



EAST AFRICAN COMMUNITY

IN THE EAST AFRICAN LEGISLATIVE ASSEMBLY (EALA)

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

150TH SITTING – THIRD ASSEMBLY: SECOND MEETING – FIFTH SESSION

Wednesday, 19 October 2016

The East African Legislative Assembly met at 2:30 p.m. in the Chamber of the Zanzibar House of Representatives in Mbweni, Zanzibar.

PRAYER

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

(The Assembly was called to order)

COMMUNICATION FROM THE CHAIR

VISIT BY ZANZIBAR YOUTH COUNCIL

The Speaker: Good afternoon, honourable Members. I would first like to recognise the presence of our visitors in the gallery. They are the representatives of the Zanzibar Youth Council led by Mr Khamis Kerry who is the chairman and they include Lenny Amor who is a member, Juma Finard, member, Haruna Muhamed Member, Fidelis Daniel, member, Khamis Khamis, member. You are most welcome and thank you for taking care. *(Applause)*

PAPERS

The following Paper was laid on the Table:
(by Ms. Patricia Hjabakiga (Rwanda))

The Report of the Ninth Inter-Parliamentary Relations Seminar (Nanyuki IX) on The Theme “Compliance with the African Union and Sub-Regional Blocs Election Bench Marks; A Case of East African Community” held in Dar-es-Salam in the United Republic of Tanzania from 2nd to 4th March 2016.

MOTION FOR A RESOLUTION OF THE ASSMEBLY TO EXTEND ITS CONDOLENCES AND SYMPATHIES TO THE GOVERNMENTS OF THE EAC PARTNER STATES AND TO THE VICTIMS OF THE 10TH SEPTEMBER 2016 EARTHQUAKE IN THE KAGERA REGION AND BEYOND.

MOTION

Ms Shy-Rose Bhanji (Tanzania): Mr Speaker, thank you for the opportunity.

Before I move the motion, I request this House to allow me to make a small amendment to the heading of this motion – *(Interruption)* -

The Speaker: hon. Shy-Rose, just to help you...you will do that one but just move it then you will amend it when it is already moved. Moved, seconded, you justify then you will amend.

Ms Bhanji: Thank you Mr Speaker for your guidance. I beg to move a motion for a resolution of the Assembly to extend its condolences and sympathies to the governments of EAC Partner States and the victims of 10th September 2016 earthquake in the Kagera region and beyond.

I beg to move.

The Speaker: Thank you hon. Shy-Rose. Seconders - hon. Mariam, hon. Kizigha, hon. Pareno, hon. Dr Odette, hon. Valerie and hon. members standing. Hon. Shy-Rose, please move and justify your motion.

Ms Bhanji: Thank you Mr Speaker. With your permission, maybe now I can make amendments or I go ahead?

The Speaker: In the process, you can make the correction you wanted to make on the motion as you justify.

Ms Bhanji: Thank you, Mr Speaker.

“WHEREAS, under Article 112 (1) (d) of the Treaty for the Establishment of the East African Community, the EAC Partner States undertook to, among other things, cooperate in the management of the environment and agreed to take necessary disaster preparedness, management, protection and mitigation measures especially for the control of natural and manmade disasters, which include oil spills, biohazards, floods, earthquakes, marine accidents, drought and bush fires;

AND WHEREAS Article 49(b) of the Treaty for the Establishment of the East African Community vests in the Assembly the authority to discuss all matters pertaining to the Community and to make recommendations to the Council of Ministers as it may deem necessary for the implementation of the Treaty;

AWARE THAT on the 10th day of September 2016 at around 3 p.m. a 5.7 magnitude earthquake struck Nsonga Kagera region on the north western part of lake Victoria and the tremors rippled as far as western Kenya and parts of Uganda;

FURTHER AWARE THAT the earthquake shock had a maximum intensity of 7(which is strong) leading to loss of 17 lives, injury of 440 people, and displacement of thousands of people, as well as massive destruction of properties and livelihoods;

COGNISANT of the fact that the immediate intervention by the Government of Tanzania was made through the Prime Minister’s Office, notably the Prime Minister’s Office in collaboration with the Ministry of Foreign Affairs, and EAC organised a charity walk to raise funds for the affected people, the walk which was headed by the former president His Excellency Mzee Hasssan Mwinyi also attracted many more sympathies from local and international communities;

FURTHER appreciating the gesture of solidarity and sympathy demonstrated by various EAC Partner States, the general public, private organisations, the business community and members of the diplomatic community in the form of financial, moral and material support to address the devastating effects of the earthquake;

NOTING THAT the devastating effects of this earthquake presents a big financial challenge to the government of the United Republic of Tanzania and the victims and families thereof;

NOW THEREFORE, be it resolved by this Assembly that we jointly extend our heartfelt condolences and sympathies to His Excellency Dr. John Pombe Magufuli, president of the United Republic of Tanzania, his government and the people of Tanzania and the families and victims of the 10th September 2016 earthquake.

The Assembly urges well-wishers, local, regional and international to continue to give support towards the rehabilitation of the affected infrastructure and victims.

A good will mission comprising members of EALA and the Secretariat be sent to the Kagera belt to appraise themselves on the state of the impact of the earthquake and report to the House."

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

The Speaker: Thank you hon. Shy-Rose. Hon. Members, the motion before the Assembly is

That this Assembly do resolve to extend its condolences and sympathies to the governments of the EAC Partner States and the victims of 10th September 2016 earthquake in the Kagera region and beyond.

Debate is open.

Ms Nancy Abisai (Kenya): Thank you Mr Speaker for giving me this opportunity. From the onset, I would like to thank the mover of this motion for actually bringing it to the attention of this House so that the House can also pronounce itself on issues of disaster.

The earthquake was an East African earthquake; it was not just felt in the United Republic of Tanzania. Mr Speaker, I come from – *(Interruption)* -

The Speaker: Hon. Nancy, sorry for the interruption. When hon. Shy-Rose read the motion and I gave her a go ahead to give the justification, I thought that what she read was adequate justification. Now if she feels so concerned that she would like to add more arguments to the text she has read, I beg the House to give her leeway to make some more submission, then I will come back to you, hon. Nancy.

Hon. Shy-Rose, please.

Ms Bhanji: Thank Mr Speaker. I will try to be very brief.

The recent earthquake that hit Kagera region was one of the strongest and most disastrous in the history of Tanzania. The day and date of Saturday 10 September 2016 became historical in the minds of many people in the aftermath of the earthquake.

17 people lost their lives, 440 people were admitted to various hospitals and according to the latest report, 6 people are still in hospital. We pray that they get well soon.

Mr Speaker, over 2000 houses and 1,718 government buildings broke down or fell to the ground completely. This was obviously too much calamity for anyone or any government in one day. The debris of fallen buildings and the fallen rubble were scattered in every corner of every village and town in the areas that were affected.

To add salt to the injury, academic life came to a complete stop because some of the schools, primary and secondary, whose buildings had collapsed had to close because the situation got very bad.

Students of secondary and primary schools had to be reallocated to other schools pending the renovation and repairs of the schools that were affected during the earthquake.

The on-going inventory of affected areas shows a pervasive loss of many buildings, including hospitals, churches, mosques, health centres, and government buildings.

We appreciate the effort by the Government of the United Republic of Tanzania through the Prime Minister, hon. Majaliwa Kasim Majaliwa and his office to offer moral, material and financial support to the affected people. The Government also offered free medical services to the victims.

Mr Speaker, the Kagera Regional Disaster Committee, under the Kagera Regional Commissioner, initiated a fundraising strategy in order to raise funds to help the victims and for their rehabilitation. A special bank account was opened under “Kamati ya Maafa” under account number 0152225617300, which is still operational, and 5 billion shillings was raised through this account by way of contributions from various sources.

Mr Speaker, we also appreciate the interventions by the Government of the United Republic of Tanzania, the private sector, business communities, and Non-governmental organisations, governments of the EAC Partner States, international diplomatic missions, the Red Cross, and Members of Parliament from the United Republic of Tanzania Parliament, who all contributed in one way or the other. This is greatly appreciated.

Mr Speaker, given the extent of the damage, many people came forward to help, but more support is still needed to bring life back to normal in Kagera region. It is estimated that renovation, reconstruction, and construction of just schools alone will require not less than 40 billion shillings because some of the schools were destroyed and, therefore, new schools have to be built.

Mr Speaker, the Prime Minister’s Office also organised a charity walk in

collaboration with the Ministry of Foreign Affairs and the EAC to raise funds for the victims. It was a very successful charity walk, and we want to congratulate the Ministry of EAC for this initiative.

The Diplomatic Communities stepped in full support during the charity walk. We also appreciate and thank *Mzee* Ali Hassan Mwinyi because he is always in the forefront helping humanitarian causes – (*Applause*). He was also at the forefront during the charity walk. He is 92 years old but God has blessed him with good health and a good heart because he is always taking part in this kind of initiatives.

Mr Speaker, what happened in Kagera can also occur anywhere in the world. Therefore, there is a need for unified and concerted efforts on humanitarian grounds as this burden is heavy for any country in Africa, given the poverty of our people with limited budget.

Mr Speaker, lastly, I would like to console myself with the kind words of Florence Nightingale. She was an activist, and she once said, “*So, never lose an opportunity urging a practical beginning, however small, for it is wonderful how often in such matters the mustard seed germinates and roots itself.*”

Mr Speaker, in all honesty, my whole heart goes to the people of Kagera who are now subjected to a massive poverty and grinding humility out of this natural disaster.

Furthermore, to the Kagera region this disaster comes on the heels of other calamities, like the sinking of MV Bukoba in Lake Victoria in the 1990s.

Mr Speaker, I beg to submit.

The Speaker: Thank you hon. Shy-Rose. Hon. Nancy please.

Ms Nancy Abisai (Kenya): Thank you very much, Mr Speaker. Like I had started saying before, I thank the mover of this motion and I stand to support the motion.

I would also like to join my fellow East Africans in extending sympathies and condolences to the families in the Kagera region in Tanzania, who lost their loved ones. I also want to let members know that the earthquake was not actually...the magnitude and the intensity of the earthquake of course affected the Kagera region in the United Republic of Tanzania more but it was an earthquake whose extent was felt in the greater East Africa region.

Mr Speaker, I come from the western region of Kenya, and I can tell you that this earthquake was very strong and it was felt in that region. People ran out of buildings because they did not know what was happening. And because of late there has been a trend where buildings have been collapsing, so, people thought that the buildings were collapsing. So, they ran out of the buildings only to discover that the grounds were also shaking. So, the magnitude was very big.

In the same vein, I would also like to thank the Republic of Kenya for having supported the victims and families of Kagera - (*Applause*). I think the Republic of Kenya sent a very large amount of contribution, and I think that is the spirit that we should have in the whole East Africa - (*Interruption*) -

Ms Isabelle Ndahayo (Burundi): Thank you Mr Speaker for giving me the floor. I want to give information that even the Republic of Burundi sent a big delegation, which included the Minister in charge of EAC Affairs, with a bulk of support to those people in Kagera.

Ms Abisai: Thank you for the information - (*Interruption*) -

Ms Kizigha: Thank you, Mr Speaker. I also want to inform hon. Nancy that even Uganda played a very big role in terms of contribution - (*Applause*).

Ms Abisai: Thank you hon. Kizigha for speaking on behalf of Uganda - (*Applause and Laughter*) - and I think that is the East Africanness that we should have. Thank you, hon. Isabelle. I did not know that there was a goodwill mission from Burundi.

Mr Speaker, you can see that all the East Africans were concerned. I think that all the Partner States of the EAC, including the Republic of Rwanda, contributed something, or at least they sent sympathies. That is a good thing.

One of the things that we then need to address as an Assembly is that we are legislators, and we passed a bill in this House on disaster risk management. These are some of the things that we talked about as a region when you look at our role and what it is that parliamentarians must be doing when it comes to such issues. We passed a bill in this House and had it gone to the level that it should have gone, maybe right now we would be talking of a different thing.

Mr Speaker, what makes me say that? I happen to have families in a place where recently there was a very serious hurricane. Of course, I was very worried because it happened to be a place where I had family. I was following every step of the way what was happening, I now it is a developed country and super power, but these are the people that we should be emulating. This was in Florida, in the USA.

When hurricane Mathew was about to hit, you cannot believe the level of preparedness of that State. People were evacuated in thousands. They even know which buildings can withstand the hurricane, and which buildings cannot withstand the wind, or even the 20-metre

water hurricane that was coming. They know that, and so the people were evacuated.

Those who did not have where to go were even assisted by the government, by the state department of Florida, to go to safe grounds. This is what disaster risk preparedness means.

If we knew how...I can tell you that if our systems and structures within the region were working well, we should have known that we were going to have this earthquake. Look at the level of the disaster that hit the Caribbean nation of Haiti, and look at how it hit the USA in South Carolina, in Florida and all the others.

I know that losing a life is losing a life, but there are only two people who passed away, and please do not get me wrong. I do not mean just only two people; a life is a life. However, they managed to save thousands of people and only two people passed on. Moreover, these two people...I understand that sometimes the state can only do so much. There are those people who believe that they do not have to go away. They believe that they can survive the hurricane, but look at Haiti; it is actually a humanitarian crisis right now.

This is what we are talking about when we talk about preparedness. We need to move to a level where we can avert what we can avert, and deal with issues as they come. I feel that it is important. We have passed a motion in this house on matters of planning, and this also has to do with issues of disaster, it has to do with real issues of preparedness. When you lump buildings up together and you are not even worried or you do not even put into consideration the kind of structures that you put in place. When a disaster occurs, then the magnitude of the disaster is also very big.

Therefore, I think we have reached a point where we must now begin to think as East

Africans when we are thinking of matters development. When we are talking of the seriousness of issues, we need to start looking at the laws that we have passed, the implementation of those laws, and the kind of systems and structures that we are putting in place.

We need to know that we are a region that should also be prepared for disasters, including earthquakes; including El-Ninos,...I think that we were not even prepared for the rains, by the way, because in every country and even in the EAC there was so-called El-Nino preparedness. However, the disasters that were caused by the El Nino in some parts of the region were also alarming. Therefore, we need to change the way that we carry out business, and this cannot be business as usual.

Therefore, of course I would like to support this motion and say that am glad that all the Summit members and the Partner States supported the United Republic of Tanzania, obviously, because the bigger magnitude was felt there, but of course, I want to say that it is not finished. We need to continue looking at what we can be able to do. Am sure that these people still do not have proper shelter, they have lost everything, and so there are families in need. I think that we can be able to, in our personal way as an Assembly, be able to do something.

So, Mr Speaker, I support this motion, and I believe that in future, and especially considering prayer number three of the motion, it is important for people to be able to appreciate the magnitude of this and to know how to deal with it and what we can be able to recommend as a House.

I beg to support the motion - (*Applause*).

The Speaker: Thank you very much hon. Nancy. I will finish this side then come to this side. Hon Maryam then Hon Patricia, then Hon Zein, then I will come to hon Sebalu this side.

Ms Maryam Ussi Yahya (Tanzania):

Thank you very much Mr Speaker. First, let me thank hon. Shy-Rose for bringing this motion. I also take this opportunity to give my condolences to all the families that lost loved ones in Kagera during this earthquake.

Rt. Hon. Speaker, there is a saying that a friend in need is a friend indeed. This time when we have this calamity, we really realised that as East Africans we are in solidarity. So, let me take this opportunity to thank all the Partner States for coming in to help us.

I also want to thank our own, the Minister...My comments have obviously been over taken by information that was already given, but I had written it down that I want to thank the Minister from Burundi, hon. Leontine, who represented her country to bring all that help from Burundi. Let me thank all: Kenya, Rwanda, and Uganda. You all showed us that we are one people with one destiny. *(Applause)*

Lastly, Rt. Hon. Speaker, let me also say that people in Kagera need to get on with their lives. So, if there is any other contribution, they are still receiving. I thank you Rt. Hon. Speaker and I support this motion – *(Applause)*.

Ms Patricia Hajabakiga (Rwanda):

Thank you, Rt. Hon. Speaker. I rise to support the motion. I also wish to stand with those who lost their loved ones, and with the United Republic of Tanzania for losing her citizens. Let me also say I stand with those who lost their properties and those who were affected in different ways.

I also want to congratulate our countries, and particularly our Heads of State, for responding very quickly to support our sister republic, the United Republic of Tanzania, which was affected by the earthquake.

Rt. Hon. Speaker, the Summit of the EAC Heads of State has adopted a resolution requesting the Community to enact a law to address calamities of this nature and of such magnitude. The Assembly took it up and enacted a law. Hon. Nancy has elaborated on this. The reason this law was enacted was not only to address a problem when it has happened. It was aimed to also help us to mitigate a disaster, in case we can detect one, as a region together.

Earthquakes can be detected as to when it is going to happen. That is why we talk about early warning systems, which need to be established. It is an aspect in that law. We might not have been able to stop the earthquake, but we could have mitigated it, so that not so many people would have died. They could have been able to move out as soon as possible if it had already been detected.

Therefore, Mr Speaker, am requesting to move an amendment, an additional friendly recommendation that we urge the Summit of the EAC Heads of State to fast track the assent of the *East African Community Disaster Risk Reduction and Management Act* in order to address similar calamities, which may occur in future in the Community.

I beg to move, Mr Speaker.

The Speaker: Thank you very much hon. Patricia. Please, submit it to the mover.

I had given Hon. Zein and then Hon. Sebalu.

Mr Zein Abubakar (Kenya): Thank you sir.

On that day when earth crumpled under the Lake Victoria and sent out shivers and quakes throughout the region surrounding Lake Victoria, and specifically in the Kagera region, it reminded us that we are one people, and that we have one destiny. It

reminded us that when one part of this Community hurts, the other parts of the Community also feel the pain.

Sir, hon. Nancy referred to western Kenya. I can tell you it was reported in some Kenyan newspapers that some men refused to go back to their houses for a whole week because they had been assured that earthquakes come with aftershocks.

The reason why I am raising this matter is not to ridicule the men from western Kenya, but to say that when people talk about preparedness, it is important for us to talk of both preparedness and response because they are intertwined. In many instances, the immediate response is good. I commend the initial response by the government and the people of Tanzania and by the other Partner States who helped.

The challenge always, always, is the mid-term and the long term. People forget that these communities require to be rebuilt. People forget that the communities affected require long-term support. People forget, one year down the line, that there are orphans who still need to go to school. People forget that many years down the line, families and their lives are ruined because they lost a breadwinner, a mother or a father or both.

All too suddenly, a new set of people have acquired disability. Many times we tell people that the only sure thing that you have, as far as disability is concerned, is that as long as you live, you have an equal opportunity to become a person with disability. Therefore, when you talk about investing in support systems, we should always remember that it requires long-term intervention.

Allow me to talk about three other things that are important to me. I have heard other members talk about preparedness and disaster risk reduction. I agree with that but when we talk about preparedness and

disaster risk reduction, we must also talk about education. Communities need to have the right information, the right knowledge, and the right skills to prepare themselves and to cope with disasters. I believe that the future is in introducing into our national and regional curriculums, the subject of disaster preparedness and disaster risk reduction.

Secondly, I believe that it is important for us to remind the authorities in the Partner States that we should enforce building codes. When we do not enforce building codes and people build in a way that makes them more prone to destruction than if they were to follow what is prescribed by the authorities, then when such a calamity hits us and those properties are destroyed, some people will wonder, why did one house completely crumble and fall down when another one standing next to it is whole and still standing.

Sometimes our people want to believe that it is God's will. That is true, but it is also true that God moves some people to prepare themselves by following the building code. So now when you have two buildings, one will definitely crumble - the one for which people found short cuts and did not invest in following the building code, and the one which has been designed to resist and cope with such shocks will still be standing. It is all in the planning, in the architecture, and in the building.

My last point is to thank the mover of the motion, to thank the Tanzanian chapter and to thank the people of Tanzania, but first allow me to thank His Excellency, the retired president, Ali Hassan Mwinyi, who is an amazing example of what retired leaders should look like. He is a beacon of how to end gracefully. He still contributes and invests in the interest of the people, and not only here in Tanzania. Somebody talked about the walk, which he led to collect resources for the people of Kagera. I am sure those who are residents of the

beautiful city of Kampala will recall that not a long time ago, through the coordination and organising of one hon. Mike Sebalu, the gracious old man went to Kampala to do the same - (*Applause*).

Therefore, may God continue to give him blessings and grace.

I thank you, Mr Speaker.

The Speaker: Thank you, hon. Zein. I am giving hon. Sebalu, then I will come to hon. Rugyema, hon. Twaha, hon. Taslima, hon. Martin, and then I will come back this side.

Mr Mike Sebalu (Uganda): Thank you very much, Rt. Hon. Speaker, first for according this resolution an opportunity to gain space on the Order Paper. This is a reflection of the importance that you attach to this matter.

Likewise, I would like to thank the mover for the initiative and the goodwill that she has, not only for the people of Tanzania, but also for the people of the East African region.

Definitely, this is a very serious issue, but allow me to pick it from where my colleague has left it, regarding our very amiable and lovely senior statesman in the region, His Excellency Ali Hassan Mwinyi – (*Applause*) - for his love for the people that goes beyond borders. It is indeed very true, as my brother has indicated, that he did pay us a visit as a chief runner and a chief walker in Kampala to mobilise funds for putting up a cancer ward. Many of you Members have been associated with this cause. I would like to state that a state-of-the-art Cancer Ward has already been put up in Kampala, - (*Applause*) - and the next time you are in town, I will take an opportunity to take you round so that you are able to see the effort that we pooled through the East African initiative.

I would also like to say that last Friday, on the Nyerere Day in Dar-es-Salam, in the spirit of reciprocity, I also made a return run in Dar-es-Salam – (*Laughter*) - and I was in the great company of H.E President Emeritus, Al Hajji Hassan Mwinyi, and we mobilised resources to put up a teaching hospital for Dar-es-Salaam. Reports reaching my desk indicate that over Shillings 1 billion were mobilised in that run - (*Applause*). That goes to show collective resolve, collective effort and collective action for a common good.

Now, regarding this very important resolution, Mr. Speaker, allow me to state that I indeed support the motion, and I call upon all members to do likewise. I want to take it from a point of what we have already done as an Assembly.

We already have made a clarion call regarding this important aspect of life, and we need to appreciate that disasters indeed strike when unexpected. Disasters are unpredictable. Disasters have effects that are largely unforeseen and undesirable. For that matter, it is an issue that we must take seriously.

I am proud to be part of EALA, because it has come out to pronounce itself in terms of creating a regional mechanism for dealing with this issue. Earthquakes fall under the category of disasters, and when EALA comes up with a Disaster Risk Reduction and Management Bill, definitely that is what we are talking about. That Bill is before the Summit for assent.

I believe that this should be a reminder that EALA was indeed well intentioned, and that EALA was putting people above self. That is why we need a law to ensure that this matter is not handled in a casual manner. The solution to this problem, among others, is for collective effort, combined action and coordinated response mechanism of a regional dimension. That is what the law is talking about.

Therefore, if there is anyone who had second thoughts or doubts about the law, this goes to prove that we kind of projected, and these are not only in the United Republic of Tanzania.

We had a problem with the Jomo Kenyatta International Airport, which is a regional hub. Some of us were within the region but we could not get home because it was indeed a problem; connection was difficult. I remember some of us were doing EALA work and we could not connect. We have had floods in Eastern Uganda in Mbale...the list is endless.

So, what are we saying and what are we talking about as EALA? Let the law be given good and due reconsideration. Let us appreciate that we need to move together in order to avert these calamities.

Secondly, we need to avoid ad hoc response and fragmented efforts that can easily be counter-productive. Definitely, I appreciate the fact that the Partner States have come in handy, and they have been able to play a good role in supporting initiatives and efforts by the United Republic of Tanzania, but with a law and clear implementing modalities definitely the process would be smooth, well-coordinated and would come up with desirable results. Even the pre-emptive aspect of it would be put to good use.

Rt. Hon. Speaker, I beg to conclude my remarks by saying that it is indeed good to act together and to be able to put the collective good above our individual interests as Partner States. On matters of disaster, we should not see any East African loose a life in a manner that could be prevented easily, or handled to reduce the effects.

Therefore, I beg to support the Motion, and I thank the mover and the seconders. I also thank your office for having found it

worthy to have this resolution on the Order Paper today. Thank you, Mr Speaker.

Mr. Pierre-Celestin Rwigema (Rwanda):

Thank you, Rt. Hon. Speaker for giving me the floor. I rise to support the resolution and to thank the mover, hon. Shy-Rose, for this initiative. She has a good heart because she has thought about that before everyone else.

Rt. Hon. Speaker, I also want to express my sympathies to the people of Tanzania, and mainly to the people in the families that lost their relatives and friends. I pray that the Almighty God bestows on them patience and perseverance in this difficult time.

Rt. Hon. Speaker, seismic activity is not new. It refers to the time of occurrence, it can guide people to prepare very well, as it is done in some countries like California in the United States of America.

A few minutes ago, hon. Patricia was saying... I agree with what she was saying because the most important thing is to be prepared. This has happened, yes, but we have to see how to prepare our people so that the loss of lives and property is less.

I can say that this is not new, because a year ago, we had an earthquake of 5.8 magnitude in Kyangugu in Western Rwanda. Two years ago, we had another one of 3.4 magnitude in Bukoba, also in Kagera region. About three years ago, we had an earthquake of 5.7 magnitude in Kigorobya in western Uganda. Nine years ago, in Kyangugu, we had one of 5.9 magnitude. This can show people how to be ready, and how to prepare to intervene and to rescue people.

In this motion, I have seen hon. Shy-Rose is asking how we as an Assembly can participate or make a state intervention financially. This is not the most important thing to do. The most important thing to do is to see how the people in the region...it is important yes, but the most important thing is to make the whole region, the whole

country ready and informed on how to be prepared to rescue and to intervene.

I can say that seismic activity can trigger more loss by destroying the whole city or by tossing people around such that there is more loss of lives in the same city or in the same region where it happens.

Mr Speaker – (*Interruption*) -

Dr Martin Nduwimana (Burundi): Thank you Mr Speaker and hon. Rwigema for yielding the floor.

I just want to remind us that the East African countries are in what we know is called the Great Rift Valley, and it is predicted that in one million years or two, this region will be a big ocean. However, before that, from today up to then, we will be witnessing and experiencing more earthquakes - more volcanic eruptions. So, we are not at the end of this phenomenon; we are just at the beginning. So, we have to be prepared, and our people have to be prepared also. That is the information that I wanted to give.

Mr Rwigema: Thank you for the information. As I said earlier, earthquakes can also trigger landslides or occasionally volcanic activities. Earthquakes are caused mostly by nature of geological report, but also by other events such as volcanic activities, landslides, mine blasts, and also nuclear tests and some other events. I do not know what happened in this case or what the cause of it was but in any case, people must be prepared.

Rt. Hon. Speaker, I want to end by thanking the former president Mwinyi for his intervention and for showing the kind of leadership that we need even when you are in retirement – (*Applause*).

I thank you very much.

Mr Twaha Taslima (Tanzania): Thank you, Mr Speaker. Although am a seconder

in this motion, I should take this opportunity to thank hon. Shy-Rose for the initiative she has shown, and we hope that it will be a success, and that she will not end here - not with the programs, but at least she will go on with her heart. (*Applause*)

Mr Speaker, on my part, I come from Kagera region, this region, which we are being told has been hit by this calamity, is my home. I was born there, I grew up there, I have my kinsmen there, I have my properties there, and my properties were destroyed. I have a property in Bukoba town and another one in the village called Bwera where I come from. Both these points got damages. The only thing that I can thank God about is that the amount of damage on my property was not as heavy as it was on others' properties.

However, even if the damage to my properties was heavier, at least on my part, I can try to do what is required, because at least financially I am better than many of my neighbours.

As for the neighbours, both in town and in the village were very hard struck. Many of their properties were lost. It is terrifying to watch your house falling while you are looking at it.

It falls on one side when you are looking on the other side, the portion of the wall falls down, and you are not sure whether to go out or to remain inside. It was only later that some of the people in government told people that the earthquake would continue for one week, three weeks or three months.

Now, people were at a loss as to what to do with this information. You cannot return to your house, which is already damaged because it is no longer strong; you cannot go away because there are properties that you have to safeguard, and some people have small children, they cannot run away with them. Moreover, if you want to run, where should you run?

Many pieces of advice were given, and one was that when you feel that there is an earthquake, you should go to a corner. As here we are in these four corners, you go to one of the corners. They say that it is more than 80 per cent likely that you will be safe when it comes again. I think that is true because one of my elders was sleeping just next to a corner, and when the earthquake came he was fast asleep but it shook him. As he was looking to see what was happening, the whole of the wall crumbled and fell. Fortunately, it fell outside and not inside where he was. That is how he survived.

It is terrible. If you listen to the stories, they are terrible, but because it is God sent, we receive it, we survive it and here we are.

Secondary schools like Ibungu and Nyakato secondary schools - these are very old schools, old in the sense that many people have passed through there. We have hon. Ngoga here as one of those people who schooled in Ihungu Secondary School. The buildings of those schools - the classrooms, the dormitories - fell down like nobody's business. Many schoolchildren did not have anywhere to go. The government had to make a number of arrangements.

Anyway, as we are talking here, many people are still sheltered in polythene sheeting; not even tents. Most of them are not in tents, most of them are in the polythene sheeting which is used for makeshift shelters. That is where their lives are going on. Most of them are living in those makeshift shelters up to now.

For those who have some means, or who have relatives who could help them, they have started rebuilding, although it is against expert advice, which was saying that, they should not rebuild until at least three months have passed. However, the rains are just coming, and there is no way they can remain in the plastic sheeting and like that. So, people are rebuilding, but

most of them do not have the means of doing so.

In that spirit, I have to join my colleagues to thank everybody who has given his heart in this and helped materially or otherwise. The way that things are on the ground today, the people still need much help. The government has said that it cannot afford to foot every expense that is required, and the people there are saying that they have not been helped so far.

Therefore, you will find ...the government has tried. In fact, the government has started rebuilding those schools because the schools take very many students and they must go on with their schooling. So the schooling will, I think shortly, come back. Therefore, I want to thank the government of Tanzania for initiating that - (*Applause*).

Therefore, we need to look at these people with great sympathy and we need to help them. It will be a good thing for EALA to join hands with the other institutions and people who have pooled their efforts together that you are on record as having the spirit of helping when it comes to such calamities.

I thank you, Mr Speaker - (*Applause*).

The Speaker: Hon. Martin -

Mr Martin Ngoga (Rwanda): I thank you, Mr Speaker, for making available this opportunity for us to discuss this subject and to express our solidarity with the people of Kagera who were affected more than others were. The tremors were felt in the whole of East Africa, but people in Kagera were affected more than others were.

It is true, as hon. Taslima has said, the school where I went for my 'O' level studies was completely destroyed, and it will never be the same. Even if new structures will be put in place, our old

Ibungo will never be the same. That is a place where I was born, so that is my home.

Next week, I will be joining a few alumni from Rwanda to travel to Ibungo and contribute a few sacks of cement - (*Applause*). My colleagues in Rwanda are organising that.

Mr Speaker, this very sad experience has happened in our region, but allow me a moment to, at least, create a hopeful mood. Around the same time when this happened in our region as a result of a natural calamity, the world converged in Kigali to adopt a very important resolution, the amendment to the Montreal Protocol, which is going to reduce the emission of substances that contribute to global warming substantially - (*Applause*).

That is something that we should be proud of as region. It is a historic decision that has taken place in our own compound. It is a very important decision, more than even the Paris Agreement. If Kigali had been Paris, it would have been all over in the news. However, the amendment to the Montreal Protocol is binding; the Paris agreement is not. There are mechanisms of enforcement; there is none in the Paris agreement. Therefore, it is something that we should be collectively proud of as East Africans that we are going down in history as a venue where this historic decision was taken.

Mr Speaker, it is clear that our region is disaster prone so, I do not want to be repetitive on what has been said about the need for a legal institutional framework. Our assembly has done its bit but we need it because we are a disaster prone region, we need it because we want to approach these situations together as a family in a more coordinated way.

This is what is expected of a people who live as one, as a family. The idea to enact this Bill originates from the spirit of the Treaty itself. Therefore, we do not need to

have another calamity happening to speak about the need for this Bill. It has been an unfortunate incident but it is a reminder as well that we should act with speed to have this framework in place.

Lastly, I want to appreciate the response so far. Hon. Taslima has said that a lot has been done, but a lot still needs to be done. We have to salute the response by the East Africans. They responded in a way expected of them, and in particular - and this is where I want to end.

Our statesman, His Excellency Mzee Mwinyi...you see, this country is really blessed. *Mzee* Mwinyi was organising this event on Nyerere Day. So, you have Nyerere Day, which is historically loaded in itself, then you have *Mzee* Mwinyi participating in this very important event. So, this treasure of statesmen that this country is blessed with is something that we should all be proud of. It is a pool of wisdom that we should all be ready to draw from in the times of need - (*Applause*). Congratulations, Tanzania, for producing these wise old men, and thank you, Mr Speaker, for the opportunity.

The Speaker: Thank you very much hon. Martin. I will give hon. Sarah, hon. Mbidde, hon. Kimbisa, and then I come in front here.

Ms Sarah Bonaya (Kenya): Thank you Mr Speaker, for giving me the floor. I would want to start by thanking and congratulating the mover of this motion because it is very important that we share our sentiments in such difficult times. As a region that we need to be concerned and show the same concern.

Mr Speaker, as has already been mentioned, the region is quite vulnerable, and it is prone to disasters. Most of the times we have been reactive to these disasters instead of being proactive and being prepared to handle these disasters beforehand. As an Assembly, we have put our facts in order,

and we have a Bill that is awaiting assent. I hope that through this experience we shall feel the need for the urgency in assenting to this Bill, so that it brings us together as a region to be able to work on mechanisms to build synergy in the region in terms of response to these disasters.

We also need to commit budgets. I know the Bill has all that but it is critical that we have budgets within the East African Community to be able to give support in times of crises like this. In addition, the issue of early warning is very critical because if we just sit and wait for disasters to happen without any clue of what is going to happen in the next few days, I think we are taking a big risk and we need to do something to be able to assist ourselves, at least to prepare.

So, I think we have a big challenge as a region to be able to support our citizens in times of crises and situations of emergencies.

I thank you, Mr Speaker, and I want to support the motion.

Mr Fred Mukasa Mbidde (Uganda): Thank you very much, Mr Speaker. I do not know who will capture the intended amendment because the mover does not seem to be in the House.

The Speaker: I am sure she delegated somebody to help her...yes, hon. Taslima is doing it.

Mr Mbidde: Rt. Hon. Speaker, this is one of the topics that I personally consider very important within the setting and set up of the East African Community, particularly when we talk of cooperation, we talk of disasters. We are dealing with real life experiences when we talk of this earthquake. It therefore remains a matter for which grammatical errors can be detected even when you keep silent. So, we must definitely come up and address it.

I have noted the persons that have been thanked, Mr Speaker, but there is one leader who took his contribution by road to Kagera. He is the President of the country where I come from, and he has not been thanked by name. Let us also include President Yoweri Kaguta Museveni for the US\$300,000 that he took by road - *(Interruption)*-

Mr Ogle: On a point of clarification, Mr Speaker, I know we have just about six months to the expiry of our term, so is it by any means an attempt by hon. Mbidde to campaign by mentioning the name of *Mheshimiwa* - *(Laughter)* -

Mr Mbidde: Mr Speaker, for the record, nobody is eligible to vote in this august House. So, for anybody intending to campaign, obviously this would be a no – go area.

Mr Speaker, what happens when a country or a region begins to enjoy discoveries; these are good. The EAC region is known for having discoveries so made now. We have so far discovered oil, we have discovered gas, and it is going to be a very huge problem if we begin discovering disasters. For these we do not need discovery. We must be prepared.

Rt. Hon. Speaker, the amendment that I will move is going to be to the effect that the EAC conducts a substantive geological study of the region – *(Applause)* - for purposes that EAC citizens will be equipped with knowledge and contemplation of all the geological changes that may ensue. This will help in the harmonisation of even architectural programmes and plans of EAC citizens.

Rt. Hon. Speaker, earthquakes are good. They are natural, they are acts of God, and they are the means by which he created countries. Even Zanzibar here is a result of Pleistocene cataclysms. Those were all

earthquakes. During the Pleistocene epoch, Mr Speaker - and this can be determined when we are looking at very serious theories, like the Jigsaw Fitting, that when you carry Zanzibar, Mafia, Pemba on the archipelago, they can fit correctly within all the geological set ups of the East African coast by way of a jigsaw. Now the meaning is that they left from there.

What the East Africans were now beginning to adopt was a method of being very arrogant. Some coastal areas call other countries landlocked, and others are saying, no, we are land linked. In Uganda now, we have developed a different interpretation. Our leaders have said no, we are not land locked, actually, River Nile links us to the sea properly, and it is just that we have not been using it.

So, Rt. Hon. Speaker, all these can change, but what must we do as East Africans? We cannot sue God. Of course, lawyers have attempted to do so...yeah, some lawyers in France, others in Kenya are suing...I think he is called Idris? One of the good lawyers there is now suing Pharisees for having crucified Jesus. But you see, the one who sued God for calamities has had a problem in France because when the order of court issued that he should now serve God, he is now looking around for who to serve the summons of God. He cannot find him.

So, since we cannot have any other methods of curbing our apprehension, we need now to be as prepared as practicable East Africans. Now, as well as we are handling disaster by way of preparedness, there must be substantive policies within which the determination of architectural plans and programmes, location areas...we must now determine which areas should not be settlement areas. Right now, we have people happily settled in the rift valley, and yet it was a creation of earthquakes. We do not know when they will return and what will happen to them.

So, east Africans need to do a substantive geological study, and Rt.Hon. Speaker, if the mover of the motion accepts, I would like this to be recommendation number four, which I am going to reduce into writing and serve for record purposes.

I thank you, Mr Speaker.

Mr Adam Kimbisa (Tanzania): Hon. Speaker, I thank you for giving me the floor. I also thank the mover of the motion...actually the mover went ahead during the heat of the time to contribute about 5 million shillings to the cause, which was also a good gesture - (*Applause*).

Hon. Speaker, disasters know no boundaries, they do not know time, they do not know place, and neither do they know status. They can hit anywhere, any time. We have been told several times that disasters are either manmade or natural disasters. The Kagera one was a natural disaster, and it was a typical one. Typical characteristics of a natural disaster are not easy to predict. Scientists have told us that earthquakes are very difficult to predict and that they cannot be prevented.

Much as there are people who say that if you see certain animals, like elephants, behaving in a certain way, that maybe a true characteristic that a disaster is going to happen, the problem is that you will not tell what kind of disaster is going to happen, and nor would you tell when exactly it is going to hit. Therefore, the movement of animals needs another science subject all together to know the behaviour of animals so that you can predict and prepare yourself.

Hon. Speaker, the issue is that the Kagera disaster caught everybody unawares because it was a natural disaster. Now, the million dollar question is, how big should a disaster be in order for us to make a law? How many people should die for us to come up with a law? How many houses should be

destroyed to make sure that we come up with a law?

Hon. Speaker, a disaster hitting a certain place is one thing, but a country coping with a disaster is another thing all together. Rich countries do get disasters, but they do have coping mechanisms such that they do not even need to call us for help. Poor countries do struggle with even small disasters. The only thing that our countries could do to be like the rich countries is to have a situation, which I would call “united we stand, divided we fall.”

We can do that by pulling our resources together, by creating disaster preparedness mechanisms together, by training action teams together, by pooling equipment like tents, and things foods, medicines, doctors, all together, by having disaster funds - and this is a very fundamental issue.

How do you wait for somebody to think now, somebody is having a disaster and therefore they go and look for a budget? If we had a disaster fund, which is placed in East Africa, whether in the Secretariat or wherever, so that once a disaster strikes, you do not have to wait for people to come and start budgeting.

Hon. Speaker, what is more important is that we have to have a law in place in time to guide such situations. Thank you very much.

The Speaker: I will give the Floor to two other members and then I will put the matter to the Mover and...Hon. Mumbi, hon. Pareno...okay, and hon. Kizigha.

Ms Agnes Mumbi Ng'aru (Kenya): Thank you, Rt. Hon. Speaker. I stand to support the motion. I want to thank you, hon. Shy-Rose, for giving us an opportunity to speak on the floor on this sad matter. I would like to thank the Speaker for giving us an opportunity by bringing this one on the Order Paper.

I am going to pick on prayer number three but bring in a different dimension over it. As EALA, it is good, and we will speak about disasters, and the bills and the acts that are supposed...it is our job to come and do exactly what we are doing, but to me it would be very un-African if you led a goodwill delegation to Kagera and you go there empty handed.

I said it in the first Commission where I served and I am saying it now that let the Commission and this Assembly establish an account or a vote in your office where you can even buy five sacks of cement.

Hon. Shy-Rose said it - and I heard hon. Taslima support it - that there is a school that needs complete reconstruction. I say this one with a lot of respect to the work of this House. I know we are legislators, and I am not saying it because we have a habit of probably...I do not know, but you know - doing things according to holder of the office.

Your office should have a vote head, the Commission should negotiate it, and not just for Kagera, it could happen anywhere. Sometimes I know you go to represent the Assembly in areas where even small disasters have happened, but this idea of just going empty handed, or doing it from your own pocket...isn't it time this House, through the Commission, sat and decided to plant a seed that can do this kind of activity? *(Applause)*

I would feel very ashamed to be nominated to be a part of this delegation. We are not even going with iron sheets to build those schools; we are not going with cement to build a school, we are not even going with blankets - because some families are still displaced or in tents!

Members, I am not going to do an amendment to this motion, I am just appealing to the Commission and to you hon. Speaker, that it is time we became

Africans. We can talk about how America is prepared, and how other people are prepared, but even they do not go there empty handed. They do not! Let us be who we are, that even if we cannot afford to take the millions, at least you can go in your small kitty, buy some bags of *unga* to take to those *mamas*.

I beg to support the motion. I thank you - (*Applause*).

Ms Judith Pareno (Kenya): I thank you Rt. Hon. Speaker and I thank the mover of this motion for giving us this opportunity to condole with those East Africans who suffered from this earthquake. We really feel for them, and it is only proper that since we are in the Republic of Tanzania we pronounce ourselves on it.

Rt. hon. Speaker, my submission would be that this is yet another wakeup call to the East African governments, to our Partner States. Why do I say it is a wakeup call? Rt. Hon. Speaker, I say this because we keep referring to a Bill that we did pass in this House, the *Disaster Risk Reduction and Management Bill*. As the Committee on Agriculture, we went round to all the East African Partner States and we heard from the East Africans. They said that we needed this law.

Rt. Hon. Speaker, as we went round, it was as if during the life of this Bill, every Partner State had suffered a disaster - Kenya, Burundi, Dar-es-Salam, and now we are back to Kagera. I therefore think it is a wakeup call to each Partner State, and specifically, a wakeup call to the United Republic of Tanzania.

I remember that as we went round we heard from the citizens. They said that the law was good, but the United Republic of Tanzania delayed this *Disaster Risk Reduction and Management Bill* for two and a half years. Actually, we passed it two and a half years later, without getting

comments from the United Republic of Tanzania as to how they wanted us to conclude that Bill.

Therefore, Rt. Hon. Speaker, we are saying that the citizens are suffering. We are saying that we need a regional law that handles disaster. Look at the way we have responded to this particular disaster - and any other disasters, including the burning of the market in Burundi, the disaster in Kenya, and even the Dar-es-Salam floods. Look at the way we have responded to this particular disaster, the Republic of Burundi on its own goes to give its donation, the Republic of Kenya on its own gives its own donation, the Republic of Uganda, by road, as it has been expressed, whether that was the way it happened. We all did it differently, but we have simply said as an Assembly that instead of doing the same thing in different ways, let us come together as brothers and sisters, let us come together and pool together, let us make a meaningful contribution together as one people. What is so difficult about this?

The you find that we go and do a law that pulls all of us together, that has one great response towards a disaster, that has a structured way of all of us coming as East Africans to approach a disaster, but a country takes two and a half years to even respond and give input to that particular law!

Rt. hon. Speaker, I wish to say that we hope that having seen the way we are responding to these disasters together means that none of us can do it alone. When the fire happened, we all rushed there, in Burundi. When Kagera happened, we all rushed differently as different Partner States. It means that we need each other. I hope this is a wakeup call that all the Partner States do sign the Bill that is pending for assent and then together we can do it.

Thank you Rt. Hon Speaker.

Ms Angella Kizigha (Tanzania): Thank you, Rt. hon. Speaker for giving me the floor. Please, allow me also to thank hon. Shy-Rose for coming up with this very important motion.

Rt. hon. Speaker every year an earthquake occurs somewhere in the world, and it captures public attention. A very good example is globally. If we look at what happened in Indonesia in 2004, more than 227,000 people were killed in a 9.1 magnitude earthquake. It was the largest earthquake in the world in this century. In Peru, more than 66 people were killed in a magnitude 7.9 earthquake. In Japan, more than 15,000 people were killed, and the magnitude of the earthquake was 9.0. If you look at what happened to Haiti in 2010 and 2016, dozens of people were also killed, and most of them were left homeless.

Rt. Hon. Speaker, if you come back to Africa, in 2005 Lake Tanganyika was affected by an earthquake, especially in the Democratic Republic of Congo, and it caused a very big damage. In 2008, Rwanda was also having a problems of earthquakes, which killed more than 39 people, 600 of them were injured and 2000 of them were left homeless - (*Interruption*) -

Ms Hajabakiga: Mr Speaker, the time I was the Minister in charge of Lands and Environment from 2007 up to 2008, we lost 55 lives, an entire hospital went down, a number of schools were destroyed. I was stationed there for a period of three months in that area. The Prime Minister asked a number of ministers to move to that area. So, it is not something that we can play with. It is only this year that that hospital has been able to be re-opened after so many years. So, that is how bad it can be.

Ms Kizigha: Thank you very much hon. Patricia for the information.

Mr Speaker, in Burundi in 1960, the magnitude was also very big and it caused

extensive damage. Rt. Hon Speaker, maybe I can say that Kenya is the country that has been very lucky and this is because of its location within the Rift Valley, making it susceptible to the earthquakes. So, you can see that within East Africa, we have been having the problem of earthquakes.

In Tanzania, recently, - and that is why we are moving this motion today - the earthquake killed more than 20 people, more than 400 people were injured, and the majority are still homeless up to now.

In 2007, it also happened in Arusha city, and although no one was killed, the tragedy was quite big, and houses were burnt. They were not just damaged but they also caught fire.

Uganda, Mr Speaker, is the most affected country by the earthquakes within the East African Partner States. The western and central parts of Uganda are prone to seismic activities. The magnitude was also 6.5 in Uganda.

Hon. Speaker, most of the Members have contributed a lot regarding the motion, which came to the Floor 3, or four months ago regarding the *Disaster Risk Reduction and Management Bill*, which I believe, did not go through. My personal recommendation, Mr Speaker, is to have a defined coordination and management structure established to oversee the implementation of the strategy, and to enhance synergies in minimising duplication of the efforts.

Rt. Hon. Speaker, the establishment of the implementation structure should be anchored in the EAC Protocol for Environment and Natural Resources Management.

Before I conclude, Rt. Hon. Speaker, allow me also to join my colleagues, especially the Partner States within the Community, who contributed fully to alleviate this

tragedy, and without forgetting the ambassadors who represented their countries to give full support for what happened in the United Republic of Tanzania in Kagera.

I beg to support.

The Speaker: Thank you very much, hon. Kizigha. Maybe this is a matter that Council cannot keep quiet about. There are issues that have been raised in the debate that may need comment from Council, if they do have any. But in case they feel that their silence is loud enough in terms of support, then I will give it to the mover.

Chair, Council, do you have anything to say?

The Deputy Minister for Foreign Affairs, East African, Regional and International Co-operation, Tanzania (Dr Susan Kolimba) (Ex-Officio): Hon. Speaker, I would like to thank you and to acknowledge the mover of this motion.

I know that everybody here, honourable Members of the EALA and the Ministers from the EAC Council of Ministers, all of us are supporting the motion. We know how important it is and all of us know that we have passed the *Disaster Risk Reduction and Management Bill*. It is on the tables of the Heads of State, so, we are just waiting for them to assent to it - (*Applause*).

This is what I can say, and on behalf of the Tanzania Government, I would like to appreciate all Partner States and Heads of State who have assisted and contributed kindly. Some have donated money; some have donated in kind, meaning goods like mattresses and tents, all of which we really appreciate. Perhaps I will just tell you that we are just waiting for Council for me to make a statement on behalf of Tanzania on what was contributed by the country of Tanzania.

On behalf of Tanzania, we thank you very much – (*Interjection*) -

Mr Abubakar Ogle (Kenya): Mr Speaker, at the 34th meeting of the Council which was held in Arusha on September 6th, in the discussion related to the APSA programme which had been immediately terminated by the Secretary General, the Council decided that that department was critical, and for it to move on, they ordered that funds be moved from the Climate Change And Meteorological Department to APSA. Now when they are talking about a matter that has something to do with meteorology and climate change and all these issues...I think what the Council did was not fair.

So, could the Minister possibly clarify why they had to move funds from Climate Change to APSA?

The Speaker: Hon. Ogle has raised a matter of policy nature, which has been discussed in the Council of Ministers on the movement of funds from the Climate Change department to the Peace and Security department, and he was wondering whether it was a fair treatment to the Climate Change department. Therefore, he was seeking clarification from Council. If Council is equipped enough with the response, they can give some clarification but if not, you can pledge to get back to the House.

Dr Susan Kolimba: Mr Speaker, I will just have to respond to it later. Also, I am asking if you could allow hon. Leontine to say some few words on behalf of – (*Interruption*) -

The Speaker: Hon. Minister please.

Minister in the Office of the President for EAC Affairs, Burundi (Ms. Leontine Nzeyimana): Thank you very much, Mr Speaker. About shifting money from the climate change docket to APSA, I do not recall that decision being taken because the

African Union has made a promise of giving money to finance the APSA department. I do not recall shifting money from climate change to APSA. Thank you Mr Speaker.

The Speaker: Thank you hon. Minister. Can I now invite hon. Shy-Rose the mover to respond to a few issues and we conclude the debate on this motion.

Ms Bhanji: Thank you *Mheshimiwa Spika* for giving me the opportunity to table this motion on the Kagera earthquake. I also wish to thank the Office of the Clerk for all the support that was given to me during the preparation of this motion.

I also take this opportunity to thank all the Members for their valuable contributions to this Kagera motion. Specifically, I want to thank the following members for their contributions: *Mheshimiwa* Nancy Abisai, *Mheshimiwa* Maryam Ussi, *Mheshimiwa* Patricia Hajabakiga, *Mheshimiwa* Abubakar Zein, *Mheshimiwa* Mike Sebalu, *Mheshimiwa* Rwigema, *Mheshimiwa* Twaha Taslima, *Mheshimiwa* Martin Ngoga, *Mheshimiwa* Sarah Bonaya, *Mheshimiwa* Mbidde Mukasa, and by way of information, *Mheshimiwa* Martin Nduwimana and *Mheshimiwa* Isabella Ndahayo.

I also thank *Mheshimiwa* Dr. Susan Kolimba our Chair of the Council of Ministers and *Mheshimiwa* Nzeyimana. I also wish to thank *Mheshimiwa* Kizigha. Thank you very much.

Mheshimiwa Speaker, we had two proposals to be added to this motion – (Interruption) -

The Speaker: Hon. Shy-Rose, you must have remembered that hon. Kimbisa Adam, hon. Pareno, and hon. Angela Kizigha vehemently supported your motion.

Ms Bhanji: I am sorry, Mr Speaker. Thank you, Mr Speaker. Actually, there was a continuation on my list...I am sorry. With your permission, I will recognise them: *Mheshimiwa* Adam Kimbisa, *Mheshimiwa* Mumbi Ng'aru, *Mheshimiwa* Judith Pareno, *Mheshimiwa* Angela Kizigha, and all the Members who contributed. In case I have forgotten any Member, my apologies.

Mheshimiwa Spika, please allow me, in a very special way, to appreciate the following members who seconded my motion: *Mheshimiwa* Nancy Abisai, *Mheshimiwa* Susan Nakawuki, *Mheshimiwa* Yves Nsabimana, *Mheshimiwa* Jeremie Ngendakumana, *Mheshimiwa* Abdullah Mwinyi, *Mheshimiwa* Twaha Taslima and *Mheshimiwa* Shy-Rose, the mover. *Asante waheshimiwa*.

As I was saying, we have two proposals to be included in our resolution. We take them, but please allow me to also make a minor amendment in the heading of this motion, which should read, "*Motion for a resolution of the Assembly to extend its condolences and sympathies to the United Republic of Tanzania, and to the victims of the 10th September 2016 earthquake in the Kagera region.*"

The Speaker: Hon. Shy-Rose, are you now narrowing your motion to the United Republic of Tanzania? In the debate, you said that this earthquake had affected the region beyond the United Republic of Tanzania but now you want to keep the motion to United Republic of Tanzania. Okay, thank you.

Honourable members, the motion before this Assembly is that "*This Assembly do resolve to extend its condolences and sympathies to the United Republic of Tanzania...*can I get you right, hon. Shy-Rose. Did you say the Government of the United Republic of Tanzania?

Ms Bhanji: Mr Speaker, the Government of the United Republic of Tanzania.

The Speaker: Okay, I have it. It is "...condolences to United Republic of Tanzania and victims of the 10 September 2016..." as amended.

(Question put and agreed to.)

The Speaker: I would like to congratulate hon. Shy-Rose for the motion, but most important is that this Assembly has spoken more than once to the governments of the East African Community and to all stakeholders that Mother Nature has warned us through earthquakes, through floods, and we have a Bill that is not yet assented to. Please, Council, help us to have this legal framework in place.

I thank you very much for your support.

MOTION FOR A RESOLUTION OF THE ASSEMBLY TO ESTABLISH EALA CHAPTER OFFICES IN THE PARTNER STATES

Mr. Abubakar Zein (Kenya): Thank you Rt. Hon. Speaker. I beg to move -

That this Assembly do resolve to establish EALA Chapter offices in Partner States.

I beg to move.

The Speaker: Seconders? Hon. Mwinyi, hon. Tipuru, hon. Chris, hon. Shy-Rose, hon. Taslima and all the Members standing. Hon. Zein, please read your motion and justify it straight away.

Mr Zein: Motion for a Resolution of the Assembly to establish EALA Chapter offices in Partner States.

"Guided by the provisions of the Treaty for the Establishment of the East African Community;

Cognisant of the imperative of building a people centred integration process;

Appreciating the legislative role of the Assembly as provided for under Article 49 of the Treaty;

Desirous to increase access by citizens of Partner States and other organised critical stakeholders to the functions and the work of the Assembly

Committed to enhancing interaction between the Assembly with Partner State institutions, and particularly the parliaments of the Partner States

Informed by the example of the effective role played by the East African Court of Justice Registries in the Partner States;

Now Therefore, This Assembly hereby do resolve as follows:

- 1. To work towards establishing EALA chapter offices in the Partner States*
- 2. To urge the Council of Ministers to support the establishment of such EALA chapter offices in the Partner States."*

Mr Speaker sir, I would like to request this House to support this motion to establish the institutional presence of this Assembly in the Partner States.

Sir, there is a long held tradition of parliaments seeking to contribute towards its own legacy to future parliaments. This honourable Assembly, which you lead, Mr Speaker, has about six months left in its life. The life of a parliament ends, according to the Treaty for the Establishment of the East African Community, after every five years.

One of the most disturbing things for me as a first time parliamentarian was to realise that the Assembly has no physical presence in the Partner States. That there is no known address of this Assembly in the capitals of

the Partner States or in any location in the Partner States. Therefore, a citizen who wants to get in touch with our Assembly or wants to engage with this Assembly would have to go to Arusha to do that.

It is also very disturbing for me, as a first time legislator, to realise that Members have to depend on a very thin level of support from the Secretariat in Arusha. Therefore, if Members wanted to research on any particular matter in either the legislative process by the introduction of a bill or a motion, or even matters concerning the representation of the people, they would have to engage with this thin layer of institutional framework.

Further, Mr Speaker, knowing that it is desirable for all of us to make this Assembly close to the people, it is very important to establish physical presence in the Partner States.

One of the key ingredients in our integration processes is to seek to make the people know and understand how they can participate fully and meaningfully in the integration process.

Therefore, what we are seeking to do as a House is to invest in the future, and this may help the coming parliament, although it may probably not help this particular parliament.

I would like to beg you, honourable members, to know that part of our legacy would be the entrenching of the institutionalisation of our very own parliament.

In the history of parliaments, 15 years is a very short time and space. However, given that the Council of Ministers, in responding to the desires and the probing of this House to continue with its normal journey of making this House truly independent and to make this House in charge of its own affairs, and given that our Summit, as the

advisor of the Council, accepted to give us financial and administrative autonomy, to me, therefore, the establishment of these offices in the Partner States is a continuation of that journey. Therefore, any East African would be able to come independently to an office and engage with the nine members. They would know where to go to look for the nine members, and if they go there, they would be told what our programme is like, and when a particular member would likely be there, or when a chapter would be there.

Mr Speaker, let me make two more points before I sit down sir. One, it is not befitting - and I say this with humbleness - it is not befitting for Members of Parliament of a chapter who want to meet to find themselves in the corridors of Partner State parliaments seeking for a room to meet. Even more challenging is for members to be meeting in hotels to consider matters of this Assembly.

For me, I would like to thank some of the Partner State governments for extending facilitation to members. However, if you truly want to become independent, if you truly want to have proper coordination, if you truly want to give equal and equitable services to our people, let us invest in giving resources to establish these offices because currently it is based on the goodwill of Partner State governments, and it is at different levels. Some are facilitated, and others are not facilitated.

Lastly, but not least, we in this House identified one critical element that is important to the future of this Community and that is the sensitisation of the people about the integration process. This sensitisation, in my humble opinion, would be better coordinated when we have offices. They would be better developed when we have offices, and they could be the beginning for chapters that are pro-active when they have offices, and a skeleton staff of two or three members, to also write

proposals and seek for further funding so that they may be able to carry our extra activities in Partner States.

Therefore, sir, I would like to urge this House to support this motion so that we can begin the journey to consolidate our institutionalisation process.

I submit, sir. (*Applause*)

The Speaker: Honourable Members, the motion before the Assembly is that this Assembly do resolve to establish EALA chapter offices in the Partner States.

Debate is now open...but maybe before we take on the debate, our East African citizens who are out there need to know that our national parliaments have been supportive. We are not saying that there is nothing, but this motion is meant to put into consideration administrative requirements, availability of resources, and to deepen linkage in terms of administration. That is the concept in which this motion has come.

We thank the Partner State parliaments for giving us support, and we thank our Development Partners who have supported our chapter offices, informal as they are for now. Debate is open.

Ms Nusura Tiperu (Uganda): *Mheshimiwa Spika*, I want to thank the hon. Zein mover the motion. We are almost coming to the end of our term, but this motion comes at a critical moment to show that whereas we are about to leave, we want to leave conditions better for those who are supposed to come and serve the East Africans after us.

I would like to refer to the late Eriya Kategaya, a man I highly respect and continue to respect even if he is dead. He once told me that for a parliament like the East African parliament, a parliament that has to go through the phases of the integration process, we needed to be pro-

active and not expect to be given things on a silver plate. As we transact business and experience challenges in our movements in our Partner States, we need to come up with proposals to make this parliament befitting of a regional parliament, to make this parliament to a standard required to fit a parliament that is going to be handling the different stages of the integration process, and ultimately a political federation.

Mheshimiwa Spika, we have grown; we have now become of age. We have been operating along corridors in some of the Partner States. It is true that we must appreciate the national parliaments, like the Parliament of Zanzibar, the Parliament of Kenya, the Parliament of Burundi, the Parliament of Uganda and their Rt. Hon. Speakers for their generosity and humility, and for the manner in which they have always accommodated us. However, when you consider the amount of research that we require to be able to participate effectively, the absence of offices in our countries has affected our participation in this parliament.

I therefore support this motion wholeheartedly and say that we should not only talk about offices but offices and staff to run those offices.

Mheshimiwa Spika, if you look at the role of Parliament of legislation, oversight, representation, liaison with Partner States, we have cases of people in the business community, of people who are transacting or following agreements between the different Partner States in the region, and they have issues and they would want to find a place where they can come and give in their views.

You will find that when they meet us during functions, they ask us where they can get members of the Assembly so that they can bring in maybe a petition and so forth. At times, we tell them, wait a minute; when we are in Kenya, you can bring this petition and so on. However, if we have offices

established as hon. Zen has put it it becomes easy. It will make us more visible, it will make us more autonomous and respectable. I hope that those offices will also have libraries so that the children in our Partner States can be able to access information about the EAC, the different protocols, the laws made by this Assembly, and the resolutions passed by the House, among others.

Mheshimiwa Spika, with those remarks I support the motion, and I pray that all of us do the same. *Asanteni sana*.

Mr Peter Mathuki (Kenya): Thank you very much, Rt. Hon. Mr Speaker. I want to start by appreciating the efforts of the mover of this important motion, and I do appreciate where he is coming from, given the frustrations that he has mentioned and what we have gone through as Members, from our respective Partner States.

It is the right thinking, it is well intended and the way I see it, if it is possible, I think the Council of Ministers could speak to the matter to show some commitment.

Mr Speaker, as I appreciate hon. Zein for moving this Motion, I may require the intervention of the Counsel to the Community on this matter so that we can put it straight for purposes of record on two areas.

One, you will remember that the Committee on Legal, Rules and Privileges at some point, through your wisdom and through the wisdom of this House, had to go through the motions adopted by this House to see whether any of them were implemented and whether some of the decisions of the Council were implemented or not. We realised one thing that some of the motions that go through this House do not even meet the threshold of the provisions of the Treaty. Therefore, it defeats the purpose why such motions

should be brought onto the floor of this House.

Mr Speaker, to avoid setting a precedence that may reflect that we as a House do not seem to be going through some of these things seriously...Of course, I want to appreciate you and the Commission for deeming it fit to have this item on the Order Paper today, but when the Counsel to the Community will be clarifying, it is important that he speaks on these two points: One, that the Treaty for the Establishment of the East African Community clearly provides for the institutions and organs that should be established within the Community, it provides for the organs. It also goes further to provide for the institutions of this Community.

Therefore, so that we do not simply talk to a motion for the sake of talking to it, we should first establish whether it is in line with the Treaty to have an institution within called the EALA, Kenya Chapter. It is good thing, that is why I started by appreciating that, but I am suggesting this so that we do not just pass a motion and the motion again remains a document in the shelves. Does the motion that we are debating now meet the threshold of the provisions of the Treaty, given that there are institutions and organs of the Community well established?

Number two, if you look at Article 59 of the Treaty, it further goes to say that some of the motions and debates we are not supposed to talk to. This is because establishing some of these institutions has some financial connotations and implications. Therefore, simply moving a motion and talking about it, then who will implement it? Will it be Community? *(Interruption)*

The Speaker: Clarification from hon. Mwinyi.

Mr Mathuki: In fact, I am making a submission – *(interruption)* -

The Speaker: Are you talking the clarification? Let us hear the clarification - *(Interruption)* -

Mr Mathuki: I just wanted to finish...to avoid disturbing the floor, I just wanted to finish. Mr Speaker, it is not a point of procedure, it is a point of clarification, which I may or not take. If it is a point of procedure, it is something else. I was asking - *(Interjections)* -

The Speaker: Will you take clarification from honourable... *(Interjection)*

Hon. Ogle: No, no! It is not up to him! It is not up to him! It is not information!

Mr Mathuki: Mr Speaker, you have the resources of the Sergeant-at-Arms in the House and these kinds of Members... they need to be dealt with under our own Rules - *(Laughter)*.

Mr Speaker, what I am trying to say, I am trying to submit so that the Counsel to the Community takes note and guides this House.

I am not opposing anything - *(Interjection)*. Am only making my submission so that when the Counsel to the Community or any other member reacts this, he will be able to help us.

I understand emotions, and you know that emotions cannot help us in some of these debates with some members. All that I am saying is that if it is a point of procedure, then I will understand, but if it is emotions of clarifications, I may take it, I may not take it.

I respect the Motion, but I want the Counsel to the Community to tell us this: Institutions are established by the Treaty, organs are there by the Treaty. This motion has some implications in terms of budget, and it is there in Article 59. What are the

implications of this, so that when we are contributing, we contribute in the right perspective. That is what I am saying. It is a good thinking, there is no doubt about it, but certainly, we do not speak to a motion for the sake of talking to it.

Mr Speaker, I started by saying I will be very happy if the Council of Ministers, at the end of the day, stands and talks about it and commits that they will put resources into this. Therefore, if it is about our Partner States, if we are requesting our Partner States, then that is an arrangement, a framework that can be put at the Partner States level.

However, we are saying that some Partner States may have done it; others may not have done it. There may be a legal framework to establish that in some Partner States while in others there is no legal framework. Therefore, if we simply say here motion to establish such chapters, and we are not clearly coming out on ways to do it, that leaves the whole House looking a bit interesting.

That is why I was putting it this way so that when the Counsel to the Community stands to advise us, he could tell us how to proceed on this. I am saying this, Mr Speaker, because I belong to a chapter, and I know some of the frustrations that we have gone through when conducting our businesses and so forth.

Then, do we simply pass a motion for the sake of passing a motion? Who is going to invest in this? Is it the Community? If it is the Community, what does Article 59 mean in this particular case? If it is the Partner States in this particular case, what about those Partner States who have already established and possibly put in resources?

Can the chapters that are existing even go, pursue, and see where they can get resources from to establish this or even influence and see whether the legal

framework in the respective Partner States can be changed to ensure that this happens?

Mr Speaker that is what I am saying so that when we are talking, we do not spend a lot of time talking or debating on a motion that will not meet the – (*Interruption*)

Ms Tiperu: On a point of clarification –

The Speaker: Will you take the clarification?

Mr Mathuki: I do not want to look discriminatory – (*Interruption*) -

Mr. Zein: On a Point of Order, Mr Speaker, it is not my intention to stop hon. Mathuki from contributing, but it seems there is a problem of procedural issues here.

If you look at our Rules, Rule 47 reads as follows:

“Debate may be interrupted: -

- a) by a point of order being raised;*
- b) by a matter of privilege suddenly arising;*
- c) by attention being called to the presence of strangers;*
- d) upon a point of information, clarification, or elucidation being raised.”*

(*Interjection*) - If I could be allowed to finish my point of order – this requires the determination of the honourable Speaker; not a member. The honourable Speaker who may allow the interruption. So, when a member raises a point of clarification, sir, my understanding is that it is up to you to rule, at first by hearing what clarification is being sought, before you make a ruling.

The Speaker: Hon. Mathuki, you may resume your seat. There is a Point of Order that the Speaker needs to preside over.

I will look at this from the perspective of the word “may”, which the rules provide,

meaning it may be or it may not be. The rule is not explicit on who. I will use the Speaker’s prerogative and other parliamentary practices of and the rules of procedure that I have interfaced with in the parliaments of this region to say that the holder of the Floor can determine which intervention to allow, with the exception of points of order and points of procedure, over which the Speaker has absolute authority.

Therefore, I have given the leverage to the Member on the Floor to decide when information and clarification may be given. Otherwise, I could also have the dictatorial tendency to rule over them but I have given the leverage to you. So let us confine ourselves to the provision of “may”.

Honourable colleagues, this is a House of debate, and it is better that debate is enriched by information and clarification to ensure that we reach the logical conclusion of what we are discussing.

Hon. Peter, please conclude – (*Interjection*) – There is a Point of order being raised by hon. Mumbi.

Ms Mumbi Ng’aru (Kenya): Rt. Hon. Speaker, I listened to hon. Mathuki appealing to the Counsel to the Community to give guidance on whether this motion is properly in this House.

Is it in order for hon. Mathuki to insinuate that you did not check as you were putting this on the Order Paper? Is it in order? Whether it met the threshold or not? Is it in order?

The Speaker: Thank you, hon. Mumbi for your Point Of Order. Honourable Members, if you will remember, when the motion was moved, seconded and justified, I made a statement that this motion is not an end in itself. Did you see how the mover has spelt out the prayers? One is saying, “*To work towards establishing EALA chapter offices*

in Partner States”, meaning that there are many other things to be done before the offices are established.

Two says, “*To urge Council of Ministers....*” Secondly, this motion was properly brought to the Office of the Clerk and the Office of the Speaker, and it was well constituted on the Order Paper. So, if there is anything that infringes on the Treaty, the Counsel to the Community is in the House for that purpose, and he will advise accordingly. But this motion is properly brought to the House.

Hon. Mathuki, please conclude.

Mr Mathuki: Thank you, Mr Speaker and I want to thank my colleagues for their submissions. It is a property of the House and I agree and I wanted to, kindly, and with a lot of - *(Interruption)* –

The Speaker: You are not supposed to refer to a matter after the Speaker has ruled on it. Proceed with your debate.

Mr Mathuki: Mr Speaker, I am saying this because orders have been raised and they have been granted. However, I also wanted to point out that once a motion is on the Order Paper, when it is moved and seconded, it becomes the property of the House. That is something I appreciate. I was only feeling that for purposes of enriching the debate and so that we can contribute effectively, and so that we do not take a lot of time on a motion, and so that it may not be just like any other motion on the shelves of the Assembly - and we have done that; we have seen so many others when we were perusing as a committee - I wanted to underscore that it is important, and it is my right as a Member of this House, to seek to ensure that we are debating and talking to the right motion. That is why I said that at some point it might be important for the Counsel to the Community, for the record, to tell us

whether it is important for this motion to be – *(Interruption)* -

Mr Mwinyi: Mr Speaker, is my right honourable friend in order to go back to the matter that you as the Speaker has ruled upon that it is properly before this House for him to come back to repeat again and again? Is it in order? *(Applause)*.

The Speaker: Honourable Members, and hon. Mathuki, who is also the Chair of the Committee on Legal, Rules and Privileges, the motion is in the House, debate is on. You have the right to seek the opinion of the Counsel to the Community. Any Member in this House, if he or she feels that he or she has doubts on a matter of procedure, he or she can also do so, but you cannot question the legality or the uprightness of this motion in this House.

Please, in less than a minute, conclude.

Mr Mathuki: Mr Speaker, I appreciate the emotions displayed by some of the people on this motion but I warn them, and I will stand by my statement that it is important that I get that clarification before we proceed. I thank you, Mr Speaker.

The Speaker: Thank you, hon. Peter.

Ms Dora Byamukama (Uganda): Thank you, Mr Speaker. I want to say from the onset that I support the motion. I also want to congratulate hon. Zein for coming up with this motion.

Mr Speaker, I support the motion on mainly three grounds. The first ground is that when you consider the Treaty, you will find that Article 49(2) of the Treaty gives this Assembly a unique function. Because we are a supra national entity. It states, “*The Assembly shall liaise with the national assemblies of the Partner States on matters relating to the Community.*”

The mechanisms for liaising are partly expounded in Article 65, but when it comes to the Assembly as representatives of the people, we do not have a mechanism established. Therefore, I would like to believe that by having chapters, we should be establishing a mechanism through which we can perform this particular function of liaising with the national assemblies and representing the citizens of the East African Community in a better manner.

He also gave an example of how the courts are operating. For example, we have, as one of our mandates, to receive petitions from East Africans. How would a person travel from Kampala, or any other part of the East African Community, to present a petition to EALA, if you do not take into account issues of travel, issues of access? A petition can be in writing but when this person is able to meet with Members of EALA in their office, they would be able to actually do much more and understand the petition better. Therefore, I would like to urge that we adopt this particular motion, taking this into account.

Secondly, Mr Speaker, I want to go to a factual issue. It is a fact that we all have EALA chapter offices in our Partner States. I think I am right to say that Uganda was the first to establish a Uganda Chapter office. This Uganda Chapter office is housed in the national Parliament, and this Chapter Office actually has a library where we had copies of the *Hansard*. I hope that we will be able to print the *Hansard* of the Second and Third Assemblies, and the compendium of laws before we leave so that whoever comes to the office of EALA will be able to access these resources, which may not have been readily accessible.

When you look at the liaison function and the relations between the Assembly and the national assemblies, you will find that this is through the Clerk's Office. But we who are Members of EALA would be able, for

example, as we leave these Chambers today, say that as of the last plenary, these were the items that were discussed, these were the resolutions that were passed, and these were the Bills that were passed. This kind of avenue would be a very welcome development, and it would help us in many ways as representatives of the people.

The other aspect that I would like to bring out - I know that Kenya has an office, the Republic of Rwanda has an office, the Republic of Burundi has a beautiful office, I am not very sure about the Republic of Tanzania, but I want to say that when you come to the Republic of Uganda, which I started with, it was even facilitated.

We had resources: we had computers; we had stationery. The Rt. hon. Rebecca Kadaga actually did facilitate us. Maybe because this was not done through a motion, nor was it formally done as we are doing now, this office sometimes begins to shrink or expand, and depending on who is in office. Therefore, we are formalising this so that we have a standardised office for EALA Members, which has a library, as my sister said, which has resources, and where Members can sit comfortably and do their work. Therefore, I would like to thank hon. Zein for this motion.

I would also like to say that there is a new development, which is rather disturbing. The EAC ministries in most of our Partner States are no longer standalone ministries. As such, when it comes to communication, when it comes to matters of the East African Community and matters of EALA, you will find that these may take second place. We may play second fiddle. For example, if someone who is the Minister for EAC and Trade is invited to negotiate at the World Trade Organisation and we have a plenary meeting of the Assembly at the same time, will he or she come to the plenary meeting or go to the WTO?

Mr Speaker, I want to say that most likely the Ministers will go to the WTO. So, I want to go back to a motion moved in the First Assembly to have specific ministers assigned to work on EAC matters – (*Applause*). These ministers would also help us to run these offices of the chapters and together we would be able to do sensitisation and other activities in a more efficient and effective manner.

Finally, Mr Speaker, I want to put it on record that it would also help us to preserve institutional memory. For example, Members of the First Assembly could maybe have a place where they can stop over and have a cup of tea and chat with other friends. The same would apply to Members of the Second and the Third Assemblies. Therefore, the alumni – the people who served in this Assembly – would be able to have some kind of periodic meeting so that they would be able to carry on with the work that they have accomplished. I believe now we have an encyclopaedia amongst us on what has happened since the First EALA and what is happening with the East African Community. So, it is a resource base, which can also be best tapped if we have chapter offices.

With these comments, I would like to support hon. Zein and to urge this Assembly to support the motion. I thank you – (*Applause*).

The Speaker: Thank you, hon. Dora. Honourable Members, in the interest of time, I would not like us to extend after 6.30 because we want to complete the Order Paper and I have a meeting with the editorial board of *The Integrator*. So be as brief as you can.

Mr Chris Opoka-Okumu (Uganda): Thank you, Mr Speaker. Like other colleagues before me, I would like to congratulate hon. Zein for bringing this motion. He has made a very compelling

case for the establishment of EALA Chapter offices in all Partner States.

Rt. Hon. Speaker, when you look at the motion, he centred it on the desire to increase access of citizens of Partner States and organise stakeholders to the functions and work of the Assembly. That is very important.

When you look at Article 7 of the Treaty, the principles that this Assembly anchors on, it is a people centred Assembly.

The Chair of the Summit recently made a statement that it is the people who are integrating and not institutions. It is the people. Therefore, our people need to have closer services, and by taking EALA chapters to the Partner States, you are bringing services closer to the people of East Africa and the people of East Africa will appreciate this – (*Applause*).

Mr Speaker, we are moving to a critical stage of our integration process; the Political Federation and that is a very sensitive part. The people of East Africa will need to know what is going on. They will need to be informed at every single stage of what is going on. I think there is no better way because EALA has become the real arm of the East African Community that is well known in the Partner States.

As we speak in this Assembly, we are being viewed globally and in all the Partner States. So, it is very important that when you have offices in the Partner States, at least the people of East Africa will be able to access the offices. It will be staffed, as hon. Zein said in his justification, so even if Members of the Assembly are not there, maybe because there is a meeting somewhere else, at least the staff members will be there.

We will be able to put the various artefacts of the Community like the flag, the anthem, and the different sensitisation materials that

we have talked of, in these offices, the people of East Africa will be able to access them, and they will have that sense of belonging and sense of ownership.

Rt. Hon. Mr Speaker, on another aspect, it will increase equity. Right now, as hon. Dora has mentioned, if you go to Kenya they have very good offices but when you go to some other Partner States, members are sitting in very small cramped offices. Where is the sense of equity?

When the Council of Ministers accepts this and establishes EALA offices in Partner States, they will be staffed, they will be equipped and they will be of the same standard, and this will therefore increase that sense of equity and sharing.

Today the EALA chapters are doing quite a lot in the area of sensitisation. They become the focus, the fulcrum of the sensitisation programmes. Definitely, this will increase as we go on with the integration process. They have even been effective in mobilising funds in the Partner States, to push the Ministers of Finance. That has been the work of EALA Members. The Chapters have worked very hard, and this needs to be recognised – (*Applause*).

They have been the fulcrum and the centre points of liaising with the Partner States under Article 65 of the Treaty. They are in focus; they liaise with Members of Parliament in the Partner States. So, it is very important that offices are established officially, and that they are recognised, funded, staffed and that way, we shall move the agenda of the people of East Africa further and further in equal measure.

Thank you, Rt. Hon. Speaker, and I congratulate hon. Zein for this very good motion. I support the motion – (*Applause*).

Mr Abdullah Mwinyi (Tanzania): Thank you very much, hon. Speaker. I thank you for allowing me a slot to say a few words in

relation to a very timely motion from my brother, hon. Zein, on this very important topic.

We, in Tanzania, for the last two assemblies that I have had the privilege of serving in - the Second and Third Assembly - our cry in relation to our Partner State facilitation has always been primarily to have an office in our Partner States, where it is a focal point, where it is an address, and where people from Tanzania, predominantly, who wish to liaise and interact with their parliamentarians from the East African Legislative Assembly, would have a point to have.

Unfortunately, the debate has been centred on “where should we be placed? Should we be placed at the Ministries of EAC Affairs; should we be placed in our national parliaments?”

Unfortunately, our national Parliament is placed in Dodoma, so that has been the back and forth. The Ministry of EAC – we as parliamentarians, it is part of our activities to oversee their activities, so there is argument from the Ministry saying, “You are not one of us. This is an Executive branch. You are parliamentarians, and you are probably best seated in Parliament.” When you go to Parliament, they will tell you, our budget deals with national parliamentarians. You have your own budget in the EAC. Why can’t you come up with a proposed budget to establish these office?” and correctly so.

So here today we have a Member who has brought this timely motion to urge the Council of Ministers to put forth, before the next Budget, funds that are necessary for us to establish offices in our Partner States.

One of my colleagues here from whom I sought clarification but unfortunately I did not get the chance to seek the clarification, was talking about the establishment of new

institutions, and that being the function of the Summit.

This motion does not seek to establish any new institution. This motion is seeking to have a presence of an organ that is already in place under Article 9 of the Treaty. It is merely common sense and good practice because as we said, the public has a right to petition the Assembly. So, would the public need to go to Arusha every time they wish to petition the Assembly?

The East African Court of Justice has already established this good practice. They felt that anyone that wishes to bring a matter before the East African Court of Justice...it was restrictive for all East African citizens to make its way to Arusha to do so. Therefore, they established offices and branches in their Partner States. It makes perfect sense and it is common sense.

We in Tanzania, whenever we wish to have a press conference - unfortunately we are the only chapter that does not have an office up to now; not in Parliament and not being hosted by our EAC Ministry. So, we sit in a coffee shop in town to do a press conference. If we need to discuss any matter, we meet in hotels. That is the truth.

Is that what we wish to have? For us to be in a position to integrate our communities?

Finally, hon. Speaker, I would like to mention a support that was given to us in the last Assembly by Trademark East Africa. I can see that some of the chapters up to this very day are actually utilising that support of having researchers to assist with the chapters in the Partner States as part of that support.

If we had a stable office, this development or partner support would be even more effective. We would be able to put a library with the funding that we might be given, we would be able to bring in researchers, but in

a place where, through our own resources, we establish chapter offices in each Partner State. This is most timely but, as my honourable friend, hon. Dora, stipulated, there is an obligation. We must and we shall liaise with the national Partner State parliaments to reach our obligations as an Assembly. How do we liaise with national Partner State Parliaments if we do not have a presence in our Partner States?

Therefore, Mr Speaker, I beg to support this motion wholeheartedly, and I will urge the Committee of General Purpose, in the next Budget cycle, to ensure that this item is put on board, and we will urge the Council of Ministers to support such funding that is being out forth to establish chapter offices in each Partner State.

Mr Speaker, I beg to support.

The Speaker: Thank you, hon. Mwinyi.

Mr Abubakar Ogle (Kenya): Mr Speaker, for clarity, let me make it very clear that the Kenya chapter has a big and beautiful office in one of the finest buildings in Nairobi on the 27th floor of Kenyatta Conference Centre. It is beautiful and big, with a boardroom, television and everything. We are very grateful to our government for having accorded us that. Now, because of our magnanimity, because we are generous by nature, we let our bother, the Chair of the Legal Committee, to have use of that office exclusively – (*Laughter*) - and then *there* is a big name of hon. Peter Mathuki, Coordinator, on the door. We have allowed him to create that title for himself – (*Laughter*).

Now, I wish he were here, because the idea of this motion is not intended to take away that office from him - (*Laughter*). It is not. So, I just wanted to reassure him that we do not intend to take that office from him. He will continue; we are satisfied with that. We are magnanimous, and we are very generous. In fact, we gave him that office

even before he became a Chair of Legal Committee – (*Laughter*). We are very happy with him. He should not worry. He has no reason to question the importance of this motion.

Mr Speaker, let me come back to the motion itself. In order to mitigate against our non-presence in our Partner States, a very good idea was conceived and it was the idea of country tours. I think it was started in the Second EALA and I think I experienced one country tour during my time in EALA. That was a very good and brilliant idea as it exposed us and profiled us but following the disastrous one in Nairobi - I call it disastrous because not many Members turned up, all they did was to take their documents and take off, we could not explain anything to our government to continue, much as the former President Mwai Kibaki and our current President, His Excellency Uhuru Kenyatta want to be supportive and want to make funds available for country tours.

They are not able to do that in view of the technical report that was given following the disastrous experience we have had during the last country tour in Kenya. It was very bad and I want to take this opportunity to clear the air that the Kenya government, through the Ministry of East Africa is facilitating the Kenyan chapter. We are very grateful to our government. Anytime we are not here, we are facilitated by the government to do our country sensitisation. That funding is not the money that was intended for the so-called EALA. It is not.

Our government was able to facilitate the Kenyan chapter and they are still able to maybe conduct a country tour for the entire Assembly but subject to some clarification on how this thing is done. It is not just a matter of Members coming and picking and taking off. We do not want that thing concentrated in Kenya alone. It must be replicated in other Partner States and that is

the position that we explained to the Kenya government.

Mr Speaker, what happens in the Kenya National Assembly is that they have opened constituency offices. There are 347 MPs in the Kenya National Assembly and I think about 67 in the Senate. All of them have offices in their constituencies manned by people who are paid by Parliament, not because the resources are available but that is part of their duty. That is part of exposing them to the electorate and their constituents.

Whenever they have any matter relating to their MP or to their senator, they can easily access them so what is wrong with EALA getting an office, which is funded and run by the Secretariat? It is only fair and the right thing to do that the Council of Ministers very urgently ensure that this happens so that we are in touch with our constituency and our constituency is the national parliaments. Therefore, we must have those offices as a matter of extreme urgency and importance in our capitals. Thank you, Mr Speaker.

The Speaker: Thank you so much, hon. Ogle.

Mr Bernard Mulengani (Uganda): Thank you so much, Mr Speaker. I also rise to support the motion and to thank the mover of the motion that it is indeed timely.

Mr Speaker, whatever we say on the microphone here is not in any way to undermine what Partner States Parliaments have so far done for us. They have carried us since we were born to date.

Before I continue talking about the motion, I just want to give a small example. In a family when a baby is born, that baby may share a bed with the parents. As the baby grows, the baby goes to a bed on the side. As the baby continues growing, the baby is taken to his or her bedroom. When the baby

grows to a certain age, he or she is eventually evicted to stay outside of the main house.

Mr Speaker, the Assembly in its infancy has been ably hosted by our Partner States' Parliaments and it is good, in those countries that it has been done, save for Tanzania. We are aware that the Assembly is growing day by day in responsibilities and indeed, fusion within the Parliament has also despised our existence because they eventually call us Members.

It has also not given us space because when you talk of protocol, we eventually fuse. They wonder whether they should mention Member of EALA first or Member of Parliament of a national parliament first. It creates confusion. It is high time we got total identity. We are doing the same work of legislating, representing and oversight but in terms of responsibilities, we cover and differ in size.

What we agitate for may be senior to the Partner States but when we are left within the structures of Parliament, it confuses even the people who want to come and seek our intervention. As such, I would support the motion on those grounds.

Mr Speaker, you are aware that speakership rotates from one Partner State to another but for a Speaker to access the precincts of Parliament, there is need of a lot of arrangements and protocol issues before the Speaker comes to a Parliament of a Partner State to the extent that speakers do not have offices back home. Members are happy that we have offices but our Speaker has no office in the precincts of Parliament. This creates a challenge. If he was not an able Speaker who has a personal office, he would virtually have nowhere to sit back home.

This applies to other Partner States because I know that the previous Speaker of the Second Assembly faced a similar

challenge. Therefore, what we are trying to solve is, should we - (*Interruption*)

Dr Nyiramilimo: Thank you, hon. Mulengani and thank you, Mr Speaker. I wanted to inform my friend and colleague, hon. Mulengani that the reason why I think the Speaker should not have an office at home is that he or she resides in Arusha. Thank you.

Mr Mulengani: Thank you so much for the information. In raising my point, I had that at the back of my mind. Being a resident in Arusha does not deter you from getting back home at any one point in time. Maybe we should not discuss this but I need to say also that as a Speaker, they are mandated to get back home at one time in a year, either two=ice or something like that.

In the circumstance that a Speaker is at his home country, it would not be only good to be confined in his residence. There should be something official that he or she would sit in to take on their duties.

The point I was raising is that these offices are very necessary. Members have talked about the library, archives and literature that we have and the work that we have ahead of us.

Mr Speaker, the point of identity and fusion into the national parliaments should be worked against because we need to be seen. As we are aware, there is a proposed amendment in the Treaty and if it carries the day, some people are agitating that we should be voted using adult suffrage. At that point when we go into those amendments that were proposed- I am just giving an example of adult suffrage – you will find that we will need our total identity because Parliament is growing and the Community is growing in its structures.

Mr Speaker, given the nature of our work as parliamentarians in the Community, we are not in any way, full time. We go and come

back for plenary but whenever we are back home, just as we have said, because of the increasing numbers of Members of Parliament as some of you from other countries create extra constituencies, space has become a problem. Therefore, the earlier we get our own space, the better. Even the benefits that are given confuse one.

When national parliaments make their budgets, they are solely for parliaments of the Partner States but by virtue of the fact that they provide certain office space for some Members in some Member States, there are certain benefits that we enjoy that are not structured in the local parliaments' budgets but they are out of good will.

Today you may receive papers, facilitation in terms of cartridges and printers, in terms of services, tomorrow or another day you may not get the same things. Therefore, if we de-link the offices of EALA members from those of Parliament then it will be easier for us to manage our own administration. This would imply that our budget for those offices is centrally administered at the regional level – *(Interruption)*

Ms Byamukama: I do respect the submission of hon. Mulengani but I know he will understand. Mr Speaker, according to the time it is 5.30 p.m. and I wanted to move a motion so that we can extend out time so that we can cover what is on the Order Paper. I beg to move.

The Speaker: Hon. Dora, you are along the right path but let us see how best we can move within the one hour. If it is not enough, we shall proceed with the motion.

Ms Byamukama: Much obliged, Mr Speaker.

The Speaker: Hon. Mulengani, please summarise. Honourable members, I already pleaded with you that there is another

meeting after this so let us be brief. Proceed, hon. Mulengani.

Mr Mulengani: Thank you, Mr Speaker. In conclusion – hon. Dora, do not mind. I knew that it was in good faith.

Mr Speaker, in conclusion, I would like to request that Council sees the importance of this motion, that Council considers Members with the decorum that they deserve, that Council takes this request that can also fault them because they are Members of Parliament and they may wish to become Members of EALA. In addition, Council should consider that at the level we are at, walking in the corridors is not good for the Community representation.

I thank you and I support the motion.

The Speaker: Thank you.

Dr Odette Nyiramilimo (Rwanda): Thank you, Mr Speaker. I would like to first of all thank my friend and colleague, hon. Zein for having moved this motion and say that indeed it is needed that when Members of EALA are in their different Partner States, they have where to work and not only to sit and receive East Africans as one of the activities that we have to do because we are their representatives but also to prepare the work for EALA; all the committee work, the motions and Bills that we initiate – where do we start to do them? We are talking of offices but we also need researchers to help Members when we are at home.

I would like to thank Rwanda because we have offices since we joined EALA but to have these offices we had to go and meet with His Excellency the President Paul Kagame who is the one who directed the Minister in charge of East African Community Affairs and the Speaker telling them that these are Members of Parliament and they have to have an office. We had talked to them and they seemed to tell us

that our offices should be in Arusha but we explained that we need offices at home and we were given offices.

We negotiated with TIMEA so that they would give us a researcher. We have had a researcher for three years and his contract ended. Now we do not have any researcher any more. This is a real challenge. How can we work without anybody to help when we need to do research or coordinate our activities back home?

Another challenge that Members meet when they are in their Partner States is the protocol, as my colleague said. Sometime sit is very difficult to know what to do. If we are invited to participate in national events and it is many kilometres from the town, the other Members of Parliament are facilitated but we do not get any facilitation. If you go there, it is on your own or if you do not have possibility to go, you do not go. That is a serious problem because we should be participating in whatever happens when we are there because we need to meet with our constituents and with the people we represent.

Therefore, I think it is a very serious problem. Another problem we have had is the transport. While in the terms and conditions of EALA Members in EAC it is said that we can be entitled to two cars that are imported duty free, it is not the same in the Partner States.

In Rwanda for example, you are entitled to come back with one car so when we finish our term. Even if you had two cars, only one will be exempted. The other one, you will have to pay duty. These are some of the issues that should be harmonised and that is why I move that we amend this motion to add a third point – I do not know if somebody else moved an amendment – to urge the Council of Ministers to review the terms and conditions of EALA Members to include matters of protocol, facilitation

while working on Partner States as chapters.

I hope that hon. Zein the mover will agree to the English and the writing can be done better but this is what I wanted to add.
(*Interruption*)

Ms Hajabakiga: Mr Speaker, let me just say that I support the motion but let me give information. One of the biggest problems that we have is facilitation. When we are working for EALA committee activities, it is easy because we have focal points and the ministry will facilitate.

However, in many circumstances, let us say when you are going to a mission, you have to run up and down by yourself, going to the embassies to look for visas. There is no one or any support at the country level which can facilitate EALA Members when they are in their Partner State to try and do something. We were lucky that we had the researcher who is now going away and we are not sure how we can actually do the work without support or any staff attached to us. I think it is very critical that we have that kind of support from EAC because our countries say that we should channel everything to EAC so we hang in between. We do not belong anywhere. Thank you.

Dr Nyiramirimo: Thank you very much. I was summarising, Mr Speaker and I thank hon. Patricia. It is true and this is a real problem and that is why I would wish that the Chair, Council and the Council of Ministers review our terms and conditions and work should be done for EALA Members when they are back in their Partner States.

I thank you very much and I give the draft amendment to hon. Zein.

The Speaker: Thank you so much. Honourable members, I have seen all the Members who want to speak to this motion: hon. Shy-Rose, hon. Frederic, hon. Straton,

hon. Abisai and hon. Nengo. This motion has got overwhelming support but we have today and tomorrow only and if we are to allow all the debate when there are no controversies, we shall not accomplish all that we have to do.

In addition, I have another meeting, which will take place so allow me to request Council of Ministers to comment on this motion then I will take it back to the mover of the motion before we put the question.

THE CHAIRPERSON, COUNCIL OF MINISTERS (Ms): Mr Speaker, I will say briefly that I have taken note of the motion and I know that the motion which was moved will assist Members of Parliament in their Member States and I know the importance of them having offices.

However, I cannot promise that I will have a clear answer to what was laid. I suggest that when you bring the recommendations to the Council, the issue of giving offices to the EALA MPs should be included. This is because when you bring the report to the Council with these recommendations, you will have to state all these issues that have been raised because when you are talking about offices, it means you are talking about the person who is going to handle the office itself and when you talk about the office, it means the transport and somebody to support them when they are in Member States like with issues of protocol.

Therefore I suggest as Chair, Council that after you complete discussions, the recommendations should be sent to Council so that they can discuss it and see what they can do.

The Speaker: Thank you, honourable minister. I think that is fair enough because expectedly when this House pronounces itself on the resolutions, the Speaker shall write to the Chair, Council of Ministers for the matter to be considered in Council. Hon. Zein.

Mr Zein: Thank you, Mr Speaker. The significant part of this matter is the independence and powers of this Assembly. This Assembly, in its wisdom and I agree with the system, passed a resolution moved by hon. Mathuki to affirm the principle of rotation; that this Assembly should have the right to sit in Partner States. That resolution had financial implications.

Moving from Arusha to sit in another Partner State has financial implications because it requires us to fund the transfer of Secretariat to where the Assembly meets and our interpretation at that time, was that it is the decision of the Assembly where to sit as long as we satisfy the provision in the Treaty that we must sit at least once in Arusha. Therefore, that is a matter of independence.

The record will show that I had to profusely thank hon. Mathuki when he moved that motion and the record will also show that some of the arguments advanced then were that we were seeking to bring the Assembly closer to the people. If this Assembly is not able to even establish what is already occurring – In fact I was very concerned today when I was listening when I heard that the activities being carried out by the nine elected Members from Partner States is informal and there was even a suggestion that it could be illegal. I was very concerned.

I am one of those who, when they bring something to this House, keenly looks at the legality of it. Therefore, I am convinced that this motion is not only proper before this House, like many Members have said, but it is seeking to entrench the institutionalisation and the enhancement of the effectiveness of this Assembly.

Let me speak to three things and then conclude. One, I am a Muslim but the majority of the Members of this honourable Assembly are Christians. It is said that a

people without knowledge perish. So if we are not careful and we walk with the East Africans in this integration journey, there may come a time when the people may have to decide if they want a Political Federation or not and in Kenya, it is a requirement of our Constitution that the clause in the Bill with sovereignty, which is Clause 1 of our Constitution - if it is to be amended in order for us to donate that sovereignty to the Community, we must go to the referendum.

When we go to the referendum, the people need to know why this Parliament is in existence. The people need to know why integration is important and I can say that a good lesson is what has happened in Great Britain. Great Britain had to go through a referendum and after the referendum, when the people chose to exit from the European Union, when later many of them were counselled and asked, how did you make your decision? They said, we did not know but we followed those who said we should vote that way. Now we understand that it is very bad. Can we have the referendum again? No, sorry, it is too late.

Part of what was said was that the EU because too distanced away from the people and it was not able to relate to people in England and Great Britain in a way that the people could understand why EU was serving them.

Yesterday, a member of the British Cabinet was suggesting that maybe we should take it back to Parliament and see if we can unhook what has already been done. We do not want to repeat other people's mistakes. We want, when the time comes, for people to make a decision which is informed. They should not perish because of lack of knowledge.

Secondly –

The Speaker: Be brief, hon. Zein.

Mr Zein: Yes, I said three points so they are only two points and the last one is for thanking.

The last point I wanted to make is that in the journey that has already been started by the Summit, on sound advice given by the Council to allocate to this Assembly and to the East African Court of Justice, financial and administrative autonomy, what we are doing is part of what is administrative autonomy.

Last and more important, allow me to thank the following Members who have contributed to this motion. I would like to thank hon. Tiperu. In a special way I would like to thank hon. Mathuki, hon. Dora, hon. Opoka, hon. Mwinyi, hon. Ogle, hon. Mulengani, hon. Odette, hon. Chairperson of the Council, and very many Members who stood up and the Chair from your good seat, Mr Speaker, knew what they were about to speak and said, given the time and given what has already been said, maybe you will get another opportunity to contribute but thank you very much, each and every Member who contributed or wanted to contribute but did not get an opportunity to do so.

I therefore move that we adopt this motion. Thank you, sir. Mr Speaker, I accept the amendment.

The Speaker: Thank you so much, hon. Zein. Honourable members, the motion before the Assembly is that this Assembly do resolve to establish EALA chapter offices in the Partner States.

I now put the question to the motion that this Assembly do resolve to establish EALA chapter offices in the Partner States, as amended.

(Question put and agreed to.)

The Speaker: Honourable members, I did not want to appear as if I was participating

because the rules do not allow me to participate in debate but I want to wholeheartedly congratulate hon. Zein for this motion.

I was once a chapter chair and I know the importance of this establishment. My appeal, on behalf of this Assembly to Council of Ministers, is that we need these liaison offices in our Partner States for enhancement of the peoples' representation. I thank you so much. *(Applause)*

QUESTIONS FOR ORAL ANSWER (I)

Ms Dora Byamukama (Uganda): Mr Speaker, before I beg to move the question, I would like to say that I am doing it on behalf of the Regional Affairs and Conflict Resolution Committee. This is where it originates from, with the permission of the chairperson.

Mr Speaker, I beg to move that the honourable Chair, Council of Ministers responds to Question EALA/PQ/OA/3/09/2016. I beg to move.

There is a correction in the second paragraph. It is "pursuant to Article 59(3)" and not "95(3)". I think the Clerk's Office turned the figures around. I beg to move.

The Speaker: Thank you. Correction noted.

The Deputy Minister for Foreign Affairs, East African, Regional and International Co-operation (Dr Susan Kolimba): Mr Speaker, pursuant to Article 59(3)(c) of the Treaty, the Council is obligated to presented a report to the Assembly on the Community's development of the common Foreign and Security Policy.

The Council intends to present this report to this Meeting of the Assembly following the consideration by the Council at its 34th

Meeting that was held on 6 September 2016.

Mr Speaker, the report highlights the achievements of the Community in the development of its common foreign and security policies. The report highlights the challenges to the region and for which appropriate responses must be put in place and regularly reviewed.

The security challenges can be categorised in, among others, the following clusters: of terrorism and money laundering and financing of terrorism, trafficking in drugs and smuggling of persons, cattle rustling and illicit use of small arms and light weapons, environmental crime including poaching, deforestation, illicit trafficking in minerals and natural resources, ... security, vandalism and theft of infrastructure components and elections and post-election related conflicts and violence.

Mr Speaker, a number of the policy interventions have been made including the conclusion of the East African Protocol on Peace and Security that was signed on 15 February 2013. The protocol provides for the establishment of the Peace and Security Directorate to coordinate the multi-tasked interventions for the promotion of the regional peace and stability.

The Council also adopted an East African Conflict Prevention Management and Resolution Mechanism. The Council also adopted the revised regional Strategy for Peace and Security which takes on board involving security dynamics and challenges.

The goals in the strategy have been increased from 15 to 23 to take on board such issues of enhancing cooperation within the corrected ... in the region, prevention of genocide, combating of cybercrime, among others.

Mr Speaker, the need for preventive diplomacy and generating regional solutions to regional problems has led to the establishment and functioning of the East African Community panel of eminent persons and appointment and deployment of special envoys.

You may recall at the 16th Ordinary Meeting, the Summit decided that eminent persons and special envoys will be appointed whenever need arises for purposes of spearheading preventive diplomacy.

The Community has also agreed upon regional centres of excellence in the policy functions, disaster management and disarmament like is given to the Republic of Burundi and police aviation, criminal intelligence, training and counter terrorism is on the Republic of Kenya.

Traffic management, gender based violence and child protection, police institutors of higher learning, give support, operation and logistics on the Republic of Rwanda, public order management, maritime policy and anti-... is under the United Republic of Tanzania. Police forensic, community policing and social media is under the Republic of Uganda.

Mr Speaker, the Community is also aware of the governance challenges such as corruption and politics of exclusion which undermine the promotion of justice. The Community is therefore negotiating a protocol on good governance. The Community also continues to collaborate with the African Union and other regional institutions including Inter Governmental authorities on Development, Southern African Development Community, Common Market ... and Sothern Africa Development Community, Indian Ocean Commission, among others.

With regard to foreign policy matters, the Community has put in pale a Protocol on Foreign Policy Coordination.

On defence matters, the Community is implementing the Protocol on Cooperation in Defence Affairs which widens the areas of cooperation and better understanding by the Partner States of each other's defence systems and processes thereby aiding to better coordination of defence policies.

The Partner States are also committed to negotiating a mutual defence pact. With increasing threats of terrorism, Partner Sates have established a Regional Defence Counter Terrorism Centre in Nairobi, Kenya to deal with the threat of terrorism and other related regional security threats.

The East African Partner States have also conducted several joint **food** training exercises and command post exercises code names *Ushirikiya noi mara*. The exercises involve the military, police and civilian components.

In an effort to foster the search in the corps and solidarity among the East African Community armed forces, the Partner States continue to organise annual East African Community military games and cultural events on rotational basis.

Mr Speaker, there are a number of challenges including Partner States delays in ratification of protocols and associated mechanisms under the Peace, Security and Foreign Policies.

There is also advent of the rapid response decision making processes on peace and security matters.

There is also donor dependence for the peace and security programmes which is not sustainable.

Mr Speaker, I beg to submit.

The Speaker: Hon. Dora for supplementary questions and then the rest later.

Ms Byamukama: Mr Speaker, I crave for your indulgence. I will be very brief. Let me first thank the honourable Chair, Council for an elaborate answer and also congratulate her on the achievements that have been made under this a particular sector.

I just have two short questions. The first one is, since this was concluded on 6 September 2016, when does the honourable Chair, Council of Ministers intend to lay this report before this House? That is all I need to hear from her on page one.

Something related which I feel a bit uncomfortable with is what she states in this particular page four where she says the Community is therefore negotiating a protocol on good governance.

Mr Speaker, I find this a bit perturbing and I need some clarification because when you look at Article 3(3) of the Treaty, it says, *“Subject to paragraph 4 of this Article, the matters to be taken into account by Partner States in considering the application by a foreign country to become a member of, be associated with or participate in any of the activities of the Community shall include that foreign country’s (d) adherence to universally acceptable principles of good governance, democracy, the rule of law, observance of human rights and social justice.”*

When you look at Article 6; fundamental principles of the Community, you will find that one of them is good governance. When you look at operational principles of the Community in Article 7(2), it says, *“Partner States undertake to abide by the principles of good governance.”*

How can this therefore be a point of negotiation? I need to understand this

because it is a condition precedent, it is a fundamental principle, it is an operational principle.

I know that four countries had already signed this protocol. One country, and the honourable Chair of the Council of Ministers knows which country, has not. I find it a bit complicated. I thank you.

The Speaker: I think it is better for Chair, Council to pick all the questions then you respond at once.

Mr Abubakar Ogle (Kenya): Mr Speaker, we have always reminded the Council about this one. It was not a matter of negotiation. This is a Treaty matter and under 59(3), the Council ought to make a report and they have not done that. It was only the Committee on Regional Affairs and Conflict Resolution who were very understanding and they engaged them. Every time we were given a promissory note that it would be done.

I just want to refer to the written answer of the minister on page one: “the Council intends to present this report to this meeting”. Which meeting of this Assembly is she talking about? This particular one in Zanzibar? If so, when? It is only tomorrow that we have a session.

Mr Abubakar Zein (Kenya): Thank you, Mr Speaker. I would like to thank the minister for her answer and I further seek that clarification that was started by hon. Dora and addressed by hon. Ogle. I am referring to what hon. Ogle has just read so I would like to have a clear undertaking. Tomorrow is the last day programme for this meeting. We need a clear undertaking from the minister that it will be laid down tomorrow.

Mr Mike Sebalu (Uganda): Thank you very much, Mr Speaker. This matter has been outstanding for quite some time. Even in the Second EALA, I recall that a

resolution was moved by this House to the effect that the Council of Ministers conform to the provision as stated whereby they make a report and give this House an opportunity to debate and it is clear in uncertain terms that this Assembly is required to debate. It is a 'shall' and not 'may'.

Therefore, it is disturbing that even in the answer, there is no specific undertaking to conform to that provision – (*Interruption*)

The Speaker: Honourable, let us not make the rules difficult for this particular purpose. Our rules provide that when we ask questions, there are supplementary questions. I will find it very difficult to – I do not know how to treat the clarification. Clarification to the question or you are seeking clarification from the minister? I would rather that we let hon. Sebalu finish his supplementary question as per our rules.

Mr Sebalu: My understanding is that even where that report has not been generated, Council of Ministers owes it to this House to explain why that has not been done because that is one way of reporting. If you have been able to make any achievement, still you are under obligation to give a report whichever way.

Therefore, can the Chair, Council of Ministers indicate in clear terms how this is going to be handled this time round?

The Speaker: As you ask questions, honourable questions, the Council is saying this meeting. I think the English is very clear that they intend to present this report in this meeting and this meeting ends tomorrow.

Mr Abdullah Mwinyi (Tanzania): Thank you very much, Mr Speaker. I am both pleased and disturbed at the same time.

I am pleased because from the very good response from the Chair, Council of

Ministers, there is a huge amount of progress that has been made in this particular area but I am disturbed as to why this has not been submitted as a report.

Under the Treaty, there are three Treaty reports. One is the Budget report. Two, the Audit report and three, is this report. Why is there compliance with respect to the first two and there is no compliance on the third? I would like an explanation from Chair, Council on that particular point. I thank you.

Ms Isabelle Ndahayo (Burundi): Thank you, Mr Speaker. Have just one small question. When you look at this question by hon. Dora, the main question is to know when the Summit is going to give this report.

If we look at the way she has answered the question, it seems that she tried to give us brief information on the content of the report. I would like to ask that from her point of view, what is your appreciation on the situation with regard to common foreign and security policy in the region? Are you satisfied with regard to cooperation among Partner States in regard to security so that we can understand why Members are claiming to have difficulty?

The Speaker: Maybe to help the Chair, Council, let us not start asking on the report because we have to get hon. Dora's question in context. The Committee on Regional Affairs is asking why and when. Why not and when is the report going to be tabled here and why has it not been tabled. They are not asking the content of the report yet. Council will answer.

Mr Yves Nsabimana (Burundi): On page three, the minister spoke about regional centres of excellence. Are these regional centres of excellence implemented? How do they operate? Do they have a budget? If so, can we have a small report on these centres? Thank you.

Ms Patricia Hajabakiga (Rwanda):

Thank you, Mr Speaker. I find it very strange but I am going to ask the question in a different way from what hon. Mwinyi asked.

Why do the Council pick and choose what to report on annually because it is required annually as far as this Treaty is concerned? There are three areas that they are supposed to be reporting on annually and this trend has been on since 2001. Why do they choose which ones to report on and the others which they ignore?

The Speaker: Can I invite the Council to respond? If there are more questions, we will raise them. Honourable minister, let us wait for the last question from hon. Ngoga.

Mr Ngoga: Mr Speaker, mine is very simple. The Council Chair said that the report has been considered following consideration by the Council so I want to know whether consideration as used means adopted because that would help us to know whether the report is ready or not because there are issues of language here. Does consideration mean it was adopted or otherwise?

Chair, Council: Mr Speaker, I thank all the honourable members of Parliament who raised some supplementary questions but I can just harmonise all of the questions using “when”. I will say in short that it will be tomorrow. (*Applause*)

There were some questions from hon. Dora who asked that if issues of good governance are already included in Articles 3 and 6, why do we need another protocol to be prepared? I am saying that issues can be included in the Treaty but somehow you want to reflect what it is so that it can be implemented. That is why we are trying to make sure that we prepare this Protocol on Good Governance in order to make sure

that we implement whatever principles are included in that specific section.

On the issue of the details of the regional centres, because I am saying that we are tabling the report tomorrow, it will be included in the report. I ask kindly and humbly that we should wait for the report.

On the issue of consideration, it is true that it was considered and that is why I will have to present it to the Assembly so that you get it. I beg to submit.

The Speaker: Thank you so much, honourable minister. Hon. Dora, unless it is so burning, I want to –

Ms Byamukama: For the record, Mr Speaker, I just want to say thank you to the Chair, Council of Ministers, Dr Susan Kolimba. You have actually made history because this Assembly has never ever debated this kind of report so we look forward to debating the report and I thank you, Mr Speaker for this space. Thank you.

The Speaker: Thank you so much, honourable minister for complying with the long-time demand of this Assembly.

QUESTION FOR ORAL ANSWER II

Mr Chris Opoka-Okumu (Uganda): Thank you, Mr Speaker. I move that the Chair, Council of Ministers answers question number EALA/PQ/OA/3/10/2016. I beg to move.

Dr Kolimba: Mr Speaker, the East African Community Treaty in Article 123(6) provides that the Summit shall initiate the process towards the establishment of the Political Federation of the Partner States by directing the Council to undertake the process.

I am pleased to inform you that the Summit did initiate the establishment of the Political

Federation and directed the Council to undertake the process.

Pursuant to the above provisions, the Summit in 2004 established the committee which was called Wako committee on the fast tracking of the Federation between 2007 and 2009.

National consultations were held in all Partner States to gather the citizens' views on the Political Federation. The report of the consultation confirmed what the honourable member had stated; the overwhelming desire by the citizens for

Political Federation.

There were different views on the speech which we should attain in the Federation which the citizens expressed as fears, concerns and challenges that needed to be addressed.

Mr Speaker, in the response to the findings and in order to ensure that people's voices are systematically heard in this process, the Summit in 2009, constituted a team of experts to make recommendations on how to address those fears, concerns and challenges that had been identified.

The experts presented a report to the 13th Ordinary Summit in November 2011 and subsequent reviews of these concerns, fears and challenges revealed that over the years, most had already been addressed as a result of the processes, programmes and activities arising out of the implementation of the Customs Union provisions, the roll out of the Common Market and the related policy decisions that had been taken in a number of areas to facilitate the integration.

It is expected that others would be addressed once a draft constitution is in place. The Summit therefore called for:

1. A road map for establishing and strengthening institutions identified by the experts as critical to the functioning of the Customs Union and the Common Market and the Monetary Union and;

2. An action plan and draft model of the structure of the East African Political Federation should be in place.

Mr Speaker, on the strengthening the requisite institutions critical to the functioning of the other three stages of integration, incremental steps are being taken including the on-going East African Community institutional review which was adopted by the Council at its 23rd Meeting held in February this year.

Implementation of the institutional review which is now on-going has an initial phase and consideration phase.

The realisation of the Political Federation is not an event but a process that has already been embarked upon. On the model of the structure of the Federation, the Partner States undertook national stakeholders' consultation in 2012 and presented a report to the 12th Extra Ordinary Summit on 30 April 2014.

The Summit considered the report and directed the Council to initiate the process of drafting a Constitution for the Political Federation and to develop a road map on what the negotiated constitution would involve.

In February this year, on the 23rd Meeting of the Council, having benefitted from the advice from the constitutional experts, made the following recommendations to the Summit:

1. That the Partner States adopt the confederation as a model of the East African Federation and the confederation being understood to mean that the gradually incremental collaboration in special areas in accordance with Article 5(2) of the Treaty.
2. That the Partner States would prove their sovereignty in specified areas and in that regard, requested the Summit to allow the Council to constitute a team of experts to

draft the constitution for the confederation including making proposals on the areas to be under the ... sovereignty.

Mr Speaker, the report of the Council was presented to the 17th Ordinary Summit held on March 2nd 2016. Having deliberated on the Council report, the Summit decided that it would conclude on the matter in its next Summit. It is therefore expected that at its 18th Ordinary Session planned for 30th November 2016, the Summit will guide the Council on the way forward.

Mr Speaker, the Council will be pleased to update this august House on the guidance that Summit will provide after this Summit. I beg to submit.

The Speaker: Thank you so much, honourable minister.

Mr Opoka-Okumu: Thank you, Mr Speaker. I would like to thank the minister for giving an answer to the question. I have two supplementary questions.

One, when will the East African Legislative Assembly be involved in the envisaged drafting of the constitution?

Two, in view of the fact of the importance and sensitivity of this last pillar of the integration and in view of the fact that after 2004, following the establishment of the Wako Committee on the fast tracking of the Federation, it became imperative that national consultations should take place in all Partner States on the issue of fast tracking of the Federation and in view of Article 7 of the Treaty for the establishment of East African Community that the principles that shall govern the practical achievement of the objectives of the Community shall include people centred and market driven cooperation which has been interpreted as involving the people in matters that concern them, can the minister tell us, following the recommendations of the Summit to involve a team of experts,

whether or not there will be consultation of the people of East Africa on the sort of constitution governing the confederation that they would want? Thank you.

The Speaker: Motion from hon. Dora.

Ms Byamukama: Mr Speaker, I beg to move a motion under rule 30(d) of our Rules of Procedure that we suspend rule 11 in regard to hours of meeting which provides inter alia, that we should conclude our meeting at 6.30 p.m. in the evening and that we extend it to such a time as we conclude response on this particular issue. I beg to move.

The Speaker: Seconded by hon. Zein and hon. Chris. Honourable members, hon. Dora has moved under our Rules of Procedure that we extend out sitting to conclude on this subject matter. I put the question.

(Question put and agreed to.)

The Speaker: Hon. Chris, had you finished with your supplementary questions? Are there other supplementary questions to the minister? Honourable minister, please respond.

Dr Kolimba: Mr Speaker, I can just respond to the supplementary question that on the issue of the consultation with the stakeholders and the people of East African Community, this is one of the principles. What I was saying is that the experts will draft the constitution but in the process of drafting the constitution, stakeholders should be consulted because this is one of the principles of making the constitution itself.

As to when EALA is going to be consulted, because EALA is one of the major parts - And even the issue of the establishment of this Federation, EALA are part of the stakeholders and I think that when they have started the process, EALA will be

included but I cannot say when because the process is waiting for the Summit to decide on the recommendations made by the Council to the Summit. But I can assure you that in the process of making the Constitution, all stakeholders will be consulted including the people and EALA being one of the major stakeholders will also be included in the process.

The Speaker: Thank you, honourable minister. Maybe hon. Chris would like to take note of the undertaking of the minister of an update to this House after 30 November and you can follow up on that. Thank you so much, honourable minister for your concise answers to the questions.

Honourable members, before I adjourn, I would like to remind the members of the editorial board of *The Integrator* that we have a very brief meeting in my office right away. I thank you so much and House stands adjourned to tomorrow 2.30 p.m.

*(The House rose at 6:26 p.m. and
adjourned to Thursday, 20 October 2016
at 2.30 p.m.)*