



EAST AFRICAN COMMUNITY

EAST AFRICAN LEGISLATIVE ASSEMBLY

Official Report of the Proceedings of the East African Legislative Assembly

5TH SITTING – SECOND ASSEMBLY: SECOND MEETING – FIRST SESSION

Thursday, 21 June 2007

The East African Legislative Assembly met at 9.58 a.m. in Parliament House, Kampala.

P R A Y E R

[The Speaker, Mr Haithar Abdirahin Abdi, in the Chair]

The Assembly was called to Order

BILLS First Reading

The Chairperson, Council of Ministers (Mr Eriya Kategaya) (Ex-Officio, Uganda): Mr Speaker, I beg to move that the following Bills be read a First Time:

- i) The Lake Victoria Basin Commission Bill, 2007
- ii) The East Africa Community Customs Management (Amendment) Bill, 2007.

Bills read a First Time.

The Speaker: The Bills stand committed to the relevant committees of the House.

MOTION

That the Assembly do resolve itself into:

- a) A Committee of Ways and Means to consider and approve the Financial Statement;
- b) A Committee of Supply to consider and approve the revised estimates of expenditure for the year 2006/2007 and estimates for expenditure for the Financial Year 2007/2008.

Mr John Koech (Ex-Officio, Kenya):

Mr Speaker, first and foremost, I would like to give my thanks and appreciation to the Speaker of the Ugandan Parliament for giving the East African Legislative Assembly the opportunity to have their deliberations in their Chamber. I would also like to thank the Chairperson of the Council for working with the Speaker to ensure that we meet in this august House of the Ugandan Parliament.

Mr Speaker, we have been talking a lot about the East African Community and we want to see that the people of East Africa understand and know the existence of the East African Community as well as its implication on their lives. This is because when the East African Community was accepted after its collapse, the leaders - our presidents - were very concerned about the integration process in East Africa. Now we have come back to the Community as it was before. When the East African Community collapsed, I think it was the feeling of the people of East Africa that we should revive the Community.

I do remember, Mr Speaker, in 1982 when I led a delegation of Kenyan Members of Parliament to Uganda, we had a chance to visit a good part of this country, and when we were in Gulu we met some people from there and they were asking us "when are you going to revive the East African Community; it was good for us!" I believe these sentiments were the same all over East Africa. And now that the East African Community has been formed, I think it is extremely important that the people of this region know of its existence and the benefits we can derive from working together as the people of East Africa.

Mr Speaker, I believe that our coming to Uganda for the summit and also being in this Parliament is going to send some very positive signals to the people of Uganda that indeed the East African Community is in existence. I think this is a very good gesture, and I hope that even as we continue in this session we shall move to the other capitals like Nairobi, Dar-es-Salaam, Bujumbura and Kigali so that we are known as the people of East Africa. I don't think there are better ways we can encourage and make the people know about the East African Community other than through our travels.

I want to congratulate the Members of the first EALA because I know that they travelled all over East Africa...I can see that hon. Lydia Wanyoto is happy, but some of us have not travelled anywhere. I am happy I have travelled in Uganda...in fact I have travelled more in Uganda than I have in my own country and I have travelled very little in Tanzania. But I think that as Ministers in charge of the East African Community, we should also follow their example. We really need to go to the various parts of East Africa so that the people of East Africa feel that we are there, that we are doing a good job for them and that what we want to do is to upgrade their lives and reduce poverty in the region. So, this stay here is of extreme significance, and I thank you, Mr Chairman, because you made sure that we came here. We shall also make sure that you come to Nairobi.

Secondly, I want to congratulate Members of EALA that finally they have been sworn in and I want to thank them for their patience. At times of course they approached us, especially me in Kenya, because the problems were in

Kenya and I was frequently asked, “When are we going to move?” I felt like running away from them at times, but I thank them for their patience because they have been patient for almost one year and I found that they never lost hope. Congratulations for being sworn in and for being patient – *(Applause)*.

Mr Speaker, EALA plays a very crucial role in the integration process. As I said before, the previous Members of EALA travelled all over the region. I believe that this group that has come in is quite enthusiastic, highly motivated and I believe that they will also be able to travel all over East Africa and preach the gospel of integration; even political integration. This is because we need to tell our people the benefits. In some areas some people have a lot of fear that if we continue integrating there will be domination by others. I think this is something that is not based on information, and I think that when our people eat and they meet together, they begin to see each other as brothers and sisters, so the fears that we have will not be there.

Mr Speaker, I do remember that when we came up with the Customs Union there was a lot of fear that there was going to be some loss of revenue by some countries, but when the Customs Union came, there was no loss of revenue. Every country in fact registered an increase in revenue collection. So as we move, even some of the fears that we have will not be there.

Mr Chairman you will remember when we went to Europe and we talked to the European Union - especially when we were in Germany - and we asked them

how they started the process of integration, what they told us was, “We moved slowly by slowly but we took a pragmatic approach towards integration”. I think we in East Africa also need to take a pragmatic approach towards integration. There could be fears but let us move. Some of the things that we feel are real problems to us can be left aside. As we move, we shall gain more confidence, get to new horizons and begin to understand that our fears may not be necessary at all.

Some of the fears that have been outlined about fast-tracking the political federation include the fear by some countries that if we pursue right of residence and free movement of persons there will be unemployment problems and their land will be taken away. I think we shall be able to address these fears and make sure that nobody takes anybody’s land or job. We have got to work in such a way that every country benefits from the integration process. And the people of East Africa, especially the Members of EALA, will play a very crucial role in this.

I repeatedly told the members of the First EALA that they were more East African than we were, and this is true because they played a big role. Even when it came to the Wako Report on fast-tracking the political federations, they played a very crucial role because they were always in Arusha and they always looked at East Africa on a regional basis. The problem with us, even as ministers, is that we still have a heart for our own national governments and we may not look at East Africa on a regional basis. We need to change that, and I believe that as we travel and move in this region, we shall also be able to

change our attitudes and see that we work on an East African basis with an East African perspective. I think we can achieve that.

I am happy that the chairperson has been saying that we should move, and I know that he is going to make arrangements for us to move. Mr Chairman, I believe that I will join you. My biggest problem of course is that we are almost going for elections – (*Laughter*) – but I will steal a bit of time occasionally to campaign for East Africa besides campaigning for my constituency, because we must create time for some of these things and we should have fears. I hope that we will be able to move.

Mr Speaker, the previous Assembly also passed quite a good number of Bills, and I am happy that I was associated with the passing of these Bills like the Customs Management Act and the Standardisation, Quality Assurance, Metrology and Testing Bill, which are now acts of the East African Community, and I can see that there are quite a good number of Bills that are also coming, like the Bill on Lake Victoria Basin Commission. As we know, last week the President of the Republic of Kenya, as the Chairman of the Summit then, inaugurated the Lake Victoria Basin Commission, and we have a Bill to make sure that we operationalise the activities of the Lake Victoria Basin Commission. I am now very happy that this house has started sitting because we can now pass that Bill to enable the full operation of the Lake Victoria Basin Commission.

Lake Victoria is a resource that has been made by God for the people in this region, but because man is selfish, he

divided the lake into the Ugandan portion, the Tanzanian portion and the Kenyan portion. However, the lake is an entity and it is very difficult to utilise it when you are looking at it on a national basis. It is good that now we are going to utilise it on a regional basis and that we are going to conserve it on a regional basis, which is natural. I think that is what God wanted us to do because when He created this Lake, He didn't intend for it to be dismembered by the three countries.

We shall beg God to forgive us for that because we are now cleverer; we are now going to utilise the lake on a regional basis. And if this is going to be done, I think even this question of the receding levels of the lake is going to be a thing of the past. This is because we will look into the conservation of Lake Victoria; take care of the water catchments areas and also the utilisation of the lake itself. And this is very important.

I do understand that the mapping of Lake Victoria took place a long time ago, and that is why some ships have been having accidents. Now with the acquisition of the MV *Jumuiya*, which was given by the DFID, I think it will do a lot of work. It will do research on the lake and at the same time it will be used to map out the routes on the lake so that we shall have very clear routes for the ships. I am anticipating a situation where we are going to have *dala dalas* and *matatus* on Lake Victoria. That is of course *matatus*, which move on the water.

Our people will be moving from Kisumu to Entebbe and from Entebbe to Musoma, and these are some of the

economic aspects regarding the use of the lake. And if the lake is going to be mapped, then it is going to be safe to travel on those routes. I also hope that it will be cheaper to travel along the lake rather than on land, because honestly the people travelling from Kisumu to Homa Bay were making a long detour, but when they begin using the lake, it will be much easier for them.

We also have a lot of tourist potential on Lake Victoria and if we harmonise all the activities on the lake, then there will be an increase in economic activities and also employment opportunities for our young people. I know that in East Africa, with the great growth in population, the number of young men who are leaving high school, colleges and universities have become so many. What are we going to do with these young people? There is an unemployment problem. I understand that in Uganda you call it “streetology”; that is the science of walking on the streets when you are not employed. In Kenya we call it “tarmacking” or “tarmacers”. Those who don’t have jobs “tarmac”; they are always on the tarmac, they don’t have an office.

I think in order to reduce this problem of “tarmacking” and “streetology” we need to be proactive: start with all these activities on the Lake, the tourist attractions as well as a good amount of the infrastructure as was illustrated by the chairman very well in the Budget. In this way, we shall be able to engage a good number of our young people in gainful employment. It is important of course for the people of East Africa not to look at employment per se, because sometimes people struggle and say, “If our own man is in State House or in

Parliament we will get jobs” but how many jobs can be created by any government in East Africa? In Uganda you cannot take all the young men from Makerere University, leave alone other universities. In Kenya it is the same, because the opportunities in government are very few.

The only challenge now is creating an environment for the private sector to develop. The private sector will then create more employment and business opportunities for the young people. I think it is good to advise our people that instead of looking for jobs they should also start businesses like the Asian community. I commend the Asian community because they do a lot of business and they are very serious. They do business 24 hours! But I think our people have not yet got into that spirit. If our young people leaving the universities can start in a small way, they can also be very big business people in future.

I remember going to one factory in Kenya that belongs to some Asians and I really got challenged. I found out that those people are selling *mabati* in New York. They make the *mabati* in Mombasa and sell it in New York; they sell *sufurias* in France! So I think we should change our attitude, especially our young generation. We should make sure that we create business opportunities so that they can be able to get some source of livelihood and not only look for jobs. So, the East African Community being a region of more than 120 million people provides the opportunity for greater investments and greater investment opportunities.

Mr Speaker, we have seen that our budget has increased because of the coming in of Rwanda and Burundi. I want to urge the Secretariat that some of the programmes that we have already earmarked for development be implemented, because it is very important that we implement these programs because you might find at the end of the year that you have not implemented them.

Just before I end my speech, Mr Speaker, because I don't think I am going to speak for a long time as everything has been explained very well by the chairman, on the question of political federation I think we have undertaken sensitisation programmes and our people have made some very positive comments. They have also given us some challenges that we need to address. I believe members of EALA will be able to explain to the people of East Africa how we can continue in political federations.

Mr Speaker, honourable members can see that we are having a different Assembly. For those of you who were not here and for the Members of EALA who were, the ministers were always absent but you can now see that there is no absence of ministers. Dr Msabaha had a commitment; he was to come but he was going to vote in his own Parliament. He said, "Give my apologies to the Members". I know that he will be with us in future. However, we are more than a quorum; we are two instead of three so we have about 70 percent presence of the ministers – *(Applause)*. This has been made possible of course because our presidents have found out that the East African Community is extremely important for the people of

East Africa. This is why they have appointed us and given us only one job...to be in charge of East Africa.

Sometimes people think that this job of being a Minister for the East African Community is something small. I find that there are so many things to do if we are really to meet the challenge of being the ministers in charge of the community. The coordination of all the activities of all the ministries is not a small job. It is also something that allows you to know more about the East African Community as well as the business activities in this region and to be able to advise the people on what can be done. So, the challenge is big, and it depends on the way we are going to conduct ourselves. Otherwise, the ministries are very strong and they are very important for this region.

I am happy and I want to thank our Heads of State for seeing to it that we have ministers in charge of the East African Community only. In fact it was this House that recommended that there should be ministers in charge of the East African Community. So I congratulate those who were here before and I believe that even those that have just come see a need for having ministers who are solely in charge of the East African Community.

Mr Speaker, I would like to commend the chairman, and I believe we shall be saying more. I beg to support – *(Applause)*.

Mr Dan Kidega (Uganda): Thank you, Mr Speaker. Allow me to thank you and the House Business Committee of this Assembly for standing very tall and firm to make sure we have this Budget and

this sitting in Uganda. I would also like to thank the Parliament of Uganda for creating space for us to sit in their chambers – (*Applause*).

Mr Speaker, I was further humbled by the presence of the Speaker of the Parliament of Uganda and his Members in the gallery who attended the presentation of our budget. I was humbled because they got the feeling of how voters feel when they sit in the gallery. I think that was great humility and I must really commend them for that. I would like to further salute the good stewardship of the Summit of the East African Community for the good work they have been doing since last year in November to bring on board Rwanda and Burundi – (*Applause*). It has given us strength in all dimensions and it has made the Community more visible. I must therefore repeat that we are very grateful -I am personally very grateful for that good leadership.

Mr Speaker, turning to the budget, this Parliament has the responsibility to pass the budget, but I think it is not only just passing the budget. I would like to address myself to the process of building this budget. This one-off work of passing the budget is good, but how the budget is developed to this level is more crucial than just pronouncing ourselves on it. I am not yet so sure of how much input the Assembly brings on board in the process of developing these budgets. It is my humble plea and request that this Assembly be part and parcel of the process of developing the budget of the EAC right from the beginning – (*Applause*) - not just to come and pronounce ourselves on figures.

Mr Speaker, without hurting or breaching the provisions of sub-rule (5) of Rule 43 of our Rules of Procedure, allow me to comment on three issues that came out very prominently in the Budget Speech, of course not forgetting to salute the able leadership of the Council of Ministers that made a very people centred presentation of the budget. Mr Chairman of the Council, I really salute you. The budget that you have read is really people centred and it has touched on so many issues that are serious to the people of East Africa.

Mr Speaker, first, on the Lake Victoria Basin Commission, from the bottom of my heart I would like to thank and salute the able leadership of the Commission. I was privileged to have been part of the delegation from this Assembly that went to Kisumu for the launching of the Commission. I would like to thank in detail the Executive Director for the wonderful organisation that he presented to the East Africans. It was a very beautiful function. I would like to also give a very big thank you to the Government of Kenya for providing land for the Commission. The Government of Kenya has given five acres of land on which the Commission is going to have a permanent residence – (*Applause*). The Government of Kenya needs to be applauded for this, and this will give the Commission prominence and good working capacity.

However, Mr Speaker, I interacted with a few members of staff of the Commission, and I found out that the Commission is very skeletal in terms of staffing. They have I think about twelve to fifteen people working yet if you look at the responsibility put upon this Commission I think there is grave need

for manpower to be brought on board in this Commission if they are to undertake and perform the tasks required of them.

The other thing that I observed about the Commission is that most people perceive the Commission's visibility and operations more or less like an NGO that continuously siphons resources from some donor community to have its operations moving. I would like to implore the Council of Ministers and the Secretariat that for this Commission to do its work well, it needs to be given a lot of resources right from finances to the human resources

Still on the Lake Victoria Basin Commission, Mr Speaker, everyone praises Lake Victoria as the biggest resource that we all share and need, but I really need to be informed about the dangers there are right now on the lake. I went to one of the landing sites from Kisumu when I was trying to interface with some of the fishermen there. The thing they expressed to me, which they think is a big threat to them, is the presence of the water hyacinth that has become very prominent on the lake. I think the Commission and the Community as a whole must address itself in detail to the water hyacinth on the lake. The fishermen told me that even transport on the lake has become very difficult because of the water hyacinth.

I think that the Community and everybody in East Africa must look at this problem as a serious issue because if the water hyacinth is not dealt with soon, a lot of things are going to happen, one of them being that our people who are interested in investing in water transport...I found a man who wanted to

introduce a private vessel that can move from Kisumu to Port Bell and several other points along the lake, but his main concern was that unless there was a comprehensive programme to clear the water hyacinth, his private venture might not operate well. So I think the Commission must work very hard to make sure that the water hyacinth is dealt with. Also, the other activities that are going on around the lake...the majority of our people living in the lake basin are very ignorant of the danger they are causing to the lake. So I think there is need for massive sensitisation of the fishermen and the people doing agriculture around the lake, in order to ensure that the lake is preserved.

Mr Speaker, the second issue I want to comment on is the issue of the education sector. We were also lucky to have visited the Inter-University Council of East Africa. I would like to thank the executive secretary of this institution. I was personally very impressed and humbled when he told us that since the collapse of the Community in 1977, they have kept the Council alive. I want to thank them very much for keeping this institution alive.

He further detailed to us that they have made savings out of the contributions they have had. I found this very unique, Mr Speaker; amidst a growing culture of corruption in this region, you find an institution saving money! I think the executive secretary needs to be applauded for this good culture - (*Applause*). Apart from that bad culture of corruption, you know most of us are not very good at saving. So I really want to thank the executive secretary and the entire staff of the Inter-University

Council for that good attitude and good spirit of work.

Mr Speaker, the executive secretary presented to us the request of the institution that based on the savings they have made, they are looking forward to breaking ground on which to build their own permanent home in Uganda. They further said that they would like the Government of Uganda to give them land to build their home. I hope Uganda is not going to shy away; I am sure we are going to follow the example of Kenya. I am sure the Chairperson of the Council of Ministers, who is also a minister in this country which has a good policy of supporting investment by giving land, and with a very industrious mayor we have in this city, I do not think that this request will land on dry rock. I, therefore, implore the Government of Uganda to heed to the request of the Inter-University Council of East Africa and provide them adequate land to build a permanent home such that East Africans can enjoy the services from this institution – (*Applause*).

Mr Speaker, still on the education sector, one thing that intrigued me very much was the issue of standards, which we raised with the institution. We have a problem, particularly with the private universities. The borders have become very porous in terms of movement of students. We have so many private universities but most of these universities are not conforming to the standards required of a university. The executive secretary told us that within his realm of control, he deals with both public and private universities that have already been chartered. I think it is important for the member governments to work faster to charter private

universities so that they can come within the ambit of control and monitoring of the Inter-University Council of East Africa. Some universities continue to admit students who have been rejected by other universities that attach great importance to standards. So I think the issue of standardising admission and curricula in the universities of East Africa must be taken on very seriously if we are to get well-trained human resources that can serve in the global economy.

Mr Speaker related to education still, one time when I was still a member-elect, I was invited to go and talk to some students at Makerere University from Uganda, Kenya, Tanzania, Rwanda and Burundi. They were gathered at Makerere and one of the issues that came up was the extra levy being put on “foreign” students. East Africans originating from Kenya coming to study in Uganda are charged an extra fee. I was intrigued, and I think these are the issues that if dealt with, the local East African would feel the presence of the Community. I can give you an example, Mr. Speaker.

If you are a student from say Tanzania or Kenya and you want to come and study at Makerere University to do your Masters, say, in Law, your tuition fees will be US \$7,500, while the East African of Ugandan origin will only pay US \$3,125. This kind of sectarian charging of students does not promote the spirit of the East African Community. I think here the Council should help us to look into such kind of segregation so that all students are treated equally. There are even permits required of these students that go for almost US \$1,000. Mr Speaker, I think

through our able leadership of the council these issues should be addressed such that the ordinary East African can feel the importance of this Community and the federation to come.

Mr Speaker, the fourth issue concerns the East African Community re-branding project. To me this project is a very serious project and the most important project. The re-branding project is supposed to revamp the visibility, the publicity and the outreach programme of the Community to the East Africans. For those of you who have been keen in listening to FM stations, reading newspapers and hearing comments from the public of Uganda, the public outside there is complaining and saying that what is going on now is a preserve of the politicians, and that it is the political class that is enjoying this Community and federation. They say, they are doing it for their own interests.

I must commend the process of fast-tracking. They have lent a lot of synergy to the process of reaching out to the population. I would like to thank the able leadership of our fast tracking committee of Uganda, which has managed to reach almost all parts of this country. However, there is still a huge problem in terms of reaching out to the people. The people out there think that the politicians - we, the Council and the Summit - are just in a club of politicians creating a situation of enjoying ourselves in power. This project is supposed to work so hard to make sure that information is taken down to the community. I would think that this institution of the East African Legislative Assembly is the people's voice and is in the best position to be the vehicle to deliver the publicity message to the East Africans. I have not yet

critically seen in the budget speech, or maybe the project document which I have not yet studied, how the East African Legislative Assembly is on board in that project, in terms of reaching out to the people. It is my humble appeal, that the process – *(Interjection)*

Mr Bernard Mulengani (Uganda): Thank you hon. Kidega for giving way. Mr Speaker, on that particular point I want to give information on the issue he is raising. Given the fact that we were given documents on short notice, he is right. He has the ability to peruse through the documents but possibly he did not have enough time to peruse through all of them.

I want to refer hon. Kidega to the MTEF of the East African Community for the financial year 2007/2008. On page 61, amongst other activities that are highlighted is political federation. On page 63, in the justification for the budgetary proposals for political federation, the programmes are entrenched. If I were allowed I would read it, but in the interest of time I will just quote the last paragraph: *“The programmes in the form of one-day workshops will be presided over by the Secretary General (or the Deputy Secretary General in charge of Political Federation) and the Ministers of the East African Community Affairs in the respective Partner States.”*

I want to inform hon. Kidega that this is the document we are here to debate - the report by the Chairman of the Council - but it is not portraying anywhere, regarding the issues of political federation, the role of the East African Legislative Assembly - *(Applause)*. This

Medium Term Expenditure Framework has left some activities without attachment of responsible persons, but specifically that particular item has been entrenched and attached to people. Why? *(Interjection)*

The Speaker: Your contribution will be a bit later on.

Mr Kidega: Thank you, hon. Mulengani, for your information or mini contribution – *(Laughter)*. Of course these are the issues, Mr Speaker. The people outside there are not happy. They are strangling us in the public court that we are creating a class of enjoyment and of making our lives comfortable as politicians. So this project...I think actually if there is one issue that is supposed to be fast-tracked in the Community, this is the one. Also, in the fast-tracking process, relevant organs like the Assembly must be given a critical role. The fast-tracking committees have a life span, which is collapsing around 30th of June, but the sensitisation of and delivery of messages to the population is a continuous process, and I think the people's voice is best suited to do so.

Yesterday I was walking around a place and people swamped me because the East African issue is a big debate right now in Uganda because of the presence of all the organs here. They said, "You tell us how we are going to benefit." So I looked around, and I picked one man whom I knew was a farmer and I said to him, "I know you so well. You grow a lot of rice and with the coming on board of the common market you are not going to sell your rice only in Uganda. The Kenyan people eat more rice than us because we eat more of *matooke*. You

are going to sell your rice in Kenya at a higher price and you will have more money." The man was really happy. However, such simple messages are not being taken down to the population.

So, it is my humble plea that this Assembly is given very good capacity in all forms to ensure that it reaches out to the population because, short of that, we will start looking for funding from outside, and we will water down the institution of the Parliament. The institution of Parliament is not supposed to go begging for money from some donor organisations or NGOs to perform its function. I thank you very much Mr Speaker – *(Applause)*.

Mr Clarkson Karan (Kenya): Mr Speaker, it – *(Interjection)*

The Speaker: Honourable member, like I said yesterday, please introduce yourself; give your name and your constituency.

Mr Karan: Mr Speaker, in compliance with your ruling of yesterday, I want to say that my name is Otieno Karan. I represent the constituency of Kenya in the East African Legislative Assembly.

Mr Speaker, let me also take this opportunity to sincerely thank the Government of Uganda. When we were coming here, we did not know that we would be welcomed. But now that we are sitting in this National Assembly and the Speaker was here yesterday, it gives us hope because the original conception was that we were not welcome to come and make this presentation of the budget here. Thank you for accepting us. We now know that some information may not be in the interest of the East African

Community, and we will always disregard them.

Let me also take this opportunity to thank the Council of Ministers for their able stewardship, and also to thank the Minister, the Chairman of the Council, who ably presented the budget speech yesterday. Let me also take this opportunity to thank my colleagues for being patient during the last seven months of persecution. Now that we are here, we look forward to working for the people of East Africa because that is what we were elected to come and do.

Mr Speaker, the budget speech touched on a number of things and they are pertinent issues, but what is left to be seen is whether the Council of Ministers will live up to the budget speech because that is what will bring about the success of this Assembly and the success of the East African Community.

Mr Speaker, I want to thank the people of Rwanda and the people of Burundi for joining the East African Community because it has given us a wider scope of operation and it will make the East African Community more vibrant. Let me also take this opportunity to thank the Council of Ministers and the Members of the First East African Legislative Assembly for ensuring that we were able to launch the Lake Victoria Basin Commission in Kisumu last week but one, because this commission will be responsible for the development of Lake Victoria, which is the common shared resource. I want to say that LVEMP I, which worked on Lake Victoria in terms of removing the water hyacinth, did some good work but there were so many things lacking, because the water hyacinth is back on the Kenya side of the

lake. It was removed just two or three years ago, and it is back. I think there must have been something wrong somewhere. I have had an opportunity to see the Uganda side of the lake and it is not there. What mechanism was used to remove the water hyacinth on the Ugandan side that could not have been used on the Kenyan side?

Surely, with the presence of the water hyacinth on Lake Victoria no economic activity can be undertaken. We are talking of transport on the lake, improving fishing, and a number of activities that should be carried out on Lake Victoria, but unless the East Africa Community and its organs take the removal of the water hyacinth out of Lake Victoria seriously, we are just in the usual game of getting money and using it for other activities, and at the end of the day we will remain with the same lake on which we are not able to do business.

Mr Speaker, I had the opportunity to be the Mayor of Kisumu at one time, and I am happy that there is now LVEMP II coming in terms of what was read in the budget. I made some input when I was the Mayor in Kisumu. Mr Speaker, we want this job to be done well because if it is not properly handled, the environmental degradation will pollute that lake and we will never be able to derive benefit from it.

The other issue, which must be addressed, is the pollution of Lake Victoria. I feel ashamed that most of our cities are still polluting this lake, and I think if the East African Community has not reached a stage of properly controlling that one, it must be able to tell the parent government to ensure that

pollution is eradicated from their sides through the local authorities. I want to say that Kisumu City Council was one of the polluters of Lake Victoria but that pollution is outside the scope of the local authority. It must be tackled together with the parent government so as to make sure that pollution is not a sight when we take our visitors around Lake Victoria. Mr Speaker, once the Lake Victoria Basin Commission is operationalised, it will be on the spot and will have a lot of work to do for the people of East Africa. Therefore, it must be properly funded and properly staffed so that we do not have problems in its operations because it is the livelihood of the people of East Africa.

Mr Speaker, I also want to add my voice to those of the Members who have talked about the Inter-University Council, which we had the opportunity to visit. I do agree that there are protocols which actually have been controlling the operations of these institutions from the time they were put in place, but the scope of a protocol is so narrow that it cannot allow an organisation to operate and be able to take care of the problems we have in the East African Community.

I was a bit amazed when among the list of the Bills I did not see a Bill to be enacted to take care of the operations of the Inter-University Council. In the Budget Speech, Mr Speaker, I do not know whether it is there or not, but I did not see it. I do not know whether it was an oversight. But if it is there, it is one of the Bills, which must come to the Floor of this House as a matter of urgency because we need human resource and we need to be able to control the education standard within the East African

Community so that we have the right education for the operation of this community. Otherwise, we would be in a business that we cannot be able to justify to other people.

Mr Speaker, let me also say that whatever was not done by the First Legislative Assembly was because it was an institution, which was just starting and there were teething problems. But I want to say to the Council of Ministers that for the East African Legislative Members to be able to do their work well, they must have some offices where they can be able to operate from. We cannot be seen to be carrying these big books everyday back to our hotels and back to the *nini*. We will not be effective.

For us to be effective there must be these facilities for us to operate because we do not want you to say at the end of our five years that the Members of the East African Legislative Assembly never did any work beneficial to the East Africa Community. So, the issue of offices for Members must be properly addressed. Even if there are not enough offices for all Members, there must be a number of offices to accommodate the members so that they can be able to discharge their duties.

Well, I know the Council of Ministers also needs offices, but the speed with which they got their offices was amazing. They should also use the same speed to be able to allocate a few offices for the Members. (*Applause*) I am not saying that they are not looking at the welfare of the Members; I am saying that their actions should portray so.

Mr Speaker, I want to say that – *(Interjection)*.

Mr Koech: I wanted to tell the honourable member that the ministers in charge of the East African Community have already been given offices in Arusha –[Mr Karan: “Honourable Minister”]- I was just giving that information, but of course he has talked about the Members’ offices. You know we are building new headquarters for the East African Community. There should be a possibility.

Mr Karan: Mr Speaker, the information given makes it even worse – *(Interruption)* -

The Speaker: Honourable Minister, the Member was saying that the Members should also get offices with the same speed you got your offices. *(Laughter)* That is what he said.

Mr Karan: The information that the Council of Ministers has been given offices makes it worse. I know they are Members, but they are there not quite regularly. It is the Members of the Parliament of EALA who should be considered for those offices and I hope the Chairman of the Council of Ministers will address this issue and ensure that before we go through this year there will be offices at least to accommodate 10, three, four or five so that we can be able to discharge our business.

Mr Speaker, fishing is something that we cannot overlook, because that is the livelihood of about 30 percent of the members of the East African community. We must try to improve the life of the fishermen around Lake Victoria and to be able to do so we must

be in a position to be able to arrange programmes for the fishermen to be taught how to use the modern methods of fishing.

There is a problem at the moment. When the fishermen cross the imaginary borders in the lake, they end up being arrested. Why is this issue there up to now? If you want to talk to the community residents about the East Africa Community, I think we must be able to address this issue, even through the Summit. This issue of arresting fishermen because they have crossed the borders must be made a thing of the past. How do we go to speak about East African Community to the fishermen who were arrested the other day because they had crossed into Tanzania or Uganda?

This is an issue that the Summit must address as a matter of urgency because we want to do away with those borders and the goodwill must be seen. It is an issue we cannot keep on singing about. The First Legislative Assembly talked about it and we are now coming to talk about it. This issue must be addressed with speed, Mr Speaker.

The other issue is that at the borders there are still a lot of problems. Now, if the honourable members themselves are experiencing these problems, what about ordinary East Africans crossing these borders? So, when you want to address the people about the East Africa Community, what facts do you have to convince them that being members of the East African Community and being one entity will be something good if just the day before they had just crossed the border and they had to spend about one

hour trying to complete the documentation?

Mr Speaker, maybe because you are ministers when you pass there they just let you pass; you do not experience those things. But we as Members of Parliament go through those experiences. Sometimes you have to stay there for over 45 minutes. If a Member of EALA takes 45 minutes at the border and he is talking about East African Community, what justification do you have to give your people?

Mr Speaker, on the federation, I think something must be done. If this matter is to be addressed only by the Council of Ministers and the Secretariat, then we will not reach anywhere. There must be full involvement of Members of the East African Legislative Assembly to talk to the people, their constituencies.

We must also bring on board the Members of our parent national parliaments to talk to our people to be able to sell the East African Community as a matter of urgency. Otherwise, if we leave it to the technocrats who go on talking - and you know that the ordinary *wananchi* have their own feelings about the Executive, so when you go there they will think it is the usual business. But if this matter is handled by Members of the East African Legislative Assembly and the Members of Parliament from the parent parliaments, you will see the speed with which the people of our countries will accept this federation. However, if you want to continue to the extent that it is not clearly shown in the budget - as the information has been given - that there is no role for the honourable Members, then I must tell you, you must go back to the drawing

board to be able to live up to the reality. In the absence of that we will not be able to work.

I want to assure you that the second Parliament will live up to the expectations but it needs support from all the organs of EAC, and anybody who tries to undermine the East African Legislative Assembly will be undermining the people of the East African Community. These people have been brought here to work for the interest of the East Africans, and every organ or individual put in position to work for the East Africans must ensure that whatever he or she does compliments the work of each organ of the East African Community.

Mr Speaker, I do not want to talk about what we are supposed to do about the budget because I know the problems we have had, but next year we will want the budget to be done in a manner that we can be able to justify, that, "Yes, we talked about the budget and passed it." However, because of the constraints of time and the problems we have had, we may not be as effective as we are supposed to be in this budget, but we hope the Council of Ministers has the interest of the EAC and the job that they have done is in the interest of the East Africans, and we will be able to work in harmony. With those few remarks, I beg to support the budget – (*Applause*).

Dr Francis Nangale: Mr Speaker, I would like to congratulate you upon being elected the Speaker of this House – (*Applause*). I had the privilege of working with you very closely during the First Assembly. We worked together in the Committee on Trade and Investment, in which you always acted

as my “unofficial” co-chair. Your readiness to devote most of your time and energy to legislative activities despite your other business interests made all of us proud of you - (*Applause*). I want to assure East Africans that we have got an asset in you and an inspirational agent to the cause of the regional integration process.

Mr Speaker, I would like to congratulate fellow Members upon being elected, and some of us re-elected, to the second Assembly. I take this opportunity thank my party *Chama Cha Mapinduzi* for nominating me once again and the Tanzania Parliament for re-electing me to represent the people of Tanzania in this Assembly. As I serve my last term, I hope this Assembly will consolidate and take us from where the first Assembly left.

Mr Speaker, the Assembly will miss the expertise and charm of our dear *Hansard* Reporter, Sam Chesire, who died at the beginning of this week. May God rest his soul in peace!

Mr Speaker, I would like to commend the Chairperson of the Council of Ministers, the Rt. hon. Eriya Kategaya for his detailed and well balanced budget speech yesterday. It covered all aspects of the budget, which we are being asked to debate this morning. I will dwell on four aspects as I contribute to this debate.

One, it is clear that the Community has come a long way in terms of negotiating towards the Customs Union, in terms of preparing for the Common Market and in terms of the accession of Rwanda and Burundi to the Community. The way forward therefore is to consolidate the

achievements and face the challenges ahead more aggressively with zeal and speed.

The people of East Africa are looking forward to the output; they want to see outputs. The good news is that this budget represents 76.6 percent increase in Partner States’ contribution, which to me reflects both the commitment and the political will of our governments to this cause. However, the activities have increased and we need to explore more means and sources of funding. In the First Assembly we mentioned a number of sources, which we suggested should be used. I call upon the East African Community to explore these sources: things like levies, like getting some percentage of the customs collections and many others.

Mr Speaker, I would also like to talk about what happened in April 2002 here in Kampala. The Summit of the East African Community directed that in matters related to the World Trade Organisation (WTO) and the ACP/EU trade negotiations, all Partner States should negotiate as a block, but instead the Partner States decided to configure themselves into different groups. Consequently, the First Assembly, through a Private Members’ Bill demanded an adherence to this directive. However, the Council of Ministers asked the Members to withdraw the Bill for it to be reintroduced to the House by the Council. Unfortunately, that did not happen.

Just two days ago, the summit, again here in Kampala, noted in principle that there are benefits for the EAC to negotiate as a block in Economic Partnership Agreements (EPA) in the

interest of consolidating the EAC Customs Union. To my surprise, none of the planned legislative programme which was pronounced yesterday included the introduction of the particular Bill on negotiation as a block. I demand that the Bill be reintroduced for consideration as a matter of urgency, Mr Speaker.

Thirdly, besides its legislative and oversight functions, the Assembly represents about 115 million people of East Africa. It has the duty to go back to the people and report what is happening at the East African Community and get the views of the masses on the integration programme. And here I am referring to the outreach function.

Without saying many words, Mr Speaker, I want to see the funds that are allocated for outreach re-allocated to the EALA budget rather the different organs. The Secretariat's core function is to facilitate the East African Community administration and to coordinate management of the protocols and laws, including the Customs Union and the Common Market.

The Lake Victoria Basin Commission's core function is to coordinate and manage Lake Victoria development programmes, which activities I am sure the current management of the Commission is well vested to do. The Court of Justice's core function, as we have seen recently, is to interpret and settle disputes arising out of the operationalisation of the Treaty. The re-branding project, for example, is a project designed to sensitise the people of East Africa, and it is basically an outreach programme. I would request this particular project to involve the East

African Legislative Assembly in a big way.

Mr Speaker, looking into the future, infrastructure development has been emphasised in the budget speech. This is fundamental in improving the regional economic and social status of the people of East Africa. However, one thing I would like to mention is that we need to explore other areas of promoting infrastructural development, and one area is networking the region in terms of petroleum pipelines. Already Kenya has a pipeline running from Mombasa, through Nairobi to Kisumu. I would like to see plans to connect the other towns and other areas such as the regional areas of Lake Victoria like Mwanza, Musoma, Bukoba and others. This will help to improve the living conditions of the people in those areas. As we expect petroleum drilling to start in Uganda in the next few years, plans to have pipelines networked throughout the region should be put in place as soon as drilling starts.

Mr Speaker, taking into consideration the matters that I have raised, I support the motion. *Asante sana – (Applause)*.

Mr Augustine Chemonges Lotodo (Kenya): I would like to say that the importance of the federation cannot be underestimated given the fact that we know the benefits of United Nations, WTO and all regional bodies in the world. Therefore, I really want to thank the presidents of the three countries, and also Burundi and Rwanda for joining the federation because the federation will actually put our resources together, and working from the economies of scale, we will be able to better our living standards within East Africa.

One issue that I would like to stress is that we can never have a good environment or progress in a state of insecurity. I was really happy when the Chairperson of Council of Ministers in the budget speech said that the issue of peace and reconciliation is a very important item in the federation process.

I come from a region that has problems, and I thank the Government of Kenya because for the first time we got members from the minority parts of the country where we have problems. Therefore I want to say that this will give us an opportunity to talk to our people, and maybe make peace, because for whatever we are doing, if we do not have peace in East Africa, we will not achieve anything.

I was very happy to hear the President of Burundi, H.E. Nkurunziza, talking of having been in Dar-es-Salaam trying to make peace with the opposition leader. I think that is a step forward in realising our dream of East Africa because in an environment of war there can never be progress in economics. So, I want to say that peace should be an important issue. As much as we talk of everything else, let us ensure that we have peace in Northern Uganda, in Burundi, in Rwanda and in Northern Kenya, such that we are able to move in the same process. So, it is my concern that we address those issues.

Another thing about people who are always in conflict is that we have been using systems or tactics that are not result oriented. We cannot continue bombing our residence of East Africa as if that is the solution. We have to change strategies. Let us talk to them. Let us try

to understand why they are quarrelling or fighting. Sending the army is not a solution. We have achieved the same in Southern Sudan and all over in the world. So, I would like to appeal that we should try and change tactics rather than bombing our own people as if it is the only means to understand them or communicate with them.

Another issue is to do with the Lake Victoria Basin. I would like to say that one of the major failures of the first Commission was that they failed to address the problems of Lake Victoria. I can assure you right here that the catchments area of Lake Victoria Basin is depleting. There is deforestation going on. If you look at the Chereng'anyi areas, in the part of the catchments area of Lake Victoria where I come from, trees are being cut day in and day out. So, I would like to say that as think about Lake the Victoria basin, we should think of the ways to sustain the catchments areas. Let us send experts there, plant more trees and conserve the source because without the source which will bring rain to the lake, we will be doing zero work.

Therefore, it is my appeal that we pass this Budget we should emphasise going to the source of the entire Lake Victoria basin and try to protect those sources by planting trees and by ensuring that nobody interferes with the catchments areas so that we can have sustainable water flow into the lake so that we can harness the benefits therein.

Talking about the budget, I concur with what my colleagues have said. I agree that because we have just been given this budget, we have not had enough time to go deeply into the issues. However, the

next time we should be given opportunity to interact with the relevant committees that deal with the budget first so that by the time it comes to the House, we are quite aware of what we are talking about.

I also want to address the issue of resources in the budget which will be sent out to the other organs of the Community. I would like to appeal that the resources sent out should be well utilised. Nowadays we have a common concept of rapid results initiative. We also have performance contracts. I would like to see that the money or the taxes collected from East Africans are well utilised. So we should subject all those organs that are going to receive this money to be on performance contracts such that the East Africans get value for their money.

Another issue is about the publication of the East African Community journal. We have realised that other organs are not even reflected in the journal. When we have a publication on the East African Community, we should have articles on all the organs highlighting and explaining what they are doing. Many times the emphasis is only on the Secretariat issues, or issues of visitors, and what other organs are doing is not captured. Anybody reading the journal should be made to get a clear picture across the board on what East African Community is doing.

To wind up, I would like to say that - as my colleague has said - I thank the process of the national coordinating committee on the fast-tracking process for the job well done. However, I would also like to say that we had a walk the other day, which was good but it was not

well mobilised. I felt we would have done more if we had seen so many people in the streets of Uganda following us. I am sure it would have sent a clear message to the Western world that actually we are together in addressing the issue of federation. But we were only there with school children. I think the next time we should perhaps change the strategy, and maybe give the legislators a chance so that East Africans can have a chance.

With those few remarks, Mr Speaker, I beg to support the motion.

The Speaker: Honourable members, before I call on the next speaker, I would like to recognise the presence of Members of the Uganda Parliament; hon. Kiyingi, hon. Kasasa, hon. Godi and hon. Wasike – (*Applause*).

Ms Catherine Kimura (Kenya): Mr Speaker, sir, I wish to join my colleagues in paying tribute and thanking the Ugandan Parliament for allowing us to hold our meetings in this August Chamber. I also thank our Uganda Chapter for arranging our stay here and playing hosts to us.

Mr Speaker, I congratulate the Chairperson of the Council of Ministers for his budget speech, which enumerated the various activities that the Community will undertake during this financial year. I specifically want to turn to the area that he mentioned and spent a lot of time on: this is the area of industrialisation for our countries. This is a golden opportunity for the countries of East Africa to rethink the bedrock of their economies.

For many years, our countries have prided themselves in being agriculturalists; they export major commodities like coffee, tea and others, including maybe even our fish, but we are being overtaken by some of the newly emerging countries who believe that they can compete with us in the area of agriculture.

Our tea is under siege from Vietnam, which is now producing tea, and I cannot underestimate the Western world in producing even synthetic coffee to compete with ours. So, Mr Speaker, it is time that we emphasised industrialisation in our countries. I believe that it is industrialisation that will combat the sickness of “streetology” and “tarmacking” for our youth. I, therefore, commend the minister that in his speech he did talk about a budget that will focus on employment creation, which employment will benefit our youth.

However, Mr Speaker, I have not had the opportunity to really go through the budget documents and to analyse the Medium Term Expenditure Framework activities to see how this particular strategy has been entrenched in the budget. One would expect that if this is going to be our focus, that indeed if we are going to emphasise the area of industrialisation and investment in order to alleviate poverty and enhance the standards of living of our people, we would need to entrench these activities in our budget. As I said, I have perused it in a hurried manner, and I have not seen that area covered very well.

I have seen a little bit on consultancies regarding investment, but how are we going to move this region forward as an

industrialised region? We no longer can say that we do not have the market. We have a market of 115 million people and, therefore, producing goods for 115 million people is not the same when Kenya would have thought of producing only for 30 million, and then you say, even if an investor comes, there is no way you will say there is no market for those goods. We cannot talk about that any more. It is in the past. The way forward is now to take advantage of this enlarged market and produce goods for these countries rather than continuing to import and spending the scanty foreign exchange to bring in some of these goods. So to me, it is an important area that the Community with the enlarged market will have to focus on and move our countries and be like the Asian Tigers who can talk today about having industrialised.

Mr Speaker, I want to talk a little about Lake Victoria. I am encouraged that today the Bill on the Lake Victoria Basin has been tabled in this August House. We had the opportunity to visit Port Portal the other day and we are discouraged. We were discouraged by the pathetic situation of transportation on our lake. There is only one working vessel on that lake. I want to challenge our Council of Ministers and our governments to see how transportation on the lake can be enhanced - (*Applause*). It is an important area, particularly now when we are talking about three land-locked countries: Rwanda, Burundi and Uganda.

The importance of transportation on that lake cannot be over emphasised. I am aware of course that the vessel that is there has been concessioned as part of the railways, but I hope that even though

we have concessioned it, there will be opportunities for investors to invest in new vessels whether cargo or passenger types that will be used for the benefit of our people. I hope that as we talk about synergies and how to exploit this lake this will be one of the major areas that will be exploited.

Mr Speaker, let me turn now to the budget and revisit an issue that my two colleagues from Uganda mentioned and that the issue of provision of offices for the members of the East African Legislative Assembly. I have seen in the budget that allocations have been made for the expansion of the chamber, for refurbishment of the committee rooms, and also for the lounge. Nothing has been mentioned about offices for Members.

Looking at allocation for equipment, for Members there is no mention of this. You are aware that we have about three computers in the Members' lounge and those are very inadequate for the 27 members and the incoming Members from Rwanda and Burundi. Mr Speaker, this is an area that I hoped would receive attention. However, I hope that in the revised budget we shall see this area of offices and equipment for Members being taken care of. We cannot afford to wait until the end of the year. We have documents to read and our hotel rooms are for sleeping not for reading; they are not conducive for serious reading or analysis of the documents that we get. I would therefore urge the Secretariat, or those who are concerned with the budget, to look into this area before the end of the year so that this House can look at a revised budget that accommodates that particular item.

Mr Speaker, I wish to commend our Partner States for seeing the necessity of putting aside money from their national assemblies and from their national budgets to support the work of the East African Community. It is gratifying to see that the major part of the budget will be funded by the Partner States. Our countries are moving away from donor dependency; some of them only taking in about five to ten percent. I am encouraged that this year Tanzania said that they are not taking in a donor component. Likewise we must move away from donor dependency. I am also gratified that our Partner States have seen the importance of supporting the activities of the Community from their own resources. This is something that should continue. The donors can come in but let them ride on the money that has been voted by our countries to support this work.

Mr Speaker, as I finish, let me say that we need to be involved in the budget process. Even in the case of a budget hearing, we should at least be made aware of what the budget will entail and what it will be composed of. We cannot do justice, even in commenting on this budget, in a matter of two days having only read the documents in the last 12 hours. I hope that as we go on and as we continue, mechanisms will be found where at least we are given the opportunity to hear or to interrogate the process before it is finalised. We are not saying that it is our duty to prepare it but we are saying that we should be given an opportunity to interrogate the budget process before we come to the final document. With those few remarks, I beg to support the motion. Thank you.

Dr John Didas Masaburi: Thank you, Mr Speaker. First of all I would like to join my colleagues in thanking all those who are supposed to be thanked and in congratulating all those who are supposed to be congratulated.

Mr Speaker, I am concerned with three or four areas in the budget speech together with the budget estimates. The first area is on the programs that are related to the Third Strategic Plan of the EAC; the second is on the cost reduction strategies; the third is on the functions of EALA and the fourth is a concern on the cost of administration and consultancy services.

In the first area, the Budget Speech says that there are some major plans of the EAC development strategy that include the Agricultural and Rural Development Program, Private Sector Development Program, industrialisation including *Jua Kali* and the *Nguvu Kazi* programme, and the last one is infrastructure development. The budget went on to specify that these should be promoted focusing on job creation.

To this end, I would like to commend specifically paragraph 46 of the speech, which talks about the formation of the Ministerial Forum for Labour and Employment and the establishment of a department at the EAC Secretariat responsible for labour and employment. That paragraph also insists on the scaling up of the *Jua Kali*, micro finance and savings and credit schemes, the generation of wealth and employment creation.

My concern is that most of these plans, especially those that are concerned with agriculture, rural development and job creation, that is, the *Jua Kali*

programmes, are not well featured in the budget estimates. In the outgoing financial year, the speech says under paragraph 17 that, "Several instruments for agriculture and food security have been developed." Now my question is, "Are these documents helping the ordinary people of the EAC"? In this year's budget, I have noted on pages 58 and 59 of Volume II of the budget estimates that the agricultural development budget has been allocated US \$60,000 but if you go through the tables in the same document, the US \$60,000 is earmarked for regional workshops. This is surprising!

Also surprising is the fact that civil aviation has been allocated US \$800,000, leaving the so-called other major planks with zero development budget. Now if we want to see the milestones for this year in regard to the agricultural and rural development programmes, which milestone are we going to be at, at the end of this financial year, taking into consideration the programme for *Jua Kali* and *Nguvu Kazi*, which we think might assist in creating jobs for the ordinary people?

My second concern is on the cost reduction strategies. Mr Speaker, if we go through the budget estimates for this financial year, particularly on the pillars on which the budget is said to be resting, there are three important points here to be noted. The first one is the anticipation of increase in costs, the second is the need for cost saving and lowering of the running costs, and the last is the realisation of efficiency and effectiveness of the regional programs. These requirements would mean the need to formulate a very clear strategy of cost reduction. The listed actions to be

taken by the Secretariat, to me, are not concrete strategies for cost saving or reduction with the ultimate goal of achieving efficiency and effectiveness. For example, the institution of a zero growth budget on certain budget items may imply that the previous budget was extravagant or may mean ineffective implementation, resulting in poor outputs.

It is claimed that the development partners' contribution to the consultant's works led to a saving of about US \$300,000, yet the actual payment is US \$1.8 million. This is actually fooling this august House. The budget has indicated that there is a cost saving of US \$300,000 but the consultants have been paid from the funding by external donors at about US \$1.8 million, and in the same document it is indicated that the contribution from outside donors or development partners was US \$1.5 million. So I don't know how the US \$300,000 has been put as a saving. Therefore, we would like a clear cost reduction strategy and we would like the Secretariat not to cheat this House.

My third point has been mentioned by some of my colleagues and this is in regard to the functions of the East African Legislative Assembly. Page 83 of Volume I has left out the outreach, oversight and representation functions of the Assembly, and these have been replaced with workshops and seminars. On that page the Secretariat has put some plans for us as the East African Legislative Assembly to attend several workshops and seminars. I don't know whether these are important for us as compared to the outreach function, which is now left for the Secretariat to implement. In that respect, the

Secretariat has concentrated on outreach activities and is planning to use about US \$408,888. That is in table 8, page 36 of Volume II (a). On page 77 of Volume II, the Political Federation Department has been allocated US \$420,000 and this has been justified on page 62, Volume I with plans for the outreach programmes as my colleagues have said. We would like the Secretariat to implement the Treaty by giving the East African Legislative Assembly its mandate – *(Applause)*.

My fourth and last concern is on the financial statements. Here, the total administration costs, including consultancy, is 53 percent of the recurrent expenditure of the year 2005/2006. Recruitment expenses are very high and consultancy services, which are funded by the donors is US \$1.87 million while contributions are US \$1.5 million as I have already said. There are a lot of pre-payments in the financial statements for that year.

To this end, unlike my fellow colleagues in this House, I do not know how I can force the Secretariat that these workshops, both for the East African Legislative Assembly and the Secretariat should be reduced, and that the budget feature on development of agriculture, rural development as well as ensuring employment, are taken on board as per the speech and as per the strategy for the Financial Year 2006-2010, taking in mind that this is the second year of the strategy to be implemented. I am afraid I might withdraw my US \$1 to ensure that these are taken on board.

I am not saying that the overall budget - the revenue and the expenditure - is bad, but the reallocations within the

departments should be taken on board. Thank you, Mr Speaker – *(Applause)*.

Mr Mike Sebalu (Uganda): Thank you very much, Mr Speaker. Allow me to begin by congratulating you upon your election to that very important office and all indications are that you are doing a good job already – *(Applause)*. Mr Speaker, allow me to also thank the Ugandan Speaker and the Ugandan Parliament for having given us this opportunity to carry out our first business in this august House, and for the facilitation that they have given through the support staff to ensure that we enjoy our deliberations. I would like to thank them very much for that.

I would like, in the same vein, to congratulate and welcome the Republics of Rwanda and Burundi upon their signing of the accession treaties thereby formally entering into the community of East Africans. They are welcome on board and we look forward to seeing their Members of Parliament join us as we deliberate for the people of East Africa.

I would like to salute the Chairman and the Council of Ministers for the budget that was presented to us yesterday, which largely includes and reflects the aspirations of the East African people if what is included in it is implemented to the letter.

I would also like to congratulate the Council of Ministers, the Secretariat and the first East African Legislative Assembly for the achievements that were registered in the Financial Year 2006/2007. Among them was the categorisation of the East African Community as the best representation of

an integrating process on the entire African continent. That was indeed something to write home about in terms of what has been achieved, the plans ahead and the structures in place of the East African Community. So, the challenge we have in that respect, having been recognised at that level, is to build on the successes so far registered and be able to move much faster. The best way we can do that is by ensuring that we invest a lot in institutional development - giving institutions their rightful mandate, funding them appropriately to deliver on their mandate and giving them enough space to operate and fulfil their mandate.

In that regard, the East African Legislative Assembly is no exception. I believe that the institution and the Members of the East African Legislative Assembly are willing to play their part in terms of contributing to the process of ensuring that East Africa is one, and that it develops to a level that will enhance the quality of life and way of living of our people. We are ready to do that and we are ready to do it in tandem, in harmony and in collaboration with the other existing organs of the East African Community.

The new integration process is based on the operating principle of being people-centred, private sector-led and market-driven. These are very important aspects of the activities regarding the integration process. The people; how are the people factored within the processes? The private sector; how enhanced is the private sector and how visible has it been made so that it can play its rightful role? Then the market and the market forces; how are they enhanced in order to supplement the other activities?

Now when you are talking about the people of East Africa at the level of the East African Community and Arusha, the Members of the East African Legislative Assembly represent that aspect of people-centeredness because their views, aspirations and future can be best pronounced within the Legislative Assembly. Therefore, the Members of the Legislative Assembly and the Assembly as an institution is very important in terms of bringing people on board. For that matter, it is important to empower and allow the Legislative Assembly to interact more with the people on matters to do with East Africa, in terms of advocacy and in terms of mobilising the populations to appreciate and be aware of the on-goings in the integration process. Therefore, the issue of informing, educating, sensitising and mobilising the public towards a convergence of ideas in terms of where we want to go as a region becomes critical, and at the institutional level, the Assembly can play a good role in this respect.

Allow me to appreciate the structure of the budget as was presented by the Chairman, Council of Ministers, Rt. Hon. Eriya Kategaya, in terms of feeding the three aspects that I have just talked about. When you look at people-centeredness, you look at certain interventions that have been brought on board which answer the call of the ordinary people. This is because the process and the regional community should be relevant to the needs and the aspirations of the people. So I would like to applaud the Council of Ministers for bringing onboard the issue of employment. I think that is very critical especially when it comes to the young generation of East Africa.

When you go to all capitals, it is clear that unemployment is biting. Therefore, if this is implemented and people begin seeing results in this direction, then it makes it very relevant and it motivates the young people to support and appreciate it as it alleviates their problems. That aspect, therefore, needs to be commended. We pray that those that are entrusted with the responsibility of implementing it do so to a level of satisfaction that will bring a lot of good to our people.

As regards the private sector, because the Community is private sector-led, I also see a linkage within the budget with the private sector regarding infrastructural development. When you handle the road systems, when you link the region with railway connections and when you sort out the issue of power - power in Uganda is a problem; I am made to understand that the same goes for Tanzania and I do not think Kenya's is sufficient. It may be slightly better, but I do not think they have got the amounts of power that they need for the drive of industrialisation.

Therefore, I would like to recommend that - because all our industrialists and the private sector use and need stable and reliable power supplies - the industrialisation process should be enhanced. So I find it very relevant to link the private sector to the process, to get benefits from the process and to be able to contribute to the process as well. The implementation will be the challenge, but the planning has been brought out very well.

Concerning the market-driven aspect, definitely when you get all these

operating and you build a synergy, then the market is definitely enhanced. Where people are employed and can have surplus funds for spending, where the industries are in full production and products are available, then the market definitely operates, and at the end of the day you get all those three aspects taken care of. The budget largely took those into account, and definitely I must commend it and as a Parliament we are going to play our role in terms of legislation so that we allow these aspects to move on, even as regards oversight. This is where the issue of oversight becomes critical, because these have been put forward, who is going to ensure that the implementation is on course? I believe the Parliament ought to come in at the level of oversight to ensure that some of these aspects are on course. So we have a serious duty to perform in this.

I would also like to register the successes so far registered in the implementation of the Customs Union. Definitely, this was a touchy issue when it was started, as our people had reservations in terms of destabilising their economic activities. However, experience has proved that it has improved economic activities: The cost of doing business is getting lower and bureaucracies are being eliminated, and I think that the most important aspect to appreciate in this process is the fact that unlike what was anticipated, that the revenues from the individual Partner States would go down, thereby creating some problems has been proved wrong. On the contrary, all the Partner States' revenue authorities have instead registered improved revenue collection. I think that is something to write home about, however, there are still a few

aspects that need to be improved upon in order to make it smoothly operational.

There are still some taxes...Some Ugandan businessmen complain that when they cross over to, say, Tanzania, they are charged US\$ 100. That US\$ 100 aspect needs to be harmonised so that it allows convergence in a uniform manner. There has been that complaint, and I believe that the Council of Ministers needs to intervene in this respect in order to encourage and ensure that the Customs Union operates and is beneficial to all.

Something that we must really take seriously in this financial year as Members of the East African Legislative Assembly is the negotiation and implementation of the Common Market. Our people really want us to come together. They are very interested in having one East Africa, but they want to start seeing tangible benefits out of this process. That is: what is on the ground; what is it in terms of tangible benefits? I think the Common Market can easily bring on board this aspect so that the people begin to appreciate the process better. If they start moving freely, if they can enjoy the right of establishment and residence, if they can cross the borders freely, if they can sell their labour freely, then we do not need to belabour with the process since people will be able to see for themselves the benefits accruing from these arrangements.

So the common market needs to be enhanced because it provides the best opportunity for the ordinary people to see the benefits of integration. I am glad that provisions have already been made and beginning 1st of July or thereabouts, we are going to see negotiations

beginning, and it is anticipated that it will even take a shorter time than was earlier anticipated. So, I think that will be very useful in terms of getting our people to appreciate the process.

When you look at the re-branding project, like one colleague did say, re-branding East Africa is the best thing that can happen, and I would like to applaud that arrangement where the East Africans went to Europe and held a joint tourism exhibition. I think that is a very good development. The re-branding at a technical level is a good aspect and funds have already been provided in the budget to do that. It is to be supervised by the Secretariat. However, I believe this should be a shared responsibility between all the players. I believe the East African Legislative Assembly can play a good role in this because after you have re-branded, you get the legislators to interact with the people across the region so as to get them to appreciate the new interventions that are being made. I think that is something that we can do together to ensure that our collective effort is geared towards a common good, and that the whole of East Africa is on board.

Mr Speaker, the issue of the fast-tracking of the East African political federation is on. I happen to be a member on the Ugandan team, and the people are quite interested in this process. However, they really want further consultations and so we need to go deeper. The six months that we were given were definitely not sufficient for deep consultations or even to go to the lowest levels, and yet if people are going to get involved in a referendum and other processes like constitutional processes, then we need to get them

informed, educated and sensitised in a deeper way and up to the grassroots level. I believe that the Council of Ministers will consider more activities and be able to take appropriate action.

One thing that I would like the Chairperson of the Council of Ministers to take note of and see how it can be handled is the process and programme of reporting. This report is supposed to be given to Cabinet to debate after which it is then taken to Parliament to debate before it is taken to the Secretariat for onward presentation to the Summit after Council has considered it. However, along the way you do not see the East African Legislative Assembly featuring. My plea is that the Members of EALA at a regional level should be afforded an opportunity to debate this report and make an input at a regional level, so that we allow all stakeholders to be part of this process. Definitely, the East African Legislative Assembly at the regional level is a serious stakeholder as the people's representatives. I believe that this would go a long way to ensure that all stakeholders have made a contribution to the process.

Our people also want to see joint activities; they would wish to see mobilisation where the Ugandans, Kenyans and Tanzanians are together telling them about the East African federation. These are ideas we need to look at for the future so that people get to own the processes. If we went to Kenya and all the members from member states were available, then even these questions of suspicions or fears would definitely be eliminated. It would help in confidence building and ensure that the process is successful. Of course, I have talked about translating the

strategic objectives into reality; people want to see tangible results coming.

Finally Mr Speaker, I would like to thank the governments for increasing their levels of funding. I think that must be commended. When we were attending the Summit, we were told from the report of the Secretary General that all Partner States were up-to-date. I think we need to applaud our Partner State governments on that – *(Applause)* because in such matters as integration where voluntarism is part of the game, you find that issues of subscription normally create problems in terms of funding, in terms of projections and even in terms of cohesion. To see that our countries are up-to-date is something that we should really applaud and pray that it is maintained and sustained.

In terms of funding, I would like to implore the Council of Ministers that we could also look at the ECOWAS funding arrangement. You know, we have looked at different regional economic communities, but in terms of funding, the ECOWAS arrangement is seen as being quite superior. It is sustainable because it is a question of taxing anything coming into the customs union, a paltry one percent, but from the interaction we had with some of them in some fora, we found out that they fund all their activities and even have a surplus. So, on top of the funding from our governments, I think we need to look at such arrangements. We are different regional economic communities but we need to inter-link in order to pick the best practices and apply them and perfect our co-operation.

At the end of the day, I think that this budget is a good one. We have not had

opportunity to follow the procedures as they are supposed to be due to the problems that we had as a Parliament, given that we could not assume our responsibilities in time. In future, we will have an opportunity to make our input to the budget process and be able to inform the process before even our national budgets are made. But overall, we expect to see a higher level of integration in the East African Community, given the indications in the budget and the provisions that have been made, and assuming that all the players do their part to ensure that the collective effort and outcome is of a higher level of integration for the East African Community.

Mr Speaker, once again I thank you for the opportunity you have afforded me to make my contribution to this budget debate – *(Applause)*.

Dr F. Lwanyantika Masha (Tanzania): Mr Speaker, this being my maiden speech in this House, let me also take this opportunity to say how pleased I am that you were elected, unopposed, to be the Speaker of this Assembly – *(Applause)* - and in the few days I have known you, I am very pleased that indeed you earned that job.

Let me also take this opportunity to say how pleased I am to know that the members of the Summit have admitted Rwanda and Burundi, and as somebody has also said, I look forward to Members of EALA from Burundi and Rwanda being among us, hopefully very soon.

I also wish to thank the distinguished Chairman of the Council of Ministers for the wonderful, very thorough statement you gave us and the many documents

which we were given yesterday, some of which I have had an opportunity to go through.

Mr Speaker, I see our period as an Assembly and all the other organs and institutions as being transitional to something much higher. The Treaty looks not at the Community as an end in itself but as a road to a political federation, which we all expect to have. A political federation then should be the central focus of whatever we do and whatever is provided in the budget.

It is very easy for us to pass a Bill establishing a commission here, like the commission on *Kiswahili*, the Inter-University Council, and have a budget for a road from Namanga to somewhere else; we can do all these little things and think we are doing a wonderful job, but they will be meaningless unless they have a central focus. To me that central focus is the political federation, which we aspire to, so all these commissions should be set up bearing in mind this political federation that we expect to have. Therefore, in terms of systems, I see us as a transitional arrangement towards that federal government that we will eventually have, and whatever we establish should hopefully fit into what then will become the design of a federal structure that we ultimately must have.

If we have an inter-university council and leave it as it is, it will not fit into that focus. If we have a *Kiswahili* council, where does it fit in that central focus? All this must be established bearing in mind this central focus, creating, hopefully, what in my mind would ultimately become either departments or ministries of a federal structure. This is how I see it – (*Applause*).

In addition to the little things that we will be adding to the work programmes that we are doing, we should see ourselves as setting up systems and establishing mechanisms for the future federal government. In that vein, I wish to suggest one area, probably- and I will have a number of other suggestions here - which perhaps is easier to accept.

We have been having people appointed to different jobs, and I have been reading about job descriptions, but I do not know who actually finally hires a person to be employed in the Community. Who reviews the job descriptions to see that they fit what they purport to do? I understand the Council of Ministers ends up appointing people; but who does the interviewing? I do not know. We need to establish a lasting system for that kind of job. That kind of lasting system, to me, would be a re-creation of what we used to have in the previous Community - a recreation of the East African Civil Service Commission - (*Applause*). I think thought should be given to this very urgently as we expand, as we have more people being hired to do the various functions of the Community.

We need to establish a civil service commission whose membership, of course, will be from among all the members, with proper directives to ensure equitable representation of our members in the Secretariat in the various jobs. It should be a civil service commission, which will also remove the consideration of little things like the emoluments of staff, from the Council of Ministers. Let a technical independent commission do that job rather than having members of staff or Members of EALA, or members of the Court of

Justice each lobbying the ministers to increase their emoluments and all that. I think it is a little vain – (*Laughter*). We should leave that function to a technical commission with proper directives. So, I am asking that we establish a civil service commission for the Community.

With the focus of what would become a federal Parliament, and as new institutions become activated, we ought also to review either the Treaty or the Rules of Procedure, or any other mechanism that we have, to ensure that we are not doing parallel things at the same time. For example, I realise that before the Legislative Assembly came, the Community was already established: the departments were there, the Secretary General was in operation and so forth, and people had to operate. So, there was a mechanism for getting things done, including legislative actions, in the absence of an assembly, which was not yet there. You had sectoral committees, which are put together by functionaries from ministries in the member states. You have all these other co-ordinating committees, and you have the Secretariat sending recommendations to the Council of Ministers, and the Council of Ministers of course recommends to the Summit, which has overall authority over the system. When the Summit approves something, then it is final.

Then in comes the Legislative Assembly which, according to the Treaty and its own rules of procedure, has final authority at least for the budget and other programmes. When the Assembly was activated, the previous legislative function that existed was not changed. So within the Community we have two parallel systems - unless I have misread the documentation; we have two parallel

systems of legislation, all of them legal according to the Treaty. They could very well bypass the Assembly and go to the Summit through the Council of Ministers and pass the budget, and it would still be very legal. After all, the money will be put in by the governments, so it is not a problem as it would be for the national governments where they must go and raise taxes. The money is already in there.

We need to look at that procedure to ensure that each organ, as it is reactivated or activated, is not doing parallel work with another organ or other organs which existed before it. Therefore, there is a need, in my judgment, to review the parts of the Treaty, or that element which was giving legislative authority to a system bypassing what would then become Parliament or the Assembly. We need to review that area so that, hopefully, nothing would go to the Summit as long as we have a Council of Ministers. Before it goes to the Summit, it would have to come to EALA and from EALA, it can go back to the Summit for final authority. There is need to review that part.

In the concept of this picture, this focus of the federal system, I was reading the documents and I see there is a department which deals with federation affairs; there is another department dealing with Political Federation and there is the Legal, Rules and Privileges Committee of the Assembly, which is allowed to look at the Treaty and make recommendations to review the Treaty. I was reading in the papers that the Court of Justice also has seen somewhere a need to review some of the elements in the Treaty. However, all this is being

done in disparate areas without any coordinated role. Then we have the fast-tracking instruments, which will also inevitably end up in what will have to be a review of the Treaty.

I think there is a need to put all these things together somehow; maybe get this political affairs department and whatever others, involving the EALA, as some of my colleagues have requested, to ensure that we are involved in what ultimately will become the final instrument of the federal government, the constitution. I am, therefore, hoping that EALA will be involved, - although it does not appear in the documents – in the preparations and drafting of a federal constitution, which ultimately is our goal.

On this question of the federal focus, including these fast-tracking committees that have been set up, I must plead either ignorance or deficiency in thinking, but there is something basically wrong somewhere in the process. I have been following very closely what is taking place in Tanzania; I do not know what is taking place in the other member states, and from what I have read, these committees are expected to ask people whether they accept the fast-tracking to a federation. And because this is the first opportunity the people have had to discuss the concept of federation at all, most are not answering the question whether we should fast-track it on the lines of the recommendations of the Wako Committee. Most of them are answering the question, “Should we have the federation or not?” But from the documentation, the idea of the federation is already signed on.

Something went wrong somewhere in establishing these committees, and I beg the indulgence of the ministers for what

I am going to say. There has been missing guidance from governments as to what the nature of the federation we are talking about shall be. This is what the people of East Africa should have been addressing.. Those who are saying “We do not want a federation”, what federation do they not want: the American type; the Nigerian type; the South African type; the Indian type? The Wako Report mentions about 25 different federations. And those who are saying that they want a federation, what type of federation do they want? (*Interjection*) - Fast-tracking is not a federation - (*Laughter*).

It is because there has been missing guidance from governments, from the Council of Ministers and from the Summit...that is why I begged your indulgence in saying this; there has been missing guidance as to what kind of federation. We should have waited until we had that kind of guidance. Either there should have been what in parliamentary language is called a “White Paper”, indicating some of the parameters of what it should be, so that people would be saying “No, we do not want that kind of federation”; “we do not want a president with these kinds of powers”; “we do not want so many ministries”, or “we want this and that”! At the moment they are talking in the air. In the absence of a “White Paper,” maybe there should have been a draft constitution, that people can the address very specifically.

The Wako Committee suggests the establishment of a constitutional commission. To me that is an area where if that kind of document is available and somebody is making comments, you make comments that make sense. But to

say, “I accept federation” or “I do not like federation”, which one is it? (*Applause*) Nobody is even there to defend anything. So, the poor fellows in these committees, when they face some of the questions that are being asked they have no answer – (*Laughter*). To me this is a gap, which I hope the ministers will address.

Let me say something very minor about this Lake Victoria Basin Commission. I like the commission and I like the way it is constituted, but because of some of the things which I have started seeing - I come from the lake area myself - on the ground, there is something that makes me a little uneasy. Some people have been living, maybe 20 yards from the lakeshores for years and years and years. When the rains go, they grow *viazi* and other things, and they get their food. That is where they live and that is where they draw water from. Those who are fishermen, leave alone the commercial fishermen, but those who fish just for daily food; they like fish and all they want is to send in a net and get a catch for their meal for the day. What is happening on the ground is that they are being told that they should all leave the shore area and they should stop getting any fish from there. I think this is not right.

We will be developing people who will hate the federation and the Commission, not because they do not want it, but because there has been no sensitisation on their means of livelihood over the years, and now they do not know how to do anything else. Moreover, they are not being given any alternative for their livelihood. So, hopefully, this Commission will have consideration, not for the commercial fishermen, but at

least these people who have lived alongside the lake for years so that they continue getting their fish for their meals.

I wish to say a word also about the Inter-University Council. If there is any single element which has made East Africans feel they are all one, it is the fact that most of our leaders - our former leaders especially - went through Makerere University, which was the only university available at that time. They met, mingled and made friends. It was not difficult for them to talk with empathy about the other leaders whom they met at Makerere. Even for those who studied under the University of East Africa in Nairobi and Dar-es-Salaam, it is the same thing. The educational exchange programmes established lasting relationships, which will help our federation to be real.

The way we are going about it, the Inter-University Council of course has been established; I am not sure what its role is. Are we seeing it as a nucleus of a future university of East Africa? I do not know. Is it a nucleus of a department of higher education in the federation? I do not know - (*Laughter*). It is doing some work; yes, wonderful work. We need to either refocus the Inter-University Council or to have a department within the Secretariat, which will look at education for the purpose of bringing together the people of East Africa through their education systems - (*Applause*).

We need to have a focus that will look at something that was said by one of the members here, the exchange programmes - going to another university, looking into the costs that are

being established that discriminate those who are not from the same member states. We should look at this educational programme as a major way of bringing our people together.

Let me commend the media for the way they have tried to cover the activities of the Community, especially in the last few months. This sensitisation, this people-centred approach which we are talking about, will not work unless we involve the media. The media must be brought aboard to do that work with us. Yes, EALA must be involved as well, but if the media is not sympathetic or understanding towards what we are doing, they will misquote us and they will not publish the things we say. We may think we are doing a wonderful job going around saying big things, but if the media is not with us, things will not work. So we must have a very strong information department in the Secretariat, which does this work with the media. The media must be brought on board. That is why I commend the effort, which has been made in the last two three months to bring the media on board.

I keep hearing about this re-branding project. I must say, if there is anything which I can claim to know from a technical point of view, it is information. I have been reading about this re-branding and everybody is praising it, but you will be surprised if I said I do not understand it - (*Laughter*). It is just another word for "publicity" which has been made to appear so big, especially if you call it "corporate branding"; it makes it become so big. Essentially, it is public relations, publicity and all that. That is what it is. The fact that you go to a trade fare and you are all seen as East Africans, that is part of corporate

branding, and you come and brag about it and ask for more money! Yes, what was done was good but I am not sure that it is as big as it now sounds. Maybe there is something more to it than I have seen. I would appreciate it if I got the document which explains how this thing will work. I was reading the papers and I did not get it out of the papers, which I got yesterday. However, I insist that we must have a very strong publicity mechanism in the Secretariat. If any area needs to be beefed up, it is this department. I do not know how big it is at the moment and how it works, but in principle I think that is where we need to put our money...if we want this people-centred sensitisation to work.

Maybe finally, Mr Speaker, let me say something about what hon. Masaburi mentioned. I was reading in the budget papers about savings just as he did. You have so much money that you are spending on a programme or a project, then you go to development partners and get money to do the same job. You are still doing the same thing with the same amount of money or more - as he has found out - and then you say you have made savings. I am not a budget expert or an economist, but I am not sure about that concept of savings. If there are any savings, I would see them as a surplus item and then I would understand them as savings. Otherwise, this is just budgeting gymnastics - (*Laughter*).

Mr Speaker, I realise, as others have said, that we do not have much time to debate the budget. It is unfortunate that it has been brought to us in the way it has. I think it should be registered with the Secretariat and the Council of Ministers that while we understand the circumstances which have made it this

way this time, it would be unfortunate if we had to go through the same thing next year. A budget document with all these other documents that you receive a day before, and we are expected to discuss them in one day and pass them on the third day! People of East Africa will have good reason to think we are useless. But, I understand the circumstances under which we have been brought to this situation. In the future, please involve us early enough in the process and allow us enough time to actually discuss it and debate it.

With that, I will have to grudgingly accept the budget as presented; but please take note, in the future I will be a little harder – (*Laughter*). Thank you very much, Mr Speaker – (*Applause*).

Mr Bernard Mulengani (Uganda):

Thank you, Mr Speaker. I would like to join the rest of my colleagues who have risen up to congratulate you upon your attainment of the “Speakership”. I would also like to congratulate my fellow colleagues for having eventually been sworn in. Mr Speaker, I would like to focus on the budget report. I will not get into the figures because the time that was given to us to look into the figures was not enough.

On page 3 of the report, the Chairman of the Council of Ministers raised very pertinent issues in paragraph three. The only thing I want to emphasize, as has already been mentioned, is that all of us are aware that the Treaty establishes institutions of the Community and their functions are clearly described in Chapter 3, Article 9 through to Chapter 10, Article 73.

Mr Speaker, to achieve what the minister has raised in this report, I believe that the institutions and the organs of this Community should go ahead to respect each other. They should avoid the tendencies of hegemony; trying to be seen and wanting to make it look like one institution is bigger than the other. In so doing, we shall be avoiding the parallel structures that hon. Dr Masha talked about, and therefore duplication of functions. In this way, we shall achieve what the minister mentioned in the report as cost saving ventures. But even then, in this process I wonder why we would talk about cost savings or savings. The Community as it is today is very young. I would rather that if they are saving from one function that money is reallocated to other areas that need financing.

On page 5, the Minister mentions the positive impact of increased intra-East African Community trade and growth of revenue, which was felt. I want to recommend this particular idea as an advantage of integration. On a positive note, I wonder whether the Secretariat has gone ahead to analyse whether the current situation of the appreciation of the East African currencies is as a result of intra-trade, and therefore the common external tariff that is being put in place. We are looking forward to getting a substantive explanation as the Assembly, to see whether what the Minister is raising is true, that the trade creation effect in the Community is surpassing the possibilities of trade diversion.

Mr Speaker, on page 6, as we move to start on the common market, there are various macroeconomic policies that need to be harmonised or converged. Whereas my colleagues have risen to say

that all indications show that we are ready to transcend to the Common Market, but today as we talk I think we are aware that we shall only attain the full Customs Union by 2010, when the segregate tariffs from Tanzania and Uganda that were levied to attain the zero tariff after the five or six years are fully implemented.

What I am trying to raise, Mr Speaker, is that we still have a lot of overlapping problems, like multiple memberships of our countries of the East African Community. As we talk today, Uganda, Kenya and Rwanda are members of COMESA and IGAD, and Tanzania is a member of SADC. We are now talking of the economic partnership agreement as a Community. We really need to harmonise if we have to successfully transcend to the Common Market. It is true that the Customs Union Protocol is in place and the East African Customs Management Act was passed, but we are not implementing these things on the ground. It is high time - as some of my colleagues suggested - that we started being seen building institutions that propel themselves around the ultimate goal of a political federation.

In paragraph 10 of page 7, I am personally happy to learn that we, as the East African Community, participated in the WTO trade policy meetings last October. These meetings provide an opportunity for us to address what we consider as imbalances in the WTO Agreement, and to even improve access conditions for our exports into other markets. However, Mr Speaker, there is one question that we need to answer; this is the question regarding formulating legislations that will bring the East African trade regimes more up-to-date

and into greater conformity with the WTO provisions.

Mr Speaker, on page 9, the Minister raised a very important issue about the Rift Valley Railways Company, which has done business with Uganda and Kenya in isolation of Tanzania. Tanzania has decided to go on with India and the Chinese study team to concessionaire the Tazara Railway line. One of the advantages, we believe, in coming together is to enhance our bargaining power. The fact that we have left one of our own member states to negotiate alone shows that we are trying to jeopardise the Community and we are also trying to leave them on a weaker bargaining side. Because if we agreed to discuss or negotiate as a Community to concessionaire the railway line, we would have had a better deal than possibly what exists today (*Interjection*)

Mr Sebalu: Mr Speaker, the information I would like to give regarding that subject is to do with the railway group that was concessioned to take up the Kenyan and the Ugandan railways. There are issues of their capacity financially, which are coming up. Even in our local Parliament here, these issues came up when they had to be assisted to get some loans. So how are they dealing with these issues at a regional level, because when we are doing business, we really need to look out for people who will bring their money and add value to the process? (*Interruption*)

The Speaker: Are you informing or asking a question?

Mr Sebalu: It is information by way of a question – (*Laughter*).

Mr Mulengani: Thank you very much, hon. Sebalu. I will redirect the “information by way of question” to the Chairman of the Council of Ministers.

Now, what this brings to my mind is that it is caused by the fact that member states are in multiple groupings...because eventually the railway line concessioning for Tanzania is being done by Zambia. Really, we need to be seen to be moving towards the attainment of the vision of the Community.

The issue on page 21 has already been raised and I would not want to discuss it again. It regards sensitisation on the programmes of fast-tracking the federation and outreach programmes, and leaving out the legislature. I would not want to go into that again because almost every member that spoken has hinted on this particular area, but one thing I would like to raise on this is that we need to know whether what we are doing as members of the East African Legislative Assembly, and therefore the Community, is consistent with our domestic way of doing things.

For example, if in Uganda Parliament is involved in the budget process and members are obliged to handle the political issues, in Uganda I have not seen any Commissioner or Permanent Secretary coming out in public and telling Ugandans to vote NRM. That alone would tantamount to dismissal from the job. Likewise, the Treaty itself tells us how EALA can interface with the nationals. It prohibits the staff from, in any way, dealing with the nationals. That would be seen to be biasing the decisions that the technical people would be taking in their daily routine work. So it is our humble appeal to the Council of

Ministers that, let what belongs to Caesar go to us and what belongs to the technical people go to them.

I would like to raise another issue on page 34. From the budget, which I perused through briefly, one of the mandates of Parliament is oversight role and supervision. I do not know what that means to those that wrote the Treaty; does it mean sitting in the office and calling for documents, reading them satisfactorily and then supervising? Or is there also an element of supervision through observation? The budget as it stands today monitoring and evaluation have been left in the hands of the Secretariat. Possibly it is true, as hon. Dr Masha put it, that it is because of the existence of parallel structures, which will require amendment of the Treaty. Perhaps that is why some of these things are still as they are.

Mr Speaker, there must be a provision that allows the bringing on board of new organs within the Community. If a function has been handled by an existing organ and the right organ is put in place, the old organ should hand over the role to the rightful organ. It is very important for the smooth working of the Community. I would also request that what we are doing in the Community should portray the image of the region. We should not be seen fighting for authority and grumbling for what is not due to us. If what we are talking about is correct, Mr Speaker, then I would request the necessary bodies to take action.

Our colleagues in the previous Assembly raised many issues. I am only two weeks old in the Community, but I have got a lot on my brain regarding what the First

Assembly had to go through to reach the level the Community and EALA are today. I would not like us in the Second Assembly to go through the same. I want us to have a smooth working relationship with the Secretariat.

I want to tell you that, for instance, in the Parliament of Uganda, Members of Parliament are not restricted entry to any premises; not even in the ministries. I am surprised that when I was in Arusha, I took time off and wanted to go and look at the buildings, only to reach the door that demanded for an access card. Now, how will I interface with the statistics department if I want to take decisions or to debate using figures? How will I access the planning section of the Secretariat? If I wanted to know something very fast without going through my Speaker but needed to just liaise with the Secretary General, why should I have restrictions on access?

Lastly, Mr Speaker, as I was reading through the documents, and as the Chairman of Council of Ministers presented in paragraph 48, I observed that there are various savings that have been made. Saving is a good culture, but at this particular moment the Community is just growing. So my question is, why should we go in for savings programmes, or go for items that look for savings in the Community's budget whereas we have a lot of things to handle that need financing? We would rather go for value for money, other than going for a programme for saving costs.

For example, one of the programmes for saving costs would be to reduce staff, but we still want staff and need to recruit more. One of the savings would be looking at emoluments' reduction, but we are still saying the position is not

okay. So, is it possible to reallocate some of these savings to other areas that still lack funds? If it is possible, then why don't we do it?

The other question I want to ask is, if this budget comes to the Assembly, do we have the mandate to reallocate the resources therein? If not, then what is our role in this budget process, Mr Speaker? (*Applause*) I would rather the budget does not come to the Assembly, and the Assembly is merely told that this is the budget and we move on, because this is just putting icing on the cake! I usually want to be party to a position that I will add value to. If my position is just to talk and then things go on, it is like them saying, "They have talked and things are over. They like talking and we have pleased them. They have talked but we are going to do what we want", I will not be party to that, Mr Speaker.

The Auditor-General's report has briefly highlighted certain issues, but I think that will be handled at an appropriate time.

Mr Speaker, I would like to lastly emphasize the issue that the MTEF (Medium Term Expenditure Framework) raised. To me it was very serious and I do not know whether it was equally serious to other honourable members, where they had to entrench a particular office on a certain function. We would like to see that issue handled because other programmes in the MTEF have not been entrenched by particular sections that are meant to handle them.

With those few remarks, Mr Speaker, I want to support the motion and the budget. I thank you.

Mr Christopher Nakuleu (Kenya): Thank you, Mr Speaker. I would like to start by congratulating you on having been elected the Speaker of this Assembly. My contribution will be very brief.

I want to first comment on publicity and the marketing of the East African Community as a tool. I wish to commend the Secretariat for the good job that it has done in making sure that the East African Community is known by every citizen of East Africa. However, in as much as I commend that, I would wish to say that not much has been done. You may not have known this but some pastoral communities in Northern Kenya did not know that the East African Community had been in existence for the last five years, until hon. Lotodo and I were elected as Members of this Assembly – (*Applause*).

I would also wish to say that the Speaker, alongside other members who are here for the second term, visited Lodwar and other parts of the northern districts of Kenya, namely: Karamoja, Isiolo, Samburu and Pokot, but it was a one day's event. Immediately you left, there was no reinforcement of ideas. What am I saying? Mr Speaker, I would like to say that for East African issues to be highly realised, a lot of publicity has to be done and the Secretariat has to allocate sufficient funds for this in either the media or through the local institutions, such as the local governments of each of the partner states and ministries of social services. This will ensure that the ideas and whims of the East African Community are highly institutionalised.

Mr Speaker, I would also wish to say that last time we had the Summit of the Heads of State we were taken through a programme that we did not follow strictly. Initially we were told that there was the issue of the East African Anthem. Up to this time, I do not know which song was selected to be adopted by the Assembly. Now, as one way of publicising East Africa, I am suggesting that the East African National Anthem should be sung alongside those national anthems of the respective Partner States.

Also, as a matter of publicity, I would wish to commend the East African Court of Justice for the landmark ruling it made in East Africa late last year. It might have been a very painful ruling, but it was one way in which the East African Court of Justice made sure that East Africa exists. For us the Kenyans, we were in pain as a result of the ruling, but I have realised that it really publicised East Africa in a better way.

I also want to talk about regional conflict and peace. One of the components of East Africa is to enhance peace in the region, and we will have failed in our objectives if insecurity still exists. I want to quote a scenario. In November last year when we were just about to report here, the Uganda People's Defence Forces (UPDF) bombed the pastoral communities on the Kenyan side and about 15 people lost their lives and 10,000 livestock were killed. As a person who comes from that place, I am at pains to explain to those people the concept of East Africa. I am really at pains. I therefore urge the Partner States that should such a thing happen, let them sit together at the highest level before a decision is made that may result in the loss of lives of East Africans.

I want to concur with hon. Lotodo that we come from warring communities where the issue of conflict resolution has to be addressed. I want to say that our committee chairman is here and we will work hand in hand with the Partner States of East Africa to make sure that there is no more bombing.

Mr Speaker, I want to be brief because I stood several times but I think I did not catch your eye. On the budget, I have very little to comment. I am an economist and it is against my principle to comment on an issue that I have not been party to and something that I have not gone through. So I may only support this budget basing on the things that happened in Kenya.

The Council of Ministers may say, “We had no time to bring you on board because of the problems you had and you were not legitimate to the process by then”. Due to the time factor, we will pass this budget but in future we will not accept to be rubber stamps.

With those few remarks, I want to support the budget – (*Applause*).

Mr Gervase Akhaabi (Kenya): Thank you very much, Mr Speaker. My comments are going to be very brief. Unlike a national assembly where you may have government and opposition parties, at the East African Legislative Assembly we do not have that. The roles of the various organs of the Community have been clearly spelt out in the treaty establishing this Community. If we play our roles properly, these roles are supposed to be complementary to each other. As organs of the Community, we should not be seen to be jostling for power. We should be complementing

each other and we should be supporting each other.

Mr Speaker, sir, I say this because my very brief association with the East African Legislative Assembly and the Community tends to portray a picture where there is friction. We as the East African Legislative Assembly, we do not want to be at war with the Secretariat, nor do we want to be at war with any other organ or institution of the Community. We would request that the other organs of the Community accept this position from EALA and reciprocate accordingly.

Mr Speaker, sir, the importance of this Community cannot be gainsaid. The advantages that we as East Africans are likely to derive from an effectively working Community cannot be gainsaid; they are enormous. We, East Africans, are not coming together to pull together our poverty. We are not coming together so that we may remain poor. We are coming together in this Community so that we can pull together our resources for the benefit of the people of East Africa. In this respect, it is therefore very important, while preparing our programmes, to ensure that each programme that we have prepared is geared towards maximisation of results.

In this case, therefore, I am extremely thrilled to note, from the policy statement by the Chairman of the Council, the information regarding infrastructure in this region. We are not going to make any progress in terms of trade, investments or in any other respect unless we develop efficient infrastructures for the people of this Community. There are sections of this region that have historically been

disadvantaged. Regrettably, we do not seem to be paying any attention or to be addressing the plights of these areas at all either in this policy statement or in the budget.

Mr Speaker, in this particular respect, I assume that when this budget was being prepared, Rwanda and Burundi's admission into the Community was already a foregone conclusion because they had already been admitted in November last year. Rwanda and Burundi have special needs that I have not seen addressed in this policy or in the budget.

Mr Speaker, sir, the northern parts of Kenya, for example, have not been addressed in this. The problems of insecurity in the Northern parts of Kenya and Uganda are essentially economic problems. It is because of lack of certain resources in these areas that we have these perennial conflicts, but we are not addressing this. As we move forward as a community that aims at bringing benefits to the people of East Africa, we ought not to make any person in this region or area feel that they have been left behind.

Consequently, Mr Speaker, I really plead with the Council of Ministers to seriously consider the special needs of the peoples of Rwanda and Burundi, northern Kenya and northern Uganda and the development of infrastructure in those areas so that they too can transport their animals for export, slaughter or for marketing. The fact that they are pastoralists, like in northern Kenya, does not make them economically unviable. Indeed, pastoralism should be developed in this region to make it a viable economic undertaking.

Mr Speaker, sir, with regard to the issue of fast-tracking the political federation, I totally agree with Dr Masha. I do not even know why we are talking about it. The people of East Africa are already together. I was born in Busia and it really hurts that when I come from my home in Busia, Kenya, and I want to go to Busia, Uganda, or Tororo or Bugiri where my friend, hon. Mulengani, comes from for a drink, somebody asks me for a passport; a passport to visit my relatives in Uganda! It makes no sense. We have intermarried and we do not need a federation to interact. The people of this region will support the Community and the political federation if they can see the benefits of that federation.

Mr Speaker, to do all this, we will need to remove obstacles or things that separate people, and we have to explain to the people. Mr Speaker, in my very, very respectful view, technocrats cannot explain to the people of East Africa the benefits of the East African Community, of the Common Market, of the Customs Union, or even of a political federation. They are not in a position to explain this to the people of East Africa.

Mr Speaker, sir, may I also address a very sensitive issue that has been partly touched on by reference to the Inter-University Council for Eastern Africa? Honourable Dr Masha raised a question, and it is a relevant one. In East Africa today, we do not have any established credit transfer system for the students that are accessing higher education. In East Africa today, we do not have common standards of entry, for example, to higher education. That is why we have in some instances a person with a "D plus" from Kenya being admitted to one

university when the next university cannot admit such a person.

Mr Speaker, I see the Inter-University Council for East Africa as a standards and quality assurance mechanism for this region, to ensure that the standards of education in this region are comparable to any other in the world. I see the Inter-University Council for East Africa as an institution that emphasises relevance. We have a number of degree programmes in this region which when you examine are totally irrelevant for our present needs for development. So we need a body that is going to ensure that we have high standards of education and that the education is relevant.

Mr Speaker, there was, in the chairman's policy statement, very little, if any, emphasis or policy direction on the issue of scientific and technological training. As I said earlier, we are not coming together to pool our poverty so that we remain in poverty, and we are not going to industrialise without technical education and training. I would really have wanted to see, in the budget and in the policy statement, a direction that we want to develop to and encourage technological training in this community, and that technological training would be co-ordinated and correlated with the Inter-University Council for East Africa in terms of research as well as the Lake Victoria Basin Commission and other institutions. I have not seen that.

Mr Speaker, these, in my very honest view, are matters that we should emphasize. We should encourage our respective Partner States to allocate money for research for development of science and technology in this region.

India has not made the strides that it has because it has chosen to remain in poverty. They had to invest heavily in technological development. Why are we not doing that? Why are we not exploring the opportunities offered to this region by the *jua kali* and the *nguvu kazi* enterprises? Why don't we find a way to harness them and use them as incubators for technological development in this region? (Applause)

Mr Speaker, I come from the Lake Victoria basin and the kind of environmental degradation that has been witnessed in the basin in the past 30 or so years is amazing. Those of us who grew up in that region knew of fish species in rivers that flow into Lake Victoria that have now died out. We knew of crops and other plants that have died out, all because of environmental degradation in the area. And it is all the way from the catchments areas for the Lake Victoria basin - Mt Elgon, the Cherangani - right up to the Rift Valley. How are we addressing this? What are we doing about these issues?

Therefore, Mr Speaker, I would really urge that as we talk of allocation of resources, the issue of environmental degradation in the Lake Victoria basin is given serious attention. I have no doubt that it is indeed because of the environmental degradation in the area that we are having this menace of the water hyacinth that my friend, hon. Karan, was referring to.

Mr Speaker, there is hardly any communication or transport on Lake Victoria and yet if properly developed, this is an area or mass that could be used to interlink the people of East Africa in such a way that it eases their

communication. A lot has been said by my colleagues and I do not wish to repeat what they have said in detail, but I believe that if Members of this Assembly, or the members of the relevant committee of this Assembly had been involved in the preparations or at some stage of the preparations of this budget, they would have made a great difference. Mr Speaker, in fact I was of the mind to oppose this budget, but the greater interest of the East African Community dictates that I should support it. I, therefore, reluctantly support it - *(Applause)*

The Speaker: Honourable members, before I suspend the House, I would like to recognise in the gallery Members of the Ugandan Parliament, and the Clerk to Parliament - *(Applause)* I now suspend the proceedings of the House until 3.00 p.m.

*Proceedings suspended at 1.10 p.m.
On resumption at 2.58 p.m., the Speaker,
Mr Haithar Abdi Abdirahim, presiding*

Mrs Margaret Zziwa (Uganda): Thank you very much, Mr Speaker. I start by also echoing what my colleagues have said this morning to congratulate you most heartily upon your election to this very important office. We shall accord you the necessary support, and we are behind you. In the same breath, let me also congratulate my colleagues, the honourable Members of the East African Legislative Assembly, upon their elections and swearing in this second Assembly of the East African Legislative Assembly.

Mr Speaker, I do not want to miss the opportunity of thanking you for accepting, under Article 55(1) of our

Treaty, to come and sit in Kampala. It has given an opportunity to our people to hear and therefore know more about the issues and affairs of the East African Community. I want to thank the Rt. Hon. Speaker of the Parliament of Uganda and the Parliamentary Commission for allowing us to be in this Chamber, and for all the support they have accorded us. Let me also thank all the departments, which have assisted us by way of enabling the Assembly to sit in this Chamber.

More importantly, as we are looking towards the debate of the budget, I thank the hon. Minister, the Chairperson of the Council of Ministers, for a budget which, from the outlook, is balanced, comprehensive, and touched on many of the issues which are within the framework of the integration process, and subsequently the political federation.

Mr Speaker, when we had the opportunity to join the National Consultative Council charity walk on Saturday last week, we had the opportunity to hear very good speeches, and one of the issues raised was on the aspect of communication amongst our people. It is true we are one people, but it is very embarrassing that we cannot effectively communicate with each other leave alone transact official and unofficial business together. The issue of language is very important. Therefore, please allow me to salute the Minister's budget because in section 41, the establishment of the East African Kiswahili Commission is a move in the right direction. I want to reiterate the words of the honourable Minister that we are at different capacities of knowing and speaking Kiswahili. Uganda was acknowledged to have some capacity,

although of course limited in some other areas.

Let me take this opportunity to say that I am looking forward to this Commission working hand in hand with the ministries of education to enhance the capacities of schools and of teachers so that the language is taught in our schools, and also to relate and liaise with the ministries of gender, culture and community development so that, for instance, cultural institutions, which are very fundamental when it comes to attitudes of people, are properly sensitised about appreciating this language. You will acknowledge that Uganda has had historical quagmire where, for instance, the Kiswahili language was used by people who went terrorising others. So it created a dissenting attitude towards Kiswahili. I want to request that when the Commission goes into place, it should relate with the relevant ministries to reach out to the cultural institutions to be able to make them appreciate the Kiswahili language so that they can be able to reach out to the population. Let us have the religious leaders also brought on board for purposes of popularising this language. I am sure with the Kiswahili language many of our people will be able to relate and to integrate, and the political federation will be achieved even faster.

Mr Speaker, sir, I want to comment on the Lake Victoria Basin Commission, which also has appeared in section 41 of the budget. We had an opportunity last Saturday to visit Port Bell at Luzira, which is the port in Uganda where ships land. I want to mention that one of the landing sites was quite untidy due to the heavy water hyacinth. One honourable

who spoke earlier on thought that perhaps Uganda has overcome this menace, but I want to say that the menace is still there and we look towards the Lake Victoria Basin Commission - and maybe also other initiatives which were started earlier - to help address this problem.

One of the officers whom we found at the landing site mentioned that when the water hyacinth harvester goes in to harvest the hyacinth, the hyacinth comes with a lot of fish and other animals in the lake. This means that if the harvesting of the hyacinth is done irregularly, many of the fish species and the aqua-culture will be lost. So, we think that an effort should be made to find a better way of handling this problem so that the weed does not go into the fish sanctuaries, or end up even suffocating our fishermen and many other aqua culture resources.

Mr Speaker, in the same breath the issue of security on the lake was mentioned. Many of our fishermen, because of the competition for the resources in the lake, do not have adequate security. Many of them are attacked, and at times they are not in position even to mention who are exactly attacking them. One of the requests which they made, which I think should be handled by both the ministries responsible for transport in the Partner States and also by the Lake Victoria Basin Commission, is the issue of provision of security on the waters of Lake Victoria.

I want also to mention that I had an opportunity to interact in the Great Lakes Region Conference. One of the concerns raised in this conference was the lack of standardised policies, cultures and practices. On the issue of fishing,

you will find that Uganda is quoted to have fishing nets of 20 inches, while Tanzania and Kenya have nets of 16 inches. This means that many of the Ugandan fishermen are not able to catch fish less than the 20 inches that they are allowed. And while they preserve it, their colleagues in Kenya and Tanzania harvest it. I think this is an anomaly, which many local governments have pointed out and have called for a standardisation of the disparity. I think it is a responsibility of this august House to address that anomaly, because I believe it is for the betterment of all our people that we have similar practices and cultures in order to preserve the resources of Lake Victoria.

Mr Speaker, in section 12, the honourable minister in his speech talked about transport. I appreciate that transport is a key aspect in integration and especially with regard to movement of our people. Certainly road transport seems to be relatively cared for: I think it is comprehensively addressed, but I think railway transport needs a lot more thought. When it comes to specific sections, which are important, they look towards the privatised arrangements. It is good that the Rift Valley Railways Corporation has come to take on the Kenya Railways Corporation and the Uganda Railways Corporation, but the capacity of this private sector should be critically looked into. If the governments think that this private sector needs to be supported financially, I think they also need to express the interests of the areas which need to be attended to first.

When we visited Luzira, which I will keep on referring to, we realised that, the railway line which comes from Port Bell to transport many of the heavy cargo

into Kampala, all the rails are almost at the verge of collapsing, and there seems to be no programme to rehabilitate some of those lines, leave alone the fact that even the port itself is now in the hands of the Rift Valley Authority. As hon. Kimura mentioned, in addition to having only one ship operating, even the ones which are there seem to have no programme of being rehabilitated.

Mr Speaker, this area is very vital for the integration of our people: People of Bukoba and Mwanza would be able to reach Luzira within two hours if the ship was in operation. So I call upon this Rift Valley Authority - and government to give them support so that our people can relate, integrate and support themselves in terms of trade.

As part of the re-branding effort, Mr Speaker, I want to propose that all the sector ministries and departments within our national governments should take up the issue of the East African Community as a cross-cutting issue. Let us not wait for the Minister in charge of the East African Community to be the only one to talk about the issues of the East African Community. If the Ministry for Agriculture, in its policy statement gave accountability on how it is fairing on the East African Community agenda, it would send very important signals to the people in each of the countries.

Likewise, let us also see to it that during the budgeting process in the Partner States, other than budgeting only for the activities which are exclusive to the national agendas, activities which can enhance areas of integration are also budgeted for. In the Ministry of Local Government, for instance, the local governments or authorities in the border

areas should be assisted to improve on the facilities that they share across the borders. I think that would help in re-branding or popularising this Community, and people would own the Community as their own.

Mr Speaker, issues of immigration touch very seriously on the movement of our people. Freedom of movement is vital if we are talking about integrating and federating. I want to commend the efforts being made at the Jomo Kenyatta International Airport and the Dar-es-Salaam International Airport now. For a long time they had remained with those immigration cards which were specifically designed for Kenya and Tanzania. Uganda took the lead, and now, going in and out of those two countries, the forms you fill have an East African design. I want to say that we should give the people of East Africa the opportunity to identify themselves as the East African people.

Similarly, when issues of sovereignty are being dealt with, our East African passport should be expanded to ensure that our people are not inconvenienced, and also so that the people do not just carry the passports as a by the way. Let them be confident in carrying the passport knowing that it will give them legitimate passage even farther than the borders of East Africa.

Mr Speaker, sir, I want to salute the Summit for appointing ministers for the East African Community. I congratulate the ministers who have been appointed. I want to add my voice to the rest of the honourable Members who have called for them to be real and for their presence to be felt in Arusha, particularly when the East African Legislative Assembly is

transacting business, and so that there is effective political supervision of the organs of the Community.

It is true that they are only three ministers, but even then, if the three are effectively in Arusha, then there will be accountability, particularly from the Secretariat to the Council of Ministers, and we shall have some of the programmes which would have otherwise gone at a slow pace take the impetus of the political direction. I had the opportunity to visit the offices of the ministers, which are located within the AICC complex in Arusha. I think it is an anomaly to have the ministers on the side of the Assembly when the Executive, the Secretariat and the Judiciary are on the other side. Even the facilities looked so meagre; they did not look comprehensive enough. If we want our ministers to live and operate in Arusha, let us also improve on the facilities that they will be using while in Arusha. Of course that is not to underestimate our needs as Members of Parliament: We need offices and places of operation.

Mr Speaker, sir, I would also like to appreciate the minister for talking about the gender community development plan in section 41, which has been inaugurated. It is true that issues of gender, youth and HIV AIDS, among others, are cross cutting. In every development programme, we should have these issues appear. However, you find that when the resources are inadequate, these are the issues which are relegated to the side and not taken on board. I want also to mention that the responsible department should work closely with our national governments to ensure that these agendas are also given

priority. You find that some countries are doing better than others, and that inequilibrium brings in a doubt whether we are committed to the same cause. I would like to see my sisters in Kenya, Tanzania, Burundi, Rwanda and Uganda know that within the Community there is a definite programme to improve the woman gender representation and issues, which directly affect or concern the woman gender and to see that the issues which regard, for instance, HIV/AIDS, which have a gender connotation are addressed directly.

Mr Speaker, you will appreciate that as the second East African Legislative Assembly comes in, many of the issues which the first Assembly touched on were not concluded. We have an obligation to push forward many of those issues. I want to salute the efforts of the first Assembly in the Nanyuki I, II and of course the Nanyuki III. We look towards the commitment of joint negotiations in the WTO. We look towards joint efforts in the transport sector and in all these organs which have been listed.

As I wind up, I want to say that if we continue to live in our sovereign identities it is only beneficial to the individual states, but not to us as the peoples of East Africa. Let us live the commitment the leaders in the summit have expressed. Let us take on the opportunity which the leaders in the summit have put forward and more importantly, let us have the opportunity to let our peoples appreciate that united we stand and divided we shall fall. Let them appreciate the benefits of the integration. And I think the East African Legislative Assembly is a very important partner and a stakeholder in this venture.

I call upon the Council of Ministers to give us the opportunity and allocate the money so that we are able to go out and share this vision with our people and get their views so that we move towards having a political federation as is the aspiration of by our people. I thank you, Mr Speaker – (*Applause*).

Ms Lydia Wanyoto-Mutende (Uganda): I thank you, hon. Speaker. It is an honour for me to also give my maiden speech in the second Assembly of the East African Legislative Assembly. Before I get into the details, with your permission, I will begin with a condolence message.

Hon. Speaker, I join you and my colleagues to add my condolences to the family of one of our former staff, Mr Sammy Chesire, and to the people of Marakwet whom he was very fond of in Eldoret. Mr Chesire was not only a member of the team of the *Hansard* Reporters in our Assembly, but he was also our Media Relations Officer, an assignment he had taken with enthusiasm. At the time of his death I was aware like other Members who knew him, that he was pursuing a Masters Degree in the same field of Media Relations and Marketing.

As the East African Legislative Assembly, we will miss Chesire because he worked so hard to give the Assembly visibility through the media. And I will miss him personally because we worked together - I was part of the team of honourable members in the ad hoc Committee on Media Relations in the last Assembly. Mr Speaker, I hope that at an appropriate time you will be able, using your office, to put in place another team and officer to quickly fill the gap of

media relations that we need badly as a legislative assembly. As you know, our media relations are still wanting and we need somebody that will link us to the press. Honourable members, during our swearing in ceremony in Arusha, the media that you saw and the publicity that we got was partly the contribution of the late Chesire; may his soul rest in peace!

Secondly, during our difficult last six months, some of us got to know that our Secretary-General, Ambassador Juma Mwapachu lost a mother. I want to take this opportunity, in my maiden speech, to relay my condolence message to his family and to himself. Although he is not with us, but as a member of the House, I thought it was important for me to pass on this condolence message.

While on the same matter, hon. Speaker, I hope that occasions of this nature will not be left to the whims of individuals to decide. In the last Assembly we had a very difficult time to reach our colleagues who had lost relatives, or to reach relatives of those who had passed away. We lost two members of the Assembly: we lost a minister and a colleague, and we had to find our ways for the funerals. We had to buy our own tickets and we had to travel across the borders to attend these funerals...we also lost a member of staff in the Court...So, I hope that there will be some minimal administrative arrangement to enable a representation of those who are in the service of the Community to attend funerals and occasions of this nature when we lose one of our own, because it is very expensive. The Community has grown and we are now going to Rwanda and Burundi, so we cannot claim to be propagating an East African integration

agenda when within the Community we are very un-African.

At a funeral of this nature, how many of us will be in Eldoret on Saturday; and how many of us were in Sironko? How many of us were in North Eastern Kenya when hon. Aden passed on? These are the things I really want to request you, Mr Speaker, as part of the leadership of the Community, to reach out to other leaders of the Community to enable a minimum representation to show the East Africaness at funerals as well as at occasions of this nature. We cannot talk about the East African Community and integration and yet when the *wananchi* are in trouble we are absent: we are in Arusha; we are in workshops; we are on radio programmes; we are in Parliament; we are in the Summit, but we are absent at funerals. I thought I should make that passionate appeal to the administrators and the people who manage the welfare of the Community.

Mr Speaker, I would also like to take an early opportunity to congratulate Dr Rotich, the newly appointed Secretary-General of the East African Community. I want to welcome him to the family of the East African Community and wish him all the best during his term of office at the East African Community Secretariat. In the same vein, hon. Speaker, before I congratulate you, I would like to congratulate our other colleagues who constitute the Second East African Parliament for having won elections in their respective countries to represent the rest of the East Africans in the Assembly.

And as I conclude my congratulatory messages, Mr Speaker, I would like to congratulate you upon being elected the

Speaker of the Second East African Legislative Assembly to serve your five years. I also want to thank the honourable Members of the Assembly because it is very difficult to elect somebody one has not worked with for a long time. It takes a lot of confidence and trust, and I would like to thank you and thank the members from the Kenyan chapter for fielding only one candidate. It was easy for us to rally behind and beside hon. Abdi as Speaker, because you could have chosen to be the nine of you: the nine of you pick forms, come before us, campaign and whoever gets the majority vote becomes our Speaker.

Although democracy is good for all of us and elections are a way of democracy, the results normally cause a lot of divisions and the healing process takes long. So I would like to salute the Kenyan chapter for making it easy for all of us to rally around and besides one person for a leader for the next five years. I am sure that we are a much happier and a more solid team now than if it had been the other arrangement like I have explained of the nine of you coming up and us having to elect from among the nine. So I would like to thank you very much for taking us through a neat and clean process of electing a Speaker.

I would like to take a second and talk about the pride of having someone that I served with in the First Assembly as the Speaker. When I found out that hon. Abdi was standing for Speaker, I told him that when he won the election, I would say out the things that made me support him, so that if later power entered his head I would be exonerated, because I thought he was a hardworking person. Abdi worked very hard in the

First Assembly: He was not a chairperson of any committee, he was not even a country chairperson, but he was at the centre of all activities. Hon. Nangale will bear me witness, because he says that hon. Abdi was a co-chairperson for the Committee on Investment. Hon. Abdi would look for funding and fill in the funding gaps for every committee, even for my own committee where he was not even a member. I ran three workshops in Kenya as the Chairperson of the Committee on Agriculture and Natural Resources, and hon. Abdi was able to always get me accommodation for members for the first night or the last night, and free conference rooms, so we were able to do our work as a committee. So I am happy that our colleagues from Kenya have chosen hon. Abdi because I think we are supporting someone who is hard working and who will help us to move as a legislative assembly.

The second reason I supported - and many of us did support - Abdi, was because he has a very high sense of humour. When we began the First Assembly, there was a lot of tension because of the conditions you have heard of: we did not have any offices, but we had to do a lot of work. We would sit in the Speaker's guest room...it is not even a boardroom for members, but we had to serve East Africans. So, during the course of a lot of work, we had tensions, and sometimes we would raise our voices. Now, in the middle of that, hon. Abdi would step out into the corridors and send a joke on all our phones then everybody would check their messages and start laughing, and that would ease the tension in many of our meetings. So we thought that if hon. Abdi would be our Speaker in the Second Assembly, he

would help us ease tensions during the difficult times.

I have said one or two things about the virtues that hon. Abdi has and that a leader must have. Hon. Abdi was not in leadership of the East African Legislative Assembly but he was at the centre of everything that happened in Arusha. All of us liked him: we went to him for support, and he was fast and tall in everything he did. We really liked him, and he brought us together as Members of the First East African Legislative Assembly. As such, I would like to wish him a successful term of office as our Speaker and request him to remain what he was in the First Assembly because what normally happens is that when people get into leadership, sometimes they change. However, I do not expect hon. Abdi to change.

Normally I would not say much about people who take up new offices although they deserve to be told the good about them, but speaking on this very Floor of the House, a very respectable minister said, when a respectable citizen of our country died, that when we are in leadership, we should do good things so that when we die people do not have to go to the *Hansard* or to other documents to look for something about us so that they can say good things in paying tribute to us. For our Speaker, where he comes from, as soon as somebody dies they rush to bury that person, so you may never get the chance to say good things about the Speaker. Therefore we need to support him while he is still alive and serving us so that his term of office is filled with joy and a lot of support.

I have said many things about people who take new offices and when they get into the offices they develop difficult issues and people come to me and say, “Would you say the same thing you said about so and so on the Floor of the House?” and I say, “Yes, because as human beings we must open our hearts and support everybody. When they change, we get exonerated, but we would have done our bit as human beings”. So, hon. Abdi, I wish you all the best as our Speaker, and may God bless you.

I would now like to turn to the issues of the budget. I have been honoured, in this Assembly, to chair the committee that will be dealing with matters of the budget. That is why the whole of yesterday and this morning I have been listening carefully to issues and matters of concern that members have been raising. By way of contributing to matters of the budget, I want to make an appeal to honourable Members and to the honourable minister to support our committee when we want to revive and introduce the East African Community Budget Bill. I served in the First Assembly, and I was on this committee for five years. Since I have a background, among others, of budget, I have an interest in budget issues.

As Members of the Assembly, we developed a draft East African Community Budget Bill. We brought it to the House and it was taken by the Council of Ministers. I do not want to say they sat on it; I want to say that they are still consulting on it. I hope that at an appropriate time they can bring that Budget Bill to this Assembly so that we do not just lament about figures in the documents and policy issues; and so that

there is a law that helps the honourable Members of this Assembly to legislate in their own right on matters of budget. What we are doing today is that we are only pleading; there is no enabling legislation that gives us a right, as a legislative Assembly, to make a contribution or even change anything in the budget. We are on the whims of the Council of Ministers. You may want to kneel, you may want to say very nice words on a microphone, but if the Minister is not willing...he has to be willing to change anything. So I would like to plead with the honourable Members and the Council that we should have an enabling law, the East African Community Budget Act that will give us space as a legislative Assembly to make a contribution to the budget.

As we speak now, the budget as you all know is the mandate of the Executive. So you cannot do much; you are in the legislature. We can only support, make requests, plead, those of you who can quarrel, can quarrel, those of you who can shout can shout, but there is no enabling law to give you space and the right to change anything. So when we constitute ourselves into the Committee on General Purpose and negotiate with the Council, we would like to have in place this Bill, and then we can speak at a certain level such that everybody will be able to appreciate the needs of the rest of the organs of the Community.

The other issue I wanted to raise also relates to the Council of Ministers - the Chairman is just here listening to all of us: this streamlining of the mandate and activities of the different organs of the Community. I listened carefully to Dr Masha, hon. Mulengani and Dr Masaburi. They were speaking the same

language and addressing the same issues, and the only difference was in how they were each enriching the debate. The mandate and activities of the different organs of the Community over time is something the Council of Ministers cannot run away from. The Treaty is clear but the practice is different.

The reasons are clear: Arusha began putting organs in place at different times. Although the Treaty is clear, the Secretariat was the first organ in the Community. While they existed, they were able to play all the roles linking to the Partner States. Five years or ten years later, the Legislative Assembly is in place and the Court is in place, but the Sectoral Committees still exist and the Secretariat is even stronger than before. So we want to request that now that we have the Council of Ministers present with us full time, it should sit down and revisit the actual practice in the Community in terms of mandates and activities. Otherwise, if you read the budget and if you read the minister's speech - I was looking at the minister's speech, and from page 1 up to page 23, he talks about the major sectoral thrust of what has been happening in what they call the "Community".

Then on page 23 in paragraph 34 he talks about organs and institutions of the Community, and that is where the Assembly has been lumped with the Court and all the other organs. So I was wondering, in the first 24 pages, who was he talking about? Which organ is in the first 24 pages of the speech if the Assembly and other organs are in only two or three paragraphs, and the actual budget summary is in the last paragraph of the statement?

This tells you about the mindset on what is transpiring in the Community, it also says a lot about the things that have not actually changed in the practice, and that is why you hear members talking about space, about being involved and all these other things. So we hope that now that we have ministers, they will take off time and involve the different organs to participate in the different work of the Community. Otherwise, honourable members, you are lucky that you have had minister to listen to you, because in the First Assembly we used to talk to ourselves. I think we have mileage since we now have ministers. All we need to do as a legislative Assembly is to sit down and put down the priorities of the Assembly, the priorities of the Court and insist that these priorities be funded within the budget of the Community. Nobody is going to speak for us!

The way the Community is now is such that each organ must present its issues to the Council. That is how I look at things, and that is how I think we are going to move. Otherwise, everybody is now struggling to see how much he or she can pick from the basket. This is the nature of budgeting. You cannot sit back and wait to be told what you can get. You must present what you want to do.

Before the Assembly opened, the minister was asking me what we were going to do in outreach. I want to give just one quick example; the East African Community Essay Competition. This week I have seen the advert in the newspapers. I have a responsibility as a Member of the East African Legislative Assembly to go around Uganda and talk to secondary school children about the beauty of participating in this competition. That is part of outreach! It

is not enough to just run the advert it in *The New Vision*! We must tag our outreach programmes to tangible benefits of why a student should participate in an essay competition; leaving it in the newspapers is hanging. But, people do not see those relationships. Because it is a Secretariat activity, a member of the Assembly cannot participate in it; you are not supposed to be there. Why?

This essay competition is going to take part in Uganda and I come from Uganda. Why would a Member of the East African Legislative Assembly not go around to popularise an essay competition that has been advertised in the newspapers and we raise awareness using that angle of an activity, so that all Ugandan children can compete? That is one example that I have given to anybody who thinks we should not have outreach activities and that we cannot package them properly. We can do that and there are many more. We will be going to the East next week and Members will be seeing the wealth of the things our people want us to go around and talk about the East African Community issues.

Finally, Mr Speaker, for anybody to debate this budget substantively, the following documents should have been the minimum each one of us should have read. So you can guess how many days you would have needed to be able to contribute properly to this budget. Number one, each one of us should have read the reports of the Council of Ministers and the Summit meetings held in November 2006. Those were mandatory, and you should definitely have read them. The other documents you should have read are the reports of

the Fifth Extraordinary Meeting of the Council and the one of the Summit - the one of this week. The other documents you should have read to be useful in this budget are the budget documents for 2006/2007 Budget, including the MTEF documents, and also the current estimates and budget framework. The other document that could be useful to all members is the East African Community Development Strategy of 2001-2005 and that of 2006-2010, because it is these development strategies that will help us explain the monies and the activities. Of course the other document that we need is the Treaty for the Establishment of the East African Community. This is an average of 10 documents. Now, for a Member of Parliament who does not have an office or even a computer or a cabinet, how do you contribute to this type of budget debate without even reading the minimum documents I have been able to share with you here?

I have read the audit report and there are issues there, and I just want to plead, as I conclude, Mr Speaker, that the honourable minister should give us time to summarise the issues of this budget, and that there should be flexibility for us to do reallocations in the budget so that each one of us has space and a contribution to make in the next financial year, not to mention the media.

I do not know about the re-branding, but I want to talk about the media. We need to use language that is useful and relevant to the Community. We had an opportunity to go to the borders of Mombasa and Tanzania and when we were addressing the *wananchi* about the Common Market, "*Soko la pamoja*" in Kiswahili, the *wananchi* looked at us

and listened. Then one put up a hand and asked, "Where are you going to build this market?" You see, among the *wananchi*, a market is a built structure with maybe stalls for people to sell things, or the other aspect of a market is maybe a one-day place where people sell things. But the common market that we talk about in the Community has to be explained in the right language so that people understand the market of the 90 or 120 million people that we are now talking about. We need to change our language so that it is relevant and brings out the technical documents in Arusha and is meaningful to the people.

Another example I want to give is about a presentation I made in the Media Summit about the organs of the Community. I was saying some organs work, others do not work, and others are behind because they began late. People were passing notes and fidgeting - "*Hawo watu wa Arusha wakonaluga kwa kweli; Sasa "organ"; organ ndio nini?*" So, the other thing that we need to do is either to define them as institutions or language. However, the language we use in the Community sometimes has different meanings to the people we are serving. I thank you, Mr Speaker. I have taken some time but I hope that I have made my contribution - (*Applause*).

Mr Daniel Wandera Ogalo (Uganda):

Thank you, Mr Speaker, for giving me this opportunity to contribute to the motion for the House to resolve itself into a Committee of Supply to consider the minister's statement. In making my contribution, I am mindful of the fact that the present Chairman of the Council of Ministers has just taken office, so my contribution is in relation to the

institution of the Council of Ministers as it is.

Mr Speaker and honourable members, the budget as I understand it is simply trying to answer what the Community has set for itself in the Strategic Plan of 2006-2010. There are certain things, which we have said in that plan and the Executive has committed itself to those targets, and this year we hope to achieve those targets. So in looking at this budget, there must be a relationship between what the Minister said to us in his statement yesterday and what provisions he is making to achieve those targets. Unfortunately, I find a lot of disconnect between the Minister's speech and the set targets for East Africa over the next four years. If we proceed with the budget the way it is, I do not think that we will be able to achieve those targets. So, much of what I am going to say is going to be more of an appeal on how we should try to move towards achieving the targets we ourselves have set and the targets the presidents of the Community have set. And at the end of the day, the question will be, "What is the legacy, what are the achievements of the Council, the Assembly and the Court to the people of East Africa?" That is why I agree with the statement by *Mheshimiwa* Akhaabi, that in this we must complement each other - the Executive, the Legislature and the Judiciary - in order to achieve the targets we have told the people of East Africa we are going to achieve.

One of the fundamental problems and the reasons why we will not be able to achieve these targets is because of the budgetary process. There is need to revisit the budgetary process. There was a strategic plan for 2001-2005 with very

many things we promised the people of East Africa, like construction of roads and provision of energy. There is a matrix in that strategic plan...so many things we promised the people of East Africa. We failed them; it was a disaster. It was a disaster because we did not revisit the process of the budget in order to make provisions for what we had promised. At the end of the day, is this really the Minister's budget?

I know that under the Treaty the power to determine the budget is vested in the Council and in the Assembly, but do we do that? Is it not a fact that the budget is determined by technocrats from the Partner States who come to Arusha and decide that "this is what we are going to provide?" Is it not a fact that at the end of the day the Council of Ministers will have little to change because the ceilings are set by the Partner States and the Council of Ministers have no authority to try and go beyond that; that they can only plead? Therefore, in my humble view, the budgetary process must be changed to reflect what the budget process should be.

We must move away from equal contributions as a method of raising revenue. Revenue should be raised through taxation or through other means other than equal contribution. If you look at this year's budget, what is each country giving? Only US\$4 million; what is that in Ugandan money? About 6 billion Shillings! The Minister cannot even make a road from here to Jinja with that money! So how do you expect this Assembly and the Council of Ministers to deliver what has been promised? I would therefore propose - and the makers of the strategic plan saw it, unfortunately the Minister did not

comment on it in his speech – that we must find alternative funding for the Community. In fact the strategic plan of 2006-2010 specifically says that we should place a percentage on the customs revenue of each country. They propose 1.5 percent, and using the figures of 2004 they come up with a budget of US \$22 million. In order to do so then, it will now be in the power of the Assembly and the Council of Ministers to raise the money, not to depend on contributions from Partner States – *(Applause)*.

I would therefore request the Minister to take up this matter, which has been on for a long time and which the strategic plan emphasises, that we must have other methods of funding the Community. Other parliaments have the power to raise revenue through taxation, that is where the real power of the budget is, but we cannot raise taxes! When the other parliaments are passing a Finance Bill into an Act, they are authorising government to raise revenue, but we do not, and that is where the problem is. So, Mr Speaker, sir, I would appeal to the Minister to revisit the budgetary process and make it a process that is realistic. Without that, it will not be possible to meet the targets that we have set ourselves. We will end up with what happened in the strategic plan of 2001-2005.

The second point I wish to raise, Mr Speaker, while students are still in the gallery, is about the Inter-University Council for East Africa. This Assembly has visited that council and the council has informed us that there are 150,000 students in universities in East Africa, and they have pleaded with us and said, “Please, you politicians, we have got US

\$1.5 million in our pockets, find us land so that we can build our headquarters and look after these 150,000 students”, like those in the gallery – *(Applause)*. So I am sure that as we speak now, the students in the gallery are looking at the Minister and they are sure that the Minister is going to provide land – *(Laughter)*. Uganda has been known to be very generous with land to investors and so on. If you can give land to someone to build a hotel, how much more should you give to these 150,000 children of ours? I would appeal to the Minister to move fast to get land so that the council can build its headquarters.

The other aspect of the council is research. The future for East Africa lies primarily in research. Foreign investment is secondary, in my humble view. It is research on how we are going to deal with agriculture, research in technology, research on what kind of houses can be afforded by the people of East Africa, and research into which is the way forward for East Africa. And we were given an example by the Inter-University Council. They said that if there was authority to tax at least US \$100 for every student just once, for 150,000 students that will be US \$15 million that the council would be able to raise which it would be able to push into research. Mr Speaker, sir, that authority can be given by the Council of Ministers as this is an institution under the Community.

This is sufficient money to go into research and transform East Africa. I repeat I believe foreign investment is secondary to technology and research because, even if you have, for example, foreign investments and you get the money and end up building a house

worth US \$20,000 for an ordinary person, how many people will afford that house? On the other hand, if there is research on the materials that we have here and an ordinary person is able to build a house using US \$1,000 that is a way forward! I appeal to the Council of Ministers to look into the possibility of authorising the Inter-University Council for East Africa to raise money to be able to fund research.

Mr Speaker, sir, the third point that I wish to talk about is one that was raised in the speech of the Minister. He stated on page 7 that, *"On the whole, relations with the development partners were elevated to their highest level and the East African Community Partner States sustained the efforts to negotiate as a bloc in the international fora."* On page 28, the Minister states, *"Activities are also anticipated under the Trade Directorate, notably the co-ordination of international trade, development of mechanism for promotion of intra-regional trade..."*

As I have said, I am in cognisance of the fact that the Minister is new in this office and that there are certain things that took place in the past that may not strictly be reflected in what we are reading here. Mr Speaker, in relation to negotiating as a bloc in international fora, which you have referred to here, there is a background; allow me to give this background.

In April 2002, President Yoweri Museveni, President Benjamin Mkapa and the then President of Kenya, Daniel Arap Moi sat here in Kampala and issued a directive to the Council of Ministers that they should forthwith put in place mechanisms for East Africa to

negotiate as a bloc. They said that in matters of world trade with WTO, EU and the ACP countries, henceforth East Africa should go as one body. That was in April 2002. Almost two years later, the Council of Ministers had taken no step whatsoever to do anything about that directive of the Summit. The First East African Legislative Assembly in its own wisdom thought that a directive from the Summit was an important thing, so they drafted a Private Members' Bill, which they called *the East African Joint Trade Negotiations Bill*, to implement the decision of the Summit. Mr Speaker, that Bill was given a first reading and it was referred to the Committee on Trade.

You will recall, Mr Speaker - because you were a member of that committee - which the Members who sponsored that Bill came before your committee and your committee thought that more work needed to be done on the Bill. As a result, the committee requested for funds to improve the Bill to implement the decision of the Summit. The Assembly was told that there was no money for that. As a result, Mr Speaker, you will recall that you personally went from one non-governmental organisation to another, begging for money to implement the decision of the Summit. Eventually, you were able to get funding from Frederick Ebert Foundation, which not only sponsored the committee but even hired consultants to come up and assist the committee in matters of international trade, among others.

Thereafter, the committee redid the Bill, it was even reprinted, and it was at a stage when hon. George Nangale, the then chairman of the committee, was at the Second Reading that the Council of

Ministers stepped in and put a stop to it. That necessitated three Members of the Assembly, hon. Calist Mwatela, hon. Isaac Sepetu and hon. Wanyoto, to go to the East African Court of Justice to find out whether the Council of Ministers could just come and remove things from the Assembly and kill them. The East African Court of Justice said that that was not proper but illegal, and that the Bill was still properly before the House.

My appeal to you, Mr Minister, is to revive this Bill - (*Applause*). Whether it comes from private members or from the Council of Ministers really does not matter. What matters is that we do something which will deepen the integration process. The Council of Ministers can bring it; all of us are working towards something for the betterment of the people of East Africa. It will also look very awkward when the East African Court of Justice has said that this Bill is properly before the House and should be proceeded with, only for us to appear to undermine the decisions of the Court. It will not give the region a good picture in the outside world.

Mr Speaker, sir, before leaving that point I should pay tribute to the Judges of the East African Court of Justice who made that landmark decision, the honourable Members of the Assembly who went to that Court and the advocates who handled the case for free, who included some members of the Assembly, notably hon. Medi Kaggwa, hon. Sarah Bagalaaliwo, hon. Mabele Marando and hon. Jared Kangwana.

The third matter that I want to comment on is the question of the organisational structure of the Community. The

Minister has covered this in his speech when he says, "*The ongoing implementation of the new Organisational Structure and Terms and Conditions of Service of the Community...*" I fully agree with the Minister that without a loyal, efficient and hardworking civil service, it is not possible for us to deliver to the people of East Africa what we promised them. I therefore welcome the implementation of the new terms and conditions of service for our civil servants as determined by the Council of Ministers. It was time that our civil service terms and conditions were revised. However, my concern is in two areas.

First of all, there is a need to narrow the gap in terms of emoluments. If the gap between the highest paid civil servant and the lowest paid is too big, then it can tend not to motivate others and lead to less work and less output. The second issue is that we should strive to treat civil servants of the Community equally; and I want to demonstrate these two points.

If you look at the new emoluments, for example of the Secretary-General, he has an annual salary of US \$82,151, a housing allowance of US \$36,000, an entertainment allowance of US \$4,200 and a spouse allowance of US \$1,200. So annually you are looking at a Secretary-General's emoluments being US \$123,551. For the Deputy Secretary-General, it goes lower to US \$106,473 annually. Now when you come to the Director in the Civil Service, there is a big fall. The director's annual salary is US \$52,298, housing allowance US \$16,800 and spouse allowance US \$1,200, giving a director a total of US \$70,298 annually. That falls further for

officers at principal level who get US \$60,000 a year, then senior officer level who get US \$56,000 a year. The general staff fall to US \$22,000 a year. The secretaries and cashiers come to US \$15,000; receptionists, telephone operators, US \$10,000; drivers, US \$4,000 and the rest US \$3,000 a year. So if you look at the difference between US \$3,000 for the lowest and US \$123,000 for the highest, it appears too wide. So I appeal to the Chairman, Council of Ministers, that it is necessary in future to try and lessen the gap between these.

The second point on treating staff unequally can be seen in the emoluments, for example, of the Director General of Customs. He has a salary of US \$72,000 and housing allowance of US \$30,000. His total is US \$110,000 per year. When you go on to the other side of the Legislature and the Court, then you find a very different picture. This is really what I mean by treating civil servants differently, because when you go to the other side of the Assembly, you will find that the highest - that is our Clerk - earns US \$52,298 as his salary, housing allowance of US \$16,000, transport of US \$3,000. The Clerk gets about US \$70,000 annually, but then the Clerk should be at the same level as the Deputy Secretary-General - (*Applause*). The Clerk and the Registrar should be at the same level with the Deputy Secretary-General. So, while the Deputy Secretary-General is getting US \$100,000 the Clerk is getting only US \$70,000. Now that is not treating officers equally, because the Clerk is heading a whole arm; the whole Legislative Assembly is under the Clerk; the Registrar is heading the whole Court! So these differences, I request, should be addressed.

Still continuing on the question of the organisational structure, you will find that the East African Legislative Assembly, the Court, the Secretariat are all organs of the Community. They are all at par as organs of the Community yet when you look at the administration and how they carry out their activities, the East African Legislative Assembly is not autonomous, the Court is not autonomous but the Secretariat, the civil service, is autonomous. These are distinct arms of government - Parliament, Court and the Executive - but when you come to granting power, you put the other arms under you!

During the last Assembly the honourable Members pleaded for a long a time, and I plead with you, Mr Minister over this, please grant the Court and East African Legislative Assembly at least the status of semi autonomy; to at least have sub-accountants - (*Applause*). If I am stuck with a voucher of US \$50, I will not get paid because the Clerk has no authority. I will have to wait until Mr Onen is around - (*Applause*). Both the Court and the Assembly have got accountants. The reasons which were given originally were that, "You know you do not have accountants so we cannot give you autonomy to manage these accounts of yours." Now we have those accountants, but still we see problems, Mr Minister - (*Interruption*).

Ms Wanyoto: I thank you very much for giving way. I would like to give information to the honourable Member on the Floor that, in the first Assembly we were able to see the new institution of the Lake Victoria Basin Commission come into place, and that institution is self-accounting. It is one of the institutions of the East African

Community and it is based in Kisumu. But, the other organs of the Community are not self-accounting. These are really the contradictions that we are talking about.

Mr Wandera Ogalo: I thank the Member for the information especially the bit about Kisumu – *(Interruption)* – Mr Speaker I was just checking to see if the Executive Secretary was around. But, I am certain that the heads of these institutions would be the first to support that the Assembly and the Court should really be self-accounting. These are small matters. Even if it was felt that the Clerk and the Registrar should not be near the Deputy Secretary General, then at least you put them on the same level with the Director General of Customs – *(Applause)* – so that we can then look at the Community as a whole and say we are one family, working together. But with these kinds of disparities, we are not likely to have harmony and optimum motivation. So I appeal to you, Mr. Minister to address – *(Interjection)* – through the Speaker – *(Laughter)*. But it is important to say, “Mr Minister, through the Speaker”, because at the end of the day, we are going to rely on the Council of Ministers to effect these changes.

Mr Speaker, sir, honourable members, the East African Legislative Assembly is the only Parliament I know of where when it comes to recess, Members plus their Speaker lock their offices and go away; all of them, and appear together with the Speaker on the same day, and the difference between the meetings may even be from May to September. So, when we leave after the budget session in May, as we are supposed to, it is likely that we shall convene in

September. During that time, the office of the Speaker is closed. If you want him, you have to use your mobile phone to find him somewhere in Mandela or somewhere else and tell him, “*Bwana* there is this problem like this”.

Ordinarily, there must be a political head of the Assembly at all times in Arusha; somebody who will attend to the matters of the Assembly. There are certain things the Clerk cannot do. In national parliaments when the Members go on recess, the Speaker is there full time; the office is open. The members of staff of his personal staff are also there to attend to the matters of the legislature. For us, we close and all of us go away and we only meet when we are returning – “Oh! *Mheshimiwa* Speaker, how was the recess? *Umekujaje?*” That is not good.

So, I am appealing to the Minister, again, through you Mr Speaker, that the time has come to make the Speaker of the East African Legislative Assembly resident in Arusha – *(Applause)* – a political head who will be able to assist the Council of Ministers in matters relating to the legislature at any time the Council of Ministers want advice from the Legislature. The Chairman of the Council of Ministers need not start looking for the telephone numbers of the Speaker to consult him on certain matters of legislature. It will not cost the Assembly, Mr Speaker, and that is why I am appealing directly to the Chairman of the Council of Ministers.

During the last six months, from December to May, Members of the East African Legislative Assembly did not earn any salary. There is therefore a saving. The salary of – *(Interruption)* – yes, there is a saving! The salary of Members was US \$2,200 a month. If

you multiply that with the six months for the 27 Members, in the pocket of the Chairman, Council of Ministers, there is US \$356,400. My appeal to the Minister is not to send this money on the float but to remove some of that money. I must emphasise this; between December and May, there was no Assembly meeting. In the last Assembly, we had budgeted for salaries for Members of the Assembly, and that was not used. So, the \$356,400 is there.

I have looked at the Secretary-General's emoluments in respect to residence, and he is paid \$36,000 annually, and for security and domestic help, US \$2,400. So annually, all we would need, if the honourable members would agree that the Speaker can take this one at the level of the Secretary-General, which I do recommend *-(Applause)-* annually what is required for our Speaker to be resident in Arusha is US \$38,400. It means, therefore, that what was saved in terms of what should have been the salaries of Members of the Assembly can cater for the residence of the Speaker for almost ten years *-(Applause)*. So I appeal, Mr Speaker, to the Council of Ministers that in July this year – in July there will be a meeting of the Summit, and I am mindful of the fact that the terms and conditions of service of Members of the Assembly can only be changed by the Summit. So my appeal to the Council is that since there is a Summit in July this year, please put the recommendation before the Summit to revise the terms and conditions of service for the Speaker to provide for residence - *(Applause)*. I am looking forward to seeing the Speaker's residence with effect from 1st August.

Mr Speaker, sir, and honourable members, another appeal - because I am just making appeals - I want to make to the Council of Ministers is that there is necessity for political supervision in Arusha - *(Applause)*. There is a political vacuum when the Council of Ministers is not there and when the Assembly is not there. Because we only leave the civil servants in Arusha, and I think that we are not being fair to them because now we expect them to do political work. If they do it badly, the mistake is ours. I would therefore appeal that time has come for the Ministers to pack up their bags from their capitals and take residence in Arusha - *(Applause)* - because I am convinced that with political supervision, things will move faster.

I would also like to request that we move away from this amorphous arrangement where we just keep on referring to the Council of Ministers. I request that the five ministers allocate themselves responsibilities among themselves, because the Treaty sets out all the areas which must be addressed by the Council of Ministers: agriculture, health, energy, roads and education. All those are there in the Treaty.

I would like to hear, for example, that the Chairman of the Council of Ministers is going to be responsible for the environment, natural resources, tourism and wildlife, free movement of persons, labour and services. That is his docket, and if something goes wrong, we know who to look for; we know whom to approach, we know whom to recommend to, and we know whom to give information. Then another minister would also take up another docket. You divide up the responsibilities and the

powers, which have been vested to you by the Treaty.

You would therefore not only have collective supervision in Arusha, but also specific departments to take care of in Arusha. With that supervision, I believe that we will push the integration process forward. But if members are going to be tourists in Arusha, and the Council of Ministers is also not there, then how can we start dreaming of fast-tracking? Fast-tracking is essentially a political decision; it is a political matter. It is not a civil service matter! The Department of Fast-Tracking in Arusha requires the Council of Ministers to give direction and guidance.

Mr Speaker, I would like to comment on just one other institution of the Community, that is the East African Development Bank. From the speech of the Minister, I notice that it is said that the bank has made profits. However, those profits are only for the shareholders. I humbly submit that this bank should be for the people of East Africa; the ordinary persons in East Africa. They should be the ones to gain from this bank. Efforts should be made towards making sure that the ordinary persons in East Africa benefit directly from this bank. How?

Mr Speaker, in all our countries we have commercial banks, which are charging very high interest rates. This makes it impossible for an ordinary civil servant to take on a mortgage arrangement, because he or she will not be able to meet the repayments. At the end of the day, the bank will end up selling his house. This is because there is a monopoly of these banks in these countries, and for them it is all about

profit. Housing finance banks are not evenly distributed. You may find one in Tanzania, two in Kenya and only one in Uganda. So the East African Development Bank should be geared towards providing funds to institutions in the Partner States, which directly address matters such as mortgage. Then, you can say that a civil servant in East Africa, because of the low interest rate which would be imposed by virtue of controlling the East African Development Bank, would be able to access funding, not only for housing but also for many other areas. Apart from that, even many businesses have collapsed because of high interest rates. The East African Development Bank should be the financial vehicle for the East Africans. It should be able to channel money, with some conditions, to commercial banks or housing finance banks.

Lastly, Mr Speaker, I submit that one of the biggest problems blocking the integration process is the Treaty. The Treaty requires review to enable the integration process to move forward. There are many booby traps in the Treaty, which clog the integration process. Since now amendment of the Treaty has been opened by the provision for an Appellate Court, I think that there has been a realisation that the Treaty requires some fine-tuning. I am particularly disturbed with chapters 6 and 7, namely the Coordination Committee and the sectoral committees. These are the biggest impediments to the East African integration process and I will say why they are.

They are an impediment because you are sharing powers, which ordinarily should be shared between the Executive, the

Legislature and Judiciary, between the Council of Ministers with the Coordination Committee and the sectoral committees. Why would any constitution of a country include how power is shared between politicians and civil servants? I think both the coordination and sectoral committees can continue to operate but under the Council of Ministers somewhere, and not under the Treaty. They should remain administrative.

What has happened is that they have imported national fears and national consciences - being too conscious - into Arusha. That is what I mean by clogging the integration process. They are reaching there with a Ugandan position, with a Kenyan position and with a Tanzanian position. And then after that they are the very people to make recommendations to the Council of Ministers. So we must move away from national to regional consciousness - (*Applause*) - and the Council of Ministers will determine by itself what kind of civil service it requires. It may decide that it only requires the Secretariat, and that it does not require people from Partner States. If that is so, so be it. What the Council requires is a secretariat; a civil service. So if it determines it can do with only a secretariat and that is sufficient, so be it!

The other area, lastly, Mr Speaker, is Article 132; the budget. As I indicated earlier, because of the provision in the budget on how the Community will be funded, it becomes difficult for us to revisit the budgetary process with those impediments in Article 132. If we amend and remove those impediments, the real power of the budget, the raising of revenue, will lie with the Council of

Ministers and this Assembly, and we shall forge forward. Mr Speaker, I thank you – (*Applause*).

The Speaker: Honourable members, we now adjourn until tomorrow morning at 10.00 O'clock.

(The Assembly rose at 4.37 p.m. and adjourned until Friday, 22 June 2007 at 10.00 a.m.)