



THE EAST AFRICAN COMMUNITY

EAST AFRICAN LEGISLATIVE ASSEMBLY (EALA)

The official Report of the Proceedings of the East Africa Legislative Assembly 54TH SITTING - SECOND ASSEMBLY: FIFTH MEETING - SECOND SESSION

Tuesday, 24 March 2009

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

PRAYER

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

The Assembly was called to order.

MOTION

THAT THE HOUSE DO COMMEND THE CHAIRPERSON OF THE EAC SUMMIT OF HEADS OF STATE FOR THE CONCISE EXPOSITION OF THE EAC POLICY CONTAINED IN THE STATE OF THE EAC ADDRESS TO THIS ASSEMBLY ON THE 27TH OF FEBRUARY 2009

(Debate interrupted on 23 March 2009, continued.)

Dr Aman Kabourou (Tanzania): Thank you, Mr Speaker, for giving me the opportunity to join my colleagues in discussing the speech of the Chairman of the Summit of the Heads of State of the East African Community. First and foremost, I should just say that I appreciate everything the chairman told us, and I think we need to do something about that. And in that vein, I suggest that just like we do in our Partner States when the President of the nation outlines some programmes or ideas, usually it is up to the government to take up the matters and see what can and cannot be done about those directives.

In this case, the Chairman talked about infrastructure, he talked about railways and how important, for example, the railways could help to enhance the Community's

competitiveness, and yet we know that the two or three railway systems in the region - I know that Burundi and Rwanda don't have, Kenya, Uganda and Tanzania do have those railway systems but they have all been privatised to the effect that right now they are dysfunctional in all those Partner States. Now, some people may argue against that, but it appears that that is the case. And if that is the case, then the East African Community as a unit might want to do something to get us out of this log-jam; there are complaints everywhere.

Also, I was sort of concerned by the Chairman's emphasis on the infrastructural development in the railways at this time. Not once did I hear him mention an electric line. Yes, it may be a little bit difficult, given our economic conditions, to think of a major electrified railway service, but it is not a crime to dream. People have to give us visions of these. If we talk about building rail roads in East Africa based on obsolete technologies, then that is all we can have. Because I do not see the Americans, the Germans or the Italians or any of these other people still manufacturing the kind of trains we envisage building in this region. So, we will be left high and dry after 20 years because then there won't be any factories manufacturing these trains, and if we want to have any spares or new trains, then there have to be completely new orders, which will take a long time to finish while our people will certainly be suffering. So, I am saying that infrastructure should also be modernised; not just built.

We do have these railways...they take three days from Dar-es-Salaam to Kigoma, I am sure if they built new ones, which are not electrified, they would probably take two or three days instead of four or five, but it would be the same thing. People would continue to suffer, and we don't want our people to be always suffering. I do not think this is what we intend.

I was also concerned that in talking about electricity there was a lot said about master plans that the East African Community has, which could be helpful to our people. However, it is equally true that in our region, less than 15 percent of our population enjoy electricity and continued use of hydro electricity, and I should, at this juncture, support hon. Ndahiro for suggesting that maybe we should consider nuclear generated electricity. We have a lot of resources for nuclear generation. Tanzania, I think, has more Uranium than anyone I can imagine; 90 percent of the country is covered by Uranium. So, that too is important, but we should not forget a natural source, which is really renewable without any question.

I was recently reading a paper which suggested that Africa enjoys the most sunshine in the world and yet we are not making use of this sunshine because we have very little usage of solar power and wind power in Africa to date. I know there are some limited programmes...I even saw on the Kenyan television that some schools upcountry were being hooked to solar power systems, but in several other places we have not looked at it as a major source of power.

I know for a fact that in places like Nevada in the United States they do have solar capabilities that generate 3000 megawatts in one station. Come to think about how many megawatts we use in East Africa, I think that is perhaps the combined total. This amount could easily be generated from one station in the Nevada desert but in Africa we can

access solar power anywhere and as much as we want and for a minimum of six or even twelve hours a day actually, without any obstruction. I do not see why we do not think of it; the same with wind power.

These are the kind of things that we need to be talking about because, honestly, we are talking about the future. It will not do us any good to just repair what seems to bother us today. We are only 120 million today, I am sure given the rate of reproduction - and I don't want to mention countries or numbers here - but in 20 years we may as well be 200 million! If even at 120 million not all of us can enjoy electricity in the 21st Century and we are not even concerned, I think that is not the right way to go. So, I urge the East African Community to come up with a study to look into the solar and wind power sources as main sources of energy.

All these other things; oil and gasoline fuel, are non-renewable. We know that there will come a time when we will not have them or we will have them at much reduced rates, and at high prices. So, it important to look at what is available, and I don't know when the sun will ever collapse, but I don't see any problem trying to tap into it today. These are some of the few things that I wish we could consider under the state of the East African Community address, but obviously they are not there, and I am sad that they did not appear.

There is another issue that I thought we needed to get from the Chairman because he has been very good at accomplishing things and we have been to Rwanda several times and seen that Rwanda is making good progress in many respects. There is this issue that hon. Kidega mentioned, the question of elections in East Africa. I don't know which of the East African countries has had elections where there was total calm after the elections. I do not know...maybe only in Rwanda, because we did not see anybody fighting; there wasn't even a single election petition after the elections. But in all the other countries we end up with people killed, fighting, and shouting, sending presidential candidates to court and all those kinds of things; why?

Simple; we rely on, I think, outdated electoral processes of first passed. the post, where it does not matter if somebody got 50.2 percent, they become Member of Parliament or President, and those with maybe 49 point something percent have nothing, and at the end of the elections there is no mechanism to try and assuage some of these problems. These people spend a lot of money, time and credibility trying to gain a position, yet after that they are forgotten and they are looked upon as some kind of crazy types trying to engage in things that they do not understand. I do not think that is a civilised way of handling politics now.

We do know, for example, that in Rwanda and Burundi they follow the proportional representation system. I do not know if it would be a sin to suggest this, after all, we are talking about matters of good practices and learning from them and adapting them. Why don't we consider the proportional representation as a way out of electoral conflicts since it works elsewhere? I am not here to praise the constitution of other countries that have mechanisms to take care of the losers as well. I think the two could be emulated to help us in this respect. Honestly, why should we continue to argue about the Westminster model when at the same time we are saying that we are trying as much as we can to get

away from colonialism and colonial relics? So, again, I don't see any difficulty in changing what we have because we need to go on and not be caught up by the past.

His Excellency talked about the existence of peace and stability in the region, and that we should maintain those because they are critical for development. Usually you cannot really do anything if you are in a situation of instability. Where people are dying, people are not sure of what to do next. So, peace and stability are major ingredients in making our region move forward, and there have been some joint exercises here and there to try to do that. I applaud them because it is important that we do have that. But one of the things that somehow surprises me even now - and I was reading today in the Kenyan paper, *The Standard*, that some Members of Parliament are urging His Excellency President Kibaki to take a stand on the Migingo Island. They are saying - and I even saw this on TV - that Ugandans have returned to Migingo with their flag and troops and the Navy and now they are collecting money from the Kenyans.

Let me just say that this was a Kenyan version; these are Kenyan newspapers and television saying that the Ugandans there are taking things by force. I am surprised that the people who came on TV - I could see them and some of them have their names in the papers. What they were saying is that, "We are very happy here without these two governments". So maybe I should just call for independence for Migingo. (*Applause*) We could say that maybe Migingo should be given independence and we give them time to think about what is good for them because they are not happy with the two governments that claim to own them simply as a result of colonial legacies. So, Migingo *oyee!*

The Speaker: Hon. Kabourou we are not in a public rally here.

Dr Kabourou: Mr Speaker, I am sorry but I guessed you are nailed sometimes. Perhaps we should ask the East African Community to intervene. It does not make a lot of sense that just a week ago or perhaps two weeks ago, five or seven cabinet ministers left Nairobi -I am sure in Business Class- to go to Kampala accompanied by Members of Parliament, very outspoken ones too, and they sat down in Kampala and agreed on certain things that we do not know. Those cabinet affairs we may not be privy to but they certainly did agree, because if they had not, I am sure the Kenyan delegation would be under arrest in Kampala today. But they are back here. Certainly they did agree and so we are surprised that all of a sudden someone says, "No, we did not agree!" Then you begin to wonder: do we need an international mediator or should it be done by the East African Community itself? Should we wait until somebody is beaten off? (*Applause*)

In the papers today the people are saying that maybe they should be given an opportunity to rally themselves and see how they can defend their rights in Migingo Island. I think this is one of those incidents, which make me think that the argument that peace and stability reigns throughout our region may not be accurate. And I ask the authorities to take up the matter and save us the shame of two Partner States fighting over a rock, as hon. Muntu said in Arusha.

Yes, it may be full of fish but I do not think it is enough fish. This rock is full of fish, yes, it is one of those Biblical rocks, but I honestly do not think that Lake Victoria has that many fish. Yes, perhaps to the Ugandans, but the Kenyans have the whole coast of

400kms to fish from, and if they wanted that much fish they could walk over there! So, I do not see the logic in this.

All I am saying is that it is the time now for the East African Community or we the people of the East African Community, and in particular our Assembly, to re-visit our resolution and insist that something be done because we did have a resolution in Arusha. Some people said it was not necessary, that it is a minor thing but we are wondering why flags are flying on this little rock in Lake Victoria!

Honestly, I had only those things to comment about, and I think it is important that we should take these matters at the East African level, and we should not be ashamed of it. Yeah, it may sound like a very small thing, but once somebody dies, an East African dies on that Island, then it is no longer a small matter, and it will shame all of us. Thank you very much, Mr Speaker. (*Applause*)

Mr Gervase Akhaabi (Kenya): Thank you, Mr Speaker and hon. Members of Parliament. I wish to thank the Chairperson of the Summit of the Heads of State of the East African Community for one very important reason, that he is a person and leader who appears to be extremely focused, very steadfast, and in my view, extremely visionary. And when you look at the address that he gave us together with the other addresses that he has given us before, you see in this leader a partner in the Community, a partner that we can depend on, a partner that we can rely upon. The address that the hon. Chairperson of the Summit made in Arusha on the 27th of February 2009 is an exemplification of a person that is alive to the various issues that affect this Community. It is a manifestation of a person concerned with and is alive to a number of goings on within the Community, and I do thank him very much for this address.

The Chairperson of the Summit addressed and underscored the importance of the conservation of the environment. A few years ago, this would have sounded like a big academic speech, but today the issue of environmental degradation, the issue of destruction of our environment is a very serious matter in the context of climate change in the entire world. (*Applause*)

The destruction of our environment is today affecting us in this region, it is a lot. I come from the Lake Region of this country, Kenya. When I was growing up some 40 years ago, our planting season started in January and by the end January we would have planted. Today, as I speak, it is going to the last week of March, and no planting has taken place because it has not yet rained. Why has it not rained? Because we are collectively guilty of destroying the environment and, therefore, interfering with climatic patterns in this region. What is the consequence? Starvation! As we speak here now, as we sit in this Assembly, Kenya is faced with a serious food stress situation; and it is not just Kenya, it is the entire region. This problem of the environment is something that we as the East African Community should take collectively and as a matter of urgency to mitigate the effects of climate change brought on by our own selfish actions.

There is another matter that the Chairperson did allude to in his address, and it is infrastructure in the context of the changing global financial crisis. As we speak now we are conscious of this fact; we are faced with a very serious and potentially explosive

financial situation in the world, but particularly in this region. It is, therefore, important that the East African Community Partner States put in place both civil and public programmes that relate to infrastructure, programmes that will keep our people in a healthy environment; open up routes of trade because we do not expect much trade with the outside world, we do not expect many tourists and tourism activities from outside of this region. Therefore, it behoves us as leaders in this region to encourage trade within the East African Community and with our neighbours. It behoves us as leaders to encourage tourism within the East African region, and to do this we need good infrastructure.

Mr Speaker, together with the issue of the financial crisis, the Chairperson of the Summit did refer to the issue of security, an issue which many of my colleagues, the members of this Assembly have alluded to in their contributions. The issue of security and peace should be taken seriously. It has been said that peace is not necessarily the absence of war; we must create conditions that eliminate issues of potential danger to peace. One of them is what hon. Dr Kabourou has referred to, a small issue -like hon. Kategaya said in Arusha – of a rock in Lake Victoria in the name of Milingo Island. It is potentially a source of serious conflict and we should not minimise this.

The students of history here will know that all the wars that have been fought the world over...like for example the First World War, how did it start? It began as a small fight; the killing of a small Prince in the present Balkan area caused the First World War. We should not take some of these issues and minimise them. When you are having a boil, do not think that the itch from the boil will go away if you do not treat it. You have to treat it before it explodes into something big. It is therefore important that this issue of Milingo Island is addressed by the East African Community - (*Applause*)- and we should not wait for Kofi Anan to come or wait for President Obama to come and tell us what to do about what is happening in Milingo.

Together with that, peace in this region is not going to be addressed fully without taking into account the issue of employment. The interests of the youths of this region...it is unfortunate that in the entire speech His Excellency the President of the Republic of Rwanda does not seem to mention or to address issues concerning the youth and how the youth of this region are going to be integrated into the process of developing East Africa to make them part and parcel of the integration process, to create opportunities for them for their welfare, and for their advancement.

We are aware that it is those of us in the twilight of our lives that have been the greatest problem to the integration process of East Africa. So, in the next budget of the Council of Ministers, presented by the very able chairperson and the very senior members of the Council, including my dear friend, the Counsel to the Community, I wish to see a clear item for the youth and activities aimed at integrating the youth of this region into the Community. Otherwise, we are leaving them behind. Where do they go to when we die off like we are bound to? Who is going to take over?

Mr Speaker, as we talk about the issue of making East Africa economically competitive, we are getting into many agreements, one of which is this one that we are entering into

with the European Commission called the Economic Partnership Agreements. We signed something called the framework agreement in that respect. I notice that the Chairperson of the Summit has stated that we should strive to have this one concluded by July 2009, but what is this agreement? What impact is it going to have on our integration process? As it is now I know we have talked about this several times, but it looks like when we say some of these things, either the Council of Ministers does not take these matters to the Partner States or... I do not know what is happening.

There are serious concerns and weaknesses in the framework agreement which are being trans-located and transported into the comprehensive agreement, and yet we are not addressing them. Can we please go slowly on this agreement so that we explore every weakness in it? It is not only the East African Legislative Assembly that is concerned about this; it is the people of East Africa.

When we talk about freeing trade so that we import everything that the Europeans have to offer and we are told that we can also export whatever we have manufactured, what do we manufacture here that we can export there? What is it that we manufacture? We are saying that even the little manufacturing industries that we have here stand the risk of being strangled by opening up our markets unnecessarily and flooding our markets with goods from the European Union. This is not fair to our people. We cannot get employment by becoming supermarkets for the European manufactured goods. We cannot, and these are issues we should address.

When we talk about opening up to the agricultural sector in this region to import European agricultural goods into the region, what are we saying to our people; that they should stop manufacturing when these people out there are subsidising their agricultural industry? These are issues that we need to negotiate, and it is important that we consider this. I plead with the Council of Ministers to understand this. I really plead -I am on my knees- that we take these issues seriously. It is not about me; I have just about 15 more years to live but my children, my grandchildren are going to be the ones suffering - and yours of course. So let us take this issue seriously, let us not conclude this EPAs thing until the people of this region have examined this seriously and sealed the loopholes in them. Mr Speaker, I support this motion. *(Applause)*

Mr Leonce Ndarubagiye (Burundi): Thank you very much, Mr Speaker for giving me the Floor. As I am 15 years older than my friend Akhaabi, I am supposed to die very soon so let me be very fast in saying what I have to say now. *(Laughter)*

I wish to support the motion presented by hon. Janet Mmari. When we read the speech of His Excellency President Kagame, we discover that he said almost everything about our vision and our mission, and he did not shy away from saying the challenges that we will be facing. He spoke about peace and stability, about widening the Community by seeing Burundi and Rwanda joining the Community, and about infrastructure.

Many colleagues before me have said things about infrastructure, we should repeat them as much as we can because without infrastructure there will be no development. As hon. James Ndahiro said yesterday, in the beginning of the last century the Europeans found -

actually it was Vladimir Lenin who said that if you have electricity and railways, then you have development. That was valid then and it is still valid today.

Infrastructure is extremely important for our development. It is very obvious but of course there are also some of the most urgent matters that we have to face like food security. If we have no food security, we will have no infrastructure and we will have no development. We must feed ourselves and our people first.

His Excellency, President Paul Kagame has proven to all of us his commitment to the East African Community. He has also commended us for the good job that is being done by the East African Legislative Assembly, especially through the rotational sittings in the five Partner States, be it about fast tracking political federation, be it about tourism and wildlife conservation, be it about the Common Market or the Customs Union, he appreciates highly the work done by the East African Legislative Assembly and he said so.

Among the things that he raised, I believe that the most important thing he said was that we have agreed amongst ourselves to develop achievable goals, and we have stated that the ultimate goal of our Community is the realisation of the political federation of the East African states. What has to be done to achieve these is a lot of work, but he asks for commitment. There are two ways of changing things; through a revolution or through reforms. What we are trying to do is reforming our states by putting them together as a federation. This demands tremendous commitment and sacrifice. Are we ready to face the challenges and sacrifices? That is the real challenge.

Mr Speaker, I do not have much to say because I think it has been said by my predecessors on this Floor. Let me just repeat that I support the motion. Thank you very much. (*Applause*)

Ms Patricia Hjabakiga (Rwanda): I would like to thank the Speaker for giving me this opportunity to contribute to this important motion brought by hon. Mmari, and also to add my voice to that of my colleagues to thank His Excellency, Paul Kagame, the President of the Republic of Rwanda and current Chairperson of the Summit of the Heads of State of the East African Community. I would also like to take this opportunity to thank the Parliament and the Government of Kenya and all our colleagues from Kenya who have welcomed us here and supported our stay in Nairobi.

The previous speakers have all raised issues pertaining to the statement by the Chairperson of the Summit of EAC Head of State, and I will only dwell on one issue, which kept on coming up during his statement; the issue of the challenges for the implementation of the plan which he presented, the plans which we always have in our strategic plan.

If I may quote him, on page 7 of the statement, he mentioned the issue of infrastructure, and the challenge here is the implementation of these plans for renovating our railways networks, as well as extending it to the other Partner States that are not yet connected. On the same page he also mentions other issues, particularly on aviation, health and safety. The challenge here, again, is the implementation of strategic plans that will render the

aviation industry viable while supporting other growth services. This indicates that we have a long way to go, and that we have a lot of work to do. I want to say that this has two issues, which we need to look at. One is the issue of resources, and the other issue is that of actual implementation of what we are working on and where we even have resources.

A very important example - if I dwell on the first issue of where we have resources - is that of the construction of the East African Community headquarters, which has been there and I understand there is funding for it but nothing is happening to date. Speculation will arise on that issue to the extent that people will start thinking that we do not even need to go to Arusha because people do not want to construct the headquarters there. I am just talking about speculation because the Treaty stipulates that the headquarters of the EAC is in Arusha, and I do not think anybody can change that unless we revise the Treaty.

On the second item, which is the issue of resources, hon. Lydia Wanyoto yesterday raised the issue of how we need to mobilise resources to fund the Community, particularly now in the context of the global financial crisis. Mr Speaker, if you look at all of us we are directing our eyes to the Partner States, but in the wake of this financial crisis I do not think the Partner States will also be safe in terms of availability of funds, which they will continue to avail to the Community for the purpose of integration.

Mr Speaker, what does that mean? That means that the Council of Ministers -and probably all of us- need to put our heads together to look at avenues to find ways in which we can fund our integration process. One quick way would probably be to look at how we can establish a regional institution, which can tap domestic and regional resources in terms of domestic and regional savings, so that this fund can be used in the long run to finance the regional integration other than continuing to look at our Partner States, thinking that they will be able to get funds to fund the integration programme.

On the issue of implementation, which is related to resources, I understand that the EAC Secretariat has got a Deputy Secretary General who is in charge of projects and programmes, but this department, which is noble and important in terms of implementing and executing whatever programmes we have, has no capacity in terms of expertise and staff. However, I do welcome the decision of the Council of Ministers, finally adopted by the Summit, to divide this department into two so that they can effectively focus on the programmes to carry out integration, which is important to all of us in East Africa.

With that said, I call upon the Council of Ministers, under the chairmanship of hon. Monique Mukaruliza, to really put their heads together as much as they can so that we look into this aspect of moving this integration process forward, and particularly on mobilising the necessary resources from within ourselves. I do not think we can depend so much on the international community. They also have their own problems. We need to address this issue ourselves. (*Applause*) Thank you for giving me this time.

Ms Catherine Kimura (Kenya): Thank you, Mr Speaker, for giving me this opportunity to join my colleagues in welcoming you to Kenya, and also to thank the Speaker of the National Assembly of Kenya for availing this and the other facilities for our meeting.

I also want to join my colleagues to thank the Chairman of the Summit, His Excellency Paul Kagame, for a very good policy statement on the direction that the EAC should be taking. It is necessary for us to accept the challenges that the Chairman of the Summit has put to the various institutions: the Secretariat, as we have heard, on the issues of the projects that are there and are not moving, this Assembly and the work it is supposed to do, the Lake Victoria Basin Commission and all the other arms of the Community so that the areas that require action to move the integration forward as envisaged in the Treaty are really fulfilled.

Let me pick on three issues that came to my mind as I went through this speech, although I know that my colleagues have spoken about some of them already. The first one is that it is gratifying to note that His Excellency the Chairman of the Summit acknowledges the increasing competitiveness of the East African region, and EAC in particular. But this is hindered by among other things the state of our regional infrastructure. We acknowledge that unless we invest in this area, in our railways, in our roads, in our communications, in our energy sector, we are not likely to reach the development levels that are necessary to pull us out of poverty.

Development, Mr Speaker and dear colleagues, is key, and the development of infrastructure in particular. I think all other issues will hinge on that particular area. When the British arrived on the coast of East Africa in the 1800s to open up this area for their imperial empire and for their queen, the first thing they did was look at the area of infrastructure and of trade. They created the Imperial British Trading Company and the first thing on the agenda was to build a railway line from Mombasa to the hinterland. Need I say that it is the same railway network started by the Imperial British Company of that time that we are enjoying today?

No further progress has occurred; no improvements on that railway and, seriously, how can we imagine that we can even compete under this Economic Partnership Agreement with Europe? We cannot. It is, therefore, necessary and imperative, and as a matter of priority for whichever institution of the Community that is responsible, to put its act together and start working on our infrastructure needs, otherwise even the trade that we are talking about, whether with our international partners or whether intra-Africa, is not going to happen at the rate we would like it to happen.

We need to move with speed, and I do agree with the previous speaker that yes, we do not have resources. Our Partner States do not have resources and our development partners may not want to put the kind of money that they should put in, but there are other ways and means that we need to explore to raise the necessary resources to put our infrastructure up to the required standard.

My colleague, hon. Ndahiro, yesterday talked about public-private partnerships. These are going on all over the world, whether it is in Singapore with its beautiful highways, whether it is in Malaysia, whether it is our next door neighbour in South Africa, their roads, their infrastructure is being put in place through public-private partnerships. We need to now get from the point where we are now of just talking to the point where we are engaging, on a very serious note, with partners who can work with us.

Yes, it is not the kind of privatisation we did with our railways or the concessions we did on our railways, but let us try other models that have worked elsewhere to put our infrastructure in place. It is my appeal to the Council of Ministers to keep the Secretariat on its toes to start work in this area.

His Excellency the President talked about his frustration, and we share his frustration that the railway master plan and all these other things that are in place are not moving with the speed that he had hoped that they would. Therefore, we are asking that indeed we should stop crawling and start walking, and later on run.

His Excellency touched on the Economic Partnership Agreements, and my colleague, hon. Akhaabi has very passionately talked about this and I share his passion. I may not have the same passion, but be assured, hon. Akhaabi, that I do share your passion in regard to this.

Yes, according to His Excellency we need to beat the deadline; we need to conform to the deadline of July 2009, but my question is: do we sign agreements for the sake of beating a deadline? Hon. Speaker, I dare say that the deadline is not as important as signing an agreement that you are going to live with, which is open-ended. That partnership has no time line, it is open-ended. We need all the time to understand the issues that are there. We need time to negotiate with our superior partners in a manner that does not jeopardize the future of this region.

There are issues that have been put on the table, there are issues that some solid countries were unable to agree on at the WTO level, at the multilateral level, and they are being sneaked in for us now to conclude on a bilateral level. Is this fair? Can we call this fair negotiation? Can we say that we are really negotiating a fair trade agreement? My answer would be no. I do not think that the agreement we are being asked to sign, come July 2009, is a good one. It has a number of issues that are not yet agreed upon and that are of concern, and they are still on the table.

When you talk to some of our negotiators behind the scenes, they will tell you, "Yeah, we agree this is not very good for us." Openly here they will tell you, "Well, we have no alternative but to sign. If we do not sign EDFID is at stake." If we have got to be put on the spot to sign something that is open ended and yet that document does not have an open ended funding, that is in infinity, is it fair? Hon. Speaker, this is an area we need to ask our Council of Ministers to re-think very seriously and to bring to the attention of our Partner States.

There are issues on the impact on government revenue. Any trade agreement means that you forego some revenue. For us in this region we are talking about loss of revenue of between 25 to 30 percent. How are these losses going to be mitigated? It is costly to implement EPAs. We are asked to give up 80 percent, and Europe will be giving up 3 percent. Therefore, the cost of implementation for us is that much higher compared to them. It is an expensive exercise, and what will it do to our budget? Shall we see a situation where funds will be diverted to the implementation of EPAs to the detriment of our social sectors -education, health and such- if at the same time we do not negotiate a

development oriented EPAs, which guarantees a certain amount of money that will come in to mitigate our loss of revenues and to help us in the implementation of these EPAs?

The text, at least the one that I have seen of the interim agreement, does not have any development chapter. We want to be assured that as we move to July 2009, there is a definite development chapter because we want EPAs that are fair and are development oriented. What about our agriculture? We shall open up the flood gates for the subsidised goods. Do we want to see people out of work?

Lastly, His Excellency the Chairman of the Summit talked about the issue of value addition, and this he put as a priority. Indeed, this is the only way our countries will industrialise; this is the only way our countries will create the employment that hon. Akhaabi is talking about for our youth. Yet by the same token these EPAs are asking us to remove our export tariffs. Our export tariffs provide us with revenue but more importantly, they make sure that whatever is value added here is in competition with what goes out, and is value added out there. Why? Because that is also a policy for us to ensure that our cotton, our leather, our minerals, if they are value added here, it ensures that at least we create jobs. That is why we want to maintain, in my view, the export tariffs so that we can compete fairly. If we put high tariffs on them, whatever they produce, our goods will be cheaper. So, we need to look at these issues and ask ourselves what is in it for us.

The Europeans have decided what is in it for them. Are we critically decided, as we go into these EPAs, on what is good for us? I believe that the speech by His Excellency the Chairman of the Summit is very clear in giving this Assembly and the EAC in its totality, a way forward. It is a policy statement, and if we implement and we think very carefully of our implementation agenda on the issues that have been raised in that policy statement, we shall be carrying this Community very far, and the integration process that is ongoing will have gotten momentum.

As I sit down, I want to thank His Excellency the Chairman of the Summit for giving us that direction, and you in particular, Mr Speaker, for finding it a necessary and important part of the Assembly's agenda to have a statement on the status of the Community given to us by the Chairman of the Summit. Thank you and I beg to support the Motion. *(Applause)*

Mr Dan Wandera Ogalo (Uganda): Thank you, Mr Speaker, for the opportunity to contribute to this motion commending – *(Interruption)*–

Ms Kate Kamba: Mr Speaker, is it proper for the honourable member to cross while another member is speaking? I need your clarification.

The Speaker: Since the member has already left so it is ok.

Mr Wandera Ogalo: I was actually interrupted, so some of my points have evaporated. *(Laughter)*

Mr Speaker, I thank you for the opportunity to commend the Chairperson of the Summit for the concise exposition of the East African Community policy contained in his speech. What comes to mind, first, is; what is this policy? What is the policy for the East African Community for which we are commending the Chairperson of the Summit? There is a thread running through the speech of the Chairperson of the Summit, and that is the problem of implementation.

Hon. Patricia Hajabakiga mentioned that there were two areas in the speech in which the Chairperson mentioned implementation, and that was at page 7. I want to add on that, because it seems this is a thread, which is running through the whole speech.

At the top of page 10 of the speech, the Chairperson says: *"It is my view that we in East Africa must do more in implementing environmental and conservation policies as well as regulations"*. At page 8 he says, *"Once again, the challenge lies in the execution of these plans, and I trust that we remain on course in this respect"*. Then on page 6 he says, *"The execution of these plans are at various stages but I wish to single out the railways development that remains worrisome."* At page 4 he said, *"This is the time for bold steps, not only in terms of resolving these outstanding matters that are obstructing the Common Market, but also require us to execute critical decisions we have already made."*

Mr Speaker, if we have a Chairperson of the Summit in a statement of about 14 pages, six times calling attention to implementation, then there definitely must be a very big problem in our policy as far as implementation is concerned. And I want to demonstrate this by examining those areas, which the Chairperson referred to, and I wish to begin with the Customs Union.

At page 4 the Chairperson is talking about the increase of trade because of the Customs Union, but then just above the third line there is this statement; *"This success should further encourage us all to commit to an even quicker pace of integration towards the Common Market."* But I notice that on my copy the word "success" has been cancelled in ink. In other words, the Chairperson at first thought that the Customs Union was a success, then later on he has cancelled the word out meaning it is not a success, and this brings me to the question of implementation. So, why is implementation a problem?

We did set ourselves certain objectives in the strategic plan, in the East African Development Strategy 2006/2010. In the East African Development Strategy 2006/2010 the Partner States did commit to achieving certain objectives within a specified time. It was said then that this was our document for which we were going to work to push the integration process forward.

I looked at this strategy, and I looked at the main objective of this strategy and the objective is to fully implement the Customs Union, and at pages 33 to 34 there are strategic interventions, which the Community is supposed to carry out in order to fully achieve the development objectives. I will mention a few, which are on those pages: implement regional customs procedures by June 2008; build the capacity of institutions managing the implementation and monitoring of the Customs Union by 2009; rationalise multiple memberships in regional organisations and negotiate as a block by December 2008; finalise setting regional customs standards by December 2007; centralise customs

collection at the first point of entry by July 2010; establish an East African customs authority, one authority for customs by July 2010.

Of these strategic interventions the time limit for six of the eight has passed, and we have not achieved them. Of the other two which are remaining: establishing an authority and having collections from a point of entry, we have barely a year, and I do not see the possibility of us achieving it in the remaining one year. So, definitely, the Chairperson of Summit has a problem with the way the Community is carrying out its work. We are behind schedule in almost everything, and you will recall that the question of negotiating as a block is subject to a law by this Assembly. It is also in our strategic interventions, it should have been achieved.

The question therefore, is, why hasn't this law been implemented? We are failing in almost everything we set ourselves to do. We know that one of the strategic interventions is to rationalise Partner State memberships in SADC and COMESA, but what have we done? We have instead increased memberships in other bodies! Instead of the December 2008 deadline, we have instead extended the deadline by another two years. We are not only behind schedule, but we are in fact making it worse. We are not even going to achieve what we require to have an effective Customs Union!

Mr Speaker, I would therefore say that the strategic objective to fully implement the Customs Union as per the East African Development Strategy 2006/2010 is definitely not going to be achieved. Therefore, the Chairperson of Summit was correct in cancelling out the word "success". So, the question we should now be asking ourselves is: what do we do in order to achieve these objectives, which we are supposed to have achieved to date? We cannot look to the Summit; the buck stops with the Council of Ministers and this Assembly. And if we look at the speech of the Chairperson and praise it, yes it is good to praise it, but it is also good to realise that actually -in my view- the Chairperson is saying there is a problem with the organs, which are supposed to carry out their functions. (*Applause*) This is what the Chairperson is saying, because it is not the Chairperson who is supposed to achieve all these by the given time. It is the Council of Ministers, it is this Assembly; it is the sectoral councils and so on. So, it is time to examine the process of implementing decisions, because that is where, in my view, there is a problem.

We have got an Executive for the Community in Arusha, but the decisions are still being made elsewhere; they are made in the Partner States. This makes it very difficult for the Council of Ministers to ensure that we remain on course when the decision makers are going to put the matter on hold and somebody says, "Oh, well, bracket that one, we are not going to deal with it. We will deal with that one later on!" So it is time now, since we are even at the critical proposition of amending the Treaty, to look at the Treaty in terms of decision making. We should remove this power, which is grounded in the Partner States, and give it to the Executive at the Community. (*Applause*) Only then will things move. Only then will we not make strategic plans like the Strategy 2006/2010 and at the end of 2010 find we have achieved almost nothing.

The 2000/2005 strategy was examined at the end of 2005 and we had achieved almost nothing. And what were the excuses? "Oh, we set ourselves very high, very ambitious goals. We could not manage them. That is why that happened!" Are we going to use the

same excuse again? We set the 2006/2010 objectives very well aware that we were too ambitious in the 2000/2005 strategy, so it is obvious that we knew we were going to achieve them this time, but the way things are going, we are even going to achieve a smaller percentage than the last one. So, in order for us to look at this question of implementation as a policy, we need to examine our failures.

Mr Speaker, I also wish to speak on the question of the Common Market, which the Chairperson also commented on, and I will quote him here: *“The next major milestone after Burundi and Rwanda acceded to the Customs Union is the establishment of the Common Market. Several issues still stand in the way of achieving this, including access to land, movement of people and the right to permanent residence”*.

Mr Speaker, the Chairperson is justified to raise this matter, and I want to go back to the East African Community Development Strategy 2006/2010. What did we say? What did we set ourselves that we were going to achieve as a Community? I will quote what we said in the development strategy: *“The objective is to allow free movement of people, capital, labour, services and the right of establishment by the end of 2010.”*

What are the strategic interventions that we committed ourselves to? Just to show that the Chairperson of Summit is actually frustrated by the organs of the Community, the first strategy was to harmonise procedures for issuance of entry/work permits by December 2007. We have not achieved it. Internationalise the East African passports -these green ones that we move with; to make them international is just to say that we can use them internationally – by December 2008, and...zero! (*Interruption*)

The Speaker: Hon. Ogalo, the honourable Members are saying that you have the wrong passport. The East African Passport is blue.

Mr Wandera Ogalo: I am sorry; I meant blue. Maybe colour blindness is setting in.

Mr Speaker, to make them international, we set ourselves December 2008, zero; establish East African examinations certification council for purposes of examinations so that we get the same standards by December 2007, zero; harmonise investment incentives by December 2007, zero; issue identity cards in Uganda and Tanzania by December 2008, zero. Mr Speaker, this question of IDs for Uganda and Tanzania has been on the table for very many years.

I do recall that the First Assembly did meet the then President of Tanzania, His Excellency Benjamin Mkapa, and I recall that it was Gen. Muntu who raised the question in the year 2002, that if it was expensive for one country to do it alone, could they not share the costs so that instead of Uganda doing it and Tanzania also doing it expensively, could we not have one project for the two countries? This was six years ago, and when we were making the new strategy, we said that by December 2008, the people of Uganda and Tanzanian would have the identity cards. Still we have zero. These are the things that we set ourselves to do, and the Chairperson of the Summit is justified to ask, “What is happening? Why is there no implementation”? And the buck stops with us and the Council of Ministers.

Mr Speaker, I notice and I think this is where there is the biggest problem, that in the East African Development Strategy, responsibilities were given out. It was stated who would achieve these timelines, and in most of them you will find it is the East African Community Secretariat and relevant ministries in the Partner States. Our Council of Ministers has no role in this, so how can we really be saying that we are going to manage the integration through our Executive at Arusha when the time limits, which have been set are outside the ambit of the Council, when it is some technocrats in the Secretariat in Arusha plus some technocrats in the Partner States who are making the decisions? It is making the political class to look foolish in the eyes of the East Africans because this document is a public document. Any East African has access to it, and they can look at the matrix and will be justified to conclude and say that we are not serious! It is because we have given the responsibility to the people who should not have that particular responsibility.

Mr Speaker, I think I should emphasise here that this is a critical area in which the Council of Ministers should suggest amendments to the Treaty. It must meet this question of decision making head on. There must be no shying away from the fact that we shall not achieve what we set ourselves to achieve if we do not have the power to make decisions. Let the people with the final authority refuse to amend the Treaty when they have been informed, and then we can say we tried our best, but things are out of our hands. But when we have the chance to say that the Treaty should be amended to put power to make these decisions with the Council of Ministers, we should say so and we should not shy away from it.

Mr Speaker, the relevant technocrats who are mentioned, apart from the Secretariat are, for example, the ministries responsible for Immigration, for the Common Market; ministries for education; labour, finance, trade and industry, in our Partner States. They are expected to push the agenda of the Community, but the technocrats place their loyalties elsewhere. It is only the Council of Ministers and the honourable members here who have sworn their allegiances to the Treaty who can have loyalty to the East African Community fully, and I think this must be addressed head on because the failures are there and we should not shy away from them. We should be bold.

The Chairperson of Summit did say it is time for bold steps - even President Museveni in the last address also said we need bold steps. It is time for boldness, and sometimes bold statements can get things moving, and can get people starting to debate. The bold statement of *Waziri* Kingi has got people thinking and talking. It is that boldness, which will get people in this Community to start moving forward.

You know, at the time when the Community was being formed and we were entering into the Treaty in 1999, there was a lot of caution, there was a lot of fear. We did not know each other very well, so we tended to let things pass. We tended to cover up some things and say, "Ah, I don't want to annoy the other Partner States, let me keep quiet on this although I think differently". But after ten years of being together, we now know each other. So it is time to speak out freely.

Mr Speaker, one of the development strategies is to harmonise labour laws and legislation by December 2009 and to rationalise the land policy by December 2009. What the

Chairperson of Summit is calling obstacles has already been provided for, and somebody is simply not working. Otherwise, there should not be any obstacle. The development strategy was not written by one country. It was written by all the countries so the question of land was dealt with. These are matters which, in my humble view, can easily be dealt with.

The third matter I want to speak on, which the Chairperson did mention at page 7 of his speech, is on tourism. He said, *“The programme of marketing and promoting East Africa as a single tourist destination is similarly welcome, with focus being put on improving standards and expanding facilities in the region’s hospitality industry.”*

Mr Speaker, I do not want to bore honourable members here with so many interventions, but if Members go to page 72 of the strategy, they will find the relevant interventions, which are supposed to answer this problem being raised by the Chairperson of the Summit. Let me just give two of them by way of example: One, operationalise the East African Tourism and Wildlife Conservation Agency by January 2008. We should have an East African agency already working by January 2008; two, we should adopt a regional approach in the protection of wildlife resources from illegal use by December 2007; three, we should implement the criteria for classification of hotels, restaurants and other facilities by January 2008.

Mr Speaker, if we were doing what we set out to do, this would have been achieved! Now we are faced at the moment with the hon. Safina Kwekwe Bill on Tourism, which aims to solve the problems and answer what we set out to do. We have two things now happening: We have a Bill in the Assembly to ensure that what the countries set out to do is achieved through legislation, and, at the same time, I hear voices’ saying that either there is a protocol or a protocol is being developed.

This Bill is going to come to this House, and as I said, the buck stops with the Council of Ministers and with this House. The way we shall treat this Bill will say a lot about us in respect of implementing decisions, because the Kwekwe Bill is actually answering what the strategy set out to do. What is in the protocol, I do not know, but when that Bill is debated in this House we will be counted whether we are among those who are frustrating the Chairperson of the Summit or among those who are standing with him to ensure that the implementation of the objectives is achieved. *(Applause)*

On infrastructure, again, the timelines are there. The Chairperson of Summit has not mentioned them but he knows that we are aware of the timelines. He says that in respect of infrastructure, there are such problems. He is aware that honourable members have the strategic plan, and he knows that we have the oversight function over the activities of the Community, and that this House should be asking questions about why these things are not being achieved: Roads rehabilitation; construction of prioritised regional roads will be completed by January 2009; establish and operationalise an East African Community upper airspace administrative centre by June 2007; develop and implement the East African Community Railways Master Plan by December 2007; create a regional institution to manage transport on the Lake under Lake Victoria Transport Commission by September 2007; implement the extension of a gas pipeline from Dar-es-Salaam to

Tanga, Zanzibar and Mombasa by June 2008; implement the East African Power and Supply Master Plan by 2006/2010.

So, while the Chairperson is actually telling you in his speech that he is aware you know that we should have achieved these objectives but you have not achieved them. It is a polite way of asking us, “You guys, what is happening; what are you up to?”

Mr Speaker, I suggest that both the Council of Ministers and this House put in place mechanisms, which will ensure that there is implementation of these programmes. It will be a shame next year for us to be faced with the same problems, and we say we knew about them last year and we have done nothing about them.

I have requested the Budget Officer of the Community to calculate for me- and I will be asking honourable Members to support me in this- how much it would cost to have the Chairperson of the Council of Ministers in Arusha for three weeks every quarter. In other words, from January to the end of March, and also how much would cost for the other quarters? (*Applause*)

Mr Speaker, I believe that if we have the Chairperson of the Council spending 84 days sitting in Arusha that will provide the political supervision, which will ensure that there is implementation. I am not asking for much, Mr Speaker. It is very embarrassing sometimes to find the Chairperson of the Council of Ministers in a cubicle somewhere on the sixth floor and when you go on the other side of the wing you find an officer with a boardroom, a big room with secretaries and so on. So, what I have asked the Budget Officer to do is to make a calculation for a decent office, a personal assistant and some staff paid out of the budget of the Community. Then we will be able to have somebody in Arusha ensuring that these programmes, which we have agreed on, are implemented. I see the Counsel to the Community smiling; maybe he can exchange his office with the cubicle of the Chairperson of Council.

Mr Speaker, in conclusion, I wish to thank the Chairperson of the Summit for reminding us that the policy of the East African Community is in tatters because we have not lived up to our obligations. I support the motion. (*Applause*)

Dr Odette Nyiramilimo (Rwanda): Thank you, Mr Speaker, for giving me this opportunity to also add my voice to commend the speech by His Excellency the Chairman of the Summit of Heads of State of the East African Community.

When His Excellency started his address he went straight to these challenges. I will not repeat them because my colleagues did it well, but I would like also to comment on what he said are the challenges we face in deepening and broadening our integration processes. He gave examples of the common market, access to land, movement of people, right to permanent residence, all of which should be implemented as hon. Ogalo said. I think that together with the Council of Ministers, we are the people who are indicated to have these objectives implemented.

I would like also to comment on the environment problem; other honourable members have also talked about this. When we see how dry the East African region is today, you will agree with me that we need to do something. His Excellency, the Chairperson of the

Summit said that climate change adaptation, which is a global concern, is now included in the EAC programme. If it is included in the programme, it should be executed.

We have a lot of challenges getting this Community into the real process of the political federation, and I propose that we take a decision here to maybe have a retreat. Can we have a retreat as Members of EALA with the Council of Ministers and examine these challenges carefully, to see what can be done first and then decide on how, when and what to do to have the implementation of all these strategies? If we just continue to sit here, they will not really be executed. *(Applause)*

His Excellency the President of Rwanda and Chairman of the Summit also mentioned good governance. Our region has a very serious disease, and that disease is called corruption. We have to put in place a protocol, and the protocol he talked about, will it be implemented? What do we do? How do we educate East Africans not to be corrupt? If our people continue being corrupt, where are we going? How can we achieve all these goals that are ahead of us?

Mr Speaker, I think that if a retreat of two or three days was organised for the honourable Members of the East African Legislative Assembly and the Members of the Council of Ministers in Arusha and we sat together to decide on how we can contribute to building this Community, I think we could achieve these objectives. I thank you, Mr Speaker. *(Applause)*

Mr Frederic Ngenzebuhoro (Burundi): Thank you very much, Mr Speaker. First of all I would like to congratulate you for having organised this meeting. I would also like to congratulate our colleagues from Kenya and the Kenya National Assembly for having accepted to host this important meeting.

Special congratulations go straight to His Excellency, President Paul Kagame, the Chairperson of the Summit, and I would also want to thank and congratulate our colleague, hon. Janet Mmari, for this motion that I fully support.

The address by His Excellency President Kagame for me proves what I could call a strong commitment of our leaders to achieve the goals of our Community. It is another sign of the political will of our leaders. If I go straight to political federation, which will be for us the ultimate stage of our integration, it is also for me an appeal to all of us to be really involved in this achievement of the goals of our Community. We have no reason, even no right to fail this. We must succeed for the interest of our people.

Mr Speaker, all those who have taken the Floor since yesterday have highlighted the importance of peace and security in our region. I think this is very important because without peace, without stability, without security, we cannot have development; we cannot talk about prosperity, and we cannot even talk about improving our situation in this region. Peace is the source of all development.

Yesterday Members of this House congratulated their Excellencies President Museveni and President Kagame for having led joint military initiatives into Eastern Congo. This initiative was in order to bring peace, because without peace in Eastern Congo even the East African Community will not be stable. It is very important for us. That is why I

would like to join those who have already congratulated those two leaders for this initiative - (*Applause*) - but I would also like to say that nowadays, there is no peace in Eastern Congo.

There is no peace perhaps like it has been in the region because when the Rwandese army entered into Congo, the militia went into the forest. They stayed there hiding, and when the Rwandese army withdrew, they came back and began to slaughter people. Now we have been informed that more than 30,000 persons are refugees in Congo. This means that perhaps another joint military initiative must be set up. Of course this joint military initiative must be accepted by the Congolese government. I think that in future it will be necessary to set up another joint military initiative, which can perhaps stay there for a long time. As we know, the Congolese army in the current situation is unable to handle this issue, and as I said, when there is instability in Congo our region cannot be stable. So, I do not know exactly what will happen, but that is my conviction that today there is no peace in Congo, especially in Eastern Congo.

I am talking about Eastern Congo, but as others have already emphasised, there is also a problem in our region. I mean what hon. Kabourou has already mentioned; this rock in Lake Victoria, this Migingo Island...I cannot even pronounce it correctly. It means that there is a problem. This can destabilise our region.

That is why, Article 124 of the Treaty which is about regional peace and security, in Clause 1 clearly stated that: *"The Partner States agree that peace and security are prerequisites to social and economic development within the Community and vital to the achievement of the objectives of the Community. In this regard, the Partner States agreed to foster and maintain an atmosphere that is conducive to peace and security through co-operation and consultations on issues pertaining to peace and security of the Partner States with a view to prevention, better management and resolution of disputes and conflicts between them."*

Clauses 2 states: *"The Partner States undertake to promote and maintain good neighbourliness as a basis for promoting peace and security within the Community."*

Three weeks ago we were in a session in Arusha, as you will remember, and we were informed that this war is a very small problem and that this could be solved very quickly. But as my colleague, Dr. Kabourou has said, since yesterday - especially on *Citizen Television* and two days ago in *The Sunday Nation* - it was said that there was a great problem.

I would like to urge our leaders in the region to find a solution to this "small problem" as it has been called. A rock in the lake...I don't know what exactly is under this rock. Hon. Kabourou talked about fish, but I think that fish under the rock - I don't know exactly what it is. If it is really a rock, then there is no reason to have a dispute over it. Others have already advised that we do not need mediators for this, but of course if we do not solve this problem now the situation can worsen and then we cannot be sure that international mediators will not arrive.

May I remind us that since African countries went into democracy, and even if this democracy is very good for African countries, it also created many former heads of state without jobs? They became jobless and, unfortunately, because they have been heads of state, it is very difficult for them to get other jobs. The only job, which can feed them, is to become mediators somewhere. This means that when there is no conflict they are jobless. *(Laughter)*

Let me give you an example. When there was trouble in Burundi, former President Nyerere became a mediator, after him of course it was Mandela. When there was trouble in Kenya, Mkapa came here. I think I am right. Now, Obasanjo is in Congo, Buyoya has been in the Republic of Central Africa. Currently, the former President of South Africa, Thabo Mbeki, is mobilising a workshop in Addis Ababa for former heads of state to see whether if there is a problem somewhere in the continent they can have a team which they can send to see how to resolve the conflict.

You know, hon. Speaker and dear colleagues, that I do not want our former heads of state to be without jobs, no! I wish them to have the best jobs, for example, to use their experience to develop the countries, but not to spend all their time to see how they can find solutions to conflict, no! They can have something better than that. *(Laughter)*

Having said that, I would like to fully support what has been said by my colleagues, hon. Kabourou and hon. Akhaabi to support this motion. I would like to end my statement here because for me the most important thing is that the address from the Chairperson of the Summit is very important for us, and we must implement its policy directives. Of course it would be better for me to see this address depicted in the media in our respective countries. Thank you very much. *(Applause)*

Dr F. Lwanyantika Masha (Tanzania): Thank you, Mr Speaker, for the opportunity to contribute to this motion, which I fully support. Indeed I listened to His Excellency President Kagame with tremendous interest because of the clarity of his presentation. He was focused and gave good direction for the entire Community for the coming years.

Mr Speaker, there are a number of things that I want to add to the many good things that have been stated by my colleagues, but allow me to commend the wonderful analysis by hon. Ogalo. I think his analysis was excellent, and gives pointers to where the problems are. Even though his analysis was not exhaustive, I hope the House will come up with some decision -I am not quite clear in my mind in what format- to have the shortcomings that hon. Ogalo has identified followed up both by the House in its oversight role over the activities of the Community, and by the Council of Ministers in its executive role. But some follow-up needs to be done on the shortcomings identified by hon. Ogalo.

Mr Speaker, I have always wondered -and I must have mentioned this at another occasion- where the problem lies, especially on the matters where there are no new experiences. We had the Community before, without, perhaps, Rwanda and Burundi, but nonetheless, there was a Community functioning, starting from the colonial days, with

common services. There are times when I hear of the integration process, and it is as if we are re-inventing the wheel. We talk of a railways master plan, an energy master plan; we even talk of and have legislated for a customs union. All this is re-inventing the wheel, and I wonder why? All that was needed was to go into the files, dust those files and come up with instruments and structures that existed, that operated fully, and nobody complained about!

Yes, we can have a master plan for the railways for the future development of the railways network but in terms of the structures, the structure was already there. There was the East African Railways, there was an East African Harbours Administration, there was an East African Customs Administration; why do we have to re-invent the wheel, go through this exercise of protocols and then when we come up with decisions –I am sorry if I may appear to be critical of my predecessors in the Assembly- and we come up with not a customs administration as we had before but we end up coordinating something, which frustrates a lot of people because it cannot deal directly what we are now calling non-tariff barriers! These were never problems in the past.

Of course between hon. Akhaabi and hon. Leonce, I don't know who is older than whom, but I think I am a little older than hon. Akhaabi. But since I have lived long enough, let me say that I had a pleasant opportunity to work with the East African Airways in 1965, stationed here in Nairobi. I was stationed here in Nairobi working for the East African Airways and it was functioning beautifully. And now when we probably come to setting up an East African Airways again -if we it ever do- we will go through protocols and all the frustrations that go with it instead of just dusting the files and coming up with an East African Airways that operates on the basis of what existed before, extending it, of course, to the new members. (*Interjection*)

Ms Zziwa: On a point of clarification, Mr Speaker, I wish to find out from hon. Masha whether those files still exist.

Dr Masha: Mr Speaker, the clarification might indicate a very serious problem; a suggestion that perhaps these files do not exist. I would be the last one to tell you where they are, but I am sure if the three countries were involved in this, even if they were lost at the headquarters, surely in the other capitals there would be some files that could be dusted to reactivate these institutions easily.

What I am suggesting is that given the wonderful intentions in the statement of the President, and as somebody has just said, after ten years we no longer have the suspicions which went with the demise of the previous Community. Maybe now it is possible for the Summit, or the Council, to consider setting up a group of technicians to examine what existed in the past, what can be reactivated, what would be needed to activate it, and give us that report so that we can at least spare President Kagame and the rest of us the frustration of commitments unfulfilled and the lack of action on some of the things that we want done.

I have been in the Assembly now for a year and several months, and the problem I find -I do not know whether my colleagues find the same problem- when I go to talk to anybody or to a group about what I do, I say, mostly in Kiswahili “*Mimi ni mbunge wa Jumuiya ya*

Africa Mashariki” and they ask me, “What are you doing there?” And I try to tell them the kind of work we do and the expectations in the Treaty for the people of East Africa; that it is those expectations, which are contained in the Treaty that we are trying to make alive for the people of East Africa. I tell them about the Customs Union and of course the whole process: the common market, the monetary union and eventually political federation.

Mr Speaker, our people, at least those I have talked to, those who are not negative about the federation, are impatient with the pace of the integration. They ask me, “How come the other day when I was going to country X, I was asked to have a visa or to have a passport?” “How come when I wanted to move my bag of *dagaa* they would not let me do so at the border?”

The people of East Africa are impatient; we are holding them back. And when we go to the people who are supposed to solve these problems, the resistance is with the top officials and the bureaucrats in our governments. They are the ones who are saying, “No, we have to go slow on this”; “No, we cannot do that; you know we have our sovereign rights”! (*Applause*) There is a dichotomy between the people of East Africa and what they want and expect of us, and I would hate to say the leaders, because some of them, as indeed President Kagame is, are very forthright. (*Applause*)

I must praise President Kagame and the people of Rwanda, for example for opening up their labour market to anybody who has the qualifications that they want. They have opened it up; they did not wait for a protocol, they did not claim sovereignty, and yet we are worried about sovereignty and all that! (*Applause*)

We are now worried about Migingo! Let me be pretentious and give a solution to the Migingo problem. I hope somebody is listening out there, in this case the governments of Kenya and Uganda. If there was a political federation in East Africa, the Migingo case would be neutralised and it wouldn't exist. (*Applause*) If we had a political federation in East Africa, there would not be anymore Migingos, there wouldn't be any more National Resistant Armies; there wouldn't be any more of these little - what are the groups in Burundi? All these groups would become neutralised. If there was no union between Tanganyika and Zanzibar, there would be constant throat cutting in Zanzibar today; it is the union which has saved it. So, I am saying, if we want to solve the problems of these little skirmishes and fights that go on within our countries, including Migingo, let us go for a political federation.

I realise the Treaty under Article 123, sections 6 and 7 give the authority to the Summit to initiate the process for political federation, and people ask me, “When you say federation, who is going to become President?” I tell them I do not know how we will get one because we have not talked about it. They ask: “What about my land? What will happen to my land?” Now it is becoming a fight in the Common Market about land, before we even talk about federation. These are federal issues that should be discussed in the context of the federation, and when I tell them about the common currency, they ask: “You mean we are going to have a currency without a ministry of finance?”

Mr Speaker, you know, people want to understand this federation, what it will look like, before they can make decisions on the other things, which go along with this integration. And, indeed, because we have not defined what the political federation will look like, that is why we are now starting to pick up some fonny issues. I call them fonny issues about whether Arusha remains the capital; whether we should move this here. We want our sovereignty about whether we can really have right of residence, and right of establishment! Some of these things, because they affect the sovereignty, which is the context of the federal structure, are becoming hurdles because we probably need to at least give people a picture of where we are going.

I would request the Council to communicate with the Summit to invoke Article 123, sections 6 and 7 so that we start the process of defining some of these things, which are making some people a little cagey and hesitant in moving towards real integration. When these things are clear, we will find all the discussions for integration a little easier. We will no longer be fighting about whether we should have a co-ordinating agency and co-ordinating national instruments through protocols. We will be talking about real administrations run by ministers of the federal structure as agreed.

Mr Speaker, I thought I would try today to urge for a link between peace in our region and the political federation that is inscribed in the Treaty, and I hope we can make moves towards that. I thank you and I support the motion. (*Applause*)

Mr Mike Sebalu (Uganda): Thank you very much, Mr Speaker. I would like to thank the mover of this motion, hon. Mmari, and I would like to declare that I do support the motion. It is a continuation of her vote of thanks, which was excellently executed, and for this you have to be supported. (*Applause*)

Mr Speaker, before I go into the details of thanking His Excellency Paul Kagame for his address, I just would like to take this opportunity to thank your office because -and I beg to be corrected if I am wrong- this whole idea of having the State of the Community Address is something that has come up under your tenure as Speaker of the East African Legislative Assembly -(*Applause*)- whereby you provide an opportunity for the Chairperson of Council to address the Assembly – sorry, I mean the Chairperson of Summit - (*Laughter*).

Mr Speaker, as you know, we get many problems with Council, so it is common. We do interact very frequently with Council so it comes very easily. The Summit is quite far from us so it does not flow very easily. But I beg to say that it is the Chairperson of Council who provides an opportunity to the Chairperson of Summit, through the legislative Assembly, to communicate with the rest of the East Africans on the state of their Community. I think that makes the whole notion of the integration agenda people-centred. As Speaker of the Assembly, you have provided an opportunity for this communication to be done, and I think you need to be congratulated for that and for the opportunity that you have accorded us. (*Applause*)

Secondly, I would like to thank the two chairpersons of Council who have so far taken this address as an important EAC activity, whereby they have used this forum to give political direction to the integration process. This is something that needs to be

encouraged, and my proposal is that we should go ahead and structure this address. Let it be part of the EALA and the EAC calendar of activities so that every year, in a structured manner, this address is taken care of, both in terms of budgeting and programming. *(Applause)* So far, I believe it has been done in a rather ad hoc way with you using your initiative and innovation to have it. I would like to see a situation where it is budgeted for, structured and programmed in the EALA calendar of activities. If need be, we should get all the media houses from our capitals -they could be public media- so that it is properly broadcast and televised in all our capitals.

The impression I get, Mr Speaker, is that the State of the EAC address is such a good communication that it needs to be shared by all the East Africans, but when it remains more of an Arusha affair, you get some media in Arusha covering it; some out of their initiative come over, but I would like to see us budgeting and getting media from all the capitals so that when it goes out to all our capitals, we will get debate on it and people will be able to share the frustrations of the Chairperson of the Summit, like it has been very ably put by hon. Ogalo. We will get that debate thereby involving the people in all matters to do with the Community. So, I would like to see this being structured, budgeted for and properly programmed within the EAC and EALA annual calendar, and given the real publicity that it deserves so that these concerns are shared with all the East Africans. *(Applause)*

Mr Speaker, we have now had it two times running; the first time could have been taken as an accident, the second time a coincidence but when it gets to the third time, it is a habit, and beyond that we can take it as a tradition. I do not think there will be any Chairperson of Summit who is not going to take advantage of this provision - using your good office - to come and address the East Africans using this forum. So, I encourage us to ensure that it becomes stronger, and that it is properly structured within all our activities. *(Applause)*

Let me specifically thank His Excellency, Paul Kagame, for his address which in my view was very well thought out. It was well researched; he had all the facts on his fingertips and he illustrated them very well. Like hon. Ogalo has illustrated, using the gaps that were identified by the Chairperson Summit, it was well delivered. So I would like to thank him for that. *(Applause)*

It was indeed a comprehensive address in scope, and it was deep in analysing the challenges of the East African Community; the ones we are facing today, tomorrow and maybe the other day. So, the challenge we do have hereafter as an Assembly - and this has been very well illustrated by all my colleagues - is to look at our institutional role as organs and what we need to do hereafter in order to make the work easier for the next address by the incoming Chairperson of Summit. The chairperson should have things to report about in terms of implementation, so we need to play our role in terms of oversight to bring to account those that are supposed to do certain assignments, which are clearly put forward in this address and in the strategic plan.

What are the follow-up mechanisms that we are going to use in this respect? What benchmarks are we going to follow to ensure that the next address has a component of reporting on achievements other than giving our chairpersons of Summit the unenviable task of always identifying uncompleted work and frustrations of this not having been done? We should give them leverage so that they also have aspects they have to report about in terms of achievement.

Mr Speaker, how does this address inform the agenda of the EAC, especially for the implementers? We have got our role as a Legislative Assembly but there are other implementers, so how do such addresses inform us in terms of getting our mandate properly focused to achieving what we are supposed to achieve?

Mr Speaker, there were many issues addressed by the Chairperson of the Summit, and I beg to address myself to a few of them. Indeed, my colleagues have substantively addressed many of the aspects that were highlighted in this address in terms of implementing gaps; hon. Ogalo has done justice to that. In fact you could have imagined that he was the one who drafted and pinpointed the areas of weakness in terms of implementation. He has done it so well that I wish to thank him for the institutional memory he is. He has been part of this process and definitely he has demonstrated knowledge of how some of these policies were initiated, the timelines that were given and how in many cases we have not been able to beat the deadlines.

The issue of infrastructure has been very well illustrated, but my concern, arising out of the experiences we have gone through of recent, will be limited to aviation and air transport in this region. When we were going around for the public hearings on the Common Market, we found out that we still have a big problem of connection within this region, and it is turning out to be one of the most expensive places in the world in terms of air transport. And if we are indeed to increase mobility and build a critical mass in terms of connectedness, I think this is an area that we need to look into.

If you look at some of the miles you have to fly compared to some inter-Europe connections, you really find that we have to do something in this area in order to enhance trade, in order to enhance communication and be able to help our people. Getting to Burundi can be a nightmare because if you miss the Kenya Airways flight in the morning, then you are done; you then have to do it the next day. These are encumbrances to the dream of having this region work together. If you have a business meeting there and you miss that flight, you have to leave Kampala at 5 a.m. and if by any chance you slept too much and missed it, you have to go the next day. This means a lot in terms of business, in terms of decisions and in terms of going forward. So this is an area - and I agree with the Chairperson - which we need to look at.

On the issue of peace and security in the region, we should congratulate our heads of state; they have been able to do quite a great deal in this area. We definitely must appreciate that the level of peace and security is much better than it was five to ten years ago, but there is a lot we need to do. My specific interest in this subject is for us, as the East African Community, to look at peace from the view point of our internal peace as a region. Also, we should look at our immediate neighbours, because they affect peace in our region. And in specific reference, I would like to look at the Democratic Republic of

Congo. Without a stable DRC, we are likely to have instability, which relates to the problems in the DRC. So, as a region, we need to have a clear mechanism of ensuring that we make a contribution to the realisation of peace in the DRC. And like my colleagues did state, we would like to commend the heads of state that have made initiatives there, but we should have a collective EAC position and intervention to ensure that we do have a stable and peaceful DRC, with which we can do business with. *(Applause)*

There was a very good idea that was brought up by Maj. Gen. Mugisha Muntu in one of our meetings in Bujumbura when we were dealing with some peace issues. He did indicate that as EAC we need to take the peace in DRC to a much higher level, and if need be, to institute or commission a study of the benefits we are likely to achieve as a region in terms of having a very stable and peaceful DRC; maximization of the benefits of trade, investment and other related issues. Given the vast area of the DRC, market and other potential is something that we need to look into in terms of our wider benefits both in trade and other development initiatives.

We have Somalia in its state. Definitely an unstable Somalia is not good for us, and at this point in time I would like to thank the governments of Uganda and Burundi who have made sacrifices by sending troops to help Somali stabilise. *(Applause)* Likewise, we need to have a position on Somalia as the EAC in terms of intervention, in terms of our role because it is in our best interests to have all our neighbours stable so that we concentrate on issues of development and issues of moving forward. Any neighbouring state that is not stable is counter-productive to our gains, and it can keep us marking time. So, we need to look at the geo-politics, and as a region which is homogenous, which is organically linked, we need to play a bigger role in terms of geo-political stabilisation so that we create the nucleus for stabilising the entire Great Lakes region. *(Applause)*

We do have a role to play, and I do agree with the Chairperson of Summit that this is an area where we as a parliament need to play our role of oversight. The other organs also need to play their intervening, valuable roles in terms of their mandates.

On the issue of the East African region as a single tourist attraction or destination, definitely the Bill, which has been proposed by the Committee of Agriculture through hon. Safina Kwekwe, is one of those interventions that we are looking at as a Parliament. We need the support of all stakeholders so that collectively we can play a role in answering the call of the Chairperson of the Summit. Let us stand by him by supporting this Bill and we move forward in this area. *(Applause)*

We also need to start positioning as a region both for the short term, mid-term and long-term. For instance, I would like to ask the Secretariat, the Council and the sectoral committees; how are we positioning ourselves as the East African Community in terms of benefiting from the World Cup, which will be in South Africa, which is four hours away from East Africa? Are we positioning ourselves as a region? I have been following the world cup games; the entire world will be focusing on South Africa in particular but on Africa in general. As East Africa, how are we taking advantage of our proximity, being only a four hours' flight away from South Africa? It is possible, if we work together, to ensure that some of the teams reside in East Africa, fly to South Africa for four hours,

play their games and fly back. Is there anything we are doing as a region to build capacity to be able to partake of this great event, which has international acclaim? Are we doing that? When the committee is coming up with something we are busy doing very many things, apart from what would benefit us. So let us look at these strategically in terms of immediacy. What are the immediate gains we can get? What are the long term gains? And with our brains put together I believe we can build a synergy and be able to benefit from that.

The Chairperson of the Summit talked about good governance. This is a critical subject in the integration process, and I would like to say it is something that we need to appreciate from the view point of our individual states. As the oversight organ of the Community, are there initiatives that are already in place, which we need to mainstream at a regional level, to be able to take advantage of this?

Mr Speaker, we do have the Africa Peer Review Mechanism (APRM). This is a programme of NEPAD, whose aim is to look at African solutions to African problems of governance. We have been peer-reviewed by foreigners; the World Bank, the IMF and all these international organisations, but this programme was initiated by African heads of state. We have an APRM Heads of State forum. So far about 29 countries have acceded to that protocol voluntarily to use the mechanism of peer review; having your peers come together and say, "Look, you can do better in this area, you can improve in this area."

Mr Speaker, this mechanism is premised on four thematic areas: One is good governance, democracy and political governance; the second is economic governance and management; the third is corporate governance; and, the fourth is socio-economic governance. The whole idea is that you review the entire country; you do not review governments alone because governance is not a preserve of governments: Even in the corporate world, how are we fairing? In the civil society how are we fairing? In the media, how are we fairing? In our civic rights and responsibilities as citizens, are we playing our rightful roles? This mechanism is an African initiative, which we need to embrace.

And on a good note, in the East African Community, four countries are already at different stages of implementing this. Rwanda has already implemented it and they have got a plan of action, which is being implemented. Kenya has gone through the same and in the Kenyan scenario, the peer review report clearly indicated and focused on some of the problems that came up in the post-election violence, issues of land were highlighted and the government was told to respond and put in place mechanisms of scaling them down. Uganda has implemented it and a programme of action was launched on Monday, just yesterday. Tanzania is this year going to get an external self assessment team, so we would like to encourage Burundi to take on this peer review mechanism so that we can take it as a regional initiative. 100 percent member states are acceding to this protocol and peer reviewing so that we do it at the continental level.

We can still apply it at a regional level and through this process the countries can identify best practices that they can share and help, through peer learning and peer sharing, to identify gaps that need to be filled. Through peer sharing, you can still learn from your neighbours where they are fairing well. So, this is something we need to look at. The

Secretariat needs to pick it and mainstream it as a regional initiative and encourage our Partner State of Burundi to take it on board so that it becomes a regional initiative, which we can use to enhance our governance potential.

The Chairperson of the Summit, if I am reading his speech well, really appreciated the role of EALA in his speech. (*Applause*) He appreciated the role of EALA, and specifically the role we played during the public hearings on the Common Market. I know that we have always put it on record as EALA that we should work together since we have the people's ears. Actually, when we go out there people are willing to listen and they are yearning to listen and, indeed, when we went out for the public hearings, the people enthusiastically appreciated what we were communicating to them in terms of the benefits that they are likely to get from the Common Market. So, in future, for whatever comes up, let there be a mechanism to give EALA space to help out in the advocacy work of popularising the EAC activities and agenda, and especially in bringing the East Africans on board.

This representative character, which we have and which we get from our national Parliaments which were voted for through universal adult suffrage, is the nearest link to the people among all the organs of the Community. (*Applause*) Let that be acknowledged, let that be appreciated and let us get the positive aspects of it to make this Community move forward. The Chairperson of the Summit acknowledged – Mr Speaker, you know that acknowledging is one thing and appreciating is another, but even having the courage to say it publicly is another thing. So, I would like to thank him for those three variables coming out and for saying it during broad daylight without any fear of being contradicted. How I wish we all got to appreciate our different roles, because we are playing complementary roles. (*Applause*)

We need the Council of Ministers, we cannot do without it, and we say it with a lot of pride. Likewise, they need us and in my view it is in their best interest to have us work together. We need the sectoral committees – (*Interjection*) - someone is saying something to do with F and A? Ok, Mr Speaker, you have heard it; I have not said it. So, let us play the complementary role. Each organ has a role to play, and if each organ played its role well, the speed at which the integration process would move would be phenomenal. So, let us try to optimise that aspect of each one playing their role and playing it well. Each one should allow the other to have space, and use it well.

Where EALA is supposed to help out in terms of legislation, let it be given space. And I can assure you, if EALA can come up with very good pieces of legislation, and then the other processes are done in earnest. So, our role and scope as EALA in terms of widening and deepening the integration process is, indeed, a challenge from the perspective of the Chairperson of the Summit. He gave challenges to each organ; EALA should identify its challenges and come up with mechanisms to ensure that next time round the report indicates that we are up to date in terms of whatever we are supposed to do. I believe we have got the goodwill; we have got the leadership through our Speaker, and the commitment of the Members of EALA. We can pledge to do what we are supposed to do so that the work of the next Chairperson of the Summit is made easy in terms of highlighting achievements of EALA, plus other organs of the Community.

Mr Speaker, I would like to thank you for the opportunity. I would like to thank the mover and I do passionately and unreservedly support the motion. *(Applause)*

Mr Christopher Nakuleu (Kenya): Mr Speaker, a lot has been said by the previous speakers, and I wouldn't wish to repeat what has been said, so I will briefly go on to what the speech of the Chairman of the Summit did not include, perhaps by oversight.

I have gone through the speech of His Excellency, Paul Kagame. He has vividly highlighted the prospects of the agrarian communities but he has not catered for a transformation alternative to the trans-humane communities, which are mostly pastoral communities, in the East African region. Mr Speaker, you will realise that half of the land mass of the East African region is either arid or semi-arid, inhabited by people whose livelihoods mainly depends on livestock. Therefore, as a region, and as a show of togetherness, there should be an attempt to accord the pastoral communities a marshal plan *-(Applause)-* so that they can match with the other places in the East African region. That did not come out clearly in the speech of the Chairperson of Summit. I was expecting His Excellency to give guidelines for the entire region on how the pastoral communities can be brought together, alongside other issues of them becoming sedentary. When we went to the Mbarara District in Uganda, His Excellency President Museveni gave us historical information that his people were once pastoralists, but that through transformation reform techniques, they are now sedentary. I would have liked for that kind of information to be lifted to other areas through the regional leadership and to be factored into the marshal plans of the other Partner States. *(Applause)*

Also, Mr Speaker, there is something that is happening currently, but on which His Excellency did not give direction to other heads of state in the speech. This concerns the protection of the natural resource endowments that are in the region. For example, we have a problem brewing in Kenya, especially in the area which I come from, that is Turkana. In the last two weeks - if you have been very keen to follow the media - there have been several demonstrations, both locally and in the international community, aimed at compelling the government of the Federal Republic of Ethiopia to stop damming in River Omo, which is a major tributary to Lake Turkana. And I presume Lake Turkana is a common resource to the East African region since it supplies fish up to Gulu District where hon. Kidega comes from, and other areas of the COmmunity. So, the speech did not bring out clearly the essence of protecting the global commons and the natural resource endowments that the region has.

Concerning Migingo Island, I think there was an oversight. As I read through the speech, I did not see any place where the speech of His Excellency touches on the Migingo Island. This Assembly resolved, while in Arusha, that the issue of Migingo Island should be solved once and for all, and I think Kenya and Uganda had already initiated negotiations on the issue, but I think what we are reading from the media is not what transpired in the Kampala meeting. One of the Partner States has decided, instead of withdrawing its forces, to bring back the forces to the island, which is contrary to the spirit of East Africa. What does this imply? It implies that there are some partners who are operating on very insincere grounds, or that we are not in a very genuine and sincere marriage. When we agree on one issue we must manifest it – *(Interruption)*.

Ms Tiperu: I want to inform my colleague, hon. Nakuleu, that first of all I am not happy about the fact that you are not clear about which Partner State - but I will be speaking on behalf of Uganda. I would like to give you information that what Uganda had in Migingo were police forces and as of now all the forces have been withdrawn. Uganda does not feel that Migingo should cause any insecurity between the two Partner States, and there is a committee on the side of Kenya and one on the side of Uganda working to ensure that the disagreement that is there comes to an end. I thank you.

Mr Nakuleu: Mr Speaker, as much as I appreciate the information given by the honourable member, I wish to inform the member that she has to update her current affairs. What she is telling me is what transpired last week, not what happened this week. So, hon. Member, you need to – (*Interjection*) - a point of order? I will not allow it this time round.

I also wish to applaud the Minister for the East African Community Affairs from Kenya on the issue of the work permits. Mr Speaker, you will realise that some Partner States do issue work permits that cover up to six months, but one of our Partner States normally gives three-day permits for businessmen, and there is nothing you can transact within the three days. This is where the concept of insincerity, which is being condemned by the speech of His Excellency, comes in. If you wish me to name the state, I will do so, but I do not think it is necessary for me to do so – (*Interruption*).

The Speaker: Hon. Nakuleu, you will please sit down; we are not here representing states. And specifically addressing hon. Nakuleu and hon. Tiperu, we are here as Members of the East African Legislative Assembly. You swore allegiance to the East African Community and the Treaty for the Establishment of the East African Community. If there is anything to say on behalf of the Partner States, I think they have ministers here, and it would be good for those ministers to talk for their respective Partner States. (*Applause*)

Mr Nakuleu: Thank you, Mr Speaker for that. That is security for me because I was about to receive more attacks for my submission.

I had started commenting on this speech in a very different manner. Maybe among the most important issues, which the speech covered, was the issue of the global crisis, which has been caused by the economic meltdown. You will realise that most of the countries within the region cannot cope fully with the economic crisis that is affecting the world as it is now, and this is being compounded by the climate change. So, I am calling upon the Partner States to either adapt mechanisms of climate change and economic crisis or they will be victims of the same economic surge. In his speech, His Excellency put it clearly that there is need for the East African states to adopt mechanisms to combat economic crises and climate change as a mechanism for the realisation of economic development.

His Excellency also emphasised the issue of the infrastructure. Infrastructure remains a very critical component of development as it spurs development in all aspects. It spurs development in human resource, development in trade, development in investment, and that was covered clearly in the speech of His Excellency.

On the issue of regional peace, the Chairman highlighted the essence of us moving in the same direction as a way of fostering peace in the region. Mr Speaker, there are some people in the region who are perceived not to be peaceful. So, I urge the entire region - even if you know that you are harmful to one another but for the sake of development, just put on a face that perceives you to be peaceful.

Mr Speaker, corruption has been globally condemned, and the Chairman's speech has covered it very clearly. Corruption is totally a vice that no community can tolerate, and it is incumbent upon the Partner States to make sure that most of the transactions within and across Partner States are conducted with a lot of fairness, with a lot of sincerity and in a manner that does not portray any form of secret behaviour. So, I also want to thank the Chairman for that.

The Chairman also covered the issue of trade and investment diversification. As a way of coping with the global trend in the economics, there is need to do product differentiation either through re-branding, or through any other method that will make our products attractive to the global market. Alongside that there is a need for the East African states to adopt mechanisms of getting new markets for East African goods. This is all meant to boost volumes of trade across the region. I do not want to say much, but I wish to support the speech. *(Applause)*

Mr Augustine Lotodo (Kenya): Mr Speaker, I just want to support the motion on the Floor, moved by hon. Janet Mmari regarding the speech of the Chairperson of the Summit, His Excellency Paul Kagame, and the President of the Republic of Rwanda. My contribution will be on two issues. One is to highlight the issues he raised on pages 12 and 8 of the speech about the private sector business leaders, and also where he congratulated the business leaders and the government leaders who were part of his delegation when he went for a summit in India early this year. I think we have to recognise the role played by the business community, not only in East Africa but in the current world.

When you talk about the business community, you are talking about the people in the chamber of commerce and industry, the farmers, the traders, service providers, and you are talking about professionals. Trade in the current world is because of these people, and we as a government or we as East Africans, when we talk about the Common Market, when we talk about the Monetary Union, when we talk about political federation and all the issues that were addressed, like the economic issues, issues of infrastructure, when we are talking about roads and everything, we are talking about these business people. So, I think the challenge the President was raising was that we need to bring the business people on board.

I know for a fact that the East African Business Council has been trying to apply through the Council of Ministers to be recognised, either as an institution or as an autonomous body, and I hope and request that this is fast-tracked so that they are able to play their rightful role in bringing the people of East Africa together. The facts are very clear; why are we going for regional integration? It is because we understand the benefits of trade, and these are the players. So, I think it is a challenge for us. Let us engage these people. Let us also sensitise them on how to do their business better because our countries in East

Africa have a lot of potential. It is this untapped potential that needs to be exploited, and the people who can exploit this potential are the business people. So, it is important that we recognise that fact.

Mr Speaker, I remember, just after we started our sessions of the Second Assembly way back in 2007, we went for a tour of Lake Victoria. I remember very well that when we were in Musoma we engaged with the regional leadership of Musoma, and one of the issues they raised was about the state of the hospitals in Musoma. They told us that they had only three doctors, and, you can imagine having only three doctors in a place where so many people go to seek medical advice or medical attention. Mr Speaker, we all know that there are very many doctors who are currently unemployed in some of our Partner States who can, if we finish the common market negotiations, go and help our brothers and sisters in the other Partner States. All these issues are related; the movement of people, the movement of labour and other issues.

I also want to say that we have to promote the issue of outsourcing in East Africa. Outsourcing is an aspect of business, which can create employment for very many people. We really need to implement the good business practices within our region so as to be able to address the current issues that we have.

The last issue I want to address regards our trip to Mbarara, which has been alluded to by my colleague, hon. Nakuleu. What we learnt when we visited His Excellency Museveni, the President of the Republic of Uganda, was that he single-handedly transformed the lives of the people of western Uganda - (*Applause*) - and that is what we need to do for the other parts of East Africa - (*Applause*). That is the kind of leader that we need, and I really want to congratulate you, Mr Speaker, and also the President of the Republic of Uganda, for being forthright in addressing issues of the people. (*Applause*) I wish that we could be able to do that to the other people of East Africa - (*Interjection*) - yeah, even in Karamoja, and in Pokot where I come from.

I just want to say that I support the motion, and I ask all of us to take into consideration the issues raised by the president.

Ms Tiperu Nusura (Uganda): Thank you very much, Mr Speaker for giving me this opportunity to say something on the address by His Excellency Paul Kagame, President of the Republic of Rwanda and Chairperson of the Summit of the East African Community Heads of State to the Fourth Meeting of the Second East African Legislative Assembly. Before I comment on his speech, I would like to take this opportunity to give thanks to our colleagues present in the House here who have made our stay very comfortable in Kenya. (*Applause*) In particular I will start with you, Mr Speaker, hon. Lotodo Chemonges Augustine, hon. Karani Othieno, hon. Catherine Kimura, hon. Reuben Oyondi, hon. Gervase Akhaabi, hon. Sarah Bonaya, hon. Safina Kwekwe and hon. Nakuleu. We are very grateful for the support they have given us, they have shown us Kenya in its entirety; Kenya during the day, Kenya at night - (*Interjection*) - I pray that nobody misinterprets that one - (*Laughter*).

I would like to join my colleagues in thanking the President for the wonderful presentation he gave us while in Arusha. From the way he presented the speech, I saw humility; I saw somebody who is very simple in nature, a leader who is visionary, and a leader who had looked at EAC matters right from its inception, EAC today and where he exactly wants to lead the Community. I could see a Chairman of Summit who has a hands-on management style because of the way he talked about the issues. He seemed to have understood the issues very well and he seems to have tried to work with the Council of Ministers to see that at least he makes a difference.

I also want to take this opportunity to thank hon. Monique Mukaruliza for her commitment and for ensuring that she updates her President on the EAC affairs. I believe she must have used her extra ordinary skills as a woman to ensure that the President gets to understand the issues of the EAC, regardless of the fact that Rwanda joined late. As honourable colleagues all know, we have interacted with hon. Mukaruliza in most of the committee meetings – *(Interruption)*-

Mr Nakuleu: Is the member in order to read while contributing to the motion or is she supposed to make reference to what she has as she contributes to the motion?

The Speaker: So, was she reading or referring? What did you see?

Mr Nakuleu: She was reading, Mr Speaker.

The Speaker: But I could see her referring; not reading.

Ms Tiperu: Thank you Mr Speaker for saving me from my brother Nakuleu. I hope we will ceasefire.

I was referring to hon. Mukaruliza. I have worked with her in committees, and she has a style that I feel, as women, we are going to adopt. She will communicate something in a very slow manner but at the end she will tell you exactly what she wants you to know, and that, I think, is a rare attribute that we must learn; it is an attribute that is very good in conflict resolution. So, I am not surprised that we have been working very well with her, not forgetting the fact that we also do work well with the other Members of the Council of Ministers.

From the tone of the President I could clearly tell that he is somebody who has a heart for East Africa, a President who called upon Members to reflect on the progress and challenges we are facing as EALA, the challenges we face with the Secretariat, the challenges the Council of Ministers faces, and with that in mind, I know the President was calling upon all the organs to think harder and see what is the way forward as far as the challenges we are facing are concerned. A case in point, like my colleague had mentioned, is the fact that we are not happy with the fact that the Council of Ministers does not have good offices. For example, my minister from Uganda, the Rt. Hon. First Deputy Prime Minister who has very elaborate and good offices in Uganda sits in an office in Arusha, which could be considered to be – *(Interruption)* -

The Speaker: Hon. Tiperu, I already told you he is our minister, not your minister.

Ms Tiperu: Thank you for that. Maybe I was speaking based on Article 50 because we are from the same state.

Back to the President's speech, he said that as far as infrastructure is concerned - I want to make it clear to this House that transport is becoming a very big problem, and there are many challenges that our business community, especially, is facing. I can give you a case in point. The Akamba Bus Company, which was well known for the transportation of goods and people in the region, is no longer transporting goods.

I had an experience when I wanted to send some of my items to Uganda. The management clearly told me that because of the difficulties they face at the border posts, they have resolved not to transport goods. Based on that, I would like to call upon the Secretariat, or the Council of Ministers, to look into the challenges that our business community faces while moving across our borders.

The President was very clear when he talked about tourism in the region. He emphasised the fact that East Africa needs to be properly marketed as a single tourist destination. I am very happy with that fact because as a Legislative Assembly we are already working on a Bill. I want to echo the Chairman's call in his speech for the Council of Ministers to support the Private Members Bill by hon. Safina Kwekwe, which is being worked on by the Committee on Agriculture, Tourism and Wildlife. I hope that when the Bill comes to the Floor of the House, it will pass, and that at the end of the day, at least the President will know that something is happening as far as his plea is concerned.

The President made it clear that there is need for a single visa for those entering the Partner States of East Africa. Whereas he made it clear that we need a single visa for the tourists coming into the region, we also need a visa for those who are trading. In that regard, the Council of Ministers should consider a single visa for all those entering East Africa regardless of whether they are tourists or not. That will go a long way in helping those who are coming in to trade and those who are coming in for tourism. That will also ease the bureaucratic inconveniences that the people face while they are moving between the different Partner States.

I would like to go on and point out another matter that the President mentioned in his speech and that is the issue of security. The President in his speech said that he took cognizance of the fact that EAC is enjoying greater peace and stability. I would like to concur with him as a person coming from Uganda, a person hailing from an area of instability, which is Northern Uganda. Today we do not have any insurgency in the region, and when the President speaks like that, I feel very happy. I am also happy because of the commitment by the Council of Ministers.

Regardless of the fact that the President in his presentation did not mention anything about Migingo, I want to be clear today because since the Migingo case started, the Council of Ministers has done its best to ensure that there is still harmony between the two countries. I also want to thank the ministers from the Partner States, and in particular I want to thank hon. Wetangula from Kenya and hon. Kirunda Kivejinja from Uganda, who led the two delegations from the respective countries. I want to thank the officials from the ministries of internal affairs; from the ministries of fisheries; and the officials

from the Lake Victoria Basin Commission, for the work they have so far done. I also want to be on record for saying that Uganda as a country, as of yesterday, withdrew all the police troops who were in Migingo as a measure to show that Uganda is committed to peace within the region, Mr Speaker.

When you look at President's presentation the President gave hope – *(Interruption)*–

Mr Karan: Mr Speaker, maybe we are not informed. Is it in order for the hon. Member of EALA to contribute in this House purporting to be the minister from the Partner State of Uganda and giving the position of Uganda? Unless there was a new appointment done in Uganda yesterday, which we are not aware of, we can be updated; but is she in order?

The Speaker: If you recall, I already said earlier that we are here as Members of the East African Legislative Assembly and we are not here to give country positions. We are here to talk for the East Africans, and I think when you talk for the East Africans I mean that we are talking for the people of Migingo from Uganda, from Kenya and also those who are visiting from Tanzania. We are here as East Africans. It is the ministers who can tell us anything about this or that, but here we are talking as Members of the East African Legislative Assembly. *(Applause)*

Ms Tiperu: Thank you very much, Mr Speaker, for your wise ruling and I want to be on record that I was speaking as a Member of the East African Legislative Assembly. I was merely giving thanks for the contributions made by the ministers of East Africa, the ministers from the Partner States and the officials.

I also want to echo the President's plea in his speech. The President gave hope to the East Africans when he spoke about the East African Marine Project. He did mention the East African Marine Cable Systems Project; he talked about the extension of the oil pipeline within the region, and he also talked about the review of the EAC Power Master Plan, including the operation strategies for Lake Victoria Commission Basin, to mention but a few. The fact that he did mention all those projects is an indication that the President is hopeful that come the year 2010, a lot will be seen.

Based on those I, therefore, hope that the Council of Ministers, in collaboration with the Secretariat, will do its best to ensure that all these projects that the President has spoken about are visible to the people. The President in his speech says that the ultimate goal of East Africans is a political federation and for as long as the people of East Africa do not feel the "East Africanness" it may be very difficult for them to entirely agree on having a political federation. So, having those projects tangible or having their problems solved will go a long way in making the people feel that there is need for us to have a political federation. I would like to thank all my colleagues for listening to me. *(Applause)*

The Third Deputy Prime Minister and Minister for East African Community Affairs, Uganda (Mr Eriya Kategaya): Thank you, Mr Speaker, for giving me the

opportunity to make just a short contribution to this important motion. I support the motion, and I share most of the points in the Chairman's statement.

First, I would like to comment on the question of implementation. Hon. Members are lamenting that Chairman of Summit expressed his frustration in the implementation of the decisions of the Council of Ministers, but I do not think it is a lamentation or a frustration. The fact that we are now talking about implementation; that we are concerned, means the integration process is doing very well. A few years ago nobody was talking about implementation, nobody was complaining about implementation. But now that we are complaining, I am happy that the integration process is going forward.

Mr Speaker, by the Treaty itself, the implementers of the decisions of the Council of Ministers is the Partner States. That is the first problem we should address. The implementation is at the Partner States level, so if at the Partner States level there is no mechanism for implementing decisions made by EALA or by the Council, nothing moves. And I want to share the experience of Uganda since I have been in this ministry.

First we said we should have liaison officers for the East African Community in each ministry, and we had to go around and ask the Permanent Secretaries to please give us officers we can work with on the issues of the East African Community. And depending on the importance attached to the integration by each Permanent Secretary, you would get sometimes a clerk to be the liaison officer, and those who were very conscious would give us a senior person, until we had a meeting with the Permanent Secretaries and said, "No, integration is very important, therefore, we need people who can take decisions or who can influence decisions in the ministry".

So, even the question of implementation in the Partner States will depend on each Partner State's view of integration. If it is behind their agenda, nothing moves. And as I said, we do not have a mechanism for going round to inspect that a decision has been taken, or what each Partner State has done. We take a decision, we meet in the Council, we lament, we appeal and nothing happens.

So, I think what honourable members should do now is to go back to their respective countries and have a discussion with the ministries concerned with East African integration and ask about the local mechanisms in place for implementing decisions of the Council. I think that would help the pace of implementation. Also, of course having a discussion with those who make decisions, like the Permanent Secretaries, would help. You need to really have discussions with them and be in position to move them to implement.

In the last two weeks we had a meeting with all the Permanent Secretaries in our government to talk about integration: where we are in the integration in the first place; what are the benefits; and what the problems are. As I said, the implementers are the Partner States, so we need machinery at the state level to see that these decisions of the Council, of EALA and of the Secretariat are implemented.

Mr Speaker, people have been whipping the Secretariat - I am not pleading for them; they have their weaknesses, but sometimes they cannot move much from Arusha. They will just write, somebody sees the letter and says "noted" and nothing happens. So I think we need a mechanism.

Secondly on this question of implementation, I think timelines are not bad; they help us and they are the source of dreams. You say, "I want to do this in two years' time". If you do not do it, then there is a reason for us to call upon those who are supposed to implement and say we are supposed to do this and this, we haven't done it then it helps us to give us a timetable of what we want to do.

I listened to hon. Ogalo because he had a very good list of what we are supposed to have done. If there were no timelines before the decision I do not think hon. Ogalo would have had the evidence to show that nothing has been done. Timelines are also helpful because they show us that we agreed to do this and that, now we can actually call upon those who are supposed to implement and ask why they have not implemented. So, timelines are good, they are dreams and integration is a dream, in my view. We are saying, "What do we want East Africa to be?" And sometimes you get plans from dreams and then start implementing the plans. So, timelines are very helpful.

I want to make a proposal about implementation. The first one I made was for us to have machinery at the Partner States' level, whose work is to implement the decisions of the Community. At the Permanent Secretary level, each ministry should make sure there are machinery and mechanisms for implementing the decisions of the East African Community.

We have read about this matter and I want to repeat it; I would like to seek your support. The hon. Ministers of the Council, the Ministers for East African Community affairs, I still plead that we are not very useful in implementation. We have no specific responsibilities. *Mzee Masha* was saying that before the Community collapsed, the ministers were there and they were responsible; they were known. At the moment, if you meet me in the corridor here and ask, "What has happened?" I will say, "Which one now?" (*Laughter*) I am not responsible; I have general duties! Apart from the Chairperson of the Council...in my experience, the pressure is piled on the Chairperson all the time while some of us are relaxing because we have no specific responsibilities. We raised this matter in the last Summit. I wish you could pursue this matter - (*Applause*) - that the ministers should have specific responsibilities. They would be answerable to the EALA so that if there are roads, they say - (*Interruption*) -

Ms Mmari: I thank Hon. Kategaya for giving me way. I was listening very intently and then I decided to look at the functions of the Council. Article 14(2) says very clearly that: "*The Council shall promote, monitor and keep under constant review the implementation of the programmes of the Community and ensure the proper functioning and development of the Community in accordance with the Treaty.*" I was just wondering, how come that this has not been functioning very well?

Mr Kategaya: In Uganda the Constitution says the Cabinet shall oversee the performance of the government, but if even within the Cabinet each minister has his

specific responsibilities. You can ask the Minister for Health, “What have you done about this health problem”, or you can ask the Minister for Agriculture, “What have you done”? That Article does not retract from my argument. There is no way you can say the Council collectively will be answerable for the performance, but ministers must have specific responsibilities -(*Applause*)- so that the EALA will be able to say, “there was a plan for roads, Minister in charge of roads, what has happened?” Of course the Council can collectively answer for the performance of the government, but as far as I am concerned, this is one of the weaknesses at the EAC. I am suggesting – (*Interruption*)-

Mr Wandera Ogalo: Mr Speaker, I seek clarification from the Member of the Council, whether this part of the Treaty is one of the parts on which amendment has been proposed to enable them carry out their functions.

Mr Kategaya: No. I don’t think there is need for amendment. Yes, it is up to the Summit to assign responsibility and deployment; it is not a question of amending the Constitution. The Summit is the ultimate authority.

The Speaker: Hon. Kategaya, I would like to help you out here. There is a Bill that you moved in the House when you were the Chairperson of the Council. It was *the Summit, (Delegation of Powers and Functions) Bill 2007*, and that Bill provided for the Council to request the Summit to delegate those duties. So, I think the power is still with the Council to decide if it wants to. So, you have the instrument, and I think the Council has not used it. You do not need to amend the Treaty.

Mr Kategaya: Thank you very much, Mr Speaker, for your guidance as usual. As I said, this matter was raised in the last Summit in Kigali by the outgoing chairperson on the advice of some of us, so our observation is still active. It can be actively pursued by the Summit.

I had suggested some structures for implementation at the Partner State level. My other suggestion is that the Council of Ministers must have specific responsibilities. Thirdly, let me think whether at this time of the integration process we should not have a small unit, a kind of think-tank, to show us the way forward. And what are the problems we are likely to meet on the way? Because at the moment, if I may say so, we are...what shall I say...we are almost un-guided; we have no radar. We just somehow go on bumping into things, if I may use the term. I think we need a sort of team - not involved in the Partner State matters, but a team which can guide us and say, “How should we go on? What are the problems we are likely to encounter? How do we look for the solutions”? I am suggesting also that we could have either research or a think-tank in helping us in the integration. (*Applause*) These are my three proposals.

The other problem on integration, for example we are having hard problems on the Customs Union, and I think the honourable members should take interest in this one. There is what they have called the non-tariff barriers, which actually are administrative barriers by the Partner States. These have hindered the implementation even of the Customs Union. We have things like policemen waking up and down, putting up roadblocks, and when you ask them they say it is security. But how do we determine that? Then all the traffic is delayed; then bribes of course are given in the process, or

somebody comes up and says, “These goods do not fit our hygienic standards!” then for a month you are up and down; laboratory tests, what not, and nothing is being done! So I think we should be interested in that type of thing, which hinders the smooth implementation of some of the decisions like the Customs Union.

I do not share the pessimism of hon. Ogalo. The Customs Union has done very well, and if it is successfully concluded in 2010, it will give us even more reason to have optimism for the Common Market. But the problem is not the law; the problem is what we call the non-tariff barriers; the administrative barriers; *vikwazo*. You know these impediments: You wake up one day, traders are told to pay one hundred dollars. When you ask why, they say, “Yesterday you were not here; we have discovered a new law!” Even though we have a Customs Management Act for the whole region, there are areas where you go and people do not even know the law governing the customs in the whole region. So, these are the things that the honourable members could really help with in the implementation process.

Then there is the question of raising funds. I have been thinking that if we have a fully functioning Customs Union, which means we have a common external tariff, we have a common entry point for all our goods from outside, we could persuade ourselves to have one item among those which come in, which is common in the region and tax it and raise money for the Community. But of course lack of money also -I do not want to use the word- what is in our items of performance? Is integration very high? If the integration is very high, I am sure we could look for the money, but also I am saying that if we have a customs union, with a common external tariff and a common entry point for goods, then we could agree on one item, which should be taxed for raising funds for the Community activities.

Some honourable Members have raised the question of the EPAs, and my approach has always been that we should negotiate rather than lament. We should sit down and raise all the issues we want to raise because if I remember, we were given 15 years in which to conclude all the issues we want to conclude - 15 years! My problem is with saying that we should not do anything now because we are from a weak position. That may not be useful. What we need is to have people who are experts, who know what we want, and we tell them what we want and our leadership should tell them what we want. It should be in the EPAs agreement.

Some people are saying that we are going to become a supermarket of European goods; but we have always been a supermarket; it is not something new! These vehicles are not made by us, are they? We have always been a supermarket, but what we should do now is to say that this time let us have a bargaining position. If you want the vehicles here, we also want the following to happen in your market; yes! (*Applause*) This is the point rather than saying, because we are not a market, then do not talk about it! We are a market already; the only problem is that it is one-way.

What we need to say is what we also want to happen. For instance, in the EPA agreement, there was the idea of development, because the problem of these economies mainly is that our supply side is very weak. You go to a market - I was telling the hon. Speaker that I went to Berlin and they needed 500 goats per month. I went to Uganda, did

a census and found that we would have sold all the goats in Uganda in two days! (*Laughter*) The problem is not the market, the problem is that we cannot supply. So, we should tell these Europeans, because part of the trade market is to have the capacity to supply, and we should be able to say so; we should not be shy about it. We should say, yes, we want capacity to supply! Mr Speaker, so I said I could supply the goats, although we have not done that before. I know that is not a problem.

So what I am saying is that we are already a supermarket, but what we need to say is that we do not want the continuation of this unfair trade terms. We want to bargain, and not just to say anything. We must say we are coming in but we should bargain. (*Applause*)

Lastly, Migingo: Even somebody was suggesting that we are dishonest; that we are not serious. As I said in Arusha, I want to repeat that the track record of Uganda is very clear on these matters. We have a modest contribution to many places in which we are fighting for peoples' rights. In Southern Sudan, against the Arabs we made our contribution; the genocide in Rwanda we made our contribution, small as it was. At the moment our sons and daughters are dying in Somalia. So, to think we can really go and fight over those rocks is an insult to us, Mr Speaker, if I may use the word.

I have heard some people say that in history small things have started wars. How can we talk when we are committed to East African integration? How can we let the rocks derail this Pan-African line, which we have toed all along in our lives? (*Applause*) We have been continuing to do it, and I would advise hon. Members to go by what is in the newspapers. Some of these papers have their own agenda. When Africans are moving, then small things come. Migingo; what is Migingo? *Bure Kabisa!*

Yesterday I read about sophisticated arms; sophisticated arms in Migingo? The Navy...the Navy in Migingo? Can we be serious? There may be some lapse in implementing decisions, but I do not see us - and I want to repeat this, because somebody said, "Oh, the other day you told us it was not serious because Migingo is not a serious matter!" It cannot be a serious matter.

Talking about these newspapers, some of them have never even been interested in the integration of East Africa. We know them; The *Standard* has never been interested in the integration of East Africa. Now, Migingo has become the issue, and somebody says - definitely I take exception to anybody who says we are not trustworthy. I take exception! Our record is clear. As I told you last time, this meeting took place. The ministers came from here, and experts in geography, mapping and so on are there; they are working on that one so, please!

Can I ask, Mr Speaker, that honourable Members should not be carried away by newspaper reports, but that they also investigate what these newspapers want and what their purpose is? We are all mature; we have been in politics. The integration of East Africa is not a small project; some people joke about it but it is not a small project. If it means transforming the geo-politics of this continent for purposes of integrating East Africa, we shall do so. So, to think that we are engaged in a small job is a mistake. There will be no enemy; there will be no enemies of integration. So, Migingo is small and

inconsequential in our integration process as far as Uganda is concerned. Thank you, Mr Speaker. *(Applause)*

The Minister for East African Community Affairs, Burundi (Ms Hafsa Mossi):

Thank you, Mr Speaker, and honourable members of this House. I would like to say that my contribution will be very short, given the fact that so many good comments have been made about the speech of His Excellency, President Paul Kagame, and Chairperson of the Summit of the Heads of State of the East African Community. First of all, I would like to thank you, Mr Speaker and hon. Members of this House, for the warm welcome and the hospitality that has been extended to me ever since I entered this House. *(Applause)*

Coming back to the speech of His Excellency Paul Kagame, I would just add my voice to what has been said that the speech was very rich, very well articulated and it was appealing for results. I will especially comment on something, which is very important to our Community, which is the environment. I think he was quite right to point out that this is one of the priorities of the East African Community, and that it is an area that needs to be addressed by the Partner States. We should especially think about encouraging best practices as far as environmental issues are concerned.

I would like to suggest that incentives should be given to people who show commitment to the environment. We know some people like Wangari Maathai, we know people like my President, the President of Burundi who has been at the forefront of planting trees all over the country -*(Applause)*- and some other people who you know in the East African Community. Rewards should be given to such people who have been working very hard and are very committed to issues of the environment.

With these few remarks I wish to support the motion moved by hon. Janet Mmari.

The Speaker: I think that was the maiden speech of the minister. There should be more; I don't see honourable members clapping for her - *(Applause)*

The Minister for East African Community Affairs, Rwanda, and Chairperson, EAC Council of Ministers (Ms Monique Mukaruliza): Mr Speaker, I wish to express my appreciation and gratitude to you and through you, to the Parliament and the Government of Kenya for enabling the East African Legislative Assembly to meet once again in Nairobi. *(Applause)* This venue is of nostalgic importance as it is here that this august House was effectively enlarged with the swearing in of new Members from Rwanda and from Burundi. *(Applause)*

The State of the EAC Address by His Excellency the Chairperson of the Summit was the second in a series of purposeful engagements between the Summit and the legislature. In his State of the EAC Address to this august House early last year, the immediate former Chairperson of the Summit, His Excellency Yoweri Kaguta Museveni, portrayed the path of the integration process and in this state of the EAC address, the current Chairperson, His Excellency Paul Kagame, has also analysed the direction and challenges to the integration process. In this State of the EAC Address, the current Chairperson has therefore given the way forward in the integration process. The institutionalisation of

these addresses is, therefore, part of the mandate of Summit to give general direction and impetus to the Community, as required in the Treaty.

I pay tribute to His Excellency, the Chairperson of the Summit, for outlining those key areas that will shape the deepening and broadening of the integration process. These areas include infrastructure development; the consolidation of the Customs Union; the finalisation of the Common Market negotiations in time; ideal management and sustainable utilisation of natural resources; the involvement of all stakeholders, especially in trade and investment; streamlining of good governance at all levels; and, effective projection of the Community as a regional economic block.

Mr Speaker, the address is a successful and concise exposition of how critical advancement in the said key areas is critical for the fast achievement of the goals of the integration process. It is the timely and focused pursuit of all projects and programmes in these and other areas that will actualise regional integration for the mutual benefit of the Partner States. I believe this year's State of the EAC Address is a challenge, not only for the EALA and the Council of Ministers, but it is a challenge to all EAC organs and institutions. It is for that reason that we have to ensure that all difficulties and hurdles are addressed in harmony and unity of purpose – (*Applause*).

In this regard, it is important for all the organs and institutions to support each other, to co-ordinate their activities and programmes, and to constantly engage in inter-organ consultations. (*Applause*) As His Excellency the Chairperson of Summit ably asserts, there can be no doubt that with determination and consistency of purpose, we shall realise our vision of a more productive, competitive and prosperous East Africa. Mr Speaker, I add my voice to that of the Council of Ministers to support the motion. Thank you. (*Applause*)

Ms Janet Mmari (Tanzania): Mr Speaker, this motion called for the House to commend the Chairperson of the East African Community Summit of Heads of State for the concise exposition of the EAC policy contained in the State of the EAC Address to this Assembly. I am pleased to say that at least 20 Members and three Ministers have spoken in support of this motion. (*Applause*) The majority of the Members centred on infrastructure, peace and security, non-implementation of the approved programmes, which actually is the domain of the Council, environmental degradation, is promoting East Africa as a single destination, governance, with specific emphasis on corruption; and shortcomings that exist in implementation, including a call to review the Treaty and of course make this Assembly effective. It would appear that we are now realising that this House has been a toothless bulldog.

I now wish to recognise by name the members who spoke, who include hon. Margaret Zziwa, and in the interest of time, I may not actually go through what they said – (*Interruption*)

The Speaker: You can just summarise and save time; you do not have to call out the names. Just summarise, please.

Ms Mmari: Hon. Lydia Wanyoto, hon. Kidega, hon. Safina Kwekwe, hon. Dr George Nangale, hon. Dr James Ndahiro, hon. Dora Byamukama who had an interest there when she said that everything in that speech spoke by itself, and she said it is *Res ipsa loquitur*, and knowing her, next time she may probably come up with a number of motions. There was hon. Dr Kabourou, hon. Akhaabi, hon. Leonce, hon. Patricia, hon. Kimura, hon. Dan Ogalo, hon. Odette, hon. Frederic, hon. Dr Masha, hon. Sebalu, hon. Nakuleu, hon. Lotodo, and hon. Tiperu. (*Applause*)

I also wish to recognise the contribution from hon. Eriya Kategaya. That notwithstanding, I had a point of information. I would want to draw his attention to the function of the Council, and we request him to ensure he takes time and looks at Article 14(3) (c) which says: “*Subject to this Treaty, give directions to the Partner State and to all other organs and institutions of the Community other than the Summit, Court and Assembly*”. So, I wish to ask him to consider measures that should be taken by Partner States in order to promote the attainment of the objectives of the Community.

Mr Speaker, by this I mean that as we already have the Council of Ministers and he is looking for a small think-tank for the Community, the Council and the think-tank will be trampling on each other’s feet saying, “It must be so and so”, because they will start saying, “It is him, it is them”, and so forth. There is no need for a think-tank!

Having listened to the contributions, I was just wondering; what do we want out of this speech? I have listened, I have pondered on it and I was thinking -and I stand to be corrected- that we should honour these addresses. (*Applause*) This is the second one. We should ensure that we do not put them on the shelves where they will continue to gather dust, but rather, when a head of state addresses us...Mr Speaker, I would like to give an example of South Africa. When His Excellency President Mandela addressed South Africans on issues of AIDS, it was like a law. For us, once we are addressed, whatever comes out of the speech should actually be like a law. The address should, therefore, be translated into our annual budgets.

So, I am calling upon Members to be on the alert when we approve the budget and link this with the strategic plan. (*Applause*) This is one of our functions. In this particular case when we look at the coming budget in the next session we have to ensure that infrastructure is taken care of; peace and security should be taken care of; the environment should be taken care of; publicity should be taken care of, and when it comes to negotiations for the EPAs, we make sure we know exactly what is taking place, and that we have crossed all ‘t’s and dotted all our ‘i’s. (*Applause*)

Mr Speaker, I am calling on Members to play our role and, indeed, I want us to look at Article 49, which talks of the functions of the Assembly.

49(1) *The Assembly shall be the legislative organ of the Community*

When you look at Section (2) it says - and I want us to be very careful on all of them, apart from (f) and (g).

49(2) *The Assembly:*

- (a) *shall liaise with the National Assemblies of the Partner States on matters relating to the Community.*

So, where my Partner State was supposed to have done something and it has not done it, I have to ask myself; have I played my role?

- (b) *shall debate and approve the budget of the Community.*

I do not want to underscore that because I think I have talked at length about that one.

- (c) *Shall consider annual reports on the activities of the Community, annual audit reports of the Audit Commission; and any other report referred to it by the Council.*

Hon. Speaker, this is where the Accounts Committee needs to stop looking at historical events and to actually look for value for money. This is the only time when you will know whether something has been or has not been done. This is the time when we can get the opportunity to ask the Council and the other organs, the Secretariat whether they have done what they are supposed to do.

And finally; “

- (e) *may, for purposes of carrying out its functions, establish any committee or committees for such purposes as it deems necessary.*

Where we see things have not been done, we should ensure that they are done by putting in place appropriate committees.

Mr Speaker, I thank you, I thank all the Members for supporting the motion, and lastly - I had reserved the best for last - I thank the Kenyan chapter and the Parliament of Kenya for availing us this opportunity. Thank you. *(Applause)*

(Question on the motion put and agreed to.)

Motion adopted.

The Speaker: Honourable Members, we have come to the end of our business today but before I adjourn the House I would like to make two comments. First and foremost I would like to talk about this Migingo issue. We talked about this Migingo issue yesterday in the press conference and as Members of the East African Legislative Assembly, you know when you look at Article 49, which the honourable Member has just been reading, we are here as Members of the East African Legislative Assembly. We are here to look at the interests of the 120 million people in East Africa.

So, much as we are elected from our Partner States, we are here to look at the interests of the East African Community. Even the Council has, a number of the times, said that the only organ in the Community that talks East African is the East African Legislative Assembly. Some Members stand up and castigate their own Partner State because of something that Partner State is not doing for the East African Community. I think that spirit should continue on Migingo.

Like I said yesterday, this is something small. The Community is bigger than Migingo. So, I think we should also go on; we should follow that spirit and look not only at Migingo but at all other issues as East Africans and not as people from the Partner States that we come from.

We are here to build a Community, and we are here to integrate the people of East Africa. If the leaders of East Africa are the ones talking or dividing the people of East Africa, then I think we do not have an East African Community to talk of. So, I implore you, hon. Members, to think East African because we are East African. *(Applause)*

In the same breath, I would also like to challenge the Council of Ministers. The ministers are here. We adopted a resolution urging the Partner States of Kenya and Uganda to have a peaceful and speedy resolution of the Migingo issue. They say they are nurturing ways of working out the issue, but I have not seen even a joint press conference by the minister from Kenya and that of Uganda of the East African Community. You have not even made a statement saying “a, b, d, d is happening, but please wait until such and such happens.” When there is no communication from these ministers, that is when the newspapers - and they are the ones that get to the people and you know when you hear the newspapers saying this, the newspapers in Uganda are saying that and you know we cannot go by rumours. I think that is what is happening now and the Council of Ministers should come out and tell East Africans what is being done at Migingo Island so that the rumours can be put to rest. *(Applause)*

Finally, hon. Members, I would also like to announce that there is a dinner being hosted for the EALA Women’s Forum at 8.00 p.m. in Chester House, on the fourth floor – *(Interjections)* - I said it is for the EALA Women’s Forum. It is not for you but for the EALA Women’s Forum. It is at 8.00 p.m. Those who are invited, you know who you are.

ADJOURNMENT

The Speaker: I now adjourn the House until tomorrow at 2.30 p.m.

(The Assembly rose at 6.30 p.m. and adjourned until Wednesday, 25 March 2009, at 2.30 p.m.)