



## EAST AFRICAN COMMUNITY

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### EAST AFRICAN LEGISLATIVE ASSEMBLY (EALA)

**Official Report of the Proceedings of the East African Legislative Assembly**  
**28<sup>TH</sup> SITTING – SECOND ASSEMBLY: SIXTH MEETING - FIRST SESSION**

**Thursday, 22 May 2008**

*The East African Legislative Assembly met at 2.30 p.m. in the Old Chamber of the Kenya National Assembly*

#### **PRAYER**

*(The Speaker, Mr. Abdirahin, in the Chair)*

*The Assembly was called to order.*

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#### **PAPERS**

The following Paper was laid on the Table of the House\_  
*by The Chairperson, Committee on Agriculture, Tourism and Natural Resources (Dr. George Nangale:*

The Report of the Committee of Agriculture, Tourism and Natural Resources and Food Security, Environment and Tourism in East Africa

#### **MOTION**

For leave of the House to Introduce a Private Member's Bill

**Ms. Lydia Wanyoto Mutende (Uganda):** Mr. Speaker, sir, I stand here to move this Motion on behalf of the hon. Wandera Ogalo, whose request and authorization I have to deal on his behalf.

Mr Speaker, I beg to move\_

THAT, this Assembly, pursuant to provisions of Article 59(1) of the Treaty, and Rule 64 of the Rules of Procedure of this House, do grant the hon. Wandera Ogalo leave to introduce a Private Member's Bill entitled: "*The East African Community Elections Bill, 2008.*"

I beg to move.

**Ms. Margaret Nantongo Zziwa (Uganda):** Thank you very much, Mr. Speaker. I wish to second the Motion that the Assembly pursuant to the provisions of Article 59(1) of the Treaty and Rule 64 of the Rules of Procedure of this House accept that the East African Community Elections Bill, 2008 is introduced.

Mr. Speaker, sir, recalling the very important responsibilities that are carried out in governance by the electoral commissions in the respective countries, and the need to strengthen the process of elections and to enhance the democratic principles in the respective countries, it is very important that the East African Elections Bill is introduced.

This will not only enable good value out of elections for the respective countries, but it will also enable the countries to have a framework by which elections will be carried out for proper governance, and to have valid and legitimate results which will enable our people to have confidence in the democratic process. For that reason, it is very important that this august House has this framework in place. For that reason, I support this Bill to be brought forth, debated and passed by this House. I beg to second.

*(Question proposed)*

**Mr. Gervase Akhaabi (Kenya):** Thank you, Mr. Speaker, sir. Under the Treaty for the Establishment of the East African Community, one of the cardinal considerations for admission to the Community is adherence to the universally accepted four principles of good governance, democracy and the rule of law among others.

Mr. Speaker, Sir, it is also a fundamental principal of the Community to have good governance, including adherence to the principles of democracy, the rule of law, accountability and transparency, among others. One of the major reasons that have lead to turmoil in our region in the partner states in the East African Community has related directly or indirectly to the conduct of elections in the partner states.

Mr. Speaker, Sir, it is, therefore, important for this Assembly and indeed, the EAC to establish principles or guidelines for the conduct of elections - *(Applause)*.

Principles that will be adhered to by all member states within the Community. A deviation from such principles as may be laid down by the Community through this Assembly, would then call for sanctions in accordance with the provisions of the Treaty. It is upon this ground that it is important to have this law introduced in the EAC and it is for that reason that I support this Motion for leave to introduce such a law.

With those few remarks, I beg to support.

*(Question put and agreed to)*

**MOTION****FOR THE WITHDRAWAL OF A MOTION TO APPOINT  
A SELECT COMMITTEE**

**Dr. Kabourou:** Mr. Speaker, Sir, I beg to withdraw the Motion that this Assembly, taking into cognisance the provisions of Article 49(2) of the Treaty and pursuant to the provisions of Rule 80(1) of the Rules of Procedure of this House, do resolve to appoint a Select Committee to investigate the management of EAC Projects and related matters. Because the bulk of the EAC's development budget is financed from donor funds, EALA does not have details of the financing agreements, yet during passage of the Budget, EALA is required to approve these sources of funds. As the oversight organ of the Community, we have the powers under Article 49(2)(d) of the Treaty and Rule 72(1)(3) of the Rules and Procedures of the Assembly to discuss all matters pertaining to the Community and to monitor implementation of the Budget of the Community.

Mr. Speaker, Sir, this Assembly, through its Committee on Accounts, requested the Secretary-General for detailed information on all East African donor-funded projects. Up to now, he has not provided that information. Reasons have not been given for the failure to provide that information more than six months after the Committee requested for it. On the other hand, after detailed and wide consultations, we have come to the conclusion that it is wise and prudent, indeed, to give the Secretary-General an opportunity to present this detailed information by the next Session. Otherwise, I will have no option, but to move this Motion for a Select Committee to look into these affairs.

Thank you.

**Ms. Byamukama:** Mr. Speaker, Sir, I beg to support the Motion and the position of Dr. Kabourou. As he has said before, this is a procedural issue in that the Public Accounts Committee at the Sixth Meeting explicitly asked the Secretary-General to table---

**The Speaker:** Honourable Members, I think Dr. Kabourou has withdrawn his Motion, so we do not have to debate or say anything about it.

**Ms. Byamukama:** I am supporting the withdrawal. I beg to support the withdrawal on that account.

**MOTION****For Consideration and Adoption of the Report of the Committee of Agriculture,  
Tourism and Natural Resources**

**Dr. Nangale:** Mr. Speaker, Sir, I beg to move the following Motion:-

THAT, the Report on the Committee of Agriculture, Tourism and Natural Resources on Food Security, Environment and Tourism in East Africa be adopted.

**The Speaker:** Who is seconding? (*Interruptions*) Honourable Members, do you have the Report?

**Hon. Members:** No!

**The Speaker:** If we do not have it, Dr. Nangale, there is nothing we can second or look at. Maybe, when the Report is ready, you can bring it before the House. We will give you time like the Secretary-General, to go and bring the Report as well.

Seeing that the Committee has not brought the Report before the House, we will give them time to the next sitting. I think this is the third time that this Committee has not brought any report before this House. They are talking about a critical issue in food security. In the next sitting, the Committee should have a report for this House or an explanation as to why they did not have it ready at this time - (*Applause*)

Before I adjourn the House, I would like to make some brief announcements. First of all, I do not think you have received an invitation letter for a dinner that is organised by the Kenya Red Cross Society at 7.00 p.m.

Secondly, we also have a programme with General Motors tomorrow. I think it has been given out and it starts at 11.00 a.m. We will be departing at 10.30 a.m. for General Motors. The House Business Committee is also sitting tomorrow afternoon at 2.30 p.m. after that visit.

As you all know, a Report on the Budget was deferred yesterday. We will be sitting before 30<sup>th</sup> June, 2008. Time and venue will be communicated to you. I think it should be around the third week. So much is not concluded, but I believe it will be ready on the third week of June. So, we should be ready for it.

### ADJOURNMENT

**The Speaker:** Honourable Members, that concludes the Business. The House is, therefore, adjourned *sine die*.

*The House rose at 2.47 p.m.*