



EAST AFRICAN COMMUNITY

IN THE EAST AFRICAN LEGISLATIVE ASSEMBLY (EALA)

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

140th Sitting – Third Assembly: First Meeting – Fifth Session

Tuesday, 23 August 2016

The East African Legislative Assembly met at 2:30 p.m. in the Chamber of the Assembly, EAC Headquarters in Arusha, Tanzania.

PRAYER

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

(The Assembly was called to order)

COMMUNICATION FROM THE CHAIR

(1) FIRST MEETING, FIFTH SESSION

The Speaker: Good afternoon, honourable members. I welcome you to the First Meeting of the Fifth Session in our home, Arusha.

Honourable colleagues, this is the first meeting of the Fifth Session, meaning we are on our last lap of our work. I congratulate you for coming this far. This also has in it a very serious statement that we are racing against time. After this, we shall be left with very few meetings to conclude the activities of the Third Assembly and this therefore calls for a lot of hard work and sacrifice for the rest of our time left.

I would like to extend my appreciation to the committees for the great work they have been

doing since we adjourned. I would like to thank you for the sacrifices you have made to work late in the night to make sure you generate work for this Assembly.

I would like also to urge members who have been granted leave of this House to move private members' Bills to take note of the time available to this Third Assembly to hasten their steps in their work.

In the same vein, I urge the Office of the Clerk and the Secretariat to work with these members, and particularly the draftsman, to help members to conclude their Bills upon which they have been granted leave.

I also extend my appreciation to our sister institutions that we have engaged with starting with the national parliaments that I have been visiting on your behalf, met with

the Speakers of the various national assemblies and they have extended warm greetings to us. We salute the good working relationship that exists between them and us between us and the regional parliaments and the continental parliament.

(2) THE PAN-AFRICAN SPEAKER'S CONFERENCE

Honourable colleagues, on your behalf, I attended the Pan African Speakers' conference that is hosted by the Pan African Parliament that took place in Midrand, South Africa and in that meeting, EALA was requested in the name of the Speaker to present a key note paper to discuss the question of granting the Pan African Parliament legislative powers as a Parliament, a paper which I ably did on your behalf and I thank you. It was taken and it informed 90 per cent of the resolutions of the conference meaning you did a good work. I thank you for that.

In the side meeting of that conference, we also formed a caucus of regional parliaments that is ECOWASS, SEMAC, SADC Parliamentary Forum, the Great Lakes Region Parliamentary Forum and EALA. This caucus was formed to help PAP pursue its agenda on the continent and I, on your behalf, was elected to chair this caucus team - *(Applause)*.

(3) LAUNCH OF REPORT BY SOCIETY FOR INTERNATIONAL DEVELOPMENT ON THE STATE OF THE COMMUNITY

Honourable colleagues, I also launched a very fundamental report in the Republic of Kenya, a report done by the Society for International Development that I have instructed the Office of the Clerk to distribute to members. Society for Internal Development is our partner, as you know, and it has been doing consistent annual studies on the state of the Community.

The particular report that I launched is very intriguing, it has revelations that should draw our attention as parliaments. It has revealed that there is growing inequality in the Community; in the entire East African Community in all Partner States.

The gap between the haves and the have nots is on the rise and I think this is a call for us as legislators to give it attention. More interesting, the finding also revealed that the East African citizens are losing confidence in the legislature generally and this confidence is migrating into the presidency. These are serious issues that as an Assembly, we should address ourselves to.

On our side as EALA, I think we have been doing very well and I congratulate you for the great work that you have been doing on behalf of the Community.

(4) ANNOUNCEMENTS

(i) GUESTS IN THE GALLERY

I have a few announcements to make, honourable members. Let me start by recognising our guests who are in the gallery. Members of the African Inland Charge from Mutunguni, Kitui County led by Rev. Munyoki Samuel Ndeme. You are most welcome and thank you for having interest in the integration agenda.

(ii) MEETING OF SPORTS MANAGERS AND CAPTAINS OF THE DIFFERENT SPORTS DISCIPLINES.

Honourable colleagues, I have announcement by hon. Ole Nkanae and hon. Taslima who are our co-chairs for the sports Team of the Community that there will be a meeting tomorrow immediately after plenary for all managers and captains of the different sports disciplines.

(iii) DEATH ANNOUNCEMENT

On a sad note, our colleague hon. Nancy Abisai lost her beloved sister while she was on duty here attending the General Purpose Committee meeting.

Yet again on another sad note, our friend, former member of this Assembly, member of the Second EALA, hon. Gervase Akhaabi lost his beloved wife also. All these are from the Republic of Kenya.

Our friend and colleague, Mr Kadonya also lost his father while we were on recess. May I kindly request that we rise and observe one moment of silence.

(The members stood observed a moment of silence.)

The Speaker: We also stand with all members who have their relatives and friends ailing and unwell. We pray with you that all will be well. I thank you so much.

Mr. Bernard Mulengani (Uganda): Thank you so much, Mr Speaker. I rise to proceed under Rule 13(1) of our Rules of Procedure. The rule reads “*Adjournment of the House.*”

13(1) A member may, at any time for reasons stated, seek leave to move that this House do now adjourn to debate a matter of urgent public importance.”

Mr Speaker, this is the reason I rise to seek your permission.

The Speaker: Thank you, honourable members. Hon. Mulengani has evoked Rule 13 seeking us to halt our proceedings and allow him to introduce an urgent matter of public interest.

By the provision of this Rule, my hands are tied. I may request to hear his intention or move. Is the motion he has moved seconded by any member? Formally move first, you have just quoted the rule.

Mr Mulengani: Thank you, Mr Speaker and colleagues.

Mr Speaker, I sit on the Accounts Committee, and the Committee has been at the headquarters for the last two weeks. And during our interactions with the staff and other members, it came to my attention that there were issues to do with rights and privileges of staff and members in the Community that need to be charged through the oversight role we have.

There were issues to do with governance and general administration of the East African Community. There were issues to do with the situation between Rwanda and Burundi, and the non-compliance to the resolution of the House, which was moved by hon. Mathuki on 21 July 2016, and specifically resolution 11. I beg to read it. “*To direct the EAC – (Interruption) -*

The Speaker: Hon. Mulengani, move your motion and let it be seconded first. By our rules, this motion is not to be debated. I will put the question on your notion and the invite you to present the details of what you are moving.

Is any member seconding? Hon. Mulengani has moved under Rule 13(1).

(A number of Members stood to second the Motion)

The Speaker: Hon. Pater Mathuki, hon. Dr Ndahiro have seconded the motion as moved by hon. Mulengani.

Hon. Mulengani, can you now go ahead and give us the details of the public urgency of your matter, as you have requested this House to adjourn proceedings and proceed on those matters? The floor is yours.

Mr Mulengani: Thank you so much, Mr Speaker. Indeed as I rose, I want to thank

colleagues and the House for the opportunity to bring this to our attention.

Mr Speaker, under Article 49 of the Treaty that gives us the function of oversight of the institutions and organs of the Community, it mandates us as an Assembly to be on top of issues that are pertaining and obtaining within the Community and within the Partner States in the area of integration.

Mr Speaker, as I was here giving accounts, it came to my attention that issues of life insurance in this Community in the matter of procurement- the processes were flouted.

Two, it came to my attention also that the project under APSA which is an African Union project – the staff therein, 11 of them, have been terminated and this means that the issue of peace and security department is closed down.

Mr Speaker, also the issue of the delayed appointment of the deputy Secretary General from Rwanda is intimate because in the areas of administration, as Accounts Committee, we were unable to interact with the Secretary General fully, but we saw many people acting as Deputy Secretary General (Finance and Administration).

Initially we met with the Deputy Secretary General, Planning and Investment as acting. When we went for accounts, the Deputy Secretary General, Political Federation, faced us. To our dismay, eventually it landed to me that the current acting Deputy Secretary General Finance and Administration is the Director General of Customs.

Mr Speaker, the time of changes creates a question to me as an oversight person that I thought it is something that the Assembly needs to take interest in and report to this House.

Lastly, there are issues to do with recruitment of project staff. There are two staff that have not followed the procedures of recruitment in this Community projects and I thought it is something of importance that the Assembly needs to know to carry out its oversight functions on some of these things that may be seemingly small but may retard the progress of integration.

Mr Speaker, I beg to move.

The Speaker: Thank you. Hon. Mulengani has moved under (13). He presented a motion, which was duly seconded and he has justified his motion. He has complied with the rule and I think I will allow some debate on the issues that he has raised.

Mr Ogle: Thank you, Mr Speaker. I appreciate the importance of the matter that was raised by my honourable friend and colleague, hon. Mulengani. It is very critical but it comes down to the leadership and administration of this Community and it has something to do with the performance of the CEO of this Community – *(Interruption)*

Mr Mathuki: Mr Speaker, procedure because he is not referring to any procedure.

The Speaker: Hon. Ogle is raising a procedural matter. Let him finish, give judgement and then I give you a chance. Stick to the issue.

Mr Ogle: The point of procedure I am raising, Mr Speaker, is that is it fair therefore to proceed with this matter, important as it is in the absence of the CEO of this Community? Thank you.

The Speaker: Thank you so much. Hon. Ogle, you are aware that the Secretary General is an ex-officio of this Assembly and if a member is not in this Assembly, in one way or the other he is absent without notice

of the Speaker or he is absent with notice of the Speaker.

The Secretary General has communicated to me that he will not be able to be in this Assembly today and tomorrow because he is on an external engagement. I received this communication from his office. However, we will proceed with hon. Peter Mathuki debating the motion. I thank you for that concern.

Mr. Peter Mathuki (Kenya): Mr Speaker, as we speak in the House we refer to rules and that was my issue of concern because there is no specific rule that was being referred to.

Mr Speaker, let me start by thanking you in a very special way for allowing the church to be with us today from Mutungune. Thank you very much, church for coming to join us.

That is a clear testimony that as East Africans, they are watching what is happening and in fact this is a people centred integration and therefore their presence here is a clear testimony that they are ever watching on behalf of the citizens on what is happening and I thank you very much, church for coming from Mutungune. As you go back- Mr Speaker, that is my constituency. As you go back, pass our greetings to the community.

I encourage you to tell others to come because they will be taking back the word of integration and that is most important. Their effort of coming to us and to the Community – *(Interruption)* -

The Speaker: Hon. Mathuki, do not belabour so much. We are a God-fearing Community, and we thank you for coming. We also thank you for mobilising them. Proceed with your debate.

Mr Mathuki: Yes, let them continue praying for us, for the community, for the leadership

and they should pray for us as individuals. Thank you very much, church.

Coming back to the issues, the issues raised by hon. Mulengani fall within rule 13. They are of public importance because if the Community is not functioning properly, it means how do we represent, how do we assure the citizenry of this Community that their resources and their community is functioning?

Mr Speaker, I am tempted to say almost that the Community is on autopilot as we speak. It is aiming to land in the desert of nowhere. I am sorry to put it that way because of the issues that they are raising on leadership.

If there are issues like the ones Mulengani is raising - I am a member of the Committee on Accounts – and if these issues go to the public that we represent here, they will not pay a single penny to this Community and yet the resources that we use in this Community are to work for the people of East Africa.

If you look at the accounts of the Community now against what is happening, it means that there is nobody in charge. Therefore, what is our duty as an Assembly? What is our duty as a Parliament? It is to watch over the issues and activities of the Community on behalf of the people. If we wait for this to continue as it is -

I am happy that he has raised the issue of privilege of members. We are talking of issues of insurance. Mr Speaker, as we travel to Arusha or wherever in the Community, if these honourable members have no life insurance, what are we doing? In fact, I would have expected that by the time members come to this Assembly, they should have gotten a letter of communication concerning issues of privileges, especially to do with life insurance because anything can happen with any member.

Again if there is a tug of war between who is supposed to procure what because of possibly the selfish interests of some people within the Community then we are subjecting the staff of the Community and the members of this Parliament to serious consequences and therefore it is important that that issue be looked into.

Issues of border... by what the honourable is saying as he has presented here, the second pillar of the EAC integration is the Common Market, and the Protocol that provides for the free movement of services and people within the Community between one country and another, I am told that there is almost stagnation between some Partner States. Almost nothing is operating between two countries of this particular Community and yet that defeats the purpose as to why we should have a Common Market Protocol, why we should have free movement of people.

Therefore, that serious matter must be handed with the urgency that it deserves because the citizens of East Africa are not benefitting from moving from one Partner State to another. In fact if what he is saying in the Accounts is because of delayed appointment of the DSG, therefore the activities of the DSG are suffering as we watch as a Parliament and we are telling citizens of East Africa that we are okay in Arusha, we are doing our work yet the services are not being done by the Secretariat.

Why is it that we do not have a DSG in place up to now? If you look at the accounts and see some of the things that were falling under the DSG (F&A)...I am told the docket is being taken care of by some other DSG, but that now the responsibilities have been delegated to a staff member, a director, to handle issues of policy and we are here in Arusha saying we are okay, and that everything is fine. We are all driving here and

doing whatever it is we do but we are being unfair to the citizens of East Africa.

Therefore, it is important that whoever is in charge of this should now be told to their face that this Community is not one person; this Community belongs to the citizens of East Africa across the board. We cannot be fighting and pushing our personal interests at the fore when the citizens of East Africa are suffering.

The architects of this Community had a vision. They knew what they wanted for the Community, and we are sitting here very comfortable when things are suffering. I think it is high time that we tell whoever is responsible for that- and that is why he said the thing is on autopilot. We are crashing anytime and therefore we are calling those other stakeholders to come on board.

I am happy the church is here, pray for us because the Community is in trouble. I thank you, Mr Speaker.

The Speaker: Hon. Peter Mathuki is bordering on a very difficult situation and I would like to cool the nerves of our guests and the East Africans out there that we are present. We shall not allow the Community to go into autopilot. There is leadership in the Community. Just for the sake of assurance of our voters and our people out there but I take the concern, thank you.

Dr. James Ndahiro (Rwanda): Thank you, Mr Speaker. I support the motion as moved by hon. Mulengani. Though I do not sit on the Accounts Committee, I serve on the General Purposes Committee, some of those issues came to our attention as well, and we saw during our deliberations that there are fundamental issues in the Community.

My suggestion to honourable members is that these issues are of importance to our integration process and that we need to go to

the bottom of these issues. The best way to do that is for each committee to undertake, during this week, an activity related to their mandate so that by the end of the week, we fully appreciate and understand the problems that have been cited here.

Alternatively, the House could put together a committee to investigate these things and report to the House because we cannot debate on matters that we do not fully appreciate and many members would like to have information. If the information is available, let us give ourselves time to put together the information and report to the House before this sitting in Arusha. Thank you, Mr Speaker.

Mr. Abdullah Mwinyi (Tanzania): Thank you very much, Mr Speaker. My contribution will also be very brief.

My honourable friend raised fundamental aspects related to the running of our Community and every aspect that was raised is of great public importance. On that basis, I would like to agree with hon. Ndahiro and request you, Mr Speaker, to assign the allegations to specific standing committees for those committees to investigate further and to report before this Assembly. I think that is the best course of action that we can take. Mr Speaker, I beg to move.

The Speaker: Thank you so much, hon. Mwinyi. Honourable members, this is a matter that we do not need to speculate about because we have the capacity to get to the tail end of it. I would like to congratulate hon. Mulengani and to reaffirm that in this we are actually doing our real work of oversight as an oversight organ of the Community.

I would like to make it categorically clear to the public out there that there is no alarm, we are in charge, the parliament will do its part and other organs and institutions of the Community will do their necessary steps that

they are supposed to take to make sure that things are moving smoothly as expected.

I have summarised what hon. Mulengani brought in about four categories: The question of rights and privileges as enshrined on our insurance matter. We have a standing committee that looks at issues of privileges and rights and therefore I will require the Committee on Legal, Rules and Privileges to take up this matter.

He raised the issue of peace and security as a department in the Community and we have a standing Committee on Regional Affairs and Conflict Resolution which should take up this matter.

He raised the issue of the border situation between Rwanda and Burundi in relation to trade and movement of persons, security and we have a standing Committee of Communication, Trade and Investment, and the Committee on Regional Affairs for issues of conflict and legal nature.

He raised issues of administration nature and we have the Council of Ministers in this House that are supposed to provide political supervision to the administration and what goes on in the Community. Therefore, our tasks are clearly cut out.

Issues of administrative nature I put back to the Council of Ministers to up their political supervision and report to this House.

Regarding border issues, the Commission has already discussed this matter in its last sitting and has agreed that it will send a team on the ground to go and do on-spot assessment and report back to this Assembly because we have a functional Customs Union and a Customs Management Act. We also have the Protocol on Common Market that provides free movement of persons, goods, right of settlement and we have the Treaty and we are parties to this Treaty and therefore the

various committees, please take up these matters as raised here.

If you cannot report within this sitting, I direct that latest in our next sitting we should have disposed of these matters. I thank you so much.

Mr Leonce Ndarubagiye (Burundi): Thank you very much, Mr Speaker for giving me the floor. As you said that the Committee would visit the site to see the problems that exist, I hope that they will also come to Burundi so that they can get information from both sides. Thank you very much.

The Speaker: Thank you, hon. Leonce for your concern. Yes, I am sending the committee to the border posts. There are three border posts between Rwanda and Burundi and they will have to go there.

Their terms of reference will be further developed and agreed upon by the committees and the Commission as well. I thank you so much.

Ms Sarah Bonaya (Kenya): Thank you, Mr Speaker. Because of the urgency and gravity of this matter, I think we need to have a special sitting because some of these matters cannot wait until our next sitting in November.

The Speaker: Thank you so much. Hon. Sarah is saying we may need a special sitting to make sure we conclude this matter. The Office of the Speaker will do all it takes. I have already raised to you that we are racing against time. This is the First Sitting of the Fifth Session so we must conclude every pending business as fast as we can. We will do all that is possible within the means of the Assembly to conclude the matter. Thank you.

Mr. Abubakar Ogle (Kenya): I realise, Mr Speaker that you have called on the Clerk to move on to the next order on the Order Paper

but before that happens I wanted to evoke rule 17(2) of our rules and for the benefit of my colleagues I want to read it. 17(2) reads, *“Any item of business standing on the Order Paper on any particular date which has not been completed or hitched on the interruption of business under the relevant provisions of these rules shall, on priority basis, be placed on the Order Paper for the next sitting.”*

To the best of my recollection, Mr Speaker, when we left the last sitting in Arusha, there was a very important item on the order Paper which was a motion which was supposed to have been moved by my colleague and friend, hon. Mwinyi seeking leave to amend the EALA Administration Act. That has been tactically removed from the Order Paper so I was saying in view of that provision of the rules, could we have some explanation as to why that motion by Mr Mwinyi is not on the Order Paper accordingly. Thank you.

The Speaker: Thank you, hon. Ogle. Hon. Ogle is right in invoking Rule 17(2). I would like to explain to you that the Office of the Speaker is in touch with the sponsors - and I am choosing my diction very carefully - of this motion to find a proper way of working with it and disposing of it to a logical conclusion. It is not tactically included. The sponsors administratively discussed it reached an agreement that it would eventually come. We are just dealing with some mechanics but it is within the purview of the House. I thank you so much.

BILL'S

FIRST READING

The East African Community Counter Trafficking In Persons Bill, 2016

Ms Dora Byamukama (Uganda): Mr Speaker, pursuant to Rule 66 of the EALA Rules of Procedure, I beg to move that the *East African Community Counter Trafficking in Persons Bill, 2016* be read for the first time. I beg to move.

The Speaker: Seconders?

(Several members stood up to second the motion)

The Speaker Hon. Peter, hon. Tiperu, hon. Ussi, hon. Mulengani, hon. Jeremie, hon. Dr Ndahiro, hon. Leonce, hon. Opoka and all the members standing. Hon. Dora has moved and I would like to refer the Bill –

THE EAST AFRICAN COMMUNITY COUNTER TRAFFICKING IN PERSONS BILL, 2016 READ FOR THE FIRST TIME.

The Speaker: I now refer the Bill to the Committee on Legal Rules and Privileges. Thank you.

MOTION FOR THE CONSIDERATION AND ADOPTION OF THE REPORT OF THE COMMITTEE ON AGRICULTURE, TOURISM AND NATURAL RESOURCES ON THE OVERSIGHT ACTIVITIES ON POACHING

(Debate interrupted on 2 June 2016 Resumed)

Mr Ogle: Mr Speaker, on a point of procedure, I realise that you have called on the Chair of the Agriculture Committee to read the report but before he does so, I want to say that I understand the excitement that exists among the members of the Agriculture Committee for this proposed trip to China but I am told that one of the conditions they ought to fulfil before they can go for this trip is that they must undergo a medical test to determine their HIV status among other things.

I find that as demeaning for us as Africans, and this Parliament should not be seen

to...So, can we get some clarification on this?

The Speaker: Hon. Ogle, this matter you are raising is not on the Order Paper. However, your concern is noted, and we will follow it up. Let the Chair of Agriculture proceed.

The Chairperson, Committee on Agriculture, Tourism and Natural Resources (Mr Christophe Bazivamo) (Rwanda): Thank you, Mr Speaker and honourable members, I beg to move that the report of the Committee on Agriculture, Tourism and Natural Resources on the oversight activities on poaching be adopted. I beg to move.

The Speaker: Seconders?

(Several Members stood up to second the Motion)

The Speaker: Hon. Shy-Rose Bhanji, hon. Mumbi, hon. Ndahayo, hon. Pareno, hon. Hajabakiga, hon. Dr Nyiramilimo, hon. Rwigema, hon. Opoka and all the members standing and my good friend hon. Kimbisa.

Please Chair, proceed.

Mr Bazivamo: Thank you, Mr Speaker. the report of the Committee on Agriculture, Tourism and Natural Resources on the oversight activities on poaching done in Nairobi, Kenya on 18-19 August 2014 and Mwanza, Tanzania on 11-13 February 2016.

1.0 INTRODUCTION AND

1.0 BACKGROUND INFORMATION

1.1 Workshops Rationale

Mr. Speaker, Sir, as a follow-up on the Resolution moved in the House by hon. Ogle

Abubakar in August 2013 in Arusha on the “Escalating problem of Poaching and Illegal Wildlife trafficking in the EAC”, the East African Legislative Assembly Standing Committee on Agriculture, Tourism and Natural Resources organized sensitization workshops for parliamentarian’s on “Poaching and illegal Wildlife Trafficking” on 18th -19th August 2014 in Nairobi, Kenya.

As the Committee did not get a thorough picture of the status of poaching in all EAC Partner States, it resolved to hold on presenting its findings until another similar workshop is organized. It is in this context that a similar workshop was undertaken in Mwanza Tanzania on 11th – 14th, February 2016. The Committee also used the opportunity of being in Mwanza to assess what is happening in the Fisheries sector.

1.2 Workshops Objectives

The overall objective of the workshops was to sensitize parliamentarians on the escalating problem of poaching and illegal wildlife trafficking in EAC region and solicit their views on strategies and measures that could be adopted in addressing the problem. The conducted activities gave Parliamentarians an understanding of what is going on in Fisheries and Wildlife Conservation Strategies at regional level, opportunity to share views on the progress, challenges, impacts and measures adopted to face them and a way forward.

The specific objectives for the workshop were to:

- (i) Consider existing international and regional policies, strategies and regulatory framework/instruments on Wildlife Management;
- (ii) Consider the current and proposed national and regional initiatives

toward strengthening wildlife conservation;

- (iii) Raise awareness on threats of poaching activities and ongoing approaches to stop them;
- (iv) Appraise Members on the opportunities and challenges of the fisheries; and
- (v) Get information on the status of facilities and infrastructure which are required for sustainable development of fisheries

1.3. Expected results

The expected results for the activities were the following:

- i. Increased knowledge by the Committee Members on Wildlife Conservation and fisheries sectors ;
- ii. Members’ influence on policy-makers aiming at reducing poaching activities;
- iii. A report to the House with recommendations and resolutions on reducing /stopping wildlife Poaching and improving the Fisheries sector.

1.4. Participation

Members of the Agriculture, Tourism and Natural Resources Committee of the East African Legislative Assembly (EALA), regional wildlife and natural resources experts and Staff attended the activities from East African Community Secretariat and the East African Legislative Assembly as well as Lake Victoria Fisheries Organization (LVFO) expert.

2.0. METHODOLOGY

In undertaking the activities, the Committee used a participatory method

That included interaction with stakeholders at field and thereafter followed by experts' presentations and interactive sessions. The meetings were opened by the Chairperson's remarks highlighting the objectives of the activities and the expectations of members among others to have an overall situational analysis on Poaching and Fisheries in Partner States.

3.0 FINDINGS OF THE OVERSIGHT ACTIVITIES

PART (I) FISHERIES

3.1. THE SITE VISIT TO KIRUMBA FISH MARKET

3.1.1 Background information on Kirumba Fish Market

The Committee Members visited Mwaloni - Kirumba Fish Market to observe the Fisheries products, see the infrastructure and learn about the challenges. The Committee Members met Mr. Phineas Kauswa, Principal Fisheries Officer who is the Manager of Kirumba Fish Market and Mr. Wiliadius Bubelwa, Fisheries Officer who took them around the Fish Market and provided historical background of the Fish Market and explanations to the questions raised by delegates.

The construction of Mwaloni - Kirumba Fish Market started on March 2004 and completed on March 2005. The total investment cost to completion is Tzs. 6 billion which was financed by Japanese International Cooperation Agency (JICA). Mwaloni - Kirumba Fish Market was constructed to receive fisheries products such as dried dagaa, fresh water shrimps (*cardina*) which are used as animals feed. Apart from fisheries products, the Kirumba Market also receives cereal crops and fruits from different Islands. The Committee Members were also informed that, the Market serves Local market needs, East and Central African countries, which

include Burundi, Uganda, Rwanda, Kenya, South Sudan and Democratic Republic of Congo (DRC).

The Fish Market Manager explained that the Market on average receive 46.1 metric tons of dried "*dagaa*" and 1631.13 metric tons of dried Nile perch per annum. He further pointed out that the Market serves around 2500 to 3000 people on a daily basis and in so doing, the Llemela District Council collects revenue of TZS 612 million per annum. Part of this revenue is used for sustainability of the Market such as payments for water and electricity bills and sanitation activities. The Manager also spelt out that the Market is not so busy by the days of the visit due to light from Lunar in night in which the fishermen for dagaa do not go for fishing during the onset of the moon.

3.1. 2. Presentation on Fisheries

Dr. Robert Kayanda made a presentation highlighting the importance of fisheries in the region. In his presentation, he reported that fisheries are a source of protein to about 150 million people in the East African Community Partner States. He pointed out that in East African Countries per capita fish consumption is less than 10 Kg per annum compared to World Health Organization recommended per capita consumption of 25 Kg per annum: the 2013 per capita consumption studies for respective Partner States are: Burundi 3.6 Kg; Kenya 3.45 Kg; Rwanda 2.3 Kg, Uganda 10 kg and Tanzania 8 Kg.

He explained that high population growth in the region-triggered opportunity for investment in other fisheries technologies such as aquaculture and fish cages, in which Uganda is doing better in Fish cages. He also mentioned the commonly available fish species, which are Haplochromine (Furu), Dagaa, Nile perch and Nile tilapia.

Dr. Kayanda pointed out that on average the overall Fish Biomass had decreased from 1.3 metric tons recorded in 1999 to 0.8 metric tons between 2010 and 2011. The acoustic survey conducted in 2014 revealed that biomass of Nile perch increased by 30% in western part of Lake Victoria particularly in Bukoba. He also explained that the allowable size of Nile perch catch in all East African Partner States is between 50cm and 85cm in which below 50cm and above 85cm are conserved for stocking.

The acoustic survey of 2014 revealed that the biomass trend of Dagaa on average is continuously increasing: 1999 (20%); 2002 (26%); 2006 (40%) and 2014 (44%). Nile Tilapia species are commonly found in shorelines, their biomass is decreasing while the Haplochromine biomass showed an increasing trend from 19% in 1999 to 27% in 2011.

3.1.3. Challenges

3.1.3.1. Challenges at Mwaloni – Kirumba Fish Market

This modern Fish Market facility has attracted many business people from nearby regions of Mara, Kagera and Geita to bring fisheries products to this Market. This Market as well as the trucks fleets (convoys) cannot handle these high influxes of fisheries products.

Measures taken to respond to the challenges

The Llemela Municipal Council is mobilizing funds for expansion of this Fish Market to address this overwhelming challenge.

3.1.3.2. Challenges facing Fisheries in Lake Victoria

In his presentation, Dr. Kayanda presented the following challenges:

- i. Increasing number of fishermen to 1.5% between 2012 to 2014;
- ii. Use of Long line Hooks;
 - a) The use of smaller size hooks increased while
 - b) The use of bigger hooks decreased
- iii. Use of prohibited illegal gillnet still a challenge even though the gillnet decreased by 7.2% from 2012 to 2014;
- iv. Increased illegalities such beach seine, undersize gillnet, undersized hooks and monofilament; and
- v. Declines in fish catches and export.

3.1.4. Committee Observations

3.1.4.1. Observations on Mwaloni - Kirumba Fish Market

The following are some of the noted observations by the Committee Members:

- a) Most of the business dealers are women;
- b) Young men are the cargo carriers; and
- c) Sanitary conditions of the Fish Market is well maintained compared to the previous status when the Committee undertook a tour to assess the Impacts of Climate Change on the environment in 2013.

3.1.4.2. Observations on the Fisheries Presentation

After presentation, the Committee Members made the following observations:

1. The presentation on fisheries covered only Lake Victoria, which represents 60% of fish production leaving out the remaining 40% from other water bodies of the EAC region. The Committee

therefore recommended the presenter to give more information on the production from inland waters to allow them have a thorough picture of the regional production in fish. The Committee moreover recommends another study tour in all EAC Partner States to have a general knowledge on the status of fisheries in the EAC region.

2. The Nile Perch species of fish was introduced into Lake Victoria from Lake Tanganyika and Lake Kyoga. Introducing exotic fish species need thorough studies to avoid negative impacts to endemic species.
3. Fish production is not adequate from natural waters to cater for high population growth in East African Community Partner States. It is for this reason why aquaculture is promoted.
4. The fluctuation in fish production depends on natural environment such as weather condition.
5. Low per capita fish consumption in East African Community Partner States depends on several factors including low production, which trigger high price, religious factors and traditional norms.
6. Fish production from all water bodies is higher in Uganda than in Tanzania, which has a big portion of Lake Victoria due to extensive use of aquaculture and fish cages technologies used by Uganda.
7. Enhancing sanitary conditions in fish, landing sites, market and surrounding environment is key for food including fish security

PART II. POACHING

3.2. SITE VISIT TO SERENGETI NATIONAL PARK

3.2.1. Background on the Serengeti National Park

The Serengeti National Park is the best-known wildlife sanctuary in the world, unequalled for its natural beauty and scientific value. With more than two million wildebeest, half a million Thomson's gazelle, and a quarter of a million zebra, it has the greatest concentration of plains game in Africa. The wildebeest and zebra moreover form the star cast of a unique spectacular - the annual Serengeti migration.

The National Park covers an area of 12,950 square kilometres; its ecosystem (the Serengeti Conservation Ecosystem), which includes the Ngorongoro Conservation Area, the Maswa Game Reserve and the Masai Mara Game reserve (in Kenya), is bigger. It lies between the shores of Lake Victoria in the west, Lake Eyasi in the South, and the Great Rift Valley to the East. As such, it offers the most complex and least disturbed ecosystem on earth.

Elephants are native to the Serengeti ecosystem, but Serengeti elephants were likely all killed off for ivory in the 1800's. At least, there were not any recorded there until the middle of the twentieth century when they started moving back in again. In the 1960's they migrated in from both the north and the south, and by 1970, there were over 3,000 elephants in the Serengeti. Things got rocky for elephants again in the 1980 as severe poaching reduced their numbers in Serengeti National Park to around 500. In 1988, elephants were given Cites Endangered Species Status and worldwide trade in ivory was banned. This was good news for Serengeti elephants and their numbers rebounded again into the thousands.

3.2.2. Challenges of the Serengeti National Park

Today, the Serengeti ecosystem is about 40% of what it historically was—much of this has to do with the development of agriculture and settlements. There are twenty tribes living around or in close proximity to the protected area, and the increasing population causes a need for more development to sustain the population, which in turn deteriorates the Serengeti. For example, agriculture is taking over some parts of the Serengeti National Park and the Masaai Game Reserve,

Mining settlements are interfering with the migration path of some animals, and mechanized agriculture has taken over where wildebeests would historically breed their calves. This has caused a loss of habitat for many species in the Serengeti.

Non-authorized People enter into Serengeti National Park for various reasons: hunting, cutting trees/firewood, grazing livestock, fishing, cultivation, mining, collecting thatch grass, collecting medicine, water, hiding/refuge, collecting honey, etc.

3.2.3. Presentations on Wildlife Poaching

Before the presentation on wildlife poaching in Mwanza, the Committee Members did recap of the site visit to Serengeti National Park in which they mentioned some of the animals seen such as Elephant, Buffalo, Giraffe, Rhinoceros, Gazelle, Topy, and waterbuck, Monkeys, Baboons, Antelopes, Wildebeests and Ostrich etc.

The Resource Person mentioned the following in her presentation:

- Elephants and Rhinoceros are the most vulnerable wildlife to illegal killing in the region and globally;
- Poaching level is escalated in Kenya and Tanzania, which increased the illegal killing of the East Africa Elephants.

- Other natural resources, which are illegally taken from the region, include flora, fauna and timber products.
- Despite the links between wildlife, sustainable development and human wellbeing, wildlife is under threat.
- Habitat loss, climate change, invasive species, pollution and poaching are among the biggest threats.
- Illegal killing and trade are a major threat to wildlife in Africa.
- Major contributing factors are persistent weaknesses in the legislation governing wildlife crime along with poor administration and low levels of compliance. Some of the statutes and associated regulations relevant to wildlife management have not been revised to deal with modern wildlife management practices;
- Even where statutes that are more modern exist; there are often shortfalls in their administration and enforcement.
- Lack of awareness and capacity among legislators and prosecutors to draft and apply integrated wildlife management laws combine to hamper efforts to curb illegal exploitation of wildlife.
- Furthermore, the importance of ensuring effective administration and enforcement of wildlife management statutes are not always fully appreciated by policymakers as part of its mandate to assist the governments on implementing environmental conservation policies.
- Wildlife crime is one of the most lucrative forms of illegal activity worldwide. It hurts people, communities and economies. It devastates ecosystems and it puts food security and national security at risk.
- The East African region is currently suffering from unsustainable levels of illegal killing of wildlife exacerbated by weak legislation and law enforcement,

particularly relating to prosecution of wildlife crimes.

- There is a low level of awareness of the problem and how to best address it at the appropriate levels.
- Wildlife crime is a big business run by dangerous international networks;
- Wildlife and animal parts are trafficked much like illegal drugs and arms.
- By its very nature, it is almost impossible to obtain reliable figures for the value of illegal wildlife trade. Experts estimate that it runs into hundreds of millions of dollars.
- Some examples of illegal wildlife trade are well known, such as poaching of elephants for ivory and leopards and pythons for their skins and bones. However, countless other species are similarly overexploited, from marine turtles to timber trees.
- Not all wildlife trade is illegal. Wild plants and animals from tens of thousands of species are caught or harvested from the wild and then sold legitimately as food, pets, ornamental plants, leather, tourist ornaments and medicine.
- Poaching activities have evolved from individual poachers or ad hoc gangs to increasing recurrences of attacks by well - resourced and organized groups including transnational criminal networks.
- The illegal wildlife trade robs EAC Partner States and their communities of natural capital and cultural heritage, with serious economic and social consequences. It undermines the livelihoods of natural resource dependent communities and threatens economies as it damages the health of the ecosystems on which they depend, further undermining sustainable economic development.
- The acts and the proceeds from illegal wildlife trade escalates other criminal

activities, and in some cases has been linked to armed groups engaged in internal and cross border conflicts, which seriously undermines the security of the Region.

- Personnel responsible for the protection and wellbeing of wildlife resources such as rangers and other law enforcement agents are being killed or injured in significant numbers. This weakens economic development, wellbeing and security of Partner States and their people.

3.2.3.1. Status of poaching in EAC Countries

Some of the most poached species in East Africa are elephants, which represent less than 22% with regard to the African continent is in East Africa. Other poached species are rhinoceros and hippos. EAST AFRICA is considered not only as a provider, but also as transit for ivory, and timber trade.

The Republic of Burundi

Two hundred hippos – 2/3 of the national population - had disappeared in 5 years (WWF). Recent years, hippo meat has become a delicacy in parts of central Africa. The worldwide ban on the trade in elephant ivory has meant hippo teeth, which can grow to more than 60 cm long, have become a valuable substitute. Hippos are now much rarer than elephants. Unless poaching is stopped, hippos will be threatened with extinction. Ecologists warn that the loss of the hippos could undermine the swamp and grassland ecosystems. Hippo dung provides essential basic elements for the food chain, particularly for fish.

Among the first victims of the loss of the hippos will be the people in the region who depend on fish for their livelihoods.

Apart from Hippos, Crocodiles are said to have disappeared from Lake Tanganyika since the civil war. The crocodiles have all disappeared from the shores of Burundi's Lake Tanganyika - the longest freshwater lake in the world. In Burundi, people who swam a lot in the vast Lake Tanganyika used to be nicknamed crocodile, as there were so many pairs of floating eyes and scaly tails circling the waters. However, after a civil war, the crocodiles are not seen.

Measures taken to address the challenge

Burundi works to keep Crocodiles out of the cooking pot; a new law imposing six-month jail, terms and fines for poaching will protect the crocodiles in the lake.

The Republic of Kenya

Background information on Nairobi National Park

The Nairobi National Park was established in 1946 to protect wildlife from human threats. Apart from wildlife conservation, the park was reported to play other roles such as education, scientific research and employment to many people.

Nairobi National Park was said to bring on average about Kshs. 45Million per year. The park falls under category II of IUCN classification and is managed by Kenya Wildlife Service. The urban protected area is home to wide range of wildlife such as lions, leopards, cheetah, buffalo, giraffe and critical endangered black rhinoceros.

Challenges facing the Park

Sustainability of the park was said to be threatened by urbanization, increasing peri-urban land use changes, population growth, and increased demand for wildlife products by China and Middle East and corruption. The threats were observed to be more

pronounced in the wildlife migratory corridors.

Measures taken to respond to the challenges

In addressing the challenges facing the National Park, Kenya Wildlife Service (KWS) had instituted the following measures;

- i. Electric fence was progressively installed to the west, north and east in order to separate the national park from urban fabrics;
- ii. Public-Private Partnership approach was adopted to install Green Line by growing 50m forest of native trees along 30km of the park's eastern edge;
- iii. In responding to the escalation problem of poaching and wildlife trafficking, KWS has instituted the following initiatives:
 - a) Use of sniffer dogs at all country entry and exit points;
 - b) Strengthening park surveillance and monitoring operations; and
 - c) Strengthening joint cross border operations and sharing of intelligence information.
 - d) General prosecution of culprits and collaboration with Interpol.
 - e) Land use planning

Wildlife crimes in Kenya

It was said to be an economic crime often perpetrated by criminal syndicates operating in the most remote regions of our globalized world, exploiting local people and lax laws enforcement for personal gains.

Wildlife Security in Kenya

The Kenya's constitution of 2010 outlines that wildlife is a national asset to be managed for the benefit of the people and for the future generations. This therefore puts a lot of responsibility on Kenya Wildlife Services (KWS) as the custodian of the national asset. Kenya's vision on Conservation seeks to save the last great species; the mission focuses at conservation, management and enhancement of wildlife and its habitats and provides a wide range of public uses and benefits in collaboration with stakeholders. The vision and mission are embedded in KWS strategy 2012-2017.

Kenya Wildlife Service Law Enforcement Mandate

It aims at eliminating poaching in wildlife protected areas and reduces it to bare minimum in other areas; it also aims to provide security to local and international visitors within wildlife protection areas under KWS jurisdiction and respond to internal and external wildlife threats e.g. global terrorism, wildlife and environmental crimes and proliferation of small arms from war-torn neighbouring countries.

Wildlife challenges in general in Kenya

The challenges include the following:

1. Proliferation of small arms and light weapons in the country which are now used in wildlife poaching;
2. Inadequate man power (rangers), skills, equipment and transport;
3. Human settlement around key rhino and elephants areas;
4. The illegal trophy dealers are taking advantage of Kenya's efficient communication and transport system (Air, sea port, Road and electronic money transfer);

5. Changing lifestyle, poverty and unemployment (Some members of the community are involved in poaching due to high economic returns);
6. Vastness of the area of coverage against available strength leading to fatigue;

Addressing the challenges

Committee Members were informed on the measures taken by KWS as the response to challenges facing wildlife conservation in Kenya. The measure includes;

1. Enactment of new wildlife legislation with enhanced penalties. The new legislation also strengthens wildlife prosecution;
2. Formation of specialized units to combat poaching and illegal wildlife trade. These are Canine unit at JKIA and Port Unit at Mombasa port;
3. Enhanced inter-agency collaboration e.g. crack unit (KWS,GSU), CID and NIS;
4. Increasing international operation e.g. uses of Interpol and LATF;
5. Developing forensic lab to ensure that evidence collected are water tight to stand trials. The lab will also enhance wildlife identification, monitoring and DNA to assist in country wildlife crime.

Observations on Kenya

- i. Some international decisions have negatively impacted on wildlife conservation efforts in Kenya;
- ii. It also work against the spirit of the country's vision 2030 by jeopardizing wildlife based conservation industry; and
- iii. Kenya continues to be a transit route for ivory in Africa, majorly through the port of Mombasa, which according to a new

survey accounted for the largest volumes of ivory seizures in Africa, with over 10 tons of illegal ivory intercepted at the port between January and October 2013. It has been reported (2014) that Kenya recorded lower rates of poaching in 2013 compared to Tanzania, a fact credited to the country's better law enforcement policies on poaching.

The United Republic of Tanzania

Tanzania takes the lead as a source of illegal ivory in East Africa. It was reported that about 30 elephants are killed in Tanzania every day, which amounts to more than 10,000 annually. Export quota for United Republic of Tanzania declined from 400 in 2011 and 2013 to 200 in 2014 and 2015 URT(sport hunted trophy: skins, tails, skull, etc.) 2012-2013 exported 128 (report by exporter).

The Republic of Uganda

Uganda is home to 4000 elephants. Elephant poaching has increased in the Queen Elisabeth and Murchison Fall National Parks in high organized and business manners. The year 2011 was the worse year for Uganda elephants. The role of armed groups of militia, especially the LRA, is pointed out not only for Uganda but also for Central Africa, and Soudan.

The Republic of Rwanda

After Rwanda's 1994 genocide, returning refugees swept into the country's biggest national park with herds of cattle and wiped out the last lions. Now the once-abandoned reserve on the border with Tanzania is drawing more tourists, reducing poaching and involving more villagers in conservation. It even re-introduced lions this year.

Akagera National Park's landscape was reduced by more than half to 433 square

miles (1,122 square kilometres) following the 1990s upheaval. The park owes its success to a partnership between a non-profit group with deep pockets and management experience as well as a government led by a powerful leader that has turned stability and tourism into pillars of a growing economy.

3.2.3.2. Joint Ivory Action Plan 2013 in Kenya, Tanzania and Uganda as a means to reduce elephants poaching

Kenya, Tanzania and Uganda are beneficiary to the Ivory Fund whose contributors include; Netherlands, Germany, China, UK, France, Belgium and South Africa. Kenya and Tanzania have been identified to be among the eight countries of concern with respect to increased illegal trade in elephant ivory and directed by CITES Parties through the Standing Committee to put in place targeted actions aimed at reducing the illegal trade. In this regard, the EAC the Secretary General on 19 March 2013 to the Director of Kenya Wildlife Service as the designated CITES Management Authority for Kenya for purposes of implementing the provisions of CITES, communicated the decision and recommendations of the Standing Committee regarding this matter. This was further followed with another letter on 3 May 2013 advising on considerations to be made with respect to information to be included when finalizing the Action plan. The objective is to enhance cooperation among States and State Agencies to ensure elephant poaching and illegal trade in elephant ivory is reduced if not eliminated.

Uganda and United Republic of Tanzania

The Ivory action plan for those countries are also under finalisation with the aim of ensuring elephant poaching and illegal trade in elephant ivory is reduced if not eliminated.

3.2.4. Overall challenges observed in wildlife management

Committee Members observed the challenges facing Wildlife Management in general which includes but not limited to the following:

1. Political aspect: Lack of harmonized laws, regulations and guidelines pertaining to wildlife conservations;
2. Socio – economic aspect: high poverty level; corruption; fraud; tax evasion; inadequate skilled rangers, lack of awareness of judiciary, custom, law enforcement, encroachment of protected areas;
3. Technological aspect: Inadequate modern technological facilities, transport and equipment to combat the emerging wildlife insecurity;
4. Environmental issue such as destruction of wildlife habitats, lack of buffer zones and blockage of wildlife migration routes.
5. Lack of awareness : low level of awareness of the problem and how to best address it at the appropriate levels,
6. Absence of importance of ensuring effective administration and enforcement of wildlife management statutes is not always fully appreciated by policymakers. Wildlife crimes have been on increase especially in the areas outside wildlife protected areas where people resort to poaching as a result of poverty, human wildlife conflict and demand for wildlife products in the illegal markets amongst other factors;
7. Shifting patterns of world development have negative ramifications on wildlife law enforcement. China is slowly but steadily emerging as affluent socially with high appetite for wildlife products. Their culture and domination in Africa may spell doom for wildlife conservation;
8. Wildlife crime works against the objective of sustainable wildlife conservation as it has driven many species into extinction and threatens others.
9. Rising demand and prices for wildlife trophies in the illicit markets;
10. Involvement of local and international cartels in illicit trophy deals; and
11. Inadequate modern technology to do with the emerging wildlife security trends

3.2.5. Addressing the Wildlife challenges

Committee Members were informed that several international and national measures are being undertaken by EAC Partners States to combat challenges facing wildlife conservations. These measures include the following:

1. International conservation Institutions are continuously supporting the anti-poaching strategies;
2. The EAC Countries are deploying new Legislative and Law enforcement;
3. Enactment of new wildlife legislation with enhanced penalties and wildlife prosecution;
4. Regional and National Non-Governmental Organizations are now actively involved in wildlife conservation and protection;
5. Call for multinational Agency Cooperation to combat poaching and illegal wildlife trade.
6. Several countries, including China and the United States, have also destroyed their stockpiles of confiscated ivory, sending a clear message that there is no economic future in ivory.

7. Governments, international law enforcement agencies, the private sector, revenue agencies, global financial institutions, and others have joined the fight, and many countries are deploying new legislative and law enforcement tools to fight wildlife crime.
8. Tracker dogs pursue criminals by tracking human scents through national parks and sanctuaries. These canines are being employed at Manyara Ranch Conservancy in Maasai Steppe landscape to address the elephant poaching taking place in the response. Sniffer dogs are used by law enforcement to root out elephant ivory, rhino horn, and illegal weapons at airport.
9. In Akagera National Park, a South-African trainer of dogs and their handlers is training a team of tracker dogs in the pursuit of wildlife poachers.
3. Members observed that our airports, boards and ports are still weak as the export and import of illegal wildlife are passing through these terminals. They therefore expressed the need to put in place strict measures to control illegal trafficking especially at East African countries borders.
4. Members observed that there is a kind of conflict of interest between wildlife and human beings; they found that it is unjust to destroy farms of communities living around protected areas in the name of protection of wildlife. Members were of the view that governments should find a solution for these people to avoid them invade the protected areas.
5. The Committee observed however that there are communities, which in harmony with the wildlife like the Masai Communities. The Members found that the Local Government should consider compensating local community in case of killing their domestic animals. They also were of the view that giving some returns collected from tourism endeavours to the Communities living near or inside the National Park for sustainability would be a plausible measure.

3.2.6. Members' Observations on Wildlife Poaching Presentation in Mwanza

The Committee commended on the good and inspiring presentation on

Wildlife poaching and made further observations as follows:

1. Members observed that elephants and rhinoceros are highly affected by poachers in search for ivory; other animals like impala, gazelle, antelope and wildebeests are killed for meat.
2. It was observed that poaching is done not by poor people, but by rich people as recently shown by the event, which happened in Tanzania where poachers shot down a helicopter in which a captain was shot dead. They concluded that rich people who can own guns vehicles and can corrupt rangers do commercial poaching.
6. Members were of the view that there is a kind of conflict between Protection Laws and Conservation Laws approach. The existing Legislations/Law does not allow local community to enter in the National Park for their security and wildlife protections,
7. Involvement and not intimidation of local community is vital for conservation of wildlife and natural resources because before national parks and reserves were created, different communities used to live in harmony with wildlife and they used wildlife as totems. The importance of linking conservation with human

development is crucial for the survival of wildlife today

8. Wildlife poaching can disturb or destroy the ecology in the National Park. Killing animals is disturbing the ecology. For example killing adult elephant which normally destruct and falling of big tree as feed for their young, means you killing indirectly the young elephants which cannot feed on big tree

4.0. GENERAL OBSERVATIONS

1. Fisheries

Committee Members observed in general that the information received from the activity undertaken in Mwanza was not enough to give a thorough picture of Fisheries in other EAC Partner States. They therefore resolved to look for another future opportunity to undertake a study tour on fisheries in other Partner States to come up with complete information on this sector in the entire East African Region.

2. Poaching

1. Committee Members observed in general that at regional level, Stamping out wildlife crime is a priority for the EAC because it is the largest direct threat to the future the region's most threatened species.
2. The Committee noted that for the past several years, Conservation Non - Governmental Organizations and wildlife authorities had been implementing efforts to address the dramatic rise in poaching. What was missing in these piecemeal measures, however, was a comprehensive response to an issue that had reached crisis levels. It is in this context that EALA took the lead in 2013 by adopting a Resolution on anti-poaching.

3. The Committee noted also that the EAC Secretariat made an effort in the same direction through organizing together with the Government of Tanzania an international 2 days Summit in Arusha in Nov 2014 which concluded with an Arusha Declaration on stopping wildlife crimes and advancing wildlife conservation.
4. The Committee noted with appreciation that from that Summit, the EAC Secretariat undertook to develop an EAC anti-poaching strategy, which is under finalization and this strategy is a region-wide approach to fight illegal wildlife trafficking, and other wildlife crimes.
5. One of the challenges identified was a low level of awareness of the problem and how best to address it at the appropriate levels.

4.0 RECOMMENDATIONS

From the site visits, presentations and interactive sessions from both activities, the Committee formulated the following recommendations on the two sectors:

4.1. On FISHERIES

1. The Committee should undertake a study tour in all EAC Partner States to get a thorough information on fisheries in the EAC region as the information received covered almost Lake Victoria alone.
2. The Committee recommends that research on fisheries continue knowing that fisheries is a dynamic sector.

4.2. Poaching

1. The Committee urges EAC Partner States to reform wildlife laws by reforming management institutions, modernization of security operations and equipment, strengthening regional cooperation and

- inter-agency collaboration and promote community conservation initiatives.
2. The Committee urges Partner States to develop/improve Wildlife conservation strategies and protection measures through patrols, joint cross border operations, surveillance and information sharing.
 3. The Committee urges EAC Partner States especially the local government to provide part of the revenue collected from wildlife tourism to the communities living around the National Parks to promote conservation.
 4. The Committee urges Partner States to consider traditional knowledge for conservation issues especially for the people living near or inside protected areas as a means to address challenges.
 5. The Committee urges EAC Partner States Governments to address issues of militias, corruption and governance in general.
 6. The Committee recommends the EAC Secretariat to expedite the ongoing development of the Strategy to combat poaching, illegal trade and trafficking of wildlife and wildlife products to foster regional coordination for anti - poaching and illegal trafficking of wildlife and wildlife products;
 7. The Committee recommends the EAC Secretariat to develop Harmonized strategies, standards, guidelines for conservation of shared natural resources.
 8. The Committee urges East African elephant range countries, and countries through which ivory transits, to create National Environment Security Task Forces (NESTs) – multi-agency cooperatives formed from police, customs, environmental agencies, other specialised agencies, prosecutors, and where appropriate non-governmental organisations, and inter- governmental partners.
 9. The Committee encourages the East African elephant range countries to use the International Consortium on Combating Wildlife Crime (ICWC) Wildlife and Forest Crime Analytical Toolkit to assess their effectiveness in addressing wildlife crimes.
 10. The Committee encourages East African elephant range countries to create (where this has not already occurred) intelligence analysis and investigation units dedicated to tackling wildlife crime. These countries should request INTERPOL Investigative Support Teams to provide assistance in evidence collection and analysis pertaining to elephant poaching and ivory seizures should examine methods to impose multiple count indictments for ivory trafficking offenses, including other serious crime types.
 11. The East African Legislative Assembly and National Parliaments should carry awareness campaigns from heads of State to local farmers to give East Africans the chance to take ownership of the anti-poaching message and be an active part of wildlife conservation discussions and decisions.
 12. The EAC Partner States should carry out campaigns to both stop wildlife poaching, trafficking across borders and regions, as well as suggesting how to improve /operationalize partnerships and collaborations with neighbouring countries (Zambia, Mozambique, Ethiopia)

13. The Committee recommends the House to adopt the Resolution from these activities as a contribution to reduce/stop the wildlife poaching.

5.0. CONCLUSION AND WAY FORWARD

The activities were very formative and informative. They allowed Members of the Committee to understand the urgent need for fighting poaching. The useful information received helped them to formulate recommendations and a Resolution attached to this report which can be debated and adopted by the House and contribute to reverse the trend.

Mr. Speaker, Sir, I beg to submit - *(Applause)*.

The Speaker: Thank you so much, hon. Christophe Bazivamo, the Chairperson of the Committee, Agriculture, Tourism and Natural Resources for the elaborate and eloquent presentation.

Honourable members, the motion before this House is that the report of the Committee on Agriculture, Tourism and Natural Resources on the oversight activity on poaching be adopted. Debate is open.

Ms Maryam Ussi (Tanzania): Thank you very much, Mr Speaker. I will not debate a lot on this report. I would just like to congratulate the Chair of the Agriculture Committee for their work and report.

I have a bit of a concern, which, maybe later on when the Chair is finalising his report, he may enlighten us on. The Committee went to two places in terms of national parks; Kenya and Tanzania.

I see in this report that the Serengeti National Park is one of the best-known wildlife sanctuaries in the world. However, the report did not explain any measures that are being

taken on the Tanzanian side to combat the poaching calamity, especially the elephant ivory poaching.

In my understanding, the Government of the United Republic of Tanzania has a worldwide campaign on poaching and illegal ivory poaching but I have not seen anything in this report in terms of measures taken on the side of the Tanzanian problem. The measures have been explained clearly and extensively on the side of Kenya. So I have a question to the Chair, does it mean that Tanzania is not doing anything regarding this problem? Thank you, Chair and thank you, Mr Speaker.

The Speaker: Thank you, hon. Maryam.

Mr. Twaha Taslima (Tanzania): Thank you, Mr Speaker. I would like to congratulate the Chair of the Committee of Agriculture, Tourism and Natural Resources and the committee itself for this report although they say they would like to go again so that they cover most of the East African sites in order to beef up the report.

Mr Speaker, there are two things that I would like to talk about on this report and one is about the water hyacinth – I am not sure whether this is the way to pronounce it but it looks difficult.

I remember that five to 10 years ago we had declared it a blessing in disguise in Kisumu, Kenya. They said that they had innovated a kind of technology with which they were manufacturing some useful items and that they were now looking for water hyacinth and it was scarce.

On the side of Tanzania, especially in Mwanza where we were told that the water hyacinth is still a challenge, it is a challenge, I have seen it with my own eyes that it is on the increase, and it looks like no one is dealing with it. Where there is the water

hyacinth, fish cannot live comfortably so the larger the part that the water hyacinth is occupying, there is a smaller area that the fish can stay around.

Therefore, I would like to propose that the technology that was reported about as having been in existence in Kisumu should be exported to Mwanza so that this water hyacinth problem is eradicated.

The second thing is about the fishing. It is true that upon the introduction of the Nile Perch in Lake Victoria, there was a problem, which can be seen in two ways. One, since the Nile Perch is carnivorous in the sense that it feeds on other species of fish, those other species which are relatively smaller compared to the Nile Perch itself have tended to either run away from the Nile perch or have ended up being eaten up by the Nile Perch.

As a result, most of the population which used to feed on those smaller fish are now missing out on their feed.

The other thing is that the Nile Perch has happened to be either sweet but it is wanted especially in Europe more than anywhere else and we have factories which are processing Nile Perch fillet. Almost all the fillet that is being processed is being exported.

As a result, the population, by missing the fish itself, end up being poor but secondly, by lacking the feeding, the children and old people especially – Because it has been scientifically proven that fish is very advantageous to children and old people. It makes people have their brains sharpened. I am told that even women but the more they miss it, the more these people go bankrupt because they were relying on the fish –

The Speaker: Hon. Taslima, you made a comment that even women.

Mr Taslima: When I say ‘even women’ because I had not talked about women and somebody from my side told me about the women – (*Interruption*) -

Ms Tiperu: Yes, women really love fish for many reasons but scientifically it is very good for the brain development of a child so pregnant women really must take fish.

The Speaker: Thank you.

Mr Taslima: Mr Speaker, what I am about to propose is that there should be an arrangement whereby the export of that fish, especially the fillet of the Nile Perch, should be checked in such a way that a good part should remain to be consumed by East Africans so that our children, our old men and women are in good health.

Secondly, because the Nile Perch is bigger than the rest, there are other species like Nengo, Bogogo, Mumi, Mbofu, Tilapia which are right now lost because the governments are saying they should go fishing with larger nets and those larger nets cannot catch the smaller fish. As a result, they have to catch mostly the Nile Perch, the fillet of which is being exported and as a result, people around the lake do not have fish feed.

Last month, I was in Mwanza and I saw the amount of fish which just last year was being bought at 5,000 and is now being bought at around 14,000 to 15,000. Therefore, it has gone up three times while the people are getting poorer because most of the fishermen cannot afford to go to the waters with bigger nets.

Finally Mr Speaker, I would like to say that since this is a problem and assuming the committee will have another time of going around again, let them go by looking at not only the commercial part of it but they should also go to the feeding part of it so that we check this trend of our people being deprived

of this very nutritious fish. Thank you, Mr Speaker.

The Speaker: Thank you, honourable.

Ms Shy-Rose Bhanji (Tanzania): Thank you, Mr Speaker for giving me this opportunity. I wish to declare that I am a member of this committee. However, I missed taking part in this oversight activity because I was also privileged to be in Uganda as part of the election observation mission during the general elections.

Mr Speaker, I want to associate myself with this report. I think the Chair and the members have done a good job because this report has revealed various issues; negative developments but some positive in various areas of fish markets and other key areas in our region.

Mr Speaker, Kirumba fish market at Mwaloni in Mwanza region stands out to be a very big asset because of the market opportunities in the neighbouring countries like Burundi, Kenya, Rwanda, South Sudan, DRC and of course Tanzania itself.

Mr Speaker, moreover Mwaloni fish market has also attracted labour opportunities for fishermen, for women and the youth who are in fishing business equalling to 1.5 per cent from the year 2012-2014. This has resulted into a very big challenge because now business people from Mar region, Kagera and Delta regions bring their fish products in this market.

Mr Speaker, I wish to commend the Ilemela Municipal Council for seeing the need to expand this market. I therefore make an appeal for this municipal council to make it a priority and to prioritise this expansion so that Mwanza residents and the neighbouring countries can enjoy the benefits of fishing activity.

Mr Speaker, let me now talk about Lake Victoria. We are all aware that his lake is a major source of the River Nile as well as home to many species of fish. Lake Victoria is also the source of irrigation in our countries and other related activities.

Mr Speaker, unfortunately, Lake Victoria is faced with a chronic problem of water hyacinth. For all we can see, very little is done to control and eliminate this environmental hazard. Therefore, as hon. Taslima emphasised that our governments have to make sure that they give priority in eliminating and controlling this environmental hazard.

Mr Speaker, for other challenges relating to hooks and gill nets, these can easily be dealt with by the fisheries regulatory bodies in each Partner State.

Lastly, Mr Speaker, let me talk about Serengeti National Park. As we are all aware, Serengeti National Parks has a long history and is world famous as a national park striding across three regions of Arusha, Mwanza and Manyoba. Being one of the largest national parks in Tanzania and situated in the Great Rift Valley, it has always had a rich eco system for many years but now it is very sad to note that the ecosystem has been reduced to 30 per cent.

Mr Speaker, from the report we learn about the man-made challenges and they cover two areas mainly: one is mining settlements and two is poaching, hunting and cutting trees. These activities have disturbed the eco system and the Serengeti National Park eco system is now facing a great risk.

Mr Speaker, back in the 1960s, Professor Bernard Brinze of German origin documented the history and richness of the Serengeti National Park very well. If he were to come back today, he would shed tears because he was very passionate about

Serengeti National Park and that is why he took the initiative and effort to document this national park so that the world can see what we have in our region.

The amount of damage in this park is damaging to this national park and we have to do something very urgently to curb this situation. I call upon the Government of Tanzania to ensure that this national park is preserved and to take these challenges and give priority so that they are eliminated as soon as possible by suspending mining activities and giving stiff penalties to poachers.

Mr Speaker, these challenges do not only face Tanzania. As we have been told in this report, similar incidents are also found in Kenya in the wildlife industry. Therefore Mr Speaker, our governments must come together to fight these malpractices by coordinating and sharing policies that will make sure that our region is in a better place.

On this score, I strongly commend the establishment of the Joint Ivory Action Fund for Tanzania, Kenya and Uganda in an effort to reduce elephant poaching. We also commend the countries that have partnered with these three countries by making contributions. As we have been told in this report, these countries are Netherlands, Germany, China, UK, France, Belgium and South Africa.

Other than that, Mr Speaker, I fully concur with the recommendations and I support the report.

The Speaker: Thank you, hon. Shy-Rose.

Ms Isabelle Ndahayo (Burundi): Thank you, Mr Speaker. First of all I would like to congratulate our Chair for a good report which is very clear.

First of all, I support the report but I would like to make some complaints. When you look at the situation in the region on poaching, it is alarming but the question is who is to blame? I think that since corruption is still in existence in our region, poaching will never end. It will end with the last animal.

You cannot say that with the commitment of all relevant stakeholders including administrators, security men, local communities, we can fail to eradicate poaching.

I think that we are handling this issue in a wrong way. I was asking myself, what do decision makers say about poaching? What are they doing? Are they really committed because when you look at where the products of poaching pass, it is from different airports and borders every day in our region? Who allows them to pass? Who are the owners of these products? All those people are known and it is easy to combat poaching by starting with who is responsible. The solution is there.

Can you imagine that since we started this Assembly, I think that this is the third time that we are debating the issue of poaching but I can see that we are still at the beginning and nothing is being done? The wildlife are still victims. So are we debating for the sake of debating? Can we evaluate the level of implementation of our resolutions and recommendations?

The resolution made by hon. Ogle was very clear and I can say that we are even repeating the recommendation in that resolution. For how long shall we continue to repeat it? I think that the Council of Ministers should help us.

I can see different Partner States are trying to make their own efforts but you know, these conservation areas are shared and that is why there is need to have a shared strategy.

Mr Speaker, I would like to ask the Council of Ministers to take this issue very seriously and to deal with those responsible.

Coming back to the Fisheries sector, I will not say many things. As the Chair has said, we did not get enough information about this sector so I support the recommendation that our committee be granted time for this activity because we have not done anything in this Third Assembly on fisheries, and we have realised that it is facing many challenges. I can give a very short example. I remember 20 years ago that Lake Tanganyika had too much *mukeke*. All the people in Bujumbura could eat *Mukeke* and it was the same in Kigoma but today, who can afford *Mukeke*? Maybe Members when you come to Bujumbura. It is not for everybody and you know the importance of fish to our wellbeing.

Therefore, I think that we need to have a regional strategy to promote and develop the fisheries sector. This is not in our recommendations, but if the Chair and the Assembly allow me - as I am a member of this committee, I do not know if I am allowed to propose - but I would like to suggest that this sector be promoted. In addition, we need to promote these rare species, which are rare in the world, like *Mukeke* and *Ndaga*. You cannot find them anywhere else in the world, if not in Tanzania and in Burundi.

Therefore, there is need to develop a strong strategy on fisheries and we need to sensitise people so that they can be involved and interested by this sector so that they can get advantage from the Fisheries sector. I support the report, thank you.

The Speaker: Thank you, hon. Isabelle.

Ms Nusura Tiperu (Uganda): Thank you very much, Mr Speaker. Let me on the onset use this opportunity to congratulate you upon having been elected as the regional Chair of the Regional Parliamentary Caucus. This is

no mean achievement, it is a sign that we are on the right progress, a sign that EALA has credibility continentally, a sign that the continental parliament now looks upon EALA for guidance and a sign that your leadership abilities have been appreciated continentally. That really makes us feel proud.

Mr Speaker, with your election to that position, it is an indication that the regional blocs all know that we all must work towards the attainment of African unity.

Mr Speaker, I want to pledge my total commitment and support to work with you in your pursuit of that leadership and I believe that all members will rally behind you as you steer the region to posterity.

Mr Speaker, let me use this opportunity to thank hon. Bazivamo who ably read the committee report. I worked with hon. Bazivamo as a commissioner and I enjoyed every day of my service with him so when he presents a report for the committee, I am not surprised and I am sure that the members have each and every bit of this report.

Mr Speaker, today's report is an indication that EALA is making a statement before the region. We are making a statement on the issue of poaching. EALA is saying that we are against poaching in East Africa. EALA is calling upon the East African governments to work together to fight poaching and protect all the endangered species.

From the committee's report, it is clear that as EALA, we are pertinent and passionate about the elephant species and we ask our governments to be tougher in dealing with those who are busy working towards the depletion of our animal species in the region, which are our biggest source of tourist attraction.

Mr Speaker, it is clear that individual country laws can no longer handle some of these critical matters especially when you are dealing with animals that have no borders. It is therefore our duty to echo the issue of harmonisation of laws so that we can protect these species.

I want to congratulate the committee once again on handling the issue of fish, Mr Speaker. Fish is a delicacy, we all treasure it and when we are in East Africa, we have all grown up eating fish. The region is blessed with the highest number of fish species. I remember when we went to Zanzibar, we were treated to a number of species and as we move in the region, we have been able to see species like the Dada, the Changu, the Bua, Kole Kole, Ligebuga, Kamongo, Mukeke, among others and so fish is a very touchy subject when we talk about it in this region.

Fish is one of the best sources of protein enjoyed by our families and what do we see on the rise? We see scenarios where our parents are feeding children on bones because the flesh is being taken for export and so we are seeing a good number of children getting malnourished and yet this was not African or East African at all. Therefore, there is need for our governments to reconsider what exactly is happening especially to fish from the fresh waters.

I therefore wish to support the committee on its resolution on having the opportunity to do proper oversight on the fish sector and this resolution does not only go to this committee. As you know, this is a growing parliament. We have been moving steadily and systematically. There are times when we lack departments and they are created. Today Mr Speaker, your committees are suffering from underfunding on the sector of oversight. We have done our role of legislation but the role of oversight is not being done as expected.

I am in the Committee of Accounts. We are auditing the accounts of the Community but we are seeing some of the progress for the first time and it is billions that we are talking about. So, if a committee talks about the need to be given an opportunity to do proper oversight and it comes back with a proper report on the sector of fish, I want to say that the Council should not only look at the Committee of Agriculture but to know that the EALA needs some special funding for its committees to give oversight. Otherwise, our performance is not as expected and we are doing injustice to East Africans if we do not handle matters in detail.

Mr Speaker, with those remarks, I wish to wish my colleagues proper debate today. Thank you.

The Speaker: Thank you.

Mr. Martin Ngoga (Rwanda): Thank you very much, Mr Speaker. I am going to have very brief remarks.

First of all, I would like to congratulate the committee members and its chair. Hon. Bazivamo, if what we hear as being in the offing comes true, the committee will certainly miss you and the Assembly will miss you but we wish that it happens sooner than later nevertheless.

The Speaker: Hon. Martin Ngoga, some people are reading our records and they might be lost because your statement is very exciting but incomplete.

Mr. Ngoga: For the time being, Mr Speaker, I would prefer them to remain in that dilemma.

Thank you, Mr Speaker. This debate is coming at a time when something that surprised me actually happened in Rwanda last week. The Police intercepted a cargo of ivory that was being smuggled through

Rwanda. A few months earlier, the same incident had happened. This sounded very unlikely that it would happen in this institution of Rwanda but it did.

Another thing that surprised me was to learn about a sentence that was meted on those who were convicted in the earlier case; six years in prison. So I have noted that this committee treats this and rightly so, as a work in progress which means it may have to undertake further activities on this subject.

I would suggest that the committee addresses itself in future on what could be the deficiencies in our legislations in terms of how we handle cases of poaching because I believe that in order to confront crime; you must make the consequences of crime more costly than the perceived benefits of the crime itself.

So if the sentence for someone who is smuggling tones of ivory is six years in prison, most likely many people would be willing to take that risk so we have to look into what the shortcomings of our legislations are, either with a view of coming up with a regional legislation or advising national parliaments to improve on their legislations.

Another thing that I would suggest the committee addresses itself to is, what the formula in terms of capacity building is – (Interruption) -

The Speaker: Hon. Martin, I think you need the Chair on that because that is a very strong point; the question of the legislations in the region and the sanctions on defaulters. Are you giving it as a direct recommendation to be incorporated?

Mr Ngoga: I am, Mr Speaker and I will put it in writing. Thank you for the advice.

Another point, which I think the committee can address itself to in future, which can be

part of this recommendation as well, is how do we build capacity in terms of conservation in management? How do we protect these areas? What is the formula? What I have in mind is, how much percentage of our revenue in tourism is directly spent to improve capacities in those areas because I think there must be a direct relationship between what we earn and how much we spend to protect those areas.

I remember some time back and hon. Kimbisa would remember this. *Mwalimu Nyerere* once said, we do not spend on these animals. We do not treat them, even when they fall sick, possibly, we do not treat them but we cannot even protect them. They are just for gain not profit. Therefore, I think there has to be a clear formula of how much we spend out of general collections in terms of tourism to protect these areas and these animals.

If that is happening then we can see how much of it we can improve because clearly – (Interruption) -

Ms Hajabakiga: Thank you, Mr Speaker and thank you, hon. Martin for giving me way. I just wanted to direct you to the recommendations under (14) on page 19. The committee is already proposing that part of the revenue collection from the conservation area returns for that purpose but at the same time also as an incentive to the people who visit around the conservation areas.

Ms Ngoga: Thank you very much, hon. Patricia for the information. Mr Speaker, the report indicates the abundance of political will in terms of how we have to deal with the problem of poaching so that is already a resource we have. There is political will but how are we transforming this political will into action things that would prevent this from continuing to happen because it is a role that we are not fast enough – if I can be a bit diplomatic. I would not want to say we are

losing it but we are not moving it fast enough. Figures are going high every year yet our capacities in other areas in terms of combating crime is depleting or reducing so why are we not winning fast enough in that particular area?

As we know, it is one of the areas where the criminal business is lucrative but investment must be big enough to match the magnitude of the problem because we cannot continue to see what is happening. When it is not happening in a particular country, that country is a transit route like Rwanda is so we are all involved in this.

To conclude, I want to commend the collective interest that the region seems to have on this subject. It does not matter where these areas are, we are all shareholders, we are all interested so the efforts must be the same and the approach must be harmonised. It has been suggested that we can have harmonised laws or different laws depending on the challenges we face but the bottom line is that they should be serious enough to confront the magnitude of the challenge we are facing.

With these remarks, I want to support the motion.

The Speaker: Thank you so much, hon. Martin. Before I go to hon. Ogle, there is something that hon. Patricia raised on the information, which I saw in the report. to me it is a bit disturbing and should not pass this House as if – That there are communities that can live with these livestock and it sounds like it is okay that the Masaai live with the game and we conserve Masaai people as if we are conserving game because they live together.

If we allow a position to pass as if we are comfortable that the Masaai people can live with the game comfortably and we keep that, this will undermine the transformation and

development of the Maasai people. I think this should be clarified because I know that at one point every tribe lived with animals.

Mr. Abubakar Ogle (Kenya): Mr Speaker, if there is anybody out there who at one point or another thought that the biggest poachers, the most criminal or radical poachers in this region were Somalis. I want to make a clarification.

It could possibly be true that Somalis were poachers some 20 or 30 years ago but let it be clear that when they were poaching, these animals were in abundance. Perhaps there was a requirement for ... then but over the last 15, 20 years, or so, the biggest conservationists of wildlife have been Somalis. That is a point of fact that the biggest conservationists in this region lately are Somalis. The issue of Somalis and poaching ought to rest in that context. I am giving the facts; get it from me. I am the one saying it. I am the fact myself.

The Speaker: Hon. Ogle, just continue your debate and do not answer the heckling. Also, be clear and do not declare yourself a poacher.

Mr Ogle: On a more serious note, Mr Speaker, coming to the report by the Committee on Agriculture, I want to thank the committee and its Chair, first and foremost for complementing my initial debate that provoked this report. I am humbled and privileged to be mentioned in this report from the beginning and the end. It is quite a privilege to be mentioned in a parliamentary report. I am very honoured.

However, I would like to say that now that the Committee of Agriculture is also proceeding to China, barring these medical tests and all these, I want to plead with them that poaching lately has been occurring in this region and the biggest market of this poaching has been China. Should they go

there, I think it is very important that the committee, under the very good and wise leadership of hon. Bazivamo, ask the Chinese government to get a very concrete undertaking that they shall be partners with us in wildlife conservation and management, that they shall not be the market of these poached animals.

We have nothing to supply to them anymore really. In view of the huge Chinese presence in this region lately, and because they are involved in a lot of our massive infrastructural projects, other than ivory and rhinoceros and the so-called traditional poaching areas, I think the committee ought to be asking the Chinese government to also undertake to also protect our snakes, dogs and all the other things. It is very important that when they return and give a report to this House, they come with that undertaking.

Mr Speaker, one very critical thing about poaching which I have always been saying is, given Nairobi for instance, Nairobi is promoted out there in the world as the only capital city which is adjacent to a national park. This is a very critical thing and has been a unique marketing pool for Nairobi as a destination.

However, the point is, over the last few months and maybe a year or so, there have been increased incidents of animals crossing over the fence and roaming around. The point that must be considered further by this committee is the resolution of human-wildlife conflict. Unless that is done, poaching shall continue to be a nagging problem for our region and our people.

There must be a way that communities that live with wildlife; the Maasai, the Somalis and all these pastoral groups have for so many years lived alongside the wildlife but increasingly there has been a bit of conflict between wildlife and humans. That must be resolved. The primary conservationists and

management of wildlife rests with those pastoral groups: those who actually live with the animals. Unless we are able to strike a balance between those communities... You know, this idea of wildlife conservation has been farfetched. I think it is very important and critical that this committee focuses on the issue of resolving that conflict between humans and wildlife.

With those few remarks, Mr Speaker, I thank you and support the report.

The Speaker: Thank you, hon. Ogle.

Mr. Pierre Celestin Rwigema (Rwanda): Thank you, Mr Speaker for giving me the floor. Let me add my voice and congratulate you for being elected as the regional Chair. This is the leadership that we need.

Mr Speaker, I am not a member of this Committee of Agriculture but I want to thank hon. Bazivamo, the Chair of this committee and the entire committee for this elaborate report.

Through the report, we have benefitted regarding various issues. I would like to comment on one issue of poaching. I got the opportunity and I was blessed to have hon. Ngoga to speak before me because he already explained some issues that I will raise.

Mr Speaker, the East African Community region is currently faced with a wave of ivory smuggling and efforts being made are not enough. I can give some examples in March this year where about four tonnes of ivory were seized in Uganda, according to the media. In April this year, over 105 tonnes of ivory were seized in Kenya, which means action is being done.

As my colleague, hon. Ngoga said, before we start the plenary session in Kigali, Rwanda national police is still holding 10 people arrested attempting to traffic ivory through

Rwanda going to Asia. Among the suspects, which is very surprising, is that there are four people coming from Guinea, Conakry as nationals. It is far from our region but you can see how people are interested in smuggling ivory in this region.

There were also six Rwandans or so. They attempted to use Rwanda as a transit route to their final destination, which is Asia as I had said, and had about 80 kilos of partially processed ivory. Primary investigations indicated that ... tusks had been smuggled from Tanzania but the suspects claimed that they got them from DRC. The latest information is that they came from Tanzania, which shows that this region, and mainly Tanzania, is said to be endangered due to poaching.

I can ... Rwanda Police because Rwanda can be a transit destination for illegal trade. In line with environmental and wildlife protection, we have a mandate under both local and international legal instruments to protect wildlife operations. What we have to do is perhaps to see how to strengthen and harmonise laws but also the system of punishment.

As my colleague, hon. Ngoga has said, this has been the case of Rwanda where suspects are given six years in prison for smuggling. We have to see how to harmonise those punishments and we, as Parliament, should see how to make follow up to protect our region.

Mr Speaker, I wanted to focus on the fact that better conservation and protection must be one of the key elements in which we can see how to harmonise in the region. With these few remarks, I support this report. I will not forget to congratulate my colleague, hon. Ogle who provoked this report because he provoked the oversight activity, which led to this report, which offers various issues that

we are benefitting from. Thank you very much, Mr Speaker and I support the report.

The Speaker: Thank you, hon. Rwigema.

Dr. Odette Nyiramilimo (Rwanda): Thank you very much, Mr Speaker. I would like to support the motion. I am a member of the Agriculture Committee, and I participated in these two activities. The first one was in 2014 and the second one was in 2016. And every time we hear the people talking of poaching in our region, we are afraid. It is a real threat and it is not only in Kenya or Tanzania but also in the whole East Africa and in the whole Africa.

Wherever you there are elephants and rhinoceros, they are in danger. When we hear that, in Tanzania, we have a piled stock of ivory of about 90 metric tonnes and these are from about 85,000 elephants, which were killed from 2009 to 2014, in only five years all these elephants have been killed. It is a real danger and the way they are smuggled is a very sophisticated way. They even say that even diplomatic bags are transporting them; in those non-checked bags of diplomats, sometimes when they check, they find ivory. Therefore, it is a very dangerous situation and if we do not act today, within a few years we will not see any elephant or rhinoceros.

Therefore, Mr Speaker, I do not want to extend this discussion because much has been said. Let us urge our Partner States to review laws that are protecting our environment, our animals and then make sure that from today, at least we do not have the population of elephants and rhinoceros decimated. Thank you very much.

The Speaker: Thank you.

The Third Deputy Prime Minister and Minister for East African Affairs, Uganda (Al Hajji Ali Kirunda Kivejinja) (Ex-Officio): Thank you very much, Mr Speaker.

I would also want to congratulate you for the position you have won for us which complements that actually we are on the right track.

By being modest, you left out one thing, which I think I would take the honour to inform these people that the Speaker rose from our youth leadership and we recognised all the youth who have grown up in leadership up to high positions. He was also given a medal in the last National Youth Day. I thought you should also know that you are grooming a leader whose talents were also identified at an early stage.

Coming to the report, first of all, whenever I am here, I told you I am pleased in that the young generation is becoming aware of itself and the dangers in its surroundings. I told you that my intellectual grounding was in animals and we regard even human beings as animals. It is not dangerous, God created the world for all of us so none has the right to kill the other and exterminate it. We must find a way to be able to live together because that is the only way to preserve our eco system and preserve ourselves and benefit.

Once we start with that and desist from thinking that some other creatures – except of course when you eat, you eat very little. You do not eat a whole elephant. You kill a very big elephant only for the tusk and you do not eat the whole animal. Automatically this is wasteful. Therefore, even in nature, that is why predators produce few offspring; two children but the antelope produces more so that it eats only to satisfy its stomach. It is only man who kills for nothing.

I would like to say that as much as this committee has brought us information that there is danger, the greatest discoveries are discoveries of the ordinary. Why we have the East African Legislative Assembly and the East African Community is the collective knowledge that if we have to survive as

human beings, as Africans and the species therein, we have to keep our surroundings habitable and attractive to others. We have survived many upheavals but if we do not become aware of ourselves generally, we are not going to find solutions.

You are all aware or you may not be aware that Professor Rodney how as a professor in Dar-es-Salaam wrote a book which I think all of you should read on how Europe underdeveloped Africa. You have to know that 400 years earlier, the African and not the tusk, was identified as a commodity and sanctioned by the powers that were there as sub human things that can be traded in slavery.

As a result, more than half the population of the most able people, both women and men were transported across, except that we are very resilient. Now we are threatening again to be a world power and we shall be there but this will come if our leaders like you become aware that for our own survival and prosperity, we need to act collectively.

Therefore, let us justify why we are in the East African region and why we should not engage ourselves in small sovereign enclaves, if we have to survive. I think that should be the basis.

The other thing is, now that you are aware or becoming aware and I would beseech you to read and not only depend on a select committee to go and visit two places. You can read. The good thing is that one member here has told you that they have written about Serengeti national park and the literature is available. Any leader must be able to know much more so read everything, learn from these committees that we send out to verify what is obvious because poaching is known, there is no discovery there – You did not come up with a discovery of people poaching. It is already known. You only need to know this and equip yourselves so that you

go to confirm and resolve that we have to preserve ourselves as Africans, preserve our nature because why didn't God create those other nations with all those animals. This is our heritage and we must be able to benefit and survive on it.

With those remarks, I have very little contribution to make except to thank you for your discovery of the ordinary. Continue. When possible, give the members a chance to go and see so that they enrich their quest to preserve themselves, to work together. I think after this, coming debates will reflect that integration has more chances for us to survive. Thank you very much.

The Speaker: Thank you so much, Right honourable and Chair, Council. I now invite the Chair of the committee to respond in brief.

Mr Bazivamo: Thank you, Mr Speaker. Honourable members, I would like to thank you all first because nobody has opposed the report meaning that the report is fully supported. I also thank the Chairperson, Council of Ministers for his remarks.

On the onset, let me thank especially hon. Maryam for her intervention and support, hon. Taslima, hon. Shy-Rose, hon. Isabelle, hon. Tiperu, hon. Ngoga, hon. Patricia for her information, hon. Ogle, especially for the resolution and for the comments today, hon. Rwigema and hon. Odette and finally the Chair, Council of Ministers.

Mr Speaker, there are two proposals for additional recommendations, one coming from hon. Isabelle. I have noted what she highlighted and I agree with it. We shall have it as a third recommendation in the Fisheries sector. It states, "The committee urges the Council of Ministers to develop a strategy for promoting fisheries sector in the region to cater for the growth in demand and the challenges facing the sector."

It is a fact, honourable members, that we have underproduction in fisheries in our region. We have a lot of water and it is important to promote production. There are some actions, which have already begun like aquaculture, but it is not yet enough. We need to put enough energy to promote production in the Fisheries sector so thank you, hon. Isabelle.

The second recommendation is from hon. Martin Ngoga. Before this recommendation, I would like to capture what he has highlighted when it comes to penalties, which are not comparable to the level of committed crime. We thank that the first recommendation will fine tune the sentence because it was in that direction when we say, "The committee urges East African Partner States to reform wildlife laws" it is in that direction that this has to be fine-tuned to cater for what you have highlighted when it comes to legislation.

There is another recommendation that he has highlighted: "The committee should undertake a follow up activity with a view of assessing the legislative framework to combat poaching in East African Community Partner States." We have noted this and we will include it in the recommendations.

Mr Speaker, poaching is a threat in our region. It is not a secret but a fact. We also know that poachers are being better organised and they are becoming stronger in groups and networks. There is need for our governments to be better organised, to collaborate, and to complement each other through cooperation so that we can tackle this growing threat.

Otherwise Mr Speaker, there are many things that have been highlighted as observations. We take them in consideration and we thank all members for having supported the report. Mr Speaker and honourable members, I beg once again that you support the report. Thank you.

The Speaker: Thank you so much, hon. Christophe Bazivamo. Honourable members, the motion before the Assembly is that the report of the Committee on Agriculture, Tourism and Natural Resources on the oversight activities on poaching be adopted.

I put the question.

(Question put and agreed to.)

The Speaker: I would like to congratulate the Chair and the committee for this very good expose and the resolution that we have reached. Your call for more time for the committee to do more oversight work on the fisheries industries has been taken note of. Thank you.

MOTION FOR LEAVE OF THE ASSEMBLY FOR THE INTRODUCTION OF A PRIVATE MEMBERS' BILL

Ms Patricia Hajabakiga (Rwanda): Thank you, Mr Speaker. I beg to move

THAT, This Assembly, pursuant to the provisions of Article 59(1) of the Treaty and Rule 64(1) of the Rules of Procedure of the Assembly do grant leave to me to introduce a private members' Bill entitled, *The East African Community Polythene Material Control Bill, 2016.*

I beg to move.

The Speaker: Thank you, hon. Patricia. Seconders? Hon. Dora, hon. Martin Ngoga, hon. Tiperu, hon. Kiangoi, hon. Kizigha, hon. Frederic, hon. Yves, hon. Dr Ndahiro, hon. Maryam, hon. Dr Odette, hon. Bazivamo, hon. Rwigema, hon. Ole Nkanae and all the members standing. Hon. Patricia, proceed.

Ms Hajabakiga: Thank you, Mr Speaker and honourable members for seconding this motion in big numbers. On the onset, I want to say that this is not the first time that

something of this nature comes to this Assembly. It is being reintroduced for the second time. It was first introduced in the Second Assembly but we could not finalise all the stages of enactment of the law because the Second Assembly concluded its work before it was assented to.

Mr Speaker, Chapter 19 of the Treaty is on cooperation in environment and natural resources management. Article 111 states, "*The Partner States recognise that developmental activities may have negative impact on the environment leading to the degradation of the environment and depletion of the natural resources and that a clean and healthy environment is a prerequisite for sustainable development.*"

It goes on and there are a number of other issues that are raised under that but I would like to come back to specific Articles of that chapter: Article 112(1) and 112(2)(a), (c) and (h) which urge Partner States to adopt common environmental control regulations, incentives and standards, encourage the manufacture and use of bio-degradable pesticides, herbicides and packaging material and to adopt common environment standards for the control of the atmosphere, terrestrial and water pollution arising from urban and industrial development activities.

The EAC Partner States are also signatories to various international environment agreements that are intended to regulate the environment.

It should be noted that polythene products or polythene bags are a menace to the environment and its habitat and their use needs to be controlled and regulated.

It is also true that polythene waste pollution has worsened these last few years due to preference for polythene as packaging material for shopping and other uses. This has led to mounting quantities of plastic in

household waste and apart from its slow degradation rate, as long as 400 years, polythene is a source of environmental pollution, especially visual with the urban areas being the worst hit. This is compounded by inability to manage waste and recycling of polythene is more expensive than producing new ones.

Mr Speaker, it is important to note that plastic materials are not biodegradable and the most notorious ones are the plastic shopping bags, which are littered all over the place. Those against regulating the use of plastic speak about recycling. However, it has been proved both scientifically and economically that it is not feasible to recycle.

If you may note in the documents I gave earlier, studies have been conducted that show that only one per cent is possible to recycle in the US. If the US can recycle only one per cent, what will happen to us in Africa where we do not even have the capacity to manage our waste and to make it worse, we have competing needs where we would rather use the little resources we have to go to hospitals, to schools and to do development work than wasting it on areas which we can do without and especially that.

The plastic shopping bags begun only in the 1980s and yet East Africans, Africans and people in the rest of the world were shopping and doing other work even before that period.

Mr Speaker, I have compiled different materials I researched on, on what has been done and talked about plastic materials. If you go through them, you will note that we have do not have any other solution yet in terms of getting away or eliminating because, we do not have the means and we do not have any technology that can solve this problem faster.

I therefore would like to say that this Assembly would have done a very important

service to this Community if we resolve this big problem of our time and I hope that the Council of Ministers, just like they have supported the report on fisheries and anti-poaching and having the standing in Chair, Council being a colleague in the scientific field and talking about eco-system management, he will understand and support this cause.

Mr Speaker, I do not want to belabour a lot. Everybody understands this thing and I just wanted to say that we have had progress in our region. Rwanda has already banned, since 2005. The Republic of Burundi already has a policy. The Republic of Uganda had started implementation; I saw it in their communiqué. The United Republic of Tanzania has just recently announced that it will, with effect from October, stop the use of plastic bags. And, of course, the Island of Zanzibar started, some five years ago, to reduce and to regulate the use of plastics.

Mr Speaker, on our record in the Republic of Kenya, it is indicated that they are also to ban plastic bags because it was agreed within EAC but I think the entire issue is implementation so I think there is consensus that what we need is to regulate it with a legal framework so that nobody can hide behind not having an enforcement mechanism to support what the region wants to do on the environment and on the ban of plastic bags?

Thank you, Mr Speaker and I beg to move.

The Speaker: Thank you so much, hon. Patricia. Honourable members, the motion before this House is that this Assembly, pursuant to the provisions of Article 59(1) of the Treaty and rule 64(1) of our Rules of Procedure of the Assembly, do grant leave to hon. Patricia Hajabakiga to introduce and private members' Bill entitled, the East African Community Polythene Material Control Bill, 2016. Debate is open.

Honourable members, you know the tradition of our House when we are seeking leave. This leave that hon. Patricia is seeking is historically known to us. We have progressed on this Bill very deeply; we just had a small stumbling progress that halted because of certain positions from Council. We debated this Bill and it is just being re-introduced.

I plead with you, in the interest of time, that we wait when this Bill is stable and we proceed with debate.

Therefore, I put the question on the motion as moved by hon. Patricia.

(Question put and agreed to.)

MOTION FOR A RESOLUTION OF THE ASSEMBLY TO INVOKE ARTICLE 59(3) (B) OF THE TREATY TO REVITALISE THE EAC CLIMATE CHANGE ADAPTATION AND MITIGATION PROGRAMME

MOTION

Mr Abubakar Zein (Kenya): Thank you, Mr Speaker. I would like to move the motion that this Assembly do resolve to invoke Article 59(3) (b) of the Treaty to revitalise, reinvigorate, and revive the EAC Climate Change Adaptation and Mitigation Programme. I so move.

The Speaker: Seconders? Hon. Hajabakiga, hon. Ndahayo, hon. Shy-Rose, hon. Bonaya, hon. Ngoga, hon. Kiangoi, hon. Tiperu, hon. Dr Ndahiro, hon. Rwigema and all the members standing. Hon. Zein, proceed.

Mr Zein: Mr Speaker,

“THERE is Article 59(3)(b) of the Treaty for the establishment of the East African Community which provides that the Assembly may, by majority of votes cast, request the Council to submit any appropriate proposals on matters on which it considers that action

is required on the part of the Community for the purpose of implementing this Treaty;

AWARE that the 24th Meeting of the Council of Ministers held from 20-26 November 2011 in Bujumbura, the Council approved the establishment of the Climate Change programme management to proceed after the signing of the financing agreement, which is designated as Decision EAC/24/Decision 70;

FURTHER AWARE that the agreement was signed on 15 July 2012 between COMESA, EAC and SADC to establish the programme on climate change adaptation and mitigation in the Eastern and Southern Africa;

APPRECIATING that based on the aforementioned agreement and the funding mechanism therefore, the Community operationalized the EAC Climate Change Programme Management Unit;

CONCERNED that COMESA/EAC/SADC Tripartite Climate Change Programme ended resulting into an abrupt closure of the EAC Climate Change Management Unit, which wound up its programme activities due to the perilous financial situation;

RECOGNISING that increased and sustainable investment in climate resilience and carbon efficient agriculture will help in achieving land, water and food security, reduced deforestation and stabilising climate for posterity;

NOW THEREFORE this Assembly do resolve as follows:

1. The Council, within four months, tables before the Assembly a comprehensive report on the background to the establishment of the EAC climate change programme, circumstances that led to the setting of the climate change unit and the possible negative impact that the Community may suffer as a result.

2. *The Council makes tangible proposals on how to secure the work undertaken or as yet to be done under the EAC Climate Change Programme including the possibility of creating a budget line for the same in the EAC budget.*

3. *The Council makes tangible proposals on the operationalisation of the EAC Climate Change Fund.”*

I move, Mr Speaker with the following few words. That unfortunately this House did not act in the public interest as we were directed to act before harm was already done. Harm was done because the climate change unit was dissolved and the work that they were doing, critical, important, necessary and essential for the wellbeing of our Community was interrupted.

I deliberately use the word ‘interrupted’ because I have already seen some documentation; indications from the Council of Ministers that they were also perturbed and disturbed that such an eventuality came to pass in our Community and I praise the Council for this matter, that they are already taking efforts.

So for me this motion, late as it is, seeks to hook into the work that has been started by the Council but it is asking the Council to involve the Assembly in this matter. By then coming to this Assembly and present clear direction, clear programme, clear thinking on how we are going to constitute the institutional capacity to carry out this important work, is necessary.

Secondly, Mr. Speaker, by the Council being able to come and use this particular provision of the Treaty - I looked in our records and I have not seen us using that particular provision of the Treaty before. Therefore, I will be happy to be informed if there has been such an attempt before. However, I think this House is just flexing its muscles. It is saying

that it is no longer going to sit and wait until after things have gone wrong to intervene.

This House is saying to the Community that we are alive to the aspirations of the Community, and that we are thinking of the Community all the time. We are thinking about the majority of our people who are living from agriculture, and we are saying that climate and agriculture cannot be separable. We are saying that climate and agriculture need to work together so that we can safeguard our livelihoods, have food security, but more importantly, so that we can manage to cope with the challenges of climate change.

You have heard, Mr Speaker, many a time we have complained here that the sectors that have been doing that kind of work: the meteorological department and other associated areas have received very little support from us in terms of budgetary support.

Mr Speaker, in order to save time, I would like to ask very humbly this august House to look kindly to this motion and give it consent so that the Council of Ministers can then be requested that according to our Treaty, this House is seeking from them clear and tangible programmatic presentation to this House on how we are going to move ahead on this important matter.

I would like to stop here so that I can listen to the contribution of members. I ask them that this is very important, not just because there are many East Africans who lost their jobs, but because we in the Community are the poorer. Our adversity and the dangers facing us because of climate change have not been mitigated because we have lost that institutional framework. I submit, Mr Speaker.

The Speaker: Thank you, hon. Abubakar Zein for the eloquent submission of your motion.

Honourable members, the motion before the Assembly is that this Assembly do resolve to invoke Article 59(3) (b) of the Treaty to revitalise, reinvigorate or revive the EAC Climate Change Adaptation and Mitigation Programme. Debate is open.

Ms Patricia Hajabakiga (Rwanda): Thank you, Mr Speaker. I stand to support the motion, and I want to say that I was shocked to hear that the unit at the EAC on climate change was closed down. This is especially so because I have been in the Committee of Agriculture, Tourism and Natural Resources and we have worked so hard with that department to try and see how the East African Community, together with the rest of Africa, could come up with a common stand during the negotiation leading to the Paris Declaration last year.

Mr Speaker, the world, as I have just said, gathered in Paris to chart a way forward on this big menace of our time; climate change. It is obvious that if we do not deal with climate change, if we do not adapt to it and mitigate it, it will actually deal with us as it has already started dealing with us.

Therefore, everybody else in the world is trying to do something and soon in Morocco in November, the world is going to gather again to chart the strategy of implementation of the declaration, which was held in Paris last year. So, it is absurd, I do not understand. I thought that actually, after the Summit passed the policy and strategy, which along with it established the Climate Change Fund, we would have been more concerned trying to find a way of implementing that policy and strategy because I also know that the action plan was already developed.

Mr Speaker, I do not need to dwell on this. I think members of the Council of Ministers who are here are hearing loudly the voice of this House, which has passed more than four resolutions on the matter of climate change over the period I have been in this Assembly.

Therefore, I support the motion and all the players under the motion. I wish that the Council of Ministers understands that climate change is not a joke; it is a problem. We live with it, and if we do not try to deal with it, it will actually...let me say what was said earlier that it is dealing with us already so we need to try and do something about it. Thank you.

The Speaker: Thank you, hon. Patricia.

Ms Dora Byamukama (Uganda): Thank you, Mr Speaker for giving me this opportunity. Earlier on when I rose, I was in haste to move in the programme that I omitted to congratulate you, Mr Speaker. I am glad I have done it at this point when we have more information from the Rt. Hon. Prime Minister of Uganda on your many achievements.

All I would like to say is that we are very proud of you and as the good book, the Bible says and I think most religions, they shall be known by their fruits and the fruits are already making it very clear that we are all going to be known by the fruits we bear. I thank you.

I would like to go straight to the point and to thank hon. Zein for bringing up this matter. On a personal note, the issue of climate change, just like the issue of the right to a clean environment is a fundamental right. These are not issues that we should negotiate about.

Secondly, the issue of climate change is a matter of life and death because it also leads to food insecurity and right now we were

arguing with my good friend hon. Patricia. Should we only be talking about mitigation or should we move on now to adaptation because here we are mitigating by planting trees but can we plant trees at the same rate that the environment is being destroyed? I think the answer is, no.

Therefore, we need to move to the issue of adaptation, which requires us to look at issues of green houses, the kind of seeds that we are going to start planting and critically at the issues of irrigation. Let me emphasise the issue of irrigation, whether it is collecting water from our houses, which have *mabaati* like in the case of the Republic of Rwanda or even from our rivers because we should not act as if we are shocked every time we have a drought and yet it is a cycle, which is well known.

Therefore, I would like to plead that the Council of Ministers takes this particular motion very seriously because this is not only an issue of life and death. It is also an issue of security. The issue of food is a security matter and therefore, if we cannot feed ourselves, like hon. Leonce usually says, we really have no right to even have no space. We lose our dignity and our place on this planet. So, this issue of climate change is very important, it is here with us.

Mr Speaker, much as I have been teasing my colleagues on the Agriculture Committee and calling them farmers, I am also now a farmer and therefore when it does not rain, I am equally affected. I did not know this until more recently but I can tell you that there is a lot of anxiety on the kind of rainfall we are getting, when we are getting the rainfall and what we can do with the rainfall.

Mr Speaker, I would like to emphasise that we support this motion, and I would like to implore hon. Zein that since he had also talked about it in the motion earlier, this EAC Climate Change Programme Management

Unit that had been established should be re-established. This is because when you look at the reason on page two as to why its activities were wound up, it says that it was due to perilous financial situation; lack of funds.

How can you lack funds on this very important issue whereas we have officers in the Community who have been planning for endless travels? Let me put it squarely. Can you prioritise endless travels over the issue of climate change? Where are our priorities?

Mwalimu Nyerere was very clear. He said, *kupanga ni kuchagua*. How are we choosing our priorities and how can we lack funds on an issue which is a security matter, which is a matter of life and death over someone travelling and yet we do not see results for those travels?

Mr Speaker, with those comments, I would like to propose a friendly amendment that on number three they say that Council re-establishes the EAC Climate Change Programme Unit and makes regulations on the operationalisation of the EAC Climate Change Funds.

I think this will drive home the point because even if we have funds and we have a policy on how to operationalise it, the unit would be best placed to give advice on this matter.

Mr Speaker, with those few comments, I would like to support the motion. I thank you.

The Speaker: Thank you so much.

Mr Mike Sebalu (Uganda): Thank you very much, Mr Speaker. I join colleagues in congratulating you upon the recent achievements that you registered as an individual but also at the institutional level.

I also want to confirm what the First Deputy Prime Minister has said that I actually represented you in West Nile for the award. I represented you and hon. Nusura Tiperu

when you were being awarded for serious achievement under the Youth leadership Award. I was also awarded the same so you should be happy about associating with some of us, it may be a climb to fame.

Mr Speaker, I rise to support the motion moved by my very good friend, hon. Zein regarding such a very important subject, which we all appreciate, understand and definitely recognise. Our Community is people centred and that should always be a driver of our thinking, our focus and our imperatives. People centred; the centrality of the people in everything that we do as we integrate because we are not integrating countries or MPs. We are actually integrating people and the centrality of the people should always inform our decisions and our interventions.

Therefore, whatever institutional framework we have, be it legal or structural, it should always reflect on the trickle-down effect to the people. If you dissolve such a unit, have you really given due consideration and thought to the effects that the people will suffer with such a decision? I think our decision makers should always be reminded that the decisions that they take are not essentially for their own comfort or discomfort but they should be impactful positively to the people of East Africa. That is why we came together otherwise we would have been comfortable in our small entities called Partner States.

Therefore Mr Speaker, the issue of climate change is critical, topical and on top of the global agenda. It is no longer a wish that we opt out or keep there. It is critical to the extent that it is now affecting any development initiative. You know, climate change issues must always be given due consideration be it big projects. You must always look out for the climate related issues that should not impact negatively. That is very critical and at

the region, there are decisions that we take – The region should be exemplary and one where other entities should derive inspiration in best practices but if at the region we are the ones undoing what would be considered to be a best practice, we are not setting very good examples in this regard.

Therefore, we should take decisions that are informed by very objective thinking and analysis of the situations. Therefore, my support is undivided on this matter, and as an Assembly representing the people...because you know, some of the people who take the decisions do not have a bearing on the people. With or without the people, as long as these appointments are there, they may be comfortable but let us always be mindful of the people's needs so that we then make it important.

I also just want to make one observation arising out of prayer number one of the resolution, which is very detailed. The whole notion of communication- we must always communicate. Communicate the success stories, where we have been able to make achievements, we must communicate and give an account because we are an accountable institution. But even where things have not worked well, the East Africans deserve to be given feedback. Therefore, even when an institution like this, a unit is being disbanded, EALA should be brought on board, informed, and given good reasons why so that we are able to explain to the East Africans, just in case we have problems arising out of the lack of such a unit. Then we are in position to explain to the people because we owe it to them to give them feedback on what we do, what we achieve and even where we fail to make achievements, we owe it to them to explain why things are not working.

We need to explain what is working and why and what is not working and why it is not

working and then be able to look at other interventions with a possibility of making it work. When we get to a level where it cannot be manoeuvred in any way, we can then look at the option of disbandment but in this case, this appears to have been the first option and no explanation was even made, making it appear as if it was not a useful unit at all.

Finally, Mr Speaker, I just want to say that there are issues of strategy and issues of strategic nature and therefore the attachment in terms of importance should reflect the level of importance. A unit like this one being disbanded because of lack of money presents us as not a very serious team of leaders because the strategic areas should always be given priority even in terms of funding because to me, funding reflects the priority levels and the ranks in priorities. If something is critical, you cannot put it in the back seat. It must occupy its rightful position and funds must always be sought to ensure that the operationalization of such a unit is given due attention.

Mr Speaker, I beg to support and I believe that as a progressive Parliament, we would be the last not to identify with such a worthy cause. I thank you for the time accorded to me and I thank members for their indulgence.

Ms Shy-Rose Bhanji (Tanzania): Thank you once again, Mr Speaker for the opportunity. I stand to support the motion wholeheartedly and I wish to commend my brother, hon. Zein for coming up with this topical and fashionable issue of great concern, not only to our East African region but also countrywide.

Mr Speaker, without climate change programmes a lot of environment and eco system would be at great risk. We owe it to our children and grandchildren to hand over an environment that will be friendly to the people, flora and fauna. Without this programme, our environment will be at great

risk and we shall be condemned for this lack of foresight on food, water, security, deforestation and climate change as a whole.

Mr Speaker, let us take an example of Mt Kilimanjaro summit. This summit, now, has its ice diminishing. This ice is diminishing due to negative climate change so without deliberate policies, a day will come when Mt Kilimanjaro will have no ice caps and water will stop flowing.

Mr Speaker, there are many examples which have been studied and they are proof of climate change effects. Therefore, there is an acute need to re-establish this unit and to inject funds.

As hon. Dora has put it, climate change is a matter of life and death. I support the motion.

The Speaker: Thank you, hon. Shy-Rose.

Mr Ole Nkanae (Kenya): Thank you, Mr Speaker. May I also take this opportunity to congratulate you for the recognition and my friend hon. Sebalu for the same?

On the same note, as a coordinator for sports, may I also congratulate Africa for doing very well in the Olympics? As hon. Prime Minister Kivejinja said, Africans are now a power to reckon with. There were only two world records broken in the track and field and they were from Africa. In fact, it is almost East Africa; Ethiopia and South Africa in 400. Ethiopia was 10,000m; a Van Nikak and Amaz Ayena broke the world records.

In the 100m, all of them were black. 800m the same. We have all the world records so we are a power to reckon with.

Mr Speaker, on this subject we should not hide and say that things are well. This year it has been said that the Sahara desert is coming to the South at a rate of 40cm per year as we

cut trees so one day, East Africa will be a Kalahari Desert or a Sahara desert.

In the same way, we are told that the ice in the Antarctica and Arctic are melting at a rate 30 million cubic centimetres of water being discharged. The coast all over the world is reducing. Maybe when you go to Dar-es-Salaam or Mombasa, check where the water used to reach during the high tides. Therefore, it is coming up, we are seeing it, and we are cutting trees for charcoal. It should be banned.

Mr Speaker, as hon. Shy-Rose said, the nearest mountain to heaven is losing ice and that is a sign of desertification so I support what my brother hon. Zein has indicated and we should support the same.

With those few remarks, I support the motion.

The Speaker: Thank you, hon. Ole. Members, let us be cognisant of the clock ticking. We are left with about 29 minutes so let us be brief.

Mr Twaha Taslima (Tanzania): Thank you, Mr Speaker. I congratulate the mover of this motion and I wholly support what is contained in it.

What I wanted to say is that the section of the world where the inhabitants live greatly depending on the dictates of the climate, there is no way that such people can forget and close the chapter known as the EAC Climate Change Management Unit. We cannot afford that. I would say it was unfortunate and it should come back as quickly as possible.

Secondly, the vagaries of the weather to the poor of East Africa threaten their lives the way fierce animals would if they were reliving near the villages. No one can say if we had a move of trying to push away those fierce animals then at one time, for lack of money

we say let us leave it at that, meaning that you leave those fierce animals to come to you and destroy your life. So we should not afford that, we should do as much as possible to come back to where we were.

That is why in resolution number one where it said the Council, within four months—When we look at ‘within four months’, we are talking of up to December from today. So I would say, why don’t we say, during the next plenary so that by that tie something could be tabled so that we see where we have gone.

That is all, Mr Speaker.

The Speaker: Thank you so much, hon. Taslima. I have a written amendment from hon. Dr Ndahiro so after hon. Martin, hon. Dr Ndahiro will read his amendment and submit it to the mover.

Mr. Martin Ngoga (Rwanda): Thank you, Mr Speaker. Dr Martin did not ask to speak.

Mr Speaker, I will be very brief on this. One is to implore my brother, hon. Zein to reconsider the time he has provided for the report to be produced. Instead of for months, can’t it be in the next plenary? I am not being impatient about it but I think it would be a good formula if we said we can have it in the next plenary because all the information is available, it is just a matter of outing them together. That is one, if he agrees with that.

Two, Mr Speaker, I think what the mover is essentially asking is the circumstances and the reasons as to why the unit was disbanded but this is a substantive part of it. I would suggest that in a generic way, the report should also address the procedural aspect of how units can be brought to an end. Some form of policy; how does it happen? If there is an established unit, how is it brought to an end? What are the procedures? Do we have

them in place, or can we have them in place in a generic way?

Lastly, Mr Speaker, I think this problem is symptom of a bigger problem. When we continue to make our important priority areas dependent on foreign funding, that is going to be the fate. Foreign funding can initiate the process and that is fine but in the meantime, we should consider how we are going to sustain it in the event that the funding is no longer available.

Therefore, it happens that the most important areas of priorities are funded by foreign entities and they cannot be sustainable in the absence of our internal commitment to keep them in place when we no longer have foreign funding. Therefore, that is food for thought for us. Thank you, Mr Speaker.

The Speaker: Thank you.

Dr James Ndahiro (Rwanda): Thank you, Mr Speaker. I think we have less time to debate and I would like to ask hon. Ogle to read my amendment. Otherwise, I support the motion by hon. Zein. Thank you.

Mr Ogle: Thank you, Mr Speaker. The amendment by Dr Ndahiro is an addition to the resolution to be called resolution number four and it reads as follows, “The Council operationalises the EAC Public Private Partnership framework so as to include private sector and civil societies in the management of climate change adaptation and mitigation programme.” I beg to move.

The Speaker: Thank you so much. That is left to the mover of the motion. Thank you, hon. Dr Ndahiro.

I now invite the Chair, Council of Ministers to give his comments.

The Third Deputy Prime Minister and Minister for East African Affairs, Uganda (Al Hajji Ali Kirunda Kivejinja) (Ex-

Officio): Thank you, Mr Speaker and I would like to thank Dr Zein for bringing this up. He has already told you that it had already grasped the attention of the Council s automatically you are complementing us. We have also been concerned, and therefore we thank you for backing us up.

I would like to come to the question that when it comes to where knowledge about our surroundings and ourselves is gathered, this must be taken very seriously because those who have tried to rule us have always kept us ignorant of our own surroundings and therefore, anything that tries to widen the knowledge of our surroundings and of our fate must always be taken as a priority.

This is not the time to talk about the importance of the environment but I would only say that I would prefer and be comfortable if the four months are retained because everything that is collective, you need to move together. The four months would give the Council of Ministers, even the one on environment, enough time to be able to meet so that when we come, we are abreast with the situation and have come up with a comprehensive report.

About environment, we do not need any preaching because we are in danger if we are not aware because 60 per cent of the rainfall is contributed by evaporation from the oceans and 40 per cent from the forests. Now that we are cutting them down, within about 20 years, East Africa alone will be consuming wood equivalent to the area of Burundi. So definitely, we are going there and everybody needs to be aware of that.

I thank you very much for kicking us but we are already on the move.

The Speaker: Thank you so much, Chair, Council of Ministers. Hon. Zein, before you take the floor on the plea of the Chair, Council of Ministers that the time originally

stated is better, I think you were very calculative of the fact that Council of Ministers will sit in November.

The Council that is going to sit in September is extra ordinary and cannot deal with this matter. Their agenda is specific so I think your projection of four months is quite in time to allow the Council to come to us in the November plenary after they have had the opportunity to consider this matter. I just wanted to highlight that for your consumption. Proceed, hon. Zein.

Mr Zein: Thank you very much, Mr Speaker. Allow me to conclude my submissions with a sad story concerning this climate change unit. It represented us in the meeting that was quoted by hon. Hajabakiga in Paris in December and they were in charge of displaying the EAC platform and communicating to the world what good work EAC is doing through that management unit in addressing the concerns that have been established by many of the members here as far as climate change is concerned. Many celebrated them.

I have a sister from the United Arab Emirates who is one of the programme managers of the climate change department there and she took pictures with staff members at the stand of EAC and used the social media to send it across the world and say, amazing stuff, cutting edge science from back home in the EAC.

Lo and behold, as soon as they landed home, they were sacked. Therefore, I am really encouraged and gratified by the comments of all the members who spoke. Allow me to mention their names specifically. I know many members would have wanted to contribute but I would really like to thank those who seconded and the Speaker mentioned them. There are those who were not mentioned, but I want to accept some of the proposals for amendment from members.

Specifically I thank hon. Hajabakiga, hon. Dora and accept the good amendment that she has moved to enhance and uplift number three so that it becomes more complete and that it is the will of this House that the management unit is brought back. Thank you very much.

I thank hon. Sebalu, hon. Shy-Rose, hon. Nkanae, hon. Taslima, hon. Martin Ngoga and indicate to him that I accept all the proposals with the exception of the one on the time frame and I would like to plead with you that the wise counsel that we have been given by the Speaker, we abide and live with that.

Anyway, the quoting of the words say 'within' so if the Council of Ministers is so moved and they are able to bring it before, we will be grateful but within the four months.

I would also like to thank hon. Ndahiro, accept his amendment, and say that it adds value in terms of including private sector and civil society as well.

In a special way, I would like to thank two other people: the Chair of Council - and I saw him whisper with the other ministers and they were nodding. I would like to thank all of them for the comforting words and say to him that what is sad is that all of us were sleeping when this thing was going on, but I am so comforted by his wise counsel that he will follow up these matters. I thank him for the commitments he has made to this House.

Last but not least, Mr Speaker, allow me to thank you and I will be one missing in gratitude if I do not say that I was impressed by the medal because I had the opportunity to see it live. I saw it and I gave you my personal congratulations. I said that this is amazing, and that we should be proud that there are East Africans who contribute when they are young and grow wiser as they gracefully embrace age so that elders call upon them.

And as they say, young people who wash their hands can eat with elders.

So, this young man has washed his hands and we are happy that he is eating with elders at continental level. We pray for your good health. May God give you more wisdom so that you may continue to lead us in the right way. May you continue to hold the East African flag high and the Uganda flag high, and the African continent high.

Mr Speaker, I know it is against protocol to mention you and continue talking but allow me this exception. I cannot sit, although I have mentioned him, without saying something special about the elder Ole Nkanae. Very few people know that he was an Olympiad, the only member in this House who has represented us in the Olympics. Very few people know this. This gracious honourable member has mentored many of the great East African runners and specifically those who come from Kenya so when he speaks about athletics, he speaks with authority and when he says that Africa has done well, I agree, but mention only two gracious women from East Africa.

The one from Kenya who won the first women marathon and the one from Burundi who won the silver, among many others who have made us so proud. I thank all members who contributed and I urge this House to give this motion a resounding yes - (*Interruption*). Thank you, I accept information.

Ms Byamukama: I think it is gracious for us to mention them by name. The one of Burundi was Francine Niyonzaba and the one of Kenya was Wambui. I was encouraged to watch the marathon because hon. Ole Nkanae encouraged me to do so and it was a pleasure to be in his company. I thank you.

Mr Zein: Hon. Dora has done what is right and proper so that the record of those beautiful names may be remembered through

the *Hansard* of this House in golden letters. I submit.

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

Just before I put the question, honourable members, you know it has been our tradition that we celebrate our victory and successes as East Africans. The last time athletes of this region made us proud, we had a motion paying tribute to their contribution as great ambassadors of this region.

Hon. Ole Nkanae has already approached me, and he will be coming with a motion to this House to pay special tribute and to extend appreciation to our Olympians. We shall find space for that motion on the Order Paper. I thank you so much.

Honourable members, the motion before the Assembly is

THAT This Assembly do resolve to invoke Article 59(3) (b) of the Treaty to revitalise, reinvigorate and revive the EAC Climate Change Adaption and Mitigation Programme as amended.

I put the question.

(*Question put and agreed to.*)

The Speaker: Congratulations. Honourable members, before I adjourn the House to tomorrow 2.30 p.m., I would like to refresh your minds that as part of this adaptation mechanism, you remember this Assembly, through the Commission, decided to go paperless to make sure we reserve our resources. You see these documents are very huge for all of us. The Commission is on top of its work to make sure in the shortest possible time we acquire the iPads for members such that we stop churning out too many papers. This will be done very soon.

This resonates very well with President Magufuli's philosophy of austerity measures and we are working on that. I thank you so much.

I now adjourn the House to tomorrow 2.30 p.m.

(The House rose and adjourned until Wednesday, 24 August 2016 at 2.30 p.m.)