



THE EAST AFRICAN COMMUNITY

EAST AFRICAN LEGISLATIVE ASSEMBLY

The Official Report of the Proceedings of the East Africa Legislative Assembly (EALA)

53RD SITTING - SECOND ASSEMBLY: FIFTH MEETING - SECOND SESSION

Monday, 23 March 2009

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

PRAYER

*(The Speaker, Mr Abdi H. Abdirahin, in the Chair.)
The Assembly was called to order.*

PROCEDURAL MOTION

Mr Wandera Ogalo (Uganda): Mr Speaker_

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

And Whereas Rule 2 of the Rules of procedure – (Interruption) -

The Speaker: Hon. Ogalo, you should first move the motion and then when you are seconded, you can go to that; a short one.

Mr Ogalo: Mr Speaker, I beg to move:

That the House, pursuant to the provisions of Article 55(1) of the Treaty, and Rule 11 of the Rules of Procedure, do resolve to hold its sittings in Nairobi, in the Republic of Kenya.

Mr. Speaker, I beg to move.

Ms Dora Kanabahita Byamukama (Uganda): Seconded.

Mr Ogalo: Mr Speaker_

“WHEREAS Clause 1 of Article 55 of the Treaty for the Establishment of the East African Community provides that the Assembly shall be held at such times and places as the Assembly might appoint;

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

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

NOW, THEREFORE, this Assembly do resolve as follows:

That pursuant to the provisions of sub-rule (7) of rule 11 cited above, the Assembly shall hold sittings in the old chamber of Kenya National Assembly from Monday, 23 March 2009 up to Friday, 27 March 2009.”

Mr Speaker, I beg to move.

The Speaker: Honourable Members, the proposal on the Floor is that the House, pursuant to the provisions of Article 55(1) of the Treaty and Rule 11 of the Rules of Procedure, do resolve to hold sittings in Nairobi in the Republic of Kenya. I put the question to it.

(Question put and agreed to.)

(Resolution adopted.)

MOTION

TO COMMEND THE CHAIRPERSON OF THE EAC SUMMIT OF HEADS OF STATE FOR THE CONCISE EXPOSITION OF THE EAC POLICY CONTAINED IN THE STATE OF THE EAC ADDRESS TO THE EAST AFRICAN LEGISLATIVE ASSEMBLY ON 27 FEBRUARY 2009.

Ms Janet Mmari (Tanzania): Hon. Speaker, I beg to move_

That this House do commend the Chairperson of the EAC Summit of Heads of State for the concise exposition of the EAC policy contained in the State of the EAC Address to this Assembly on the 27th of February 2009.

Ms Margaret Zziwa (Uganda): Seconded.

Ms Mmari: Mr Speaker, when we do get such an opportunity to have an eminent person - and in this particular case, the Chairperson of the Council of Ministers- giving us an address on the State of the East African Community, and in fact coming up with specific areas of concern, and directing us to the areas that we must focus our attention to, it is imperative that we seriously do what he has is told us, think seriously and decide on those areas where there is a need to focus our attention. We should work with other institutions of the

Community, even in areas where we feel that it is very difficult. In areas where we feel that it is very difficult, we should use our political weight to ensure that those things are attained.

I wish to focus your attention to specific issues. The Chairperson of Summit was very worried about the infrastructural support of the East African region. To be specific, you are looking at the non-performing railways, the harbours that are congested, and the airlines where somebody has to spend a whole day connecting from one area to another. As if this is not enough, you are looking at power where most of our nations are actually experiencing blackouts several times during the year or during the week. There are times when power rationing is no longer power rationing but just something that you have to experience every day.

He also thanked us for the efforts put in by the Assembly during the stakeholders meeting on the Common Market, and that we should also seize opportunities, where necessary, to ensure that we meet with the people. Hon. Speaker, when I look at that particular exercise of the Common Market stakeholders meetings and the way we keep on saying that this East African Community is people-centred and yet we have people going to the capitals, and if we take the example of Tanzania where people went to Dar-es-salaam, Zanzibar and Mwanza and yet we have people who are in Tanga, in Kigoma, then you wonder whether these people ever got any message about the East African Community, let alone the Common Market issues. So, if we are really the leaders of the people, the question is; what do we do to ensure that everybody knows about the East African Community?

Mr Speaker, if I were to look at that speech and evaluate it and read between the lines, I would look at the kind of wealth that we have, and in particular when we talk of tourism and specifically the possibility of ensuring that we have one destination for all the people coming to East Africa. What is it that this House needs to do to ensure that we achieve that? It is against that background that I am calling upon the Members to ensure that at least each one of commends the Chairperson for the concise direction that he has given us. *(Applause)*

The Speaker: Honourable Members, the proposal on the Floor is that this House should commend the Chairperson of the EAC Summit of Heads of State for the concise exposition of the EAC policy contained in the State of the EAC Address to this Assembly on Friday, 27 February 2009. Debate is now open.

Ms Margaret Zziwa (Uganda): Mr Speaker, I rise to support the motion to appreciate the address by His Excellency Paul Kagame, Chairperson of the Summit of the East African Community Heads of State.

In acknowledging his address, allow me to thank you, Mr Speaker, for upholding the desire of the Members of this august House and in fulfilling your powers under Articles 54(1) and (2) of the Treaty, to accord the House, and, indeed, the East Africans, the opportunity to receive an authoritative report on the Affairs of the Community from the Chairperson of the Summit in the names of His Excellency, Paul Kagame, the President of the Republic of Rwanda. My humble plea is that whilst recognizing Article 54 of the Treaty, and not withstanding Article 11(4), a specific instrument should be put in place to confer upon the Chairperson of the Summit a specific duty to address the East African Legislative Assembly on behalf of the East Africans so that even in the forthcoming Assemblies the subsequent chairpersons of the Summit will take this as an important activity of the Summit. *(Applause)*

Allow me also to salute His Excellency, Paul Kagame for his constant willingness to interact with this august House, testifying to his respect for this august organ of the Community, and this is in line with mature democracy of co-operation among organs of governance, and it shows civility in leadership. I hope this will serve as an example to all the officials of the Community, to take cognisance of the importance of this organ and to emulate him accordingly.

Sir, on the Community's goals of deepening and broadening our integration process, His Excellency, Paul Kagame rightly observed that it is coming to ten years since the signing of the Treaty thus coming into the existence of the East African Community. This gives an opportunity for all the key players, especially the Secretariat, to make a candid situation analysis of the progress so far made. This means that there should be a deeper review of the two strategic plans of 2001/2006 and the current one of 2006/2010, to see the tangible milestones registered and vivid shortcomings and failures met so as to make proposals to mitigate them. We call upon the Secretariat to come up with a ten-year review of the EAC in line with Article 71 of the East African Community Treaty.

The observation that the East African Community faces a considerable challenge resulting from the ongoing financial crisis and recession is very crucial. It is crucial for the East African Community because approximately 50 percent of the Community budget is a contribution from the donor community, and this component is part of the substantive budget because it finances substantive activities of the EAC, including, for instance, the Lake Victoria Basin Commission. There is the Partnership Fund and the Regional Integration Support Programme funds, for instance. The effects of this recession may cause a change in the commitment of the donor community, and the Secretariat should have a plan "B". This plan "B" should earmark or identify those areas, which are strategic but are earmarked to be funded by donors. In this particular respect, His Excellency Paul Kagame rightly observed that measures must be taken to mitigate our vulnerability, and this one must be thought through quickly in order not to stifle the activities of the Community.

We should laud the fact that the Customs Union has stimulated trade and investment. The increment of 22 percent of the intra-trade is a manifestation to be proud of. Let this fact be the premise or the basis of our resolve to move to another stage, of the Common Market. I note that the date of April 2009, the date set for the draft protocol to be presented to the Summit, is just tomorrow. I hope and pray that the Secretariat is on course not to frustrate our aspirations and also taking on board the key concerns of all the key players.

Mr Speaker, His Excellency, Paul Kagame also rightly noted the importance of increased import competitiveness among the East African Partner States, and that this competitiveness is hindered by our infrastructure and, in particular, the deficiency of the railways sector. It is true, and it is rightly observed, that the railways is one of the most cost effective bulk transport systems but it is also true that it is cumbersome to build due to its capital and technical outlay. Whilst the development and management of the railways is well articulated in Article 91 of the Treaty and the mandate rests heavily on the Partner States, the new challenges as outlined in the East African Railway Master Plan may not singly be solved by any one Partner State in isolation either in the short or the medium term.

The new challenges as outlined compel me to propose the elevation of the East African Railways project to a supra national level, and following on my supplementary question to the Council of Ministers in Kampala in December last year, I have noted that the Partner States are still hovering with a failed privatization of the railways, which is neither offering

any options for rehabilitation nor for improvement or even redevelopment. Considering the importance of railway services, the Summit should consider putting in place a technical authority to develop, rehabilitate and improve the railways system of East Africa. I will, at an appropriate time and with further consultations, move a formal proposal in this direction.

Mr Speaker, I salute all the other initiatives and programmes to increase accessibility and momentum for promoting trade and investment. The Dar-es-Salaam-Tanga-Mombasa natural gas pipeline project in the energy sector, the Civil Aviation Authority Safety Oversight Authority (CASOA), the Lake Victoria Basin Commission...I will only call upon the Council of Ministers -and I am happy the Chairperson of the Council of Ministers is rendering me her ears - I call upon the Council of Ministers to expedite the consultations on the Lake Victoria Basin Commission Bill and the CASSOA Bill so as to accord these institutions the required legal framework for their operation.

I wish to also call for the operationalisation of many of the feasibility studies, particularly now as we move into the state of the Common Market, which envisages free movement of goods, services, capital, and the right of establishment, as stipulated by Article 76 of the Treaty.

Once again, I wish to thank the Chairperson of the Summit for the respect he accords to this august House and for his commitment shown to the objectives and the goals of East African Community. In his best time, he climaxed his commitment with these words and I wish to quote: *“We should never relax, relent or retract on the path of unity and development that we set for ourselves.”* Let us heed to this call. Mr Speaker, I thank you. *(Applause)*

Ms Lydia Wanyoto (Uganda): I thank you, Mr Speaker, for an opportunity to contribute to this very noble motion. From the onset I would like to support the motion moved by hon. Janet Mmari, and I congratulate her for the very deep and practical realities contained in the vote of thanks that she gave in Arusha. We were able to follow the summary of the H.E. Paul Kagame’s speech, and the practical realities in the vote of thanks were useful for us to, not only follow up the speech, but also to understand what it means to have the spirit of the State of the East African Community address. *(Applause)*

Hon. Speaker, usually we take things for granted: Every time you come to a capital like Nairobi and you find the chambers available for you, you find people waiting for you at the airport, you think it is just business as usual. But as I contribute to this motion, I would like, once again - as we have done many times before - to thank our colleagues from the Kenya Chapter *(Applause)* – you too, Mr Speaker, and the House Business Committee, for this type of programme and the commitment you have in your leadership to ensure that we move around and bring the East African Legislative Assembly to the people.

I thank the Kenya National Assembly for availing us these facilities. Look at our budget, we never pay for these chambers, and as you all know, we pay for the chambers we have in Arusha! So, this is something we don’t want to take for granted. *(Applause)*

We would also like to thank the people of Kenya and the Government of Kenya for this spirit of according us what we need to be able to debate and bring EALA to the people of East Africa. *Asanteni sana waheshimiwa wenzangu na WaKenya wote. (Applause)*

While on that, I would like to thank the Chairperson of the Council of Ministers, who also happens to come from Rwanda, hon. Monique Mukaruliza. Her term of office has made us get things done in a different way. I believe it is the briefs or the follow-ups that she makes as the Minister responsible for the EAC in Rwanda that has enabled the Government of Rwanda and the Head of State to be so attached to the issues of the EAC as our Chairman. Also, the way he presents issues shows he is in the know. So, I have no reason not to imagine or to believe that it is part of the cabinet briefs or the follow-ups that our own minister takes home that have made us have a very close link to our Chairman of the Summit. (*Applause*)

When I was reading through the issues that are really pertinent to this Assembly, they are really full in this document, and when the President was talking about them, you could see he was saying them from his own point of view and understanding, which also makes a difference as we grow the Community. So, I would like to thank the Chairperson of Council of Ministers for her effort, work and also commitment in ensuring that what we want as an Assembly reaches the highest level of the Summit as an organ. (*Applause*)

I now want to raise two or three issues on the statement that was delivered to us by the Chairperson of the Summit and also the President of Rwanda, His Excellency Paul Kagame. While reading the statement of the President, I also recapped on what President Yoweri Museveni did say to us in Arusha at the time he was the Chairperson of the Summit. There are some issues that keep coming up, even in this House: issues of infrastructure, issues of the destruction of East Africa, issues of what will benefit East Africans fast, and so many other issues that compose the fifteen page document that we all have before us. I was thinking about what we can do more when we are appreciating this statement but also as a Parliament. Mr Speaker, I quickly thought about what we can do in terms of the budget.

I would like to propose that this statement be transmitted to our national parliaments. I know that all the work that is done in EALA is sent to our national parliaments, but we need to put there a covering note saying - I hope I am right - that normally what our heads of state say is that these are the situations of our people, and in essence these are the issues that should be happening, even in our budget policy statements at home.

We all know that the Partner States are the implementing governments of the EAC agenda, so I would be happy if there was a special budget allocation or programmes clearly indicated in all the budget speeches of the five countries following the statement of our heads of state at the regional level, so that we know that the commitment of our heads of state or that found in the talking document of the Chairman of Summit is a commitment, and it is translated into a budget provision, because, if you will recall, following the speech of President Museveni as the last Chairperson of Summit, there was just a two-page mention of policy -at least for Uganda where I attended the budget day.

So, I would like to see the relationship between what the Chairman of Summit says in Arusha and how it translates into our own budget statements back home because the implementation of the EAC agenda as of now is really an issue of the Partner States. So, I want to see this relationship. If we are talking about infrastructure, how much are our countries committing in the next Financial Year 2009/2010 to the railway infrastructure, the boardroom meetings notwithstanding? The debate in the House notwithstanding, how much are they putting aside and we hear it in the five countries on the budget day, which I think is on the same day?

If we work very well, with Rwanda and Burundi coming on board, in all our five counties we should put so much money for the East African infrastructure and it should be there in the document of the Ministers of Finance. The same goes for commitment for air travel and for every other commitment. The Chairman says we want to see a commitment in terms of financial and human resource task forces working towards realizing what our heads of state are talking about. Otherwise, it will take us much longer than we can imagine realising tangible benefits for the East Africans.

Mr Speaker, the other issue that I want to talk about the address by His Excellency President Kagame is the issue of our unrelenting efforts to keep pushing the aspirations of East Africans. It is good practice for us not to tire to engage the Council of Ministers whenever we are able as a House, but we should also do the same with the heads of state. I am very comforted that since the first head of state addressed this EALA, we seem to have had more meetings coming along; we seem to be meeting more ministers more often than before, and likewise the heads of state. And you will also see from the speeches that there is an element of us seeming to be on the same page in terms of the organs of the Community, and also in terms of what we want to do for the East Africans.

So, I thought I should make a summary of the linkage so that there is no disconnection. If this House can agree to my proposal, we should make a cover note with specific recommendations to our governments so that they release a special fund -in terms of our budget allocations- to meet what our heads of state are talking about in Arusha so that we begin building. You cannot get enough money in one financial year.

It is high time we began building from our budgets in our countries on real infrastructure development, on real connectivity of EAC projects, and this money should be clearly allocated and we hear it in the financial statements of the ministers of our countries. I think that is where we should be going, and the address by His Excellency, Paul Kagame has been able to capture the spirit and the aspirations of the East African Legislative Assembly. At a personal level, I am actually very excited because it means that we are now getting there. If we are able to speak from the same mind with the Summit and the Council of Ministers, there is no reason why in the next five years we shall not have connectivity in terms of the railway network. At least efforts should be made in terms of breaking ground or whatever, so that we are able to deliver something to the people of East Africa.

I would like to conclude by first of all congratulating our Chairperson, Council of Ministers. Also, I would like to say that this debate on the State of the EAC Address by His Excellency, Kagame should be shared with him so that he can also get feedback. As you will remember very well, the President addressed us and there was a vote of thanks. I know that he is a President who reads. I have a feeling that if a *Hansard* copy of this debate is transmitted to him through the minister, he will find time to also read the minds of the other Members in addition to what hon. Mmari passed on to him on that day. This is a personal feeling, and I think that should enhance the sharing of feelings, of visions and also aspirations for East Africans. (*Applause*)

To our colleagues from Rwanda, we always say that Kigali is a beautiful town of nine hills. Recently I heard that every hill has one smile, so it is also a town of nine smiles. We would like to say that we congratulate you for being a very important partner in the integration process and we are beginning to feel good practices coming on board, and I think the

Community will, in two, five years from now really be felt beyond our own boardrooms and Chambers. Mr Speaker, I beg to support the motion. (*Applause*)

Mr Dan Kidega (Uganda): Mr Speaker, let me join my colleagues who have congratulated the Chairperson of Summit for the very gallant address that he delivered to the Assembly.

Before I give the details of what I would like to comment about on the speech, allow me to also congratulate the administration of our Parliament; your office, Mr Speaker, and the House Business Committee for entrenching a positive culture within the Assembly. This is the second Chairperson of Summit to address the Assembly. I must congratulate your administration. (*Applause*) Quite often people take positions of leadership and they move out of those positions without leaving positive practices or trails of their leadership. I think your office will leave a lot of good practices to be taken on by the third Parliament, based on what you have exhibited so far.

Mr Speaker, I have three comments to make; the first one is on the issue of security. The Chairperson of the Summit stated that the region is enjoying good security right now. I would like to agree with him. I would like to congratulate him upon the efforts and the efforts of his colleagues in making sure the citizens of East Africa enjoy great security because security is a very important ingredient for productivity, stability and development. Right now as we speak, in the five countries of East Africa I think all the guns are silent. I think for the first time we have to congratulate ourselves. (*Applause*) We must congratulate the current leadership in place and we wish them good health and good administration in their capitals.

I would further like to congratulate the Chairperson of the Summit and his colleague in Kampala for their recent work on security in the land of Congo. I know for a fact that the Chairperson of the Summit made a very bold contribution in making sure that the eastern part of the Democratic Republic of Congo is stable, and the stability of that part of the country has big implications on the stability of this region. I want to congratulate him on that. (*Applause*) It only takes positive leadership to think beyond where others stop, and he did exactly that.

Secondly, his colleague in Kampala had an operation to deal with another stubborn situation that had been dogging Uganda. The Lord's Resistance Army has been causing instability in the northern part of Uganda, in Southern Sudan and parts of Congo. Reports available indicate that that operation was successful, and many people in that part of East Africa are now enjoying peace. I would like to congratulate them again. (*Applause*)

Mr Speaker, the guns are silent, how about the early warnings? Are they there or not? This is a secondary level that we should expose ourselves to. There is a rhythmic pattern in this region that whenever there are elections, there is some bit of unrest. In a year or so to come - I think the years 2010, 2011 and 2012 are going to be election years in this region. The peace that these citizens are enjoying now must be upheld. (*Applause*) I would like to sound a caution or a warning drum to our leadership, including ourselves, that whatever transpired in our capitals and in our countries which caused unrest must be addressed now to ensure that the peace and tranquillity that the citizens are enjoying now continues. (*Applause*) I have confidence that EALA is doing its best to deal with issues related to elections. I know for a fact that there is a Private Members' Bill on the Table that is yet to be looked at. All these are approaches to make sure that there is sustainable peace throughout the year within the region.

The second issue I would like to comment on is the issue of infrastructure. I will not do less than to underscore the importance of the infrastructure, which has already been mentioned by my colleagues, like the railways network, the roads network, the capacity for us to navigate Lake Victoria, and the air services. I would like to specifically put emphasis on the broadband infrastructure that will make sure our information technology (IT) compliance in the region goes higher. On this point, I would also like to congratulate the Chairperson of the Summit and the Republic of Rwanda in totality for the IT infrastructure in place in the Republic of Rwanda. Where the world has reached, you cannot afford to work in a situation where IT infrastructure is lacking. It enhances productivity; it saves costs and does a lot of things.

It is important for us to know that there are a lot of jobs out there based on IT infrastructure and its availability. If we could ensure that this region has capacity to host, for example, call centres for the rest of the world, we would create millions of jobs for our young people who are jobless right now. The Chairperson of the Summit put emphasis on the other infrastructures, I would like that to be emphasised as well because it will go a long way in helping us.

The concept of e-governance...we would avoid a lot of going around in the region. We and our technical staff manage by flying around, but by just having appliances that can afford us to hold video conferences and teleconferences we would save costs. So, IT will go a long way to help the region.

Mr Speaker, my other point is on the relationship with other organisations. The Chairperson of the Summit said our relationship with old and new friends is very strong. I would like to agree with him, and we feel proud as East Africans that we have not had any quarrels with any of our neighbours or the other regional blocks in the world. The memory of the tripartite meeting in Kampala is still fresh in our minds. It is one of the most important things that if Africa could push and realize tangible results out of, will give a lot of economic benefits to the various member countries. East African Community has - through the Secretariat I know for a fact- signed a Trade and Investment Framework Agreement (TIFA) with the United States of America. It is a trade and investment framework through which we can enhance our relationship with America. It would be very interesting or important for us to know how far this TIFA, which the Secretariat signed on our behalf and on behalf of the member governments, is being translated into reality.

We know for a fact that America is an important partner in the global economy, and as a trading partner, this leads me to a very fresh matter that we discussed in Arusha when the Assembly was sitting there; the issue of the Economic Partnership Agreements with the European Union.

On the 27th of November last year, the member countries signed a framework for a holistic negotiation of an economic partnership with the European Union. I have information, critical and very sure information, that right now as we speak, Brussels has written to Arusha wanting us to sign the framework as it is within the month of April, to be precise, early April.

The tone of the Chairperson of the Summit was in tandem with the thinking that we must move in a coherent manner and in a manner that protects the region. If it is true that the East African Community is going to sign the framework as it is, I think this Assembly will be at a loss.

In Arusha a motion was brought to the Floor for a re-visitation or a delay of EPAs, but right now I know Brussels wants us to sign in early April and yet the EPAs we negotiated, the framework we negotiated is the weakest. If you did a comparative study with what SADC has, with what ESA has and with what ECOWAS has got, there are areas that I would like to interest the Chairperson of the Trade Committee to take on the Secretariat to revisit.

First and foremost, as a Community, I don't think we should sign the EPAs as it is right now; it has a lot of weaknesses from issues of dispute settlement, the MFN (Most Favoured Nation) Principle where the East African Community when it goes into any agreement with any other group, the agreement and the conditions that are enjoyed between us and that group will automatically have to be enjoyed by the EU; the question of a depository secretariat, of who will manage the aftermath or the process of the agreement. They are thinking that East Africa should relinquish this totally to be managed by EU; that we don't have administrative capacity to handle the depository role.

I would like to appeal to the Committee on Trade to put its feet down and move with the Secretariat and resist, and make sure that the framework as it is is not signed by the Community. We have other ways of operating. Everything-but-Arms (EBA) provides almost 70 percent of the provision that EPAs is going to give us, of course save for Kenya, which is a developing country that does not benefit from EBA.

Mr Speaker, the Chairperson of the Summit is very clear that the Secretariat, the Assembly, the organs of the Community must move together and take the interests of the East African people as a priority. So, I would like to, once again, commit myself to supporting the leadership of the Chairperson of the Summit. I thank you, Mr Speaker. *(Applause)*

Ms Safina Tsungu Kwekwe Kenya): Mr Speaker, allow me, first of all, to congratulate you for convening the sitting here in Nairobi and for ensuring that the Assembly is indeed in the entire region. Let me start by congratulating His Excellency, Paul Kagame, for not only a well thought out address but also for upholding a good practice initiated by his predecessor His Excellency, Yoweri Kaguta Museveni, and for even going further than just upholding a good practice to initiating a mechanism whereby the organs of the Community can come together and review and reflect on what is happening in the region. I think that deserves our congratulations to the Chairperson of the Summit. *(Applause)*

Mr Speaker, I would like to first speak on the issue of infrastructure. The Chairman of the Summit has squarely placed infrastructure in its right place as the engine for a hastened integration of East Africa. I concur with this completely because with the current developments and the need for more industries, with the discovery of oil in Uganda, and adding the discovery of gas in Tanzania, we cannot go on with the current infrastructure system that we have. In fact, the initiative by the EAC to expand the pipelines from Eldoret to Kampala, and to Kigali and Bujumbura was to facilitate the flow of petroleum from Kenya at the port of Mombasa to the hinterland, but now as this project continues to be implemented, we must also look at it as an avenue for us to enable the flow of petroleum from Uganda to other areas of the East Africans Community. Therefore, it should be a two-way traffic.

We might probably have to re-look at how this project is being implemented because right now it will not be just a Kenya-Uganda flow; the flow will not just be from Kenya to Uganda and other countries, but it will also be from Uganda to other countries.

Mr Speaker, secondly I wish to commend the Chairperson of the Summit for highlighting the need for this region to unlock the potential within the natural resources, which this region is highly endowed with. And I want to speak on the issue of interesting and motivating local communities to participate fully as equals and as key stakeholders in the conservation, development, utilization and management of natural resources. I must congratulate the designers of the Mount Elgon Eco-system Programme who have seen it fit to re-design the programme to bring on board the interests of communities who are the primary stakeholders. Without bringing the local communities on board, everything that we do, all efforts that we put in, all investments that we put into natural resources management and exploitation shall always be sabotaged by local communities. They must see a need for these projects; they must feel appreciated as custodians of these resources, and they must feel that there is something in it for them. I, therefore, congratulate the effort that has been made to re-design the Mt Elgon Eco-system Project. (*Applause*)

Mr Speaker, I am happy that the leadership of this Community in the name of the Summit went ahead and saw the need for us to have a free trade area, not just for EAC but together with our neighbours SADC and COMESA. I want to reiterate that such an arrangement is good, but it must take cognisance of the fact that the EAC arrangement, as it is right now, is building block towards a bigger picture. Therefore, as EAC, if we have to get the best out of this tripartite arrangement, we must put our house in order. We must ensure that we implement the strategic plan that we have put for ourselves. We must put in equivalent investment, be it money, expertise or time, because we are going into an arrangement that is a competitive arrangement. It is not just for us to partake. EAC must go into this tripartite arrangement knowing what it wants from that arrangement. Therefore, we must look for ways and means of implementing the policy documents that guide our actions so that we are ready, and indeed reap the benefits of such a tripartite arrangement.

Hon. Speaker, fourthly, I want also to congratulate the Secretariat for the good initiative that it has put in place such as that of the East African Petroleum Conference that is held after two years because these are initiatives that consolidate our efforts in thematic areas. They consolidate our actions so that as we tap into the potential that we have as EAC, we are tapping them from an agreed position, which is a regional position. And, therefore, I call upon the same crafters of that initiative to emulate that kind of initiative in other areas such as tourism and mining, because these are areas that are pertinent to the ordinary citizens. As we market EAC as a single tourist destination and as we market the region as a single investment area, we must be able, first of all as EAC, to come together and put our heads together and consolidate a regional position. The East African Petroleum Conference has actually done that for the petroleum industry. So it is something that we should emulate in other areas of integration.

Mr Speaker, allow me to highlight my fifth point. The Chairperson emphasized the need for making sure that EAC is not only marketed as a single tourist destination, but also as a single investment destination. But this has to be done through action, and one of the things that we have to do, because we have no other option, is for us to be competitive as a single tourist destination. And for us to be a single tourist destination, we must make our region attractive and affordable. Currently, the kind of fiscal and infrastructural systems and policy frameworks that are in place do not support this. We have different fees charged, for example, for tourists as they enter the different game parks and tourist attraction sites in our Partner States. We have different visas, we have different licenses for people to operate and invest in our region. We need to harmonise these, and this is a role that the Council of

Ministers and this Assembly must take on without any fear and without any hesitation because we cannot achieve the dream of being a single tourist destination or the dream of being a single investment destination if we are not attractive enough or if we are not affordable enough to attract investment and tourists.

Hon. Speaker, I want to conclude by saying that I totally concur with the Chairperson of the Summit that we need to diversify our economic partnerships and our economic markets beyond what has been our traditional markets. For us to reap from such an arrangement, value addition is not an option, it is mandatory. We must consolidate our efforts as EAC in negotiations as already provided for in the EAC Trade Negotiation Act. There is a need for us to put in place systems that will ensure that Acts of the Community, which are passed by this House, are operationalised and implemented. As a region, we need to go beyond only courting foreigners to come and invest and to have partnerships with us. This ought to be complemented by nurturing inter-regional partnerships and inter-regional markets because there are a lot of opportunities in this region where we can indeed consume a considerable number of products. We can both produce and be ambassadors for these products because we have experienced them.

Mr Speaker, I end by saying I support the motion as moved by hon. Janet Mmari, and agree fully that we need to ensure that this practice of the address of the Chairperson of the Summit is perpetuated, not just in this Assembly, but in other Assemblies to come after us. *(Applause)*

Dr George Nangale (Tanzania): Mr Speaker, first of all I want to congratulate hon. Janet Mmari for bringing this very important motion on the address on the state of East Africa. I want to commend the people of Kenya for availing this opportunity to EALA to once again hold its plenary session here in Nairobi. *Hakuna matata. (Applause)*

The Chairperson of the Summit alluded, among other things, to the ongoing financial crisis and the recessions which are critically impacting on the global economy today. He also continued to say that our region cannot escape the effects of the crisis. Mr Speaker, the economy of the East African region depends on agriculture, and the fact that 75 percent of the people in East Africa depend on agriculture for their livelihoods in relation to the issue of the financial crisis is very critical. As we talk, today in Tanzania, for example, there are more than 150,000 bales of cotton piled up in ginneries unsold. Coffee and tea markets are said to be collapsing; food insecurity in some parts in the region is a reality. I call upon the East African leadership, as a matter of urgency, to convene a consultative meeting so that we come up with an immediate and long term practical solution to this situation. Just keeping quiet and leaving everything as it is won't help us. We will find ourselves in very big trouble; the same as we witness in other parts of the world.

Mr Speaker, His Excellency did request the Sectoral Council on Tourism and Wildlife Management to fast track the introduction of a single tourist visa in order to facilitate the free movement of tourists in the region, which will make the region more competitive in the tourism sector. The EALA Committee on Agriculture, Tourism and Natural Resources is currently considering a Private Members' Bill on tourism and wildlife management, which was moved by hon. Safina Kwekwe and the issue of a single tourism destination, is at the heart of this particular Bill. We concur with His Excellency that this process should, in fact, be fast tracked. Mr Speaker, I support the motion. *(Applause)*

Dr James Ndahiro (Rwanda): Mr Speaker, I would like to apologise because my voice is a bit deep. I shouldn't scare anybody here; I have a cold.

I would also like to join my colleagues in thanking the government and the people of Kenya for the opportunity accorded to the Members of EALA. *Asante ni sana. (Applause)*

I want to commend the statement and the direction given to us by the Chairman of the Summit. I will talk briefly on three things: infrastructure, the EPAs negotiations; and energy.

Infrastructure has three elements in it: One is the soft, the other one is the hard and the third one is the standard. I had an opportunity to attend one of the business summits in Kigali where His Excellency Yoweri Museveni told us a story of when he spoke to his experts asking them the reasons why some roads in Europe that were built during the Roman Empire are still safe, clean and usable yet our roads that are not even ten years old are dead and impassable. The answer to his question from his experts was that those roads have got about five, seven layers and they are eight meters wide. So, he posed a second question and asked what is wrong with that, why can't we have the same? The experts again responded by saying that it is the money we have, that's what we are given. So, the issue of infrastructure is very important, but infrastructure alone without standards, without discipline will not enable us to achieve our goals if the mindset is still the same.

We in the past have seen railway lines functioning when some people were still interested in some minerals from Kilembe in western Uganda and other areas. The railway system was functioning very well. We need to take stock of what happened to the infrastructure, which was regional in nature. People misused the infrastructure, people did not look after the infrastructure and if we are going to revive the infrastructure, we must put systems and mechanisms in place to ensure that at least whatever we put in place is sustainable and it is safeguarded.

This brings an issue of corruption in place. If we are busy privatising our institutions and the infrastructure, fine it is always good to have private hands in such programmes that have got impact on our populations, but what happens if the hand of government does not ensure that whatever is done, is done in the interest of the people? The result is like the financial crisis we witness today. It is good to privatise, but it is also good to look at the interests of your people. In this case we need our Partner States to come up with the public-private partnership kind of arrangement so that we engage as East Africans to develop infrastructure that will serve the interests of our economies and the infrastructure that is sustainable.

If you look at the issue of energy, as the Chairman of the Summit mentioned, it is hard to develop if we don't have sufficient sources of energy. Traditionally we are used to having hydro systems or energy that comes from the water resources that we have, but as we witness the global climatic changes, those might not be sustainable. Isn't it time for people to follow the path of others? We have seen countries that have developed, though not necessarily using the hydro sources of energy.

I want to mention the nuclear issue. I am not suggesting that - I know that when some people hear the word "nuclear" they get scared, but the nuclear I want to mention here is for energy.

It is very difficult to run efficient railway systems and different industries on hydro sources of energy alone. Can we not, as a region, together, have a soft infrastructure; a nuclear plant for energy purposes, period; not for weapons?

I am mentioning that because if we have to develop, we have also to be innovative and look for solutions that are not traditional. But if you look at the development paths that we are following, if you look at the kind of partnerships we are entering into, we are following the traditional models; we are following the World Bank prescriptions.

The Chairperson of the Summit mentioned that we have to look at our own interests, the West can be good partners, fine, but there are other partners or potential partners that we should explore. We should not tie ourselves to one party or one person, this is not a marriage...and even nowadays you walk out of the marriage anyway, so, we are not supposed or we are not going to develop if we just use prescribed models that do not put into context our own realities, our own populations, and our own demands.

To develop and have sustainable economies in our region we need to have control, both on the demand and the supply sources of our market. It does not mean that if there is a financial crisis and our coffee, our tea, our cotton is lying somewhere on the harbours then that is the end of life, no! It is a wakeup call that we should look and develop the capacity to utilize our own resources to control both the supply and the demand.

If we can invest in and utilize our own cotton, what is wrong with that? What is missing in our region to make sure that we have the plant that can utilise the cotton? Why do we have to import even school uniforms if we have the cotton, we have the skills; what is wrong with us? Does it mean that we do not consume coffee? If we are going to import coffee, we are going to import tea, we are going to import poles yet we are the sources of raw materials, isn't it a shame? Is it that we have failed to control our own destiny; we have failed to control our own economic agenda and instead depend on prescriptions from somewhere else?

If the East African Community is going to change the livelihoods and improve the living standards of our people, the onus is upon the leadership of this Community, as they have started doing, to specify, to share the vision so that each of us in his or her own capacity tries to build, to work in order to achieve the same shared vision. Otherwise we can discard the past; we can discard the practices that we are used to and be innovative like other countries are.

I know for sure that if you look at the countries in Asia, or even in Europe...you will remember that after the Second World War some of the European countries depended on the United States. They would just board ships every morning to go and work and come back. These countries were poor, but what happened is that they properly thought about their vision, and what their marshal plan provided were two things: energy and infrastructure. They said, "No, we must link our countries in terms of transport, we must develop sustainable sources of energy and the rest we shall manage ourselves". They did well; they controlled everything by themselves and we refer to them as the best models. Why can't we then use the same? If it means copying, let us copy the best practices and use them for our own benefit. (*Applause*) Otherwise, we can only make statements.

We need some sense of commitment. We need to share the vision; we need to discard the past and work collectively for the interests of our people. We have enough resources, and what we

lack is just discipline. If we can fight against corruption totally - (*Applause*) - if we can make sure that people are held responsible for whatever they do. I know for sure that you will find some people who have built 100 kilometres of road and you are told, “He ate bout six kilometres of that road”, and that human being still walks the streets! It is now the right time to take serious measures to have our people disciplined properly so that whenever they hold responsible positions, then they think twice before they can fill their pockets before achieving all the general objectives. (*Applause*)

Mr Speaker, I join my colleagues in supporting the motion and I also call upon the leaders of our Partner States, not only to give these statements but to go a step ahead and share, own the vision, own these practises and make sure that they are implemented. The issue is not to understand or to know what we want; the issue is to implement it. What is my role, what is your role and how do we ensure that everybody plays his part? I thank you. (*Applause*)

Ms Dora Kanabahita Byamukama (Uganda): Mr Speaker, thank you for permitting me to also support this motion by hon. Mmari on the address by His Excellency Paul Kagame, President of the Republic of Rwanda and Chairperson of the Summit of the East African Community Heads of State. Before I go into what I would like to say, permit me to thank the Republic of Kenya, which is otherwise known as the “Pride of Africa”, and also to register greetings from the Pearl of Africa where I come from. (*Applause*) We take pride in this particular region of East Africa for many reasons. As I said before, apart from having connections to the American presidency, we also take pride from the fact that Kenya is indeed an economic giant, which we would all aspire to be. Therefore, I am particularly delighted to be here in this capital.

Mr Speaker, every time I come to Kenya I clearly remember when we came here to monitor the last elections, and for me, really, Mombasa is the best place on this earth. I have travelled to Australia, I have gone to America, so when I was running away I really felt very heavy hearted. I am glad to say that Kenya has overcome this issue and, therefore, we look forward to more prosperity and peace here. (*Applause*)

Having said that, I would like to turn to the address of His Excellency, President Paul Kagame, and I would like to start with a Latin quote, which states: *Res ipsa loquitur*, which means that the act speaks for itself. Really, when you read this speech you even feel a little bit scared to add in your own words because it is so succinct, it is so apt; it is just what we wanted to hear. Therefore, it becomes a little bit complicated, but because our work is to discuss, I will go ahead and discuss a few issues.

Mr Speaker, I would like to say that for me as a person, I did not only look at the words, because when I looked at the words, I started highlighting everything important, and I found I was highlighting everything. So I decided to also study the tone, and in the tone I read inspiration, dedication; I heard commitment and I also heard this voice of a team player, because he is saying, together, let us reflect on these issues. And for me, these are very important attributes, which cannot be read in the words but which are clear in the tone of the speech. (*Applause*)

I would like to go to the issue, which has not been touched on in great detail, but which I would like to link with my preamble. On the issue of good governance, I would like to say that when you talk about good governance, this is when our Partner States decide that the issue of sovereignty is more important than the issue of the East African Community

integration. I will say this without batting an eyelid because when you consider the period we are about to enter, we have, for example, Burundi going to hold elections in 2010, we have Tanzania going to hold elections in 2010, we have Uganda going to hold elections in 2011, and we have Kenya going to hold elections in 2012 and Rwanda is going to hold elections in 2010. What does this mean for the region? What does this mean for the East African Community? I think we must take some time to ponder this issue, considering that the issue of elections has also been a source of insecurity and violence in this particular region. I know in his address the Chairperson of Summit said that there is a protocol on good governance, but I would like to urge the Council of Ministers and colleagues in this House to take this issue of good governance with a lot of seriousness and give it the seriousness it deserves. Whether it means coming up with a clear framework on how elections shall be handled and how elections shall be concluded and ensuring that we have peace; notwithstanding that we have had elections - because as you know every time we have elections, the East African Community work is delayed or suffers because priority is given to sovereign issues, we must take this very seriously.

Mr Speaker, I would like to move on to the issue of benefits. When you look at pages 3 and 4, I was very delighted to read this statement, which is to the effect that contrary to the beliefs that the Customs Union will retard economic opportunities for some countries, it has in fact stimulated trade and investment. This is illustrated by the fact that in 2007 the total intra-EAC trade increased by 22 percent compared to the previous year. Total East African Community trade with the rest of the world also increased by 27 percent in 2007, up from 23 percent in 2006. Really, for me this is the qualitative information that I have been looking for. Let me just share with you a short story.

Over the last break, I had opportunity to go to one of the remote areas in Uganda called of Kanungu District which borders with the Democratic Republic of Congo, and I was privileged and honoured to be the guest of honour on Women's Day in that particular district. When people who had gathered were told that I was from the East African Legislative Assembly, there was an outcry. They said, "Tell us more about East Africa!" And indeed this is the information that I used to tell you that notwithstanding the fears that people have, in reality we have gained.

I also had an opportunity, on that very day, to cross over to the DRC, and I also celebrated Women's Day with the women of the DRC, and just the fact that President Museveni and President Kabila had been together and had featured in the newspapers was really an incentive. It gave a lot of hope and courage for the people of the DRC to welcome us. I was really heartened, and I would like to say that the more we have, for example, these kinds of activities going on giving visibility to the East African spirit as well as to neighbourliness, the more we have to benefit. Therefore, when I talk about the issue of qualitative information, especially to forestall the fear, to take away this kind of inertia, which we are experiencing, which he talked about...because he said, for example, that we are required to execute critical decisions that we have already made. So, if you have already made a decision, for example, to get married, why would you hesitate to go to the altar? So, we are saying that we need to do more and to move expeditiously in order to ensure that this marriage does not fall apart before it has began.

My last point is on the issue of boldness. This issue of boldness was also highlighted by His Excellency, President Yoweri Kaguta Museveni, when he came to address the first session we had of this kind. He called for bold action, and if you may permit me to remind you, he

also talked about the fact that we as an Assembly are at a beginning point; we are at the congruence where a lot of things are happening. Let me just highlight the fact that in 2005 we got a customs union, hopefully in 2010 we shall have a common market, hopefully in 2011 we shall have a common currency and maybe soon thereafter we shall have a political federation. Therefore, I would like to say that this is an opportunity that only comes once in a lifetime because, as you know with elections, you may not be here next time. So, I would like us to use this opportunity to take bold steps.

I would like to conclude with a statement of His Excellency, President Kagame, that: *“This is the time for bold steps not only in resolving these outstanding matters that are obstructing a common market, but also require us to execute critical decisions that we have already made”*.

I thank you once again, Mr Speaker, and I wish you well in this particular meeting.
(Applause)

ADJOURNMENT

The Speaker: The House is adjourned until tomorrow at 2.30 p.m.

(The Assembly rose at 4.00 p.m. and adjourned until Tuesday, 24 March 2009, at 2.30 p.m.)