



**EAST AFRICAN COMMUNITY**

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**EAST AFRICAN LEGISLATIVE ASSEMBLY (EALA)**

**Official Report of the Proceedings of the East African Legislative Assembly**

**171<sup>st</sup> SITTING-SIXTH MEETING–FIFTH SESSION – THIRD ASSEMBLY**

**Wednesday, 24 May, 2017**

*The East African Legislative Assembly met at 2.15 p.m. in the in the Chamber of the East African Legislative Assembly, Arusha, Tanzania.*

**PRAYER**

*(The Speaker, Mr Daniel.F. Kidega, in the Chair.)*

*(The Assembly was called to order)*

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**PAPERS LAID**

**Ms Patricia Hajabakiga (Rwanda):** Thank you, Mr Speaker. I beg to lay the report of the East African Legislative Assembly on the sensitisation activities in the EAC Partner States.

**MOTION**

**REPORT OF THE EALA ON THE SENSITISATION ACTIVITIES IN EAC PARTNER STATES**

**Ms Hajabakiga:** Thank you, Mr Speaker. I stand to move a Motion that the Report of the East African Legislative Assembly on the Sensitisation Activities in EAC Partner States be adopted. I beg to move.

**The Speaker:** Seconders? Hon. Ussi, hon. Shy-Rose, hon. Nengo, hon. Dr Odette, hon. Mumbi and all the members standing. Hon. Patricia Hajabakiga, proceed to present the report.

**Ms Hajabakiga:** Thank you, Mr Speaker. I am presenting this report on behalf of the Commission and the subcommittee in charge of the legislative process in the Commission.

This is the fourth report on the sensitisation activities, which we undertook from 2016(c) to date. I am not going to go to the background because I have already done that three times; I will go straight to the findings because the rest is the same - see page 6 (2.4) on the findings of the sensitisation.

#### **FINDINGS ON THE SENSITIZATION ACTIVITIES BURUNDI**

In Burundi, the following Members participated in the sensitization activities: the late Hon. Hafsa Mossi - Leader of the Delegation; Hon. Isabelle Ndahayo; Hon. Leonce Ndarubagiye; Hon. Emerence Bucumi; Hon. Nengo Emmanuel; and Ms. Beatrice Ndayizeye, the secretary to the delegation.

#### **(a) Courtesy call on the Rt hon. Speaker of the Burundi Senate**

The Rt Hon. Speaker of the Burundi Senate appreciated the visit and Members congratulated him upon being elected. They briefed him on EALA activities in general(d) and in particular, the sensitization program. During the interaction, the Rt Hon. Speaker of the senate raised three main points:

- (i) The need to fast-track negotiations on the Monetary Union;
- (ii) The need for Burundians to change their mind-set and look for opportunities in EAC; and
- (iii) Encouraging of sports activities between EAC Partner States.

#### **(b) Courtesy call on the Minister in the President's Office, in charge of EAC Affairs**

Honourable members reported back on the issues raised by stakeholders to the Minister in charge of EAC Affairs. She expressed gratitude to EALA Members for the continuous sensitisation program. The Minister further acknowledged that there is tremendous improvement on information sharing on EAC integration with the media, business communities and other stakeholders.

#### **Courtesy call on the Minister of Justice**

The Minister appreciated the visit by EALA delegation to get information on the progress of the integration process especially with regard to the harmonisation of laws. At the meeting, the following were issues raised:

- (i) The Lack of a harmonisation commission in the ministry;
- (ii) The need to receive from EALA, a compendium of all EAC enacted laws;
- (i) The need for capacity-building on the harmonization process for all technical teams going for negotiations in EAC and those in charge of harmonisation;
- (ii) The need for EAC teams from all ministries to be held accountable whenever they are nominated to attend EAC meetings and their reports to stakeholders; and
- (iii) The urgent need to harmonize laws not to hamper EAC integration process.

#### **Interactive session with the Media**

This interaction was preceded by a press statement by the leader of the EALA delegation. The following media houses were present: Burundi National Radio and Television, National Radio, Nderagakura Radio, Radio Culture, Isanganiro Radio, Burundian Press Agency, Renouveau Newspaper, Studio Ijambo, Ubumwe Newspaper, Radio REMA FM, Voice of America, IWACU Newspaper, Burundi Echo, ABP Info Newspaper and CCIB FM.

Members focused on the role of media in the integration process. We also briefed them on the works of EALA during the May session, 2016 as a response to their request during the previous phase of sensitisation before exchanging views on the access to information.

(e) **Courtesy call on the Minister of Youth, Sports and Culture**

After a presentation by Members, which focused on the gains of the integration in regard to the youth sector focusing on employment opportunities gained through the free movements offered by the Common Market Protocol and EAC Projects and Programmes. The following observations came out:

- (i) There are diverse cultures that need to be preserved by the people in countries that make up the East Africa Community;
- (ii) Youth sensitisation programmes on integration should be undertaken;
- (iii) The need for youth to open-up and change mind-set to reap from the opportunities in the integration; and
- (iv) The need for youth to put more efforts in learning the English language to be competitive at regional level.

(f) **Courtesy calls on EAC Ambassadors to Burundi**

i. **Ambassador of the Republic of Kenya to Burundi**

EALA Members paid a courtesy call to the Ambassador to encourage him to enhance their Forum to support regional integration. The Ambassador commended the work of EALA Members and thanked them for associating him to the integration. He however, raised the following issues:

- (i) Through the implementation of the EAC Common Market Protocol, cross border investments and movement of people, services and capital have been realised among the Partner States. For example, a number of Kenyan business people have invested in Burundi, while Burundian

students are studying in Kenya. As well the Kenya Commercial Bank (KCB) is one of the investors in Burundi; it employs more than 150 Burundians;

The ambassador urged Burundians to put in more efforts in learning the English language to integrate well in the EAC region;

He urged Burundians to open-up and start exporting their products the rest of the EAC countries; these are among others, palm oil and fruits;

Further, the ambassador commended Burundi for ensuring security but condemned some media houses, which continue to portray the situation in Burundi negatively; media should market their country by reporting on it positively;

He promised to report back to his government, complaints raised by transporters through EALA Partner States, on fees paid while on transit; and

Finally, he said that in the spirit of integration, he invited EALA Members at the second round of a competition termed “run for peace” to take place in August 2017 in which MPs from Kenya and Burundi together with other stakeholders will participate.

ii. **Ambassador of the United Republic of Tanzania**

EALA Members paid a courtesy call to the Ambassador of the United Republic of Tanzania in Burundi to give him information on the sensitisation that was being undertaken and to inform him of some challenges raised by Burundian stakeholders with regard to the regional integration. In this regard, the following were discussed:

The enhancement of the EAC Ambassadors’ Forum;

A follow-up on the challenges faced by Burundians who use the Central Corridor; and

A reduction of weighbridges on the Central Corridor to only three.

The Ambassador committed to follow-up to ensure Non-tariff barriers are removed. He also appreciated the current security

situation in Burundi and assured those who need to do business to go and invest.

**(g) Interaction with the National Women's Forum**

The National Women's Forum is a national women's platform comprising women from different backgrounds for purposes of empowerment.

EALA Members met the National Committee of the forum and the interaction focused on the gains of the integration particularly those offered by the Common market and Customs Union protocols in order to promote EAC intra-trade and good neighborliness. The following issues were raised:

- (i) Limited knowledge about regional integration and its gains;
- (ii) Limited knowledge of the laws facilitating business transactions across borders;
- (iii) The need to start interacting with other women fora from EAC Partner States to learn from each other;
- (iv) The need for the girl-child education so that they can participate in the EAC integration; and
- (v) The fact that children adoption in EAC is a serious issue that needs attention.

**(h) Interactive session with university students and lecturers**

The interaction brought together more than 600 participants including academicians, students and staff.

After a presentation by the Members, the audience made the following observations:

- (i) That they wish to see tangible gains resulting from the membership of Burundi in the EAC with regards to education opportunities and employment;
- (ii) That they needed more clarification on the harmonisation of school fees in addition to wanting to know if Burundian students were still being treated as nationals of EAC Partner States;
- (iii) They sought clarification on whether regional laws take precedence over national

laws in addition to inquiring whether the interconnectivity between Partner States will be free. There were also concerns around the monetary union, with many of them wanting to know what has been done to facilitate the youth initiative projects to enable them become competitive;

- (iv) That the EAC tourist visa should be effective to allow Burundians benefit from it as the country has much to offer;
- (v) Stakeholders appreciated Members of EALA because they did not know much about the EAC integration before the sensitisation activity took place;
- (vi) The leadership of the university requested to be given all available information/documentation on EAC to relay it to the students;
- (vii) Students asked how the Community handles disputes between EAC Partner States, how the Community fights against pollution and how creativity is protected in the region; and
- (viii) That there should be free movement of academicians through professional networks between universities in the region.

**Field Visit to Rumonge Port and Manyovu Border Post between Burundi and Tanzania**

**i. Field visit to Rumonge Port**

Rumonge port is found on Lake Tanganyika, which facilitates small traders from Burundi, Tanzania and the Democratic Republic of Congo to do business. The interaction with traders focused on how they are benefiting in the context of the Common Market Protocol. In our interaction with the small business communities found at the port, the following came out:

- (i) Burundi exports beer, forest products like timber and fruits to these Countries;
- (ii) Burundi imports salt, fish, maize, onions and beans from Tanzania;
- (iii) Traders are facilitated to cross the border; and

(iv) Traders portrayed ignorance of the regional laws while transacting their businesses.

**(i) Field visit in Mabanda/Manyovu Border Post**

EALA Members undertook a field visit to Mabanda to assess the movement of people and how they are facilitated when crossing the border to Tanzania.

Burundians travelling to Tanzania appreciated the good neighbourliness between the two countries because they only use identity cards to cross the border.

The only challenge raised was the time zone, which does not facilitate travellers from both sides.

**2.3.1**

**Specific observations**

From the interactive sessions with stakeholders, the Members of EALA observed the following:

- (i) Burundians need to open up, change their mind-set and start to travel to EAC Partner States to assess opportunities and start engaging in entrepreneurship;
- (ii) Students are very enthusiastic about being part of a big Community and want the EAC Passport to be operational as soon as possible; and
- (iii) There is need for a regular update by Ministry in charge of EAC Affairs to the Ministry of Justice, on the laws being enacted at regional level.

**Specific recommendations**

1. The East African Legislative Assembly should follow up on discrimination done against Burundian travellers when they are crossing borders because they are requested to pay in foreign currency;
2. EAC should avail to the Ministry of Justice, a compendium of all EAC Acts;
3. Burundi should adhere to the one-tourist visa;
4. EALA Chapter should regularly update the Ministry of Justice on EAC laws;
5. EAC should urge the Government of Burundi to do more sensitisation on the

regional integration process to allow citizens fully understand it and benefit from the opportunities it offers;

6. The EAC should urge the Government of Burundi to harmonize laws related to the implementation of the Common Market Protocol;
7. We urge the EAC Partner States to fully implement the Common Market Protocol;
8. Further, the committee urges the Council of Ministers to fast-track the decision of Summit to consider French as one of the official languages of the Community; and
9. We recommend that the media and schools should start teaching the EAC anthem to citizens of Burundi.

**KENYA**

The EALA sensitization activity was undertaken by a delegation, which comprised the following Members: Hon. Nancy Abisai - Leader of Delegation, Hon. AbuBakr Ogle, Hon. Abubakar Zein Abubakar, Hon. Judith Pareno, Hon. Sara T. Bonaya, Hon. Mumbi Ng'aru, Hon. Saoli Ole Nkanae, Hon. Peter M. Mathuki, Hon. Joseph O. Kiangoi, Hon. Jeremie Ngendakumana, Hon. Yves Nsabimana and Ms. Elizabeth Gitonga, the secretary to the delegation. The delegation engaged various stakeholders before coming up with observations and recommendations.

**BIDCO Africa**

Members visited and interacted with BIDCO Africa about the EAC integration and its benefits. BIDCO Africa is a multinational company manufacturing consumable goods. It is based Kenya with subsidiaries and distributorships across 16 countries central and southern Africa. It employs over 6,000 people in Kenya and approximately 10,000 within the region. During the interaction, the following issues were highlighted:

- 1) It was observed that 25 percent import duty tax is imposed by the EAC Partner States because of lack of understanding or misinterpretation of the application of the rules of origin. The EAC Rule of Origin

2015 states that only material sourced locally will be deemed as origin status. However, Partner States fail to appreciate that BIDCO Africa procures oil seeds (soya beans, sunflower and maize germ) under different tariff headings.

### Recommendations

In light of equitable fair play and the spirit of East African Community BIDCO recommends:

- (i) EAC should consider amending the Rules of Origin to include Sub-headings (the first six digits of Tariff classification), and more than 30 percent local value addition to qualify for preferential trade treatment within the EAC Partner States; and
  - (ii) There should be a proper cross verification by local revenue authorities to confirm origination and should be accepted as evidence and proof to gain a preferential trade treatment. The certificate of origin issued by a Partner State should be sufficient enough for preferential treatment.
- 2) The EAC Region operates under a Customs Union Protocol yet each country has deployed its own IT infrastructure to manage imports and exports. For example, Kenya uses the Simba system, Tanzania is operating on Tancis while Uganda and Rwanda are using the Asycuda system. These different systems lead to delays in clearing goods and turnaround time. Further, logistics are disrupted and demurrage cost incurred by the business communities.

### Recommendation

The EAC should implement a single system across the Partner States such that communication between the systems and procedures are unified and harmonized.

- 3) Weak administration due to inadequate staff to process documents.

### Recommendations

- (i) EAC Partner States should ensure their revenue authorities work as a team and are able to undertake cross verifications;

- (ii) The EAC Single Customs Territory (SCT) should automate the entire process to eliminate any delays through human discretion;
- (iii) There should be harmonization of rules and regulations among Partner States;
- (iv) Statutory licenses, fees, levies or other charges imposed by Partner States should be removed;
- (v) The EAC Partner States should be committed to ensuring cargo is released within 24 hours after presentation of documents for export;
- (vi) There should be a single window service for all documents (certificate of origin, import/export entry, release order, exit note and cargo manifest); and
- (vii) Simplify endorsement of export/import entries at the border points and ports.

### (i) Kenya Plant Health Inspectorate Services (KEPHIS)

Members of EALA visited and interacted with staff at the Kenya Plant Health Inspectorate Service (KEPHIS) where upon they highlighted the EAC integration process and its benefits to the people of EAC. KEPHIS is a Government parastatal whose responsibility is to ensure there is quality agricultural inputs and produce to prevent adverse impact on the economy, the environment and human health.

It was observed that KEPHIS plays the following roles: it prevents the introduction of harmful foreign pests and diseases from affecting plants; it grades and inspects agricultural products to ensure they conform to the laws; it does seed certification and sensitisation of farmers to ensure they get more produce from seeds; it offers advisory services; imported plants are quarantined and risk assessment is carried out; and it does surveillance for plant diseases.

It was also observed on the other hand that KEPHIS faces the following challenges:

- (i) The insufficient number of staff at border and entry points;

- (ii) The lack of a method to relay information on confiscated items;
- (iii) Non-regulated informal trade/traders;
- (iv) Non designated entry points;
- (v) Different country border regulations on operations;
- (vi) Differences in the level of enforcement and application of the EAC Sanitary and Phyto-Sanitary measures;
- (vii) Insufficient budgetary allocation;
- (viii) Insecurity; and
- (ix) Insufficient staff/inspectors.

**(j) Kenya Bureau of Standards (KEBS)**

Members held an interactive session with KEBS where they were informed that it started its operations on 12th July 1975, and is mandated to ensure the standardization of services, conformity assessment services, metrology and training and education. Members were further informed that standards are used to facilitate trade, protect consumers from harmful and poor quality goods and to protect the environment.

During the interactions, Members noted that KEBS faces various challenges as follows:

- (i) Inadequate in-house testing capacity and capability;
- (ii) Non application of the East African Standards (EAS) where they exist by other Partner States thus denying Kenyan goods certified against East African Standards (EAS) market access;
- (iii) Lack of Harmonized East African Standards (EAS) for some products e.g. motor vehicles (mainly imports);
- (iv) Slow pace of the harmonization and regular review of the EAS;
- (v) Some Partner States introducing additional requirements for example TFDA sometimes not recognizing the quality mark;
- (vi) Surveillance testing of products in the market and sharing the outcome;
- (vii) System integration for clearing goods at the borders;

- (viii) The lack of a common platform for sharing certification data; and
- (ix) The slow pace of harmonization of Standards within the EAC.

The EAC Standards Management Committee (SMC), under support from TMEA, has developed a draft revised procedure for harmonization and this will be presented for approval by the East African Standards Committee within the first quarter of 2016/17.

Section 24(2) of the EAC SQMT ACT requires that Partner States shall recognise quality marks issued by partner states as equal to their own. The requirement in Section 24(2) is meant to facilitate free movement of goods and envisages no retesting of certified products except for post market surveillance purposes.

Members were informed that the United Republic of Tanzania is subjecting certified products from the community to pre-marketing surveillance contrary to the provisions of Section 24(2) of the EAC SQMT ACT. This action has been admitted as an NTB and listed in the EAC time-bound program for NTBs.

The EAC Sectoral Council on Trade, Industry, Finance and Investment (SCTIFI) Meeting of May 2016 directed United Republic of Tanzania (URT) to consult on the requirements by Tanzania Food and Drug Authority (TFDA) requiring companies exporting to URT to register, re-label and re-test certified products from EAC partner states and report in the next meeting of SCTIFI in November 2016.

The SCTIFI also directed EAC Partner States to initiate a bilateral resolution mechanism; the KEBS has in this regard requested for meeting with TFDA in July 2017.

It further emerged that funding of harmonisation meetings is still a challenge

to the Partner States. However, it was recommended as follows:

- (i) EALA uses its global networks to attract development partners to fund standards harmonisation activities; and
- (ii) The East African Standards Committee (EASC) has urged EAC Partner States to have a budget line for harmonisation activities.

**(k) KENYA CIVIL AVIATION AUTHORITY**

Members carried out a sensitisation session with the Kenya Civil Aviation Authority on the EAC integration and benefits. During the interaction Members were briefed about:

- (i) The mandate of the Kenya Civil Aviation Authority as to promote development of a safe, secure and sustainable aviation industry in the country and region as a whole; and
- (ii) Compliance Audits, where Partner States audited for safety and aviation security by ICAO for compliance, and how the Audits establish the effectiveness of the regulatory oversight provided by KCAA.

On the other hand, Members were informed about the challenges that are faced by KCAA as follows:

- (i) High cost of attracting and retaining qualified flight safety inspectors;
- (ii) Restrictive employment conditions based on Public Service pay structure;
- (iii) High cost of training safety inspectors;
- (iv) Incompatible land uses around aerodromes; and
- (v) Common framework for air transport liberalisation within the EAC.

**(l) CAPITAL MARKETS AUTHORITY**

Members engaged with Kenya Capital Markets Authority where they highlighted the EAC pillars of integration, achievements made so far, benefits of the integration as well as challenges involved together with future expectations.

On the other hand, Members were also briefed on the mandate of the capital

markets in the EAC integration process as follows:

1. It was noted that the Customs Union needs to improve the competitiveness of the industrial sector so as to enhance the expansion of trade in industrial goods within the Community, through increased financing options within the capital markets in order to foster the overall socio-economic development in the Partner States;
2. It was further suggested that the Common Market Protocol facilitates cross border trading systems and the harmonisation of regulatory requirements to increase regional liquidity;
3. It was observed that the Monetary Union should ensure there is a single currency to facilitate retail and institutional movement and trading of securities at reduced cost;
4. That the Political Federation, through collaborative capital markets, should enhance its efforts on the economies of scale and scope in order to realise increased synergies at all levels.

**Highlights of EAC Treaty on Capital Markets**

It was pointed out that Article 80 of the Treaty provides for:

- (i) The harmonisation of capital market policies;
- (ii) The harmonisation of regional legal frameworks;
- (iii) Co-operation of free exchanges;
- (iv) The promotion of cross-border listings, trading; and
- (v) The development of a regional rating system.

Article 85 as well provides for the implementation of capital market development programmes and the creation of a conducive environment for the movement of capital within the Community. While Article 86 provides for the development, harmonisation and integration of financial systems.



It was further observed that, in terms of market capitalisation in East Africa for the second quarter, Kenya has the highest market capitalisation with USD 20.43 billion. It is followed by Tanzania with a market capitalisation of USD 9.98 billion. Finally, Uganda comes in third with a market capitalization of USD 7.05 billion. Rwanda's end period market capitalization is at USD 3.62 billion as at June 2016.

### **Expected Benefits of Capital Markets Integration in the EAC**

Members were also informed about the expected benefits of the Capital Markets Integration as including the following:

- (i) Lower prices for all financial services;
- (ii) More efficient, more liquid and broader securities markets;
- (iii) Innovative Financial Products and Services;
- (iv) An industrial transformation of all sectors of the capital markets industry;
- (v) Cheaper financing for companies, given lower transaction costs;
- (vi) More efficient allocation of Capital;
- (vii) Higher returns on investments given the lower transaction costs; and
- (viii) Enhanced risk-return frontiers for investors who previously faced restricted opportunities, but who can diversify their investments to a greater extent.

### **2.4.3 RWANDA**

The sensitisation activity in Rwanda was carried out by the delegation, which comprised of the following members: Hon. Patricia Hajabakiga - Leader of Delegation, Hon. Christophe Bazivamo, Hon. Dr James Ndahiro, Hon. Xavier Francois Kalinda, Hon. Dr Odette Nyiramilimo, Hon. Pierre Celestin Rwigema, Hon. Martin Ngoga, Hon. Straton Ndikuryayo, Hon. Valerie Nyirahabineza and Mr Enock Musiime, the secretary to the delegation.

In a bid to successfully undertake the sensitisation, the delegation performed various activities in addition to engaging various stakeholders from where

observations and recommendations emerged.

#### **(a) Press Release**

The EALA Rwandan Delegation released a press statement on 10 June 2016 at the Ministry of East African Affairs in Kigali. The statement notified the press of its presence in Rwanda for the resumption of its outreach and sensitisation programme about the EAC integration. Arising out of the press conference, the following issues were observed:

- (i) Limited awareness about the opportunities provided by the EAC integration by most of the Rwandan private sector; that Rwandans are not aggressive in tapping integration opportunities in other Partner States;
- (ii) The role of EALA and East African Community in general, in addressing the political instability in Burundi;
- (iii) Members of the press highlighted on the fact that EAC integration should minimize imports since it has great potential for producing imported goods locally;
- (iv) Strategies at a regional level to combat corruption tendencies in the Community; and
- (v) Members of the press profoundly appreciated the EALA Members for the support and solidarity shown towards the commemoration activities of the 1994 genocide against the Tutsi.

#### **(b) Interaction with the National Council of the Persons with Disabilities**

EALA Members held meeting with the National Council of Persons with Disabilities (NCPD). In attendance was Honourable Minister of State for Local Government, Members of Parliament representing the PWDs in the Chamber of Deputies, the Secretary General of the National Council of Persons with Disabilities and all representatives from district to cell levels, in charge of disability desks.

At the meeting, EALA highlighted the four pillars of EAC integration process notably, Customs Union, Common Market,

Monetary Union and ultimately Political Federation.

Members further informed the meeting that the Assembly passed the East African Community Persons with Disability Bill, 2015 in May 2016 and it is still undergoing accent process by the Heads of State. It was noted that the regional law has taken into account all the principles of natural justice, non-discrimination, human rights, education, gender, equity, children and equality with regard to PWDs in the EAC.

**(d) Private Sector Federation**

During the interactions between EALA and the Members of the private sector notably transporters, tourism operators, hoteliers and staff of the Private Sector federation of Rwanda, the following observations were made:

- (i) It was noted that Rwanda banned plastic materials while other EAC Partner States are still using them despite their disastrous impact on the environment;
- (ii) That non-tariff barriers, in terms of roadblocks and weigh bridges, are still rampant on the northern corridor and that for example, there are 4 weighbridges between Busia to Katuna alone. Moreover, corruption cases on these weighbridges are common as well. This causes the route to be expensive as it has led to most of the petroleum traders to shift their source from Eldoret to Dar es Salaam;
- (iii) It was mentioned and noted that the central corridor has reduced the weighbridges to only 3 from Dar es Salaam to Rusumo. This has reduced the cost of doing business along the this route;
- (iv) It was also mentioned that Rwandan clearing agents who are based in Dar es Salaam cannot access their containers in the port as well as Tanzanian System (Tancis), while Tanzania clearing agents can access Rwandan system (Asycuda World);
- (v) Work and resident permits are still charged at a cost of \$3,150 per 2 years in Tanzania;
- (vi) It was also mentioned that tourist vehicles are required to pay \$150 USD in Tanzania,

which is a challenge to tourist operators; and

- (vii) Tourist operators applauded on the fact that the EAC single tourist visa is working well in the East Africa.

**(e) Rwanda Association of Local Government Authorities (RALGA)**

When EALA Members interacted with representatives of the Rwanda Association of Local Government Authorities, the following observations were made:

- (i) RALGA raised a concern that the political situation in Burundi may affect the EAC integration if it is not addressed as soon as possible;
- (ii) Local Government representatives also raised an issue that there are cases where Rwandan citizens get harassed in some of EAC Partner States yet EAC Common Market protocol is operational;
- (iii) It was observed that there is need to harmonise health insurance systems at a regional level, to allow people crossing borders to access medical services in Partner States;
- (iv) It was further observed that about 70 percent of EAC budget is externally funded, which is not sustainable;
- (v) It was observed and mentioned that the local people have limited awareness on most of the EAC initiatives and operations; and
- (vi) It was underscored that trafficking in persons is on a rise and has become a major threat to the EAC region.

**(f) Interaction with the National Youth Councils**

During the interactions with the National Youth Councils; the following observations were made:

- (i) It was observed that EAC Member states have different cultures, economic levels and laws and therefore, their harmonisation and compatibility may be a challenge;
- (ii) It was noted that some youth abuse the principles of free of movement of labour,

whereby they cross borders within the EAC partner states to do indecent jobs that put their lives to risk;

- (iii) It was also alleged that Uganda Christian University charges more fees to non-Ugandans compared to nationals yet there should be uniformity in tuition fees;
- (iv) Corruption tendencies in some EAC Partner States are still rampant;
- (v) The youth at the meeting decried of limited awareness among the Rwandans on taxation policy and tax exemptions in East Africa;
- (vi) That there is need to organize and conduct youth study tours in Partner States for them to learn and do experience sharing;
- (vii) Cross-border crime prevention mechanisms at the EAC level regarding handling of criminals who commit crimes in their Partner States and go to hide in others should be put in place; and
- (viii) That there is a need to develop and implement the EAC youth policy, which could advance youth initiatives and opportunities in East Africa.

**(g) Women Councils, Cooperative Societies and Civil Society**

When EALA delegation interacted with women councils and the civil society representatives, the following observations and recommendations were made:

- (i) Stakeholders expressed concern to preserve specific national cultures despite the regional integration;
- (ii) The meeting observed a need to train small scale traders on the differences between tariffs and taxes to effectively and efficiently facilitate their business transactions;
- (iii) The meeting observed a need for the Ministry responsible for EAC Affairs to distribute sensitisation materials such as

flags, booklets and magazines about East Africa levels local authorities;

- (iv) It was observed that gender-based violence crimes are on the increase in the region and that therefore, there is a need to develop regional laws that protect victims from such crimes;
- (v) Women representatives requested for facilitation to have study tours to learn best practices in other EAC Partner States;
- (vi) The women representatives also asked if the EAC Secretariat would support them in order to engage in regional women forums;
- (vii) Women doing cross-border trade requested for advocacy to reduce taxes on the goods because high taxes drive them out of business;
- (viii) Women representatives noted that they have limited access to loans from banks due to lack of collaterals to expand their business;
- (ix) Most Rwandans with French background experience language barriers while transacting business with people in Uganda, Kenya and Tanzania;
- (x) There is need for women to be funded to attend study tours in Partner States in order for them to learn from other businesswomen. This will provide Rwandan women with ideas to help them establish and develop projects;
- (xi) There should be a way to identify money changers at borders to avoid counterfeit money and other insecurity problems;
- (xii) EALA members requested the Ministry for EAC Affairs to provide sensitisation materials to the women council representatives;
- (xiii) It was recommended that the National Women Council should be represented during the regional women forums;
- (xiv) Efforts should be expedited to establish the women council at the regional level;
- (xv) Women were advised to put more efforts in learning English and Swahili through their associations to ease communication with people in partner states; and

- (xvi) It was observed that there is need for women capacity building for them to take advantage of regional opportunities available for them.

#### (h) Border Communities

EALA Members held interactions with people at borders to sensitise them about EAC integration and the following observations were made:

#### (1) Cyanika One Stop Border Post (OSBP)

Cyanika is a border between Rwanda and Uganda. In the meeting at this border, the following issues transpired:

- (i) Traders at the borders pointed out that working hours are limited at Cyanika OSBP and requested that working hours be extended;
- (ii) It was observed that some people crossing the border are not aware that Yellow Fever cards are a requirement to enter into EAC Partner States;
- (iii) That due to the porous nature of Cyanika Border post, the border community use illegal points for entry and exit instead of using one official and gazetted point of entry and exit;
- (iv) Residents of Cyanika also informed EALA Members that driving licenses obtained from Uganda are rejected by the Rwanda Police. However, the Rwandan Police authorities clarified that some of those driving permits are fraudulently secured and have to be put to scrutiny by Rwanda traffic police to avoid fake permits;
- (v) Cyanika border community requested for the harmonisation of health insurance policies to enable them use their health insurance in other EAC Partner States;
- (vi) Women in cross-border trade requested to be facilitated to cross the border with their children without any hindrance. However, the police responded that it would facilitate child trafficking, which is already a challenge;
- (vii) All people crossing to other Partner States should the legal and gazetted borders for immigration purposes.

#### Specific recommendations

Border management should engage bilaterally through cross-border meetings to address payment cases for simplified certificates of origin, which are free of charge;

Small scale traders should be involved in the integration process especially the provision of information on what they can trade in and how;

Swahili language should be taught from primary to higher learning institutions and there should be the creation of Swahili clubs down from the village levels for easy communication in the region;

Responsible organs such as Revenue Authority should engage small scale traders to sensitize them on duties, taxes and tariffs charged and how applicable they are.

#### Ruhwa One Stop Border Post

The following are the observations and recommendations made from the discussions held between EALA Members and the border community at Ruhwa:

- (i) The border officials informed EALA Members that Ruhwa OSBP project was funded by African Development Bank;
- (ii) It was mentioned and observed that Burundian conflict has caused disastrous impact on the economic activities and movement of people and goods through that border;
- (iii) Rwanda officials raised an issue that sometimes they are being disturbed by the abrupt visits of Burundi armed personnel at the border, which they said creates fear among the travellers and limits free movement of people;
- (iv) Border managers informed Members that unlike on other borders, Ruhwa lacks a Joint committee, which is responsible for the day-to-day running of the border. Therefore, the absence of a joint committee is affecting negatively the operations of Ruhwa OSBP;
- (v) Members were further informed that all invoices for used water and power are not yet paid due to nonexistence of a joint committee responsible for budget

allocations to cater for maintenance among others;

- (vi) Border managers also highlighted on the issue of insufficient water and power supply at the border. It was revealed that when the power goes off, the clearing activities are suspended until the power is back;
- (vii) The EALA Members observed and noted that a number of facilities are not provided at the border such as banks, forex bureaus and health facilities to mention but a few;
- (viii) It was also observed at Ruhwa Border Post, yellow fever cards are not a requirement. However, EALA members informed the border officials that having a yellow fever card was previously considered as an NTB in the EAC, but nowadays it is a mandatory requirement as it was recommended by World Health Organisation;
- (ix) It was observed that Ruhwa OSBP operates from 6:00am to 6:00pm, and Border managers of both sides raised the concern that working hours should be extended;
- (x) EALA Members were informed that cross-border traders have limited awareness about the EAC Integration. For example, most of cross-border traders operate under EAC Simplified Trade Regime without information about the regime;
- (xi) EALA Members noted with concern the absence of some institutions that are required to operate a border. These include ministries responsible for Agriculture, health, bureaus of standards. This creates a vacuum in handling of some responsibilities at the border.

### Specific Recommendations

- (i) The EALA Members noted that there is a need to put in place a joint committee to handle all issues related to the implementation of OSBP;
- (ii) There is need for all Partner States to encourage people crossing the EAC borders to have yellow fever cards as it is a mandatory requirement by World Health Organisation;

- (iii) Facilities such as banks, health centres and forex bureaus should be established at Ruhwa OSBP;
- (iv) Working hours at the border post should be extended from 6:00pm to at least 8:00pm.

### Kagitumba One Stop Border Post (OSBP)

While touring the border and meeting the border communities of Kagitumba, the following observations were made:

- (i) Members were informed that the border operates 14 hours only;
- (ii) It was observed that the OSBP does not have facilities for toxic goods and quarantine area for imported animals;
- (iii) The border is operating as fully fledged OSBP, using Immigration and Customs officers of the two countries on both sides of the border;
- (iv) The EAC OSBP Act is not yet implemented, however the border operates on a bilateral agreement signed between Rwanda and Uganda;
- (v) It was further observed that the people at the border are not aware of the existence of the EAC OSBP law;
- (vi) Transporters expressed the need to introduce weighbridges in Rwanda to reduce road damages caused by overloaded vehicles;
- (vii) The border community expressed need for a physical market near Kagitumba to facilitate cross border trade between Uganda and Rwanda;
- (viii) The border officials wished to see an information desk established at the border to provide EAC related information and educate the border community about the rights and opportunities provided by EAC to its citizens;
- (ix) Stakeholders informed Members with concern that a charge of 60,000 UGX is levied on the simplified certificates of origin in Uganda, yet these certificates should be cost free.

### Specific recommendations

The following was agreed upon as way forward/ recommendations:

- (i) Policy framework should be put in place to facilitate establishment and construction of physical markets on the border posts in EAC;
- (ii) It was recommended that information desks about East African Community should be established at the border posts for purposes of awareness and information dissemination;
- (iii) All complaints about corruption tendencies including the arbitrary and illegal fees charged at the borders should be reported to National Monitoring Committees on NTBs for further reporting to the regional NTBs monitoring team.

**(i) Participation in the Commemoration activities of 1994 genocide against Tutsi**

EALA Members delivered cows that they had previously offered to the elderly widowed genocide survivors in Rwamagana, Eastern Province of Rwanda. The people of Rwanda profoundly appreciated EALA's solidarity with them in the difficult moments and requested that the solidarity should continue in the times to come.

**UNITED REPUBLIC TANZANIA**

In the United Republic of Tanzania the activity was conducted in Dodoma, Morogoro and Zanzibar from 9<sup>th</sup> to 28<sup>th</sup> June, 2016. The delegation comprised the following Members: Hon. Charles Makongoro Nyerere - Leader of Delegation, Hon. Twaha Taslima, Hon. Nderakindo Kessy, Hon. Abdullah Mwinyi, Hon. Adam Kimbisa, Hon. Shyrose Bhanji, Hon. Maryam Ussi Yahya, Hon. Bernard Murunya, Hon. Angela Kizigha, and Mr Charles N. Kadonya Secretary to the

**(a) Methodology**

In carrying out the outreach and sensitization activity, the EALA delegation employed various methods and different stakeholders as indicated below:

- (i) Planning meetings were conducted in Dodoma;

- (ii) The delegation circulated letters to the targeted organs, institutions and corporations;
- (iii) The delegation shared a uniform presentations that were used during the outreach and sensitisation programme;
- (iv) Delegation also conducted press conferences;
- (v) We held sensitisation workshop with all Members of Parliament of the United Republic of Tanzania;
- (vi) Delegation paid courtesy call to H.E. Samia Hassan Suluhu, the Vice President of the United Republic of Tanzania at State House in Morogoro;
- (vii) We also held sensitisation workshop with the Speaker and Deputy Speaker as well as selected few Members of the House of Representatives of Zanzibar;
- (viii) The delegation conducted outreach and sensitisation workshops in four higher learning institutions: the College of Business Education (CBE), Dodoma University, Sokoine University of Agriculture, Mzumbe University and State University of Zanzibar;
- (ix) We visited association of grapes growers in Chamwino in the outskirts of Dodoma;
- (x) Delegation also visited two major Media Houses located in Zanzibar for sensitization purposes;
- (xi) The delegation participated in several live and recorded radio and TV programs;
- (xii) The team visited Majengo Market in Dodoma Municipality; and
- (xiii) Responded to questions and issues raised by the public through question and answer sessions, social media, emails and phone calls.

**Observations**

During the interaction with stakeholders, the following critical issues and concerns were raised:

**1. Small and Medium Scale Traders**

- (i) It was observed that there is the apparent lack of information on the Program for Elimination of Internal Tariffs (EIT) including the categorization of taxable and

non-taxable goods. The applicable rates for dutiable goods are not generally known by the small and medium scale traders in Dodoma and Morogoro, who felt that they are at the mercy of customs and municipal councils' officials;

- (ii) Traders expressed concern that without harmonization of some taxes, the EAC Customs Union cannot operate smoothly. It was pointed out that EAC Partner States still have different domestic tax rates and structures especially excise duty and Value Added Tax VAT.

These differences have resulted into market distortions leading to such problems like smuggling and other industry malpractices that have witnessed a rise in some "artificial" exports. The most affected commodities are second-hand clothes, cigarettes, and spirits, and petroleum products;

- (iii) The traders visited expressed a general fear that their businesses are likely to collapse due to stiff competition particularly from the stronger and more aggressive Kenyan and Rwanda counterparts.

As a result, there was a general recommendation that the process needs to be slowed down or at least the principle of asymmetry should be built to ensure small and weak traders do not unduly lose out to the big and strong;

- (iv) A challenge posed by lack of a harmonized form of national identification especially in view of free movement of persons and other transactions. This hinders transactions and may cause security and other challenges. An example given was that Kenya, Uganda and Rwanda use national Identification cards yet Tanzania is not part of the equation.

## 2. Academia

- (i) There was also the fear about loss of employment opportunities due to differences in terms of competitiveness of the labour force. Stakeholders expressed concern that free movement of labour might result into an influx of qualified Kenyans and Ugandans as well as Rwandans and

Burundians, and that given their multi-lingual advantage and thus out competing Tanzanians in the labour market. There may be need for affirmative action or phased opening-up to allay some of these fears. The competition, the anti-monopoly and mergers and acquisitions acts should be useful in this regard;

- (ii) Though land is neither a Treaty matter nor among the fourteen areas of cooperation, stakeholders raised concerns about differences in the land tenure systems in the Partner States and loss of land due to free movement and right of establishment within the EAC. The fear of loss of land arose out of the fact that weak land management systems in some EAC Partner States continue to disadvantage some sections of the population. Similarly, increased competition and unfair accessibility poses a human security issue for those whose livelihood depends on land yet they do not have security of tenure;

- (iii) Article 7(1) (a) of the Treaty provides that the EAC will be people-centred. In the same breath it also provides that the EAC will be market driven. We are of the opinion that this conception is structurally contradictory. Markets are not normally people-centred. Hence, their pursuits will rarely deliver on popular expectations. It can already be discerned that from the two stages of integration so far undertaken, free market forces have not only been in the forefront but also been the primary beneficiaries of integration. The people are neither adequately informed nor playing any active role; obviously they are not at the centre. As a result, the ultimate purpose of political federation, which is development, is not being pursued in a manner that leads to tangible development outcomes for the people of East Africa - no roads, no schools, no hospitals, and no water supplies;

## 3. Tanzania National Parliament and House of Representatives-Zanzibar

- (i) Members of Parliament raised concerns about differences in the land tenure systems of Partner States and loss of land due to free movement and right of establishment within the EAC Partner States. The fear of loss of land arose from the weak land management systems which continue to disadvantage some sections of the population;
- (ii) Regarding political federation, the primary concerns raised by stakeholders are about militarization of politics, peaceful political transition, and election violence among others.

It was apparent that the majority of stakeholders that the delegation interacted with from parliamentarians, government officials, students, academicians, and the media to small-scale and medium business, people lacked sufficient knowledge on the operations of the EAC integration pillars and agenda. Among their main concern was the non-removal of tariff barriers and non-tariffs at customs borders contrary to what they thought since the Customs Union and Common Market were meant to eliminate these.

There was a general outcry that Kiswahili should be promoted to an official language of the Community.

### **Specific recommendations**

- (i) While it can be argued that great realizations have been completed in a number of areas, there is a lack of popular ownership of the process of the EAC integration and its pillars (Customs Union, Common Market, Monetary Union and Political Federation) across the region. Ownership through the involvement of the ordinary citizens is fundamental for political integration. There is need for strategies, measures and mechanisms that transform the EAC into a Community of citizens with common values and identity, in a manner that inculcates the East African spirit;
- (ii) The overriding complaints about lack of information about the EAC integration should inform the type of communication

strategy to be adopted and the nature of information to be disseminated. Outreach programmes need to be recognized as part and parcel of the overall plan in transiting towards the EAC political federation. EALA MPs as the representatives of the people of East Africa, should take a centre stage in this process;

- (iii) Economic related fears and concerns raised by stakeholders mainly arise out of the inadequate implementation of the Customs Union and the Common Market protocols. This has affected the realisation of the benefits of the integration. Realising benefits will necessitate strong regional institutions to implement fully the Customs Union and the Common Market protocols as foundations for a stable and sustainable monetary and fiscal integration;
- (iv) Stakeholders in Tanzania are concerned about the loss of employment opportunities through increased labour mobility and competition. Deliberate programmes should be developed to tap the benefits of labour mobility, for instance through exchange programmes of language teachers across the region. In addition, the region should also focus on building productivity and competitiveness of the human resource;
- (v) The people of East Africa should be sensitised to appreciate that EAC political federation involves yielding some sovereignty and that benefits should be highlighted and disseminated. In addition, the EAC should fully implement the stages of the integration preceding the political federation to realise tangible benefits in order to build confidence in the federation.

### **REPUBLIC OF UGANDA**

The EALA delegation that undertook sensitization in Uganda comprised of the following Members: Hon. Nusura Tiperu - Leader of Delegation, Hon. Opoka Chris, Hon. Dora Byamukama, Hon. Mike Sebalu, Hon. Bernard Mulengani, Hon. Margaret Zziwa, Hon. Fred Mukasa Mbidde, Hon. Frederic Ngezebuhoro, Hon.



Dr Martin Nduwimana and Mr Manzi Victor, the secretary to the delegation.

In carrying out this activity, Members engaged various stakeholders before making a number of observations and recommendations:

**(a) Meeting with the Speaker**

- (i) The Committee held a meeting with the Rt. Hon Speaker of the Parliament of Uganda, Rt Hon. Rebecca Kadaga who pledged Parliament's continued commitment to consolidating and further strengthening its working relations with EALA in a bid to promote the EAC Integration agenda;
- (ii) The Speaker observed that the East African Community Anthem was not being played by some Partner states at public functions yet this a Council directive to have it played as a medium of popularizing the integration. She said this was against the spirit of uniting the people of East Africa;
- (iii) She further observed that there is a need for improvement and coordination in the mode of transmission of Council decisions into Government departments and ministries to make their implementation effective; and
- (iv) She expressed the need to urgently explore modalities of institutionalizing directly and actively engaging National Assemblies in the EAC legislative process, as enshrined under Article 65 of the Treaty establishing the East African Community.

**(b) Meeting with H.E the Vice President of the Republic of Uganda**

- (i) The Committee interacted with H.E the Vice President of the Republic of Uganda, Hon. Edward Ssekandi. During the meeting, he urged the EAC Partner States to institutionalize the process of regular feedback and briefing to Government institutions and other Stakeholders on the integration process. He informed the meeting that he was going to instruct his staff to put the meetings with EALA on the Vice Presidents calendar. He also re-echoed the unwavering support and commitment of the Government and people of Uganda to the EAC Integration;

(ii) He urged Member States and EALA in general to enhance sensitisation that will strengthen synergies and efforts to ensure that the East African citizenry is aware of the East African Community integration agenda;

(iii) He urged members that in order to promote and enhance an East African culture, Partner States should promote both vertical and horizontal integration strategies such as the promotion of joint military exercises in their armed forces and popularisation of the East African anthem in academic institutions, public gatherings and at Government-held functions;

(iv) He urged Members to enact necessary legislations that are geared towards promoting development across the communities of East Africa and to remove the existing barriers that are hindering trade and investment in the region such as non-tariff barriers.

**Meeting with the First Deputy Prime Minister and Minister for EAC Affairs, Republic Of Uganda**

The Committee interacted with the Rt Hon. First Deputy Prime Minister. In that meeting, he commended the Members and administration of the East African Legislative Assembly on undertaking the sensitisation drive since majority of the population of East Africa was ignorant about East African Community matters. During the discussion, the following issues were raised:

(i) It was noted that the Ministry, in its current form has one director and four departments adding that this structure is weak, lean and cannot allow the Ministry to effectively play its coordination role. He also said that such a structure does not match with the structures of other Partner States, which are more robust in terms of size and staffing;

(ii) It was noted that the total budget allocation to the Ministry of East African Community Affairs (MEACA) for the financial year 2015/16 was only UGX 24.410 billion out of which UGX 0.750 billion was for

recurrent wages, UGX 23.081 billion for(ii) non-recurrent wages, UGX 0.538 billion for Government of Uganda development and UGX 0.040 billion for arrears. This size of allocation, he said, had ensured that the Ministry continues accumulating arrears which in turn affect its efforts to make remittances to the East African Community and in carrying out sensitisation and mobilisation;

(iii)It was noted that sensitisation programs help create public awareness and enhance public participation in EAC regional processes. EAC integration being a key driver of economic prosperity for Uganda, as envisioned in the NDP and Vision 2040, there is need for the citizens to be aware of the opportunities EAC integration provides so that they are able to participate and take advantage of them. However the(iii) Committee was informed of a funding gap amounting to UGX 500 million required for this purpose in the 2015/16 financial year;

(iv)Failure to implement Council decisions and recommendations let alone their reflection in the Ministerial Policy Statements and MTEF reports. The EALA delegation was(iv) informed that this has contributed to lack of fulfilment of commitments towards the East African integration efforts.

**(d) Meetings with ministries of trade, finance, justice and constitutional affairs**

EALA delegation held meetings with the(v) ministries of Trade, Finance, Justice and Constitutional Affairs and the following transpired:

(i) It was noted that most of the East African Community Partner States also belong to other regional blocks like COMESA and SADC. Belonging to multiple regional(vi) arrangements impacts on the resources of Partner States and reduces their total commitment towards EAC affairs. Multiplicity of membership raises the problem of coordination and commitment for an individual Country in terms of adequacy and efficiency of human and(vii) financial resources;

It was further noted that in 2015, the East African Community Council of Ministers adopted the East African Community Competition (Amendment) Bill which provided for the establishment of the East African Community (EAC) Competition Authority (EACCA). The competition authority has jurisdiction over all five member states of the EAC; the mandate of the authority is to regulate company activities across borders, while the EAC Competition Authority will have jurisdiction over all mergers and enforcement matters with cross-border competition effects. However, questions were raised on when it's going to be put in place and whether Uganda is ready to participate in this initiative;

There is need for the Judicial Affairs Committee to review the Treaty to make the Community a more effective organisation in the face of new challenges and new expectations that have emerged and the expanding mandate of the regional organisation;

Initiate continuous robust sensitisation programmes especially in rural areas so as to interface with communities in order to harmonise issues pertaining to the community and be able to plan for strategic interests;

According to Uganda Revenue Authority, while in 2015 the EAC developed and approved new Rules of Origin, no Partner State is currently using the New Rules of Origin. Instead the Old Certificates of Origin continue to be used;

There is need to promote Ugandan products like sugar that are being produced in excess and to review the sensitive list of products to include products that were originally excluded. The time frame in which the sensitive list is going to be reduced is also unclear;

The differences in legal and regulatory frameworks within the Partner States still pose technical barriers to trade despite

- existing mechanisms for harmonised standards to remove such barriers;
- (viii) The stakeholders noted that the EAC Common Market Protocol is weak and requires urgent revision and amendment;
- (ix) There is need for the harmonisation and review of the compilation regional statistics data;
- (x) There is need to develop alternative allocation of funding mechanisms to fund the East African Community and to channel development financing to projects through the East African Development Bank for sustainability purposes;
- (xi) There is need to develop a structured format to capture Council decisions so that they are reflected in the Ministerial Policy statements and the budgets; and
- (xii) The Assembly should spearhead the campaign on the political federation of East African Community with specific time lines.
- (e) Traders, transporters association, clearing industry association agents and shippers association**
- The EALA delegation interacted with representatives of the above mentioned organisations and during the meetings the following issues were raised:
- (i) Transporters complained about the troubles they go through at all fixed weighbridges at the following locations: Mariakani, Gilgil, Athi River near Nairobi, and Webuye including two mobile ones after Nakuru and Eldoret, which according to the weighbridge officials, are occasionally placed there for official reasons that they do not disclose;
- (ii) It was pointed out that Uganda weighbridges are not well calibrated as they penalize transit trucks for overloading, yet the trucks come from port of Mombasa sealed under the Cargo Tracking System. When the drivers ask for the trucks to be re-weighed, they are told that the system will recognize the truck after 12 hours;
- (iii) Further the traders reported that Kenya charges a fine equivalent to Ks 30,000 for trucks that are imported and driven along the Kenya highways without mud flaps. The German Trucks that are imported through Kenya destined to Uganda are manufactured without mud flaps and such charge is seen as an unfair treatment that leads to increased costs and delays. It was also observed that the transport cost is the highest within East African;
- (iv) The traders also report about the lack of coordination among the numerous institutions and bodies involved in testing goods. This, according to them, affects the clearing process for goods. And this is further complicated by the delays at the border by the customs officials who are few and cannot handle the larger volumes of goods crossing the border points whereby it takes 2 to 3 days to clear a container. They requested that staff operating the one-stop boarder points to be beefed up to ease the clearing process for cargo;
- (v) The lack of recognition of the COMESA insurance by the Ugandan insurance companies was another issue of concern. Although a transporter must have COMESA insurance in order to travel within East Africa, in case one gets an accident, the Uganda insurance companies do not recognize it. There is need to develop the East African Community Insurance Regulatory Authority to regulate the insurance sector in the Community;
- (vi) The instant implementation of new regulations before they are not communicated appropriately and timely among the key stakeholders was another concern. Besides the stakeholders are never consulted for their input;
- (vii) There also the issue of the lack of a harmonised policy on the charges on the user fees in the different Partner States. This is exemplified by double payments for a certificate of goods in transit since traders are forced to pay a double fee of \$ 400, which increases the cost of doing business;
- (viii) It was noted that a number of OSBPs have been completed and handed

over by TMEA to the Government of Uganda, the latest of these being the one at Mutukula Border Post that was handed over in February 2016, but not all Government institutions mandated to work from there operate for the same number of hours;

- (ix) Ugandan authorities require trucks to do a double payment for a certificate of transit goods: it means instead of paying \$200, transporters have to pay \$400, for the truck and trailer separately;
- (x) Uganda charges a road user fee of Shs 150,000 (5,000 per day) for interstate buses even though these buses don't travel every day to Uganda. The fee should be applied daily and not a flat fee imposed every month;
- (xi) Lack of a harmonised policy and guidelines on the usage and importation of plastics in the East African Partner States was also brought up. For instance, Kenya allows plastics with 10 micros while Uganda allows those with 30 micros. Rwanda has a complete ban on plastics;
- (xii) Lack of harmonised travel documents across the different Partner States of East Africa also came up. It was noted that different countries require usage of different travel documents, which brings about confusion among the different travellers;
- (xiii) Stakeholders urged EALA to enact a Consumer Protection Act to protect customers within East Africa against the infiltration of fake goods into the Community jurisdiction and to avoid the dumping of hazardous materials here;
- (xiv) Returning vehicles/trucks are not allowed to carry cargo yet they could use the return to mitigate costs;
- (xv) Coffee representatives complained about coffee stolen along the way to Mombasa as it reaches Mombasa when it's no longer in its original quantities.

**(f) Parliament of Uganda**

The Committee interacted and addressed the Members of the Parliament of Uganda who were undergoing induction

programme by the management of Parliament and during the discussion the following issues emerged:

- (i) Whether EALA has enforcement and implementation mechanisms to enforce some of the recommendations contained in the Protocols, laws, regulations which have been signed but not being respected by some partner states;
- (ii) Development, promotion and usage of Kiswahili as an East African Community Language was also brought up. It was observed that in order to have a unified East Africa, it is necessary that Kiswahili is developed as a communicating/unifying language among the East Africans;
- (iii) It was further observed that there is a need to fast-track political federation for East Africa.

**The Media**

- (i) In our interaction, the media inquired about the role of the EAC in general and EALA in particular, in resolving the Burundi political crisis;
- (ii) They expressed concern about the inadequate dissemination of information about the EAC integration process. They noted the need for the active engagement of all stakeholders at all stages of the integration if the gains were to be sustained;
- (iii) They expressed concerns about the admission of the Republic of South Sudan to the EAC in view of her historical internal problems and questionable human rights credentials;
- (iv) Different education systems affecting the integration process of the East African Community were also queried.
- (v) How the decisions of the East African Courts of Justice are enforced was another matter of concern;
- (vi) The media also noted while the East Africa Region has a vibrant media fraternity, many of the media companies operate within Partner States and not as regional players. They said there is need for a strong partnership with the media so that

information about the programmes and activities of EALA and EAC can easily be disseminated and placed at the centre stage of the national media channels of the EAC;

(vii) It was observed that the issue of Migingo Island on Lake Victoria, between Uganda and Kenya, should be fast-tracked;

(viii) It was further noted that one of the biggest challenges has been timely remittances by Member States to the East African Community. This is likely to affect the implementation of programmes and delay the integration process.

**(h) Islamic University in Uganda**

The Committee interacted and addressed the students of Islamic University in Uganda and during the discussion the following issues emerged:

(i) The noted that the development of a leadership training/attachment programme at EALA Offices in Arusha to foster and help students in East Africa advance career trainings and harmonization of education standards within East Africa was missing;

(ii) It was also observed that enacting legislations to fight corruption like the Whistle Blowers Act, which can supplement the existing laws on corruption so as to make East Africa Community corrupt free was a necessary.

**(i) Meeting with District Leaders from Lyatonde, Rakai, Sembabule**

The Members interacted and addressed the district leaders from Lyatonde, Rakai and Sembabule at Lyantode District Headquarters. During the discussions the following issues emerged:

(i) It was noted that efforts should be undertaken to popularize and fast-track the usage of Kiswahili in schools and colleges;

(ii) Political instabilities in some Partner States, which have led to displacement of people turning them into refugees should be handled;

(iii) Restrictions of immigration procedures for Ugandans crossing into Tanzania is an issue of concern;

(iv) Measures being undertaken to further deepen the integration process so as to enhance/intensify the integration into communities and the practical ways to ensure that it is feasible;

(v) Payment for provisional entry permits at Mutukula Boarder Post between Uganda and Tanzania yet the Common Market Protocol envisages free movements of persons and the right of establishment is in place, is a matter of concern;

(vi) The measures to harmonise the different political systems across the different East African countries in order to achieve the political integration emerged an issue of concern;

(vii) The promotion of affirmative action for specific interest groups like the disabled is still an issue of great concern.

**Specific observations**

(i) Members observed that the youth ambassadors in each of the Partner States are supposed to act as promoters of the integration in the East African Community. However, most of them are not properly organised and facilitated to carry out their activities;

(ii) Establishing the East African Development Bank as the financing arm of the East African Community is necessary. Most of the development projects in Africa and specifically East Africa are being financed by the African Development Bank. However, due to its location in Tunis and excessive bureaucracy, accessing finances in a timely manner has remained a challenge;

(iii) The Committee observed that although efforts and interventions have been undertaken to eliminate non-tariff barriers, they continue to prevail hence making the business environment unconducive for the traders and business persons;

(iv) The Committee observed that although the Judicial Affairs Committee was mandated to review the Treaty to make the Community a more effective organisation

in the face of new challenges and new expectations, that have emerged and an expanding mandate of the regional organisation, this has not been implemented.

The Committee further notes that the implementation of the Treaty has raised a number of new challenges, which the Partner States have noted in the quest of deepening and widening the integration. This Committee has not held a meeting for the last two years; there is hardly any work that has been carried out in regard to the review of the Treaty.

### **Specific recommendations**

- (i) The Committee recommends that arrangements be explored by the Partner States to have the funds for development finance channelled through East African Development Bank;
- (ii) The Committee recommends that Partner States should explore and engage their respective institutions involved in handling the business sector to have the NTBS minimised;
- (iii) The Committee recommends that the Council of Ministers should take this matter seriously and ensure the Judicial Affairs Committee resumes the meetings to review the treaty;

### **General findings of the sensitization programme**

- (i) It was observed that there is limited awareness among the people on EAC integration process, its programs and benefits and how to explore for the opportunities;
- (ii) Existence of non-harmonised education curriculum in the Partner States surfaced;
- (iii) Harmonisation of national laws is one of the critical steps required to facilitate regional integration. It is a process that has to go hand-in-hand with other undertakings of Partner States. Otherwise, all agreed programmes and stages of integration may be hampered by national laws;

- (iv) Students from EAC Partner States still require student passes or visas to be able to study in another Partner State;
- (v) It was observed that the interest groups such as youth, women, civil and cooperative societies among others, were not fully involved in the EAC integration process;
- (vi) Members observed the growing interest of the participants/stakeholders in embracing and learning the Kiswahili language. Besides promoting unity among the EAC populace; the Kiswahili language is a critical medium of communication that will further facilitate trade in the region; and
- (vii) It was observed that the political crisis in Burundi is hindering the EAC integration process.

### **General recommendations**

The Assembly recommended as follows:

- (i) Sensitisation and awareness on the EAC integration process be institutionalised to be a continuous activity;
- (ii) The Media Department at EAC Secretariat should be more pro-active, especially to work closely with various national and regional media;
- (iii) The political federation of East Africa should be fast-tracked;
- (iv) The Assembly further recommended that the fast-tracking of the harmonisation of education and training curricular among Partner States should be handled;
- (v) The Assembly urged Partner States to fully implement the Common Market Protocol which provides for free movement of people, capital and services among others, to allow citizens of East Africa to enjoy their rights;
- (vi) It also urged the Partner States to eliminate the NTBs which impact negatively on intra-regional trade activities;
- (vii) Partner States should address the issue of work permit to facilitate those who wish to work in EAC Partner States;
- (viii) It was further recommended that integration efforts should move beyond trade. Partner states should identify a

common ground for the different national ideologies, value systems and cultures to promote integration;

- (ix) The business community called upon the Ministry of East African Community Affairs to establish a mechanism to handle grievances arising out of cross-border trade;
- (x) The issue of Certificates of Rules of Origin should be addressed to facilitate cross border trade;
- (xi) The political solution to the Burundi crisis should be fast-tracked;
- (xii) The EAC Anthem and flag should always go hand-in-hand with respective national ones at all times; and
- (xiii) There should be harmonisation of regulations governing plastic materials in the EAC Partner States.

**The Speaker:** Thank you so much, hon. Patricia Hajabakiga, for the very elaborate presentation of the sensitisation report on behalf of the Parliamentary Commission.

Honourable members, the motion before the Assembly is that the East African Legislative Assembly Report on Sensitisation Activities in EAC Partner States be adopted. Debate is now open.

However, before we go into debate, allow me to recognise our guests this afternoon. I have two guests from the Republic of Uganda coming from the Secretariat of the ruling party, NRM Secretariat - Mr Okot and Ms Acen. *(Applause)* Thank you for taking interest in the integration agenda as NRM. You are welcome.

I would also like to recognise students from Tengeru Institute of Community Development, Arusha Training Research and Consultancy. They are 20 in number, led by Mr Jackson Muhoho and all the students. You are most welcome. Thank you for taking interest in the East African integration, which is for you as well.

Honourable member, debate is open. Please if you can take less than five minutes, the better.

**Ms Maryam Ussi (Tanzania):** Thank you very much, Mr Speaker for giving me the opportunity to contribute. However, before I start, let me also take this opportunity to give my condolences to the people of Arusha who have lost their children. May their young souls rest in peace.

Also, I would like to give my condolences to our very own staff Lucy who has tragically lost her husband in an accident.

Mr Speaker, again before I contribute I would like to thank my party, the CCM and all the Members of Parliament of the United Republic of Tanzania for re-electing me to become a Member of the Fourth EALA; I am very grateful.

And to you, Mr Speaker, thanks for your support during the elections and thanks to all of you Members, for your support and prayers.

Mr Speaker, during sensitisation, especially the time we took in Dodoma, the Capital City of Tanzania, we were able to meet a lot of stakeholders like the business community of Dodoma.

Mr Speaker, in this sensitisation programme, we go and give information to the people on the benefits of the integration but also to get their concerns regarding the integration process in general. I will not say much, I will leave it to others but the main problem is that the business community was concerned with issues at Namanga Border between Kenya and Tanzania.

Businesspersons and traders said they face difficulties going through Namanga Border and this is not the first time we are receiving these concerns. This is not the first time I am bringing this to the attention of this Parliament. I would like to urge the Council of Ministers to take on this concern so that they can work with the Partner States in finding a solution to these concerns. It is only just and fair to sort out the concerns of

EAC people so as to facilitate trade properly.

The last point I want to talk about is the lack of information regarding the EAC integration process. When we met the students in Dodoma, they were still talking about “a coalition of the willing” something that is no longer in existence. Therefore, let me also take this opportunity –

**The Speaker:** Honourable member, maybe you could have made it right that there is nothing like “a coalition of the willing” that ever existed for our record.

**Ms Ussi:** Thank you, Mr Speaker for the guidance. However, that shows that the people of East Africa either have very little information or no information at all, especially for Tanzania because these students are from Tanzania.

I would also like to urge the honourable minister - because when the EAC Ministry was on its own, there used to be programmes on sensitisation that were executed - to take this up so that sensitisation for the citizens of Tanzania continues to help people benefit from the integration process.

Mr Speaker, let me also urge the Council Chair and the ministers to take the concerns from all the four sensitisations that we have done because some of the issues have been arising twice or thrice. For example, the issue of harmonisation and mutual recognition of academic and professional qualification has been emerging in all these findings.

We have been singing about this since 2014 but still it has not been done. Therefore, I would like to move that they work on these concerns otherwise nothing will be done on the integration agenda because the same issues and concerns keep coming up during all the sensitisation programmes.

Lastly Mr Speaker, many thanks for your administration because during your tenure, we have been able to do four sensitisation programmes and I really wish that these programmes continue in the Fourth EALA. I thank you very much.

**The Speaker:** Thank you, hon. Ussi.

**Dr Odette Nyiramilimo (Rwanda):** Thank you, Mr Speaker. First of all I wish to thank hon. Patricia for presenting this very elaborative report on the sensitisation we conducted in the five Partner States.

The team I was in, in Rwanda visited the University of Rwanda but we could follow the debates of students from different universities. I am very happy to know that students are following what is happening at the EAC. That day they debated the resolution by the Summit to ban importation of used clothes in the EAC. We had two groups arguing because one was supporting importation arguing that the people of East Africa are poor and they needed those clothes because they are cheap. The other group was supporting the ban of clothes that have been worn by other people. They were cited laws that have been passed; they cited clauses in the Treaty; it was a real debate. We were very happy to have been there that day. That debate which is organised every year by the Ministry in charge of EAC Affairs is very important; helps students in universities to read and follow whatever is happening because they do not know the subjects they will get; they are given subjects when they get there, which is very good. You see that they are really informed.

I would say that it would be a good practice that all Partner States adopt that practice - students received awards, which were accompanied by laptops and iPads; the students were really happy to have participated in those debates.



However, I have a question. On page 22 of this report, the visit to the Institute of Planning in Dodoma where Members of Tanzanian Parliament might have reported that there is a concern of loss of land due to the free movement and right of establishment within the EAC Partner States; the fear of losing land. I think from the beginning of this integration process, people have expressed that fear. I was surprised that it still exists in one of our Partner States. I would like to say that Members that have been there explain to us more why they still fear. Have they really not understood what the Common Market is and how people cannot go and grab somebody else's land because of free movement of persons and right of establishment? That is the question I had for Members who have visited that institute in Dodoma. Thank you, Mr Speaker.

**The Speaker:** Thank you, hon. Dr Odette.

**Mr Chris Opoka-Okumu (Uganda):** Thank you, Mr Speaker. First of all before I give my views on the report, I would like to congratulate Members from Tanzania and Rwanda who have been re-elected to the Fourth EALA. The one for Uganda had already been done in Kigali and I think Mr Speaker ably did that – and Burundi.

Mr Speaker, I think hon. Patricia ably presented the report but on the Ugandan, something that is missing from the report is about a planning session that took place and in which officials from the Ministry of EAC Affairs participated. Mr Chris Ogola was a Member of the delegation that participated in the sensitisation - that is important for the record because others have been identified from the other countries.

During that planning session - the last three sensitisations had taken place in and around Kampala, the capital city and Members decided that pursuant to Article 7 of the Treaty about the EAC being a people-centred Community, it was decided that this

sensitisation be taken to the people in the countryside.

However, as has been noted, and this is a very important point noted in the report - it became difficult – there is a feeling outside there when you go for meetings like these, that there should be transport refund to the people who attend sensitisation meetings. The issue is that without transport refund, we will not have an audience to talk to. In fact when we went to Mbarara, a programme which was scheduled, there was nobody, not even officials. That is when an abrupt decision was made by Members from Uganda that we should go to Mirama Hills, a very important border post, a well-built border post with all the facilities but no activity taking place except on the Rwanda side. The road is tarmacked; we need to have people move through that border –

**The Speaker:** Hon. Chris, can you help this Assembly understand why no activity is on the Ugandan side?

**Mr Opoka:** I think it is because of a lack of sensitisation by traders to know that there is such an activity. Otherwise, the roads are good and it is even better to move along that side. That is the sort of explanation we were given; it is a very beautiful border post but with no activity.

The Members later decided that we go to the north because South Sudan is part of the EAC. It therefore, became important to sensitize people who live along the border between Uganda and South Sudan. Members decided to go to Arua. There was a radio talk-show that has not been reflected in the report, which was done by Members. There were a lot of questions from the community in that area though they commended the Assembly for having taken the sensitisation to there.

After, Members decided to go to Oraba Border Post. Mr Speaker and Members, it is

a pity that on the other side of the border there is a well-built area, which is urbanised but has no presence of life due to problems of security in South Sudan. This is a three-point border between Uganda and South Sudan, but also movement to DRC is near. However, there is almost no movement of people apart from trucks taking goods to DRC.

The security situation on the Ugandan side is quite good as has been reflected in the report but on the other side there is almost no movement. I hope when South Sudan rightfully takes its seat in this Assembly, these issues will be raised and probably acted upon by the Government there.

Mr Speaker, permit me to comment a bit on what has been raised by my good friend, hon. Ussi, about the phrase “coalition of the willing” which is in the report here and coming from the Tanzanian side.

This issue is a misleading coinage of the media. It is so bad. It has affected, as you can see, the thinking of Tanzanians to the extent that they think they are being isolated.

Article 7 of the Treaty on the operational principles of the Community under 1(e), states: *“The principle that shall govern the practical achievement of the objectives of the Community shall include, among others, (e) the principle of variable geometry which allows for progression in cooperation among groups within the Community for wider integration schemes in the various fields at different speeds...”* – (Interruption)

**Mr Ngoga:** Thank you very much, Mr Speaker and thank you, hon. Opoka. The information I want to give is that in the just concluded Summit, the principle of variable geometry was cited as one of the possible options that can be considered with regard to the question of EPA. So it is one way we

can resolve problems when need arises and which is provided for under the Treaty?

**Ms Byamukama:** Thank you, Mr Speaker and hon. Opoka. I thought I would put this on record in view of what has been said by my brother on the issue of EPA. I think much as we have variable geometry applicable, in the case of EPA I think there may be a slight challenge because we also have the East African Joint Trade Negotiations Act, 2008. So maybe that has to be taken into account. I am not saying that it is not applicable but I think where you have a law, we may need some more interpretations. I thank you.

**Mr Opoka-Okumu:** Thank you, Mr Speaker and thank you, my good friends, hon. Ngoga and hon. Dora for the information.

The reason I raised this matter is because the press misinterpreted issues when Kenya, Uganda and Rwanda, countries in the Northern Corridor had this issue of the railroad. This is allowed under that and so you can see that members of the media all over East Africa – you can mislead the public and the public begins to develop resentment towards one country or another or the feeling of being undermined.

Please, media, be a bit more responsible when interpreting certain actions –

**The Speaker:** Hon. Chris, maybe we need to be fair to the media; the media sometimes amplify sentiments they pick from the people. So we need to appeal to East Africans to understand the Treaty and its provisions because the media does not manufacture stories; most times they amplify feelings in the people and times the leaders. Thank you and proceed.

**Mr Opoka:** Thank you, Mr Speaker. Lastly, I would like to comment on the report from Kenya on issues to do with

Namanga Border. I personally experienced it a month ago.

Before the Community started, we did not have these kinds of checks; the checking of bags and individuals from East African used not to take place but recently, the humiliation of people at Namanga Border where people's private bags, pushing their hands in –

**The Speaker:** Hon. Chris, is it on either side or one side?

**Mr Opoka:** No, it is on the Kenyan side only. I think that should really stop. They should have scanners to check both people and bags; I experienced it personally in February when I was coming to Arusha. Mr Speaker, with those few remarks, I would like to support the report. Thank you.

**Mr Mike Sebalu (Uganda):** Thank you very much, Mr Speaker. I rise to support the report. I would like to indicate that one of the best things that have happened during this tour by EALA is to create opportunities of engagement with the people of East Africa through sensitisation programmes, answering the call for this integration to be truly a people-centred integration.

I believe that as a Parliament, we have set a good pace on that in terms of engaging with the population and amongst all the organs of the Community, none is more competent than the Assembly to spearhead and take lead in this engagement. Since we are the truly elected peoples' representatives, we have a role, in terms of legislation and doing oversight, so this is one way of engaging with the people to create an opportunity to explore legislative gaps that may accrue from the peoples' interests out there. We also use it as an opportunity to do oversight in terms of what is working and what is not working depending on the decisions of the Summit, Council of Ministers and of this Assembly; it is indeed such a noble activity.

Mr Speaker, I want to say that Uganda is on course on issues of the integration process. Uganda has remained steadfast both in spirit and commitment of the majority of what is agreed upon.

At the ministerial level, we still have a ministry specific for East African Community integration. That is a very serious commitment; a ministry specific for this sector and a ministry not managed by one minister but managed by two able, dynamic and versatile Ugandans with a very senior ideology assisted by a very young, able and progressive leader in the names of the Chair we have in the House.

The level of placement - having the minister as the First Deputy Premier is giving it visibility so that when the minister calls upon the other players in coordinating capacity, there are no issues of protocol - he is senior both in age, in placement and deployment and so he can call to order all the other players to toe the line of the integration. It is an issue within the party and it is also an issue within the Constitution of the Republic of Uganda.

So I just want to say that it is on course, the flags of EAC fly at all Government offices including at the sub counties. The East African Anthem is a must at all public functions. Actually, the basic Kiswahili we now know in Uganda is to do with the Anthem. As well, our children in schools are very conversant with it because that is the first point of contact with Kiswahili in some of our schools – (*Interruption*)

**Ms Byamukama:** Thank you very much, hon. Sebalu for giving way. I just want to give of information that during the sensitisation exercise, one of the activities we also undertook, as Uganda, was to attend the International Labour Day celebrations. I was able and honoured to be in Pallisa where Labour Day was celebrated and indeed, as hon. Sebalu has said, the East

African Anthem was played by the Police and Army band but it was also sung more than even our own national anthem. This shows you how much people are interested in promoting integration in Uganda.

**Ms Ussi:** Thank you very much, Mr Speaker and hon. Sebalu for giving me way even though you have not accepted it on record. The information – (*Interruption*)

**Mr Sebalu:** Very much appreciated.

**Ms Ussi:** The information I want to give is that for other Partner States, Tanzania is also now singing the anthem at all official functions and we also put the flag in all official buildings. Thank you.

**Ms Bhanji:** More information, Mr. Speaker, Sir.

**The Speaker:** Do you want to take more information from Hon Shyrose?

**Ms Bhanji: (-Inaudible-)**

**Mr Sebalu:** Thank you very much. That is progress being registered and definitely it is the best way to go. I am very encouraged by that because with such – my sister usually calls them ‘low hanging fruits’ these are indicators that you are getting connected with the population.

Mr Speaker, I begun just to underscore the issue of leadership in integration. You see when you are a leader, you have a responsibility to think for the people you lead and more so, think strategically. After you have gone through the thought process, the leader has to get the people on board by packaging messages that make them understand the process.

Therefore, EALA has taken a good role in terms of leadership of the integration agenda; going out there to explain the issues, the dynamics, the trends, the benefits and the focus is a very important

thing. Integration is of a strategic nature; it talks about socio-economic development by building synergy and taking advantage of economies of scale. These are extremely complicated issues for my grandmother yet she is a beneficiary of the same. So, if I do not make it easy for her to understand and appreciate, she will go into emotional attachments that may deter good response to good ideas.

Integration talks about our collective security, that when we are solid as an entity - the EAC talks about 160 million people organically the same. When we work out a security arrangement, it can guarantee our survival, not only for today, tomorrow but also for the long future. However, that may be a complicated disuse for a simple trader in some trading centre in Mbeya and so one needs to get them to understand and appreciate the idea.

Integration talks about a big market. Definitely if you are in production of goods or services then you can benefit. It is also about pulling resources to engage in big infrastructural developments. It talks about the railway from Mombasa to Bujumbura and the benefits that are likely to come out of it. You need to bring it to the ordinary people to interest themselves that once that is completed then it will be of relevance to the economy of Burundi. Otherwise, if you do not, they will imagine you are engaging in fanatical activism.

Mr Speaker, that is why I want to put emphasis on the role of leadership in the integration process. We need to go out there, as leaders - and I am not talking about political leaders alone - I am talking about all sections of leaders - the political elite; the professionals in academia; the business community; the community leaders; the religious leaders; the traditional leaders - let us make the issue of integration topical on the agenda. This will let all people even those in church or in a mosque to receive the message; to underscore the

basis and beauty of working together as a region and the benefits that it may have for your people – (*Interruption*)

**Ms Byamukama:** Mr Speaker, I am sorry but I am glad that my brother has given way. One of the aspects that we carried out in Uganda, which is not captured, is that when we arrived in West Nile in the town of Arua, we had a radio talk show - and I do not know whether my brother, hon. Opoka has mentioned it - but we actually had a lot of people calling in. The questions they asked showed clearly that they understood the integration process.

Therefore, I would like to add to the list which hon. Sebalu has said, the media fraternity. This has done a good job and we implore them to continue doing a good job, especially in the coverage of EALA's proceedings because even before we leave these Chambers, people call from all corners of East Africa discussing the very issues we are discussing today. I would like to add that to his list. Thank you.

**Mr Sebalu:** You know this information is also useful and I needed to give space. I hope their time is not counted on mine –

**The Speaker:** You have the liberty to take or not take the information on your time.

**Mr Sebalu:** I will not take any further information. Mr Speaker, the role of leadership should be such that we, as leaders, get our people to understand what exactly it means to be integrated and the benefits that accrue from the same. After our people have understood, they will then appreciate the need for it. They will have open minds and they will listen. When they appreciate, they will own the integration process; it will now become our integration. Once we open up and create ownership by the stakeholders, it will be good progress.

After they have owned, you will now get people to champion it themselves. You will

get people using different platforms, championing the cause for integration.

That leads me to the point of what leadership is all about. The essence of leadership is to lead from in front. Once you lead from behind, you are being led yet defined leadership is about actions. When you act and other people react, you are leading but when you wait for other people to act and you react on their actions, you are being led.

As leaders in East Africa, I do not want us to be led by our people. When we hear things – for example people are saying that they will lose land - so if you are a leader and you do not explain it, you are being led. If people are talk of losing jobs because of the integration process – let me tell you one thing: people are not accustomed to moving recklessly; people always have a bearing. Even if you opened up, people may come, visit and go back because there is always that bearing but we need to explain; that even when people move to your country, they can only access land using the laws of that land. You cannot simply walk into a place and take up land illegally and the law of the land does not catch up with you; it is not possible.

This is something we need to explain but if we it, it cannot be explained and we will be abdicating our role as leaders. (*Interruption*)

**Ms Ussi:** just quick information, hon. Sebalu on the issue of land -

**The Speaker:** Honourable member, when the Member – our rules are clear - the member holding the floor has a right to accept or decline information and when you accept, it eats into your time so be conscious of that. Hon. Sebalu, please proceed.

**Mr Sebalu:** As I conclude, let us take our leadership seriously; let us not take a back

seat. Do not allow people to thrive in ignorance.

Mr Speaker, I would like to say while we are winding our tour of duty as EALA members, we have a certain degree of understanding, appreciation and a knowledge base to do with the integration agenda. Good enough, we have members in this House who are going to be members of the Fourth Assembly. I want to encourage them to look out and create a body of knowledge of East African Community champions so that as these activities go on, you are not short of capacity. There is a pool of very knowledgeable East Africans, both in the spirit, theory and practice of integration that you can always call upon to boost your capacity in this area.

Therefore, I would like to suggest to the next EALA to always look at former EALA members, not only the Third EALA but the second and first. We can look at former members of staff of the Community. You will appreciate that about 40 of them have already left. They are people who have gained a lot of experience and hands-on practice with integration. We have EAC oriented NGOs that have specialised knowledge on the integration, we have the business Council and all these East African organisations that enjoy observer status. Our next colleagues should work out mechanisms of using these knowledgeable and experienced East Africans to further the cause of integration. We will never leave you to walk alone like Liverpool does. We will walk with you all the way, as long as you are ready, willing and available to be walked to the destination of East African integration.

With that I beg to submit and to support the report.

**The Speaker:** Thank you.

**Ms Emerence Bucumi (Burundi):** Thank you very much, Mr Speaker for giving me

the Floor. I also thank you for having organised this programme of sensitisation because all of us know that it was not easy to get money to carry out this activity.

I also take this opportunity to thank my team, which was composed of hon. Leonce, hon. Muhirwa and hon. Nengo for the commitment during the sensitisation activity and I want to take this opportunity to congratulate all members who have been re-elected for the Fourth EALA.

Mr Speaker, before I proceed, I would like to come back to the report - see page six, which has a typing error on my name. They write honourable my name as Emergence Bucumi; my name is hon. Emerence Bucumi.

Mr Speaker, during the interaction with the students at Gitega University, one of the concerns was the high rate of youth unemployment. It is not a secret, we have always talked about that. The youth unemployment remains a great concern for the region because it is slowing down our economies and causing social problems.

Although an EAC policy was adopted in 2015 to provide a framework for the implementation, monitoring and evaluation of youth programmes and projects, the rate of youth unemployment is still high.

Knowing that the youth are EAC's future and consist of the largest segment of the population in our region, they should be accorded proportionate recognition and participation in all national and regional development activities.

Mr Speaker, the second issue I want to raise - which came up during the interaction with stakeholders we met during the sensitisation activity - is the issue of water harvesting. We know very well that our region is a blessed one in which we have two rain seasons but there times when water becomes scarce. There are some countries

where the rain does not exist but you never hear of the population dying of hunger, for example Egypt.

Egypt is using the Nile River water for irrigation and it is not badly off in terms of agriculture production. However, in our region, in some areas, people are suffering from drought, dying of hunger and of course there is climate change impact but there somehow protect themselves by putting in place mechanisms and programmes of harvesting water for all those purposes.

I would also like to call upon the EAC Secretariat to support such projects where they have been initiated and to initiate them where they do not exist.

I will conclude by saying that I support this report. Thank you very much.

**The Speaker:** Thank you, hon. Emerence Bucumi.

**Dr James Ndahiro (Rwanda):** Thank you, Mr Speaker. Let me also begin by congratulating those members who made it to the Fourth EALA. Congratulations and I hope the institutional memory will prevail and whatever we are doing or whatever we have done will be carried on. We are going with confidence that the East Africans are not going to lose out.

Mr Speaker, during the engagement, not only in this round but even in previous ones, most East Africans believe that the Customs Union has improved their livelihoods, particularly those in trade and other related practices.

However, there is a consistent argument that the Customs Union was operationalized because the Assembly(a) enacted the Customs Management Act that aided the operationalisation of the Customs Union, which is true. However, there are(b) fears that the Common Market Protocol is

difficult to operationalise because the Assembly has not enacted any legal instrument to operationalize it and as a consequence, they are mere words or statements.

Honourable members, I want to address this issue with the Council of Ministers. Protocols are negotiated and sometimes the styles are not the same. Not every protocol looks the same. They depend on the topic, the discipline or the challenges involved.

With the Common Market Protocol, the Partner States agreed on the principles of the Common Market Protocol. These are not new ideas, this is not rocket science; common markets are in existence in different forms so we were not reinventing the wheel.

However, what is embedded in the Common Market Protocol allows the policy makers of this Community who are the Council of Ministers to take a step further and operationalize this protocol through legislation.

Mr Speaker, before I continue on this, I would like to seek your indulgence. I would like my honourable colleague here to read one of the provisions of the Common Market Protocol, which is Article 29 and after that I will resume to proceed with my debate.

**Mr Martin Ngoga:** Thank you, Mr Speaker. I will read as requested by hon. Dr Ndahiro. Article 29 reads as follows:  
*“Protection of cross border investments.*  
*(1) The Partner States undertake to protect cross border investments and returns of investors of other Partner States within their territories.*  
*(2) For the purposes of paragraph (1), the Partner States shall ensure:*  
*Protection and security of cross border investments of investors of other Partner States;*  
*Non-discrimination of investors of the other Partner States by according to these*

*investors treatment no less favourable than that accorded in like circumstances to the nationals of that Partner State or to third parties;*

- (c) *That in case of expropriation, any measures taken are for a public purpose, non-discriminatory in accordance with due process of law accompanied by prompt payment of reasonable and ... compensation.*

*(3) The Partner States shall within two years after coming into force of this protocol, take measures to secure protection of cross border investment within the Community.”*

Thank you.

**The Speaker:** Thank you. Proceed, hon. Dr Ndahiro.

**Dr Ndahiro:** Thank you very much, Mr Speaker. Within two years, the Council of Ministers was supposed to have provided a legal framework or other mechanism to operationalise the Common Market Protocol.

I am saying this because in February this year, one Partner State privatized one of their biggest companies. The understanding in the Common Market Protocol, under the free movement of capital, is that any ... in the East African Community shall take on East African as domestic players in the market. That is under the free movement of capital in the Common Market Protocol and it is also in the regulations provided by the Council of Ministers. They issued regulations guiding capital markets in East Africa; those things are clear but one Partner State did not adhere to that.

When we interact with citizens during sensitisation, they challenge you by asking such questions. Yes, you are telling us this but the practice or reality is different. Yes, we are not short of clear policies but I think the Council of Ministers should wake up.

Most of these things fall within their mandate as policy makers.

East Africans have a lot to celebrate in the integration process but they need to be helped; they need to be supported by the actions of the Council of Ministers. We cannot just continue talking about nice protocols if they are not helping the livelihoods of East Africans. We cannot celebrate their achievements if there are specific and clear barriers to trade and other related activities.

The principle of non-discrimination is embedded in the Common Market Protocol and that is the principle that really defines the Common Market. The Assembly has tried to even enact legislation in that line but apparently such legislations do not go through the enactment process to the end; they are just referred back, most probably because they are private members' Bills or I do not know the reason. Maybe the Council of Ministers can help us to appreciate that situation or understand the difficulty.

Honourable members, I believe that as we conclude our tour of duty, we need to echo the sentiments of our people once again and put on record that the Council of Ministers are responsible; they will make or break the integration. Thank you, Mr Speaker.

**The Speaker:** Thank you so much, hon. Dr Ndahiro.

**Mr Twaha Taslima (Tanzania):** I thank you very much, Mr Speaker. Let me start by congratulating our colleagues who have had the chance to be elected to the Fourth EALA.

I would also like to thank God at this point for we have been able to go on with our tour of duty yet we are now winding up. I think we should thank God for that.

Mr Speaker, much has been said and so I will have a few things to talk about starting



with the question which has been posed by hon. Odette. The question related to whether there was still fear among Tanzanians that their land is going to be grabbed in the process of integration.

That question was raised a lot when we were in Dodoma but we were able to reply effectively. We told the people that we have an agreement in place, which says that land matters will go according to the internal or national laws in a particular state. Therefore, it was a question which arose but which was replied to well. Nothing went wrong after that.

Another question was about the used clothes. This is a very touching issue, I would say. I remember when we heard about the heads of state talking about it in Arusha for the first time, most of the people in East Africa were alarmed and I remember some were saying that now the well-to-do people are objecting to the state of poverty existing among the East African population.

This thing came up again - see page 13 of this report. It came up in Kenya when the Kenya Chapter was meeting the Principal Secretary of the Ministry of Industries, Trade and Cooperatives. Apart from the issues that have been pointed out, if that thing is going to be drawn in quickly, there are some ugly events that to come up.

I would like to add to what could come up - and this is bound to happen, the way I have seen in almost all the Partner States' capitals - are issues of unemployment, increased poverty, increased criminality, skyrocketing prices of garments - all these and even others are bound to happen if we rush into this.

I remember when we were in Kampala - these things came when we were in plenary with President Museveni - (*Interjections*) - yes, and he took off time to speak about it. I remember he said that when he talks about

abolishing second-hand clothes, he means that our states now should embark on establishing textiles to producing the garments for the people to put on so that we avoid clothes coming from outside East African countries.

When he said so, it was understandable. I remember I stood and said that short of that, ordinary people on the streets would not understand and would not even know whether we are thinking about them.

In this report, the general recommendations on page 26 is that the EAC should impose tariff and non-tariff barriers on second-hand clothes in order to discourage their importation.

Suppose these things happen tomorrow? How are we going to handle that situation? I remember one of our ex-presidents in Tanzania said that if a leader stands up abruptly and says, "From today all second-hand clothes are abolished" that person is not a good leader. The way people are putting on, more than 75 per cent or even 90 per cent all wear second-hand clothes. You abolish them; you will bring a big problem for us.

Therefore - (*Interruption*)

**Mr Taslima:** The clarification I wanted from the Member is: I know that the Summit has directed. So, are we going to revisit this? I need clarification on this probably from him or from the Council of Ministers.

**The Speaker:** Maybe before the member takes the Floor, the House should be aware that we do not have the mandate to review decisions of the Summit. The Summit gives directives as per the Treaty, political direction on the integration when the Summit says give such a directive, it is incumbent upon the Council and other actors to take interest or to interest our

people in the implementation of that directive.

**Mr Taslima:** I thank you very much, Mr Speaker. Actually that is where I was going. In this report, on page 13, the last sentence says, “A clear cost benefit analysis before banning importation of used clothes should be undertaken.”

I was about to say that this is what I am supporting because once there is a cost benefit analysis then things will go the sensible way. But I wanted to point out that this last sentence in the general recommendations, which just plainly says, “EAC should impose tariff and non-tariff barriers on second-hand clothes in order to discourage their importation” is a way of implementing the directive of our President but I think it does not go well with the other ones.

Therefore, I want to say that I am in agreement with almost everything here except this. Let us put in place a cost benefit analysis on this issue and see how best we can go about it. It is good for people not to put on second-hand clothes but –  
(*Interruption*)

**Ms Byamukama:** Thank you, Mr Speaker and thank you, hon. Taslima for giving way. I thought we had already been guided by the Speaker and if I heard you well, hon. Taslima, the point that you are advancing in respect to what the President of Uganda said was in respect to the establishment of industries, especially the textile and leather industries.

Therefore, what you may be working towards would be to also propose that we expedite the support to the manufacture of textiles as well as the production of the leather in order to make shoes and clothes, which would be used rather than importing second-hand clothing. I thought this may help with the debate and maybe that is what you had wanted to say.

I do not want to impose this on you but it is my humble understanding for the record.

**Mr Taslima:** In conclusion, my sister just said what I wanted to say. I just want to conclude by saying that let each country do what President Museveni said; establish industries because by implementing the directive, we will be saved and we should not do otherwise. That is all. Thank you.

**The Speaker:** Thank you so much, hon. Taslima. Maybe for the sake of our citizens out there - because you know our plenary streams live and people are following - should calm down. You need to know that this matter is with the Council of Ministers, which is comprises leaders from Partner States; leaders who are there on behalf of you, the people of East Africa. They will not ignore the interests and welfare of you, the people.

It is also important to note that I am sure the Chair, Council of Ministers will comment on this, that some Partner States have actually already gone ahead. Like in Uganda, the second-hand underwear garments are not allowed. You cannot import garments which are used inside. That is very demeaning to human nature; you cannot share. Therefore, there are necessary steps being taken. What we need to do is to follow up on the issue of harmonisation of taxes being levied on these goods as a common direction of movement. The honourable minister will give more guidance on this matter.

**Ms Susan Nakawuki (Uganda):** Thank you very much, Mr Speaker. Allow me to first of all thank the Summit, Council of Ministers, the Secretariat and the leadership of EALA for availing resources for the sensitisation activities. I remember that until last year, we never had resources to go and sensitise people in our Partner States. So I am grateful that this is a step ahead; I pray that it is maintained.

Mr Speaker, I would like to also appreciate the whole idea of sensitisation because it brings us a step closer to people centeredness of the East African Community as enshrined in Article 7(1) (a) of the Treaty.

The first correction I would like to make is on page 23 on the team of EALA members that carried out the sensitisation activities in Uganda. My name, Susan Nakawuki is missing, so hon. Patricia, amend and add the one and only Susan Nakawuki on that list because I participated in those activities.

I also want to appreciate the team that went to Uganda; my colleagues who felt it important that we must get out of Kampala as we did this sensitisation activity. All the people that we engaged with were telling us that this whole idea of EAC integration is an idea of the elite and that it is possibly the elite who are benefitting from this. We kept telling them that it is not only for the elite but for all East Africans.

Therefore, I would like to encourage the Assembly - we need to go out further and engage with the locals up to the grassroots level. We also need to engage with the ministries responsible for East African Community Affairs in each Partner State. We need to do more with the grassroots for them to benefit from the integration agenda.

In fact I thank the Assembly - there are times when you would go to the secondary schools - I remember when we visited St Lawrence schools - that was a good step and we need to do more on this so that the youth get on board and get to know what they can achieve from the integration agenda.

Looking at page 17 of this report, paragraph 6; 9(I), it says, "The group observed with concern that the private universities still charge differently students from EAC Partner States as foreigners."

Mr Speaker, I guess we should not just talk about private universities but all universities including Government universities are charging students from the region differently.

I would like to put it to the knowledge of this House that we heard, from the Executive Director of the Inter-University Council of East Africa, who had already received a copy petition from one PhD student at the University of Dar es Salaam to the Council of Ministers that he was being charged more fees than his classmates who happened to originate from the United Republic of Tanzania; the student was from Uganda. We have heard of this before.

I remember when we were in the Accounts Committee meeting, we met another student who had the same complaint. The good thing was that the Executive Director promised that he was going to investigate the matter and the Inter-University Council of East Africa would do something about it.

I hereby request the Council of Ministers, especially the Minister from the United Republic of Tanzania, Dr Susan, to take on this matter because Council itself approved the matter, including the Assembly, which has on several occasions recommended to Council that the fees for all East African students in the region be the same; they should be harmonised and no student should be treated differently from the others.

Also on page 19 of this report, we have discussed the issue of alternative funding, which came from the Republic of Rwanda. Mr Speaker, allow me to add that it has been quite frustrating when Members of the Assembly we have been uncertain of their sittings, our committee meetings and all other activities because of the unavailability of funding.

It is heart wrenching, I would say, that we have always been talking about this levy on imports in the East African Community region. We were hoping that we would get a percentage. Initially it was 0.5 per cent, they even reduced it further to 0.2 per cent. After negotiations went on for so long, the ministers of finance came back and said, this is not going to work, look for another option. This means we have to start afresh.

Mr Speaker, we are all aware that this very report that the EAC had developed for alternative funding –

**The Speaker:** Will you take information from hon. Yves?

**Mr Nsabimana:** The information I want to give to hon. Susan Nakawuki and to the Assembly is that our Partner States had already accepted to look at a mechanism to aid. They had accepted and now in Africa they are refusing - thank you.

**Ms Nakawuki:** Thank you very much, hon. Yves and that is the exact issue I was trying to raise. I would like to ask the Council of Ministers to give me a good explanation on this. The AU came and copied this very model that our experts and staff developed. They picked and took it to the AU and now it is being implemented by the very countries, including EAC countries that have rejected this model for the EAC. They are now implementing and have started charging this levy and all Partner States accepted this model.

Therefore, I would like to learn from the Council of Ministers - isn't this a deliberate move to frustrate the EAC or to even cause it to collapse for lack of funding? Why are they taking us 10 steps backwards? Who is going to cater for the financial implications involved? You have already spent so much on consultancies to achieve this, so many meetings - unless people are just enjoying per diem. They go for meetings, get per

diem - I really need a good explanation from the Council of Ministers.

Mr Speaker, from this activity, all the time we have done sensitisation - if you turned on any television station or any radio station, they will be talking about EALA's presence in the Partner States. This leads to the fact that we need to engage more with the media.

I would like to thank NTV Uganda and the Office of the Speaker, Parliament of Uganda - because at least they have been able to cover EALA for Uganda's part. I know that every time we are in Arusha we do not have to alert our Members of Parliament that we are having plenary in Arusha because it is covered by the media fully. Mr Francis Jjingo of NTV Uganda sends in the news and it is broadcast but we need to engage more with the media. At least we should have a media house from every Partner State to cover the Assembly –

**The Speaker:** Hon. Susan Nakawuki, just for the consumption of this Assembly, I applaud your recognition of NTV of course. We have engaged with TV stations in all Partner States. In Rwanda we have one, in Kenya we have one, in Tanzania as we speak, I think Star TV has been with us all through. In Burundi we also supply them. So the media have been carrying us on their shoulders and we are grateful for that. Proceed, hon. Susan.

**Ms Nakawuki:** Thank you very much, Mr Speaker for that information. However, what I am trying to emphasize is that now that we are not in Uganda – Mr Jjingo Francis is still here and he is still able to cover what is transpiring in Arusha. Even when we go to Kigali, he will still cover us; we need the media houses to be with us all the time so that when we deliberate on the important issues, at least our people back home can follow and get more enlightened about the integration process.

Mr Speaker, during the sensitisation, we did some radio programmes but the people of Uganda expressed concern about some Partner States not appearing to be cooperative on some issues. I appreciate the fact that the Treaty under Article 7(1)(e) provides for the principle of variable geometry but this should not be at the expense of the Common Market Protocol. It should not be at the expense of the rights supposed to be enjoyed by the East Africans.

One Ugandan called in to the radio talk show and asked if he can move with his national ID to the United Republic of Tanzania. It became so hard for me to explain why it is so hard for United Republic of Tanzania to allow East Africans to move with their national ID because apparently the passport costs a lot, not many East Africans can afford them. Even the travel documents have to be paid for but many Partner States give national IDs for free and our people find it easier to travel from Uganda to Kenya with just a national ID. So when you tell them they cannot continue to Tanzania because that country does not allow the national IDs, this does not show the spirit of East Africans.

The other issue that was of concern is the work permit fees. I would like to request the honourable Minister from the United Republic of Tanzania to really take this matter back home for consideration. I remember we discussed this issue when we were in Kigali during the time hon. Abdullah Sadala was the Deputy Minister but his response to the Assembly was not palatable, at least to me.

Therefore I am requesting the minister –

**The Speaker:** Hon. Susan, when we raised that matter in this Assembly, the Government of Tanzania responded by a reduction on the cost and harmonisation and centralisation of point of issuance. I think the minister will have to update the

House about that but I am aware that the Government has acted but they can still do more of course.

**Ms Nakawuki:** Thank you, Mr Speaker. I appreciate the little that has been done by Government here but it is not good enough.

Mr Speaker, United Republic of Tanzania still charges \$ 1500 - and I am very reliably informed on that. How many East Africans will have \$1500 at their disposal just for a work permit? If other Partner States have zero cost, why not all of us? Because all Partner States are actually sacrificing revenue but for the good of the integration process and for the good of the people of East Africa.

Mr Speaker, I maintain that \$ 1500 should be reduced to zero and that way I will be able to clap and give a big smile but apparently, your best is not good enough.

Mr Speaker, when we went to Mirama Hills -

**The Speaker:** The honourable minister will be given a chance to respond to this.

**Ms Nakawuki:** Thank you, Mr Speaker. When we went to Mirama Hills, I actually saw the peaceful co-existence and neighbourliness, which is enshrined in Article 6(b) of the Treaty that provides for the fundamental principles. We saw East Africans freely crossing the border; those coming from the Rwandan side and from the Ugandan side. Everything was done in one unit and it was very impressive.

By the way, this one-stop border post was admirable; very beautiful and very clean. We nearly wanted to stay there, even after the activity because it is something to brag about. The staff we found there were very hospitable; I really want to appreciate them. As it has been mentioned, I thought I would clarify a little more.

For example, on the issue of accommodation, the one-stop border there was sponsored by Trademark East Africa but we did not consider the issue of accommodation. With the police; the law enforcement officers there, they have four uniports and they are 20 of them. Some of them have families and they have to squeeze in those four uniports. For the children, that is an infringement on their rights – even the parents because how do you start enjoying your conjugal obligations when the kids are also there? You cannot.

Mr Speaker, maybe through Council we can go back and check with the donors if they can help to fund the accommodation for the staff because even the Director of Immigration told us that he sleeps in a lodge; it is very dangerous.

As I conclude, I have two issues. As you amend that report, the Uganda team visited Mbarara but as my chair intimated, when the people asked, is there transport refund because they were going to meet stakeholders, the moment they heard that there was no transport refund - we were there at 9 o'clock in the morning and there was nobody. Even when we called the coordinating official, he had turned off his phone because there was no transport refund. What are we going to do about this? Maybe we need to do something if we are going to engage all the stakeholders.

Finally, I will talk about the ministries of EAC because it also came out the way hon. Sebalu talked about it. This Assembly has, on several occasions, liaised with Council and recommended to Council for Partner States to come up with independent Ministries in charge of EAC Affairs. Apparently, the Ministries of EAC Affairs are there; the docket is there in Partner States but so heavily laden with work. For example, when you go to Kenya – in fact I stopped craving for the minister from Kenya. Sometimes I feel sorry for her but

also I do not know if we should just amend the Treaty to say only the Chair, Council will attend the plenary because the minister is never here but probably it is because her docket is too huge.

In Kenya it is the Ministry of EAC, Labour and Social Protection. The docket is that big and so the minister cannot be here to fulfil that mandate. When you go to the United Republic of Tanzania, it is called the Ministry for Foreign Affairs and East African Cooperation. Foreign affairs alone is a huge docket. Anyhow, I want to appreciate that even with the size of the docket, the minister from the United Republic of Tanzania is always here.

In Rwanda, it is the Ministry of Trade, Industry and East African Cooperation. It is also still a huge docket. In Burundi it is the Minister in the Office of the President responsible for East African Community Affairs. At least that one is now ring-fenced for EAC Affairs.

I want to thank Uganda in a special way that it is the Ministry for East African Community Affairs. That is why every time we have sittings, there is always a minister from Uganda; I want to commend the Republic of Uganda for that.

Therefore, Mr Speaker, the issue that I was trying to drive home is that the Council should help us to negotiate further for the ministries responsible for EAC Affairs to be independent. That is how the ministers will find time and resources to go out and sensitise the population further. Otherwise, when you are so busy with a limited budget covering a big docket, you cannot be –  
(*Interruption*)

**Ms Byamukama:** Thank you very much, hon. Nakawuki for being gender sensitive. I agree with all you have said. However, I just want to add one particular aspect, which we should not lose sight of as we conclude to hand over - the aspect of a

resolution, which was passed by this House suggesting that each of the EAC ministers be given a particular docket to oversee so that when we have interactions at committee level, we are able to direct those questions to them and get substantive answers for those particular aspects and also for political supervision.

As you have rightly noted, if some countries feel that maybe trade is more important - for example, they have been invited to a WTO conference – yes they may be considering EAC affairs important but because the country maybe makes more money in trade, they won't give EAC affairs adequate time.

Therefore, at some appropriate time, I hope we shall be able to recall this particular resolution and emphasize the need to have ministers in charge of particular dockets, and hopefully residing at Arusha, for more political supervision.

**Mr Sebalu:** I wanted to test how sensitive you can be in gender equality. I also want to simply add that the issue of specific dockets being created was a decision of the Summit - and it is on record - is not something that should be subjected to negotiation and haggling. Those that have renegaded are simply taking the wrong side of the right corridor. Thank you.

**The Speaker:** Hon. Susan, as you conclude, I think let us be fair to the Council of Ministers. You know, they are political appointees of the principals who also gazette these dockets. They may be at a very difficult provision to renegotiate how their dockets should be run because the principal decides the docket and appoints it there. They are appointees of the principal members of the Summit.

Maybe what this House can do, to help the situation, is come up with a clear resolution on this matter reminding them of their own resolution and the Treaty and send it direct

to the Summit to help the Council of Ministers.

**Ms Nakawuki:** Thank you very much, Mr Speaker and I want to thank you, hon. Dora and hon. Sebalu for providing valuable information. That has been very informative and now the ball is back to the Council of Ministers. Maybe you can let us know how you are going to be a resident in Arusha and also handling issues of trade, foreign affairs and gender and labour.

As I sit down, Mr Speaker, I also have a special plea to the Council. As you sit in the Council of Ministers, I will tell you that the Third EALA has had able members, foresters in the thickets of legislation who can ably serve the Community, and as President Museveni said during the Summit, if I heard him right on ITV, they are retired but not tired. These members are retired but not tired. They still have a lot to offer to the Community. Where possible the ministries can re-absorb these members.

I am happy that I am going to be a Member of the Fourth EALA but not the Fifth EALA unless the law will be amended but I will still have a lot to offer to the Community. I want to thank all my colleagues for having successfully conducted the sensitisation and also continuously plead that this spirit goes on and on. I want to thank you, Mr Speaker and I support the report.

**The Speaker:** Thank you, hon. Susan specifically for returning a good favour because you know we have been encouraging the voters for institutional memory. Now that you have started the campaign for our back home landing, we thank you also.

**Ms Valerie Nyirahabineza (Rwanda):** Thank you very much, Mr Speaker for giving me the Floor. Let me take this opportunity to sincerely thank you, in a special way, for the able leadership and thank the Commission for offering us,

together with you, Mr Speaker, opportunities to engage with EAC citizens. That is why when this wonderful report was getting here, I came up. It was because we were able to move around in our respective Partner States and interact with different groups of our society namely women, youth, university students, the private sector, civil society, etc.

Mr Speaker, we thank you for giving us the opportunity to deliver a strong message to our citizens, our brothers and sisters and our parents with regard to the integration agenda and how to access the gains.

I must confess that when we undertook our first sensitisation activity, it was very hard for us because there was nowhere to start from. People were really eager to know what we do or what the EAC is all about but you could see a real difference people had in understanding the integration agenda. Although they are not very well informed about the different areas of cooperation, they are very interested in some of them like business, social issues and others.

Mr Speaker, much has been said by my colleagues who spoke before me but I am going to debate on two or three points. In this report, hon. Patricia ably read - on page 25 in the general recommendations - two points that I want to expand on. One is the implementation of the Common Market Protocol. Like hon. Ndahiro said, the Common Market Protocol has really suffered so many mischiefs, one of them being the lack of a legal framework to ease its implementation.

Second, in line with that, although activities related to the Common Market Protocol are being implemented by different institutions or under different dockets, there is no coordination; it is sincerely lacking, which has occasioned some delays.

If I may pick one example, these mutual recognition agreements – while the

Common Market Protocol - at least in theory - was supposed to be implemented up to December 2015, even if the implementation is still continuous, some of the mutual recognition agreements are still being negotiated up to now. This is really a shame. How can the Common Market Protocol be implemented to the fullest when some aspects of it are still being negotiated? This is a serious issue and I think our Partner States, through the Council, in their wisdom, must really consider how best the negotiations and the conclusion of these mutual recognition agreements can be put to an end.

Further, there is one thing I noticed when we interacted with our citizens back home. I was very happy specifically to interact with the Parliament. Though in Rwanda, like it is highlighted in the report, we interacted with the Speaker's and the Parliament bureaus, we realised that there is need to strengthen cooperation and partnership between EALA and our national parliaments through the creation of liaison committees and other things I am going to talk about.

Mr Speaker, I am insisting on this because sometimes colleagues have been complaining that whenever we go back home, some people ask what we are doing? They are not well informed about the business we are transacting whenever we are here and so there is need for us to keep moving to all the Partner States.

Mr Speaker, I am saying this because Article 65 of the Treaty - although we were told that Bills and reports are being submitted as per the requirement of Article 65 of the Treaty - if you may allow me to read it: *"In pursuance of the policy of the Community of popular participation in the achievement of its objectives, the Clerk of the Assembly shall, as soon as practicable, transmit to the Clerks of National Assemblies, copies of the records of all relevant debates of the meetings of the*



*Assembly to be laid before the National Assembly by the respective ministers responsible for East African Community Affairs.*

*(b) The Clerk of the Assembly shall, as soon as practicable, transmit to the Clerk of the National Assemblies, copies of the Bills introduced into the Assembly and Acts of the Community to be laid before the National Assemblies for information.”*

Mr Speaker, maybe this is being done, according to the information we were given but there is need to strengthen the partnership and if need be, amend this very article of the Treaty. What if Bills, documents and reports we are always debating here are only laid before the national Parliaments without any further action? It is just laid and Members of the assemblies are not well informed; they do not know the content of those Bills –

**The Speaker:** Hon. Valerie, maybe we need to help in this matter. You remember when we were in Mombasa during the Inter-Parliamentary Games, this matter came up very strongly; the matters about improved relationships though the Treaty is very clear on it.

On the side of Arusha, everything is moving as per the Treaty. The channel is clogged at the capitals. So the Council of Ministers must fight to find space in the legislative calendar of their respective countries to make sure they receive all the documents, which are being remitted from the Assembly to the national Parliaments. They must ensure such documents are tabled on the Floor of their national Parliaments - tabling is to refer them to the relevant committees since most of our national Parliaments have committees responsible for EAC affairs. We need to streamline this to ensure action takes place.

Actually, I must applaud the Republic of Kenya, which is doing this very regularly; I have been following it.

**Ms Nyirahabineza:** Thank you very much, Mr Speaker – **(Interruption)**

**Deputy Minister of Foreign Affairs and East African Cooperation, Tanzania (Dr Susan Kolimba):** I would like to add onto what you have said, that the United Republic of Tanzania is also doing so. It is submitted to the Parliament and discussed in the Parliamentary Foreign Affairs Committee of the national Parliament. So we are also doing so.

**The Speaker:** Thank you, honourable minister. Hon. Valerie, please conclude as time is not on our side.

**Ms Nyirahabineza:** Thank you very much, Mr Speaker. I appreciate those parliaments that are being proactive; that favour the debate on those Bills or reports as per the requirements of Article 65 of the Treaty but as you guided, sir, I think it has to be streamlined back home so as to be applied uniformly.

Another issue I wanted to comment on is: there is a kind of disconnect between our budgets and the budgets back home. For example, in our respective Partner states, I think the exercise of scrutinizing the budgets is going on as we speak. I also know that EALA is also scrutinising the Community Budget and the speech will be given, I think tomorrow or next week.

However, now that the implementation of EAC priorities and activities lies in the hands of Partner States, how sure are we that EAC priorities have been catered for in the national budgets? That is why we need strong partnership with our national Parliaments; it is to liaise with them and see how best they can responsibly hold public institutions back home for them to budget for EAC priorities.

The last point I want to highlight is on the issue of harmonisation of laws. The harmonisation of laws has always been a problem. I think one committee at EALA went to Partner States to assess the status of implementation of this very requirement - the status of harmonisation of laws - and I think the Council also tabled the status last year, if I am not mistaken - is something that should be stressed so that the Common Market implementation can really see the light of day in its fullest.

Mr Speaker, I think those are the few issues I wanted to highlight in this report. Otherwise I thank you for the opportunity and thank the Commission for giving us the opportunity to compile this wonderful report being debated today; I support it.

**The Speaker:** Thank you. Hon. Mulengani – honourable members, as I stated earlier, it is five minutes or less and I do not have the capacity to switch you off yet I do not want to be rude to you. Please proceed, hon. Mulengani.

**Mr Bernard Mulengani (Uganda):** Thank you, sir. I rise to join my voice to the voices of those that have spoken in support of the sensitisation report as read by the Commission.

I thought I should also put on record that when we talk about the direction in terms of how far we went out of the capital, it may not really give the real –

**The Speaker:** Hon. Mulengani, sorry for the interruption. Let me first recognise some special guests who are here as they may leave before. The delegates attending the Youth of United Nations in Tanzania, international model workshop are here. They are led by Ms Susan Molele and Mr Arafat Makir, our good friends in the youth fraternity. You are most welcome. Proceed, hon. Mulengani.

**Mr Mulengani:** Thank you, sir. I was just saying that when we talk about directions only in terms of the North, West, East and how far we went out of the capital, it may not really give the objective picture of the distances we moved.

I want to say that when we went to Mirama Hills, over 400 kilometres out of Kampala and to Oraba border post in the North, over 500 kilometres out of Kampala, we actually handed the sensitisation to the grassroots people.

The other point I thought I should put on record is about the programme that we handled on radio. There were certain callers that actually demanded that the Treaty be amended to remove the term limits. I thought this should be mentioned because they were noting that if the national Parliament has no term limits, why should the regional parliament have term limits? That was raised by a caller while we appeared on Radio One of Arua.

The next point I thought I should put forward is: while interacting with the Customs officer at Oraba, he mentioned the lack of harmonisation of permits. South Sudan charges differently; he called for the need for harmonisation.

The internal and external security officers that we met questioned the timelines for the completion of amendment of the Protocol on Peace and Security. I thought that this should also be mentioned and highlighted as one of issues that came out during sensitisation.

Mr Speaker, let me now turn to issues that Members have raised. Some Members have said that people are asking about issues of the Customs Union, Common Market, Monetary Union and other subsequent activities that fall under those pillars. For example, the single customs territory, the one-stop border posts, issues to do with the competitive authorities that have been

created, the public service commission – people need to know these things. I don't want to go too much in details; we still have a lot to sensitise the public about. There is a lot of ignorance about what is obtaining here and what has been achieved in the Community; people do not know.

People do not know rules of origin; even the business community. I don't know what is entailed in the single customs territory - the business community still hover around and do not know where to pay.

I think that the integration process is very expensive. So, I want to urge colleagues that as we wait for the MTEF and the budget report, the issue of funds for sensitisation should not negotiable at all. It must only be seen growing because there is no way we shall sit in Arusha and fail to impart knowledge and information to the audience; you think we will be doing any good?

The activities for the Community are enormous. We haven't even gone 20 per cent of what we are supposed to achieve in the integration process. So when we start talking of savings, I laugh. It is not plausible at all. We cannot start saving before achieving the end goal of the integration. This is where at times I find a challenge – when people talk about saving. Saving what when we need to implement issues in the Community?

Therefore, I implore Members to know that this item called saving should be questioned during the MTEF. Saving should be rationalised for use because there are funds that have been saved because some activities were not addressed by -  
(*Interruption*)

**Ms Byamukama:** I am raising on a point of clarification, particularly from hon. Mulengani who sits on the Budget Committee and has been on the Accounts Committee for a long time. In good faith

really - because at the end of the day, how can you talk about saving when you are also handling a supplementary budget? If we had savings, there would not be need to ask for a supplementary budget.

I am not an economist nor am I a statistician but I think I can use my rudimentary management skills – not rudimentary actually but very experienced management skills - to question this kind of language. What actually is a saving in this context?

**The Speaker:** Hon. Mulengani, as you rise to speak I would like to alert Members that this subject matter shall be effectively debated when we are looking at the MTEF and the Budget speech, so go through it in passing.

**Dr Nduwimana:** In line with the point of clarification from hon. Dora Byanukama, I wish to say this: how can we talk about saving when we know that staff have not yet been paid their salaries in addition to many activities being stopped, including the very important ones? How can we talk about saving? Thank you.

**Mr Mulengani:** Mr Speaker, these clarifications can go on and on, in regard to the issues of saving because in economics, when you talk of savings, it is usually the excess that you may have above your expenditures. We did an MTEF to be spent but somebody has said that there are savings and indeed, some of us who borrowed from the bank are paying interest because our salaries were not remitted in time.

Therefore, for someone to talk about savings - we need to recoup those savings and put them where we need to put for the sensitisation activities to go ahead. We are claiming that sensitisation funds are not enough, we cannot meet people because they are expecting transport refund. You call for a meeting but you can't provide tea to the delegates you are sensitising?

Therefore, it is high time we be clear and transparent to the Community and the people we are guiding. As someone said, as leaders, we should not wait to be led by such sentiments.

As I wind up my submission, I want to support the report. However, let us note that there are a lot of requests that have been made in this report but which cannot be attended to until the MTEF, we are yet to see, addresses some of them. I beg to support this report.

**The Speaker:** Thank you so much. Honourable members, I have got five notes from Members who want to contribute but I am also constrained because I have a meeting with the staff of EALA to listen to them in helping me compile our end of term report. Therefore, I will just request two people to speak for three minutes each; I am picking those who have not yet spoken since we opened here - hon. Mwinyi and hon. Nengo. The rest I recognise your interest but please understand me.

**Mr Abdullah Mwinyi (Tanzania):** Thank you very much, Mr Speaker. I would like to start by offering my sympathies to the families in Arusha that lost their loved ones and for those who suffered damage in the recent serious bus accidents that happened when the children were heading to their school. Our thoughts and prayers are with the families who lost their dear ones.

Mr Speaker, in the United Kingdom recently, there was a terrorist attack at Manchester. Terrorism is a global pandemic problem that affects us all. I would like to offer the same condolences to the families that lost their loved ones and to all of those who suffered injuries in that very horrific terrorist attack.

Mr Speaker, I would like to speak generally, in relation to sensitisation as this

discussion shapes our advice to the Fourth EALA.

The very heart of the integration process is the implementation of the Common Market Protocol. If you look at the integration holistically, I think the Lion's share of it sits with the Common Market Protocol. I have gone on record several times restating that there is a massive jurisprudential challenge in the implementation of the Common Market Protocol.

The integration process was supposed to be implemented centrally in Arusha. When you look at the Customs Union, implementation is done through legislation in this very House but if you look at the Common Market Protocol, even the language of the Common Market Protocol talks about coordination, harmonisation and mutual recognition of enforcement - i is all about implementation by the partner states.

Therefore, we have two positions before us in order to be effective. We should mobilise ourselves and urge the Summit, through the Council of Ministers, to make adequate amendments to the Common Market Protocol to ensure the implementation is done in Arusha and not by the Partner States. That is one option.

The second option – and this will be a challenge to the Fourth Assembly – is to mobilise itself to be an effective oversight body and to effectively oversee the Council of Ministers and push them to ensure that implementation takes place in our Partner States. Those are two options that are staying before us in order to be effective.

The challenge with the second option is that not all Partner States are at par. The integration process is a pervasive matter; it touches all sectors in all the Partner States. It is not a ministerial issue. We have Ministries of EAC but they are coordinating ministers. The real implementers of everything that we are talking about under

the Treaty are the other ministries. How best can we do that?

One, each Partner State must have a policy on the integration process. I can assure you that not all Partner States have it.

Two, that policy must be mainstreamed. The Minister of Finance for instance must have, under their performance contract, aspects of the integration process and they must contribute to it effectively so they are appraised. It is the same with ministries of energy, agriculture and that of defence.

Unless the policies are thoroughly mainstreamed, the implementation in each country will remain a challenge. We will keep going round in circles with nothing being implemented in - (*Interruption*)

**Ms Byamukama:** Very quickly, Mr Chairman. Thank you. When you look at the Treaty, you will actually find that the Common Market Protocol, which is being referred to, is not in conformity with the Treaty because in Article 76 (3) it says: *“For purposes of this Article which is on the establishment of a Common Market), the Council may establish and confer powers and authority upon such institutions as it may deem necessary to administer the Common Market.”*

Therefore, what is missing here is an institution to administer the Common Market Protocol. Therefore, maybe the other option is to urge this particular institution to be put in place. The challenge is that we do not have timelines and it is not obligatory to - (*Interruption*)

**Mr Mwinyi:** As I said, this dichotomy and challenge that we face is systemic. The interpretation of the Common Market Protocol is vested with Partner States’ judiciaries. While the Treaty stipulates that the East African Court of Justice has jurisdiction on all matters related to the Community, the interpretation of this is

with the Partner States. It is well settled in jurisprudence. The Treaty is the umbrella. A protocol is an integral part of the Treaty and so it cannot have scope beyond the Treaty. That is a well settled principle in jurisprudence.

In this particular instance, we have the Common Market Protocol with a wider scope than the Treaty itself.

Therefore, I urge again – I think this matter needs to be fought before the East African Court of Justice so that we can seek an interpretation of the protocol in conformity with the Treaty. I think that is a very important aspect. Unless Treaty amendments are done, there will be very little progress because all the progress is discretionary and vested with Partner States in offices where it is not mandatory to do what they ought to do. I think that is the challenge.

Unfortunately, that is the challenge before the next Assembly and I would urge the Council of Ministers to take this matter seriously and to hopefully get a conclusion and a way forward to benefit and expedite the integration process.

Mr Speaker, I thank you.

**The Speaker:** Thank you.

**Mr Emmanuel Nengo (Burundi):** Thank you, Mr Speaker for giving me way to speak to this report.

However, before I comment on this report, I stand together with members who have expressed their sympathies to the families of Arusha who lost their children.

Secondly, I wish to congratulate our colleagues who have gone through the challenge to be part of the Fourth EALA.

Mr Speaker, I thank you also because you have done a lot under your leadership to this sensitisation activity conducted.

Coming back to this sensitisation activity, we made four rounds of sensitisation but Mr Speaker, when you go through the report we have produced, you find that we made many recommendations and in those recommendations, there are some issues which, in each Partner State, keep emerging whenever we undertake this activity.

I will take an example from my country Burundi, which expressed the problem of displacement of its citizens while crossing the border to Tanzania and the businessmen who said that it is not easy to start their business here in Tanzania.

The problem we have now is that when we go back to undertake the same activity we will not have responses from each Partner State in regard to issues that are raised in this report. My plea is that before we start a new activity or a new round, it would be better to get feedback from the Council of Ministers on the issues we have raised to ease the process of giving responses to the stakeholders. For example, on the certificate of origin, there are big challenges when you are meeting the stakeholders, the businessmen or students; those problems come again.

Mr Speaker, I do not have much to say today because many things have been raised in this report. I am only thankful for the team that has compiled the report. Thank you again for giving me a chance to contribute to this report.

**The Speaker:** Thank you so much, hon. Nengo. Hon. Chair, Council of Ministers or we can start with the honourable Minister from Tanzania. There were some specific questions that came from hon. Susan.

**Deputy Minister of Foreign Affairs and East African Cooperation, Tanzania (Dr**

**Susan Kolimba):** Mr Speaker, I thank you for giving me this chance to respond to some of the issues, which were raised by hon. Susan Nakawuki. The first issue was about the petition, which was submitted by the foreign students in the University of Dar es Salaam on fees.

I am just hearing this issue from hon. Nakawuki but what I know is that in the East African higher learning institution, all of them have agreed on one framework of fees and it has been used in each of these higher learning institutions; it is equal. I am surprised to hear from hon. Nakawuki that there is something like the Tanzanians and especially in the University of Dar es Salaam, are paying different fees.

All East African students are paying the same fees, I can say but if there is anything which is – (*Hon. Nakawuki rose*) Can I finish?

**The Speaker:** Honourable minister, information is within your ambience of acceptance.

**Dr Kolimba:** If there is any issue which has been raised for the time being, I will do a follow up on that and I will let the Assembly know.

The second issue was about using national identity cards to cross borders of Partner States. I can say that we cannot force the procedures, which were made by some of the countries by agreement but for Tanzania, we know that you should use the passport, which I know that all of you have and you use them not only in East African Partner States.

Therefore, before we harmonise immigration issues, we still have to use the passports to come to Tanzania. This is the regulation and I cannot go against it until the committee of the immigration chief finishes its work. That is when we will know what the process will be. For the time

being, I urge you to use the passport whenever you cross to Tanzania.

I am also aware that Uganda, Kenya and Rwanda have agreements of using the IDs. For that I cannot go through it because they have agreed but for Tanzania, travelers have to use passports.

The other issue was about work permits. It also related to the committee on immigration - they are still working on the process. Tanzania will still use the regulations, which are in place. If there are payments, one will pay and if there are no payments, one will not pay. I beg to submit.

**The Speaker:** Thank you very much, honourable minister. What the members are saying is: can't a citizen of East Africa be helped to move better if this does not disadvantage other Partner States? It also an advantage to the citizens of the United Republic of Tanzania to move freely to the other countries of the EAC. So as a representative institution of the people, we are appealing to the United Republic of Tanzania, the Republic of Burundi and that of South Sudan to make sure they fast-track this process of harmonisation of immigration regulations and rules to facilitate free movement of East Africans within the region. The common man – these people have the capacity to move using sophisticated approaches in movement; these members and other citizens but we are talking about the *wanainchi*.

Chair, Council, do you have something to say?

**The State Minister for East African Affairs, Uganda (Julius Wandera Maganda):** Mr Speaker, thank you very much. I also want to add my voice to the voices of other members who debated the report before. I support the report; it has come out with issues that have almost touched over and above the problems that the Partner States are facing alongside the

information and the knowledge that the people have regarding the integration agenda.

Mr Speaker, the problem we have is sensitisation. This cuts across the member states. Even in Uganda we still have not made sensitisation as we require it to be. People are not yet informed and this generally cuts across the ministries, agencies, departments and even the Assembly.

You have done a very good job but like a Member said, you need to improve on the level of sensitisation, especially from the Assembly to add on what the ministries do.

There was a comment that came from one Member about the performance of the border point at Mirama Hills. We want to appreciate the level of its construction and how modern it is. It is operational and the systems are already functional. There is only one problem that still exists there, especially on the Ugandan side. I am very aware that Rwanda has really moved and almost all the facilities and Uganda has not.

On accommodation for the Police and immigration officials – they are now living in Ntungamo but I want to inform the House that they are being supported by the department that employs them. They are being paid allowances by the ministry that supervises them. And taking care of accommodation within the border point. So this is something that is being worked out with those particular MDAs in their budgets and very soon, we shall be coming here to report. Instead of four uniports, there will be a whole a barracks at that border.

There are still a few problems that I know – sometimes we assume that there is a delay but we need to understand the dynamics that come especially with the Common Market Protocol.

Yes, it is on the EAC agenda because it is generally where the basis of the integration is built but it also has dynamics in that each country has their own regulations to ensure they implement the protocol. These are things we have to ensure satisfy those countries. For example, in regard to drugs, you find that each country has its own regulations. On the importation of plants or plant materials Partner States with quarantine departments or an agricultural department on plants, may reject some plants. If you are crossing with a seedling, that can cause a delay.

These are some of the things we need to sensitise our people about. What do you require to move with this and that, when crossing the border with a particular type of good so that you do not get problems at for example, Mirama Hills or Namanga? The most important thing is to build on sensitisation. The people responsible have to speak to their people and prove to them that we know what we are supposed to do.

Regarding the issue of sensitisation on South Sudan border, the Ministry of East African Community Affairs in Uganda has not done it because we are yet to receive all the details of what South Sudan is, in terms of the EAC. We are yet to have their minister and their members of Parliament here. We are yet to have other conditions satisfied. We cannot go to the border and sensitise only on the Ugandan side without our counterparts on the other side. That is why we have not done the sensitisation. Otherwise, Uganda has sensitised 65 per cent across the country. We have sensitised even within the interior; not only around the border points.

Mr Speaker, we have taken note of all these resolutions that Members have come up with. The Common Market Protocol is on implementation but like one of the members said, the process is slow. It has an element of negotiation and dynamics that also come through new policies that

emerge, depending on how each member country would like that particular item to be done but we are going to fast-track it.

The Council will also evaluate because we were trying to see whether we have these regulations under the ministries that oversee the implementation of the Common Market Protocol and the budgets.

Uganda has developed a policy to embrace other ministries -that is why you see that the Minister of Finance knows that there is a budget for EALA, a budget for the Secretariat and this budget is paid in sequence. Our payments come in a proper way.

Probably we shall sit as a Council and also see what each Partner State can do to sort out issues of delayed payment to the Secretariat.

Mr Speaker, there was an issue regarding second-hand clothes. It is said to have been a decision of the Summit; whether to import second-hand clothing or not.

I do not think it as framed the way it has been said here. What I know is that there was a concern which was raised at the Summit and the Summit instructed the sectoral council on trade to look into this matter and report in the subsequent 19<sup>th</sup> Summit.

They did not only look at clothes or textiles; they also looked at motor vehicle assembly plants and the leather industry, and how fast we can fast-track it and what impact it could have on the economy of the region. This is something that we know. We cannot really speak about it fully but we know that in the next Summit, it will come out and be pronounced; Members will definitely be updated.

Mr Speaker, I can only say that we support the report as a Council. We have taken note of the areas that we feel we have to be



perfected. However, as I said, the most important thing is that we need to improve on our sensitisation. There is a lot that this agenda is moving on with very well but whose benefits our people are yet to realise. So it is not about the Council of Ministers; it is about us who are involved in this whole process of the integration.

The members of EALA and the agencies within our Partner States need to sit down and see how we can improve on the performance. I heard hon. Mulengani saying that the budget should be improved, definitely I support that idea because it will be through that, that people can be visible out there. As a Council, we shall definitely support you.

Thank you very much, Mr Speaker.

**The Speaker:** Thank you so much, honourable minister. May I now invite hon. Patricia to wrap up as fast as she can?

**Ms Hajabakiga:** Thank you, Mr Speaker. Most of the issues which were raised were comments; I only received two direct recommendations. I would like to thank hon. Maryam Ussi; she wrote her recommendation - one on the issue of Namanga both on the Kenya and Tanzanian sides, where there were always counter accusations.

She also talked about the issues reading the conflicts at the border of Burundi and Tanzania. This is matter that has consistently come out in every sensitisation which we have undertaken. We urge the Council of Ministers – even if it is not the entire Council - the ministers responsible for EAC affairs in both countries to look into that matter; it will help this Assembly to take a rest on that matter.

Hon. Nengo, as you said, each time you go, people think you only ask them questions and they answer and tell you their problems but the next time you go, the problems

persist. Many think that process has becomes irrelevant.

The other recommendation from hon. Ussi is on the recognition of academic and professional qualifications, which also an issue that has been coming out in every other sensitisation. I hope we will take and implement those recommendations.

Hon. Odette, the section which you proposed I think will be added on the report; it was an omission and I hope the Clerk, Mr Musiime Enoch has taken note.

Hon. Opoka generally gave information and I concur with most of the issues which he raised but I want to say something small about Mirama Hills. Mirama and Kagitumba Hills is a very good border; very well built but now that the construction of the tarmac road is done, I am sure there is going to be a shift from Gatuna – Katuna has been congested unlike Mirama Hills and Kagitumba.

We heard that most of the passenger buses traveling between Uganda and Burundi/Rwanda now go through that route since the road is done. So, I hope that the issue was bad because of that stretch of the road. Now that it has been done, I am sure the movement and business will improve in that area.

I want to thank hon. Sebalu for his comments. On the issue of the think-tank at EAC level, comprising of former Members in the service of the Community, this was also recommended by the Minister of Justice of Rwanda and since it has been noted about two or three times, I think we can accept that recommendation.

Hon. Bucumi raised the issue of her name. I am very sorry. I think there was an omission because you were also part of the people who edited the report but you didn't see it at that time – we will correct that name.

The issue of employment of youth is really a big challenge in the Community and we need to address it.

Hon. Ndahiro, the issue of the implementation of the Common Market Protocol – the minister has already replied to it. I think we can take their word that they are working as much as they can to have a better Community where people can move freely.

Hon. Taslima, once again it is the issue of used clothes and the minister has already guided us –

**The Speaker:** Hon. Patricia, maybe you can help us and just summarise. If you went through what all the members said, one by one – I am pressed by time to meet the staff.

**Ms Hajabakiga:** Mr Speaker, I want to respond to hon. Nakawuki's concerns. On the omission of her name, I am sorry only that I was not the secretary to the delegation to Uganda. I think the problem is with your clerk who accompanied you and not me because I could not have dreamed that your name was omitted. I might have thought you did not attend and that is what I assumed.

**Mr Mulengani:** I need to put the record clear; she attended.

**Ms Hajabakiga:** Mr Speaker, generally the rest were just comments but I want to come back on hon. Mwinyi's comments. Hon. Mwinyi, since the Second EALA, if I recall well, has been raising exactly the same statement in relation to the Common Market Protocol. So, it is about time we all thought about how best we can make sure the Common Market becomes a reality because it is really a challenge.

Finally, I want to once again regret that honourable minister of Tanzania – I wanted to give her information that they are

charging more fees for non-Tanzanians. This is not true. I have a nephew who studies at the University of Dar es Salaam and I can confirm that the fees they charge are exactly the same as the Tanzanian students pay. That is the information I wanted to give.

Otherwise, Mr Speaker, the rest of the issues were replied to by the Chair, Council. Thank you.

**The Speaker:** Thank you so much, hon. Hajabakiga. Honourable members, the motion before the House is that the Report of the East African Legislative Assembly on sensitisation activities in the EAC Partner States be adopted. I put the question.

*(Question put and agreed to.)  
Report adopted.*

**The Speaker:** I would like to congratulate Members for the great work done in the Partner States in creating awareness amongst the citizens about their own integration. I congratulate the team and the Commission that has worked so hard amidst difficult financing situations to make sure resources were available for this activity. I thank you so much.

Before I adjourn, honourable members, the list for the AAR has not yet come. We are just going to meet with AAR administration and when the list comes, we will make sure that they are also available to put the terms and conditions of our engagement with them very clearly. I thank you so much. House is adjourned to tomorrow 2.30 p.m.

*(The House rose at 6.30 p.m. to reconvene on Wednesday, 24 May 2017 at 2.30 p.m.)*