



EAST AFRICAN COMMUNITY

EAST AFRICAN LEGISLATIVE ASSEMBLY (EALA)

Official Report of the Proceedings of the East African Legislative Assembly 57TH SITTING – SECOND ASSEMBLY: SIXTH MEETING – SECOND SESSION

Tuesday, 19 May 2009

SPECIAL SITTING OF THE ASSEMBLY

*The East African Legislative Assembly met at 10.00 a.m. in the Chamber of Deputies,
Burundi National Assembly, in Bujumbura.*

BURUNDI NATIONAL ANTHEM

(By the Burundi Army Brass Band)

PRAYER

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

The Assembly was called to order.

PROCEDURAL MOTION

The Chairperson, Committee on Legal, Rules and Privileges (Mr Abdullah Mwinyi) (Tanzania): Mr Speaker, I beg to move that this House, pursuant to the provisions of Article 55(1) of the Treaty, and Rule 11 of the Rules of Procedure, do resolve to hold Sittings in Bujumbura in the Republic of Burundi.

Mr Manasseh Nzobonimpa (Burundi): Seconded.

Mr Mwinyi: Mr Speaker_

WHEREAS Clause 1 of Article 55 of the Treaty provides that the sittings of the Assembly shall be held at such times and places as the Assembly may appoint;

AND WHEREAS Rule 2 of the Rules of Procedure provides that the seat of the Assembly shall be in Arusha, in the United Republic of Tanzania;

AND WHEREAS sub-rule (7) of rule 11 provides that the Assembly may on a resolution by a majority of its Members decide to hold one or more sittings elsewhere within the Partner States other than its seat;

NOW, THEREFORE, this Assembly do resolve as follows:

That pursuant to the provisions of sub-rule (7) of Rule 11 cited above, the Assembly shall hold sittings in the Chamber of the Burundi National Assembly from Tuesday, 19 May 2009 up to Friday, 29 May 2009.”

I beg to move.

(Question put and agreed to.)

The Speaker: Honourable Members, amidst us here today is His Excellency, Pierre Nkurunziza, President of the Republic of Burundi, and His Excellency Pie Ntavyohanyuma, Speaker of the National Assembly of Burundi. *(Applause)* I have, in accordance with the provisions of Article 54 of the Treaty, invited them to address this Assembly. I would now like to make the following proclamation to welcome the presence in the Assembly of the President of the Republic of Burundi and the Speaker of the National Assembly of Burundi:

PROCLAMATION

“WHEREAS Clause 1 of Article 54 of the Treaty provides that the Speaker of the Assembly can invite any person to attend the Assembly, notwithstanding that he or she is not a Member of the Assembly, if in his or her opinion, the business of the Assembly renders his or her presence desirable;

AND WHEREAS in the opinion of the Speaker, the attendance and presence in the Assembly of His Excellency the President of the Republic of Burundi and the Speaker of the National Assembly of Burundi are desirable in accordance with the business before the Assembly;

NOW, THEREFORE, it is with great pleasure and honour, on your behalf, hon. Members, to welcome them to this Chamber.” (Applause)

ADDRESS BY THE SPEAKER OF THE NATIONAL ASSEMBLY OF BURUNDI

Welcome Remarks by the Speaker of EALA

The Speaker: Your Excellency, Pierre Nkurunziza, President of the Republic of Burundi; His Excellencies the Vice-Presidents of the Republic of Burundi; Your Excellency, Pie Ntavyohanyuma, Speaker of the National Assembly; Your Excellency, Hon. Gervaise Rufyikiri, President of the Senate; the Chairperson, Council of Ministers and the Ministers present; the Secretary-General of the East African Community; the Hon. Members of EALA; members of the diplomatic corps; invited guests, ladies and gentlemen, I rise to introduce to you His Excellency, Pie Ntavyohanyuma, the Speaker of the National Assembly of Burundi. *(Applause)*

I have known the Rt. Hon. Speaker for a couple of years now, and I wish to inform you that he is a true friend of EALA and the institution of Parliament in general. *(Applause)* Together with him and the other honourable Speakers of the Parliaments of the EAC, we have been striving to revive the collaborative network of Speakers. We have held three meetings now, with the last meeting having been held on 27 April 2009, here in Bujumbura, at which His Excellency Ntavyohanyuma was unanimously elected as our chairperson. *(Applause)* We have made a number of recommendations to the Summit, including the request to formally establish the Bureau of Speakers as an Organ of the Community, and to establish the East African Parliamentary Institute.

His Excellency Ntavyohanyuma was elected Speaker of the National Assembly of Burundi on 16 March 2007, only two years after he became a Member of the Assembly. That alone informs us of the confidence and respect accorded to him by his colleagues and the people of Burundi. His profile does not only end in Burundi. In 2007, he was elected President of the Executive Committee of the Union of African Parliaments, a position we in East Africa are proud to have got. Before he became Speaker, he served as Chairman of the Committee on Agriculture and the Committee of Justice and Human Rights. He also served in various capacities in the civil service; and in his party. Beyond politics, His Excellency, Ntavyohanyuma is a distinguished scholar and holds a doctorate degree in demography. He has been a professor in several universities since 1983, and has an impressive list of publications accredited to his name.

Finally, I wish, on behalf of the entire Assembly, to thank His Excellency, Ntavyohanyuma and the National Assembly of Burundi in general, for accepting to host us in Bujumbura and in this chamber. In fact, he has been so generous that I have actually displaced him from his own office. We sincerely thank His Excellency Ntavyohanyuma for this kind gesture. *(Applause)*

With these few remarks, may I now invite the Hon. Speaker to address this august House?

ADDRESS BY THE SPEAKER OF THE BURUNDI NATIONAL ASSEMBLY

(The following is the English translation of the speech of H.E. Pie Ntavyohanyuma, Speaker of the National Assembly of Burundi, which he made in French)

The Speaker of the Burundi National Assembly (Mr. Pie Ntavyohanyuma): Your Excellency, President of the Republic of Burundi; Your Excellency, hon. Speaker of the Senate; Your Excellency hon. Speaker of the East African Legislative Assembly; Your Excellency, First Vice-President of the Republic of Burundi; Your Excellency, Second Vice-President of the Republic of Burundi; Hon. Members of the Bureaus of Parliament; Hon. Members of the National Assembly; Hon. Members of the Senate; Hon. Ministers; Madam President of the Supreme Court; Madam President of the Constitutional Court; Mr Public Prosecutor; Mr President of the Audit office; ladies and gentlemen members of the diplomatic and consular corps; ladies and gentlemen representing international organizations; ladies and gentlemen members of the national defence forces; ladies and gentlemen members of the national Police; ladies and gentlemen representing registered political groups; gentlemen representing religious denominations; distinguished guests; ladies and gentlemen;

It is an honour to the Parliament of Burundi to host the Sixth Meeting of the Second Session of the Legislative Assembly of the East African Community during the forthcoming fortnight.

Firstly, we would like, on behalf of the Parliament of Burundi, to welcome his Excellency, the President of the Republic, and thank him for having accepted to honour this ceremony with his presence, in spite of his very heavy agenda. *(Applause)* Secondly, we would like to welcome the hon. Speaker of the East African Legislative Assembly, the hon. Members of this Assembly and the staff of this institution who are among us. You are at home in our country. *(Applause)*

Finally, we welcome all the distinguished guests who have accepted to come and share with us our joy on this occasion when the East African Legislative Assembly is holding, for the first time, its ordinary session in our capital city. Your presence in this *Palais de Kigobe* shows your interest in this legislative institution. We are welcoming with joy and honour, an institution we describe, quite rightly, as democracy's lookout post; an actor in promoting good governance, which cannot be ignored; and a dialogue forum for the development of parliamentary diplomacy within the East African Community. *(Applause)*

Your Excellency President of the Republic, honourable parliamentarians and ministers, distinguished guests, ladies and gentlemen; the East African Legislative Assembly constitutes really the Parliament of the Parliaments of the Partner States of the Community because it is the result of elections held within each national Parliament or Assembly. For this reason, on the occasion of the swearing-in ceremony of the Burundi Members of the East African Legislative Assembly, the Parliament of Burundi had to be present in Nairobi to show its commitment to the East African Legislative Assembly. Therefore, the fact that the East African Legislative Assembly has decided to hold this parliamentary session in our country brings us pride and satisfaction. *(Applause)* We seize this opportunity to reassure the hon. Members of the East African Legislative Assembly coming from brother countries that everything will be done in order for their stay in our country to be nice, and for the business of this session to be run in a favourable environment guaranteeing success to this meeting. *(Applause)*

It is with this commitment of the Parliament of Burundi that we end this welcome address, just before the speech opening the activities of the Sixth Meeting of the Second Ordinary Session of the East African Legislative Assembly by His Excellency the President of the Republic. I thank you. *(Applause)*

ADDRESS BY THE PRESIDENT OF THE REPUBLIC OF BURUNDI

Welcome Remarks by the Speaker of EALA

The Speaker: Your Excellency, Pierre Nkurunziza, President of the Republic of Burundi; His Excellencies, the Vice-Presidents of the Republic of Burundi; Your Excellency, Pie Ntavyohanyuma, Speaker of Burundi National Assembly; Your Excellency, Gervaise Rufyikiri, President of the Senate of Burundi; Hon. Monique Mukaruliza the Chairperson, Council of Ministers of EAC; the Hon. Ministers and Members of the Council of Ministers; the Secretary-General of the East African Community; Hon. Members of the East African Legislative Assembly; members of the diplomatic corps, distinguished guests, ladies and gentlemen.

I very warmly welcome Your Excellency to today's special sitting. I call it a special sitting for two reasons: Firstly, this is the first time for the East African Legislative Assembly to hold its plenary sittings in Bujumbura; and, secondly, this is also the first time Your Excellency will officially meet and interact with this Assembly when it is in its formal session.

We thank you very much, Your Excellency, for not only accepting our invitation to address this House today, but also for your government to have accepted to host us here for the next two weeks.

Your Excellency, I take this opportunity to congratulate the Republic of Burundi for having successfully joined the East African Community family. *(Applause)* I am proud to inform you that the admission of your country has provided new impetus and vibrancy to the Community. I in particular must inform you that I am very proud of the Burundi representatives in the Assembly for their commitment to duty and dedication to the cause, spirit and the dream of the East African Community. *(Applause)*

This House congratulates you, Your Excellency, though belatedly, for having been the first post-conflict elected President of the Republic of Burundi. *(Applause)* Key among your initial priorities was your commitment to reconcile all the Burundians after 13 years of civil war. Indeed, as a testimony to this, the last rebel movement, the FNL (*Front National pour la Liberation*), recently signed the peace agreement, and thus effectively rendering the attainment of peace and reconciliation in Burundi. We thank Your Excellency and the people of Burundi for accepting peace and reconciliation, for without the two there can be no development. *(Applause)*

Your Excellency, we are also proud of your commitment to the cause of the poor and the women. The day you were sworn in as President, you declared free and universal education for all school going children, the first declaration ever in the history of Burundi. As if that were not enough, one year later you declared free of all costs, medical care for pregnant women and children under the age of five years in public hospitals, giving you and your government not only the record in Burundi, but in the whole of East Africa. *(Applause)*

Your Excellency, our agenda for the next two weeks has the following major items:

1. Consideration of the report of the Select Committee on the causes for the continuous delays by Partner States to make their remittances to the EAC;
2. Consideration of the East African Tourism and Wildlife Management Bill; and,
3. Consideration and approval of the Budget of the East African Community for the Financial Year 2009/2010.

Lastly, I wish to report to Your Excellency that this Assembly is dedicated and committed to our role as the legislative organ of the Community.

We pledge our unwavering support and commitment to work closely with Your Excellencies, the Summit of the EAC, the Council of Ministers and other organs and institutions of the Community until the people of East Africa attain their deserving unity. *(Applause)*

Finally, Your Excellency, it is with great pleasure and honour that I execute my humble duty to welcome you to address this august Assembly today Tuesday, 19 May 2009. *(Applause)*

(The following is the English translation of the Speech of His Excellency Pierre Nkurunziza, President of the Republic of Burundi, which he made in French)

The President of the Republic of Burundi (Mr Pierre Nkurunziza): Hon. Speaker of the National Assembly of Burundi; hon. Speaker of the Senate; hon. Speaker of the East African Legislative Assembly; hon. MPs and Senators of Burundi; hon. Members of the East African Legislative Assembly; hon. Ministers; hon. Members of the Council of Ministers of the EAC; hon. Secretary-General of the EAC; Your Excellencies, members of the diplomatic corps; distinguished guests, ladies and gentlemen, allow me to first praise the Lord for blessing this high level meeting. *(Applause)*

I am honoured and pleased to be here in front of this majestic assembly at the opening ceremony of the Sixth Meeting of the Second Session of the East African Legislative Assembly. It is my moral obligation to wish a warm welcome to the Speaker and to you all, hon. Members of the East African Legislative Assembly. Please enjoy your stay and feel at home in this city of Bujumbura. *(Applause)*

Allow me, also, to wish a warm welcome to honourable Members and Senators of Burundi, to members of the government, to the members of the diplomatic corps here present; and to you all distinguished guests who have accepted to attend the solemn opening of this session. *(Applause)*

I also take this opportunity to express my heartfelt thanks to the Speaker of the EALA for choosing Burundi to host this important meeting. This is tangible proof of EALA's deep attachment to the integration of Burundi and its people into the East African Community. *(Applause)*

Hon. MPs, distinguished guests, ladies and gentlemen; Burundi will be celebrating in two months time the second anniversary of its membership to the EAC, which has passed from three member states to five member states. This is an eloquent sign that the Community is bracing for a better future. In Burundi, we are proud of the choice we made for the future of our people, who believe in a common destiny with their brothers and sisters of the Community.

I am taking this opportunity to thank you, once again, for your continued involvement in the Burundi peace process. Your contribution alongside the Tanzanian and South African mediation played a critical role until the final phase of the process. A page has indeed been turned in the Burundian crisis, with the integration of the last rebel group, the Front for National Liberation (FNL), which has now been registered as a political party. Burundi is, therefore, recovering lasting peace and stability, which will make it a reliable and active partner within the East African Community. *(Applause)*

I reiterate Burundi's commitment to implementing the Custom's Union Protocol since 1 July 2009 through the implementation of the Common External Tariffs, and the elimination of customs taxes on the intra-Community exchanges. Burundi is also committed to making continued necessary institutional and administrative reforms for effective integration. *(Applause)*

I appreciate the fact that EALA sessions will be held on a rotational basis in all member states. It is a commendable contribution to the global achievement of the Community's integration as a whole. One of the main conclusions is that the Kigali Strategic Retreat, which was organized in February 2009, should serve as a basis for a culture of collaboration between the institutions and organs of the EAC for a strong regional block. *(Applause)* My wish is that such a retreat should be institutionalised to allow all actors within the Community, and you MPs in particular, to revive the spirit for a work of collaboration. *(Applause)*

Allow me to tell you that I share this determination with the Burundian population. As a matter of fact, when consulted on the necessity to speed up the political federation of East Africa, the Burundian people responded positively in great numbers. However, it will be necessary for the sensitization on the political integration to be a continuous process in all the countries in order to stimulate more engagement and determination. *(Applause)*

Distinguished ladies and gentlemen; the obligation of the results is found in the Common Market, which we have been negotiating for a year, and we have to conclude it now. We should also impose on ourselves a new working policy aimed at quick results. Otherwise, the risk for us is to be late and not to meet expectations of the people who are eager to highly profit from economic, social and cultural potentials of their Community through open borders. I think and I believe that nothing will stop us in the integration process, which I consider as the best way for our respective countries to unite our efforts for a durable and sustainable development. I am, therefore, taking this opportunity to call upon investors from the EAC and from all over the world to come and invest in this region. *(Applause)*

To partners and fund donors, I take this opportunity to thank them for the support, which has been directly granted to member states all through the EAC. Burundi was right to apply and obtain membership to the EAC. We promise to be an active member who gives substantial contribution for the development of the Community. *(Applause)*

I cannot end my speech without paying tribute, once again, to the Speaker of the EALA and to all Members of this Assembly for your support to the process of Burundi's integration into the EAC. I once again wish you a wonderful stay in Burundi, as well as fruitful discussions. *(Applause)*

It is with these words that I solemnly declare open the Sixth Meeting of the Second Session of the East African Legislative Assembly. Long live prosperity within the East African Community; long live the East African Legislative Assembly; long live Burundi's Parliament. May God bless you! Thank you. *(Applause)*

Vote of Thanks

Mr Bernard Mulengani (Uganda): Your Excellency Pierre Nkurunziza, the President of the Republic of Burundi; Hon. Speaker of the East African Legislative Assembly; the Hon. Speaker of the Senate; Your Excellencies the Vice-Presidents; the Ministers of the East African Community from the partner states led by the Chairperson, Council of Ministers; the Ministers of the Government of the Republic of Burundi; my colleagues, the Members of EALA; members of the diplomatic corps;

the security representation; leaders of the Opposition in this country; all protocol observed:

Mr Speaker, I am privileged to rise on behalf of my colleagues to move a vote of thanks. On the onset, I want to join the Speaker in thanking the President for having found time amidst his busy schedule to accord us his presence in our sitting on this morning. (*Applause*) The President has hinted on various issues, and I beg his indulgence to allow me to use some of his words as I move this vote of thanks.

First of all, I want, on behalf of my colleagues, to thank him and the people of Burundi for the decision they took to join the East African Community. (*Applause*) I also want to thank him for recognising the importance of peace and security in Burundi, which is in tandem with the objectives of the Community. To the extent that the Community has gone ahead to form a full office of the Deputy Secretary-General in charge of Political Federation, who will also look over the item of peace and security in the region, it is testament that the Community craves peace and security. We also have an office for Defence liaison, which is actually working in line with the Deputy Secretary General in charge of Political Federation to ensure that there is peace and security in the region.

It has been increasingly evident that as we come together, all Partner States that have been having insecurity are seemingly becoming secure, and this is a positive thing for the integration process. (*Applause*)

Mr Speaker, in his speech, the President mentioned that his country is abiding with the EAC Customs Union Protocol. Burundi has gone ahead since July 2009 to implement the common external tariff and to eliminate taxes on intra-trade within the region. This is a positive gesture that we want to encourage, and we thank the President for attaining all these achievements within the period they have been in the Community. (*Applause*)

The President has also encouraged the Assembly to continue its policy of rotational sittings within the Partner States. He said that this is the only way we shall contribute to the global achievements of the Community's integration. Furthermore, he hinted that the issue of political federation had been received positively by our brothers and sisters from Burundi. He emphasised the fact that there is a requirement of continuous sensitisation.

The gesture of the rotational meetings of the Assembly has also been highly commended by the President. Our rotating around the region while holding our meetings is one way of bringing the East African Community to the people. I want to thank the President for specifically emphasising that fact. As you may realise, all the Presidents that have addressed us have come out openly in support of the practice of the Assembly to rotate around the Partner States. (*Applause*)

The President also mentioned the Kigali Retreat, and he emphasised that it is a culture of collaboration. This statement is heavily loaded. It is a culture of collaboration within the institutions and organs of the EAC. As we move towards full integration, the President is emphasising the fact that these retreats should become annual and be heavily budgeted for. Mr Speaker, I want to encourage His Excellency the President of Burundi to ably convince his colleagues at the Summit and address this issue of the retreats similar to the one in Kigali. (*Applause*)

Finally, I want to, once again thank the President for finding time to come and address the Assembly. We are honoured by his presence, and we feel the Burundians within the Community. *Asante sana. Murakoze chane! (Applause)*

The Speaker: Thank you very much, hon. Mulengani. I don't think I can add anything to that.

Hon. Members, before I adjourn, I would like to make some announcements. First, we are going to have a photo session for the Members of EALA with His Excellency the President right after the session. Secondly, I would like to inform our invited guests that there is a small cocktail at the lounge, and you are all invited to come and mingle with the hon. Members of the Assembly.

Finally, I would also like to inform you that you should remain standing for the National Anthem of Burundi.

ADJOURNMENT

The Speaker: With those remarks, I now adjourn the House until tomorrow at 2.30 p.m.

BURUNDI NATIONAL ANTHEM

(By the Burundi Army Brass Band)

(The Assembly rose at 11.50 a.m. and adjourned until Wednesday, 20 May 2009 at 2.30 p.m.)