therefore, as EALA Members, we are here to make a change. I beg to support the Motion and I again, thank hon. Odongo for bringing this Motion.

The Speaker: Thank you, hon. Oda Gasinzigwa. Just a moment, I have a ruling to make. I understand when we are debating and a Member proposes an amendment, the Mover of the Motion has to respond by accepting or rejecting them. In this particular case, it is a matter of rules. The proposal by hon Jean Claude would be against our House rules. This Assembly is one regardless of where we come from. We must remain one even when we are dealing with matters that concern our Partner States. This is where our maturity should be seen. I am not denying the fact that there is a likelihood of being biased and at times, there can be actual bias. However, I believe Members who are not part of that conflicting situation, should correct the situation. If we set precedence that when we are dealing with a matter from a particular Partner State, the Members from that particular Partner State should not be part of it, we will be dividing the Assembly.

Therefore, this Assembly must remain. While considering issues, we must remain one. Those who may be twisted by their personal positions and forget that they are actually serving the region will be failing in their duties. The way I see it, this Assembly will be a position to expose them because our duty is beyond partisanship. We are dealing with a regional assignment and that means we have to rise above our *mmmh*, how do I put it? There is a Member of the Summit, sometime in the past, who called them "some cocoons". We should not to use the Assembly as a platform to assist our partisan positions from where we are coming from but to pursue the regional agenda. I believe we have that capacity. We should not be worried that we have to look at each other with suspicion depending with what we are dealing with.

Therefore, hon Jean Claude, I appreciate your concern, but it is not an idea that this Assembly will take. The Chairperson of the Committee does not have to respond to that.

Let us have, Dr. Oburu Odinga. Please, give him the microphone.

Dr Oburu Oginga (Kenya): Mr. Speaker, Sir, I rise to support the Motion brought before this House by my colleague, Hon. Odongo. I do not know why some Members call him hon. Odong'. He is not Odong', he is Odongo. - *(Laughter)*

This Motion is timely. When one part of the body is ailing, the whole body feels it and it must be concerned. We are an integral part of each other. When there is a problem in one country, there is a problem in the whole Community and all of us should be concerned. We are concerned because it affects us directly. There is no country around that is not affected by these conflicts. Right now, we are only dealing with South Sudan, but we have governance issues in almost all the countries of East Africa. That should be the next stage that we should also look into. We cannot just keep quiet when we know that there are problems in almost all the countries. We must point them out. Whether they are implementable or not, it is our responsibility to point out what is going wrong within the Community. It is only through frankness and truthfulness that we shall form an integrated Community, which will move forward and progress.

Without peace, there can be no development. Development and peace are integrated; they are part of each other. Therefore, we were happy when South Sudan was struggling against oppression. We were happy to host refugees from South Sudan and did what was in our capacity, materially and otherwise, to ensure they were liberated. All East Africans were comfortable with that. When it comes to internal conflict, it is a shame on us. It is a shame because we are entertaining internal conflict that has been going on for years. Years have passed since 2013 when the conflict started and it appears there is no

visible solution. These negotiations are a step in the right direction. We hope that our people who will be there and are going to make progress by putting pressure because we are all politicians and diplomats.

Ambassador Fatuma spoke eloquently about this. She spoke not only as a politician but also as an experienced diplomat. It is difficult for me to contribute on this subject after such an eloquent speech by my sister. She moved me and made me to be disoriented in some of the things that I wanted to say. - *(Laughter)*

Mr. Speaker, Sir, when we finish the problem of South Sudan, we shall go to other countries also. I understand we fear to mention other countries. Why should we fear? We should not live in fear. We know that we have some refugees from Burundi here in Tanzania. Tanzania is also feeling the refugee heat. This is not only happening in Kenya and Uganda. This is almost everywhere. All the six countries have some problem in one way or the other. I only hope that when the decision is reached, the Members who will go there will do so with an open mind and they will work for this Assembly to ensure that this problem is resolved as soon as possible so that we can also embark on other problems.

Another area of conflict is Somalia, which is our neighbor though not a member of the EAC. When a neighbour is ailing, you will find that we are all affected. The fever in Somalia is also affecting us. Therefore, we must find a solution to it. Diplomatically, we can find a way of bringing them to the Community so that we solve their problem. I understand that they had applied to be members. I know that should be dealt with at the level of the Summit. We can also use our position to make some suggestions to the East African Community Council of Ministers on how some of these countries can also be included in our Community so that we try to solve the problems together.

With those few remarks, I conclude by stating that I feel strongly for South Sudan because my origin is from there. We passed through Odongo's place. Therefore, my foundation is up there. Sometimes, people tell me to go back to my original country because they do not feel comfortable with me.

Thank you.

The Speaker: Thank you, Dr Oginga. Let us first finish the order of speaking I had appointed. Hon Kennedy Musyoka, the Floor is yours.

Mr Kennedy Musyoka Kalonzo (Kenya): Thank you, Mr. Speaker, Sir. I rise to support the Motion by hon. George. I once read an African saying that says: "If we as a community have no peace, it is because we have forgotten that we belong to each other." I want to encourage the Committee on Regional Affairs and Conflict Resolution to continue being proactive and to go and deal with these matters wherever they may arise in our region. It dawned on me as I was listening to the honourable Members that perhaps, these Committee carries the fate of our Community in a heavier burden than the rest of us because as I was sitting here and looking at my talking points, I realised that if we have no peace in the region, we will, for sure, never have our remittances on time. If we have no peace, the Bill on Monetary Union that we want to pass will just be a theory and even the confederation shall not come to pass. We, as Members, will have failed in our duties towards the Treaty and what the constituents of our great region sent us to do in terms of representing them.

Therefore, I support this Motion and I look forward to the Committee's Report. After we are done with this issue of South Sudan - my heart goes out to them; they have been my brothers for a long time - I will be happy the day I will see peace in this great nation of East Africa.

Thank you for the opportunity.

The Speaker: Thank you, hon. Kennedy Musyoka. Let us have, Hon. Gideon Gatpan.

Mr Gideon Thoar Gatpan (South Sudan): Thank you, Mr Speaker Sir. I rise to support this Motion. I want to thank, hon. George Odongo who has been persistent on the issues of peace and conflict resolution in South Sudan. I have a few points to address. One, I want to emphasise on the levels of the effect of the conflict that we are talking about. When I came to EAC and EALA, I realised that the awareness that we have in the region is not the same as the awareness we have outside the region. People outside the region are much more informed of the situation of South Sudan more than we are. This is because it has not come through our organs and administration in the Community as a matter of concern. This has prolonged the conflict so far because we feel it and we are part of the Community.

I was reading the United Nations (UN) draft Resolution Report of 14th March 2018. They have quoted the January, 2018 Integrated Food Security Pest Classification Report on South Sudan. This report has extended the figures that were given by hon George Odongo in his justification to a total of displaced persons of four million people and more, including refugees and displaced persons within the country. We have a population of about 13 million people. So if one million people are being displaced, is that not a conflict of higher magnitude? It is a conflict that requires attention. The same report is talking about 5.3 million people who are going to suffer food insecurity because their livelihood and production asset have been destroyed and they have no guarantee of the next place to look at. The question is: when will we achieve permanent ceasefire in the country? This could only come when we have a process that has generated itself

successfully to the end following the procedures that have been agreed by the stakeholders in the conflict. This is the process that IGAD is facilitating.

The stakeholders are the people of South Sudan. If the people of South Sudan do not resolve this situation themselves, then it means it can never be solved. Therefore, South Sudanese are asking themselves: have we been hijacked? Those are the questions that are arising. I want to draw your attention, Rt hon Speaker, Sir, that the next phase of this peace process – they call it High Level Revitalization Forum. In the third phase of it, there are already significant efforts for it to succeed or otherwise.

What is this otherwise? I was reading a report from the AU delegation that went to South Sudan and spent four days. The report was done on 19 April 2018. The report indicated that this is the last chance. If this is the last chance, if it fails what happens next? Those are the questions disturbing the people of South Sudan. The UN has formed a Committee of Experts on South Sudan and a Sub Committee on Sanctions on South Sudan. This is pressure that comes down from the highest body of the world and we are not informed about it.

Therefore, there is high concern at the level of UN, Africa Union Peace and Security Council and among the IGAD countries. Yes, we appreciate the efforts that have been put in place by IGAD from the onset up to now. However, has it resulted to a sustainable lasting peace? The answer is no. So, it becomes important for us as a region to recognise the dynamic levels of the war. It is protracted and it has taken different dynamics that are difficult to be understood by the population and the region as a whole. The only solution is for us to recognise ourselves as South Sudanese and as people of East Africa with one political ideology of moving towards integration. With that, we

can be guaranteed that we will achieve a lasting peace.

To conclude, we are the representatives of the people in East Africa, we are playing our oversight responsibility to ensure that the initiatives to better the EAC are achieved within our jurisdiction as a Committee, as an Assembly and as a Region. The suffering of the people in South Sudan is enough. All the people of South Sudan want peace. I want to reiterate what my colleague, Dr Woda said, that, the President of the Republic of South Sudan in the Heads of State Summit held in Kampala in February 2018, called up the region to come and address the issues of peace and security in the Republic of South Sudan. Therefore, other stakeholders in the same process of peace are also calling for peace to happen. This is the legal justification for us to have this document. The document empowers EAC to follow the request that has already been placed by the Secretary General of the Community to IGAD through an organ of the Community, the Assembly so that we get access and be accredited to be an observer mission in the peace process.

Thank you.

The Speaker: Thank you, hon Gideon. The next line of speakers will be hon. Kasamba, hon. Abdikadir, hon. Susan, hon. Nooru and hon. Thomas. Hon. Members, I requested hon Nooru to prepare a Motion that would help us to allocate specific time for specific items. If it is a Bill or a Motion, how much time do we give each Member to contribute? He is an experienced Member of this House; I am waiting for that Motion because it will be helpful. Managing time is difficult.

Mr Mohamed Adan Nooru (Kenya): Hon. Speaker, Sir, this on a matter of House procedure. I did not want to contribute.

The Speaker: Hon. Member, this is not related to your rising. I am just making a communication.

Hon. Nooru, I will give you the Floor. You are interrupting me. I will give you time to talk about the procedure.

I was saying, where we are heading, we need to manage our time properly, we are going to pass a resolution in this House on how much time we should allocate for specific types of items. I requested hon Nooru to prepare that Motion because he has experience and he has seen how it happens elsewhere. You may seat there and imagine that managing time here is easy. It is not.

I now request the remaining speakers to try to be brief so that we have time for everyone. Hon Nooru, you want to make a point of procedure?

Mr Nooru: Hon Speaker, Sir, this Motion requires a Resolution of the Assembly for the East African Community to participate as an observer in the IGAD-mediated South Sudan peace talks. Resolution (d) of this House is directs the Committee on Regional Affairs and Conflict Resolution to explore mechanisms under Article 124 and other provisions of the Treaty to resolve the conflict.

Now, I need your guidance on this, hon Speaker. Which resolution are we passing? Are we passing the resolution for this House to be an observer or do we give that mandate to the Committee on Regional Affairs and Conflict Resolution to explore mechanisms to solve the conflict? The normal practice in other jurisdictions is when such a resolution is brought before the House, if it is an *ad hoc* Committee, it will come with the names of the Members who will be observers. In addition, on the same, are we saying that the entire Committee on Regional Affairs and Conflict Resolution are going to be observers in this thing? I

need clarity on these issues. There are two resolutions reading in one. Could we clear that matter?

The Speaker: The Chairperson and the Committee Members should help. It is something that I also thought about. I toyed with the idea of whether to discuss it with the Chairperson before it is brought to the House. However, I thought that would be preempting the Committee's thoughts. I was wondering, if we are passing a resolution as an Assembly, then this should not be a matter of the Assembly. Where it goes, is administrative. I do not see why we should place a weighty matter on one Committee of the House. I have a challenge with that. I thought the resolution should be passed then we task the Assembly since it has the ability to know which appropriate Committee and Members can deal with it. I thought that restricting this subject to one Committee is one way of diluting the weight of the subject itself.

As the Chairperson prepares to respond to that, I challenge the other Members to think about it.

Was that all hon. Nooru? Very well. It will be part the Chairperson's response. Hon. Kasamba, you have the Floor. It is good that the idea came from a particular committee and a Member volunteered to do this, but think globally.

Mr Mathias Kasamba (Uganda): Rt. Hon. Speaker, Sir, I take this opportunity to support and second this Motion. I want to thank, hon. George Odongo and the entire Committee on Regional Affairs and Conflict Resolution for having come timely to assist us to get hooked into the real gist of this matter pertaining to our brothers and sisters in South Sudan. Allow me to thank the decisions of the Summit to allow South Sudan to join EAC.

I thank the Third Assembly, together with the team that went to evaluate the process

of admitting South Sudan. After having gone through the wars of getting independence in 2011, which they secured, it was timely for us to help South Sudan get a home in the EAC where we can nurture and make sure all the long outstanding conflicts which had bedeviled South Sudan are brought to rest. It is unfortunate that in December 2013 when I was in Parliament, we were given a briefing of how the situation was getting worse. Uganda, then, came in timely to resolve some of the hot issues pertaining in Juba. It was in the spirit of neighbourliness to respond to the precarious situation in South Sudan.

Now that we have our colleagues who are duly elected as Members of EALA, this is our time as an Assembly. This also reminds me, Rt. hon. Speaker, Sir, to thank you for the effort you made to reach Juba in South Sudan twice to make sure that you front and resolve some of the issues that were curtailing the smooth implementation of the integration of our brothers in to the regional election process. These are some of the simple actions that we must undertake. By being observers, it will help us get timely and continuous reports on the Floor of Parliament that will enable us see what actions we can take other than being observers.

With the presence of our brothers from South Sudan, we can go beyond to reach out because the people of South Sudan do not want war. The pressure will originate – my brother Gideon has mentioned from – from the people who are the stakeholders yearning for peace and are refugees in northern Uganda and scattered elsewhere as internally displaced persons (IDPs) and do not have food. Millions of people are under the threat of hunger. It is high time as an Assembly we resolve, not only to stop at the observation status, but also to reach out. I remember when northern Uganda was at war, we had an initiative of “Amani Forum” We travelled to Rwanda, northern Uganda and several areas. We volunteered to talk to

different stakeholders to make sure the uncertainty of individuals, and the fear they wielded did not put the entire country at ransom.

Therefore, it is high time we push for this resolution. We can improve on it to make sure it is wide in scope and to ensure we, as Community Members, brothers and sisters, through talking and not by war, we get lasting peace and transformation of our people. People should go back to develop and ensure that the neighbourliness that Uganda and Kenya have been enjoying with South Sudan is restored. We have been having almost one million Ugandans in South Sudan fronting the transformation of the economy and making sure that infrastructure is put in place. However, all of them have been pushed out of the country. Therefore, when we talk about Common Market Protocol and Customs Union we cannot fit them into the system of South Sudan.

The Speaker: Thank you, hon. Kasamba. Who else had I appointed? We will have hon. Aden then we proceed.

Mr Abdikadir Omar Aden (Kenya): Thank you, Rt hon Speaker, Sir for the opportunity to contribute to this very important Motion. On the onset, I support the Motion by hon. George Odongo. This Motion goes a long way to ensure that we, the representatives of the people of East Africa, address ourselves to the issue that pertains to the welfare and interest of the lives of the people of South Sudan who are members of EAC.

Even as I start to debate, I would like to suggest a few amendments to this Motion by hon George Odongo. First, the long title of this Motion reads: *A Motion for the Resolution of the Assembly Urging the EAC to participate as Observers*. So, is it the EAC or EALA? When you read the resolutions thereafter to this particular Motion, you will realize that the resolutions

are for this Assembly and not the entire EAC. For that reason, the title should be amended to read EALA.

Secondly, the issue on the Committee on Regional Affairs and Conflict Resolution being the one to --- I beg your pardon, Mr. Speaker, Sir. My papers are jumbled up.

(Hon Abdikadir sorted his presentation documents)

Thank you, Hon. Speaker, Sir. I also want to recommend an amendment on resolutions (c) and (d). Resolution (c) should be to seek for observer status for EALA. I am sure the majority of the people who will be going there would include Members of the Committee. However, we may, indeed, – as it was rightly observed – certain other Members who carry a lot of weight in terms of ability to negotiate on difficult matters and who may not belong to that Committee at that point and time. We have senior elders and former diplomats who might add value. Therefore, if we limit it only to the Committee on Regional Affairs and Conflict Resolution, then we will be tying ourselves down.

As, hon. Nooru rightly pointed out, there is need to redraft resolution (d) which talks of the House directing the Committee on Regional Affairs and Conflict Resolution to explore mechanisms under Article 124 and other provisions of the Treaty to resolve the conflict in the Republic of South Sudan. I looked at Article 124 that talks about the Member States and their responsibility to seek for conflict resolution. For that reason, resolution (d) in line with resolution (c) needs to be slightly amended in terms of language so that it is the responsibility of EALA as an Assembly as opposed to the Committee on Regional Affairs and Conflict Resolution.

Having said that, I do not need to add more, but I concur with the colleagues who spoke before me. Hon. Gideon has rightfully said

that the people of South Sudan have suffered enough. They suffered enough as they were fighting for their freedom. Subjecting them to another struggle again in life is unfair. I have one word to say to the people who are stoking conflict in South Sudan; to our brother in South Sudan, you carried the gun for many years to fight the enemy. That gun's time is over. Do not use that gun by turning it to your people again, it is wrong. Unfortunately, that is what is happening. We cannot have fought so much and wished so much for the wellbeing and independence of South Sudan only to see its destruction by the same people we thought were nurturing the freedom of South Sudan.

Honourable Speaker, the wellbeing of South Sudan is important to all of us. The Bill that we passed today will unify the currency or what I am worth in life to what my brother Gideon is worth in South Sudan. If tomorrow, when we unite our currencies, South Sudan's oil is exploited, this region becomes a region of riches. My little wealth will start to appreciate because of what is happening in South Sudan. It is, therefore, right for, hon. Odongo to propose that we need to get concerned with the wellbeing of their affairs. I support this particular resolution with those few amendments I have proposed; they are critical. You will guide me if required, to draft an amendment, which is probably what will be. In general, I support the Motion.

Thank you.

The Speaker: Thank you, hon. Aden. Yes, you will have to draft the amendment. The angle you took on individual capacities of other Members who are not part of the Committee on Regional Affairs and Conflict Resolution is correct, but I want you, hon. Members, to consider the practicability of what is being proposed. Can we have the entire Committee as observers? We may end up with a crowd at that place. If we send a few Members, then it will no longer be a Committee, it will be

a Select Committee. If it is a Select Committee, does it have to be from one particular Committee? You have to consider all these matters.

Let us have hon. Susan Nakawuki.

Ms Susan Nakawuki (Uganda): Thank you, Rt hon Speaker. Allow me to appreciate hon George Odongo for this Motion. It is never too late. However, this Motion should have come yesterday and not today. The EAC should be at the forefront in the negotiations going on in the Republic of South Sudan. Truth be told, our house is on fire because EAC is comprised of six countries including South Sudan. Therefore, it is our house. We should not wait for the neighbours to come from wherever they are supposed to come from and put out the fire. We should be ringleaders in putting out the fire then others will join us.

Rt. hon. Speaker, I know that in this House we have former Generals from the Republic of South Sudan. We have Members who fought for the peace process in South Sudan. Right now they are retired Generals.

The Speaker: Once a general, always a general. Yes, I know they are retired generals.

Ms Nakawuki: Hon. Speaker, they call themselves Retired Generals. That means that they expect some other force to join in and curb the situation in South Sudan. When I look at Article 124 of the Treaty, if you may allow me to read it to remind us about our obligations;

Article 124 says:

“The Partner States agree that peace and security are pre-requisites to social and economic development within the Community and vital to the achievement of the objectives of the Community. In this regard, the Partner States agree to foster and maintain an atmosphere that is

conducive to peace and security through cooperation and consultations on issues pertaining to peace and security of the Partner States with a view to prevention, better management and resolution of disputes and conflicts between them.”

When I read this, I know there is dispute in South Sudan and Partner States have an obligation under this Treaty, to make sure that this conflict is prevented. I know that - as my colleague said - when the people in South Sudan are at war, the consequences expand to all urban assets. All of us are aware how much our business community has lost out in terms of business. We are aware how many people have died because of this conflict. In Uganda, many families are crying. Recently, the Uganda Parliament passed a resolution that the Government should come in and pay those business people in South Sudan who lost their merchandise amongst other things and those who lost their lives. Many of these business people had taken loans to start these businesses. Therefore, on this involvement, we should not just look on as a community.

I have been seeing in different media outlets our Partner States giving travel advisories to their people. For example, in February 2018, I saw one from the Ministry of Foreign Affairs in Kenya; the Kenyan Government was advising its people who were working in South Sudan and intended to travel there, not to go. A member of the public asked me; apart from advising us not to go - because you will not sit here when we have to feed our families - what are you doing as EAC? I said to them that, I would find out and let them know. It is embarrassing for us not to tell people what the Community is doing. I want to appreciate the Government of Uganda. It decided to go in by sending troops to help the situation, but it went in as an individual country. I know the Kenyan Government also took an initiative. However, these were individual initiatives. Why can we not do an

initiative as EAC? I know we are all involved in fixing the Somalia conflict. This should be the same case with South Sudan. In Burundi, we went in as a bloc and we managed to handle the case.

Hon Speaker, I want to appreciate the fact the Council of Ministers has shown goodwill on this. It has come up with a road map on the integration of South Sudan in to the sectorial programmes of EAC, starting with EALA and the East African Court of Justice (EACJ). It has directed South Sudan to waive the visa requirements for East Africans and offer duty free market for the good originating from within EAC with an external tariff. The Council of Ministers has also reminded South Sudan of their obligation to contribute towards the budget. They are required to contribute over 8.3 million dollars towards this budget. However, how will they meet these obligations when they are at war? They will not be able to transact business as usual because they are at war.

I want to propose an amendment.

(Hon. Sarah Nakawuki spoke off record.)

The Speaker: Please, conclude with that amendment you want to propose. Kindly, turn on the microphone.

Ms Nakawuki: I will read the proposed amendment:

That, the Assembly explores mechanisms under Article 124 and other provisions of the Treaty to resolve the conflict in the Republic of South Sudan as a Partner State of the Community. I am talking of EALA because the Council of Ministers, as a policymaking organ, should be at the forefront on how we should go about this, and then EALA can come up with a select committee that will do that particular task.

The Speaker: Thank you, hon. Susan. You will draft the amendment and share it with

the Chairperson for consideration. Let us have hon. Thomas Dut.

(Hon. Thomas Gatkek Deng Dut stood in his place)

Ms Fatuma Ndingiza (Rwanda): On a point of clarification, Mr Speaker.

The Speaker: Hon Fatuma, what is your point of clarification?

Ms Ndingiza: Thank you, Rt. Hon. Speaker. There has been confusion on resolution (c).

The Speaker: Hon. Thomas, please, resume your seat. You will have the Floor after her.

(Hon Thomas Dut resumed his seat)

Ms Ndingiza: Hon. Speaker, on resolution (c), Members think that the Committee of Regional Affairs and Conflict Resolution wants to see its Members deployed once we are granted permission to participate in the IGAD process as observers. The purpose of this resolution is just for the Assembly to authorise the Committee. Since East Africa is not a member of IGAD and we do not have the observer status, there is a procedure in terms of administration of reaching out to IGAD so that they can send an invitation. Rt. hon. Speaker, you are in the know of this. So, if it is about the procedure. It is not to say that we want the Committee to exclusively participate in this process. It is about the procedure to have Members of the Assembly participate. That is the purpose of resolution. Thank you.

The Speaker: Fair enough, hon. Fatuma. First, what you have said is not reflected properly in the drafting. However, even if that was the case, this House is at liberty to choose whether the administrative process of getting accreditation must be done by the Committee or not. The resolution must deal

with issues of principle. The issue of procedure is administrative.

Hon Thomas Dut, you can have the Floor.

Mr Thomas Gatkek Dut Deng (South Sudan): Thank you, Mr. Speaker Sir. I rise to support the Motion brought by my colleague, hon. George Odongo. I thank you, personally, as the Speaker of this House, for always responding to the issues raised by EALA Members on the Floor of this august House. I also thank my colleagues like, hon. Gideon who have elaborately debated on this Motion.

I want to emphasise on two issues, one emphasis is on the move initiated by this august House on its importance. It is important because it will boost the IGAD led peace process. IGAD will realise that the Community is concerned, the EAC, which South Sudan is a member, has woken up and realized that they are the ones affected in the ongoing conflict. Therefore, this move will add value to the IGAD led peace talks.

Two, is emphasis for the Motion to allow EALA to move and not one Partner State. Mr Speaker, Sir, you had already mentioned that and I concur with it. Let the move be an EALA move and not a particular committee's move as you put it. Those are my two points.

I thank all my colleagues in supporting this Motion.

Thank you.

The Speaker: Thank you, hon. Thomas. Next we will have hon. Francoise, Dr Ann, hon Mnyaa and hon. Gabriel. Hon. Makame, I will come back to you. Be brief.

Ms Francoise Uwumukiza (Rwanda): Thank you, Mr. Speaker, Sir. I rise to support the Motion moved by, hon. Odongo on the inspiration of the Committee on Regional Affairs and Conflict Resolution. This Motion is important for the implementation of Articles 120, 121 and

124 of the Treaty. Article 120 is about the social welfare, Article 121 is about the role of women and Article 124 is about peace and security.

Mr. Speaker, Sir, hon. Kasamba has just talked about the spirit of good neighbourliness in the implementation of peace and security. Allow me to add three more things that we may base our support to this Motion. These are, one, the spirit of integration. We are all aware about the importance of freedom of integration of EAC. It is paramount for peace and security. The freedom of a given state is the alpha and omega for the implementation of all projects. Two, is the spirit of oneness and three, the spirit of giving one another a chance to work together, for the betterment of the implementation of all our projects and living together. These three issues came out in the Speech of his Excellency, Yoweri Kaguta Museveni, the President of the Republic of Uganda, in his Address to the Fourth EALA in January 2018.

Having peace and security in South Sudan will allow the Community of South Sudan to access social welfare. I am also focusing on the role of women, which goes with their role for children, and the life of the youth in South Sudan and around EAC. We are facing many problems in South Sudan regarding people with disabilities because of the war. They need access to employment and finance for poverty alleviation. Women also need access to programmes of poverty alleviation to improve their living conditions.

Therefore, this Motion is important and I support it.

Thank you.

The Speaker: Thank you, hon. Francoise. Dr Ann, please, proceed.

Dr Ann Itto Leonard (South Sudan): Thank you, Mr. Speaker, Sir. I want to

thank, hon Odongo and all my colleagues who spoke candidly on the situation of South Sudan. I want to address two things. One came earlier, but, of course, the spirit has now changed.

First, is on how a Member would want to allow South Sudan to solve their own issues, like the issue of sovereignty and so on. I want to tell Members – some of you could be young – that South Sudan came to being because of the support of each and every Member of EAC. You fed us, clothed us and took care of us as refugees. Personally, when we were moving around during those days, we could change passports from Uganda to Kenya and to Tanzania as we moved around because there were no citizens' rights in Sudan. So, look at it these way; we are who we are because of you. Now that we are independent, we cannot claim we do not need brothers. We should remain together on these; it is then that we will win on this difficult situation.

Second, honourable Speaker, I believe that the most important thing is to silence the gun. That can be achieved through our presence in Addis Ababa and through lobbying. We have lost a lot. We have lost people, over 5 million people are displaced and 2 million are refugees. That is not a situation that can make us comfortable as Members of EAC. In the long run, the problem in South Sudan will be on the issue of transition. When you transition from conflict to peace, there will be a lot of teething problems and if not well addressed, they brew conflict. Issues such as the culture of war - my colleague talked about it earlier – where we are used to guns and expressing our emotions through punching takes time to get rid of.

When policies do not take care of the youth and there is a huge population that is illiterate, that becomes a good ground for breeding conflict. We have issues of governance and diversity. How do you

manage diversity and expectations? These are issues of transition and they cannot just be addressed at IGAD. Once you sign an agreement, we have to come back to work. It is good if EALA is there, to understand these issues so that there are mechanisms to make us move faster other than remain to be observers in IGAD. Therefore, resolution (d) of this Motion is relevant even if it has to be reworked a little bit. We cannot remain observers for too long. We need to hit the ground running by acquitting ourselves with the situation so that we have programmes ready on how to move on when, indeed, peace comes.

Finally, there can never be integration without peace.

Thank you.

The Speaker: Thank you, Dr Ann, hon. Mnyaa, the Floor is yours.

Mr Habib Mohamed Mnyaa (Tanzania): Thank you, Rt. hon. Speaker, Sir. I want to add my voice to this important Motion. If I recall, yesterday, His Excellency, Dr. John Pombe Magufuli, President of the United Republic of Tanzania wanted this august House to be involved in bringing peace in this region, and today we have a Motion before us that stipulates the same thing. Therefore, hon. George has brought this Motion in a timely manner; it is well calculated. In fact, we understand that there is a Peace and Security Protocol for EAC. South Sudan borders the Republics of Kenya and Uganda. If there is a problem and war in South Sudan, the Republics of Kenya and Uganda will not be safe and, therefore, the whole of East Africa region will not be safe. In this context, there is an important need for the whole region to find means and ways to help resolve this conflict.

As observers, our Committee responsible for conflict resolution can get good advice to add on this issue. Today we are talking

about South Sudan and EALA being involved as an observer mission to the peace process. I understand that the conflict is not in South Sudan alone, it is also in other neighbouring countries that, in future, may also be members of EAC; they are the Democratic Republic of Congo and the Republic of Somalia. Therefore, if today we start with the Republic of South Sudan, definitely in future we will find means and ways to help other neighbours to live in peace and harmony.

On the good words that have been spoken by almost all the Members who stood to contribute, I have nothing to add, but perhaps to continue rectifying some of the points raised. We have to deliberate immediately. This Motion has the support of the whole Parliament.

Thank you.

The Speaker: Thank you, hon Mnyaa. Next, we will have, Dr Gabriel Aher then Dr Makame. I had appointed that order before.

Dr Gabriel Aher Garang Arol (South Sudan): Thank you, Mr. Speaker, Sir. Let me first and foremost take the opportunity to thank my colleague, friend and good neighbour, Mr George Odongo for bringing this Motion to the House. It is crucial and important. As South Sudanese, we have been through many difficulties. It started with our struggle against successive oppressive regimes. Historically, they were marginalising us by neglecting us in terms of development. Through the struggle, we made it. The struggle had support of our good neighbours Kenya and Uganda, and the countries that currently comprise EAC. It was we, who started it, but in the process, they got involved and we managed to get our Independence.

Now, the issue of peace negotiation concerning the violent conflict in South Sudan is being negotiated. However, it has become so difficult to resolve major issues.

Part of the problem is not necessarily the people who were part of the conflict. It is the people who were trying to help facilitate the process that made it extremely difficult. If you look at the list of people who are helping, they are member states of African High Level Revitalisation Forum (HLRF) on South Sudan, The African Union Commission, the United Nations, the European Union, the Troika (Norway, UK, and USA), the IGAD Partners Forum (IPF) and China. What are we missing? We are missing a critical actor and partner that should have been the one spearheading the peace process alongside IGAD to bring peace to South Sudan. That is EAC or EALA.

It is unfortunate that we are not yet there, but it is not too late even though people have suffered and displaced both internally and externally, and they are dying from hunger and diseases. Nevertheless, we are finally getting it right. We have to come up with a solution. What is it that we need? Besides being observers, we need to take an active role. Observation should not mean that we are just bystanders like people watching players playing football and one-team scores, they clap for them. That is not what we want to do. We will need to question some of the actors in this peace process. One of the actors that we need to question is the Troika (Norway, UK, and USA). The peace that we are negotiating in Addis Ababa and the one that was negotiated in Naivasha, Kenya have major differences. Those who were supporting the peace negotiation in Naivasha in 2005, were facilitated and the parties in conflict were helped in developing the process.

What is going on in Addis Ababa is that the people who were not supposed to be doing the process are the ones who are doing it. Those who were supposed to be doing it are pushed to do it; that is why peace is not coming to South Sudan and it has become difficult for the parties in conflict to come up with a robust and comprehensive peace

agreement that will be sustainable for the people of South Sudan and the region. What we need to do is to make sure that the South Sudanese and their brothers and sisters in the region at both IGAD and EAC or EALA own peace in South Sudan. Those who are helping should facilitate the process of observing what is happening. However, we should play active role rather than pushing the process by writing a peace document and then telling us, this is what we should sign.

The peace that was signed in 2015 faltered because the parties in conflict were not the developers of that peace. It was developed by other people then given to them to sign. Our leaders refused it because that was not what they wanted, but they were forced to sign it and we saw what happened afterwards in the year 2016. This time, again, they are doing the same thing. They are pushing it strongly. It is not the IGAD members; it is not our brothers in Kenya and Uganda who are IGAD members. It is some people somewhere and they are betraying us. The USA, Norway, and UK are forcing us to sign a peace agreement that we are not in agreement with its modalities.

Rt. hon. Speaker, Sir, having taken this step, it is crucial and we must take the bull by the horns.

The Speaker: Thank you, Dr Gabriel Aher. Most of your arguments are what we will get to learn when we get involved in the peace process. The process is still external to us; we do not know exactly what is taking place.

Let us have Dr Makame.

Dr Hasnuu Abdullah Makame (Tanzania): Thank you, Mr. Speaker, Sir. I rise to add my voice in support of this important Motion because it responds to most of the Articles and provisions of the Treaty for the establishment of the East African Community, specifically, Article 5(1) and 3(f) that talk about peace and

security in the region. Likewise, if we look at Article 6(b) it talks about the fundamental principles that shall govern the achievement of the objectives of the Community by the Partner States which include peaceful co-existence and good neighbourliness and so are sub-articles (c) and (d) of the same Article. If we look at Article 7(2) of the Treaty, it also says that. More importantly, Article 8(1) (b) if I may quote it, says:

The Partner States shall:

“Co-ordinate, through the institutions of the Community, their economic and other policies to the extent necessary to achieve the objectives of the Community; and”

EALA is an organ of EAC. We are rightly placed to articulate this matter and achieve what is intended by the Motion written and submitted by my brother, hon George Odongo. I ran straight to my contribution, but I ought to have commended his effort as he did a good job, he consulted widely.

For that particular reason, I do not want to spend more time on the Floor. Most Members have spoken and are in support of the Motion. The only thing that has not come out clearly is the issue of being an observer or a non-observer. I think the Mover intended that first, we go as observers and acquaint ourselves with the issues then probably, we might extend that role after consulting with the Council of Ministers because it also coordinates issues of foreign policies and policies on peace and security.

Before I take my seat, Mr. Speaker, Sir, allow me to move a Motion under the Rules of Procedure of the Assembly No.30(c). We have deliberated extensively and we all seem to be in consonance. I beg to submit.

Rule No. 30(c) of the EALA Rules of Procedure says: *(interruption)*

The Speaker: Order! Hon. Member. You just mentioned the rule, but you did not move the Motion.

Dr Makame: Thank you, Mr. Speaker.

I beg to move:

That, we adjourn the debate for the day on this matter. The entire House seems to be supportive of the Motion submitted by the hon George Odongo. I submit Mr Speaker.

The Speaker: Could we have a Seconder?

(Mr Mnyaa seconded)

(Question, that the Debate be adjourned, put and agreed to)

The Speaker: Hon George, you made your case earlier on this Motion and the debate has been extensive. Therefore, I expect your reply to be brief.

Dr Makame, please, put off your microphone.

Mr Odongo: Thank you, Rt. hon. Speaker. I want to thank all the Members who have spoken eloquently on the situation in South Sudan and in particular, on this Motion. Allow me to quickly respond to some of the proposed amendments as a way of wrapping up the debate on this Motion.

First, I would like this House to appreciate where we are coming from as a Committee. Indeed, as the Rt. hon. Speaker observed, we emphasised more on the principle that this Assembly plugs itself in the peace process for the Community. When we referred to the Community, our understanding was that this Assembly is part of that Community; the Summit is part of this Community and other organs of the Assembly are part of that Community. Therefore, we broadened the scope of this

resolution to take care of any other responsibilities that may be assigned by this House to the different organs of this Community. That is why the heading of the Motion was for the EAC to take interest. If we as the Members of EALA intervene, it is will not be EALA but the EAC that we represent that has taken interest in this case. That is the way we understood it. However, our Motion is subordinate to the collective wisdom of this House. Therefore, we welcome the proposals that have been given because they do not in any way undermine the spirit of this Motion and inhibit its import.

Hon Abdikadir had made some proposals, which are important. He proposes that this Motion should be specific to this Assembly because we are pronouncing ourselves as an Assembly and I concede that yes, let us pronounce ourselves as an Assembly. Therefore, we need to amend the title of the Motion to read:

“Motion for the Resolution of the Assembly for EALA to participate as an observer in the IGAD-mediated South Sudan peace talks.”

Therefore, we will have amended EAC to read EALA.

Resolution, (c) talks about the Assembly authorising the Committee of Regional Affairs and Conflict Resolution. I understand that this is the resolution of the Assembly and it is the duty of the Speaker to determine who will finally execute this role once we have made the resolutions. Therefore, we have also amended that part to read:

“The Assembly in consultation with the Secretary General of the EAC to engage the IGAD special envoy for South Sudan on the participation of EALA”

This will no longer be about EAC. It is about EALA as an observer in the ongoing peace process in South Sudan.

Resolution (d) has also been amended so that we elevate the resolution to give it more weight. So, it will read:

The Assembly urges the Summit – so that it is no longer an issue of the Committee – it is for EAC Heads of State, to explore mechanisms under Article 124 and other provisions of the Treaty to resolve the conflict in the Republic of South Sudan as a Partner State of the EAC. That means that we have given that responsibility to the Summit. It will no longer be our responsibility as EALA according to that proposal. If we are comfortable with that, we may proceed.

Those two amendments came through.

The Speaker: Hon George, I missed the last comment on the last amendment.

Mr Odongo: The amendment on resolution (d) says:

“The Assembly directs the Committee on Regional Affairs and Conflict Resolution to explore mechanisms under Article 124 and other provisions of the Treaty to resolve the conflict in the Republic of South Sudan as a Partner State of the EAC.”

The debate has been that we do not have to restrict this to the business of the Committee on Regional Affairs and Conflict Resolution. It should become the business of the Assembly. Therefore, I had received a written amendment that said; “urging the Summit” There was another one that said:

“The Assembly explores mechanisms under Article 124 and other provisions of the Treaty to resolve the

conflict in the Republic of South Sudan as a Partner State of the EAC”.

Is that the one that we should go with?

Hon. Members: Yes.

Mr Odongo: These are the two important amendments that we have for this resolution.

I would like to thank all of you who have spoken on this Motion. I am particularly excited about this Motion because this country, Tanzania has been the breeding ground of African liberation struggles. You can trace the struggles of African countries here in Tanzania. – (Applause)

This Motion is being bred in the right place. The spirit of Mwalimu Julius Nyerere is blessing this particular Motion. That should inspire us to do even much greater work. I thank all of you for speaking on this Motion. There is no bigger dividend of integration for the people of South Sudan and the people of EAC other than peace and security. There is no bigger achievement that we can be proud of as an Assembly other than peace and security. It forms the basis of all the other things that we would like to do.

Many of us who have grown up in conflict situations – I come from northern Uganda, we had 20 years of conflict and we lost a generation; we are struggling to recover – know the pain of conflict. It is for that reason that we should not close our eyes because we do not want to see the bad things because even the good ones may pass and we will not have seen them. We need to open our eyes all the time to see the good and bad things, but also to step in and make a commitment that we are moving as one EAC.

I am always inspired by my elder, Dr. Ali Kivejinja. His books are instructive. You should read one of the books that he has written on the struggles for Independence in Uganda. There is another book, *The Sapoba Legacy*. He is here; he will tell you what it

means to come through conflict. This also tells you that resilient people are the ones who step forward to resolve such conflicts. We must nurture the spirit of resilience, speak truth to power and be able to confront the most difficult things that some people are uncomfortable to talk about. That is why we are here as an Assembly and our people have confidence in us. We should not only be comfortable to speak about the things that are always obvious. We must also speak about those ones that are not obvious. That means that once we are done with this situation, we will need to reflect for the whole region.

Thank you, may God bless you all.

The Speaker: Thank you, hon George.

(Question of the Motion as amended put and agreed to)

I want to thank you, hon. George and the Members of the Committee on Regional Affairs and Conflict Resolution who came to see me to discuss this idea. The idea originated from that Committee. We agreed that the best way to proceed with the idea was to present it as a Motion before this House. This is the primary core of our business. We cannot have any other justification for our existence as an institution of EAC if we cannot tackle a challenge like this one. In doing this, we will be talking about peace and conflict. There is no area that is a no-go area for us. There are other situations that we have not spoken about but this is because there is a mechanism in place to deal with them. This is one situation that we are completely not involved.

I am proud that this initiative is from this Assembly. We should always make sure that we do not make a mistake of considering any matter that affects our people as being anybody's business. It is our business. We are not too small not to deal with any issue. We are empowered, we

have a representative capacity and we are a law-making body. Therefore, we have all the justification to be involved in any situation or to at least initiate a process. Even if the process will end up being handled by other mechanisms, we will be proud that we initiated it.

I thank you all for the effort and the resolution that we have come up with as a House. I am glad the Council is here. You have been part of this debate and you are part of this House. When the time will come to deal with the logistical issues that will help us to put in to action what we have agreed upon, we hope we will have your cooperation on that.

Honourable Members, that was the last item that we were to handle. However, you will remember, I said I would make my communication at the end. I want to make the communication now and if time allows, I will give you a chance to discuss some of them.

COMMUNICATION FROM THE CHAIR

54TH ANNIVERSARY OF THE UNION OF TANZANIA AND ZANZIBAR

The Speaker: Honourable Members, First, as you know, today marks the end of official plenary and committee activities in Dodoma. I want to thank all of you for your dedication to duty during our last three weeks here. With this kind of work, we shall surely achieve a lot during our tenure.

As you are aware, again, we have been officially invited to join his Excellency the President and the Government of the United Republic of Tanzania in marking the 54th anniversary of the Union of Tanzania and Zanzibar, tomorrow, Thursday 26 April 2018. As you should have noted from the programme, we are expected to arrive at the Jamhuri Stadium at seven in the morning. The Serjeant-At-Arms will coordinate that. He has informed me that the buses will pick

you from your respective places of stay at seven. You will be helped to assemble at Morena Hotel immediately after being picked. The security arrangement is that we travel together in the buses. The buses will be at Morena Hotel which will be the converging point.

You will be picked from your respective hotels. Serjeant-At-Arms is it at seven or before seven.

Seven is the time for leaving the hotels. I request Members to try to be ready at seven. The programme is so tight. I am expecting you to honour this invitation for two reasons. One, it will be impolite for us to be invited and we do not heed the invitation. Two, this day, the “Union Day” marks the only union that we still have in the region that has survived. - *(Applause)*

Many attempted unions collapsed along the way. It is a living example that we all need to be proud of. Therefore, we should feel honoured and proud to be part of this celebration because of the message it carries for all of us.

I believe the invitation cards have been circulated to all of you because this will be a formal function. The dress code is formal. It is not a place we can go dressed casually.

Ms Mary Mugenyi (Uganda): On a point of clarification Mr. Speaker.

The Speaker: Hon. Mary, please, give me a moment. I am making these announcements then I will allow you to debate some of them briefly. During the debate, you can seek clarifications.

Related to the anniversary, there will be a football match between the Parliament of Tanzania – they have a team called “Bunge FC” – and our EALA team. It will happen tomorrow as from 4.00 p.m. at Jamhuri Stadium where the celebrations will take place. We have been training and we are well prepared. Our kit is already here. How will we converge? Serjeant-At-Arms, you have not informed me. Whoever is

coordinating this, how do we converge? How will the team assemble and where will they go? You will have to prepare that and send out a note or you can do it in the morning. When we convene to go to mark the 54th anniversary of the union of Tanzania and Zanzibar, you must have a briefing on how the players and the supporters are going to converge and head to the stadium. Please, those who will not be playing come and cheer the players.

REVIEW OF PLENARY MEETINGS

In terms of plenary meetings, you may have noted that we had serious a Order Papers. We have dealt with serious and important matters like Bills and Motions for Resolution. Everything we handled was serious. In particular, we were honoured to be addressed by his Excellency the President of the United Republic of Tanzania. – *(Applause)*

I will not speak much about this because, as you know, in our next plenary, in Nairobi, we will have time to debate his address in Nairobi. Therefore, I will not preempt the debate on it. I want to appreciate the fact that the President was generous to find time to address us. We are grateful as an Assembly. We listened and understood him. We will be honoured to debate his Speech when we convene next in Nairobi.

I want to thank our colleagues from the United Republic of Tanzania led by their Chapter Chair, Dr Makame and Members of the Commission; hon. Maryam Ussi and Ms Fancy for coordination and all they did for us to be comfortable. They booked our hotels and they collectively and individually extended to us any assistance that we needed. I do not think there is any Member who has not had an occasion to reach out to any of them for any assistance. They have always been there for us. We thank you much, much as we did not expect anything less because that is who you are.

Finally, I want to appreciate the Chairperson, Council of Ministers and the Ministers. I have said this before that we are witnessing something that was not very common in the past. The attendance of the Council and their participation in the business of the House. This is being done in the Fourth EALA in a way that it was not done before. We thank you for that and we hope we will continue to work together this way. – (*Applause*)

Honourable Members, we still have time.

DEPARTURE FROM DODOMA

One final announcement. Departure will be on Friday at 9.00 a.m. and it will be by road. It will be in a similar way we travelled from Arusha to Dodoma. Since it is group transport, kindly, ensure that check out of your hotels by 8.00 a.m. to assembly and depart together from Morena Hotel. We will use the same buses we used when we were coming. The point of convergence will be Morena Hotel. Since departure will be at 9.00 a.m., you should have left your hotels by 8.00 a.m.

Thank you. I now invite you to seek any clarifications or to make any other comment that you may wish to before we adjourn

Hon. Mary, the Floor is yours.

Ms Mugenyi: Thank you Mr. Speaker, Sir for the opportunity. I was looking at the programme of the events tomorrow and I realised that the national leaders will arrive at 8.15 a.m. Could we fall under that category other than the earlier one of invited guests? I guess when the programme was made there was nowhere where EALA was slated. I do not know why we have to go earlier than the arrival time for the national leaders unless that what they have communicated. That will mean waking up very early and waiting to start – (*interruption*)

The Deputy Minister for Foreign Affairs and EAC Cooperation (Dr Suzan Kolimba) (*Ex officio* Member): On a point of clarification Mr Speaker, Sir.

Ms Mugenyi: I will take the clarification.

The Speaker: Thank you, hon. Mary for seeking that clarification. As you may note, there is no arrival time indicated for the Speaker. I have been informed that we are in the category of invited guests. Therefore, since the leaders of Tanzania Government will start arriving at 8.15a.m., all the invited guests must be there before that hour including myself since we do not fall in the category of national leaders. Therefore, the times indicated are not by mistake.

The Deputy Minister for Foreign Affairs and EAC Cooperation (Dr Suzan Kolimba) (*Ex officio* Member): On a point of information Mr Speaker, Sir. Thank you, hon Speaker for giving me time to explain. When they talk about the national leaders, they mean the national leadership hierarchy from the Prime Minister moving upwards. You know how they arrange that. All Ministers Ambassadors and the rest of us will arrive before that. We are sorry, Members, that you will have to be there early because normally, our President keeps time and that is why every minute counts. That is why they have said that the national leaders should be there by 8.15 a.m. That means, from there on, the Speaker, the Prime Minister, the Vice President, the President of Zanzibar then the President of Tanzania will arrive in that order.

The Speaker: The time indicated for us is the same time that Members of Parliament of Tanzania will arrive. Thank you, hon. Minister for that clarification.

Ms Fancy Nkuhi (Tanzania): Thank you, Hon, Speaker, Sir. First, I thank you and the EALA administration for the decision to have the Fourth EALA meeting in Dodoma.

This is the first time and this has given our people an opportunity to know what goes on in EALA. Thank you for that.

I would like to thank all the Members of the Assembly for abiding by the security processes and everything that was new to most of them. You tried to cope and now we are at the tail end of our session. In case of any inconveniences caused, please forgive us. Next time we will try our best to be at the level of your expectations.

Lastly, when it comes to security and matters protocol, Tanzania is at another level. I am sorry, I am not bragging. I am trying to explain. Normally when we have national events and celebrations like the “Union Day” everyone arrives on time according to the programme as the Minister, Madam Kolimba has explained. This is an opportunity for you to have a Tanzanian experience on security and protocol. We observed how Ugandans handle security and protocol and I kept on telling a Member from Uganda that they needed to see how Tanzania handles security and protocol matters.

I urge you to take this as a learning experience so that when you go back to your home countries, you can tell your respective leaders and the people who handle protocol how to improve on it so that EAC can have a standard practice on the same.

Thank you.

The Deputy Minister for Foreign Affairs and EAC Cooperation (Dr Suzan Kolimba) (*Ex officio* Member): On a point of information Mr Speaker, Sir.

The Speaker: Honourable Minister, please, hold on. I will give you time. You can have the Floor. – (*interruption*)

The Deputy Minister for Foreign Affairs and EAC Cooperation (Dr Suzan Kolimba) (*Ex officio* Member): Sorry, if I

may patch up some of the words the last speaker has used. These are procedural matters of specific Partner States.

The Speaker: Hon. Fancy, please, switch off your microphone. Proceed Hon. Minister.

The Deputy Minister for Foreign Affairs and EAC Cooperation (Dr Suzan Kolimba) (*Ex officio* Member): This is a procedure of a specific Partner State. This is Tanzania and when you go to Uganda, they have their own specific procedures. It does not mean that how you do it is the only best way. We also have hurdles in Tanzania.

The Speaker: Thank you, honourable Minister. Honourable Members who sit in the Commission, when we arrived here, we were briefed about the level of security and the procedure when you enter the parliamentary premises. We asked the Members of the Commission to report to you on the same.

Security arrangements are planned by those who are responsible for it according to their own appreciation of the situation, which they do not need to share that with you. This may not be that same in different places. Therefore, what we find in Kigali depends with the situation in Kigali and what we find in Dodoma depends with the situation in Dodoma. Our duty as citizens and leaders is to comply. That is why we informed you that when you enter the Parliament of Tanzania, there is a way the searches are done and there is a reason for that. We did not expect anybody to complain about it and we are glad it did not happen.

Every occasion is a learning experience, but on matters of security, whether you are going to the stadium or the parliamentary premises, are left to the appreciation of those who are responsible for that and you comply.

The Second Deputy Prime Minister/Minister for EAC Affairs (Uganda) Dr Kirunda Kivejinja (*Ex officio* Member): Mr Speaker, I just want to say that it is only a child who does not recognise protocol. If it is the son or daughter of a president, they will climb on the president's shoulders. Therefore, my young daughter, who is one of the youngest Members of this Assembly, does not surprise me. Therefore, will learn that situations are always different. You will accumulate as much knowledge as possible depending on where you go. Therefore, you know Tanzania protocol and security, you learned about the Ugandan one and you will learn about others. When you learn all of them, you will become mature and increase our experience.

The Speaker: Thank you, when we sleep and enjoy our sleep, there are others who do not sleep so that we can sleep. Those ones think all night on how to make our homes safe.

Let us have hon Fatuma.

Ms Fatuma Ibrahim Ali (Kenya): Thank you, Rt hon. Speaker, Sir. I join you in appreciating the United Republic of Tanzania, the National Assembly, the Chapter Members and the community of Dodoma. When we came, I totally agree with you that as we checked in at the security entrance, it was more rigorous than what I am used to. We were even asked to remove crucial garments from our bodies and we complied. That is the ethics, culture, and practice of the place. If you do not comply then you do not respect the Assembly. If you do not respect people's culture and way of life, then when it will be your turn, it will be difficult. We are a very pleasant team, the Fourth EALA. We all complied and had no complaint. We appreciate what we experienced, what we received and how we were welcomed is incomparable.

I want to single out my appreciation to the EAC Council of Ministers. – (*Applause*)

The stories we have heard in the past regarding EALA that there a bit of absence of the Council of Ministers. Every time we were contributing, they were alert nodding their heads. I remember when I was making my contribution they were nodding their heads saying: "yes that is what is required." They are also impressed by the Fourth EALA. Council of Ministers are not ordinary Members. They are proactive, active and committed. The House has been full every day. Today when I was in town, I was worried because I was late by 45 minutes.

Hon. Speaker, I want to thank you as the Speaker of the Fourth EALA. You have done us proud. Your leadership is outstanding. – (*Applause*)

I am assuming that you have impressed many of the Heads of State of the six Partner States of EAC. I wish all of you safe journey. You are welcome to Nairobi for our next sitting. We will not compete with Tanzania team, but we will up our game as hon Fancy said.

Thank you.

The Speaker: Thank you, hon. Fatuma. Honourable Susan, you have the Floor.

Ms Susan Nakawuki (Uganda): Thank you, Rt. hon Speaker. You talked about the football and you forgot about netball. Yesterday, the Members of Parliament from Tanzania through their team captains, hon. Grace Kiweru and hon Esther Matiko were particular that it is not fair for only the men to participate leaving out the women yet we know they have a powerful netball team. I told them that I would pass the information and see how we will go about it. I know that notice has come in late, but for the record, maybe we will have to send out a communication. However, because the notice came in late, we are not able to participate instead of ignoring their request.

Next time, as you plan for football matches, you should strongly consider the netball matches because it is one way of building social cohesion.

Thank you.

The Speaker: Thank you, hon. Susan. I did some quick consultations and realised that even the netball kits had not been brought here. Next time we will do a good job. Tomorrow you can do a good job of cheering us when we are playing football. Hon. Gideon, please, take the Floor.

Mr Thoar: Thank you, Mr. Speaker. I want to emphasise on time. When we were in Arusha preparing to come to Dodoma, we were supposed to depart at 10.00 a.m., but we instead got departed at 12.00 p.m. or 1.00 p.m. Our departure here is not similar to our departure from Arusha. It will not be the same because some of us will be leaving at 7.00 p.m. of the same day and some leaving at 8.00 p.m. by flight. Therefore, if we delay again by leaving at 12.00 p.m. we will inconvenience those Members.

The Speaker: Thank you, hon. Gideon. I get your point. Some Members will be having flights to catch. So, do not delay. If departure time is 9.00 a.m., you should be there on time. If you take your time and make your colleague miss their flights, it will be very unfair. Probably, we will instruct the driver to depart on time. If there will be someone who wants to stay behind, this is a good place, they can choose to be around for three more days.

Finally, hon. Members, I want to thank our support staff. The staff of the Parliament of Tanzania who were attached to us. They have done a good job and our own EALA staff. – *(Applause)*

These are the people when we adjourned and go to rest they spend more time here planning for the following day. Therefore, we should always have in mind that whatever we achieve largely is because of

their efforts that we should always appreciate.

ADJOURNMENT

Thank you, I wish you a safe travels on Friday. The House is adjourned *sine die*.

(The Assembly rose at 6.30 p.m. and adjourned sine die)