



EAST AFRICAN COMMUNITY

IN THE EAST AFRICAN LEGISLATIVE ASSEMBLY (EALA)

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

175th SITTING - THIRD ASSEMBLY: SIXTH MEETING – FIFTH SESSION

Thursday, 1 June, 2017

The East African Legislative Assembly met at 10.00 a.m. in the Chamber of the Assembly, EAC Headquarters in Arusha, Tanzania

PRAYER

(The Speaker, Mr Daniel Fred Kidega, in the Chair)

COMMUNICATION FROM THE CHAIR

VISITING DELEGATION OF STUDENTS FROM TUMAINI UNIVERSITY

The Speaker: Honourable members, good morning. I would like to recognise our guests in the gallery. They are students from Tumaini University Makumira, led by their Guild President, Mr Daudi Maneno and Youth Ambassador, Ms Sauna Mulel. You are most welcome. Thank you, for picking interest in the EAC Affairs.

Honourable members, I will beg your indulgence. Today, I will be a little fast with the things we will do; even the wordiest

person should try to be brief. I will give you short time. Try to respect the short time that is given. We must clean the Order Paper as is, before us.

PAPERS LAID

Ms Patricia Hajabakiga (Rwanda): Thank you, Mr Speaker, Sir. I beg to lay the following Papers on the Table: the Ninth Biannual Report of the East African Legislative Assembly Commission; and the Tenth Biannual Report of the East African Legislative Assembly Commission. Those two Reports will be completing the five years of work of this Assembly by the Commission.

**CONSIDERATION OF THE BUDGET
OF THE EAC FOR THE FINANCIAL
YEAR 2017/2018**

(Dr Odette Nyiramilimo on 31.05.2017)

*(Resumption of business interrupted on
31.05.2017)*

The Speaker: Honourable members, you will remember last evening before we adjourned, we adopted the Report of the Committee on General Purpose on the Budget for the Financial Year 2017/2018.

I would like us to move to the Motion as moved by the Chair, Council of Ministers and I will put the question that the House do resolve to constitute itself into;

(a) a Committee of Ways and Means to consider and approve the Financial Statement 2017/2018; and,

(b) a Committee of Supply to consider and approve the estimates of expenditure for the Financial Year 2017/2018.

(Question proposed)

(Question put and agreed to.)

COMMITTEE OF THE WHOLE HOUSE

**COMMITTEE OF WAYS AND MEANS
AND COMMITTEE OF SUPPLY**

*[The Speaker (Mr Daniel Kidega) left the
Chair]*

IN THE COMMITTEE

*[The Chairperson (Mr Daniel Kidega) took
the Chair]*

**THE BUDGET OF THE EAC FOR THE
FINANCIAL YEAR 2017/2018**

**APPROVAL OF FINANCIAL
STATEMENT**

The Chairperson, Council of Ministers and the Second Deputy Prime Minister, EAC Affairs, Commerce and Tourism, Uganda (Ex- Officio Member)(Dr Kirunda Kivejinja): Mr Chairman, Sir, I beg to move that, in accordance with the provisions of Article 132 (5) of the Treaty and Rules 75, 76 and 77 of the Rules of Procedure, the Committee of Ways and Means do consider and approve the Financial Statement.

The Speaker: The seconders are hon. Isabelle, hon. Mulengani and hon. Dora.

(Question proposed)

(Question put and agreed to)

**APPROVAL OF THE REVISED
ESTIMATES FOR THE EXPENDITURE
FOR THE FINANCIAL YEAR 2016/2017
AND BUDGETARY ESTIMATES FOR
THE FINANCIAL YEAR 2017/2018**

The Speaker: Honourable members, you know that the Report of the Committee on General Purpose has been adopted. It is at this point that we effect changes therein adopted.

SUPPLEMENTARY BUDGET APPROVALS

Vote 001 – The Secretariat

(Question proposed.)

(Question put and agreed to.)

Vote 004 – Lake Basin Commission
Organisation

(Question proposed.)

(Question put and agreed to.)

Vote 009 – East African Health Research
Commission

(Question proposed.)

(Question put and agreed to.)

BUDGET FOR THE FINANCIAL YEAR 2017/2018

Vote 001 – The Secretariat

(Question proposed)

Mr Bernard Mulengani (Uganda): Mr Chairman, Sir, in line with the Report, as you communicated; there are adjustments that need to be made. However, since morning, we have had consultations with the Chairperson, Council of Ministers and we thought that there was need to create a new budget line for political federation to actualise the issues pronounced by the 18th Summit. Those changes will be made along the way and will change the position of the Report. I interacted with the Chairperson of the Committee as well.

Therefore, on this vote, we are proposing a reduction of USD144, 300. The original reduction was supposed to be USD178, 300. But after the morning discussion, the figure reduced to take into account the creation of a new Budget line for political federation which rests in Vote 001. So, there will be a shift from the cost centre of the Secretary General's Office to the cost centre, Political Affairs under the DSG/Political Federation. That is an internal reallocation of USD34,000. That is from the Secretary General's Office to the Political Affairs Office.

Yesterday, our colleague, hon. Dora raised the issue of confederation lacking in the Budget and the Chairperson, Council of Ministers also hinted on it. They will report back during the 19th Summit which will take place during the 2017/2018 Budget. So, we cannot leave that out. We will be failing the Summit decision if we do not provide a budget line.

The Speaker: Hon. Mulengani, I think that is good. You have moved in way of a Motion which has to be seconded. Seconders? Dr Odette, Dr Ndahiro, hon. Valerie, hon. Dora and hon. Rwigema. Thank you.

(Question proposed.)

The Speaker: Could you give us the exact figure that will be removed?

Dr Ndahiro: On a point of clarification, Mr Chairman. I thought we would do the total deduction, pass the vote minus the total amount and then do reallocation. We need to open a budget line under Political Federation when we reach there with the total sum of USD178,000 and then put the balance here after opening the budget line.

The Speaker: We are asking for the computation by the Clerk here; the amount which will be less from the cost centre 001. The other budget line is within Vote 001. That is the Political Confederation Vote. The one which is being removed is I want to know.

Mr Mulengani: You have guided very well. Indeed, as I said, the amount we wanted to deduct was USD178, 300. After the internal consideration of reallocation, the total amount we need to deduct from Vote 001 is USD144, 300. The new Vote 001 becomes USD60, 038, 901.

The Speaker: Honourable members, the Motion moved by hon. Mulengani is that an amount of USD144, 300 be deducted from Vote 001.

Mr Abubakar Ogle (Kenya): On a point of clarification. Before we proceed with this matter which was raised by hon. Mulengani, I just want to seek some guidance on where Political Federation is domiciled. Is it under Vote 001, the Secretary General or is it somewhere else?

The Speaker: Vote 001 is under the Secretary General's Office, which includes the Political Federation docket under the DSG.

Mr Mulengani: Maybe, Members could be proposing that the Council of Ministers should consider splitting these votes. However, the situation as is, includes the Secretary General's Office, all the Deputy Secretary Generals and the Directorate of Customs and Trade.

The Speaker: Honourable members, this has been the practice of our budgeting process, that Vote 001 compounds all these. The Political Federation Budget line we are

creating is within Vote 001. So, what we are reducing is what we are excluding from vote 001. Are we together?

Ms Mumbi Ng'aru (Kenya): Thank you, Mr Speaker. I have understood your guidance that the Secretary General's Office covers all activities of the DSGs. I just want to know the rationale of getting the Political Confederation out of that budget. Otherwise, I thought the implementation of the Summit directives falls under the Secretary General's Office. I need to be guided.

The Second Deputy Prime Minister and Minister for EAC Affairs and Chairperson, EAC Council of Ministers (Uganda) (Dr Ali Kirunda Kivejinja) (Ex-Officio): Mr Chairman, Sir, I want to inform you that I went through the list of activities done by the DSG/Political Federation. However, I found that there was no budget line to cover this aspect; it is not there.

The Speaker: To make it clear, within the DSG's dockets, there are activities liked up with cost amount but that cost line is not there. It will be created within.

Mr Chris Opoka-Okumu (Uganda): Mr Speaker, Sir, I would like to understand because if Political Federation is within the docket of Secretariat's Office, would there not be an internal reallocation?

Ms Dora Byamukama (Uganda): Mr Chairman, Sir that is exactly what we are saying. In the last Summit, which was held on 20th May, there was a Summit directive which was very clear. The Summit adopted a Council decision on Confederation as a transitional form towards Political Federation. The directive went on to say that a Committee of Experts should be put in place to draft a Constitution, and a Report should be made on this particular aspect

during the 19th Summit, which falls within this financial year. It is as clear as that. All we are saying is that since the Summit made a directive on this matter which was not envisaged before, it is important that we are explicit that under Political Federation, with an amount of money set to cater for this but it still remains under the Secretary General's Office.

The Speaker: Let me help out here. For this internal reallocation to take place, there is need for a direction from this House. That is why we are removing from Vote 001, USD144,300, less the USD34,000. Now, in our vote, we will have created a statement captured on the *Hansard* which gives the authority for reallocation for that cost centre within Vote 001 under the DSG/Political Federation. Without that provision in the *Hansard* Report, that reallocation, internally, cannot take place. Are we together?

Dr James Ndahiro (Rwanda): On a point of procedure, Mr Chairman, Sir. I thought that after deducting that amount, we would create a budget line under that vote and call it Political Confederation and then the reallocation will be made on that vote.

The Speaker: That means that we are creating another vote which is not correct. I think the right thing is that we make this statement on *Hansard* to say that within Vote 001, we are going to create a cost line under the DSG/Political Affairs which will be created during the internal reallocation process.

Mr Mulengani: Mr Chairman, Sir, the rest is about administrative and management. I want to call on the indulgence of my colleagues - the Budget people are in here. I know that they know exactly what we are talking about.

I also want to say that creating a budget line of USD34, 000 is not sufficient for the task. We are calling for the Council to do further internal reallocation within the Secretariat and find enough money so that the decision of the 18th Summit is actualised.

The Speaker: What is important here, hon. Mulengani, in this Motion which is fully seconded, is to remove USD144, 300 from Vote 001? I think we need to state exactly where this is coming from, for record purposes.

Mr Mulengani: Thank you Mr Speaker, Sir. This vote is coming from Vote 001 to Vote 002, East African Legislative Assembly. The first activity being deducted is under the Secretary General's Office, where the SG, the two staff and the Council to the Community (CTC) had planned to have Plenary Sitzings more than what we have outside Arusha. So, there are savings which were made out of the number of days we provided for, as a Committee and as an Assembly, on the adoption of the Report totalling to USD34,700. The other source of money is coming from Vote 001 again to Vote 002.

The Speaker: Hon. Mulengani, just for guidance, since we are not talking about Vote 002. Talk about the amount you are removing and where you are moving it to. Where it will go will be another debate.

Mr Mulengani: Another deduction is from Vote 001 – Activity Centre Resource Mobilisation. The activity was to hold the EAC Donors Conference amounting to USD47,850. Another deduction is from Vote 001 – Accounts. The activity is follow up on IPSAS, EASTECO, EAKC and EAHRC. The total amount is USD27, 750. The other vote that has been shared is from Vote 001

amounting to USD68, 000 which has been subdivided - *(interruption)*

The Speaker: Honourable members, we are identifying the specific source of where the costs have been reduced to USD144, 300. That will be deducted from Vote 001.

The Second Deputy Prime Minister and Minister for EAC Affairs and Chairperson, EAC Council of Ministers (Uganda) (Dr Ali Kirunda Kivejinja) (Ex-Officio): On a point of information, Mr Chairman. I want to ease work. Instead of us sitting down to say this should be moved from here or there, we should agree on the principle that we will create a vote specifically to strengthen the pillar of Political Federation with this amount and that we will get the money.

The Speaker: Honourable. Minister, we are together. What is going on is slightly different from that. We do not want to create administrative problems in Vote 001, when making deductions to realise the USD144, 300. So, we want to know which budget line the USD144,300 has been picked from in Vote 001.

Mr Mulengani: Mr Chairman, Sir, the clarification has been made. The last vote that is moving from Vote 001 is the proposal to hire a consultant to review Summit and Council decisions amounting to USD68, 000. We are proposing that the money be reallocated but divided into two; USD34, 000 for creation of the new budget line on political federation then the USD34,000 will be reallocated appropriated as you guided when we come to that point.

The Speaker: Thank you, Honourable members. What has been happening is that the source that will compound to USD144, 000 should be known and captured on record.

I will now put a question on the Motion moved by hon. Mulengani to less Vote 001 by USD144, 300.

(Question proposed proposed)

(Question put and agreed to)

(Question, that USD60,038,901 under Vote 001 be provided for the expenses of the EAC Secretariat including the Defence Liaison Office and the Directorate of Customs for FY2017/2017 proposed)

(Question, that USD60,038,901 under Vote 001 be provided for the expenses of the EAC Secretariat including the Defence Liaison Office and the Directorate of Customs for FY 2017/2018 put and agreed to)

The Secretary General of the EAC (Mr Liberet Mfumukeko): On a point of information, Mr Chairman, Sir. I just want to inform you that some of the reallocations may affect monies coming from donors and especially, the Partnership Fund. We agree with the Steering Committee on the activities ahead of time but reallocating that money to other activities has to be done in agreement with the Steering Committee. I think they may just refuse this reallocation.

The Speaker: Honourable Secretary General, you will tell the Steering Committee that this is the Assembly. The Assembly appropriates resources and passes the Budget. The Budget is the work plan for implementation for all resources that come to the Community. That is exactly what we have done. Thank you.

Vote 002 – The East African Legislative Assembly

(Question proposed)

Mr Mulengani: Thank you Mr Chairman. Again, in line with the pronouncement of this House on the Committee Report, there is need to make an adjustment by adding to Vote 002 USD144, 300. The source of this money has been mentioned. It is proposed to be allocated to EAPI amounting to USD110, 000 and to the Audit Commission USD34,000.

The Speaker: For the record, did you mention the source or where it could come from?

Mr Mulengani: Yes, I had mentioned earlier; the total amount I had mentioned at first. Those are the very sources but the distribution is different.

The Speaker: Seconders. Dr Odette, hon. Sarah, hon. Dora, hon. Nancy and Dr Ndahiro.

Mr Mulengani: Mr Chairman, the new sum for Vote 002 is, therefore, USD18, 141,259.

The Speaker: That is clear. It is the new total for Vote 002. However, let us vote on the Motion moved by hon. Mulengani. We want to know whether this House accepts it.

(Question, that the House adopts the Motion by Mr Mulengani proposed)

(Question, that the House adopts the Motion by Mr Mulengani put and agreed to)

(Motion Adopted)

Vote 003

Dr Ndahiro: Mr Chairman, Sir, I also wanted to put it on record that EAPI required more than USD110, 000 as its budget for FY2017/2018. I am, therefore, calling upon the Council of Ministers to work hard because it is their decisions we are trying to operationalise. In their decision, they mandated that EAPI should be operationalised by October, 2017. In the current Budget, we are short of USD90, 000.

The Speaker: Chair, Council of Ministers, the operationalisation of EAPI is a Council decision and there is a budget line. However, the money we have for it is less. What Members are saying is that if there is an opportunity for a Supplementary Budget in future or any other source of looking for money, consider this as one of the deficient centre of cost within the budget passed. This does not call for debate.

Ms Byamukama: Mr Chairman, Sir, I just want to give information that there is an MoU where national assemblies have pledged to contribute to EAPI. This is an area that can be followed up. It is being held up because this entity had not been given a go ahead by the Council of Ministers.

Dr Ndahiro: On a point of clarification, Mr Chairman. According to the MoU, we understand that each Parliament was supposed to contribute up to USD200,000 and the Community contributes the same amount as well. In any case, we are short of that amount. Thank you.

The Speaker: Honourable members, what we are doing here is to mention on record that we have created a budget line for EAPI. This is not adequate. Any source of funding be it Partner States, Parliaments and any other person, Council needs wisdom to operationalise their decision. We should add

more money there. We should not debate more on this matter.

The Second Deputy Prime Minister and Minister for EAC Affairs and Chairperson, EAC Council of Ministers (Uganda) (Dr Ali Kirunda Kivejinja) (Ex-Officio): Mr Speaker, Sir, I want to clarify one thing there. I am asking Parliament to allocate the money of USD110 million specifically for other things. What I have understood is that this process is to make sure that this is on the budget. Once it is on the budget, I want to be clear that I do not have another place that I will get the money other than the money we are passing here. This is only to start but then it gives us work to remind those who undertook according to the MoU beginning with EALA to deduct money so that we are on the forefront.

The Speaker: We are speaking the same language but using different words. In the interest of time. EALA will do the reallocations and all sources will be looked for to beef up the budget line.

Vote 003 – East African Court of Justice

(Question proposed)

(Question put and agreed to)

Vote 004 – Lake Victoria Basin Commission

(Question proposed)

(Question put and agreed to)

Vote 005 – The Inter-University Council for East Africa

(Question proposed)

(Question put and agreed to)

Vote 006 – The Lake Victoria Fisheries Organisation (LVFO)

(Question proposed)

(Question put and agreed to)

Vote 007 – The East African Science and Technology Commission

(Question proposed.)

(Question put and agreed to.)

Vote 008 – The East African Kiswahili Commission

(Question proposed.)

(Question put and agreed to.)

Vote 009 – The East African Health Research Commission

(Question proposed.)

(Question put and agreed to.)

Vote 010 – The East African Competition Authority

(Question proposed.)

(Question put and agreed to.)

The Second Deputy Prime Minister and Minister for EAC Affairs and Chairperson, EAC Council of Ministers (Uganda) (Dr Ali Kirunda Kivejinja) (Ex-Officio): Mr Chairman, Sir, I beg to move that the House do resume and the Committee of Ways and Means and a Committee of Supply do report thereto.

The Chairman: The seconders are Dr Odette, hon. Taslima and all the members standing.

(Question proposed.)

(Question put and agreed to.)

[

(The House resumed, the Speaker, Mr Daniel Kidega, in the Chair.)

REPORT AND THIRD READING

The Chairperson, Council of Ministers and the Second Deputy Prime Minister, EAC Affairs, Commerce and Tourism, Uganda (Ex-Officio Member) (Dr Kirunda Kivejinja): Mr Speaker, Sir, I beg to report that a Committee of Ways and Means has considered and approved the Financial Statement and a Committee of Supply has approved the Revised Estimates of expenditure for the Financial Year 2016/2017 totalling to USD103, 521,102 consisting of an additional sum of USD2, 146, 513 as Supplementary Budget.

The Supplementary Budget includes USD1, 766,221 for the EAC Secretariat under Vote 001; a total of USD123, 840 for the Lake Victoria Basin Commission under Vote 004; a total of 256,452 for the East African Health Research Commission under Vote 009; and the Budget for the EAC totalling USD110,130,183 for the Financial Year 2017/2018.

MOTION FOR THE ADOPTION OF THE REPORT OF THE COMMITTEE

The Second Deputy Prime Minister and Minister for EAC Affairs and Chairperson, EAC Council of Ministers (Uganda) (Dr Ali Kirunda Kivejinja) (Ex-

Officio): Mr Speaker, Sir, I beg to move that the Report of Committee of Ways and Means and the Committee of Supply be adopted.

The Speaker: The seconders are Dr Odette, hon. Bucumi and all the Members standing.

(Question proposed.)

(Question put and agreed to.)

Report of the Committee of the Whole House adopted.

COMMUNICATION FROM THE CHAIR

VISIT BY FORMER SPEAKER OF EALA AND FORMER SG

The Speaker: Hon. Members, before I proceed to the next stage of the Order Paper, this morning, we are pleased to be blessed by the presence of very senior citizens of the EAC, people of great contribution to the integration process. We are joined today, in the special gallery, by Mr Speaker Abdi Abdirahim, the man from whom I took this Chair, the former Speaker of the Second East African Legislative Assembly. *(Applause)*

In a very special way, I would also like to recognise the presence of a very distinguished citizen of this Community, the former Secretary General of the EAC, hon. Maj. Nuwe Amanyu Mushega. *(Applause)*

We thank you, for gracing our Plenary. These are our special guests.

*Second Reading*THE EAC SUPPLEMENTARY
APPROPRIATION BILL, 2017

The Second Deputy Prime Minister and Minister for EAC Affairs and Chairperson, EAC Council of Ministers (Uganda) (Dr Ali Kirunda Kivejinja) (Ex-Officio): Mr Speaker, Sir, I beg to move that the EAC Supplementary Appropriations Bill, 2017 be read the Second Time.

The Speaker: The seconders are hon. CTC, hon. Isabelle, hon. Bucumi and hon. Valerie.

(Question proposed.)

(Question put and agreed to.)

Ms Susan Nakawuki (Uganda): Thank you very much, Mr Speaker. Yesterday, I made a plea to the Assembly over a vote for the Donor Conference, which is intended to help us raise funds for the Community. I requested that the sum which had been allocated for that conference which was about USD41,000 be reinstated instead of being reallocated. I would like to propose that the docket of Political Federation, at least, gets funded from the Partnership Fund instead of reallocating this money. The Donor Conference will bring in a lot of money to the Community.

Dr Odette Nyiramilimo (Rwanda): On a point of procedure. I think the Honourable member has not been following. This issue is already finished. We are now dealing with the Supplementary Budget. What she is talking about has been taken care of.

The Speaker: Thank you, Dr Odette, who is also the Chairperson, Committee on General Purpose. Hon. Susan, we went into the Committee of Ways and Means and

Committee of Supply and we dealt with that matter. A Motion was raised. I was not keen to see whether you were in the House or not. Debate ensued and there was no opposition to the Motion. We voted on the Motion and the votes. However, the honourable Chairperson, Council of Ministers who is leading the Executive urged the House to resume. It resumed and a Report of the Whole House was adopted. Therefore, procedurally, my hands are tied.

(Question put and agreed to.)

(The Bill was read a Second Time.)

COMMITTEE OF THE WHOLE HOUSE

[The Speaker (Mr Daniel Kidega) left the Chair]

IN THE COMMITTEE

[The Chairperson (Mr Daniel Kidega) took the Chair]

THE EAC SUPPLEMENTARY
APPROPRIATION BILL, 2017*Clause 1*

(Question proposed.)

(Question put and agreed to.)

Clause 1, agreed to.

Clause 2

(Question proposed.)

(Question put and agreed to.)

Clause 2, agreed to.

Schedule

(Question proposed.)

REPORT AND THIRD READING

*(Question put and agreed to.)
The Schedule, agreed to.*

Memorandum

(Question proposed.)

*(Question put and agreed to.)
The Memorandum, agreed to.*

Title

(Question proposed.)

*(Question put and agreed to.)
The Title, agreed to.*

The Second Deputy Prime Minister and Minister for EAC Affairs and Chairperson, EAC Council of Ministers (Uganda) (Dr Ali Kirunda Kivejinja) (Ex-Officio): Mr Chairman, Sir, I beg to move that the House do resume and the Committee of the Whole House do report thereto.

Seconders: Hon. Rwigema, hon. Shy Rose, hon. Patricia and all the Members standing.

(Question proposed.)

(Question put and agreed to.)

[The House resumed.]

[The Speaker on the Chair_]

The Second Deputy Prime Minister and Minister for EAC Affairs and Chairperson, EAC Council of Ministers (Uganda) (Dr Ali Kirunda Kivejinja) (Ex-Officio): Mr Speaker, Sir, I beg to report that a Committee of the Whole House has considered the Bill entitled the EAC Supplementary Appropriations Bill, 2017 and passed the same without amendments.

Mr Mulengani: Mr Speaker, Sir, May I seek some clarification. Are we pronouncing ourselves on the Supplementary Appropriations Bill?

The Speaker: Yes, Supplementary.

The Second Deputy Prime Minister and Minister for EAC Affairs and Chairperson, EAC Council of Ministers (Uganda) (Dr Ali Kirunda Kivejinja) (Ex-Officio): Mr Speaker, Sir, I beg to move that a Report of the Committee of the Whole House be adopted.

Seconders: Hon. Isabelle, hon. ole Nkanae, hon. Kizhiga and all the Members standing.

(Question proposed.)

(Question put and agreed to.)

THE EAC SUPPLEMENTARY APPROPRIATIONS BILL, 2017

The Second Deputy Prime Minister and Minister for EAC Affairs and Chairperson, EAC Council of Ministers (Uganda) (Dr Ali Kirunda Kivejinja) (Ex-Officio): I beg to move that the EAC Supplementary Appropriations Bill be read a Third Time and do pass.

Seconders: Hon. Patricia, hon. Taslima, hon. Kalinda, hon. Sarah, hon. Valerie and all the Members standing.

(Question proposed.)

(Question put and agreed to.)

(The Bill was read a Third Time and passed.)

The Speaker: I declare that the EAC Supplementary Appropriations Bill, 2017 has been duly passed by this Assembly. I congratulate the Chairperson, Council of Ministers, the Committee on General Purpose and the House.

Second Reading

THE EAC APPROPRIATIONS BILL, 2017

The Second Deputy Prime Minister and Minister for EAC Affairs and Chairperson, EAC Council of Ministers (Uganda) (Dr Ali Kirunda Kivejinja) (Ex-Officio): Mr Speaker, Sir, I beg to move that the EAC Appropriations Bill, 2017 be read a Second Time.

Seconders: Hon. Patricia, hon. Shy Rose, hon. Valerie, Dr Odette, hon. Bucumi and hon. Kizhiga.

Mr Speaker, Sir, the object of this Bill is to make provisions for the appropriations out of the Budget of the EAC of specified amounts of money for the services and purposes of the Community for the Financial Year ending 30th June, 2018.

(Question proposed.)

Dr Odette: Thank you, Mr Speaker Speaker, Sir. I thank the Chair, Council of Ministers because we have discussed this

Appropriation Bill. When we will be passing it, I will propose that we pass it with some amendments. We have amended the numbers.

The Speaker: Thank you so much, Chair, Committee on General Purpose.

(Question put and agreed to.)

(The Bill was read a Second Time.)

COMMITTEE OF THE WHOLE HOUSE

(The House resumed, the Speaker, Mr Daniel Kidega, left the Chair)

IN THE COMMITTEE

(The Chairperson, Mr Daniel Kidega, took the Chair)

THE EAC APPROPRIATION BILL, 2017

The Chairperson: Honourable members, you will remember that in the Committee of the Whole House and Committee of Supply, we made changes and in the Chairperson's Committee Report. We are now going to give legal effect to those changes by amending the Bill as proposed by this House.

Clause 1

(Question proposed.)

(Question put and agreed to.)
Clause 1, agreed to.

Clause 2

(Question proposed.)

(Question put and agreed to.)

Clause 2, agreed to.

Clause 3

(Question proposed.)

(Question put and agreed to.)

Clause 3, agreed to.

Clause 4

(Question proposed.)

(Question put and agreed to.)

Clause 4, agreed to.

Clause 5

(Question proposed.)

(Question put and agreed to.)

Clause 5, agreed to.

Clause 5

(Question proposed.)

(Question put and agreed to.)

Clause 5, agreed to.

Schedule

(Question proposed.)

The Title, agreed to.

The Chairperson: Honourable members, it is at this point that changes will be made on the figures.

Mr Mulengani: Thank you, Mr Chairman. I beg to move that the Schedule, be amended on Vote 001 by removing the figures USD60,183,201 and replacing thereof with the figure USD60,038,901 and that Vote 002 is amended by deleting the figures USD17,996,959 and replacing thereof with the figures USD18,141,259.

The Chairperson: Seconders: Dr Ndahiro, hon. Kalinda, hon. Frederic, hon. Kessy and all the Members standing. Could you put some justification on record for the amendment of the Schedule?

Mr Mulengani: Thank you, Mr Chairman. From the Report of the Committee on General purpose as adopted yesterday, the House adopted reallocations. For that reason, we needed to make adjustments on the Appropriations Bill, 2017/2018. Indeed, the adjustments I have proposed are in line with the adopted Report of the Committee on General Purpose.

(Question, that the words to be left out be left out.)

(Question, that the words to be put in place thereof be adopted, put and agreed to.)

(The Schedule was amended.)

Mr Abubakar Ogle (Kenya): Mr Speaker, I am not opposed to this issue. However, the understanding was that we would create a specific line to be reflected on the Schedule, which would indicate that the money was intended for EAPI. How do we handle that one? Should it just be under the EALA?

The Chairperson: Hon. Ogle, the Debate we are putting on record is to effect this reallocation internally within the votes; within the EALA for EAPI and within Vote 001 for Political Federation. That was done.

So, we are putting in effect the changes we agreed on.

Mr Mulengani: Mr Chairman, since this is for the sake of record, this reallocations take into consideration the Audit Commission as well.

The Chairperson: That is right.

The Memorandum

(Question proposed.)

(Question put an agreed to.)

Title

(Question proposed.)

(Question put and agreed to.)

The Second Deputy Prime Minister and Minister for EAC Affairs and Chairperson, EAC Council of Ministers (Uganda) (Dr Ali Kirunda Kivejinja) (Ex-Officio): Mr Speaker, Sir, I beg to move that the House doth resume and report thereof.

Seconders: Dr Odette and hon. Taslima.

(Question proposed.)

(Question put and agreed to.)

[The House Resumed.]

[The Speaker on the Chair]

REPORT AND THIRD READING

The Second Deputy Prime Minister and Minister for EAC Affairs and Chairperson, EAC Council of Ministers (Uganda) (Dr Ali Kirunda Kivejinja) (Ex-Officio): Mr Speaker, Sir, I beg to move -

THAT, a Committee of the Whole House has considered the EAC Appropriations Bill, 2017 and passed the same with amendments.

The Second Deputy Prime Minister and Minister for EAC Affairs and Chairperson, EAC Council of Ministers (Uganda) (Dr Ali Kirunda Kivejinja) (Ex-Officio): Mr Speaker, Sir, I beg to move:-

THAT, the Report of the Committee of the Whole House as amended be adopted.

(Question, that the Bill, as amended be adopted proposed.)

(Question, that the Bill, as amended be adopted, put and agreed to.)

(The EAC Appropriations Bill, as amended was read a Third Time and passed.)

The Speaker: Honourable members, I now declare that the EAC Appropriations Bill, 2017 has been duly passed by this Assembly with amendments. *(Applause)*

In a very special way, I would like to congratulate the Mover of this Bill, the Chairperson, Council of Ministers and Members of the Council, the Secretary General and the army of staff in the Secretariat, Dr Odette, the Chairperson, General Purpose Committee, the great Members of the General Purpose Committee and this Assembly for the great work. This is historical. This is the final Bill we are passing as the Third Assembly. Congratulations.

BILL*Second Reading***THE EAC POLYTHENE MATERIALS
CONTROL BILL, 2016***(Resumption of debate interrupted on 15
March 2017.)*

The Speaker: Honourable members, you will remember very well that this Bill has been with us for some time. I am very aware that some Members in the gallery worked on this Bill but it is still with us in this House. At the point of adjournment, the Chairperson, Council of Ministers moved that more consideration be given to the Report of the Committee because the positions from certain stakeholders, like the EAC Business Council and the United Republic of Tanzania, had not yet been considered by the Committee. Those stakeholders have since submitted their views. The Committee has also considered them and now we are calling upon the Committee to abridge the Report that they presented earlier.

**The Chairperson, Committee on
Agriculture, Tourism and Natural
Resources (Ms Valerie Nyirahabineza):**

Mr Speaker, Sir, indeed, we came up with a small addendum to the Report on the consultations held on the EAC Polythene Material Control Bill, 2016.

Mr Speaker and Honourable members, the EALA Committee on Agriculture, Tourism and Natural Resources presented to this august House its Report on consultations held in Nairobi on the EAC Polythene Material Control Bill, 2016 on March 15th, 2017 in Kigali, Republic of Rwanda.

You also recall that the debate took place and that the Chairperson of EAC Council of Ministers moved a motion for adjournment of the debate on the report for three reasons:

1. For scrutiny of numerous amendments that have been introduced to the Bill in the schedule of amendments attached to the report;
2. To allow inclusion of views from the EAC Business Council.
3. To allow inclusion of views from the United Republic of Tanzania.

Mr Speaker, Sir, the Committee received submissions from those who had requested extension namely the United Republic of Tanzania and the East African Business Council (EABC). The Committee met and considered them on Friday 26th May 2017, and came out with this addendum to the report, which was tabled in Kigali, Rwanda.

**The United Republic of Tanzania's
position**

- The United Republic of Tanzania supports the Bill. However, they proposed that it should be improved in some areas in particular, when it comes to penalties and punishment. They also expressed concern on how to find alternatives to replace plastic bags.
- They also informed us on the proposal from the Sectoral Council on Trade, Industry and Investment, which insists in adopting waste management and usage of biodegradable plastics instead of total ban of plastic bags.
- Although the East African Community Polythene Materials Control Bill, 2016 intends to protect the environment, the scope should be limited to the use of plastic bags and polythene materials.

Apart from those general considerations, the united Republic of Tanzania proposed

specific amendments which are already captured in the schedule of the report or in the definitions except the following:

- a. Deletion of the words “and land use management” under clause 3 (c);
- b. Delete “20 days “and replace it with “45 days”, under article 6(2). The justification being that this takes into consideration the size of the United Republic of Tanzania, which is big for the applicant to implement the law when it is enacted;
- c. The fine provided for under clause 7(1) is too high for the use of polythene materials; the reason they gave was that the Treaty does not provide for fines. Under the same clause, they proposed insertion of a sub clause which provides for negligence as an offence and it reads as follows: a person who, by negligent act pollutes the environment by the plastic bags...”;
- d. Under clause 8 on enforcement. Under Clause 10, relevant authorities designated by Partner States shall enforce this Act.
- e. Partner States that may have various institutions to enforce this Act. They proposed to reduce penalties as they are of the view that many East Africans may end up in prison, if every citizen is requested to pay \$5000, any time he contravenes this law.
- f. Under clause 11(3), they propose deletion of the requirement of consent from the Public Prosecutor as this will delay the process;
- g. They proposed deletion of clause 12(2) as they found it vague.

Submissions of Private Sector Position on the Bill

The Business Community represented by the East African Business Council (EABC) is of the view that plastic has immense benefits. These include; support to sanitation and public health, cost effectiveness in

production, which makes packaging affordable to the citizens, re-usability in households, and commercial purposes. They propose recycling as a way to reduce the waste from plastics.

However, they recognise that the main challenge in using plastics bags is its disposal. They also indicated that research has demonstrated that this challenge is linked with behavioural attitudes of disposal by citizens and low application measures by governments, largely due to lack of adequate funding.

In their situational analysis, they raised the following ways used globally to find sustainable solutions to plastic waste management:

- Introducing limitation on the thickness of plastic bags to encourage use of reusable ones;
- Imposing a charge on carrier bags at retail level to reduce free distribution;
- Fiscal incentives to encourage recycling;
- Imposition of tax seen as an effective mechanism

Proposals for specific amendments

See the proposals in the document sent to EALA (pages 6 to 9). The East African Business Council (EABC) requested the Committee to consider all their proposals.

The Committee has not agreed with the amendments brought by the private sector because they have financial implications on the Partner States and the Assembly has no powers to legislate on financial matters of Partner States.

Therefore, the Committee requests that the Bill moves to the second and third reading and do pass.

Mr Speaker, Sir, I beg to submit.

The Speaker: Thank you, Chairperson, Committee on Agriculture, Natural Resources and Tourism. Chair, Council of Ministers, do you have any comment to make?

The Chairperson, Council of Ministers and the Second Deputy Prime Minister, EAC Affairs, Commerce and Tourism (Uganda) (Ex-Officio) (Dr Kirunda Kivejinja): Thank you, Mr Speaker, Sir. The Council of Ministers participated in the Debate here and the concerns of Partner States were brought forward. I think the Committee has clarified those issues with the concerned Partner States and the commercial sector whose business it is to deal with polythene material.

They seem to have agreed. Therefore, the Council of Ministers has no objection for the good work.

(Question proposed.)

(Question put and agreed to.)

(The Report was adopted.)

COMMITTEE OF THE WHOLE HOUSE

(The Speaker, Mr Daniel Kidega, left the Chair)

IN THE COMMITTEE

(The Chairperson, Mr Daniel Kidega, took the Chair)

THE EAC POLYTHENE MATERIAL CONTROL BILL, 2016

The Chairperson: Honourable members, I am sure you know that it is at this stage that we effect amendments to the Bill. I am sure there could be amendments from the Committee and Members.

Clause 1

(Clause 1 agreed to)

Clause 2

Ms Nyirahabineza: Mr Chairman, I beg to move that the Bill be amended to read as follows:

- (a) In the definition of “environment authority” by replacing the word “environment” with the word “relevant.”
- (b) By replacing the definition of “polythene” with the following new definition-
“polythene means a synthetic industrial product with low density, composed of numerous molecules of ethylene with a chemical compound (H₂C=H₂C).”
- (c) By inserting the following definition-
“plastic shopping bag” means a shopping bag that is manufactured from thin polythene material.

The justification is that the terminology should be used in the Bill and for industrial practice.

The Chairperson: Seconders: Hon. Frederic and hon. Rwigema.

(Question proposed.)

(Question, that the words to be left out be left out, put and agreed to.)

(Question, that the words to be inserted in place thereof be inserted, put and agreed to.)

(Clause 2, as amended, agreed to.)

Clause 3

Ms Nyirahabineza: Mr Chairman, Sir, I beg to move that Clause 3 be amended by deleting the words “and land use management” in paragraph (c); and by inserting the following new paragraph after paragraph “e” “(f) promote the protection of human and animal health.”

The Justification for this is to cater for the public health and sanitation in law.

The Chairperson: Seconders: Hon. Kalinda, hon. Sarah, hon. Patricia.

(Question proposed.)

(Question, that the words to be left out be left out, put and agreed to)

(Question, that the words to be inserted in place thereof be inserted, put and agreed to)

(Clause 3, as amended, agreed to,)

(Clause 4, as agreed to,)

Clause 5

Ms Nyirahabineza: Mr Chairman, Sir, I beg to move -

THAT, Clause 5 be amended by replacing it with the following new clause 5

Ban of Shopping Bags

(1) The use, sale, manufacturing and importation of polythene shopping bags is banned in the Partner States.

(2) The polythene materials specified in the Schedule may be used, sold, manufactured or imported, subject to such limitations as the Council may determine.

(3) The Council may amend the Schedule as such time as it may deem necessary.

(4) For the avoidance of doubt, subsection

(1) Shall apply progressively and shall be completed in all Partner States within a period of eighteen months from the coming into force of this Act.

The justification is that this is for clarity.

The Chairperson: Seconders; Hon. Leonce, hon. Frederic and all Members standing. I now put the question proposed that the words to be left out.

Question put and agreed to.

Clause 5, as amended

The Chairperson: I put the question, that the proposed words be inserted.

(Question put and agreed to.)

Clause 5, as amended, agreed to.

Clause 6

Ms Nyirahabineza: Mr Chairman, Sir, I beg to move that Clause 6(1)(c) be amended by replacing it with the following Clause: “How the applicant intends to manage and ensure

environmentally safe disposal of the polythene waste.”

Clause 6(2) is amended by replacing the words “twenty” with the words “forty five.”

The Chairperson: Seconders: Hon. Kimbisa, hon. Sarah, hon. Leonce and all the Members standing. I now put question to the amendment proposed.

(Question put and agreed to.)

Clause 6 as amended agreed to.

Clause 7

Ms Nyirahabineza: Thank you, hon. Chairman, Sir. I beg to move that Clause 7(1) be amended by replacing the words “a fine not exceeding five thousand United States dollars or imprisonment for a term not exceeding 12 months or both” with the words “such penalties as the penal laws of the Partner States may prescribe.”

Sub-clause 3 is amended by adding at the end of sub-clause the words “using environmentally friendly standard methods of disposal.” The justification is to let the penal regimes of the Partner States be applied.

The Chairperson: Seconders are hon. Kalinda, hon. Sarah and all the members standing. I now put the question to the amendment proposed.

(Question put and agreed to.)

Clause 7, as amended, agreed to.

Clause 8, agreed to.

Clause 9, agreed to.

Clause 10

Ms Nyirahabineza: Mr Chairman, Sir, I beg to move that Clause 10 be amended by replacing the words “a fine not exceeding five thousand United States Dollars or to imprisonment for a term not exceeding twelve months or both” with the words “such penalties as the penal laws of the Partner State may prescribe.”

The Chairperson: I now put the question of the amendment proposed that the words to be left out be left out.

(Question put and agreed to.)

Clause 10, as amended, agreed to.

Clause 11

Ms Nyirahabineza: Mr Chairman, Sir, I beg to move that Clause 11 be amended by replacing the words “a fine not exceeding five thousand United States Dollars or to imprisonment for a term not exceeding twelve months or both” with the words “such penalties as the penal laws of Partner States may prescribe.”

I also move that Clause 11(3) be deleted. The justification for this is to let the penal regimes of the Partner States be applied. The deletion of Clause 11(3) is for best practice.

I beg to move.

The Chairperson: I put a question of the amendments proposed.

(Question put and agreed to.)

Clause 11, as amended, agreed to.

Clause 12 agreed to.

Clause 13

Ms Nyirahabineza: Mr Chairman, Sir, I beg to move that Clause 13 be amended by adding the following new sub clause (2):

- (2) Notwithstanding the generality of sub clause (1) regulations shall be made relating to-
- (a) Materials used in the construction industry; and
 - (b) Materials used in the agricultural industry.

The Chairperson: Seconders; hon. Leonce, hon. Shy Rose, hon. Frederic and hon. Sarah. I now put the question of the amendment proposed.

Mr Issa Twaha Taslima (Tanzania): Mr Chairman, Sir, Clause 13, where we are does not have sub clause (1). Therefore, the amendment should include renumbering.

The Chairperson: That is noted. That has to do with the alignment of numbering. The Clerk-at-the-Table will take care of it.

(Question put and agreed to.)

Clause 13, as amended, agreed to.

PROPOSED NEW CLAUSES

X- “Waste Management”

(The provision of “Waste Management” was read for the “First Time”)

Ms Nyirahabineza: Thank you Mr Chairman for the opportunity to read out the

new clauses. The first is on Waste Management.

1. The Partner States shall put in place measures aimed at the effective management of polythene waste in their territories.
2. Measures under sub section (1) may include but not limited to –
 - (a) Enactment of the necessary laws and regulations;
 - (b) Waste collection and transportation initiatives;
 - (c) Waste segregation;
 - (d) Waste recycling;
 - (e) Public health and sanitation programmes;
 - (f) Public awareness and education campaigns; and, waste disposal, minimisation and control.

Provision for the New Clause was read for the Second Time.

XX- Safeguard Measures

(The provision of “Safeguard Measures” was read for the “First Time”.)

- (1) A Partner State may apply safeguard measures in the event of a serious injury or a threat of a serious injury occurring to its environment as a result of applying a relevant provision of this Act;
- (2) In the event of serious injury, where prompt and immediate action is deemed necessary, the Partner State concerned shall take necessary safeguard measure after informing the Council and the other Partner States through the Secretary General; and
- (3) In case of a threat of serious injury, the Partner State concerned shall consult the Council before taking the necessary safeguard measures.

(The provision “Safeguard Measures” was read for the Second Time.)

XXX – Annual Reports

(The provision for “Annual Reports” was read for the First Time.)

- (1) The relevant authority shall within three months after the end of each financial year, submit to the Council an annual report of that financial year containing-
 - (a) a report on the activities and operations of the relevant authority in the implementation of this Act; and,
 - (b) Any other information as the Council may deem appropriate.
- (2) The Council shall cause the annual report to be laid before the East African Legislative Assembly within six months after receiving the report.

The justification for this new clause is that it is necessary to address missing aspects of the Bill. The same justification applies to the earlier new clause that I read out.

I beg to move.

(The provision for “Annual Reports” was read for the Second Time)

(The Memorandum was agreed to)

(Title was agreed to)

Ms Hajabakiga: Thank you Mr Speaker Chairman, Sir. I beg to move that the House do resume and the Committee of Whole House reports thereto.

The Chairperson: Hon. Taslima, hon. Kessy and all the Members standing.

(Question put and agreed to.)

(The House Resumed, the Speaker, Mr Daniel Kidega, in the Chair_)

REPORT AND THIRD READING

Ms Hajabakiga: Mr Speaker, Sir, I beg to move that a Committee of the Whole House has considered the EAC Polythene Materials Control Bill, 2016 and passed the same with amendments.

Ms Hajabakiga: Mr Speaker, Sir, I beg to move that the Report of the Committee of the Whole House as amended, be adopted. The Seconders are hon. Kalinda, hon. Leonce, hon. Taslima, hon. Mulengani and all the Members standing.

(Question that the Report of the Committee be adopted proposed.)

Ms Hajabakiga: Mr Speaker, Sir, I beg to move that the EAC Polythene Materials Control Bill, 2016 be read for the Third Time and do pass.

The Speaker: Seconders: hon. Rwigema, hon. Shy Rose, hon. Dora and all the Members standing.

(Question proposed.)

(Question, that the Bill, as amended be adopted, put and agreed to.)

(The Bill was read a Third Time and passed.)

The Speaker: I now declare that the East African Community Polythene Material Control Bill, 2017 as amended, has been duly passed by the Third Assembly.
(Applause)

I would like, in a very special way, to congratulate hon. Patricia Hajabakiga for being very consistent on this matter since the Second Assembly. We have now passed this Bill in the Third Assembly, at the end of it. I would like to in a very special way, thank and congratulate Chair, Council of Ministers and Members of the Council of Ministers for supporting this initiative. I would also like to salute the patience engagement of all stakeholders. This is one of the most intensively and extensively consulted Bill.

Congratulations stakeholders. I also congratulate this Assembly.

MOTION

REPORT OF THE COMMITTEE ON COMMUNICATION, TRADE AND INVESTMENT ON THE SINGLE CUSTOMS TERRITORY IN THE EAC REGION

The Chairman of the Committee on Communication, Trade and Investment (Mr Mukassa Mbidde): Mr Speaker, Sir, this is the Report of the Committee on Communications, Trade and Investments on Single Customs Territory in the EAC Region.

I beg to move that the Report be adopted.

The Speaker: Honourable Chairperson, go ahead and present the Report in a motivated say. I know that you are capable of doing that.

Mr Mbidde: Much obliged, Mr Speaker. I will definitely attempt to do so.

Introduction

The Committee on Communications, Trade and Investment held an oversight activity from April 3rd - 5th 2017, in Kampala, Uganda, to assess the status of implementation of the Single Customs Territory (SCT) in the East African Community, following the directive of the Summit of EAC Heads of State in November 2013, to adopt and operationalise a framework on the Single Customs Territory by June 2014.

SCT aims at full attainment of the Customs Union and its implementation is premised on the free movement of goods, revenue management systems and regional legal and institutional framework. This will be achieved through the removal of restrictive regulations and/or minimisation of the internal border controls on goods moving between the Partner States.

It is against this background that the Committee undertook an oversight activity as mandated by Article 49 (d) (e) of the Treaty for the establishment of the East African Community.

Objectives of the oversight activity

The objectives of the Oversight were to:

- (i) Find out the status of implementation of the Single Customs Territory in the EAC Partner States; and
- (ii) Identify opportunities and challenges involved in the Single Customs Territory;
- (iii) Come up with recommendations.

Methodology

In carrying out this activity, the Committee employed various methods, which included the following:

- (a) Tour and on spot assessment of the Regional Cargo Tracking System (RCTS) in Uganda
- (b) Received presentations from the Partner States on their respective status of Single Customs Territory ; and
- (c) Held Plenary sessions for discussions, and clarifications about the EAC Single Customs Territory matters.

Findings

EAC Secretariat

The EAC Technical Expert/Adviser on Single Customs Territory made a presentation at the meeting on its implementation as follows;

In her introduction, she highlighted among others the objectives, legal and institutional framework, pillars and the consolidation of the SCT as follows;

SCT focuses on deepening and strengthening trade among Partner States through minimizing border controls and other non-tariff barriers to create most conducive environment for regional trade. This will reduce the existing imbalances among Partner States to foster and encourage accelerated sustainable development of EAC.

The implementation of EAC Single Customs Territory commenced on a pilot basis along the two corridors in 2014 following a decision of Heads of State in April 2012, where the Destination Model of clearance of goods was adopted,

It was noted that the Legal and Institution Framework of the SCT is hinged on the

Treaty, EAC Customs Union Protocol, regulations and the directives of the EAC Council.

Institutional frameworks include the regional policy organs and national institutions. For purposes of SCT, EAC has a working structure of five technical working groups, five SCT coordinators, the SCT Monitoring and Evaluation Committee and the EAC policy organs.

It was also mentioned that the Single Customs Territory is premised on three major pillars including;

- i) *Free Circulation of goods.* Goods imported into the Customs Union, shall be entered only once at the country of destination and released at the first port of entry to the destination Partner State.
- ii) *Revenue Management systems* - Partner States agreed to adopt a destination principle where assessment and collection of revenue is at first point of entry and revenues are remitted to the destination Partner States subject to the fulfillment of key pre-conditions.
- iii) *Legal and Institutional Framework* - Relevant provisions of the Community laws to support the implementation of SCT and establishment of working structures.

It was further highlighted that there are preconditions for the operationalisation of Single Customs Territory which include the following:

- (i) ICT requirements including Compatible and interfaced Customs systems, together with all major customs stations having functioning ICT systems;

- (ii) Regional Cargo tracking system; and
- (iii) Implementation of the Regional Customs Guarantee Scheme to enable the operationalization of a regional bond.

It was noted that the Single Customs Territory was consolidated in 2015 through finalisation of key operational instruments including the following;

- (i) Revision of SCT procedure manual;
- (ii) Development of SCT monitoring and evaluation tool;
- (iii) Development of the framework on deployment of staff in other partner states;
- (iv) Development of the enforcement and compliance framework;
- (v) Development of the procedure for clearing agents to access other Partner States Customs Systems;
- (vi) Development of the interagency cooperation framework;
- (vii) Development of the capacity building framework; and,
- (viii) Enhancing the ICT Solution to enable exchange of information.

The above instruments were adopted by the Sectoral Council on Trade Industry Finance and Investment (SCTIFI) and are operational in the Partner States. To ensure real time flow of information and minimum clearance time of goods, ports and customs system interconnectivity were enhanced.

Status of Implementation

It was noted that currently, all intra-regional trade is cleared under SCT for all Partner States. For Rwanda, it has fully rolled out all maritime products (products that pass

through the sea/port) under SCT for both northern and central corridors.

Other Partner States are in the process of rolling out and the customs systems for the five revenue authorities have been enhanced to enable exchange of information amongst customs administrations.

On Maritime, the following products are cleared under the SCT between EAC Partner States:

- (i) Between KRA/ URA, about 15 products are cleared under the SCT Framework.
- (ii) Between KRA/ RRA; all maritime products are cleared under the SCT Framework.
- (iii) Between KRA/ TRA; three products are cleared under the SCT Framework.
- (iv) Between TRA/ URA; Only ONE product is cleared under the SCT Framework. (v) Between TRA/ RRA; all maritime products are cleared under the SCT Framework.
- (v) Between TRA/ OBR; Seven (7) products are cleared under the SCT Framework.

Achievements

- (i) Reduced the cost of doing business;
- (ii) Reduced turn-around time from 21 and 18 days to 4 and 6 from Mombasa to Kampala and Kigali respectively. And from 25 to 5 days along the central corridor;
- (iii) Enhanced application of cross border ICT systems and quality data collection at the regional level;
- (iv) Enhanced capacity and improved coordination of the private and public sector agencies;

- (v) Enhanced compliance;
- (vi) Reduced clearance time; and
- (vii) Use of a Single declaration for clearance of goods.

Challenges

- (i) Slow pace by Partner States to rollout maritime products under SCT. This creates imbalances within Partner States and promotes diversion of goods;
- (ii) Lack of regional customs bond - a financial guaranty between the Insurance/Surety Company issuing the Customs bond, the Importer of Record (also known as the Principal on the bond), and Customs & Border Protection (CBP);
- (iii) Variation in information systems used by stakeholders;
- (iv) Connectivity challenges of Customs systems; and
- (v) Non-implementation of all developed processes to fully operationalise the SCT.

BURUNDI

In the présentation, it was mentioned that Burundi through Burundi Revenue Authority (OBR) joined the Single Customs Territory in January 2014. From that period, OBR has engaged in many changes with regards to implementation of the SCT. Therefore, a lot of developments have taken place to set up the proper and accurate environment for the successful implementation of the SCT.

While implementing the SCT, Burundi has engaged in the creation of the SCT module in Asycuda World (Automated System for Customs Data) to interface with the other automated customs management systems of the four (4) Revenue Authorities. The developments set up and integrated to Burundi system have enabled the following:

- (i) Sending and receiving customs data (declaration and exit note) to and from the other Partner States;
- (ii) Sending and receiving notification messages to and from other revenue authorities; and
- (iii) Implementation of COMESA regional customs bond (pilot started from January 2017).

The Intra-Trade under the SCT since July 2014 between Burundi and other Partner States is as follows:

- (a) Rwanda: all products are cleared under the SCT;
- (b) Tanzania: all products are cleared under the SCT;
- (c) Uganda: all products, except steel building materials are cleared under the SCT; and
- (d) Kenya: all products, except steel building materials are cleared under the SCT.

For the Maritime Trade, the clearance of products is progressively integrated at the port of Dar Es Salaam. By 2015, the SCT transactions in terms of value represented seven per cent while by 2016, it represented five per cent. It was also noted that the clearing of products through Mombasa port is planned very soon.

It terms of Staff deployment, it was noted that Four OBR staff were deployed in Dar es Salaam Port since 15th July 2014, while One (1) OBR staff was deployed in Mombasa.

It was pointed out that Burundi has since carried out sensitisation workshops with all the stakeholders to get the feedback on the implementation of the SCT, and the following concerns were raised among others-

- (i) There is need to increase the number of goods allowed to be cleared under SCT;
- (ii) Difficult to access Dar es Salaam Port by Burundi operators;
- (iii) Tanzania reluctance to promote the establishment in its territory of clearing agencies from other Partner states;
- (iv) Procedures that are too long for processing goods under the Single Customs Territory ;
- (v) The need to access the customs systems of other customs authorities in the Community ;
- (vi) Delays or non-transmission of manifest by TANCIS to Asycuda World Burundi;
- (vii) OBR SCT Office in Dar es Salaam Port is located far from the TRA offices and other information centres which causes delays in performing various business activities;
- (viii) Non dedicated ICT personnel in TRA to whom to address urgent issues;
- (ix) Long process in TRA in case of need of change for manifests destined to Burundi (different stages of approvals);
- (x) Résistance to change by various stakeholders ;
- (xi) Lack of adequate infrastructures at the borders;
- (xii) Insufficient financial and human resources;
- (xiii) Poor network and ICT developments; lack of enforcement instruments to sustain the SCT operationalization;
- (xiv) Non-tariff barriers ;
- (xv) insufficient knowledge about the operations and benefits of SCT by stakeholders.

KENYA

It was highlighted that SCT commenced on 1st January 2014 under pilot for the Northern corridor, where the SCT clearance procedures were implemented in phases to minimize disruptions, below is the status: -

Intra Region - All intra Region trade cargo moving within the EAC Partner States is cleared under the SCT procedures except in Burundi, which is not yet under SCT.

Maritime Cargo - All maritime cargo imported to Rwanda through the Port of Mombasa is cleared under the SCT clearance procedures. Goods imported to Uganda through the Port of Mombasa include; Wheat Grain, Bulk Crude Edible Oil, rice, sugar, used clothing, used shoes, dry batteries, beverages, alcoholic drinks, cooking oil, cigarettes, neutral spirit and containerized steel products and Bitumen. In April 2016, Motor Vehicles and Bulk Steel products were added. Goods imported to Tanzania through the Port of Mombasa include; Electronics, Motor vehicles and Textiles and Fabrics are cleared under SCT.

GAINS OF SCT BY KENYA

- (i) Reduction in the cost of doing business by eliminating duplication of processes;
- (ii) Enhanced collaboration in facilitation of businesses and resolutions of hiccups in SCT business;
- (iii) Implementation Regional Electronic Cargo Tracking System (RECTS) and establishment of Rapid Response Units (RRUs) to mitigate challenges and cargo diversion;
- (i) Removal of non-tariff barriers

- (NTB) such as Introduction of weigh in motion and reduction of police roadblocks along the Corridor;
- (ii) Installation of scanning equipment has led to optimization of customs resources and safeguarding revenue, security and increased facilitation;
- (iii) Implementation of Regional Customs Transit Guarantee Bond (COMESA Bond applied in EAC apparently) whereby there is use of a single customs bond.

LOSSES REALISED BY KENYA

- i) Kenya clearing and forwarding agents have complained of loss of the lucrative transit cargo clearing business;
- ii) Kenyan transporters are also losing business as Partner States prefer using their own transporters;
- iii) Mutual recognition of Kenyan Clearing Agents in other partner states has not been fully operationalized. Some clearing agents claim that they are not mutually recognized in the Partner States thus creating a non-conducive business environment.

Key issues and the current status of SCT Implementation

No .	Key issue	Action	Responsibility	Time frame	Status of implementation
1.	URA, not receiving declarations and exit notes from KRA	KRA to fast-track the implementation	KRA	Immediately	<ul style="list-style-type: none"> New exit note structure rolled out in Manifest Management System (MMS) in July 2016. Meeting held with border managers to fast track implementation. Information circular drafted and is being reviewed to be communicated to officers concerned.
2.	KRA and TRA to collect warehouse rent	The ICT Technical Working Group should develop the functionality to resolve this challenge	Destination on Revenue Authorities	July 2017	<ul style="list-style-type: none"> Not implemented Awaiting roll out of Integrated Customs Management System (iCMS).
3.	Tanzania/Kenya KRA cannot receive manifest from TRA	KRA to expedite upgrading of the customs system to enable transmission of	KRA/TRA	March 2017	<ul style="list-style-type: none"> Meeting was held. Developments were done however pending testing and deployment.

		declarations and manifests from kenya to Tanzania, (coordinators to arrange for abilateral meeting			
4.	Burundi/Kenya No exchange of data between OBR and KRA	Expedite ASYCUDA world and SIMBA interface	KRA,OBR ICT	Still in progress	Not implemented.

The following challenges were identified:

- i) Different valuation methods, tax regimes and difference in currency exchange rates in the Partner States that lead to loss of revenue and cargo diversion;
- ii) Data migration between Partner States. There have been many cases where exit notes and manifest are not transmitted across Partner States. This has caused delays especially at release points and congestion at the port;
- iii) KRA has not deployed a single officer to other Partner States release points. KRA therefore relies on goodwill and trust from other Partner States for inspection, stuffing and sealing functionalities;
- iv) In the event of cargo diversion, there is no mechanism of recovering the taxes that have been collected at destination Partner State;
- v) Exempted cargo. There are challenges on cargo that is exempted in one Partner State and not in the other. The taxes due are not covered by any bond in case of diversion or theft;
- vi) Delays in clearance of cargo at the port and petroleum depots. There are no clear regulations on how long duty paid/entered goods should be allowed to be in Customs release areas before removal. There is also no clear provision on how long goods under

transfer are allowed to be along the corridor from time of release to exit at the internal borders;

- vii) Incomplete system interfaces;
- viii) Financial constraints;
- ix) Change Management for all stakeholders;
- x) Non-compliance with all the SCT stakeholder requirements such as;
 - Registration with Ports Authorities;
 - Registration with shipping line Agents; and
 - Registration with Revenue Authorities.

RWANDA

It was highlighted that Single Customs Territory is a stage towards full attainment of the Customs union achieved by the removal of restrictive regulations/or and minimization of internal border controls on goods moving between the Partner States with an ultimate realization of free circulation of goods. It was mentioned that for EAC to implement the Single Customs Territory, it chose a Destination Model that;

- i) requires that any Cargo entering the Region must be cleared at the First point of Entry and taxes paid at destination before release;
- ii) For goods destined to bonded warehouses in the importing Country, appropriate warehousing procedures have to be finalized

- at destination before release;
- iii) Cargo destined to outside the Region is cleared under the Transit Regime;
- iv) For intra trade, declaration is made in the importing Country before release by the exporting or transferring Country;
- v) Release of both Maritime and Intra are done by the Revenue Authorities Customs Officers of the Destination Country who are based at the ports of entry, Major Cities and at destination head offices.

Due to the challenges impacting on trade in the EAC Region, it was felt that the SCT would resolve this. The key noted challenges were:

- i) Duplicated procedures resulting into Multiple Customs Declarations at internal orders;
- ii) Multiple Security Bonds;
- iii) Non-tariff Barriers such as multiple road blocks along transit corridor;
- iv) Congestion at the ports and border stations;
- v) Complex cargo clearance processes, which involve many steps.

The following benefits OF SCT were realized in Rwanda as a result of SCT;

- i) Reduces the Cost of doing business by eliminating duplication of processes;
- ii) Reduces the risks associated with non-compliance on the transit of goods;
- iii) Synergy through shared resources and utilization of economies of scale;
- iv) Enhanced application of Information Technology and data collection at regional level.

With regard to SCT implementation roadmap on both northern and central Corridors, it was mentioned that, In July 2013, Preliminary preparations for implementation of the SCT at the Northern Corridor Commenced, and in July 2014; Full roll out of all cargo to Rwanda (Maritime and Intra Region Trade)

Implementation of SCT on the Northern Corridor.

July 2014 Preliminary preparations for Implementation of the SCT at the Central Corridor Commenced, while in June 2015, Full roll out of all cargo to Rwanda (Maritime and Intra Region Trade) into SCT in Central Corridor

On staff deployment, it was reported that Rwanda Revenue Authority has since deployed staff 9 staff at the Port of Mombasa; 13 staff at the Port of Dar es Salaam and 2 staff in Nakuru, Eldoret and 2 staff in Kisumu. The Revenue Authorities have approved delegation of powers on each other's behalf where deployment of staff is not yet done to assist easy implementation SCT.

It was further mentioned that for effective and efficient SCT implementation key implementation teams/committees were established, and these included the SCT Monitoring and Evaluation Committee, SCT Coordinator, SCT Liaison Office and SCT Technical Working Group.

After the implementation of the SCT, the following achievements were realized: -

- i) Single Customs Declaration for goods instead of multiple declarations, in this case 3 for the Northern Corridor and 2 for the Central Corridor. This has resulted into reduction in clearance cost from 600\$ to 150\$ on the Northern Corridor and from 400\$ to 150\$ for Central Corridor per entry;
- ii) Single Bond instead of multiple bonds for example 3 bonds for Northern Corridor and 2 for Central Corridor;
- iii) Reduced turn-around time from 21 to 6 days from Mombasa to Kigali, while it reduced from 18 to 4 days from Dar es Salaam to Kigali;
- iv) Removal of road blocks and general reduction on NTB's;
- v) Reduction in transport costs for containers;

- vi) Implementation of modern weighbridges (weigh in motion type);
- vii) Implementation of Electronic Cargo Tracking Common Platform along Northern Corridor Partner States (Kenya, Rwanda and Uganda);
- viii) Mutual Recognition of Customs Clearing Agents by Revenue Authorities.

However, during the implementation of Single Customs Territory at both Corridors, the following challenges arose:

- i) System interconnectivity;
- ii) Procedures alignment;
- iii) Information exchange amongst Revenue Authorities and Port Authorities among others;
- iv) Change Management;
- v) Inadequate resources to enable deployment of staff in all Partner States export zones/factories;
- vi) Lack of Common Electronic Cargo Tracking System across EAC Partner States;
- vii) Un-Harmonized Labour laws;
- viii) Lack of Mutual Recognition of Customs Clearing Agents by Port Authorities.

TANZANIA

SCT implementation along the Central corridor commenced in July 2014 for Tanzania, Rwanda, Uganda and Burundi and August 2014 for Kenya. The level of implementation of SCT in terms of product roll out differs among the countries according to the level of system interface achieved between the Partner states.

With regard to the implementation status of SCT in Tanzania, products were rolled out as follows; On Intra trade, all products within the region are cleared under SCT procedures, while on Maritime Trade, Tanzania is on selected items with exception to Rwanda. All goods destined to Rwanda are cleared under SCT procedures. Tanzania has fully rolled out SCT with Rwanda since March 2015.

The current list of Maritime goods cleared under SCT is as follows; With Kenya, SCT is implemented only for the following Electronics, Motor Vehicles and Textiles (duty paid and for warehousing) from Kenya to Tanzania as Kenya is waiting for the system upgrade but tests on connectivity were successfully done.

With Burundi, these are maritime goods traded under SCT; Motor vehicles, Empty bottles of glass, cement, cosmetics, fertilizers, cooking oil, steel products. For some selected companies/importers such as Brarudi and Sodetra, all goods are cleared under SCT.

With Uganda, the maritime products traded are Petroleum products through Dar es Salaam, however currently there are some challenges resulting from the use of the normal transit clearance processes. This is also experienced in the intra trade transactions.

With regard to system interconnectivity, TANCIS is connected with all the Revenue Authorities and Kenya Ports Authority but there are still some challenges faced on the exchange of information. New developments are being done in the system to accommodate various requirements.

It was mentioned that TRA has deployed six (6) staffs in Kenya, three (3) in Mombasa and Three (3) in Nairobi.

The Regional Customs Transit Guarantee (RCTG) Bond is operational for the warehoused consignments traded between Tanzania, Kenya and Rwanda.

On the mutual recognition of agents, it was pointed out that Tanzanian agents have access to other clearance systems. For example, 136 Agents with Access to Rwanda

Revenue Authority system while 42 Agents with Access to Kenya Ports Authority.

Despite the strides taken so far in the implementation of the SCT in Tanzania, there are still challenges that include but not limited to the following:

- i) Low speed on full rollout of products within partner states;
- ii) System challenges on transmission of data causing delays in clearance of cargo;
- iii) Some intra trade goods are still not moving under SCT procedures, due to lack of knowledge on the SCT procedure and acceptance to change; and
- iv) Lack of deployment of staffs between TRA and URA.

UGANDA

It was observed that SCT clearance Process has the following features: -

- i) Goods cleared while at the first point of entry;
- ii) One Customs declaration captured in destination country system;
- iii) Taxes paid in destination country, in respective national currency;
- iv) Goods moved under a single regional guarantee bond from first point of entry/origin to destination (RCTG);
- v) Goods in transfer (Transit) are monitored by electronic cargo tracking system (RECTS);
- vi) the Customs systems and Port Authorities should be interconnected;
- vii) there are minimized internal controls /checks;
- viii) physical verification of goods is done once at entry point originating or destination country; and
- ix) There is a single clearing agent through mutual recognition of clearing agents.

For SCT implementation status in Uganda, it was observed that all intra region trade cargo between Uganda and EAC Partner States,

except for steel products to Burundi is cleared under the SCT.

For Maritime Cargo through the Port of Mombasa; products that are traded under SCT include the following; Fuel, Wheat Grain, Bulk Crude Edible Oil, rice, sugar, used clothing, used shoes, dry batteries, beverages, alcoholic drinks, cooking oil, cigarettes, neutral spirit and containerized steel products, Portland cement and Bitumen, Motor Vehicle Units & Bulk Steel. It was mentioned that that full roll out is expected in July 2017.

For Maritime Cargo through the Port of Dar es salaam, Fuel is the only product that is traded under the SCT. It was noted that about 50% of customs revenue is generated from SCT consignments.

The implementation of the SCT in Uganda resulted into a number of benefits including:-

1. ICT interconnectivity that leads to real time data exchange;
2. Reduced costs of doing business through single customs declaration, single agent, and single Bond Guarantee among others;
3. URA deployed 22 staff in Kenya at First entry points;
4. Improved turnaround times for transporters;
5. Mutual recognition of customs agents through the Declarant third party;
6. Improved accountability and monitoring of goods by the help of Regional Electronic Cargo Tracking System;
7. Improved working relations amongst Revenue Authorities and related regional agencies for example Port Authorities for faster decision-making;
8. Synergies created through shared resource utilization; and
9. Growth in Volumes for example Fuel, edible oil and Bitumen.

Growth of Fuel after SCT

Year	Volume	% 1	Taxes (Ugshs)	% 2
2011/2012	1,408,264,426	0.25%	790,758,554,120	0.25%
2012/2013	1,416,121,248	0.56%	808,194,007,230	2.20%
2013/2014	1,551,415,081	9.55%	979,364,202,880	21.18%
2014/2015	1,720,376,408	10.89%	1,197,748,851,820	22.30%

Despite the achievements of the SCT, a number of challenges are experienced such as:-

- i) Power outages leading to system delays for data transmission;
- ii) Resource constraints to fully implement the SCT;
- iii) Safety of goods along the corridors;
- iv) Un-synchronized implementation of SCT processes and practices among Partner states such as usage of Regional Cargo Tracking System (RCTS), and System Access rights.

It was noted that there is still work in progress for effective implementation of the SCT in Uganda which include: -

- i) System enhancement to cater for all regimes;
- ii) To put in place EAC centralized data Base;
- iii) To undertake stakeholder engagements;
- iv) To undertake additional staff deployments; and
- v) Seamless e-tracking of cargo for safety.

Observations

1. Insufficient knowledge in the SCT procedures and use of Customs management systems;
2. Slow/non-implementation of full roll out of SCT business processes and clearance of all products under different customs regimes;
3. Un-harmonised IT platforms and systems pending developments in terms Information

Communication Technology solutions between Revenue Authorities and Port Authorities in the Partner States;

4. There is need to embrace the Regional Electronic Cargo Tracking Systems by all Partner States to address cargo diversion along the corridors;
5. EAC does not have its own regional customs Guarantee therefore still operating on the COMESA one;
6. The EAC Customs Management Act needs to be amended to support the SCT procedures;
7. Un-harmonised valuation methods and tax regimes among EAC Partner States;
8. It was observed that there are always counter accusations between various stakeholders on a number of issues that need attention among the Partner States;
9. It was observed that there are non-compliant stakeholders with regard to the SCT requirements as a result mindset in Partner States;
10. Persistent power outages is a challenge in the implementation of SCT; and
11. The Customs Staff deployment framework among the Partner States is still not implemented among some Partner States.

Recommendations

The Committee made the following recommendations to Council to: -

1. Continue training and sensitisation of

operators in SCT procedures and use of Customs management systems;

2. Fast track the full roll out of SCT business processes and clearance of all products under different customs regimes;
3. Fast-track the full attainment of a single IT platform through finalization of pending developments in terms Information Communication Technology solutions between Revenue Authorities and Port Authorities in the Partner States;
4. Enhance of the Regional Electronic Cargo Tracking Systems to allow sharing of Cargo information across the region;
5. Fast track the implementation of the centralized scanning system;
6. fast track the implementation of EAC Customs Bond Guarantee;
7. Enhance of Cross-Border and Regulatory Agencies' systems to allow their participation in the regional information exchange under SCT;
8. Amend the EAC Customs Management Act to support the SCT procedures;
9. Leverage technology to drive the single custom business among Partner States;
10. Expedite harmonization of valuation methods and tax regimes at EAC level;
11. Expedite the conclusion of Warehousing Regime Regulations;
12. Develop guidelines to deal with non-compliant stakeholders in Partner States;
13. Fast-track implementation of Customs Staff deployment framework among the Partner States; and
14. The Council of Ministers should from time to time hold consultative meetings with various stakeholders to address their accusations and counter accusations on certain issues.

I beg to move.

The Speaker: Thank you very much Mr Mukassa Mbidde, Chairman of the Committee on Communications, Trade and Investments.

(Question proposed)

(Interruption of Debate)

COMMUNICATION FROM THE CHAIR

VISIT BY FORMER SPEAKER OF EALA AND FORMER SG

The Speaker: Hon. Members, before we go into the Debate, I need to correct a record of one simple item. In my recognition of the senior citizens, I understated the credentials of the senior citizens especially Hon. Maj-Gen (Rt.) Amanywa Mushega. He was referred to as "Major." In the armed forces, all among the men and women in uniform, under-declaring those titles can land you in prison.

The other issue is that we are constrained by time. We have three minutes and at most, five people.

(Resumption of Debate)

Ms Nancy Abisai (Kenya: Thank you, Mr Speaker, for giving me a chance to comment on this Report. I am a Member of this Committee. In the interest of time, I will say two things. As a Committee, we went out to look at the implementation and the status of the single customs territory. There is one thing that was very glaring which needs to be handled.

One, the EAC Customs Management (Amendment) Act, so that it is in compliant with the SCT is something that we cannot push further. When we have such laws not being amended that creates a lacuna for the practitioners not to comply but to quote that there is no way they will handle some of these businesses. This is something that can be done by the Council of Ministers. The Amendment of this Act is long overdue. I

think we should have it done so that we have business done in the right way.

Secondly is the non-harmonised tax valuation regimes. It is frustrating for businessmen and businesswomen who are handling cargo from different ports and entry points but they do not know how to deal with the tax issues. When you go to one Partner State, you will find that they have a way of dealing with the tax regime. Another Partner State will have their own way of dealing with the tax regime and yet we are talking about the EAC.

We need to make sure that the issue of tax is handled.

What is so sad is the fact that there is insufficient knowledge of the Single Customs Territory. We are talking about the implementation status and yet very many people, including technocrats who are supposed to be implementing this programme do not understand it. That is what is causing a problem. In our sensitisation activities, apart from oversight, we also found out that there is lack of knowledge on the Single Customs Territory. We are yet to get to the ordinary citizens and even the people practicing it.

There are two Partner States that we must ensure understand the Single Customs Territory issue; not because the rest are not important but because of their ports. These are the republics of Tanzania and Kenya. It is important that they understand, internalise and get staff to work within those entry ports. That way, there will be no excuse for one Partner not to have people from the other Partner State working within their port and ensure that we have all the Partner States represented. We should have Kenya, Tanzania, Rwanda, Uganda, Burundi and South Sudan represented. If you have some Partner States represented at the ports and not

others that creates some negativity. This integration is not just about law but any other aspect of integration that comes with it. It is important that we do that.

I will stop there because of time. I thought that we need to emphasise that issue. The double taxation agreement has not been actualised and nobody is implementing it. Could we revive it and see how to deal with it? Can we deal with the issue of the different tax regimes within the country? Can we do more trainings on the Single Customs Territory so that people understand? The clearing and forwarding agencies should not complain so much about their losses. Right now, they are losing, complaining and crying out especially in Kenya because they have lost a lot of business owing to what is happening. There is need for us to put more on it so that we ensure that everybody is brought on board.

Ms Shy Rose Bhanji (Tanzania): Thank you Mr Speaker, Sir. Before I begin to give my contribution, please, allow me to say a few words of appreciation since today is our last day. First of all, I would like to convey my thanks and profound gratitude to the ruling party, Chama Cha Mapinduzi (CCM) for granting me this opportunity to come and serve in the East African Legislative Assembly (EALA).

I equally want to thank all Members of Parliament who voted for me to come and represent my great country of Tanzania at a regional level. I am proud to say that I have served my term diligently and we have all served East Africans very well. I believe that my term in EALA was well spent because I gave it my best shot. I gave my mind, body and my heart.

In due course, I managed to serve under two presidents of the United Republic of

Tanzania; *Mheshimiwa* Dr Jakaya Mrisho Kikwete and Dr John Pombe Magufuli. I enjoyed their support and cherished the moments I had with them. I feel truly honoured because I have had the privilege to meet them face to face. My golden opportunity was when I met the other Presidents of the EAC, mainly, *Mheshimiwa* Yoweri Kaguta Museveni, *Mheshimiwa* Uhuru Kenyatta, *Mheshimiwa* Paul Kagame, *Mheshimiwa* Pierre Nkurunziza and President Salva Kirr. I pray for all the Presidents of the EAC to have long lives to face their national EAC challenges.

A word of thanks to you, Mr Speaker. It was a great honour to have worked with you. We first worked with you as our colleague and then you became our Speaker. You are diligent, hardworking, honest and very tolerant. You have been a good manager of EALA. I wish you all the best in future and pray that you will assume a greater role in Uganda and in the EAC after your stay in EALA.

Lastly, I equally want to appreciate our former Speaker, Madam Zziwa. I want to associate myself with her. It was a great opportunity to have worked with her. I value both of you; *mheshimiwa* Dan Kidega and Mama Zziwa. Finally, I want to thank my EALA colleagues for the love, support and cooperation during the entire five year period that we have been in EALA.

The Speaker: Now move to the Motion.

Ms Bhanji: I want to express my sincere apologies for whatever I may have done wrong. I am truly sorry. We are all human beings and somehow we are bound to go wrong at some point.

Having said that, let me contribute to the CTI Report. I would like to commend all the

states of the EAC for taking up the process of the Single Customs Territory as directed by our Heads of States in 2014. This is a welcome move because it has led to the reduction of the cost of doing business. It has also eased cross border trade. This has increased intra EAC trade.

Trade is key in integration. With the growth in trade, the EAC region becomes conducive for incentives. In the Budget Speech, it was highlighted that the single Customs Territory has improved accountability, reduced smuggling, and improved close cooperation among customs administration. However, according to the CTI Report, despite these achievements, there are still challenges in some member countries in the implementation of the Single Customs Territory. I am appealing to all the member countries to work on these challenges so that there is increased movement of trade in our region. I beg to submit.

I support the Report.

(Interruption of Debate)

MOTION

UNDER RULE 30(D) TO PROLONG SITTING TIME

Mr Mukasa Mbidde (Uganda): I rise on a point of Motion buttressed in Rule 30 (d), which is a Motion that is raised without notice being given to the Clerk. I am aware that Rule 11(1) stipulates the timeline in which we can have our Assembly. Now that we still have a Report and it is 1.00 p.m. I move a Motion that we suspend the application of this rule so that we accomplish the business before us.

The Speaker: Hon. Kessy, hon. Mulengani, hon. Kimbisa and all the Members.

standing.

(Question proposed.)

Question put and agreed to.

Resumption of Debate.

The Speaker: In the wisdom of hon. Mukasa Mbidde who's Report and Committee Report we are debating, I think we should proceed and break off at once. We may have late lunch. After all, it is Ramadhan. *(Applause)*

I will now invite hon. Mukasa Mbidde to respond, the Chair of the Committee.

Mr Mbidde: Thank you, Mr Speaker. Now that we did not have a lengthy Debate, my response will equally follow the same. First of all, I would like to thank all those that have contributed to this Report, hon. Nancy, Shy Rose and all those who were about to do so but were constrained by time.

Mr Speaker, Sir, let me also thank you because the main issue that has arisen out of this Report has everything to do with knowledge of particularities of what should have been done under the Single Customs Territory. I would like to thank this Assembly, under your guidance, for having passed the EAC Civic Education Bill. With regard to civic education and your robust decision to establish a programme for sensitisation will be good for the establishment of the best EAC Economic Eldorado which is the main objective reason we exist here as an Assembly. Let me thank you for having established this. I will also request that the sensitisation programmes be maintained and even stretched to Cabinets of Partner States. Amongst those that need to be sensitised include Cabinet Members because we need to move at the same pace.

Mr Speaker, I beg that the minister supports me on that. The development of economies is divided under different protagonists. There are those that are the decision-makers; the Summit. Those that take decision by way of directives. They are extremely quick at taking those decisions. The implementers, the Apparatchik, they take all their time and even begin to scrutinise to the extent of amending what had been directed, either by way of non-implementation or sluggish lackadaisical movement that makes it impossible to have them implemented.

Now, if sensitisation does not cover all that, there will be a problem. Therefore, in my opinion, sensitisation has been a very serious thing. I thank you Mr Speaker Speaker. You have guided this House. It was not an easy House to manage. It had a lot of people as you can see. We had a background but your magnanimity has made it clear that it moves as if it is the best House and easiest to lead. Thank you. We do not want to lose you. Please, join other organs, even the Summit so that we do not lose your good reasoning.

The Speaker: Thank you, Mr Mukassa Mbidde, Chairperson, Committee on Trade, Communications and Investments.

(Question put and agreed to.)

I congratulate the Chair, the Assembly and the Committee.

Mr Ogle: Mr Speaker, Sir, I suggest that in view of the sacrifice that the House is making in its final session, could the next Report be read from the recommendations of the Committee? From page 13 and then we move to the next item?

The Speaker: The Honourable member is just restating what I had stated earlier to the Chair of CTI. I also request the Chairperson

on Accounts to read the Report in a motivated way.

MOTION

REPORT OF THE COMMITTEE ON ACCOUNTS ON THE OVERSIGHT OF THE NEW EAC INSTITUTIONS/THE EAC SCIENCE AND TECHNOLOGY COMMISSION AND THE KISWAHILI COMMISSION

The Chairperson of the Committee on Accounts (Mr Jeremie Ngendakumana): Mr Speaker, Sir, I beg to move that the Report of the Committee on Accounts for the Oversight Activity of the New EAC Institutions; the EAC Science and Technology Commission and the Kiswahili Commission be adopted.

The Speaker: The seconders are hon. Shy Rose, hon. Sarah, hon. Frederic, hon. Taslima and all the Members standing. Proceed and present the Report.

Introduction

Whereas the Committee on Accounts is particularly mandated to:

- i] Carryout a post audit review and scrutiny of the expenditure incurred by the EAC Secretariat, the Organs and Institutions of the sums appropriated in annual budgets approved by the EALA upon presentation by the Chairperson of the Council of Ministers of the EAC;
- ii] Carryout out post audit review and scrutiny of the expenditure on the basis of an annual audit report of the Audit Commission, pursuant to provisions of Article 49(2) (c) and

134 of the Treaty for the Establishment of the EAC. This function is post budget and implementation of the budget by organs and institutions of the EAC;

- iii] Carryout post audit function that encompasses the need to monitor the implementation of the budget in a manner similar to internal audit, pursuant to Rule 72(1) that the Assembly shall monitor the implementation of the budget of the Community through the Committee responsible for budgetary control and other relevant Committees;
- iv] Carry out on-spot assessment on activities of the EAC and those of the donors; and
- v] Present a report with recommendations to the House for debate and adoption.

Pursuant to Article 49 of the Treaty and particularly 49 (2) (d) and in accordance with the EALA Approved Calendar of Activities (2016/2017), the Committee on Accounts undertook an oversight tour to the two newly established EAC Institutions; The East African Kiswahili Commission in Zanzibar (EAKC) and The East African Science and Technology Commission (EASTECO) in Kigali to appreciate the activities being undertaken and interacted with staff on matters pertaining to the institutions. In exercise of its mandate, the Committee on Accounts hereby presents the report with recommendations to the House for debate and adoption.

The objective of the activity

The Committee visited the institutions to discuss matters pertaining to the institutions and fulfill the mandate of monitoring the

implementation of the budget in a manner similar to internal audit, pursuant to rule 74 (1). In this case, a plan was augmented and agreed upon in the annual legislative calendar to oversight the activities of the Institutions.

Methodology

The Committee sub divided itself into two to be able to visit the newly established Institutions concurrently. One sub Committee went to Kigali – Rwanda to engage with the EASTECO while the other sub Committee went to the United Republic of Tanzania in Zanzibar to engage with the EAKC.

THE EAST AFRICAN SCIENCE AND TECHNOLOGY COMMISSION

Background, Objectives and Organizational Structure

The EASTECO was established by the 5th Extra ordinary summit of the EAC Heads of State held on 18th June 2007 as an institute of the EAC in accordance with Chapter 16, Article 103 (a) of the Treaty, where Partner States undertake to promote cooperation in the development of Science and Technology within the Community, and as per the functions of the EASTECO as set out in the Protocol on the establishment of the East African Science and Technology Commission.

The development objective of EASTECO is to promote and coordinate the development, management and application of Science and Technology to support regional integration and socio – economic development.

The organizational structure of EASTECO is composed of the Governing Board and the Secretariat. The Governing Board in accordance with Article 8 of the protocol on

the establishment of the East African Science and Technology Commission comprise:-

- (a) One representative of science and technology councils or commission of each Partner State;
- (b) One representative of ministries responsible for science and technology in each Partner State;
- (c) The Secretary General of the East African Community or his or her representative;
- (d) The Executive Secretary of the Inter-University Council for East Africa;
- (e) One representative of the private sector from each Partner State nominated by the respective associations;
- (f) One representative for all private universities in each Partner State nominated by the respective associations;
- (g) One representative for all public universities in each Partner State nominated by the respective associations;
- (h) One representative of the civil society from each Partner State nominated by national science and technology councils or commission of each Partner State; and
- (i) One scientist from each Partner State nominated by national science and technology council or commission of each Partner State. A detailed organizational structure is attached as Annex I

Mandate

The East African Science and Technology Commission (EASTECO) is mandated to coordinate and facilitate the activities of the Partner States and national science and technology institutions in promoting the development and application of science,

technology and innovation in all its aspects, including policy development, skills development, resources mobilization and utilization, research and development, technological innovation and commercialization of Research & Development findings, programme and project development and implementation, and all matters integral and incidental thereto.

In discharge of its mandate, EASTECO shall work in collaboration with relevant institutions from the Partner States including the Ministries responsible for Science and Technology, the National Science and Technology Commissions/Councils, Universities, Research and development Institutions, academia, Civil Society, and the Private Sector among others, to implement regionally agreed priorities.

Presentations

Programmatic Priorities, Achievements and Challenges

Programmatic Priorities

In compliance with financial year 2016/17 annual operational plan and approved budget, EASTECO programmatic activities covered the following priority areas and targets:-

- i) Regional Science and Technology policy development;
- ii) Strengthening the Institutional Framework; and
- iii) Support to industrial development and technological innovation.

Achievements

- i) The first EASTECO Stakeholder Workshop was held in Kigali (21st – 22nd August 2016), finalized and adopted by Sectoral Council of Education, Science and Technology, Culture and Sports

and has been submitted for consideration and approval by the EAC Council of Ministers (35th Meeting).

Participants included EAC Partner States Science and Technology Institutions (STI) stakeholders (ministries responsible of science and technology, national commission/Council of Science and Technology; National industrial Research and Development (R&D) institutions, delegates from national academies of Science, Civil Society, New Partnership for Africa's Development (NEPAD) and Development Partners of International Development Research Centre (IDRC), National Research Foundation (NRF) and Department for International Development (DFID) and identified regional STI policy priorities with domains of cooperation in STI between EAC Partner States and priority areas for STI.

- ii) The 2nd extraordinary meeting of the Sectoral Council of Education, Science and Technology, Culture and Sports was convened and made proposals to amend EASTECO protocol and submitted to the 34th Council in September 2016. The amendment proposal was sent to the EAC Secretary General through the Counsel to the Community to solicit comments from Partner States.

- iii) A plan is in place to assess the existing knowledge and technology transfer institutions in the EAC region, and identification of potential regional centres of excellence.

Challenges

In accordance with Article 4 of the EASTECO Protocol, the Commission is a semi-autonomous institution of the Community with perpetual succession, and with a common seal and may acquire, hold and dispose movable and immovable property, sue and be sued in its corporate name, and do all other things as a body corporate may lawfully do.

However, EASTECO has been faced with the following challenges: -

- i) **Inadequate budget.**
EASTECO approved budget for FY 2016/17 was inadequate to cover major activities; programmatic activities initially included in the 2016/17 Annual Operation Plan. The affected activities are:-
 - Evaluation of Technologies for Agricultural Products;
 - Establishment of a regional journal of scientific research and technologies; and
 - Convening annual youth innovation forum.
- ii) **Delayed constitution of the governing board.**
Delay in constitution of governing board has stalled the functioning of the Commission.
- iii) **Delay in recruitment.**
Lack of technical (professional) staff to execute programmatic

activities. This has stalled the achievement of EASTECO objectives.

Plenary discussions

The Sub Committee with EASTECO held plenary discussions.

Findings and Recommendations

Lack of funding

The Committee noted that on top of underfunding, EASTECO contributions are not timely remitted leading to non-performance of its core activities.

With a total budget of USD 1,196, 138 comprising of USD 676,076 from Partner States and USD 520,066 from General Reserves, the Commission received total contributions of USD 524,623 equivalent to 44% of its total FY2016/17 budget mentioned above.

By February 2017, only USD 424,623 had been received from P/States, and USD 100,000 had been received from EAC General Reserves. The total expenses during the period of July and December 2016 amounted to USD 384,863 against a half annual budget of USD 640,241 which is equivalent to 60%. Salary and employee benefits absorbed 64%, administrative expenses 25%, programmatic expenses 8% while other expenses consumed 3% of the FY 2016/17 total budget.

The Commission is constrained to the extent that in addition to untimely remittances, the Commission is subjected to zero increment of budget. Always paying salaries and administrative expenses without activities to achieve the objectives defeats the purpose for which the institutions were established.

Committee recommendation

The Committee recommends to the Assembly to urge the EAC Council of Ministers to ensure timely remittances of funds to EAC new Institutions, foster alternative funding and scrap off the zero-budget increment policy.

Lack of Technical (Professional) Staff to execute programmatic activities.

The Committee observed that the Commission lack technical staff to execute its mandate. Only five out of twenty-two are engaged at EASTECO and only one staff is professional. EASTECO being technical in nature, lack of technical staff has stalled the achievement of the Institution objectives. Resorting to consultants as is the case now at EASTECO may not be sustainable.

Committee recommendation

The Committee recommends to the Assembly to urge the EAC Council of Ministers to ensure proper staffing at EASTECO by September 2017. EASTECO management should also ensure achievement of the Institution objective, the issue of lean or few staff notwithstanding. Staff at the regional level should always be able to perform as consultants.

Recruitment of Staff

The Committee was informed that the Commission does not have powers or influence to cause recruitment of their own staff. They rely and wait for meetings of Council and the Ad hoc Service Commission whose timely convening is impaired by lack of funds.

Committee recommendation

The Committee recommends to the Assembly to urge the EAC Council of Ministers to avail funds for enabling the ad hoc service commission to recruit staff for the Commission and revise financing model to allow direct remittances to the EASTECO.

Delay in constitution of Governing Board has stalled the functioning of the Commission.

The Committee was informed that the Republic of Rwanda and the United Republic of Tanzania have not appointed members to the Governing Board rendering composition of the Board of the Commission incomplete.

The Committee observed that the Governing Board is huge (37) in number. Convening such a big meeting and decision making of such a big number may be a challenge. It was also noted that the Commission had observed the difficulty of a big governing board and recommended amendment of the Protocol establishing EASTECO.

Committee recommendation

The Committee recommends to the Assembly to urge the EAC Council of Ministers to:-

- i) *direct the EAC Secretary General to follow up the appointment of the Governing Board members from the Republic of Rwanda and the United Republic of Tanzania;*
- ii) *study and examine the feasibility and functioning of the board for purposes amending the protocol to achieve an operational Governing Board.*

Overlapping Protocols of EASTECO and IUCEA

The Committee was informed that the protocols of the two institutions overlap in areas of research. The two institutions however synergize by sharing information, attend each other's meetings and prepare joint meetings. The Committee however observed that the synergy is courtesy of the good leadership of the two institutions.

Committee recommendation

The Committee recommends to the Assembly to urge the EAC Council of Ministers to:-

- i) *ensure continuity of the synergy by documenting collaboration guidelines of the two institutions;*
- ii) *put in place an MoU between the two institutions detailing collaboration guidelines;*
- iii) *harmonise the protocols to ensure that EASTECO implements research accomplished by IUCEA including the patenting of research work.*

Inconsistences in the Headquarters Agreements

The Committee observed that certain provisions on privileges of staff from the host Partner States differ. This has been caused by lack of harmonization of provisions of the Headquarters Agreements.

The Committee further noted that the Commission was not given land to set up its permanent premises.

Committee recommendation

The Committee recommends to the Assembly to urge the EAC Council of Ministers to direct the EAC Secretariat to ensure

harmonization of all Headquarters Agreements on treatment of staff and premises.

Visit to Knowledge Laboratory (K LAB)

In accordance with the program, the Committee visited K Lab a 24/7 open innovation space located in telecom house, 6th floor, Kacyiru, Kigali-Rwanda for young entrepreneurs, students and fresh graduates. The Committee was informed that K lab was opened in 2012 and helps its members to turn their ideas into viable businesses by providing free space, free mentorship and free internet. K Lab has more than 1,400 members of two types; mentors and tenants. Tenants are those with business ideas while mentors help tenants to turn their ideas into business. The objective of K lab is turning ideas into viable businesses only in technology.

The Committee appreciated the good practice and was further informed that more than 60 companies were born out of K Lab and 4 of them are leading on the market. K lab has trained more than 14,000 children aged between seven to twelve years in 2016 about coding/programming, introduced e-umuganda, a program of using technology to do the community service where Kigali was mapped, translated Firefox in Kinyarwanda, hosted 51,600 people at KLab premises in 2016 and innovated 7 editions of Face the Gorillas, a platform where 5 entrepreneurs are given a chance to pitch their ideas to investors.

Committee recommendation

The Committee recommends to the Assembly to urge the EAC Council of Ministers to:-

- i) *direct the Secretary General to secure platforms for expansion of K*

- lab to regional cities and find space for many young people to train;*
- ii) *direct the Commission to undertake a study on the k lab services with a view of replicating the same in the region.*

The east African Kiswahili Commission

Visit to the EAKC Headquarters

Prof. Simala, the Commission Executive Secretary welcomed Members to the East African Kiswahili Commission (EAKC). He appreciated EALA's continued crusade towards promotion of Kiswahili as one of the official languages in the EAC. He said that the EAKC is established under a Protocol ratified by all the EAC Partner States. Article 137 provides that Kiswahili shall be developed as the lingua franca for the Community. The EAKC became operational in July 2015 at the EAC Headquarters in Arusha and later relocated to Zanzibar in March 2016.

He said that the majority of the EAC citizens are not aware of the EAC integration due to lack of Kiswahili. Kiswahili stakeholders are important because they help in making the EAC agenda understood (Customs Union, Common Market, Monetary Union and Political Federation). They create awareness of the challenges and opportunities that come along with integration.

Mandate

The EAKC's mandate is advisory in role, with the aim of promoting wider communication within and beyond the EAC Partner States through research, teaching, learning, policy formulation, knowledge generation, curriculum review and standardization of terminologies in Kiswahili.

Objectives

The objectives of the Commission are: -

- i) Use Kiswahili to enhance political, economic and social unity within the EAC Partner States;
- ii) Encourage and develop mutually beneficial collaboration the Kiswahili Councils, Governments and other organizations both public and private;
- iii) Meet local and regional development needs;
- iv) Resolve issues in every appropriate sector of Kiswahili usage in EAC;
- v) Develop human resource capacity in EAC and beyond;
- vi) Support and facilitate institutions involved in Kiswahili research and training.

Presentations

The Committee was informed that in the short period of its existence, the EAKC has held consultative meetings with stakeholders in Partner States such as German Exchange Scholarship Programme (DAAD), Nation Media Group (NMG) all based in Nairobi. The partnership has helped the Commission to develop its Strategic Plan which was validated by the DAAD and sent to Borne, Germany for approval of funding.

Despite thin staff capacity, the EAKC was able to develop its annual work plan 2016/2017 and 2017/2018. The Commission further developed its Strategic Plan (2017–2022) which was validated by stakeholders and considered by the Sectoral Council on Education, Science, Technology, Sports, Culture and Arts awaiting approval by Council.

The Committee was briefed that the supplementary budget of USD. 85,000 approved by the 33rd Council for renovation of **Phase 1** of the old structures currently housing the Commission was not sufficient. Besides, the Stone Town construction laws

do not permit any modification to the Kiswahili historical structures, making it more expensive in terms of renovation.

It was reported that the EAKC in its short existence has established two regional associations namely; *Chama cha Wanahabaro wa Kiswahili Africa Mashariki* and *Chama cha idara za Kiswahili za Vyuo Vikuu vya Africa Mashariki*. The Commission has further streamlined operations of two other regional Kiswahili Associations namely; *Chakama* and *Chawakama*.

The presentation outlined the collaboration between the EAKC and key Kiswahili stakeholders such as the Baraza la Kiswahili Zanzibar (BAKIZA), the State University of Zanzibar (SUZA). The partnership brings together all Kiswahili teachers, students and the media across the EAC Partner States to engage on a wide range of issues such as the curriculum review and development, exchange programmes etc. Since Uganda and Rwanda took interest in Kiswahili, EAKC has been able to work with them in development of Kiswahili policies in the respective countries.

According to statistics provided by Baraza La Kiswahili Zanzibar (BAKIZA), Zanzibar has not less than 5000 Kiswahili teachers. If well-coordinated with EAKC they can be able to provide teaching services to all EAC Partner States.

Plenary discussions

Findings and Recommendations

The Committee observed that despite the above progress, the Commission is haggling with significant constraints that may hinder further development if not urgently attended to.

Zero Budget Increment Policy

The Committee observed that the Kiswahili Commission is obliged to operate at 0% budget increase for FY 2017/2018. This makes it impossible to undertake any planned activities or recruit core staff needed to implement the Commission's Strategic Plan and also execute its key functions. The freeze on the budget has similarly affected recruitment of staff, making it impossible to access funds from development Partners.

Committee recommendation

The Committee recommends to the Assembly to urge the EAC Council of Ministers to waive zero budget increment policy.

Resource Mobilization

The Committee noted variation between the Secretariat and the newly established EAC Institutions in resource mobilization and fundraising strategy. The EAC Secretariat organizes and attends Donor Conferences without inviting Institutions for participation and inputs. This is further evident in the manner the EAC Secretariat and the EAKC approached the Nation Media Group (NMG) for partnership in the Kiswahili programmes at different times.

Committee recommendation

The Committee recommends to the Assembly to urge the EAC Council of Ministers to direct the EAC Secretary General to synchronize and coordinate resource mobilization and share the strategy with the Kiswahili Commission.

Legal and Governance Matters

The Committee observed gaps in the EAKC Protocol which should also be supplemented with an EAKC Act to ease governance and implementation of programmes. The current protocol provides for (12 x 6 = 72) membership which is rather huge. The protocol is also silent on staff settlement allowance. The Committee noted that proposals for amendment were submitted to

the office of the Counsel to the Community and the Secretary General for transmission to Partner States for inclusion of Board of Management and the EAKC membership categories.

Committee recommendation

The Committee recommends to the Assembly to urge the EAC Council of Ministers to:-

- i) *Follow up and ensure that the EAKC Protocol is expeditiously amended to provide for a reasonable Board of Management.*
- ii) *Hasten the drafting of the EAKC Bill for enactment to enable the EAKC execute its mandate.*
- iii) *Guide the Commission on Settlement Allowance for staff in Zanzibar.*

Lack of Space

The Committee observed lack of sufficient space for use at the EAKC. There are only 6 offices, 1 Board room and 2 Restrooms for all staff. The Commission plans to renovate an adjacent old block to provide more space for office, research work, resource Centre, common room, pantry, erection of additional restrooms etc. The matter was highlighted in the supplementary budget and the current budget but rejected by Council.

Committee recommendation

The Committee recommends to the Assembly to urge the EAC Council of Ministers to ensure infrastructural development at the Commission are enhanced through renovation, security installation and provision of basic amenities like restrooms

Lack of Water for Sanitation

The Committee noted that the Zanzibar water authority declined to allow the Commission to tap water from the nearby borehole and advised it to sink its own borehole for fresh water. The Commission buys water for daily

use which is quite expensive and perhaps not safe for use.

Committee recommendation

The Committee recommends to the Assembly to urge the EAC Council of Ministers to allocate funds for the Commission to sink its own borehole for fresh and safe water.

Procurement Matters

The Committee observed that due to the absence of Board of Management as well as delays in the procurement process at the EAC Secretariat, the EAKC is compelled to use the pre-qualified service providers for the Government of Zanzibar to procure its services.

Committee recommendation

The Committee recommends to the Assembly to urge the EAC Council of Ministers to ensure that a procurement unit is established to enable services at the Commission for efficient operations.

Fraud at the Kiswahili Commission

The Committee noted that the Commission faced fraud on its account. Two irregular transactions of \$6,000 dated 10/3/2016 under description “Chq Encashment CHQ000022 SHAMIRA R. MASIKA AT-TZZ” and \$32,000 on 11/3/2016 under description “AT-LUMTZ4614 TRANSFER TPCD FT16071343H” were made respectively. It was further noted that the manager KCB Zanzibar was not willing to cooperate with the Executive Secretary but insisted that he was dealing with the EAC Secretariat. Although the money was later returned, the Commission should demand to know who brought it back, when it was brought back, who approved the transactions and for what activity.

The Committee also learned that at the time of fraud, the mobile number for the ES also

signatory to the said account, had been diverted by Vodacom to some unknown number such that when the bank called the ES for verification, the unknown person confirmed the transactions. Despite various correspondences to KCB Zanzibar, Bank of Tanzania, Police, EAC Ministry in Tanzania, no substantial feedback has been given.

Committee recommendation

The Committee recommends to the Assembly to urge the EAC Council of Ministers to ensure that: -

- i) the KCB bank headquarters provides a proper explanation on the matter;*
- ii) the matter is properly audited by the Audit Commission.*

Visa Restrictions

The Committee noted that on many occasions, students from the EAC Partner States who are invited to EAKC conferences have faced visa restrictions.

Committee recommendation

The Committee recommends to the Assembly to urge the EAC Council of Ministers to address the issues of visa restrictions affecting citizens of EAC Partner States.

Conclusion

The Committee had fruitful meetings with the EAC newly established institutions. The meeting discussed several issues affecting the institutions and the Committee recorded its observations as above and has recommended appropriately.

The Committee wishes to thank the Mr Speaker, the Clerk and the entire Management of EALA for the excellent facilitation accorded to it while executing its mandate.

(Question proposed)

Mr Yves Nsabimana (Burundi): Thank you Mr Speaker, Sir. I start by thanking you because you have a very big heart. You have accommodated every Member in this Assembly. *(Applause)*

You are blessed to have that quality and I cannot go without saying this. I want to thank all the Members who have stood with me in the five years. You have been very good people; men and women who have walked with me and we have shared a lot. May God bless you, Honourable members?

I want to come back to one point of the Report concerning the fraud in Zanzibar. I want to express the frustration of the Executive Secretary. Imagine you are the manager, you hold an account in the bank and when you ask about clarification regarding a particular account, you are told that you are not the one to get the clarification but the boss who is residing in Arusha.

Secondly, your phone is diverted to another line for more than two weeks. Three, you write to the Secretariat for help but you do not get any response. You can write to the Chair, Council of Ministers to help you but you do not get any response. Can you imagine the frustration that man is going through and yet he is managing money that belongs to citizens. He does not have help from anywhere. He has written to the police here in Tanzania but after one year, he has not received any response.

Normally, when you instruct a bank to do transactions, they must give you support documents. The management of the Kiswahili Commission have been requesting for them. They do not have any documents to justify their transactions. I visited the KCB Zanzibar and asked them whether they could provide the support documents to the Committee. They told me that they could not

give the documents to the Assembly because the case was under investigations.

I request the Council of Ministers to get the supporting documents so that we know who has been signatory of the account and who authorised a loan for six months to somebody outside the Community. This person got a six months loan without paying interest.

I urge the Chairperson, Council of Ministers to follow up this matter and to urgently get the supporting documents. I support.

The Speaker: Thank you so much. Before hon. Mulengani takes the Floor, Chairperson, Council of Ministers and maybe the Accounting Officer, I beg that you first pay attention to this matter. You are having a bilateral conversation between you. The issue came up in the Budget debate. The matter has now come up again in this Report. Simple management ethics require that those under investigations step aside from offices so as to stop interfering.

Mr Mulengani (Uganda): Thank you Mr Speaker. I have a few points to clarify and also to debate on. One is about the delayed recruitment that has been highlighted in the Report. We thank the Council for the creation of the Public Ad hoc Service Commission. However, the manner in which it is constituted is bringing challenges for the other institutions to access it. There is need to streamline it so as to allow the institutions, when they are recruiting, to access the Public Ad hoc Commission. The other issue I wanted to raise is on page 7 of our Report. This is about the size of the board of governors of EASTECO.

I do not know how the Council proposed this particular body. The Board is bigger than the management staff. I wish they would change the nomenclature and called the stakeholders like a corporative society which brings them together and allows them to elect a board.

The Council has retained the powers of the Board. They now sit as the board to take decisions which would have been taken by the board. So, we would want the Council to refocus on that board and see how they can reduce that. EASTECO is having financial challenge. They do not have a budget to call for a meeting let alone the fact that one Partner State which is supposed to be hosting us has not proposed Members to the board. There are a lot of challenges. We are creating institutions but we should also help them to thrive. The money should not be the only one growing but also the structures that are being put in place.

The other issue is about overlapping protocols. Indeed, EASTECO does work which the Inter University Council of East Africa does. So, apparently, they have agreed because the Executives there talk. However, there will arise a situation when the Executive in EASTECO and the one in the Inter University Council do not talk and this will create a problem. There will be duplication of services. So, we request that where there are such duplications, there be a Council decision so that if something falls under this, the institutions use each other's existence. This is not limited to those institutions. In the Community, we have a health department. However, Council created the East African Community Health Research Commission. So, there is a lot of duplication of work. What will the EAC Health Research Commission do that the Secretariat will not do? What is the role of the Health Sector in the Secretariat when we have created the Commission? Will this be a coordinating arm of issues or will it do what the Commission is doing? There are a lot of complications there. So, Council, the task ahead is enormous and we beg that you handle it.

I will now go to page 12. My colleague has talked about the issue of water. There is a

glaring challenge; lack of water for sanitation. I want to move this to a bigger perspective of the headquarters' agreements. We signed headquarters agreements but they are not consistent with what the Community signed in Arusha. Some Partner States are calling to host institutions. However, they are not giving land for that. How do they think that the staff in these organisations will survive if water is denied? Water is the preserve of the sitting government. Nobody can pull water and start selling water because it is the preserve of government. So, if our institutions are suffering to this extent, the host country agreement is not consistent with the Community. Even in EASTECO, they are still discussing the issue of acquisition of land in Rwanda. We thought that whoever requests an institution should have land before thinking of the utilities. We need to harmonise some of these things. Chairperson, Council, the Counsel to the Community (CTC) should really be involved in seeing how these things will be harmonised.

Lastly is the issue of the fraud. We spoke about this yesterday. For us to be calm, wherever we will go after our service here, we should develop principles. If a bank is unable to keep our monies safely, that is a clear symptom that KCB has failed to protect funds of the Community. That is a clear testimony. If money that is entrusted with it is being misplaced and they keep quiet and then the money is returned to stop the discussions that is wrong. We need to put this issue to rest. First of all, the Community accounts at the KCB should be closed until this issue is unearthed. Even a single coin lost- (*interruption*)

Mr Ogle: On a point of clarification. I think it is unfair for the Honourable member to pursue discussions on the line of penalising KCB as a bank. What staff of a particular bank have done does not necessarily affect the operations and ethics of that particular

bank. So, we must have some clarifications of where he is going. He is talking about particular staff involved in this theft and not the KCB as a bank. Period!

The Speaker: Hon. Mulengani and Honourable members, this matter is under investigations. However, we would be happy to know whether the bank has suspended the officer or taken certain action. The matter is under investigation. So, we cannot conclusively make a decision about it.

Mr Mulengani: Mr Speaker, Sir, since inception of this fraud, we have not been informed, as a House, about the action of the bank and yet the bank is well aware. We have not been informed whether the bank has suspended the staff. We have not been informed about the action of the bank. The point I am talking about is from an informed point of view. I also know that hon. Ogle holds an account in KCB. It being a Kenyan originated bank which serves the entire region, we have no problem with it as a bank. The point I am raising is on principle.

Ms Tiperu Nusura (Uganda): On a point of information. I just want to give my brother hon. Mulengani information that whereas KCB is a Kenyan originated bank, it also gives very exceptional services. It is one of those banks which has branches up to South Sudan which is now a member of the EAC. So, whatever could have happened, I hope that the decisions we make do not affect its operation in the region.

Mr Martin Ngoga (Rwanda): Mr Speaker, Sir, on a point of clarification. Anybody who has ever been involved in investigations would know, from the information we were given yesterday, that for as long as money was returned, the culprit is known. Who returned it? So, what investigations are going on? We should be told who had taken the money. The one who took the money is the

one who returned the money. Simple! So, what kind of investigations are going on?

The Speaker: What hon. Ngoga is saying is, who is fooling who.

Mr Mulengani: Mr Speaker, Sir, I take all the information. It is good information. Indeed, when I said that we suspend, that did not mean that we expel. Those are two English terms Suspension and expulsion are different. So, suspending does not mean that you stop operations. This is just for disciplinary action.

Sir, I want to submit that we are looking forward to putting this fraud to closure. I thank you for the opportunity.

The Secretary General to the Community (Amb. Liberet Mfumukeko): Mr Speaker, Sir, I would like to inform you, as I explained yesterday, that many of us are not finding it normal the fact that we wrote to KCB but have not received any response. There were letters which were written by the Kiswahili Commission to find out who had done the transfer of money and to get the details of the cheque. Who may have signed the cheque of USD6,000? As I told you, I wrote a letter to KCB a few days ago requesting to have these information.

This is very important to me. At some point, I will request the support of the Council so that in case the KCB does not submit this information, we take measures. We cannot continue to do business as usual when money has been taken out of our accounts. We need to know what happened. Thank you very much.

The Speaker: I do not know whether Chair, Council has more to add or should we take that as the case.

The Chairperson, Council of Ministers and the Second Deputy Prime Minister,

EAC Affairs, Commerce and Tourism, Uganda (Ex-Officio Member) (Dr Kirunda Kivejinja): Mr Speaker, Sir, I intended to contribute afterwards when all the Reports have come.

The Speaker: Procedurally, we are disposing of this Report.

The Chairperson, Council of Ministers and the Second Deputy Prime Minister, EAC Affairs, Commerce and Tourism, Uganda (Ex-Officio Member) (Dr Kirunda Kivejinja): Mr Speaker, Sir, I had planned, in my submission, which I had prepared to have a general coverage of why we have landed in these problems

The Speaker: Chairperson, Council of Ministers, as per the Order Paper, unless you move under a different provision of our Rules of Procedure, that you have a statement to make, that will be granted. However, as per this now, we are dealing with the debate of the Report. If you have a statement to make, I advise that you consult with the CTC so that you look at the Rules of Procedure and see how best to put it.

The Chairperson, Council of Ministers and the Second Deputy Prime Minister, EAC Affairs, Commerce and Tourism, Uganda (Ex-Officio Member) (Dr Kirunda Kivejinja): Thank you very much, Mr Speaker, Sir. I just want to say that a lot of things have been going around and we have had whistleblowers. Whistleblowers blew the whistle badly. My colleagues, Members of the Council of Ministers gave me an assignment. I have not received the Report and neither have I read it. However, I know that when the Report comes to me, it will be handled satisfactorily.

The Speaker: Hon. Chairperson, I think we are talking about two different things. This Report talks about a specific matter which is under investigations by the police of the

United Republic of Tanzania. There is fraud that has occurred in the account of the EAC Kiswahili Commission which the Secretary General is expressing frustration from the banking institution that the Community banks with. What you have stated can come later in another aspect.

Mr Ogle: I rise on a point of clarification, Mr Speaker. The Secretary General made a statement and sat down immediately. I just wanted him to respond to the issue. As much as he says that he is frustrated with the way KCB is behaving – let it not be seen as if I am defending KCB – if they are culpable and party to this process, action should be taken against them. The point is this; since this thing was perpetrated, there was a bit of complicity at the Secretariat. No less a person than the Director of Finance and Administration was involved in this matter. So, trying to take this matter away from the KCB does not fly in the face, for God's sake. Let us be clear about this issue. This is a complicity matter. The Secretariat is aware and the Director of Finance and Administration is at the heart of it. Let us be saying these things. He is at the heart of this fraud. Period! (*Applause*)

The Speaker: Hon. Members, this matter is under investigations. This House is not competent enough to declare verdict on various people being investigated. The only question this House is asking is; who is fooling who? If the money was stolen and returned, that defeats logic. Somebody is fooling the entire EAC, KCB and the entire population of the EAC. The ball is in your court, Chairperson, Council of Ministers. Chair of the Committee, please.

Mr Ngendakumana: Mr Speaker, Sir, just to conclude about this fraud, this issue is simple. The management of the EAC, as much as

investigations are taking place, should tell us the progress that has been made. That is one.

I would also like to say that there is no need to investigate too much. There is a transfer that was made. We need to know who signed the document to authorize the transfer. That is it. I think the Secretariat should write to KCB to have the document supporting the transfer so that we get the signatories.

Ms Hajabakiga (Rwanda): On a point of clarification. We had letters written to KCB. Which KCB Branch were the letters addressed to? Was it KCB Headquarters, Zanzibar, Arusha or which one? I know that if I went to Kigali with the account number of the Kiswahili Commission, with some authorization, I would easily detect what happened. The KCB is one. Have they written to the headquarters in Nairobi? Whom have they written to?

Mr Ngoga: On a point of clarification. If the Secretariat has access to the account, if they were to peruse through the details of that account, probably they would not need to write to KCB. They should deal with this account the same way we deal with our personal accounts. You know what transfer was done and to which account. They should take it up from there.

The Speaker: Hon. Members, we are making this issue appear as if it is rocket science. This House is offended by those who are trying to fool the entire EAC.

Chair, Council of Ministers, to cut the long story short, I know that the lifetime of this Assembly is ending. If we had one more day, we would have demanded that a proper report be brought to the House within 24 hours. However, in the absence of that, this House recommends to that you take action and report to the next Assembly on the same

matter. We cannot continue like this. Honourable Chairperson, conclude so that we dispose of the matter. We cannot continue like this.

Mr Ngendakumana: Thank you Mr Speaker, Sir. In both these institutions, there is a problem of headquarters agreements that are not harmonized. There is also the problem of recruitment. You cannot deal with new institutions without new staff. There is a problem with the governing board. There is also a problem of protocol between EASTECO and the EAC Kiswahili Commission with issues overlapping in terms of mandate.

I would like to thank Members who have contributed to this Report; hon. Yves, hon. Mulengani, hon. Secretary General, hon. Chairperson, Council of Ministers and all Members who wished to contribute but did not get an opportunity.

I submit.

(Question put and agreed to)

(The Report on was adopted)

The Speaker: We wait for action from the Council of Ministers regarding this matter. Hon. Members, just before I invite the Mover of the next Motion, this matter is for purposes of procedure because it has already been overtaken by events. The EAC Civic Education for Integration Act, 2015 is in full force. By the time this Motion came, the Bill had not been assented to. The provisions in this Motion are not in Sections 5 and 6 of the Act of the Community. So, the prayers are more or less answered by the enactment and assent of the Bill. However, for purposes of record, I will allow hon. Shy Rose to move it so that we document that it was moved because it already appears in the Order Paper.

I cannot just omit it like that.

MOTION

RESOLUTION OF THE ASSEMBLY TO INTRODUCE EAST AFRICAN COMMUNITY INTERGRATION EDUCATION SYLLABUS IN EAC SCHOOLS

Mr Speaker, Sir, I beg to move that the Assembly passes a resolution to introduce EAC integration education syllabus in EAC Schools.

I beg to move.

The Speaker: It is seconded by hon. Kessy Nderakindo, hon. Taslima, hon. Mumbi and all the Members standing.

“WHEREAS one of the objectives of the Community is to develop cooperation among Partner States in political, economic, social and culture fields, research and technology, defense, security and legal and judicial affairs for their mutual benefits;

AND WHEREAS the operation principles of the Community shall among others include provision by the Partner States of an adequate and appropriate enabling environment, such as conducive policies and basic infrastructure;

AWARE THAT, Article 102 of the Treaty provides that in order to promote the achievement of the objectives of the Community as set out in Article 5 of the Treaty, Partner States agree to undertake concentrated measures to foster cooperation in education and training within the Community;

FURTHER AWARE that Article 102 of the Treaty urges the Partner States to strengthen existing and where necessary establish new common research and training institutions, develop such common programmes in basic, intermediary and tertiary education and a general programme for adult and continuing education as well as to harmonise curricula, examination certification and accreditation of education and training institutions in the Partner States through the joint action of the relevant national bodies changed with such curricula.

MINDFUL THAT the introduction of the East African Community Integration Education in East African Schools will enhance the EAC integration process given the fact that integration education has not been handled comprehensively within the Partner States;

CONVINCED THAT the integration of Education will not only improve the aspects of trade, social and citizens economic wellbeing which will largely contribute to much cherished unity of East Africa;

AWARE THAT about 65 per cent of the population consists of young people who know very little about the benefits of integration and unity, the need to undertake a comprehensive strategy and process of changing the mindset of this emerging society so that they are made aware of opportunities and benefits that can be seen and exploited need not be emphasized.

NOW THEREFORE THIS HOUSE DO RESOLVE TO URGE THE COUNCIL OF MINSTERS:

- 1. To introduce a syllabus to enhance the teaching of EAC Integration Education in Primary and Secondary Schools in East Africa.*

- 2. To direct Partner States, Ministers responsible for EAC Affairs and Education to produce and widely distribute EAC integration education materials in EAC Schools at all levels."*

I be to move.

The Speaker: Thank you so much. Hon. Members, as I communicated earlier, during the Debate on EAC Civic Education for Integration Bill, this Motion was effectively debated. The enactment of the Act carries the prayers of the Debate. However, let me give one minute to hon. Kessy who is the seconder of the Motion.

Ms Kessy Nderakindo (Tanzania): Thank you Mr Speaker Speaker, Sir. In order for the resolution to fit in the Bill, I recommend that there be some amendments to the Motion.

The Speaker: Let me guide you. The resolution cannot hold. There is also an Act of the Community in full force. Any amendment to that Act requires another Bill to the House.

Ms Nderakindo: Mr Speaker, Sir, I meant an amendment to the Motion. The Motion says that there are three objects in education which are interchangeable and that is confusing. There is the curricula, syllabus and the course. Already, we have civic education. Therefore, the Motion should request for the following;

To introduce a Motion for a Resolution of the Assembly to introduce a topic of EAC Integration Courses in the EAC Schools. This is just a topic. We know that right now, there is a lot of stress in schools regarding what to teach. Therefore, I urge the Motion to point out to secondary schools. If this points to

primary schools, that will be a lot of work. Thank you.

The Speaker: Thank you hon. Kessy. The Act is very comprehensive. It tasks the Secretariat and Council of Ministers to come up with a comprehensive strategy on how to implement all these other things which includes the concern you have raised. We are just doing a ritual of cleaning our Order Paper. The Speaker cannot ignore anything on the Order Paper. We must find a way of disposing it off. We take cognizance of what you have raised and the Act which is superior to the Motion is in force and puts everything right.

(Question put and agreed to)

Mr Ogle: Mr Speaker, Sir, before my colleague moves the next Motion, I know that you, as the Spokesperson of this Assembly, I am aware that you expressed condolences of on our behalf. It appears, therefore, without trying to demean the essence of this Motion that it has already been overtaken by events.

Therefore, should we skip it and move on to the next issue? (Laughter)

The Speaker: Thank you hon. Ogle. It is true, that indeed, when this tragic accident occurred, I send a message of condolences to the President of the United Republic of Tanzania, copied the same to the Regional Commissioner of Arusha and also send a message to the parents and the people of Tanzania.

The Secretary General also send a similar message and he was represented in the requiem mass where the United Republic of Tanzania Government called for prayers.

Hon. Jeremie wants to put it in the record of this House, the *Hansard*, that this House also

condoled with the Republic of Tanzania and the parents.

I will treat that Motion the same way we have treated hon. Shy Rose's Motion.

MOTION

MOTION TO CONDOLE WITH THE FAMILIES AND GOVERNMENT OF UNITED REPUBLIC OF TANZANIA ON THE TRAGIC ACCIDENT AND LOSS OF LIVES OF 32 PUPILS OF LUCKY VINCENT NURSERY AND PRIMARY SCHOOL, ARUSHA

Mr Jeremie Ngendakumana (Burundi): I beg to move that this House do resolve to condole with the families and the Government of the Republic of Tanzania on the tragic accident and loss of lives of 32 pupils of Lucky Vincent Nursery and Primary School, Arusha.

(Hon. Kessy seconded)

The motion read thus:

"WHEREAS under Article 89(f) of the Treaty for the Establishment of the East African Community, the EAC Partner States are expected to provide secure transport systems to ensure the smooth movement of goods and persons within the Community;

AND WHEREAS Article 90(d), (e) and (h) of the Treaty for the Establishment of the East African Community provides that Partner States shall adopt common standards for vehicle construction, vehicle inspection and vehicle inspection centres; shall adopt common standards and regulations for driver training and licensing; and shall adopt and establish common road safety regulations, accident rescue, first aid, medical care and

post-trauma systems within the Community respectively ;

AWARE THAT on the 6th day of May, 2017 at around 9.00 am, a tragic accident occurred leading to the loss of lives of 32 students aged between 12 and 14 years, two teachers and one driver in Rhotia Marera area, a few kilometres before Karatu Town on Arusha Road. The pupils all in standard 7 together with the teachers were travelling in the school minibus to Tumaini Primary School in Karatu District to sit for inter- school examinations.

Mr Speaker, Sir, Honourable members, my prayer is that this House condoles with His Excellency, John Pombe Magufuli, the President of the United Republic of Tanzania, the citizens of Tanzania, the families that lost their children and the whole Community as a whole."

I beg to move.

The Speaker: Thank you hon. Jeremy. Yes, hon. Kessy.

Ms Nderakindo: Thank you Mr Speaker, Sir. Life and death is in the power of the tongue. We would not wish the school to lose 32 pupils. The school lost 29 students. Therefore, if we leave that in record, we will be wishing them to lose more pupils. There were 29 students and three adults.

The Speaker: Thank you hon. Kessy. Indeed, the records are right. As I told you, I already wrote a message of condolence to the President of the United Republic of Tanzania. The Secretary General also send a condolence message. This was an act of solidarity to the United Republic of Tanzania; to the President, the citizens and the parents who lost their children. Thank you hon. Jeremy.

(Question put and agreed to.)

MOTION

RESOLUTION OF THE ASSEMBLY TO ESTABLISH AN ANNUAL EAC FILM FESTIVAL

Mr Frederic Ngenzebuhoro (Burundi): Thank you, Mr Speaker, Sir. I beg to move that this House resolves to urge the Council of Ministers to establish an Annual EAC Film Festival

(Seconders; Dr Ndahiro, hon. Dora Byamukama, hon. Jeremy, hon. Yves, hon. Nancy, hon. Leonce, hon. Opoka and hon. Rwigema)

"WHEREAS Article 59(1) of the Treaty for the Establishment of the EAC provides that, Subject to the Rules of Procedure of the Assembly, any Member may propose any Motion or introduce any Bill in the Assembly."

WHEREAS Article 119(h) of the Treaty for the Establishment of the EAC stipulates that the Partner States shall promote close cooperation amongst themselves in culture and sports which with respect to: any other activities aimed at promoting the EAC identity;

WHEREAS Article 5(3)(b) of the Treaty for the Establishment of the East African Community requires the Community to ensure the strengthening and consolation of cooperation in agreed fields that would lead to equitable economic development within the Partner States and which would in turn, raise the standard of living and improve the quality of life of their populations;

AWARE that Article 7(1)(g) of the Treaty for the Establishment of the East African Community institutes the principle of complementarity as one of the Operational Principles of the Community;

RECALLING and APPRECIATING that this Assembly has passed a Bill entitled: “The East African Community Creative and Cultural Industries Bill, 2015” with the purpose to enhance and grow the economies of the East African Community Partner States

RECALLING that films festival organisers, directors of culture and film makers of EAC Partner States met in Arusha from 12 to 14 March 2014 and created a network within the East African Community;

FURTHER RECALLING that the East African Community Secretariat pledged at that meeting to establish a regional Culture Trust Fund to support Arts and culture initiatives and use its advocacy function to lobby and mobilise resources from local and international partners willing to support the East African Community Film Industry;

CONVINCED that a film festival can contribute to the expansion and development of the East African Community cinema sector as a means of expression, education and awareness raising and hence promote the East African identity

NOTING that by the time being, the film festivals are organized in isolated manner in Partner States and this does not favour the principle of complementarity

RECOGNISING that a film festival in East African Community could efficiently boost the relations among film makers and among the East African citizens themselves and would be an opportunity to the people of the

Community to share and exchange their ideas and thoughts

CONVINCED that a film festival can contribute in the process of identify regional building and provides a forum for sharing ideas and debate and an opportunity to be enriched by other cultural industries from the Community and the world

Further convinced that a film festival could be a source of jobs creation, stimulation of employment, especially for the East African youth filmmakers and contribute to the growth of the economy of the Partner States as market would be created for EAC films

AWARE that a film festival is a forum where filmmakers and other people with talents meet and compete and this can give an occasion to the EAC citizens to improve their capacity to create and produce competitively worldwide;

NOW THEREFORE, THIS ASSEMBLY DO RESOLVE AS FOLLOWS;

That, the Council establishes an Annual EAC Film Festival which will take place at the EAC Headquarters

Urge the Secretariat to establish a regional culture Trust Fund in order to efficiently support arts and culture initiatives in the Community

Urge the Secretariat to empower its Culture and Sports Department with human and financial resources to support that Annual EAC Film Festival

Reminds the Secretariat as per its pledge to undertake to search supporters and funders of that film festival in local and international cultural communities and in other interested entities like foundations which can easily

help as they do for other regional film festivals.”

Mr Speaker, Sir, I beg to move.

The Speaker: Hon. Members, I will only ask one Member to speak to this Motion and that is Dr Ndahiro. The Bill that is referred to here was moved by Dr Ndahiro. When it reached the point of assent, one Partner State reserved the right of assent and returned it. The Bill was reintroduced in this House. It is now undergoing processing.

Dr James Ndahiro (Rwanda): Thank you hon. Speaker, Sir. I will be brief. The Mover has already said that the Film Festival is a source of employment. I just want to add two things.

One, Honourable members, you are all aware that the content we consume in this Assembly is imported. You will find many young boys and even adults in the Community who know David Beckham as their hero instead of any other hero instead of any local hero in the Partner States. This is dangerous. If we want to grow our Community, we need to grow our heroism. We need to develop our content, develop our content and to be proud of our culture. That is why I support the Motion.

The Speaker: I will give honourable Tiperu one minute for very specific reason. Hon. Tiperu has invested in the film industry and also in the “Last King of Scotland.” I am sure she did not participate.

Ms Tiperu Nusura (Uganda): *Mheshimiwa Spika*, since you have only given me one minute, let me go straight to the Motion, support it and say that I am supporting it largely because of one reason. The whole world now, particularly the Western countries are doing their best to exclude the black race. If you look at their support to most

organizations, you will see that the support has been cut down because they are of the view that they would like to reduce the number of Africans entering their territories. So, this Motion is key. It will help us make East Africa more attractive so that our people look at this region as a source of employment. They should not see need to go outside the region to look for methods to enjoy and improve on their talents.

With those few remarks, I wish you the best and congratulate you for being the Joshua of this region this year.

The Speaker: Thank you so much, hon. Tiperu. Hon. Frederic, could you conclude in one minute before I put the question?

Mr Ngenzebuhoro: Thank you hon. Speaker. I will not speak too much. I would like to thank hon. Ndahiro and hon. Tiperu for their support.

Ms Mumbi Ng’aru (Kenya): Thank you hon. Speaker. I need clarification. I have listened to the Motion. The Council of Ministers is being urged to come up with a fund to bring this to fruition. We have just passed the Budget and we are on our last day. Could this not have waited to be done by the next Assembly?

The Speaker: Let me give this clarification. Even the last second of the day of this Assembly is the lifetime of this Assembly. Any business undertaken by this House is the lifetime of this Assembly. Any business undertaken by this House at that last second is as good as the first second of our beginning.

Mr Ngenzebuhoro: Thank you Mr Speaker for your guidance. I will not make any comment about that. The film festival can be formed using the next budget. I would like to

thank all those who have contributed to the Motion and those who wanted to contribute but did not get an opportunity. I am a very happy man today because this Motion has passed.

(Question put and agreed to.)

ORAL ANSWERS TO QUESTIONS

Question No. EALA/PQ/OA/3/13/2016

Mr Mulengani: Mr Speaker, Sir, I beg to ask the Council of Ministers Question

The EAC Partnership Fund is one of the major revenue sources for the EAC. Over the last financial year, it has been stated that the development partners did not meet most of their obligations.

Could the Chairperson of the Council:

- i. Table the actual Partnership Fund Revenue for the FY 2015/2016 along with the utilization schedule and its approvals;
- ii. Confirm if the Agreed reallocations of PF from Secretariat to EALA during the appropriation/approval of the budget for FY2014/2015 has been effected. If not when is this going to be done?
- iii. Confirm if a supplementary budget to adjust the budget for FY2015/2016 has been effected;
- iv. Confirm if the revenue shortfall will be collected and whether the corresponding budget for FY2016-2017 will be adjusted to reflect the receivables; and
- v. Inform this August House why the utilization and allocation of the Partnership Fund always recommended by Council are skewed towards the Secretariat only.

1. Could the chairperson of the Council inform this August House if he is aware of the audited accounts of the Lake Victoria Fisheries for FY ended 30th June, 2015 shows expenses under the PF sanctioned by the Resource Mobilization Officer and is reflected in LVFO financial statements as accounts receivable, without a corresponding accounts payable from the EAC Secretariat financial statements.

Could Chair of the Council

- i. Confirm and table how this internal transfer and authority was conducted?
- ii. Explain and confirm how it was captured in the EAC financial statements as in the audited accounts which were presented in the house.
2. Is the chairperson of the Council aware that the Secretary General drew in cash from the PF USD 20,000 and utilize it, that for training without any due process for staff training during the same financial year?
 - i. Does EAC have a policy on staff training?
 - ii. Could the Chair Council confirm to this house the EAC due process of staff training?
 - iii. Did in this case the SG follow the process?
 - iv. Can the Council confirm to this house that the procedure followed to draw funds in cash from the PF for SG training was regular
 - v. Did the training college identification follow the due procurement procedure of EAC?

The Speaker: I would like to apologise. Some of these questions have been carried forward from the last Plenary Meeting in Kigali.

Mr Ogle: Mr Speaker, Sir, on a point of procedure. Since this question was asked in 2016 and it relates to some budgetary matters, it appears that the first part of the question has been overtaken by events.

Therefore, what we require the Chair, Council of Ministers to answer, which is critical is the other question by Mr Mulengani; Question No.2. The first part of this question has been overtaken by events.

The Speaker: Hon. Ogle, you are being part of the answer. I think the Chair, Council of Ministers should answer. If you have a supplementary question, you will ask.

The Chairperson, Council of Ministers and the Second Deputy Prime Minister, EAC Affairs, Commerce and Tourism, Uganda (Dr Kirunda Kivejinja): Thank you Mr Speaker, Sir. Other than myself who is in Ramadhan, you must be tasked to get out. I presume that this being the last item on the agenda, you will bear with me so that we come to an end.

I also beg your indulgence to take this time to give some comments on what we have done.

The Speaker: Yes, you can give a preamble Sir.

The Chairperson, Council of Ministers and the Second Deputy Prime Minister, EAC Affairs, Commerce and Tourism, Uganda (*Ex-Officio Member*) (Dr Kirunda Kivejinja): Mr Speaker Sir, let me first of all give a preamble. When I came here, I said that I was impressed by the standard of Debate and the fact that Members are trying to debate issues objectively. I thank all those who have been here for the past five years. I have only been here for one and a half years and this is the first time I am chairing the Council. I think we have a crop of East Africans. I urge you, once you go out of this Assembly, to continue carrying the torch. We should be at the centre of integration.

Some of us have not left the focus. Even if we are reshuffled 1,000 times, we continue. The

way to liberate the African people and to forge a way out is long and cannot be accomplished by a herculean. Now that we have re-established the EAC, we must carry ourselves are privileged during this historical time. We should not lose the child we have taken time to nurse.

I have observed, for instance, that one of the problems here is fighting for resources. We have a Budget we have passed for USD110 million. An amount of USD60 million is consumed at the headquarters. Almost USD18 million is used on activities of EALA. So, you will find that the contribution is heavy at the top. Therefore, wherever there is concentration of resources, there are causes of instability. That is my observation. I want to look at the activities of the pillars. Next time, when I am with my colleagues, we will ask EALA to structure its Committees to strengthen the pillars. You should tailor your activities towards that. We do not need adhoc committees. We need a Committee which will wake up every day to monitor any of the pillars. That way, we will find the loopholes and strengthen them. We will not be accused of doing extra things to portray ourselves.

Take for instance, the issue of the East African Federation. This is a big pillar. However, when I perused through the activities, I found out that most of the issues planned are meetings. What activities are those? That is why they were left out. We had reached a very important pillar when we said that people are not ready for the federation. Let us now, as an interim measure, go for a confederation so that we have a resemblance of political authority at the centre of EAC with clear responsibilities which are known by all to mean the same. I thought I could bring that one. Since I have had some studies on it, I will share it with my colleagues, the Council of Ministers. You will find out, as I said yesterday, if you ask my colleague from

Rwanda who is in charge of the EAC, he will tell you that he had a chance to scrutinise the Budget the day before yesterday. This is because the political structure does not determine the priorities for the Budget. The Budget is from below. We then have one hour and 30 minutes for the big bosses; the political leaders to come and approve the Budget. That Budget cannot go anywhere.

Ms Hajabakiga: On a point of clarification, Mr Speaker. I am not going to read through the Treaty. However, I want to say that the Council of Ministers is at the top, other than the Summit, to give policy orientation to anybody who works for the Community including the direction for the budget priorities. So, I am surprised because if they are questioning their own mandate, then that becomes very difficult for me.

The Chairperson, Council of Ministers and the Second Deputy Prime Minister, EAC Affairs, Commerce and Tourism, Uganda (Ex-Officio Member) (Dr Kirunda Kivejinja): That is the very reason why I am speaking up. I have a right to do so because I am the new Chairperson. I will say that we have been moving away. I need to tell you that because wherever you will be, I will need your support. Whether you are going away or not, when you hear something being mentioned here, you should support it.

I am recruiting you. We need to focus our attention on all organs of EAC in strengthening the pillars of integration. We should budget all activities towards strengthening that. That will be easier. We will be able to remove USD60 million which is consumed at the headquarters. If that is where there is food, how will we have

stability? People will ask why so and so is doing this and we will end up spending time on none issues. That has been my observation. I am entitled to tell you what I have observed in one and a half years.

Having said that, let me answer the questions. You will find that the questions are pointing to the same thing. They are throwing the stones to the beehive to find out whether there are bees. Let me answer with that background.

Let me now go into answering the questions. For the first question, the answer is as follows.

The Council of Ministers appreciates the contribution of the Hon. Members in the implementation of EAC projects and programmes, and the questions asked in order to ascertain the status of implementation thereon. I would like to respond to the Questions raised by Hon. Mulengani, on the EAC Partnership Fund as below:

Question I:

1.1. The approved budget for the Financial Year 2015/2016 included activities totalling USD9,036,948 that were to be funded by support from the Development Partners contributing to the EAC Partnership Fund. However, only USD2,295,002 was received. This was a result of expiry of a number of Memoranda of Understanding (DFID, Sweden, CIDA, Denmark, Belgium...) for which the renewal process is still ongoing.

Actual Revenue and Utilization per Priority for the Partnership Fund are summarized in Tables 1 and 2 below.

Table 1: Remittance by Partnership Fund Contributors, FY'2015/16

Development Partner	Amount received (in USD)	Date
NORWAY	608,162	24-July-2015
GERMANY	441,235	04-Nov-2015
DENMARK-DANIDA - Funds earmarked for Support to EAC Election Observer Mission, Tanzania General Elections	249,990	11-Sept-2015
NORWAY- Funds earmarked for Open Health Initiative Project	242,615	25-Sept-2015
NORWAY- Funds earmarked for Open Health Initiative Project	58,678	10-Dec-2015
NORWAY- Funds earmarked for Open Health Initiative Project	694,322	15-Dec-2015
TOTAL	2,295,002	

Table 2: Actual Expenditure funded by the Partnership Fund, FY'2015/16

Priority Objectives	Budget	Actual Expenditure as a result of limited resources	Balance/ Shortage	% Utilized
Support to the operationalization of The Single Customs Territory	1,095,950	17,357	1,078,593	2%
Support To The Implementation Of The East African Monetary Union Protocol	704,400	397,881	306,519	56%
Support To Implementation Of The Common Market Protocol	2,415,950	664,818	1,751,132	28%
Institutional Strengthening Of EAC	3,922,298	843,429	3,078,869	22%
Support To EAC Sensitization And Awareness Program	898,350	200,358	697,992	22%
TOTAL¹	9,036,948	2,123,844	6,913,104	24%

1 The difference of USD171,158 between total receipts and expenditure is the amount used to settle commitments from the previous financial year.

- 1.2. Mr Speaker, Sir, during the approval process of the Budget for FY2015/2016 in May 2015, the House reallocated USD540,586 funded by Partnership Fund from the EAC1.3. Secretariat Corporate Communication

Department to EALA's Vote. However, as highlighted in (1.1) above, the Secretariat did not receive sufficient funds from the Development Partners as most of the funds received were earmarked to specific activities and payment of Salaries for staff (Secretariat, EALA and EACJ) paid by the Funds.

In May 2016, EALA passed a supplementary budget amounting to USD1,569,941 for

activities which were not in the original Appropriation Bill for FY2015/16. No reference was made and adjustment whatsoever. The implementation of the reallocation referred to in (1.2) above could not legally necessitate any supplementary.

- 1.4. The revenue shortfall experienced in FY 2015/16 will not be collected. During the Financial Year 2016/17, EAC is implementing activities approved through the Appropriation Bill 2016, with different revenue anticipated from the Partnership Fund Contributors. Disbursement challenges under the Fund are still being experienced as the renewal process for expired MoUs is still not completed. Now adjustment for previous years' uncollected contribution should be done.

- 1.5. Mr Speaker, Sir, all along, the Partnership Fund supports activities of the Secretariat, EALA, EACJ, LVFO, IUCEA, and CASSOA. The planned activities under the Partnership Fund are proposed and approved by the Partnership Fund Steering Committee Meeting made up of representatives of all contributors of the Fund, based on agreed upon priorities. These activities are based on the priorities of the existing EAC Development Strategy. It is unfortunate that when limited resources are availed, each Organ/Institution cannot receive what was expected in full.

Mr Speaker, regarding the second question:

2. Included in the Approved Budget for FY'2014/15 were activities to be implemented by LVFO, funded by the EAC Partnership Fund Managed at EAC Secretariat. LVFO entered into contracts/commitments with a number of Consultants to carry out those activities. Although the consultancies were concluded in a timely manner, as at the close of the

Financial Year some payments had not been effected because LVFO had not yet received the funds from the Secretariat. The supporting documents for the said receivables were sent to the EAC Secretariat and reflected in the Financial Statements as at 30/6/2016, and the payment was made on 19th September 2016, hence there no outstanding receivable at this moment.

Mr Speaker, finally, question 3:

3. EAC has a policy on Staff Training embedded in the EAC Staff Rules and Regulations (2006) Regulation 34. The Council acknowledges that Training on IT support tools for operational planning and change management was not in the training plan. However, following the appointment of this executive to the new position, there was need for him to undertake this training prior to assuming the office.

The Speaker: I am sure you have heard the answer from the Chairperson, Council of Ministers. The rules now allow for supplementary questions but first by the person who asked the question.

Mr Mulengani: Thank you Mr Speaker, Sir. I want to thank the Chairperson, Council of Ministers for the response. However, question No.3 has not been fully answered. He has responded to 3.1 only. I will remind the House, other than raising a supplementary question that under question 3.1, I asked whether the EAC has a policy. They have responded to that. Under 2, was: Could the Chairperson, Council of Ministers confirm to this House the EAC due process of staff training? That has not been answered. Three, did the Secretary General follow the process mentioned in No.2? That has not been answered. 4.0 Could the Chair, Council confirm to this House that the process followed to draw funds in cash from the

partnership fund for the Secretary General's training was regular? 5.0 Did the procurement of the training college identification follow the due procurement procedure of the EAC? That has not been answered.

(The Secretary General stood up in his place)

The Chairperson, Council of Ministers and the Second Deputy Prime Minister, EAC Affairs, Commerce and Tourism, Uganda (Dr Kirunda Kivejinja): Mr Speaker, Sir, let him answer.

The Speaker: The Chairperson has delegated the Secretary General to answer although our rules require that the Chair answers. However, the Secretary General is part of the Chair's technical team.

The Secretary General to the EAC (Amb. Liberet Mfumukeko): Mr Speaker, Sir, I wish to bring all the necessary clarifications and to cut short some of the ugly statements I have been hearing about this issue.

When I was sworn in on 2nd March, I am sure that some of you were there and heard what the Heads of States wanted me to do. It was very clear that they wanted changes. It was clear that they wanted better practices in terms of management. As I was sworn in on 2nd March, I had one and a half months before taking over office. The hand over was planned for 25th April which was over one and half month away. I then came up with the idea of doing proper preparation. I went through the procedure I had witnessed for almost one year as DSG/F&A.

Hon. Mulengani, you could check on that procedure. When people want to go for training, I have seen this for many years, they write a letter to say that they want to attend training in such a place. At times, they find

the training programmes in the internet and they propose to attend.

When I was sworn in, the Secretary General's Office had zero budget. As a matter of fact, my predecessor also had a problem in carrying out some activities. He had to go into the Partnership Fund because he had no budget. There is evidence of that. So, I do not want to be put as an exception and as an unprecedented event of getting money somewhere when in the DSGs office, there was no money.

So, in any case, I was advised to write a letter and apply for training. I did it with the person who was there, the Acting DSG/F&A. I said I would like to attend a training on management and I wanted to work with a consulting firm to have a draft plan for changes in the Community. I made an application and it was approved.

Hon. Mulengani, I am not in the kitchen or the financial services. Generally, when we do that, people go to the budget and if they do not find any money, they propose to get money from another budget. I got the approval to go for the training in Change Management and in Planning. In planning, we had planning tools included and this was an MS Project. Before going there, we sent our audit commission reports to the consulting firm. We sent the fiduciary risk assessment so that they can get ready to help us to get ready for action plan for changes. I attended the training.

To cut a long story short, even if I was to go for training again, I would do so in a French speaking because that is where I can express myself the best. Some people have been whispering that I went to France because I have children there. Yes, I have children and I have had them for many children. However, there is evidence that the place I had my

training was 600 kilometres from where they are. There is evidence that the training took place. When I came back and my predecessor handed over, on 25th April, about two weeks later in an executive meeting – (interruption)

Mr Mulengani: On a point of clarification.

The Speaker: Hon. Mulengani would like to have clarification. However, I would like to advise the Secretary General not to allow himself to deviate what is not on the question. Stick to the questions that have been asked. Nobody has asked you about the country you should do your training and whether you have children or not and for how long. Just stick to the policy question.

Mr Ogle: On a point of procedure. This question should have been answered rightly by the Chairperson, Council of Ministers. What the Secretary General should have done is to supplement the answers. We are put in a daisy situation where the person who is supposed to be giving the supplementary answers is the one involved in the matter. So, there is a bit of conflict of interest here. He is taking defensive position.

Ms Nakawuki (Uganda): Is the honourable member in order to oppose the request by the Chairperson, Council of Ministers to have the Secretary General give answers to the Assembly? When the Committee of General Purpose was diverted to those issues and we wanted to get to the bottom of this. Is the Honourable member in order to try and deter the Secretary General in giving answers to this Assembly?

The Speaker: You raised on a matter of procedure. In your procedural issue, a point of order has come up. I have to resolve this one first and then get back to your procedural issue.

The Chairperson, Council of Ministers is a representative office flanked by his colleagues and other technical people. He can delegate assistance to get the Assembly get the best. The only thing that hon. Ogle is raising is that we should not put the Secretary General on the firing line because he is the person being questioned at the person who took up the activity. Otherwise, policy wise, the Chair can delegate any person.

I suggest that instead of having a situation where the Secretary General is defending himself to the Assembly, if the answers to this question are not adequate, the best thing we can say is that Parliament's life is not ending. It is only the Third EALA that is coming to an end. If this House feels that the answer is not adequate, we shall request for a better and further answer through the Council. We will ask the Council to come back with other answers. That answer will then be provided.

For now, could you stick to the issue as raised?

Mr Mulengani: Mr Speaker, Sir, you have guided the House. I have not insinuated, in my questions, in any way, the private life of the Secretary General.

The Speaker: That has already been guided. This has not been raised. Let him proceed on the question as raised by you.

Mr Mulengani: When the Chairperson requested the Secretary General, I expected him to answer the question technically on issues regarding due process and whether it was followed. He should have enumerated the due procedure. I expected him to say whether he followed the procedure and, therefore, to give evidence. I expected him to go ahead and say whether the right procedure was followed in picking money in cash. Simple questions! These are simple policy

questions and have nothing to do with his personal life. I am not privy to his personal life.

The Speaker: Hon. Mulengani, the Secretary General is just giving the answer. He said that he wrote to the DSG/F&A then. The DSG found that there was no money in his account. He then went ahead to remove money from another account. Stick to those questions. Let him answer those questions then you can ask supplementary questions based on the answers.

Mr Ogle: Mr Speaker, Sir, I am still on my procedural point. I still insist that if the Minister, the substantive Chairperson, Council of Ministers cannot answer this question, the best he can do is to ask another Minister to respond to the matter. The Secretary General is in a very conflictual position. The tragedy we have to handle in this Assembly is that, with a lot of respect, we have some Members who are appended to the Executive. They are talking in double tongue.

The Speaker: Hon. Ogle, stick to the procedural issues other than addressing Members.

Ms Nakawuki: Mr Speaker, Sir, is the Member in order to defame other Members and allege that they are pegged to the Executive?

Mr Ogle: You are!

Ms Nakawuki: Is this an issue of English or what? I am getting offended by hon. Ogle and his misinformation to this House.

The Speaker: Hon. Members, this House is guided by Rules of Procedures. This House is also guided by the Parliamentary doctrines and practices where Members are free to debate. You should not expect a Member to

debate on the side of your expectation only. Every Member is free to debate in support and against any matter before the Assembly. Therefore, Members are free to express themselves. I come back to the Chair, Council of Ministers. Could the question be answered within the policy framework without diversion?

The Chairperson, Council of Ministers has delegated, honestly, because of--- The Secretary General is in this House for a specific reason.

The Secretary General to the EAC (Amb. Liberet Mfumukeko): Mr Speaker, Sir, I think I was giving the right answers as per the procedure.

I talked about number three as far as that is concerned. The procedure used to draw funds in cash, I just want to make it clear. If you know the internal procedures of the EAC, the Secretary General does not draw cash. From the time that the DSG/F&A accepts the training, that goes to the financial services and they then bring you money. They also take money to pay the institution and or their DSA and for whatever expenditures. When they come back, they have to account for the imprest. They have to show evidence that payments were made and that everything is in order. Therefore, the issue of taking money is common. However, one has to account for what they have taken.

I think I have responded to all the questions.

Hon. Speaker, EAC has a staff training policy which is embedded in the EAC Staff Rules and Regulations, Regulation 34. However, since I have been in the Community, every time we present a budget for training, it is brought down to zero. So, there have been issues with financing training and yet there are many people who go for training. They

have been getting money from donors. This question has been responded to.

Allow me to say that the procedure that was followed in my case is the same one that has been followed with regard to any other person who has gone for training in the Community. If you have to pay the training institution, you take the money with you. Nevertheless, I would like to point out that when I came back from training, I formed a team to put in place reforms I shared with that team ideas which had come from the training I got with a follow up of 45 days. I beg that you check and see the kind of assignments. We had a follow up of 45 days with a firm which is based in the region and how much we spend. This training was necessary. The Summit had said that we make some changes. This was done and I think the results were very good. The USD20,000 was spent but I have cut my expenditures from May last year to February this year by 40 per cent.

Mr Mulengani: Mr Speaker, Sir, the question I would have raised is that he provides evidence. However, given the limited time available to us, I leave it as you guided. If the next Parliament is interested, it will follow the issue up.

Mr Ogle: I want to go back to the question although you have ruled on it. However, I would also like to remind this House, for purposes of clarify and for the record, that according to Rule 21(1) it is only the Chairperson, Council of Ministers who can answer questions raised by Members and not any other person. He cannot delegate that and if he does, that should be to another Minister and not an interested party.

Nonetheless, in his explanation, the Secretary General talked about common practice in drawing the money. The question was very

clear. Was the proper procedure followed? I just want an explicit answer as to whether that procedure was followed instead of referring us to some common practices and instances that have been used by the previous Executives or whoever they are. Procedures mean in terms of Rules and Procedures of this Community. That is what we require. I want an explicit answer on that one.

The Speaker: Chair, Council of Ministers, supplementary question to you. Was procedure followed in choosing the college and with regard to how things were done?

The Chairperson, Council of Ministers and the Second Deputy Prime Minister, EAC Affairs, Commerce and Tourism, Uganda (Ex-Officio Member) (Dr Kirunda Kivejinja): Thank you very much. When we have these open questions, we can answer most of the things we hear from the street. We have the forum. Therefore, we do not need to go to other things. The problem is with our constitution because it allows the Secretary General as a Member of the Council to respond.

Definitely, those questions were technical and I thought that the House would benefit from hearing from the horse's mouth. If the answers are contradictory then those should be brought to me and I will answer them. This can also be set as one of the assignments to the next EALA. I will follow it up.

The Speaker: In essence, what the Chair, Council of Ministers is saying is that this question is not adequately answered. Yesterday, we addressed ourselves to save work of the Assembly that has not been concluded to the next Assembly. I will rule that this is part of the unconcluded business of the Assembly that shall be saved and taken to the next Assembly. The Chair, Council of

Ministers will have to prepare to come with more adequate answers.

QUESTION: EALA/PQ/OA/3/11/2016

2. **Ms Valerie Nyirahabineza** asked the Chairperson, Council of Ministers of the EAC;

As per Article 121 and 122 of the Treaty for the Establishment of the East African Community, Partner States undertook to foster cooperation in enhancing the role of Women in Socio Economic development and Women in Business.

It is in this spirit that the EAC Conferences on Women in Socio Economic development and Women in Business were held respectively in 2011 and 2015.

Following the recommendations made thereof, Could the Chairperson of the Council of Ministers inform this House:

- a) **What strategies has the EAC adopted to uplift the role of Women in Business?**
Mr Speaker, Sir

Article 122 of the Treaty recognises the importance of women as a vital economic link between agriculture, industry and trade. In this regard, Partner States undertake to:

(a) increase the participation of women in business at the policy formulation and implementation; (b) promote special programmes for women in small, medium and large scale enterprises; (c) eliminate all laws, regulations and practices that hinder women's access to financial assistance including credit.

Mr Speaker, Sir the [EAC](#) Secretariat over a period of five years has made progress in developing the necessary Strategy/Policy documents to promote the role of women in

socio-economic development and in business in East Africa.

First, the EAC Secretariat has developed the [EAC](#) Strategic Plan (2012-2016) on Gender, Youth, Children, and Persons with Disabilities, Social Protection and Community Development which includes a component for the women in Business in East Africa. This framework was adopted in August 2013. Allow me to inform you that one activity among many in this Strategy is to facilitate the formation of Women in business associations and networks. East African Business Council, under its Women's Platform has been coordinating the implementation of the above. EAC is organizing country consultations to ensure the number of women in business associations has increased. This evaluation aims at the review of the above mentioned Strategy and formulate another 4 years Strategic Plan

Secondly, the EAC Secretariat has developed a simplified Guide for Micro and Small Scale Women Cross Border Traders and Service Providers within the East African Community, adopted by the 3rd Sectoral Council on Gender, Youth, Children, PWDs, Social Protection and Community Development. The purpose of the simplified guide is to provide information on key EAC trade rules, regulations and procedures, related to trade within the EAC in a simplified and user friendly manner. This guide was adopted in March 2016 by the 3rd Sectoral Council. This guide is awaiting to be translated in Kiswahili as directed by the Sectoral Council before its dissemination to the targets groups.

In addition, the EAC Secretariat in collaboration with the East African Women in Business Platform is developing an EAC regional strategy for promoting women in

socio economic development and women in business. The draft is in place awaiting validation and approval by the 4th Sectoral Council on Gender, Youth, Children, PWDs, Social Protection and Community Development. The purpose of the Regional Strategy is to delineate interventions on how to promote women in socio- economic development and women in business.

Mr Speaker, Sir, permit me to inform this august house that there are other strategic initiatives being advanced by the EAC Secretariat for uplifting the role of Women in Business in the East African Community. Currently efforts are being made towards the establishment of a Regional Financial Facility in collaboration with the East African Development Bank. This facility will target women-owned businesses and will aim at reducing the risk of loans extended to women-owned businesses, limit transaction costs as well as guarantee payment in case of default. In addition a project on Empowerment of Border Communities through locally shared markets has been initiated by the Secretariat and funding is being mobilized to implement the same.

Mr Speaker, Sir, I wish to inform this August house that EAC is in the process of strengthening and expanding the Network of the East African Women in Business through establishment of the “50 million Women Speak Project” funded by African Development Bank (AFDB). The objective of this project is to create a dynamic networking platform for women entrepreneurs, connecting them with one another in ways that will foster peer-to- peer learning mentoring and the sharing of information and knowledge within communities and providing them with access to trade finance and market knowledge opportunities between urban and rural areas and across borders and between countries.

This project will start in 2017 and it will take the approach of ICT to alleviate challenges faced by women to access financial and non-financial services.

- b) What is the overall impact of the strategic interventions as recommended in the 2nd conference?

Mr Speaker, Sir, Members may recall that the 2nd EAC Conference on women in socio-economic development and women in business in East African Community was held in August 2015. The overall goal of the Conference was to bring the East African Women in Business together to network and explore the opportunities offered by the EAC Single Customs Territory and the Common Market and exchange ideas on ways and means of increasing affordable financing for women owned businesses in order to promote the entrepreneurship spirit as a major springboard to their economic empowerment. A number of strategic interventions were recommended and implementation is ongoing. However it is still too early to measure the impact of those interventions.

- c) Are there any follow up measures to continuously bring together EAC Partner States Women to share experiences and foster strong networks?

Mr Speaker, Sir, I wish to inform the Honourable members that there are a number of follow up measures being undertaken by the EAC Secretariat to continuously bring together EAC Partner States Women to share experiences and foster strong networks including the Women in Business Platform which brings together different women networks in East Africa to enable them continue fostering communication and networking for the women in business in East Africa. The EAC is planning to hold the 3rd EAC Conference on women in socio-economic development and women in business in East African East Africa. The

EAC is planning to hold the 3rd EAC Conference on women in socio-economic development and women in business in East African Community scheduled for 2018 as one of such measures.

Ms Nyirahabineza: Mr Speaker, Sir, thank you for the opportunity. Thank you Chairperson, Council of Ministers for enlightening us. I would like to thank the Chairperson, Council of Ministers as to what is being done to uplift women's lives.

I would like to ask two supplementary questions. He said that efforts are currently being made towards the establishment of a regional financial facility in collaboration with the East African Development Bank. I just want to know when the efforts are likely to bear fruit. When is this facility likely to be established?

Number two and lastly, he talked about a project that is being talked about. This is a project that will be funded by the African Development Bank. It is clear that the project will start in 2017. Could he be precise and tell us about the month?

The Chairperson, Council of Ministers and the Second Deputy Prime Minister, EAC Affairs, Commerce and Tourism, Uganda (Dr Kirunda Kivejinja): Mr Speaker, Sir, first of all, I would like to inform Members about the functions. The Secretariat must identify areas that must offer this. That means negotiating because it has to cause an Act. People were negotiating and we cannot know when it will start. However, that is an indication that it will happen. For the case of the African Development Bank, that seems to have been concluded.

(Interruption of Debate)

COMMUNICATION FROM THE CHAIR

The Speaker: Just before you resume to the next question, honourable colleagues, it is good manners that when you invite people, we do not hold them hostage. I would like, in a very special way, thank the Mr Speaker Abdirahim Abdi, Speaker *Emeritus* who presided over the Second Assembly for accepting our invitation to witness our last Plenary and for joining us later in the evening.

I would like, in a very special way, extend our appreciation to hon. Maj. Gen. (Rtd.) hon. Amanywa Mushega, the former Secretary General of the Community for blessing us with his presence in this Assembly. Thank you. They can be allowed to leave as we conclude our business.

Hon. Valerie, proceed.

(Resumption of Debate)

QUESTION: EALA/PQ/OA/3/12/2016

3. **Ms Valerie Nyirahabineza** asked the Chairperson, Council of Ministers, the following question.

Article 113 (1&2) of the Treaty for the Establishment of the East African Community clearly spells out that Partner States should cooperate in the prevention of Trade in dangerous materials, toxic chemicals, substance and hazardous waste within the Community from either a Partner State or any third party, and also states that Partner States should harmonize their legal and regulatory framework for the

management, movement, utilization and disposal of toxic substances.

Going by the spirit of integration where the EAC Citizens are increasingly free to move across borders and can therefore bring in/from EAC Countries some dangerous materials such as Samsung Galaxy Note 7 smart phones, which, according to many reports have been declared harmful to the lives of the users,

- Can the Chairperson of the Council of Ministers inform this

House, what measures has the EAC taken so far to ban the importation of such dangerous goods and their usage?

Mr Speaker, Sir, under Article 113 (1) and (2) of the Treaty for the Establishment of the East African Community, the Partner States undertook to co-operate and adopt common positions against illegal dumping of toxic chemicals, substances and hazardous wastes within the Community from either a Partner State or any third party.

The Partner States undertook to harmonise their legal and regulatory framework for the management, movement, utilization and disposal of toxic substances, and further undertook to ratify or accede to international environmental conventions that are designed to improve environmental policies and management.

In the current situation in relation to the Samsung Galaxy Note 7 smart phones, these items came into the Community as normal and legal traded goods. As such there are laws and measures both at national and regional level that have been implemented in this respect. Under the Customs Union, Partner States agreed to harmonise the

customs laws as defined under Article 39 of the Protocol for the Establishment of the EAC Customs Union which covers a number of instruments including the EAC Customs Management Act (EAC CMA) and relevant principles of international law. This means that national laws and relevant international conventions on hazardous and dangerous goods are part of customs laws.

Mr Speaker, Sir, the EAC CMA under sections 18, 19, 20, 70, 71 and 72 provide for prohibitions and restrictions on imports and exports. A harmonized list of prohibited imports and exports is provided in the Second and Third Schedule respectively to the Act. Hazardous goods are specifically prohibited under paragraph 8 of the Second Schedule in Part A. Any person found in possession of prohibited or restricted goods commits an offence and penalties include confiscation and destruction of such goods.

Mr Speaker, Sir, in the case of Samsung Galaxy Note 7 smart phones, the dealers have taken action by recalling back the gadgets, and the buyers have been warned about the dangers of the gadgets. For example, all airlines make warning statements to passengers not to use or charge their phones on board or in airports. Even though the dangers of the phones are obvious, it is the duty of the respective Telecommunication Regulatory Authorities to provide technical findings and advise the governments on the ban, since these are the agencies that authorize the importation of these items.

Mr Speaker, Sir, in the aspect of Trade (movement and trade of dangerous chemicals and substances) as far as standardization is concerned, trade of dangerous chemicals tantamount to trade in sub-standards goods.

The EAC Standardization, Quality Assurance, Metrology and Testing (SQMT)

Act, 2006 has been approximated and aligned to all Partner States National Standards Laws implying that Legal and regulatory framework of control of sub-standards goods including toxic substances is in place.

The Council of Ministers further approved the SQMT (Enforcement of Technical Regulations in Partner States) Regulations,²⁾ 2013 to effect the provisions of EAC SQMT Act, 2006. The said Regulations provide for Partner States to impose Technical Regulations (including ban of any dangerous chemicals) and there is a requirement for Regulatory Authorities of Partner States to take such measures as necessary to contain the danger posed by non-conforming³⁾ products including toxic goods.

On its part, the Secretariat took sensitization programme of Partner States to domesticate the above SQMT regulations adopted by the Council in 2014.

Mr Speaker, Sir, the East African Standards Committee (EASC) as provided under the EAC SQMT Act, established 80 sector technical committees(TCs) expert working groups including; EASC TC 41 on Transportation of dangerous goods and harmonized classification and labelling of chemicals and Kenya is the Secretariat of the said TC. This TC is supposed to elaborate on standards related to transportation of dangerous goods for EASC to approve. The EASC TC 41 on “Transportation of dangerous goods and harmonized classification and labelling of chemicals” has however not had any funding on elaboration of standards.

Mr Speaker, Sir, in summing up and as a way forward:

- 1) All National Standards Institutions are implementing Pre-Verification of Imports

(PVoC) programme in collaboration with International Inspection bodies (on Contract) such as SGS or Intertek. Under such arrangement, tracking and denial of entry of dangerous goods such as Galaxy Samsung Note 7 and others perceived to be dangerous can be blocked before shipment;

Under WTO TBT Agreement, Member States have an obligation of protecting their citizens from trading of such phones given a situation where the country (company) of origin is recalling such goods from global market; and,

Within EAC, Regulatory Authorities (controlling management, movement and utilization and disposal of toxic substances) are obliged to ban/restrict any intra Trade of dangerous goods and chemicals because there exists such laws and regulations to the effect.

The Speaker: Thank you. Do we have any supplementary questions?

Mr Ogle: I was alluding, a short while ago, to unfortunately Members appearing to be like that they are agents of other bodies or other entities. There are those who want to bang tables to intimidate us. The point I want to come to is, this is a question related to Samsung Note 7. I am wondering whether the person who asked the question was doing so at the behest of the I-Phone, the global competitor or Apple. I do not understand this. There is no Samsung phone that has blown up in this region. How do you get the information that this is a very dangerous phone in East Africa?

The Chairperson, Council of Ministers and the Second Deputy Prime Minister, EAC Affairs, Commerce and Tourism, Uganda (Ex-Officio Member) (Dr Kirunda Kivejinja): On a point of order. One of the

Rules is that when we are in this House debating we should not impute improper motive on Members without substantiating.

Mr Ogle: I have no apologies.

The Speaker: Hon. Ogle, you have been a Member of this House for five years and you know the Rules. These rules should not be applied selectively. Our Rules provide that when a question is asked to the Council of Ministers, the Council responds and the Mover and any other Member ask supplementary questions in line with the question and no debate is allowed. Those are the Rules.

The Member asked a question because East Africans out there are part of the global market where products are positioned for consumption. In the Treaty for the establishment of the Community, Partner States agree to organise the market and to protect the citizens from consumption of bad goods. Therefore, all this is within the Treaty and within the line of our duty. So, we should not impute bad motive.

Ms Nusura: Mr Speaker, Sir, I just want to give a supplementary question. Would it be prudent for the honourable Minister, in future to consider a holistic law on Environmental Management and Protection? What the House did today, when we passed the law on Polythene Materials, we handled the component of environment. However, when you look at countries like India, they have a holistic law that looks at all forms of pollution from management of hazardous waste to management of bio chemical products, disposal of some commodities that are dumped here like phones and used computers and disposal of bio medical equipment among others including putting in place regulatory bodies to ensure supervision and monitoring of these commodities being

dumped in the specified time. Could the Minister consider a holistic law and allow a team to go and benchmark what is in India so that we have something regional in the area of environmental management and protection?

The Chairperson, Council of Ministers and the Second Deputy Prime Minister, EAC Affairs, Commerce and Tourism, Uganda (Ex-Officio Member) (Dr Kirunda Kivejinja): Thank you very much for that question. I will say that it is a process for a child to become an adult. One of the things we need to do since we have reached a point of creating a confederation is to have a structure here in Arusha which will study and come up with a law that binds all Members. Presently, we will deal with the issues as they present themselves. For example, the *kaveera* menace which is known. We do not have to wait for the comprehensive law. We have to go for it. The art of working for Africa is open. We must be open to ideas that will bring a guaranteed future.

MOTION UNDER RULE 30(J)

MEMBERS VIEWS REGARDING THIRD EALA

Ms Dora Byamukama (Uganda): Mr Speaker, Sir, I would like to crave for your indulgence to move a Motion under Rule 30(j) raising a question of privilege seeking limited time.

I beg to move that you allow every Member to make a short statement before the Third Assembly is prorogued. I beg to move.

(Mr Ngoga, Mr Yves and all the Members standing_)

Ms Byamukama: Thank you for your support. I will start off and I will be very brief. Instead of us *tawanyikaring kienyeji*, that is what they say in the army when you go away without order, I thought it would be important to put down on record some of the considered thoughts that have been going on in our minds in the past few weeks of our term.

I will be very quick. Number one, I have served this House for ten years. In my service I have enjoyed the comradery of all the people I have served with. In the Second Assembly, I served in the House Business Committee. In the Third Assembly, I have served as the Chair of the Legal, Rules and Privileges as well as in the Commission. I want to thank you for the confidence you have given me as a person. Before I go further, I want to thank the Almighty God for giving us life. The other day, we were joking and saying that we have said this prayer for ten years but none of us can say it offhand. So, last night, I slept at about 1.00 a.m. cramming it so that when I go out of here and I am asked to say it, I will say it. We thank God and we are privileged to be doing it during the month of Ramadhan. Actually, some of us have fasted which is a good thing. Therefore, we ask for peace and blessings for all those who are fasting.

Thirdly, I want to thank the people of Uganda. The people of Mwenge County South who elected me to the Parliament of Uganda from where I was picked to come here by my party, the National Resistance Movement (NRM) Organisation. I want to thank the Chairman, the President and the Chair of the Summit, His Excellency, Yoweri Kaguta Museveni. He is known for being magnanimous as well as being a disciplinarian. He calls his term, *hakuna mchezo*. I hope this will be applied in the EAC.

Finally, I want to say that we have served with dedication and commitment. I want to thank you, Mr Speaker, Sir because you were thrown in the deep end of the sea and somehow you managed to swim and you can now compete in the Olympics.

Honourable Nusura said that you are Joshua. I want to come back to your name Daniel in the Lion's Den. We are not a Lion's Den but I want to thank you for your commitment, courage and for remaining true to God and to us who elected us. With those few comments, I would like to stop there and to wish the Fourth Assembly every blessing. We pray to the Almighty God to give you wisdom and abundant favour to continue serving the people of EAC diligently.

The Speaker: Thank you hon. Dora. Indeed, thank you.

Mr Ngoga: Thank you Mr Speaker, Sir. I will be very brief. First of all, let me state that it was an honour and privilege for me to have an opportunity to serve with you all. I was very new when I came here because I had not served in Parliament. However, hon. Members, you have shaped me in a very big way. I am a different person, I am much more mature than I was when I joined you.

Mr Speaker, I would not have found a better person in place more than you to mentor me the way you have done alongside other Members. I thank you very much. I wish you well in your future endeavours. Every time we register an accomplishment, we know that it is the beginning of a much bigger accomplishment.

I am a human being, I do not intend to offend but most likely, I may have offended some of you. Please, know that it was not intentional

and I ask for your forgiveness. Thank you very much.

Mr Mulengani: Thank you Mr Speaker, Sir. Thank you hon. Dora for the Motion. I also want to thank God for the opportunity He gave me. I also want to thank my country and the party I belong to that Dora belongs to ask well, NRM and the Parliament of Uganda for according me two consecutive terms to serve at the Assembly.

I thank my colleagues that I have worked with for. I hope that they have learned much more from me as well.

Lastly, there have been many challenges as we undertook our job. I also want to ask those that I erred to forgive me. Those that I erred me, I forgive you. Thank you so much.

Dr Ndahiro: Thank you Mr Speaker, Sir. I associate myself with the comments by all the Members who spoke before me. I also want to thank my constituency. At this point, I want to point out one issue which I want the next Assembly and the Council to address. When I first entered this chambers, I complained about these stairs. Unfortunately, I am leaving when the stairs are still there. Very few people on wheelchairs can access this chambers. I appeal to the Council of Ministers to ensure that these stairs are changed into ramps so that the chamber is accessible.

The Speaker: Thank you, Dr Ndahiro. This Motion is very special. I thank hon. Dora for it and hon. Ngoga for seconding. I do not want it to let it go before I comment on something.

Dr Ndahiro, we apologise to you and to those who had the need to move on ramps. Hon. Chair, Council of Ministers and Secretary General, there are glaring needs in this

Community Headquarters that the Secretariat should attend to; the needs of persons with special needs. This includes our Members and staff who may want to nurse young children. They need a special room. We have mothers who leave children in their cars because there are no rest rooms for their children. Our drivers have nowhere to sit when it is raining. I could have done something but time is not on our side. I pass over the baton to you Sir.

Mr Hajabakiga: Thank you, Mr Speaker. I would like to thank my sister and friend, hon. Dora, for moving this important Motion.

This morning, hon. Oda Gasinzigwa was the first culprit of temporary disability in this House was unable to come down the stairs this morning. She asked me how we could conclude the Assembly. She asked me whether there is a form of speech or anything like that. She was wondering how an Assembly concludes its work and goes. Although she was sick, she wanted to come and conclude the work with us. I thank hon. Dora for bringing this Motion up. This is probably an eye opener for those who will in Fourth EALA. They should come up with suggestions in the Rules as to how the Assembly can conclude. The Assembly should not just end after passing Motions. We should also give our views.

That having been said, I would like to thank everybody, right from Second EALA, those whom we were together for four years because I came in 2008 and those who we were together in the Third Assembly for five years. As others have said, we may have rubbed shoulders the wrong way because of work. I do not think it was intentional. It was because of work. In our language, we say, somebody who does not work will never make any mistake. It is until you work that you make a mistake. Therefore, I would like

to say that if there was anybody I rubbed shoulders the wrong way, I want to apologise. As my colleague has said, I want to forgive those who may have offended me.

Mr Speaker, last but not the least, let me thank the following people. First, my President, His Excellency, Paul Kagame, for directing RPF to nominate me to come and be in EALA. I thank the leadership of the Assembly and in particular Mr Speaker, Kidega, for having steered this Assembly to its conclusion despite the difficulties we had. We have managed to conclude well. Let me also thank the Council of Ministers, Mr Speaker Kivejinja, the other Members of the Council and the Secretary General. I wish you well as you continue to pursue the ideologies of integration. Let me congratulate those who have made it back to the Fourth EALA. I wish them well. Continue pursuing the work we have been doing in this Assembly.

I thank you Mr Speaker and Members.

Mr Ogle: Thank you Mr Speaker. Way before I came to the EALA, there are two people that I did not know I would end up meeting here. One was the late Hafsa Mossi. She interviewed me on BBC, Bush House in London, when I was doing my Masters Programme in Journalism, University of Wales, and College of Cardiff. The other person I knew but did not know that that I was going to meet at the EALA was Dr James Ndahiro. I have known him and did not know that I would meet him here. That is life and the journey of life. You just design a path of life for yourself but destiny takes you elsewhere. We will be meeting elsewhere. This was just one meeting place for 45 people. I know that if we live longer, we will meet elsewhere. The best thing I have always drawn from life and experience is that you should always value the relationships

you have with people. Now, many people have said many things about me. However, one thing I can confidently say about myself is that I am a stickler for truth and I am very candid. I do not compromise; not on anything. (*Applause*)

As a young man, a university student, I joined the liberation of Kenya and ended up in the Nyayo Torture Chambers. I was there for two nights. What shaped me so much in my life was journalism. Journalism is seeking truth, justice and what is right. That is the experience that I brought to this Assembly. I have always sought the truth. In that process, people have seen me as confrontational. I am not. I am very clear hearted and my conscience is very clear. I have never taken out there a problem I had with anyone on this Floor. So, if I have wronged anybody one way or another, I pledge that you forgive me. That is not who I am. I did not want to do that. I am very clear in my conscience.

I know that the next Assembly has a very tough assignment. For those who are coming back – our fate is in the air in Kenya – I know that there is a tough assignment because of what we inherited. It was smooth all the way until four years ago. Things are no longer smooth. The ship is on high seas and experiencing a lot of turbulence. There is a lot of turbulence ahead of us. I expect those who will be in the next Assembly to stand up for what is right and for the truth. They should stand up for what the framers of this Treaty wanted us to do; to widen and deepen integration.

Thank you very much.

Ms Sarah Bonaya (Kenya): Thank you hon. Speaker. I want to start by thanking hon. Dora for giving us this opportunity to say bye and to express our gratitude. As we finish this assignment, having served for ten years, I

have seen this Assembly grow from strength to strength. When I see the front bench full, I feel very happy. I know that they receive bullets in terms of questions and I know that they feel that they are being challenged from this side. During the Second EALA, that bench was literally empty most of the time because they did not understand and appreciate Parliament. Somehow, we managed to put things in order. That is our duty as over-sighters of the EAC. We always mean well.

As hon. Ogle said, we want the right thing for this Community. We want better treatment for the citizens of this region. I appreciate the growth of this institution. We are not always talking about failure. We appreciate your work; the front bench because of the tremendous growth and improvement in the region courtesy to you and to this Assembly and all our partners and players in this process.

I want to thank God for this opportunity. I came to this Community at a very difficult time. However, I have come to appreciate and learn a lot in the process. I want to express my thanks to the current President of the Republic of Kenya. As the Chairman of our party KANU, he nominated me to this seat twice. I appreciate that. I contributed the much I could to the betterment of our Community. Wherever I go, I will carry that important message.

For the late Hafsa Mossi who did not make it to this moment, I pray that she has peace wherever she is. We appreciate her contribution. To my late husband who was seated at the front bench, I am proud of him that he did the right thing. He worked and fought so hard for us to have integration with which we cannot stand on our own. We can only stand when we hold each other's hands. Africa is a continent which is vandalised,

fragmented, a continent which is resource rich but permanently poor. I remember his dreams and appeal to those who will be in the next Assembly not to live as nationals but to leave for integration and to pull the countries together. We have resources. We are rich. We have minerals and wildlife. We have everything including human capital. There is nothing we need to beg donors for. Yes, we need friends and partners but the most important thing is for us to learn to manage our resources and our lives honestly and in a decent manner so that our children and our grandchildren will be respected in the global village we are getting into.

I thank all of you especially the media. You have kept the momentum, you have kept us company and disseminated all the good things we do here. As you continue with this process, always know that many would have wanted to be here to appreciate and to move on but they were not privileged with the opportunity. So, please, let us not mince words while addressing the issues we are hearing about corruption. There is a lot of pilferage. Let us take care of taxpayers' money and serve the people of the region.

Thank you.

The Speaker: Thank you hon. Sarah. Hon. Sarah speaks with a lot of emotions for very specific reasons. She came to this Assembly in June, 2007 when a great man who used to sit on the front row, the late hon. Godana, her dear husband and father to her children had just passed on. The husband was contributing a lot to this process of integration. He was the Minister of Foreign Affairs of the great Republic of Kenya. She used to refer to some of us as her royal guards. We met a woman who was very warm at heart but buttered by life. We are glad to see you strong this day. Thank you Sarah. (Applause)

Dr Ngendakumana: Thank you so much, Mr Speaker, for this opportunity. I also wish to thank hon. Dora for bringing this Motion because it has allowed me and others to express what we feel as we come to the end of our term.

When I came here, in 2012, I got directly involved in matters of this Assembly because I was the Chairperson of the General Purpose Committee. In fact, on my first day as the Chair, I was shaking because I did not know how I would handle the Committee. However, thanks to my colleagues of the General Purpose Committee. I have managed. I thank you because you gave me the skills to do whatever I did. During those five years, I have learnt a lot. I have received from each of you the best. I tried my best to give my best to you. At one time or another, I may have hurt someone. That was not intended. I take this opportunity to apologise. I have not been hurt by anybody because I always forgive. This is a gift from God. I have not been hurt by anybody.

Further, you know that some of us are not in an easy situation. However, you have played a great role in making our lives easy as possible. I came here as a Burundian but I am now leaving as an East African. I can now live in each of the six countries save for one where I have to wait for some time. However, I hope that in a few months, I will go to that country too. That country is mine, I love it and the people of that country are good. This is the moment that God had given me to experience what it means to be an East African.

I thank everybody, especially you, Mr Speaker, for what you what you have done to make sure that I as a person is comfortable and can perform my duties to the best of my ability. Thank you for what you have done. You are younger than me by age. However,

you are my leader. I hope that in a few days, you will continue to be a leader to others and to me as well. I wish you all the best in your endeavours. (*Applause*)

I missed being nominated to the Fourth EALA. I did not compete well. However, I hope that I will exchange ideas with the Members of the Fourth EALA. As long as I have something to discuss with them, I will share with them. I look forward to serving in the Fifth EALA because I need to serve for ten years in EALA. I wish you all of you well. May God bless you abundantly?

The Speaker: Thank you. Hon. Members, this Motion as moved by hon. Dora should have come in writing because it is the most important. I will give you Members time to speak.

Mr Adam Omar Kimbisa (Tanzania): Thank you Mr Speaker, Sir. I also join hands in thanking hon. Dora for coming up with this Motion which is very important.

Most of the time, this is supposed to be a very sensitive moment. It is sensitive because we have been close and somehow we are now parting. I know that East Africa is small. However, we will not be together on during our day to day activities. This Assembly was very vibrant, energetic, serious and down to earth. In short, it was an Assembly of the people for the people of East Africa. It did a good job.

In most Parliaments, Speakers are not of your age. You are a young Speaker and yet most Speakers are of my age or even older. You kept on wearing a cap so that you could appear a bit older. You wore a cap without being that old. You did a very good job in leading us in this Assembly. As far as I am concerned, I have no ill feelings. I do not think that I hurt anyone and neither do I think

that somebody hurt me. If there were contradictions, those must have been work related. I can see hon. Shy Rose trying to raise her hand. I do not think I did anything to her.

Mr Speaker Sir, I can promise you that I will carry many good things from the Third EALA to Fourth EALA. If people try to deviate from the norms of the Assembly, hon. Nakawuki, hon. Opoka, hon. Mbidde and I will unite in carrying the flame of this Assembly.

The Speaker: Of course, with many others as well. There is hon. Oda and others.

Mr Kimbisa: I think we will unite in carrying the flame of this Assembly. I had a good experience in this Assembly. With those few remarks, I say thank you.

Mr Yves Nsabimana (Burundi): Mr Speaker, Sir, I want to tell you that for me it will not be a bye but a welcome back message. Why do I say so? When I joined this Assembly five years ago, I was alone. Now, I have more than 52 families in this House that I know very well. I have members of staff whom I know. It was a very good thing for us to have friends and colleagues. We have done many things together. In one of the *WhatsApp* messages I forwarded to you, coffee did not know that it was good until he got sugar and milk. When it is combined with sugar and milk, it becomes nice. You have been my sugar and my milk. I have found the right people. We have shared very good times and sometimes very hard times. However, we have overcome our problems and continued to transact our business. We have been united and I thank you for your leadership.

God has blessed you with a very big heart which accommodates everybody. I have been

privileged to be helped by you and the Office of the Clerk in my difficult moments. Thank you for that.

I would like to thank all Members here who have helped me to transact the business I was elected to do. I am happy very much. I look forward to seeing you in your capitals when I visit. Wherever I will be, I will know that I have people I can count on. I know that I will be in Kampala, Kigali, Nairobi, Dar es Salaam and even in South Sudan. I got a chance to travel in Tanzania from Mtwara to Mwanza. EALA has helped me to know this region. I have been in many areas in Tanzania and in Kenya. I have travelled by road in all those countries and I can tell you that we have a beautiful region. This region, if we are well integrated, can accommodate all citizens. Tanzanians can accommodate all East Africans and still have land left for others. We have a beautiful region. We have a lot of resources and the Secretariat should focus on good governance. We are blessed by God with this region.

Mungu aibariki jumuiya yetu. May God bless you!

Mr Frederic Ngenzebuhoro (Burundi): Thank you, Mr Speaker. I also want to thank hon. Dora for having given us this opportunity to express what we feel. I remember, during the Second Assembly when you said, I am a happy man. Today, I would like to quote you; "I am a happy man." I am a happy man because this could be the end of my 35 years of my political career. *(Applause)*

In 1982, when I was elected for the first time to the national assembly I was very young. I was 30 years old and I could not imagine that one day, I would end my career at this regional Assembly. I, therefore, want to say

that I am a happy man because I am ending my political career very well.

I would like to thank, very sincerely, the National Assembly of Burundi, which elected me to the regional parliament. I would also like to thank you for your leadership and for your wise job.

Mr Speaker, EALA is not only known in the continent but in the whole world because of your leadership. I am sure that you will continue to be blessed. I would also like to take this moment to thank all the Members here who have been with me during the Second Assembly and now in the Third Assembly. I would like to express my sincere gratitude.

I was once the Chair of the Committee on Legal, Rules and Privileges. I am not a lawyer and neither do I have any legal background. However, I was able to perform my duties thanks to the support from the lawyers and other Members.

I also take this opportunity to thank the former Speaker. When he asked me to be the Chair of the Legal, Rules and Privileges Committee, I was very reluctant because I am not a lawyer and I resisted. However, he told me to go there and that he would give me the support that I needed. Once again, I would like to thank him.

Before I finish my contribution, I would like to request Members of the Third Assembly should keep in touch either through the EALA website or the *WhatsApp* group chat. We should continue to be friends as we have been. Wherever I will be, I will continue to brand the EALA image. I am proud of this Assembly and will continue to be proud of it because it has made me who I am today. I would like to thank everybody who have

continued to contribute to the good image of this Assembly.

Ms Oda Gasizingwa (Rwanda): Thank you Mr Speaker, Sir. Thank you for allowing me to speak while seated. Thank you for the prayers and words of encouragement during the time I was not feeling well. I would like to take this time to thank, hon. Dora.

As hon. Patricia has said, I was wondering how we would end this Assembly considering the work that has been put in. I am happy that we got an opportunity to listen to my colleagues and to understand what they have been going through and to appreciate them. This is good spirit. I thank you hon. Speaker for allowing the Motion.

I would like to thank my President for giving me this opportunity for giving me this chance and for allowing me to come back to serve the Fourth EALA. I also want to thank my party, RPF which has been empowering me throughout. It has continued to give me the support to make sure I contribute in the work I am called upon to do. My colleague and I have always referred to each other twins. We are the new ones in this Assembly and we are in a position to tell you what we have seen in these few months. We have learnt a lot from you. This will be a good package to take to the next Assembly. I am glad to say that I have learned a lot from you. I have made many friends and this will be a good package to take to the next Assembly. This is something we need to take further. Whatever is being discussed here, as many of you have said, is for the course of making sure that we improve what we are doing and not for negative purpose.

I would like to thank the Speaker for the way he has been leading this Assembly. You have handled the challenges we have in East Africa. I hope that whoever comes after you

will do more. You have taken a stride in making this Assembly proud, effective and to contribute to the EAC. I have learnt a lot of words since I came here. There were many words I was hearing for the first time. I used to hear order, order and I thought you were calling me. Now, I am in a position to train others who will come after me. I will tell them that it is not Ms Oda being called but part of the procedures of this Assembly.

I do not want to take more of your time. I would like to tell my colleagues that it has been a good moment to be with you. I promise that those of us coming in for the Fourth EALA will do our best. We will ensure that whatever you have done to make sure that this Assembly flourishes will be maintained to make sure that we represent East Africans well. We will ensure that those who sent us here are proud of us. Thank you.

Mr Bernard Mulunya (Tanzania): Thank you very much Mr Speaker, Sir. I would like to thank all the Members of EALA for the cooperation they have accorded me for the five years I have been here. I have had cordial relationships with almost everybody. I also want to thank the Parliament of Tanzania for having elected me to serve in EALA Three.

We have been here for five years and our term is coming to an end today. I want to congratulate the newly elected Members who have made it to the Fourth EALA and the new ones. I hope that they will continue with the spirit we have had in the Third EALA. The Fourth EALA should equally be as vibrant and even better.

Mr Speaker, Sir, our term has come to an end. However, I would like to advise my colleagues that this is not the end of life. There is life after EALA. Let us go and struggle and make ends meet wherever we will be. I will be in Arusha. Those who get a

chance to visit Arusha should get in touch with me. Occasionally, I will visit EALA to follow the proceedings. Thank you very much for giving me this chance. I wish you well wherever you will be going.

Ms Emerence Bucumi (Burundi): Thank you very much Mr Speaker for giving me the Floor. I would like to thank hon. Dora Byamukama for this Motion which is very good as we come to the end of the Third EALA.

First of all, I would like to thank Almighty God for all the blessings He has given me all the time all the time. Secondly, I would like to thank His Excellency Pierre Nkurunziza, the President of the Republic of Burundi for having nominated me through our ruling party me to be in this Assembly.

Mr Speaker, Sir, I joined EALA in 2010. The person I want to recognise is Ms Dora Byamukama. Hon. Dora helped me to blend very well in this Assembly. She knows what I mean. I knew hon. Dora through Mzee Leonce. Hon. Dora knows that the Burundi Chapter supported your nomination when you applied for Speakership.

I thank all the Members who were in the General Purpose and CTI Committee. We worked very well. I remember hon. Patricia as we did oversight work in Nairobi to Mombasa. We were only two Members in the bus from Nairobi to Mombasa to carry out the oversight activity of the CTI Committee. This was not an easy job. We went just the two of us by road. I appreciate the work I have done in this Assembly.

The citizens of Burundi miss you. They want to see you again in Bujumbura for the plenary sessions. However, unfortunately, for the past two years, they have not seen you. I hope

that the Fourth Assembly will start their sessions in Bujumbura.

I will not say much but will conclude by saying that I thank you very much. I wish you well. May God bless you!

Ms Ng'aru: Thank you hon. Speaker, Sir. I would like to thank, in a very special way, hon. Dora Byamukama. For the past one week, I have been asking how we would end the term of this Assembly. We needed this. I remember sharing with a colleague and telling them that during the last day as a mayor, I had my speech recorded. How do we just go out there and say bye? Thank you hon. Dora. You are a very special girl. Remember I told you while in Kenya that I would adopt you as a sister.

It gives me a lot of gratitude to have served this Assembly on behalf of Kenya for the past five years. I thank my party leader and the Parliament of Kenya that saw me elected in EALA against many odds. When I say against many odds, is because I come from a region where my party has no strength. I am the strength. I remember on 5th June when we took our oath and elected the first woman Speaker of the EAC region.

Mr Speaker, I felt very well represented because I know what it means to be a first. I was the first women mayor in central province. I have enjoyed every moment of EALA. I heard Mr Speaker Ogle say that if there is anybody he wronged, he must have been trying to say the truth. Allow me to say the truth.

There are many times, in this Assembly when I wondered whether I was in the right place. However, I got encouraged by the many friends I have around. I have many friends who are very young to be my children and who call me mum; hon. Maryam Ussi, hon.

Nakawuki hon. Mbidde and hon. Nengo. They made us feel very young and kept our spirits alive. Hon. Tiperu kept me alive. Rarely would she call me honourable. She called me mum. That made me appreciated within the Assembly. I have my colleagues, sisters, who are my age mates. We shared many things like becoming anxious about our grandchildren. There are also men who are also my age here like hon. Kimbisa and hon. Taslima who gave us comfort. There is also Amb. Jeremie whom I have agreed to take him on board in Kenya. We have staff members who are very respectful. They treated us well and even when we were harsh to them, they continued to treat us well. They referred to us with a lot of respect. I thank them for making our joy complete in a working environment.

I want to thank the Secretariat. We had the former Secretary General Dr Richard Sezibera and now we have another Secretary General. We would not have done much without them. From experience, dealing with Members of Parliament is not an easy job. They stomach our misbehaviours many times.

The Speaker: Hon. Mumbi, I am still the custodian of our Rules in this House. No misbehaviour was tolerated in this House unless I was away. For the record, any misbehaviour was ruled out of order. What was pursued is what is allowed within our Rules of Procedure. Proceed.

Ms Ng'aru: Thank you hon. Speaker. You are actually right. However, we interacted even outside the Assembly. That is why you have to tolerate us to complete our sentences so that you distinguish between what happened in the House and outside the House.

I want to thank you, in particular. You sat on that seat in the midst of a storm. Some of us who are senior in age thought that you had a very difficult job. I compared it to driving a bus while the passengers you were carrying were made up of very many characters. Thank God, you did not drive the bus to a cliff. Many times, even the language that is used on a driver can cause the driver to drive to a cliff. I am thanking you because your predecessor may not have had that wisdom to hold the bus and not to drive it to a cliff. I want to thank you for your wisdom. In the midst of everything that was going on, you still managed and against a budget that was decreasing and funds that were not coming. Today, we are walking out of this Assembly to tell East Africans that we have completed our term. That is something. As I sit down, I want to thank my family. Some of us leave our husbands behind, alone in our houses and that is not a small matter. We do not even leave them with grandchildren. I want to also thank my children because they kept on calling me to find out how I was doing.

I would like to thank the very many friends I have made. I am leaving this Assembly richer than I was when I came in. I am leaving with the experience of different Partner States. I am leaving feeling younger than when I came in. I am leaving hoping to come back and join the Fourth EALA. Kenya has not elected yet. Who knows, I could be back in the ballot paper again.

As I complete, I want to say, without fear that I wish the Fourth EALA great success. The Third EALA inherited something that was not very good from the Second EALA. Please, *naomba*, do not translate anything that you did not like from the Third EALA to the Fourth EALA. I am doing this with my eyes open. Let me expound a bit on this. Even when we were outside, we had country caucuses sitting and speaking their languages

when one of the people in that group could not understand the language. That is not integration. Keep all the Partner States together.

I do not want to say that nobody offended me. There are many times when I felt offended. To those that tried to offend me, I want to thank you because you made me stronger. You made me wiser and increased my tolerance levels. You helped me become a better person. You helped me to become Mumbi. So, instead of hating you, I love you more. That is a fact. I have no regrets about someone not liking me. However, I appreciate you for not liking me because you made me strengthen my tolerance levels towards you and any other person who made life difficult for anyone of you. For those whom I offended probably out of being stubborn, I want to say that I am sorry. However, if the reason remained the same, I have no apology. *Asanteni sana!*

The Speaker: Thank you, hon. Mumbi. Indeed, we wish you good luck to be in the Fourth EALA because you are eligible for re-election. Hon. Members, I will sit here, be tolerant and give you a chance. I only appeal to those who have already spoken not to walk away. We need to listen to one another.

Ms Nancy Abisai (Kenya): Thank you, Mr Speaker, Sir. I also want to thank hon. Dora for coming up with this Motion. It is important for people to express themselves and to say something positive. To start off, they say that simplicity is the source of perfection. As I was seated here, I thought that one of the things I should say is that all of us have had an opportunity to walk out of this House; at least, for a minute or two.

Mr Speaker, Sir, you have been seated there, since 10.00 in the morning without moving. I think that in itself shows tolerance. However,

my neighbour here is describing it as the cruelty of the Treaty. Those are some of the things which are giving us a chance to know what we should include when we do amendments to the Treaty. We need to have Deputy Speakers so that you also have a chance to walk out. We are very glad that you have sat there and steered this sitting very well just as you have done the rest.

I thank the Lord Almighty for giving me the opportunity to be here and to serve in the Third EALA. I also thank members of my family for standing with me during this period that I have served this Assembly. I would like to thank colleagues and friends. I have made friends and friendship shows the relationships you have with individuals. I think that is very important.

A story is told of an elephant and a mouse. They wanted to cross a bridge but there was a section of that bridge that had broken down. So, they needed to hold strong so as to cross the bridge so that they go and rescue people on the other side. While crossing the bridge, the elephant would shake the bridge and scare the people on the other side. After they crossed the bridge, the elephant would ask the mouse, did you see how we shook the bridge? Before the elephant could speak, the mouse is the one that would ask, did you see how we shook the bridge? However, it is not the mouse that shook the bridge but the elephant. I hope I have communicated.

There are many times in life that if you have a path that has no obstacles, it will probably lead you nowhere. You must meet obstacles and it is the way that you handle obstacles that makes you a better person. It is the way that you deal with challenges in life that defines who you are. It defines your character. I think we have had defining moments of our characters in this Assembly. I thank God because of how far He has

brought every one of us. I know that what is ahead of us is even better than what we have left. As a Third Assembly, I do not think we should say that we have crossed a path and had obstacles. Probably, the obstacles were designed for us to create an avenue for the next challenges to be dealt in a better way.

I think I like that. In the interest of time, before I came to this Assembly, hon. Mumbi and I were on a list of nomination in 2007. Through mysterious circumstances, at the last minute, the names were dropped. For me, that did not matter. I was so passionate about my party and continued to serve. So, we formed the Orange Women Democratic Movement and we went ahead to do what we could. When the opportunity to serve in EALA came again in 2012, I did not think I would serve in the regional Assembly. My eyes were still focused to the National Assembly. The support I got was so overwhelming that I did not have to go out to campaign for myself. I had people who reached out to me and said that I needed to serve in this Assembly. I thank God the opportunity. I thank God that I have pushed the Gender Agenda which I have always done since I started my public life. The history of the 47 separate seat for women in my republic will not be told without the mention of my name. My party, women's movement will not be talked about without the mention of my name. I am glad that through you, colleagues, we passed the Gender Bill in this House which I feel proud to be part of. I am happy that we made a mark and thank God for that. I wish you well and thank God for this opportunity. I pray that God Almighty will direct our paths so that we continue to become better people and to serve this Community well. God bless you well.

Ms Nderakindo: Thank you, Mr Speaker. I will not say so much about my friend, hon.

Dora. I do not want to inflate her ego. She did a good job.

I would like thank my country and the people of Tanzania through the National Assembly for electing me to represent them in this Assembly. I also thank my political party, NSSR-Mageuzi for nominating me to contest in this position for this position which I got. In particular, I thank the women of NSSR-Mageuzi. They trusted me even when I knew nothing about being a Member of Parliament. They said that they trusted me and knew that I would represent them. So, I thank them for trusting my ability to represent my nation Tanzania. I also want to thank all the staff of the EAC from all the organs and institutions because without them, we would not debate and do our work. I also thank the two Speakers who led us in the two five years.

Special thanks to Margaret Zziwa. She is the one who came up with the seminar of women in Kampala. In that seminar, I go to know that whether you are in EALA for five or ten years, being here this is a stepping stone to somewhere else that God has destined you to be. Therefore, I thank God for giving me this one term. Probably God did not want me to stand on this stone for too long. Therefore, I am moving on to something else. I congratulate all those who have been elected for a second term because they are being strengthened to go higher more than us who have done one term. I would also like to thank the Council of Ministers for their guidance in this House. They listened to our requests. I thank them for what they did and hope that they will also finish whatever else they have not done. I will not also forget the media. Without the media, many would not have known what we have been doing in this House. Therefore, I thank the media for their good work.

Finally, whether it was planned or not, I had told myself that I would talk in the evening. Waking up in the morning is something I owe to Almighty God. Today, I heard the voice of peace. One of my favourite prayers which is also used by the nation, Tanzania is Mwenge. This comes from a prayer which was composed by one of our spiritual leaders a long time ago. A song came to my mind and I sang it the whole day knowing that I would sing it in the evening. Due to procedures, I will sing in the evening. However, let me explain what it says;

*Make us the channel of your peace.
Where there is hatred, let us bring peace.
Where there is injury, pardon and where
there is doubt, true faith in you.
Oh master, grant that we may never seek so
much to be understood but to understand,
Not to be consoled but to console
Not to be loved but to love.*

Mr Speaker, throughout my life, I am now 57 years old, I have come to realise that my divine duty here on earth was to be a teacher. Therefore, many members of staff and colleagues refer to me as “Mwalimu Nderakindo Kessy.”

I would like to tell you that my name Nderakindo means that I left something. I was wondering what I will leave behind for my colleagues and friends here in this Third EALA. It then came to my mind that my divine duty is to be a teacher. I stand here today to be a teacher; a teacher to take you back to mathematics. I ask you to pick your pens and write the following.

One per cent of square root of the population of East Africa. You are summing up to find out the population of East Africa, find the square root and one per cent of it. I urge this House to be one per cent of the square root of the population of East Africa and to be the

ambassadors for peace. It is in the metaphysics of spirituality that if any community could get one per cent of the square root of that population who would commit to peace and love, that peace would permeate to the whole community.

We are facing the challenge of terrorism. One of the ways to solve this problem is for each one of us to commit to be an ambassador for peace and love. I urge this Assembly to be one percent of the square root of the population of East Africa. When we go out there, we should urge others to be one percent of the square root of the population. That way, we will live in peace and love.

Mr Speaker, Sir, I did not thank you in person because you only need three words. Thank you, thank you, and thank you.

Ms Nakawuki: Thank you, hon. Speaker. I thank you hon. Dora for this Motion for us to say a word or two. Above all, I would like to thank Almighty God who made me part of the Third EALA. The Third EALA has been very special; an Assembly that has been headed by two Speakers of Parliament. The Assembly had the gender balance perspective because we had one female Speaker and one male Speaker. They each served for two and a half years.

Today, we have been fortunate that in this Assembly, we had two former Speakers and one sitting Speakers. When you were introducing, you forgot to introduce the other former Speaker.

The Speaker: That is a Member. She will be recognised as a former Speaker later.

Ms Nakawuki: I am glad that I served under the two Speakers. Allow me, in a special way, to thank Mr Speaker Margaret Nantongo Zziwa because for the two years she was a

Speaker, she delivered a lot. I know that I got a salary increment and I am forever grateful, even to the Council for allowing it. I know that the Committee days of this Assembly were increased and the number of sittings of this Assembly. So, I will be cheating not to say thank you to her.

I would like to thank you, Daniel Kidega for steering this Assembly for the two and a half years. I know it has not been an easy task. One thing I thank you for trying to unite this Assembly which at one time was much divided. You managed to bring it together.

I will not say that the three years have been devoid of challenges. There are many challenges we faced as an Assembly. There reached a time when I could not stand some of my colleagues in this House. There was a time when we were not sure of our salaries due to poor remittances. However, I would like to say that what defines us an Assembly are not the challenges that we faced but our ability to get over the challenges and to pave a way forward. I am sure that is the legacy we will leave.

Let me also add my voice and thank Council because they have done a lot although they need to do more. I would also like to thank the two Secretary Generals. We were lucky that when we came in, we found Amb. Richard Sezibera and we thank him in absentia. There is also Amb. Liberet Mfumukeko. I want to thank him because he is doing well in the administrative changes we are hearing about in the Secretariat. Allow me also to thank the staff of EALA and those of the Secretariat especially one, Abela Kamuzora. That one will never be forgotten. We have also had a chance to be served by two CTCs. They have done a good job. The Office of the Clerk cannot go without being mentioned and all the Committee Assistants.

As I summarise, I would like to thank the Parliament of Uganda for electing me to the Third EALA and subsequently for electing me to the Fourth EALA. I am grateful to Ms Rebecca Kadaga because she stood for institutional memory. We do not operate like the Council which has not institutional memory.

I know that as a person, I did not offend many people because I am not of confrontational character. If I said some words which offended people, please, take it as a slip of the tongue. I did not mean to offend anyone. In any case, if I offended somebody accidentally, I am truly sorry. Please find it in your heart to forgive me. Remember me for the good I have done in this Assembly and not for the bad things.

Finally, I would like to give my word to Members who may not make it to the Fourth EALA because I am a Member elect. My colleagues and I will carry the mantle. All of us are very level headed people. Hon. Sarah has talked about corruption. No one can condone corruption. However, as a lawyer, I cannot go with information that I have picked on the streets. However, where the audit commission gives me a report that reflects corruption in this Community, trust me, we will handle it to the later. You can count on me on that one.

Finally, allow me to make a plea to the Republic of Kenya. On Monday, I would have been a fully-fledged Member of the Fourth EALA. However, the Clerk has just communicated things which I do not understand. All this is because of one Partner State which has become a serial offender in this matter.

Mr Ogle: Is she in order to refer to the most important Partner State of this Community,

the one which has fully paid its subscriptions, as a serial offender?

The Speaker: Hon. Members, let us not take this thing personal. We are equal partners in this marriage. When there are challenges, we must deal with them irrespective of where they are coming from. I will quote you, on the Floor you are holding. "It is not the challenges we face but how we overcome them that makes us better."

Ms Nakawuki: Thank you, Mr Speaker. I did not mean to offend anyone. However, since we are equal partners, we cannot proceed without one Partner State. There are laws that we must comply with. At this point in time, we thought that every Partner State would have completed their elections. It is my plea to the Government of the Republic of Kenya to ensure that the elections for the Fourth EALA are conducted as soon as possible. I submit.

The Speaker: Hon. Members, it is 5 O'clock. We are supposed to have a break for less than an hour and go to another official function. I would like to ask for your forgiveness, Members who are up and wanted to say something. We will have dinner later in the evening. I will create time for you to say something. It is fair that we listen to one another but time is not on our side.

Dr Odette Nyiramilimo (Rwanda): Thank you, Mr Speaker. There is a communication I want to put on Hansard. I would like to remind my colleagues that in EALA Two, we were had the Amani Forum. In EALA Three, we did not continue with the forum because the forum headquarters collapsed. So, as Members will recall, we did a fundraising and saved the money hoping that the Amani Forum would be reborn again. However, that has not happened. I would like to inform Members that in that envelop, we have

USD3,273 that is kept in Ms Abela's drawer. I discussed with friends about what to do with that money and we agreed that we should donate it to the school.

The Speaker: Ms Odette, for the record, Amani is not an official structure of the Assembly. I advise that immediately I adjourn, those who are Members should meet and see how to wind up your business. However, thank you for putting it on record that you are a transparent leader.

We have to wind up the Motion that was moved by hon. Dora and then we move to do what we do best at this moment.

Hon. Dora, in the shortest possible time, please express your appreciation to these Members.

Ms Byamukama: Mr Speaker, Sir, I want to thank my colleagues for all the support. I want to thank all those who supported the Motion by listening and those who will be given an opportunity later. I will conclude in Kiswahili.

Asanteni sana kwa kuunga mkono Hoja yangu. Mungu awabariki.

(Question put and agreed to)

PROROGATION OF THE ASSEMBLY

The Speaker: Hon. Members, it is candidly clear that the hour has come. It was a lawyer who wrote the great song; it is well with my soul. It is well with all of us that this day has come.

I would like to, in a very special way, thank all of you. The Term of the Third Assembly will come to the end on 4th June, 2017. It will be exactly five years since we were sworn in.

The life of the Third Assembly shall stand dissolved on 4th June, 2017 to pave way for the Fourth Assembly. I must put it on record that in the five years we have transacted the following business. This is important for our record.

We passed 33 Bills; adopted 96 Reports; passed 73 Resolutions; received 7 Petitions and processed 5 of them; we revised our Rules of Procedure to allow us to do good work and increase efficiency; we initiated and undertook four Sensitisation activities and institutionalised this activity.

We played our oversight role on the EAC Organs and institutions through Committees. We hosted First Ladies of the Founding Fathers of this Community. We did many things. I cannot enumerate them all.

I would like to take this opportunity to say thank you to all of you. Thank you for allowing me to be your servant. I thank you for entrusting me to offer stewardship for the two and a half years. *(Applause)*

If I can borrow from hon. Dora's words, indeed, I was thrown to the deep end of the pool but I thank each one of you who make the Assembly reach where it is today. If there is something I have learnt is that where there is goodwill, everything is possible. I salute you, goodwill.

It is true and factual that I was not the best among the Members from Uganda. However, I want to thank you, my colleagues from Uganda in this Assembly, for allowing me to be a servant of this team. There is no better way to put it but just to say thank you. We have done a lot of work and also left a lot of work undone. It will be limiting for me to enumerate them. However, we will compile all the work we have left not concluded and

place it in the Office of the Clerk. The Office of the Clerk will give it to the next Commission which will table it before the House. If I go ahead to enumerate it on record, I will run the risk of making mistakes.

On that note, I would like to express my appreciation to the Commissioners, the people you elected to work with me to bring the Assembly to where it is today. We are a proud Assembly and had a very eventful time for the past five years. However, all the events were very useful. What has made us today are those events. I am particularly grateful to my predecessors. I, indeed, start with hon. Margaret Nantongo Zziwa. In her own way, she afforded me the opportunity to be on this Chair. She made her contribution. I thank her for what she did. I also thank the immediate predecessor Speaker of the Third Assembly, the Mr Speaker Abdirahim Abdi, the Speaker, *Emeritus*, of the Second Assembly. We are built on the foundation of the Second Assembly to reach here. We, therefore, thank him all the Members who served in the Second Assembly.

Most fundamental, I would like to thank the pioneer Speaker of this great Assembly who laid the foundation to anchor all the Assemblies that will come even after us; Mr Speaker *Mheshimiwa* Kinana. He was the first Speaker of this Assembly. In the same vein, I would like to express my appreciation to the leaders of the various organs and institutions of this Community. This Assembly cannot work in isolation. We are just one of the arms that are supposed to facilitate the integration process.

I thank the current Secretary General of the Community, Amb. Liberet Mfumukeko for the work he has done to facilitate us this far. I would like to thank the former Secretary General Dr Sezibera who handed over to him for the good work he did when he was at the

Community. I would like to extend my appreciation to hon. Nuwe Amanywa Mushega for the great work he did as well. I would like to extend my appreciation to hon. Amb. Mwapachu for the great work he did. I would like to extend my appreciation, on your behalf, to all the Judge Presidents that have served in the East African Court of Justice and specifically the current Judge President who has been very kind to us as an Assembly and to me as the Speaker.

Finally, before I do certain rituals, I have some announcements to make. We were supposed to have a press conference at 3.00 p.m. but the Motion hon. Dora moved has been more enriching. I am sure that the media fraternity has picked our soul and spirit.

I would like to thank the Fourth Estate, the media of the EAC. The media houses in the EAC region have done a great job. You have carried us to where we are. These are NTV, KTN, Rwanda Television, Star TV, NBS and all the media houses, print and electronic. The Third Assembly is saying thank you for the good work. We urge you to continue doing good work for all the organs and institutions.

We will have a farewell dinner today at 7.00 p.m. The Office of the Clerk will facilitate the process and give the programme to Members. There is a request that we have our last final shot of photo by Muktar when I adjourn. The Office of the Clerk and my Office have organised records of the proceedings of the Third Assembly that will be given to Members as part of their records.

On that note, I would like to say thank you, to the Clerk and the team of EALA staff. I think we are blessed with one of the best professional staff in the EALA. We have gone through a difficult time but they went through a more difficult time behind the

scene. I would like to say thank you to the staff of EALA and those of other organs for the work they have done. We will not miss each other. We are not departing to leave each other but to meet again. For those who have made it to the Fourth EALA, congratulations. For those who have not made it here, you have made it somewhere else.

Without much ado, I would like to thank the United Republic of Tanzania, the host nation, who have kept us here in a very good environment and made our work possible. Everywhere we have stayed, we have not had hiccups of security nature or otherwise.

Thank you, President Magufuli and your Government and the previous government that kept us very well. With those remarks, I now take the most gracious moment of my life and of our lives to declare this Assembly dissolved. Thank you and God bless you.

(The Third Assembly was dissolved at 5.20 p.m)